



Letter From Pro Bono Counsel And Director Harlene Katzman



Harlene Katzman

Congratulations! ¡Felicidades! おめでとう Parabéns! 祝賀

The Firm had another phenomenal year in 2011 for pro bono service. Our lawyers provided more than 73,000 hours of service on 500 separate pro bono matters. Our average pro bono hours per attorney for our U.S. offices rose from 85 in 2010 to 97 in 2011, the *highest in the Firm's history*.

Because of this commitment, families were reunited, refugees were granted asylum, domestic violence survivors received relief, not-for-profit organizations were strengthened, small businesses were launched, and human rights were upheld.

Simpson Thacher has never wavered in its commitment to use its formidable legal talent to help the most vulnerable populations. We are proud to continue in this great tradition. We owe our thanks and gratitude to the STB attorneys and staff for their sustained dedication to clients that desperately need their services.

Pro Bono Victories!

STB Wins D.C. Superior Court Jury Verdict on Behalf of Pro Bono Client in Landlord-Tenant Dispute

Attorneys in the Washington, DC office defended a single, low-income, employed mother of two children, in an eviction action brought by her landlord. After a two-day trial in the District of Columbia Superior Court in December, a jury returned a verdict in favor of our client, defeating her landlord's claim that she denied potential purchasers reasonable access to her rented home of nearly five years. At the close of the landlord's case-in-chief, the STB trial team also successfully moved for a judgment as a matter of law on the landlord's claim that the tenant denied the landlord reasonable access to the property. Thus, Simpson Thacher secured a victory that kept the client and her family safely in their home through the winter. The trial team was led by STB associate **Christopher R. Kelly**, and included **Conor Reidy** and **Jonathan D. Porter**. STB partner **Peter Thomas** supervised the matter.

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STB Wins Asylum for El Salvadorian Child

STB won asylum at the Asylum Office for an El Salvadorian child who fled his home country after being threatened and beaten by a gang because he refused to stop attending a high school located in gang-controlled territory. Our client had also been persecuted by the gang because his estranged father was a former policeman who had arrested gang members in the past. Unable to convince the gang that he was not in contact with his father, was not a member of any rival gang and simply wished to complete his education, he was eventually threatened at gunpoint and fled to the United States for fear of being killed. The team included associate **Shruti Raju** and partner **Todd Crider**.

STB Wins Asylum for Fugitive Slave from Mauritania

STB won asylum at the Asylum Office for our client, a fugitive slave from Mauritania who feared persecution on account of his homosexuality, race and slave status. Throughout his life, our client was regularly beaten, tortured, and verbally abused by his master, police officers, and others, and feared he would be persecuted and possibly murdered if he returned to Mauritania. This matter was referred to the Firm by Immigration Equality. The team included associate **Joshua Kiman** and partner **Joe Tringali**.

STB Wins Reduced Sentence for Criminal Defendant

STB represented a client charged in a 30-defendant indictment with conspiring to distribute drugs in the Bronx. Though the client faced a possible ten-year mandatory minimum sentence, the STB team proved that the client had abandoned the conspiracy and started a new, crime-free life in Florida with his family.

The negotiated plea agreement with the Government included no mandatory minimum and stipulated to a much shorter sentencing range. Ultimately, the client received a sentence of time served; he had been on home detention for approximately ten months. The team included associates **Patrick Connorton**, **Lexie Pitney**, and **Andrea Griswold**. Partners **Mark Stein** and **Josh Levine** supervised the matter.

Three STB Clients Granted U Visa status by the United States Citizenship and Immigration Service

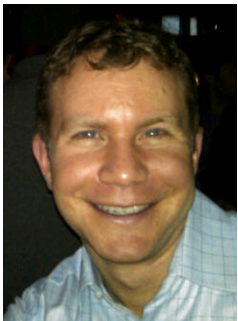
Los Angeles associates **Christopher Piazza**, **Courtney Rogerson**, and **Dan Daneshrad**, overseen by associate **Margaret Rubin** and partner **Dan Clivner**, successfully represented a 39-year-old mother of two U.S. citizen children from Mexico in her application for U nonimmigrant status (U visa), a remedy for victims of certain crimes who suffer substantial harm and cooperate with investigation or prosecution of the crime. Our client suffered severe physical and mental abuse by the children's father, often in front of her children, and cooperated with investigations by the police and the Department of Children and Family Services. This matter was referred to the Firm by Public Counsel.

