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### Berman Named One of Chicago's "40 Under Forty" by *Crain's*



Partner Debbie L. Berman introduced retired Secretary of State Colin Powell at a recent fundraiser for the Jewish United Fund. In his keynote address, Sec. Powell urged continued support for the JUF's numerous humanitarian efforts. Ms. Berman is a board member of the Jewish Federation of Metropolitan Chicago.

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## Women's Forum Names New Leaders



Pictured (from left): Women's Forum's new Co-Chair Jill Sugar Factor, Immediate Past Chair Susan C. Levy and new Co-Chair E. Lynn Grayson at the Spring Meeting.

Partners Jill Sugar Factor and E. Lynn Grayson were introduced as new leaders of the Jenner & Block Women's Forum during the group's recent spring meeting.

According to the new co-chairs of the group, the Women's Forum will continue to focus on increasing its networking, leadership and career development opportunities for the Firm's women attorneys.

Jenner & Block's Women's Forum is designed to foster opportunities for professional, social and personal growth for all of the women attorneys; communicate the Firm's strong commitment to the success of its women attorneys; and enhance the visibility and recognition of Jenner & Block's leadership in support of women in the legal profession.

Partner Susan C. Levy, one of the founders and the Immediate Past Chair of the Women's Forum, was recognized at the Forum's spring meeting for her leadership and commitment to the organization.

Initiatives during Ms. Levy's tenure included spearheading multiple career development programs, as well as launching the Women's Forum website. She also helped organize the Women in Leadership Program, which featured a year-long series of programs designed to build on existing strengths and develop leadership skills for women attorneys at all levels in the Firm. The program included

interactive workshops for women attorneys, which were led by Katie Herzog, a renowned law firm consultant and President of Eastern Point Consulting Group, Inc.

"Susan's leadership has been inspiring, and the Forum has accomplished so much. We are looking forward to our plans for the future, and keeping the momentum going," said Ms. Grayson.

"The best part about this experience is seeing the positive impact that the Women's Forum has on our women attorneys," stated Ms. Levy.

"Jill and Lynn have a great group of women attorneys working on the Steering Committee and through their combined efforts we can expect a year of terrific programming" added Ms. Levy.

Ms. Grayson also introduced the Steering Committee members: Partner Kali N. Brace, Partner Patricia A. Bronte, Associate Sally K. Sears Coder, Partner Elizabeth Abbene Coleman, Associate Elizabeth L. Fine, Partner Terri L. Mascherin (Ex-Officio), Partner Catherine T. Nolan, Associate Elayna T. Pham, Associate Laurie A. Sakulich, Associate Erin R. Schrantz, Partner Margaret J. Simpson, Partner Lise T. Spacapan, Partner Mary Downie Talarico, Associate Amy L. Tenney, Associate Amy K. Trueblood and Partner Charlotte L. Wager (Ex-Officio).

## Crain's Says Legal Prowess/Humanitarian Efforts Make Berman "One to Watch"

*Crain's Chicago Business* named Partner Debbie L. Berman to its prestigious "40 Under Forty" list in November 2005, recognizing her representation of media giants like CBS and Paramount Pictures, and for her exemplary pro bono and community work on behalf of the Jewish Federation/Jewish United Fund of Metropolitan Chicago.

Ms. Berman, Co-Chair of the Firm's Trade Secrets and Unfair Competition Practice, was the only private-practice attorney to appear on the 2005 edition of the list, which honors 40 Chicago-area "high-achievers" under the age of 40 in various fields including business, government and the arts.

The profile also highlighted Ms. Berman's representation of Paramount Pictures to defend itself against a \$30 million defamation lawsuit brought by a little league coach who claimed the movie "Hardball" was a gross misrepresentation of his life. An Illinois federal district court granted summary judgment to Paramount, and the case is now on appeal.

Ms. Berman's work on the summary judgment in favor of Paramount was praised by her clients. "Terrific work," said Karen Magid, Executive Vice President of the legal department at Paramount, in nominating Ms. Berman. "The motion was well crafted and very persuasive."

Ms. Berman told *Crain's* that one of her most significant experiences was serving as co-lead counsel in a 1994 pro bono death penalty case in which a woman had been charged with scalding her infant daughter to death. The mother maintained that the scalding occurred as the result of an accident. After the state of Illinois sought the death penalty, Ms. Berman spent over 350 hours preparing briefs and arguments to challenge the state's request. The judge ruled that the death penalty was inapplicable in the case, and Ms. Berman's client, whose IQ was one point above mental retardation, was sentenced to the minimum jail time for first-degree murder.

*Crain's* editors especially singled out Ms. Berman's "passionate" community work on behalf of the Jewish Federation/JUF, which is devoted to supporting human welfare, health care, and education philanthropic efforts and care for Jews in need throughout the world. The magazine noted that she currently serves on the Jewish Federation/JUF's board of directors, and is the 2005-06 Chair of the Jewish Federation/JUF's board Leadership Development Committee and Campaign Chair of the JUF Lawyers Division. Last Spring, she led approximately 500 people in Flossmoor, Illinois for that city's 2005 Walk With Israel as part of the Jewish



Ms. Berman leads 500 at the JUF 2005 Walk with Israel event in Flossmoor, Illinois.

