



MULTNOMAH LAWYER

MULTNOMAH BAR ASSOCIATION
1906

Lawyers associated for justice, service, professionalism, education and leadership for our members and our community.

February 2007 Volume 52, Number 2



President's Column

By Peter H. Glade, MBA President.

Six months into my term as MBA president, I have spent most of my *Multnomah Lawyer* column space discussing ways that readers can become involved in issues and projects that will advance the mission of this organization and discharge our professional responsibilities as good stewards

of the justice system in our community. I have urged you to join and provide financial support to the political challenges to the independence of our judiciary and the rule of law. I have suggested that each of us can make an important contribution to providing access to justice by dedicating relatively few hours and dollars to pro bono activities and causes. I have also lauded the opportunities the MBA provides for participation in the committees that serve to improve our legal system.

You should consider taking advantage of all those opportunities that the MBA provides its members. They truly are benefits of belonging to this organization. However, the MBA provides many other benefits of value to its members, and while you are making your community and world a better place by fighting injustice, helping the disadvantaged, and battling the forces of evil, you should definitely avail yourself of the many perks to which you are entitled by virtue of paying some of the lowest dues for a voluntary bar organization of our size.

If you have been in the market for health insurance lately, you have experienced the shock of escalating costs. Unless you are part of a large organization, you likely will be hampered by limiting buying capacity, and the confusing variety of available plans can be overwhelming. The MBA has a committee, and consultants will take on this task for you. Each year we negotiate with a group of carriers, taking advantage of the size of our membership, to get the best rates we can for our members. The health insurance plans available through the MBA are designed to accommodate a wide range of needs. In addition, we have added disability and long term care plans to those health benefits. I think you will likely find that you can easily recover your annual dues from the savings these plans offer.

The MBA can help you keep up with advancing digital technology. Through its affinity relationship with LexisNexis, the MBA can also save you money on legal research. (Does anyone go to the library and page through the *Decennial Digest* any more?) Small firms and solo practitioners can take advantage of special packages and pricing exclusively made available to MBA members by LexisNexis. The MBA also has an affinity relationship with Canon Business Solutions that can provide you with exclusive discounts on Canon document management systems as well as digital imaging and scanning hardware.

If you don't know what "digital imaging hardware" is, or if your needs run to the more traditional (people, pens and paper), the MBA also offers its members opportunities for discounts and savings. MBA members receive a discount on placement fees, as

well as a quality of service guarantee from Legal Northwest. If a staff person is placed and it doesn't work out, MBA members are refunded a percentage of their fee, with the refund amount reduced relative to the amount of time the staff person was with the firm. And members receive up to a 40% discount from Office Depot on select office supplies.

If your practice involves litigation, you know that reliable court reporting services can be an expensive cost for you and your clients. The MBA has had a longstanding affinity relationship with Naegeli Reporting Corporation that can save you significant amounts, giving you a cost-effective access to advanced technology and a well-established, multi-state network of reporters. MBA members receive a 15% discount on court reporting appearance fees, videographer appearance fees and videoconferencing hourly room rates. They also receive a 24 cent per page price reduction on original transcripts and a 10% discount off of Naegeli's Trial Presentation Services.

With all those savings, you could probably use some good banking services. The Bank of the Cascades provides MBA members with a generous array of discounted and VIP banking services that are designed specifically for attorneys. Particularly if you appreciate the personal touch, you should check out this benefit. And if you use plastic from time to time, the MBA's Bank of America MasterCard can provide you with a low annual percentage rate, purchase protection and travel agency services and the proceeds are donated to LASO.

As MBA members you are also eligible for preferred room rates and a 50% discount on meeting rooms at all Kimpton Hotels, including the Hotel Vintage Plaza and 5th Avenue Suites in Portland. You can also get Portland Opera and Broadway Series Tickets and Oregon Ballet Tickets at a discount.

Additional information on all these benefits and privileges and contact information is available on the MBA Web site. Check it out. If you can't save enough money to pay your annual dues, you must not be trying. I guess that means that with a little effort, you could say your membership in the MBA doesn't cost you anything. So, now that you've saved all that money, you can use it to help save the world.

MBA CLE

To register for a CLE, please see the inserts in this issue or go to www.mbabar.org.

February

Tuesday, February 6 Enforcing Family Law Judgments

Mark Kramer
Kristin Winnie Eaton
Jeff Misley

March

Tuesday, March 6 HIPAA

Hon. Henry Kantor
Kelly Hagan
Connie McKelvey
Elden Rosenthal

Thursday March 8 Annual Family Law Update

Hon. Nan Waller
Janice Ashe
Bill Schulte
Gary Zimmer

Tuesday, March 20 Charitable Giving

Scott Howard
Jeff Thede

Thursday, March 22 Intellectual Property

Julianne Ross Davis
Paula Holm Jensen
Randy Foster

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DEADLINE for ads: The 12th of the month*
*or the preceding Friday, if on a weekend.

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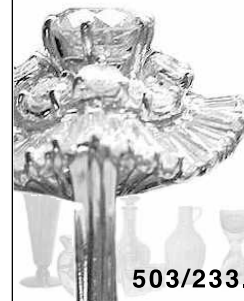
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NEW ON THE SHELF

By Jacque Jurkins, Multnomah Law Librarian.

THE ETHICAL OREGON LAWYER, 3rd ed. 2006 rev. with CD, published by the Oregon State Bar, Continuing Legal Education Committee, 2006. (*KF 300 O7 O74e)

A PRACTICAL GUIDE TO OREGON CRIMINAL PROCEDURE AND PRACTICE by Paul J. DeMuniz. Published by Templeton Press, 2005. (KF 9619 O7 D45)

STOEL RIVES LLP: A history, 122 years in the law 1883-2005 by Thomas B. Stoel and George H. Fraser. Published by Stoel Rives LLP, 2005. (KF355 P67 S76)

CREATING EFFECTIVE PARENTING PLANS: A developmental approach for lawyers and divorce professionals by John Hartson and Brenda Payne. Published by the ABA Section of Family Law, 2006. (KF 547 H38)

ANNOTATED COMMERCIAL CRIME POLICY, 2nd ed. edited by Cole S. Kain and Lana M. Glovach. Published by the ABA Tort Trial and Insurance Practice Section, 2006. (KF 1189.5 A96)

THE LITIGATION MANUAL: Depositions, edited by Priscilla Ann Schwab and Lawrence J. Vilardo. Published by the ABA Section of Litigation, 2006. (KF 8900 L58)

PROSKAUER ON PRIVACY: A guide to privacy and data security law in the information age by Christopher Wolf. Published by the Practising Law Institute, 2006. (KF 1262 P76)