Pro Bono Counsel **Harlene Katzman** successfully represented Ms. L, a 23-year-old woman from China who was physically abused by her ex-boyfriend who also threatened repeatedly to turn her into immigration authorities if she ever broke up with him. Ms. L was granted U nonimmigrant status in March 2012 based on her cooperation with the District Attorney's Office to investigate her ex-boyfriend's abuse. She will be eligible to apply for legal permanent residency after three years. This matter was referred by Sanctuary for Families.



Associate **Alyssa Watzman** successfully represented Ms. P, a 25-year-old woman from Guyana whose mother was physically and psychologically abused by her father for more than two decades. Ms. P was granted U nonimmigrant status in March 2012 based on her cooperation with the District Attorney's Office to investigate her father's abuse. She will be eligible to apply for legal permanent residency after three years. This matter was referred by Sanctuary for Families.

Not All Losses Are Equal: STB Associate Tells Client's Story



In 2007, our client was convicted of robbery in the second degree, and sentenced to eight years in prison followed by five years of post-release supervision. In 2008, the Office of the Appellate Defender referred the client's direct appeal to STB. For three and a half years, litigation associate **Ian Dattner** worked on the appeal - reviewing the trial court record, crafting arguments, and communicating with the client, who did not have regular access to a phone. Ian argued the appeal in the First Department of the Supreme Court of the State of New York Appellate Division before a four person panel and received a 3-1 decision, which affirmed the sentence. The argument, which was originally set for 15 minutes, ended up being 35 minutes. Ian sought leave to appeal from the dissenting judge, which was granted, and the New York Court of Appeals subsequently put the matter on its full argument calendar. In October 2011, Ian argued the matter in front one of the most notoriously "hot benches."

Our client received a 4-3 decision, only one vote short of having his conviction reversed. Although our client still faces time in prison, he found a voice

to tell his story in Ian Dattner, who argued his case vigorously before some of New York's finest legal minds. "This was the most substantial oral argument I've had at the Firm, which makes me more comfortable to do them in the future." Ian also took the lead role in writing the brief. Although the sentence remained, the client knew he had a strong advocate who was making the best possible case for him. Ian was supervised by partner **Jonathan Youngwood**.

Litigation Associate Kassie Helm Argues on Behalf of Veteran Client in Federal Court

In March 2012, litigation associate **Kassie Helm** argued on behalf of a disabled veteran in the U.S. Court of Appeals for the Federal Circuit. The veteran, who injured his knee in parachute training, was diagnosed by Department of Veterans Affairs ("VA") doctors with arthritis and chondromalacia, and prescribed a treatment requiring that he drink only distilled water. Due to multiple instances of faulty advice from his VA counselor, he did not follow proper procedure to be reimbursed for the medically-necessary water, and therefore, the VA denied his claim for reimbursement. Our client appealed the Court of Appeals for Veterans Claims' affirmance of that denial by asserting that the VA violated its statutory duty, under 38 U.S.C. § 5103A, to assist and advise the veteran of what he needed to do to substantiate his claim for his medically-necessary benefits.



The appeal involved issues of first impression about where to draw the boundary on when the VA's duty to assist is rendered inapplicable by law. Kassie challenged the lower court's ruling on two grounds, that: (1) the Duty to Assist Veteran under the Veterans' Claims Assistance Act did not apply because the law,



not the facts, dictate the outcome of the appeal; and (2) the law permitting the VA to reimburse a veteran who “personally buys supplies” did not apply. According to supervising partner **Hank Gutman**, who accompanied Kassie to Washington to observe her argument, Kassie “stood her ground in the face of very tough and skeptical questioning – conceding the points credibility required, but holding the line on those that were essential. Her rebuttal argument was the highlight of the morning”. We are confident that Kassie’s superb advocacy left a lasting impression.

STB and Morgan Stanley Jointly Sponsor Equal Justice Works Fellow to Work on Anti-Trafficking Project

In 2011, Simpson Thacher and Morgan Stanley jointly sponsored Equal Justice Works Fellow **Emily Amick** for a two-year position at Sanctuary for Families. Emily’s project addresses the legal needs of sex trafficking victims in New York by providing representation in criminal, family and immigration cases. It also promotes the implementation of New York anti-trafficking laws through advocacy, coalition building and trainings.

