

Pro Bono News

SPRING 2020

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Kramer Levin Response to COVID-19 Related Issues

Kramer Levin Joins National Pro Bono Coalition to Support Small Businesses

Kramer Levin is one of 34 law firms nationwide that has joined the Lawyers for Good Government Foundation in launching its Small Business Remote Legal Clinic. Lawyers provide pro bono legal consultations for small-business owners to help them understand and act on the options available under the COVID-19 stimulus package and other grant and loan programs that may be available to them. The first clinic opened in New York the week of April 6 in partnership with the City Bar Justice Center, with a goal of rolling out the program across the United States. For more information, please see the [article](#) in *The American Lawyer*. Thank you to corporate partner **Christopher Auguste** and corporate associate **Eric Rubin** for leading our effort assisting over 15 small business owners and counting.



Kramer Levin Successfully Secures Bail for Pro Bono Client Amid COVID-19 Pandemic

Amid the first reports of COVID-19 within federal prisons, Kramer Levin successfully secured bail for pro bono client Pedro Hernandez, who was held in detention at the Metropolitan Correctional Center pending trial before Judge Victor Marrero in the Southern District of New York. The case was profiled in a March 30 [article](#) in the *New York Daily News*. Kramer Levin lawyers argued that Mr. Hernandez, who is 64 years old and suffers from asthma and high blood pressure, was at especially high risk for contracting COVID-19 in a prison environment, where inmates reside in close quarters and sanitary precautions are minimal. Indeed, shortly before our application, two inmates held in Mr. Hernandez's unit had tested positive for COVID-19. After we filed our motion, the U.S. Attorney's Office agreed to Mr. Hernandez's release on bond, and Judge Marrero ordered his release. The Kramer Levin team representing Mr. Hernandez includes litigation partner **Darren LaVerne**, associates **John McNulty** and **Hanna Seifert**, and paralegal **Angela Chan**.



Kramer Levin Response to COVID-19-Related Issues (cont.)

Kramer Levin Assists Nonprofit Focused on COVID-19 Treatment

While Dr. Richard Levitan volunteered at Bellevue Hospital to treat COVID-19 patients, he and his colleagues noticed that proning — or resting on their stomach — on a specialized proning cushion, when paired with oxygen delivery, facilitated increased breathing and comfort for the patient. This treatment was not just effective; it offered the added bonus of reducing the need and demand for ventilators.

Richard Levitan is an airway specialist who has practiced emergency medicine for more than 30 years. In an effort to increase access to these cushions for healthcare workers treating COVID-19 patients, Richard Levitan, in coordination with his two brothers, Dan and Robert Levitan, decided to start a nonprofit organization that would acquire these cushions with funds donated by the public, and distribute the cushions, without charge, to hospitals and healthcare workers requesting them through the organization’s website.

Kramer Levin, through its client Stone Point Capital, connected with Robert Levitan and guided him through the processes of swiftly incorporating the New York nonprofit Prone2Help Inc. and drafting disclaimer language and the organization’s privacy policy for Prone2Help’s website, and continues to guide Prone2Help through the application processes for receiving 501(c)(3) tax-exempt status and registering its trademarks. The Kramer Levin team includes Corporate partners **Howard Spilko** and **Chris Auguste** and associates **Jonathan Goodman**, **Jeffrey Taub** and **Dana Lyons**; Tax partner **Barry Herzog** and associate **Rita D’Souza**; IP associate **Rachel Jurist**; and Litigation special counsel **Samantha Ettari**.

Visit Prone2Help Inc.’s [website](https://www.prone2help.org/). (<https://www.prone2help.org/>)



Pro Bono Program Spotlight

Kramer Levin Hosts a Pro Bono Week Panel Featuring Alumni

In celebration of National Pro Bono Week, Oct. 21 – 25, 2019, we were pleased to host a special presentation, “Transitioning to a Career in Public Interest,” featuring a terrific lineup of Kramer Levin alumni. The panelists shared their experience and tips on searching for a public interest job and working in that field.

The alumni panel included:

- Connie Chiang, New York University Office of General Counsel (formerly at the ACLU)
- Wells Dixon, Center for Constitutional Rights
- Joel Pietrzak, Legal Aid Society, Education Law Project
- Scott Ruskay-Kidd, Center for Reproductive Rights
- Anna Schoenfelder, International AIDS Vaccine Initiative
- Lee Strock, Peter Cicchino Youth Project, Urban Justice Center



The panelists shared their experiences.



From left to right: Lee Strock, Anna Schoenfelder, Joel Pietrzak, Jamie Porco, Connie Chiang, Wells Dixon and Scott Ruskay-Kidd.

Pro Bono Program Spotlight (cont.)

Pro Bono Mentor/Mentee Lunches

Kramer Levin hosted a Pro Bono Mentor/Mentee Lunch in December to reconnect and hear about interesting pro bono matters that mentor/mentee pairs have taken on together. All mentoring pairs are encouraged to work on a pro bono matter together.

Matthew Friedrick and **Doug Buckley** presented on an asylum application; **Rachel Goot** and **Aaron Webman** on their Innocence Project case; **Kevin Cipolli** and **Greg Cage** on a nonprofit representation; and **Max Goldman** and **Max Nowak** on an asylum Immigration Court hearing.

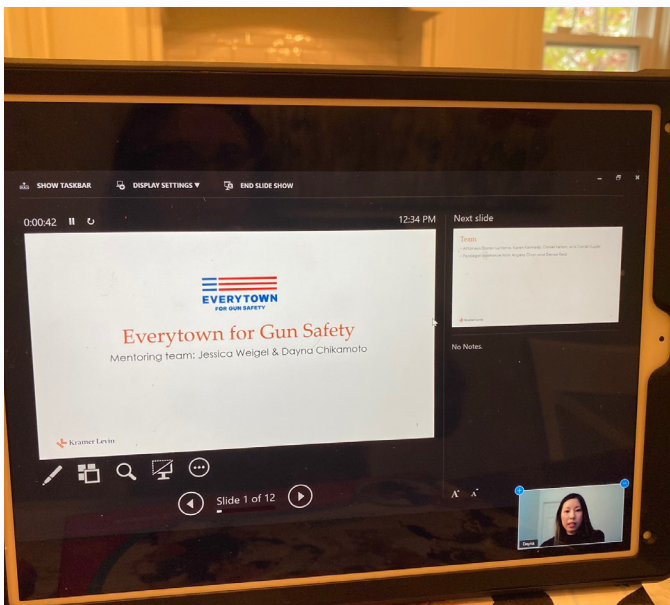
The pairs met again on April 27 via Zoom. **Jessica Weigel** and **Dayna Chikamoto** presented on their work with Everytown for Gun Safety; **Yuri Caire**, **Linda Xu** and **Missy Brenner** spoke about their work with the housing clinic hosted by Community Legal Services of East Palo Alto (CLSEPA); and **Rey Watson**, **Samantha Alman** and **Daniel Kugler** presented on a successful emergency application for a change in child visitation where there were COVID-19 concerns.



