

## CELEBRATING *Pro Bono* Service

Ropes & Gray has a proud tradition of *pro bono* service. This dedication to *pro bono* work is reflected in recent recognition such as our *American Lawyer* A-List ranking, our #4 *Vault* ranking for *pro bono* and our *American Lawyer* Global Legal Award for debt swap work (see page 2), much of which was handled out of London. As the Global Legal Award illustrates, our *pro bono* commitment is well established and growing in London, and is gaining momentum in Asia – developments that will enable us to serve a wider range of *pro bono* clients than ever.

If you would like to get involved in our *pro bono* work, please email [probonogroup@ropesgray.com](mailto:probonogroup@ropesgray.com) or email/call our director of *pro bono* legal services, Roz Nasdor (80-7561), or our *pro bono* coordinator, Byrne Harrison (87-9134).

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## SPOTLIGHT

### Teamwork Honored at Ropes & Gray’s 11th Annual *Pro Bono* Awards

On June 10, Ropes & Gray held its 11th annual *pro bono* awards ceremony, highlighting the firm’s contributions to public service in 2013. This year’s awards recognized two multioffice, multipractice teams that exemplified Ropes & Gray’s longstanding dedication to *pro bono* work.

Firm chair **Brad Malt** presented the Outstanding *Pro Bono* Partner Service Award to private client group partners **Cameron Casey** (Boston) and **Kimberly Cohen** (Boston/New York). The two were recognized for leading a team of more than 50 Ropes & Gray attorneys and staff who dedicated over 750 hours of *pro bono* work to assist victims and families affected by the 2013 Boston Marathon bombings. Team members provided a wide range of assistance, including preparing and developing One Fund Boston claims; offering trust and financial planning advice in connection with gifts received in the aftermath of the bombings; advising on charitable planning; and assisting the Boston Bar Association’s Marathon Monday Project, which provided checklists of relevant legal issues to victims, their families and affected businesses. ([Learn more](#))

The Deborah Levi Award for Outstanding *Pro Bono* Service, which honors the memory of a Ropes & Gray associate who was strongly committed to *pro bono* work, was presented by *pro bono* committee co-chair **Jeff Katz** (Boston) to the cross-office, cross-practice group team that helped launch a landmark social innovation program – the Massachusetts Juvenile Justice Pay for Success Initiative. Finance partner **Win Minot** (Boston) accepted the award for the team.

The new program aims to reduce recidivism among young men in the probation system or exiting the juvenile justice system. Anticipated to serve more than 900 young men between the ages of 17 and 23 in the Boston, Chelsea and Springfield, Mass. areas, the program provides counseling, key life skills, education and vocational training. It is being financed by several providers of commercial and philanthropic funding, who have committed \$18 million and will be repaid with interest if the program demonstrates measurable social impact and saves the Commonwealth of Massachusetts money it would have otherwise spent on incarceration.

More than 20 lawyers and paralegals across five offices and eight practice groups spent more than 1,500 *pro bono* hours helping to launch the program, which required 27 separate agreements and is the largest financing of its kind in the United States.

“The work to develop this initiative was not only outstanding – it was unprecedented,” said **R^~Katz**. “This was legal excellence.” ([Learn more](#))

Other highlights of the awards ceremony included a presentation by government enforcement partner **Joan McPhee** (Boston), the policy committee liaison to the *pro bono* committee, who noted that *pro bono* work not only benefits clients, but also offers attorneys a remarkable way to acquire skills early in their careers. Additionally, *pro bono* committee co-chair **Bill Sussman** (New York) introduced Ropes & Gray’s new *pro bono* video (see page 3), and saluted the *pro bono* efforts of other Ropes & Gray professionals, including retired partners (see page 4).



Bill Sussman



Anna Friedberg

New York-based litigation partner and *pro bono* committee co-chair Bill Sussman and associate Anna Friedberg discuss how they and a team of more than 35 associates and paralegals have been prosecuting a certified class action alleging an unconstitutional pattern and practice of excessive force against inmates by the New York City Department of Correction at Rikers Island and other jails.

