



A Message from the Diversity Committee

One of the important ways in which the Diversity Committee seeks to promote diversity at Covington is by building partnerships with outside bar associations, advocacy organizations, and community groups. These groups provide valuable networking opportunities for firm lawyers, provide a chance for us to contribute to the diverse communities we are part of, and give the firm as a whole exposure to clients, peers, and potential hires who are also active in the groups. In this issue of the Diversity Update, we highlight some of these efforts.

Part of our external outreach takes the form of financial support we provide each year to an array of groups focused on diversity in the legal profession or on particular issues of importance to women, minorities, and gays and lesbians. However, our real goal is to enable our talented lawyers to forge meaningful relationships with these outside groups. Raqiyyah Pippins from the Washington office has helped us do just that through her participation in the National Bar Association, and she describes in this issue the Association and her work in the Association's pro bono and community efforts.

Raqiyyah has become an officer in the Association and is an example of one of many firm lawyers who are leaders in prominent outside groups. Other firm lawyers have leadership roles with the Lambda Legal Defense and Education Fund, the South Asian Bar Association of Washington, the Mexico Committee of the Section of International Law of the American Bar Association, and the ABA Sexual Orientation and Gender Identity Commission.

The Diversity Committee encourages others to get involved in outside groups in ways big and small. For example, we recently provided support for Pamela Sawhney from the New York office to attend the North American South Asian Bar Association's annual conference, and in this issue Pamela shares her perspective on the valuable experiences she took away from the conference. Attending a conference is a great first step toward getting to know an organization.

Finally, we have included in this issue a guest contribution from an outside group on the benefits of partnering with Covington. The submission comes from the Human Rights Campaign (HRC), a leading civil rights organization that advocates for the rights of gay, lesbian, bisexual, and transgender individuals. HRC is a long-time pro bono partner of the firm, and our close work together led the group to recognize our attorneys with their National Ally of Justice Award in 2006.

As we head toward the end of 2007, we wish everyone a joyous and healthy holiday season. And in keeping with our theme, if you are active in an outside group working on diversity issues—or want to become active in the new year—and the Diversity Committee can support your efforts, please let us know.

Linda Goldstein Mike Labson

**Linda Goldstein and Mike Labson
Co-Chairs of Covington's Diversity Committee**

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Covington Recognized as a Top Company and Law Firm for Women by *Working Mother* Magazine

Working Mother magazine recognized Covington for its family-friendly policies in two recent rankings: the “100 Best Companies” and its first-ever “50 Best Law Firms for Women.”

This is the second consecutive year *Working Mother* magazine has named Covington to its “100 Best Companies” list. The list highlights the top 100 companies in the United States based on a survey of all areas of work life, including company culture, family-friendly policies, and compensation. Covington is one of only four law firms to receive this honor; most of the entities on the list are Fortune 500 companies.

Covington also was recognized as one of the country’s 50 “Best Law Firms for Women” in a new survey conducted jointly by *Working Mother* and Flex-Time Lawyers LLC. As part of its coverage of this initiative, *Working Mother* profiled Covington in its August/September issue.



Partner Linda Goldstein (center) attended a luncheon in honor of the firm’s recognition as a top law firm for women and received an award from Deborah Epstein Henry, Founder and CEO of Flex-Time LLC (left) and Carol Evans, CEO of Working Mother Media (right).

Partner Catherine Dargan was featured in the 11-page piece, along with partners Caroline Brown, Emily Henn, and Keith Teel and associate Jenny Mosier.



Partner Catherine Dargan and her children, Addison and Morgan, were featured in the August/September issue of *Working Mother*.

Partner Linda Goldstein attended the recognition luncheon on September 24, 2007 at the Mandarin Oriental New York. “At Covington, I’ve been able to balance the demands of my practice with the demands of my family life. I’m pleased to see that Covington’s commitment to retaining and advancing women lawyers has received the recognition it deserves.”