On December 21, 2011, STB hosted over 60 attorneys from Morgan Stanley and the Firm at a luncheon featuring a presentation on the Anti-Trafficking Initiative. Partner **Bruce Angiolillo** introduced the event and welcomed speakers Dorchen Leidholdt, Director of the Center for Battered Women’s Legal Services at Sanctuary for Families, Emily Amick, as well as Alita Wingfield, Vice President at Morgan Stanley, and Eric Grossman, Chief Legal Officer of Morgan Stanley. The presentation energized all in attendance, and the Firm looks forward to greater collaboration with our co-sponsors on anti-trafficking advocacy in New York.



L to R: Harlene Katzman (STB), Alita Wingfield (MS), Mia Sussman (EJW), Dorchen Leidholdt (SFF), Emily Amick (SFF), Bruce Angiolillo (STB) and Eric Grossman (MS).

Legal Assistant Highlight: Aimee Sorbo and the Small Business Clinic

Micro-entrepreneurs often juggle a myriad of obstacles to launch their small-businesses, the hardest of which often is understanding the law around formation and other legal issues that affect businesses. Through the staffing of weekly clinics at the NY Office, STB lawyers meet with pre-screened, fledgling small businesses in need of legal advice including contract and lease negotiations, choice of entity, tax, intellectual property, formulation of employment and personnel policies, and general brainstorming about their business development.



The clinic has been running nonstop on a weekly basis at STB for more than five years, matching pro bono attorney volunteers with low income individuals hoping to start a business. The attorneys, clinic participants, and the issues change weekly, and in order for this clinic to run smoothly STB needs a skilled and dedicated person to coordinate the Firm’s



efforts. Legal assistant Aimee Sorbo has served that role for three consecutive years. “The clients are extremely appreciative, very intelligent, and resourceful, they just need help moving along their ideas,” says Aimee, whose role at the clinic varies from staffing to reporting to troubleshooting, as well as liaising with the referring organization.

Aimee has made participation more manageable for associates. In 2010, two-thirds of the clinics were staffed by three dedicated associates. To insure the program’s sustainability, Aimee, together with Pro Bono Counsel **Harlene Katzman**, and associate supervisors, **Jim Cross** and **Nisha Khanduja**, created the “Backup Team,” which has increased support for associates, whose greatest challenge to participation is often an unexpected time sensitive assignment. “The Backup Team” is composed of four associates, who staff the clinic on an “on-call” basis. If an associate needs to cancel, due to an unanticipated conflict with another matter, one of the four members of the “Backup Team” will step in and cover the clinic. Since the development of the Team, associate participation has increased by 31%, which translates into dependable legal assistance for many struggling micro-entrepreneurs.

STB London Office Helps UK Children’s Charity

STB represented Right To Play in connection with a collaboration agreement with Microsoft in the UK. Under the agreement, Microsoft provides Right To Play with a cash donation, software, services and hardware. The agreement also covers the parties’ participation in certain major joint marketing events, including incorporation of the Right To Play logo in the Kinect Sports: Season Two Basketball game. Right to Play will receive certain royalty payments based on its sales. Significantly, the collaboration agreement

also envisages the relationship between Right To Play and Microsoft developing on a worldwide basis. The parties announced their partnership at a launch event held at Stamford Bridge, the home of the Chelsea Football Club, which was attended by Right to Play’s several sports ambassadors, including members of Great Britain’s Olympic Team. London associate **Neil Evans** worked on the collaboration agreement with partner **Greg Conway**.

Right To Play is a not-for-profit athlete-driven international humanitarian organization that seeks to use the transformative power of sport and play to build essential skills in children and thereby drive social change in communities affected by war, poverty and disease. Further information about Right To Play can be found at www.righttoplay.com.

STB Honors Attorneys at Its Annual Pro Bono Awards and Recognition Receptions in NY, PA, LA and DC

In February and March of 2012, STB celebrated our the Firm’s 2011 pro bono contributions with U.S. office receptions honoring 136 partners and associates and 21 legal assistants who devoted 100 or more hours to pro bono service, recognizing 115 additional partners and associates who devoted between 25 and 100 hours. Our deepest appreciation goes out to the lawyers, legal assistants and staff who represented the many low-income clients, organizations that serve them, and others needing our assistance.



