

THE ROCKET DOCKET NEWS

The Newsletter of the Northern Virginia Chapter of the Federal Bar Association

MARCH 2014

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The President's Report

By Damon W. D. Wright

On the second Tuesday of every month, the Board of Directors of the Northern Virginia Chapter of the Federal Bar Association – all the folks listed on the left – meet and plan our upcoming events. We discuss (and sometimes debate) what would be a topical and lively CLE program. We bounce around article ideas for The Rocket Docket newsletter. We rib each other and share funny and interesting stories about social events or recent colorful cases. And, occasionally, someone

will describe how they've recently had some litigation in some foreign court, how the other side was able to skirt the rules or delay the proceedings, and how much it made our colleague miss this Court and our legal community – which always leads to a chorus of agreement and appreciation. We are privileged to practice in a special legal community, where an experienced Rocket Docket litigator knows that the rules will be enforced, games will not be tolerated, and professionalism is paramount.

Our chapter adds to this by promoting collegiality among the bar and by facilitating valuable education about the Court's practices. Last year, almost every district and magistrate judge participated in at least one of our almost monthly CLEs, including the iPad for Litigators, Patent Litigation under the America Invents Act, and the Annual Bench Bar Dialogue. Likewise, between post-CLE happy hours at the Trademark Bar, luncheon CLEs (the Annual SCOTUS Term in Review, the Annual State of the Court Presentation, etc.), and of course the Torrey Armstrong Memorial Lecture and Law Clerk Reception at the Masonic Temple, we are all able to form, expand and strengthen our professional relationships. From hosting a visiting delegation of Russian judges to sponsoring the "How a Railroad Lawyer Became the Great Emancipator" public lecture at TC Williams High School, our chapter also reaches out beyond our immediate horizon and into our local and international communities.

All of these activities require impressive leadership, energy, and organizational skill. My predecessor, Scott Caulkins (like past-Presidents Sean Murphy, Attison Barnes, Chas McAleer, Jack Coffey, Judge Anderson, Judge Buchanan, Judge Kemler, Michael Nachmanoff, John Trocki ... I could go on) has set a very high bar. Not surprisingly, during the Caulkins' administration, our Chapter received the illustrious "2013 Chapter Excellence Award" – the highest honor bestowed by the Federal Bar Association. All of us owe Scott a tremendous debt of gratitude. Because of his leadership as a Board member and officer for the past several years, including his Presidency last year, there may not be a more vibrant Federal Bar Association chapter in the country.



The President's Report (cont'd)

We also have an incredibly dedicated and selfless Board of Directors. With the recent addition of Kathy Holmes, Stephen Cobb, Bill Porter and Tom Connally to our ranks, the Board has also become even stronger. Our new Board members are each and all seasoned litigators and, more importantly, first-class people. Kathy, who clerked for Judge Brinkema and is Past President of the Virginia Women Attorneys Association, is the founding partner of Holmes & Costin. Stephen, who clerked for Judge Poretz and recently served as General Counsel to the Democratic Party of Virginia, is counsel at Miles & Stockbridge. Bill, who clerked for Judge Vieregge of the Fairfax Circuit Court and is consistently rated as one of Virginia's top business litigators, is a principal at Blankingship & Keith. Tom is also no slouch. He is a former member of the Litigation Council of the Virginia Bar Association and co-chairs the Legal Ethics Committee as a partner with Hogan Lovells.

The result is that our ambition continues to grow and our activities continue to expand. Meanwhile, our monthly meetings are as productive, spirited and entertaining as ever. The dynamic Chip Molster and Craig Reilly are good for some self-effacing war stories. The creative George Kostel and Caitlin Lhommedieu report on innovative ways to expand how our chapter can better support our community and the Court. The responsible Laurie Hand and Anne Devens keep us focused on executing the activities at hand (like getting out this newsletter). The wise Judge Ivan Davis provides sound judgment and updates on the latest courthouse developments. And, the experienced past-President Scott Caulkins still attends to make sure the torch is smoothly passed. The collegiality at these meetings reminds us all why we enjoy what we do and – even more – where we do it. Please consider contacting any Board member about becoming more involved, whether by writing an article, teaching a CLE, hosting a social event, or otherwise. We hope to see you at upcoming events. And we hope you enjoy this edition of The Rocket Docket.



