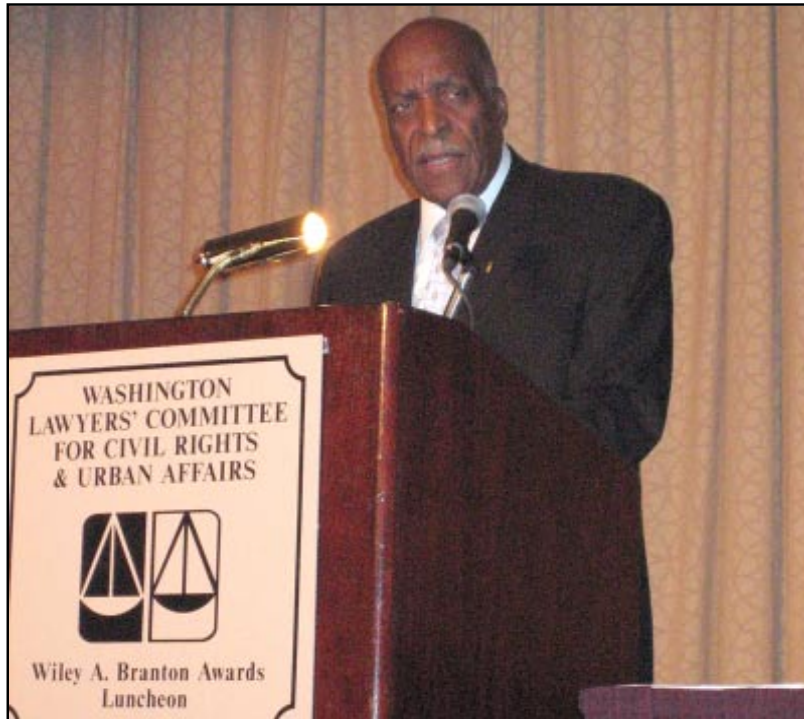


# UPDATE

VOL. 11, NO. 2

FOR CIVIL RIGHTS AND URBAN AFFAIRS

FALL 2005



Judge Nathaniel R. Jones, 2005 Wiley A. Branton Award recipient, addresses Luncheon attendees.

## Judge Nathaniel Jones, Roger Warin and Urban Leagues Honored at 2005 Branton Awards Lunch

The Honorable Nathaniel Jones, attorney Roger Warin, and the National and Greater Washington Urban Leagues were honored by the Washington Lawyers' Committee during its 2005 Branton Awards Luncheon at the Grand Hyatt Washington Hotel on June 28. The Committee's annual gathering of nearly 1000 supporters recognizes attorneys, clients and civil rights leaders for their contributions to the cause of equal rights.

Nathaniel Jones, former Judge on the U.S. Court of Appeals for the Sixth Circuit, and Roger Warin, a partner with **Steptoe & Johnson** and past Committee Co-Chair, jointly received the 2005 Wiley A. Branton Award for lifetime contributions to the cause of civil rights.

*continued on page 18*

## Plans Announced for School Partnership Expansion and Support for D.C. Charter Amendment

The Committee's Public Education Projects have announced plans to expand the highly successful network of law firm/public school partnerships that now link over 40 D.C. public schools with area law firms and companies. These partnerships bring tutoring, mentoring and other enrichment programs to over 10,000 D.C. public-school students.

Under the leadership of Project Director Iris Toyer and an Advisory Committee headed by Guy Collier of **McDermott Will & Emery LLP**, Christine Ladd of **Fannie Mae**, and Stan Samorajczyk of **Akin Gump Strauss Hauer & Feld LLP**, the Committee plans to

*continued on page 16*

### Inside this issue ...

Major Settlements .....	5, 6, 7, 15
Director's Corner .....	2
New Cases .....	5, 7, 15
Wiley A. Branton Outstanding Achievement Awards .....	8-13
John Burke Memorial Fund .....	5
Arrivals .....	17-18



**Roderic V.O. Boggs**  
Executive Director  
Washington Lawyers' Committee  
for Civil Rights & Urban Affairs

This issue of the Committee's *Update* features a cover story on the awards presented at this year's Wiley Branton Luncheon. Throughout a distinguished career extending over 40 years, including service as a judge on the Sixth Circuit Court of Appeals and as General Counsel to the NAACP, Branton Award recipient Nathaniel Jones has made an extraordinary contribution to advancing the cause of civil rights in our country. In similar

fashion, Branton Award recipient Roger Warin has exemplified the standard of civil rights advocacy we associate with Wiley Branton, as a leader in the singular *pro bono* efforts of his law firm and through his personal commitment as Committee Co-Chair and lead co-counsel with our staff in cases too numerous to mention.

In honoring the National and Greater Washington Urban Leagues with the Alfred McKenzie Award, the Committee recognizes both the historic roles these organizations have played in our nation's civil rights struggle and the many occasions when they have worked with our organization on issues of common concern. The notable efforts we have undertaken together in the fields of equal employment and support for public education represent some of the most significant work in the Committee's history. We look forward to equally successful collaborations in the future.

Among such efforts immediately ahead are joint support for expanding partnerships linking area law firms and

businesses with D.C. public schools, and an amendment to the D.C. Charter that includes a right to a high-quality public education. Both of these initiatives are prominently noted in this issue of our *Update*. As we move forward on these fronts, we will seek the active support of our cooperating firms and individual volunteers. With the leadership of our new D.C. Public Schools Superintendent and a growing coalition of community leaders, we hope to make this year one in which major steps are taken to assure that all of our city's children have the chance to receive a high-quality public education.

To reach our goal, we will need an unprecedented level of help. For this reason, we invite all Committee supporters, old and new, to join us by helping to create new school/firm partnerships, by suggesting new partner entities from among their clients, and by adding their names to the list of those supporting the D.C. Education Rights Amendment.

## Committee Governance and Development

The Committee today operates with a staff of nearly 30. They include six project directors, seven staff attorneys, several senior lawyers and five paralegals. In addition, the Committee regularly benefits from the services of a number of junior attorneys holding fellowships from local and national law firms and nonprofit organizations.

The Committee is governed by a 50-member Board of Directors. Board members are drawn from major area law firms and they are led by two Co-Chairs. The Directors and Co-Chairs are supported by a 90-member Board of Trustees and a team of Firm Representatives from nearly 100 participating law firms.

The Committee's operating budget for 2006 is approximately \$2.7 million. Funding for this budget is expected to come from a combination of law firm and individual giving, foundation funding, and the proceeds from the Annual Wiley A. Branton Luncheon, as well as attorneys' fees and gifts of fees received in Committee litigation. The Committee's 2004/2005 Funding Drive concluded September 30, 2005. It is expected to provide approximately \$1 million in law firm, individual and event funding. Nearly 100 firms and over 700 individuals have contributed to this total. Foundation funding is expected to provide approximately \$250,000 by the end of the foundation fundraising year, which concludes December 31, 2005.

As the Committee begins its year-end funding cycle and announces its new campaign, it will make a special effort to secure increased funding through a year-end appeal to law firm partners and associates. In addition, the Committee will also be expanding a special campaign to secure endowment funding for its general support and specific projects.

Individuals and firms interested in providing support for the Committee and participating in its fundraising efforts should contact Da'aga Hill Bowman, Director of Foundation Outreach and Public Information at (202) 319-1000, ext. 155. Contributions to the Committee may also be made online at [www.washlaw.org](http://www.washlaw.org).

# History of the Washington Lawyers' Committee

From its inception in 1968, the Washington Lawyers' Committee, a 501(c)(3) organization, has seen its basic mission as mobilizing the resources of the private bar to address issues of discrimination and poverty in our community. The primary motivating force behind the creation of the Committee and its counterparts in other cities was the publication of the Report of the National Advisory Commission on Civil Disorders, which had identified discrimination and poverty as the root causes of the riots that had erupted in cities around the nation during the late 1960's and in Washington, D.C. in April 1968 following the assassination Dr. Martin Luther King, Jr.

