



# THE FEDERAL BAR ASSOCIATION ATLANTA CHAPTER

NEWSLETTER – SPRING 2010

<http://www.fedbar.org/atlanta.html>



## ATLANTA CHAPTER OF THE FEDERAL BAR ASSOCIATION, INC.

### PRESIDENT

**Kevin A. Maxim**  
The Maxim Law Firm, P.C.  
1718 Peachtree Street, N.W.  
Suite 599  
Atlanta, GA 30309  
(404) 924-4272  
[kmaxim@maximlawfirm.com](mailto:kmaxim@maximlawfirm.com)

### PRESIDENT-ELECT

**John R. Bielema, Jr.**  
Bryan Cave Powell Goldstein LLP  
One Atlantic Center  
1201 W Peachtree Street, 14<sup>th</sup> Floor  
Atlanta, GA 30309  
(404) 572-6600  
[jbielema@pogolaw.com](mailto:jbielema@pogolaw.com)

### VICE PRESIDENT

**Kerri A. Gildow**  
Rogers & Hardin LLP  
229 Peachtree Street, N.E.  
2700 International Tower  
Atlanta, GA 30303  
(404) 420-4657  
[kgildow@rh-law.com](mailto:kgildow@rh-law.com)

### TREASURER

**Robin H. Sangston**  
Cox Communications, Inc.  
1400 Lake Hearn Drive  
Atlanta, GA 30319  
(404) 843-5751  
[robin.sangston@cox.com](mailto:robin.sangston@cox.com)

### SECRETARY

**Robert C. Khayat**  
King & Spalding LLP  
1180 Peachtree Street, N.E.  
Atlanta, GA 30309-3521  
(404) 572-4709  
[RKhayat@KSLAW.com](mailto:RKhayat@KSLAW.com)

### MEMBERSHIP CHAIR

**David A. Bain**  
Law Offices of David A. Bain, LLC  
1230 Peachtree Street, N.E.  
Suite 1050  
Atlanta, GA 30309  
(404) 724-9990  
[dbain@bain-law.com](mailto:dbain@bain-law.com)

### EXECUTIVE COMMITTEE

S. Derek Bauer  
Jeffrey Berhold  
The Hon. Julie E. Carnes (*honorary*)  
James N. Hatten  
James P. Gerstenlauer  
W. Thomas Lacy, Jr.  
Benton J. Mathis, Jr.  
Steven D. Moore  
Oscar N. Persons  
Meryl W. Roper  
Eric P. Schroeder  
Phyllis B. Sumner  
Kevin P. Weimer

### ADVISORY COMMITTEE

Peter C. Canfield  
Prof. Ronald L. Carlson  
Martin D. Chitwood  
George (Buddy) Darden  
Richard H. Deane, Jr.  
Henry D. Fellows, Jr.  
Michael D. Haun – General Counsel  
Joyce Kitchens  
Henry M. Quillian, III  
June Ann Sauntry  
The Hon. Thomas W. Thrash  
Amy Levin Weil  
Joe D. Whitley

## PRESIDENT'S MESSAGE

*Kevin A. Maxim*



The Atlanta Chapter of the Federal Bar Association has offered a multitude of remarkable opportunities and events for our members over the past few months. This newsletter is an apt reminder of the camaraderie, the devotion, and the fun that we together share in our Chapter. We hope that you will take the time to peruse this newsletter edition, and that it will encourage you to inspire others to join our Chapter and to share in what we find so special about it.

## WEBSITE UPDATE

Our Atlanta Chapter continues to implement our Chapter's website to make it a unique resource for information concerning our Chapter's members, history, and current events.

**Are you listed in our members-only Atlanta Chapter directory?** Our website now includes searchable pages devoted to promoting the Federal practices of our members. It provides contact information, a brief description of practice areas, and a link to each member's own web page. The directory can be found at <http://www.fedbaratlanta.org/members.php?name=ALL>. If you would like to be listed in our directory, or if you are already listed and need to update your information, please contact our Chapter webmaster David Cole at [DCole@fmglaw.com](mailto:DCole@fmglaw.com).

