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Simpson Thacher and Northern California Innocence Project Win Client's Freedom and Overturn Wrongful Murder Conviction After 18 Years

On March 13, 2020, Simpson Thacher and the North California Innocence Project (NCIP) secured the release of Jeremy Puckett after 18 years behind bars following a hearing at the Superior Court of California. This followed the Court granting a habeas petition on March 3, 2020, which was filed on behalf of Mr. Puckett. The Court vacated Mr. Puckett's conviction based on Simpson Thacher's and NCIP's work to uncover over 700 pages of material exculpatory evidence that prosecutors withheld from the defense, and their successful arguments that trial counsel rendered constitutionally deficient representation.

Mr. Puckett was convicted of murder and, in 2002, sentenced to life without the possibility of parole. The Simpson Thacher team, working alongside NCIP co-founder Linda Starr and NCIP lawyer and former 35-year career county prosecutor Karyn Sinunu-Towery, had filed two habeas petitions previously on Mr. Puckett's behalf—both of which were denied by lower courts. However, after filing the third habeas petition with the California Supreme Court, the Supreme Court ordered the trial court to reopen the case. Simpson Thacher and NCIP—through multiple hearings in the

fall of 2019, and using the suppressed materials, along with newly discovered evidence that Mr. Puckett's trial counsel had not found or introduced—proved to the Superior Court that the murder could not have happened on the date the prosecution had contended at Mr. Puckett's trial. In addition to convincing the Superior Court that the withheld evidence was material, and showing how ineffective trial counsel had been, Simpson Thacher and NCIP also proved Mr. Puckett's alibi on the date the murder did occur.



Buzz Frahn and Jeremy Puckett outside the courthouse.

In light of all of this evidence, the District Attorney chose not to retry Mr. Puckett, who then walked out of the courthouse a free man. The Simpson Thacher team includes Partner **Buzz Frahn**, Associate **Jordan Lamothe**

and Paralegal **Janie Franklin**, along with former colleagues **Jason Bussey, Elizabeth White, Jenny Palmer, Adam Crider** and **Casey Mathews**.

Simpson Thacher Honored as Pro Bono Firm of the Year and Receives Impact Case Award

Simpson Thacher’s Litigation Practice received the Pro Bono Firm of the Year award at Euromoney’s Benchmark Litigation 2020 Awards Dinner. The Firm was further honored for its pro bono commitment with an Impact Case Award. Litigation Partner **Jon Youngwood** and the Simpson Thacher team, which included **Janet Gochman, Isaac Rethy, Nihara Choudhri, Kavitha Sivashanker, Anthony Piccirillo, Bonnie Jarrett** and **Jacob Waschak**, received the award for their work, alongside the ACLU and ACLU of Mississippi, in securing a groundbreaking consent decree that will help to prevent Mississippi’s Madison County Sheriff’s Department from engaging in racially motivated policing practices. The consent decree is the first of its kind imposed on a law enforcement agency in Mississippi, according to the ACLU. The Benchmark Litigation Awards honor those firms and attorneys that have emerged as leaders in their particular areas of law over the past 12 months.



Jon Youngwood and Isaac Rethy accept the Impact Award.

Simpson Thacher Associates Obtain Appellate Victories for Domestic Violence Victims in Sanctuary for Families Matters

Three Simpson Thacher teams recently achieved appellate victories for clients referred to the Firm by Sanctuary for Families. In each case, litigation associates drafted briefs and appeared at oral argument in the Appellate Divisions of the Supreme Court of the State of New York on behalf of clients

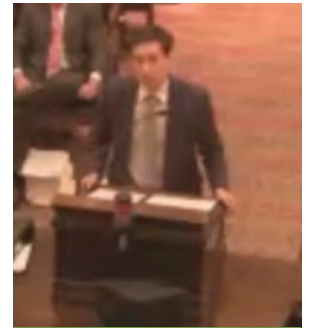
who obtained final orders of protection against individuals who perpetrated severe domestic violence against them.

In a case before the Second Department, Associate **Josh Polster** argued and successfully defended against the appellant’s attempt to vacate a Family Court order finding that our client’s husband had menaced, harassed and assaulted her, and that aggravating circumstances existed to warrant entry of a five-year final order of protection for the benefit of the client and her children. Associate **Shanice Hinckson** and Partner **Bryce Friedman** also worked on this matter.

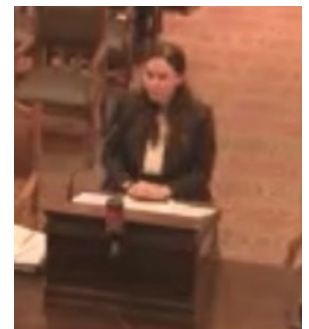


Josh Polster at the lectern during his oral argument.