Over the past 37 years, the Washington Lawyers' Committee has expanded from a small staff addressing a limited number of matters into a larger organization operating multiple projects that address a broad range of civil rights and poverty issues. As part of its growth, the Committee has constantly evolved to meet new community needs and the emergence of new civil rights constituencies.

## **Equal Employment Opportunity Project**

The Committee's first program—its Equal Employment Opportunity Project—was established in 1971. At that time, the Washington area started construction of its Metro system and Congress was about to enact major new legislation providing federal, state and local workers with their first meaningful protections against employment discrimination. Working with a coalition of community organizations, the Committee initiated

an extensive litigation campaign challenging denials of training and job referrals by unions and contractors throughout the region. In addition, major lawsuits were filed seeking enforcement of affirmative action plans covering federal and local government construction projects. Committee cases, co-counseled by over a dozen area law firms, won precedent-setting victories against many of the region's largest unions and contractors, opening significant employment opportunities for thousands of African-American workers.

During the same period, the Committee began a special outreach campaign directed at minority and women federal employees. Working with employee task forces at scores of agencies, the Committee provided representation in dozens of major cases winning many of the first judgments upholding the claims of federal workers under the newly enacted provisions of the 1972 Civil Rights Act. Over the past 35 years, the Committee has built on this early record to bring class actions affecting over 25 federal agencies, and dozens of private sector defendants, securing millions of dollars of back pay and damages, and injunctive relief for thousands of workers.

In addition to its successes in class action litigation, the Committee takes special pride in its role in winning a set of landmark appellate rulings upholding the use of paired testers to investigate denials of equal employment. The Committee's success in these cases brought on behalf of the Fair Employment Council of Greater Washington paved the way for the use of tester-generated evidence in a number of other jurisdictions.

## **Fair Housing Project**

In the mid-1970's, the Committee established its Fair Housing Litigation Project to address denials of equal housing opportunity. Shortly thereafter, it played a key role in working with a coalition of local clergy to create the Fair Housing Council of Greater Washington.

For the past 20 years, the Committee represented the Council and over 100 individuals in dozens of cases that have established a national standard for effective advocacy and secured hundreds of thousands of dollars and broad injunctive relief for victims of housing discrimination. The Committee has won notable victories in cases involving denials of residential sales and rentals, redlining practices by lenders and insurance companies, and discriminatory advertising practices. By litigating one of the first challenges to discrimination against families with children, the Committee contributed directly to the passage of new federal legislation providing explicit protections in this area. In many of its cases, the Committee worked with the Fair Housing Council in that organization's groundbreaking efforts to utilize paired testers to investigate allegations of discrimination. In 1999, the Fair Housing Council and the Fair Employment Council merged to become the Equal Rights Center.

## **Immigrant & Refugee Rights Project**

In 1978, the Committee initiated a new project to address the pressing needs of immigrants and refugees in the D.C. area. Prior to this time, no legal services program in the area

*continued on page 4*



# WASHINGTON LAWYERS' COMMITTEE

## Committee History *(continued from previous page)*

offered significant legal services to this growing community. Over the past 27 years, the Committee's Immigrant and Refugee Rights Project has drawn on the support of more than 1,000 volunteers to provide *pro bono* representation to ever larger numbers of newcomers from dozens of countries. Committee assistance has focused on matters of political asylum and a multitude of challenges to restrictive immigration laws. On two occasions, the Committee has enlisted teams of local firms to prepare comprehensive policy papers on legal issues affecting the Latino community.

In addition to a continuing concern with immigration issues, in recent years the Project has begun to devote increasing resources to assisting newcomers facing denials of basic civil rights due to their national origin. As part of this effort, the Committee has filed a number of cases challenging denials in employment and housing. It has also made a special effort to assist groups and individuals targeted for abuse following the September 11, 2001 terrorist attacks.

### **Public Education Projects**

In 1978, the Committee established its first program to assist parents seeking to improve the quality of public education in the District of Columbia. As part of a pilot program, more than a dozen major law firms offered general counsel assistance to parent groups at local schools in the Anacostia region of the city. Two years later, these parents and the Committee were instrumental in the creation of Parents United for the D.C. Public Schools, the city-wide advocacy group which has led the

fight for educational reform in the city for more than 20 years.

In support of Parents United, the Committee and countless volunteers from area law firms have prepared dozens of significant policy papers on major educational issues and successfully litigated a number of landmark cases affirming the rights of public school students and their parents. Among the most important victories was a case mandating enforcement of the D.C. Fire Code, which assured millions of dollars for basic school building repairs and renovation, and a decision requiring basic nursing services at schools in the city and medical staffing at interscholastic athletic events. Today, the Committee is representing Parents United in an active campaign to amend the District of Columbia Charter to include a right to a high-quality public education.

Over the past eight years, the Committee has administered a highly successful partnership program linking area law firms with local D.C. schools. Today, 42 of these partnerships provide tutoring, mentoring, and an array of other enrichment services to over 10,000 D.C. public school children. The success of this program has led a number of participating firms to establish similar programs in other cities where they maintain offices.

### **Disability Rights Project**

In 1991, the Committee began a special program to assist individuals seeking to enforce their rights under the Americans with Disabilities Act of 1990. Working closely with a new community organization—the Disability Rights Council of Greater Washington, the Committee has won a series of important victories opening access to polling places and voting machines, movie theater

chains, banks, restaurants, grocery stores, and other retail establishments. In addition, the Committee has assured 911 phone access for the deaf community and interpreter services for deaf individuals dealing with hospitals, local courts and police. This year, the Disability Rights Council merged with the Equal Rights Center.

### **Public Accommodations Project**

Some of the Committee's most important work has come in the field of public accommodations. Beginning in 1988, with a major case against Holiday Spas Health Clubs, the Committee has played a major part in over a half-dozen national cases challenging a widespread pattern and practice of denying service to persons of color at major hotel and restaurant chains, including Denny's, Cracker Barrel,

Adams Mark Hotels.

Several years ago, the Committee achieved a major settlement in such a case against a large Avis-Rent-a-Car franchise in South Carolina. For several years, this project has represented the NAACP in a series of lawsuits challenging denials of civil rights affecting African Americans attending a large holiday rally in Myrtle Beach, South Carolina.

### **Special Projects**

The Committee has over the years handled significant matters on an ad hoc basis and special projects for limited periods of time. Perhaps the most significant individual case—*Runyan v. McCrary*—was a successful challenge in the United States Supreme Court under Sec. 1981 of the 1866 Civil Rights Act to the racially discriminatory admissions policies of a Virginia nursery school. Special Committee projects over the years have focused on securing

*continued on page 19*



## John Burke Memorial Fund Update

Last year, the Committee established a memorial fund to honor its late General Counsel, John L. Burke, Jr., whose death in June 2004 followed a courageous battle with brain cancer. To date, the fund has received over \$90,000 from nearly 100 contributors toward its \$100,000 goal. The Committee is most grateful for all gifts in support of the fund. The Committee would like to express special thanks to the John Burke Fund Advisory Committee, chaired by Marc Fleischaker of **Arent Fox PLLC**, for its leadership in seeking support for the fund.

The income generated by the Burke Fund will be used to cover the costs associated with the Committee's annual breakfast briefing, renamed the John Burke Pro Bono Breakfast, and other outreach activities designed to enlist new attorneys in the Committee's ongoing work.

Additional contributions to the John Burke Memorial Fund may be made through the Committee's web site at <http://www.washlaw.org/secure.htm>.