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Members of the Northern Virginia Chapter are encouraged to submit articles or news information of interest to other members of the Northern Virginia Chapter for possible publication in the Rocket Docket News. Please submit any proposed articles or news information to the Editors at the telephone numbers and e-mail addresses listed above. The Editors reserve the right to decide on publication, and any articles accepted for publication are subject to editing.

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The Indigent Defense Crisis in the Federal Courts

By Michael S. Nachmanoff

This past year marks the 50th anniversary of *Gideon v. Wainwright*, a landmark decision that recognized the right to counsel in criminal cases. For more than forty years, federal public defender organizations have represented indigent defendants along with Criminal Justice Act ("CJA") panel attorneys in the federal courts. Unlike many state public defender systems, the federal defender program has historically been funded at a level that has ensured high quality representation and equal access to justice under the law. For this reason, the federal defender program has served as a model for state and local indigent defense organizations around the country.



The Judiciary's unwavering commitment to the Sixth Amendment has been put to the test this year as it experienced an unprecedented challenge to its core mission as a result of the protracted battle over the budget in Congress. The sequester imposed a 10% cut on the federal defender program half way through FY 2013. The program as a whole lost more than 400 positions, and the Office of the Federal Public Defender in the Eastern District of Virginia suffered the loss of more than 10% of its staff throughout the district.

The outlook for FY 2014 appeared bleaker still. The federal defender organization faced a 23% cut in funding, which would have caused irreparable damage to the program. On July 23, 2013, Senator Chris Coons, Chair of the Senate Judiciary Subcommittee on the Courts and Bankruptcy, held a hearing on the impact of the funding crisis on the federal courts with an emphasis on the looming threat to the quality of indigent defense in the federal courts. Subsequently, Senator Coons and Senator Jeff Sessions issued a bipartisan expression of support for the federal defender program. In August, the Executive Committee of the Judicial Conference of the United States took emergency action to avert this impending budgetary catastrophe and limited cuts to the federal defender program in FY 2014 to 10%. This solution, however, involved a temporary cut in the CJA panel rate to \$110 per hour.

In October, the federal defender program received a \$26 million anomaly from Congress in the Continuing Resolution, an extraordinary accomplishment in this political environment. And if Congress passes the two-year budget deal currently pending before the Senate, the Judiciary as a whole, including the federal defender program, may receive some much needed relief after sustaining serious damage over the past year.

Despite the challenges facing indigent defense, the Office of the Federal Public Defender continues to make every effort to maintain high quality representation for all of its clients and to provide training for CJA panel attorneys. On November 20, 2013, the Office of the Federal Public Defender for the Eastern District of Virginia hosted a four-hour CLE program on federal criminal law issues in Richmond for CJA panel attorneys and federal public defenders from the entire district. With the generous support of the Northern Virginia Chapter of the Federal Bar Association ("FBA-NOVA"), the Richmond Chapter and Tidewater Chapters of the FBA, the Criminal Law Section and the National Association of Criminal Defense Attorneys ("NACDL"), the conference was a tremendous



The Indigent Defense Crisis in the Federal Courts (cont'd)

success. One hundred people attended the conference, including many attorneys from the Alexandria, Norfolk and Newport News Divisions of the Eastern District, in addition to the Richmond Division. The conference included sessions on the pending mandatory minimum reform legislation in Congress, recent developments in Fourth Circuit case law on the definition of crimes of violence, impeaching cooperating jail house government witnesses, and recent case law addressing Fourth Amendment claims relating to searches of cell phones.

In sum, notwithstanding the significant funding challenges facing the federal defender program and the CJA panel, there remains hope that Congress and the Judiciary will remain committed to the promise of Gideon and the principle of equal access to justice by providing adequate funding for indigent defense in the federal courts.

