

Pro Bono News

FALL 2020

From Oct. 26 to Oct. 30, the firm is celebrating Pro Bono Week. It celebrates pro bono participation and those who give their time and talents across many professions to make a positive difference in local communities around the world. We would like to dedicate this issue of Pro Bono News to everyone at the firm who volunteers to assist our pro bono clients and helps us promote Kramer Levin's continued commitment to pro bono work.

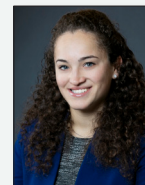
In This Issue

Kramer Levin Racial Justice Initiative
Pro Bono Program Spotlights
Pro Bono Successes
Transactional Law Highlights
Bankruptcy and Restructuring Law Highlights
Name Changes
Amicus Briefs
Immigration Law Highlights
Pro Bono Advocacy
Honors and Awards

Congratulations and Welcome to the New Pro Bono Committee Members!



Colin Bumby
Partner
Corporate



Anna Boltzanskiy
Associate
Litigation

Kramer Levin Racial Justice Initiative

In response to and in support of the clear and continued outcry for racial and social justice, Kramer Levin has established the Racial Justice Initiative. This important initiative, which is led by our Pro Bono Committee, pursues pro bono opportunities focused on racial injustice and inequality, including criminal justice reform, which has been a long-standing focus of our pro bono work. We remain committed to supporting actions that can effect real change.

More than 120 volunteers, staff and attorneys are engaged, working on a variety of projects. Some of them are highlighted below.

Assistance to Arrested Protestors, The Legal Aid Society

Kramer Levin joined the Legal Aid Society's "Cop Accountability Clinic," formed to help community members who were falsely arrested or were victims of police misconduct during the protests in New York City over the summer. Attorneys are educating and guiding folks through the steps required for filing a complaint with the Civil Complaint Review Board (CCRB).

Pro Bono Committee

Chris Auguste	Susan Jacquemot
Aaron Frankel Co-chairs	Sam Koch
Anna Thea Bridge Director of Professional Development	Michael Korotkin
Jamie Porco Associate Director of Professional Development and Pro Bono Programs	Darren LaVerne
Michelle Ben-David	Hannah Lee
Barry Berke	Daniel Lennard
Dan Berman	Gil Liu
Anna Boltzanskiy	Laurence Pettit
Colin Bumby	Andrew Pollack
PJ Campbell	Jacqueline Ryu
Rita Celebrezze D'Souza	Robert Schmidt
Samantha Ettari	Norman Simon
Sarah Hanson	Steven Sparling
Barry Herzog	Daniel Stewart
	Gary Tarnoff
	Jeffrey Taub
	Jeff Trachtman
	Reyhan Watson

Kramer Levin Racial Justice Initiative (cont.)

Voting Hotline, Election Protection

Election Protection is the nation's largest nonpartisan voter assistance organization. Kramer Levin volunteers are staffing phone banks to answer voter questions and ensure fair voting practices throughout the country in advance of Election Day.

Election Day Poll Monitoring, Asian American Legal Defense and Education Fund

Kramer Levin volunteers signed up to be nonpartisan poll monitors at various election sites in New York City on Election Day. The project focuses on ensuring that everyone who should be able to vote is not turned away, and that conditions at the polling stations are as they should be.

Kramer Levin Joins Law Firm Antiracism Alliance (LFAA)

Kramer Levin has joined the Law Firm Antiracism Alliance (LFAA), whose growing membership features more than 120 firms across the United States. The LFAA was formed to leverage resources from the private bar in conjunction with legal service organizations to amplify the voices of communities and individuals oppressed by racism, and to use the law as a vehicle for change that benefits communities of color. Together with our recently formed Racial Justice Initiative, our membership in the LFAA underscores the firm's commitment to promoting racial equality and working against discrimination in any form.

The LFAA was also profiled in the American Lawyer article found [here](#).

Neighborhoods Now, Urban Design Forum and Van Alen Institute

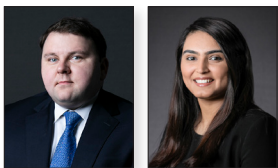
The COVID-19 pandemic has disproportionately affected communities of color, and it threatens to expand the racial wealth gap in neighborhoods that already lack access to resources as a result of long-term structural inequities. In response, Urban Design Forum and Van Alen Institute launched Neighborhoods Now, an initiative connecting four neighborhoods hit hard by the COVID-19 pandemic (Bed-Stuy, Washington Heights, Kingsbridge and Jackson Heights) with law firms, design professionals and community health experts to develop safe and effective reopening strategies.

We are advising community-based organizations on a range of legal issues that have arisen relating to permitting and city requests, Department of Buildings complaints, leasing challenges, nonconforming uses, and others.