Recent Honors & Awards

Legal Times, Diversity: A Special Report 2007

Ranked 4th in DC for number of minority lawyers.
Ranked 12th in DC for number of women lawyers.

Minority Law Journal, Diversity Scorecard 2007

Ranked in the top 50 of law firms based on a survey of minority lawyers in law firms across the United States.

Multicultural Law, “Top 100 Law Firms for Diversity”

Ranked in the top 100 for the firm’s diversity efforts and programs.

Working Mother, 50 Best Law Firms 2007

Ranked as one of the top law firms nationally based on a survey of law firms’ workforce profile, benefits and

compensation, parental leave, child care, flexibility, and retention/advancement of women.

Working Mother, 100 Best Companies 2007

Ranked as one of the top companies nationally based on a survey of all areas of work-life, including company culture, family-friendly policies, and compensation.

Yale Law Women, Top 10 Family-Friendly Firms 2007

Ranked based on a number of factors, including maternity/paternity leave, emergency and on-site child care, alternative work arrangements, and the ratio of women partners and associates.

Raqiyyah Pippins and the National Bar Association

During law school, my experiences serving the National Black Law Students Association (NBLSA) exposed me to the power and value of the National Bar Association (NBA) and the importance of transitioning the NBLSA network into life as an attorney. Founded in 1925, the NBA serves as the nation's oldest and largest national association of predominately African American lawyers and judges. With 84 affiliate chapters throughout the United States and affiliations in Canada, the United Kingdom, Africa, and the Caribbean, the NBA represents a professional network of over 20,000 lawyers, judges, educators, and law students. Since joining Covington, I have been able to work with the NBA at the national and local level, as a member of both the national organization and its local affiliate, the Greater Washington Area Chapter of the NBA (GWAC).

I was attracted to Covington because of its unwavering support of associate efforts to be active in the community. I am excited to say that Covington's commitment to diversity, pro bono, and professional development has been exemplified during my time at the firm as well. In August of 2006, I was invited to serve as the Assistant to the Chief Counsel of the NBA. In this role, I work with the Chief Counsel of the NBA, implementing the vision of the NBA's President, Vanita Banks. In September of 2006, I was also appointed as public relations chair of GWAC, a network of African American women attorneys in the District of Columbia dedicated to serving the needs of the community and enhancing opportunities for professional development.

While I was initially unsure of my ability to balance these commitments, Covington immediately extended a helping hand, providing funding and support of my efforts with NBLSA and the NBA.

Covington's commitment to diversity has enabled me to play an active role in working with both organizations to support the community. For example, this past September I worked with the NBA to foster discussion about legal and legislative issues affecting the African American community by bringing together the members of the Congressional Black Caucus during the Congressional Black Caucus Foundation's Annual Legislative Conference. With over 15 Members of Congress in attendance, the reception prompted thought provoking dialogue about the intersection between legislation and community uplift. Then, in November, GWAC successfully hosted its annual auction in support of its Malcolm X Elementary School tutoring program, senior program at the Washington Center for Aging, and the Ruth Banks Green Legal Internship Placement Program. While all of these efforts take time, Covington remains understanding and emphasizes the importance of balancing doing well (financially) with "doing good" in the community. It is because of this that I am glad to have Covington as my home.



by Raqiyah Pippins,
Covington Associate

Diversity History & Heritage: Virginia Watkin

Virginia Guild Watkin ("Ginny") entered Columbia University Law School as one of the school's few women students and graduated in 1949. At that time, Wall Street firms would not even interview women, much less hire them as associates. Ginny's first post-law school job was as a research associate with Columbia law professor Richard Powell, where she assisted in the preparation of the Annual Cumulative Supplement to Powell, *The Law of Real Property* (Mathew Bender & Co., 1952-1954). Professor Powell, obviously impressed, encouraged Ginny to apply to Covington for a legal job. Although offered an associate position, motherhood intervened with the subsequent birth of the first of her four children. After a short period with the American



Virginia Watkin

Association of University Women, Ginny was hired by Covington in March of 1952. She was one of four women lawyers at the firm.

