



FBAnewsletter

Spring 2008

Federal Bar Association - Eastern District of Michigan Chapter - **50** years of service to our Federal Bench and Bar

Scott Turow to Speak at Gilman Luncheon

Chapter members are in for a special treat at this year's Leonard R. Gilman Award Luncheon! The luncheon will be held on Thursday, May 22 at 11:30 at the Atheneum Hotel. The featured speaker will be famed author and attorney Scott Turow. Tickets are still available, but likely to go quickly. For more information, and to register, visit the Chapter's website or contact Laurie Michelson at 313-983-7463.

Seated at the table with Turow will be the winner of our membership drive contest, who signs up the most new members in the period leading up to the luncheon -- an added incentive to the membership outreach effort.

The membership drive has been spearheaded by Tom McNeill, Elizabeth Stafford, Jeff Appel and Leslie Berg. Please make sure that you notify Brian Figot at fbamich@fbamich.org of any new members that you sign up by April 30, 2008. *(continued on page 2)*

Register Now for the Bench Bar Conference

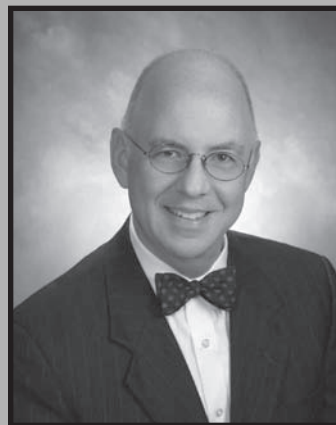
The Bench Bar Conference is April 17 at the Dearborn Inn. More details about the Conference can be found on page seven of the Newsletter and on the Chapter's website.

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Annual Dinner June 17 at the DAC

Visit the Chapter website for more details.



President's Column

Mark A. Goldsmith

Civility – Not Just A Matter Of Etiquette

Many dismiss civility as simply a matter for Miss Manners. They may recognize that ci-

vility is of value to practitioners, by reducing the stress associated with legal practice, but see no greater systemic value.

I believe civility is of critical importance to our legal system. In fact, without it, the fundamental goal of our system – orderly and fair dispute resolution -- becomes far harder to achieve.

Our legal system accomplishes an amazing feat that we do not appreciate nearly enough: it channels the cantankerous disputes that roil a population of 300,000,000 people from streets and alleys into the quiet of courtrooms. While many countries, sadly, resolve disagreements through car-bombings and assassinations, our country has, for the most part, been spared such tragic chaos.

Many factors combine to produce our fellow citizens' acceptance of an orderly system of dispute resolution: a culture that venerates the rule of law, the tradition of an independent judiciary, an educated citizenry that perceives value in a stable society.

But there is one value, inherent in each of these factors, that is the essential catalyst for orderly and fair dispute resolution...respect for individual human dignity. A legal system that is not viewed as being committed to human dignity will be circumvented and dismissed, as the tool of some entrenched political elite, or abandoned as ineffective. See, for example, the sad history of many developing countries and those who

(continued on page 2)

**WINNER
5 YEARS
National FBA
Outstanding
Newsletter
Award**

President's Column (continued)

lived under the shadow of the former Soviet Union.

Our legal system is robustly accepted, because it celebrates respect for individual human dignity in so many ways, as our elaborate dedication to due process of law demonstrates. But, what is often not appreciated is the role that lawyers play in promoting human dignity.

Lawyers perform on a public stage, and for better or worse, their behavior teaches others – their clients, jurors, and the public at large -- about how people should be treated when disputes are being resolved. When a lawyer belittles a fellow lawyer, misrepresents or conceals a material fact to a tribunal, offers perjured testimony or unfairly attacks a witness or party, the lawyer's behavior strikes at the core concept of human dignity.

This is the true indignity of uncivil behavior: the lawyer undermines the fundamental goal of legitimating orderly and fair dispute resolution. By modeling behavior that repudiates the essential human dignity of participants in the legal process, the uncivil lawyer diminishes the perceived value of the forum and thwarts the healing process that the legal system is designed to advance.

Recognizing the paramount importance of civility, our Chapter has established a civility award, which will be awarded annually to a civil practitioner who has demonstrated adherence to the highest standards of civility and professionalism. The award will be presented at the Chapter's Annual Dinner.

The award will be called the Julian Abele Cook, Jr. - Bernard A. Friedman FBA Civility Award, in honor of two chief judges of the Eastern District of Michigan who have made civility a top priority for practice in our district. As Chief Judge in 1996, Judge Cook convened the first Civility Committee in the Eastern District of Michigan and fostered implementation of the Court's Civility Principles. As our current Chief Judge, Judge Friedman formed the Court's second Civility Committee in 2007, which produced the Eastern District's "Lawyer's Commitment of Professional Civility."