Veterans Assistance Project, City Bar Justice Center

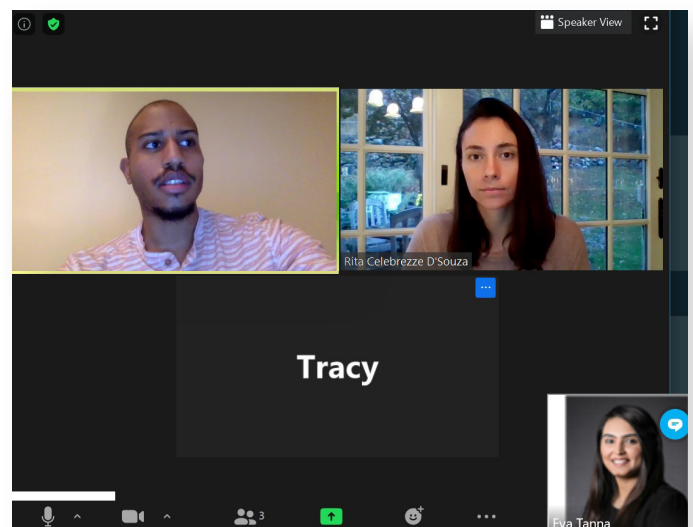
The Veterans Assistance Project helps disabled veterans apply for medical benefits after they have been previously denied. The disabled veteran client base is approximately 75% persons of color, and these New Yorkers typically face a range of systemic challenges on top of handling often deeply difficult disability conditions. Kramer Levin attorneys are working with those veterans whose claims have been denied to assist them in assessing their claim and preparing the necessary paperwork.

Small Business Clinic, NYC Business Solutions



Kramer Levin is collaborating with the Harlem and Morningside Heights offices of NYC Business Solutions to help low- and lower-income entrepreneurs in Upper Manhattan and the Bronx as they restart, maintain and grow their businesses.

Many of these businesses have been especially hard hit by COVID-19 and the shutdown. They are in great need of legal assistance — whether it be in regards to Paycheck Protection Program loans and forgiveness; seeking debt and contractual forgiveness with existing vendors, service providers and lenders; or challenges regarding reopening, etc. Kramer Levin is hosting monthly clinics to assist those businesses. Corporate partner **Colin Bumby** and Corporate associate **Eva Tanna** are spearheading this effort.



Kramer Levin lawyers meet with clients at the virtual clinic.

Pro Bono Program Spotlight

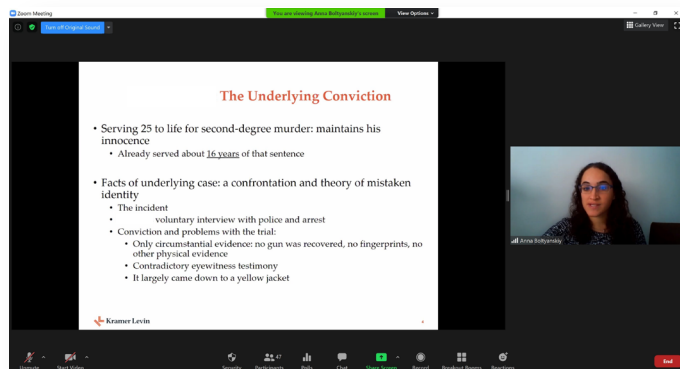
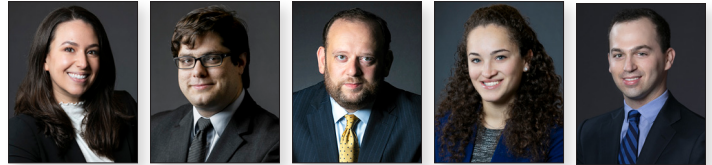
Chris Auguste Speaks at VOLS Leadership Summit 2020

In June, Corporate partner **Chris Auguste** participated in a panel on “Integrating Pro Bono and DEI Programs” at the VOLS Leadership Summit titled “Aligning Pro Bono and Diversity, Equity & Inclusion (DEI) Initiatives to Better Serve our Communities.” Chris was able to provide unique and valuable insights on the panel as chair of the Diversity Committee and co-chair of the Pro Bono Committee and share the innovative ways Kramer Levin is aligning diversity and pro bono efforts.

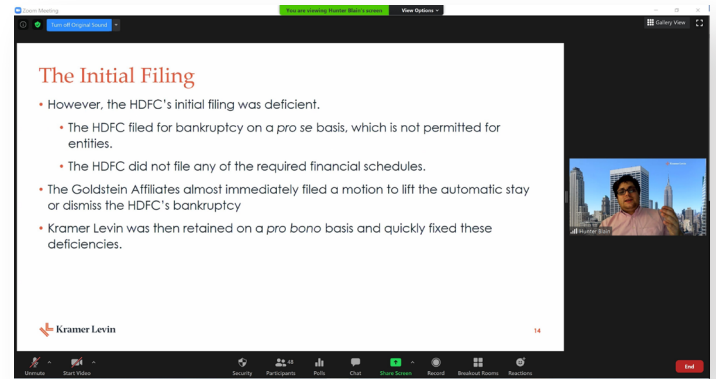


Mentor/Mentee Pro Bono Meeting

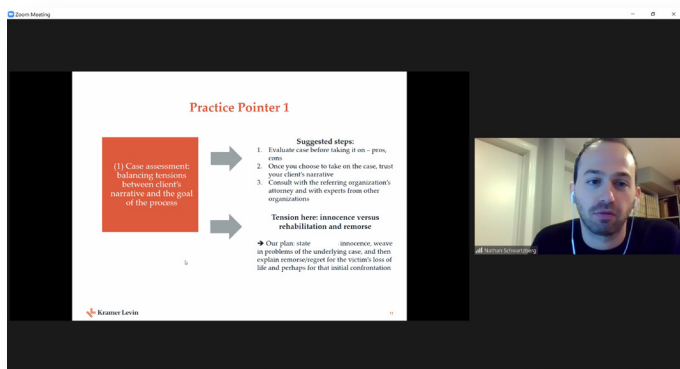
We continued to host our mentor/mentee gatherings virtually during the summer. At our meeting on July 28, mentor/mentee pairs presented on recent pro bono matters they worked on together. Bankruptcy and Restructuring associates **Rose Bagley**, **Hunter Blain** and special counsel **Joseph Shifer** presented on their assistance to the 2178 Atlantic Avenue Housing Development Fund Corp. and Litigation associates **Anna Boltzanskiy** and **Nathan Schwartzberg** presented on a State Clemency Petition. Our next virtual Mentor/Mentee Pro Bono Meeting will be hosted during Pro Bono Week, on Oct. 28.