Link to Statement of Michael S. Nachmanoff, July 23, 2013 Hearing Before the Judiciary Committee
<http://www.judiciary.senate.gov/pdf/7-23-13NachmanoffTestimony.pdf>



November 20, 2013 CLE by the
Office of The Public Defender,
Richmond, VA

Presenters:
Ken Troccoli, Fran Pratt and Paul Gill





Lessons from *Cyberlock Consulting, Inc. v. Information Experts, Inc.*



By Jonathan D. Frieden

In *Cyberlock Consulting, Inc. v. Information Experts, Inc.*, 939 F. Supp. 2d 572 (E.D. Va. 2013), recently affirmed by the Fourth Circuit, the United States District Court for the Eastern District of Virginia granted summary judgment in favor of a prime contractor as to an expected subcontractor's claims that the prime contractor breached the parties' teaming agreement after the parties were unable to reach agreement on a subcontract for the work which was awarded to the prime contractor by the Federal Government. The Court agreed with the prime contractor that the post-award provisions of the teaming agreement constituted an "agreement to agree" and were, therefore, unenforceable under Virginia law.

Although commentators have suggested that the ruling raises new questions about the enforceability of teaming agreements under Virginia law, mere "agreements to agree" have always been unenforceable under Virginia law, as they are under the law of Maryland, the District of Columbia, and many other jurisdictions. The teaming agreement at issue in *Cyberlock* was drafted in terms of a future transaction and contemplated a later, more formal agreement; under the teaming agreement, the parties' chief post-award obligation was to "exert reasonable efforts . . . to negotiate a subcontract" within certain nebulous guidelines. Moreover, the teaming agreement expressly acknowledged the possibility that such negotiations would fail and provided that the teaming agreement would terminate upon the "failure of the parties to reach agreement on a subcontract after a reasonable period of good faith negotiations."

Some commentators' concern that the *Cyberlock* decision signals Virginia's inhospitality to teaming agreements is also misplaced. The *Cyberlock* decision only affects a teaming agreement's post-award obligations (those obligations which become effective once the prime contractor is awarded work by the Government), not its pre-award obligations (which address how the parties are committed to working together to attempt to secure an award for the prime contractor). Government contractors and their subcontractors can draft agreements with enforceable post-award obligations by simply following Virginia's well-established contract law principles:

- If the parties intend to enter into a subcontract once the Government awards work to the prime contractor, they should (where possible) attach as an exhibit to their teaming agreement a copy of the subcontract they plan to execute.
- If the parties cannot attach their entire proposed subcontract, they should attach as much of that subcontract as they can, leaving "blank" only the provisions which cannot yet be included.
- The parties should ensure that their teaming agreement clearly sets forth the specific work to be done by each party, where that work is to be completed, the personnel being used to complete the work, and the precise compensation to be paid for the work.



John Keith Gives Armstrong Lecture

The Chapter's annual Torrey Armstrong Memorial Lecture and Judicial Law Clerk Reception was held on September 17, 2013, at the George Washington Masonic Memorial in Alexandria. This is an annual event named in honor of Torrey Armstrong, a past president of our Chapter and the Alexandria Bar Association. Torrey Armstrong was a highly regarded trial lawyer who was extremely active in the local legal community. Following his death in 2001, in recognition of the loss to our legal community his law partners, friends, the Alexandria Bar Association and our Chapter established and endowed the Torrey Armstrong Memorial Lecture as way to honor his service to the legal community. The Chapter combines the Torrey Armstrong Memorial Lecture with the annual introduction of, and reception for, the judicial law clerks for the United States District Court for the Eastern District of Virginia.

This year, the keynote speaker was John Keith, a partner at Blankingship & Keith and a past-President of the Virginia State Bar, who spoke about the qualities of a "good lawyer" and the future of the legal profession. We are grateful for and inspired by his remarks.

The Chapter membership also had the opportunity to meet the newest law clerks of the Eastern District of Virginia, including clerks for the District Court Judges, Magistrate Judges and the Bankruptcy Court judges. We were delighted to have the opportunity to meet them and we welcome them to our Chapter.

