Diversity Committee Message

Covington has engaged in many initiatives over the past several months focusing on diversity and inclusion, and we want to devote this issue to highlighting some of these efforts. Many attorneys at the firm have actively participated in these initiatives, including the members of our Management Committee. While certain individual initiatives are described more fully in this update, we want to highlight some general themes.

Our Enduring Commitment to Diversity and Inclusion Paves the Way for New Initiatives. Covington recognizes that having lawyers who bring a wide variety of backgrounds, perspectives, and life experiences is a source of strength. We are committed to maintaining a diverse and inclusive environment where all attorneys and staff have opportunities to grow professionally and succeed, without regard to race, ethnicity, national origin, gender, gender identity, age, religion, disability, veteran status, sexual orientation, background, and any other improper criteria. While we take pride in our past accomplishments, the Management Committee, following reports received from the Diversity Committee and The Special Committee on Women, recently implemented a series of new initiatives that will benefit all firm attorneys and expand our diversity and inclusion efforts. Tim Hester reports more on this in his message.

Our Diverse Partner and Associate Talent Continues to Expand. In 2012 Covington elected several new women and other diverse partners through internal promotion as well as lateral hiring, and the practices of these partners collectively span several substantive areas and geographic regions. Profiles of some of these partners can be found on pages 6-7.

Our Leadership in Diversity Continues to be Widely Recognized. Many organizations continue to recognize Covington for its leadership in diversity. For example, Working Mother magazine recognized Covington as one of the nation’s 100 best companies for the seventh consecutive year. The Human Rights Campaign Foundation also recently awarded Covington a 100% rating for our commitment to LGBT equality for the fifth consecutive year. And the Women in Law Empowerment Forum (WILEF) recertified Covington as a gold standard firm for the leadership roles held by our women partners within the firm.

Our Attorneys Are Diversity Leaders. Many of our colleagues also champion diversity outside the firm. For example, Bruce Deming currently serves

(Continued on page 9)
I am pleased to announce that Catherine Dargan and Louise Nash have been elected to the Management Committee of the firm. The election of Louise and Catherine reflects a strong view that we need to continue planning for the future by adding relatively younger partners to the Committee. It also reflects widespread support for adding more diversity to the Committee—both in terms of gender and geography. Catherine is based in Washington, DC and Louise is the former managing partner of our London office.

The election of Catherine and Louise comes less than a year after the formation of The Special Committee on Women and within three months of the delivery of the Special Committee’s comprehensive review of the firm’s performance in the recruiting, development, and retention of women—and its identification of ways we could improve in these areas. The Special Committee’s views were endorsed by a parallel Diversity Committee review.

We are committed to further improvements in the recruiting, development, and retention of women lawyers. But it also bears mention that our track record to date has been solid compared to other major law firms. The Association for Legal Career Professionals reports that the percentage of female associates in law firms nationwide dropped—for the third straight year—to 40%; our percentage of female associates remains at roughly 50%. The National Association of Women Lawyers reports that, nationwide, 15% of equity partners are women. A recent National Law Journal study ranked us among the leading firms in terms of our percentage of women equity partners—at around 22%. With the election of Louise and Catherine, one-quarter of the seats on the firm’s Management Committee are held by women.

The Special Committee made a number of recommendations that touched on client development in particular. One recommendation is that we should do more to build on the strengths of our senior women lawyers and the emphasis our clients place on gender and other diversity. To assist our focus on these issues, Miriam Guggenheim has agreed to join Mitchell Dolin in leading our relationship management, marketing, and client development efforts.

The Special Committee also made a number of other recommendations about ways to ensure that women partners and other senior women lawyers have a full and fair chance to flourish. The Management Committee has developed a series of implementation steps based on the findings and recommendations of the Special Committee’s report, and the parallel views expressed by the Diversity Committee. These steps, in the aggregate, address almost all of the Special Committee’s recommendations.

Some of these steps are straightforward and can be accomplished fairly quickly; others will take more time and more sustained effort. All of the recommendations warrant our attention and energetic follow-up—and the firm will be a better place as a consequence. Ensuring that women lawyers have the opportunity to succeed fully is a matter of basic fairness, and it’s essential to the success of the firm as a whole. It is also critically important that women associates and the next generation of women recruits see a clear and realistic path to success as senior lawyers at the firm.

