



Nixon Peabody Diversity Update

July 2007

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Plan now to attend: Nixon Peabody's first firmwide forum for diverse attorneys

Be sure to mark your calendars now for Thursday and Friday, November 1 and November 2, when Nixon Peabody will hold its first firmwide pathways to success forum for minority and GLBT attorneys.

"Creating a Strategic Plan for Diversity in Business Development" will be held at the Tarrytown House Estate and Conference Center, Tarrytown, New York. The program has not been finalized, as speakers and the agenda are currently under development. However, for planning purposes, please assume that the conference will begin on Thursday afternoon and continue through Friday afternoon. Details regarding accommodations and travel arrangements are also pending. Information about these specifics will be provided as the date draws nearer.

Minority Corporate Counsel recognizes Nixon Peabody

Nixon Peabody was selected by the Minority Corporate Counsel Association (MCCA) to receive the Thomas L. Sager Award for the Mid-Atlantic Region in recognition of Nixon Peabody's sustained commitment to diversity and minority issues, especially regarding hiring, retention, and promotion of minority attorneys.

The Sager Award is named in honor of MCCA Board of Directors member and DuPont Company Vice President and Assistant General Counsel

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Thomas L. Sager. Each law firm recipient of the Sager Award will be profiled in *Diversity & The Bar* magazine. The official magazine of the MCCA is published in conjunction with American Lawyer Media and distributed, on a quarterly basis, as an insert to *Corporate Counsel* magazine to 30,000 members of the legal community nationwide.

“It was a tremendous honor to be selected for this prestigious award, and we are very happy to have our efforts recognized by the MCCA at the organization’s 10th anniversary dinner,” said **Maggie Clemens**, a partner in the Rochester office and a member of Nixon Peabody’s Diversity Action Committee (DAC).

Over the past three years, since the formation of DAC, the firm’s diversity statistics have improved significantly. The number of minority partners has increased from six to 16, and the firm’s overall percentage of minority attorneys is now at 11%, up from 8.3%. Thirty-three percent of this year’s summer clerks are also minorities. In addition to the racial and ethnic minorities cited above, the firm now counts its gay, lesbian, bisexual, and transgender (GLBT) attorneys and reports the numbers—which include 10

partners, 10 associates and a new summer clerk—to the National Association for Law Placement (NALP) and other organizations requesting such information. With respect to women, the firm’s numbers have also improved. The firm’s new summer clerk class is 51% female.

In addition to reviewing the statistical data provided in the Sager Award nomination application, the board of directors also examines diversity recruitment, retention, mentoring, promotion, collaborative efforts with community and bar associations, and innovative practices resulting in sustainable efforts to increase diversity.

The firm was honored at the Mid-Atlantic Region Dinner, which was held at the JW Marriott Hotel in Washington DC on June 21, 2007. Previous recipients in the Mid-Atlantic region have included Arnold & Porter LLP, Dickstein Shapiro LLP, Sonnenschein Nath & Rosenthal LLP, and Akin Gump Strauss Hauer & Feld LLP.

Many thanks to the Diversity Action Committee, consisting of **Harry Trueheart** (NYC), **Kendal Tyre** (DC), **Liz Moore** (NYC), **Maggie Clemens** (ROC), **Rob Carrol** (SF), **Joe Ortego** (LI), **John Snellings** (BOS), and **Bill Simpson** (ROC), as well as **Roz Mitchell** (SF), **Chris White** (DC), and others for their efforts in this accomplishment!



Kendal Tyre (DC), Liz Moore (NYC) at the Minority Corporate Counsel Association dinner, where Nixon Peabody received a Thomas L. Sager Award for commitment to diversity.



Susan Freedman (DC), Grace Wu (DC), Teresa Kelton (DC), Kendal Tyre (DC), Liz Moore (NYC), Nakia White (DC), Maggie Clemens (ROC), Les Machado (DC), and ElChino Martin (DC) attended the dinner.

Diversity is gaining importance with clients

While achieving a higher level of diversity at a law firm, or any other organization, is an honorable goal in itself, it also increasingly makes good business sense. A recent survey and article from *DiversityInc* magazine helped document the value clients attach to diversity.

The companies selected for the *DiversityInc* 2007 Top 50 Companies for Diversity® list include a large number of Nixon Peabody clients. In fact, of the top 10 companies selected, nine are Nixon Peabody clients. From the total list, 32 of the 50 selected companies are clients. Some of the many clients include Xerox Corporation, Bank of America, Verizon Communications, JPMorgan Chase, Wells Fargo, Citigroup, Eastman Kodak, and AT&T.

Top 10 members of the *DiversityInc* list

The following is a listing of the top 10 companies chosen for the Top 50 Companies for Diversity® list. Of the top 10, only one is not a Nixon Peabody client.

The list, in order of ranking, includes:

Bank of America
The Pepsi Bottling Group
AT&T
The Coca-Cola Company
Ford Motor Company
Verizon Communications
Xerox Corporation
Consolidated Edison
Company of New York
JPMorgan Chase
PepsiCo

According to *DiversityInc*, participation in the survey has increased “a 100 percent increase over the last three years and a 24 percent increase over last year.” Establishing each year’s list is a rigorous exercise. “Companies earn their spots based on their responses to more than 200 detailed questions on human capital, CEO commitment, corporate communications and supplier diversity,” according to the magazine.

