

Mosaic

CARLTON
FIELDS
ATTORNEYS AT LAW

February 2010 | Issue 7

This newsletter describes our ongoing diversity efforts with our clients, in our communities, and at our law firm. We believe that as we continue a dialogue, we will create greater opportunities for advancement of diversity.

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MIAMI OFFICE HOSTS MINORITY LAWYER NETWORK RETREAT

On November 6-7, 2009, Carlton Fields' **Minority Lawyer Network** Retreat was held in the firm's Miami office. The retreat provided Carlton Fields' minority attorneys the opportunity to socialize with and learn valuable business development information from other minority lawyers, colleagues, and firm senior management.

The Retreat began on Friday afternoon with a dynamic panel presentation entitled "Developing the Rainbow Before the Storm: A Conversation with Rainmakers and Stormchasers." Panelists included Carlton Fields Miami shareholders **Steve Brodie** (Insurance), **Jose Lored** (Real Property Litigation), **Wendy Lumish** (Appellate Practice & Trial Support), **Ben Reid** (Products Liability), and President and CEO, **Gary Sasso**. The panel was moderated by Miami shareholder **Jason Murray** (Business Litigation & Trade Regulation). The panel's discussion focused on individual marketing and business development strategies. The panelists discussed the strategies they each used to become successful, the obstacles they faced along the way, and practical tips for business development. The discussion also explored whether the lack of diversity in the legal profession and ensuing initiatives to promote diversity, such as the "Call to Action,"

have aided or impeded each panelist's ability to generate business.

On Friday evening, the retreat attendees gathered for dinner at Tap Tap, a cherished local Haitian restaurant in South Beach. Part restaurant, part art gallery and cultural center, Tap Tap was founded in 1994 by Haitian documentary filmmaker Katherine Kean, and features authentic Haitian home cooking and a dazzling collection of culturally interpretive art by some of the island's most acclaimed masters. Everyone



Firm President and CEO Gary Sasso welcomes attorneys to the MLN Retreat Dinner



Miami shareholder and Diversity Committee Co-Chair Jason Murray addresses the MLN attorneys

enjoyed a wonderful night of food, culture and fun, especially considering that the dinner coincided with Tap Tap's annual celebration of Guédé, a Voodoo holiday that occurs in early November.

Saturday's program consisted of three presentations, the first of which was a panel discussion entitled "Diversity, Development & Depth: The

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CARLTON FIELDS EARNS PERFECT SCORE ON HUMAN RIGHTS CAMPAIGN 2010 CORPORATE EQUALITY INDEX

Carlton Fields is proud to announce it received a perfect score – a 100 percent rating – on the **Human Rights Campaign (HRC) 2010 Corporate Equality Index (CEI)**. HRC’s annual report was published last fall, and is available online at www.hrc.org/cei.

“Even in an economic environment that has presented new challenges for lawyers in private practice, the nation’s largest and most prestigious law firms have only stepped up their commitment to recruiting and retaining a diverse group of attorneys and staff,” said HRC Foundation President Joe Solmonese. “Legal work in this country is deeply rooted in our nation’s core values of equality and justice for all, and law firms continue to set the gold standard for treating their LGBT employees fairly.”

The Corporate Equality Index 2010 surveyed a total of 127 law firms, all but three of which are ranked among *The American Lawyer’s* 200 highest-grossing law firms (AmLaw 200). The number of firms – 88 in all – achieving the top score reflects a steady increase over past reports. In 2006, the first year law firms were invited to participate, only 12 firms achieved a 100 percent rating. Perfect scores were achieved by 30 firms in 2007 and 64 firms in 2008.

The HRC Foundation not only tracks firms’ progress, but also actively works with firm diversity managers and partnership committees, as well as with LGBT attorneys, to implement inclusive policies at the nation’s most prestigious firms. Twenty-three of the firms that rated 100 percent this year - including Carlton Fields - improved their ratings over the previous year’s.

“For major law firms and their clients, inclusive and fair practices for LGBT attorneys and staff have increasingly become the norm,” said Robert Falk, the HRC Foundation’s General Counsel. “Top law firms are aware that providing equal benefits and protections

to their LGBT employees translates into a positive work environment and the ability to recruit the best lawyers. Moreover, in-house counsel routinely tell us that they look at the CEI law firm ratings when evaluating firms under consideration for their business.”

For the past eight years, the HRC Foundation’s Corporate Equality Index has examined various industries’ corporate policies affecting LGBT employees throughout the country.

The Corporate Equality Index 2010 report shows impressive gains in policies and protections across the board. In particular, transgender workers have made major gains since the report was first published in 2002. For instance, 17 AmLaw 200 firms now provide transgender-inclusive health insurance that would cover sex-reassignment surgery and related treatments.

This component will be required, among other new requirements, in two years for the Corporate Equality Index 2012 report.

This year’s survey rates law firms and other businesses on a scale of 0 percent to 100 percent on several factors, including whether they have a written non-discrimination policy and training covering sexual orientation and gender identity; provide insurance that covers transgender-related treatments; support same-sex partners of employees with health insurance, bereavement and family leave policies; have LGBT employee groups; engage in appropriate and respectful advertising to the community; contribute to community organizations; and decline to engage in any activities that would undermine the goal of equal rights for LGBT people. The Corporate Equality Index 2010 rated a total of 590 private employers in various industries.

The Human Rights Campaign Foundation is the educational arm of the nation’s largest civil rights organization dedicated to lesbian, gay, bisexual, and transgender equality.



CARLTON FIELDS CELEBRATES DIVERSITY WEEK WITH SPECIAL GUEST HOLOCAUST EDUCATOR PHILIP GANS

Carlton Fields celebrated its annual “Carlton Fields Celebrates Diversity Week” July 20-24, 2009. As in prior years, each office hosted various activities, such as international lunches dedicated to recognizing the unique cultures and perspectives of Carlton Fields’ attorneys and staff.

The highlight of the week occurred on Wednesday, when all Carlton Fielders were treated to a luncheon featuring keynote speaker **Philip Gans**, a Holocaust educator and concentration camp survivor.

Mr. Gans was born in 1928 in Amsterdam, Holland, to a family who owned a successful ladies’ clothing manufacturing business. In May 1940, the life he knew ended when the Germans invaded Holland. He suddenly was required to wear a Star of David on his clothing to identify himself as a Jew and also had to carry an identification card – bearing a large “J” – at all times. He no longer could attend the school of his choice, and was no longer allowed to go to public places, such as the beach or the cinema. He and his family lived in fear as the Nazis went door-to-door removing Jews from their homes.

