

## IN THIS ISSUE

- [THE PRESIDENT'S PERSPECTIVE](#)
- [CLASS OF 2016 ANNOUNCEMENT](#)
- [UPDATED PRESIDENT'S BOOK](#)
- [BARRY GOLDMAN TO BE A FEATURED PRESENTER AT FMCS NATIONAL LABOR-MANAGEMENT CONFERENCE](#)
- [FREEDOM TOUR 2016](#)
- [FELLOWS' HAPPY HOUR IN SAN FRANCISCO](#)
- [HOT OFF THE PRESS](#)
- [SPOTLIGHT ON FELLOWS](#)
- [IN MEMORIAM](#)
- [CLEL LOGO](#)

## THE PRESIDENT'S PERSPECTIVE

Dictionaries define a Fellowship as a close, formal association of equals sharing similar occupations, interests, experiences and activities. The College platonically fits the definition as an organization of lawyers engaged in some aspect of labor and employment law that have reached a plateau of recognized excellence and who are dedicated to enhancing the profession by encouraging education, professionalism and civility in all aspects of professional activity. As elected Fellows in the College, we each have a responsibility to pass onto others the very commendable practices of dedication, professionalism and civility that supported our admission to the College, a responsibility that extends far beyond any self-congratulatory feelings we may



harbor for being honored by our own election. I believe that the Fellows as a whole have embraced this responsibility and have increasingly assumed the mentorship roles intended by our admission standards and the College's stated goals.

Moreover, as a member of the Board of Governors over the past several years, I have witnessed that the College's membership has worked hard to reach those worthy goals expressed in our Bylaws by, inter alia, participating in College educational activities, volunteering to screen the qualifications of new Nominees and donating to the Stephen Tallent Video History Project:

- As in the past, the Circuit and Canadian Credentialing Chairs and committee members have engaged in long hours of review and investigation leading to another class of elected Fellows this year about whom we can take great collective pride. The Class of 2016 boasts distinguished leaders, practitioners, educators, government employees and judges from all geographical areas in North America as well as all practice segments of our chosen areas of the law and includes the current President of the American Bar Association.
- The Stephen Tallent Video History Project has continued to capture the history of labor and employment law through interviews of persons who have had the greatest impact on the law and the profession relating to Title VII of the Civil Rights Act of 1964, including an extensive and exciting interview with Justice Ruth Bader Ginsburg.
- Additionally, through the diligence of volunteering Fellows, the College has sponsored successful and highly regarded educational programs for practitioners and students in the 2<sup>nd</sup>, 5<sup>th</sup>, 7<sup>th</sup> and 11<sup>th</sup> Circuits and are planning meetings and educational programs in Seattle (October 27, 2016) and other parts of the country
- And finally, through the hard work of our Executive Director Susan Wan, we have planned a cocktail reception for Fellows at the ABA Annual Meeting in San Francisco in August as well as an exciting program at the ABA November Section meeting in Chicago and a spectacular 21st Annual Induction Dinner on November 12th in the magnificent ballroom of the Navy Pier in Chicago.

While all of these accomplishments are indeed laudable, we must continue to collectively look ahead and determine how best to carry on the important goals we have set for the College. The Board has discussed and will continue to discuss that issue, but we need to hear from each of you regarding your suggestions for improvement to and expansion of the College's current good works:

- Should we expand admission into the College to qualified individuals outside of our North American borders to become an even more expansive international organization?
- Can we undertake sponsorship of a Journal and other scholarly publications?

- Is a more expanded and aggressive CLE program in our future?
- How can we better fund the important work of the Tallent Video History Project?
- What other actions and activities provide benefit to our Fellows while helping to spread the important messages that constitute the College's stated goals?

We need your help in this imperative strategic planning exercise, so please don't be shy - - just take a few moments to ponder the future of the College and send your thoughts and suggestions to Susan Wan (swan@laborandemploymentcollege.org). I hope to hear from each of you over the coming months.

Most importantly, I look forward to seeing the many of you who will be attending the August Annual ABA meeting in San Francisco at the planned cocktail reception and seeing all of you at the College's November 12th Induction Dinner and CLE program in Chicago!

*Alan Epstein*  
President

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## CLASS OF 2016 ANNOUNCEMENT

The following distinguished attorneys were elected as Fellows of the College of Labor & Employment Lawyers and will be inducted in the Twenty First Annual Induction Ceremony on the evening of Saturday, November 12, 2016. We look forward to all Fellows joining us in the Grand Ballroom at the Navy Pier in Chicago to celebrate with our newest members.

