



We at Murtha Cullina value all people and recognize that diversity within Murtha Cullina strengthens our firm and enhances the services we provide to our clients. We appreciate that meeting our diversity goals better enables us to participate in the communities where we practice law, work and live, as well as enhancing our overall experience as a member of the larger legal community. To that end, we welcome all people, without regard to race, national origin, color, ethnicity, religion or religious practices, gender, citizenship, marital status, age, mental or physical ability or disability, veteran status, sexual orientation or gender identity or expression.

WELCOME TO THE NINTH ISSUE OF *QUAE VIDE*,
MURTHA CULLINA'S DIVERSITY NEWSLETTER

JULY 2012

With the first half of 2012 behind us, we are now able to savor the warmer months. But before we begin to look forward to the "second half" push in the business of practicing law, it is a good time to reflect on many of the positives. Regardless of political affiliation, religious persuasion, ethnicity, or race, most lawyers are willing to devote a fair amount of time - without seeking recognition - to better the profession and to serve in their communities. Murtha Cullina has been fortunate to have several of its lawyers recently recognized for their efforts to do just that. In March, managing partner Elizabeth Stewart was honored by the Connecticut Bar Association's Young Lawyers Section for her dedication in helping other women attorneys when she received the *Ladder Award*. In May, Elizabeth and Burt Cohen were recognized by New Haven Legal Assistance Association for their support of and leadership roles on New Haven LAA's various boards by being recipients of the *Equal Access to Justice Award*. In June, Francis Brady received the *Pro Bono Award* as recognized by the Connecticut Law Tribune for his efforts on behalf of the recently opened Veterans' Legal Center in a ceremony attended by a myriad of judges, colleagues and respected peers in the Bar. In addition, associate attorney Michael Goldfarb was a recent recipient of the CBA's Young Lawyers Section *Star of the Year* award for his service to the Bar.

Murtha Cullina is extremely proud of the acknowledgements that come to its various honorees through these awards. Yet there remain many more who are not likely to be candidates to receive a major award as were attorneys Brady, Cohen, Stewart and Goldfarb. We salute those "quiet stars" who not only get the job done everyday, but also lead by example and through their service to the bar, their communities and those in need.

Burt Cohen

Burt Cohen

Diversity Committee Chairperson

BOSTON LAWYER'S GROUP (BLG)
CELEBRATES 25 YEARS AT 2012 ANNUAL
MEETING



On May 1, 2012, the Boston Lawyer's Group ("BLG") held its Annual Meeting and 25th Anniversary Celebration at the offices of Brown Rudnick LLP in downtown Boston. Murtha was well represented at the event by Tom Vangel, a

member of the BLG's Executive Committee, Burt Cohen, Rob Munnely and Jamie Radke. Approximately two hundred guests from the greater Boston legal community were in attendance, including Diane Patrick, partner at Ropes & Gray, LLP and wife of Governor Deval Patrick, and Boston Mayor Thomas Menino.

After an hour of networking and cocktails, the crowd enjoyed a short film celebrating the BLG's achievements in the area of legal diversity since its inception in 1987 and calling for law firms and legal teams to make even greater efforts to achieve their diversity goals. Mayor Menino, who has been a consistent supporter of the BLG over the years, thanked the group and its members for their efforts to foster a diverse legal community in Boston. The Mayor reflected on the City's troubled past in the area of race relations and emphatically stated that "this is a new Boston." He urged the well-heeled crowd to make every effort to provide meaningful opportunities to people from all backgrounds.

Keynote speaker David Wilkins, a Harvard law professor and world-renowned legal scholar, presented a slideshow titled: "The Action After the Call: The Future of Diversity in the

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Global Age of More for Less.” Professor Wilkins began by noting that the legal community has made only minimal progress towards achieving its diversity goals despite the attention and public

endorsement that diversity initiatives have received from law firm leaders in recent years. Women and minority attorneys continue to be vastly underrepresented in the ranks of equity partners at law firms and minority attrition rates at firms are far greater than average. Based on the results of an extensive survey of in-house counsel, Professor Wilkins made a compelling argument that law firm diversity is becoming increasingly important to clients as their businesses become global in scope and the marketplace for legal services becomes more competitive. The survey revealed that in-house counsel at Fortune 500 companies placed a greater value on diversity in their selection of outside law firms, signaling a desire on the part of companies with a global workforce and customer base to partner with law firms that have similar demographics. Clients in today’s legal marketplace are more sophisticated than ever before and want to enter into partnerships with their attorneys. Professor Wilkins believes that firms with a diverse workforce will be in a better position to meet the needs of these businesses and to prosper in this competitive marketplace.

The Professor’s presentation ran long, leaving only a few minutes for a discussion by the distinguished panel of in-house counsel assembled at the event. Each of the panelists discussed their efforts to promote diversity within their organizations and in the law firms with whom they work and urged the guests to do the same. The night finished with more networking, coffee and a great dessert bar.