**Q: When and how did Ropes & Gray become involved with this matter?**

**A:** Ropes & Gray first became involved in May 2012 when The Legal Aid Society and the New York boutique firm Emery Celli Brinckerhoff & Abady approached us about partnering with them to take on a class action against the New York City Department of Correction. We agreed, and with them filed a complaint in the Southern District of New York, alleging that the Department of Correction had engaged in a pattern and practice of use of excessive force by staff on inmates, in violation of the inmates’ Fourth and Eighth Amendment rights. The parties stipulated to class certification early in 2013; the case involves 12 named plaintiffs, four of whom are class representatives.

**Q: How has the matter progressed?**

**A:** We started discovery in the fall of 2012, which resulted in more than two million pages of hard copy discovery. We also negotiated getting electronic discovery – the first large-scale electronic discovery New York City has done for the Department of Correction. This is a massive, ongoing effort, and we anticipate ultimately getting 500,000 to one million pages of production, as well as thousands of CDs containing video of incidents in the jails. In January of this year, the court granted our request to take 75 depositions of named defendants and relevant nonparties. More than 25 Ropes & Gray associates have assisted in the preparation for those depositions, and more than 15 associates have actually taken depositions. We have retained nationally known experts, and if the case does not settle we are committed to working with them to prepare the case for trial.

**Q: What do you view as the most significant aspects of this matter?**

**A:** There are a few. First, the firm’s commitment to such a major *pro bono* matter shows that Ropes & Gray does not simply pay lip service to doing *pro bono*. Second, this case is a vehicle for bringing real systemic change to the New York City jails and helping to vindicate the basic rights of an inmate population that really needs it. Third, working on this case has been and continues to be a great growing exercise for the associates involved – we are directly involved in developing tactics and strategy, in a “big case,” and it’s challenging and fun.

**Global *Pro Bono* Deal of the Year and Other Accolades**

Shortly after handing out the firm’s own *pro bono* awards, Ropes & Gray received several external accolades for *pro bono* work:

- On July 10, *The American Lawyer* named Ropes & Gray a Global Legal Award winner for “Global *Pro Bono* Deal of the Year, Environmental.” The award honors the firm’s innovative work for The Nature Conservancy on debt-for-climate adaptation swaps, which help protect fragile coastal areas of island nations. This work was outlined in the last edition of this newsletter.
- In the 2015 *Vault* rankings, announced on July 8, Ropes & Gray ranked fourth for *pro bono*, up from eleventh the previous year. These rankings are based on a survey of 17,000 associates in the United States.
- On June 30, Ropes & Gray was named to *The American Lawyer’s* elite “A-List” of 20 firms for the fourth consecutive year. Firm selection is based on combined achievements in four areas, including *pro bono* commitment (which is double-counted); Ropes & Gray ranked 13th in *pro bono* in 2014, up from 15th in 2013.

**Achieving Victory for New England Forestry Foundation**

On May 15, the Massachusetts Supreme Judicial Court (SJC) unanimously upheld the tax-exempt status of conservation land used for charitable purposes by Ropes & Gray client New England Forestry Foundation (NEFF). The SJC rejected a decision of the Massachusetts Appellate Tax Board that had allowed the Town of Hawley to tax a 120-acre parcel of protected conservation land purchased by NEFF to complement and buffer the Dubuque State Forest in western Massachusetts. The appeal raised novel questions regarding whether land conservation constitutes a “charitable” purpose and how actively a conservation organization must “occupy” its protected lands in order to qualify for tax-exempt status.

In a landmark decision and a sweeping victory for NEFF, the SJC held that land conservation is a charitable and publicly beneficial purpose, and that NEFF qualifies for a charitable tax exemption by using the Hawley property to further its conservation goals.

The decision is a victory for conservation efforts in Massachusetts and a watershed judicial endorsement of the broad environmental benefits of land protection. More generally, the opinion affirms the right of Massachusetts charities, including colleges, hospitals, museums and churches, to determine how best to use their property in furtherance of their charitable purposes. The decision shields conservation organizations from potentially large annual tax bills and gives their donors the confidence that their contributions will be used to support conservation goals, rather than to pay local tax bills.