This year, 317 companies, all with at least 1,000 employees, competed for inclusion. The most heavily weighted questions are those involving CEO commitment. The survey also focused on GLBT diversity. In fact, all companies without domestic partner benefits that extend to same-sex couples were automatically excluded.

Interestingly, according to *DiversityInc*, the companies on the list consistently do exceptionally well financially, too. “For the fourth year in a row, the Diversity Inc Top 50 companies, expressed as a stock index, beat the Standard & Poor’s 500, the Dow Jones Industrial Average and the Nasdaq on a 10-, five- and one-year basis, documenting the connection between superior diversity management and excellent corporate governance, which produces a consistent return on equity for investors,” the article noted.

In day-to-day business, Nixon Peabody attorneys are also noticing increased client interest in the firm’s diversity.

Recently, **Erika Duthiers**, an associate in the Rochester office, participated in a business development meeting with a Fortune 100 company in the San Francisco Bay Area, where diversity was specifically identified as a top priority. “The assistant general counsel stated, in no uncertain terms, that she and her company insist on hiring law firms that understand the business imperative of diversity. She commented that, while mentoring relationships were valuable, the true test of

whether a law firm ‘gets it’ is whether the firm staffs its cases with diverse teams of lawyers. The assistant general counsel said that the company, in the past, has precluded certain law firms from even pitching for work because the number of diverse attorneys within the firm itself was insufficient,” Erika said.

Additionally, clients are proactively sponsoring events to enhance diversity efforts. **Rosalyn Mitchell**, counsel in the San Francisco office, was invited to attend the Wal-Mart Legal Department’s Second Annual Diversity Conference on Monday and Tuesday, June 4 and June 5, 2007. Nixon Peabody was invited to participate because the firm is considered one of Wal-Mart’s top law firms, according to seminar materials. The event was held at the John Q. Hammons Convention Center, adjacent to the Embassy Suites hotel, in Rogers, Arkansas. One of the speakers at the event was **Cathy Fleming**, who was invited by Wal-Mart in her capacity as president of the National Association of Women Lawyers. Cathy recently joined Nixon Peabody as a partner in the New York City office.

Finally, in his regular column for the *New York Law Journal* on May 10, **Philip Berkowitz**, a partner in the New York City office, tackled the subject of diversity, which he defined as going beyond gender and ethnicity to include life experiences. His column acknowledged the increasing importance of diversity and, in fact, that it is indispensable for highly successful business. Philip’s column also noted that many corporations are demanding that “their relationship attorneys include people of color, women, and other minorities; and law firms have responded by dedicating themselves to this goal.”

Did you know?

When you open the client screening and new matter forms, a new question concerning diversity appears on both forms. You will be asked: “Did this client request information about the firm’s diversity initiatives in connection with retaining the firm?”

This question and the data collected are part of the Diversity Action Committee’s continued business development initiative to identify clients interested in the firm’s diversity efforts. If you have any questions, please feel free to contact DAC cochair Kendal Tyre (DC) or Liz Moore (NYC).

Nixon Peabody’s GLBT Affinity Group meets in Boston

The GLBT Affinity Group held its third meeting on June 1 in Nixon Peabody’s Boston office. Approximately 20 group members attended in person and others attended by conference call. Attendees included a GLBT summer clerk, who was able to go for a half day. Two summer clerks

from last year, who are joining the firm, were invited but could not attend because they are studying for their bar exams.

The GLBT group has grown to about 40 members since it held its first meeting last year. “I think the meeting was time very well spent, and we came away with many action items,” said **Maggie Clemens**, a member of the group and a partner in the Rochester office.

The morning session began with introductions and a brief presentation by Maggie, as the Diversity Action Committee representative. The rest of the morning session was devoted to cross-selling, which was very well received. “There were several questions asked and some good leads generated. What became very evident is that we needed more time to talk about this topic. At future meetings, we plan to continue these discussions, as well as having discussions on business development from clients who are openly gay,” Maggie said.

The cross-selling session included time for all attending to give a short presentation on their area of practice. One member also prepared and distributed a chart listing each member’s expertise. The information will be available electronically on the new GLBT MySite page, which should be ready the last week of June. “During the day, lots of suggestions were made as to what would be useful to have on the page,” Maggie said.

The luncheon speaker helped fulfill two of the GLBT group’s goals: providing education and highlighting pro bono opportunities. The entire Boston office was invited to the luncheon. The Gay, Lesbian & Straight Education Network (GLSEN), which is a firm client, provided a speaker to talk about the organization’s goal to make schools safe for students.

At the last group meeting, **Chris White** and **Karen Marr** attended and discussed several action items. This year, Karen attended in person and Chris attended by phone to report on steps they had taken during the year and to discuss other things the affinity group could do to help in recruiting. Karen, for example, attended a conference, offered by NALP, on how law firms can recruit GLBT attorneys. She shared the information with the group.

During the meeting, the group asked the summer clerk and a new associate member how important the group was in their decision to join Nixon Peabody. “Both confirmed that it was very important to them to come to a firm where they felt they would be welcomed and included, and that knowing we had a GLBT affinity group was evidence of that,” Maggie said. Both also provided feedback on the firm’s website, offering suggestions for making it more effective.