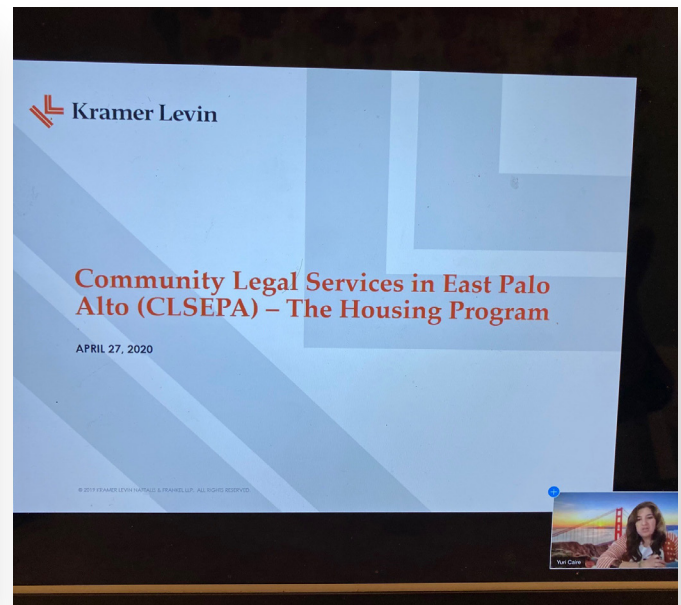
Associates **Max Nowak** and **Max Goldman** at the December lunch.



Associates **Greg Cage** and **Kevin Cipolli** at the December lunch.



Associate **Dayna Chikamoto** presents via Zoom.



Associate **Yuridia Caire** presents via Zoom.

Pro Bono Clinics

Pro Bono Naturalization Screening Clinic With Bank of America and Thomson Reuters

On Nov. 7, 2019, more than 50 Kramer Levin, Bank of America, Thomson Reuters and Refinitiv lawyers and staff worked together to assist low-income immigrants in determining whether they may be eligible to become citizens. Working with Legal Services NYC, we set up an on-site, limited-scope pro bono clinic where volunteers walked immigrants through a series of questions, gave an overview of the naturalization process and identified potential risks to applying. We met with more than 20 pro bono clients, many of whom will ultimately become naturalized.

Our clinic provided a great opportunity to work with our clients at Bank of America and friends at Thomson Reuters and Refinitiv, and to help immigrants navigate the challenging naturalization process.



Clinic participants at the end of training.



Associate Jeruska Lugo Sanchez, Stephanie Jeshiva (Thomson Reuters) and paralegal Laurie Baldinger meet with pro bono client.



Associates Bill Cavanagh, Mariya Khvatskaya and legal secretary Ines Domingues meet with pro bono client.



Christina Diamantis (Bank of America), associate Daniel King, Amie Davis (Bank of America), and associate Daniel Michaelson socialize after the clinic.

Pro Bono U-Visa/Violence Against Women Act (VAWA) Screening Clinic With BlackRock

On Dec. 11, 2019, in conjunction with Legal Services NYC, Kramer Levin hosted a U-Visa pro bono clinic with firm client BlackRock. After an hour of training, nearly 40 Kramer Levin and BlackRock volunteers teamed up and met with low-income clients, walked them through a series of questions, and reviewed documents to determine whether the clients were eligible to apply for a special visa available to the victims of major crimes. The clinic began with breakfast, and participants earned CLE credits for the training and pro bono work. The day culminated with a lunch and gift bags for all the participants. Special thanks to firm alumna Katrina Baker for her help organizing the clinic!



Partner Eliza Kaiser and alumna Katrina Baker speak to the clinic volunteers.



Clinic volunteers from BlackRock and Kramer Levin.



Jamie Suk and Wonda Quinn from BlackRock working with partner Robert Holtzman.

Pro Bono Clinics (cont.)

Small Business Pro Bono Clinic With TrustLaw in Honor of Martin Luther King, Jr. Day

On Jan. 29, in honor of Martin Luther King, Jr. Day, the Diversity Committee and the Pro Bono Committee co-sponsored a Pro Bono Café in partnership with TrustLaw, Thomson Reuters Foundation's global pro bono legal program. We welcomed nongovernmental organizations (NGOs) and social enterprises that focus on serving underrepresented communities.

Members of various departments at Kramer Levin met with the organizations to discuss different areas of law, including tax, intellectual property, corporate, data privacy and more, and to learn about the social issues that the organizations are working on and explore how pro bono assistance can help them achieve their social mission. NationSwell, Global Black Youth, Unspoken Smiles Foundation, African Communities Together, Hustlers Guild and Benefit Kitchen received advice from Kramer Levin lawyers.

To hear from the NGOs themselves on how the clinic benefited their organization, please visit [here](#).



Clinic participants at the training before the clinic start.



Partner Christopher Auguste welcomes clinic participants.



Representatives from Global Black Youth with former associate Emilie Oberlis, associates Rita D'Souza and Mariya Khvatskaya.



Associates Karolina Ebel, Michael Calb and Daniel Lennard meet with one of the clinic clients.

City Bar Justice Center Veterans Assistance Project Training With Firm Client Deloitte

Following a successful pro bono clinic with Deloitte last spring, we plan to conduct a series of clinics with them again in the fall of 2020, organized with the City Bar Justice Center. We kicked off the clinics with a three-hour training taught by the center's Kent Eiler with Deloitte lawyers, which took place in February over lunch. The clinics will once again assist low-income veterans who became disabled by injuries sustained while serving in our armed forces. Participating lawyers will be placed on working teams including Deloitte and Kramer Levin volunteers. Following the training, teams will help veterans prepare applications for benefits from the Department of Veterans Affairs on one of the clinic dates. After the clinic, Kramer Levin lawyers will work with their veteran client for the remainder of the case and file the application for medical benefits.



Training Participants.



Attorneys from Deloitte and Kramer Levin arriving.



Partners Thomas Molner and Thomas Constance participate in the training.



Training participants.

Pro Bono Clinics (cont.)