### CLASS OF 2016

Paul Lancaster Adams, Philadelphia, PA  
 William E. Altman, Bingham Farms, MI  
 Elena R. Baca, Los Angeles, CA  
 John F. Beasley, Jr., Watkinsville, GA  
 John K. Bennett, Morristown, NJ  
 Jonathan C. Berns, St. Louis, MO  
 Robert Bonhomme, Montreal, QC  
 Jeffrey S. Bosley, San Francisco, CA  
 Kirsten S. Branigan, Nutley, NJ  
 Jeff C. Brodin, Phoenix, AZ  
 Paulette Brown, Morristown, NJ  
 William H. Brown, III, Philadelphia, PA  
 Carolyn Cairns, Seattle, WA  
 Melinda J. Catherine, Portland, ME  
 Terri L. Chase, New York, NY  
 Sally G. Cimini, Pittsburgh, PA  
 Erika C. Collins, New York, NY

Edward L. Isler, Vienna, VA  
 Barbara B. Johnston, QC, Calgary, AL  
 Harry I. Johnson, III, Santa Monica, CA  
 Carolyn L. Kay, Toronto, ON  
 Deborah P. Kelly, Washington, DC  
 Mark G. Kisicki, Phoenix, AZ  
 James H. Kizziar, Jr., San Antonio, TX  
 Kenneth D. Kleinman, Philadelphia, PA  
 Christopher Kuczynski, Washington, DC  
 Jeffrey A. Lee, Birmingham, AL  
 Lisa Manshel, Millburn, NJ  
 Bryant S. McFall, Dallas, TX  
 Thomas M. McInerney, San Francisco, CA  
 Neil V. McKittrick, Boston, MA  
 Grant L. Mitchell, QC, Winnipeg, MB  
 Scott S. Moore, Omaha, NE  
 Peter S. Ohr, Chicago, IL

Jac Cotiguala, Chicago, IL  
Mark H. Cousens, Southfield, MI  
John A. Culver, Denver, CO  
Tamara L. Cummings, Western Springs, IL  
Eric Dreiband, Washington, DC  
Theresa D. Egler, Morristown, NJ  
Thomas A. Farr, Raleigh, NC  
Noah A. Finkel, Chicago, IL  
Adam S. Forman, Southfield, MI  
David S. Fryman, Philadelphia, PA  
Kenneth W. Gage, New York, NY  
M. Patricia Gallivan, QC, Vancouver, BC  
J. Gregory Grisham, Nashville, TN  
Laura A. Gross, Gainesville, FL  
Mark A. Hanley, Tampa, FL  
Kathryn M. Hartrick, Evanston, IL  
Brian E. Hayes, Washington, DC  
William A. Herbert, New York, NY  
Denise R. Hoggard, Little Rock, AR  
Jane Howard-Martin, Torrence, CA  
Annette Idalski, Atlanta, GA

Raylene Y. Palichuk, Edmonton, AB  
Penelope J. Phillips, Minneapolis, MN  
Theodore R. Scott, San Diego, CA  
Kathleen C. Slaughter, San Francisco, CA  
J. Arthur Smith, III, Baton Rouge, LA  
Robert B. Stulberg, New York, NY  
S. Brett Sutton, Reno, NV  
Nigel F. Telman, Chicago, IL  
Maryse Tremblay, Montreal, QC  
Robert S. Turk, Miami, FL  
Susan M. Ursel, Toronto, ON  
Cathy Ventrell-Monsees, Washington, DC  
Jeanne M. Vonhof, Chicago, IL  
John B. West, Toronto, ON, Canada  
Alaine S. Williams, Philadelphia, PA  
Sue K. Willman, Kansas City, MO  
Susan F. Wiltsie, Washington, DC  
James W. Wimberly, Jr., Atlanta, GA  
Jeanne C. Wood, Pembroke Pines, FL  
Stephen S. Zashin, Cleveland, OH

In addition, the following distinguished individuals have been elected Honorary Fellows and will be inducted this November.

*Brian Malsberger, BNA, Arlington, VA*

*Hon. David I. Goldman, Administrative Law Judge, National Labor Relations Board, Washington, DC*

*Hon. Bernice B. Donald, US Court of Appeals for the 6<sup>th</sup> Circuit, Cincinnati, OH*

*Hon. Andra Pollak, Superior Court of Justice for Province of Ontario, Canada*

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## **UPDATED PRESIDENT'S BOOK**

*A President's Perspective*, commonly referred to as "The Presidents Book", has been updated to include the five most recent College Presidents. This retrospect on the first twenty years of the College offers insights from those who have graciously served at the helm of this organization, from its infancy thru 2015. The complete publication is available for viewing or download [here](#).

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# BARRY GOLDMAN TO BE A FEATURED PRESENTER AT FMCS NATIONAL LABOR-MANAGEMENT CONFERENCE

Allison Beck, Director of the Federal Mediation and Conciliation Service (FMCS), has announced that author and academic Barry Goldman, a Fellow in the College of Labor and Employment Lawyers, will be a featured presenter at the FMCS National Labor-Management Conference in Chicago, August 17-19, 2016. Author of *The Science of Settlement*, Mr. Goldman will offer ideas from the behavioral sciences on how to improve results at the negotiating table.