Ginny's career at Covington was interrupted three times by increases in her family. The birth of her fourth child forced her into an early "retirement" from the practice of law at the end of 1958. Following her medical doctor husband's career venue changes, Ginny moved to Guatemala, Mexico, and finally to Massachusetts. After authoring *Taxes and Tax Harmonization in Central America* (Harvard Law School International Tax Program, 1967), co-editing *A Guide to the Income Tax Law of Brazil* (Inter-American Tax Research, Ltd. 1967), and serving [Continued on page 7](#)

A Seat at the Table: An Interview with Management Committee Member Nancy Kestenbaum

Nancy Kestenbaum, a partner in New York, represents companies and individuals in a variety of white collar criminal and regulatory enforcement matters and complex civil litigation.

Nancy served for nine years as a federal prosecutor in the United States Attorney's Office for the Southern District of New York and as Chief of the General Crimes Unit and Deputy Chief of the Criminal Division. She was elected as a member of the firm's Management Committee and



Nancy Kestenbaum

and began serving in that position in January 2007.

Diversity Update (DU): Can you describe Covington's Management Committee (MC) and how it works?

Kestenbaum: The Management Committee is a seven-member firmwide committee that manages the affairs of the firm. We meet frequently and focus on large strategy issues and the day-to-day administration of the firm. In addition to meeting as a group, MC members oversee various firm projects and constantly handle issues that arise.

DU: How does the MC decide issues?

Kestenbaum: First, we are not insular; we solicit views from around the firm. Within the committee, it is not hierarchical; we discuss the issues as a group and reach decisions only after everyone has had an opportunity to ask questions or to comment. Our firm has a very respectful culture, and this is reflected in the MC. This creates a safe atmosphere for everyone to speak their mind. We are extremely consensus-oriented and after discussing and debating the issues, we arrive at a decision.

DU: How diverse is the MC?

Kestenbaum: It is diverse in the obvious fact that we have a woman and an African American partner on the committee. But beyond that, the members reflect the firm as a whole. We represent all of the firm's major practice areas, are located in three offices, and have had varied careers inside and outside of the firm. Three of the members have been resident at some point in their careers in our London office.

We think that the breadth of experience contributes to having a healthy diversity of viewpoints on the MC.

DU: After your first year on the MC, what can you tell us about how you approach issues that are raised in the committee?

Kestenbaum: I spent most of my legal career outside the firm, so I am less familiar with some issues than some other MC members. When a new issue is raised, I ask a lot of questions and try to understand why we do things a certain way and not just accept that "it's always been done that way."

DU: What perspective do you feel you bring to the MC?

Kestenbaum: I think that I bring several perspectives to the table. First, as I mentioned, I see things from the point of view of a partner who has spent much of her legal career outside of the firm. I am also the youngest member of the MC, and I am located in New York. My background as a white collar litigator also affects the way I look at issues.

DU: You did not mention "a woman's perspective." Why not? As the only woman on the MC, do you see yourself responsible for bringing that perspective to the table as well?

Kestenbaum: I am sure that being a woman and a female attorney shapes my perspective, just as my experiences as a lawyer outside of the firm, or as a New York-based lawyer, shape my views. I am hardly the only one that focuses on these issues, however. Keith Teel takes the lead on overseeing race, gender, and sexual orientation-related issues for the MC, and every member of the MC plays an active role in pushing the firm to increase its diversity. Because of this committee-wide activism, and perhaps because Covington has had women on the MC going back 15 years, I focus on other priorities as well.

DU: How have you enjoyed the experience so far?

Kestenbaum: It's been fascinating. I've been pushed out of my comfort zone, and in the process, I've learned a tremendous amount. I've particularly enjoyed working with the other MC members and getting to know people around the firm.

