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## WELCOME TO NEW ORLEANS

Did you know that New Orleans was founded in 1718 by Jean Baptiste Le Moyne, Sieur de Bienville? At first, the community was nothing more than a trading camp on the curving east bank of the Mississippi River. Later, the city was organized into a rectangular, fortified community, which still exists today as the French Quarter. The original streets, laid out in a grid, were named for French royalty and nobility.



New Orleans is practically synonymous with Mardi Gras. In 1872, the official colors of Mardi Gras were chosen based on an honored visitor to New Orleans: Russian Grand Duke Alexis Romanoff. The purple stands for justice, the green for faith, and the gold for power.

While in New Orleans, head down to Jackson Square and you will see the St. Louis Cathedral. This cathedral is home to the Archbishop of New Orleans and is the oldest continually operating cathedral in the United States. The monument to General Andrew Jackson at Jackson Square was the world's first equestrian statue in which the horse had more than one foot off the base. Of course, no visit to Jackson Square is complete without a stop to sample the world-famous beignets along with cafe au lait coffee and chicory from **Cafe Du Monde**.

**As they say in New Orleans, laissez les bons temps rouler (Lazay Lay Bon Tom Roulay) or let the good times roll!**

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## **PREMIERE OF VIDEO HISTORY PROJECT**

After many months of filming and editing, the premiere of “**THE ART & SCIENCE OF LABOR ARBITRATION**” will be held on November 9, 2013 at the Loews Hotel New Orleans. The film is a unique, historical 55-minute documentary written, directed and produced by two-time Emmy winner Carol M. Rosenbaum and focuses on arbitration, featuring the insight, knowledge, anecdotes and advice of distinguished arbitrators, including George Nicolau, James Harkless, Roberta Golick, Theodore Kheel and Frances Bairstow. It is the second documentary produced for the College of Labor and Employment Lawyers’ Video History Project. The documentary was made possible by the generous donations of numerous College Fellows and their firms, as well as a grant from the National Academy of Arbitrators’ Research and Education Foundation. [Visit the College website](#) for more information on the Video History Project and to view clips of previously taped interviews.

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## **NEW INDUCTEES**

The following distinguished attorneys were elected as Fellows of the College of Labor & Employment Lawyers and will be inducted in the Eighteenth Annual Induction Ceremony on the evening of Saturday, November 9, 2013. We look forward to all Fellows joining us at The US Freedom Pavilion: The Boeing Center at the National World War II Museum to celebrate with our newest members.

### **CLASS OF 2013**

Leslie Lynn Abbott, Los Angeles, CA  
Mark Berger, Kansas City, MO  
J. Rod Betts, San Diego, CA

Laura Brodeur-McGeorge, Detroit, MI  
Domenick Carmagnola, Morristown, NJ  
Lawrence J. Casey, Boston, MA

Bryan R. Cokeley, Charleston, WV  
Sheila S. Cole, Delmar, NY  
William B. Cowen, Washington, DC  
Michael H. Cramer, Chicago, IL  
Stuart W. Davidson, Philadelphia, PA  
John A. DiNome, Philadelphia, PA  
Paul A. Donnelly, Gainesville, FL  
Denise K. Drake, Kansas City, MO  
V. Randell J. Earle, St. John's, NL, CAN  
Alfred G. Feliu, New York, NY  
Andrew H. Friedman, Culver City, CA  
Frederick B. Finberg, Portland, ME  
Peter Gall, Vancouver, BC, Canada  
David W. Garland, Newark, NJ  
Jon C. Goldfarb, Birmingham, AL  
Barry Goldman, Bloomfield Hills, MI  
John W. Hargrove, Birmingham, AL  
Jeffrey T. Johnson, Denver CO  
Colleen R. Johnston, Pittsburgh, PA  
Brian Kenny, Regina, SK, CAN  
David B. Kern, Milwaukee, WI  
Wayne D. Landsverk, Portland, OR  
Jocelyn D. Larkin, Berkeley, CA  
Gail K. Lopez-Henriquez, Philadelphia, PA  
Jeffrey E. Mandel, Orlando, FL  
Michael T. Manley, Washington, DC  
Honorable Robert Mariani, Scranton, PA  
Elizabeth J. McIntyre, Toronto, ON, CAN  
George J. Miller, Lexington, KY  
Roger J. Miller, Omaha, NE  
Philip A. Miscimarra, Chicago, IL