Federation/JUF's celebration of Israel Solidarity Day.

Ms. Berman was honored in September 2005 by the Jewish Federation/JUF with its coveted Davis, Gidwitz & Glasser Young Leadership Award, which recognizes "young leaders who represent an ideal of dedication and service to the Jewish community."

In 2002, Ms. Berman was named as one of the "40 Under Forty Illinois Attorneys to Watch" by the *Law Bulletin Publishing Company*.

Ms. Berman was also recently named a 2007 Fellow of Leadership Greater Chicago. As a fellow of the organization, Ms. Berman will join other corporate and civic leaders in a 10-month study of the challenges facing Chicago-area communities.

### NASALSA Panel: Client Service Key to Career Advancement

Jenner & Block Associate Shehla F. Syed was a panelist at a recent North American South Asian Law Student Association (NASALSA) seminar for law students on career management best practices. Among other things, Ms. Syed emphasized the importance of consistently providing exceptional client service in advancing one's career.

Pictured at the discussion, from left, are panelists Maria Kuriakos Ciesil, Assistant Chief of the Criminal Prosecutions and Trials Assistance Bureau in the Office of the Attorney General of Illinois; Hon. Rena Van Tine, Associate Judge for the Circuit Court of Cook County; and Ms. Syed.



## Partners Lead the Way in Bar Groups

Jenner & Block has traditionally sustained a high level of service and leadership in local and national bar associations. The Firm's women partners continue that legacy in new leadership positions in several bar groups.

### Lorelie S. Masters

Partner Lorelie S. Masters was inducted as President-Elect of the Women's Bar Association of the District of Columbia in May and will assume the role of President in 2007. Ms. Masters will help spearhead career development programs and networking opportunities for women attorneys who practice law in the District of Columbia. Ms. Masters is currently Co-Chair of the WBA Amicus Brief Committee, and a member of the Board of Directors of the Women's Bar Association Foundation.

In addition, the National Association of Women Lawyers (NAWL) presented its Service Award to Ms. Masters in August 2005 for her work as Chair of NAWL's Amicus Committee. Under the leadership of Ms. Masters and the Amicus Committee, NAWL signed on to briefs raising several important issues, including the application of laws to prevent domestic violence and Title IX, the 1972 statute that prohibits gender discrimination in athletics by schools receiving federal funds.



Pictured: Ms. Masters and WBA President Tracy-Gene G. Durkin.



### Terri L. Mascherin

In June 2006, Partner Terri L. Mascherin was inducted as Treasurer of the Chicago Bar Association (CBA). She will oversee the Association's operating budget of approximately \$7 million. Most recently, Ms. Mascherin served as Chair of the CBA's Strategic

Planning Committee, which made multiple recommendations to the bar group's Board of Managers, including revising the CBA's website, adding special programming for solo/small firm practitioners and facility improvements.



### E. Lynn Grayson

Partner E. Lynn Grayson is a board member of the National Conference of the Women's Bar Association, a national forum for exchanging ideas and information to facilitate organizational growth. She was a featured speaker and panelist at the WBA's Leadership Summit in March on effective techniques

for career advancement for women attorneys. She continues to support the Chicago Bar Association Alliance for Women's Call to Action, which challenges Chicago law firms to increase the number of female attorneys by 2007. The Call to Action was initiated while Ms. Grayson was Co-Chair of the Alliance for Women.

### Stephanie A. Scharf

Partner Stephanie A. Scharf in 2005 and part of 2006 served as the founding Chair of the National Association of Women Lawyers' Committee for the Evaluation of Supreme Court Nominees, and oversaw its work for the nominations of now Justices John Roberts and Samuel Alito. The 17-member Committee reviewed and evaluated the qualifications of the nominees, with an emphasis on issues regarding women's rights or other matters that have a particular relevance to women.

In addition, Mrs. Scharf is a member of the 2006 NAWL Committee for the Survey of the Status of Women in Law Firms, which benchmarks and analyzes the retention and promotion of women in law firms through direct surveys and other information activities. And, since August 2005, she has been Co-Chair of the American Bar Association Products Liability Committee (Section of Litigation). She was reappointed to that position this year.

Mrs. Scharf was also appointed last Fall to the Board of Directors of the Illinois Bar Foundation, the

charitable arm of the Illinois State Bar Association. The Foundation funds law student scholarships and provides aid to infirm members of the bar.



Pictured, from left: 2006-2007 NAWL President Cathy Fleming; 2004-2005 NAWL President Stephanie Scharf; 2005-2006 NAWL President Lorraine Koc.

## Fallow Protects Video Game Industry's Free Speech



Partner Katherine A. Fallow is a key member of the Jenner & Block team that has had repeated success on behalf of the Firm's video

game industry clients in challenging on constitutional grounds state laws designed to prohibit the sale of video games deemed too violent for minors.

