

COMMUNITY MATTERS

THE PRO BONO AND COMMUNITY SERVICE NEWSLETTER OF MANATT, PHELPS & PHILLIPS, LLP

PROTECTING CHILDREN MATTERS

Unimaginable Abuse, Mitigated by a Remarkable Manatt Team

In April, a team of attorneys in our Washington, DC office accepted a referral from the *National Center for Refugee & Immigrant Children* that involved facts so atrocious, everyone hoped that they might ultimately prove to be untrue. With great sensitivity, however, associates **Chris Koegel** and **Mike White** (working with partner **Susan Schmidt** and bilingual assistant **Helen Wiccarver**) confirmed that our 17-year-old client had, in fact, suffered unimaginable levels of violence during her short life.

“Sara” fled a life of severe abuse inflicted by her family, her boyfriend, and several others in Guatemala. Since she was about four years old, Sara was repeatedly beaten by her parents. Her father’s beatings were especially severe as he often employed objects such as sticks, belts, and pieces of metal to intensify Sara’s suffering. Beginning at age five, Sara’s parents would leave her alone for days. As time wore on, they also would hold her responsible for the care of her three siblings, including a brother who also would beat her.

In addition to experiencing intense physical abuse from her family members, they also rained emotional abuse down upon her with constant insults and decrying her as “worthless.” Nevertheless, by the time she turned 8, Sara was allowed to attend school. This brief respite from her family’s cruelty would last for only two years, however, because her parents ultimately determined that she was “too stupid for studying.”

After being relegated to the home at age 10, Sara was raped repeatedly by her older cousin and then by an employer’s son. Although she

feared the physical repercussions, Sara eventually disclosed this information to her parents who called her a “whore” and convinced her that the rapes were her fault. Beginning around the same time, Sara often would become seriously ill and, rather than seeking the immediate attention Sara needed, her mother refused to provide even basic medication.

As she got older, Sara tried to escape from her family’s abuse by moving to Guatemala City to work as a domestic helper. Unfortunately, life would only get worse for her as her employer’s husband frequently molested her and she later was brutally attacked after refusing to join one of Guatemala’s most pervasive and notorious gangs. Due to these events, Sara contemplated and even attempted to commit suicide on several occasions.

Eventually, out of sheer desperation, Sara determined that the only way she could end all this pain would be to leave Guatemala with her boyfriend, with a secret goal of escaping from him (because he also was abusive) once they crossed into the United States. When they were detained at the border, Sara’s boyfriend was immediately deported back to Guatemala because he was over age 18 and Sara was placed into investigative immigration custody in Virginia.

Immigration officials quickly realized that Sara would not be safe if she was forced to return to Guatemala. In fact, upon recognizing the extent of Sara’s traumas, the immigration officials took an exceptionally rare step of placing Sara into a federal foster care program so that she could begin to form stable ties in America



Left to right: Christopher Koegel, Helen Wiccarver, Michael White, and Susan Schmidt.

and start receiving the medical and mental health attention she so desperately needed. Our team of attorneys worked close with Sara and her social workers to ensure that she could quickly and seamlessly regularize her protected status as Special Immigrant Juvenile (“SIJ”).

In late September, Chris and Mike traveled to Henrico County, Virginia to appear with Sara in the Juvenile & Domestic Relations Court. The presiding judge immediately stated that he was very impressed with our filing, which he found to be “very thorough and well-organized.” Although our attorneys were prepared to engage in a full evidentiary hearing, the judge took less than 10 minutes to issue the necessary SIJ findings to allow Sara to remain safe in the U.S.

Sara’s social worker later told us that Sara regularly talks about “her lawyers” (Chris and Mike), saying that she has the best lawyers, that they are so smart, etc. Additionally, the social worker let us know that she was incredibly impressed with how Chris and Mike were able to earn Sara’s unflagging trust (which, given her history, is a true milestone) and that they did an excellent job all-around.

Having accomplished so much in terms of the client relations/trust issues and in delivering a positive outcome at juvenile court, we feel confident that our final set of immigration filings also will be approved in short order. 🍀

New York Garners another Immigration Victory

New York-based attorney **Lisa Horwitz** could not believe that her new client, “Kay” was 17-years old – she looked so much younger, so lost and alone. Over the course of several months, however, Lisa would come to see what a strong girl Kay really was.

A Message From the Director of Pro Bono Activities

The last edition of our Community Matters@Manatt newsletter focused on the pro bono work we have done to benefit refugees and the organizations that serve them. And, while we are delighted to share a few of our most recent refugee success stories in this edition, we also want to introduce our readers to a wider variety of projects that engage our professionals’ interests and talents.

If we had unlimited pages and less stringent publication deadlines, we would love to report on every single one of the nearly 400 pro bono clients we have been honored to serve so far this year, as well as the scores of general community volunteering programs we have undertaken. Instead, we feature a truncated yet eclectic selection of our projects to help demonstrate the unique spirit of service that thrives throughout our firm.

We hope that our readers will find something in this newsletter to interest them, to inspire them, and to help them understand more deeply why service and community really do matter at Manatt.

– Cristin Zeisler, December 2007

Kay was born in Guyana on August 2, 1988. Kay’s birth certificate lists “M____. C_____.” (*full name withheld to ensure Kay’s privacy*) as her mother and “not stated” as her father. Although Kay’s father was never part of her life, by all accounts, M.C. was a good and loving mother to Kay. Tragically, however, M.C. died suddenly on August 2, 1998 – Kay’s tenth birthday.

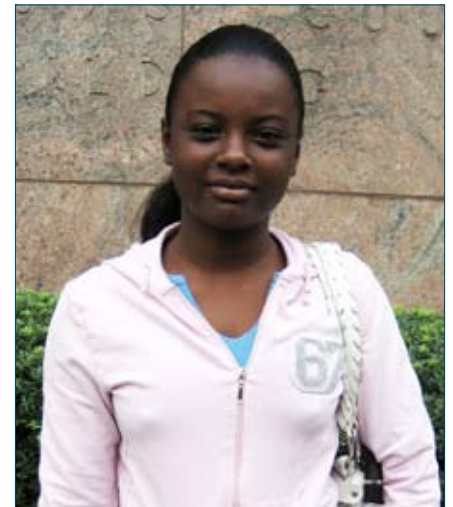
Kay’s purported father showed up after M.C.’s death and, rather than offering to take Kay in to his household, he instead gave her approximately 1,000 Guyana dollars (equivalent to approximately five U.S. dollars) and wished her well. Thus, at age 10, Kay was essentially an orphan – left to the well-intentioned, but not always sufficient, care of her aged maternal great-grandmother, “Lil.”

