



U.S. COURT OF FEDERAL CLAIMS BAR ASSOCIATION



E-Newsletter

Summer Edition | July 2014

Dear Member,

We hope you enjoy our E-Newsletter. If you have any questions or comments or would like to submit an article for the newsletter, please email newsletter@cfcbar.org.

Upcoming Events



[Jul. 24: Brown Bag Series - Tips on Presenting Expert Testimony](#)

[Aug. 14: Newly Admitted Lawyers' Division Inaugural Meet and Greet](#)

[Nov. 17: 27th Annual Judicial Conference](#)

In This Issue

Letter from the Chief Judge

President's Message

The Court Community Celebrates 11th Annual Law Day Luncheon

Law Student Writing Competition (July 18 Deadline)

Brown Bag Series: Tips on Presenting Expert Testimony (July 24)

Carole Bailey Scholarship (July 31 Deadline)

Creation of "Newly Admitted Lawyers' Division" - Inaugural "Meet and Greet" Event with COFC Judges (Aug. 14)

Letter from the Chief Judge



Chief Judge Patricia
E. Campbell-Smith

Members of the United States Court of Federal Claims Bar Association, greetings. And welcome to summer.

My first order of business is to look back and congratulate the Bar Association on a wonderfully successful 11th Annual Law Day Observance Luncheon on Monday, April 28, 2014. We welcomed an audience larger than any in recent memory, and the camaraderie and good cheer in the room were noticeable. The remarks delivered by Deputy Assistant Attorney General Pamela S. Karlan delightfully highlighted the day's theme, "American Democracy and the Rule of Law: Why Every Vote Matters." You can find a more detailed discussion of Law Day-including a copy of the prepared remarks of the Deputy Assistant Attorney General-in the electronic pages that follow.

I'd like to take this opportunity to report on two bench and bar initiatives that I first mentioned at the court's judicial conference last November. The first is the

Access to Information survey project. Thank you to the 118 attorneys and 19 members of the public who responded to the call, logged on to Survey Monkey via our court's website, and completed the survey. While the majority of the feedback the court received reflects overall satisfaction with the services and information provided by the court to the bench and the public, we heard a few requests for enhanced services that we will endeavor to fulfill. As one example, many attorneys who have appeared at the court requested more dedicated spaces outside of courtrooms to relax, make phone calls, and confer with colleagues. In response, the Clerk's Office has already converted one of the court's conference rooms on the 5th floor, near our courtrooms, into publicly available conferencing space. (You may inquire about using this new space with the Operations Division once your proceeding is scheduled.) Other projects that we will be exploring as a result of the survey feedback include: 1) developing a training course for bar members on courtroom technology; 2) expanding the availability of WiFi in the courthouse; 3) increased use of videoconferencing for proceedings as appropriate, and 4) enhancing the search capability of our database on opinions and orders on the court's revamped website.

The second project is still in the pipeline: revision of the court's use of alternative dispute resolution (ADR). In approximately one week, the court will make available a second survey to solicit feedback from members of the court's bar and other attorneys regarding the use of ADR. The court is committed to the fair and expeditious resolution of all cases. Among the tools available in modern day litigation are a variety of ADR practices that enhance the chance of settlement success. The court wishes to improve the use of this important resource to the benefit of its constituency. During the month of June, the Board of Governors of the Bar Association and the court's 2014 Advisory Council reviewed the substance of the draft survey, and now we are almost ready to "go live." Next week, please keep an eye on the court's website and your emails for our request for your input on this important topic. You are strongly encouraged to participate by sharing your personal experiences and opinions regarding ADR practices.

And now, a look to the future. On November 17, 2014, the court and the Bar Association are sponsoring the court's 27th Annual Judicial Conference. Planning is in the very early stages. We at the court are looking forward to working in tandem with the Bar Association to plan an educational and engaging full day of programming and opportunities for interaction between the bench and bar. In the coming weeks, the court will make available information about the conference location and lodging reservation details for those who would like to come to Washington, DC, to attend.

Thank you for your continued support of the U.S. Court of Federal Claims.

President's Message



Lewis S. Wiener

With the recent celebration of the July 4th holiday, I hope that our membership will take a moment to break from barbeques and fireworks to remember how lucky we are that a number of very talented and courageous people more than 250 years ago worked to develop or enhance systems of government and justice that, although sometimes frustrating and not always efficient, has allowed us to maintain a free and democratic society. I also hope everyone takes time to appreciate what is hopefully one of the most important things to each of us - family and friends. I urge you also to remember and thank those members of the United States Marshall's service who diligently stand guard over the Court, greet us as we come and go and, most importantly, protect us every day.

