



THE STATE'S OUTSTANDING
PRO BONO LAWYERS

Welcome

to the inaugural issue of our Angel Awards, in which we honor California lawyers who demonstrate a fierce commitment to pro bono work. The awards this year recognize 16 attorneys throughout the state for a wide range of work—from helping victims of domestic violence to protecting the rights of asylum seekers. These dedicated lawyers include sole practitioners and attorneys from small firms as well as from large international firms. The Angel Awards are our way of thanking them for their service.

—*The editors of CALIFORNIA LAWYER*



NATALIE M. ERWIN

ASSOCIATE, DLA PIPER, LOS ANGELES

Through Public Counsel's Community Development Project, Erwin helped close two real estate loan transactions in 2006 for the Low Income Investment Fund (LIIF), a nationwide housing-development group active primarily in California and New York. DLA Piper waived attorneys fees on the projects to help ensure that the housing units would remain affordable. Erwin assisted LIIF with a \$2.3 million rehabilitation loan that helped the Wakeland Housing and Development Corporation preserve 91 low-income housing units in San Diego's Del Sol Apartments under HUD's Section 8 program. She also helped the Shield of Faith Economic Development Corporation, created by an evangelical church in Pomona, to secure a loan to acquire an adjacent mobile home park for new construction of 90 low-income housing units. "My firm has about four more LIIF projects in the pipeline, because it's going so well," Erwin says.



ARTURO GONZÁLEZ

PARTNER, MORRISON & FOERSTER, SAN FRANCISCO

González sued on behalf of more than 20,000 students who successfully completed their coursework but failed the California High School Exit Exam. He argued that the students should not be deprived of a diploma because they had not been given an equal opportunity to prepare for and pass the test. In August a state appellate court agreed that there was substantial evidence the students had not received equal access to education and determined that the appropriate remedy was to provide them with additional instruction. González, who has already spent more than 600 hours on the case, is now working with the state to contact students who were involved and help them obtain diplomas by making remedial classes available. He also worked pro bono with Morrison & Foerster partner Ken Brakebill on a police brutality case (see page 22).



CYNTHIA HOLTON

SOLE PRACTITIONER, TUSTIN

Large firms with resources to devote to pro bono work seldom offer expertise in family law, leaving organizations that provide legal services to the poor with a gaping hole to fill. Since she began volunteering at the Public Law

Center in Santa Ana two years ago, Holton has accepted 30 family law cases—involving guardianships, divorces, temporary restraining orders, and custody and visitation rights—all with favorable results for her low-income Orange County clients. Last year her work alone accounted for more than 60 percent of the total volunteer hours donated to the family law cases championed by the Public Law Center. In October, Holton received the President's Pro Bono Service Award in the solo practitioner category at the State Bar's annual meeting.



DAN E. MARMALEFSKY

PARTNER, MORRISON & FOERSTER, LOS ANGELES

Working with the ACLU of Southern California, Marmalefsky has logged thousands of pro bono hours over the past 24 years, using the Freedom of Information Act on behalf of a professor seeking documents from the FBI's surveillance of ex-Beatle John Lennon during the Nixon administration. The government claimed it withheld the information on several grounds, including national security concerns. Earlier this year Marmalefsky also filed a civil case against Secretary of Defense Donald Rumsfeld and several military officials over their treatment of Los Angeles filmmaker Cyrus Nowrasteh—who was in Iraq making a documentary unrelated to the war—challenging the government's policies on detaining U.S. citizens.



STEVEN P. RICE

PARTNER, CROWELL & MORING, IRVINE

For the past six years Rice has represented pro bono clients through referrals from the Public Law Center in Santa Ana. Though Rice's clients often fall outside the media spotlight, his pursuit of these smaller cases has had far-reaching ramifications. For example, he recently won an appellate court ruling of first impression that allows pro bono attorneys to collect attorneys fees as discovery sanctions. Since 2005 he has represented a group of seniors seeking access to financial records maintained by the company managing their retirement community, spending 250 pro bono hours on the case so far. A year after the trial and extensive posttrial proceedings, a judge is expected to rule soon on whether the management company falls under the provisions of California's Davis-Stirling Act, which allows members of a homeowners' association to have access to such documents.