Many thanks to everyone who attended the program. If you were unable to attend this year, please be sure to join us next year! *By Bill Porter*

Recent CLE Programs

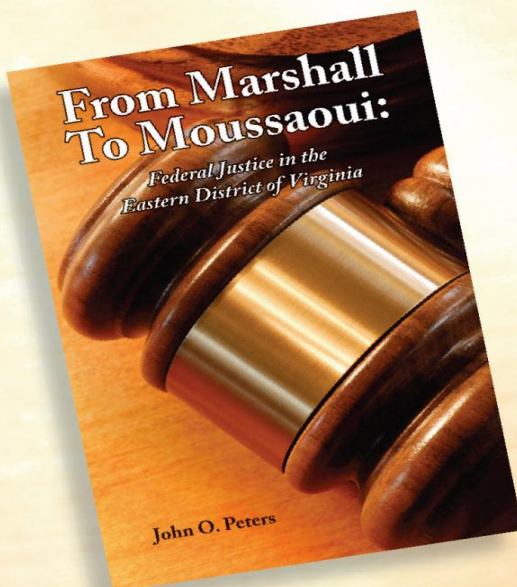
- **SCOTUS Term in Review** – On July 23, 2013, the Chapter convened its second annual CLE program analyzing and discussing the U.S. Supreme Court's recently-completed term. Held at the Westin Hotel across from the courthouse, the program featured the moderator (Miller & Chevalier Chartered's Timothy P. O'Toole) and one of the panelists (Jones Day's Donald B. Ayer) from last year's well-received program. The other panelist from last year's program (Akin Gump's Patricia A. Millett) had recently been nominated by President Obama to a seat on the U.S. Court of Appeals for the D.C. Circuit and could not participate in this year's program. One of her partners and fellow Supreme Court advocates, Ruthanne M. Deutsch, graciously joined the panel and gave an excellent presentation. Identifying central themes and categories of cases, the panel once again found a way to make an entire term of the Court succinct, interesting and enjoyable. The Chapter extends its appreciation to the moderator and panelists for their generosity and expertise, and we look forward to the Third Annual SCOTUS program in July 2014.
- **Patent Litigation in the Rocket Docket** – On January 29, the Chapter hosted its annual and well-attended patent litigation CLE at the courthouse. Moderated by Chip Molster from Winston & Strawn, the panel included Judge Gerald Bruce Lee, Judge Anthony J. Trenga, Judge T Rawles Jones, Jr. and Judge John F. Anderson, as well as Judge Linda Horner and Judge Scott R. Boalick from the U.S. Patent and Trademark Office. Also presenting were Andrew Sommer from Winston & Strawn and Kathy Homes from Holmes & Costin.
- **Privacy Law for Litigators** – On February 26, the Chapter sponsored a privacy law CLE at the office of Hogan Lovells in Tysons Corner. Moderated by Jon Talotta of Hogan Lovells, the panel included David Katz from Nelson Mullins, Gerry Stegmaier from Wilson Sonsini and Michelle Kisloff of Hogan Lovells. The Chapter looks forward to serving its members with more CLEs in the Tysons area in the future.



NoVa Chapter Wins Presidential Excellence Award at FBA Annual Meeting



National Delegate Chip Molster attended the FBA's Annual Meeting in San Juan, Puerto Rico in September. The event was very successful and well attended, and included numerous breakout sessions and interesting discussions. One of the main themes of the meeting was more robust collaboration between the various Chapters, Sections and Divisions of the FBA, so be on the look-out for upcoming events along those lines from our Chapter. There were also discussions about reaching out to more younger lawyers, including law students, and our Chapter is actively reviewing a number of initiatives in that regard. There were also a number of discussions regarding proposed changes to the Federal Rules of Civil Procedure, and a suggestion that practitioners take a good look at these and participate in discussions regarding those proposals. There were also discussions regarding the 50 year anniversary of the Criminal Justice Act, and the need for local Chapters to organize events to commemorate that anniversary, which our Chapter is also planning. Additionally, our Chapter was once again awarded the FBA's Presidential Excellence Award. Next year's Annual Meeting will be held in Providence, Rhode Island (which the National Delegate noted is a bit different than Puerto Rico).