Moving forward, the Board of Governors and I remain committed to serving all of our members. We encourage each of you to participate, contribute, attend a program, join a committee, submit something for one of our publications, invite a colleague to join the Bar Association, let us know how we're doing. Send me your thoughts and comments to president@cfcb.org. We look forward to hearing from you.

My best regards,

Lewis S. Wiener
President, Court of Federal Claims Bar Association

The Court Community Celebrates Law Day



On April 28, 2014, the Bar Association hosted its 11th Annual Law Day luncheon at the historic Willard InterContinental Hotel in Washington, DC. The luncheon was attended by approximately one hundred seventy bench and bar members and distinguished guests representing three federal courts.

The theme for Law Day 2014 was "American Democracy and the Rule of Law: Why Every Vote Matters." Following welcoming remarks from Bar Association President Lewis S. Wiener and U.S. Court of Federal Claims Chief Judge Patricia Campbell-Smith, the keynote address was delivered by Pamela S. Karlan, Deputy Assistant Attorney General, Civil Rights Division. The Deputy Assistant Attorney General was perfectly situated to comment on the day's theme, given that her primary focus at the Department of Justice is reviewing the work of the Division's Voting and Employment Litigation Sections. With her remarks, she commemorated the sesquicentennial of President Lincoln's reelection in 1864 by illustrating how that election and the events surrounding it transformed voting in America. She provided an educational and entertaining analysis of how our nation's wars and peacetimes have affected our citizens' voting privileges, civil rights, and civil liberties. By popular request, her prepared remarks appear below.

Law Day was first proclaimed by President Dwight Eisenhower in 1958, at the urging of Charles Rhyne, then-President of the American Bar Association, setting aside the 1st of day of that year as the occasion to recognize our country's "great heritage of liberty, justice and equality under law." In his proclamation, President Eisenhower especially urged the legal profession to take a leading role in promoting and participating in this observance. In 1961, Congress, by joint resolution, officially designated May 1 for the celebration of Law Day.

In addition to thanking the members of the U.S. Court of Federal Claims for their participation, we'd also like to thank the following organizations that provided generous support for Law Day this year: Covington & Burling LLP, Crowell & Moring LLP, Hogan Lovells, Marzulla Law, LLC, Mayer Brown LLP, Morgan, Lewis & Bockius LLP, Sutherland Asbill & Brennan LLP, U.S. Department of Justice, and Venable LLP.



Law Student Writing Competition (July 18 Deadline)

The United States Court of Federal Claims Bar Association conducts an annual Law Student Writing Competition. The Court of Federal Claims Bar Association is a non-profit, voluntary bar association made up of nationwide members who practice law before of the United States Court of Federal Claims. The goal of this competition is to encourage law student scholarship on current topics that fall within the jurisprudence of the United States Court of Federal Claims. The winning

entry in the competition will receive a \$2,000 cash prize and an opportunity to be published via the Association's website.

The United States Court of Federal Claims was created pursuant to Article I of the United States Constitution in October 1982, by the Federal Courts Improvement Act. The court is authorized to hear primarily money claims founded upon the Constitution, federal statutes, executive regulations, or contracts with the United States.

The cases before the court are diverse and involve a variety of statutes. They include claims arising from tax refunds, government contracts, Fifth Amendment takings (which can implicate environmental and natural resource issues), Federal procurement "bid-protests," Federal civilian and military personnel matters, intellectual property disputes, Native American tribal rights, and the federal Vaccine Injury Compensation Program.

Entries to the contest may address any topic that lies within the procedure, substance, or scope of the jurisdiction of the United States Court of Federal Claims. The rules of the contest are [posted here](#). **Entry deadline for the 2013-14 academic year is 11:59 PM July 18, 2014.**

Brown Bag Series: Tips on Presenting Expert Testimony (July 24)

Please hold July 24 open and join us for another superlative Brown Bag program, this time sponsored by the U.S. Court of Federal Claims Bar Association. The panel will include (i) Peter Dykema, Trial Attorney in the Natural Resources Section, Environment & Natural Resources Division at the U.S. Department of Justice; and (ii) Eric Bloom, a senior litigation partner at Winston & Strawn. This event will be hosted by Lewis Wiener and held at the offices of Sutherland Asbill & Brennan, 700 Sixth Street, NW, Suite 700, Washington, DC.

Although this event is part of the Brown Bag Series, lunch will be provided to all attendees and registration is required. [Please click here for registration](#).

Carole Bailey Scholarship (July 31 Deadline)

The deadline for submission for the 2014 Carole Bailey Scholarship is **11:59pm Eastern on July 31, 2014**. The U.S. Court of Federal Claims Bar Association will award at least one annual law student scholarship of up to \$5,000.00, in honor of the Court's former Chief Deputy Clerk of Administrative Services, Carole Bailey. For further details, [please click here](#).