The GLBT Affinity Group also identified areas where improvement was needed, including better dissemination of information about the group and more frequent gathering of reported data. “We plan to use the diversity newsletter, MySite, and other means to let people know about our group. One suggestion was to have the DAC send letters to new offices or periodically tell people about the groups and invite interested people to join,” Maggie said.

The group also discussed:

- **Mentoring:** An associate and a partner were assigned to each of the three newest GLBT members of the firm.
- **Pro bono opportunities:** The subcommittee invited three from the Human Rights Campaign to discuss, by phone, opportunities with this group.
- **Pending legislation:** Supporting gay marriage legislation was discussed. Further exploration is necessary.
- **Coming out to clients:** The group had a good discussion about what to say to clients when they ask questions such as “What does your husband/wife do? What did you do this weekend?”

Other agenda items, such as planning for the fall meeting, were tabled because the group ran out of time. The tabled matters will be discussed through telephone calls or other meetings.

“Many thanks to those in our Boston office who made this event such a success. And special thanks to **Jen Collins** and **Neal Pandozzi** for all of their help in getting this done. You are the best,” Maggie said.

GLBT sponsorship roundup



Scott Fearing featured speaker at Finger Lakes LGBT Workplace Alliance “Working OUT” workshop.

Nixon Peabody’s GLBT Affinity Group, as well as other firm groups, helped sponsored several recent GLBT events.

On May 21, the group helped sponsor the GLSEN’s Fourth Annual *Respect Awards*—New York. The fundraiser was held at Cipriani Wall Street. At the event, the group honored John Mack, chairman and CEO of Morgan Stanley; Elizabeth Duthinh, GLSEN student organizer; and the National Education Association.

GLSEN is a 10-year-old organization dedicated to creating safe environments in schools where students learn to respect and value their fellow students regardless of their sexual orientation, gender identity, or expression. Currently, only 10

states and the District of Columbia have anti-bullying laws that specifically address harassment based on sexual orientation, and only three of those states include gender identity in their bullying laws, according to GLSEN. Nixon Peabody purchased a table for 10, which was cosponsored by the firm’s Business Litigation group. The firm invited clients to attend, according to **Connie Boland**, a partner in the New York City office.

The firm was also a sponsor for the Empire State Pride Agenda's Spring Dinner honoring Duffy Palmer, on May 19, in Rochester. Duffy Palmer was given the Community Service Award for his many years of service and dedication to the GLBT community. The event took place at the Rochester Riverside Convention Center and was attended by more than 500 people.

The firm's Global Finance practice group and **Mats Carlston**, a partner in the New York City office, also helped sponsor the 2007 Human Rights Campaign gala. The Sixth Annual HRC Greater New York Gala was held at the Waldorf-Astoria in New York City on February 10, 2007. The \$400-per-person event included cocktails, dinner, an auction, and an after party. Several awards were presented at the event, which included a performance by Cyndi Lauper.

On June 27, Nixon Peabody and the firm's GLBT Affinity Group hosted the Finger Lakes LGBT Workplace Alliance "Working OUT" workshop. The workshop featured Scott Fearing, a founding member of the Minnesota Workplace Alliance and a consultant. Scott moved to Rochester in 2006 and has been actively involved in GLBT issues for years. The Finger Lakes LGBT Workplace Alliance is a group of private and public sector representatives who share information and knowledge regarding GLBT workplace issues. The evening workshop and networking event was held in Nixon Peabody's Rochester offices.

Firm helps sponsor Mediation Advocacy Training

Nixon Peabody has donated conference rooms for Mediation Advocacy Training for Minority Lawyers sessions offered September 27, October 11 and 25, and November 8, 2007. The firm's facilities will be used for the session on October 11. Continuing legal education (CLE) credits will be provided for the four-day program, which is produced by the Commercial and Federal Litigation Section of the New York State Bar Association.

For donating its facilities, Nixon Peabody will be listed in the marketing materials as a sponsor. Other sponsors will include bar and minority bar associations, as well as other law firms.

Nixon Peabody attends NALP Diversity Summit

Conference teaches, reaffirms current course

Nixon Peabody's **Mieko Iyama Rechka**, the firm wide attorney recruitment administrator, was among the approximately 260 representatives attending the national NALP Diversity Summit on

March 2 at the Hyatt Regency Chicago. Attendees were from law firms, law schools, corporate legal departments, and associations.

“The chief purpose of the conference was to provide a forum for a candid exchange of information about the current challenges and innovations surrounding the issue of diversity in the legal employment arena,” Mieko said.

“It was reaffirming that Nixon Peabody is headed in the right track and on pace with other law firms with our diversity model. In addition, as somebody who is personally vested in diversity issues, I found the program very motivating. Networking with others who are just as deeply committed to the cause, and hearing firsthand stories of diversity at work was truly inspiring and reenergizing. Our attendance also sent a strong signal to the law school community that we are very serious about diversity,” Mieko said.