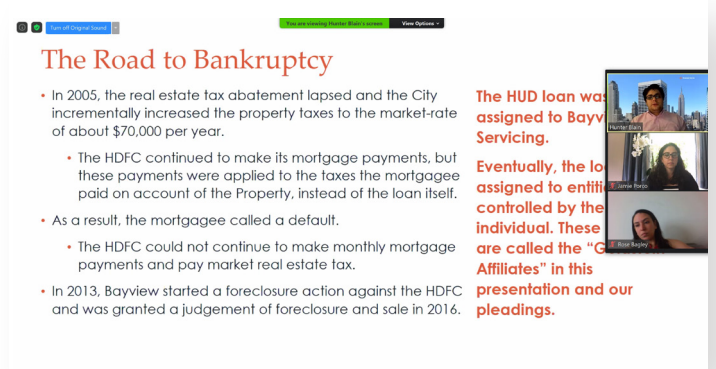
Anna Boltzanskiy presents.



Hunter Blain presents.



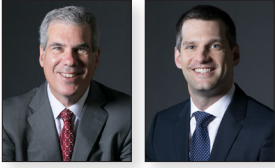
Nathan Schwartzberg presents.



Hunter Blain and Rose Bagley present.

Pro Bono Successes — Transactional Law Highlights

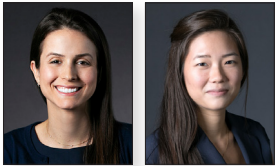
KL Assists Charter School



School in the Square is a charter school in the Washington Heights and Inwood neighborhoods of Manhattan, bringing together communities and providing a differentiated and inclusive learning environment for its

students. In 2016, Kramer Levin represented School in the Square in negotiating the lease for its middle school. The school has flourished since then and needed to expand to include a school for kindergarten through fifth grade. The firm assisted School in the Square in negotiating a lease with a church in Inwood and the Archdiocese of New York. The school will start with kindergarten only and add an additional grade each year over the succeeding five years; therefore, the lease provides for the expansion of space as the school grows. Real estate partner **Neil Tucker** and associate **Seth Niedermayer** worked on the matter.

KL Successfully Negotiates Termination of Lease



Dr. Michael Grove sought pro bono representation to help him terminate his office lease in Manhattan due to the COVID-19 pandemic. Through City Bar Justice Center's Covid Small Business Clinic, Kramer Levin's

Corporate and Real Estate group guided Dr. Grove through the negotiation process with his landlord, helped him compile evidence and assisted in drafting a letter to his landlord. Kramer Levin successfully assisted Dr. Grove in terminating his lease without penalty. The Kramer Levin team included Corporate associate **Zoe Sternberg** and Real Estate associate **Jacqueline Ryu**.

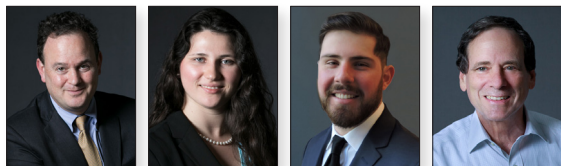
KL Assists the Society of Friendly Sons of St. Patrick in the City of New York



Kramer Levin successfully renegotiated numerous contracts for the Society of Friendly Sons of St. Patrick in the City of New York, New York City's oldest continuously operating charitable organization. The

organization was impacted by the COVID-19 pandemic, and its annual St. Patrick's Day gala was canceled for the first time since 1860. Corporate partner **Richard Farley** and secretary **Jessica Moran** worked on these matters.

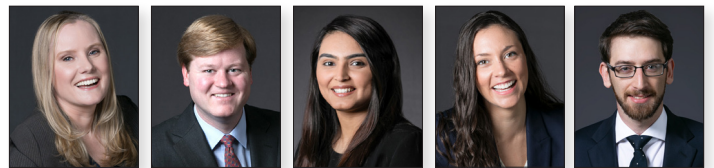
KL Obtains Tax-Exempt Status for the Long Island Center for Tourette and Associated Disorders



Kramer Levin successfully obtained Section 501(c)(3) tax-exempt status for the Long Island Center for Tourette and Associated

Disorders (LICT). LICT is a local organization for families affected by Tourette, providing medical referrals, educational resources, and other opportunities for connection and adjustment. It is led by Cathy Budman, M.D., a child psychiatrist and Hofstra medical professor who is one of the nation's leading authorities on movement disorders. Corporate partner **Daniel Rabinowitz** helped organize LICT as a legal entity in 2017 and serves on its board of trustees. Tax associate **Mariya Khvatskaya** provided key advice, particularly in the early stages of organizing the entity and preparing it for tax-exempt status. Paralegal **Shane Puglisi** assisted with New York Secretary of State filings required in connection with IRS comments on the tax-exemption application. **Reid Feldman**, a Corporate partner from the Paris office, provided invaluable assistance and input.

KL Assists AsOne Collaborative Inc.