Most recently, Ms. Fallow helped convince a Minnesota federal district court to declare unconstitutional a Minnesota law that would have fined minors for obtaining certain video games rated "M" (Mature) or "AO" (Adults Only). The law also would have required video game retailers to post conspicuous warning signs about the fine.

The Firm had argued that the law violated the video game makers' First Amendment right to free expression

and the Fourteenth Amendment's prohibition against laws being "vague." Further, the Firm had said that the alleged harm that graphic video games have on minors is "merely conjectural" and was unsupported by substantial evidence.

The court agreed with the Firm's arguments, noting that the state itself acknowledged that "it is entirely incapable of showing a causal link between the playing of video games and any deleterious effect on the psychological, moral, or ethical well-being of minors."

Furthermore, the court ruled that the signage requirement is a "forced declaration of an unenforceable law" that serves no legitimate governmental interest and amounts to a "state-mandated political declaration."

"The content of all video games are entitled to the same free speech protections as movies, books and music," Ms. Fallow said. "Moreover,

the government shouldn't be in the business of deciding for the parent what games their kids can or cannot play."

The success in Minnesota follows wins during the past year by the Firm in Michigan, California and Illinois to defeat similar legislative attempts to censor video games. And, the Firm has successfully represented the industry in Washington and Missouri in similar lawsuits.

"Katie's work in exposing the constitutional flaws of these state laws is vital to the continued growth of the video game industry," stated Gail Markels, Senior Vice President and General Counsel of the Entertainment Software Association.

Meanwhile, in June, Ms. Fallow was part of the Firm's team that filed lawsuits in Louisiana and Oklahoma seeking to block the enforcement of new violent video game laws passed in those states.

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## Stanish Publishes Advice on Alternatives to the "Messy" Divorce



Those wanting to keep their divorce and its terms outside the public eye as well as minimize legal costs can do so by considering several alternatives to litigation, including mediation, collaborative law and direct lawyer negotiation, according to an article recently published by Jenner & Block Partner Tanya J. Stanish in *Worth* magazine.

"Exactly which process is best depends upon the spouses' ability to negotiate with one another, the balance of power and knowledge in the relationship, and the level of trust that exists, despite the estrangement,"

wrote Ms. Stanish in the article entitled, "A Quiet Divorce."

Ms. Stanish's practice concentrates on matrimonial and paternity law, and she represents clients in divorce, legal separation, custody, visitation, paternity and post-decree matters.

In mediation, Ms. Stanish explained that a trained neutral participant helps the spouses reach a mutual resolution on their own terms, usually without attorney presence; any agreements are reported to the spouses' attorneys for incorporation into the final settlement.

According to Ms. Stanish, the alternative of "collaborative law" is similar to mediation in that it occurs in a cooperative setting, but involves a more formalized process in which spouses and their attorneys formally agree not to seek court assistance,

but instead abide by certain settlement and procedural rules to guide their divorce negotiations. The spouses and attorneys cooperatively craft an agreement and voluntarily produce information.

"Most importantly, all settlement communications, oral and written, made during the collaborative process are kept private and are not admissible in the courtroom" if the settlement fails and the spouses initiate legal action, noted Ms. Stanish.

Spouses who want the least formalized process can also try "direct lawyer negotiation," in which spouses and their attorneys voluntarily exchange information and agree on settlement terms outside the courtroom, but there is no written set of procedures and rules set out beforehand.

## Morrissey Mentors, Instructs Peer Jury Volunteers

Students from Dr. Martin Luther King Jr. College Preparatory High School spent the day at Jenner & Block in March 2006 learning about how the law can impact their daily lives. The students are participants in the school's innovative peer jury program, in which Jenner & Block Associate Meghan C. Morrissey serves as a mentor.

"The school's jury program empowers students by letting them take an active role in addressing the root causes of disciplinary problems in their school, and identifying positive solutions to those problems, which may fall outside of traditional punitive measures," said Ms. Morrissey, who has volunteered with the Peer Jury Program since 2005. "Coming to the Firm helped them understand how their jury system relates to the one used by our system of justice."

The Peer Jury Program was started in 1996 in the Chicago Public Schools as a way to offer alternatives to traditional discipline for students who commit minor infractions, among



Ms. Morrissey (second from left) poses with peer jury volunteers from King High School.

other things. Attorneys are asked to participate by observing cases, lending legal insight to the process and assisting the student jurors in making decisions.

"It's the most logical way I see to put my legal knowledge to work helping kids," said Ms. Morrissey.

During their day at Jenner & Block, the students heard from Firm attorneys on legal topics that have been in the news, including the entertainment industry's attempts to control illegal music downloads and

the First Amendment implications regarding the regulation or prohibition of violent video games.

Ms. Morrissey also provided instruction and guidance on successful litigation techniques prior to the students participating in a mock jury trial of a fictional case involving an 18-year old charged with a felony. Ms. Morrissey acted as Circuit Court Judge, while students played the roles of State's Attorney, Defense Attorney, defendant, witnesses, bailiff, jury foreperson and jurors.

