

# D+I DOWNLOAD

## CAMPUS EDITION



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Welcome to the third issue of the MoFo D+I Download:  
Campus Edition!

## A MESSAGE ABOUT THE MOMENT

“While the firm has a historical commitment to diversity and racial justice, we must do more to help, take action, enact change, and protect our colleagues, clients, and communities.”

- [Larren M. Nashelsky, Chair](#)

We are all dealing with a raft of emotions in the wake of protests across the country in support of the Black Lives Matter movement. [Larren Nashelsky](#), [Mark Whitaker](#), co-chair of the [Diversity Strategy Committee](#) (DSC), and Natalie Kernisant, Director of Diversity + Inclusion, offered their own reflections and shared emotions about these issues, reinforcing MoFo’s principles, and reiterating the firm’s continued support for our communities of color and civil rights. MoFo continues to find ways for the firm to support our own personnel and to advance civil rights and equity, both within MoFo and in our larger communities.

Read on to learn more about some of our efforts in this area.

### **Urging the Repeal of Civil Rights Law Section 50-a**

MoFo Firm chair [Larren M. Nashelsky](#), together with over 30 leaders of major law firms with offices in the state of New York, wrote to [Governor Cuomo](#) and the leaders of the State Legislature to urge the repeal of Section 50-a of the state’s Civil Rights Law. Initially written as a modest protection for police personnel records, 50-a has become an immense barrier to the accountability for police misconduct that is so urgently needed to build confidence in our police departments, especially among communities of color. On Friday, June 12, 2020 — as part of a package of law enforcement reforms following the death of George Floyd — Governor Andrew Cuomo signed into legislation a measure repealing 50-a.

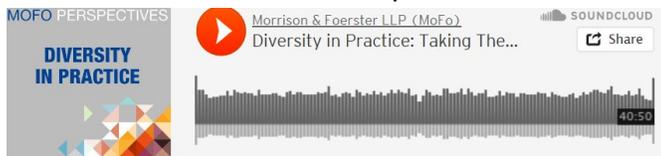
## Learning How to Become a More Effective Ally

Terra Winston of Next Step Partners led workshops open to the entire MoFo family on how to be an effective ally. There were three opportunities to attend this workshop, each introduced by a different partner with some personal reflections on the importance of allyship. Following the trainings, we launched an [“Allyship is Action”](#) campaign showcasing a diverse variety of our attorneys’ voices and viewpoints, promoting the concept of allyship and ways to help both ourselves and others understand how to be a more effective ally to marginalized and underrepresented communities.

## Created a Diversity + Inclusion (D+I) Podcast

As part of our [“MoFo Perspectives”](#) podcast series, the D+I Group was excited to launch a bi-monthly “Diversity in Practice” podcast, designed to raise awareness and inform on issues at the intersection of D+I and the law.

Click below to listen to the first episode.



## Participated in the 21-Day Racial Equity Habit Building Challenge

The MoFo leadership team, including chair Larren Nashelsky, invited the entire MoFo family — including our 2020 summer associates — to participate in the [21-Day Racial Equity Habit Building Challenge](#), which involved reading, watching, or listening to various items intended to build knowledge about America’s racial history. To supplement the experience, the D+I team facilitated a series of weekly Zoom sessions open to all attorneys, staff, and summer associates to discuss the prior week’s materials.

## Established Engagement Committees on Racial Justice

In response to the killing of George Floyd and the ongoing movements in support of civil rights and against police brutality, the Diversity Strategy Committee, D+I team, and leadership created three firm-wide engagement committees organized around [three key areas](#):

- **Education** – This committee will help develop and deliver educational programming around racial injustice; execute a new allyship campaign; and curate, vet, and circulate other helpful educational resources.
- **Community Action** – This committee will help develop and deliver community healing and community engagement programming, including researching and vetting volunteer opportunities.
- **Legal Services** – This committee will work with the pro bono team to come up with new ways and opportunities, outside of the firm’s pro bono program, to provide legal services in support of social justice movements and develop ways to partner with clients in this space.