In establishing the Cook-Friedman award, we hope to teach all -- lawyers and the public at large -- that individual human dignity is the cornerstone of our legal system...and that lawyers play an indispensable role as the masons of our legal edifice.

For more information on the Cook-Friedman Award, including selection criteria and the nomination process, visit www.fbamich.org.

Gilman Award *(from page 1)*

The Gilman Award is given annually to an outstanding practitioner of criminal law who exemplifies the excellence, professionalism, and commitment to public service of Len Gilman, who was U.S. Attorney at the time of his death in 1985. Nominations are still being accepted. For more information, contact Mike Leibson at (313) 226-9615.

Join Us For Law Day Celebration

Law Day is May 1, 2008. To celebrate, the Chapter and the U.S. District Court will once again be hosting an open house at the Courthouse from 11:00 a.m. until 2:00 p.m. The event will include tours of the Courthouse, the popular "Ask the Lawyer" pro bono program, and demonstrations from bomb-sniffing dogs. The following agencies will be participating, offering displays and information:

A.T.F.
Bankruptcy Court
Coast Guard
Customs, Border Patrol
Courthouse Museum
D.E.A.
F.B.I.
Federal Defender's Office
I.C.E. (Immigration Customs Enforcement)
I.R.S.
N.L.R.B. Region 7
Pretrial Services
Secret Service
U.S. Attorney's Office
U.S. District Court
U.S. Probation
U.S. Marshals Service
Wayne County Sheriff's Dept.

The Court and Chapter invite you and your employees, clients, and families, especially those who are not lawyers, to visit the Courthouse and take a look at our justice system.

Please remember to bring a photo ID. Free hot-dogs and soft drinks will also be provided. Come and join the fun!

Irish Consul General Visits The Courthouse

On January 11th, the Judges of the Eastern District welcomed Martin Rouine, Consul General of the Republic of Ireland, to the Courthouse. With Judge Sean F. Cox, a first-generation Irish-American, as host, Rouine and Dennis Hayes, President of the United Irish Societies of Detroit, updated the bench on developments in Ireland and the plans for this year's St. Patrick's Day celebration in Detroit.

Prior to his visit with the judges, Rouine addressed a gathering of the Incorporated Society of Irish/American Lawyers (ISIAL) at the University of Detroit Mercy School of Law. Mr. Rouine was the guest of honor at the charter-granting ceremony for the new UDM School of Law ISIAL Chapter.

Rouine became Ireland's new Consul General after a long career in the Irish Foreign Service. Most recently he served as Project Manager for the new Automated Passport System (APS) and was responsible for the design, development and installation of a new centralized computer system for issuing Irish Passports.

From 1995 to 2001, Rouine served as a member of Ireland's delegation to the European Union. During the Irish Presidency, he was responsible for the handling of the External Fisheries Policy of the EU. Following the Presidency, he had responsibility for Euro-Mediterranean Policy and subsequently for relations with the countries of the former Soviet Union. From 1991 to 1994, he was responsible for the development of the first computerization system for issuing passports which was eventually replaced by the APS system.

From 1986 to 1990, Rouine served as Ireland's Deputy Consul General in New York where he had responsibility for a broad range of political, economic and cultural dossiers. Prior to his appointment to New York, he had been responsible, as Head of Finances, for the introduction of new financial systems and for the overall management of the budgetary allocations for the Department of Foreign Affairs.

Judge Rosen Gives State Of The Court

Pinch-hitting (his word) for Chief Judge Bernard A. Friedman, Judge Gerald E. Rosen* gave the traditional State of the Court address to the Chapter at its luncheon on September 11, 2007.

Judge Rosen began by observing that it was the sixth anniversary of the tragic events of September 11,

2001. He reminded us that then Chief Judge Lawrence P. Zatkoff had discouraged any thought of cancelling the FBA luncheon scheduled for the following day, September 12th, out of concern that it might appear that terrorists, whoever they might be—we didn't yet know at that early date, had intimidated us.

Judge Rosen went on to describe the Court as being "in and on the verge of transition." He began by recognizing and thanking Court officers and employees, from Court Administrator David Weaver and his deputy Libby Smith and their staff; U.S. Marshal Robert Grubb and his deputies, court security officers and staff; staff attorneys, deputy clerks, law clerks, secretaries, court reporters, probation and pretrial services officers and their staffs; IT and jury staff.

He went on to note the two new colleagues, Judge Thomas Ludington in Bay City and Judge Sean Cox in Detroit. He acknowledged the 8 senior judges, led by Judge John Feikens, who continue to carry from 50% to 100% caseloads

Judge Rosen recognized the Bankruptcy Judges, led by Chief Bankruptcy Judge Steven W. Rhodes, who had the highest filings and terminations of any bankruptcy court in the nation. He thanked Magistrate Judge Paul J. Komives and Bankruptcy Judge Walter Shapero for continuing to accept recall status from year to year.