The one-day conference included four sessions:

- Measuring Diversity and the Push for Accountability: What Gets Measured Gets Changed
- Moving Beyond the Basics: Understanding and Owning White Privilege in American Society
- Achieving a Truly Diverse Law Firm: You Can’t Get There from Here Without a Plan
- The Retention Challenge: Four Things You Can Do to Keep Talented and Diverse Lawyers from Walking Out the Door

Some highlights from the conference included:

- Beginning next year, the Chicago Bar Association, which often receives calls from national corporations seeking services from Chicago law firms, will be telling prospective clients which firms are at the top of the list in regards to their diversity initiatives.
- In the interest of internal accountability, some law firms
 - publish each practice group’s diversity numbers in the firm’s diversity newsletter.
 - hold practice group leaders accountable for successful recruiting of diverse summer, entry-level, and lateral candidates for their groups.
 - hold practice group leaders accountable for retention of diverse associates within their groups.
 - improve oversight of the work assignment process through regular analysis and tracking of which partners are giving work assignments to which associates, what type of work assignments are given, and whether or not the work assignments are progressively challenging so the associate can progress.
- Billable hours credit is given for time spent on diversity initiatives.
- Diversity dialogues/seminars are hosted quarterly so that all new hires hear the message.

- Outreach to high school students of color is a new trend aimed at increasing the pipeline of talented diverse candidates interested in a legal career. The cited example was Vinson & Elkins' program, through which diverse high school students are hired for summer jobs. The firm builds a relationship with these students, offering to employ them during their undergraduate and law school years, in the hope that they will one day join the firm.
- Firms will ensure that diverse attorneys are included on client pitches and other business development initiatives.

“The overlying theme stressed throughout the conference was that the problem lies not so much in the hiring of diverse candidates but in the retention and promotion of these individuals once they join the firm. We are seeing improvements in law firm diversity numbers at the entry level. It is at the mid and senior levels where there is a dramatic drop-off.” Mieke said.

Nixon Peabody cosponsors diversity reception

Nixon Peabody, largely through **John Higgins'** (ALB) and the Diversity Action Committee's efforts, continued its leadership and commitment to support local and statewide diversity initiatives by cosponsoring the Fourth Annual New York State Bar Association (NYSBA) Celebrating Diversity in the Bar reception in New York.

As cochair of the NYSBA Committee on Minorities in the Profession for the past three years, John served as the master of ceremonies for this very successful diversity program, which was attended by more than 400 judges, bar leaders, politicians, lawyers, and other professionals.

Additionally, for the second year, the firm again joined together with the Capital District YMCA and the Capital District Black and Hispanic Bar Association in a “diversity pipeline” program for high school students from Albany, Troy, and Schenectady who are participating in the YMCA's Black & Latino Achievers Program.

This was the second in a series of “World of Work Tours—Careers in the Law” programs sponsored by the firm and put together by John in his role as president of the Capital District Black and Hispanic Bar Association. The program is an effort to increase the pipeline to the legal profession for minority students. More than 25 9th through 12th grade students participated in the half-day program, which included a mock law school class, a tour of Albany Law School, advice on applying to and going to law school, and a panel discussion on careers and career opportunities.

Local attorneys of color and the Albany Law School Career Center presented the program.

John Higgins selected for award, appointed to leadership roles

Because of his commitment to the YMCA's Black and Latino Achievers Program and his efforts to increase the diversity pipeline to the legal profession, **John Higgins** has been selected by the YMCA as an "Adult Achiever." This honor is given to adults who have taken a leadership role and shown a commitment to the program.

John was recently reelected for another two-year term as president of the Capital District Black and Hispanic Bar Association. The next president of the New York State Bar Association reappointed John as a "diversity" member of the House of Delegates for the NYSBA. He was also recently appointed to the NYSBA Special Committee on Legal Specialization, and Chief Judge Judith Kaye has asked John to serve as a member of the Independent Judicial Election Qualification Commission for the Third Judicial District for a term of three years.

In December, John testified at a judicial diversity hearing regarding the lack of diversity in the New York judiciary. "...only two of the 64 appellate judges are black and there are no blacks on the Court of Appeals for the first time since 1984..." according to *New York Law Journal's* report on the hearing. John, both his photo and his testimony, was featured in the article. The testimony, which was well received, also resulted in significant coverage on National Public Radio (NPR) and was one of the reasons John was contacted for service by Judge Kaye.

Congratulations to John for his ongoing commitment to diversity in the legal profession.

Nixon Peabody helps judge McKnight Moot Court Competition



Erika Duthiers

Rochester associates **Erika Duthiers** and **Trent Sutton** served as judges on a three-judge panel to select the winner for the 2007 McKnight Moot Court finals competition. The panel judged the two student finalists' oral arguments.

The question the students argued focused on the Fourth Amendment, a highly controversial and often difficult area of constitutional law as it often deals with a police officer's right to arrest individuals or to search their property.

The McKnight Moot Court Competition is organized in conjunction with the Cornell Chapter of the Black Law Students Association. Members of the association judge the ini-



Trent Sutton

tial effort of the participating students. Erika, Trent, and a faculty member from Cornell Law School served as judges for the final round.

“Both finalists were able to see the key issues in the case and presented them well. I was most impressed with the winner’s understated eloquence on the topic,” Trent said.

“Both students were very professional. If they hadn’t told me that they were college students, not law students, I would never have guessed . . . It was certainly nice to be able to participate, be a role model to younger students, and give them feedback,” Erika said.