When Mr. Gans’ father received a notice instructing him to go to Germany in July 1942, the family instead fled and went into hiding. Eventually, the Nazis learned they were hiding in a shed and took them to a police station, where they were interrogated. After seven days in jail, he, his parents, grandmother, sister, and brother were handcuffed and marched to the train station. They initially were sent to a retention camp in Holland where they were surrounded by barbed wire.

On August 24, 1943, 1,001 Dutch Jews – including the Gans family – were sent to Auschwitz III, a slave labor concentration camp in Poland. Upon being taken off the train at Auschwitz, women and children were separated from men and told they were going to a building where they could take showers. However, the “showers” were in fact the gas chamber/crematorium. Accordingly, when Mr. Gans’ family arrived, his father and older brothers were sent in one direction after being determined to be fit to work. His mother, sister, and grandmother were sent in the opposite direction. Unbeknownst

to them, they had been determined unfit to work, and would be executed. The German officers hesitated when trying to determine in which direction to send Mr. Gans, however. It took a few moments to size him up, as he was merely 15 years old – no longer a child, but not quite a man yet, either. Sceptically, the officers eventually determined that Mr. Gans was fit for grueling slave labor, and it was decided he would stay with the men.



Mr. Gans during his presentation

At Auschwitz, the prisoners each had a prisoner number tattooed onto their arms. Henceforth, they were referred to strictly by number rather than by name, and they wore uniforms with their numbers on the front. Mr. Gans became Number 139755. Mr. Gans thus wore a replica of his uniform during his presentation.

Mr. Gans described in detail some of the physical and mental abuse he and his fellow prisoners suffered in the concentration camp. They received barely enough food to survive, and only if they worked to earn it. Clothing was scarce, and any attempt to add to the meager clothing that was issued to the prisoners was punished with a beating. Rules were strict and often unreasonable, and violations of the rules were punished with beatings, regardless of how arbitrary an offense might have been. Those prisoners – such as Mr. Gans’ brother – who became too weak or sick to work were put to death.

On April 16, 1945, the Germans forced Mr. Gans and 2500 other prisoners, many of whom could hardly stand due to hunger and other ailments, to begin what is known as a “Death March.” Shortly after the Nazis decided to load the Jews onto trains for more expeditious transport, however, Allied forces attacked the Germans. The German guards subsequently led the remainder of the march with caution, so as not to be confronted again by Allied troops.

Eventually, however, the pressure of Allied troops bearing down on them caused the Germans to abandon the prisoners, and on April 23, 1945, Mr. Gans and nearly 600 other prisoners were liberated. Of the 2500 prisoners who had initially begun the Death March, more than 1900 – including Mr. Gans’ father – had died. In all, Mr.

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DIVERSITY AND THE DOWNTURN: WILL FIRMS REMAIN COMMITTED?

By Kenya Reddy

In October 2004, the legal world experienced a watershed moment when a group of general counsel led by Sara Lee Corporation Executive Vice President and General Counsel Rick Palmore (now Executive Vice President, General Counsel and Chief Corporate and Risk Management Officer of General Mills, Inc.) released "A Call to Action – Diversity in the Legal Profession." The signatories, the general counsel of some of the country's largest corporations, pledged their commitment to diversity and urged their outside counsel to demonstrate their own commitment to diversity by improving minority representation and mobility within law firms. Since its inception, "A Call to Action" has generated an enormous amount of discussion within the legal profession about the importance of diversity.

In response to "A Call to Action," law firms all across the country have made efforts to adopt best practices in this area. Many have created diversity committees tasked with implementing programs to improve minority, female, and other diverse hiring and retention at their firms. Some have created affinity groups that have the purpose of promoting socialization, mentoring, and marketing opportunities for diverse attorneys. Several firms have created scholarship and fellowship programs to help diverse students attend law school and/or gain valuable work experience in law firm environments. Still others have taken the additional step of creating pipeline programs that encourage diverse students to consider careers in the legal profession as early as middle school.

Despite all of these efforts in the past five years, the pace of change has been frustratingly slow. Each year, the National Association for Law Placement (NALP) compiles data tracking the percentages of minority and female attorneys in law firms of all sizes. The press releases¹ announcing their findings in the five years since "A Call to Action" demonstrate a common and disheartening theme – that women and minority attorneys have made only small gains during the last five years and remain underrepresented in the partnership ranks.

Considering that the diversification of law firms was marginal at best during a time when many firms were making considerable, focused efforts to improve it, it is no wonder that the economic downturn of the past 18 months has left many observers profoundly concerned that legal diversity may be a casualty of the economy. With increasing frequency, lawyers and diversity professionals have begun to wonder aloud whether the little bit of momentum and progress that has been achieved in recent years will be reversed in the coming months and years as law firms and their clients struggle to recover from the effects of the soft economy.

The primary threat to law firm diversity, of course, is the recent spate of attorney layoffs. The American Bar Association's *ABA Journal* recently reported that 4,633 attorneys lost their jobs in 2009 alone. And although the pace of layoffs has begun to slow, it is likely that layoffs will continue into 2010. Moreover, many firms, including some of the biggest and most prestigious firms in the nation, have imploded as a result of the recession and no longer exist, eliminating jobs for attorneys to come back to if and when an economic recovery takes place.

So far, there is inconclusive evidence as to whether minority and female attorneys have been disproportionately impacted by these layoffs. The headline for NALP's 2009 press release on law firm diversity declared "Law Firm Diversity Demographics Show Little Change, Despite Economic Downturn." The press release noted that "[i]n the five largest markets represented in the directory – Boston, Chicago, Los Angeles, New York, and Washington, DC – representation of women and minorities among partners and associates generally at least held steady, if not registered small gains." In other cities – such as Houston and New Orleans – where the core of offices reporting data remained stable in comparison to years prior, however, decreases in the aggregate were found, as representation of women and minorities decreased among associates, and to a lesser extent among partners. Decreases were seen at the associate level in several smaller cities around the country as well.²

¹ See "Women and Attorneys of Color Continue to Make Small Gains at Large Law Firms" (2005); "Partnership at Law Firms Elusive for Minority Women – Overall, Women and Minorities Continue to Make Small Gains" (2006); "Minority Women Still Underrepresented in Law Firm Partnership Ranks – Change in Diversity of Law Firm Leadership Very Slow Overall" (2007); "Law Firm Diversity Demographics Slow to Change – Minority Women Remain Particularly Scarce in Law Firm Partnership Ranks" (2008), all available at <http://www.nalp.org/minoritieswomen>.