He thanked the FBA Chapter, its officers and members, for "their tireless work. . . to advance the practice of law in our District," and he recognized Court Ombudsman George Bedrosian for his "sensitivity" and "the finesse of a diplomat." He thanked the Local Rules Advisory Committee not only for its input to rules adopted by the Court but "on a few occasions [it] has even kept us from enacting rules that may have had unintended or unwanted consequences."

Judge Rosen reported that the Court is naturalizing more than 10,000 new citizens each year and that "unlike almost everything else we do, everybody leaves happy and there are no appeals." He noted that the Law Day celebration on May 1st each year, a favorite of Chief Judge Friedman's, continues to grow in its outreach to the downtown Detroit community.

Perhaps the most memorable part of his address came at the very end when Judge Rosen reported that a decision would have to be made in the next year or two whether to renovate or replace the Levin Courthouse. Renovation would mean moving into temporary facilities for a minimum of two or three years before reoccupying the renovated Courthouse.

**Although no such position as acting chief judge or chief judge pro tem exists in Federal courts, it is tradi-*

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State Of The Court *(from page 3)*

tional for the judge in active service next in seniority to the chief judge to appear in the absence of the chief judge. Accordingly, Judge Rosen stands in for Chief Judge Friedman in his absence by virtue of his seniority.

McCree Luncheon Honors Jack Kresnak

On February 26, 2008, the Wade Hampton McCree, Jr. Award for the Advancement of Social Justice was presented to Jack Kresnak, current CEO of Michigan's Children and thirty-four year veteran reporter for the Detroit Free Press. The McCree Award was created by the Chapter in 1990. It has been given to a wide range of individuals and organizations who are dedicated to the principle of social justice which exemplified the life and career of Judge Wade McCree.

Throughout his journalism career, Kresnak acted as watchdog on the child welfare system. His stories on child abuse and neglect, child support and custody, and children's mental health prompted many reforms in the State's law and policies for the care of needy children. In her McCree Award nomination, Justice Maura Corrigan wrote that "I have no doubt that there are children who are alive and safe today because Jack Kresnak recognized the problem and covered it thoroughly, intelligently, and persistently. I can give no higher praise."

Judge Freddie Burton, Jr. of the Wayne County Probate Court, a long time friend of Kresnak's, introduced him. Judge Burton made clear that Kresnak's efforts have made a difference in the lives of many children. Kresnak's remarks revealed an individual deeply committed to the plight of children entangled in the welfare system. He spoke eloquently about his work and humbly on his selection to receive the McCree award. There is no doubt that Kresnak's advocacy on behalf of children, too often forgotten in the child welfare system,

demonstrates a life committed to the same virtues honored in Judge McCree.

Bishop Thomas J. Gumbleton was the keynote speaker, introduced by Program Chair Michael Riordan. Bishop Gumbleton is well-known and highly regarded for his peace-promoting efforts. He is on the boards of many organizations and has been honored for his work in the areas of peace and justice by several universities, churches, civic groups and other organizations throughout the world. Bishop Gumbleton called upon all those present to heed the call to advancing justice and equality, in particular with regard to Iraqi refugees both inside their own country and those seeking to immigrate to the U. S. His words were inspirational and thought-provoking.

New Lawyers' Seminar Caps 30th Year!

By Christine Dowhan-Bailey*

Another successful New Lawyers' Seminar is in the books. Ninety-three attorneys enjoyed learning the "nuts and bolts" of practice from some of the best State and Federal legal talent in the Metropolitan Area this past December 4th and 5th.

Even the Seminar luncheon provided an excellent mentoring opportunity when Chief Judge Mary Beth Kelly of the Wayne County Circuit Court graciously addressed the group during a delicious lunch at the Detroit Club.

Our Chapter also performed the honor of sponsoring

these neophytes' admission to practice before the Eastern District of Michigan during a mass swearing in ceremony. District Judges Roberts, Steeh, and Tarnow presided over the admissions ceremony which emphasized civility in law practice. Local attorneys who served as sponsors included Susan Gillooly, Peter Caplan, Michael Riordan, Julia Pidgeon, Philip Ross, and Erwin Shaw.

Registration in the Seminar entitles participants to one year of Chapter membership, so please welcome these new counselors at our events. Thus far, forty-four of the attendees have also joined National FBA. Another benefit is the Ohio



Admissions ceremony.

Photo by John Meiu, courtesy of Detroit Legal News

State Bar Association's recognition of this event as a means of fulfilling its practice requirements prerequisite for admission to its Federal districts.

On behalf of the New Lawyers' Seminar Committee Co-Chairs (Brian Akkashian, Brian Figot, Grant Gilezan, Geneva Halliday, and Cathrine Wenger), I would like to thank all of the busy practitioners and members of the judiciary who volunteered their time to assist these new members of our legal community. I would also like to thank the District Court for the use of the spacious and comfortable newly renovated multipurpose Room 150 in the Courthouse.

