

IN THIS ISSUE:

- ▶ Simpson Thacher Teams with ACLU to Challenge Mississippi Policing Program
- ▶ Simpson Thacher Represents *Amici* Before 9th Circuit in *Hawaii v. Trump*
- ▶ Simpson Thacher Represents *Amici* in E.D. Michigan in *Arab American Civil Rights League v. Trump*
- ▶ Simpson Thacher Represents Organizers of the Equality March for Unity & Pride
- ▶ Simpson Thacher Assists ABA and Reprieve in Ongoing Death Penalty Defense and Advocacy
- ▶ Exempt Organizations Lawyers Lead “Nonprofit Boot Camp” Workshops
- ▶ Simpson Thacher Litigation Associate Argues in the Second Department on Behalf of New York City
- ▶ Profile: 2017 Summer Public Interest Fellows
- ▶ Recent Pro Bono Achievements
- ▶ Awards, Events and News

Simpson Thacher Teams with ACLU to Challenge Mississippi Policing Program

On May 8, 2017, the Firm, along with the ACLU of Mississippi and the American Civil Liberties Union, filed a class action lawsuit in Mississippi. The lawsuit, which Simpson Thacher is handling pro bono, challenges the Madison County Sheriff’s Department’s coordinated, top-down program of selectively subjecting Black communities to unconstitutional policing tactics, including show-ID-and-search pedestrian checkpoints, roving roadblocks, “jump outs” by plainclothes deputies in unmarked cars and warrantless home invasions.

The Firm’s role in the case was featured in *Law360*. The case also has received national media attention, including in *The New York Times*, *The Washington Post*, CBS News, *The Guardian* and *Huffington Post*, among other outlets. The Simpson Thacher team in New York includes **Jonathan Youngwood**, **Janet Gochman**, **Isaac Rethy**, **Nihara Choudhri**, **Monica Chan**, **Bonnie Jarrett** and **Chris Jumin Lee**.



Jonathan Youngwood (left), plaintiffs Quinnetta Manning and Steven Smith (middle) and ACLU of Mississippi Legal Director Paloma Wu (right) take questions from the press after filing a federal class-action lawsuit against Madison County.

Simpson Thacher Represents *Amici* Before 9th Circuit in *Hawaii v. Trump*

Simpson Thacher attorneys provided pro bono representation to several organizations that promote immigrant and refugee rights and provide legal services to these groups, filing an *amicus* brief in *Hawaii v. Trump*. In this appeal, the State of Hawaii seeks to keep in place a nationwide preliminary injunction that prevents enforcement of President Trump’s revised Executive Order banning immigration from several Muslim-majority countries. In support of Hawaii’s efforts, Human Rights First, KIND, City Bar Justice Center, Community Legal Services in East Palo Alto, Catholic Migration Services, The Door’s Legal Services Center, the Safe Passage Project and Sanctuary for Families filed an *amicus* brief arguing that courts serve a critical role in reviewing actions, even when national security issues are purportedly at stake, and that implementation of the Executive Order would cause irreparable harm.

The Simpson Thacher team included **Alan Turner** in New York, **Harrison (Buzz) Frahn** and **Jonathan Mincer** in Palo Alto, **Adrienne Baxley** in Washington and **Christopher Shields** in New York.

Simpson Thacher Represents *Amici* in E.D. Michigan in *Arab American Civil Rights League v. Trump*

Simpson Thacher attorneys provided pro bono representation to 18 constitutional law scholars filing an *amicus* brief in *Arab American Civil Rights League v. Trump*, challenging President Trump's revised Executive Order banning immigration from several Muslim-majority countries.

The brief argued that the Executive Order violates the Establishment Clause, Equal Protection Clause, and First Amendment rights to free speech and association.

The Simpson Thacher team included New York attorneys **Alan Turner**, **Reena Mittleman**, **Jerry Fang** and **Patricia Yang**.

Simpson Thacher Represents Organizers of the Equality March for Unity & Pride

A team of attorneys in the Washington and New York offices provided legal support to the Equality March for Unity & Pride, a national unity march as part of Pride Week that took place on June 11, 2017. The march was a grassroots movement which mobilized LGBTQ+ communities to peacefully and clearly address concerns about the current political landscape and how it is contributing to the persecution and discrimination of LGBTQ+ individuals. The main march took place in Washington, D.C., with companion marches planned around world.