## Public Accommodations

### Four Suits Against Northlake Foods Settled

On August 2, the Committee and co-counsel **Ross, Dixon & Bell LLP, Kirkland & Ellis LLP, Reed Smith LLP, and Pillsbury Winthrop Shaw Pittman LLP**, announced the settlement of four racial discrimination lawsuits against the franchise, Northlake Foods, Inc., which owns and operates 149 restaurants in Florida, Georgia and Virginia.

The lawsuits, filed in the Eastern District of Virginia, had alleged that nine African Americans, one Hispanic, and two Asian Americans were denied service or subjected to discriminatory treatment at Northlake's restaurants in Hopewell, Fredericksburg and Chesapeake, Virginia.

The settlement includes corporate-wide systemic change, including clarification of its nondiscrimination policy, hiring a training consultant to design training for its management and hourly workforce on customer discrimination issues, and appointment of a compliance officer to develop an improved policy to

*continued on page 19*

### Auto Lending Discrimination Case Filed

On September 1, the Committee, with co-counsel **Relman & Associates**, filed a lawsuit on behalf of an African-American car purchaser against Washington, D.C., area automotive giant Jim Koons Automotive Companies alleging race discrimination and deceptive practices in its automobile lending business.

The lawsuit, filed in U.S. District Court for the District of Maryland, alleges that Koons charges African Americans higher loan rates than comparable white borrowers and also engages in deceptive and unfair credit practices. The lawsuit charges that Koons' conduct violates federal civil rights and consumer protection laws, including the Equal Credit Opportunity Act, as well as related Maryland laws.

Brought on behalf of Anthony Lloyd, an African-American army veteran and suburban Maryland resident, the lawsuit alleges that Koons used deceptive advertising to induce Mr. Lloyd to visit its Koons of Tyson's Corner Virginia Toyota dealership, and then sold Mr. Lloyd a far more expensive car than he sought, financed at an excessive and discriminatory rate.

Specifically, the suit alleges that the 16% interest rate, obtained

*continued on page 19*

# Disability Rights

## RadioShack Settles Disability Access Case

On June 22, the Committee, with co-counsel from **Hogan & Hartson**, settled a disability access lawsuit under the Americans with Disabilities Act (ADA) against RadioShack. The settlement applies to the more than 5,000 RadioShack stores nationwide, and is the first settlement of its kind to address a crucial new issue in disability rights – access to interactive electronic displays, such as displays for camcorders, PDAs, music keyboards, wireless phones, Internet centers, digital cameras and laptop and desktop computers. The landmark settlement ensures that individuals with disabilities will be able to use RadioShack's products and services nationwide.

As a result of the settlement, RadioShack has agreed to make substantial changes to its stores and procedures nationwide over an agreed-upon time period.

The changes include: (1) making in-store interactive displays accessible; (2) requiring 36" wide aisles and keeping aisles clear of merchandise; (3) surveying and making all 49 D.C. metropolitan area stores ADA compliant; (4) having at least one accessible credit/debit card reader in every store; (5) adopting a training program for managers and sales associates that will include assisting customers with disabilities and keeping store aisles and floor space wheelchair accessible; (6) making compliance with ADA aisle-width

requirements an element of each manager's performance assessment; (7) establishing a nationwide customer accessibility complaint system; (8) reviewing plans for future stores and renovations, as well as policies, practices, procedures for existing stores, for ADA compliance; (9) retaining an ADA consultant, proposed by the Disability Rights Council (DRC), now merged with the Equal Rights Center (ERC), to review store plans, sales counters, and interactive displays for ADA compliance; and (10) providing ERC with semi-annual reports regarding progress of the changes, copies of accessibility complaints concerning D.C. area stores, and the right to inspect stores regarding these changes.

## Greater Southeast Community Hospital Settles

On June 22, the Committee settled a complaint filed with the U.S. Department of Justice against Greater Southeast Community Hospital.

The complaint had alleged that the hospital failed to provide sign language interpreter services to a patient who was deaf.

The relief achieved against the hospital includes establishing detailed policies and procedures to ensure provision of qualified sign language interpreter services to deaf individuals, and an award of \$30,000 damages to the individual complainant.

## Goodwin Procter Secures Record Settlement Against D.C. Jail

On August 4, in a case referred by the Disability Rights Project to **Goodwin Procter**, Joseph S. Heard, a deaf man who was incarcerated wrongly for almost two years at the D.C. Jail, received a record-setting monetary settlement of \$1.1 million from the District of Columbia. A private medical service provider hired by the District to provide care to inmates in the jail also agreed to pay Mr. Heard a significant undisclosed additional amount. The amounts will be held in a trust, providing lifetime support for Mr. Heard.

The settlements end litigation brought by Mr. Heard alleging that the District and its employees and contractors violated his rights under the Civil Rights Act, unlawfully discriminated against him in violation of the Americans with Disabilities Act and Rehabilitation Act, and committed negligence.

In November 1998, Mr. Heard was arrested for trespassing by entering a George Washington University academic building during the day. Nearly a year later, a judge ordered the charge dismissed and Mr. Heard released. Despite the order, Mr. Heard was illegally detained in the D.C. Jail for 670 additional days.

During his unlawful imprisonment, Mr. Heard was subjected to medical evaluation,

*continued on page 19*

## Fair Housing

### Developer Bozzuto Sued for Fair Housing Act Design and Construction Violations

On September 15, the Committee and co-counsel **Fried, Frank, Harris, Shriver & Jacobson LLP**, on behalf of the Equal Rights Center, filed a Fair Housing Act design and construction action against Bozzuto and Associates and several of its subsidiaries in U.S. District Court in Greenbelt, Maryland.

The complaint charges Bozzuto, one of the largest apartment developers on the East Coast, with continuous and systematic violations of the civil rights of people with disabilities in the design and construction of 55 apartment complexes in 5 states and the District of Columbia.

The federal Fair Housing Act requires all covered multi-family dwellings, built for first occupancy after March 13, 1991, to be designed and constructed to incorporate features of accessibility and adaptable design including usable doors, kitchens, and bathrooms, reinforced walls for grab bars and accessible and usable public and common use areas.

"Since 1991 the law has required developers to include basic features of accessibility," said Isabelle M. Thabault, Director of the Fair Housing Project at the Washington Lawyers' Committee.

"Fourteen years later, companies like Bozzuto continue to build apartment complexes that are difficult

if not impossible for persons who use wheelchairs to access," she added. "Through the use of narrow doorways, steps, and insufficient floor space, they have effectively barred from their apartments persons who use wheel chairs."

### D.C. Area Landlords Sued for Discrimination Against Section 8 Voucher Holders

On September 7, the Washington Lawyers Committee and co-counsel from **Akin Gump Strauss Hauer & Feld LLP** and **Steptoe & Johnson LLP** filed complaints on behalf of the Equal Rights Center against Horning Brothers and Phifer Realty, Inc. in D.C. Superior Court, alleging that the two large area landlords discriminated against Section 8 housing voucher holders.

The Equal Rights Center (ERC) originally brought these two cases in the D.C. Office of Human Rights as part of the ERC's Section 8 initiative. The landlords are owners and/or property managers of approximately 3,000 rental units in the District of Columbia.

In each case, testing conducted by the ERC disclosed that the landlords either did not accept tenants using Section 8 Housing Choice Vouchers for rent payment or limited the number of such tenants. Both practices violate the D.C. Human Rights Act prohibition on housing discrimination based on source of income.

### Far-Reaching Accord Obtained in Sawyer Realty Case

On September 7, the Washington Lawyers' Committee filed an agreed settlement order resolving a lawsuit alleging that Sawyer Realty Holdings, Inc., a large D.C. area landlord, violated the D.C. Human Rights Act when it refused to rent to tenants who use Section 8 Housing Choice Vouchers.