**Christine Dowhan-Bailey is a New Lawyers' Seminar Committee co-chair and former Chapter President.*

Judge Anna Diggs Taylor Portrait Presented to the Court

By Robyn Langston*

The Court sat in special session on October 15, 2007 for the presentation and dedication of the portrait of the Honorable Anna Diggs Taylor. Judge Taylor, who currently sits as a senior judge, also served as the first African-American female Chief Judge from 1997 to 1999. Judge Gerald E. Rosen presided over the special session. It was attended by District Judges, Circuit Judges, Bankruptcy Judges and Magistrate Judges, Mayor Kwame Kilpatrick, as well as former law clerks, court staff, family and friends of Judge Taylor.

The portrait was painted by artist Robert Maniscalco, a Detroit artist who is now the Artistic Director of the Maniscalco Gallery located in Summerville, South Carolina. The portrait was donated to the Court by Judge Taylor. It was unveiled by her four grandchildren, Jacqueline, Alexandra, Stephen and Anna. Judge Rosen accepted the portrait on behalf of the Court. The speakers included long-time friend and fellow jurist, Circuit Judge Ann Williams of the Seventh Circuit Court of Appeals and President of the Just The Beginning Foundation, and former law clerk, Rhonda J. McLean.

Judge Williams spoke of Judge Taylor as a "yes woman," a woman with a steadfast commitment to excellence and unfaltering dedication to the pursuit of justice. She emphasized Judge Taylor's strong work ethic, unwavering devotion to her family and friends, and community



Detroit City Councilwoman JoAnn Watson with her daughter and Judge Victoria Roberts.

Photo by John Meiu, courtesy of Detroit Legal News

involvement that transcends her position on the bench.

Rhonda McLean is currently Associate General Counsel for Time, Inc. in New York. She spoke with great passion about her two-year tenure as a law clerk to Judge Taylor during her early years as a District Judge. She recounted many of the lessons Judge Taylor imparted to her which included an insistence that she should embrace honesty, integrity and scholarship. McLean observed that Judge Taylor welcomed a challenge and never allowed outside influences to affect her careful interpretations of the law.

When Judge Taylor spoke, she reflected on the many people and circumstances which have brought her to this point in her career. She paid tribute to her parents, husband, S. Martin Taylor, children, Carla and Douglass, grandchildren, former President Jimmy Carter and judicial colleagues and friends. Judge Taylor gave special thanks and recognition to her staff over the years, for their "great patience" and "extraordinary efforts" and described how each member has played a vital role in chambers.

After the special session, there was a lovely reception in Room 115 of the Courthouse, which was hosted by her present and former law clerks.

**Robyn Langston is a career law clerk to Judge Taylor.*

Fund for Judge Mester's Granddaughter Established

As many of you know, Oakland County Circuit Judge Fred Mester (a past president of our Chapter) and his family suffered a tragic loss on November 29, 2007, when his daughter Katherine was killed in an automobile accident. Miraculously, the child that Katherine was carrying at the time of the accident survived. The Mester family has created an educational fund for young Isabel Katherine Luzzi, and has suggested that contributions in memory of Katherine be made to that fund. If you would like to contribute, please make your check payable to the Katherine Lynne Mester and Isabel Katherine Luzzi Educational Foundation and send it to

O.C.R.P.

30701 Woodward Ave. Suite 310

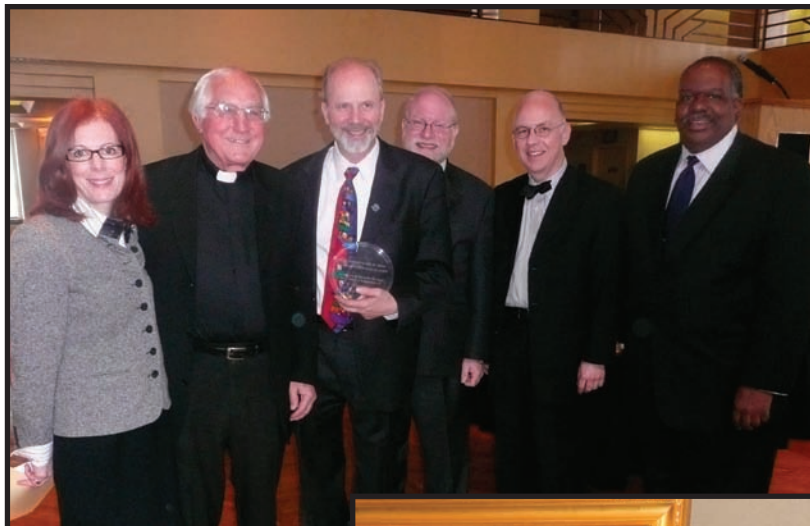
Royal Oak, MI 48073

McCree Luncheon

Honoree Jack Kresnak



Pictured from the left: Miriam L. Siefer; Bishop Thomas Gumbleton, Jack Kresnak, Brian D. Figot, Hon. Mark A. Goldsmith, and Michael K. Lee.