“I’m thrilled to see undergraduate students taking such an interest in the law. We need their voices and their passion. This is especially true when we speak of constitutional rights and the scope of governmental authority,” Trent said.

The competition’s mission is to introduce minority college students to the law in the hope that they will follow in the footsteps of William “Bill” McKnight. The Moot Court Competition is a tribute to Bill McKnight, who was a partner at Nixon, Hargrave, Devans & Doyle, Nixon Peabody’s predecessor firm, at the time of his death in 1985. Bill, a Cornell Law School graduate, was the firm’s first African-American partner and a Rochester community leader.

Firm helps support Asian American law fund

Nixon Peabody, through the Diversity Action Committee, donated to help support the Asian American Law Fund of New York (AALFNY). On June 20, the AALFNY and the Asian American Bar Association of New York hosted their annual Summer Reception, which was held at the White & Case offices in New York City. **Alex Yim**, an associate in the New York City office, and **Ben Lau**, a partner in the New York City office, attended the event.

The reception provides the opportunity to present community service awards; honor all Asian American lawyers and summer associates at New York City law offices; provide an opportunity for associates and summer associates to meet Asian American judges, law professors, general counsel, law firm partners and principals, and other legal professionals; and raise funds for AALFNY’s programs, including pro bono projects.

AALFNY was organized in 1993 exclusively for charitable and educational purposes. The organization is dedicated to eliminating prejudice and discrimination, and promoting understanding among and between different ethnic groups, to assist Asian American victims of crime, and to encourage better community understanding of government and legal processes.

One of the fund's programs is the Community Service Internship Award Program, which is designed to encourage law students to use their legal knowledge and training to assist the Asian American community in New York and to foster commitment by law students to public service to the Asian American community in New York.

International Franchise Association Exposure

Kendal Tyre tapped as panelist for several seminars

Kendal Tyre, a partner in the Washington, DC office, is speaking at several International Franchise Association (IFA) seminars, as well as the National Urban League Conference. Kendal will cover legal issues as a panelist for the IFA seminars in Denver, Detroit, Milwaukee, Buffalo, and Los Angeles. "It's a natural follow-on to similar presentations I have been doing with the IFA every six months or so for the last three or four years. These seminars should provide the franchise and distribution group with good exposure in various markets around the nation," he said.

Nixon Peabody sponsors LexNoir Corporate Counsel Forums

The LexNoir Foundation, a referral network for black attorneys cofounded by **Kendal Tyre** (DC) and several attorneys located abroad, has ramped up its networking events this year. One of the U.S. domestic components of the network is the Corporate Counsel Forum, which provides an opportunity for African-American corporate counsel to network and address substantive legal issues of common concern.

The group held its inaugural forum in Washington DC in January 2006. "We identified approximately 60 African-American in-house counsels in the region, and more than 30 counsels attended our first event, which was a discussion titled 'Tips for Succeeding as In-House Counsel.' The discussion was led by in-house counsel at FannieMae and Cushman & Wakefield and was followed by a networking reception," according to Kendal.

This year, LexNoir increased its Corporate Counsel Forums, with an event in Chicago, April 5, and Washington DC, April 26. Future events are planned later this year for New York City, San Francisco, and Los Angeles. "The plan is to have subsequent forums in these cities periodically," Kendal says. Nixon Peabody is the global sponsor for the group.

In those cities where Nixon Peabody has offices, the events are held at the firm. “Attendance at the roundtable discussion portion of the forum is limited to invited in-house counsel and invited speakers and/or hosts. The networking reception, however, is open to other interested Nixon Peabody lawyers,” Kendal said.

If you know of African-American in-house counsel who would like to attend one of the events, please provide Kendal with their names and email addresses.

The LexNoir Foundation is a 501(c)(3) nonprofit organization promoting the exchange of ideas concerning law and the administration of justice and its impact on people of African descent. Kendal founded the organization several years ago with a group of black attorneys from various countries.

Laurie Miller named Most Influential Woman Lawyer



Laura Ariane Miller

Laura Ariane Miller, a partner in the Washington, DC office, has been named one of the 50 Most Influential Women in America. The list was released on May 28, 2007, in the *National Law Journal*. Laura (“Laurie”) is pictured—including a short write-up listing some of her achievements—along with the other selected women.

Laurie’s profile in the article, titled “Profiles in Power,” outlines her governmental investigations and white collar defense practice, including mention of several high-profile cases and other achievements.

The Profiles in Power list was publicized through a Business Wire press release, which was picked up by some additional media sources, such as Forbes.com. Recently, Laurie was also quoted in a *Los Angeles Times* article about a group of American lawyers, including Laurie, who were in London for a week to work with their Sudanese counterparts to help prepare them for upcoming prosecutions.

According to the press release about Profiles in Power, the list was the *National Law Journal*’s first since 1998, and it reflects the growing influence of women attorneys, in-house counsel, and law professors within the profession, business, government, and public affairs. The group of women lawyers was selected from more than 200 finalists, which included reader nominations and submissions from the publication’s editorial staff.

“This list comes out in the *National Law Journal* only once every several years and I am honored to be included in such extraordinary company,” Laurie said.