This is not a zero-sum game where promoting the success of women lawyers subtracts from the opportunities for men. To the contrary, when we promote the success of our women we make the firm stronger as a whole—to the benefit of all.
Covington Participates in NAPABA’s 4th Annual Convention

Covington once again sponsored the National Asian Pacific American Bar Association (NAPABA) Convention, which was held in November in Washington, DC. This year’s NAPABA Convention celebrated the substantial contributions Asian Pacific American attorneys have made to the Asian Pacific American community’s advancement, first in advocating for basic civil rights, and also, in succeeding at the highest levels of business, law, and politics. Events at the convention included a gala banquet featuring remarks by U.S. Supreme Court Justice Sonia Sotomayor as well as numerous CLE panels and networking opportunities.

One of the CLEs at this year’s NAPABA Convention featured one of our successful and important pro bono representations. “Postscript to Chinese Exclusion: The Successful Quest for Redress 130 Years Later” discussed the Asian Pacific American community’s efforts to secure the passage of resolutions in the 112th Congress addressing the Chinese Exclusion Act of 1882. Martin Gold, former co-chair of the firm’s public policy and government affairs practice group, participated as a panelist and associate Erica Lai, who worked on the matter, introduced and moderated the panel.

Covington Attorneys Attend North American South Asian Bar Association Convention

In June, Covington Associates Neel Maitra and Neema Trivedi attended the North American South Asian Bar Association’s ninth annual convention in Philadelphia. Covington was once again a sponsor of this event, which featured panels on topics ranging from the impact of 9/11 on the South Asian community to cross-border transactions and intellectual property issues. Recent legal and political developments set the stage for several stimulating conversations on a variety of topics including healthcare, immigration, and much else.

The convention highlighted both the community’s growing representation in the legal profession as well as the diversity of the roles played by South Asian attorneys across the US—from those serving in government positions to corporate attorneys, sports agents, community organizers, and political leaders. Panels on substantive legal areas as well as career advice, mentoring, and gender and community issues took place throughout the weekend.

Neema Trivedi, who served on the programming committee for the convention, assisted in organizing a lively and well-attended panel on sports law moderated by ESPN Sportscenter Anchor Kevin Negandhi. The panelists, including former Covington attorney Hrishik Karthikeyan who is currently in the legal department at NBA Properties, discussed careers in the field as well as recent legal developments such as the NFL lockout and the formation of the Bowl Championship Series’ new postseason format. "I was pleased by the level of interest in the panel," Neema said. "South Asians have traditionally been underrepresented in the sports industry, so it was encouraging to have an esteemed panel of South Asian lawyers who have done very well for themselves in the field and who were willing to share their experiences and advice."

Covington Again Supports Robert E. Wone Judicial Clerkship and Internship Conference

Covington was once again a sponsor and supporter of the Robert E. Wone Judicial Clerkship and Internship Conference held on October 13 in Washington, DC. Each year Covington supports this important conference by providing "save the date" cards, invitations, and programs.

Named in memory of a former Covington attorney, the conference aims to educate law students on the array of clerkships and internships available throughout the federal and state trial, administrative, and appellate courts. The conference features judges and law clerks who describe the work of their courts and their own experiences, and explain the application process and the selection criteria for clerkships and internships in their courts.
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Diversity Around Covington (cont.)

**Covington Attorneys Attend California Minority Counsel Program's Annual Conference**

On October 9-10, Haywood Gilliam, Tammy Albarrán, and Clara Shin attended the California Minority Counsel Program's (CMCP) 23rd Annual Business Conference, which Covington proudly sponsored. Over 500 in-house and outside counsel attended the conference in San Francisco, including in-house lawyers from HP, Disney, Microsoft, Clorox, Safeway, and Oracle.

Haywood Gilliam served on the conference organizing committee and spoke on a panel about crisis management at the conference's plenary session with Mike Bennett, senior vice president and general counsel of litigation at Walmart; Mike Sitrick, Los Angeles strategic communications expert; and Damon Darlin, technology editor for the New York Times. Other highlights of the program included a roundtable discussion featuring the general counsels of Gap, Inc., Bank of the West, and Sony Optiarc, and a keynote address by Bernard Tyson, president and chief operating officer of Kaiser Permanente.