Judge Taylor Portrait Presented

Pictured above: Judge Taylor with grandson Stephen Smith; granddaughters Jacqueline Diggs and Alexandra Diggs; and the Honorable Ann Williams.

Judge Taylor with artist's rendering



Judge Taylor and portrait artist Robert Maniscalco



Martin Rouine; Judges Duggan and Cox, Dennis Hayes.

Irish Consul General Visits

Pictured from the left: Judges Battani, Hood, Cleland, Cohn; Dennis Hayes; Martin Rouine; Judges Duggan and Cox.





You Will Not Want To Miss This
April 17, 2008 11:30 AM – 6:00 PM



**2008 Eastern District Of Michigan
Bench Bar Conference At The Historic Dearborn Inn**



An Afternoon Of Interaction With The Bench And Bar Of The Eastern District Of Michigan

Luncheon Program Featuring Helen Thomas

Former dean of the White House press corps, who has been in the front row of press conferences from JFK to W ("Thank you, Mr. President") www.helenthomas.org

Followed By Clarence Darrow

A dramatic presentation by PERIAKTOS: Four historic cases tried by the legendary advocate, framing fundamental legal issues for plenary discussion by a distinguished panel and in small groups led by members of our Bench (www.Periaktos.com)

"Captivating...the acting literally transcended role-playing and brought the group inside the dramatic life of a lawyer, with all of its highs and lows, crises and triumphs."

-Judge David Lawson (previous Periaktos participant)

"Clarence Darrow is a spellbinding vehicle through which to explore the timeless ethical issues that Judges and lawyers grapple with."

-Judge Victoria Roberts (previous Periaktos participant)

And Then Hors D'oeuvres And Cocktails

Event Open To All!

Register Online At www.fbamich.org

\$110 for FBA members, \$125 for non-members, and \$20 for Judicial law clerks

Conference Co-Chairs

**Hon. Mona K. Majzoub, U. S. Magistrate Judge
Jeffrey A. Sadowski, FBA Eastern District of Michigan**



Focus On An FBA Member

Michael J. Hluchaniuk
U.S. Magistrate Judge Eastern
District of Michigan – Flint

By Michael J. Riordan*

A new feature of the Newsletter is the periodic profiling of a FBA member. This is the third of such profiles.

On December 24, 2007, Michael J. Hluchaniuk was appointed the newest Magistrate Judge for the Eastern District of Michigan. Calling it “a great honor,” Magistrate Judge Hluchaniuk will have his chambers in the U.S. Courthouse in Flint. In his new position, he will be the magistrate judge assigned to all criminal matters arising in Genesee, Lapeer, Livingston and Shiawassee Counties and he will be randomly assigned civil matters from throughout the Eastern District. A formal investiture took place on February 15th, at 2:00 p.m. at the Flint courthouse.

Hluchaniuk was selected as a magistrate judge after interviewing with a Merit Selection Panel comprised of several civil and criminal practitioners. The Panel forwarded his name, along with the names of four other candidates, to the District Judges in active service for their review. After a successful interview with the Bench, the judges named Hluchaniuk to the position.

Born in Dauphin, Manitoba, Hluchaniuk immigrated with his parents to the United States in 1949. He was raised in Allen Park, where his mother was a school teacher and his father worked in the retail industry. He is a 1964 graduate of Allen Park High School, a 1969 graduate of the University of Michigan and a 1972 graduate of the Wayne State University Law School.

After law school, Hluchaniuk worked for the Michigan Court of Appeals for a year and then worked for legal aid agencies in Jackson and Lansing from 1973 through 1975. He entered private practice in East Lansing for five years before U.S. Attorney James Robinson tapped him, in 1980, to join the U.S. Attorney’s Office in Bay City. For the next twenty-seven years, Hluchaniuk served as an Assistant United States Attorney in Bay City where, in addition to supervising the office, he prosecuted violent and economic crimes and represented the United States in civil matters. He described his years in the U.S. Attorney’s Office as “a challenging but rewarding time

where he had the privilege of working on good cases with very good people.”

Outside of work, Hluchaniuk’s interests are his family – Janet, his wife of thirty-six years, son Bryan, age thirty-three, and his daughter Anne, age thirty, who teaches in Baltimore, Maryland – outdoor activities, music and learning how to play the guitar.

Hluchaniuk also received the Chapter’s 2006 Leonard Gilman Award for excellence and professionalism as a criminal law practitioner. He says he is “elated to be a magistrate judge and [he] look[s] forward to the challenges that lie ahead.”