Simpson Thacher attorneys assisted the organizers in forming a nonprofit, evaluating business licensing requirements and negotiating a fiscal sponsorship arrangement to allow them to accept charitable contributions until they are able to become a 501(c)(3). The team included **Rajib Chanda**, **Chris Healey** and **Natalie Karam** in Washington, and **David Shevlin** and **Kevin Roe** in New York.



Simpson Thacher Assists ABA and Reprieve in Ongoing Death Penalty Defense and Advocacy

Attorneys in the New York, Washington, D.C. and Palo Alto offices assisted the ABA's Death Penalty Representation Project in defending Arkansas death row inmates seeking stays of execution, as well as global human rights and anti-death penalty advocacy group Reprieve in monitoring developments more generally regarding capital punishment in Arkansas and around the world. Earlier this year, Arkansas Governor Asa Hutchinson announced that the State intended to execute eight men in an eleven-day period during mid- to late April, four of which executions were later stayed. In connection with a flurry of last-minute motions and appeals, Simpson Thacher assisted the ABA in developing arguments that the State's clemency process had violated Due Process, including because the State had failed to comply with many of its own statutory and regulatory requirements regarding the timing, notice, and inmates' right to be heard in the clemency process, and that those violations justified stays of execution. The ABA and the inmates' individual attorneys used the Firm's research to pursue 1) appeals to the Eighth Circuit Court of Appeals, resulting in a detailed dissent setting forth many of the legal and factual arguments contained therein; and 2) a petition for certiorari and motion to stay filed in the United States Supreme Court, which denied certiorari on this issue mere minutes before the first execution took place. The district court litigation addressing the remaining inmates' Due Process arguments relating to clemency is ongoing.

Separately, Simpson Thacher assisted human rights organization Reprieve in monitoring the events in Arkansas and, subsequently, developments worldwide regarding executions and the death penalty. With Simpson Thacher's help, Reprieve monitored and provided regular commentary regarding the pending executions, including continued advocacy regarding a variety of substantive and procedural issues concerning those cases.

The Firm has also taken on an additional project for Reprieve to provide an ongoing, detailed monthly memo summarizing death penalty developments in numerous countries around the world, including issued death sentences and actual or pending executions, legislative proposals, and commentary and policy debates regarding the death penalty. Simpson Thacher's continued work will cover a broad array of issues in both the United States and virtually every region around the world, assisting Reprieve in intervening where appropriate to seek to influence both imminent potential executions and

to effect broader policy changes concerning capital punishment.

The team working on some or all of these matters has included Counsel **Jonathan Sanders**; Associates **John Bennet, Tomi Mandel, and Sherry Shen**; and Summer Associates **Rachel June-Graber** and **Katerina Siefkas**, with supervision by Partner **Andy Lacy**.

Exempt Organizations Lawyers Lead “Nonprofit Boot Camp” Workshops

In April, Exempt Organizations attorneys **Jennifer Franklin** and **Kevin Roe** led the first in a series of four “Nonprofit Boot Camp” Workshops for new nonprofit organizations sponsored by New York Lawyers for the Public Interest and the Foundation Center. The topic of the Workshop was legal considerations for new nonprofits, and included a discussion of legal structures and the formation process for a new nonprofit organization, as well as an overview of post-formation issues.



Simpson Thacher Litigation Associate Argues in the Second Department on Behalf of New York City

Fourth year Associate Zander Li shares his experience representing the City of New York pro bono on appeal to the Second Department. Even though the Court ruled against the City, Zander walked away with an appreciative client and an excellent litigation experience. Here’s what he said.

STB: Tell us a little about the issue on appeal.

ZL: We represented the City of New York in an appeal centering on the timeliness of a personal injury claim against the City. The plaintiff was injured in an car accident with a police vehicle. The plaintiff filed a notice of claim against the City of New York, but that claim was rejected as untimely. A few months later, the plaintiff went to court to seek permission to file a late notice of claim, but the Supreme Court denied

permission. The plaintiff then appealed to the Appellate Division, Second Department, and we represented the City in defending the trial court’s decision.

STB: Why did you volunteer to take this case?