Under the court's order, Sawyer will pay \$130,000 in damages to the plaintiff Equal Rights Center (ERC), will accept tenants who use Housing Vouchers, and train its employees on the requirements of fair housing laws. The case was part of the Committee's and the ERC's ongoing initiative to address discrimination against low-income residents who use Housing Vouchers to pay rent.

**McDermott, Will & Emery, LLP** served as co-counsel with the Committee on this case.

### AvalonBay Communities Sued for Design and Construction Violations

On September 22, the Washington Lawyers' Committee, along with co-counsel **Gilbert Heintz & Randolph LLP**, filed a lawsuit in U.S. District Court in Greenbelt, Maryland, on behalf of the Equal Rights Center against nationally known residential apartment developer AvalonBay Communities.

*continued on page 14*



# WASHINGTON LAWYERS' COMMITTEE

## 2005 OUTSTANDING ACHIEVEMENT AWARDS



(L/R): Judge Nathaniel R. Jones, 2005 Wiley A. Branton Award recipient with Benjamin F. Wilson, Partner, Beveridge & Diamond, P.C. and Washington Lawyers' Committee Co-Chair.



Alfred McKenzie Award recipients (L/R): Stephanie J. Jones, Executive Director, National Urban League and Maudine R. Cooper, President and Chief Executive Officer, Greater Washington Urban League.



Equal Employment Opportunity (L/R): Carolyn P. Weiss, Staff Attorney, Washington Lawyers' Committee; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee; Kehinde Ijaola, Paralegal; Washington Lawyers' Committee; Roland G. Schroeder, Counsel, Shearman & Sterling LLP; Jasmine Miller, Paralegal; Washington Lawyers' Committee; Quentin M. Baird, Attorney, Shearman & Sterling LLP; Katharine Baines, Legal Assistant, Shearman & Sterling LLP; Cynthia P. Abelow, Attorney, Shearman & Sterling LLP.

### Equal Employment Opportunity

#### *Shearman & Sterling LLP*

A team of attorneys from Shearman & Sterling represented Mary Linklater, the former music director of a local church who had been victimized — through sexual harassment, retaliatory harassment, wrongful termination and other tortious activity — by the church and its pastor. The case raised important issues of first impression under Title VII, the First Amendment and Maryland law regarding whether religious institutions are immune from liability for discriminatory and tortious acts committed against their employees. Following a 2½ week trial in the Circuit Court for Montgomery County, Ms. Linklater was awarded damages totaling \$1,350,000 for intentional infliction of emotional distress, including \$1,000,000 in punitive damages against the church's pastor.

### Fair Housing

#### *Cohen, Milstein, Hausfeld & Toll, P.L.L.C.*

Attorneys from Cohen, Milstein, Hausfeld & Toll represented the Equal Rights Center and several other national disability organizations in a ground-breaking disability rights case against Archstone Smith Trust, the seventh largest developer of apartment complexes in the country. The case, filed last December in federal district court in Maryland, was resolved by a consent decree approved by the Court on June 8, 2005. The consent decree requires Archstone-Smith to retrofit as many as 12,000 inaccessible apartments at an estimated cost of over \$20 million dollars and to pay an additional \$1.2 million dollars in damages and fees.

#### *Hogan & Hartson L.L.P.*

A team of attorneys from Hogan & Hartson successfully litigated a ground-breaking fair housing lawsuit alleging discrimination against Section 8 voucher holders by a D.C. apartment management company. The lawsuit challenged Barac Co. Inc.'s practice of denying housing to persons who intended to use a Housing Choice Voucher, a federal rent subsidy, to pay for part of their rent. The firm's attorneys, as co-counsel with the Fair Housing Project of the Committee, represented the Equal Rights Center and a woman who, after many years on the waiting list, finally obtained a voucher only to find she could not use it at any Barac property. The complaint, filed in D.C. Superior Court, alleged discrimination on the basis of source of income in violation of the D.C.



## FALL 2005 UPDATE

# 2005 OUTSTANDING ACHIEVEMENT AWARDS

Human Rights Act. The case was resolved by a consent decree and approved by the court on December 23, 2004. The defendant agreed to change its policy, accept vouchers without discrimination, and pay \$35,000 in damages, costs and fees.

### *Jones Day*

Attorneys from Jones Day represented the Equal Rights Center and five individuals in litigation against Sky Properties, LLC. The litigation resulted in an agreement in which Sky Properties agreed to work with the Equal Rights Center to educate landlords and tenants in the Washington Metropolitan Area about fair housing laws and practices and to advance the cause of fair housing. In conjunction with the agreement, Sky Properties, through its insurers, made a monetary payment to the plaintiffs and agreed to work with the Equal Rights Center to insure compliance with applicable laws.

### Public Accommodations

*Kirkland & Ellis LLP*  
*Pillsbury Winthrop Shaw Pittman LLP*  
*Reed Smith LLP*  
*Ross Dixon & Bell, LLP*

Kirkland & Ellis, Ross Dixon & Bell, Reed Smith, and Pillsbury Winthrop Shaw Pittman co-counseled with the Committee in four separate cases representing African-American, Hispanic and Pacific-American plaintiffs who alleged discrimination when they sought food and service at four

The plaintiffs in the cases alleged, among other things, that they had been subjected to racial epithets and had been ignored while later arriving whites were seated and served. After substantial litigation in the Eastern District of Virginia, the combined efforts of this team of firms led to a joint settlement with Northlake Foods that, among other things, required Northlake to adopt multiple changes to its company-wide policies and practices to prevent discrimination against customers in the future. These changes included: a revised and strengthened customer anti-discrimination policy; a four-year, enhanced training program for all employees; and appointment of a compliance officer to oversee the company's future compliance efforts.



*Fair Housing (L/R): Richard A. Koffman, Attorney, Cohen, Milstein, Hausfeld & Toll; Joseph M. Sellers, Partner, Cohen, Milstein, Hausfeld & Toll; Isabelle M. Thabault, Fair Housing Project Director, Washington Lawyers' Committee; Megan E. Jones, Attorney, Cohen, Milstein, Hausfeld & Toll; Matthew K. Handley, Attorney, Cohen, Milstein, Hausfeld & Toll; Robert M. Bruskin, Senior Counsel, Washington Lawyers' Committee.*



*Fair Housing (L/R): Kevin S. Willen, Attorney, Hogan & Hartson L.L.P.; Lori J. Searcy, Attorney, Hogan & Hartson L.L.P.; Isabelle M. Thabault, Fair Housing Project Director, Washington Lawyers' Committee; Robert M. Bruskin, Senior Counsel, Washington Lawyers' Committee; Mireille T. Khoury, Attorney, Hogan & Hartson L.L.P.; Thomas J. Widor, Attorney, Hogan & Hartson L.L.P.*



*Fair Housing (L/R): Sean P. Malone, Attorney, Jones Day; Amy Wilkie Ray, Attorney, Jones Day; John M. Majoras, Partner, Jones Day; Laura Tuell Parcher, Attorney, Jones Day; Satyra Riggins, Jones Day; Isabelle M. Thabault, Fair Housing Project Director, Washington Lawyers' Committee; Robert M. Bruskin, Senior Counsel, Washington Lawyers' Committee.*

# WASHINGTON LAWYERS' COMMITTEE

## 2005 OUTSTANDING ACHIEVEMENT AWARDS

### *Patton Boggs LLP*

The firm of Patton Boggs represented the NAACP and 13 individual plaintiffs in a highly successful lawsuit challenging the discriminatory policies applied to African-American guests by a leading hotel in Myrtle Beach, South Carolina, during Black Bike Week. The terms of the settlement of the case included broad-reaching injunctive relief and the creation of a special fund to compensate victims. More than 400 individuals will participate in this fund.