## Women Everywhere Helps Students, Women in Need



Pictured, from left: Ms. Stefanson, Ms. Dieterichs, Ms. Rice, Ms. Stevens, Ms. Pender and Ms. Morse.

Chicago-area students gathered insights on life and choosing a career from women leaders in law, business and government as part of the annual Women Everywhere Educational Day in May.

Jenner & Block Partner Gail H. Morse, who serves on the organization's board, and Associates Alison A. Dieterichs and Courtney A. Stevens, who both serve on the organization's

planning committee, led nearly 200 young women in a mock court session and tour of the federal and state courts in Chicago.

The day culminated with a luncheon featuring Nancy Pender, reporter for FOX News Chicago, Judith C. Rice, City Treasurer for the City of Chicago, and Kara Stefanson, DNA Resource Specialist for the Cook County State's Attorney's Office.

The educational day was the first part in the Women Everywhere: Partners in Service Project, a collaborative effort among Women Everywhere and Chicago-area women's bar groups to coordinate volunteer activities on behalf of women and children in need.

The second phase of the effort was the Community Service Day on May 19, which included hundreds of

volunteers helping women and children at approximately 30 Chicago-area agencies.

Attorneys from the Firm volunteered their time at the WINGS (Women in Need Growing Stronger) Resale Stores in Niles and Palatine and a WINGS safe house shelter for victims of domestic violence.



Pictured: Associate Bethany K. Biesenthal, Ms. Stevens, and Partner Terri L. Mascherin volunteering at the WINGS resale shop.

## Scruggs Honored With Alta May Hulett Award

The Chicago Bar Association Alliance for Women honored Partner Lisa T. Scruggs with its 2006 Alta May Hulett Award, in recognition of having “contributed to the advancement of women in the legal profession.”

Ms. Scruggs was lauded for her unique two years of service as Senior Policy Advisor to the Chicago Public School's Chief Executive Officer. In the first executive loan agreement of its kind with the CPS, Ms. Scruggs provided counsel on important policy and strategic issues, including implementation of the No Child Left Behind Act.

She was also cited for her work as Vice President of the Board of Directors and founding Board member of the Young Women's Leadership Charter School, a math, science and technology academy and the only all-girls public school in Chicago.

In presenting Ms. Scruggs with the award, Judge Ann C. Williams praised Ms. Scruggs for her integrity and “perceptive” insights into the law, as well as her support of mentoring programs for personal and professional development. She also highlighted Ms. Scruggs' ability to “get the job done, no matter what it takes,” while maintaining her sense of humor and without sacrificing commitments to her family. Ms. Scruggs was a clerk for Judge Williams on the U.S. District Court for the Northern District of Illinois and the U.S. Court of Appeals for the Seventh Circuit from 1998-2000.

In nominating Ms. Scruggs, her colleagues commented on “her remarkable vision in leading change that benefits women in the profession as well as throughout society,” her “unselfish commitment to helping other aspiring young women,” and her “focus, determination, and grace under pressure.”

Ms. Scruggs, a member of the Firm's Litigation Department and Public Policy Practice, primarily counsels



Lisa T. Scruggs, winner of the Alta May Hulett Award, addresses the audience at the CBA Alliance for Women awards luncheon.

and litigates commercial clients on their civil disputes. In addition, she counsels non-profit organizations and schools on a variety of education policy and governance issues.

Ms. Scruggs is the second Jenner & Block attorney to receive the Alta May Hulett Award. Partner E. Lynn Grayson was the inaugural recipient of the award, which is named for the first woman attorney in Illinois. Among other things, Ms. Grayson was honored in 2000 for her work with the Bottomless Closet, a not-for-profit organization that assists women in moving from public assistance to the workplace, her dedication to the CBA's Alliance for Women, and the substantial time and effort she put into pro bono cases for indigent women.

“Lisa truly embodies the spirit of the award, and I am thrilled to see another attorney from our Firm receive this important recognition for her efforts,” Ms. Grayson said.

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## Albert E. Jenner, Jr. Pro Bono Award Goes to Associates Tenney, O'Donnell



Associates Amy L. Tenney and Brian P. O'Donnell were honored in October with Jenner & Block's Albert E. Jenner, Jr. Pro Bono Award, which annually recognizes those attorneys at the Firm who have been nominated by their colleagues as having demonstrated an exemplary commitment to pro bono or public service work. Ms. Tenney, an attorney in the Firm's Washington, DC office, was a leading member of the Firm's team representing former Maryland death

row inmate Kevin Wiggins, whose 12-year legal battle came to an end in late 2004 when Jenner & Block negotiated a favorable plea agreement between Mr. Wiggins and the State of Maryland. Mr. O'Donnell, an attorney in the Firm's Chicago office, was honored for dedicating over 500 hours to a wide variety of pro bono matters involving civil rights and intellectual property counseling to a number of charitable organizations. Pictured, from left: Ms. Tenney and Mr. O'Donnell.