“With our conference theme, ‘The Future@Work: Trends, Tools, and Techniques for Partnering in the New Economy,’ we could not ask for a more insightful analyst or thoughtful commenter on labor issues in the 21<sup>st</sup> century workplace.” Ms. Beck said.

Mr. Goldman will be joined by an extraordinary line up of advocates, practitioners and experts, who will share the latest insights for addressing the Future@Work. With more than seventy sessions, labor relations practitioners may want to mark their calendars to attend what is being billed as the most important labor-management conference of the year.

For the latest information on the conference, including registration, sponsorships, exhibit space and the developing conference agenda, visit the [FMCS 2016 National Labor-Management Conference website](#).

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## FREEDOM TOUR 2016



This Spring, as a project of the Sixth Circuit Regional Committee in carrying out the College’s mission of mentoring and its principles of civility, members Cary McGehee and Diane Soubly sought support from Michigan Fellows “across the aisle” for scholarships to

underwrite the costs of Michigan urban, suburban and rural high school students who applied to participate in “Freedom Tour 2016” of the Michigan Coalition for Human Rights. Founded by Cary’s father and his fellow civil rights advocate Bishop Thomas Gumbleton in the sixties, MCHR resurrected the Freedom Tours in 2013. From June 19-29, 2016, the students (who also took leadership classes) and their adult mentors embarked on a 2500-mile trip of living history, traveling to Georgia, Alabama, Mississippi, and Tennessee. There they visited (among other places) the Martin Luther King Jr. Non-Violence Center, the Rosa Parks Center, Dexter Avenue Church, the Southern Poverty Law Center, the Freedom Tour Museum, the Viola Liuzzo Memorial, the Arab Museum, Medgar Evers’ home, and Alex Haley’s birthplace; and they walked across the Edmund Pettus Bridge in Selma.

The response from our Michigan Fellows to the Regional Committee’s request was immediate and heart-warming. Cary’s firm (Pitt McGehee Palmer and Rivers) and Diane’s firm (Butzel Long) each became Torch Bearers, supporting two \$1500 scholarships each. The following firms and foundations became “Legacy Builders,” providing one scholarship each through the good offices of Michigan Fellows: Dickinson Wright (Tim Howlett); Dykema Gossett (Rob Boonin); Jackson Lewis; the Littler Mendelsohn Foundation; Ogletree Deakins (Tom Cattell); and the Michael and Peggy Pitt Charitable Foundation. Michigan Fellows also made individual contributions as Torch Bearers (Cary McGehee, carrying on her father’s work) and as Legacy Builders (Elizabeth Hardy, Tom Kienbaum, Vic Marroco, and Bob Palmer (with Beth Rivers)). Michigan Fellows who supported Freedom Tour 2016 also included Calzone Mediation LLC (David Calzone at the “TrailBlazer” level), the Murray Law Group PC, and Richard Hooker. Lawyers from Michigan plaintiffs’ Labor and Employment bar contributing as Legacy Builders included Deb Gordon, Jeannie Mirer, and Ron Reosti.

Mindful of the need for bipartisan solutions and future leaders to address the crises facing local communities like Detroit and Flint, Cary and Diane remarked to the Michigan Fellows and L&E lawyers whose support they sought: “Encouraging high school students with their mentors to reach across the urban and rural divide represents the best hope for revitalizing our cities and for unmasking the sloganeering that seems to infect our present ‘politics of disrespect.’” A short video from the 2013 Freedom Tour speaks volumes about the worth of living history to these future leaders, standing on the shoulders of giants at these historic venues: <https://www.youtube.com/watch?v=TARboYB-bq0>.



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## FELLOWS' HAPPY HOUR IN SAN FRANCISCO

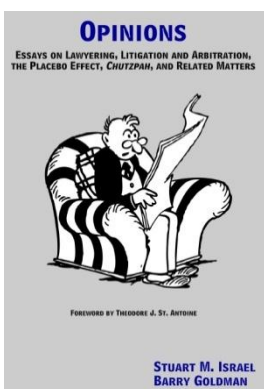
Mark your calendar and plan to attend this year's happy hour on Friday, August 5<sup>th</sup> from 5 – 6:30 PM in San Francisco, during the ABA's Annual Meeting. We'll meet at a location convenient to the Westin St. Francis, the LEL Section's base hotel. Stay tuned for details which will be sent via email in the next few weeks.