Kramer Levin recently incorporated and obtained tax-exempt status for AsOne Collaborative Inc., a nonprofit organization formed by six New York City health care organizations to coordinate their fundraising and research efforts. AsOne Collaborative Inc. develops and evaluates family-based models of care, with the aim of breaking the cycle of co-occurring illnesses that afflict high-risk communities. The Kramer Levin team consisted of Corporate special counsel **Darina Delappe** and associates **Christian Witzke** and **Eva Tanna**, and Tax associates **Rita D'Souza** and **Nathan Gusdorf**.

KL Helps Seido Juku Benefit Foundation Negotiate a Lease Modification



This summer, Real Estate partner **Josh Winefsky** and Corporate partner **Gilbert Liu** represented pro bono client Seido Juku Benefit Foundation in the negotiation of a lease modification for its new

Manhattan karate dojo. The buildout of the dojo was underway this spring when the arrival of COVID-19 resulted in a shutdown of construction and otherwise threatened our client's ability to open the dojo and operate a viable business. The lease amendment benefits our client by providing a significant rent abatement that coincides with an extended period of time needed to complete the buildout of the space. Ideally, these changes will allow Seido Juku to endure the current public health and economic crises and ultimately be in a position to thrive in its new home.

Pro Bono Successes (cont.) — Bankruptcy and Restructuring Law Highlights

KL Steers Pro Bono Client 2178 Atlantic Avenue HDFC Through Chapter 11 Case



Kramer Levin achieved a significant win for 2178 Atlantic Avenue HDFC, a nonprofit housing cooperative of low-income tenants

residing in a 16-unit residential building located in Brownsville, when its Chapter 11 plan of reorganization was confirmed and consummated following a protracted court battle.

The housing development fund company (HDFC) filed for bankruptcy protection in the United States Bankruptcy Court for the Eastern District of New York following a foreclosure auction in which a real estate investor gained title to the building. The Kramer Levin team's successes included defeating the investor's motion to lift the automatic stay, and, following a contested evidentiary hearing, prevailing on a motion to extend the HDFC's time to regain title to the building. The Kramer Levin team successfully argued that numerous irregularities in the foreclosure process warranted such an extension, an unprecedented result, as there are no reported decisions in which the relief requested was granted. The Kramer Levin team also successfully defended the decision from various stay motions filed with the bankruptcy court, the district court and the Second Circuit.

Utilizing the additional time granted by the bankruptcy court, the HDFC proposed and moved for confirmation of a Chapter 11 plan of reorganization predicated on financing from Habitat for Humanity New York City Community Fund. The Kramer Levin team defended the plan from objections by the investor and defended multiple depositions of confirmation witnesses. The Kramer Levin team then litigated the amount that the investor was owed, which was resolved in mediation at a significant discount to the asserted amount.

The Kramer Levin Bankruptcy and Restructuring team was led by special counsel **Joseph Shifer** and includes partners **Douglas Mannal** and **Bradley O'Neill**, counsel **David Blabey**, and associates **Rose Bagley** and **Hunter Blain**. Since exiting bankruptcy, the HDFC continues to be represented by real estate partner **Nathalia Bernardo** and associate **M. Mendel Trapedo**.

KL Assists Everytown for Gun Safety in Bankruptcy of "Saturday Night Special" Manufacturer



Everytown for Gun Safety has long pursued litigation, as well as advocacy, to stem the trafficking of cheap handguns known as "Saturday Night Specials" into America's cities. But the manufacturers of these guns often frustrate these litigation efforts by filing for bankruptcy and then selling their assets to affiliates who continue the business under a new name. The latest such bankruptcy was filed in February 2020 by Jimenez

Arms, Inc., a Nevada-based gun maker that had sold cheap handguns to a gun trafficking ring in Kansas City, Missouri. Jimenez Arms filed for bankruptcy shortly after suits were filed against it by the city of Kansas City and the parents of a young man shot and killed by a Jimenez Arms gun. Everytown Law, which represents Kansas City and the victim's parents in these suits, tapped Kramer Levin to assist it in the bankruptcy. When Jimenez Arms' Chapter 7 trustee put the company's assets up for sale and Jimenez Arms' owner indicated an interest in bidding, Kramer Levin helped Everytown prepare a winning bid for the assets. (Everytown is now working with a federal firearms licensee to destroy the guns.) In addition, Everytown and Kramer Levin have been working with the trustee to develop alter ego, fraudulent transfer and other claims against Jimenez Arms' former president and his affiliates. The KL team includes Bankruptcy partners **Philip Bentley** and **Robert Schmidt**, Bankruptcy associate **Priya Baranpuria** and law clerk **Zoe Essner**, and Bankruptcy paralegal **Samuel Beck**.

Name Changes

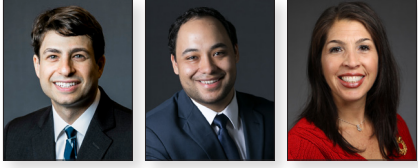
KL Obtains Name Change for Transgender Client



In July 2020, Litigation associate **Seth Schinfeld**, with assistance from managing clerk **Liliya Suris**, successfully petitioned the Civil Court of the City of New York for a legal name change for O.D., a transgender client referred to the firm by the Transgender Legal Defense & Education Fund (TLDEF). O.D. (pronouns: they/them/theirs) was assigned female at birth but identifies as gender nonbinary. O.D. worked closely with the Kramer Levin team to facilitate their name change and is excited to be recognized by their chosen name.