**Michael J. Riordan is an Assistant United States Attorney and the Chapter Program Chair.*



From Court Administrator Dave Weaver

Electronic Case Filing Advances

The Case Management/Electronic Case Files (CM/ECF) system continues to be improved through numerous software updates. The Court continues to review its policies and procedures related to CM/ECF via the Ad Hoc Committee on Electronic Case Filing chaired by Judge Robert Cleland. Recently, the Committee approved implementation of electronic case submission in civil cases. Beginning March 10, 2008 attorneys will have the option of filing a civil complaint electronically and paying the filing fee online with a credit card. Effective August 1, 2008 the filing of all civil complaints electronically will be mandatory. Please visit the Court’s website at www.mied.uscourts.gov for information related to this new requirement and all other CM/ECF information.

Court Takes Action on Civility

In July 2007, Chief Judge Bernard A. Friedman appointed Judge John Corbett O’Meara to chair the Joint Standing Committee on Civility. The Committee was charged with reviewing the Court’s Civility Principles and to propose any necessary modifications or updates to the Principles. The Committee determined that the Principles did not require updating, but did create a one page summary of the Principles entitled the “Lawyer’s

Commitment of Professional Civility.” Their goal was to create an easily-read and understandable summary of the Principles that could be displayed in our courthouses, distributed by judges and used during educational seminars for lawyers. The “Lawyer’s Commitment of Professional Civility” summary was first introduced and used at the New Lawyers Seminar sponsored by the FBA in December 2007. The summary is also available on the Court’s website.

Personnel Changes

Chief Pretrial Services Officer Charles Shepherd retired on December 31, 2007. Mr. Shepherd joined the Pretrial Services Agency in 1976 and was appointed Chief in 2006. Supervising Pretrial Services Officer Alan Murray was appointed to succeed Mr. Shepherd in January 2008. Also, Chief Probation Officer David D. Keeler retired from the Court on February 29, 2008. Mr. Keeler joined the Probation Department in 1985 and was appointed Chief in 2000. On March 3, 2008, Supervising Probation Officer Philip R. Miller was appointed by the Court as Mr. Keeler’s successor. Please join me in welcoming Alan Murray and Phil Miller to their new positions.

As always, please feel free to e-mail me with any questions or comments at mie_fba@mied.uscourts.gov.

Expert Witness Program

The Criminal Practice Committee of the Chapter and the Regional Section of the American Bar Association’s White Collar Crime Committee are co-sponsoring a program concerning expert witness issues on April 30th. Presenters include Judge David M. Lawson, George Donnini of Butzel Long, Stephanie Davis of the United States Attorneys Office, and Matthew Leitman of Miller Canfield. The program will include a review of the “Daubert rules,” an analysis of important changes in the procedures for offering expert testimony in the Sixth Circuit, and a review of “hot topics” in expert witness litigation. The program will begin at noon in Room 115 of the Courthouse. Please bring your own brown bag lunch.

Judge Cohn Holds Court At Wayne State

By Shimon Belen*

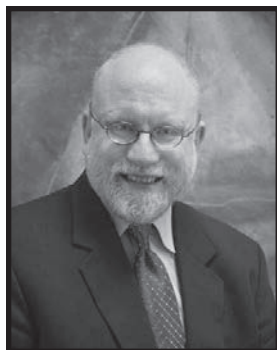
On January 29, 2008, the FBA Student Chapter and Wayne State University Law School hosted a motion day with Judge Avern Cohn. The motion day was attended by several law school students, as well an entire high school government class.

Judge Cohn heard oral arguments on four pending motions at the law school’s auditorium. The first motion was for declaratory judgment in an employment discrimination case dealing with the enforceability of an arbitration clause in an employment contract. The second motion was a motion to dismiss in a case brought under the Equal Credit Opportunity Act where plaintiff claimed to have been wrongfully denied credit. After hearing argument from counsel, Judge Cohn took the matters under advisement. The third motion was for summary judgment in a consumer rights case brought against a debt collection agency. Judge Cohn used this case as an opportunity to instruct the attorneys and students on the requirements for an affidavit submitted in response to summary judgment. In the end, Judge Cohn took this under advisement, but indicated he was likely to grant the motion. The final motion was a motion to compel a deposition of plaintiff’s attorney in a trademark infringement case. Counsel for plaintiff argued that the information defendant sought was protected by the work product doctrine. Judge Cohn disagreed and ruled that defendant may depose the attorney.

After the arguments, Judge Cohn held an informal question and answer session with the students. Judge Cohn explained the reasoning behind some of his decisions and discussed some of his experiences as a federal judge, including his appointment process.

The Student Chapter was proud to host this event and looks forward to providing students with future opportunities to bring federal court proceedings to the law school.

**Shimon Belen is a 2L at Wayne State and the President of the FBA’s Student Chapter.*



Tidbits & Trivia: A Half-Century of Chapter History

Leadership 1963: A Most Remarkable Group

By Brian Figot

A new feature of the Newsletter is an article exploring our Chapter history. This is the first of such articles.