### **Disability Rights**

### *Cleary, Gottlieb, Steen & Hamilton LLP*

The firm of Cleary, Gottlieb, Steen & Hamilton, working since 2001 with the Disability Project on a major access case against the May Company, parent to the Hecht's and Lord & Taylor department store chains, obtained an important settlement ensuring wheelchair navigable aisles to most merchandise at 15 Hecht's and Lord & Taylor stores in the D.C. metropolitan area. Periodic audits will be performed to ensure that such access is maintained. The Agreement also provides for removal of architectural and other barriers in fitting rooms and restrooms, and installation of accessible merchandise checkout facilities, as well as accessible bridal and baby registry computers.

### *Goodwin Procter LLP*

Goodwin Procter won a precedent-setting settlement in a challenging case on behalf of a deaf man who was incarcerated wrongly, for well over a year, at the D.C. Jail. The case resulted in a record-setting monetary payment of \$1.1 million to the plaintiff.

### *Hunton & Williams LLP*

Last year, the barriers faced by shoppers using wheelchairs at National Wholesale Liquidators stores were twofold. Many stores had completely inaccessible entrances due to cart corrals with locked swing gates, and cluttered aisles and displays impeded access to store merchandise. A dedicated team of attorneys from Hunton & Williams assisted the Committee's Disability Rights Project in negotiating nationwide relief from this growing discount retail chain, including: staff training; an accessibility survey of all its stores; readily achievable barrier removal; removal of cart corrals; and an assurance of accessible pathways throughout all stores.



*Public Accommodations (L/R): Carolyn P. Weiss, Staff Attorney, Washington Lawyers' Committee; Steven M. Wellner, Partner, Kirkland & Ellis LLP; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee.*



*Public Accommodations (L/R): Carolyn P. Weiss, Staff Attorney, Washington Lawyers' Committee; Anne E. Langford, Attorney, Pillsbury Winthrop Shaw Pittman LLP; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee.*



*Public Accommodations (L/R): Carolyn P. Weiss, Staff Attorney, Washington Lawyers' Committee; William A. Geoghegan, Attorney, Reed Smith LLP; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee; Stephen P. Murphy, Partner, Reed Smith LLP; David L. Tanenholz, Attorney, Reed Smith LLP.*



## 2005 OUTSTANDING ACHIEVEMENT AWARDS

### Morrison & Foerster LLP

Effective communication for deaf patients at area hospitals has been a major focus of the Disability Rights Project's work in the past year. This award to Morrison & Foerster recognizes the firm's work in a difficult case against a suburban hospital in which the firm achieved an important settlement that will ensure that deaf patients at the hospital receive sign language interpreter services.

### Immigrant and Refugee Rights

#### King & Spalding LLP

Since early 2004, attorneys from King and Spalding have contributed over 700 *pro bono* hours to providing representation for asylum seekers from Angola, Cameroon, Democratic Republic of Congo, and Sierra Leone. They have won political asylum for seven individuals. In the past year, attorneys successfully litigated two challenging cases in Immigration Court. Attorneys also succeeded in a case before the Arlington Asylum Office involving a minister from Sierra Leone who had been severely traumatized as a result of his detention with rebel soldiers during his country's violent civil war.

#### Crowell & Moring LLP

Attorneys from Crowell and Moring have gained asylum over the past few years for seven individuals from Burma, Cameroon, Colombia and Russia, and are currently representing a man from Cameroon. One of the cases granted asylum by the Arlington Asylum Office involved a Christian Burmese man targeted by the government because of his ethnicity and his religion. Attorneys from Crowell and Moring also represented a woman from Colombia who had long been targeted by right-wing paramilitary groups, and won her affirmative asylum case.



*Public Accommodations (L/R): R. Brian Hendrix, Attorney, Patton Boggs LLP; Michael R. Roberts, Senior Paralegal, Patton Boggs LLP; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee; Matthew D. Cutts, Attorney, Patton Boggs LLP; Charles E. Talisman, Partner, Patton Boggs LLP; Susan E. Baldwin, Attorney, Patton Boggs LLP.*



*Disability Rights (L/R): Paul R. Friedman, Counsel, Goodwin Procter LLP; Ann Lee, Attorney, Goodwin Procter LLP; Daniel O. Hanks, Attorney, Goodwin Procter LLP; Adam M. Chud, Attorney, Goodwin Procter LLP; E. Elaine Gardner, Disability Rights Project Director, Washington Lawyers' Committee.*



*Immigrant & Refugee Rights (L/R): Tom Jawetz, Acting Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Tracey A. Roman, Partner, Crowell & Moring LLP; George D. Ruttinger, Partner, Crowell & Moring LLP; Denise L. Gilman, former Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Susan M. Hoffman, Partner, Crowell & Moring LLP; Ruth Spivack, Paralegal, Washington Lawyers' Committee.*



*Public Accommodations (L/R): Carolyn P. Weiss, Staff Attorney, Washington Lawyers' Committee; Benjamin C. Eggert, Attorney, Ross, Dixon & Bell, LLP; Charles A. Jones, Partner, Ross, Dixon & Bell, LLP; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee; Teah Lupton, Attorney, Ross, Dixon & Bell, LLP.*



*Disability Rights (L/R): Sean D. Corey, Attorney, Cleary, Gottlieb, Steen & Hamilton LLP; Alyson J. Dais, Attorney, Cleary, Gottlieb, Steen & Hamilton LLP; Daniel B. Silver, Senior Counsel, Cleary, Gottlieb, Steen & Hamilton LLP; E. Elaine Gardner, Disability Rights Project Director, Washington Lawyers' Committee.*



# WASHINGTON LAWYERS' COMMITTEE

## 2005 OUTSTANDING ACHIEVEMENT AWARDS



*Immigrant & Refugee Rights (L/R): Tom Jawetz, Acting Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Joel Israel, Attorney, Latham & Watkins LLP; Denise L. Gilman, former Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Edo Banach, Attorney (formerly of Latham & Watkins); Ruth Spivack, Paralegal, Washington Lawyers' Committee.*



*Immigrant & Refugee Rights (L/R): Tom Jawetz, Acting Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Denise L. Gilman, former Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Andrew McCormack, Attorney, King & Spalding LLP; Amy Byrnes Metzger, Attorney, King & Spalding LLP; Ruth Spivack, Paralegal, Washington Lawyers' Committee.*



*Disability Rights (L/R): A. Neal Barkus, Partner, Hunton & Williams LLP and E. Elaine Gardner, Disability Rights Project Director, Washington Lawyers' Committee.*

### *Latham & Watkins LLP*

Latham & Watkins attorneys have been working with the Committee for several years on the matter of Malik Jarno, an orphaned juvenile asylum seeker from Guinea with mental retardation. The attorneys provided legal representation in the political asylum case, currently on appeal to the Board of Immigration Appeals after having been denied twice by the Immigration Judge, and are currently involved with efforts to gain legal status for the asylum-seeker through a private bill recently introduced in the House of Representatives by Congressman Van Hollen. Attorneys from Latham also gained political asylum recently for an economist from Cameroon.

### *Weil, Gotshal & Manges LLP*

Weil, Gotshal & Manges contributed to the Committee's successful attempts under the Freedom of Information Act to obtain documents that were improperly withheld from the attorneys representing Malik Jarno in his asylum case. As a result of litigation in the United States District Court for the Eastern District of Virginia, the Project obtained an award of attorney fees from the Department of Homeland Security. Over the past few years, attorneys from the firm have represented a juvenile from El Salvador who had fled his country because of threats from gang members. The case is currently on appeal to the Board of Immigration Appeals.