The Ropes & Gray team representing NEFF was led by partner **Doug Hallward-Driemeier** (Washington, D.C.), who heads the firm’s appellate and Supreme Court practice, and included Boston-based litigation associates **Jesse Boodoo**, **Kevin Budris** and **Elizabeth Johnston**, senior litigation paralegal **Matt Kostoulakos**, and former associate **Jacob Scott**.

## Partnering with LawWorks in London

Ropes & Gray's London office has begun working with LawWorks, a London-based legal service referral agency that arranges for *pro bono* legal services for individuals and community groups that cannot afford representation. Investment management partner **Michelle Moran** and associate **John Young** took the lead in establishing the relationship with LawWorks.

The London office's first *pro bono* matter through LawWorks involves advising Ince Blundell Village Hall, a small charity formed in the 1930s that is dedicated to the upkeep of a village hall in the small town of Ince Blundell, north of Liverpool. The village hall serves as a community center that is used for a range of activities, including dance classes, archery, private functions, community meetings and Parish Council meetings.

The village hall lets out its premises to the local Village Club, another charity, which recently became insolvent and cannot pay its debts. Ince Blundell Village Hall wanted to know whether taking over the Village Club is a viable option, and whether doing so would have any adverse consequences. Ropes & Gray assisted the charity in analyzing the situation and hopes to provide *pro bono* support to other deserving local organizations and causes through LawWorks.

## Exploring Pro Bono Opportunities in Hong Kong

Securities & public companies associate **Jimmy Gao** attended the 2014 Asia *Pro Bono* Forum on May 23. The conference was sponsored by PILnet, a *pro bono* clearinghouse with an office in Hong Kong that helps connect law firms looking for *pro bono* projects with nongovernmental organizations that need assistance. The conference addressed a wide range of topics, including the value of establishing long-term partnerships with local legal aid institutions and tips for sustaining a commitment to *pro bono* work. In addition to PILnet, the conference highlighted a number of other potential Ropes & Gray *pro bono* partners in Hong Kong, including TrustLaw Connect, a global *pro bono* service of the Thomson Reuters Foundation. The firm is now on TrustLaw Connect's case distribution list and is actively seeking appropriate *pro bono* opportunities in Hong Kong.

### New Pro Bono Video

A new video puts names, faces and voices to Ropes & Gray's ongoing commitment to assisting clients in need through *pro bono* service. In the video, firm attorneys **Ken Felter**, **Jenny Rikoski**, **Doug Hallward-Driemeier**, **Meredythe Ryan**, **Josh Levy**, **Ryan Malone** and **Stacy Tromble** describe how *pro bono* matters have benefitted their careers and discuss the rewarding nature of *pro bono* work, particularly when it involves cases that have an immediate and real impact on clients' lives. The video is available [here](#).

## INDIVIDUAL RECOGNITION

In addition to the accolades received by the firm for its *pro bono* service, a number of Ropes & Gray attorneys have received individual recognition for their efforts. Here is a roundup of some recent noteworthy examples.



### Leslie Wright Named a National Immigrant Justice Center "Rising Star"

Business & securities litigation associate **Leslie Wright** (Chicago) received a "Rising Star" award from the National Immigrant

Justice Center (NIJC). She was recognized at the 15th Annual Human Rights Awards luncheon, held June 12 in Chicago, for her outstanding *pro bono* work on behalf of NIJC clients and her membership on NIJC's Junior Leadership Board. In one noteworthy matter, Leslie, together with several colleagues in the Boston and San Francisco offices, obtained an unprecedented settlement in a case involving a petition for review before the U.S. Court of Appeals for the Ninth Circuit that will allow her client, persecuted in El Salvador because of her sexual orientation, to seek asylum before an immigration judge.



### Bryan MacDonald Receives Civil Rights Pro Bono Award

Real estate associate **Bryan MacDonald** (Boston) received the Civil Rights *Pro Bono* Award from the Lawyers' Committee for Civil Rights and Economic Justice at the

organization's annual reception, held June 10 in Boston. The award was given to six attorneys who demonstrate a strong commitment to civil rights and economic justice in their *pro bono* practice. Bryan was honored for his work managing Ropes & Gray's partnership with the Economic Justice Project, which includes recruiting attorneys to present programs at legal workshops and clinics for businesses.