Pro Bono Partnerships Yield Positive Results

The Bronx Defenders

Since 2004, Covington's New York office has assisted in the representation of indigent criminal defendants through a pro bono partnership with the Bronx Defenders, an innovative nonprofit legal services organization in the Bronx. Alongside staff attorneys from the Bronx Defenders, Covington associates have participated in trials, hearings, appeals, and other pre-trial and post-trial proceedings.

The partnership continues to yield results for both Covington and the Bronx Defenders, as well as its clients. In two recent trials, Covington associates helped secure the acquittals of two defendants, each of whom had been charged with attempted murder and other offenses. In one case, an associate argued successfully during trial for dismissal of the top counts of the indictment, including the attempted murder charge. In the other case, another Covington lawyer helped secure the victory by obtaining the suppression of out-of-court statements and a ruling permitting a self-defense charge even though the defendant had elected not to testify on his own behalf. Another associate recently assisted in the preparation of a motion challenging the admission [under *Frye v. United States*] of expert testimony related to claimed psychological syndromes purportedly suffered by the complaining witness, which the government offered to explain away behavior inconsistent with the claimed victimization.

The Bronx Defenders employs a "holistic" model of indigent legal representation, extending beyond standard criminal defense to a range of legal and social services, including housing, family and immigration court advocacy, civil rights litigation, and social services education and advocacy. A staff of social workers work with individual clients to connect them with various social services, including substance abuse treatment, skills and vocational training, and continuing education. The organization recently won a large New York City contract to defend parents in certain types of family court proceedings and was also recently awarded a grant from the New York Bar Foundation for its Stable Homes Initiative, which seeks to reduce barriers to public and affordable housing. Covington's pro bono partnership with the Bronx Defenders may broaden into these other areas as new opportunities arise.

The program has been supervised by Covington partner Ben Duke, and New York associates Siobhan Stewart, Amanda Gourdine, and Jessica Clarke are among those who have participated.

Marin County Public Defenders

In our San Francisco office, Covington has partnered with the Marin County Public Defender's Office to represent indigent criminal defendants at trial in misdemeanor cases. Supervised by lawyers at both the firm and the Public Defender's Office, Covington lawyers generally handle all aspects of a case, including investigation, pre-trial hearings, and trial. In addition to giving Covington lawyers trial and case management experience, this partnership has produced excellent results for our clients. Among the recent successes:

- *People v. J.M.* - Associate Jonathan Patchen defended J.M, who was charged with possession of narcotics. The client was acquitted after a trial lasting five days.
- *People v. L.T.* - Partner Simon Frankel represented L.T., a woman charged with domestic violence. After a three-day trial, the jury acquitted her of all charges.

Jonathan Patchen and Kelly Finley have also handled cases that have resulted in plea agreements or other disposition. Currently, there are three other misdemeanor cases being handled by our office (by Jessica Gabel, Stephen Chien, and Jason Zoladz).

In addition to these misdemeanor matters, Tara Steeley is working with the Public Defender's Office on a felony case set for trial, and Jessica Gabel is consulting on another felony case going to trial.

We look forward to the continued success of this program with the Marin County Public Defender's Office.



by Jessica Gabel and Amanda Gourdine,
Covington Associates

Attending the 2007 NASABA Conference Insights from Covington Associate Pamela Sawhney

I am a litigation associate at Covington New York. This summer, Covington sponsored my attendance at the fourth annual North American South Asian Bar Association Conference (“NASABA”), which was held in San Francisco, California. NASABA is a national South Asian bar association formed in 2003, which now encompasses 24 local chapters. The conference featured a variety of workshops, seminars, panel discussions, and networking opportunities, including a reception at the Asian Arts Museum, and an awards banquet honoring several of the South Asian community’s most accomplished attorneys.