HITESH S. BAROT
ASSOCIATE, BINGHAM MCCUTCHEEN,
SAN FRANCISCO

Barot was instrumental in securing a settlement in a case brought under the Trafficking Victims Protection Reauthorization Act for an Indian woman who was brought to the Los Angeles area, forced to work long hours, and abused by an acquaintance of her employer. Since 2004 a team of Bingham attorneys from Los Angeles, Orange County, and San Francisco have contributed nearly 800 pro bono hours to the case, working with the ACLU Foundation of Southern California in filing complaints for trafficking and pursuing various other torts. Barot initially began working on the case in October 2005 because he was able to translate Hindi. He soon took over the matter, gaining the trust of the plaintiff, who had been suffering from post-traumatic stress.

"PRO BONO IS ONLY 5 TO 10 PERCENT OF MY PRACTICE; HOWEVER, IT IS THE MOST REWARDING PART."

—MERRILEE SNELL



KENNETH W. BRAKEBILL
PARTNER, MORRISON & FOERSTER,
SAN FRANCISCO

The suit seemed like a loser for the Latino couple who claimed police brutality in Fresno. The plaintiffs were charged with battery of a police officer and resisting arrest in connection with a raucous coming-home party for a soldier returning from Iraq. Brakebill took more than 60 depositions and logged about 1,300 billable hours on the case, including 900 from January through September. "He turned over every rock to uncover what turned out to be an incredible pattern of abuse by one police officer," says his MoFo colleague and co-counsel, Arturo González. On the eve of the federal trial date, the city of Fresno settled the case for \$1.6 million and agreed to have a judgment on all causes of action entered against it and the officer who struck the couple. The firm was awarded \$850,000 in attorneys fees; the money will go into MoFo's Girven Peck Fund, which finances its legal services for the poor.



MICHAEL CAMUÑEZ AND CAROLYN KUBOTA

PARTNERS,
O'MELVENY & MYERS,
LOS ANGELES



To successfully challenge the five felony counts against former FBI agent Denise Woo alleging national security violations, the O'Melveny & Myers pro bono team spent more than 6,000 hours since 2003 preparing her defense. The team, led by partners Camuñez and Kubota, with associates Margaret L. Carter, Lisa Chen, Angela Machala, and Kelly O'Donnell, reviewed classified information

in a cramped federal courthouse room to build their case that the charges against Woo were unjust. Kubota says Woo was asked to go undercover to investigate a longtime family friend who was accused of espionage, and that Woo later became the FBI's scapegoat when the investigation fell apart. Woo pleaded guilty in June to a single misdemeanor count for disclosing confidential FBI information. In late October the U.S. District Court, Central District of California, imposed a sentence of one year of probation and a \$1,000 fine.



BRIAN K. CONDON
PARTNER,
ARNOLD & PORTER,
LOS ANGELES

In September 2005 Condon took the appeal of a case challenging the restrictive criteria that the California Department of Health Services imposes on doctors seeking approval for serostim (human growth hormone) treatments for patients with AIDs wasting syndrome. The case had previously been handled by Arnold & Porter partner Suzanne Wilson and associates Tricia Cross, Johanna Pirko, and Thad Pope, who in 2004 were referred the case by the HIV & AIDS Legal Services Alliance in Los Angeles. Condon is also advising an EPA-funded community organization in Pacoima on investigating and pursuing action to reduce environmental hazards. In addition, along with partner John Carlton and associates Michael Lavetter and Steve Park, he represents the surviving heir of a small estate whose property was taken by a family caregiver. Earlier this year Condon settled a civil case on behalf of the Museum of Contemporary Art in Los Angeles.



"MY WIFE OFTEN ASKS ME IF I BILLED ANYONE TODAY."