From Marshall To Moussaoui:

Federal Justice in the Eastern District of Virginia

By Well-Known Author John O. Peters

From Marshall to Moussaoui: Federal Justice in the Eastern District of Virginia artfully traces the precedential decisions of a court that has made a rich contribution to the history of our Constitution. John Peters' book is well-researched, informative and quite entertaining.

Antonin Scalia, Associate Justice United States Supreme Court

John O. Peters' work entitled *From Marshall to Moussaoui: Federal Justice in the Eastern District of Virginia* is quite an accomplishment. Through the historical lens the reader quickly is transported to the times of the anecdotes that are sprinkled liberally across the pages. The U.S. District Court comes alive as Peters focuses the reader's attention on the brilliance – and the human foibles – of the jurists who have presided over cases that range from treason and trespass, to liquor and libel, and from civil war to civil rights. Collectively, the judges, lawyers and litigants personify the history of this important court of justice. It is also a rich and robust reflection of the history of America.

Gerald L. Baliles, Director and CEO of The Miller Center University of Virginia Governor of Virginia (1986-90)

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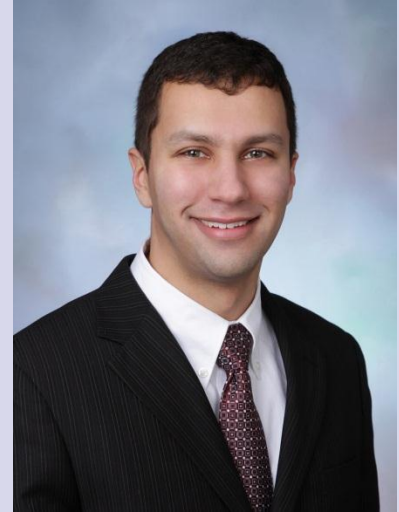
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EDVA Decision Drives Pending Patent and Bankruptcy Reforms

By Brian Pandya and Paul Kim

While most of the pending patent reform legislation in Congress has focused on changes meant to deter abusive litigation, particularly in lawsuits filed by patent assertion entities, one of the lesser discussed aspects of the legislation includes changes to the Bankruptcy Code that both bankruptcy and patent litigators, and judges handling such cases, should be aware. What's more, this legislation was the direct result of an Eastern District case and sponsored by a Virginia Congressman.



Section 6(d) of the Innovation Act – sponsored by Rep. Robert Goodlatte (R-VA), Chairman of the House Judiciary Committee and whose district spans the western part of the Commonwealth – seeks to close a loophole in the Bankruptcy Code (11 U. S. C. §§ 1 *et seq.*) that was exposed in a recent Eastern District of Virginia bankruptcy decision.¹ This loophole could subject patent licensees to continued licensing attempts and/or infringement suits over intellectual property that was previously believed to be licensed. Innovation Act of 2013, H.R. 3309, 113th Cong. (2013). The Innovation Act passed the full House of Representatives by a vote of 325 to 91 on December 5, 2013.

In *In re Qimonda AG*,² Judge Mitchell of the Eastern District of Virginia's bankruptcy court ruled that the Bankruptcy Code favored making the IP licensee protections provided in § 365(n) of the Bankruptcy Code available in cross-border or foreign bankruptcy proceedings, i.e., bankruptcy cases that are subject to foreign jurisdiction but where some of the debtor assets are within the United States.³ This ruling is significant because it drew attention to the previously unsettled question of whether § 365(n) of the Bankruptcy Code, which generally allows an intellectual property licensee whose license has been terminated by a licensor in bankruptcy proceedings to either elect to treat the license as terminated or to retain a non-exclusive license to the intellectual property on comparable terms, applied automatically in "Chapter 15" foreign or cross-border bankruptcy proceedings under 11 U.S.C. § 1520(a) or, in the alternative, whether a bankruptcy judge has the discretionary authority to require a foreign bankruptcy administrator to observe § 365(n) as a condition of recognizing a foreign bankruptcy proceeding under § 1521(a).