## Learning How to Talk to Your Kids About Race

Our children will be exposed to many influences throughout their lives, and the goal of most parents is to be the chief influence. Conversations about race are often difficult for adults; they are uniquely challenging discussions to have with children. To assist in grounding our children in these conversations, the Diversity and Women’s Strategy Committees co-sponsored a series of webinars facilitated by **Denica Gordon-Mandel**, licensed clinical social worker (LCSW) and founder of the organization Raising Compassionate Leaders. An LCSW based in Los Angeles, Denica provides therapy to pre-teens through adults. Denica was later joined by Raising Compassionate Leaders co-founder **Christina Johnson** for a discussion on the topic with MoFo Director of Diversity + Inclusion Natalie Kernisant on an episode of the [Diversity in Practice Podcast](#).

## RESOURCES AND INFORMATION

For more information on how the firm stands against racial injustice, please visit [Responding to Racial Injustice on MoFo.com](#).

# MOFO CELEBRATES ASIAN PACIFIC HERITAGE MONTH & PRIDE MONTH

## ADVANCING JUSTICE PRESENTATION – ASIAN LAW CAUCUS

On Thursday, May 14, 2020, MoFo welcomed Aarti Kohli, the executive director of [Advancing Justice – The Asian Law Caucus](#), to give a presentation about the history, contributions, and challenges in the Asian American and Pacific Islander community for Asian Pacific American (APA) Heritage Month. Aarti discussed the history of the Asian community and its unique needs and issues, as well as the ways that Advancing Justice has responded. New York Litigation associate Eric Lin, acting chair of the New York Asian Affinity Group, moderated a brief question and answer session following the presentation.

Aarti also discussed the rise in anti-Asian bias and discrimination that has erupted as a result of fueling xenophobia and blaming Chinese people for the COVID-19 pandemic. She provided a helpful framework on how to be an “upstander,” or a person who stands up to others who are faced with discrimination or bias.

## ASIAN PACIFIC HERITAGE MONTH PARTNER PANEL

MoFo has welcomed a number of new Asian attorneys to the partnership over the last few years, both through lateral hiring and partner promotions, three of whom were featured on a panel for APA Heritage Month: San Francisco Litigation partner [Bonnie Lau](#), New York Litigation partner [Haima Marlier](#), and San Diego Litigation partner [Julie Park](#). They discussed their individual paths to partnership and how identity impacted their experiences and perspectives along the way. More specifically, they talked about how navigating the world as a racial minority allowed each of them to develop and master invaluable skills like code-switching, authentic communication, and cultural fluency, which are skills that have proved tremendously helpful in their practices. They also spoke about the importance of mentors and sponsors, the value of having diverse case teams, and the importance of being kind. The panel was moderated by San Francisco Technology Transactions associate

[Evangeline Phang](#), who is the chair of the San Francisco Asian Attorneys Affinity Group.

## LGBTQ+ PARTNER PANEL DISCUSSES *BOSTOCK V. CLAYTON COUNTY GEORGIA*

On Wednesday, June 24, 2020, New York Litigation associate [Katie Viggiani](#) moderated a panel discussion with four LGBTQ+ partners to mark Pride Month. Washington, D.C. Finance partner [Susan Gault-Brown](#), San Francisco Litigation partner [Joyce Liou](#), New York Corporate partner [John Owen](#), and Washington, D.C. Litigation partner [John Smith](#) shared insights about their careers and practice areas.

The partners also discussed the recent U.S. Supreme Court decision in *Bostock v. Clayton County Georgia*, which found that employers who fire an employee for being gay or transgender violate Title VII of the Civil Rights Act. Until the decision in this landmark case, there was a patchwork of regulations depending on the jurisdiction that provided varying degrees of protection based on gender identity and sexual orientation. The decision in *Bostock* extends much-needed protections to LGBTQ+ individuals across the nation.

## PRIDE PANEL DISCUSSION OF LGBTQ+ PROGRESS & ALLYSHIP

On Tuesday, June 30, 2020, New York Corporate partner and co-chair of the Blockchain + Smart Contracts Group [Dario de Martino](#) moderated a panel discussing LGBTQ+ progress and allyship featuring three esteemed members of the LGBTQ+ legal community:

- **Jacob Bishop**, Senior Counsel and Head of IT and Security Legal at The Vanguard Group
- **Cristhian Escobar**, Associate Director at Scotiabank
- **Ellie Krug**, a trial attorney and civil rights advocate who became one of the first attorneys to try jury cases as both a man and a woman

The panelists discussed their own professional paths, as well as some of the recent legal developments in the LGBTQ+ rights movement. The questions covered specific Supreme Court cases, as well as potential new areas for progress. Finally, the panelists discussed the

importance of allyship and how to be an effective ally to others.