ZL: I thought it would be a great chance to get into court and argue. I’d written many trial and appellate briefs but argued only one matter (a pro bono immigration habeas case with another junior associate). It was a great opportunity to get my feet wet.

STB: Had you ever done an oral argument before? How did you prepare?

ZL: This was my first appellate argument. I prepared by exhaustively going over the record and the briefs, making sure I knew not only our key arguments but the exact record cites to support them. I then put together an outline to structure my thoughts. Once I felt ready to argue, I did two moots – one at Simpson (with Paul Gluckow, Andy Frankel, and George Wang) and one at the Law Department (with three appellate attorneys). The moots were by far the most helpful preparation, because they gave me a feel for being on the receiving end of difficult questions in rapid succession. Paul, Andy, and George make excellent judges!

STB: What was the most challenging part of the case? Most satisfying? Most surprising?

ZL: I came away really impressed with the judiciary. We poured substantial resources into this appeal—probably a hundred hours of partner, associate, and summer associate time, plus all the collective research and advocacy experience that the Firm and the Law Department had to offer—and we had the advantage of winning in the trial court to boot. Despite all those advantages, the Second Department weighed the arguments and ultimately gave the plaintiff-appellant the edge. Would I have liked to have won? Absolutely. But I thought the judges did their best to treat the City of New York, represented by Simpson Thacher, and an ordinary citizen, represented by Cherny & Podolksy, as equal before the law.

STB: What did you get out of the experience?

ZL: I got to write a brief from scratch, work with incredibly smart people at the Firm and the Law Department to make it better, and then get up in Court and argue my case. Can’t ask for more than that.

Profile: 2017 Summer Public Interest Fellows

Sarah Brim, a New York summer associate and a student at Stanford Law School, will spend her fellowship at Public Counsel in Los Angeles in its Statewide Education Rights Project. There she will work on litigation, policy, direct services and community partnerships to help create a model for education reform for California.



Sarah Brim

Patrick Sandman, a New York summer associate and a student at Cornell Law School, proposes to work at the Community Dispute Resolution Center (CDRC) in Ithaca, New York. The CDRC is a nonprofit organization which mediates disputes between parties across three counties in New York. Patrick will assist mediators in Small Claims Court in Elmira City Court, engage local volunteers in developing mediation skills, and assist a Cornell Professor in organizing a mediation workshop at Cornell University.



Patrick Sandman

Recent Pro Bono Achievements

Simpson Thacher Secures Rent Abatement for Washington Tenant

Attorneys in the Washington, D.C. office represented a low income tenant and her two children threatened with eviction for nonpayment of rent. The client had fallen behind in rent due to rising medical costs for her son, who was the victim of a shooting on the property. The Simpson Thacher team secured a rent abatement of about 60%, and convinced the landlord to dismiss all claims against the tenant with prejudice, and waive approximately \$1400 in rent. The case was referred by Legal Aid of the District of Columbia. The team included Associates **Andy Hasty** and **Tomi Mendel** with guidance from **Peter Thomas** and **Jon Porter**.

Simpson Thacher Secures Grant of Asylum for Dominican Pro Bono Client

Simpson Thacher successfully secured a grant of asylum for a Dominican man who had been the victim of violence and feared further persecution in his home country because of his sexual orientation.

The pro bono matter was referred to the Firm by Immigration Equality, an organization dedicated to supporting LGBT and HIV-positive immigrants seeking safety, fair treatment and freedom. The Simpson Thacher team in New York included **Luis Pellerano** and **Jeffery Ding** and was supervised by **Todd Crider**.

Simpson Thacher Prevents Eviction for California Family

Attorneys in the Palo Alto office successfully represented a family of tenants, including a ten-year-old boy, facing eviction from their longtime apartment in a subsidized housing complex in the Bay Area. The landlord filed an eviction lawsuit alleging that the family had failed to submit necessary recertification documents showing continued eligibility for housing subsidies. After Simpson Thacher served extensive discovery and voluntarily provided the landlord's attorneys with evidence that the client had in fact submitted the required paperwork, the landlord dismissed the action within days for no consideration, allowing the family to remain in their longtime home and to continue paying heavily reduced rent in a difficult housing market. The team included Counsel **Jonathan Sanders** and Paralegal **Janie Franklin**, with supervision by Partner **Jeff Ostrow**.