The CMCP conference offers a unique opportunity for attorneys of color to develop and deepen relationships with lawyers at companies dedicated to diversifying their outside counsel teams. The conference was an excellent opportunity to represent Covington to current and potential clients with deep West Coast connections and a proven commitment to diversity.

**Bruce Deming Continues Service to Lambda Legal**

Bruce Deming is now serving the second year of his two-year term as co-chair of the Board of Directors of Lambda Legal, the nation's oldest and largest civil rights organization focused on achieving the full legal equality of LGBT people and their families through impact litigation. Bruce was in Dallas, Texas, on October 12-14 for Lambda's fall board meeting.

Lambda Legal has an active docket of about 75 litigation matters in approximately 20 states. Lambda's foundational work on behalf of LGBT civil rights has been widely recognized, including most recently by Guidestar, a non-profit watchdog, which ranked Lambda Legal #1 of about 30 national LGBT organizations.

In *Golinski v. United States Office of Personnel Management*, Lambda Legal secured rulings in the district court and in the Ninth Circuit Court of Appeals that the Defense of Marriage Act (DOMA) improperly denied health benefits to the lawful same-sex spouse of an employee of the Ninth Circuit. In *Diaz v. Brewer*, the state of Arizona has sought review of a Ninth Circuit Court of Appeals ruling upholding a district court's stay of implementation of an Arizona statute that would have taken away health benefits from domestic partners of state employees.
Tagliabues and Covington Team Up For LGBT Rights

Partners and associates from Covington’s New York office attended the 32nd annual PFLAG NYC awards dinner and silent auction on October 15. PFLAG NYC (which stands for Parents, Families and Friends of Lesbians and Gays of New York City) is the founding chapter of PFLAG, the nation’s foremost family-based organization committed to the civil rights of LGBT people. Launched in New York City in 1973 by mothers and fathers who stood up for their gay children, PFLAG NYC started a national movement that now has more than 250,000 members and supporters in over 500 chapters throughout the United States. Drew Tagliabue, son of Covington Senior Of Counsel Paul Tagliabue, serves as PFLAG NYC’s Executive Director.

Paul and his wife also donated $1 million to Georgetown University in order to establish the Tagliabue Initiative for LGBT Life: Fostering Formation and Transformation, and have been active in the campaign to defend Maryland’s same-sex marriage law. “We had the privilege of raising our family in Maryland. We have the privilege of now living in the District of Columbia. We’ve lived in New York where they passed marriage equality. We spend time in the summer in Maine, where they are fighting it again. I think this is the time to view this not as an expense, but as a capital investment in our nation’s infrastructure,” Paul said during a Marylanders for Marriage Equality fundraiser that he and his wife Chan recently attended.

London Office Holds First Diversity Committee Meeting

The newly-expanded London office Diversity Committee held its first meeting on September 27. Lisa Peets, Chris Bracebridge, Matt Edwards, Tracey Latteman, and Philippa Crompton met to discuss coordinating local diversity initiatives in the London office, and participating in firm-wide initiatives as appropriate. The committee is also responsible for complying with the Legal Services Board’s new requirement that firms with offices in the UK develop plans for the collection and publication of diversity data by the end of 2012.

One of the topics that the committee discussed was the Warwick Multicultural Scholars Programme, a philanthropically-funded initiative run by the University of Warwick, England, that supports law students from diverse and non-traditional backgrounds by increasing their participation levels in the legal sector and enhancing their career prospects in law. Students in the program must meet tough academic entry standards and also come from a low-income household. They are provided financial assistance and on-going support from a personal tutor. They can also participate in mentoring, work experience, and other networking activities, both within the University and externally with law firms.

The program is funded by personal donations and law firm sponsorship. Covington has been a sponsor since 2010. In addition to donating to the program, Covington has provided mentoring opportunities to three students in the London office and has plans to expand the number of Covington attorneys who participate as mentors. The London office will also host a networking event in March during which students will present about their experiences and be able to network informally with Covington attorneys.