² A copy of NALP's 2009 Report can be found online at <http://www.nalp.org/oct09lawfirmdiversity>.

James Leipold, Executive Director of NALP is quoted in the press release as saying the small declines in minority and female representation may be attributable to the layoffs and reduced hiring resulting from the recession. He cautioned, however, that “[t]hese data were gathered early in 2009, and therefore do not reflect all of the layoffs that have occurred, and in fact continue to occur, as a result of the economic slowdown.” Although he believes law firms are continuing to work hard to maintain a diverse workforce, he is fearful that the data for 2010 may show further erosion of the number of diverse attorneys working at law firms.

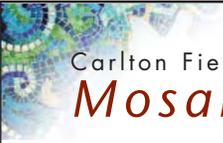
The effects of the economy on law firm diversity efforts are not felt merely in the form of attorney layoffs. In April 2009, the Minority Corporate Counsel Association (MCCA) polled 220 law firms (including the AmLaw 200) about their diversity efforts. Of the 94 firms that responded, 28 percent reported that they expected their 2009 internal diversity budgets (retreats, speakers, etc.) to be lower than in 2008. 22 percent responded that they expected their external diversity budgets (minority bar association dues, diversity conferences, sponsorships, etc.) to be lower than the previous year. Although more than 70 percent of respondents expected no change or perhaps an increase in the diversity budget over the previous year, observers, while acknowledging the need for law firms to streamline expenses in the current economic climate, remain concerned that the reduction of diversity budgets at some firms may signal a reordering of priorities, with diversity falling towards the bottom of the list. Such fears are exacerbated by the fact that some firms, in addition to laying off attorneys, also have begun to layoff their diversity directors in efforts to tighten their bottom lines.

Despite these threats, corporate counsel refuse to give up on the idea that as the global marketplace and their own workforces become more diverse, so must their outside counsel. In May 2009, senior legal executives from The Coca-Cola Company, Microsoft, Wal-Mart, and 11 more Fortune 500 companies, along with the managing partners of several leading law firms, announced the formation of the Leadership Council on Legal Diversity (LCLD), a new organization of chief legal officers and law firm managing partners dedicated to improving diversity in

the legal profession. Carlton Fields is proud to be a member of the LCLD, whose board is chaired by Rick Palmore, who clearly has not lessened his commitment to diversifying the legal profession since “A Call to Action” was issued. “Many firms and corporations are struggling in today’s economic climate, but this is not the time to lose focus on our diversity goals. While our industry has a long way to go on diversity, we must not squander the momentum that has been built up over the past 20 years,” said Wally Martinez, Managing Partner of Hunton & Williams LLP and Vice Chair of the LCLD Board. “The members of the LCLD believe that having diverse talent is a critical element to having the best talent. We also recognize and respect the work of other like-minded organizations committed to achieving a more diverse profession, and we intend to work with them to make our goals a reality.” Among the efforts the LCLD has already undertaken, it is in the process of developing a Law Firm “Call to Action” statement, a sister statement to the “Call to Action” that would allow law firms to pledge their commitment to increasing diversity in the legal profession.

Corporate counsel also reiterated their commitment to diversity at the MCCA’s Tenth Annual “Creating Pathways to Diversity” conference last November. Tommy Shi, Diversity and Inclusion Officer at Mercedes-Benz USA, explained, “If you subscribe to the idea that diversity is only important because it’s a moral imperative, you’re going to fail.” Thus, he and other corporate counsel stressed the importance of connecting diversity with dollar signs and emphasized the ways in which diversity improves the overall quality of legal services law firms provide to their clients. Andrew Schaffer, Managing Counsel for Operations and Partnering at DuPont Co., explained, “You have to have firms that are not only representing you and your principles, but they also have to essentially meet the makeup of the community that your litigating cases in.... If you’ve got diverse judges and jurors and so forth, and they see a legal team that is showing up and they’re not diverse at all, you’re at a disadvantage. You’re not speaking to them in the way you should. You’re not really representing yourself in that community.”

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The fact that corporate counsel clearly intend to keep pushing for diversity in their outside counsel hopefully will encourage law firms not to abandon their diversity efforts during the economic downturn, but, rather, to reevaluate and rethink them, with the goal of making them more effective, both in terms of cost and outcome. However, clients should not need to prod their outside counsel to continue to champion diversity. In fact, if nothing else, the real effect of the recession on law firm diversity may be to allow clients to distinguish those firms who truly value diversity on its own merits from those who have taken up the cause merely

because it is what is expected from them. Although it is imperative in a service-oriented profession to accede to the wishes of our clients, law firms should not strive to be diverse and inclusive merely because our clients demand it. Instead, law firms should embrace diversity – in all its forms – as a part of their firm cultures because diverse perspectives create broader talent pools, foster innovation and creativity, enrich work environments, and add value to the legal services provided to clients. These must be fundamental goals in *any* economy.

CARLTON FIELDS CELEBRATES BLACK HISTORY MONTH BY FOCUSING ON BLACK LITERATURE

Last year, in celebration of Black History Month, Carlton Fields attorneys and professional staff were treated to a viewing of the artwork of Aaron F. Henderson at a firm-wide “art tasting.” (Mosaic, Issue 6). Mr. Henderson’s art pieces brought to life the brilliantly vibrant colors that are so much a part of African and African-American culture. This year, the feature event for Carlton Fields’ Black History Month celebration will focus on African-American literature.

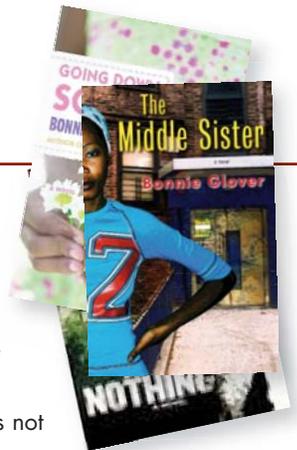
In the 1920s, black artists and writers in Harlem led a flourishing new movement in art, literature, theatre, and jazz that became known as the Harlem Renaissance. The Renaissance paved the way for a new generation of black artists and writers whose craft was also later influenced by the Civil Rights Movement and other forms of black activism. Today, books by black writers routinely top the best-seller lists and encompass the style and vernacular of blacks in America and abroad. On February 17, 2010, in celebration of black literature, Carlton Fields will host a firm-wide “Soul Food” luncheon featuring two writers who are poised to make a big impact on the literary world, **Bonnie J. Glover** and **Preston L. Allen**.