New York Reception, February 29, 2012



Joe Kaufman, Andrea Wahlquist, Harlene Katzman and Michael Nathan.



Bill Dougherty, Andy Smith and Jim Cross.



Dave Shevlin and Sarah Cogan.



Juan Arteaga, Natalia Martín, Bill Russell and Omari Mason.



Heather Shaffer, Andrea Griswold, Josh Levine and Liz Gudis.



Alora Thomas, Courtney Welshimer, Peri Zelig and Sonya Mirbagheri.



David Woll and Bruce Angiolillo.

Palo Alto Reception, March 7, 2012



(L to R) Melissa Derr Schmidt, Amanda Treleaven, Dan Foster, Sara Wilcox, Larissa Soboleva, Emma Channing, Roxana Niktab, Chris Judge, Brandon Martin, Kevin Kennedy, Alexis Coll-Very, Gautam Kene, Colman McCarthy, George Brell and Arka Chatterjee.

Los Angeles Reception, March 7, 2012



Chet Kronenberg, Daniel Clivner, Thomas Wuchenich and Mike Kibler.



(L to R) Michelle Kallen, Jennifer Levitt, Marisela Licerio, Margaret Rubin, Jessica Marek, Michael Freedman, Sarah Luppen and Peter Jordan.



(L to R) Colin Rolfs, Ben Gold, Josh Pollick, Courtney Rogerson, Kathleen Eagan, Mike Kibler, Nathan Agam and Steven Sutton.

Washington, DC Reception, March 14, 2012



(L to R) Blake Sparrow, David Shogren, Chris Kelly, Harlene Katzman, Peter Thomas, Conor Reidy, Rawia Ashraf, Andrew Winerman, Jonathan Porter, Marco Stewart and Jonathan Lin.

AWARDS

Jonathan Lin Wins The Klepper Prize for Volunteer Excellence

Washington litigation associate **Jonathan Lin** will be awarded The Klepper Prize for Volunteer Excellence by the Legal Aid Society of the District of Columbia. The Klepper Prize was created to recognize an attorney early in her or his career who has made a significant volunteer contribution to the Legal Aid Society of the District of Columbia.

Since the launch of STB's Legal Aid landlord tenant program in the Washington office, Jonathan has stood out as a fierce advocate for his pro bono clients, showing great sensitivity to their matters. He is also recognized by his colleagues as "a mentor for all of the attorneys in the office working on matters referred from Legal Aid, ensuring that, with each case, the team is pursuing the right angles and getting good results for their clients." We congratulate Jonathan on this great achievement!

STB Team Wins Commitment to Justice Award from inMotion for Pro Bono Representation

At its 2012 Commitment to Justice event on February 9, 2012, inMotion honored associates **David Tejtzel**, **Hayley Urkevich**, **Courtney Welshimer**, **Whytne Brooks** and legal assistant **Magallie Kortright**, for their representation of an immigrant woman from the Dominican Republic in a contested divorce, custody and support action against her long-time abusive husband. The Firm also assisted the client in obtaining immigration status through a VAWA petition. This case represents one of the many hundreds of matters handled by STB attorneys and summer associates since the Firm's partnership with inMotion began in 1998. The program is



(L to R) Courtney Welshimer, Whytne Brooks, David Tejtzel, Shena M. Elrington (former STB associate) Magallie Kortright, Hayley Urkevich and Katherine Burghardt Kramer (former STB associate).

overseen by partner **Libby McGarry** and associate **Courtney Welshimer**. For more detail about this matter, please [click here](#) to see Page 4 of the July 2010 Pro Bono Publico newsletter.

STB Receives Legal Services NYC's 2011 Pro Bono Visionary Award

On December 7, 2011, STB received Legal Services NYC's 2011 *Pro Bono* Visionary Award for our corporate externship with its Community Economic Development Unit. The award recognizes the critical role the Firm has played in providing high-quality free civil legal services to low income communities throughout New York City. For the past three years, STB externs have worked full time with the Unit on a rotating basis advising community-based nonprofit organizations with corporate, tax, real estate and other legal issues.

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