Kyle Rabe, Robert Heller, William Collins, and Ron Hewitt attend the PFLAG NYC awards dinner.
New Diverse Partners

Susan joins Covington from Northrop Grumman Corporation where she was senior counsel in the company’s Information Systems Sector, supporting both the Intelligence and Defense markets. Susan has significant experience conducting and resolving internal investigations and audits in response to inquiries from the Justice Department, various inspectors general, and the Defense Contract Audit Agency. She has represented clients at all stages of federal and state court and agency litigation, including bid protests before the Government Accountability Office and the U.S. Court of Federal Claims. Susan received her law degree from the American University Washington College of Law, and her undergraduate degree from the University of Massachusetts at Lowell.

Casey is an experienced civil and criminal litigator with particular expertise in handling white collar defense matters and international fraud and bribery investigations. He has successfully represented clients in fraud and corruption investigations arising in the United States, the EU, Russia, the CIS, Asia, Africa, and the Middle East and has defended corporations and individuals in investigations launched by the U.S. Department of Justice and the Securities and Exchange Commission. Casey served in the Clinton administration’s Justice Department in the Office of the Deputy Attorney General before moving into private practice. Casey earned his law degree from Stanford and his undergraduate degree from Yale.

Nora joins Covington’s securities and capital markets group where she advises companies and underwriters in initial public offerings and other capital market transactions. She has led more than 100 initial public and follow-on offerings, primarily by growth-oriented technology and biotechnology companies based in Silicon Valley. Nora also has extensive expertise in cross-border corporate transactions, including initial public offerings on the Alternative Investment Market of the London Stock Exchange and the registered direct offering of ADS securities on Nasdaq. Nora received her J.D. from University of San Francisco Law School and her B.A. from University of California, Berkeley.

Lynn is a former prosecutor in the U.S. Attorney’s Offices for the Southern District of New York where she was the Chief of the Major Crimes Unit and coordinator of the Criminal Health Fraud Unit. Following her tenure as a federal prosecutor, Lynn was senior counsel at Johnson & Johnson, where she was responsible for handling criminal and internal investigations and advising on compliance and regulatory matters, including those related to the FCPA. Most recently, Lynn practiced as a white collar partner at an international law firm. She earned a bachelor’s degree from Tulane University and a law degree from Georgetown University Law Center.

Clara is a partner in the firm’s San Francisco office and a member of the litigation practice group. She has more than a decade of experience representing companies in cutting-edge intellectual property disputes, including copyright and trademark infringement litigation. She also has broad civil litigation experience, including a significant number of securities enforcement litigation matters. Clara’s previous experience includes serving as a special assistant and White House Fellow in the White House Office of the Chief of Staff and working on the creation of the AmeriCorps program. She has been named a “Northern California Rising Star” for the past three years. Clara received her law degree from Stanford Law School and her B.A. from Smith College.
Newly Promoted Diverse Partners

Shaoyu is the managing director of Covington's China food and drug practice. He has over 10 years of experience in food and drug law, including serving as assistant chief counsel in the U.S. Food and Drug Administration's Office of Chief Counsel, as senior counsel at California-based Amgen Inc., and as chief compliance counsel for GE Healthcare (China). Shaoyu represents pharmaceutical, biotechnology, medical device, food, dietary supplement, and cosmetic companies in matters before the China State Food and Drug Administration, the U.S. FDA, and other government agencies. A native of China, Shaoyu received his undergraduate degree from Peking University and his law degree from the University of Nebraska College of Law.

Holly is the vice-chair of the firm's public policy and government affairs practice group. She came to Covington after years of public service as policy director for Senator Edward M. Kennedy. Holly handles public policy, legislative, and regulatory matters for clients in healthcare, tax, intellectual property, employee benefits, energy, and education. Drawing on her extensive congressional and private sector experience, Holly offers clients comprehensive advocacy services, including strategic advice and substantive expertise. She graduated cum laude from the University of Michigan Law School and with honors from Oberlin College. Holly clerked for Judge John Feikens of the U.S. District Court for the Eastern District of Michigan. She is an adjunct visiting lecturer at the Harvard Kennedy School.

Rukesh has for more than a decade focused on commercial litigation and complex insurance coverage cases. He has advised clients and litigated cases seeking insurance for property damage, business interruption, contingent business interruption, extra expense, civil authority, construction defect, E&O, D&O, asbestos, life, and environmental claims. Rukesh received his law degree magna cum laude from the University of Pennsylvania Law School. He holds an M.A. from the University of Pennsylvania and a B.A. from Columbia University, both in philosophy. He clerked for the late Judge Louis H. Pollak of the U.S. District Court for the Eastern District of Pennsylvania.