All hyperbole aside, the Chapter's leadership during its fifth year, 1963-1964, can be characterized as nothing less than the most incredibly talented, dedicated and accomplished assemblage of individuals in the history of the State Bar of Michigan. If you believe this to be an exaggeration, top it.

Wallace D. Riley, President
William H. Merrill, First Vice President
Jacob L. Keidan, Second Vice President
James Hugh McCormick, Third Vice President
Thomas A. Roach, Secretary
Geraldine B. Ford, Recording Secretary
Glen E. Musselman, Treasurer
Cyril Moscow, Assistant Treasurer
Robert B. Webster, Parliamentarian

Wally Riley: The Chapter's president that year is a legal giant, "widely recognized for his record of leadership in local, state, and national organizations and his dedication to the improvement of the legal profession." He has been the chairperson of the State Bar of Michigan's Young Lawyer's Section (1960-1961), president of the State Bar (1972-1973), president of the State Bar Foundation (1974-1982), president of the American Bar Association (1983-1984), and president of both the Michigan Supreme Court Historical Society and Michigan Historical Center Foundation. He also served on the Attorney Discipline Board from 1999-2002, and chaired the organization from 2000-2002. And, in his spare time, he was co-founder of the Detroit law firm of Riley & Roumell, P.C. But before all that, he was our president.

Bill Merrill: After the banner year of 1963-1964, Mr. Merrill became a candidate for Congress in 1966 (he lost), served as director of the campaign in Michigan to elect Robert F. Kennedy to the Presidency, and then influenced the course of American history as the assistant

special prosecutor in charge of the investigation of the "White House plumbers' unit" led by Richard Nixon's chief domestic aide John Ehrlichman. As summarized in the publisher's notes to his book, "Watergate Prosecutor: To Protect and Defend the Constitution," Mr. Merrill actively sought the position in order "to bring these criminals to justice [and then] pursued that goal tenaciously."

Jacob L. Keidan and James Hugh McCormick: Bookends by the backgrounds, both served the legal community and their religious communities with honor and distinction. Mr. Keidan was president of the Jewish Federation of Metropolitan Detroit and a peacemaker in the often tumultuous transitional period related in Bolkosky's "Harmony and Dissonance: Voices of Jewish Identity in Detroit, 1914-1967." Mr. McCormick was a distinguished alumnus of University of Detroit Jesuit who never stopped giving back to his community.

Tom Roach: Mr. Roach has made a difference both as treasurer of the Michigan Democratic Party (1977-1979) and as a long-serving Regent of the University of Michigan, from 1975-1991, and as president of the Alumni Association.

Geraldine Bledsoe Ford: We could devote an entire issue to an account of the accomplishments of Judge Geraldine Bledsoe Ford, the Chapter's first woman officer, as well as its first African-American officer. Most significantly, only two years after her tenure as a Chapter officer, she became the first black female in the United States to be elected to a judgeship without the benefit of a prior appointment. She remained on the bench for 33 years until her retirement in 1999. She also was the first black woman to attain the position of Assistant U.S. Attorney for the Eastern District of Michigan. Later, she would be distinguished as the first black woman to serve as Assistant Corporation Counsel for the City of Detroit and the first black president of the U of M Alumni Association. Her biography, in the Michigan Women's Historic Center & Hall of Fame, recounts her pre-FBA years. The child of attorney Harold E. Bledsoe and state civil servant Mamie Geraldine Bledsoe (herself a 1983 Michigan Women's Hall of Fame honoree), the Judge grew up "in an atmosphere rich in discourse on the law, politics, and social equality . . . with actor, orator, and rights activist Paul Robeson a frequent dinner guest, as well as the preeminent community and civil rights leaders of the day." She was chosen, in 1944, from a national pool of top high school students, to meet FDR. In 2001, at the presentation of the portrait of Patricia Boyle, she spoke of her friend in words that were equally applicable to herself: "In closing I would borrow from Abraham Lincoln and say of Justice Patricia Boyle, I like to see

a woman proud of the place in which she lives. I like to see a woman live so that her place is proud of her.”

Glen E. Musselman: Glen may not be as famous as some of his cohorts, but his extra-curricular contributions to society can likewise inspire all of us. He was a founder of the Warren Symphony Society, a longtime trustee of Bethel College in Mishawaka, Indiana, where he remains a Trustee Emeritus, and he was honored last year as a 50-year member of the State Bar of Michigan in the same year that the Detroit Chapter celebrated its 50th anniversary. He was one of our first National FBA officers, as a Circuit Vice President. And, in 1964, he sponsored the membership of John Feikens, who has been a member ever since.

