



# DETROIT CHAPTER FEDERAL BAR ASSOCIATION NEWSLETTER

MARCH / APRIL 1989

## FIRST ANNUAL YOUNGER LAWYER'S SECTION RECEPTION

The Detroit Chapter's newly formed Younger Lawyer's Section will host its first annual reception from 5:00 p.m. to 7:00 p.m., on Tuesday, April 11, 1989, at the Savoyard Club, located on the 26th Floor of the Buhl Building. The purpose of the reception is to provide younger members of the Chapter (those under the age of thirty-five) the opportunity to meet members of the federal judiciary in an informal setting. All United States Circuit Judges, United States District Judges, United States Bankruptcy Judges and United States Magistrates have been invited to attend.

The reception is free of charge and will include complimentary hor d'oeuvres and a cash bar. Although reservations are not required, those interested in attending are encouraged to return the enclosed reservation form. Further information may be obtained by contacting Younger Lawyer's Section Chair, Thea Marie Sankiewicz (223-3455)

## TENTH ANNUAL DINNER DANCE

The Detroit Chapter of the Federal Bar Association will hold its Tenth Annual Dinner Dance at the historic Detroit Yacht Club on Friday, May 19, 1989. As in the past, the occasion will honor the Federal Judicial Officers of the Eastern

District of Michigan. The Detroit Yacht Club is located at the far-end of Belle Isle, a short ten minute drive from downtown Detroit. The Yacht Club overlooks the Detroit River and the downtown skyline and is easily accessible via the Belle Isle Bridge.

Hor d'oeuvres will be served at 5:30 p.m. and a cash bar will be available. Dinner will be served at 7:00 p.m., followed by a brief meeting and election of officers. After the meeting, the floor will be opened to dancing to the music of the Johnny Trudell Band.

Reservations for the Dinner Dance at \$50.00 per person may be made by returning the enclosed reservation form. Tables of eight may be reserved by interested groups or firms; one of the judicial honorees and his or her guest will join each such group. Reservations must be received no later than Monday, May 1, 1989.

All members of the Detroit Chapter of the Federal Bar Association, their friends and guests are welcome to attend. Business attire is appropriate. Valet parking is available.

For additional information, contact Dinner Dance Chair, Mimi Gendreau, at 226-4643.

## EDWARD R. GILMAN LUNCHEON

The Fifth Annual Leonard R. Gilman Award Luncheon has been scheduled for Thursday, May 25, 1989, in the Riverfront Ballroom of the Detroit Westin Hotel. The featured speaker will be United States District Judge, Bernard A. Friedman, a life-long friend of Lenny Gilman. Details and reservation information will appear in the May newsletter.



# INTRODUCING UNITED STATES DISTRICT JUDGE PAUL V. GADOLA



The newest member of the United States District Court for the Eastern District of Michigan is Judge Paul V. Gadola. Judge Gadola is a native of Flint, Michigan and a graduate of Flint Central High School. He did his undergraduate work at Michigan State University, majoring in accounting and economics and graduating with honors in 1951. He then attended the University of Michigan Law School, from which he graduated in 1953.

Following graduation from law school, Judge Gadola served in the U.S. Army from 1953 to 1955. He then returned to Genesee County and began the private practice of law.

Judge Gadola is a life time fellow in the American Trial Lawyers Foundation and is certified as a specialist in Civil Trial Advocacy by the National Board of Trial Advocacy. He has served as an arbitrator for the American Arbitration Association and as a mediator for Genesee County Circuit Court and Shiawassee County Circuit Court.

Judge Gadola began his service in the Eastern District of Michigan on Friday, January 6, 1989.

Judge Gadola follows the following procedures with respect to the civil matters assigned to him:

## 1. STANDING ORDERS

An order setting a scheduling conference is sent to counsel within one to three weeks after the initial answer is filed.

## 2. CONFERENCES

The Court sets a scheduling conference approximately 30 days after the answer is filed. Dates for the discovery cut-off, the exchange of witness lists, final pretrial conference, settlement conference and trial are discussed at the first conference.

## 3. GENERAL MOTION PRACTICE

The Court generally schedules motions. However, most non-dispositive motions are referred to the Magistrate. Where a matter is not referred to the Magistrate, the Court will then send out a notice of the hearing date. The Court encourages all parties to seek concurrence under L.C.R. 17 (A) prior to the filing of a motion. Oral argument is not automatically granted in regards to motions. As to dispositive motions, a date will be set by the Court for hearing, as well as, for a time to file responsive pleadings. Oral argument is not automatically granted.