## Attorneys Honored for Service to Community



The Lawyers' Committee for Better Housing (LCBH) honored Partner Patricia A. Bronte with its Founders' Award in September 2005. Ms. Bronte has helped the LCBH for 20 years, and currently serves on their Advisory Council. LCBH is a public interest law firm that promotes the availability of and access to safe and affordable housing in Chicago. Pictured (top, from left to right): Edward W. Malstrom, President of LCBH Board of Directors, with Ms. Bronte and Partner Donald S. Horvath, who serves on the LCBH Board of Directors.



Partner Carla J. Rozycki received the Illinois Department on Aging's Governor's Award for Unique Achievement in October 2005 in recognition of her outstanding volunteer leadership within AgeOptions. The agency plans, coordinates, and funds programs and services for persons age 60 and over in suburban Cook County. Pictured: Ms. Rozycki (at left) accepts the award from Nikki Smith, manager of the Illinois Department on Aging's Division of Community Relations & Outreach.

## Comeback Win for General Dynamics

Partner Linda L. Listrom led the successful Jenner & Block team that secured a victory for General Dynamics in their longstanding dispute with Final Analysis Communication Services, Inc., by convincing a Maryland federal judge that adverse market conditions, and not a deteriorating relationship with corporate parent General Dynamics, caused the satellite communications start-up to collapse three years ago.

U.S. District Court Judge Peter J. Messitte set aside the previously awarded \$118 million jury verdict and ruled that Final Analysis was not entitled to recover any consequential

damages, because it failed to prove that General Dynamics caused the company to decline in value. The court also ruled that, notwithstanding the jury's verdict, Final Analysis failed to prove certain breaches of contract and was, therefore, only entitled to damages in the amount of \$19.87 million.

The court also denied Final Analysis' motion to set aside the jury's verdict on General Dynamics' counterclaim and entered judgment in favor of General Dynamics in the amount of \$8 million on those claims.



### **Lawdragon Names Leading Lawyers**

Jenner & Block Partner Linda L. Listrom was recently included among the nation's top lawyers in their field in the inaugural issue of *Lawdragon* magazine's "500 Leading Lawyers in America." The closely watched list, which identifies the "best lawyers and judges practicing today," was compiled from more than 15,000 nominations by clients, judges and attorneys across the country. The publication's staff then conducted interviews and independent research to determine its "definitive list" of the country's top lawyers.

## Meet Our Newly Elected Women Partners



### **Kali N. Bracey**

Kali N. Bracey is a Partner in the Firm's Litigation Department and Entertainment and New Media, Insurance Litigation and Counseling, and White Collar Criminal Defense and Counseling Practices. Ms. Bracey has been working on a wide variety of

litigation matters in state and federal courts throughout the country representing clients in redistricting, copyright, qui tam, telecommunications, insurance coverage, and product liability cases. Ms. Bracey received her J.D. from Yale Law School and her B.A., *summa cum laude*, from Spelman College.



### **Lisa T. Scruggs**

Lisa T. Scruggs is a Partner in the Firm's Litigation Department and Public Policy Practice. Ms. Scruggs practices primarily in the area of civil and commercial litigation on a wide range of issues, including commercial, bankruptcy, unfair competition, antitrust and

constitutional law. Ms. Scruggs also advises public sector clients, including school districts, on various policy matters and has experience counseling non-profit organizations and schools on a variety of governance, municipal and school law issues. Ms. Scruggs obtained her J.D. from the University of Chicago, her M.A. in education policy from the University of Chicago, and her B.A., *cum laude*, from Georgetown University.



### **Sarah Hardgrove-Koleno**

Sarah Hardgrove-Koleno is a Partner in the Firm's Litigation Department and Domestic and International Arbitration Practice. She practices in the areas of civil and criminal litigation. She recently has successfully represented a major corporate client in two

significant arbitrations: one involving the breach of the duty of good faith and fair dealing and the other involving a price reopener contract provision. Ms. Hardgrove-Koleno has also represented clients in white-collar criminal matters and compliance counseling. She received her J.D., *magna cum laude*, from the University of Illinois and her B.S., *magna cum laude*, from the University of Illinois.



### **Margaret J. Simpson**

Margaret J. Simpson is a Partner in the Firm's Litigation Department and Antitrust and Trade Regulation Practice. Ms. Simpson concentrates her practice in antitrust and commercial litigation. She has represented parties in several government antitrust investigations,

and has extensive experience counseling corporate clients on antitrust issues including distribution arrangements, joint venture arrangements, settlement of patent litigation, and Robinson-Patman Act issues. Ms. Simpson obtained her J.D., with honors, from the University of Chicago, her Ph.D. in economics from the University of Wisconsin-Madison, and her B.A. from St. Olaf College.