### **Public Education**

### *Sidley Austin Brown & Wood LLP*

Lawyers from Sidley Austin Brown & Wood worked with Committee staff and a panel of civic leaders to prepare a comprehensive report assessing the quality of public education



*Disability Rights (L/R): John P. Corrado, Partner, Morrison & Foerster LLP; Brett A. Walter, Attorney (formerly with Morrison & Foerster LLP, now with Baach Robinson & Lewis PLLC) and E. Elaine Gardner, Disability Rights Project Director, Washington Lawyers' Committee.*

## 2005 OUTSTANDING ACHIEVEMENT AWARDS

in Washington fifty years after desegregation. The report, "Separate and Unequal: The State of the District of Columbia Public Schools Fifty Years After Brown and Bolling", documented a myriad of problems in the schools, many of which relate to chronic underfunding and inadequate community support. The study received substantial media attention and has stimulated a public campaign to build a civic consensus for school reform and needed funding.

### *Fulbright & Jaworski L.L.P.*

With a team of law students and faculty at American University, lawyers at Fulbright & Jaworski undertook a major research project examining state constitutional provisions governing standards for public education guaranteed to their citizens. The results of their research, which were noted in a report issued by Parents United in March, established that the constitutions of virtually every state in the country mandate a minimum standard of public education. In many instances, state courts have issued decisions requiring adequate funding and specific levels of instructional support.

### Special Programs

#### *Wilmer Cutler Pickering Hale and Dorr LLP*

In April 2005, Wilmer Cutler Pickering Hale and Dorr secured a landmark en banc decision from the District of Columbia Court of Appeals upholding the constitutionality of the District of Columbia's Assault Weapons Manufacturing Strict Liability Act. The decision was issued in a case brought in June of 2000 on behalf of nine individuals who were victims or surviving family members of gun violence in the District of Columbia.



*Immigrant & Refugee Rights (L/R): Tom Jawetz, Acting Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; David J. Taylor, Attorney, Weil, Gotshal & Manges LLP; Alicia Cate, Attorney, Weil, Gotshal & Manges LLP; Denise L. Gilman, former Immigrant & Refugee Rights Project Director, Washington Lawyers' Committee; Ruth Spivack, Paralegal, Washington Lawyers' Committee.*



*Special Programs (L/R): Michael Mugmon, Attorney, Wilmer Cutler Pickering Hale and Dorr LLP; R. Kevin Bailey, Counsel, Wilmer Cutler Pickering Hale and Dorr LLP; Karen C. Daly, Attorney, Wilmer Cutler Pickering Hale and Dorr LLP; John Payton, Partner, Wilmer Cutler Pickering Hale and Dorr LLP; Michelle Brice, Senior Paralegal, Wilmer Cutler Pickering Hale and Dorr LLP; A. Stephen Hut, Jr., Partner, Wilmer Cutler Pickering Hale and Dorr LLP; Susan E. Huhta, EEO Project Director, Washington Lawyers' Committee; Eric J. Mogilnicki, Partner, Wilmer Cutler Pickering Hale and Dorr LLP; David S. Molot, Counsel, Wilmer Cutler Pickering Hale and Dorr LLP.*



*Public Education (L/R): Patrick F. Linehan, Attorney, Sidley Austin Brown & Wood LLP; Iris J. Toyer, Public Education Legal Services Project Director, Washington Lawyers' Committee; Ronald S. Flagg, Partner, Sidley Austin Brown & Wood LLP.*



*Public Education (L/R): Rena S. Scheinkman, Attorney, Fulbright & Jaworski L.L.P.; Iris J. Toyer, Public Education Legal Services Project Director, Washington Lawyers' Committee;*

## Immigrant and Refugee Rights

### Heller Ehrman Volunteers Advise Nonprofit on Day Laborer Site

In August 2005, attorneys from **Heller Ehrman LLP** responded to a request for assistance and provided legal advice to Reston Interfaith, a northern Virginia nonprofit social services organization, in support of a permit to create an employment center for day laborers. Attorneys from the firm presented information on Virginia's immigration laws to the Herndon Town Council in advance of a public hearing and Council vote on the issue.

The Town Council voted to grant a conditional use permit to Project Hope & Harmony, the nonprofit organization that seeks to create the center.

Following the vote, several town residents, represented by Judicial Watch, sued the Town of Herndon. Although Reston Interfaith has not been named as a defendant in the suit, Heller Ehrman has agreed to continue its representation of Reston Interfaith.

### Committee Volunteers Provide Asylum Representation

The Committee's Immigrant and Refugee Rights Project and co-counsel have won several recent asylum cases in Immigration Court and in the Arlington, Virginia Asylum Office.

In Immigration Court, **Cooley Godward LLP** gained asylum for a shopkeeper from Cameroon who was detained because of her support of the Anglophone movement that advocates for the rights of the English-speaking minority in the country. **Steptoe & Johnson LLP** obtained asylum for a career military man from Cameroon who was arrested because of his political activities on behalf of the English-speaking minority in his country.

In the Asylum Office, **Bunker and Associates** aided a young woman from the Cabinda province of Angola who was detained by the police when she tried to investigate the disappearance and possible arrest of her husband and parents because of alleged anti-government activities. **Cleary Gottlieb Steen & Hamilton LLP** helped a student from Haiti who was attacked by an anti-Aristide gang. **Crowell & Moring LLP** assisted a man with disabilities from Cameroon who was targeted because of his activities in support of the rights of people with disabilities. **Steptoe & Johnson LLP** enabled a woman from Guinea, who faces future persecution because of her family's opposition to the current president of the country, to gain asylum. Also, **Williams & Connolly LLP** helped gain asylum for a student from Côte D'Ivoire who was targeted because of her religion and ethnicity.

Other firms are working on new political asylum cases and new cases have come to our attention.

### Asylum Training Program Scheduled for November

Successful cases will be highlighted at the Project's annual political asylum law training. The all-day training will be held on Tuesday, November 15, 2005, at the D.C. Bar. The training is open to volunteers who agree to accept two *pro bono* matters. There is a charge of \$25 for the comprehensive manual used at the training. Pre-registration is required. For more information, please contact the Project at (202) 319-1000, ext. 120. To register, see [www.washlaw.org/pdf/political\\_asylum\\_training2005.pdf](http://www.washlaw.org/pdf/political_asylum_training2005.pdf).

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#### AvalonBay (continued from page 7)

The lawsuit alleges continuous and systematic civil rights violations by AvalonBay against persons with disabilities in the design and construction of more than 85 apartment complexes in Maryland, New York, Rhode Island, Virginia, Washington, and the District of Columbia. These complexes include more than 24,000 individual apartment units.

AvalonBay, a real estate investment trust, headquartered in Alexandria, Virginia, has been identified as one of the 25 largest developers of multifamily housing units in the United States. This action is one of three lawsuits brought against major developers in recent months as part of the Equal Rights Center's efforts to eliminate disability-based discrimination in the housing industry.



## Equal Employment Opportunity

### USAID Employee Charges Retaliation

The Washington Lawyers' Committee, working with co-counsel **Pillsbury Winthrop Shaw Pittman LLP**, recently filed a second lawsuit on behalf of Melvin Porter in a race discrimination and retaliation lawsuit against his employer, the U.S. Agency for International Development (USAID). Mr. Porter is an African-American, senior employee at USAID who alleges that USAID has continuously refused to promote him beyond the GS-14 level, despite years of exemplary performance, because he came forward several years ago to report discrimination within the agency. Mr. Porter already has prevailed against the Agency on a near-identical claim. In an earlier lawsuit in which he was represented by the Committee and **Covington & Burling**, a jury found that USAID twice retaliated against Mr. Porter when it denied him two promotions in the late 1990's. In that case, the jury awarded him \$30,000 in damages.