Non-dispositive motions must be filed within three weeks after discovery cut-off date. Dispositive motions must be filed five weeks after discovery cut-off date.

## 4. DISCOVERY MATTERS

All initial matters related to discovery are discussed at the scheduling conference. Normally in non-complex cases discovery will be allowed for approximately four months. The witness list, including expert witnesses, must be exchanged at least one month prior to discovery cut-off. Discovery motions are generally referred to the Magistrate. Emergency discovery motions may be referred to the Magistrate at the discretion of the judge. All requests for exten-



sion of discovery to permit taking of additional depositions must be specific as to the name of the person to be deposed, establish that person's relationship to litigation, the specific date, time and location, if appropriate, of the proposed deposition. Any request for extension of time for period of discovery must contain the certification that you have contacted your opponent and he or she has not agreed at the request of the time scheduled. If the opponent refused to cooperate or consent, you should state what the opponent has communicated to you as the opponent's position. The date set must be the shortest reasonable time to obtain and complete a discovery as to each specific request. If a prolonged period, not reasonable on its face is sought, an explanation of reason must be set forth in the motion. Kim Jordan, the courtroom deputy clerk, should be contacted for any change in the date or time set out in the scheduling order. Except for true emergencies, Ms. Jordan has the power to consider change of dates only if a written motion is filed prior to the date sought to be changed.

#### 5. MEDIATION

The Court does not routinely refer cases to Mediation. Where the parties stipulate to Mediation, the case may be referred. However, the case will be referred only after discovery has been completed.

#### 6. PRETRIAL

The final pretrial order is due at the final pretrial conference. The final pretrial conference normally takes place six weeks subsequent to rulings on any dispositive motions or ninety days after Mediation. The final pretrial conference order is due five days prior to the pretrial conference.

#### 7. SETTLEMENT

Settlement conferences are regularly held one week prior to a trial.

#### 8. TRIALS

The Court normally sets a date certain for trial. Adjournment of trial dates can be had only upon

motion for good cause shown. If an attorney has a conflict with another trial, the attorney should immediately notify the Court by letter. The Court does not require the exchange in exhibits prior to trial in civil or criminal cases. However, the Court does require the exhibits be marked prior to trial. The Court prefers to have plaintiff and defendant exhibits numbered separately. Counsel retains custody of exhibits during trial and pending appeal. Trial briefs are to be exchanged at the final pretrial conference. Motions in limine are to be filed prior to trial. Motions in limine filed on the day of trial will not be heard except in very extreme circumstances.

#### a. NONJURY TRIALS

In nonjury trials proposed findings of fact and conclusions of law must be filed at the final pretrial conference. Joint jury instructions should also be filed at the final pretrial conference, as well as, trial briefs. Any instructions that cannot be agreed upon at the final pretrial conference must be submitted in writing to the Court on the first day of trial. Other instructions may be utilized at the discretion of the Court given the nature of the evidence produced at trial.

#### b. NONJURY TRIALS

In jury trials the court generally selects two alternate jurors, depending on the length of the case. The Court does not usually designate the alternates. The Court will conduct Voir Dire unless the attorneys are notified otherwise. Specific Voir Dire questions should be submitted in writing.

#### c. MISCELLANEOUS

Jury and nonjury trials are generally conducted between the hours of 9:00 a.m. and 1:00 p.m., five days a week. The Court may impose time limits on closing arguments as outlined in the Local Rules.

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All attorneys should consult the policies of Judge Gadola. It is a useful handout, available from the courtroom deputy, and will give the attorneys fair notice of the expectations of the Court.

## PRESIDENT'S MESSAGE

The death of Judge Philip Pratt last month brought to mind how many of the real giants of the Detroit legal community we have lost in recent years: Wade McCree; G. Mennen Williams; Philip Pratt. Each of them in his own way and by his own example left an indelible impression on all of our lives.

It is fitting if not imperative that the organized bar take appropriate steps to preserve the memory and the legacy of these remarkable men. The Wade H. McCree, Jr. Minority Scholarship Fund at Wayne State University Law School is particularly appropriate. An ad hoc committee is also working to develop an appropriate memorial to "Soapy" Williams. The Oakland County Bar has already begun exploring a fitting tribute to Judge Pratt.