THE NEGOTIATOR'S FIELD BOOK: The desk reference for the experienced negotiator edited by Andrea Kupfer Schneider and Christopher Honeyman. Published by the ABA Section of Dispute Resolution, 2006. (KF 9084 Z9 N43)

FUNDAMENTALS OF BANKRUPTCY LAW, 6th ed. edited by George M. Treister and Richard B. Levin. Published by the American Law Institute-American Bar Association Continuing Legal Education, 2006. (KF 1524 T74 2006)

AMENDING CERCLA: The post-SARA amendments to the Comprehensive Environmental

Response, Compensation, and Liability Act by Michael B. Gerrard and Joel M. Gross. Published by the ABA Section of Environment, Energy, and Resources, 2006. (KF 1200 G39 G47)

FEDERAL PREEMPTION OF STATE AND LOCAL LAW: Legislation, regulation, and litigation by James T. O'Reilly. Published by the ABA Section of Administrative Law and Regulatory Practice, 2006. (KF4600 O74)

VISIBLE INVISIBILITY: Women of color in law firms by Janet E. Gans Epner. Published by the ABA, 2006. (KF 299 A35 E65)

SOURCE BOOK ON LEGAL WRITING PROGRAMS, 2d ed. by Eric B. Easton, General Editor for the Communication Skills Committee. Published by the ABA Section of Legal Education and Admission to the Bar, 2006. (KF 250 S67 2006)

CALENDAR

For a complete MBA calendar, please visit www.mbabar.org.

February

6 Tuesday, MBA Board meeting

Tuesday, MBA CLE Enforcing Family Law Judgments
See insert or register at www.mbabar.org.

9 Friday, March Multnomah Lawyer deadline

13 Tuesday, YLS Board meeting

19 Monday, President's Day
MBA closed.

24 PILP Auction at Lewis & Clark Law School
For details see Announcements.

28 Wednesday, Multnomah Bar Foundation Board meeting

March

1 Thursday, Deadline for Filing Petition for Nomination to MBA Board

3 Saturday, ACLU E.B. McNaughton Dinner at The Governor Hotel
For details visit www.aclu-or.org.

6 Tuesday, MBA CLE – HIPAA
See insert or register at www.mbabar.org.

Tuesday, MBA Board meeting

8 Thursday, MBA CLE Annual Family Law Update
See insert or register at www.mbabar.org.

9 Friday, April Multnomah Lawyer deadline

Friday, OWLS Awards Dinner at the Governor Hotel

13 Tuesday, YLS Board meeting

22 Thursday, MBA CLE Intellectual Property
See insert or register at www.mbabar.org.

28 Wednesday, YLS PDE Rainmaking Seminar
Details on p. 10.

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Coming Soon...

A new MBA Member Benefit:

The Bar Plan Court Bond Program. Visit the MBA Web site for more information. More details to appear in the March *Multnomah Lawyer*.

MBA Board Elections

The MBA bylaws provide for a slate of candidates to be presented to the membership at least 60 days prior to the annual meeting. This slate will appear in an upcoming issue of the Multnomah Lawyer. The bylaws also provide for nominations from the membership at large. A nominating petition, endorsed by the nominee and at least 10 other MBA members, must be received by 5 p.m. on Thursday, March 1, in the MBA office. Ballots will be included with the April newsletter; they will be due in the MBA office by 5 p.m. on Friday, April 27. Winners will be officially "announced" at the MBA Annual meeting in May.

Ethics Focus

By Mark J. Fucile, Fucile & Reising.

High Tech Ethics: New ABA Opinion on Metadata



Imagine this scenario: You are negotiating a major contract for a client. Relations with your counterpart on the other side are polite and professional. Nonetheless, whenever you seem to be on the verge of agreeing on particular points, the other side injects new issues that are prolonging the negotiations. You know that your counterpart is answering to a team of executives but you and your client are not sure who it is on the other side that may be calling the shots. You receive a new version of the draft contract from your counterpart in Word via email. Your teenager has told you that there's something called "metadata" "embedded" in electronic documents coming in the original word processing format that includes information about both when and who made changes to documents. Can you look at the metadata to determine who on the other side is directing the nettlesome changes?

There is no direct guidance here in the form of an OSB ethics rule or opinion. Other states that have examined the issue have come to varying conclusions. The ABA's Standing Committee on Ethics and Professional Responsibility, however, recently issued an ethics opinion on the review and use of metadata. Although the ABA's ethics opinions are not controlling, the opinion, 06-442, offers a useful summary of both the law and the issues in this area. It is available on the ABA Center for Professional Responsibility's Web site at www.abanet.org/cpr and examines the issues from the perspective of both the sender and the recipient.

From the Sender's Perspective. 06-442 draws a distinction between documents produced in the course of formal discovery and those simply exchanged during negotiations.

On the former, it notes that a producing party may have a duty to produce metadata if relevant and requested or to assert any appropriate privilege because ABA Model Rule 3.4(a) (like its Oregon equivalent) prohibits lawyers from obstructing another's access to evidence or unlawfully altering or concealing documents. The new federal electronic discovery rules that went into effect this past December sharpen that point in federal litigation.

On the latter, it notes that a lawyer's duty of competent representation generally includes an obligation to protect a client's confidential information under Model Rules 1.1 (competence) and 1.6 (confidentiality) (which are also similar to their Oregon equivalents). Although 06-442 carefully sidesteps the issue of whether a lawyer who allows confidential information to slip through to the other side in the form of metadata has violated the standard of care in either a liability or a regulatory sense, it counsels sending documents that might otherwise contain such information in an "imaged" or "hard copy" format (such as fax, "pdf" or simply paper), "scrubbing" such information (using software designed for this function) from the document before sharing it with the other side or executing a "claw back" agreement with the other side (allowing each party to "claw back" privileged documents that were inadvertently produced). Beyond confidential information, 06-442 notes that virtually all electronic documents that are in their original word processing format (such as Word or WordPerfect) contain a variety of metadata that is not confidential and therefore may be shared with the other side.

From the Receiver's Perspective. 06-442 predicates its comments on the receiver's end with the assumption that the lawyer recipient has obtained the document lawfully and, therefore, is not in breach of Model Rule 4.4(a) (which prohibits gathering evidence in a way that violates the rights of a third party and which is similar to its Oregon equivalent).