### Eric Woglom Receives President's Pro Bono Service Award

Retired IP litigation partner **Eric Woglom** received the President's *Pro Bono* Service Award from the New York State Bar Association on April 30 in Albany, in recognition of his work

advising unrepresented *pro se* defendants in consumer debt cases over the past three years. Eric counsels these clients in Judicial District 12 (Bronx County) on behalf of the Civil Legal Advice and Resource Office (CLARO), an organization established by the New York State Courts Access to Justice Program. CLARO matches *pro bono* attorneys and consumer law experts with low-income New Yorkers who are being sued by debt collectors. The attorneys counsel clients on how to best represent themselves in such matters by explaining the litigation process, preparing court papers, and giving advice on various consumer debt issues.

## Retired Partners Remaining Active in *Pro Bono* Endeavors

At the firm’s *pro bono* awards ceremony on June 10, *pro bono* committee co-chair Bill Sussman hailed the *pro bono* work being done by many retired Ropes & Gray partners. “These retired partners are sharing knowledge, mentoring and supervising associates, and even learning new areas of the law,” he said.

Some notable examples of this *pro bono* work are highlighted below.

- Retired IP litigation partners **Denise Loring** and **Bob Morgan** have established a program through which Ropes & Gray teams with The Legal Aid Society to staff a weekly legal clinic at the Single Stop USA Resource Center of Hostos Community College, located in the South Bronx. Single Stop provides counseling to low-income students who have financial, legal and other issues that impede their ability to complete their education. Under the mentorship of Legal Aid attorneys, Ropes & Gray attorneys advise on a broad range of legal issues, including public benefits, housing, family law, disability, medical and health law, and employment. In addition, firm lawyers have represented Hostos students in court and administrative hearings. Addressing the legal needs of the students increases the likelihood that they will be able to attend school through graduation and achieve financial stability.
- The Access to Justice Fellowship Program, established in 2012 by the Massachusetts Access to Justice Commission, pairs senior lawyers with nonprofit and legal services organizations to provide critical, *pro bono* legal assistance to underserved client populations. This assistance is crucial at a time when reduced funding has severely curtailed service to underserved populations. Through the program, each Access to Justice Fellow works with one or more nonprofit organizations and commits to providing 10 to 20 hours of *pro bono* service each week.  
Four retired Ropes & Gray partners have been named Access to Justice Fellows:
  - Retired litigation partner **Bill Patton**, an inaugural Access to Justice Fellow, has worked on an ongoing basis with the Volunteer Lawyers Project on guardianship-related matters, deepening a *pro bono* relationship that he had established following his retirement from Ropes & Gray. He also supervises medical-legal partnership family law matters.
  - Retired business & securities litigation partner **Tom Hannigan** spent his year as an Access to Justice Fellow working with the Political Asylum/Immigration Representation Project (PAIR), which provides *pro bono* legal services to asylum seekers and immigrants detained in Massachusetts. PAIR is one of the firm’s longtime *pro bono* partners. Tom continues to work with the organization on asylum cases.
  - Retired benefits partner **Hardin Matthews**, who has just started his Access to Justice Fellowship, is working with Greater Boston Legal Services, where he will be representing low-income taxpayers in audits, administrative appeals and litigation. This work follows *pro bono* service in which he provided tax preparation assistance to low-income clients of The Neighborhood Developers in Chelsea and Revere during the 2013 and 2014 tax seasons.
  - Retired business & securities litigation partner and former Ropes & Gray managing partner **John Montgomery**, also a new Access to Justice Fellow, heads a team that has partnered with the National Center for Missing and Exploited Children to combat the growing problem of child sex trafficking on the Internet. The team’s work has involved legal research on potential theories of liability of website operators that facilitate and benefit from child sex trafficking on the Internet, extensive fact gathering, and completion of an initial draft federal court complaint.

## Pro Bono Honor Roll

To date, almost 490 Ropes & Gray attorneys and more than 40 staff members have performed 20 or more hours of *pro bono* service during 2014. Congratulations to all of them. Click [here](#) to view attorney list. Click [here](#) to view staff list.

## Pro Bono Committee

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