In another case, Associate **Adam Saltzman** successfully argued on behalf of the Firm’s client in the First Department and obtained an order affirming entry of a five-year final order of protection for her and her children in a case in which the appellant had injured the mother’s face and jaw on one occasion, slammed and pinned her to a sofa on another, and physically lifted and swung the client during an argument as she held the parties’ child in her arms. In that case, Associate **Brandon Sadowsky** and Partner **Susannah Geltman** also drafted and appeared on the brief.



Adam Saltzman at his argument in the First Department.



Courtney Skarupski argues before the panel of appellate judges.

Finally, also in the First Department, Associate **Courtney Skarupski** successfully argued a case on behalf of a client who obtained a final order of custody and a five-year final order of protection in proceedings before the same court that made a determination of neglect against the appellant. **Susannah Geltman** again guided the briefing in that case, along with Pro Bono Manager **Susan Cordaro**.

Simpson Thacher Wins Second Circuit Appeal in Fourth Amendment Case

On December 12, 2019, the United States Court of Appeals for the Second Circuit vacated, in part, a summary judgment ruling from the United States District Court for the Northern District of New York pertaining to litigation brought on behalf of Maxmillian Sloley against two New York State Troopers alleging an unreasonable search in connection with Sloley's arrest. The District Court had granted the defendants summary judgment, ruling that the search was supported by reasonable suspicion and that the officer conducting the search was entitled to qualified immunity because reasonable officers in his position would have concluded he had reasonable suspicion. In vacating the lower court's ruling as to the nature of reasonable suspicion, the Second Circuit said, "such searches must be justified by specific, articulable facts supporting reasonable suspicion that an arrestee is secreting contraband..." The Simpson Thacher team includes **Jonathan Youngwood, Janet Gochman** and **Adin Pearl**.

Simpson Thacher Hosts KKR's Inaugural Pro Bono Event

KKR launched its new pro bono program by partnering with Simpson Thacher in a DACA Renewal clinic in March. KKR and Simpson volunteers worked in teams with young immigrants to complete renewal applications for Deferred Action for Childhood Arrivals (DACA) status, a form of temporary relief from deportation for certain young immigrants who were brought to the United States as children. Though the DACA program was rescinded by the government in 2017, court orders have directed its continuation while litigation related to the program and its rescission are pending.



Several Simpson Thacher and KKR volunteers pose for a picture after the completion of the clinic.

The Simpson participants were Partners **Jaime Mercado** and **Katie Sudol**, Associates **Nina Bakhtina, Nena Burchard, Gianna Ceophas, Sean Dougherty, Robert Harrison, Mai**

Kristofferson, Brandon Sadowsky, Joseph Tootle and **Jule Walsh**, and Chief of Global Business Development **Danze Burnham**. Paralegal support was provided by **Eli Daiute, Josh Devamithran, Jacob Hirsch** and **Steven Rozenfeld**.



Katie Sudol welcomes KKR and introduces the training.

Simpson Thacher Represents Two Documentary Film Organizations in Suit Challenging U.S. Rule Requiring Visa Applicants to Disclose Social Media Handles

On December 5, 2019, Simpson Thacher, along with the Brennan Center for Justice and the Knight First Amendment Institute, filed a complaint in the D.C. District Court challenging a recently-enacted State Department rule requiring visa applicants to register their social media handles with the U.S. government. The suit, brought on behalf of the Doc Society and the International Documentary Association, contends that the rule chills prospective visa applicants from engaging in constitutionally-protected speech and association, deters them from applying for visas to travel to the United States, and burdens the ability of U.S. organizations and audiences to engage with filmmakers from around the world.

The suit was covered by a number of publications including the *Associated Press*, *The Wall Street Journal*, *Los Angeles Times*, *Law360*, *The Wrap*, *Hollywood Reporter*, *The Washington Times* and *Bloomberg Big Law Business*, among others. The Simpson Thacher team includes **Paul Curnin, Sarah Eichenberger, Rachel Fleder, Evan Gilbert** and **Tomi Mendel**.