Julie A. Moore, Wellesley, MA  
Pierre E. Moreau, Montreal, QC, CAN  
Sam G. Morgan, Farmington Hills, MI  
Robert A. Naeve, Irvine, CA  
Megan P. Norris, Detroit, MI  
Jill P. O'Brien, Chicago, IL  
Gerald L. Pauling, II, Chicago, IL  
Sheldon H. Pincus, Bloomfield, NJ  
Catherine E. Reuben, Boston, MA  
Julie Richard-Spencer, Metairie, LA  
Melinda S. Riechert, Palo Alto, CA  
Michael A. Robbins, Bell Canyon, CA  
Thomas M. Rogers, Phoenix, AZ  
Steven J. Rottman, Los Angeles, CA  
Andrea F. Rubenstein, Minneapolis, MN  
Leslie E. Silverman, Washington, DC  
Robert T. Simmelkjaer, New York, NY  
David M. Smith, Birmingham, AL  
Harold M. Smith, St. John's, NL, CAN  
Garth Smorang, Winnipeg, MB, CAN  
Stephen P. Sonnenberg, New York, NY  
David H. Spalter, Winter Park, FL  
Kenneth G. Standard, New York, NY  
Richard M. Stanton, Evanston, IL  
Michael C. Subit, Seattle, WA  
Kenneth D. Sulzer, Los Angeles, CA  
Louis Theros, Detroit, MI  
Julie A. Totten, Sacramento, CA  
Laurie Ann Vasichek, Minneapolis, MN  
Nancy A. Walker, Media, PA  
Douglas J. Wray, Toronto, ON, CAN

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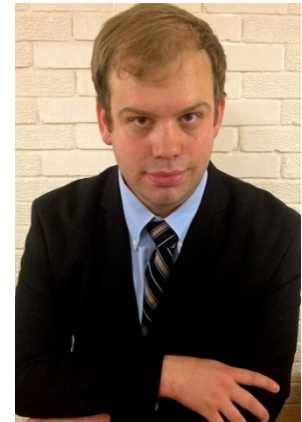
## 2013 WRITING COMPETITION

The College of Labor and Employment Lawyers and the ABA Section of Labor and Employment Law are pleased to announce the winners of their **2012-2013 WRITING COMPETITION FOR LAW STUDENTS**. We were honored to have a distinguished panel of attorneys from around the country review thirty-three papers on current and relevant topics of labor and employment law.

The **FIRST PLACE** winner, Matthew S. Smith (photo right), currently attends Washington College of Law, American University and will graduate in May 2014. His paper is titled [“Matter of McKnight & ADAAA: Why Title I of the Amended ADA Protects Fringe Benefits Recipients”](#). Matthew is a Public Interest/Public Service Scholar at the Washington College of Law, where he is also a Student Attorney in the Disability Rights Law Clinic, Senior Staff for the *American University International Law Review*, Co-Director of the Disability Law Society, as well as recipient of the Morris & Claire Krauthamer Prize in Disabilities Law. During law school, he has interned at the Inter-American Commission on Human Rights and the Disability Rights Section of the Department of Justice’s Civil Rights Division in addition to conducting summer legal research projects in Argentina and Mexico. His Argentinian research has recently appeared in the *Nordic Journal of Human Rights*. Matthew currently directs the Harvard Law School Project on Disability’s Bangladesh Program, where he began working after volunteering with Indian and Bangladeshi disability organizations during a yearlong postgraduate fellowship from Harvard University ('08). Originally from Mountainside, NJ, Matthew has also worked for *TIME* magazine and attended Regis High School ('04). He owes his interest in disability rights work to his younger sister.



The **SECOND PLACE** winner is David Knoespel (photo right) representing Washington & Lee University’s School of Law. His paper is titled [“Biometric Testing in Employer Wellness Programs and the Unanticipated Consequences of Healthcare Reform: Why Challenges Under the ADA Medical Examination Provision Reach the Merits After Seff v. Broward County.”](#) At Washington & Lee, David works in the Black Lung Legal Clinic and serves as the Editor-in-Chief of the *Journal of Civil Rights & Social Justice*. He is interested in employment law, health law, and civil litigation.



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## 2014 WRITING COMPETITION ANNOUNCEMENT

**CALLING ALL ADJUNCT LAW SCHOOL PROFESSORS!** The College of Labor and Employment Lawyers and the ABA Section of Labor and Employment Law are pleased to announce their 2013-2014 Writing Competition for Law Students. We are requesting that Fellows who are adjunct professors at an accredited law school distribute, discuss, and promote this wonderful opportunity with their students. [View the complete announcement and rules](#) for this year’s competition.