Ingrid practices in the firm's corporate group. Her corporate experience includes public and private mergers and acquisitions, finance and general corporate matters, and she has represented a number of companies in the technology and clean tech sectors. Ingrid recently served on the Covington team representing Microsoft Corp. in its $1.056 billion acquisition of the majority of AOL Inc.'s patent portfolio and a related deal under which Facebook, Inc. acquired from Microsoft the right to purchase a portion of the AOL portfolio. She received her J.D. from Harvard Law School and her B.A. from Stanford University.

Simone is a litigator who specializes in white collar criminal defense, corporate internal investigations, and complex civil litigation. She has represented corporate and individual clients in parallel criminal and civil proceedings conducted by the Department of Justice, the Securities and Exchange Commission, and other federal and state agencies, as well as in congressional investigations. Simone previously served as an assistant counsel in the DOJ’s Office of Professional Responsibility, and as an assistant U.S. attorney in the District of Columbia. She received her undergraduate and law degrees from Stanford University with distinction and from Georgetown University Law Center, respectively. She clerked for the late Judge Aubrey E. Robinson Jr. of the U.S. District Court for the District of Columbia.
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Covington Receives Women in Law Empowerment Forum's Gold Standard Certification

The Women in Law Empowerment Forum (WILEF) recently released its list of law firms that qualify for their 2012 Gold Standard Certification. Law firms with 100 or more practicing lawyers in the United States are eligible if they successfully demonstrate that women represent a meaningful percentage of their equity partners, of their highest leadership positions, of their governance and compensation committees, and of their most highly compensated partners. Covington was proud to be one of just 21 AmLaw 100 firms to be re-certified from the previous year.

WILEF Certification emphasizes the leadership roles achieved by equity women partners, rather than the policies or practices of the firm or the overall number or percentage of women in the partnership. In order to validate these qualifications, firms must meet at least three of the following six criteria:

- Women account for at least 20% of equity partners.
- Women represent at least 10% of firm chairs and office managing partners.
- Women make up at least 20% of the firm's primary governance committee.
- Women represent 20% or more of the firm's compensation committee.
- Women make up at least 25% of practice group leaders or department heads.
- Women represent at least 10% of the top half of the most highly compensated partners.

Lisa Peets was once again named “Best in Copyright” at the Europe Women in Business Law awards dinner which took place at the Savoy in London.

Lisa Peets leads the firm's European intellectual property group. Her practice encompasses legislative advocacy, trade and intellectual property enforcement and she works closely with leading multinationals in a number of sectors, including many of the world's best-known software and hardware companies. She is also a member of the European Commission's Expert Group on reform of the IP Enforcement Directive.

Lisa Peets

Covington Earns HRC 100% Rating for Fifth Straight Year

For the fifth consecutive year, the Human Right Campaign Foundation (HRC) has awarded Covington the top rating of 100% in the 2013 Corporate Equality Index. This year HRC had the highest participation rate to date, with 688 rated participants. Businesses rated 100% are recognized in HRC's “Best Places to Work” list.

The Corporate Equality Index was created in 2002 and provides an in-depth analysis and rating of large U.S. employers and their policies and practices pertinent to lesbian, gay, bisexual, and transgender employees. Covington's 100% rating reflects its written non-discrimination policy; sexual orientation and gender identity training; support for same-sex partners of employees with health insurance, bereavement and family leave policies; and its contribution to LGBT community organizations.

"Covington is extremely proud to be recognized with another 100% rating from HRC," said Lee Tiedrich, co-chair of the firm's Diversity Committee. "This honor reflects our dedication to an important component of the firm's strategy and culture."

Lisa Peets Named Euromoney's "Best In Copyright" for Second Year in a Row

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In addition to Lisa's award, Covington partners Natalie Walter and Hilary Prescott were shortlisted for the Euromoney awards in the “Best in Capital Markets: Equity” and “Best in Investment Funds” categories, respectively.