Click on the photo below to view clips and read more about the panel's discussion.



## MOFO HOSTS SPONSORS FOR EDUCATIONAL OPPORTUNITY FELLOWS

### MOFO WELCOMES SIX SEO LAW FELLOWS

An integral component to our commitment to inclusive recruitment is the support of pipeline organizations like Sponsors for Educational Opportunity (SEO). For over 20 years, MoFo has supported pre-law fellows through the Sponsors for Educational Opportunity Program. SEO Law Fellows are integrated into our summer associate program and are encouraged to apply for the Keith Wetmore 1L Fellowship for Excellence, Diversity, and Inclusion in the fall of their 1L year.

In 2020, our six SEO Law Fellows joined us in five offices and are heading to the following law schools:

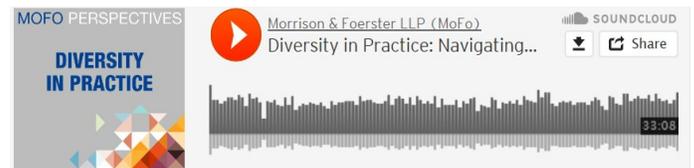
- **Tiffany Allen**, Palo Alto office, UC Berkeley School of Law
- **Hanna Balcha**, Palo Alto office, New York University School of Law
- **Oliver Green**, New York office, New York University School of Law
- **Carlos Martinez**, San Francisco office, Harvard Law School

- **Kimberly Valladares**, San Francisco office, U.C. Berkeley School of Law
- **Layla West**, New York office, University of Pennsylvania School of Law

As part of the summer associate program, these outstanding students have the opportunity to see, experience, and benefit from working with talented colleagues.

This summer, the SEO Fellows also had an opportunity to join their Wetmore fellow colleagues in hosting an episode of MoFo's "Diversity in Practice" podcast, kicking off a three-part series on the firm's efforts in response to the pandemic and in support of racial justice. The series is titled "Navigating Pandemic and Protest." Click on the graphic below to listen to the episode discussing the firm's efforts in response to the COVID-19 pandemic, its impact on the summer program, and our recruiting efforts, as well as the experiences of the fellows during the course of their first "virtual" summer program. The episode was hosted by returning 2L Fellow Adam Smith (Stanford Law School), along with 1L Fellows Kacyn Fujii (University of Michigan Law School), Erica Pena (University of California Berkeley, School of Law), and SEO Law Fellow Oliver Green (New York University School of Law).

Click below to listen to the episode.



For more information on MoFo's recruiting initiatives, please visit our Inclusive Recruitment webpage:

<https://www.mofo.com/culture/diversity/recruitment-development.html>

# SPOTLIGHT ON WOMEN'S INITIATIVES

IN DISCUSSION WITH RUTI SMITHLINE AND STACEY SPRENKEL



Lauren Navarro



Stacy Sprenkel



Ruti Smithline

In a July 8, 2020, [discussion](#) moderated by Women's Strategy Committee (WSC) member and San Francisco Litigation associate [Lauren Navarro](#), San Francisco Litigation partner and WSC Co-Chair [Stacey Sprenkel](#), and New York Litigation partner [Ruti Smithline](#) discussed their unique career paths, the importance and value of cross-office collaboration, how their practices have been impacted by the shelter-in-place orders, how their team continues to provide support to one another, and tips for young lawyers just starting to practice.

Formerly known as "Women on Wednesdays," the MoFo Women Spotlight was established in 2008 to allow women across the firm to see a variety of paths to success.

## WOMEN'S STRATEGY COMMITTEE SUMMER ASSOCIATE ZOOM HAPPY HOUR

On July 16, 2020, the Women's Strategy Committee hosted a Zoom happy hour for women associates and summer associates. New York Litigation partner and WSC Co-Chair [Carrie Cohen](#) was joined by Washington, D.C. Litigation partner [Lisa Phelan](#) to host the East Coast session, while Los Angeles Litigation partner [Tritia Murata](#) and San Francisco Litigation partner [Claudia Vetesi](#) hosted the West Coast session. Because "a picture is worth a thousand words," the sessions were designed to allow the women lawyers to get to know one another through photos. The partner hosts would choose a category, and the associate and summer associate attendees would share a relevant photo from their camera roll along with a brief description. A total of 124 women associates and summer associates participated in the happy hour on both coasts.