“These influential women have demonstrated the power to change the legal landscape, shape public affairs and launch industries,” according to Rex Bossert, editor in chief of the *National Law Journal*. “At the same time, it’s clear that women lawyers continue to face issues related to career and promotion; women make up about half of all law students, but only 17 percent of the partners at major U.S. law firms,” he added.

Congratulations to Laurie on this significant achievement and the well-deserved recognition!

Laurie Miller selected for prestigious posts

The University of Michigan recently announced the appointment of **Laurie Miller** (DC) as chair of the board of the Michigan in Washington Program. Laurie leads a board of 14, which includes a former dean of Michigan and other distinguished professionals. The board will oversee the Washington Program for the school for student internships during the academic year.

Laurie was also recently selected as the ABA Section of Litigation Managing Director. She has already begun her term as managing director–elect and will fully assume her post in August. In this position, she and the chair of the section, in concert with ABA staff, direct all the activities of the section, its committees, divisions, and programs.

President of the National Association of Women Lawyers joins firm



Cathy Fleming

Cathy Fleming, president of the National Association of Women Lawyers (NAWL) recently joined Nixon Peabody as a partner in the New York City office. Cathy is nationally known for her practice in complex civil and corporate integrity matters. She joined Nixon Peabody’s Business Litigation Practice from the New York City office of Edwards Angell Palmer & Dodge.

As the current president of NAWL, she leads the oldest continuing women’s bar association in the United States. The association is nationally renowned for its long-standing record of achievement on issues that affect the interests of women in and under the law. Cathy is an active spokesperson on the social, political, and professional empowerment of women, including on issues of retention and advancement of women lawyers. In addition to receiving other honors for her legal accomplishments, Cathy was honored as a Woman of Power and Influence by NOW, the National Organization of Women, on June 20, 2007.

Harry Trueheart, chairman of Nixon Peabody, said, “We are pleased to welcome Cathy Fleming to the firm and our New York City office. Cathy brings a tremendous talent to Nixon Peabody’s

Civil and White Collar Criminal Litigation practice, as well as to our Corporate Governance practice. As president of the National Association of Women Lawyers, she serves as a role model to many. She is a leader in the mentoring of attorneys and in moving the profession to address diversity in a frank, direct, and meaningful way.”

Cathy’s practice focuses on complex civil litigation and white collar integrity matters. She has extensive experience in trials, having tried more than 50 cases to verdict, primarily in federal courts throughout the country in cases involving money laundering, international extraditions, securities, employment, antitrust, and environmental law. Cathy also regularly advises corporations and audit committees on issues related to corporate integrity.

An accomplished lecturer, Cathy is frequently asked to speak at a variety of events. Cathy speaks regularly on issues related to ethics and integrity; most recently she presented Ethics: Attorney/Client Issues at Practising Law Institute’s seminar Handling Intellectual Property Issues in Business Transactions 2007 in New York City on March 13, 2007. The particular focus of her presentation was the potential pitfalls of multi-jurisdictional practice.

Cathy was also a speaker at the 2007 CLO Leadership Forum in New York City on March 14, 2007. The program, designed by Argyle Executive Forum, brought together the legal leadership of approximately 175 public and private large-cap and mid-cap corporations. Cathy conducted a “fireside chat” with Michele Mayes, senior vice president and general counsel of Pitney Bowes, Inc.

Cathy is also a regular faculty member of NITA, the National Institute for Trial Advocacy. In addition, Cathy speaks regularly on issues focused on attracting, retaining, and promoting women. For example, Cathy spoke on June 5, 2007, at a diversity conference in Arkansas organized by Wal-Mart for its national counsel. She was the luncheon speaker on May 3 in Washington at a NAWL “Ready to On-Ramp?” program, which was designed to help women who have taken time off from their careers reenter the profession. She was also a panelist at the New Jersey Women Lawyers Association’s program, “Ending the Gauntlet: Removing Barriers to Women’s Success in the Law,” held March 22, 2007, at Seton Hall University School of Law.

Congratulations to Bill Simpson, HR Executive of the Year

The Rochester Chapter of the Society for Human Resource Management (SHRM) recently honored Bill Simpson, Nixon Peabody’s director of human resources, as Human Resources Executive of the Year.

SHRM, which includes a Rochester chapter, is the world’s largest association devoted to human resource management, representing more than 210,000 individual members. “The society’s mis-

sion is to serve the needs of HR professionals by providing the most essential and comprehensive resources available. As an influential voice, the society's mission is also to advance the human resource profession to ensure that HR is recognized as an essential partner in developing and executing organizational strategy," according to the organization's website.

Bill was unaware of his nomination, which was submitted by his staff. His first knowledge of the nomination came when he received a letter advising him that he was a finalist. "I was shocked, but it was wonderful," Bill said.

Kristin Montesano, Nixon Peabody's human resources manager, said the staff decided to nominate Bill because of his innovation and leadership. "There were several questions about the candidate's résumé, credentials, major challenges, and measurable results . . . Bill's experience was very fitting. He really implemented some progressive benefits and policies when he came to the firm," Kristin explained.