In either a discovery or negotiating context, 06-442 counsels that a lawyer on the receiving end is not prohibited in the first instance from looking at metadata in a document that the lawyer receives from the other side. If, however, the metadata contains what appears to be inadvertently produced privileged information, then Model Rule 4.4(b) (which is substantively identical in both the ABA and Oregon versions) directs that the lawyer notify his or her counterpart on the other side of the receipt of the information involved. At that point, both the ABA and Oregon versions of RPC 4.4(b)

ANNOUNCEMENTS

Public Interest Law Project Auction

Lewis & Clark Law School invites you to attend their 17th Annual Public Interest Law Project Auction, "For a Better World." The auction will take place on Saturday, February 24, at Lewis & Clark Law School, 10015 SW Terwilliger Blvd. Portland OR 97219. The Silent Auction starts at 6 p.m. and is followed by a Live Auction at 8 p.m. Admission to the event is \$15 and all proceeds go to Lewis & Clark Law School students and graduates working in public interest law. For more information, visit <http://law.lclark.edu/org/pilp/auction.html>.

Queens Bench Luncheon

On February 13 Norma Paulus, who was the first woman to win a statewide election in Oregon as Secretary of State

in 1977, will be the program speaker. Paulus also served as the Superintendent of Public Instruction and the Executive Director of the Oregon Historical Society. Queen's Bench luncheons are held on the second Tuesday of the month from 11:45 a.m.-1 p.m. at Jax Restaurant. The cost is \$12 by cash or check. For more information, please contact Nicole DeFever at 503.735.5323 or nicole@defever.com or Marja Selmann at 503.233.0820 or marja_selmann@comcast.net.

MBA Noon Time Rides

Short fast bike rides with hills. Meet at SW Yamhill and Broadway, between 12-12:10 p.m., Mondays and Thursdays. Contact Ray Thomas 503.228.5222 with questions, or meet at the start.

Klonoff Selected New Dean of Lewis & Clark Law School

Lewis & Clark College President

Thomas J. Hochstetler announced the selection of Robert H. "Bob" Klonoff, a leading legal scholar and a professor of law at the University of Missouri-Kansas City School of Law, as the new dean of Lewis & Clark Law School. Klonoff will begin his duties on July 1.

Multnomah County Family Law Group Luncheon

On February 26, Robin Wright will explain how to handle the "children attending school" child support issue. People are encouraged to bring questions for Robin and, if possible, to email them to her in advance at rwright@gevirtzmenashe.com. February's meeting will be at noon at Jake's. Please contact David Bean at dib@meyerwyse.com if you would like to be added to the list.

characterize whether privilege has been waived as question of substantive evidence law rather than a matter of professional ethics. OSB Formal Ethics Opinion 2005-150 discusses inadvertent production of privileged materials from the ethics perspective and *Goldsborough v. Eagle Crest Partners*, 314 Or 336, 838 P2d 1069 (1992), and *In re Sause Brothers Ocean Towing*, 144 FRD 111 (D Or 1991), are the leading cases in Oregon's state and federal courts on privilege waiver from an evidentiary perspective. OSB

Formal Ethics Opinion 2005-150 also discusses the potential disqualification risk for a recipient of simply using an opponent's privileged information without first obtaining a court's ruling that privilege has been waived. OSB Formal Ethics Opinion 2005-150 is available at www.osbar.org.

Summing Up. ABA Formal Opinion 06-442 is neither the only nor even the last word on the use of metadata. As we move further into an era when documents of all types are increasingly shared in electronic

formats, however, it offers both a useful summary of where the law is and where it may be headed in the years ahead.

Mark Fucile of Fucile & Reising handles professional responsibility, regulatory and attorney-client privilege matters and law firm related litigation for lawyers, law firms and legal departments throughout the Northwest. His telephone and email are 503.224.4895 and mark@frllp.com.

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Contract Lawyer Services Announced

By Bonnie Cafferky Carter.

Sometimes you just need a little help: when you don't need a full time associate, a contract attorney may be the solution.

For many sole practitioners and small firms, a contract attorney is the perfect fit for those busy times.

How can I find the help I need right now? Finding a good contract attorney couldn't be easier. Oregon Women Lawyers (OWLS) operates a state-wide contract lawyer service that is fast, free and effective. There is no fee to post an announcement on their active listserv regarding a project or job. Interested contract attorneys promptly contact you directly, allowing you to select the person whose qualifications best suit your needs. And, if you have the time, consider offering a "test project" to evaluate the

attorney's skills on a matter that is well-defined as to scope and time.

How do I know the attorney is qualified? You describe your needs and the type of project in your announcement. When you receive replies from interested attorneys, you should be able to select among qualified persons with the experience you need. And, as with other job applications, you can always ask for references. The contract attorney may also attach a resume to the email or otherwise describe their relevant experience and requested hourly rate.

What's this going to cost me? There is no fee to post jobs or projects and OWLS does not take any cut from the employer or contracting attorney. The hourly rate you pay the contract attorney is negotiable and, in most instances, can be passed on to the client.

Who are these contract attorneys? Why are they doing this? There is as much variety among contract attorneys as in the greater legal profession. Current members of the OWLS contract service represent a range of training and experience and include graduates from top-tier schools, 10+ years of experience and various specializations. Contract attorneys are a diverse lot. They look for interesting project-based work and decent pay, but not fixed-hours, benefits or guaranteed workloads. Some attorneys get into contracting as a temporary measure while between full-time jobs, others chose it as a lifestyle because they need flexible schedules for personal reasons and still others use contracting as supplemental income as they get their own solo practice up and running.

Where do I begin? To post a job, or for more information, contact Norma Freitas at nsfreitas@aol.com. Additional information on contracting, and on how to join the OWLS contract service listserv, is available at www.oregonwomenlawyers.com.

Bonnie Cafferky Carter is a sole practitioner and contract attorney based in West Linn. A 2003 graduate of Boston University, she is admitted in both Oregon and California. She coordinates the contract attorney monthly lunch meetings for Oregon Women Lawyers.

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Meet Ryan Mosier

If you called the MBA office in the last month, you heard a new voice. Ryan, who started with the MBA in early January, is our first new staff person in three years. He grew up in Yreka, CA with a younger sister. His mother is in education and his father is a landscape architect.

After graduating with a political science degree from the University of Portland, he spent 16 months in Japan, teaching English as a second language and traveling weekends in and around Tokyo. Ryan has a strong volunteerism record. Starting in college, he volunteered for The Brother Andre Café, a soup kitchen for the homeless and tutored at Columbia Villa prior to its demise.

Recently, Ryan volunteered for Mercy Corps Northwest's effort that promotes small businesses in the Portland community. Specifically, he worked within their micro economics program,

helping the nonprofit streamline its small loan application process for safe and established clients who would not qualify for traditional bank loans. One business they assisted is owned by a woman who is world renown for bird seed. Then there were more conventional business people who relocated here from New Orleans but had no equity and were unable to get a traditional loan. He helped find alternative ways to tabulate credit scores, converting unorthodox criteria for those without banking means into a standard appropriate for their clients.