The case arose when Qimonda AG, a German spin-off of the semiconductor company Infineon, filed for insolvency in Germany. The German insolvency estate administrator then sought to terminate the cross-licenses binding Qimonda's semiconductor patent portfolio under § 103 of the German Insolvency Code in order to sell or re-license the patents on more favorable terms to presumably the current licensees of the Qimonda patents or to possibly bring patent infringement suits against them. The licensees – who included nearly the entire semiconductor industry – objected to the administrator's attempt to terminate the already paid-for patent licenses because upon termination, the licensees could be "held up" for exorbitant licensing demands to take new licenses because the licensees had already invested billions of dollars in reliance on the Qimonda AG patent licenses. Additionally, the licensees argued that the precedent set by an unfavorable ruling would create a bankruptcy loophole that would be abused by unscrupulous foreign patent owners that could buy previously licensed patents, file bankruptcy in a country that allows debtors to terminate patent licensing agreements, and then seek additional licensing fees from the previously licensed companies, or file patent infringement suits against the former licensees after they had started to practice



EDVA Decision Drives Pending Patent and Bankruptcy Reforms (cont.)

the patents and could not economically design around the patents.

Initially, the bankruptcy court had granted comity to the German insolvency proceeding and rejected the licensees' request to modify the German proceeding recognition order to include the § 365(n) provision. However, after the order was appealed to the district court, Judge Ellis remanded the case for further fact finding to determine whether the creditors' interests were sufficiently protected as required by § 1522 of the Bankruptcy Code, as well as to determine whether granting comity to German bankruptcy law without conditioning it to § 365(n) protection would violate the public policy provision of § 1506. On remand, the bankruptcy court modified the recognition order to include § 365(n) protection under both § 1522 and § 1506. The Fourth Circuit recently affirmed the decision below,⁴ holding that the bankruptcy court correctly balanced the interests of both the debtor and the creditors in choosing to grant the creditors' rights under § 365(n). One issue that still remains open after the Fourth Circuit opinion, however, is whether a foreign representative's attempts to terminate IP licenses without applying § 365(n) would violate the public policy provision of § 1506. .

Under Chairman Goodlatte's Innovation Act, which passed the full House in early December, § 1522 would be amended to explicitly state that § 365(n)'s protections would be available in *all* bankruptcy proceedings, including foreign or cross-border bankruptcy proceedings, thus closing this loophole in the Bankruptcy Code and providing IP licensees protection from abusive patent litigation tactics by patent trolls who may be aware of this loophole. Thus, this legislation would ensure that U.S. bankruptcy law will supersede the bankruptcy laws of the foreign jurisdiction to provide protections to IP licensees that may not be available under foreign law.⁵

Brian Pandya is a Partner in the Intellectual Property and Litigation groups at Wiley Rein LLP in Washington, DC. Mr. Pandya's practice focuses on patent litigation and counseling. Paul Kim is an Associate at Wiley Rein. Mr. Pandya and Mr. Kim are both members of the Virginia bar, registered patent attorneys, and have litigated multiple patent cases in the Eastern District of Virginia. Any opinions expressed in this article are strictly the personal views of the authors and do not necessarily reflect the views of their clients or law firm. Jaffe v. Samsung Elecs. Co., et al., No. 12-1802, 2003 WL 26478864 (4th Cir. Dec. 3, 2013). See, 11 U. S. C. § 1520(a).

¹Innovation Act of 2013, H.R. 3309, 113th Cong. (2013). The Innovation Act passed the full House of Representatives by a vote of 325 to 91 on December 5, 2013.

²*In re Qimonda AG*, 462 B.R. 165 (Bankr. E.D. Va. 2011).

³*In re Qimonda AG v. Samsung Elecs. Co., Ltd.*, 470 B.R. 374, 381-82 (E.D. VA 2012).

⁴*Jaffe v. Samsung Elecs. Co., et al.*, No. 12-1802, 2003 WL 26478864 (4th Cir. Dec. 3, 2013).

⁵*See*, 11 U. S. C. § 1520(a).