### **Molly Moran**

Molly Moran is a Partner in the Firm's Litigation Department and Class Action Litigation Practice. Ms. Moran's practice has focused primarily on commercial litigation matters and she has significant experience in class action defense in the consumer finance and

consumer fraud arenas. Prior to entering law school, Ms. Moran served for over four years as a legislative assistant to Congressman Tim Roemer in Washington, D.C. Ms. Moran obtained her J.D. from Indiana University School of Law and her B.A. from Indiana University.



### **Mary Downie Talarico**

Mary Downie Talarico is a Partner in the Firm's Private Client Practice. Ms. Talarico counsels clients on sophisticated estate and tax planning techniques, business formation, business succession, complex trust and estate administration issues, and represents clients in tax controversy

matters. She has also litigated a wide array of contested estate matters, including will and trust contests, trust construction suits, contested guardianship proceedings, and actions involving breaches of fiduciary duties. Ms. Talarico received her J.D., *magna cum laude*, from John Marshall Law School, and her B.A., *summa cum laude*, from Albion College.

## Mendes Joins Firm as Executive Director, COO

Veteran corporate finance executive Meredith Wise Mendes joined Jenner & Block in November as its Executive Director and Chief Operating Officer. She is responsible for the Firm's Financial, Technology, Paralegal, Secretarial, Office, Conflicts, Information Services, Human Resources and Docketing Departments. She is also responsible for administrative management of the Firm's Dallas, New York and Washington, DC offices.

Most recently, Ms. Mendes was Worldwide Chief Financial Officer of Daniel J. Edelman, Inc., a global public relations agency with 46 offices and 2,200 employees. Ms. Mendes managed worldwide financial functions including consolidated

reporting and analysis, acquisitions, audit, tax, budgeting, real estate, compliance, compensation and the agency's legal department. During her tenure there, Ms. Mendes overhauled Edelman's U.S. accounting system, reduced costs, and created operating efficiencies which eliminated borrowings and substantially increased cash flow.

Ms. Mendes earned her Masters in Business Administration from The University of Chicago Graduate School of Business, a Juris Doctorate from Harvard Law School, and a Bachelor of Arts, *magna cum laude*, from Brown University. Ms. Mendes is an Illinois Certified Public Accountant and is also a member of the Illinois and Massachusetts bars.



## Kenney Joins Environmental Practice as Of Counsel

Anne ("Andi") S. Kenney joined Jenner & Block as Of Counsel to the Firm's Environmental, Energy and Natural Resources Law Practice in May after an 18-year career representing clients across a wide range of industries on environmental, health and safety matters.

Ms. Kenney's national practice focuses on counseling clients on regulatory compliance issues and best practices, as well as on defending clients in enforcement proceedings involving alleged violations of OSHA, MSHA and state occupational safety and health requirements. Besides helping to broaden the Firm's OSHA capabilities, Ms. Kenney brings to Jenner & Block significant experience representing clients in a wide variety of environmental matters, having developed extensive experience in complex CERCLA

and RCRA matters and having participated in the structuring of several complicated Superfund settlements and consent decrees.



Most recently, Ms. Kenney was of counsel at Seyfarth Shaw LLP, where she managed OSHA investigations, defended enforcement actions and negotiated settlements.

Among other things, she successfully fought the EPA's attempt to recover past and future Superfund response costs arising from the cleanup of a former potassium surface mine in Florida.

In addition to private practice, Ms. Kenney was, for more than seven years, Senior Environmental, Safety, and Health Counsel at Waste Management, Inc., where she managed environmental, health and safety compliance, rulemaking and enforcement matters as part of the corporate legal department.

Ms. Kenney graduated *magna cum laude* from Duke University with an A.B. in public policy studies and economics. She received her J.D. from the University of Michigan Law School, graduating *cum laude*. She was an Associate Note Editor for the *University of Michigan Journal of Law Reform*.

For detailed information on any of our attorneys, please visit our website: [www.jenner.com](http://www.jenner.com)

## News & Notes

*A Sampling of Women Attorneys' Most Recent Achievements in the Courtroom, the Boardroom, the Bar, and the Community.*

### DC Circuit Pro Bono Victory

In December 2005, Associate Robin M. Meriweather secured a pro bono victory in the U.S. Court of Appeals for the DC Circuit for Gwendolyn Smith, who filed a disability and retaliation claim against her former employer. The court overturned the lower court's grant of summary judgment against Mrs. Smith, allowing her to proceed to trial with her claims of disability discrimination under the Americans with Disabilities Act.

### New Home for Orbitz

Of Counsel Ruth A. Schoenmeyer was a member of a Jenner & Block team that negotiated, on behalf of the landlord, an eleven-year lease agreement with Orbitz, Inc., the online travel agency, for 150,000 square feet of office space in Chicago's Citigroup Center at 500 W. Madison.

### Jury Reform Commission

Partner Terri L. Mascherin has served on the 7th Circuit's American Jury Project Commission since August 2005 which is reviewing some of the American Bar Association's proposed reforms aimed at strengthening the jury system. The group is also collecting feedback from judges, lawyers, litigants and jurors prior to reporting their findings for further action.