Bill received the award at a luncheon attended by approximately 300 people at the Hyatt Regency Rochester. Luncheon guests included a number of dignitaries from the community. During his acceptance speech, Bill talked about Nixon Peabody's human resources advances over the years and the firm's respect for its people, as well as its commitment to courtesy, integrity, and dignity for everyone.

Bill has been in the human resources field for 35 years, spending more than 20 years at Eastman Kodak Company before coming to Nixon Peabody 14 years ago. During his tenure at the firm, he has built the human resources department into a strong and integral part of the organization, helped the firm successfully navigate the HR aspects of various mergers, and initiated a variety of leading-edge benefits and programs. "Over the course of several years, we've been able to expand the human resources infrastructure to fully support our employees. It's been an ongoing process that was built on the platform that was in place, but it has been greatly expanded. The firm was much smaller when I started—just six offices and 240 attorneys," Bill said.

Besides building a robust human resources department, Bill was responsible for helping Nixon Peabody achieve recognition, two years running, as one of the "Fortune 100 Best Companies to Work For." Bill is also an active advocate for diversity. He is a longtime member of the Workforce Diversity Network.

In fact, Bill is a founding member of the Workforce Diversity Network, which was originally called the Greater Rochester Diversity Counsel. In 1994, Bill and a colleague were lamenting the lack of diversity-related resources in the Rochester area when they hit upon an idea—forming the Greater Rochester Diversity Council. The council was formed in 1996 and was officially chartered as an alliance of companies that came together to sponsor the area's first conference on workforce diver-

sity and to meet regularly to share information and resources. Today, the council is a driving force for the region's workplace diversity initiatives, and it has taken that agenda nationwide.

Congratulations to Bill for his dedication to his profession and this recognition by his peers.

Robert Christmas wins LGBT award, speaks at events



Robert Christmas

On April 11, **Robert Christmas**, a partner in the New York City office, was awarded the Hilton-Davis award by the Lesbian, Gay, Bisexual and Transgender (LGBT) student/alumni group (known as OutLaw) of Fordham University School of Law, at its annual awards dinner. Robert was honored for his political, community, and bar association work on HIV-related legal issues and LGBT civil rights.

On March 7, Robert addressed Hofstra Law School students on same-sex parenting issues, including his personal experiences with adoption, second-parent adoption, and IVF conception. His presentation was part of the Sexuality and the Law class taught by **Barbara Lukeman**, who is also an associate in Nixon Peabody's Long Island office.

On March 8, Robert spoke on a panel regarding diversity issues affecting lawyers in the workplace, which was sponsored by and held at Fordham University School of Law.

Congratulations to Robert on his award and recognition for his ongoing commitment and hard work.

Congratulations to Lynnette Nogueras-Trummer

Lynnette Nogueras-Trummer, an associate in the Buffalo office, was recently appointed recording secretary for the Minority Bar Association of Erie County in Western New York. In that position, which is a one-year appointment, Lynnette will be responsible for the notes documenting the group's meetings. She is also a voting member of the group's executive board. Both Lynnette, who joined Nixon Peabody in 2005, and **Sheldon Smith**, an associate in the Buffalo office, are members of the organization's executive board.

Liz Moore honored by Girl Scouts, on Women’s History Month panel



Liz Moore was part of a panel for a Women’s History Month celebration.

The Girl Scout Council of Greater New York honored Nixon Peabody partner **Liz Moore** as one of seven distinguished women honored for their commitment to girls and Girl Scouting in New York City. The honor was given at the Girl Scout Council of Greater New York annual gala on Tuesday, May 8, at the Grand Hyatt New York Hotel.

Liz was recognized for her dedication to advancing women in the workplace and in leadership roles, for her work on diversity and inclusiveness within the firm and as a board member of Cornell and RIT, and for her recent service as cochair of Governor Eliot Spitzer’s Transition Committee—providing knowledge and insight as one of Governor Spitzer’s key policy advisors.

In addition to receiving recognition from the Girl Scout Council, Liz was part of a panel discussion during Women’s History Month. As part of its Women’s History Month celebration, Macy’s Herald Square sponsored a panel titled: “Women Who Lead: Strategies for Balancing on a Tight Rope.” The event, which was advertised in the Sunday editions of the New York Times, Daily News, New York Post, and other publications, was held on February 28.

The kickoff included a panel discussion, and Liz was one of the guest panelists. She participated along with Brenda Blackmon, a WWOR Channel 9 news anchor; Michelle Ebanks, president of Essence Communications; Valerie Rainford, a senior vice president at the Federal Reserve Bank of New York; and Rosalind McLymont, The Network Journal’s editor-in-chief. Ms. McLymont, who moderated the panel, read from her book, *Middle Ground*, and autographed copies. *Middle Ground* is a novel set in New York and the capital of the Democratic Republic of Congo, Kinshasa.

Congratulations to Mieko Iyama Rechka

The NALP has invited **Mieko Iyama Rechka**, Nixon Peabody’s firmwide attorney recruitment administrator, to become a member of the planning committee for NALP’s Third Annual Diversity Summit. Mieke, who is located in the firm’s Washington DC office, was asked to become a member by NALP president Gihan Fernando, assistant dean at Georgetown University Law Center.

The NALP Diversity Summit attracts approximately 300 participants from national law firms; corporations, and law school, appealing in particular to assistant deans and directors of career services. The 2008 conference will be held next spring in Philadelphia.