Under Lil’s care, Kay attended high school, but did not finish, and instead, was enrolled in a trade school. Eventually Lil grew too feeble to continue to care for Kay, so the decision was made that Kay would be sent to the United States with the hope that Kay might find her godmother who was reportedly living in Brooklyn, New York and had become a U.S. citizen.

By herself, young Kay traveled from Guyana to St. Martin and then from St. Martin to Puerto Rico, where she was detained by immigration officials. They transferred her from Puerto Rico to Miami where she was held for approximately two months. Eventually Kay was able to contact her godmother and the immigration authorities released Kay into her godmother’s care.

By the time Manatt received Kay’s case, she had enrolled in the Downtown Learning Center in Brooklyn to earn her GED. Kay was getting by in school and enjoying her godmother’s attentive care, but she was preoccupied by worries over her immigration status and fearful that she might lose the chance to become an American nurse.

Although Lisa researched Kay’s background and prepared and filed all the necessary immigration forms in short order, we were frequently stymied by the government’s repeated efforts to cancel and/or reschedule Kay’s hearings. With characteristic determination, however, Lisa kept pushing to get Kay her day in court. Once that finally happened, the immigration judge immediately granted Kay’s application to become a Legal Permanent Resident.



“Kay” in front of NY Immigration Court after her successful hearing.

Lisa reported that “the judge was very nice (he actually remembered me, since I’ve been there so many times now trying to get this to happen) and Keisha was very excited and happy.”

Kay has successfully completed her GED and, now that she has a green card and social security number, she plans to get a job so that she can pursue her dream of enrolling in nursing school. 📖

Turning Pain into Hope

“Marisol” came to the *Legal Aid Society of San Mateo County* (“Legal Aid”) because she needed help with obtaining a divorce. Her husband, “Joe,” had abused her as well as her two little sisters, over which the couple shared legal guardianship.

While conducting their standard, comprehensive case review, the Legal Aid attorneys discovered facts in the family’s background indicating that Marisol’s two little sisters (“Vera” and “Amy”) likely would qualify as Special Immigrant Juveniles (“SIJ”), which would allow them to regularize their immigration status.

Vera and Amy had come to the U.S. from Mexico in 1998 and 1999, respectively, when they were just 9 and 5 years old. In early 2000, their mother passed away from cancer. Following the death of their mother, Marisol and her husband applied for and became the children’s legal guardians. The children’s father supported this action, although he died – suddenly and of unknown causes – shortly afterwards.

Vera and Amy were now orphans, dependant upon their sister and her husband, Joe, for their care. Although Marisol cared for her sisters deeply, she could not protect them from Joe’s increasing abusiveness. Their only hope would be for Marisol to divorce Joe and obtain sole guardianship over her sisters.

Thus, Legal Aid turned to Manatt with an unusual request: Rather than obtaining the SIJ orders in connection with establishing a guardianship (the routine process), could we instead first get the SIJ orders on an ex parte basis and then terminate Joe from the guardianship? We weren’t sure if it would work, but we were willing to give it a try.

Working closely with **Cristin Zeisler** from Los Angeles, Palo Alto-based associate, **Omair Farooqui** dug right in and quickly got the ex parte SIJ orders. Omair then successfully negotiated with Joe’s divorce attorney to obtain a stipulation to his removal from the guardianship.

Marisol, Vera and Amy are now safe, happy and healthy on their own, away from Joe. All three sisters say that they have learned the importance of having a good lawyer and we, in turn, are glad to have learned a new method to help orphaned children overcome their painful pasts to build brighter futures. 📖

HOUSING MATTERS

48 Low-Income Families Now Have Homes

Attorneys in our **New York office** recently closed a pro bono Real Estate transaction for the *Lower East Side Housing Coalition*, the only Latino, community-based, housing development organization operating in the Lower East Side, which desperately lacks affordable housing options.

Following the closing that allowed 48 families to obtain new, safe, reasonably-priced residences, the client sent along the following praise:

We write to express our most heartfelt appreciation for your work on the recent closing of our Isla Nena Apartments. We are proud when we state that you are our legal counsel for the deal. ... Your commitment to quality affordable housing ... and quality work mak[e] this a true labor of love... On behalf of the Board of Directors of the Lower Eastside Coalition Housing Development and the staff, and the 48 families that now reside at Isla Nena, we thank you and your firm for your pro bono contributions. 📖

Your commitment to quality affordable housing ... and quality work mak[e] this a true labor of love ... On behalf of the 48 families that now reside at Isla Nena, we thank you and your firm for your pro bono contributions.

– **Zulma Zayas,**
Executive Director

Lower East Side Coalition Housing Development, Inc.

Disabled Man Victimized by Home Equity Lenders, Receives Favorable Settlement

After a local affiliate of the CBS network ran an exposé on home equity scams, “Bart Newman” contacted *Public Counsel’s Consumer Rights Project*. Mr. Newman had a bit of an unusual story. Because he was disabled, he had refused to pay his homeowners association dues for several years because they would not add a ramp to provide pool access. In late 2005, the homeowners association initiated a foreclosure proceeding against him because he owed \$14,000 in back dues.

A short time later, a woman told Mr. Newman that the company she worked for could help him forestall the foreclosure. Mr. Newman said he was interested and asked her to return with any the necessary forms and documents. Weeks went by. With good reason, Mr. Newman grew increasingly worried that he might lose his home, but the woman assured him that everything would be alright. Finally, the day before Mr. Newman’s home was set to be

sold at a foreclosure sale, the woman and her associates returned with some paperwork. They convinced Mr. Newman to sell his property to them by signing a Grand Deed and Equity Purchase Agreement. The purchase agreement was for an amount far below the home's fair market value.

Once Mr. Newman told his story and showed the paperwork to the attorneys at Public Counsel, they recognized the company as being the one CBS had investigated for more than 100 similarly questionable transactions. Public Counsel then contacted Manatt to see if we could step in to assist Mr. Newman.

