

Wiley Recognizes Attorneys and Staff in Ninth Annual Pro Bono Program Celebration

December 3, 2021

Washington, DC – Wiley, a preeminent Washington, DC law firm, recently honored several lawyers and professional staff for their commitment and contributions to pro bono matters in the past year at the firm’s ninth annual Pro Bono Program awards. Honorees were selected by Wiley’s Pro Bono Committee based on nominations submitted by attorneys throughout the firm. The event was moderated by partner Mary E. Borja, chair of the Pro Bono Committee.

“Our lawyers worked on many diverse cases that impacted the communities we live in,” said Wiley Pro Bono Partner Theodore A. Howard. “The vast scope of pro bono efforts underscores our lawyers’ commitment to ensuring those in our community and beyond are provided with superb legal representation regardless of their financial situation.”

Some pro bono matters highlighted at the event include:

- **Afghan Rescue Crew (ARC) – Plan B: Assisting in safe relocation of evacuees**

Hon. Nazak Nikakhtar, partner and co-chair of Wiley’s National Security Practice, and Ted Anderson of Signal Group led efforts to keep safe thousands of individuals and families stranded in Afghanistan, and helped coordinate the evacuation of many more by working with U.S. and third-country partners. Their work continues as additional individuals in Afghanistan are still in need of assistance.

- **CAIR Coalition: Representing immigration client in removal proceedings**

Related Professionals

Wiley associates Anna J. Schaffner and Paul J. Coyle, and partner Edgar Class are representing a Honduran immigrant seeking asylum relief in the United States. The request for asylum was presented to the Arlington (VA) Immigration Court, where the Immigration Judge denied the client's request, but then ultimately granted it after the initial denial was reversed on appeal. The U.S. government then appealed the grant of asylum and the Board of Immigration Appeals sustained the appeal, concluding that a remand was required to assess the client's eligibility for protection under the Convention Against Torture. The client's case remains pending and the Wiley team is pursuing alternative avenues for relief under immigration law in the meantime.

- **The Second Look Project: Applying for sentence reductions for DC inmates**

Wiley associates Chiara Tondi Resta, Tawanna D. Lee, and Paul J. Coyle are representing three incarcerated individuals in partnership with the "The Second Look Project." The organization was established to provide advocacy and legal support for individuals who are eligible for sentence reductions and/or release under DC's Incarceration Reduction Amendment Act and Compassionate Release laws. Wiley's first client was granted parole, effective November 2021. The teams are also working with the two other clients.

- **Amicus brief – Village of Bartlett, IL**

Wiley associates Ashley E. Bouchez and Spencer C. Brooks assisted the Village of Bartlett, IL in submitting an *amicus* brief in the U.S. Court of Appeals for the Seventh Circuit. The brief argued that a decision by the U.S. Surface Transportation Board (STB) ignored Village residents' important health and safety concerns when the STB moved a railroad interchange to a location that frequently blocks Village crossings. The interchange location significantly impedes the response time of first responders and hampers students' ability to arrive at school on a timely basis, according to the brief.

- **Amicus brief – Brackeen v. Haaland**

Wiley associate Krystal B. Swendsboe filed an *amicus* brief with the U.S. Supreme Court on behalf of the Christian Alliance for Indian Child Welfare in *Brackeen v. Haaland*. The brief was filed in support

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of adoptive families and urges the Court to review a Fifth Circuit decision involving the rights of Native American children and their families under the Indian Child Welfare Act of 1978 (ICWA). The case, which stems from a child-custody dispute, addresses the harm suffered by Indian children and their families as a result of ICWA – such as the denial of the full range of rights and protections of the federal and state constitutions to the petitioners when subjected to tribal jurisdiction under the ICWA.

- **Gay Professional Men of Color – USPTO Trademark Trial and Appeal Board (TTAB) proceeding**

Spencer C. Brooks successfully represented the Gay Professional Men of Color, a DC nonprofit, in a TTAB proceeding against an entity that attempted to trademark the term “DC Black Pride.”

- **D.C. Pro Bono Appellate Mediation Program – Landlord-Tenant dispute**

Wiley associate Jake Frischknecht successfully represented a tenant in resolving a dispute with their landlord in an appellate mediation matter through the D.C Court of Appeals.

- **Amicus briefs – Torres v. Texas Department of Public Safety**

Wiley associate Elizabeth Fisher and partner Richard A. Simpson, along with co-counsel from outside the firm, filed an *amicus* brief with the U.S. Supreme Court on behalf of a professor in support of a petitioner in a case regarding whether sovereign immunity bars private suits against states brought under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). The petitioner is a military veteran asserting a disability discrimination case against the State of Texas under USERRA. The brief argued that the lower court erred in concluding that sovereign immunity bars private suits against states brought under USERRA. The petition is still pending.

Wiley associate Lukman S. Azeez and a team of Wiley attorneys, including Theodore A. Howard and partner Scott A. Felder, filed an *amicus* brief in this case on behalf of national nonprofit Reserve Organization of America. The brief argues that Congress may authorize private damages suits against state employers in state court based on violations of USERRA.

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Practice Areas

Insurance
Intellectual Property
International Trade
Issues and Appeals
Litigation
National Security
Privacy, Cyber & Data Governance
Telecom, Media & Technology
White Collar Defense & Government
Investigations

- **Amicus brief – City of San Antonio, Texas v. Hotels.com, L.P.**

Wiley associate Emily S. Hart, partner Richard A. Simpson, and co-counsel from outside the firm filed an *amicus* brief with the U.S. Supreme Court in *City of San Antonio, Texas v. Hotels.com, L.P.* on behalf of the National Association of Counties, National League of Cities, U.S. Conference of Mayors, International City/County Management Association, and International Municipal Lawyers Association. The brief supports the City of San Antonio's challenge to the U.S. Court of Appeals for the Fifth Circuit's decision that district courts may not exercise discretion in assessing appellate costs under Fed. R. App. P. 39(e).

- **Amicus brief – Changzhou Sinotype Technology Co., Ltd. v. Rockefeller Technology Investments (Asia) VII**

Wiley special counsel Joseph W. Gross filed an *amicus* brief with the U.S. Supreme Court requesting certiorari on behalf of a group of international law professors regarding an international service of process issue. The brief argued that the Supreme Court should review the California Supreme Court's decision in *Rockefeller Tech. Invs. (Asia) VII v. Changzhou SinoType Tech. Co., Ltd.*, 260 Cal. Rptr. 3d 442, 450 (2020), which held that an American company could serve a Chinese company in China by Federal Express because both companies had agreed to such service by contract. According to the California Supreme Court, this service was valid notwithstanding the fact that both the United States and China were signatories to the Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters of November 15, 1965, which provides that a member state may prohibit service of process from parties in another country by mail and require that all service be directed through a central authority, as China has done. The professors explained that service by mail violated the treaty and that allowing private parties to contract around the treaty could cause friction and litigation between the United States and its treaty partners.

Wiley also recognized professional staff members Whelknown Jasper-Booker and Jill Franzen for their overall commitment and general support to numerous efforts and cases in the firm's pro bono program.

Wiley prides itself on a strong tradition of service to the local and global community, and encourages its attorneys and legal assistants to participate in pro bono activities.