### Landmark Settlement Achieved in English-fluency Lawsuit

In September 2005, the Committee and co-counsel **Heller, Huron, Chertkof, Lerner, Simon & Salzman, PLLC**, working with the EEOC, settled a lawsuit brought against the Sheraton National Hotel in Arlington, Virginia, on behalf of Jesus Romero, a Spanish-speaking former dishwasher at the hotel who was fired when the hotel instituted an English-fluency requirement.

Mr. Romero had been a loyal, 10-year employee when, in 2001, the hotel changed its policy and adopted a new rule requiring all employees to be proficient in English. Because Mr. Romero is not proficient in English, Sheraton discharged him.

The lawsuit, in which the EEOC was a co-plaintiff with Mr. Romero, was resolved by a settlement and consent decree that included payment of \$50,000 in damages and back pay to Mr. Romero, as well as attorneys' fees. The consent decree also required Sheraton to rescind its English-fluency requirement, and to train its managers on "Title VII's prohibition of discrimination on the basis of national origin," including "the potentially discriminatory nature and impact of English fluency requirement policies." Under the agreement, the defendant is also required to report periodically to the EEOC regarding its compliance efforts.

*continued on page 19*

## Public Education

### School Partnership Expansion *(continued from front cover)*

invite additional law firms as well as area corporations, non-profits and religious organizations to join in this work.

The Committee is delighted to have the strong support of the Office of the D.C. Public Schools Superintendent Clifford B. Janey for this initiative and expects to work closely with Michelle Walker, Chief of Strategic Planning and Policy for the D.C. Public Schools, in moving ahead with its plans. It also expects to work closely with area foundations to obtain much need funding to add supplemental staffing to help in recruiting and nurturing new partners.

The Committee's Public Education Projects will also be working over the next year with community

partners on a proposed amendment to the D.C. Charter. The D.C. Education Rights Amendment aims to bring Washington, D.C. into conformity with the vast majority of states in the United States that guarantee an education for all students. Currently, the District of Columbia Charter provides no such right.

Work on the proposed amendment to the D.C. Charter is a direct result of the expansive research by a team of attorneys at **Fulbright & Jaworski**, along with students at American University Law School, who completed a detailed analysis of constitutional provisions governing public education in states throughout the country. This work was incorporated into the major study issued by Parents United for the D.C. Public Schools, *Separate and Unequal, the State of the D.C. Public Schools Fifty Years*

*After Brown and Bolling*, released by the Committee in March. The primary author of the report was **Sidley Austin Brown & Wood LLP** partner Ronald S. Flagg.

The Committee will serve as counsel and staff to Citizens for the D.C. Education Rights Amendment, which is the primary sponsoring organization seeking passage of the Amendment.

In addition to D.C. Public Schools Superintendent Janey, many other organizations and individuals, including Maudine Cooper, President of the Greater Washington Urban League; the Congress of D.C. PTAs; and Marian Wright Edelman, Founder and CEO of the Children's Defense Fund, support the D.C. Education Rights Amendment. In endorsing the

*continued on page 19*

## Special Projects

### Hogan & Hartson Coordinates Committee's Legal Reasoning Program

As it has done for nearly 20 years, this summer, **Hogan & Hartson L.L.P.** coordinated the Washington Lawyer's Committee's "Introduction to Legal Reasoning" program for entering Washington area law school students who are members of groups traditionally disadvantaged or under-represented in the practice of law.

The program is designed to prepare students for the first year of

law school by providing a taste of the highly analytical, argumentative style of learning to which some students have had little or no exposure. The course also provides a preview of some basic legal terminology and the fundamentals of the American judicial system. The course does not teach students substantive law. Rather, it emphasizes the process and procedures involved in law school.

The program enables the students to gain a basic familiarity with legal reasoning and legal writing, and culminates in a moot court. The students are also introduced to basic

legal research methods. In the last decade, nearly 1,000 students planning to begin their legal studies at American University, Catholic University, the District of Columbia School of Law, Georgetown University, George Washington University, Howard University, George Mason University and other law schools participated in the program.

The firms of **Covington & Burling**, **Hogan & Hartson L.L.P.**, **Miller & Chevalier Chartered**, and **Steptoe & Johnson LLP** provided instructors for this year's program.



L/R: Shirley Hsu; Wu Ge; Rod Boggs; and He Hairen at the Washington Lawyers' Committee's offices.

## U.S.-China Legal Cooperation Fund Supports Committee Initiative

With the support of the U.S.-China Legal Cooperation Fund, the Washington Lawyers' Committee has begun work on a special program to make the U.S. civil rights experience available to interested lawyers and legal

institutions in China. Herbert J. Hansell, **Jones Day** retired partner and Committee board member, serves as Chair of the Fund's board of trustees.

The first part of this program involved a trip last December by Committee Executive Director Rod Boggs to Shanghai, where he discussed U.S. civil rights issues with groups of Chinese lawyers, law students and law professors. In March 2005, the program expanded to include a three-week visit to the Committee's offices by two leading Chinese civil rights lawyers, Mr. Wu Ge, Esq., and Mr. He Hairen, Esq.

Mr. Wu Ge, a lawyer in private practice in China, is Director of the Constitutional and Human Rights Center of Tsinghua University, and Director of the Constitutional & Human Rights Committee of the All China Lawyers' Association. Mr. He is Executive Director of Beijing Donfong Public Interest and Legal Aid Law Firm.

While at the Committee, Mr. Wu Ge, Mr. He Hairen, and lawyer/interpreter Shirley Hsu, met with the Committee's project directors to learn about the Committee's civil rights cases and other project activities. They also visited several civil rights and public interest law organizations, including the Equal Rights Center, D.C. Prisoners' Legal Services Project, and Asian Pacific American Legal Resource Center. In addition, they met with representatives at the American Bar Association's D.C. office, American University, Georgetown University, and with lawyers at several private law firms that work on Committee projects.

"I wish to convey my thanks to the Washington Lawyers' Committee for this wonderful and unique arrangement that has benefited us a lot," said Mr. Wu Ge.

"We have the same goal for both of our countries – to fight for civil rights," added Mr. He.

## Arrivals

### New Board Members

The Washington Lawyers' Committee recently welcomed three new members to the Board of Directors: Douglas W. Baruch, Brian H. Corcoran, and David F. Williams.

#### Douglas W. Baruch

Douglas W. Baruch is a litigation partner in the Washington, D.C., office of **Fried, Frank, Harris, Shriver & Jacobson LLP**. He currently serves as co-counsel with Committee staff in a major fair housing case. He received his J.D. from Georgetown University Law Center and his B.A. degree from Johns Hopkins University.

#### Brian H. Corcoran

Brian H. Corcoran is a partner in the Washington, D.C., office of **Katten, Muchin Rosenman LLP**, where he practices in the areas of commercial and business litigation. He has substantial experience in the fields of First Amendment and employment discrimination, and has handled significant pro bono employment discrimination litigation for the Washington Lawyers' Committee. He received his A.B. degree from Dartmouth College, and his J.D. from the University of Virginia Law School.

#### David F. Williams

David F. Williams is a partner in the Washington, D.C. office of **Cadwalader, Wickersham & Taft, LLP**. He previously served as a Firm Representative to the Committee. He received his B.A. degree from Yale University, and his J.D. from the University of Virginia School of Law.

### New Staff Member

#### Alexandra C. Yannias

Ali Yannias recently joined the Washington Lawyers' Committee as a Paralegal with the Fair Housing

*continued on next page*



## WASHINGTON LAWYERS' COMMITTEE

### New Staff Members (continued from page17)

Project. She received her B.A. degree from Wellesley College, and also studied at Oxford University, England.