After over a year of negotiations, Los Angeles-based counsel **Geoff Tong** convinced the home equity company to rescind the purchase agreement. Because Mr. Newman's sole source of income is his monthly disability benefit payment, he knew that he could not afford to keep the home because the combined monthly homeowners association dues and assessments, property taxes, general upkeep expenses plus utilities, food, and personal expenses were just too much for his meager income. Thus, Geoff also was able to convince the home equity company to pay for new paint, carpeting, and other cosmetic improvements to the home to enhance the property's appeal for sale on the open market.

Because Mr. Newman now will be able to realize the home's full market value, which has grown considerably over the years, he is delighted that he will be able to use the proceeds to purchase a new home within his budget. 🏡

Creating a Truly Happy Thanksgiving

"Priscilla North" lives in Central Los Angeles with her two sons and mother. She is a single mother and the sole bread winner for her family. For over 20 years she paid rent for her duplex unit and was a model tenant. In April 2004, the owner of the property entered into a written contract to sell the entire property (two units total) to Ms. North for \$260,000. Escrow was opened and set to close in 60 days. However, escrow did not close in the 60-day period.

When Ms. North asked the owners to explain the delay, they told her that the sale was held up due to "technical probate matters." Through approximately December 2006, the owners repeated this same excuse.

Then, in December 2006, with local real estate prices soaring and the fair market value of the property reaching approximately \$550,000, the owners attempted to bully Ms. North into consenting to cancel escrow by threatening legal action and eviction.

Ms. North wisely stood her ground and contacted the Legal Aid Foundation of Los Angeles (LAFLA), which referred the case

"The day that escrow closed, Ms. North called me to thank everyone at Manatt for the great "Thanksgiving gift" we had arranged for her and her family. She was tearful at what an impact owning the home will have on her life -- Another good deed done by the Manatt pro bono team!"

– John Fogarty
Manatt Partner

to Manatt. Partner **Jack Yeh** and newly elected partner **John T. Fogarty** teamed up to defend Ms. North's rights under the contract. They immediately drafted a complaint, filed it with the Los Angeles Superior Court, and filed a *lis pendens* to prevent a pending sale of the property to a developer.

"We are grateful to have been given the responsibility to help Ms. North resolve this problem."

– Jack Yeh,
Manatt Partner

John and Jack then arranged for a mediation with all parties, and convinced the owners to sell the property to Ms. North for just a fraction more than the original purchase price. Escrow closed just before Thanksgiving.

Ms. North now owns her own home, and has nearly \$200,000 in equity in the property! She called Mr. Fogarty the day escrow documents were recorded and thanked Manatt and LAFLA for standing by her and changing her life: "Every morning for 20 years I would wake up and worry about eviction; now, I have my own home, my family has a place they can call their own." 🏡

"Every morning for 20 years I would wake up and worry about eviction; now, I have my own home, my family has a place they can call their own."

– "Mrs. North"

REMEMBERING THE HOLOCAUST MATTERS

Building a Permanent Home for Memories

Holocaust survivors founded the Los Angeles Museum of the Holocaust in 1961 as a permanent repository for their personal artifacts from the Holocaust and the world the Nazis destroyed. Today the Museum hosts docent-led school tours, survivor lectures, exhibitions on the Holocaust, and special events in an “intimate” space, which has served as Los Angeles’ only entirely free museum for more than 45 years.

Approximately three years ago, the Museum embarked upon an ambitious path toward building a permanent repository for commemoration and education. In early November, the Museum signed a 50-year lease with the City of Los Angeles that will allow the Museum to build a world-class facility in an under-utilized area of Pan Pacific Park.

According to Mark Rothman, the Museum’s executive director, *“Two factors combined to create the lease agreement: Los Angeles City Attorney Rocky Delgadillo made the issue a priority for his staff, and ... sage counsel from our Manatt attorneys, helped us cut through red tape that had stalled this project.”*

Land use and government relations attorneys **Daniel Gryczman** and **Lisa Weinberger** advised the Museum and negotiated directly with the City Attorney’s office to get the deal done.

After announcing the lease agreement, the Museum was able to secure a sizable donation representing a nearly quarter of the amount the Museum needs in order to complete construction on a revolutionary new facility that will increase green space in the park and integrate a dual message of tragedy and hope about the events of the Holocaust.



Assisting Survivors to Obtain Reparations

In early November, Manatt became the first law firm to commit to provide pro bono assistance to Bet Tzedek Legal Services as it sought to launch a large-scale effort to help hundreds of holocaust survivors apply for benefits under a newly announced German Ghetto Work Payment Program.

More than 40 attorneys Manatt attorneys and legal assistances have committed to provide up to 300 hours of pro bono service in connection with this unprecedented effort, which will unfold in Los Angeles over the course of December, January and February.



Manatt attorney Daniel Gryczman (far left) at lease signing ceremony with representatives from the Los Angeles Museum of the Holocaust (Executive Director Mark Rothman, 3rd from left) and the City of Los Angeles (city attorney Rocky Delgadillo, center)

EDUCATION MATTERS

For more than five years, Manatt has supported Public Counsel's efforts to improve traditionally disenfranchised communities' access to pre-school and early learning opportunities. More recently, we also have begun working with the Alliance for Children's Rights, the Disability Rights Legal Center and New York Lawyers for the Public Interest to assist their young clients with obtaining appropriate educational experiences. Our collaborations with these organizations have covered a range of projects, as described further below.



Benefit From Land Use Experts Up-and-Coming Child Care Providers

When Public Counsel identifies cities that fail to comply with state laws that provide certain protections to expanding and protecting family child care facilities and that erect illegal zoning and other administrative barriers to such facilities, our attorneys work every possible angle to assist local planning commissions and city councils to become compliant with state law and to enable more local children to obtain crucial day care preschool services.

Throughout Los Angeles County – from Altadena to El Monte to Palmdale, Manatt's land use experts have been working closely with licensed child care providers to help them navigate a dizzying array of regulations and to negotiate favorable rulings that enable our clients to develop or expand child care centers in high-need areas.

Special kudos go to associates **Lisa Kolieb**, **Brady McShane**, **David Rand**, **Gina Smith**, and **Nancy Whang** as well as partners **Bryan LeRoy** and **Randy Keen**. 📍

Advocating on Behalf of Children with Learning Disabilities

It is estimated that over 50% of youth in the juvenile delinquency system have undetected learning-related disabilities. Many youth enter the delinquency system due to behavior resulting from frustration and anger felt over these unaddressed and/or undiagnosed learning-related disabilities.