Bonnie Glover was nominated for the 2009 NAACP Image Award in Literature for her novel, *Going Down South*. Her debut novel, *The Middle Sister*, won international acclaim when it was nominated for the International IMPAC Dublin Literary Award, an award

whose nominees are chosen by libraries worldwide on the basis of “literary merit.” Bonnie is a graduate of Florida Agricultural and Mechanical University (FAMU) and she obtained a law degree from Stetson University College of Law. When she is not writing, she mediates employment disputes.

Preston Allen is a recipient of a State of Florida Individual Artist Fellowship and the Sonja H. Stone Prize in Fiction. His short fiction has been published in numerous magazines and journals and has been anthologized in *Las Vegas Noir*, *Miami Noir*, *Brown Sugar*, *Wanderlust*, and *Here We Are: a Collection of South Florida Writers*. His novels, *All or Nothing* and *Jesus Boy*, have received critical acclaim from *The New York Times Book Review*, *Booklist*, *Publisher’s Weekly*, *Library Journal*, *The Kirkus Review*, *Entertainment Weekly*, *Florida Book Review*, and *Foreword Magazine*. Preston is a graduate of the University of Florida and obtained his MFA degree from Florida International University. Preston lives and teaches creative writing in Miami, Florida.

Ms. Glover and Mr. Allen will read selected portions of their work and discuss the development of African American literature live in the Miami office and via videoconference in the remaining Carlton Fields offices.



CARLTON FIELDS GIVES BACK

Helping Hands' Haitian Disaster Relief Effort — On Tuesday, January 12, 2010, the small island nation of Haiti was devastated by a catastrophic magnitude 7.0 earthquake. It was not long after, that attorneys in Carlton Fields' Miami office began circulating e-mails to the rest of the Carlton Fields family suggesting ways to help the victims of the earthquake. Within a few days, Miami Director of Administrations **Cathy Jones** spear-headed a donations drive, and the outpouring of generosity from Carlton Fielders was overwhelming. As of January 22, Carlton Fields collected a total of \$13,364 for Operation Helping Hands' Haitian disaster relief effort. In addition to individual donations from firm employees, the Tampa Bay Hispanic Bar Association, through its president, Tampa shareholder **Joanna Garcia**, also donated \$1,000. The total amount raised constitutes a huge outpouring of support for the effort to help to rebuild the country of Haiti.

Helping Those In Need During Cold Winter Months — In early January 2010, much of the nation was in the grip of a lengthy and bitter cold spell. Florida was not spared from the cold weather, and many cities in Florida experienced a prolonged period of record low temperatures. When the local news in Orlando reported that certain Orange County public schools had no central heat and that many of their underprivileged students had no warm clothing, the Orlando office sprung to action. On January 7, in fewer than three hours,

attorneys and professional staff alike contributed money and raised \$1,200 to purchase winter coats for area students. Orlando shareholder **Jill Riola** (Intellectual Property & Technology) spear-headed the effort and delivered 45 new winter coats as well as sweaters, sweat-shirts, and socks to Jones High School the following morning. The school was overwhelmed by the donation, as coats donated from other sources had been distributed to children at other schools leaving little to nothing for the Jones High students.

Similarly, in Tampa, the Hillsborough County Bar Association organized a coat and blanket drive in an effort to collect items for those in need. Tampa shareholder **Joanna Garcia** (Business Litigation & Trade Regulation) and Tampa associate **Amanda Sansone** (Business Litigation & Trade Regulation) led the effort for Carlton Fields' Tampa and St. Petersburg offices. On January 7, Amanda delivered the first car load of blankets and coats and on January 8, Joanna made another delivery of supplies, both collected and funded by staff and attorneys in the Tampa and St. Petersburg offices. Amanda also delivered a carload of blankets and coats to Metropolitan Ministries and Joanna, along with a friend, handed out sweaters to the homeless at a St. Petersburg city park. A portion of these donations were also made by the Tampa Bay Hispanic Bar Association.

These efforts to help the underprivileged in times of need are an example of the steps Carlton Fielders take every day, as a firm and as individuals, to strengthen our communities.

MLN RETREAT CONTINUED

Realities of Practice Group Leaders." The panel featured firm practice group leaders **Greg Cesarano** (Products Liability), **Dennis Olle** (Corporate, Securities & Tax), **Edith Osman** (Family Law), and **Tony Pelle** (Insurance). Tampa shareholder **Penelope Dixon** (Products Liability) served as the moderator for the panel. The panel's discussion focused on the impact of diversity on each practice group's strategic plan and business development strategies. Additionally, the panel explored how and whether diversity is factored into efforts to address weaknesses and increase "depth on the bench" in each of these various practice groups. The panel also discussed staffing and work distribution practices as well as the ability to assemble diverse teams for their matters.

Carlton Fields Writer and Technology Manager, **Kristy Ayala**, next made a presentation on "Internet Presence /Social Networking"

and provided tips for harnessing the power of the internet for marketing and business development.

The final panel presentation, entitled "Cross-Selling Strategies," was moderated by Tampa shareholder **Kenya Reddy** (Business Litigation & Trade Regulation), and featured Tallahassee shareholder **Kelly Cruz-Brown** (Government Law & Consulting), Atlanta shareholder **Larry Gold** (Corporate, Securities & Tax), and Atlanta associate **Derek Harris** (Business Litigation & Trade Regulation) discussing successful cross-selling and business development strategies for clients wanting the benefits of diverse legal representation. The panelists shared their success stories and challenges in cross-selling diverse attorneys to their clients as well as to other attorneys and practice groups within the firm.

FIRM DIVERSITY NEWS

CARLTON FIELDS HOSTS FALL 2009 DIVERSITY FELLOW

Carlton Fields welcomed Stetson University College of Law student **Onyema M. Anene** to the firm's Tampa office as the Fall 2009 Carlton Fields Diversity Fellow. Onyema spent approximately 200 hours working on legal projects under the guidance of attorneys from all seven offices. Onyema received her B.A. in Business Administration from the University of Georgia, and received her J.D. and M.B.A. from Stetson University in December 2009, shortly after the conclusion of her fellowship.