Name Change Pro Bono Clinic With Standard Chartered Bank and TLDEF

On Feb. 27, Kramer Levin co-sponsored an on-site name change clinic with firm client Standard Chartered Bank. We partnered with the Transgender Legal Defense & Education Fund (TLDEF) to assist TGNCNB (transgender, gender nonconforming, nonbinary) pro bono clients with name change petitions. The clinic began with a CLE training covering the process of name changes in NYC Civil Court, cultural competency and sensitivity, and best practices for working with TGNCNB clients. Following the training, volunteers met with their client and filled out the name change petition. After the clinic, Kramer Levin lawyers filed the petition and will then accompany their client to court to obtain the name change. Special thanks to firm alumna Jennie Diana for her help organizing the clinic!

For many TGNCNB people, securing a legal name change is an important step toward making their legal identities match their lived experience. A lack of appropriate identity documents can deter people from applying for jobs, school and public benefits, and can lead to discrimination. But securing a legal name change can be a challenging experience, involving interaction with the court system and judges that is foreign to many people. By providing our clients with adequate legal representation, this clinic helped ensure that people successfully complete the process and move forward with their lives.



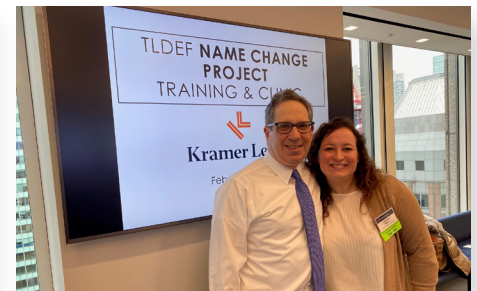
COO Mat Rosswood and paralegal Santo Cipolla greeting clinic participants with preferred pronoun name tags.



Clinic participants attend the training by AC Dumlao (right) and Jamie Porco.



Clinic volunteers.



KL alumna Jennifer Diana and Co-Managing partner Paul Schoeman socializing after the clinic.

Uncontested Divorce Pro Bono Clinic With Her Justice

In honor of International Women's Day, the Women's Initiative and Pro Bono committees co-sponsored an Uncontested Divorce Clinic. Partnering with Her Justice's Marital Debt Project, and in support of the firm's Equal Justice Works Fellow, Naomi Young, volunteers provided legal representation to low-income women (many of whom are victims of domestic violence) who are in need of a divorce but cannot afford a lawyer. Participants interviewed their clients and drafted initial pleadings for filing in the state Supreme Court. After the clinic, the teams of volunteer lawyers will continue to represent their client throughout the uncontested divorce.

Although the women's movement has made progress toward achieving equity within marriages, lingering social and legal presumptions of marital unity allow abusers to fraudulently file tax returns, apply for credit in their spouse's name, or otherwise control the family finances without scrutiny or consequences from police or courts. Uncontested divorces empower women by severing legal ties to harmful or abusive economic partnerships.



Clinic participants listen while Equal Justice Works Fellow Naomi Young (standing) kicks off the training.



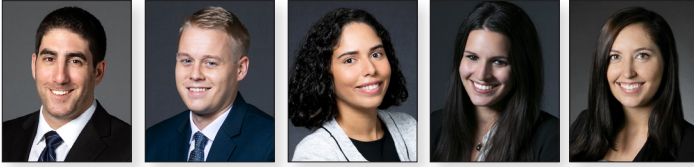
Associates Erin Klewin, Daniel Sugarman and Katherine Jeffery at the clinic.



Associates Jonaki Singh and Anna Boltvanskiy at the clinic.

Pro Bono Successes — Transactional Law Highlights

KL Assists Pro Bono Client in Opening Beauty Salon

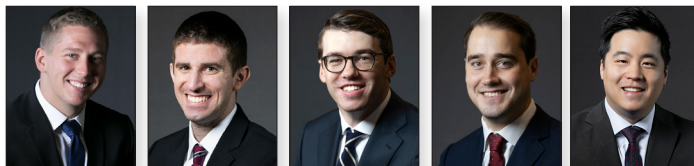


Donnette Lyttle sought pro bono representation to help her open her beauty salon, Love Conquers All Beauty Salon, in Brownsville, Brooklyn. Kramer Levin's Corporate group guided Ms. Lyttle through the entity formation process and drafted the salon's operating agreement, while the Employment group drafted the salon's employee handbook and walked her through the various regulatory issues that an owner must consider when opening a small business in New York City. Kramer Levin continues to assist Ms. Lyttle as she gets her salon off the ground. The Kramer Levin team included Corporate associates **Benjamin Edlin**, **Dana Lyons** and **Jeruska Lugo Sánchez**, and Employment associates **Sarah Hanson** and **Emily Wajert**.



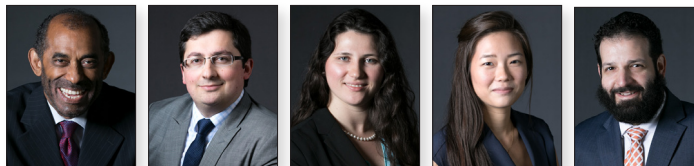
Pictured are members of Kramer Levin's Employment and Corporate groups with Ms. Lyttle while attending the grand opening of the Salon in November.

KL Assists Small Business Owners



Lawyers from Kramer's Corporate and Intellectual Property departments attended the Chinatown Manpower Project Clinic on Nov. 7, 2019. During this clinic, the associates counseled local residents on a wide variety of topics, including intellectual property and corporate entity formation. Clinic participants were largely people who were looking for guidance on how to start a small business. Corporate associates **Daniel King** and **Eric Rubin**, Corporate law clerks **Zach Karlan** and **Christian Roccotagliata**, IP associate **Jeffrey Eng** and former IP lawyer **Jaclyn Ionin** assisted at the clinic.