GEORGE W. CRAWFORD BLACK BAR ASSOCIATION HOLDS ANNUAL DINNER

CRAWFORD

George W. Crawford Black Bar Association

On April 26, 2012, the George W. Crawford Black Bar Association held its 2012 Annual Dinner at the Marquee in downtown Hartford, CT. Incorporated in 1979, the Association is a volunteer, state-wide organization consisting primarily of judges, law professors, attorneys and law students in the State of Connecticut. Murtha Cullina participated as a Diamond sponsor of the Annual Dinner. Cherie Gabrielle Phoenix, an associate in our Business and Finance Department, is a former member of the Board of Directors, and is currently the Association’s CBA House of Delegates representative. Genea O. Bell, a former associate at the firm, serves as Vice President and member of the Association’s 2012-13 Executive Board.

The event featured a cocktail hour, dinner, a silent auction and

remarks from the Association’s leadership. The Association also awarded the Priscilla Green Scholarship to Danielle L. McGee, a second year law student at Quinnipiac Law School. Dr. Constance Belton-Green, the first African-American woman to graduate from the University of Connecticut’s School of Law in 1972, was honored by the Association with its third annual “George W. Crawford Trailblazer” award. Dr. Belton-Green explained to the audience of 150+ about her personal history as a woman of color in the Connecticut legal community and her plans for an upcoming book on African-American woman lawyers. The Association also honored Lewis J. Robinson, Esq. with its third annual “Visionary” award. A graduate of Howard University and Rutgers Law School, Mr. Robinson retired in 2000 from a long and distinguished career as in-house counsel at Travelers Property and Casualty and now devotes his time to philanthropic pursuits and community service, including the Hartford Foundation for Public Giving, United Way, the Legal Aid Society of Hartford County, and the Capital Community College Foundation, among many others.

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LAWYERS COLLABORATIVE FOR DIVERSITY HOSTS 2ND ANNUAL BUILDING CAREERS SYMPOSIUM



LAWYERS COLLABORATIVE FOR DIVERSITY

Attorney Cherie Phoenix, in her capacity as Chair of the Associates Advisory Committee for the Lawyers Collaborative for Diversity (LCD), played a critical role in developing and organizing the group’s Second Annual Building Careers Symposium which was held at Wesleyan

University on June 19, 2012. The Symposium was a half-day event designed specifically for attorneys of color with up to 15 years of experience in the practice of law, and consisted of three separate panel discussions. The first panel discussion was entitled *The In-House Counsel/Outside Counsel Balance: Strategies for Maximizing the Relationship and Navigating Alternative Fee Arrangements*, featuring in-house attorneys from United Technologies, Northeast Utilities, Aetna and Boehringer-Ingelheim. The middle panel focused on *Career Opportunities: Where Do I Go From Here?* for attorneys of color, with panelists from Tomra of North America, Prudential, Charter Risk Management Services and Northeast Utilities. The final panel, entitled *Value Added: How to Stay Visible and Communicate Effectively (Survive Those Dreaded Conversations Your Clients Don’t Want to Have)*, featured various general counsel from Wesleyan University, MassMutual, Tomra, Boehringer-Ingelheim, Aetna and Northeast Utilities. The Symposium was attended by approximately 60 attorneys.

Murtha Cullina was the sole supporting sponsor of this Second Annual Symposium. In addition to the efforts of Attorney Phoenix, the Murtha Cullina marketing department assisted in organizing the event, along with LCD. Murtha Cullina was



Cherie Gabrielle Phoenix speaking at Building Careers Symposium

an original firm member of the Lawyers Collaborative for Diversity, which was formed in 2003 by concerned lawyers to answer the call for the progression of diversity in the legal profession in Connecticut. LCD is currently focused on increasing the recruitment, retention and advancement of lawyers of color, not only as good social policy, but also as an exemplary business practice. Presently, Diversity Committee Chair Burt Cohen serves as the firm's representative on LCD's Board.

ANSWERING THE CALL:

DU PONT'S MINORITY COUNSEL CONFERENCE



DuPont Legal

On Wednesday, June 6th, E. I. Du Pont de Nemours and Company (Du Pont) held its annual Minority Counsel Conference in Washington, D.C. The theme of this year's conference was "Answering the Call: Taking Diversity to the Next Level." In his opening remarks, Earl MacFarlane, Corporate Counsel & IP Leader in Du Pont's Trademark Division, noted that in years past, Du Pont seemed to make great strides toward the goal of improving diversity among law firms. Recent data suggested, however, that a plateau may have been reached and even reflected a bit of decline in the diversity successes of prior years. Mr. MacFarlane highlighted some troubling statistics concerning minorities and women in law firm ranks, including one which found an attrition rate of nearly 100% for female minority attorneys in law firms. The goal of the conference therefore was to explore new and creative ways to not just expand the pipeline of diverse attorneys entering the law, but also to keep minority attorneys from leaving law firms and the practice of law altogether.