Pro Bono Successes (cont.)

KL Obtains Name Change for V.F., Clinic Client



Litigation associate **Daniel Sugarman** successfully assisted a transgender client, V.F., in obtaining a legal name change. V.F., who

was assigned male at birth, sought a name change so that her legal identity would match her lived experience as a female. V.F. was originally referred to the firm by TLDEF during an on-site name change clinic sponsored by Kramer Levin and firm client Standard Chartered Bank. Litigation associate **Reyan Watson** supervised the matter and paralegal **Pamela Badolato** provided additional assistance. A special thank-you to Donna Hill, senior legal counsel at Standard Chartered Bank, for her work with V.F. during the clinic.

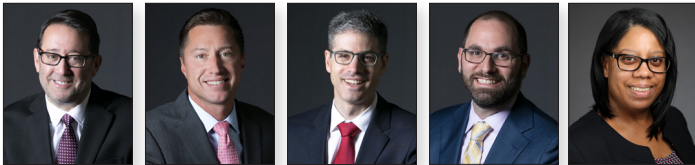
KL Obtains Name Change for Clinic Client



In connection with the Name Change Pro Bono Clinic Kramer Levin held together with Standard Chartered Bank and the TLDEF earlier this year, Employment associate **Sarah Hanson** assisted GP in successfully changing his name to align with his gender identity. GP is thrilled and even requested a copy of his name change publication as a token to remember this important life event. Managing clerk **Liliya Suris** was critical in achieving this successful outcome.

Amicus Briefs

KL Amicus Files LGBT Rights Amicus Brief in Supreme Court



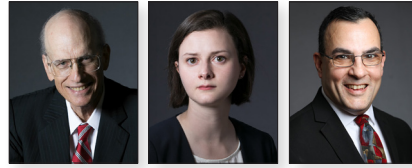
Kramer Levin has filed an amicus brief in the U.S. Supreme Court on behalf of mainstream religious organizations and hundreds of individual faith leaders in an important LGBT rights case, *Fulton v. City of Philadelphia*. The case addresses the claimed right of a foster care agency to refuse, on religious liberty grounds, to certify otherwise-qualified same-sex couples as foster parents, notwithstanding antidiscrimination provisions in the agency's contract with the city of Philadelphia. Our clients included the president of the House of Deputies of The Episcopal Church; the Rabbinical Assembly; the Central Conference of American Rabbis; and the Central Atlantic, Penn Northeast, Pennsylvania Southeast and Penn West Conferences of the United Church of Christ, among others.

The Kramer Levin brief in *Fulton* documents the growing support among mainstream U.S. religions for fair and equal treatment under the law for LGBT individuals and their families.

The Kramer Levin team that drafted the brief includes Litigation partners **Jeffrey Trachtman** and **Norman Simon** and special counsel **Tobias Jacoby** and **Jason Moff**, with assistance from former associate Benjamin Neuhaus. Litigation paralegal **Denise Reid** assisted in preparation of the brief.

Read the full brief [here](#).

KL Files Amicus Brief in Support of States' Landmark Authority to Set Protective Clean Car Standards



Kramer Levin filed an amicus brief in the D.C. Circuit on behalf of three Clean Air Act experts and former Environmental Protection

Agency regulators — Thomas C. Jorling, Michael P. Walsh and Margo T. Oge — in support of a broad coalition of stakeholders, including the Environmental Defense Fund (EDF), 23 states, businesses including Tesla and Rivian, and others that have sued the Trump administration over its attempt to invalidate states' long-standing authority to set clean car standards that are more protective than the federal standards. A copy of the brief can be seen on the [EDF's website](#).

The Kramer Levin team included Environmental partner **Charles Warren** and associate **Julia Quigley**. Litigation paralegal **Santo Cipolla** assisted.

SCOTUS Overturns Louisiana Anti-Abortion Law; Kramer Levin Provided Brief Challenging the Law



On June 29, a 5-4 majority of the U.S. Supreme Court struck down a Louisiana law restricting abortions. The law was nearly identical

to a Texas law that the justices invalidated in 2016. Kramer Levin filed an amicus brief in support of this important victory.

The decision, *June Medical v. Russo*, is the Supreme Court's first major abortion ruling since *Whole Woman's Health v. Hellerstedt* in 2016, in which the Court held a Texas statute requiring doctors providing abortions to have admitting privileges at local hospitals and clinics placed an undue burden on the ability of women to obtain pre-viability abortions. In *June Medical*, the Supreme Court held that a nearly identical Louisiana law similarly placed an undue burden on women's access to abortion and was invalid. Justice Breyer, joined by Justices Ginsburg, Sotomayor and Kagan, delivered a plurality opinion. Chief Justice Roberts filed an opinion concurring in the judgment. The plurality makes clear that under *Whole Woman's Health and Planned Parenthood of Southeastern Pa. v. Casey*, courts must weigh the burdens a law imposes on abortion access against the medical benefits the law confers. The Court found the evidence supporting the district court's factual findings that Louisiana's admitting privileges requirement serves no relevant function was even stronger and

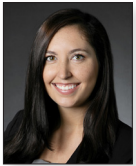
Pro Bono Successes (cont.)

more detailed than in *Whole Woman's Health*. Critically, a majority of the court, with the chief justice joining the plurality, confirmed that abortion providers have third-party standing to assert the constitutional rights of their patients.