KL Assists Charter School

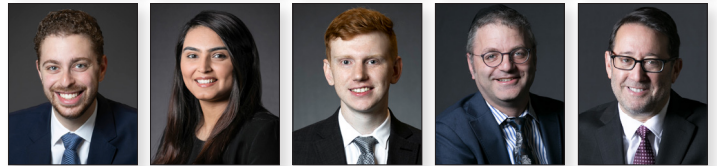
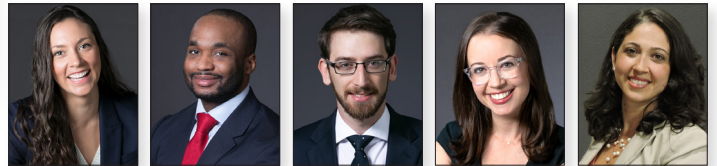


Kelsey Jones and Gabriela Tejedor had a vision of an independent middle school in Brooklyn that would provide a top-notch education for the modern world while being accessible to students of all socioeconomic backgrounds. Kramer Levin worked with Kelsey, Gabriela and the growing team at Brooklyn

Independent to bring this vision to fruition. The firm assisted Brooklyn Independent and its board of trustees from the early stages, and was involved in key areas including obtaining a New York State provisional charter for the school; instituting governance policies and drafting bylaws; applying for 501(c)(3) tax-exempt status and implementing a fiscal sponsorship arrangement pending approval of such status; reviewing school policies and handbooks; negotiating a number of key agreements, including a lease for the school's premises and various vendor contracts; and providing guidance on the admissions, waitlist and financial aid processes. As a culmination of the hard work and dedication of Kelsey, Gabriela and the Brooklyn Independent team, together with Kramer Levin's counsel and guidance, Brooklyn Independent successfully opened its doors to its inaugural class in September 2019. Corporate partner **Chris Auguste** and Corporate associate **Ilya Kontorovich**, Tax associate **Mariya Khvatskaya**, Real Estate associates **Jackie Ryu** and **Mendel Trapedo**, and former associate **Jessica McGrath** worked on the project.

KL's Nonprofit Pro Bono Work

Lawyers from various departments across the firm are part of



Kramer Levin's Nonprofit Task Force. The task force was created so that lawyers can stay abreast of the New York nonprofit and tax laws that apply to the firm's representation of nonprofit entities, which includes formation, filing for 501(c)(3) designation with the IRS and providing advice with ongoing governance matters. Members of the task force are **Chris Auguste**, **Rita D'Souza**, **Terron East**, **Nathan Gusdorf**, **Rachel Jurist**, **Zachary Karlan**, **Mariya Khvatskaya**, **Ilya Kontorovich**, **Dana Lyons**, **Jamie Porco**, **Christian Roccotagliata**, **Eric Rubin**, **Gabriel Slamovits**, **Eva Tanna**, **Nicholas Tarnowski**, **Jeffrey Taub**, **Jeff Trachtman**, **Emily Wajert**, **Alexis Wanzenberg** and **Christian Witzke**.

Below is a representative list of the variety of nonprofit organizations the firm assists. If you do not see the organization you work with in this list, please reach out to **Tatiana Cios** and it will be included in the next edition of the newsletter.

AFFIRM

American Foundation for Firearm Injury Reduction in Medicine is composed of physician leaders who seek to end the epidemic of gun violence through research, innovation and evidence-based practice.

Pro Bono Successes (cont.)

Alliance for Young Writers and Artists

Alliance for Young Writers and Artists identifies teenagers with exceptional artistic and literary talent and brings their remarkable work to a national audience through The Scholastic Art & Writing Awards. The Alliance provides recognition, exhibition and publication opportunities, and scholarships.

Andrew Dreyer Memorial Fund

The Andrew Dreyer Memorial Fund provides a scholarship to send low-income boys to Brant Lake Camp in the Adirondacks every summer.

Apex for Youth

Apex for Youth delivers possibilities to underserved Asian and immigrant youth in New York City by recruiting volunteers to be positive role models for them.

Association for a Better New York

ABNY is dedicated to the growth and renewal of New York City's people, businesses and communities.

Broadway Barks

Broadway Barks hosts a dog and cat adoption event benefiting New York City animal shelters and adoption agencies.

Brooklyn Independent

Brooklyn Independent is a 6th-8th grade private middle school focused on diversity and inclusion. Their sliding-scale tuition model ensures that all families have access to and can afford an excellent education.

Cause Effective

Cause Effective helps nonprofits raise money, activate their boards and get the greatest value from special events.

Children's Aid Society

Children's Aid Society serves New York's neediest children and their families at more than 40 locations in New York City.

DIFFA

Design Industries Foundation Fighting Aids raises awareness and grants funds to organizations that provide treatment, direct care services, preventive education programs and advocacy for individuals impacted by HIV/AIDS.

DREAM Charter School, formerly Harlem RBI

DREAM Charter School is a model learning community with high expectations, a strong culture of care, and a vision of student success and excellence. DREAM was established in 2008 with 100 scholars in kindergarten and first grade. Today it serves more than 900 scholars in East Harlem and Mott Haven.

Exhale to Inhale Inc.

Exhale to Inhale empowers those affected by domestic violence and sexual assault to transform their lives using the healing

practice of trauma-informed yoga. Exhale to Inhale provides weekly yoga classes at domestic violence shelters and community centers in NY, CT, and Los Angeles.

GMHC

GMHC is the world's first and leading provider of HIV/AIDS prevention, care and advocacy.

The LGBT Community Center

The Center offers New York City LGBT communities health and wellness programs; arts, entertainment and cultural events; and recovery, wellness, parenthood and family support services.

Long Island Center for Tourette and Associated Disorders Inc.

Long Island Center for Tourette and Associated Disorders raises awareness of various disorders and provides support to those suffering from them.

The Lowline

The Lowline is a project to build an underground green space using innovative solar technology to illuminate a historic trolley terminal on the Lower East Side of New York City.

The Musical Theatre Factory

The Musical Theatre Factory is a volunteer-based nonprofit dedicated to helping musical theatre artists develop and present new work in a collaborative atmosphere free from the pressures of critical or commercial success.

Musique et Vin au Clos Vougeot

This organization sponsors a ten-day festival of young artists and musicians held in Burgundy, France.

Pop's House

Pop's House assists veterans and ex-offenders who are homeless or at risk of becoming homeless, in their efforts to achieve ultimate independence and self-sufficiency.

Precycle LLC

Precycle aims to address the growing problem of plastic pollution by empowering customers to reduce food and packaging waste by allowing them to bring their own containers to various stores to fill with food.

Sam and Devorah Foundation for Trans Youth

The Sam and Devorah Foundation for Trans Youth is working to establish a safe haven for transgender and gender nonconforming young adults to regroup for a short period of time in a respectful and nurturing environment.

Virginia Gildersleeve International Fund Inc.

VGIF provides grants globally to fund locally generated projects that advance the rights of women and girls.

Pro Bono Successes (cont.) — Immigration Law Highlights

KL Files Suit to Compel Long-Overdue Asylum Interviews

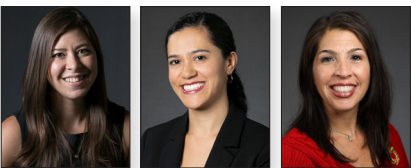


Partnering with Legal Services NYC, Kramer Levin filed a mandamus suit to compel the United States government to conduct asylum interviews for five refugees. All five are transgender women who suffered transphobic violence and sexual assault in Mexico and now seek asylum in the United States. While the law requires that the government conduct asylum interviews within 45 days of the initial filing, they have been waiting for more than two years and exhausted all available administrative remedies to seek adjudication of their meritorious claims for asylum. Due to the government's recently enacted last-in-first-out policy for scheduling asylum interviews, under which interviews are scheduled only for newly filed cases, the women have been stuck in a legal limbo, and it is unclear when their claims for asylum would ever be heard without intervention. The case received front-page coverage in the *New York Law Journal*.