**Have you utilized our on-line RSVP system?** Much thought and effort went into developing our Chapter website, and we hope that our Chapter members have been pleased with what the website now offers. Our new on-line reservations system has facilitated signing up for our FBA events, and has eased the burden on our volunteers. Thank you to the many Chapter members and their assistants who have worked with us in fine-tuning this reservations system.

**Did you know that our FBA Chapter was founded in 1957?** One of our goals has been to create an on-line repository of historical information about our Chapter. Among the historical items is a thirty-year history of our Chapter compiled by Robert Gerwig in 1987. We have also posted a collection of Chapter newsletters, our By-Laws, a list of Atlanta Chapter presidents since 1985, and we are working a compilation of past Robert S. Vance Forum topics and guest speakers, which we hope to post in the near future. If you possess or know of other historical information regarding our Chapter, we ask that you please contact me or one of the Executive Committee members so that we can include that information on our website.

## EXCEPTIONAL PROGRAMS

Over the past few months our Chapter has offered a number of memorable events. Back in December, the Honorable Phyllis A. Kravitch, former Chapter President Amy Levin Weil and Ronan Doherty teamed up to present **A Conversation with The Honorable Phyllis A. Kravitch, Judge, Eleventh Circuit Court of Appeals**. In February, we presented another edition of **The Robert S. Vance Forum on the Bill of Rights**, this year entitled *Hillary the Movie: the Final Act for Campaign Finance Reform?* Our thanks to the planning committee for that event Meryl Roper, Derek Bauer, Jakes Larkins, and Kerri Gildow. We also presented, in conjunction with the U.S. District Court for the Northern District of Georgia, yet another sold-out pair of **Technology in the Northern District Courtroom** sessions, this time featuring a dynamic presentation by the Honorable Michael J. Reagan of the Southern District of Illinois. Thank you to Steve Moore and Tom Lacy for planning that event.

More recently, Jeff Berhold and Scott Marrah hosted the **Luncheon Honoring New U.S. Attorney Sally Quillian Yates**, and Ben Mathis hosted a panel entitled **Civil Litigation from the Magistrate Judge's Point of View** featuring the insightful commentary of the Honorable Alan J. Baverman and the Honorable E. Clayton Scofield III. On April 29<sup>th</sup> the Northern District Court and the Atlanta

Chapter hosted **Law Day** events at the Courthouse for dozens of area high school students. Our thanks to all involved in making these fine programs possible. Details and photos from these events can be found later in this newsletter.

Thank you for supporting the Atlanta Chapter of the Federal Bar Association. I hope to see you at an FBA event sometime soon.

Sincerely yours,

Kevin A. Maxim

## MEMBER ALERT

The Atlanta Chapter of the FBA wants to alert our members to the significance of the four empty judicial seats on the United States District Court for the Northern District of Georgia. Many of you are aware that there have been three vacant seats on the Northern District bench for more than sixteen months now, and a fourth vacancy since January. Our Judges are working very hard to tend to the cases on their dockets. Notwithstanding their hard work, our District Court Judges' dockets are becoming increasingly overloaded.

Having the vacant seats filled is extremely important. Until that happens, however, please keep an open mind to litigation options that can work to reduce the burden on our sitting District Judges. In particular, we urge that you consider consenting to trials before Magistrate Judges in appropriate cases. There is a benefit to your clients in that the Northern District has all nine of its Magistrate Judges, all of whom are exceptionally qualified and have extensive experience.

Also, please be advised that Judge Harold L. Murphy, who presides in the Rome Division, has agreed to hear cases filed in the Atlanta Division (in Rome), as long as the parties agree. If you are given the option of proceeding before Judge Murphy, please give it serious consideration.

## UPCOMING EVENTS

### 2010 FEDERAL JUDICIAL LUNCHEON – SOLD OUT

Our annual **Luncheon Honoring the Federal Judiciary and Annual Chapter Meeting** will be held at the Piedmont Driving Club at noon on Tuesday, June 15, 2010. Our keynote speaker will be the Honorable **Kenneth W. Starr**, President of Baylor University and former Solicitor General of the United States. This year's event is spearheaded by Eric Schroeder and he and his colleagues have been working hard to ensure the success of this year's Luncheon.