To date, over one hundred papers have been submitted, with only sixteen receiving awards. Entries address aspects of public or private sector labor and/or employment law

relevant to the American labor and employment bar. Students discuss public policy issues, practical implications of leading cases or doctrines, statutes or the need for statutory modification and address U.S. law, international law of relevance to U.S. labor and employment attorneys, or legal topics as treated in states across the country. Submissions present and analyze competing points of view with respect to the issue presented and distinguish their conclusions from opposing positions with sound logic and reference to multiple sources.

Prizes awarded by the College of Labor and Employment Lawyers include: First Place: \$1500, Second Place: \$1000, Third Place: \$500. The first-place winning article will also be published in the *ABA Journal of Labor & Employment Law*, and its author will be a guest at the annual CLE program of the ABA Section of Labor and Employment Law and honored at the Annual Induction Dinner of the College of Labor and Employment Lawyers. Papers should be submitted by May 15, 2014 in order to be considered.

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## NEWS & NOTES

### REGIONAL MEETING NEWS

- The next dinner meeting of the 2<sup>nd</sup> Circuit Region (NY, CT, with our Fellows in Northern NJ also invited) has been scheduled for Wednesday, November 13, at Jones Day, 222 East 41st Street. It will be co-sponsored by the National Academy of Arbitrators in cooperation with the American Arbitration Association. One half of the program will be titled: "The Future of Workplace Arbitration." The other half will be an exploration of the United States Supreme Court's recent class action arbitration decisions and their progeny. In addition to an interactive program on recent case developments in individual and class employment arbitration, objectives of the program will be to highlight for the NAA the greatly increased role of neutral non-advocate employment arbitrators in the profession and to introduce to the AAA the leaders of the NY, CT and Northern NJ labor and employment bar who are Fellows of the College. Please contact [Susan Wan](#) if you would like more information.

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- Fellow [Adele Rapport](#) (photo right) has been selected as the 2013 recipient of the American Bar Association Section of Labor and Employment Law's Federal Labor and Employment Attorney of the Year Award. Currently, she serves as the Acting Director for the U.S. Department of Education Office for Civil Rights in Chicago where she has been employed as the Chief Attorney since 2006. Ms. Rapport will receive the award at a presentation in New Orleans on November 9.



- The American Bar Association and its Labor and Employment Law Section will recognize the career accomplishments of Fellow **Mark Vetter** by awarding him the Arvid Anderson Public Sector Labor and Employment Lawyer of the Year award for 2013. Mark is *Of Counsel* at Buelow Vetter Buikema Olson & Vliet, LLC in Milwaukee, WI where he represents a large number of school districts on legal issues affecting administrators, staff and students. He is a Past Management Co-Chair, State and Local Government Bargaining & Employment Law Committee, ABA Labor and Employment Section, and was recognized in 2011 with the Wisconsin School Attorneys Association George Tipler Medal for Distinguished Service in School Law. Fellow **Parker Denaco** received this award in 2012. Mr. Denaco has been an active member of the ABA since 1968, spent fourteen years as the neutral co-chair of the State and Local Government Collective Bargaining committee and, likewise, is an active member of the ADR Section and Judicial Divisions of the ABA. He is only the second lawyer-neutral to receive the award and the second recipient who is also a member of the National Academy of Arbitrators.

- The portrait of Fellow and Board of Governors' Member **Don Slesnick** (photo right) has joined those of twenty-two other former Coral Gables mayors in City Hall. Mr. Slesnick served as Mayor from 2001 until 2011.



- Fellow **Joseph A. Golden** was recently honored with the Distinguished Service Award from the State Bar of Michigan Section on Labor and Employment Law. Further, Mr. Golden has been appointed to the Board of Directors of the Macomb County Bar Association. He currently serves as Chair of that Bar's Masters Section, through which he has established a mentoring program for Metropolitan Detroit area law students.
- Fellow **Horace A. "Topper" Thompson III**, a former commissioner and chairman on the Occupational Safety and Health Review Commission, began serving as an OSHRC administrative law judge March 11, 2013 in the Commission's Denver office.
- Fellow **Mark Broth** has joined the firm of Drummond Woodsum in Manchester, NH. Mark has lived and practiced law in New Hampshire for more than 30 years. He can be reached at 603-520-4040, 603-433-3317 or [mbroth@dwmlaw.com](mailto:mbroth@dwmlaw.com).
- The August 2012 edition of *Super Lawyers* designated Fellow **Joel C. Glanstein** a Super Lawyer in New York City for the fifth year in a row.