All five refugees are members of the Lunicorns, which is the first Latinx LGBTQ group on Staten Island. They have been actively participating in their case and hope the power of their collective voices will uplift others in the LGBTQ community to tell their stories, seek legal help for asylum and ultimately have the freedom to be who they are. Kramer Levin partnered with Immigration Equality to file a similar suit in April 2019 on behalf of two refugees who had also been waiting for years for an asylum interview. The government eventually relented and held interviews for both clients, who then received asylum. Legal Services NYC and Immigration Equality are using Kramer Levin's papers as a model to file suits on behalf of others similarly situated.

The Kramer Levin team included Intellectual Property partner **Aaron Frankel**; Litigation associates **Michelle Ben-David**, **Dan Lennard** and **John McNulty**; Land Use associate **Sam Brill**; assistant managing attorney **Samantha Ford**; and former associates Allison Parr and Michael Vatcher. Paralegal **Erick Ramirez** assisted.

KL Obtains Asylum for a Transgender Woman from Jamaica



Kramer Levin obtained asylum for Ms. C, a transgender woman from Jamaica who endured persecution throughout her adolescence

because of her sexual orientation and gender identity. While living in Jamaica and identifying as male, Ms. C was regularly harassed and physically threatened at home, at school and in her community for her perceived effeminate demeanor. The harassment became so severe that Ms. C fled Jamaica for the

United States when she was only 18 years old. In the United States, Ms. C finally felt less afraid to express her gender identity and was afforded access to resources that allowed her to come to terms with her desired identity as a transgender woman. In addition to undergoing her gender transition, Ms. C found it challenging to establish stability in the United States; however, although Ms. C was once homeless for many months, she has now secured stable housing and even recently obtained her GED. Ms. C's case was particularly challenging because she applied for asylum approximately two and a half years after arriving in the United States, which is well beyond the one-year deadline to file for asylum. The Kramer Levin team, consisting of Litigation associates **Hanna Seifert**, **Astrid Ackerman** and paralegal **Pamela Badolato**, successfully demonstrated to the asylum office that Ms. C had suffered persecution in Jamaica for many years, and that returning to Jamaica could subject her to further violence that would put her life in danger.

KL Wins BIA Appeal for Detained Asylum Client



Kramer Levin successfully represented a detained asylum applicant from Eritrea, Mr. T, in his appeal from an immigration judge's denial of his asylum and Convention Against Torture (CAT) claims. The immigration judge found Mr. T not credible based largely on minor, nonsubstantive inconsistencies in his testimony and relied on that adverse credibility finding in denying Mr.

T's asylum and CAT claims. Kramer Levin argued, in part, that the adverse credibility finding and denial of Mr. T's claims were clearly erroneous. The Board of Immigration Appeals agreed, and remanded Mr. T's case for further findings and reconsideration of Mr. T's CAT claim. Kramer Levin's appeal brief was prepared by Litigation associate **Jonaki Singh** and supervised by Litigation special counsel **Susan Jacquemot**. Intellectual Property associate **Hien Lien** and paralegal **Billy Jump** also provided assistance.

KL Obtains Asylum for Pro Bono Client from Jamaica



Kramer Levin obtained asylum for Mr. C, a Jamaican gay man. Mr. C endured brutal physical assaults and a lifetime of persecution in Jamaica on account of his gay identity. The Kramer Levin team presented compelling evidence concerning the routine violence and discrimination that

homosexuals in Jamaica face, despite recent news coverage suggesting improved conditions for homosexuals in Jamaica. Litigation associate **Irene Weintraub** worked on the matter under the supervision of Intellectual Property partner **Aaron Frankel**.

KL Obtains Asylum for Pro Bono Client From Central African Republic



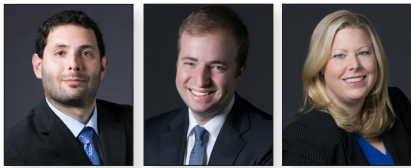
Kramer Levin obtained asylum for our client, Mr. K, from the Central African Republic, who suffered persecution due to his imputed political opinion in support of a well-known government

Pro Bono Successes (cont.)

dissenter. After Mr. K's father was beaten numerous times and eventually murdered, government officials beat and abducted Mr. K himself. Mr. K sought asylum after escaping and fleeing to the United States in 2013.

Kramer Levin lawyers submitted filings in the Immigration Court proceedings, documenting the persecution that Mr. K suffered as well as the danger faced by Mr. K if he were to be forced to return to the Central African Republic. At the hearings, Kramer Levin lawyers engaged in oral arguments, conducted a direct examination of our client and defended him during cross-examination by lawyers from the Department of Homeland Security. The Immigration Court granted Mr. K's asylum application immediately after the hearing. Litigation associates **Maxim Nowak** and **Max Goldman** led the team, and Intellectual Property partner **Aaron Frankel** supervised the case.

KL Obtains SIJS for Guatemalan Client



Kramer Levin lawyers successfully obtained Special Immigrant Juvenile Status (SIJS) for a client who immigrated to the United States from

Guatemala as a juvenile. In October 2018, U.S. Citizenship and Immigration Services (USCIS) denied his application for SIJS, despite an order of the Kings County Family Court that it was not in the best interest of the client to return to Guatemala as he was abandoned by his mother, his father was deceased and he would be forced to work in dangerous conditions if he were to return. USCIS denied the application on the basis that the Family Court did not have jurisdiction to make those findings because the client was over the age of 18. Kramer Levin appealed that determination and persuaded the Immigration Court over several appearances to stay removal during the pendency of related federal court litigation. In November 2019, the Administrative Appeals Office granted that appeal and determined that the client was eligible for SIJS. Final adjustment of status is currently pending. The team included Litigation associates **Zachary Naidich** and **Daniel Ketani** and Intellectual Property special counsel **Christine Willgoos**.