Before leaving, Onyema wrote the following about her experience:

Dear Carlton Fields,

My fellowship with Carlton Fields has been an experience like no other. From my very first day, the attorneys and staff treated me like I was family. I was overwhelmed by all of the welcoming support, and amazed that such a renowned firm still had the culture of a close-knit community. Not only did I receive one-on-one mentoring from exceptional attorneys, but the fellowship provided me with a well-rounded experience—from writing and editing publishable articles, attending court hearings and observing depositions, to drafting motions, writing proposed orders, and conducting research on high-profile cases. Between all the public service work, charitable functions, social events, team-building activities, and outings, I felt there was never a dull moment at the office.

What I really appreciate is that everyone at Carlton Fields works hard, but the firm always rewards their efforts and successes! What more could a law student ask for?

*Onyema Anene
Stetson University College of Law
Diversity Fellow, Fall 2009*

GARCIA PRESIDES OVER TAMPA BAY HISPANIC BAR ASSOCIATION DINNER

On November 18, 2009, Tampa shareholder **Joanna Garcia** (Business Litigation & Trade Regulation) presided over the Tampa Bay Hispanic Bar Association's 4th Annual Dinner, which took place at La Teresita Restaurant in Tampa. Carlton Fields served as a Platinum Sponsor of the event.



Garcia

More than 200 people attended the dinner, including four tables of Carlton Fields attorneys and professional staff. The keynote speaker for the event was Justice Jorge Labarga of the Supreme Court of Florida.

The proceeds from the event were used to fund two scholarships for the University of South Florida Latino Scholarship Fund, and both students presented with the scholarship were present at the dinner. Proceeds also will likely be used to fund Hispanic Youth Voice, a local Tampa organization that annually provides scholarships for 1-3 students to apply towards their college tuition.

In this, her second and last year as President of the Tampa Bay Hispanic Bar Association, Joanna wishes to thank Carlton Fields for its ongoing support that has helped the organization to grow successfully.

CARLTON FIELDS RANKS IN TOP 20 LAW FIRMS FOR WOMEN PARTNERS

Carlton Fields ranked #15 in *The National Law Journal's* "Top 20 for Women Partners," as noted in the November 30, 2009 issue of the publication. According to the NLJ's 2009 survey of the nation's 250 largest law firms, 24.33% of all the partners at Carlton Fields are women, compared to the national average of 18.47%. For more information about the survey, please visit www.nlj.com.

CARLTON FIELDS TOPS VAULT GUIDE RANKINGS

Carlton Fields ranked as one of the top law firms in the country in the *Vault Guide to the Top 100 Law Firms*. Vault is an insider career network that provides detailed information on careers at thousands of companies and in dozens of industries. The annual law guide is widely considered the definitive career guide for today's generation of law students and lawyers.



The firm ranked nationally in the following Vault "Quality of Life" categories:

- 1st in Overall Diversity
- 1st in Diversity Issues with Respect to Women
- 1st in Diversity Issues with Respect to Minorities
- 9th in Associate to Partner Relations
- 12th in Overall Associate Satisfaction
- 17th in Informal Training
- Tied for 18th for Best Firms to Work for
- 20th in Office Space

The rankings are based on associate surveys on various "Quality of Life" criteria taken at the beginning of each year. A team of Vault researchers surveyed all of the Amlaw 100 law firms and 65 additional firms, including Carlton Fields. The top 20 represent the best of all these firms nationally. Carlton Fields is ranked in the top 20 in eight categories this year.

OSMAN RECEIVES 2009 JURISPRUDENCE AWARD

During a luncheon on November 12, 2009, Miami shareholder **Edith Osman** (Family Law) was awarded the 2009 Jurisprudence Award by the Florida Regional Office of the Anti-Defamation League for her outstanding civic activities and dedication to

justice. The program, which was held at the InterContinental Miami, was attended by scores of judges and well over 100 business and legal professionals in South Florida. Edith was introduced by United States District Court Judge



Edith Osman and Judge Gold

Alan S. Gold and gave a most eloquent acceptance speech that elicited rave reviews from those in attendance. The firm thanks Edith for her community service and for demonstrating the commitment to working for justice that has long been the hallmark of Carlton Fields.

SPOTLIGHT ON PRO BONO

On December 14, 2009, the Legal Aid Society of the Orange County Bar Association passed a resolution to specially recognize Orlando shareholder **Sarah Long** (Products & Toxic Liability) for her efforts as a guardian ad litem on behalf of a minor child. Sarah's involvement with the child's family began years ago when she was appointed to act as the minor child's guardian ad litem. After determining the child's best interests required placement other than with his parents, Sarah filed the motion to terminate parental rights on behalf of the child. She then facilitated the out-of-state home study and obtained court approval for the child's out-of-state grandmother to legally adopt him.

Tampa shareholder **Sylvia Walbolt** (Appellate Practice & Trial Support) was presented the 2009 Heroes Among Us Service Award by the St. Petersburg Bar Foundation. The award is given annually by the St. Petersburg Bar Foundation Board of Trustees to attorneys who best exemplifies the legal profession through extraordinary contributions and community pro bono service to others. Sylvia was selected as one of the two recipients of this year's award.

CARLTON FIELDS SPONSORS LOCAL LGBT EVENTS IN ORLANDO

On October 11, 2009, Carlton Fields was a sponsor of Central Florida's annual "Come Out With Pride" event, which took place at Lake Eola Park. Carlton Fields' sponsorship this year was directly responsible for the appearance of this year's COWP Grand Marshal and featured speaker, Stuart Milk. Stuart is the gay nephew of gay rights icon Harvey Milk (portrayed by Oscar winner Sean Penn in 2008's Oscar nominated film "Milk"), and has followed in his uncle's footsteps as a committed activist for gay rights. In August, Stuart accepted the Presidential Medal of Freedom, America's highest civilian honor, on behalf of his uncle from President Barack Obama. Orlando shareholder

Mary Meeks (Business Litigation & Trade Regulation) is a Board Member of the Metropolitan Business Association, the entity that organized Come Out With Pride, and was personally responsible for arranging Stuart's appearance.

In addition to the appearance of Stuart Milk, this year's event included a historical exhibit featuring "People of Prominence" in the Orlando LGBT community that included Mary and her partner, Vicki Nantz. Mary and Vicki were lauded for their advocacy on behalf of LGBT causes and individuals.