Simpson Thacher Forms New Nonprofit: Voices in Action America

Simpson Thacher lawyers **Sarah Katz** and **Catherine Burns** in New York formed and secured federal tax exemption for a new nonprofit called Voices In Action America. This nonprofit will work with women recently detained at the family detention centers in Texas and Pennsylvania with a goal to engage a volunteer network to provide critical services to the women - from helping orient them to life in New York to connecting them to services and ESL classes. The matter was supervised by **Jennifer Reynoso**.

Simpson Thacher Holds Two Summer Immigration Clinics

Simpson Thacher hosted two immigration clinics during the 2017 summer, providing crucial pro bono legal assistance to over twenty low-income, immigrant teenagers and adults. First, on May 30, 17 Simpson Thacher attorneys and summer associates partnered with Volunteers of Legal Services to prepare immigration applications for young people eligible for Deferred Action for Childhood Arrivals ("DACA"), a form of temporary relief from

deportation and authorization to work legally for young immigrants who were brought to the United States as children.

On the evening of June 14, another group of 16 Simpson Thacher attorneys and summer associates participated in a Naturalization Clinic which assisted immigrants who have been legal permanent residents for five or more years, and who were eligible to apply to become U.S. citizens. Working in two shifts, the Simpson Thacher teams, working in collaboration with Catholic Migration Services (“CMS”) and New York Lawyers in the Public Interest (“NYLPI”), met with individual clients and assisted them with the completion of their applications.

Both of these clinics offer vital services to communities which can find the legal requirements and formal immigration application process confusing and intimidating. At the conclusion of both clinics, the individuals whose applications were completed expressed profound gratitude for the services provided. The Simpson volunteers included: Partner **Mark Brod**; Senior Counsel **Jennifer Nadborny**; Associates **Leah Barnes, Teresa Chen, Brian Jones, Maya Reeves, Geraldine Rothschild, Rodrigo Surcan dos Santos, Robert Wentworth** and **Evan Zuckerman**; Staff Attorneys **Jorge Batlle, Bill Kravitz** and **Kam Siu**; Summer Associates **Demetrius Baefsky, Sarah Brim, Catherine Ciriello, Nathalie Herrand, Shanice Hinckson, Nick Qui, Nathan Regenold, Brandon Sadowsky, Imani Tisdale, Nelson Wang, Callie Wilson,** and **Simone Worthy**; and SEO intern **Yesenia Rascon**.



June 14 Naturalization Clinic at Simpson Thacher.

Simpson Thacher Wins Asylum for Nicaraguan Client

Attorneys in the Firm’s Palo Alto office secured a grant of asylum for a Nicaraguan woman who had been subjected to severe domestic violence in her home country. The client’s asylum application was submitted almost seven years after the deadline for applying for asylum, but the attorneys successfully argued before the asylum office that extraordinary circumstances excused the late filing. The team included **Katherine Zhao, Tiffany Chu, Casey Mathews,** and **Karen Reyes,** and was supervised by **Alexis Coll-Very. Veronica Inocencio** provided invaluable translation assistance.



Members of the Simpson Thacher team, Karen Reyes, Veronica Inocencio, Katherine Zhao, and Tiffany Chu, with their client.

Awards, Events and News

Simpson Thacher Honored for Pro Bono Project by the American Bar Association

The ABA Standing Committee on Pro Bono and Public Service will present The Pro Bono Publico Award to Simpson Thacher as one of 13 institutions consisting of law firms, corporations and law schools, which contributed to the Justice Index, an interactive website created by the National Center for Access to Justice that uses data, findings, indicators and indexing to rank the 50 states, Puerto Rico and Washington, D.C., on their adoption of selected best policies for assuring access to justice. As part of this pro bono project, Simpson Thacher lawyers interviewed multiple state court chief justices, chief court administrators and other court staff, as well as leaders in legal aid organizations, to collect and analyze court practices across the country as they relate to access for low-income individuals.

The Pro Bono Publico Award is presented annually to institutions in the legal profession that have

demonstrated outstanding commitment to volunteer legal services for the poor and disadvantaged. The award will be presented during a luncheon at the ABA Annual Meeting in August.