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## COLLEGE FELLOWS CLOSE UP

In this issue of the College Quarterly, we profile two Fellows of the College who have been among our most reliable, and only, bloggers, **Robert B. Fitzpatrick** and **Edwin S. Hopson**. These two talented men regularly contribute their thoughtful perspectives to our World Blog.

The World Blog is a single blog on the CLEL web site that is accessible to the outside world including academicians, students, lawyers and law professors, the business and not for profit communities. Its purpose is to extend our thoughts, ideas, our value, experience and opinions to our constituencies, the general legal industry and people around the world who have a shared interest in our field. We see this blog as an ideal vehicle to expand the visibility of our brand and its value without geographic boundaries. The goal is to make this one of the most read blogs dedicated to the sharing of knowledge and information about Labor and Employment Law.

We hope you find the World Blog to be of great value and we encourage you to share your thinking, opinions and experiences. New blogs in the series can be accessed at <http://www.laborandemploymentcollege.org/blog/> and are posted approximately once per month.

### **ROBERT FITZPATRICK**

Bob Fitzpatrick is the principal in the firm of Robert B. Fitzpatrick PLLC in Washington, D.C., where he counsels and represents both employees and employers in a wide variety of employment-related disputes. Prior to entering private practice, Bob served in the late 1960's as a staff attorney in the Jackson, Mississippi office of the Lawyers Committee for Civil Rights Under Law – an experience he describes as one of “the defining events of [his] life.” There he had the great honor and privilege of working with many of the great civil rights leaders of the time, including the late Dr. Martin Luther King, Jr.

Bob also served as a staff attorney in the early 1970's with the Office of the General Counsel of the Equal Employment Opportunity Commission and with the Washington Research Project [now the Children’s Defense Fund], training minority attorneys in the Deep South to litigate employment discrimination cases.



As demonstrated by his CLEL blogs, Bob is a prolific writer and author. His formal resume lists 528 publications, including several books of which he is a co-author. Among his favorite books which he has not written, Bob recommends “Scorpions: The Battles and

Triumphs of FDR's Great Supreme Court Justices," by Noah Feldman, "Sea of Poppies" by Amitav Ghosh, "A Fine Balance" by Rohinton Mistry and "The Hundred-Year-Old Man Who Climbed Out the Window and Disappeared," by Jonas Jonasson and Rod Bradbury. Mistry's "A Fine Balance," he says is "a book that I believe we will, like Dickens, be reading 100 years from now." The College Quarterly has only one question for Bob: "When do you sleep?"

## **EDWIN S. HOPSON**

Ed Hopson is a partner with the firm of Wyatt, Tarrant and Combs, LLP in Louisville, Kentucky. He practices with the firm's Labor and Employment Service Team, representing both private and public sector employers in a wide range of labor and employment law matters. His formal biography includes a long list of cases he has successfully litigated on behalf of management, from labor arbitrations to overtime claims to claims for retaliation and discrimination in employment on a variety of grounds.



Ed also provides pro bono legal advice to a number of non-profits in the Louisville area, including the Louisville Ballet Company (on whose Board he also sits), Bellewood Presbyterian Home for Children, the Legal Aid Society and the Louisville Pilots Club. Ed attended the University of Louisville in the late 1960's, where he met his wife, Jane, who is a travel consultant. Together, they raised two successful children: a daughter Fran, who is also a lawyer in Louisville and the mother of three of the Hopson's four grandchildren; and a son, also named Edwin, who attended Columbia and Cleveland Chiropractic College and runs a multi-care clinic for integrative medicine, also in Louisville.

In his spare time, Ed and his wife travel widely, mainly on cruise ships or on river boats. He also enjoys flying small planes as a member of the Louisville Pilots Club. Ed also enjoys reading mystery novels and history books and recommends one of James Patterson's latest thrillers, "Kill Alex Cross."

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## **THE COLLEGE OF LABOR & EMPLOYMENT LAWYERS**

1997 Annapolis Exchange Parkway  
Suite 300  
Annapolis, MD 21401  
(410) 972-4711 Telephone  
(410) 972-4701 Fax

[www.laborandemploymentcollege.org](http://www.laborandemploymentcollege.org)

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