He also volunteered for City Club of Portland, where he researched Ballot Measure 48, to assist them in taking a position on the measure which was defeated in November.

Ryan likes digital photography and enjoys cooking. While in Japan, he also authored a blog focusing on a range of his



Ryan Mosier

cultural experiences while living in the country.

He is excited about the opportunity to work at the MBA and looks forward to contributing to community outreach and working with our committees.

YLS Presents Professional Development Seminars

The YLS Professional Development and Education Committee (PDE) will continue its time-honored *Young Litigators Forum* CLE series this month and next. The committee will round out the year by offering an innovative *Fundamentals of Employment Law* series this spring. The committee is able to keep the cost of these seminars low because The Standard Insurance Center generously donates the use of its auditorium for the programs.

Both CLE series emphasize practical skills and are designed specifically for attorneys just entering the practice of law or within their first few years of practice. The remaining *Young Litigators* programs are *Discovery* on February 8, *Summary Judgment/Pretrial Matters* on February 22, *Arbitration/Mediation/Settlement* on March 1 and *Post Trial Matters* on March 8. The series closes with *Professionalism and Ethics* on March 15. This seminar is worth one MCLE Ethics credit.

The *Fundamentals of Employment Law* series begins on March 29 with *Hiring and Firing*. The committee presents the *Fundamentals of International Employment Law* for the first time on April 5. *Employment Agreements* will be held on April 12, *Employee Benefits* on April 17, *Privacy and Confidentiality in the Workplace* on April 26, *Employment Leave Laws, Disabled Sick and Injured Workers* on May 1, *Wage and Hour Basics* on May 7 and *Harassment and Discrimination* on May 15. The series will end with a special hour and a half class called *Bringing and Defending and Employment Lawsuit* on May 24.

Please see the insert in this issue to register for the *Fundamentals of Employment Law* series. The series is discounted to \$95 for MBA members. Individual seminars are \$20. To register for a single litigation seminar please call the MBA office at 503.222.3275.

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AROUND THE BAR

BATEMAN SEIDEL

Two of the firm's attorneys, **Stanley M. Samuels** and **Randall B. Bateman**, have been named in the 2007 edition of *The Best Lawyers in America*, in the Real Estate Law specialty. Samuels has received this recognition in every edition since it was first published in 1983.

Firm associate **Travis W. Hall** was a featured speaker at Amnesty International's Midwest and Northeast Regional Conferences in October and November. Hall, a former US Army interrogator and JAG officer, spoke against the use of abuse and torture during interrogation of those detained in US custody.



Lisa Kaner

MARKOWITZ HERBOLD ET AL

Three of the firm's lawyers were honored at the 2006 OSB Annual Awards Dinner.

David Markowitz received the President's Special Award of Appreciation for devoting substantial time to continuing legal education for Oregon lawyers.

Lisa Kaner earned the President's Public Service Award for helping to make the Oregon Holocaust Memorial in Washington Park a reality.

First conceived in 1994, the idea for the memorial faced many challenges from the local neighborhood association, the Land Use Board of Appeals and the city. Kaner guided the memorial through heated legal battles to its unveiling in 2004. She still serves as chair and legal counsel for the Oregon Holocaust Memorial Coalition.

Jeff Batchelor received the President's Membership Service Award.

Specifically, Batchelor was recognized for holding numerous leadership roles in legal organizations such as the Oregon Law Institute and the US District Court of Oregon Historical Society, his long record of volunteer service in the field of continuing legal education, and his informal teaching and mentoring of younger attorneys that he brings to his everyday practice.



Milton R. Stewart

DAVIS WRIGHT TREMAINE

Robert D. Newell, a partner at the firm, was honored by the OSB President's Public Service Award. Newell was recognized for his pro bono commitment and his work for Mercy Corps, as well as his other community and legal involvement.

Newell is chair of the board of Mercy Corps and winner of the OSB Pro Bono Challenge for the most individual hours of pro bono legal services in 2004 and 2005. He is also past president of the MBA.

Carol Bernick, a partner at the firm, has been named in the Top 25 Oregon Women Super Lawyers. Twenty-one other attorneys in the Portland office have been named by *Law & Politics* as Oregon Super Lawyers 2006.

Firm partner **Milton R. Stewart** has been engaged as special counsel to Stasia Kelly, executive vice president and general counsel of New York-based AIG Corporation. Stewart will head up a major project for AIG and will take a one-year leave of absence from the firm.

The Davis Wright Tremaine attorneys recognized as Super Lawyers in the 2006 issue of *Oregon Super Lawyers* magazine were **James F. Ambrose, David C. Baca, Duane A. Bosworth, Gustavo J. Cruz Jr., Anne E. Denecke, John DiLorenzo Jr., Richard M. Glick, Eugene L. Grant, Patrick J. Green, Mark J. Hackett, Stuart C. Harris, Rodney E. Lewis Jr., Robert D. Newell, Daniel E. O'Leary, Michael C. Phillips, Thomas S. Smith, Milton R. Stewart, Joseph M. VanLeuven, Timothy R. Volpert, James C. Waggoner** and **James D. Zupancic**.

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Two attorneys were named as *Best Lawyers in America*® 2007. **Paul Duden** and **Eric Neiman** were selected in the area of medical malpractice law.

FARLEIGH WITT

President and Managing Shareholder **Valerie Athena Tomasi** has been named as one of 10 pioneers as well as being selected for *Oregon Business Magazine's* 50 Great Leaders for Oregon.



Valerie Athena Tomasi



Michelle Bertolino

Michelle Bertolino has been named a shareholder of the firm. Bertolino is the supervising attorney for the collection and consumer bankruptcy practice and chair of the firm's creditors' rights and consumer bankruptcy practice group. Her practice will continue to emphasize the representation of credit unions, banks and other financial service providers, leasing companies and businesses in all types of consumer bankruptcy matters as well as state court collections concerning loan delinquencies, contract forfeitures, foreclosures, and unsecured debt collection.



Peter Richter

MILLER NASH

Elizabeth Thomson Denecke was recently appointed to serve on the National Association of College and University Attorneys Committee on Legal Education. Denecke focuses her practice in the area of education law.

Partner **Peter Richter** was recently selected president of the Oregon Chapter of the American Board of Trial Advocates. Richter has represented hundreds of clients in helping them resolve their legal problems, including having tried numerous lawsuits in several areas of the law.



Jonathan M. Norling

LANE POWELL

Shareholder **Jonathan M. Norling** completed the US Green Building Council's Leadership in Energy and Environmental Design (LEED) certification program and is an Accredited LEED® Professional, one of the few attorneys in the United States with this designation.