—AMITAI SCHWARTZ

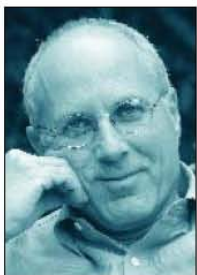


JULIE S. SAFFREN
SOLE PRACTITIONER, SAN JOSE

FARIBA R. SOROOSH
FAMILY LAW FACILITATOR, SANTA CLARA COUNTY SUPERIOR COURT

Two and a half years ago Soroosh, a longtime volunteer at Pro Bono Project Silicon Valley, came up with the idea to create a program that helps low-income pro per petitioners and respondents obtain or challenge permanent restraining orders. A few months later Saffren joined the organizing committee, and together with Pro Bono Project they planned, designed, and then tested the Domestic Violence Limited Scope

Representation project before it was implemented in January 2006. Saffren, Soroosh, and John Hedges, the executive director of Pro Bono Project, conferred with family court judicial officers, advocacy attorneys, and child-protection agencies to ensure that the plan addressed their concerns. Both women helped conduct training for volunteer attorneys and certified law students, who now number more than 40. "This program has become a model in California, and we are getting interest from other states," says Soroosh. "It's been so successful, I'm thinking we should expand into other areas of family law."



AMITAI SCHWARTZ
LAW OFFICES OF AMITAI SCHWARTZ, EMERYVILLE

In the past few years Schwartz has taken on several ACLU Freedom of Information Act (FOIA) requests regarding the federal government's practices in collecting information on U.S. citizens who are Muslim, of Arab descent, or war protesters. This year he prevailed in an expedited request for one of the cases, and he donated the attorneys fees he was awarded to the ACLU. His pro bono work amounts to hundreds of hours each year. In addition to handling FOIA cases, he advises various health care advocacy groups. "When I come home," Schwartz says, "my wife often asks me if I billed anyone today. If you don't need to earn a huge salary, there's a lot of time for this sort of work."



MERRILEE SNELL
SOLE PRACTITIONER, LONG BEACH

Since 1999, Snell has helped immigrant women who are victims of abuse obtain permanent residence status under the federal Violence Against Women Act (VAWA). For the past year she has worked to get approval under VAWA to apply for a green card on behalf of a Mexican woman battered by her husband. The U.S. Citizenship and Immigration Services recently granted approval. For the past 13 years Snell has also provided legal assistance to HIV-positive immigrants, taking many referrals from the HIV & AIDS Legal Services Alliance in Los Angeles. "Most of my practice is business- and family-related immigration. Pro bono is only 5 to 10 percent of my practice; however, it is the most rewarding part."



MARC VAN DER HOUT
PARTNER, VAN DER HOUT, BRIGAGLIANO & NIGHTINGALE, SAN FRANCISCO

For nearly two decades, immigration specialist Van Der Hout has represented three of the so-called Los Angeles Eight—seven Palestinian immigrants and a Kenyan—who were denied naturalization because of their alleged political activities. Van Der Hout obtained a petition for citizenship for one of the immigrants this year. He has been working on the cases without charge for the past 18 years. His pro bono work on high-impact immigration cases totalled 450 billable hours in 2005, and he is on target to put in close to that number by the end of this year.



LAURA WYTSMA
PARTNER, SONNENSCHN NATH & ROSENTHAL, LOS ANGELES

For the past two years partner and patent litigator Wytmsa has devoted hundreds of pro bono hours to asylum matters. She has helped a Christian Armenian woman avoid deportation to Iran, and as co-counsel with Public Counsel's Immigrant Rights Project she is continuing efforts to reunite two young children with their politically active Cameroonian father, whom she helped gain asylum earlier this year. Other recent cases include asylum requests by a Russian woman, based on the persecution of her disabled child, and by a Chinese Christian man, on grounds of religious freedom. In addition to her work with Public Counsel, Wytmsa takes pro bono Ninth Circuit appeals as well as trial and appellate-level cases. **GL**