Simpson Thacher and WRO File Lawsuit Alleging Housing Discrimination in Rockland County

On March 9, 2020, Simpson Thacher and Westchester Residential Opportunities, Inc. (WRO) filed a complaint in the United States District Court

for the Southern District of New York against the owners and manager of Tor View Village Apartments in Rockland County. The lawsuit alleges housing discrimination on the basis of disability arising from defendant's failure to make reasonable accommodations for prospective tenants requesting to live with a medically-necessary emotional support animals. WRO's claims are based on a multi-year investigation it conducted pursuant to a governmental grant from the U.S. Department of Housing and Urban Development. The Simpson Thacher team includes **Bryce Friedman, David Elbaum, John Ready** and **Rick Walker**.

Simpson Thacher and SPLC Present Oral Arguments at Fifth Circuit in Unconstitutional Voting Rights Litigation in Mississippi

On December 3, 2019, the U.S. Court of Appeals for the Fifth Circuit heard oral arguments in the ongoing Hopkins v. Hosemann class action lawsuit, which was filed on March 27, 2018 by the Southern Poverty Law Center (SPLC) and Simpson Thacher challenging the constitutionality of Mississippi's lifetime voting ban for people with disqualifying criminal convictions. Litigation Partner **Jon Youngwood** argued the appeal, which was heard on an expedited schedule.

Jon's argument before the court was quoted by the [Associated Press](#), which was republished by The New York Times, The Washington Post, Los Angeles Times and U.S. News & World Report and others. The Simpson Thacher team also includes **Janet Gochman, Nihara Choudhri, Isaac Rethy** and **Tyler Anger**.

Simpson Thacher Successfully Represents Victim of Sex Trafficking

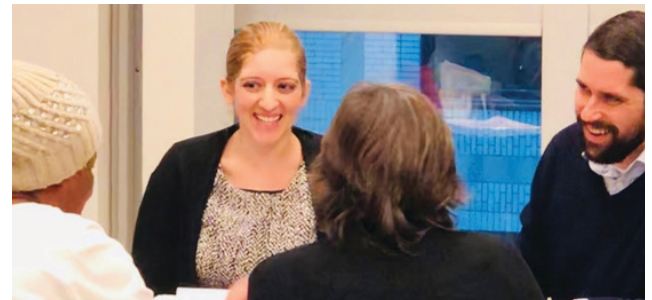
The Firm represents a single mother from Mexico who was trafficked into the United States and forced to sell her body for commercial sex for many years. After escaping her trafficker, she moved back to Mexico where her young daughter was living with her mother, but her trafficker found her there and threatened her and her family if she didn't go back to him. After fleeing back to the United States to escape the trafficker again, the client began receiving victim services from Sanctuary for Families. The Firm assisted the client in reporting the trafficking to law enforcement and succeeded in obtaining T Nonimmigrant Status for the client and her daughter. The team included **Harlene Katzman** and **Daniel Levien**.

Clinics

On December 4, 2019, Simpson Thacher partnered with Blackstone and Legal Services NYC to screen individuals for eligibility to naturalize and become U.S. citizens. The Simpson participants included **Lori Lesser, Monisha Bhayana, Gianna Ceophas, Jordan Chafetz, Andrew Garber, Sophie Gandler, Melissa Glazer, Sophie Hasse, Heather Lee, Matt Levy, Lauren Maxfield** and **Karen McClendon**. Paralegal support was provided by **Alexis de la Rosa, Josh Devamithran, Paula Francis, Jacob Hirsch** and **Steven Rozenfeld**.



Lori Lesser and other volunteers partner to screen immigrants for naturalization eligibility.



Monisha Bhayana and Blackstone colleague speaking with clinic clients.

On January 9, 2020 Simpson Thacher attorneys **Linton Mann III, Jennifer Nadborny, Beate Krieger, Gianna Ceophas, Sophie Gandler, Melissa Glazer, Sung Jin, Mai Kristofferson, Caitlin Lucey, Lauren Maxfield** and **Maya Reeves** prepared renewal applications for young immigrants who have a grant of deferred action under the "DACA" program. They were supported by Paralegals **Stephanie Crosskey, Eli Daiute, Josh Devamithran, Emma Doebelin, Paula Francis, Christine Guthrie, Jacob Hirsch, Kira Leid-King, Aafiya Mohammed, Maria Penalo** and **Steven Rozenfeld**.



Maya Reeves and Sung Jin assist DACA client.

On January 23, 2020, the Firm partnered with Blackstone and Safe Passage to screen 22 immigrant children in need of Immigration Court representation. The Firm had also engaged in a clothing drive which yielded winter coats, backpacks and school supplies for the families of the children seen in the clinic. The Simpson Thacher volunteers included **Maripat Alpuche, Mark Brod, Elizabeth Cooper, Linton Mann III, Leslie Peng, Jessica Tuchinsky, Mai Kristofferson, Ronnie Lim, Haley Martin, Nathan Regenold, Brandon Sadowsky, Luana Torres and Angela Urbano**. Paralegal support included **Josh Devamithran, Emma Doeblin, Kira Leid-King, Maria Penalo, Laura Maio, Tucker Westbrook and Alexis de la Rosa**.