William Patton was recently named a shareholder at the firm. He focuses his practice in the areas of ERISA litigation, general commercial and intellectual property litigation.



Anil Karia



Elizabeth Newell



Jeffrey W. Woodcox

TONKON TORP

The firm has hired **Anil Karia, Elizabeth Newell** and **Jeffrey W. Woodcox** as new associates.

Karia's practice emphasizes commercial litigation.

Newell focuses her practice on corporate finance and mergers and acquisitions.

Corporate and general business law are the areas of emphasis for associate Woodcox.



Richard W. Funk

GEVURTZ MENASHE ET AL

Richard W. Funk has been elected to the executive committee of the OSB Family Law section.



Stephen J. Connolly



Christine P. Brown



Eric A. Lindenauer

GARVEY SCHUBERT BARER

Stephen J. Connolly, Christine P. Brown and **Eric A. Lindenauer** have been elected to serve on the 2007 Management Committee of the firm's Portland office, where Connolly serves as Managing Director.

Brown and attorney **Larry J. Brant** have been elected to serve on the firm-wide Executive Committee.

Robert C. Weaver will continue to serve as chair of the firm's

Continued on page 11

Tips from the Bench

By Judge John A. Wittmayer, Multnomah County Circuit Court.

In camera inspection of records

Most of us have from time to time used or heard the phrase “in camera inspection.” But what does it mean, when is it appropriate, and, more importantly, what are the procedures to get it accomplished?

My *Black’s Law Dictionary* (revised fourth edition, 1968 - but Latin hasn’t changed much since then, has it?) defines *in camera* as “in chambers; in private,” or “when all spectators are excluded from the courtroom.” When we use the phrase in connection with a request for inspection of records, it is almost always a request that the judge review the records in chambers and authorize disclosure of those portions of the records that are discoverable.

Although these requests are most common in criminal cases, occasionally we receive these requests in civil and family law cases, as well.

In Multnomah County, use of the following procedure will smoothly accomplish this:

1. A lawyer issues a subpoena for the records and the subpoena is served on the records custodian. The subpoena sets a date for compliance and directs that the records be delivered to the court file room.
2. The records are received by court staff in the file room, and a blue slip is put into the court file, noting the source of the records and the quantity of records received, e.g. 1/4”, one box, etc. Court staff makes an entry into OJIN and moves the records to an off-site storage facility.
3. The lawyer who issued the subpoena monitors OJIN to see when the records have been received by the court. After the records have arrived, the lawyer schedules the hearing at which the lawyer will ask the judge to conduct the *in camera* inspection. (Note: use the regular procedures for scheduling this



motion hearing, which are different in criminal cases than in civil and family law cases.)

4. The lawyer who issued the subpoena orders the records from the file room. It takes 48 hours advance notice for court staff to retrieve the records from the court’s off-site storage facility.
5. On the day of the hearing, the records are available to the assigned judge’s staff to retrieve from the file room because the lawyer who issued the subpoena told the file room not less than 48 hours earlier of the need for the records at the hearing.
6. At the hearing, the lawyers tell the judge a little background about the case, and they tell the judge what they believe may be in the records that is discoverable; i.e., they tell the judge what to look for. The lawyers also need to tell the judge the date by which they need to receive any of the records that the judge believes are discoverable.
7. The judge then reviews all the records *in camera*. Upon completion of the *in camera* records review, the judge advises the lawyers by letter, email or telephone call from the clerk if the judge believes any of the records are discoverable. If so, the judge’s clerk makes copies of any discoverable records for each lawyer, with one additional set of the copied records marked as a court exhibit and filed under seal in the court file. Retaining a set of the disclosed records is for appellate review, if necessary.

State of the Oregon Courts Justice in the 21st Century 2006

A limited number of State of the Oregon Courts printed reports are available. You may request a copy by contacting the Executive Services Division of the State Court Administrator’s Office at 503.986.5500. The report also is online at www.mbabar.org and www.ojd.state.or.us. To request a copy of the report in an alternative format, please contact the Statewide ADA Coordinator at 503.986.5611.

The contents include chapters on: The Oregon Judicial Department: An Overview, The Oregon Supreme Court, The Oregon Court of Appeals, The Oregon Tax Court, The Office of the State Court Administrator, The Circuit Courts of Oregon, 21st Century Courts, Serving the Needs of Oregon’s Business Community, Combating Violence Against Women, Ensuring Safe and Continual Operations, Building the Most Accessible Courthouse in Oregon, Recognition and Thanks, The Judicial Compensation Parity Initiative, Judicial Officers, The Condition of Our Courthouses and Snapshots: Judicial Initiatives District-by-District.



By Michael Lewton, Cosgrave Vergeer Kester and Court Liaison Committee member.

New Judges

There are now three new judges: Cheryl Albrecht, Judith Hudson Matarazzo and Leslie Roberts. There are 28 applicants for the positions held by Judge Elizabeth Welch and Judge Douglas Beckman. Appointments will likely be made in February or March. Interviews are now taking place to fill Albrecht’s former referee position.

Courthouses

The County Commission approved the Hawthorne Bridge site for the new courthouse, which will likely include an under tunnel to the Justice Center. A ballot measure is planned for 2008 to secure funding. Planning and development of the east county justice center is moving forward. The Chief Justice has formed a task force to study courthouse needs statewide.

Brown Bag Lunch

No attorneys attended the Brown Bag Lunch in mid December. An effort will be made to better communicate the next event to the Bar.

New Presiding Judge

Judge Koch’s term as presiding judge ends in January 2008. A deputy presiding judge will be selected this spring who will likely take over the position from Judge Koch.

Courthouse Security

The Sheriff’s office currently issues ID cards for attorneys to

enter the courthouse without going through the metal detectors. The OSB is looking into statewide ID cards which may be used by attorneys in any Oregon courthouse.

OJIN

The Governor’s budget includes funds to replace OJIN with newer and more useful software. If approved, OJIN will be replaced within the next five years.

Judicial Funding

The Governor’s budget increases funding for the judiciary, which includes salary increases and 15 more judges statewide. If approved, Multnomah County could have 4-5 new judges.

Judicial Practice Survey

The judicial practices subcommittee reported that it sent drafts of the revised judicial practices survey to the judges for comment. The new draft survey along with the prior version will be circulated to all Court Liaison Committee members for comment via email within the next day or so. The draft survey will be concurrently circulated to the MBA Executive Committee. Eventually, each judge will have a section on the court Web site which will include information covered in the survey and other information of interest to attorneys.