The following day, October 12, 2009, Carlton Fields sponsored the special event production of "The Laramie Project, Ten Years Later: An Epilogue," at the Lake Eola Amphitheater in Orlando. The play, produced by the Tectonic Theater Project, is an epilogue to "The Laramie Project," and premiered simultaneously in Orlando and over 100 other cities across the country, on the 11th anniversary of the death of Matthew Shepard. Matthew

was murdered in an anti-gay hate crime in Laramie, Wyoming that became a watershed historical moment in America highlighting the violence and prejudice faced by the gay community in this country. The Matthew Shepard and James Byrd, Jr. Hate Crimes

Prevention Act, which, among other things, expands the 1969 United States federal hate-crime law to include crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability, was passed by Congress and signed into law by President Obama on October 22, 2009.

A month after Matthew's murder, the members of Tectonic Theater Project traveled to Laramie and conducted interviews with many inhabitants of the town. From those interviews they wrote the "The Laramie Project," which they

later made into a film for HBO. In all, "The Laramie Project" has been seen by more than 50 million people around the country. The epilogue focused on the long-term effects of the murder of Matthew Shepard on the town of Laramie, and explored how the town has changed and how the murder continues to reverberate in the community.

At the Orlando performance of the epilogue, Mary and Vicki read a written statement on behalf of Lynn and Pat Mulder, the parents of Ryan Skipper, the young gay man who was murdered in a brutal anti-gay hate crime two years ago in Polk County, Florida. The Orlando premier was dedicated to Ryan's memory, and took place on the very day marking the beginning of the murder trial of the second of the two men charged with Ryan's murder. At his family's request, Mary and Vicki have served as spokespersons for Ryan's family.



Orlando shareholder Mary Meeks pictured with Stuart Milk and Vicki Nantz

A PLAY ON WORDS

By Derek Harris¹

On Thursday, September 17, 2009, the Tampa Bay Performing Arts Center held a private performance of *My Children! My Africa!* for Carlton Fields and our clients and business associates in recognition of Carlton Fields' sponsorship and support in bringing the play to the Tampa Bay Performing Arts Center (which since has been renamed the Straz Center for the Performing Arts). Those in attendance were treated to an exceptional stage play, as the cast held our rapt attention throughout both acts of this emotional drama.

My Children! My Africa! was written by Athol Fugard, a white South African playwright, novelist, actor, and director who is best known for his political plays opposing the South African system of apartheid. The story takes place in apartheid-era South Africa and focuses on apartheid's influence on three South Africans: Thami, a black male student; Isabel, a white female student; and their debate teacher, Mr. M, a man who has dedicated his life to teaching and mentoring his students. Following a debate between their respective schools, Thami and Isabel are selected to team up for a national debate competition. Despite their racial, generational, and socio-economic differences, Thami, Isabel, and Mr. M grow fond of each other, develop respect and appreciation for their diverse backgrounds and perspectives, and admire the passion and love each expresses for their fellow South Africans.

The story, however, is no fairy tale. As the story unfolds in 1984 during a time of civil uprising and revolt against the government's apartheid system, the play is charged with racial and political tension, which devolves into mob violence and ultimately costs one of the characters his life. Mr. M's refusal to join in the Comrades' revolution and his cooperation with government authorities in identifying

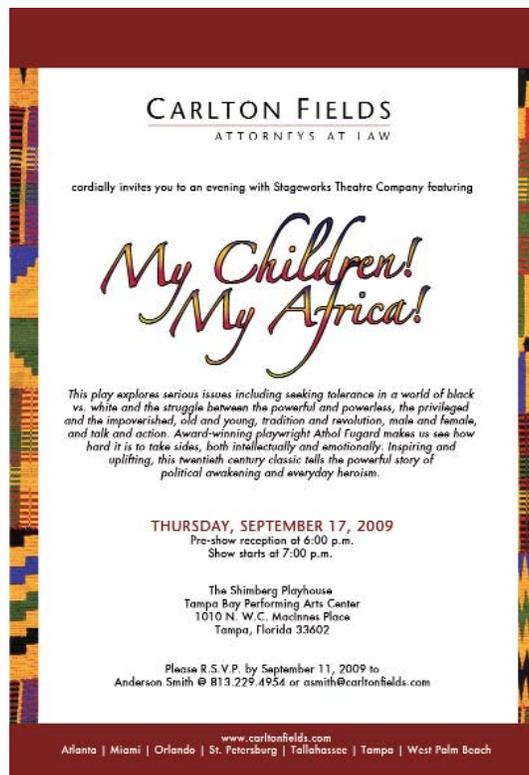
the leaders of the revolution results in an angry mob swarming the school house and dragging Mr. M off to be executed. Mr. M suffers a cruel and inhumane death as the mob kills him by giving him a "necklace" – that is by placing a rubber tire filled with gasoline over his chest and arms and setting it on fire.

Before meeting his demise, Mr. M gives one last lesson to his protégé, Thami. Mr. M. taught Thami the value of words. Upon learning that Thami is eager to take up arms and violently overthrow the government to end the oppressive system of apartheid, Mr. M offers Thami his English dictionary, which is his most prized possession. Thami rejects it, declaring, "The struggle doesn't need the big English words you taught me to how to spell." In response, Mr. M admonishes:

Be careful Thami. Be careful! Be careful! Don't scorn words. They are sacred! Magical! Yes, they are. Do you know that without words a man can't think? Yes, it's true. Take that thought back with you as a present from the despised Mr. M and share it with the Comrades. Tell them the difference between a man and an animal is that Man thinks, and he thinks with words.

...

If the struggle needs weapons give it words Thami. Stones and petrol bombs can't get inside those armored cars. Words can. They can do something even more devastating than that . . . they can get inside the heads of those inside the armored cars. I speak to you like this because if I have faith in anything, it is faith in the power of the word. Like my master, the great Confucius, I believe that, using only words, a man can right a wrong and judge and execute the wrongdoer. You are meant to use words like that.



¹ Derek Harris (Business Litigation & Trade Regulation) is an associate in the Atlanta office.

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RECENT ACHIEVEMENTS OF OUR WOMEN AND MINORITY ATTORNEYS

The Tampa Bay Partnership selected Carlton Fields President and CEO **Gary Sasso** to serve as its incoming Chair for the 2009-2010 term. Gary served as the Partnership's Secretary/Treasurer for the past year and led the organization's efforts to develop a blueprint for economic development. The Tampa Bay Partnership is a regional organization committed to pursuing prosperity for the region by developing a shared vision for growth and the development of quality places, creating jobs, promoting the creation of a world-class transportation system, engaging in advocacy at the local, state, and federal levels, and developing regional leadership.