### General Dynamics Deals

Several of the Firm's women attorneys were part of the team helping long-time client General Dynamics complete a trio of recent deals. Partner E. Lynn Grayson and Associates Dawn M. Duffy, Laura A. Sakulich and Jill R. Sheiman helped the company complete its acquisition of the Scranton, Pennsylvania division of Chamberlain Manufacturing Corporation, which supplies large-caliber projectile metal parts to the U.S. government. Ms. Sheiman was also a part of the team that

represented General Dynamics in its \$300 million sale of its Chicago-based Material Service Corporation, one of the country's largest producers of construction aggregates, to Hanson PLC. And, Associate Jessica A. Garascia was part of the Firm's team counseling the defense contractor in its sale of certain assets of Anteon Corporation's program management and engineering services business to Alion Science and Technology Corporation for \$2.25 million, less an adjustment for certain assumed liabilities.

### Dell Corporation Victory

The Firm's team of attorneys, including Associate Kathy A. Karcher, obtained a key victory for Dell in August 2005, when an Illinois appellate court ruled that the terms and conditions of an online computer sale, which were available via hyperlink during the Internet-based purchase process, included a binding agreement to arbitrate, and thus

consumers were not entitled to sue Dell in court over alleged issues with their purchases. The appellate court concluded that consumers were bound by the terms and conditions because a link to review them was readily available on most of the web pages presented during the online ordering process.

### Women Leaders in the Firm

Jenner & Block's Management Committee includes Partners Susan C. Levy, Terri L. Mascherin, Catherine L. Steege and Barbara S. Steiner. For a complete listing of women leaders within the Firm, please visit the Jenner & Block Women's Forum website at: [www.jenner.com/womensforum](http://www.jenner.com/womensforum).

### Arlington Chapter 11

In January, Partner Catherine L. Steege, serving as debtor counsel, helped Arlington Hospitality, Inc., creator of the AmeriHost Inn brand name, to complete the \$28.1 million sale of its assets to Sunburst Hotel

## Best Practices for In House Counsel



Selecting outside counsel who promote diversity, work and life balance programs, and making the transition from the legal department to the business side of a corporation were among the topics and best practices addressed at a recent discussion sponsored by the Chicago Chapter of the Association of Corporate Counsel (ACC), Jenner & Block and the Chicago Bar Association (CBA) Alliance for Women. Pictured, from left: Partner Jill Sugar Factor, who led the discussion; panelist and attorney Robert Walner; Kari Sheinfeld, Vice-Chair, CBA Alliance for Women; panelist and General Counsel of Wrightwood Capital Sara L. Hays; Dawn Hagighi, President, Chicago Chapter of the ACC; panelist and Vice President, General Counsel and Assistant Secretary, Health Care Service Corporation (Blue Cross and Blue Shield of Illinois) Caroline H. Clift; and Michael Booden, member of the Chicago Chapter of the ACC Board of Directors.

Holdings, Inc. and SJB Equities, Inc., thereby moving Arlington one step closer to ending its Chapter 11 proceedings. Associates Jayne Laiprasert and Chris-Tia E. Donaldson also assisted in the sale. Ms. Steege also currently represents the Section 1114 Committee of Retirees in the Northwest Airlines Chapter 11 case and represented the Section 1114 Salaried and Management Retiree Committee in United Airlines' Chapter 11 proceedings.

#### **"Friendly Foreclosure" Deal**

Partner Jill Sugar Factor led the Jenner & Block team that also included Partner Gail H. Morse, Of Counsel Ruth A. Schoenmeyer and Associates Laura A. Sakulich, Mercedes M. Davis, Dawn M. Duffy, and Megan R. Leger in representing Barjan Products, LLC when it was acquired in January by Monomoy Capital Partners, LLC for \$20 million. The deal employed a creative transactional strategy known as a "friendly foreclosure," which is not presided over by a bankruptcy court.

#### **Asylum Win**

Associate Reena R. Bajowala secured asylum in April for a pro bono client whose family had been falsely accused of treason and routinely tortured by the government of Togo. The abuse culminated in a military assault against the client's home, during which both of his parents were arrested and tortured.

#### **Pechiney Patent Win**

Partner Shelley Smith and Associate Sara E. Tonnie were members of the team that recently secured a significant jury trial win for long-time client Pechiney Plastic Packaging, Inc. and its parent company, Alcan, in a patent infringement and tortious interference dispute against a competitor, Cryovac, Inc. Cryovac had sued for over \$8 million in willful patent infringement damages and

### **Masters and Spacapan at SuperConference**



Jenner & Block Partner Lorelie S. Masters served as a panelist at the *InsideCounsel* SuperConference in April 2006 of which the Firm was an Alliance Sponsor. She spoke at a discussion entitled "New Issues in Insurance" where members of the panel offered insight on the relationship between a company's risk management department and their outside counsel. Ms. Masters also moderated "An ADR Primer" panel discussion during which it was argued that creating a "level playing field" and making the ADR program mandatory before a dispute arises are the necessary keys to successful implementation of an ADR program.