Attorneys in our New York and Los Angeles offices are partnering with legal service organizations such as *New York Lawyers for the Public Interest* and the *Disability Rights Legal Center* to ensure that these students are properly served. In several cases, we have seen our advocacy work to prevent children's anti-social behaviors from escalating, which in turn enhances these children's potential for successful, well-adjusted lives.

Although our young clients and their parents have asked that we not share details about their individual cases, we can confirm that time after time, these youngsters have made remarkable turnarounds in their academic and social performance once we are able to work

Transactional Attorneys Provide Insights To Early Education Organizations

We recently worked with child care and early education providers to help them navigate California's grant programs. Transactional attorneys, including partners **Rich Maire** and **Scott Lochner** as well as associate **Harold McDougall**, presented legal rights workshops for Public Counsel's early education clients regarding the basics of contract law as well as the ins and outs of a California Department of Education application that could provide much-needed funding to preschool facilities.

Karla Y. Pleitéz, Public Counsel Staff Attorney, sent a lovely note following the grant application training to extend gratitude to Manatt. She emphasized that this was "important work because a recent study by the Advancement Project found that 21% of California's 4-year-olds cannot go to preschool [due to] lack of preschool space. Many of our clients will now be able to complete the application and hopefully obtain funding [to] increase preschool space, thanks to [your] training." 📍



Manatt Associate Harold McDougall meets with early education providers at Public Counsel.

with their schools to identify appropriate educational plans and accommodations.

Partners and counsels **Ed Burg**, **Doreen Shenfeld** and **Jerry Sheehan** have been especially instrumental in helping to develop this growing part of our national pro bono program. They have been ably assisted by associates **Elizabeth Alonso**, **Joanna Hooper** and **Anita Hsu**. 🍁

Life Skills Planning Helps Former Foster Youth to Clean Up Their Records

Every year approximately 1,500 youth “age out” of Los Angeles’ foster care system without being prepared for the challenges of adulthood. Within two years more than half will be unemployed and nearly half incarcerated or homeless. Working with our pro bono partner, The Alliance for Children’s Rights, our attorneys are helping to form a lifeline to help guide these 16 to 24 year olds through the difficult transition from foster care to independence by educating them about their legal rights and responsibilities and empowering them with skill building workshops and access to resources.

In September, associates **Charles Gomez** and **Joelle Gryczman** offered a workshop at a transitional housing facility to help nearly 40 youth learn how they can clear outstanding low-level tickets and misdemeanors. The kids found Charles, especially, to be an engaging and – at times – entertaining educator.

The on-site advocacy counsel later said, “I can’t tell you how impressed we were with the wealth of information presented and how well you worked with our residents. ... It says so much about you that you took the time to visit our program and share your expertise with us. Your contribution was appreciated, well-received, and very helpful for the clients we serve.” 🍁

I can’t tell you how impressed we were with the wealth of information presented... It says so much about you that you took the time to visit our program and share your expertise with us. Your contribution was... very helpful for the clients we serve.

– Mary Magluyan,
Program Coordinator –
United Friends of Children

Preparing for the NextSTEP

As part of the Alliance for Children’s Rights NextSTEP program for youth who have “aged out” of the foster care system, Manatt helped to sponsor an educational Thanksgiving celebration.

The day brought together nearly 50 young adults and mentors for a family-style afternoon of holiday cooking and eating. The youth and mentors cooked a traditional Thanksgiving meal under the guidance of professional and student chefs from the Kitchen Academy, and then worked with Manatt attorneys **Lara Krieger** and **Jennifer Butler** to create festive center pieces while learning table setting tips.



Former foster youth work on centerpieces provided by Manatt.

After all the activity, everyone sat down to a beautiful Thanksgiving dinner filled with laughter, conversation, and most of all, lots of eating! 🍁

OVERCOMING HOMELESSNESS MATTERS

New York Office “Adopts” Residence for Homeless Families

In October, a team of Manatt attorneys and paralegals in New York received training from the City Bar Justice Center to enable them to sponsor and conduct legal intake clinics at the Jennie A. Clarke residence, which provides transitional housing, social, health and educational services to 72 families working to overcome homelessness. Partners **Paul Gangsei** and **Jeff Thrope** spearhead the new clinic program, which has initially involved assistance from **Zach Bernstein**, **Kim Brown**, **Sheryl Godwin**, **Bea Grossman**, **Lisa Horwitz**, **Angela Hurdle**, and **Amy Sheehan**.

Following our first clinic session, Lisa and Sheryl agreed to provide follow-up representation to three of the residents who had been sanctioned by New York City’s welfare administration failing to show up at various appointments as part of a mandatory program that helps welfare recipients get back to work.

At press time, Lisa and Sheryl had obtained favorable decisions for two of the clients, and the third individual was being prepared for her fair hearing. 🍁

Re-Housing Hurricane Katrina Survivors on the Gulf Coast

In October, our Director of Pro Bono Activities returned to Mississippi Coast to review the progress that has been made, and the work that yet needs to be done, in helping Gulf Coast residents rebuild their lives more than 2 years after Katrina. She had the opportunity to meet with some of the nearly 4-dozen clients who have benefited from Manatt's pro bono services.

One client, Lisa Freund, offered a note of thanks to her San Francisco-based attorney **Craig Miller**: *"I would like to take this time to say thank you so much for your help in this matter. Your work gives me some hope... Like a ray of sunshine after a long rain!!"*

Manatt continues to accept pro bono cases from the Mississippi Center for Justice, with attorneys in five offices actively working on cases and we are in for the long haul of helping our fellow Americans regain stability and hope. 🌈



Much work remains to be done on the Mississippi Coast.

"I would like to take this time to say thank you so much for your help in this matter. Your work gives me some hope... Like a ray of sunshine after a long rain!!"

– Lisa Freund,
Pro Bono client in Mississippi

Palo Alto Team Serves Hundreds During Project Homeless Connect

For nearly two years, attorneys from our Palo Alto office have made regular trips into San Francisco to volunteer at Project Homeless Connect, an innovative program that provides a one-stop shop of health, social and legal services for homeless San Franciscans.