Simpson Thacher Hosts Pro Bono Panel to Discuss Access to Education for Homeless Youth

The Firm welcomed Michael Santos of the National Law Center on Homelessness and Poverty to speak about the national policy and advocacy work the Law Center is doing around issues of education for homeless children. The Law Center has been a pro bono client of the Firm's for many years and we have advised them regarding policies related to domestic violence victims threatened with eviction, homeless children, and others. Joining him was Simpson Thacher Partner **David Woll** and Associate **Jonathan Menitove** speaking about the Firm's ongoing pro bono matter representing the Partnership for the Homeless as it works with local government agencies to ensure that New York City students who are homeless or in shelters have adequate access to education. The panel, entitled, *Education Issues for Homeless Students in NY and Nationally: A Presentation by the National Law Center for Homelessness and Poverty and Simpson Thacher*, took place on June 1, 2017.

Simpson Thacher Hosts Pro Bono Presentation: Overview of Civil Rights Matters

In June, the Firm hosted a presentation in its New York office to present three civil rights issues in which the Firm is engaged through its pro bono work. Speakers included **Jonathan Youngwood**, discussing the firm's involvement in a class action in Mississippi brought by the Firm and the ACLU regarding discriminatory police practices; **Anar Rathod Patel**, discussing the firm's work in response to the Administration's executive orders on immigration; and **Linton Mann** discussing religious exemptions and their impact on the LGBTQ community.

Simpson Thacher Alumni Lead Italy's First Pro Bono Association of Lawyers

Simpson Thacher alumni **Giovanni Carotenuto** and **Valentina Casella** were recently appointed as Chairman and member of the Board of Pro Bono Italia. Pro Bono Italia is the first association of lawyers, law firms and forensic associations ever launched in Italy to promote pro bono culture throughout the country. Pro Bono Italia seeks

to foster an open dialogue between lawyers, non-profit organizations, clearing-houses and legal clinics operating nationally and abroad. It intends to organize training activities on legal, social and cultural matters and facilitate the performance of pro bono services. The association will also endeavor to cooperate with local, national and International Bar associations and other institutions to favor the approval of laws, regulations, codes and ethical standards instrumental to the development of pro bono in Italy. Many of the founders of the association have actively participated in, and continue to support, the Italian Pro Bono Roundtable (www.pilnet.org/italy), a network of legal professionals, lawyers and non-profit associations established by PILnet (The Global Network for Public Interest Law) in April 2014. The Roundtable holds regular meetings in Rome and Milan and organized support for the European Pro Bono Forum, held for the first time in Rome in November 2015.



Giovanni Carotenuto
International Associate
2003-2004



Valentina Casella
Corporate Associate
2007-2012

Please send
news items, comments
or suggestions regarding the
pro bono program to
Harlene Katzman at
hkatzman@stblaw.com.



UNITED STATES

New York
425 Lexington Avenue
New York, NY 10017
+1-212-455-2000

Houston
600 Travis Street, Suite 5400
Houston, TX 77002
+1-713-821-5650

Los Angeles
1999 Avenue of the Stars
Los Angeles, CA 90067
+1-310-407-7500

Palo Alto
2475 Hanover Street
Palo Alto, CA 94304
+1-650-251-5000

Washington, D.C.
900 G Street, NW
Washington, D.C. 20001
+1-202-636-5500

EUROPE

London
CityPoint
One Ropemaker Street
London EC2Y 9HU
England
+44-(0)20-7275-6500

ASIA

Beijing
3901 China World Tower
1 Jian Guo Men Wai Avenue
Beijing 100004
China
+86-10-5965-2999

Hong Kong
ICBC Tower
3 Garden Road, Central
Hong Kong
+852-2514-7600

Seoul
25th Floor, West Tower
Mirae Asset Center 1
26 Eulji-ro 5-gil, Jung-gu
Seoul 100-210
Korea
+82-2-6030-3800

Tokyo
Ark Hills Sengokuyama Mori Tower
9-10, Roppongi 1-Chome
Minato-Ku, Tokyo 106-0032
Japan
+81-3-5562-6200

SOUTH AMERICA

São Paulo
Av. Presidente Juscelino
Kubitschek, 1455
São Paulo, SP 04543-011
Brazil
+55-11-3546-1000