As is always the case for Du Pont's Minority Counsel Network conferences, the day was chock full of informative panels and impressive speakers. The first panel of the conference "Leading the Charge: Successful Diversity Models in Corporate America," consisted of in-house counsel from Pfizer, Halliburton, Pitney Bowes and Du Pont, and was moderated by Joe West, CEO and President of the Minority Corporate Counsel of America and former general counsel of Wal-Mart. When introduced, Mr. West was described as the "MJ (i.e. Michael Jordan / Michael Jackson) of the legal profession." Mr. West recalled the sweeping and controversial changes he implemented at Wal-Mart to increase diversity

inside and outside Wal-Mart's legal department. Specifically, he adopted a policy by which the bonuses of Wal-Mart's legal department depended in part upon their use of minority and women-owned law firms. He also worked to ensure that the relationship partners of the outside law firms used by Wal-Mart were women or minority attorneys and that those relationship partners were allocated proper credit for the business generated by Wal-Mart. Other panelists echoed similar efforts for their selection of outside counsel. Counsel for Halliburton noted that she would send RFPs on behalf of Halliburton directly to minority and women partners in law firms and would not hesitate to intervene if another attorney at that law firm tried to control the RFP process. Panelists also discussed ways in which their companies participated in the development of junior attorneys at outside law firms handling their matters. Counsel from Pfizer noted that he took an active interest in the substantive development of outside attorneys who worked on Pfizer's matters, making sure that they received high quality work and were on track for potential partnership at the firm. Counsel for Pitney Bowes and Halliburton also undertook similar reviews of attorneys working on their matters. When asked whether such efforts were deemed by firms to be too meddlesome into the firm's internal affairs, the panelists noted that the response from firms was typically positive since everyone shared a common interest in the substantive development of talent within the firm. All in all, the message repeatedly emphasized by all the panelists was clear and strong: firms that did not undertake serious efforts towards diversity and inclusion would be left behind.

Other panels of the day included a discussion by in-house corporate counsel on creative ways to build client relationships and perspectives from top ranking law firm managers on effective firm diversity initiatives. With regard to building client relationships, several corporate counsel panelists suggested becoming involved in the community service efforts supported by the corporation. Specifically, Ernest Tuckett from Du Pont talked about Du Pont's involvement in the Street Law Project which educated high school students about the law. He noted that one Delaware firm would send a contingent of at least 20 attorneys every year to take part in the Street Law project. Because of that firm's support, Ernest mentioned that he would actively seek out ways to send matters to that firm that fit within that firm's specialty. Finally, with regard to effective law firm diversity initiatives, each of the speakers acknowledged that great challenges still remained in attracting and keeping minority and women candidates, and that effective change could truly only come from the "top down." A partner from Shook, Hardy and Bacon presented a list of 83 diversity action items consisting of broad and specific actions to increase individuals' exposure to diversity. Every partner, associate and staff member at the firm was required to complete minimum required action items (which varied in number for partners, associates and staff) every year, and the failure to do so was reflected in compensation for that year. She noted that after the first year the list was adopted, every person in the firm had met their minimum requirements and that her firm was a better place for it.

Although this year's conference was shorter than years past with only one day of programming, it was still outstanding on every level.





MURTHA CULLINA ATTORNEYS GETTING INVOLVED

On April 26, **Burt Cohen, Cherie Gabrielle Phoenix, Hugh F. Murray, III, David Platt, Michael E. McDonough, Edward B. Whittemore, and Taruna Garg** attended the George W. Crawford Black Bar Association Annual Dinner.

On May 1, **Thomas S. Vangel, Burt Cohen, Robert J. Munnely, Jr., and James F. Radke,** attended the Boston Lawyers Group (BLG) - 25th Annual Meeting.

On May 8, **Burt Cohen, Elizabeth J. Stewart, Francis J. Brady** and **David P. Friedman** attended the Connecticut Bar Foundation Annual Reception and Fellows Annual Meeting.

On May 2, **Edward B. Whittemore, Cherie Gabrielle Phoenix, Burt Cohen** and **Francis J. Brady** attended the Lawyers Collaborative for Diversity (LCD) Edwin Archer Randolph Diversity Awards presentation.

On June 6, **Taruna Garg** participated in E. I. Du Pont de Nemours and Company's annual Minority Counsel Conference in Washington D.C.

On June 19, **Cherie Gabrielle Phoenix** organized and attended the 2nd Annual Building Careers Symposium: Exploring the In-House Perspective, sponsored by the LCD Associate Advisory Committee.

This newsletter is one of a series of publications by Murtha Cullina LLP and should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only, and you are urged to consult your own lawyer concerning your own situation and any specific legal questions you may have.

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