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Between 1879 and 1904, the United States Congress passed several pieces of legislation severely restricting the immigration of persons of Chinese descent to the United States, and substantially curtailing the civil rights of Chinese immigrants. The most notorious example was the Chinese Exclusion Act of 1882, which prohibited courts from naturalizing any person of Chinese descent, and thus denied Chinese immigrants the ability to vote or otherwise participate in the US political process.

Since the spring of 2010, Covington lawyers Martin Gold, Elizabeth Bell, and Erica Lai have been working with House and Senate staff as well as several civil rights organizations to facilitate the passage of legislation expressing regret for these discriminatory laws. Aside from taking the lead on congressional outreach and strategy, the Covington team also worked with the community groups to form the 1882 Project, a coalition dedicated to supporting the resolutions and educating the public about the history behind the laws.

After years of hard work, two resolutions expressing regret were passed by the house and Senate, respectively. The passage of these resolutions marks a historic milestone: the first formal recognition by the US government that these legislative acts violated the civil rights of Chinese persons in America. The United States has issued only four similar apologies—for its involvement in slavery, Japanese internment, Hawaiian annexation, and wrongs against Native Americans. By their votes to express regret for the Chinese exclusion laws, the U.S. Senate and House of Representatives have helped bring closure to a dark chapter in American history and reaffirmed our nation’s commitment to equality and the protection of civil rights.

Diversity Committee Message (cont.)

as the co-chair of the national board of directors for Lambda Legal and Jean Veta serves on the Washington, DC hosting and planning committee. Diversity Committee co-chair Tammy Albarrán and Sarah Wilson are members of the advisory board of WILEF. Tony Lopez was instrumental in arranging for Covington to host a Hispanic Bar Association of DC reception in our office. Deanna Kwong serves on the board of Asian Pacific Islander Legal Outreach. Haywood Gilliam is active in the California Minority Counsel Program, and is a member of the planning committee for its annual business conference. And for about a decade, Michael Baxter has organized the DC Road Show, which is aimed at encouraging African American law students to practice at large DC firms.

Expanding Our Diversity Activities. The Diversity Committee believes it is important to support diversity and inclusion broadly both within the firm and in the larger community. We welcome your ideas and participation.

As you will see from this issue, across all of our offices, Covington is actively engaged in creating and fostering diversity efforts in a variety of areas.

Diversity In Pro Bono. Many of our pro bono representations continue to reflect our commitment to diversity and inclusion. As outlined in the above article, Covington was instrumental in obtaining a Congressional expression of regret for a series of laws that discriminated against Chinese immigrants during the late 19th and early 20th centuries.
Honors & Awards

Human Rights Campaign Foundation
Ranked 100% for the fifth straight year on the HRC "Corporate Equality Index" survey that provides an in-depth analysis and rating of large US employers and their policies and practices pertinent to gay, lesbian, bisexual and transgender employees, consumers and investors.

Working Mother Magazine
Covington was named as one of the "100 Best Companies" by Working Mother magazine for the seventh consecutive year.

National Association of Corporate Directors
Keir Gumbs was named to its "People to Watch" list for the second year in a row.

Daily Journal
Bruce Deming was named to the Daily Journal's "Top 100 Lawyers in California."

Euromoney Legal Media Group
Lisa Peets was named "Best in Copyright" at the second annual Women in Business Law awards dinner.

Sponsorships & Events

Recent
10/2 Georgetown Women's Law & Public Policy Fellowship Program Annual Luncheon
10/9-10 California Minority Counsel Program 23rd Annual Business Conference
10/12 Asian Pacific American Bar Association of Silicon Valley's 2012 Scholarship & Diversity Awards Banquet
10/13 Robert E. Wone Judicial Clerkship Conference in Washington
10/14 National Women's Law Center Awards Dinner in Washington
11/15 Out and Proud Corporate Counsel Award Reception in London
12/1 South Asian Bar Association of DC Public Interest Fellowship Benefit Gala in Washington

Upcoming
3/21 Asian American Bar Association of the Greater Bay Area Annual Dinner
3/21 LeGal Foundation Annual Dinner in New York

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 Tammy Albarrán at talbarran@cov.com, Keir Gumbs at kgumbs@cov.com, Loretta Shaw-Lorello at lshawlorello@cov.com, or Lee Tiedrich at ltiedrich@cov.com.