Partner Lise T. Spacapan introduced the participants of the "Global Strategies For Litigation Holds" panel, who addressed how a global enterprise can implement a "litigation hold" in a timely and effective manner when confronted with a massive class action. The panelists explored the complexities and pitfalls of litigation holds and offered advice on how to handle such holds under pressure.



over \$32 million in tortious interference with contract damages. However, the jury rejected Cryovac's tortious interference claims and willful infringement claim and returned a verdict for patent damages of \$2.5 million.

#### **Stay of Executions**

Jenner & Block attorneys, including Associate Ginger D. Anders, secured a victory for pro bono client Michael Taylor when a federal court in July stayed Mr. Taylor's execution and halted all executions in Missouri pending changes to the state's lethal injection protocol to ensure that the condemned are not subjected to "unconstitutional pain and suffering." It was the first time that a court had ordered a state to overhaul its execution process to ensure that all executions are carried out humanely.

#### **Venture Capital Fund of Funds**

Partner Teri A. Lindquist led a Jenner & Block team of attorneys, including Partner Jill Sugar Factor, that represented Performance Venture Capital, L.P. in the final closing of its \$650 million venture capital fund of funds. The Firm's team negotiated

over the course of a year with investors from several countries and a variety of state pension funds and public company pension plans.

#### **First Amendment Victory**

In a victory for Jenner & Block client DKT International, Inc., a federal judge ruled in May that the group's First Amendment rights were violated by a government directive that had required U.S. health groups to denounce prostitution in order to receive funds for international work to prevent the spread of AIDS. Partner Julie M. Carpenter and Associate Martina E. Vandenberg, along with Associate Amy L. Tenney, filed a lawsuit on behalf of DKT, after a U.S. agency cancelled DKT's grant to help stop the spread of AIDS in Vietnam because it had refused to sign the pledge.



**Fundraiser Benefits Brain Tumor Patients**

Jenner & Block Partner Elizabeth A. Coleman served as a co-chair of the 2006 "Boogie Ball" gala held in May to benefit the Comprehensive Support Program for Brain Tumor Patients and Families at Northwestern Memorial Hospital in Chicago. Hosted by The Woman's Board of Northwestern Memorial Hospital, the event drew a sell-out crowd of 400 attendees and raised over \$150,000 for the cause. Jenner & Block was a sponsor of the event.

The program, developed by Dr. James P. Chandler, Surgical Director of Neurooncology Programs at Northwestern Memorial Hospital, offers assistance to patients and their families in educating them about treatment options for tumors, including experimental treatment protocols, and obtaining emotional and psychological support. Dr. Chandler explained to the attendees that people afflicted with brain tumors, "represent a unique patient population that stands to benefit significantly from potential novel treatment approaches."

*Pictured: Dr. James P. Chandler; Ms. Coleman; and Jenner & Block Chairman Jerold S. Solovy.*

**Vault/MCCA Legal Diversity Job Fair**

Jenner & Block Partner and Director of Professional Development Charlotte L. Wager spoke on a panel discussion which highlighted issues often confronted by summer associates during the early stages of their career, at the Vault/Minority Corporate Counsel Association's (MCCA) Diversity Job Fair held in New York City on April 21-22. The Firm was a major sponsor of the event during which law students and lateral associates had the opportunity to meet and interview with representatives from over 90 law firms and other legal employers and to learn about career management topics. During the second day of the Job Fair, that



*Pictured, right: Associate Elizabeth Valentina discussing career development with an attendee.*

included keynote speakers, panel discussions and individual meetings with potential employers, Partner and Chair of Jenner & Block's Diversity Committee Donald B. Verrilli, Jr. introduced the morning keynote speaker, Michelle Coleman Mayes, Senior Vice-President and General Counsel of Pitney Bowes and winner of the MCCA's Trailblazer Award.

*Pictured, left: Associate Elizabeth Valentina; Ms. Wager; Mr. Verrilli; keynote speaker Michelle Coleman Mayes; Veta Richardson, Executive Director of the MCCA; and Samer Hamadeh, President & CEO of Vault, Inc.*

**Women's Treatment Center Celebrates 15 Years of Service**

Jenner & Block Partner Gail H. Morse helped The Women's Treatment Center (TWTC) celebrate its 15th anniversary at a recent fundraising gala. Ms. Morse serves as Vice-President of the board of the organization, a nationally-recognized leader in substance abuse treatment that has also long been supported by Jenner & Block. The Chicago-based center focuses on services to women, particularly to chemically dependent mothers, as it is one of the few substance abuse programs in the nation that can accommodate children in its treatment facilities.

*Pictured at the gala, from left: Ms. Morse; Dr. Jewell Oates, TWTC Executive Director; Merri Dee, Honorary Chairperson and Director of Community Relations for WGN Children's Charities; Illinois Attorney General Lisa Madigan; and Andrea Kramer, President of the TWTC Board of Directors.*



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