KL Obtains Asylum for Guinean Detainee



Litigation associates **Hanna Seifert** and **PJ Campbell** and former Corporate associate **Emilie Oberlis** successfully obtained asylum for a Guinean detainee on rehearing before an immigration judge. The client had previously been represented by another law firm, but his asylum application was denied. He appealed the decision, and the Board of Immigration Appeals reversed and remanded the case for a rehearing. Emilie, Hanna and PJ submitted additional evidence to the court, conducted a direct examination and defended a cross-examination of the client. The immigration judge considered the evidence and testimony and ruled in the client's favor, granting his asylum application. DHS waived its right to appeal so the client was released the same evening. The victory is a product of considerable hard work and cross-departmental team effort!

KL Obtains Special Immigrant Juvenile Status for Guatemalan Victim of Abandonment and Neglect



Kramer Levin recently obtained SIJS for F.C.U., a minor who fled his native Guatemala after experiencing years of neglect and

abandonment by his parents. After Kramer Levin successfully moved the Queens Family Court to appoint F.C.U.'s relative in New York as his legal guardian, the team filed an application for SIJS with USCIS. F.C.U., who was 19 years old at the time he applied for SIJS, was originally ineligible due to the USCIS' then-operative policy of rejecting SIJS applicants between 19 and 21 years old, who the USCIS contended were not "juveniles" within the meaning of the SIJS statute. However, after a court found that this policy was in contravention of federal law, F.C.U.'s application for SIJS was granted. F.C.U. is now eligible to apply for permanent residency. The team included Litigation partner **Claudia Pak** and associates **Sam Koch** and **Nathan Schwartzberg**.

KL Obtains Asylee Status for Client



Kramer Levin obtained asylee status for Mr. O, a Macedonian gay man. Mr. O suffered bullying, harm and threats in Macedonia on account of his gay identity. While Mr. O's asylum application was pending, Mr. O married another asylum applicant, a man from Ecuador. When Mr. O's husband was granted asylum first, Mr. O petitioned as an asylee relative of his husband. Although such petitions tend to be quite standard, Mr. O's case languished in the backlog for almost four years due to the procedural irregularity of being both an asylum applicant and an asylee relative petitioner. The Kramer Levin team engaged in extensive written advocacy on behalf of Mr. O and ultimately prevailed in obtaining asylee status for him. Tax associate **Rita D'Souza** and former Corporate associate **Emilie Oberlis** worked on the matter.

Family Law Highlights

KL Successfully Petitions Removal of Young Mothers From the Statewide Central Register of Child Abuse and Maltreatment

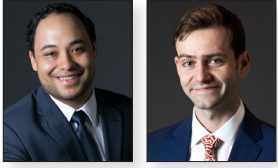


Litigation special counsel **Karen Kennedy**, law clerk **Gabriel Slamovits** and summer associate **Daniel Phillips**, working with Brooklyn Defender Services, submitted client affidavits and exhibits and successfully petitioned New York's Statewide Central Register of Child Abuse and Maltreatment

to remove the names of two clients who were wrongfully listed there. In one instance, a client was listed in connection with a petition that was dismissed in Family Court, and in another, a client was listed as a result of a mistaken arrest for which all charges had been dismissed. This result was particularly important to the clients, working mothers, because they are pursuing careers in the New York City public schools, which they would be barred from if their names had remained on the register.

Pro Bono Successes (cont.)

KL Secures Maximum Jail Time for Failure to Pay Child Support



In January 2019, Kramer Levin filed a petition for violation of a child support order for a single mother, our client, who was owed tens of thousands of dollars she critically needed to take care of her 5-year-old child. The

father flagrantly disregarded the child support order throughout the year of litigation, including by going on a summer vacation to the Caribbean, which he admitted during a withering cross-examination. Sparking not one but two appeals to the Appellate Division, Second Department, and after two trials and multiple oral arguments, Kramer Levin Litigation associate **Reyhan Watson** and law clerk **Daniel Kugler** were able to secure the tremendously rare imposition of maximum jail time (six months) as punishment for the nonpaying father.

KL Secures Divorce for Victim of Domestic Violence



Kramer Levin finalized a divorce for our client, in culmination of a highly atypical process that saw the case move from uncontested to contested status and included both an inquest and a hearing over the course of more

than a year. Among other things, our KL team was able to secure our client's absence from an inquest, where she would otherwise have risked danger by having to face her abuser despite there being an effective order of protection at the time. The KL team included Tax associate **Rita D'Souza**, Corporate associate **Charlotte Bhandari** and Litigation associate **Zachary Naidich**, along with **Liliya Suris** from the Managing Attorney's Office.

Kramer Levin Obtains Order of Protection for Pro Bono Client



Litigation associates **Hanna Seifert** and **Rupita Chakraborty** successfully obtained a final order of protection for Ms. G, a victim of domestic violence who was referred to the firm by Her Justice. The order was obtained via inquest against Ms. G's spouse. Kramer Levin is also representing Ms. G

on her VAWA self-petition, as well as coordinating closely with Safe Horizon to help her obtain temporary relief services such as counseling and vital dental care.

KL Negotiated Sealing Client's Placement on the Statewide Central Register of Child Abuse and Maltreatment



Litigation special counsel **Susan Jacquemot** and associate **Genevieve Burger-Weiser**, working with Brooklyn Defender Services (BDS), successfully negotiated with the Administration for Children's Services (ACS) to seal a client's placement on the New York State Central Register of Child Abuse

and Maltreatment. Based on evidence of the client's rehabilitation presented to ACS and at the client's Fair Hearing, including her completion of anger management and parenting classes, her

children's positive academic reports, and family therapy, ACS agreed to support the sealing of her Central Registry report so that it will no longer block her from securing employment.

Amicus Briefs

KL Amicus Brief Helps Secure Victory Recognizing Constitutional Right of Access to Literacy



On April 23, the United States Court of Appeals for the Sixth Circuit issued a landmark decision that adopts a position Kramer Levin advocated on behalf of amicus curiae PEN America. The court held in *Gary B. v. Whitmer*, Case No. 18-1855, that a basic minimum education — one that plausibly provides access to literacy — is a fundamental right under the U.S. Constitution. The plaintiffs in the

case are children who attend some of Detroit's worst-performing public schools. Many of the schools' students cannot read, write or comprehend at anything close to their grade level. The schools lack appropriate textbooks, instructional materials and classroom resources, and have unsanitary and dangerous conditions, including extreme temperatures and vermin.