During the Autumn event, Manatt partner **Jerry Petruzzelli** and associate **Omair Farooqui** joined with attorneys from across the Bay Area to conduct pro bono legal intake and to provide brief advice to 225 of the more than 2,300 individuals who sought services from the assembled providers. As a result of the event, 93 people were able to move off the streets and into a combination of stabilization housing, shelter and residential treatment centers.

Past PHC participants have included partners **Katerina Bohannon**, **Eugene Hahm**, **John Kern** and **Craig Miller**, associates **Kate Bartow** and **Tara Kaushik** and paralegal **Keysha Hunt**. 🌈



Jerry Petruzzelli, left, and Omair Farooqui helped Project Homeless Connect to provide legal services to scores of individuals, many of whom also received housing.

Manatt Legal Clinics Serve Their 500th Homeless Veteran

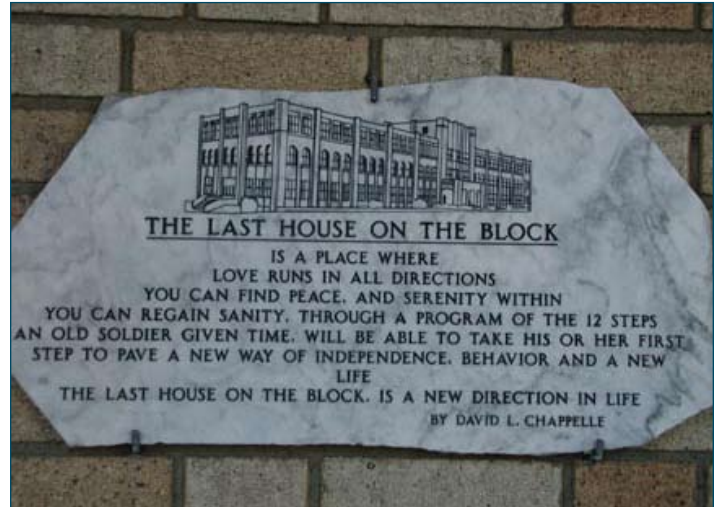
Up to 1/3 of Los Angeles County's estimated 98,000 homeless individuals are veterans. In February 2006, at the request of 9th Circuit Judge Harry Pregerson (who was wounded in the WWII battle at Okinawa and who is an ardent advocate for veterans and the homeless), Manatt began a legal clinic for veterans who are working to overcome homelessness and addiction.

Our initial plan was to serve 10-12 veterans every other month at a clinic that would focus exclusively on screening veterans for "homeless court" eligibility. More than two dozen of "our" veterans have gone through this program, enabling them to obtain stable jobs and independent housing.

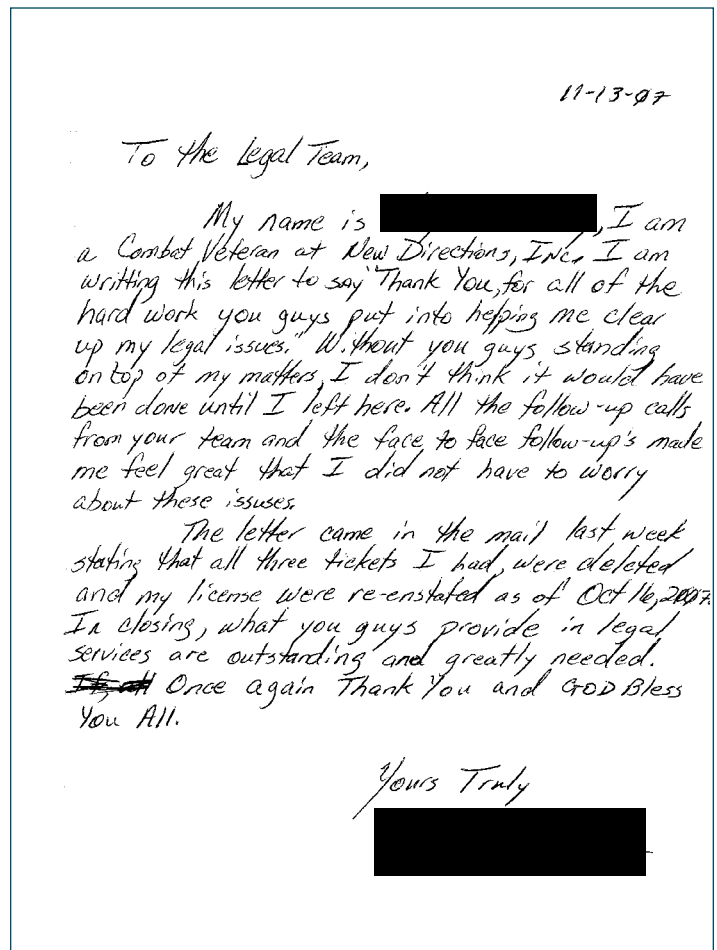
After three sessions, it became clear that many more veterans at the recovery center required services, their issues went far beyond what homeless court could address and many more Manatt attorneys were eager to become involved with the program. Thus, we added more volunteers, added more clinic interview slots, and increased the clinic frequency to monthly. By the end of 2006, we had served 115 veterans at 7 clinic sessions – and still the need was greater.

As 2007 began, we decided to expand our services to a second recovery center. To ensure full volunteer coverage at two sites running simultaneous clinics, we provided training to 14 UCLA law students who now join us in serving up to 50 veterans each month. As of November 13, we had served 502 veterans at the clinics. We also have provided direct legal services to several individual veterans – helping them to obtain/maintain public benefits; enabling them to clear up warrants in multiple jurisdictions; and resolving various consumer debt, identity theft, and fraud issues. 🍷

Right: One grateful veteran wrote us a heartfelt letter of thanks in honor of Veterans' Day.



Manatt legal clinics serve New Directions' clients and mission.



Manattics Pitch In To Help Washington Legal Clinic for the Homeless

On a beautiful, sunny, and crisp Autumn morning, the “Manattics” did the firm proud in their inaugural entry into the “Lawyers Pitch In” softball tournament benefiting the Washington Legal Clinic for the Homeless. With 18 teams participating this year, the tournament raised tens of thousands of dollars for this worthy cause. Our incredibly determined team graciously allowed veteran tournament teams to advance to the play-offs, and we put in an unbeatable showing in the fashion and spirit categories.

The DC office followed up on its efforts to pair athletics and altruism by deploying a team of walkers in connection with our corporate sponsorship of the national capital area’s “Help the Homeless” walk-a-thon in November. 📸



Manattics Pitch In....