Kramer Levin filed an amicus brief on behalf of 11 women who chose to have an abortion. Because some members of the Supreme Court may believe they have never met anyone who has had or needed an abortion, our clients came forward to share their personal stories. Their stories demonstrate the enormous burden that limited access to abortion imposes, the obstacles to pursuing litigation that individual women face, and the reasons why abortion providers should continue to have standing to assert the constitutional right to abortion.

The brief urging the Supreme Court to reject Louisiana's admitting privileges law and arguments against standing was prepared by litigation partner **Michael Dell**, associates **Aaron Webman** and **Irene Weintraub**, and former associate Evie Spanos.

KL's Role in SCOTUS Title VII Case Contributes to Win for LGBTQ+ Rights



The U.S. Supreme Court ruled 6-3 that Title VII's ban on sex discrimination in employment covers gay and transgender people. This is a major civil rights victory and a particularly important "first" for transgender rights. Kramer Levin helped achieve this victory by [submitting an amicus brief](#) on behalf

of a wide coalition of mainstream religious stakeholders in favor of vigorous and evenhanded enforcement of civil rights statutes. The firm also did related work on these issues at the state law level on behalf of Freedom for All Americans.

The Kramer Levin team that drafted the brief includes litigation partners **Jeffrey Trachtman** and **Norman Simon**, special counsel **Jason Moff**, employment associate **Emily Wajert**, and former associate Allison Parr.

KL Wins Argument on Behalf of the Innocence Project



Kramer Levin, representing the Innocence Project Inc. and the Midwest Innocence Project, as amici curiae in the Missouri Supreme Court, filed a brief in *State v. Carpenter* arguing that the trial court erred when it refused the defendant's request for expert witness testimony on eyewitness identifications. The state's case was largely based on an eyewitness identification of the

defendant that carried many of the risks social scientists have warned may produce unreliable identifications.

The brief discussed the scientific and legal consensus that favors permitting expert testimony on factors that affect the reliability

of eyewitness identifications. It also argued that the testimony would not invade the province of the jury, because it would help jurors assess the reliability of the identification, not the witness's credibility. Furthermore, the brief argued that trial procedures, such as cross-examination, attorney arguments and jury instructions, previously articulated by the Missouri Supreme Court as safeguards against mistaken eyewitness identifications, were insufficient protections in the case of an honest but mistaken eyewitness.

In a decision issued on Sept. 1, 2020, the Missouri Supreme Court determined that the trial court erred. Noting the scientific research on eyewitness identifications was as "nearly unanimous as it is possible to be," the court found that the expert testimony "was admissible because it would have helped the jury understand that [the victim] could honestly believe [the defendant] robbed him — and testify credibly and with 'one hundred percent certainty' to that effect — and still be wrong." The court also found its previous analysis concerning procedural safeguards was "skewed" and inadequate to inform the jury of the factors affecting the reliability of an eyewitness identification.

With this victory, the Missouri Supreme Court overturned a 30-year de facto ban on expert eyewitness identification testimony in the state of Missouri. The Kramer Levin team consisted of litigation counsel **David Frankel**; associates **John McNulty**, **Aaron Webman** and **Rachel Goot**; and paralegal **Phil King**.

Immigration Law Highlights



KL Wins Rare Reversal on Appeal for Cuban Activist Initially Denied Asylum

Kramer Levin Intellectual Property associate **Austin Manes** won asylum

from the Board of Immigration Appeals (BIA) for a Cuban activist who was repeatedly intimidated, arrested, beaten, detained and tortured by Cuban authorities for his anti-Castro demonstrations. Prior to Kramer Levin's involvement, an immigration judge denied asylum, finding our then-pro se client did not demonstrate past persecution, a well-founded fear of future persecution or that he would likely be persecuted for his political opinion if he returned to Cuba. Based on Kramer Levin's arguments, the BIA reversed on appeal (a very rare outcome), finding "legal and clear error" in the immigration judge's denial. The BIA concluded that our client had demonstrated past persecution and a well-founded fear of future persecution in Cuba, and remanded the matter solely for the required security checks. Intellectual Property partner **Aaron Frankel** supervised the appeal.

Pro Bono Successes (cont.)

KL Scores Wins on Behalf of SIJS Client



Kramer Levin attorneys successfully obtained a custody order and an order of special findings in Richmond County court through a remote hearing before a referee on behalf of our client, a minor from Honduras who is petitioning for Special Immigrant Juvenile Status (SIJS) in immigration court. The matter is staffed by Litigation associates **PJ Campbell** and **Andrea Maddox**, with assistance from

secretaries **Ines Dominguez** and **Gisselle Sabala**.

KL Successfully Obtains a Need-Based Waiver of USCIS Fees for Client



Kramer Levin successfully obtained a need-based waiver of the fees typically imposed by U.S. Citizenship and Immigration Services (USCIS) on an application for work authorization for the benefit of our client and her young daughter, both asylum applicants. Our client approached Kramer Levin for

assistance in this matter after meeting Kramer Levin attorneys at our monthly free legal clinic at P.S./M.S. 188, the Island School. The team included Tax associate **Rita D'Souza**, paralegal **Santo Cipolla** and secretary **Ines Dominguez**.

KL Obtains Asylum for Pro Bono Client From Jamaica



Kramer Levin obtained asylum for Mr. Andrew McLaughlin, a Jamaican citizen, and his daughter. Mr. McLaughlin had been repeatedly harassed and attacked in his home country on account of his sexual orientation. Over three years after Mr. McLaughlin applied for asylum, he received

his asylum approval. During that time, Mr. McLaughlin obtained authorization for employment in the U.S. The Kramer Levin team included Litigation associate **Daniel Lennard** and paralegal **Santo Cipolla**.