Kramer Levin's client, PEN America, is a nonprofit association of approximately 7,000 writers, including novelists, journalists, editors, poets, essayists, playwrights, publishers, translators, agents and other professionals. Its many prominent current and former members include Jennifer Egan, Robert Caro, James Baldwin, Arthur Miller, Toni Morrison and John Steinbeck. Our brief highlighted that literacy is essential to fully participate in the political process and our society. We argued that Supreme Court precedent, including the holding in *Obergefell* that same-sex couples have the fundamental right to marry, compels the conclusion that access to literacy — the most basic component of education — is a fundamental constitutional right because, like marriage, it is inherent in the concept of individual autonomy, draws meaning from related constitutional rights and is a keystone of the nation's social order. The Sixth Circuit agreed, concluding that access to literacy is deeply rooted in American history and tradition, and that because of its importance to the exercise of other fundamental rights and participation in the political process and society, it is essential to the concept of ordered liberty and therefore a fundamental right. The court acknowledged that "[i]t may never be that each child born in this country has the same opportunity for success in life, without regard to the circumstances of her birth." But the court opined that the "Constitution cannot permit those circumstances to foreclose all opportunity and deny a child literacy without regard to her potential Providing a basic minimum education is necessary to prevent such an arbitrary denial."

The Kramer Levin team includes Litigation partner **Michael Dell**; Litigation associates **PJ Campbell**, **Max Goldman**, **Daniel Ketani**, **Erin Klewin** and **Shaked Sivan**; paralegal **Denise Reid**; and former associates **Alejandro Ortega** and **Ross Peyser**.

Pro Bono Successes (cont.)

KL Represents Women Who Have Had Abortions in SCOTUS Challenge to Louisiana's Anti-Abortion Law



On Dec. 2, 2019, Kramer Levin filed an amicus brief in support of abortion providers in Louisiana who are challenging a law designed to shut down the state's abortion clinics.

The Louisiana law is identical to a Texas law the Supreme Court struck down three years ago in *Whole Woman's Health v. Hellerstedt*. It requires that doctors who perform abortions have admitting privileges at

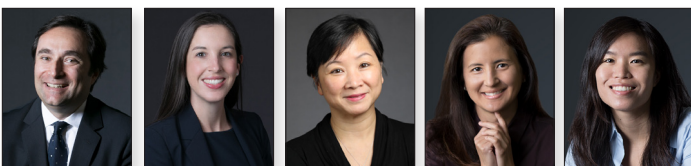
a local hospital. Because Louisiana hospitals are reluctant to grant such privileges, the law, if the Supreme Court upholds it, will likely lead all but one of the state's remaining clinics to shut their doors. The trial court record shows the law provides no health benefit, its purpose is to force clinics to close, and clinic closures would present a substantial obstacle to abortion access, particularly for poor women.

The Supreme Court also granted Louisiana's cross-petition for certiorari to address the question of whether clinics and doctors may continue to assert the constitutional right of women to abortion. For more than 40 years, the Supreme Court has repeatedly, and without exception, permitted abortion providers to assert the abortion right of their patients. If the Supreme Court were now to reverse course, challenges to abortion restrictions would have to be brought by women who are in the process of seeking abortions — which would make it far more difficult to challenge abortion restrictions.

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.

Our brief urging the Supreme Court to reject Louisiana's clinic-shutdown law and arguments against standing was prepared by litigation partner **Michael J. Dell**; associates **Aaron L. Webman**, **Irene Weintraub**, **Dayna M. Chikamoto**, **Astrid Ackerman**, and **Andrea Maddox**; paralegal **Jessica Halpert**; and former associate **Evie Spanos**.

KL Submits Amicus Briefs for Everytown for Gun Safety in Support of Age-Based Firearms Restrictions in California and Florida



California Brief

On Jan. 3, Kramer Levin submitted an amicus brief in the U.S. District Court for the Southern District of California on behalf of its client Everytown for Gun Safety in *Jones v. Becerra*, a case involving a Second Amendment challenge to California's age-based restrictions on the sale or transfer of firearms. Everytown is the nation's largest gun violence prevention organization, with nearly 6 million supporters in all fifty states fighting for public safety measures that respect the Second Amendment and help save lives.

Our brief supports the position of the California Attorney General's office, which is defending a recently amended California statute restricting licensed firearm dealers from selling or transferring firearms, with a number of exceptions, to persons under the age of 21. Plaintiffs in the case, who seek a preliminary injunction preventing California from enforcing the statute, claim that the law unconstitutionally infringes on the Second Amendment rights of persons between the ages of 18 and 21, as applied to the states through the Fourteenth Amendment to the U.S. Constitution. Plaintiffs' challenge to the statute is one of several lawsuits that have been filed in federal and state courts around the country, arguing that similar statutes regulating the sale or transfer of firearms to persons under 21 years old are unconstitutional.

Our brief provides the court with historical analysis demonstrating that, for at least 150 years, the states have enacted, and courts have upheld, restrictions on the transfer of firearms to persons under 21 years of age. Under the applicable legal framework for evaluating Second Amendment challenges to firearms regulations, the California statute thus regulates conduct outside the scope of the Second Amendment and is not unconstitutional. In addition, even were the conduct at issue protected by the Second Amendment, the statute is reasonably tailored to accomplish California's important interest in promoting public safety and reducing gun violence.

Florida Brief

Following the California filing, on Jan. 28, Kramer Levin filed an amicus brief in the U.S. District Court for the Northern District of Florida on behalf of Everytown for Gun Safety in *NRA v. Swearingen*, a case involving a Second Amendment challenge to Florida's age-based restrictions on the sale or transfer of firearms. Our brief supports the position of the Florida Attorney General's office and the Florida Department of Law Enforcement, which are defending a recently amended Florida statute restricting licensed firearm importers, manufacturers, or dealers from selling or transferring firearms, with a number of exceptions, to persons under the age of 21. Plaintiffs in the case, who seek declaratory and injunctive relief, claim that the law (1) unconstitutionally infringes on the Second Amendment rights of persons between the ages of 18 and 21, as applied to the states through the Fourteenth Amendment to the U.S. Constitution and (2) unconstitutionally violates their equal protection rights under the Fourteenth Amendment.

As in the California brief, we provide the court with a historical analysis. Specifically, we discuss why the relevant time period for purposes of the historical analysis begins in 1868, when the

Pro Bono Successes (cont.)

Fourteenth Amendment was ratified, and detail specific 19th-century state laws imposing restrictions on minors' access to firearms. We reach the same conclusion as in California — that the Florida statute regulates conduct outside the scope of the Second Amendment and is not unconstitutional.

Again we argue, that even were the conduct at issue protected by the Second Amendment, the statute is reasonably tailored to accomplish Florida's important interest in promoting public safety, particularly given the problem of young adults — including the 19-year-old who committed the Feb. 14, 2018, mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida — purchasing firearms and subsequently committing gun-related and other violent offenses. Moreover, the brief asserts that the challenged law does not impermissibly interfere with a fundamental right, age is not a suspect classification under the Equal Protection Clause and the Florida legislature had a rational basis for imposing age restrictions on firearm sales.