Backpacks prepared by Orange County Office.

Children of Homeless Families in Orange County Return to School in Style

In what is fast becoming an Orange County office tradition (led by **Gretchen Clark** and **Roger Grable**), we once again supported Families Forward with its annual Back-to-School Backpack Program. Nearly every member of the office participated in a collection drive to provide backpacks stuffed with school supplies to dozens of needy children. 📸

FIGHTING THE GOOD FIGHT MATTERS

As our summer newsletter was hitting your in-boxes and mailboxes, we were in the midst of several efforts focused on helping needy individuals to obtain and maintain life-sustaining benefits.

Co-Counseling on Behalf of California’s Public Benefits Recipients

In late September, Manatt joined with The Western Center on Law & Poverty, Bay Area Legal Aid, the Coalition of California Welfare Rights Organizations, and Legal Services of Northern California to file a lawsuit in Sacramento on behalf of plaintiffs whose state benefits had been incorrectly delayed, reduced or terminated due to the defects in a computer system maintained by the Department of Social Services.

Rolled out in 2005 and costing taxpayers \$744 million, a highly complex computer system (called “CalWIN”) has been plagued from the start, where the slightest data-entry error will cause individuals to lose critical benefits, including welfare and food stamps.

Palo Alto-based partner **Ron Katz** leads Manatt’s team, which includes **Chris LeGras** in Palo Alto and **Dave Elson, Yael Tobl** and **Cristin Zeisler** in Los Angeles. Upon filing the suit, Ron exclaimed that the case had made him a “pro bono convert” because the law simply “does not permit our most vulnerable citizens to be put in harm’s way by either state employees or state data processing systems.”

Our co-counsel, Robert Newman from the Western Center on Law and Poverty put it more colorfully, saying: “CalWIN is a misnomer. The computer program should be called CalLOSE, as in you lose your benefits for no good reason, without notice or an opportunity to be heard.” 📸

The law simply “does not permit our most vulnerable citizens to be put in harm’s way by either state employees or state data processing systems.”

– **Ron Katz**,
Manatt Partner

Manatt Assists Pro Bono Clients with Disability Benefits Claims

While we were filing suit on behalf of California's public benefit recipients, we learned that New York-based litigation associate **Kathleen Johnson** has succeeded in obtaining full Supplemental Security Income benefits for an elderly Spanish-speaking woman who suffered crippling injuries in an early-2006 automobile accident.

Our client initially had been denied benefits in 2006 and appealed the decision to the federal Office of Disability Adjudication and Review. Working with *The Legal Aid Society of New York*, Kathleen drafted a brief and submitted medical records to Administrative Law Judge Newtown Greenberg. Based on the evidence and arguments that Kathleen advanced at an adversarial hearing on June 25, ALJ Greenberg granted our client's claim for full benefits!

Then, less than a month later, **Melissa Goetz** in our Los Angeles office was able to win reinstatement of Social Security benefits for a U.S. Veteran, "Mr. Greene." Mr. Greene appeared at the legal clinic we regularly sponsor for veterans who are overcoming homelessness and substance abuse issues. He was just weeks away from graduating from the intense rehabilitation program when he received a notice that his benefits had been terminated because he supposedly had absconded on a warrant issued against him in Texas – simply not true; just another computer error. Without those crucial benefits, however, not only would Mr. Greene have no source of income, he also would lose his eligibility for a housing voucher that he planned to use as he reestablished himself in common society.

Time was of the essence and Melissa gave Mr. Greene her full attention for the better part of three days, shuttling back and forth between our office, the Social Security Administration ("SSA") office and Mr. Greene's program site. After several frustrating meetings and contradictory requests for evidence, Melissa was able to convince the SSA to reinstate Mr. Greene's full benefits.

Mr. Greene is now living on his own, working hard and making a new life for himself. 📍

"I just wanted to thank you so very much for all that you have done for me. I will always be grateful and thankful for everything. I pray that God always blesses you and good things always come your way. ..."

– Comments from disabled U.S. Veteran following successful reinstatement of his benefits

SAFETY MATTERS

Manatt Joins the California Women's Law Center's "Adopt-an-Angel" Program

In 2006 the California Women's Law Center (CWLC) launched the Domestic Violence Advocate Legal Support Network (the "DV Network") to promote the capacity, sustainability and welfare of California's DV shelters by ensuring that they have access to ongoing, free legal services for matters relating to the day-to-day management and operations of their organizations.

To achieve these goals, CWLC turned to Manatt for assistance in developing a legal resource manual for shelter managers and directors. Nearly 20 Manatt attorneys contributed over 225 hours to developing multiple chapters for this manual, which is going to press simultaneously with this newsletter. More than 100 DV shelters across the state will receive copies of this first-of-its-kind legal resource.

To further bolster the goals of the DV Network, CWLC developed an "Adopt-an-Angel" program, through which local law firms agree to provide a wide range of pro bono legal advice to their adopted shelters for a period of at least two years.

Under the leadership of Palo Alto partner **John Fox**, Manatt has "adopted" two shelters in the Bay Area. Associate **Jay Wang** and legal assistants **Michele DeGonia** and **Teri Martin** have been instrumental in making sure our "adoptions" run smoothly and Los Angeles litigation partners **Harvey Rochman** and **Matt Urbach** also have chipped in to provide some expert advice. 📍

Providing Assistance to Domestic Violence Survivors

For more than a year, Los Angeles-based associate **Melissa Goetz** has regularly volunteered to assist petitioners at a Domestic Violence Restraining Order Clinic sponsored by the Legal Aid Foundation of Los Angeles (LAFLA). Although we easily could dedicate an entire newsletter to chronicling Melissa's amazing experiences at the clinic (as well as those encountered by other clinic volunteers such as **Joanna Hooper**, **Monica Brogdon**, **Funmi Olorunnipa**, **Laurel Lyman** and **Arthur Whang**), we offer just one narrative to represent the dozens of clients seen at the clinic every day.

"Ms. Carson," who has Cerebral Palsy, came to the clinic seeking a restraining order against her ex-boyfriend, "Bob." When Ms. Carson had declined to spend the night with Bob, he shoved her, kicked her in the back, and threatened her. He also made harassing and threatening calls to Ms. Carson.