Pro Bono Advocacy

KL Successfully Secures Compassionate Release for Pro Bono Client Ivars Ozols



Following appointment as defense counsel pursuant to the Criminal Justice Act by the Hon. Jesse Furman in the Southern District of New York, Kramer Levin successfully secured the compassionate release of pro bono client Ivars Ozols, who was incarcerated at a federal correctional institution in Jesup, Georgia (FSL Jesup). In our motion, we argued that decreasing the inmate population in

the midst of the COVID-19 crisis, where consistent with public

safety, is an “extraordinary and compelling” reason justifying release, particularly where the defendant (like Mr. Ozols) has served most of his sentence and worked hard to rehabilitate himself while incarcerated, and the objectives of sentencing have been achieved. On June 2, Judge Furman ruled that Mr. Ozols should be released immediately, substantially for the reasons set forth in our brief. The Kramer Levin team representing Mr. Ozols includes Litigation partner **Darren LaVerne**; associates **Nolan Robinson**, **Samantha Alman** and **Rupita Chakraborty**; and paralegal **Santo Cipolla**.

KL, Co-Counsel Secure Abortion Rights Victory in TN: Federal Court Overturns 48-Hour Waiting Period



Kramer Levin and its co-counsel, the Center for Reproductive Rights and Planned Parenthood, suing on behalf of a group of Tennessee abortion providers, won a complete victory on Oct. 14, after a one-week trial in Tennessee federal court challenging Tennessee’s delay law, which requires

women to make two visits to a physician, 48 hours apart (or if that was found unconstitutional, 24 hours apart), before getting an abortion. Federal District Judge Bernard Friedman found the statute unconstitutional and enjoined it in a 136-page ruling. Judge Friedman found, “It is apparent that this waiting period unduly burdens women’s right to an abortion and is an affront to their ‘dignity and autonomy,’ ‘personhood’ and ‘destiny,’ and ‘conception of [their] place in society.’” “These burdens are especially difficult for low-income women to overcome, and the evidence clearly shows that the vast majority of women seeking abortions in Tennessee are low income. ... Defendants’ suggestion that women are overly emotional and must cool off or calm down before having a medical procedure that they are entitled to have, is highly insulting and paternalistic — all the more so given that no such waiting periods apply to men.” In 1992, the Supreme Court in *Planned Parenthood v. Casey* upheld a 24-hour Pennsylvania waiting period because the district court did not conclude that the increased costs and potential delays amount to substantial obstacles. Judge Friedman found that our challenge to the Tennessee law “has what was lacking in Casey: a fully developed record that clearly shows the extent to which the mandatory waiting period places a substantial obstacle in the way of women seeking an abortion. Plaintiffs in the present case have proven with overwhelming evidence that the 48-hour waiting period (in addition to serving no legitimate purpose) severely burdens the majority of women seeking an abortion.”

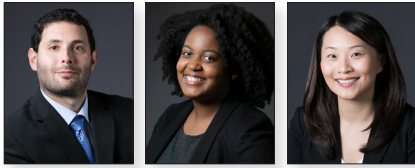
The case is *Bristol Regional Women’s Center, P.C., et al. v. Slattery*. Litigation associates **Catherine Hoge** and **Irene Weintraub** conducted direct examinations of two of plaintiffs’ experts at trial, and former associate Timur Tusiray cross-examined the state’s only fact witness. Litigation partner **Michael Dell** and special counsel **Jason Moff** cross-examined the state’s two expert witnesses. Paralegal **Denise Reid** provided valuable assistance.

Read the judgment [here](#).

Read the decision [here](#).

Pro Bono Successes (cont.)

KL Successfully Represents Client in Challenge to Revoke Section 8 Housing Voucher



Kramer Levin successfully represented Ms. H in administrative proceedings challenging the revocation of her Section 8 Housing

Voucher following a prior eviction. The matter settled on the morning of Ms. H's administrative hearing when the New York City Housing Authority (NYCHA) agreed to reinstate her voucher. When NYCHA later rejected Ms. H's new housing application, on the grounds that it exceeded the maximum allowable rent, Kramer Levin was able to obtain a favorable reevaluation. Ms. H and her children have left the shelter they moved to after her eviction and are now settled in their new home. Litigation associates **Zachary Naidich** and **Danielle Moody** worked on the matter under the supervision of Litigation partner **Claudia Pak**.

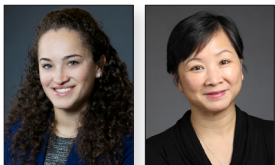
KL Successfully Petitions Removal of Client From the NY State Central Register



Litigation associate **Seth Schinfeld** and Corporate associate **Jeffrey Taub**, working with Brooklyn Defender Services, successfully petitioned New York State's Statewide Central Register of Child Abuse and Maltreatment to remove the name of a client who was wrongfully listed there. The client

was listed in connection with a petition in Family Court, alleging the client's daughter was abused by a third party that had not had contact with the client or the daughter for many years, that was dismissed. This result was particularly important to the client because she is pursuing a career in child care, which would have been impossible if her name had remained on the register.