### Arthur Liman Fellow

#### Tom-Tsvi M. Jawetz

Tom Jawetz joined the Washington Lawyers' Committee last fall as an Arthur Liman Public Interest Fellow working with the Immigrant and Refugee Rights Project. He also currently serves as Acting Director of the Project. Previously, he served as law clerk to The Hon. Kimba M. Wood at the U.S. District Court for the Southern District of New York, and as law student intern with the Immigrants' Rights Project at the American Civil Liberties Union in New York. He received his A.B. degree from Dartmouth College, and his J.D. from Yale Law School.

### Branton Awards Lunch (continued from front page)

In presenting the award to Judge Jones, Benjamin F. Wilson, Co-Chair of the Committee and a partner with **Beveridge & Diamond**, said "I consider it a privilege to present this Wiley A. Branton Award to one who has fought for this country and one who fights for a cause. He is a defender, protector and supporter of all of the citizens of this great country."

Jane Lang, founding partner of **Sprenger & Lang**, presented the award to Roger Warin, stating that "he is among the most deserving of an award that recognizes long-term commitment to the mission of the Lawyers' Committee."

John A. Payton, Jr., a partner at **Wilmer Cutler Pickering Hale and Dorr** and a 2004 Wiley A. Branton Award recipient, presented the Alfred McKenzie Award to the National Urban League and its affiliate, the Greater Washington Urban League, for the organization's preeminent role in advancing U.S. civil rights, particularly in the areas of employment, housing and education, for nearly 100 years. Stephanie J. Jones, Executive Director of the National Urban League's Policy Institute for Opportunity and Equality and the daughter of Judge Jones, accepted the award for the National Urban League. Maudine R. Cooper, President and Chief Executive Officer of the Greater Washington Urban League, accepted the award on behalf of the local affiliate organization.

As part of the program, the Committee presented the Vincent E. Reed Award to the law firms of **McDermott Will & Emery** and **Fried, Frank, Harris, Shriver & Jacobson** for the firms' long-term commitment to the District of Columbia public schools and students. The award is given in the name of the distinguished educator and former D.C. Schools Superintendent, Vincent E. Reed, who encouraged the Committee to establish its public education support programs.

Twenty other law firms were recognized at the luncheon with Outstanding Achievement Awards for their successful *pro bono* legal work on behalf of the Committee's clients. For more information about the law firm awardees and their achievements, see pages 8 – 13.

Judge Nathaniel R. Jones, over a distinguished career of nearly 40 years, served as Assistant General Counsel to President Johnson's National Advisory Commission on

Civil Disorders (Kerner Commission), and as General Counsel to the NAACP from 1969-1979, when he played a leading role in landmark civil rights cases, working closely with the National and Washington Lawyers' Committees. Appointed by President Carter, he served from 1979 until his retirement in 2002 on the U.S. Court of Appeals for the Sixth Circuit, where he championed the cause of equal justice and an expansive view of civil rights protections. He is now Of Counsel to the law firm of **Blank Rome**.

Reflecting on Wiley Branton's many contributions to advancing civil rights, Judge Jones said, "I am truly humbled that the Washington Lawyers' Committee deems me worthy to receive this award named for Wiley Branton who was my very dear friend and my hero. I am profoundly grateful."

Roger Warin, who joined Steptoe & Johnson in 1979 and now serves as Chair of the Firm's Executive Committee, has contributed his legal talents and leadership to the Washington Lawyers' Committee for over 30 years. He introduced the subject of civil rights attorney's fee representation, a field in which he has become a preeminent authority, having represented the Committee and other civil rights claimants in over 40 cases since 1975. His firm, Steptoe & Johnson, has served as co-counsel in major federal sector employment class actions, successfully challenged denials of fair housing, brought litigation on behalf of clients with disabilities, and supported school reform through D.C. school partnerships and successful litigation involving thousands of fire code violations at hundreds of D.C. school buildings. Roger Warin has also served on the Committee's Board of

*continued on next page*

## FALL 2005 UPDATE

### Branton Awards continued from previous page)

Directors for over 12 years, including a term as Co-Chair.

In accepting the award, Roger Warin thanked the Washington Lawyers' Committee on behalf of participating lawyers "for involving us in the important work of civil rights and for giving us the opportunity to work for the common good and for the good of our city."

The Committee's annual Branton Awards Luncheon is named in honor of Wiley A. Branton, Sr., a civil rights lawyer of the 1950's who served with distinction in government, as Dean of Howard Law School, and as leader in several civil rights organizations. He served as a Co-Chair of the Washington Lawyers' Committee in 1987 and 1988. Since 1989, the Committee has bestowed the Branton Award annually on a member of the legal community whose lifetime efforts on behalf of civil rights advocacy exemplify the deep commitment of Wiley A. Branton, Sr., to equal justice in our society.

### Committee History (continued from page 4)

meaningful treatment for narcotics addicts, providing quality child care for low-income parents, representing African-American servicemen in challenges to their less than honorable military discharges, and providing supplemental instruction to hundreds of minority students about to enter area law schools.

The Committee's achievements over the past 35 years are largely attributable to the thousands of lawyers from over 100 area law firms who have given so generously of their *pro bono* time and financial contributions.

The Committee's record is also a direct reflection of the skill and dedication of the talented men and women who have served with distinction on its staff.

### (continued from page 5)

investigate and respond to future customer discrimination complaints. The franchise will also be required to report periodically to the Committee to maintain state-of-the-art policy and procedures on customer treatment.

"Plaintiffs are delighted to reach this agreement with Northlake," said the Committee's Equal Employment Opportunity Project Director Susan Huhta, "Northlake's commitment to ensure that it complies with federal law by providing equal employment and nondiscriminatory access at its restaurants will go far in achieving the objectives of the laws."

Additional, similar lawsuits against other franchises are pending in several states.

### Auto Lending continued from page 5)

through Toyota Motor Credit Corporation was, unbeknownst to Mr. Lloyd, marked up by Koons' employees beyond any rate justified by Mr. Lloyd's credit history and beyond those charged to comparably situated white purchasers. When Mr. Lloyd raised concerns at Koons about the higher monthly payments required under the loan with its excessive rate, he was promised refinancing and a lower rate in a year. Despite this promise, Koons repeatedly refused to refinance Mr. Lloyd's loan. As a result, Mr. Lloyd has paid an exorbitant and discriminatory amount of interest on his car loan and the loan balance currently exceeds the fair market value of the purchased Toyota.

Other groups have filed lawsuits against the financing arms of major car manufacturers alleging discrimination against African Americans resulting from the practice of allowing a dealer to add points

subjectively to a car loan interest rate. The Committee's case against Koons is believed to be among the first against a dealer challenging this practice.

### Heard (continued from page 6)

testing and treatment by D.C. medical staff and by private medical service provider Center for Correctional Health Policy and Studies, Inc. Mr. Heard was never provided with effective means of communication, or advised of his rights as a person with a disability or his constitutional rights to due process.

"This settlement is an extremely important success not only for Mr. Heard, but also for the community of people with disabilities," said Elaine Gardner, Director of the Committee's Disability Rights Project. She added that the settlement "should work to ensure that the District of Columbia correctional system will communicate effectively with future deaf inmates, and will treat all inmates who have disabilities with dignity and respect."

### English-Fluency Lawsuit (continued from page 15)

"English fluency requirements very often violate our federal laws against national origin discrimination. This settlement is a significant step to ensure that Spanish-speaking employees are protected by our nation's anti-discrimination laws," said Susan Huhta, Director of the Committee's Equal Employment Opportunity Project.

### School Partnership Expansion (continued from page 16)

proposed amendment, Dr. Janey wrote that the amendment "will cement in law the firmly held belief of D.C. residents that the obligation to provide adequately for public schools should be a fundamental priority of our city's government."

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### Washington Lawyers' Committee for Civil Rights and Urban Affairs UPDATE

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