UTCR 2.030

Committee members wished to remind attorneys and judges of UTCR 2.030. That rule states

that parties have a duty to send a written reminder to the court for any matter under advisement for more than 60 days. If the matter is still under advisement after 90 days, the parties have a duty to send a second reminder with copies to the Presiding Judge and the Chief Justice.

UTCR 3.120

UTCR 3.120 sets the boundaries for attorney’s communications with jurors. The UTCR Committee is working on a revision to the rule that would allow attorneys to communicate with jurors about the case after the verdict is read. Similar revisions have been proposed in the past but rejected by the Supreme Court.

Ballot Measure

Ballot measure 40 was defeated. The PAC set up to defeat that measure spent all but \$1200. Those funds were transferred to the Multnomah Bar Foundation for educational purposes. The PAC is disbanding. The PAC’s Web site, protectoregoncourts.com, will remain active for the purpose of educating the public, particularly if there are any other attacks on the judicial system. Marc Abrams and Mike Merchant offered to help work on content for that Web site.

Have You Renewed Your MBA Membership for 2007?

If you have not yet renewed your membership, you will receive an additional renewal notice in the mail this month. Our bylaws require that members must renew by March 1 or be removed from the MBA roster. To continue to receive the range of benefits the MBA provides, simply return your renewal form with payment. You also have the option of renewing online at www.mbabar.org. Here are just a few reasons to continue your membership:

- Excellent, affordable and convenient CLE seminars;

- Social events and committees that provide rewarding ways to network with other attorneys;
- Resources such as the *Multnomah Lawyer* newsletter and www.mbabar.org, which keep you up-to-date on developments affecting the legal community;
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- Avenue Suites Hotel and Hotel Vintage Plaza, Bank of America MasterCard, ABA publications, Oregon Ballet Theatre and the Portland Opera; and
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If you would like more information about the benefits of MBA membership, please call Noëlle Saint-Cyr at 503.222.3275 or visit www.mbabar.org. We look forward to serving you this year.

Profile – Associate Justice Martha Lee Walters

By David Meyer, MBA Court Liaison Committee member.

Oregon Supreme Court Associate Justice Martha Lee Walters “has a unique blend of brilliant intellect and deep, down-to-earth compassion for individuals,” according to Governor Ted Kulongoski, who appointed Walters as the 98th justice – and fourth woman – to the Oregon Supreme Court in October 2006. Walters did not get the job with Kulongoski’s law firm when she applied as a student at the U of O School of Law in the 1970s; “this time, I got to hire her,” Kulongoski said.

Justice Walters grew up in Michigan and graduated with a BA in sociology from the University of Michigan in 1972. Looking for “adventure,” she moved to Eugene, where she got a job as a daycare worker. Walters sometimes feels as if her early career was scripted by Gary Trudeau; like the long-standing *Doonesbury* character Joanie

Caucus, Walters headed west, worked in a daycare center and in 1974 entered law school.

After graduating with Order of the Coif from the School of Law in 1977, Justice Walters went to work for Johnson, Johnson & Harrang. Working as an associate for a law firm in a medium-sized town like Eugene exposed her to a number of areas of the law, including business and franchise work, family law, personal injury, trusts and estates, municipal law and criminal prosecution.

Walters recalls the day the mayor of Drain, Oregon came to her office for advice regarding a detailed contract with the Washington Public Power Supply System that required the city to guarantee payment of bonds for the construction of power plants that were never completed. She joined with attorneys for 88 other public

utilities in the Pacific Northwest, which resulted in a ruling by the Washington Supreme Court that the guarantees were void, in what became the largest municipal bond default in US history.

During the early 1980s, Walters found she was handling an increasing number of employment-related cases, although employment law was not considered a distinct legal specialty at the time. In one of her early cases, Walters recalls representing the city of Eugene in a labor grievance. The city had disciplined a male employee for sexually harassing a female employee and the union was questioning whether there was “just cause” to do so. In 1985, Walters joined Les Swanson to form Swanson & Walters, where she developed a focus on employment law. In 2001, Walters and her firm, Walters, Romm and Chanti, together

with Bill Wiswall of Wiswall and Walsh, won a lawsuit on behalf of professional golfer Casey Martin, requiring the PGA to accommodate Martin by allowing him to ride in a golf cart while competing in association events. The trial court ruling was upheld by the US Supreme Court.

Prior to taking the bench, Justice Walters’ professional activities included serving as a Commissioner for the National Conference of Commissioners on Uniform State Laws since 1992, where she was a member of the committee that drafted the Uniform Mediation Act. In addition to having served as President of the Lane County Bar Association, Walters has been a member of the OSB Disciplinary Board, the Judicial Conference of the Ninth Circuit, the Lane County Local Professional Responsibility Committee and the American College of Trial Lawyers.



Justice Martha Lee Walters

Outside her professional life, Justice Walters enjoys spending time working on her garden. She is married to John Van Landingham, an attorney with the Lane County Law & Advocacy Center. Like many Eugene residents, Walters is an active runner; she and her husband have participated in the Pear Blossom Run in Medford since 1978. Walters and Van Landingham have two grown children and a cocker spaniel named Freckles.

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Multnomah CourtCare and the MBA WinterSmash 2007

The 5th Annual WinterSmash, a CourtCare fundraiser, was held Saturday, February 3 at AMF 20th Century Lanes.



Thank you to all who attended. Look for a re-cap and photos from the event in the March issue of the *Multnomah Lawyer*.

Thank you to the WinterSmash sponsors

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Tales from the Trenches: A Solo Practitioner's Perspective

Tales from the Trenches is a recurring feature, in which young lawyers share "war stories." The authors remain anonymous.

Truth be told, I have no idea where to begin this piece. "In the Trenches" pretty well explains most days of my professional life.

A year and a half ago I decided to break free of the shackles of associate life and begin my own firm. An ambitious move? Yes, especially as a young lawyer. A mistake? No. I have faced challenges on my own that I never dreamed possible, much less plausible. I could probably write a small novel at this point, but I'll only touch on the highlights.

Problem one: Computers. My arch nemesis. It seems there is always something wrong with my computer. The system, the backup, the memory, the calendaring, the interface between programs, the occasional automatic translating of English to some unknown alien language, the "easy" Quickbooks billing system, the strange error messages. The list goes on and on. Here's a specific scenario. I run Norton antivirus that came with my

computer. Subscription about to expire, so I act promptly and cheaply and consult my computer genius brother about a free anti-virus program. I get a prompt email reply with four links to various antivirus, anti-spyware programs to download. By program three, my computer has stopped functioning altogether. I immediately call brother for advice. He laughs and asks why the heck I would download all those programs with the former antivirus program running. Clearly they compete and of course my computer doesn't work. Hmm. He'll get around to fixing it at some point in the next couple of weeks. Well, that won't work, so I call in a local tech guy to uninstall previously installed brother-recommended programs and he advises to re-subscribe to Norton for \$40. So much for that "cheap" plan.