KL Files Suit on Behalf of Family Seeking Information About the Murder of Amber Clark



On June 30, 2020, Kramer Levin and co-counsel Everytown Law filed a lawsuit in the Superior Court of the State of California for the County of Sacramento on behalf of family members of Amber Clark, a

Sacramento librarian who was murdered in December 2018. The lawsuit seeks records from the Sacramento Police Department

and District Attorney's Office under the California Public Records Act, including information about the firearm used to kill Amber and the manner in which her assailant was able to obtain it.

According to the lawsuit, the assailant, who has been charged with first-degree murder and is detained pending trial, had a long history of mental health issues, threatening behavior at public libraries, and encounters with law enforcement in both California and Missouri, where he previously lived. Notwithstanding this, he was able to acquire the firearm used to kill Amber. The Sacramento Police Department and District Attorney's Office have refused to turn over the requested information to Amber's husband, mother and sister. These public records contain critical information that plaintiffs can use to seek both policy changes and civil redress. They hope that, in doing so, they may prevent similar tragedies from occurring in the future.

The Kramer Levin team includes Litigation partner **Darren LaVerne**, associates **John McNulty** and **Anna Boltyanskiy**, and paralegal **Angela Chan**, with assistance from Intellectual Property associate **Austin Manes** and paralegal **Rachel Garcia** of Kramer Levin's Menlo Park, California office. Co-counsel Everytown Law is the litigation arm of Everytown for Gun Safety Support Fund. Everytown is the nation's largest gun violence prevention organization, with nearly six million supporters in all 50 states fighting for public safety measures that respect the Second Amendment and help save lives.

Read the complaint [here](#) and the press release [here](#). The case was covered by multiple news outlets, including KCRA3 (NBC), KMAX (CW) Good Day, KFBK Afternoon News, CBS Sacramento (CBS13) and FOX 40.

KL Secures Uncontested Divorce for Client



Tax associate **Rita D'Souza** and former Litigation associate Michael Calb obtained an uncontested divorce for our client, a young college student who was working retail part time to help support her family. The KL team

also included paralegal **Jerry Henriquez** and **Liliya Suris** from the Managing Attorney's Office, who was particularly invaluable in navigating the procedural hurdles of finalizing a divorce during the court closures resulting from the coronavirus pandemic.

Honors And Awards

Kramer Levin Lands in Top 15 on Annual Am Law Pro Bono Scorecard and Top 10 in Vault's Best Law Firm's for Pro Bono

Kramer Levin is ranked 14th on the American Lawyer's national Pro Bono Scorecard for 2020. The rankings survey the Am Law 200 firms, and are part of Am Law's annual report on the legal industry's pro bono commitment. Kramer Levin was also named a Top 8 Best Law Firm for Pro Bono in the Vault 2020 Law Firm Survey.

Kramer Levin Receives the Hon. Vito J. Titone Award From Staten Island Legal Services

Kramer Levin received the Hon. Vito J. Titone Award from Staten Island Legal Services (SILS) for its work with SILS on an impact litigation project to benefit L'Unicorns, the first Latinx LGBTQ group on Staten Island. SILS filed asylum applications for the original founding members of L'Unicorns prior to January 2018. In January 2018, U.S. Citizenship and Immigration Services (USCIS) changed its policies regarding the scheduling of affirmative asylum applications, giving interviews only to applicants who recently filed claims for asylum. Because of this policy, the L'Unicorns and tens of thousands of other applicants have been stuck in a backlog and will have to wait indefinitely for a chance to have their claims adjudicated. In response to this policy, Kramer Levin filed a mandamus action in federal court to force USCIS to schedule interviews for the L'Unicorns. Kramer Levin filed a similar suit in partnership with Immigration Equality, which resulted in its clients receiving interviews and, ultimately, asylum. Intellectual Property partner Aaron Frankel, associates Samantha Ford and Michelle Ben David, and paralegal Santo Cipolla are working on this case.



Kramer Levin Honored at 2020 Safe Haven Awards

Immigration Equality recognized Kramer Levin with a Safe Haven Award for our work on a mandamus suit to force the government to give interviews to asylum seekers who had waited years for a chance to present their claims. As a result of the suit, our clients were scheduled for interviews and received asylum. The Safe Haven Awards celebrate the strength of Immigration Equality's clients, honor the dedication of its pro bono lawyer partners and give thanks to its strongest supporters.

Norm Simon and Jeff Trachtman Named to City & State New York's 2020 Pride Power 100



Litigation partners **Norman Simon** and **Jeffrey Trachtman** have been named to [City & State New York's 2020 Pride Power 100 list](#). Jeff was recognized for his long-standing commitment to LGBTQ rights, including his involvement in the fight for same-sex marriage and equal rights for transgender students. Norm was recognized for having served as co-chair of the Empire State Pride Agenda and his pro bono commitment to LGBTQ rights, including representing same-sex couples seeking the right to marry in New York. The Pride Power 100 recognizes the most powerful members of New York's LGBTQ community.

Pro Bono Challenge

The firm encourages every lawyer to achieve the aspiration set forth in New York Rule of Professional Conduct 6.1 of providing **at least 50 hours per year** of pro bono legal services to poor persons. The Pro Bono Challenge will recognize lawyers and qualifying staff who meet thresholds of hours of pro bono legal services in a given calendar year at the annual Marvin Frankel Pro Bono Awards Ceremony. The 2020 levels include:

20 hours: Pro Bono Counsel **50 hours:** Pro Bono Advocate **100 hours:** Pro Bono Champion