The days were filled with networking sessions, various workshops, and many different panel discussions. The panels ranged from more traditional legal topics, such as “Emerging Trends: Recent Developments in Patent Law,” to more edgy and controversial subjects, such as “The Real Story: Life as a South Asian Associate,” and “The Diversity Card - Overplayed or Still a Winning Hand?” NASABA attracted panelists from many walks of legal life: law firm partners and associates, general counsels, directors of litigation of private companies, lawyers in academia, and others. Despite their diverse backgrounds, the panelists’ advice for young attorneys almost uniformly stressed finding and keeping strong mentors and creating a work environment where others rely on our own unique base of knowledge, skills, and talents.

But the overall chemistry of the conference, and the attendees, was most notable to me. I had anticipated a largely older crowd of well-established attorneys; but the attendees were mostly, like myself, young lawyers. As a relatively new associate, I tend to feel young in many professional environments. The NASABA Convention, however, was a sea of South Asian youth. It dawned on me there that we are truly the first sizable wave of South Asian lawyers. While the South Asian community does not want for professionals, the favored path has tended to be medicine, engineering, or sciences of some sort. Many of us, in fact, are the first lawyers in our family. As one speaker pointed out, the banquet hall was filled with the “rebels” who opted for law school over medical school. At my table, we knowingly shared stories of the day we nervously told our parents that we were not going to be doctors.

For this reason, conference organizers could not seem to stress enough what an accomplishment it was to have over 700 South Asian lawyers in one room together. We were the minority within the minority, and we were proudly reaching a critical mass.

Interesting, too, was the focus on family at this conference. Several of the banquet speakers began their speeches by encouraging us to thank our parents, honor our parents, and be grateful to our parents for choosing the often difficult life of an immigrant in order to give their children a shot at the “American Dream.” One of the conference organizers fondly recalled growing up with his father’s penny-pinching ways, conjuring up images of yard sales and dollar stores, to which many of us, given the laughter in the room, could relate. Then, with unabashed amazement and pride, the speaker juxtaposed these images with the fact that he paid \$40 dollars for parking at the hotel in which the conference was being held. Although laughter abounded, the message was clear: our parents’ sacrifices had literally paid off. Our success was a tribute to them.

At first I was a bit perplexed at this focus on family, wondering if it was somehow misplaced in a professional setting. Looking back, however, I realize that this was precisely the point of the conference, and the association generally—to merge our professionalism with our South Asian heritage and culture, of which a focus on family, and respect for parents and elders, is a large component.

The conference was an enriching experience on both a professional and personal level. We discussed emerging trends in law and issues facing minorities in the legal profession while enjoying traditional Indian cuisine and bonding over shared experiences. I am grateful for Covington’s support, and I look forward to attending similar events in the future.



by Pamela Sawhney,
Covington Associate

HRC Partners with Covington to Make History

The Human Rights Campaign (HRC) is the country's largest civil rights organization dedicated to achieving equality for gay, lesbian, bisexual and transgender (GLBT) individuals and their families. HRC seeks to improve the lives of GLBT Americans by advocating for equal rights and benefits in the workplace, ensuring that families are treated equally under the law, and increasing public support among all Americans through innovative advocacy, education, and outreach programs. Its efforts include lobbying elected officials, mobilizing grassroots supporters, educating Americans, investing strategically to elect fair-minded officials, and partnering with other GLBT organizations.



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Covington began working with HRC in 2004, when David Remes provided advice on the federal marriage amendment. Since then, David and other firm attorneys have provided continuing counsel on the issue of marriage equality for gay and lesbian people. They have also advised the organization on a wide range of other issues, including whether Title VII can be used to protect gender non-conforming individuals; the constitutionality of conscience clauses, which allow religious institutions to refuse to serve certain individuals in medical and other services, including adoption; and the potential use of the Commerce Clause in providing jurisdiction for hate crimes legislation.

Most recently, Abby Corbett and Nicole Gilkeson successfully represented Covenant Baptist Church in small-claims court in a case referred to Covington by the HRC. In that case, a parishioner sued the church for the return of financial contributions she had made to the church because the church pastors had performed same-sex unions. During the court-mandated negotiation, in which Abby and Nicole participated, the plaintiff ultimately agreed to withdraw her complaint.