Cy Moscow: Steve Schulman, Hugh Makens (also a former Chapter treasurer) and Cy Moscow form the triumvirate atop the Michigan Business Corporations Act. However, aside from his more publicized accomplishments, as an early partner at Honigman, Miller, Schwartz and Cohn, Chair of the State Bar Subcommittee on Business Corporation Act Revision since 1984, and an adjunct professor of law at the University of Michigan Law School since 1973, he also is a founding member of Community Legal Resources, a joint project of Michigan Legal Services and the Pro Bono Committee of the Business Law Section of the American Bar Association working in conjunction with the Michigan Litigation Assistance Partnership Program. Its mission “is to foster pro bono legal representation for unfulfilled legal needs of nonprofit community organizations in Michigan that serve low-income individuals and communities, with an emphasis on community economic development activities.”

Robert Webster: Last but not least on the letterhead of the past is Bob Webster, who likewise has led a life of public service since he became an attorney -- the same year our chapter was founded. He has been a circuit judge (Oakland County, 1973-1982). He currently serves the legal community as: Director of the American Judicature Society and National Commissioner on Uniform State Laws; a member of the American Law Institute; a Member of the ABA House of Delegates; co-chair of the State Bar Committee on Courts in the 21st Century, Judicial Qualifications Committee; Chair of the State Officers Compensation Commission; on the State Bar of Michigan Past Presidents Advisory Council; and a Fellow, American College of Trial Lawyers. In his continuing copious spare time, he actively practices law with Giarmarco, Mullins & Horton, P.C., and serves as an arbitrator.

And, standing in the wings in 1964 [to be continued].

FBA Launches Book Club – A Success!

On January 22, 2008, about 35 Chapter members, including several District Judges, met in the Judges’ Conference Center, Room 722, at the Courthouse to discuss Jeffrey Toobin’s book *The Nine: Inside the Secret World of the Supreme Court*. This was the first meeting of the Book Club, brainchild of Chapter President Mark Goldsmith and chaired by Andrew Doctoroff. The primary goal of the FBA Book Club is to facilitate an informal but elevated dialogue between the bench and the bar. It succeeded.

Wayne State University law professor C. J. Peters guided the discussion using a list of prepared questions. He skillfully managed it so that everyone who wanted to speak got a chance to do so before anyone spoke for a second time. The program was both entertaining and enjoyable.

The next meeting will be on Monday, April 28th, at noon in the Judges’ Conference Center. The book to be discussed will be Justice Scalia’s “A Matter of Interpretation: Federal Courts and the Law.” Professor Peters will again be the moderator. Participants may register on line at www.fbamich.org.

For additional information on the Book Club, contact Andrew S. Doctoroff at 313.465.7360 or adoctoroff@honigman.com.

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Calendar of Events

April 10 Pro Bono Seminar

The Prisoner Civil Rights Case
8:30 a.m. to 3:30 p.m.
Theodore Levin U.S. Courthouse, Rm. 245
Continental Breakfast and Lunch provided
No charge, but registration requested

April 11 Local Bankruptcy Rules Seminar

(Changes Effective May 1)
1:00 - 5:00 p.m.
Place: Trott Financial Center,
31440 Northwestern Hwy, Farmington Hills
Details online at www.fbamich.org

April 17 Bench Bar Conference At The Dearborn Inn

Keynote Speaker: Helen Thomas
Featuring: Clarence Darrow
(as performed by Periakto)
Dearborn Inn, 11:30 a.m.

April 28 The FBA Book Club Presents For Discussion:

"A Matter of Interpretation:
Federal Courts and the Law,"
by Antonin Scalia
Theodore Levin U.S. Courthouse,
Room 722, Noon

April 30 Criminal Law & Procedure Committee Seminar

Daubert: The Challenge in 2008
and Beyond
Theodore Levin U.S. Courthouse,
Room 115, Noon
Contact: Matt Leitman or Dan Hurley

May 1 Law Day At The Levin Courthouse

A Downtown Tradition Welcoming your
staff, clients and downtown neighbors to
visit the Courthouse and the Judges,
between 11:00 a.m. and 2:00 p.m.
Live demonstrations, such as bomb-
sniffing dogs, and tours of the Courthouse.
It's becoming a tradition!
Don't miss it this year.

May 22 Leonard R. Gilman Award Luncheon

Speaker: Scott Turow
Atheneum Hotel, 11:30 A.M.
Nominations are open for the Gilman Award.

June 17 The 29th Annual Dinner

Detroit Athletic Club, 5:30 p.m. cocktails,
Dinner following, featuring
The First Annual Julian Abele Cook, Jr.
- Bernard A. Friedman FBA Civility
Award to be presented in recognition of
a civil practitioner who is an outstanding
example of professional excellence and
civility; and A (Habeas) Chorus Line:

Updates, further developments & award criteria at the Chapter website www.fbamich.org

See "Hot News" and "Events & Activities" or call Brian Figot at 248.358.0870 x11

Online registration now available for most events.

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