Lesley Peng and Brandon Sadowsky interview an immigrant child.

Simpson attorneys **Caroline Gottschalk, Jason Cahill, Alexander Cahn, Gianna Ceophas, Sophie Gandler, Dov Gottlieb, Lauren Maxfield, James Rapp, Brandon Sadowsky, Lawton Salley and Leanne Welds** joined Blackstone volunteers to assist veterans applying for service connected benefits. They were assisted by paralegals **Eli Daiute, Josh Devamithran and Steven Rozenfeld**.



NYLAG delivers veterans benefits training.

On February 11, 2020, Simpson Thacher partnered with Morgan Stanley to staff the NYCHA Rent Calculation Clinic at the Little Sisters of the Assumption. Simpson attorneys included **Linton Mann III, Tommy Garber, Jonathan Kaplan and Brandon Sadowsky**.



Linton Mann III counsels client in clinic.



Linton Mann III, Mark Brod, Harlene Katzman and Susan Cordaro pose with Blackstone volunteers in the clothing drive room before the clients visited to select a warm coat and backpack.

Awards, Events and News

Simpson Thacher Hosts the Homeland Security Investigations Department at Forum on Human Trafficking

The Firm, along with Her Justice, welcomed seven members of DHS's Homeland Security Investigations (HSI) team for a forum about how HSI, the legal community, and social services providers work together to prioritize trafficking survivors' needs and further trafficking investigations. This panel discussed how HSI functions, how reported trafficking is investigated, how victim-witnesses are interviewed by HSI, how HSI can assist victims to obtain temporary immigration status called continued presence, and how to successfully collaborate with HSI to obtain the best outcomes for clients.



Member of Her Justice and HSI discuss human trafficking.

Promoting Due Process for Immigrants in New York

On March 3, 2020, the Firm hosted The Vera Institute for Justice in a panel discussion to talk about New York's role in the national movement for universal representation in immigration removal proceedings and the impact of representation on the people, communities, and the court system.



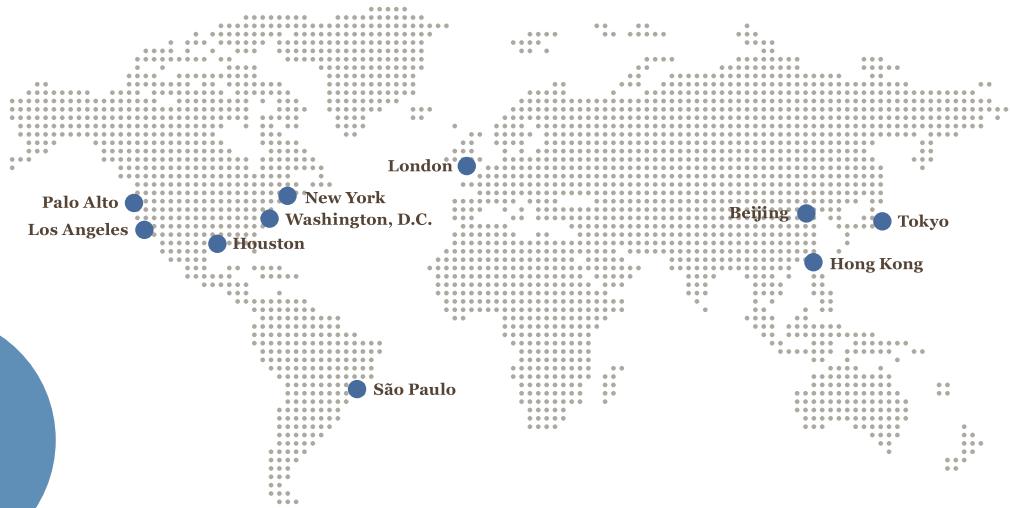
Representatives from the Vera Institute, Black Alliance for Just Immigration and Brooklyn Defender Services join Hon. Robert Weisel, Retired Assistant Chief Immigration Judge, on the panel.

Exempt Organizations attorneys **John Bennett** and **Kevin Roe** present to a full house at New York Lawyers for the Public Interest at its annual advocacy and lobbying training for nonprofits.



Kevin Roe and John Bennett speaking to a packed house at NYLPI event.

Please send
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or suggestions regarding
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