### MEMBERSHIP DRIVE

Now through August the Federal Bar Association's national organization will be conducting a membership drive in which our Chapter is in competition with other Chapters of our size. Our Chapter membership presently stands at approximately 283 members, and competes against the FBA Chapters in Chicago, Dallas, San Diego and Tampa Bay, to name a few. If the Atlanta Chapter ranks as one of the three top chapters in our size category in membership gain, we would stand to win cash awards from FBA National. For more information see [www.fedbar.org/chapter-challenge.html](http://www.fedbar.org/chapter-challenge.html). A special thanks to our Chapter's Kevin Weimer for serving on the national FBA Membership Committee.

Please join us in encouraging colleagues to join the Federal Bar Association. The more members we have, the better programming and other benefits we can generate for our Chapter.

### CULTURE AND FUN IN NEW ORLEANS

We hope that you will attend the Federal Bar Association's Annual Meeting and Convention, hosted by the 1,000-plus member New Orleans Chapter on September 22-25, 2010, at the Ritz-Carlton on Canal Street in New Orleans. The FBA has secured the incredible rate of \$169 per night while the Meeting's room allotment lasts. For those of you who are Atlanta Falcons fans, our team will be playing in the Superdome on Sunday, September 26<sup>th</sup> at noon, making it a perfect weekend to make the road trip to New Orleans.

Be on the lookout for additional news about the New Orleans Annual Meeting and Convention in *The Federal Lawyer* magazine and in e-mails from FBA National.

## **NORTHERN DISTRICT COURT OFFERS CLE-ACCREDITED CM/ECF TRAINING CLASSES FOR ATTORNEYS, STAFF**

The Northern District of Georgia offers monthly hands-on-training classes for attorneys and their staff on the CM/ECF e-filing system. E-filing guidelines, rules and procedures will also be discussed. Classes are held at the U.S. Courthouse at the Richard B. Russell Federal Building. Class times are 10:00 a.m. - 12:00 p.m. and will be held June 17, 2010, July 15, 2010, and August 19, 2010. 2 Hours CLE Trial credit is available. To register, please call (404) 215-1655.

## **RECENT CHAPTER EVENTS**

---

### ***JUDGE KRAVITCH SHARES MOMENTS FROM HER REMARKABLE LEGAL CAREER***



At the *Conversation with the Honorable Phyllis A. Kravitch* (left to right) - Event Chair Amy Levin Weil, Atlanta Chapter President Kevin Maxim, Judge Phyllis A. Kravitch, and moderator Ronan Doherty.

On December 9, 2009, the Atlanta Chapter hosted *A Conversation with the Honorable Phyllis A. Kravitch, Judge, Eleventh Circuit Court of Appeals* at Atlanta's Capital City Club. In response to questions posed by her former law clerk, Ronan Doherty, Judge Kravitch shared her remarkable history of pioneering as a woman lawyer in Georgia. Judge Kravitch was the first woman president of the Savannah Bar Association, the first woman superior court judge in Georgia. When she was appointed to the Fifth Circuit Court of Appeals in 1979, she was the first woman to be appointed to the federal bench in the Southeast, and only the third woman to be appointed as a U.S. Circuit Court Judge in the United States. Her anecdotes reminded us that it was not so long ago that opportunities in the law for women simply did not exist. Closed doors and words of discouragement did not deter her from pursuing her chosen career, which she did with great determination and success.

The Atlanta Chapter, and the nearly 100 in attendance, deeply appreciated Judge Kravitch's willingness to share her stories with us. Our thanks to Amy Levin Weil of The Weil Law Firm and Ronan Doherty of Bondurant Mixson & Elmore, LLP for planning this memorable event.