After working with LAFLA staff to help Ms. Carson receive a temporary restraining order, Melissa asked if she could continue

to represent Ms. Carson at the permanent order hearing. Melissa conducted several hearing preparation sessions with the client and arranged for Bob to be served. Once served, however, Bob became even more threatening. He even broke into Ms. Carson's MySpace page to forge outgoing email death threats to himself, which he then reported to the police in an ill-conceived attempt to have them file a felony complaint against Ms. Carson!

While trying to simultaneously calm the client and explain the nature of the escalating situation to Ms. Carson (whose disabilities required additional sensitivities) Melissa discovered that Bob had previously been convicted of forgery, a fact that helped the police to understand that Bob had, in fact, forged the alleged MySpace "death threats."


Melissa was able to provide the police with copies of emails sent by Bob to Ms. Carson's MySpace account after the death threats. When confronted with this evidence, Bob told the police that he wanted to drop the case. The police informed him that it doesn't work that way, and referred the case to the City Attorney for prosecution – against Bob.

I just wanted to thank Manatt for Melissa Goetz. She is a wonderful help to us [at the Santa Monica Domestic Violence Restraining Order Clinic]. Melissa fights hard for her clients and has done a fantastic job for us this entire year. ... We are impressed by Melissa's work. Thank you so much.

– Minty Siu-Kootnikoff, Esq.,
Legal Aid Foundation of Los Angeles

At this point, Melissa was able successfully negotiate with Bob's attorney to obtain a five-year restraining order, the maximum available under state law, sparing Ms. Carson from the stress of a formal hearing. Bob must stay away from and refrain from making any attempts to contact Ms. Carson. Melissa also negotiated for Bob to reimburse Ms. Carson in full for almost \$300 in cell phone charges.

Ms. Carson was thrilled with the result, and thrilled that she won't have to defend herself in Bob's ill-conceived felony case. Congratulations to Melissa for the great job!

In reflecting on her experience at the clinic, Melissa commented that she had "gotten so much out of it on both a professional and personal level." She further offered, that part of the reason she has attended the clinic often during the year "is to accomplish goals [like] appearing in court more often, training/supervising others and owning more of each case. ... Plus, I can't help but love the 'save the world' feeling I get every time I someone gets a restraining order against their abuser based on the declaration I drafted." 


SUPPORTING THE ARTS MATTERS

Through Volunteer Lawyers for the Arts (VLA) in New York, we agreed to represent two artists who, after organizing a big art show in a Brooklyn warehouse, were sued by a man who fell from a water tower on the roof of the building the night of the show's opening.

The man and a friend had attended the opening – on the first floor of the building – before taking a freight elevator seven stories up to the roof, climbing the water tower and slipping and falling to the roof. The man was badly injured and hospitalized for months. Naturally, he sued the landlord and a third artist who helped curate the show. The landlord then brought third-party claims against our clients as well as the liquor company that sponsored the opening.

After two years of discovery, the landlord moved for summary judgment in January, relying heavily on the briefs from us and pro bono counsel for the other defendants. The Court granted the motion in late September, dismissed the plaintiff's claims and, therefore, extinguished the landlord's claims against our clients.

Between our attorneys (primarily associate **Jonathan Melber**, with assistance from partners **Gregory Clarick** and **Kimo Peluso**) and the attorneys who provided pro bono representation to the third artist involved in the case, more than 1600 attorney hours were donated to VLA in defending the three artists.

Upon receiving an update regarding the victory, VLA Executive Elena M. Paul exclaimed: "That's terrific news! The staff and I often talk about this case and the unimaginable situation faced by the artists, and how much we appreciate the work you have done for them. Thank you so much for the update and the many, many hours of excellent work that went into the project." 

The staff and I often talk about this case and the unimaginable situation faced by the artists, and how much we appreciate the many, many hours of excellent work that went into the project.

– Elena M. Paul
VLA Executive Director

VOLUNTEERING MATTERS

San Francisco and Palo Alto Offices
Lend a Hand to the Bay Area



Volunteers from Manatt's Palo Alto office aid with a habitat restoration project.

Manatt was a “Gold Paint Brush” sponsor for Hands On Bay Area Day 2007, one of the biggest days of volunteerism in the greater San Francisco Bay Area. Individuals from both the San Francisco and Palo Alto offices participated in projects to make a significant effect on the local community.

In San Francisco, Manatt professionals joined over 60 volunteers at Jefferson Middle School in North Beach where they successfully repainted the school's two major stairwells and hallway. Meanwhile, our Palo Alto team took on a habitat restoration project, which involved laying ten meters of sheet mulching and filling 51 big bags of invasive weeds.

Thanks to **Joanna Bartlett, Deniz Haupt, Keysha Hunt, Pat Masters, Julie Murchinson, Libby Sagara, Kier Wallis, Chris**



The “Manattees” swim a mile for cancer in San Francisco.

Wanger and many of their children, friends, and family who came together to contribute time and energy on a drizzly Saturday morning for a great cause!

The week before Hands on Bay Area Day, professionals from the San Francisco office dove into the Women's Cancer Resource Center “Swim a Mile” event to raise funds for the fight against cancer. All four members of the Manatt team, affectionately dubbed the “Manattees” each swam 72 laps in the Mills College pool, supported by friends, family and **Susan Ingargiola** from the DC office. Their swim was dedicated to Judith Zitter, a client and friend of Manatt Health Solutions, who has battled cancer for 12 years. Good job, team! 🍷

Serving Up Drinks to Serve a Good Cause

After a two-year hiatus, the Los Angeles office brought back a much-loved Manatt tradition quizzically named “The Weakest Drink.” Our partners, associates, and staff each formed 6-member teams to mix and serve drinks with as much flair as they could generate to earn as many generous tips as possible.