Sasso

Miami shareholder **Kristy Johnson** (Health Care) was installed as President-Elect of the Miami-Dade Chapter of the Florida Association for Women Lawyers ("FAWL") at a special installation luncheon. Miami shareholder **Edith Osman** (Family Law), a past president of FAWL, also was recognized at the program for her numerous accomplishments and served as a keynote speaker introducing the recipient of FAWL's award honoring a woman of distinction in the profession. Miami-Dade FAWL's lunch program was attended by 250 members of the local legal community.



Johnson

In addition to being recognized at the FAWL luncheon, Edith recently received an appointment to the ABA Commission on Women, one of only five appointments to this prestigious Commission. Immediately upon being appointed, Edith was named Chair of the 20th Anniversary Margaret Brent Luncheon Awards program, which will be held at the ABA Annual Meeting in San Francisco in August 2010.



Osman

Tallahassee shareholder **Kelly Cruz-Brown** (Government Law & Consulting) was reappointed as Vice Chair of the American Bar Association Insurance Regulation General Committee within the Tort, Trial & Insurance Practice Section for the 2009-2010 year.



Cruz-Brown

The documentary "Choosing Absalon," produced by Orlando shareholder **Mary Meeks** (Business Litigation & Trade Regulation) and her partner, filmmaker Vicki Nantz, was recently screened at the 2009 Central Florida Film Festival and won the Festival's award for Best Gay Themed Film. "Choosing Absalon" also was screened in the Orlando office during Diversity Week, at the Global Peace Film Festival in September, and at the Tampa International Gay and Lesbian Film Festival in October.



Meeks

Mary also was invited to serve as a member of the Legal Panel Committee for the Central Florida ACLU. The Legal Panel screens citizen complaints and makes recommendations to the ACLU Board as to what complaints the ACLU will accept and agree to pursue as legal counsel.

West Palm Beach associate **Allison Kahn** (Labor & Employment) authored an article entitled "Eleventh Circuit: Consent to Join Doesn't Entitle a Putative Plaintiff to Discovery in a Suit Filed as an FLSA Collective Action." The article was published in the Summer 2009 edition of the American Bar Association Tort, Trial & Insurance Practice Section Employment Law and Litigation Committee newsletter.



Kahn

Miami shareholder **Jason Murray** (Business Litigation & Trade Regulation) was appointed Chair of the Diversity Committee for the Business Law Section of The Florida Bar. Jason will be responsible for structuring and launching the Section's diversity initiatives.



Murray

Jason also was appointed Chair of the Antitrust, Franchise & Trade Regulation Committee of the Business Law Section of The Florida Bar for the 2009-2010 term. Jason previously served as Chair of the Committee from 2003-2004. He also will continue to serve as a member of the Executive Council of The Florida Bar's Business Law Section.

Miami shareholder **Cristina Alonso** (Appellate Practice & Trial Support) was elected President of the Board of Directors of Florida Legal Services, Inc. and will serve on the Board of The Florida Bar Foundation.



Alonso

Cristina, along with Tampa shareholder **Joanna Garcia** and Miami associate **Angie Puentes-Leon**, recently received AV ratings from Martindale-Hubbell. An AV rating is the highest possible Martindale-Hubbell rating, and indicates that a lawyer has reached the height of professional excellence and is recognized for the highest levels of skill and integrity.



Puentes-Leon

Tampa shareholder **Kenya Reddy** (Business Litigation & Trade Regulation) was elected to the Board of Directors of Hillsborough Kids, Inc., which manages foster care, adoption, child abuse prevention, and family crisis intervention for children and families in Tampa and Hillsborough County.



Felix

Miami associate **Adrian Felix** (Business Litigation & Trade Regulation) was appointed to serve as Litigation Vice-Chair of the American Bar Association Young Lawyers Division (YLD). Adrian previously served as a Florida delegate to the ABA YLD Assembly during the 2009 Midyear meeting.

Atlanta of counsel **Nestor Rivera** (Health Care) was appointed Co-Chair of the Health Law Litigation Committee of the American Bar Association Section of Litigation. Nestor also was re-appointed Vice-Chair of the Coordinating Committee on Diversity for the ABA's Health Law Section.



Rivera

Tampa associate **Erin Banks** (Real Estate & Finance) was elected to the Board of Directors of the SPCA Tampa Bay. Erin also was appointed Co-Chair of the Real Property Section of the St. Petersburg Bar Association.

Tampa associate **Rachel May Zysk** (White Collar Crime & Government Investigations) was appointed the Hillsborough County Bar Association Criminal Law Section representative on the Hillsborough County Bar Association Pro Bono Committee.



Zysk

RECENT ACHIEVEMENTS CONTINUED

Miami shareholder

Nancy Ciampa

(Appellate Practice & Trial Support) was reappointed to the Board of Directors of Legal Services of Greater Miami, Inc. She was originally appointed to the Board in December 2006. Nancy is serving another three year term. LSGMI is a non-profit organization providing free legal services to income eligible persons residing in Miami-Dade and Monroe Counties.



Ciampa

Tampa shareholder **Joanna Garcia**

(Business Litigation & Trade Regulation) was appointed Co-Chair of the Hillsborough County Bar Association Diversity Committee for 2009-2010. Joanna also was appointed as the Chair-Elect of the Education Committee for the Equal Opportunity Law Section of The Florida Bar.

Tampa shareholder

Kathy McLeroy (Real

Property Litigation) was invited to become a Fellow of the American Bar Foundation. The Fellows is an honorary organization of attorneys, judges, law faculty, and legal scholars who



McLeroy

are elected by their peers to become members of The Fellows.

Tampa associate **Nicole Kibert** (Real Estate & Finance) spoke at The Florida Bar Environmental & Land Use Section Annual Law Conference. Nicole spoke on "Greenwashing," the term used to describe the practice of companies disingenuously "spinning" their products and policies as environmentally friendly.

Additionally, Nicole authored several chapters and is a co-editor of the Practical Legal Guide for the American Bar Association Section of Real Property, Trust and Estate Law. The Guide is entitled "Green Building and Sustainable Development: The Practical Legal Guide."

Lastly, Kibert spoke at the Society for Marketing Professional Services (SMPS) of Tampa Bay lunch program entitled Sparking the Economy: Sustainable Initiatives. The SMPS program was held on January 19 in Tampa. The panel discussion focused on the latest advances in environmental sustainability and the relevance to the Alternative Energy Industry, including: energy efficiency and conservation, green remediation and cleanup, redevelopment with renewable



Kibert

energy/wind/solar alternatives, water reuse/conservation, and LEED/Low Impact Development.