The Detroit Chapter will play a small role in these efforts by assuring that portraits of Judges McCree and Pratt are proudly and prominently displayed in the United States Courthouse in Detroit. A joint McCree/Pratt portrait committee is being formed, which will shortly begin soliciting contributions, so that future generations of lawyers and judges in Detroit will know as we all do, of their sterling examples and priceless contributions.

John R. Runyan, Jr.

## SCHEDULE OF SEMINARS

### CRIMINAL LAW

In cooperation with the Detroit Bar Association, the Chapter's Criminal Practice Section will be holding a second seminar on the Federal Sentencing Guidelines from 1:00 p.m.

until 5:00 p.m., on Thursday, April 27, 1989, in the Plaza Room of the Pontchartrain Hotel. Registration for the seminar is \$65.00 advance and \$80.00 at the door and will begin at 12:30 p.m.

Criminal Practice Section Co-Chair, Richard Zuckerman, will serve as moderator for the seminar. Speakers will include United States District Judge Julian Cook, United States Attorney Roy Hayes, Rusty Buress of the United States Sentencing Commission, which promulgated the guidelines, and Deputy Federal Defender Miriam Siefer.

To register for the seminar, return the enclosed registration form to the Detroit Bar Association, 2380 Penobscot Building, Detroit, Mi. 48226, or call the Detroit Bar at 961-6120.

### GOVERNMENT CONTRACTS SYMPOSIUM

On Wednesday and Thursday, April 26 and 27, 1989, the Dayton Chapter of the Federal Bar Association will be sponsoring a symposium on government contracts entitled "Contracting Under The Microscope". The symposium will be held at the Holiday Inn, I-675 Conference Center, Fairborn, Ohio, and the featured speaker will be Henry Hudson, the U.S. Attorney supervising the "Ill Wind" investigation.

Registration for the symposium is \$100.00 for FBA members, \$125.00 for non-member government employees and \$150.00 for all other non-members. For further information on registering, contact the Dayton Chapter, P.O. Box 33458, Dayton, Ohio 45433-0548 or call (513)222-4405.

### INTELLECTUAL PROPERTY LAW

The Detroit Chapter will hold a seminar on Intellectual Property Law entitled "What The General Practitioner Needs To Know About Patents, Trademarks And Copyrights" from 3:00 p.m. - 5:00 p.m. on Wednesday, April 19, 1989, in Room 115 U.S. Courthouse. Speakers will



include William Abbatt of the firm Brooks and Kushman, who will discuss patents, and Lynn Cargill, a registered patent attorney in private practice in Birmingham, who will discuss trademarks and copyrights.

Registration for the seminar is \$15.00 for FBA members and \$20.00 for non-members and will include written materials. To register, return the enclosed registration form on or before Friday, April 14, 1989.

## FEDERAL BAR FOUNDATION NEEDS YOUR ASSISTANCE

On February 23, 1989, the Federal Bar Foundation of Detroit, presented scholarship awards to worthy students from each of the Michigan law schools in the name of Edward H. Rakow, for the 20th year. The Edward H. Rakow Scholarship Awards have provided significant assistance to nearly 100 students since 1969.

Over the past several years, it has been necessary to invade principal in order to make the annual awards of \$750.00 each to deserving students. Additional funds are needed so that the Foundation can continue to make scholarship awards. Without additional funding from members of the Federal Bar Association, the Foundation will be unable to continue to make the scholarship awards that are so important to the memory of Edward H. Rakow. Frankly, the funds of the Foundation will be exhausted within the next ten years unless an infusion of funds from members of the Federal Bar Association is made immediately.

We urge you to make your tax deductible contribution to the Federal Bar Foundation, Post Office Box 71740, Madison Heights, Mi. 48071. Please help us keep the tradition of service, integrity, and humility exemplified by Edward H. Rakow alive by making your contribution.

## NEW AND SUSTAINING MEMBERS

The Chapter extends its appreciation to the following sustaining members:

Ronald G. Acho  
John Wm. Butler, Jr.  
Lawrence Campbell  
William T. Coleman III  
Maura Corrigan  
John A. Cothorn  
Joseph A. Gordon  
Alan C. Harnish  
Robert S. Hertzberg  
Lynn V. Hooe Jr.  
Leonard C. Jaques  
Paul Johnson Jr.  
Peter J. Kelly  
Richard F. Krandle  
Michelle Coleman Mayes  
Sharon McPhail  
Artis M. Noel  
Randolph D. Phifer  
Clyde B. Pritchard  
John R. Runyan, Jr.  
Thea Marie Sankiewicz  
Richard P. Saslow  
Joel M. Shere  
Miriam L. Siefer  
Myzell Sowell  
Andronike A. Tsagaris  
Richard Paul Zipser