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## HOT OFF THE PRESS

Fellows Barry Goldman and Stuart Israel have published a new book *Opinions—Essays on Lawyering, Litigation and Arbitration, The Placebo Effect, Chutzpah, and Related Matters*. The foreword is written by Emeritus Fellow Ted St Antoine and the collection was [recently reviewed](#) by Fellow Shel Stark.

*Opinions* collects insightful, informative, succinct, fun, and funny law-related observations by two practitioners. They share the sensibility of Mark Twain's words, appearing as the book's epigraph: "To be good is noble, but to teach others how to be good is nobler—and less trouble."





*Opinions* is for lawyers, judges, mediators, arbitrators, negotiators, witnesses, and everyone else whose fortunes put them in the path of the legal profession. *Opinions* is for those contemplating legal careers, those who regret not going to law school, and those who regret going.

*Opinions* is for those fascinated with—or repelled by—the machinery of dispute resolution, its lofty goals and its mundane idiosyncrasies. *Opinions* is for those who appreciate Ambrose Bierce's definition of *litigation*: "A machine which you go into as a pig and come out of as a sausage."

Copies are available for purchase on Amazon.

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## SPOTLIGHT ON FELLOWS

- The U.S. Senate unanimously confirmed Fellow **Robert F. Rossiter Jr.** (photo right) to fill a seat on the U.S. District Court for the District of Nebraska, its first federal judicial nomination in nearly a month. President Obama nominated Rossiter on June 11, 2015. The Senate approved Rossiter with a 90-0 vote. 
- Fellow **Rob Manfred** offered a personal response to a 4th grade class from Toronto who wrote to him with concerns about Major League Baseball's position on fighting and sportsmanship. <http://www.cbc.ca/news/canada/toronto/jays-rangers-brawl-toronto-students-1.3615834>
- Fellow **Don Slesnick** was presented with the ABA Solo, Small Firm and General Practice Division's 2016 Lifetime Achievement Award, which recognizes the efforts and accomplishments of outstanding solo and small firm practitioners as well as bar leaders and associations.
- Fellow **Beth Walker** (photo right) was elected as the first nonpartisan Justice of the Supreme Court of Appeals of West Virginia. She will take office on January 1, 2017. 
- Fellow **Carolyn P. Short** was elected one of the newest members of The American Law Institute.
- Fellow **Donald Polden** penned a recent blog post that appeared in *Huffpost Business*. [http://www.huffingtonpost.com/donald-j-polden-/the-gig-economy-and-the-n\\_b\\_9824270.html](http://www.huffingtonpost.com/donald-j-polden-/the-gig-economy-and-the-n_b_9824270.html).

*We are always looking for Fellows to contribute their insightful perspectives to our blog. Contact [Susan Wan](#) if you are interested in writing a blog on an occasional basis.*

- *Chambers and Partners*® recently recognized the following Fellows in the *Chambers USA 2015* Labor & Employment category:

Karen M. Buesing, Greenberg Traurig, P.A.  
Richard C. McCrea Jr., Greenberg Traurig, P.A.  
Armin J. Moeller, Jr., Balch & Bingham LLP  
Robert Steptoe, Jr., Steptoe & Johnson



Peter W. Zinober, Greenberg Traurig, P.A.

- *Super Lawyers* recently recognized the following Fellows as Florida Super Lawyers among the top attorneys in the state for 2015.

Joseph Z. Fleming, Greenberg Traurig, P.A.

Richard C. McCrea Jr., Greenberg Traurig, P.A.

Peter W. Zinober, Greenberg Traurig, P.A.

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## IN MEMORIAM

The College mourns the recent passing of Fellow **Thomas Jennings** on May 24.

Thomas Jennings, inducted as a Fellow in 2001, was a cofounder of the Philadelphia based firm Jennings Sigmund P.C. A respected member of the Philadelphia Labor Relations Community, he represented Unions in Philadelphia and its suburbs, Central and Northeast Pennsylvania, especially in his home town of Scranton. His practice involved primarily the representation of police officers and firefighters. He also represented the local Carpenters Union and several suburban teacher bargaining units. He was an integral part of the community and will be sorely missed. A link to his obituary can be found [here](#).

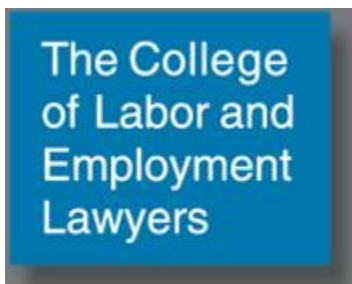


Members of the College strive to promote achievement, advancement and excellence in the practice of labor and employment law. Mr. Jennings distinguished himself as a leader in the field, and the College was proud to have been able to call him a Fellow.

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## CLEL LOGO

Fellows are encouraged to include the College logo on their website. Please contact [Susan Wan](#) for a downloadable file or download the logo.



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