The Kramer Levin team for the California and Florida briefs included Litigation partner **Darren LaVerne**, special counsel **Karen Kennedy**, associates **Jessica Weigel** and **Dayna Chikamoto**, and paralegals **Denise Reid** and **Angela Chan**, with assistance from IP partner **Lisa Kobialka** and paralegal **Gladys Tong**.

Other Pro Bono Highlights

KL Obtains Generous Settlement in Wage and Hour Case for Pro Bono Client

Working with lawyers from the Employment Law Unit of Legal Aid, Kramer Levin successfully settled a wage and hour case for its client, Mr. R. Kramer Levin filed suit against Mr. R's former employer for failure to pay overtime and spread-of-hours pay and for retaliation. The case moved to mediation, where Kramer Levin and Legal Aid zealously negotiated on behalf of Mr. R and achieved a generous settlement. The Kramer Levin team consisted of Litigation associates **Zachary Naidich**, **Shariar Raafi** and **Rupita Chakraborty**, with supervision provided by Litigation special counsel **Jason Moff** and Employment Law associate **Sarah Hanson**.



KL Assists Transgender Client With Name Change

Associates **Dayna Chikamoto** and **Alexis Wanzenberg** assisted a transgender client, M.B., in obtaining a legal name change. M.B. was assigned male gender at birth but has long identified as female. The Kramer Levin team worked closely with M.B. in facilitating her name change and attended court in early September 2019 to receive her name change order. M.B. is happy to have a legal name that represents her gender identity.



Focus on Silicon Valley Housing Clinic



Lawyers in Kramer Levin's Silicon Valley office have been involved with the housing clinic through Community Legal Services of East Palo Alto (CLSEPA) for the past five years.

Affordable housing is difficult to find in the Bay Area, and in the past years maintaining such housing has caused extreme hardships in the community. As a result, many of our neighbors and community members end up facing an eviction notice. The housing clinic is every Thursday morning at the San Mateo Superior Court in Redwood City (about ten minutes from the SVO office). At this clinic, lawyers meet with clients, review their answer and negotiate a fair settlement with opposing counsel on their behalf. If a resolution is reached, the lawyer presents the client's offer to the court and handles finalizing the settlement offer and filing the papers with the court, all done the same day.

Recently, Intellectual Property associate **Yuri Caire** and mentees **Linda Xu** and **Missy Brenner** negotiated a settlement whereby a landlord agreed to give a tenant additional time to move out and to forgive more than \$11K in past rent and returned a \$1,500 security deposit.

Yuri commented that she "find[s] great satisfaction in being able to devote a few hours to those in our community and provide representation where otherwise they would be up against a landlord that usually has outside counsel. A resolution is usually reached, and when that happens you leave the clinic after a few hours knowing that you helped someone resolve the issue that same day, something that is not part of our normal practice."



Associates Missy Brenner and Linda Xu at the Pro Bono Settlement Conference Clinic with CLSEPA.

Pro Bono CLE Library

If you missed any of the below CLE pro bono programs/trainings, they are recorded and posted on our learning portal, Kramer Levin University, on the Pro Bono page under Kramer Levin Courses. Please contact **Tatiana Cios** if you need assistance viewing them and obtaining CLE credit.

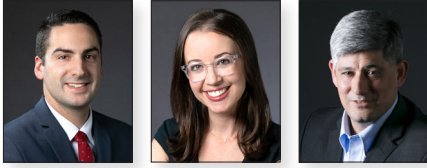
- **Ethical Issues in Pro Bono Representation** (Lou Sartori, The Legal Aid Society) (1 NY Ethics, 1 CA Ethics)
- **Statewide Central Register Training** (Em Lawler and Kelsey Draper, Brooklyn Defender Services) (1 NY Skills, 1 CA General)
- **Housing Part Actions Against NYCHA** (Peter Kempner, Volunteers of Legal Service) (1 NY Professional Practice, 1 CA General)
- **Uncontested Divorce Training** (Caroline Davis, Her Justice, and Naomi Young, Kramer Levin Equal Justice Works Fellow) (Not for CLE)

Honors And Awards

Kramer Levin Receives Lawyers Alliance Cornerstone Award

Kramer Levin was one of two recipients of the 2019 Lawyers Alliance Cornerstone Awards, held on Oct. 30, 2019, in New York. Kramer Levin is a longtime partner of the Lawyers Alliance, an organization that connects lawyers, nonprofits and communities to develop, provide and advocate for vital programs on behalf of low-income New Yorkers. Presented annually since 1997, the Cornerstone Awards recognize the extraordinary contributions of the alliance's pro bono partners.

Kramer Levin Receives Myanmar American Medical Education Society's Pro Bono Award



The Myanmar American Medical Education Society (MAMES) presented Kramer Levin with an award for pro bono service at its 16th Annual Gala, attended by more than 500 members of the Myanmar-American medical community. MAMES promotes the culture and exchange

of scientific information in the Myanmar medical community, promotes the training of the next generation of Myanmar physicians, and provides humanitarian aid to those in need in Myanmar and around the world. Over the years, Kramer Levin has provided pro bono assistance to MAMES on a variety of matters. Most recently, IP associates **Jonathan Pepin** and **Rachel Jurist**, supervised by IP partner **Aaron Frankel**, successfully defended MAMES against frivolous copyright infringement claims leveled by a notorious copyright trolling firm and audited and updated MAMES' websites policies. Aaron Frankel accepted the award on behalf of Kramer Levin.



Partner Aaron Frankel receives the award from representatives of Myanmar American Medical Education Society.

Jamie Porco Named One of City & State's Responsible 100

Congratulations to Jamie Porco, Associate Director of Professional Development and Pro Bono Programs, on being named one of City & State's Responsible 100 for 2019. This annual award honors New Yorkers "who are setting new standards of excellence, dedication and leadership in improving their communities and making transformative change."



Jamie Porco accepts the award.

Kramer Levin Receives Her Justice 2020 Commitment to Justice Law Firm Award

Her Justice chose Kramer Levin to receive a 2020 Commitment to Justice Law Firm Award. The award is in recognition of the firm's extraordinary pro bono service and support of the work and mission of Her Justice.



Associate Rita D'Souza, special counsel Samantha Ettari, Amy Barasch and associate Erin Klewin at the ceremony.

Kramer Levin to Be Honored at 2020 Safe Haven Awards

Kramer Levin will be honored at the 2020 Safe Haven Awards presented by Marriott International for our work with Immigration Equality on the mandamus project and for LGBTQ and HIV-positive asylum seekers. 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.

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