Tampa shareholder

Leslie Schultz-Kin

(Real Property Litigation) recently was elected President-Elect of Bay Area Legal Services (BALS). BALS is the only non-profit legal aid organization delivering civil legal services to low-income families in Hillsborough and Pasco Counties. Leslie will become President in 2011.



Schultz-Kin

Tampa associate **Jin Liu** (Real Estate & Finance) was recently appointed Co-Vice Chair of the International Investment Committee of the Real Property, Probate & Trust (RPPT) Section of the American Bar Association (ABA).



Liu

NEW FEMALE ATTORNEYS

Carlton Fields is pleased to announce the most recent women attorneys to join the firm.

Susan Spencer joined the firm in the Atlanta office as a shareholder in the Corporate, Securities & Tax Practice Group. Susan represents clients in mergers, acquisitions, dispositions, public and private sales of securities, leveraged buyouts, recapitalizations, commercial credit facilities, joint ventures, and other complex business transactions. Her practice spans a wide range of industries, including the financial services, transaction processing, franchising, life sciences, supply chain management, telecommunications, and technology industries. Susan also frequently advises clients and their management teams on fiduciary duty, organizational structuring, operating contract, and other general corporate matters. She received her J.D. from the William and Mary School of Law in 1993 and her B.A. from Bucknell University in 1990.



Spencer

Terresa Tarpley also joined the firm in the Atlanta office as a shareholder in the Corporate, Securities & Tax Practice Group. Terresa represents middle-market growth companies in complex corporate transactions, including equity and debt financings, mergers and



Tarpley

acquisitions, management buyouts, and joint ventures. She regularly advises clients on general corporate issues, such as corporate governance, fiduciary matters, and shareholder issues, and assists clients in the negotiation and drafting of significant operating contracts. Terresa has also represented numerous issuers and many underwriters in initial and secondary public offerings of securities. She received her J.D. from the Yale Law School in 1993 and her B.B.A., *summa cum laude*, from the University of Georgia in 1989.

Gavrila Brotz joined the firm as an associate in the Miami office. She practices in the firm's Business Litigation & Trade Regulation Practice Group. Gavrila focuses her practice on business and contract disputes and health care litigation. She has experience in the field of securities litigation, having represented broker-dealers and affiliated individuals in a variety of matters in state and federal courts and before industry self-regulatory organizations. Prior to joining Carlton Fields, Gavrila practiced with the law firm of Bressler, Amery & Ross. She received her J.D., *magna cum laude*, from the University of Miami School of Law in 2006 and her B.A. from Tufts University in 1998.



Brotz

Shellie Hammock joined the firm in the Atlanta office as an associate in the Corporate, Securities & Tax Practice Group. Shellie concentrates her practice on public and private company mergers and acquisitions, securities regulation, debt and equity financings, corporate governance, and general corporate matters. She represents companies at all stages of development in a variety of industry sectors, including telecommunications, financial services, restaurant and food service, real estate, and green agriculture. Shellie received her J.D., *cum laude*, from the Mercer University Walter F. George School of Law in 2004 and her B.A. from Furman University in 2001.



Hammock

Mandy Romfh joined the firm in the West Palm Beach office as an associate in the Business Litigation & Trade Regulation Practice Group. Mandy was a Guardian Supervisor for the Guardian ad Litem Program in Miami from 2005-2006, a Legal Extern for the United States Attorney's Office in 2007, and a Carlton Fields Summer Associate in 2008. She received her J.D., *magna cum*



Romfh

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NEW FEMALE ATTORNEYS CONTINUED

laude, from the University of Florida Frederic G. Levin College of Law in 2009 and her B.A. from the University of Chicago, with honors, in 2004.



Swing

Morgan Swing joined the firm in the Miami office as an associate in the Business Litigation and Trade Regulation Practice Group. Prior to joining Carlton Fields, she was an associate with Coffey Burlington. Morgan received her J.D. from The George Washington University Law School in 2005 and her B.A. in Spanish, *cum laude*, from Yale University in 2002.

Prior to joining Carlton Fields, April served as a Law Clerk/Attorney with Skelton, Willis, Bennett & Wallace, LLP, and in 2008, she was a summer associate in the firm's Tampa office. She received her J.D., *cum laude*, from the Stetson University College of Law in 2009 and her B.A., *cum laude*, from the University of Florida in 2006.



Justus

April Justus joined the firm in the Tampa office as an associate in the Construction Practice Group.



Massave

Naomi Massave joined the firm in the Miami office as an associate in the Business Litigation & Trade Regulation Practice Group. Prior to joining Carlton Fields, Naomi was an extern with the Securities and Exchange Commission and she was a 2007 summer associate in the firm's Miami office. She received her J.D. from the University of Michigan Law School in 2009 and her B.A. from Yale University in 2004.

MR. GANS CONTINUED

Gans lost 15 members of his family to the Holocaust and was the only member of his immediate family to survive. He was 17 years old at the time of his liberation.

Today, Mr. Gans travels the country educating others about the Holocaust. He spoke to approximately 9,700 people in 2008 and had already spoken to 6,800 people by July 2009, when he visited Carlton Fields. The first thing he tells audiences is to erase the word "hate" from their dictionaries. He distributes a card with a summary and chronology of his life from ages 14 to 17. At the end of the card, there is this message:

There is but one land
There is but one population
There is but one religion
Our Earth
Humanity
Love

A PLAY ON WORDS CONTINUED

Mr. M's final pearl of wisdom to Thami should resonate with each of us who make the law our calling and frequently find ourselves at the forefront of struggle acting as the engine for change, the voice for the oppressed, and the moral compass of the masses. Without words, there never could have been a Declaration of Independence nor a United States Constitution. Without words, Abraham Lincoln could not have delivered the Emancipation Proclamation. Without words, Dr. King could not have shared with us his dream of America's promise and its destiny. Without words, we could not advocate our clients' causes and interests. The effectiveness and persuasiveness of our written work product and oral presentations are fundamentally dependent on the selection and organization of the words we use to set forth our positions. Words are our currency. Thus, we must be ever cognizant of the value of words and the power they hold.

Mr. M's speech about the power and magic of words is not just a lesson for Thami; it is an invaluable message to us all. As aptly proclaimed by one of the most revered teachers of men, "Whatever words we utter should be chosen with care, for people will hear them and be influenced by them for good or ill." –Buddha

For more information on the **Carlton Fields Diversity Newsletter**, *Mosaic*, please contact: **Kenya J. Reddy**, at 813.229.4331 or by email at kreddy@carltonfields.com

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