Congratulations to Mieko for this honor and on being recognized for her ongoing commitment to recruiting and diversity.

McKnight scholarship winner announced June 12

Demetricus Ozell Franklin Jr., a Rush-Henrietta Senior High School senior, was awarded the 2007 McKnight Scholarship. The recipient was announced at the Urban League's Salute to Black Scholars Recognition Dinner, held on June 12, according to **John Witmeyer**, a partner in the Rochester office. As the successful candidate, Ozell received a \$2,000 scholarship, which is renewable each year for his four years of college.

Ozell is the 21st recipient of the McKnight Scholarship. He graduated in June from the Henrietta, New York, high school, receiving a New York State Regents Diploma with Advanced Distinction. In the fall, he will attend St. John Fisher College, where he plans to major in business.

Ozell received the Outstanding Achievement in Business Award from the Rush-Henrietta High School Business Department in 2005, and was nominated for a Presidential Classroom Award in 2006 for his achievement in social studies. He was active in the Distributive Education Club of America (DECA), where he competed with other high school students in solving business-related problems. Ozell played basketball for four years in high school and was named to the First Team All-Greater Rochester and the Ronald McDonald Exceptional Senior All-Star Game in 2007. Ozell also participated in a number of community service activities, and worked at Abbott's Frozen Custard for the last three years. He currently works at Telecomp, Inc.

Last year's scholarship recipient was Brittany Goss. She just completed her freshman year at the University of Rochester. The 2005 recipient was Lamar Crawford, who was majoring in industrial and labor relations at Cornell. Lamar worked at Nixon Peabody last summer in the firm's information technology department in Rochester.

The William McKnight Scholarship Fund was established in 1986, and the first scholarship was awarded in June 1987. Nixon Peabody and the Urban League of Rochester administer the fund through the Rochester Area Community Foundation.

The fund awards an annual scholarship to a promising young African-American high school senior from Monroe County, New York, or a neighboring county, who has been accepted to an accredited four-year college. Screeners look for a recipient with economic needs who exhibits the traits that were characteristic of Bill McKnight.

Before his untimely death on December 20, 1985, Bill McKnight was a community leader who served on numerous boards for local Rochester companies and civic organizations. He joined Nixon, Hargrave, Devans & Doyle, Nixon Peabody's predecessor firm, in 1973 and became the firm's first African-American partner in 1981.

Nearly \$85,000 in scholarships has been awarded to area students in Bill's memory.

Barbara Lukeman's commitment, dedication recognized



Barbara Lukeman

Barbara Lukeman (LI) was acknowledged by the Hofstra Moot Court Association for her dedication to the legal community and to commemorate her time as a professor at Hofstra Law School by establishing an award in her honor. This award will be given each year to an outstanding law student who advances the goals of the Moot Court Association at Hofstra Law School. Barbara earned both her undergraduate and her law degrees from Hofstra; was a professor in appellate advocacy, legal writing, and research; and led the moot court competition seminar. This recognition was featured in the Long Island Business News. Congratulations, Barbara!

Monica Sussman recognized for career accomplishments



Monica Hilton Sussman

Monica Hilton Sussman, a partner in the Washington DC office and a 1977 Hofstra University School of Law graduate, was featured on the school's Office of Alumni Relations, Alumni Profiles page. The new page highlights a different graduate each month, so others can get to know them and their amazing accomplishments and contributions.

Monica's profile outlines her early career, including her time at H.U.D., where she held the position of deputy general counsel before joining Nixon Peabody. The profile also outlines Monica's career at Nixon Peabody. "Ms. Sussman was the head of Nixon Peabody's afford-

able housing practice group until this past year when she moved onto the Compensation Committee. The leadership reins for the affordable housing practice group were passed on to Stephen Wallace, a class of 1983 Hofstra Law School alumni,” according to the profile.

In fact, the law school and their willingness to help accommodate her family needs hugely influenced Monica’s career choices. “In a way I really have Hofstra Law School to thank for my career. I was just finishing the first semester of my last year when my husband, Richard Sussman, took a job in Washington DC. I was sure that we would have a commuter marriage for the next six months. But in talking to then Dean Monroe Freedman, he suggested I move to DC for my last semester and put me in contact with people at George Washington University. After finals that semester, I made a trip down to DC and finished my last semester there. Both of my children, now 23 and 25, are DC natives and I never left,” she said in the profile.

Reneé Bergmann receives special achievement award



Reneé Bergmann

The Pennsylvania Bar Association Board of Governors honored **Reneé Bergmann** (PHL) with a PBA Special Achievement Award on June 21, 2007. The award was recognition for her excellent work in organizing the Commission on Women in the Profession Mid-year Meeting. Reneé was the chair of the meeting held in Philadelphia on February 22, 2007, and was particularly responsible for coordinating the panel discussion entitled “Networking for Women Lawyers, By Women Lawyers,” which featured Cathy Fleming (NY).

Reneé was appointed to the PBA Commission on Women in the Profession in 2000. She has been cochair of the communications committee since 2005 and presently serves as coeditor of the commission’s newsletter, *Voices & Views*. She is a member of the commission’s executive council and has also served as the treasurer of the commission since 2006. Congratulations to Reneé!