Problem two: Bad referrals. It appears that when you're new and solo, you pretty much get the referrals that everyone else doesn't want, or has referred to the Bar for a reason. I had no idea there were so many crazy people in the world. I'd go into specifics here, but out of fear of being sued on breach of confidentiality, I won't. (Some of these are just too

unique to even generally speak about without pointing a finger toward my would-be client.)

Problem three: Feeling stupid... a lot. Example. This year I went to a small CLE where the speaker had solicited questions/scenarios in advance to help prepare the topic. I obediently submitted my question to help out. Several days later at the CLE I sat quietly listening to the speaker read off some of the "anonymous" comments he received prior to the CLE. My "anonymous" comment was prefaced by "...this is the type of comment received from a young blond attorney..." Ouch. My suspicions of stupidity confirmed by another. Thank goodness for anonymity.

So I suppose that's the tip of the iceberg when I think about my solo experience. It's difficult every day. But the more I talk to people and the longer I do this, the more I've come to realize I really do tend to know more than I give myself credit for and the easier it becomes. I am comforted by the fact that many of us have been here at the beginning of our practices and so many have become truly great lawyers. Cheers to clawing my way out of the trenches, slowly but surely!

YLS Profile: Shani Pines

By Matt Larson, Davis Wright Tremaine and YLS Membership Committee.

Growing a successful legal practice involves many elements, and bringing an unusual background to the table can be a helpful factor. Shani Pines, a newcomer to Portland, fits the bill: she spent five years representing California death row inmates.

Pines' interest in death penalty defense work was sparked when she took a seminar on capital punishment as a student at Harvard Law School. After graduation, she joined the Habeas Corpus Resource Center in San Francisco. Pines' job - keeping condemned inmates alive. Her days were spent litigating habeas petitions on behalf of death row inmates. Pines' day-to-day routine included meeting regularly with her clients, most of whom were housed at San Quentin correctional facility, interviewing experts and witnesses, investigating case issues and filing motions and petitions on her clients' behalf. In any given day, she would go from poring over 20-year-old boxes of trial materials to researching the best way to introduce newly discovered evidence on appeal.

In 2005, Pines made the decision to leave San Francisco and move to Portland, both to pursue a career shift to private practice and to be closer to family. After meeting Davis Wright Tremaine's Bob Newell through a *pro bono* death penalty case he is handling, Pines decided that a firm such as DWT was where she could best develop her skills.

During Pines' transition to a business litigation practice, similarities have come to light that are providing a strong background for Pines' new practice. These similarities, while not surprising, have also made the transition smooth. Pines notes that while the stakes in her new practice obviously differ from her former practice, business clients are still in need of strong advocates *who* are passionate about their cases. The differences in the practices, with the exception of having to keep track of billable hours, have been a welcome change for Pines, including the broader range of cases she has had the chance to work on and the collegiality of the Oregon legal community.



Shani Pines

With the Oregon Bar exam behind her (Pines will be sworn in after she returns from her honeymoon), she has settled into her new office, her new practice and her new life in Portland.



YLS Welcomes Newly Appointed Justice Virginia Linder

On Thursday, January 11, the YLS welcomed newly elected Justice Virginia Linder as the guest speaker at the Drop-in Social at Kells Irish Pub and Restaurant. The event was attended by over 50 attorneys who were fortunate to hear Justice Linder speak candidly about her career track from law school to her current position as an Oregon Supreme Court Justice. Justice Linder opened the floor to questions addressing issues such as the pitfalls young attorneys encounter in arguing appellate cases, in addition to answering individual questions from attorneys while mingling throughout the event. A special thanks to Justice Linder for driving in from Salem for this event.



Alex Sutton, Justice Virginia Linder, Andrew Schpak and Sharnel Mesirov at the January 11 social

Announcing SMART YLS Community Service Day

Want to help end illiteracy in Oregon? Join the MBA YLS Service to the Public Committee at 9 a.m. on Thursday, February 15 at Boise-Eliot Elementary School, 620 N Fremont Ave in Portland, for a special event of SMART (Start Making a Reader Today). SMART is Oregon's leading nonprofit early literacy education organization. Thousands of volunteers across the state read one-on-one once a week with two children for half an hour each. During this special event, MBA members will have a chance to contribute a couple of hours on a one-time basis and learn more about SMART. The event will conclude by 10:45 a.m. If you are interested in volunteering, or for more information, email Iayasha Smith at iayasha@employmentlaw-nw.com.

MBA members and their friends and families volunteered at three events at the Oregon Food Bank in December and January. Look for future events this year at the Oregon Humane Society (April) and Friends of Trees (May/June).

ABA Family Law Publication at 20% Discount to Members

How to Build and Manage a Family Law Practice (Book & CD-ROM)

A must-read for any family lawyer, this book helps you understand the specialized skills and knowledge necessary to build and manage a successful and rewarding practice.

The sixth book in the popular "Practice-Building" series takes a no-nonsense, nuts-and-bolts approach in explaining the most critical issues for developing a thriving family law practice. You'll benefit from the author's experience as he shares a wealth

of tips, techniques, forms and checklists that will help shorten the learning curve for lawyers just starting out in family law and enhance the knowledge of those with established legal practices. Through examples and explanations, this book reveals how the practitioner can gain practical experience in the area, understand the specialized business aspects of a family law practice, develop and maintain the ideal client mix, and manage staff, cases and finances. This package includes a CD-ROM with forms and supporting materials.

The MBA member price for this publication is **\$51.96**, regularly \$64.95. We also encourage you to attend the MBA *Enforcing Judgments in Family Law Cases* CLE seminar on February 6.

To purchase this publication or to see what others have said about it, log onto www.ababooks.org and enter your member discount source code PAB5EMUL. Your member discount applies to these or any publications featured on the ABA Web site.

Around the Bar

Continued from page 7

Portland litigation group and Brant will maintain his position as chair of the firm's Portland business group.

Connolly's practice focuses on business, mergers and acquisitions and real estate. Brown's practice focuses on estate planning and probate. Lindenauer's practice is in litigation, healthcare and employment. Brant's practice focuses on taxation, business, and mergers and acquisitions. Weaver's practice centers on business litigation and white-collar criminal defense.



Beverly Pearman



Mark M. Williams

may be reached by phone at 541.686.9160 or by email at mwilliams@eugene-law.com.