Creation of "Newly Admitted Lawyers' Division" - Inaugural "Meet and Greet" Event with COFC Judges to Be Held on August 14 in Tayloe House

At the annual Judicial Conference, held on February 25, 2014, the U.S. Court of Federal Claims Bar Association established a Newly Admitted Lawyers' Division. Craig Schwartz, an associate at Baker Botts L.L.P. and former law clerk for Judge Wheeler, was elected the Division's inaugural President. Mr. Schwartz was the winner of the Bar Association's 2010 Writing Competition, as well as the Federal Circuit Bar Association's 2011 Writing Competition. In addition to clerking for Judge Wheeler, Mr. Schwartz formerly clerked for Chief Judge Carl Stewart of the U.S. Court of Appeals for the Fifth Circuit.

A forthcoming designate by the U.S. Department of Justice will serve as the Division's President-Elect, and will become President at the Fall 2015 Judicial Conference. Tanya Koenig, a trial attorney at the Department of Justice; Nathaniel Canfield, an associate at Venable LLP and former law clerk for Judge Christine Miller; Danielle Strait, an attorney at Maglio Christopher & Toale, P.A. and former law clerk for Chief Special Master Golkiewicz; and Meredith Daniels, an attorney at Conway, Homer and Chin-Caplan, P.C., were elected to the Division's Board of Governors. The Department of Justice will name two additional designates to the Board. Meghan Phillips, a current law clerk for Judge Merow; Danielle Sgro, a current law clerk for the Office of Special Masters; and Richard Hagerman, a current law clerk for Judge Firestone, were elected Law Clerk Liaisons. Ian Gaunt, an associate at Marzulla Law, LLC, was appointed Secretary of the Division.

All current members of the Bar Association in good standing who have been admitted to practice at the Court for less than ten years, irrespective of age, will be automatically enrolled as members of

the Division. Current Court of Federal Claims and Office of Special Masters law clerks also will be automatically enrolled as members of the Division for the term of their clerkships.

The Division will be hosting its inaugural event from 5pm to 7pm on Thursday, August 14, at Tayloe House (within the Court complex at 717 Madison). The event will be free, and will include beer, wine, and appetizers. Chief Judge Campbell-Smith, as well as Judges Wheeler and Kaplan, will speak on a panel concerning "Best Practices for Newly Admitted Lawyers Practicing Before the Court." Mr. Schwartz will moderate the panel. After the panel speaks, there will be an informal meet-and-greet with the three judges.

Immediately preceding the event, at 4:00pm, there will be a meeting in Tayloe House for all interested members of the Division who are in good standing with the Bar Association. At this meeting, those in attendance will have an opportunity to vote on ratification of the Division's recently drafted bylaws, copies of which will be distributed at the meeting.

[TO REGISTER FOR THE AUGUST 14 MEETING/RECEPTION, PLEASE CLICK HERE](#)

Going forward, the Division plans to conduct educational and social programming in conjunction with recurring Court functions, including the annual Law Clerk Breakfast held each fall and the annual Law Clerk Swearing-In Ceremony held each spring. Finally, the Division plans to work with the Court of Federal Claims Clerk's Office to establish a formal pro bono referral program for qualified pro se filers.

For more information about the Newly Admitted Lawyers' Division, please contact Mr. Schwartz at craig.schwartz@bakerbotts.com or at (202) 639-7834.

Find Us On Facebook

The Bar Association has a Facebook page where we will post the latest news, events and other important information. Click on the link below and when you get to our page click "Like" so you can stay informed.



Bar Leadership

Officers	Board of Governors	Honorary Governors
<p>President Lewis S. Wiener</p> <p>President-Elect Mary Abate</p> <p>Secretary John Fargo</p> <p>Treasurer Matthew Solomson</p> <p>Immediate Past President Rob Stewart</p>	<p>Mark Barron William Bergmann James Boland John Burd Jeffrey Chiow James Connor Ellen Lynch Altom Maglio Patricia McCarthy Edward Passarelli Ryan Pyles Kristine Tardiff</p>	<p>Honorable Patricia Campbell-Smith <i>Chief Judge</i> Hazel C. Keahey <i>Clerk</i> U.S. Court of Federal Claims</p>

The CFCBA Quarterly Electronic Newsletter is published as a free service for members of the U.S. Court of Federal Claims Bar Association. The Newsletter is for general information only and is not legal advice for any purpose. The CFCBA does not assume liability for the accuracy of the information provided.

U.S. Court of Federal Claims Bar Association
Ben Franklin Station
P.O. Box 7614
Washington, DC 20044
phone: 202-220-8638

[Forward email](#)



This email was sent to sandy@cfcbbar.org by sandy@cfcbbar.org | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).



US Court of Federal Claims | Ben Franklin Station | P.O. Box 7614 | Washington | DC | 20044