The Detroit Chapter is pleased to welcome to its ranks the following new members:

Grady Avant, Jr.  
Emily Sevald Bacon  
Larry Bennett  
Ronald S. Bowling  
Dennis J. Clark  
Peter L. Conway  
Margaret A. Costello  
Lynn E. Deitch  
Ellen Dennis  
Stanley T. Dobry  
Don C. Erwin  
Walid Y. Fakhoury  
Debra L. Garelik  
John Paul Hessburg  
Kerry Leon Jackson  
Thomas J. Kenny  
Sheldon H. Klein  
Phillip C. Korovesis  
Mark L. Kowalsky  
Rheo C. Marchand  
John S. Misch  
William C. Schaub, Jr.  
Marianne Talon  
Richard T. Urbis  
Margaret VanMeter  
Marianne Lebeuf Wade

RESERVATION FORMS

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FIRST ANNUAL  
YOUNGER LAWYERS RECEPTION  
Tuesday, April 11, 1989  
Savoyard Club

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
TELEPHONE: \_\_\_\_\_  
BAR NUMBER: \_\_\_\_\_

Return to:

Thea Marie Sankiewicz  
Dickinson, Wright, Moon,  
Van Dusen and Freeman  
800 First National Building  
Detroit, Michigan 48226

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TENTH ANNUAL  
DINNER DANCE  
Friday, May 5, 1989  
Detroit Yacht Club

\_\_\_\_\_ RESERVATIONS AT \$50.00 PER PERSON

\_\_\_\_\_ AMOUNT ENCLOSED

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
TELEPHONE: \_\_\_\_\_

Return to:

Detroit Chapter-FBA  
P.O. Box 71740  
Madison Heights, MI 48071

REGISTRATION

CRIMINAL LAW SEMINAR  
FEDERAL SENTENCING GUIDELINES  
Plaza Room, Ponchatrain Hotel  
Thursday, April 27, 1989  
1:00 p.m. to 5:00 p.m.

\$65.00 in advance: \$80.00 at door

Amount Enclosed: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please make checks payable to: Detroit Bar Association

Please forward to: Detroit Bar Association  
2380 Penobscot Building  
Detroit, MI 48226

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INTELLECTUAL PROPERTY SEMINAR  
"WHAT THE GENERAL PRACTITIONER NEEDS TO KNOW  
ABOUT PATENTS, TRADEMARKS AND COPYRIGHTS"  
Room 115, US Courthouse  
Wednesday, April 19, 1989  
3:00 p.m. to 5:00 p.m.

\_\_\_\_\_ \$15 for FBA Members

\_\_\_\_\_ \$20 for Non-Members

Amount Enclosed: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Please make checks payable to: Detroit Chapter - FBA

Please forward to: Detroit Chapter - FBA  
P.O. Box 71740  
Madison Heights, MI 48071



# CALENDAR

**TUESDAY, APRIL 11, 1989**  
Younger Lawyers Section  
Reception - Savoyard Club  
5:00 p.m. - 7:00 p.m.

**WEDNESDAY, APRIL 19, 1989**  
Intellectual Property Law  
Seminar  
115 U.S.Courthouse  
3:00 p.m. - 5:00 p.m.

**THURSDAY, APRIL 27, 1989**  
Criminal Law Seminar  
Plaza Room/Pontchartrain Hotel  
1:00 p.m. - 5:00 p.m.

**FRIDAY, MAY 5, 1989**  
Tenth Annual Dinner Dance  
Detroit Yacht Club

**THURSDAY, MAY 11, 1989**  
Executive Board Meeting  
Savoyard Club

**THURSDAY, MAY 25, 1989**  
Leonard R.Gilman Award  
Luncheon/Riverfront Ballroom  
Detroit Westin Hotel

**TUESDAY/WEDNESDAY, JUNE 6/7, 1989**  
New Lawyers Seminar  
115 U.S.Courthouse

**WEDNESDAY, JUNE 7, 1989**  
Annual Golf Outing  
Fox Hills Country Club

## DETROIT CHAPTER



Post Office Box 71740  
Madison Heights, Michigan 48071

### President

John R. Runyan, Jr.

### President-Elect

Robert Forrest

### Vice-President

Maura Corrigan

### Secretary

Joel M. Shere

### Treasurer

Geneva Halliday

### Immediate Past-President

Michele Coleman Mayes

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