Tom Spahn Educates and Entertains on Ethics

The legendary attorney ethics guru and McGuire Woods litigation partner delivered another command performance on October 28, 2013. On its face, the topic could sound dry and boring “UPL, MDP and MJP (Defining What Lawyers Do And Where They Can Do It): Part I.” But do not judge a CLE by its title, as Tom Spahn instead led an enlightening and thought-provoking discussion on the inconsistent and sometimes perplexing ways that state regulations can restrict professional services.

The discussion began with a question that sounds simple but can actually be hard to answer – “What is the practice of law?” As explained in the materials, “[a]lthough it may be difficult for self-absorbed lawyers to accept, both the phrase ‘unauthorized practice of law’ and the concept are hazy and uncertain at best – yet can form the basis for severe penalties.” While the audience consensus was that the unauthorized practice of law is wrong, what does and does not constitute this – i.e., where the line is drawn – is far from clear. What can a paralegal do? What about a real estate agent? An advice columnist who answers reader’s questions about an abusive relationship or a wayward tenant? How about a bartender? Or a financial planner? Or a social worker? With these and other non-lawyer professions, a person may be as qualified as most lawyers to prepare a simple legal document, to review a contract, or to simply give practical advice about how to solve a real-life problem. Indeed, they may be more qualified.

And, given that many people cannot afford legal representation, should we loosen unauthorized practice of law restrictions so that more people can provide their specialized knowledge about a specialized field to help others? Likewise, should “self-help” books and online services that help people to help themselves be encouraged? And does someone have a First Amendment free speech right to communicate what may be construed as legal advice to another person? Tom described, with vivid examples, how state legislatures, bars, prosecutors and courts have grappled with these issues, often drawing the line at different places and sometimes pretending there is a bright line that, in fact, does not match up with real world reality. No doubt, Tom sparked vigorous thought and energetic discussion, which attendees continued with zeal over drinks and appetizers at The Trademark Bar. Tom, thank you for another superb CLE and we very much appreciate your generous service and commitment to our legal community. *By Damon Wright*

Nominations for NoVa Chapter Board of Directors

We expect to elect at least two new Directors to our Board at our Annual Chapter Meeting this summer. If you are interested in serving or nominating another member to serve, please contact Scott Caulkins by April 15:

scaulkins@caulkinsbruce.com, 703-558-3664



Upcoming Events

- **Obtaining and Admitting Electronic Evidence in Federal Courts: An Interactive Discussion with Trial-Like Demonstrations.** CLE co-sponsored by the national FBA Younger Lawyers Division. March 27, 2014, 3:00-5:00 p.m., at the Albert V. Bryan Courthouse. Cocktail reception to follow at the Westin Alexandria. Informational flyer/ registration form in this newsletter.
- **National FBA Midyear Meeting.** Join your fellow FBA members at the 2014 Midyear Meeting to be held on Saturday, March 29, 2014 at the Westin Arlington Gateway. The day will kick off with meetings between the chapters and section/division leaders, followed by lunch and the National Council meeting. Details regarding the meetings and luncheon speaker can be found at fedbar.org. Be sure to place it on your calendar!
- **An Introduction to the Federal Courthouse** (and Special Admissions Ceremony to the Court for the Eastern District of Virginia). CLE to acquaint new lawyers with the operation and function of the Court and various federal agencies in both civil and criminal cases. Special admissions ceremony for those who wish to be admitted to the Court. April 25, 2014, 1:00-3:00 p.m., at the Albert V. Bryan Courthouse. Informational flyer/ registration form in this newsletter.

Stay tuned for information on our annual **Bench-Bar CLE** later this spring, our **Annual Chapter Meeting and State of the Court Luncheon** as well as our annual **SCOTUS CLE** this summer, and the **Torrey Armstrong Lecture and Law Clerk Reception** this fall.

**The FBA Federal Litigation Section and
Northern Virginia Chapter**



Present:

**Obtaining and Admitting
Electronic Evidence in Federal Courts: An Interactive Discussion With
Trial-Like Demonstrations**

Co-Sponsored by the FBA Younger Lawyers Division

Featuring:

The Honorable Ivan D. Davis (U.S. Magistrate Judge - EDVA)
Michael S. Nachmanoff (Federal Public Defender - EDVA)
Ann Marie C. Villafana (AUSA – S.D. Florida)
Damon W.D. Wright, Venable LLP
Stephen Cobb, Miles & Stockbridge P.C.