---

## ***2010 VANCE FORUM ON THE BILL OF RIGHTS EXAMINES THE CURRENT STATE OF CAMPAIGN FINANCE REFORM***

The twentieth year of the Robert S. Vance Forum on the Bill of Rights delved into campaign finance reform efforts merely weeks after the U.S. Supreme Court's pivotal *Citizens United v. Federal Election Commission* decision. King & Spalding's Hector Llorens shared with us his recollections of Judge Vance and what it was like to serve as a law clerk for him. WABE 90.1-FM's Denis O'Hayer then inspired a lively debate regarding campaign finance reform. Citizens United's Michael Boos, Public Citizen Litigation Group's Scott Nelson, Emory Law School Professor Michael Kang and Stefan Passantino of McKenna Long & Aldridge LLP demonstrated their expertise while debating what the Supreme Court decision changed, and what challenges to campaign finance laws may lie ahead, such as contribution limits and disclosure rules. The Chapter sincerely thanks Denis O'Hayer for returning as an exceptional moderator for the Forum.

Our Chapter was exceptionally fortunate to welcome what was perhaps the most knowledgeable, most timely discussion of campaign finance reform in the country. Our sincere thanks to the Vance Forum production committee, including Meryl Roper of Chitwood Harley & Hines, Derek Bauer of McKenna Long & Aldridge, Jakes Larkins and Kerri Gildow of Rogers & Hardin, and Kevin Maxim of The Maxim Law Firm, P.C.



The 2010 *Robert S. Vance Forum on the Bill of Rights* featured (from left) panelists Professor Michael Kang of the Emory University School of Law, Michael Boos of Citizens United, Scott Nelson of Public Citizen Litigation Group, Stefan Passantino of McKenna Long & Aldridge LLP, and Moderator Denis O'Hayer of WABE 90.1 FM.

---

## ***JUDGE MICHAEL J. REAGAN SHARES INSIGHTS DURING SOLD-OUT 2010 TECHNOLOGY IN THE NORTHERN DISTRICT COURTROOM SEMINARS***

The Technology in the Northern District Courtroom event again impressed our federal bar in two sell-out sessions. The Honorable Michael J. Reagan of the Southern District of Illinois shared with us an extensive collection of anecdotes and uses of technology in his Court. He showed us first-hand how Federal Judges can efficiently use technology. Mark Allen, the Northern District Court's Technology Specialist, demonstrated us some of the newer capabilities of the Northern District's high technology courtrooms. Assistant U.S. Attorney Doug Gilfillan, Paralegal Specialist Marti P. Goldring, and Auditor Linda Downing gave an excellent presentation showing how attorney and paralegal can coordinate to introduce electronic evidence, and how to be prepared for when technology problems arise.

Our Chapter thanks Steve Moore of Kilpatrick Stockton LLP and Tom Lacy of Lacy & Snyder LLP for all of their hard work in planning this year's Technology in the Northern District Courtroom seminar.



During the February 26, 2010 *Technology in the Northern District Courtroom* seminars, the Honorable Michael J. Reagan of the Southern District of Illinois presents *The Effective Use of Courtroom Technology: A Presentation by a U.S. District Judge Who Has Spent His Career in the Courtroom and Not a Minute in Computer Science Class*. In the background, Mark Allen, Courtroom Technology Specialist, listens in before presenting *Technology in the Northern District Courtroom Today*.



Representatives of the Atlanta Federal Courts and bar welcome the Honorable Michael J. Reagan before his presentation during the 2010 *Technology in the Northern District Courtroom* seminars. From left: Jim Gerstenlauer, Eleventh Circuit Court of Appeals Circuit Executive, Steve Moore, Tom Lacy, Jeff Berhold, Judge Michael J. Reagan, Kevin Maxim, Chief Judge Julie E. Carnes, Judge Timothy C. Batten, Sr., Meryl Roper, David Bain, Chief Deputy Clerk Rob Minor.

The U.S. Attorney's Office team who presented *Use of Technology at Trial: Courtroom Choreography Between Attorney and Paralegal* during the 2010 *Technology in the Northern District of Georgia* seminars, from left: Marti Goldring, Paralegal Specialist, Doug Gilfillan, AUSA, and Auditor Linda Downing.