"When it comes to our civil rights work, it's incredibly important that we not only have history on our side, but also Covington & Burling," said Legislative Director Allison Herwitz. "Whether it is defending the United States Constitution from discrimination or defending our allies in the faith community, Covington exemplifies the range and importance of pro bono civil rights work that a firm can do," she added.

In 2006, HRC honored Covington with its National Ally of Justice Award, which was created to recognize those in the legal profession who have made significant contributions to HRC's work.

by Lara Schwartz,
Human Rights Campaign Legal Director,
and Stefanie Doebler,
Covington Associate

Ginny Watkin Profile, continued

Continued from page 3 as associate counsel to the Massachusetts Crime Commission, Ginny became a part-time lawyer with Herrick, Smith in Boston, and after moving to full-time, she was elected a partner.

Her short but highly impressive stint at Covington had not been forgotten by senior Covington partners, who invited her back to the firm as our first woman partner. Fortunately for the firm, she accepted the offer on July 1, 1974. By December of that year, Ginny was one of seven women among the firm's 142 lawyers.

Ginny almost immediately became indispensable to the firm. Her expertise spanned a wide area of the law, including general litigation, antitrust counseling and litigation, employment counseling and litigation, administrative agency proceedings, and insurance litigation. She worked on matters including litigation against manufacturers and vendors of polybutylene

water pipes; administrative proceedings before the U.S. Department of Labor involving audits and grants awards under the federal Comprehensive Employment and Training and Job Training Partnership Acts; representing the Puerto Rico Department of Education in response to sanctions imposed by the U.S. Department of Education; and representing the plaintiffs in the famous Texas City Disaster case in their appeal to the Supreme Court.

While heavily engaged in the practice of law, Ginny assisted substantially in the administration of the firm. She served as chair of the Administrative Committee for a prolonged period of time and managed the Trial Advisory Training Program for several years. She also was a charter member of the committee dealing with lawyers who wished to work part-time. We are proud of Ginny, who has added so very much luster to Covington during her distinguished career.

by Jim McKay,
Senior Counsel

Recent Events

Mentoring and Networking Events

- 12/06 DC Minority Attorney Networking Series at the Hyatt Regency Washington.
- 12/05 NY Women's Forum luncheon presentation on financial planning for women presented by a financial planner from Citigroup.
- 10/18 "Meet the new partners" Women's Forum lunch featuring **Kerry Burke**, **Emily Henn**, and **Grail Sipes**.

Recruiting Events

- 9/04 Covington attorneys, including **Abigail Corbett**, **Christopher Moody**, and **Andrea Reister**, attended Lavender Law's annual career fair on September 4-6, 2007.

Sponsorships

- 11/7 National Women's Law Center Anniversary Dinner. Partner **Emily Henn** was nominated for inclusion in the NWLC's new Leadership 35 Committee.
- 11/1 Southern Center for Human Rights' "Frederick Douglass Human Rights Awards Dinner."
- 9/18 Women's Bar Association "Stars of the Bar" reception honoring women judges on the DC Court of Appeals, including former partner **Phyllis Thompson**.
- 9/08 Asian Pacific Islander Legal Outreach Anniversary Celebration.

Training Sessions

- 9/27 Lunch program on client and business development initiatives and presentation by **Nancy Kestenbaum**.

Covington Attorneys Attend Lavender Law Conference



Associates **Abigail Corbett** and **Christopher Moody** were among the Covington lawyers who attended the Lavender Law Conference in Chicago, IL on September 4-6, 2007.

Contributing to our Diversity Efforts

If you would like to become more involved with diversity efforts at Covington or contribute information to upcoming issues of the Diversity Update, please contact Linda Goldstein at LGoldstein@cov.com or Mike Labson at MLabson@cov.com.