Moderator:

Charles B. Molster, III Winston & Strawn LLP

March 27, 2014 3:00 p.m. - 5:00 p.m.

**Albert V. Bryan U.S. Courthouse
401 Courthouse Square
Alexandria, VA 22314**

2 Hours of CLE Credit Pending

**\$40 - Federal Litigation Section, Northern Virginia Chapter, or Younger Lawyers Division Members
\$50 - FBA Members \$60 – Nonmembers**

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**Cocktail Reception Immediately Following
at The Westin Alexandria Hotel
(located directly across the street from the EDVA Courthouse)**

**Make check payable to "Federal Bar Association, Northern Virginia Chapter"
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(202) 282 5100 (fax)
cmolster@winston.com**

**Last minute registrants may e-mail or fax your registration
form in advance, and bring your check to the seminar**

REGISTRATION FORM

**Obtaining and Admitting Electronic Evidence in Federal Courts: An Interactive
Discussions with Trial-Like Demonstrations**

March 27, 2014 – 3:00 p.m. to 5:00 p.m.

**AT THE US DISTRICT COURTHOUSE IN ALEXANDRIA
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Division Members**

\$50 - FBA Members

\$60 – Nonmembers

TO JOIN THE FBA NORTHERN VIRGINIA CHAPTER, PLEASE VISIT: www.fedbar.org

**The Federal Bar Association, Northern Virginia Chapter
Presents**

***AN INTRODUCTION TO THE
FEDERAL COURTHOUSE***

AND A

***SPECIAL ADMISSIONS CEREMONY TO THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT OF VIRGINIA***

***April 25, 2014 – 1:00 P.M. – 3:00 P.M.
[2 HOURS OF CLE CREDIT PENDING]***

Please join us at the U.S. District Court for the Eastern District of Virginia, Alexandria Division, for a program to acquaint new lawyers with the operation and function of the Court and various federal agencies in both civil and criminal cases. Speakers will include a U.S. District Court Judge, a U.S. Magistrate Judge, court house personnel, and representatives from various agencies such as the U.S. Attorney's Office and the U.S. Marshal's Office. This program will include a Special Admissions Ceremony for all who wish to be admitted to practice before the U.S. District Court for the Eastern District of Virginia.

- Cost:** 1. **Introduction to the Court House:** \$60 Federal Bar Association Members; \$75 Non-Members (Make check payable to "FBA – Northern Virginia Chapter".) Please mail the Registration Form (below) with your check by April 11th to: Caitlin Lhommedieu, Roeder, Cochran & Haight PLLC, 8280 Greensboro Drive S. 601, McLean VA 22102. If you have any questions regarding the program, please contact Caitlin Lhommedieu at 703-851-3366 or cklhommedieu@gmail.com.
2. **Introduction plus Special Admissions Ceremony:** as above, plus an additional fee of \$176 (Make check payable to "Clerk, U.S. District Court".) The application for admission to the Bar is available on the Court's website: www.vaed.uscourts.gov. Please mail the application for admission (signed by two members of the Bar of the Eastern District of Virginia) with your check by April 11th to: Lorri Tunney, 401 Courthouse Square, Alexandria, VA 22314. If you have any questions regarding the admission form or the admissions ceremony, please contact Lorri Tunney at 703-299-2130 or lorri_tunney@vaed.uscourts.gov.

REGISTRATION FORM

Introduction to the Federal Courthouse Program & Special Admissions Ceremony

Name _____

Phone _____

Hint on pronunciation of your last name _____

Business Address _____

E-Mail Address _____

Please register me for: ☐ the Introductory Program only;

or ☐ the Introductory Program and the Special Admissions Ceremony.

Please Note: If you are registering for both programs, you must send two separate checks and applications, one with this Form for the Program, and a second to the Clerk of the Court with your completed admission application for the Admissions Ceremony.