At the end of the evening, we had set a new fundraising record for the beneficiary charity – KidSave International (www.kidsave.org) and we had crowned a new set of champions behind the bar. For first time in 6 years, thanks to some creative selling strategies, our partners won the event! KidSave's Executive Director Randi Thompson commented, “Power to those partners – they were very determined. Absolutely an amazing result – thanks so much for making this happen!” 🍷



Partner Jack “Yeh-germeister” shows off his mixing skills for our Summer Associates

COLLECTION DRIVES ACROSS THE COUNTRY

Throughout November and into December, the Manatt offices have been very busy collecting donations and supplies for communities touched by disaster; families beset by adversity, and individuals in need of holiday cheer:

- **Firm-Wide** – Dozens of individuals made contributions to the Volunteer Centers of California (VCC) and the Coalition of Community Clinics in support of these organizations' valiant efforts to provide volunteer and health services during and after the wildfires that devastated San Diego County. Manatt provided a supplementary donation to each group, prompting VCC's Executive Director to comment that the funds were "critical to enabling our association and its members to respond effectively to the various disasters that Californians must face."
- **Washington, D.C.** – Associates **Elise Dang** and **Michael White** rallied the entire office to provide gifts for more than 50 children who benefit from the programs offered by Pediatric AIDS/HIV Care, Inc, which is the only organization in the city dedicated solely to preserving, assisting and strengthening the well-being of children ages 5-18 infected and affected by HIV/AIDS.
- **New York** – Under the leadership of Office Administrator **Patti Dooley** and Recruiting Coordinator **Susan Reonegro**, the NY office launched what is sure to be an annual tradition by participating in NY Cares' "Holiday Wishes" program. Collectively, the office answered a total of 55 wish letters from children, teens and families, with all gifts receiving an extra-special wrap job during a mid-day party break.



Palo Alto shows off some of the items they collected for Second Harvest Food Bank.

donations – of course, the real winners will be the 4,000+ families who will receive healthy meals thanks to the office's efforts.

- **Los Angeles** – As of press time, more than 200 pounds of toiletries had accumulated in the donation coffers in anticipation of the L.A. office's 4th Annual undertaking to provide personal care gift bags to the 100 residents of a local homeless shelter. The bags will be distributed, along with a hot meal prepared and served by Manatt volunteers, on December 23.
- **Orange County** – For the 5th year running, the Orange County office partnered with Families Forward to ensure that several families who are working to overcome homelessness received full Thanksgiving meals with all the trimmings, plus additional supplies and certificates to see them through future months. At press time, the office was busy procuring gifts and goodies to make 9 children and their parents very happy this Christmas.



New York attorneys Leah Griggs-Pauly and Bill Heberer wrap gifts for NY Cares.

- **Palo Alto** – The Palo Alto office continued its multi-year tradition of competitive collecting for the benefit of the Second Harvest Food Bank of San Mateo and Santa Clara Counties. This year, the first floor trounced the second floor with its accumulated



OC office provides holiday joy to families overcoming homelessness.

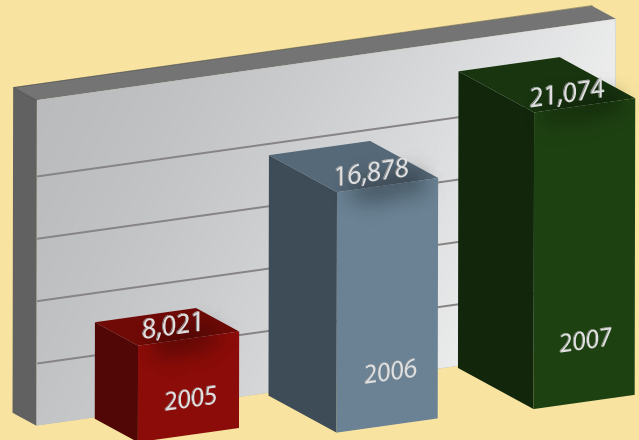
Importance of Pro Bono

At Manatt's official opening celebration for our San Francisco office, California Supreme Court Chief Justice Ron George highlighted the importance of firms like Manatt taking on significant pro bono activities. He also encouraged us to continue our leadership in providing such services.



California Supreme Court Chief Justice Ron George commends Charles Manatt (left) and Lee Phillips (right) on their leadership of the firm.

Pro Bono Hours for January-November:



In Memoriam and in Celebration of Hope

For the past several years, the Manatt family has supported the Leukemia & Lymphoma Society's *Light The Night Walk* in Los Angeles. This year, we walked in honor of **Betsy Reynolds**, the firm's Director of Software Solutions and Practice Support. Betsy had led prior fundraising efforts for the society, even before she received her own diagnosis in late 2006. Despite Betsy's inspiring effort to join us on the walk in September, she was unable to and ultimately she passed away on October 28, 2007, after a valiant battle with lymphoma.

Betsy's passing further strengthens our resolve to assist with fighting blood cancers. Every five minutes, someone in this country is diagnosed with a blood cancer; every ten minutes, someone loses the fight.

Additionally, we are especially proud of our partner, **Pete Duchesneau** on his commitment to the fight. Pete was recently named to the Society's Board of Trustees. Pete's son Jakob has been bravely fighting Leukemia for several years, and he remains an inspiration to the entire Manatt family.



Betsy Reynolds
(1959 – 2007)

PRO BONO PROGRAM DEVELOPMENTS

Taking on New Leadership Roles

In addition to the 20+ attorneys featured for their legal service leadership in prior editions of our *Community Matters* newsletters, the last quarter of 2007 brought several new opportunities for our attorneys to share their talents through Board positions with the following legal service organizations:



Tara Kaushik
Associate
San Francisco

San Francisco Bar Pro Bono Committee



Sean Matsler
Associate
Los Angeles

*Constitutional Rights Foundation of
Orange County, Law Day Committee*



Adam Pines
Partner
Los Angeles

Los Angeles Center for Law and Justice



Ron Turovsky
Partner
Los Angeles

Legal Aid Foundation of Los Angeles (LAFLA)



Jay Wang
Associate
Palo Alto

Santa Clara Bar Association Pro Bono Initiative

If you are a leader of a legal services organization looking for attorney leadership for your group, or if you are a Manatt attorney looking to get involved with a legal services or other community organization, please contact Cristin Zeisler (czeisler@manatt.com). She will gladly perform match-making services.

ABOUT MANATT, PHELPS & PHILLIPS, LLP

Manatt, Phelps & Phillips, LLP provides legal and consulting services to a global client base from offices in Los Angeles, Orange County, Palo Alto, Sacramento and San Francisco, California; New York City and Albany, New York; and Washington, D.C. Manatt includes Manatt Health Solutions, a healthcare policy and strategic business advisory group, and ManattJones Global Strategies, LLC, a wholly owned subsidiary that develops and implements strategies to expand client businesses and facilitate their effective competition in global markets. For more information, visit www.manatt.com, www.manatthealthsolutions.com and www.manattjones.com.

This publication summarizes recent legal developments and is not meant to express any legal opinion or advice. You should consult an attorney for legal advice.

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