The Honorable Michael J. Reagan, Southern District of Illinois, and the Honorable Timothy C. Batten, Sr. of the Northern District of Georgia during the 2010 *Technology in the Northern District of Georgia* seminar.



From left Jonathan Olinger, Alice Snedeker, Jim Hatten, acting District Court Executive and Clerk of the Northern District Court, and Jonathan Letzring. Ms. Snedeker and Messrs. Olinger and Letzring serve as law clerks for the Honorable Timothy C. Batten, Sr.

---

***RECEPTION HONORS NEW U.S. ATTORNEY SALLY QUILLIAN YATES***

The Atlanta Chapter welcomed new U.S. Attorney Sally Quillian Yates at a luncheon in her honor at Kilpatrick Stockton on April 16. Having recently been confirmed by the Senate in March, Ms. Yates shared her plans for the U.S Attorney’s Office and answered questions from the audience. Special thanks to program chairs Jeff Berhold of Jeffrey L. Berhold, P.C. and Scott L. Marrah of Kilpatrick Stockton LLP.



Sally Quillian Yates, new U.S. Attorney for the Northern District of Georgia, fields questions during the Atlanta Chapter luncheon in her honor.

---

***PANEL DISCUSSES CIVIL LITIGATION FROM THE MAGISTRATE JUDGE’S POINT OF VIEW***

On April 20, 2010, the Atlanta Chapter presented a panel discussion with two of our Federal Court’s most distinguished Magistrate Judges, the Honorable Alan J. Baverman and the Honorable E. Clayton Scofield III. Ben Mathis of Freeman Mathis & Gary coordinated the event and moderated the panel discussion. Judges Scofield and Baverman shared with us their thoughts on the advantages of consent trials before the Magistrates, and trends that they have seen in cases in their courts. Also, they discussed electronic discovery disputes and the practical implications of the obligation to locate and preserve electronic data.



*Civil Litigation from the Magistrate Judge's Point of View* (left to right) – Kevin Maxim, Judge Scofield, Judge Baverman, and Moderator Ben Mathis.




---

***U.S. DISTRICT COURT AND ATLANTA CHAPTER PROUDLY HOST HIGH SCHOOL STUDENTS FOR ANNUAL LAW DAY EVENTS***

On April 29, 2010, the U.S. District Court for the Northern District of Georgia, and the Atlanta Chapter of the Federal Bar Association, hosted the annual Law Day recognition event. Fifty students from four Atlanta-area high schools: North Clayton High School, Southwest DeKalb High School, Strong Rock Christian School, and BUY-Cobb, attended and actively participated in the event. District Court Executive Jim Hatten, Chapter President Kevin Maxim, and Membership Chair, David Bain, welcomed the students at the morning reception, which was also attended by a number of judges of the Court. The students then heard presentations by Lucy Moses, the Court's Jury Administrator, and from Nick Marrone, Court Reporter to Judge William S. Duffey, Jr. Afterward, the students met with United States Magistrate Judges Linda T. Walker and Alan J. Baverman in their respective courtrooms to discuss the responsibilities of magistrate judges.

U.S. District Court Judge Richard W. Story then welcomed the students to his courtroom, where they heard from Judge Story, United States Attorney Sally Quillian Yates, Donna High, Supervising U.S. Probation Officer, Van Grady, Deputy U.S. Marshal, and Assistant Federal Public Defenders Jake Waldrop and Kendal Silas. A courtroom technology presentation by Mark Allen, Courtroom Technology Specialist, and a tour of the courthouse followed. After a stop by the Ceremonial Courtroom on the 23rd Floor, the students toured the Chambers of the Honorable Marvin H. Shoob, Sr. Some of the students were also able to meet with U.S. District Judge, Clarence Cooper, before concluding their visit to the Courthouse. The students left the court house with a great appreciation for the enduring traditions and the emerging challenges of our legal system.



Federal Defender Jimmy Hardy discusses federal practice with the visiting Law Day students, while Magistrate Judge Linda Walker looks on.



Judge Richard W. Story addresses a group of Law Day students in his Courtroom.



Judge Clarence Cooper welcomes Law Day visitors in his Chambers.