Guy Randles



Bradley F. Tellam

and **Beverly Pearman**. **Bradley F. Tellam**, an experienced litigator and ethics attorney, has rejoined the firm. He was previously an associate at Stoel Rives. His practice focuses on employment law, complex civil litigation and appeals. In addition, he is a well-known authority on legal ethics and professional responsibility. His practice includes advising attorneys on legal ethics issues and defending attorneys accused of disciplinary rule violations.

Bricker practices natural resources law, with a focus on water law and waterways. Pearman is a trial attorney who focuses on complex business litigation and environmental and natural resources litigation.

HUTCHINSON COX ET AL **Mark M. Williams** has relocated to Eugene and joined the law firm of Hutchinson, Cox, et al, where he will continue to focus his practice on elder law issues and estate planning, including taxable estates. He



Andy Lauersdorf

BULLIVANT HOUSER BAILEY **Andy Lauersdorf** has been named shareholder of the firm, where he serves as the leader of the firm's Insurance SIU practice team, which counsels insurance carriers and claims personnel in the investigation and litigation of insurance claims involving arson, material misrepresentation, fraud, fabricated or staged losses and racketeering and organized fraudulent claims activity.

The Around the Bar column reports on MBA members' moves, transitions, promotions and other honors within the profession. Submissions are due by the 10th of the month preceding publication, are edited to fit column format and are used on a space-available basis in the order in which they were received. Items may be submitted by email to carol@mbabar.org.



Jennie Bricker

STOEL RIVES **Guy Randles**, a partner and chair of the firm's Construction and Design group, was recently elected president of the Oregon Historical Society (OHS). He will preside over OHS as it pursues initiatives such as the commemoration of the 150th anniversary of Oregon statehood, scheduled for 2009.

New principals in the firm's Portland office are **Jennie Bricker**

PRO BONO VOLUNTEERS

Thanks to the following lawyers, who recently donated their pro bono services via the Volunteer Lawyers Project, the Senior Law Project, Community Development Law Center, law firm clinics, the Oregon Law Center, the Nonprofit Project and Attorneys for Youth. To learn more about pro bono opportunities in Multnomah County, check out the Pro Bono Opportunities in Oregon handbook, available at www.mbabar.org/docs/ProBonoGuide.pdf.

Janna Aginsky
Patty Arjun
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Richard Biggs
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Wednesday, April 4, 2007

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- **Two FREE CLE Programs, 3:00 – 5:00 PM**
 - o Effective Representation of Domestic Violence Survivors in Restraining Order Hearings
 - o Nonprofit Corporations: Essentials, Hot Topics, and Directors' Rights and Responsibilities
- **Pro Bono Opportunities Information Fair, 5:00 – 5:30 PM**
Enjoy complimentary beer, wine, and hors d'oeuvres while you meet with local pro bono service providers, court reporters, and paralegals to learn about the programs and resources available to support your pro bono services.
- **Pro Bono Challenge Awards Ceremony, 5:30 – 6:30 PM**
Recognize your colleagues and gain inspiration at the annual ceremony honoring attorneys, firms, and law schools for their pro bono efforts. Keynote Speaker: Chief Justice Paul DeMuniz, Oregon Supreme Court

All events are free of charge

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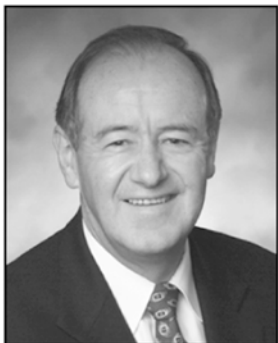
Bill Schulte is now focusing his practice on mediation, reference judging and conducting settlement conferences in family law matters. Bill has been an active litigator since 1966. He has been recognized as one of the "Best Lawyers in America" since the first edition in 1983. Bill is a member of the American Academy of Matrimonial Lawyers and a frequent contributor to legal education programs.

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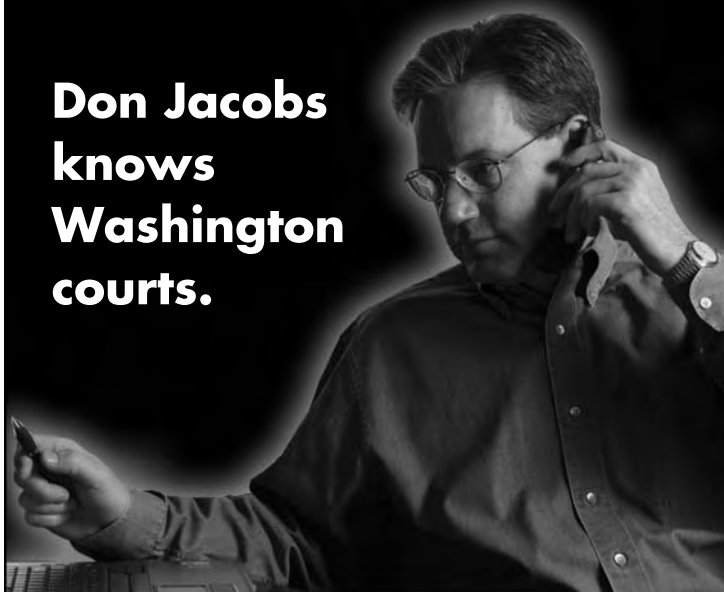
Additionally, mediation fulfills the SLR 7.075 ADR requirement if you file a certificate within 270 days of filing the lawsuit.

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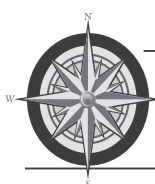
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A Successful First Year for the Multnomah Bar Foundation

By Jeff Matthews, Foundation President and Yates Matthews & Eaton.



The Multnomah Bar Foundation had many successes its first year. The *MBA 100th Anniversary Community Gift Fund* fundraising goal of \$200,000 was surpassed by obtaining total pledge contributions of \$238,475. With these funds the foundation provided a \$25,000 grant to Classroom Law Project to expand the "We the People" civics education program into Franklin

and Parkrose High Schools and the two middle schools which feed into them.

The foundation also monitored the fundraising activities for Multnomah CourtCare. This included receipt of contributions which totaled \$107,594. The campaign's net proceeds were disbursed to the Volunteers of America who operate the childcare facility in the courthouse.

Five standing committees were established this year as well. A Grant Application Process Committee, including a Fundraising Committee, a Finance Committee, a Board Development Committee and a Public Relations Committee. A Strategic Planning Committee was also established. This committee completed a comprehensive three year plan which includes specific strategic

goals for the various standing committees to accomplish.

I would like to take this opportunity to introduce three new board members, Kelly Hagan, Sim Rapoport and Maya Crawford. They began their three year terms on January 1, 2007. I look forward to working with them for what promises to be another great year for the foundation.

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