# DIVERSITY IN PRACTICE

MEET NEW YORK CORPORATE PARTNER JOHN OWEN



[John Owen](#) is a partner in our New York office in our Corporate Group, a member of our LGBTQ+ Affinity Network, and a member of our Diversity Strategy Committee. He represents issuers and underwriters in complex capital markets transactions, working with issuers in more than 15 countries and representing clients in transactions that have raised in excess of \$50 billion in gross proceeds over the last five years. His experience includes offerings of high-yield debt, equity, and equity-linked securities. He has worked with a variety of companies across industries, including life sciences; technology; telecommunications; financial services; and consumer products on capital markets, liability management, and M&A transactions.

### In two to three sentences, describe your practice.

I'm a transactional lawyer who advises corporate issuers, underwriters, and investors on a wide range of capital markets transactions, including debt, equity, and equity-linked offerings. In my 17 years of practicing, I've been very fortunate to work on a really wide range of transactions, including representing a number of non-U.S. issuers in very complex transactions.

### Why did you choose to make MoFo your professional home?

I love MoFo's culture not just because it results in a great working environment but also because it results in great client service. Increasingly, clients expect their legal teams to bring a diverse set of backgrounds and viewpoints to bear in order to creatively solve their legal challenges. Moreover, in an ever more complex and interconnected world, transactions and other legal matters routinely stretch across multiple geographies and practice groups, and it's critical that a law firm work collaboratively across offices and practices to deliver the best client service possible. Diversity and collaboration are at the core of MoFo's culture, and we have a long

history of very actively supporting diversity and inclusion. It's great to work at a firm with a long, proven track record of supporting diversity and inclusion and being able to marshal the results of that commitment to deliver clients the best service possible.

### **Why is professional mentorship important when it comes to promoting diversity and inclusion?**

I recently participated in a diversity panel discussion where one of the speakers asserted emphatically that we should strive not to just be attorneys that happen to be (in my case) LGBTQ+ but to be visible as LGBTQ+ attorneys and leaders — something that is certainly welcome at MoFo. Mentorship is incredibly important to promoting diversity and inclusion in many ways, but what I love about this speaker's comment is that it really brings home the important message that it is critical for younger attorneys to see diverse attorneys visibly.

## **PRO BONO HIGHLIGHTS**

### **JIM CROW JURIES PROJECT**

MoFo attorneys are helping to remedy the legacy of unconstitutional convictions in Louisiana through the [Promise of Justice Initiative](#), a nonprofit in New Orleans that is providing legal assistance to incarcerated people in Louisiana who were convicted by non-unanimous juries. Our lawyers are representing these individuals by filing motions for new trials.

The U.S. Supreme Court ruled in April that non-unanimous jury verdicts in criminal matters are unconstitutional. The ruling, titled *Ramos v. Louisiana*, described how Louisiana adopted non-unanimous juries in order to negate the impact of having black citizens participate on juries. The Promise of Justice Initiative launched the Jim Crow Juries Project to help the approximately 2,000 Louisiana inmates who might be eligible for re-trials in light of this decision.

Five teams of lawyers in the New York and San Francisco offices of MoFo got their work underway over the summer for Promise of Justice Initiative clients, giving summer associates a chance to work with them on preparing the court filings that we hope will give these clients the opportunity to have their cases decided by a unanimous jury of their peers.

### **FIGHTING BACK AGAINST RACIALLY MOTIVATED HUMILIATION AT SCHOOL**

MoFo and the NAACP Legal Defense and Educational Fund are pursuing legal action in New York State on behalf of parents whose twelve-year-old daughters were subjected to what we believe were racially motivated illegal and humiliating searches at school. The girls' maltreatment is one of the incidents catalogued in the documentary film "[PUSHOUT](#): The Criminalization of Black Girls in Schools."

The event that sparked the lawsuit occurred at a middle school in Binghamton, New York in January 2019. Four Black and Latina girls were talking and laughing in the hallway during their lunch period when they encountered the school principal and assistant principal. The school officials escorted the girls to the health office because of what they considered unusual behavior. The school nurse, at the direction of the principal and assistant principal, conducted intrusive and demeaning searches of each girl, at times instructing the girls to remove layers of clothing and physically touching their bodies. School officials found no evidence of wrongdoing whatsoever and did not notify or obtain consent from the girls' parents before conducting the searches. The lawsuit comes after the school district failed to rectify the situation, including a refusal to issue an apology for the girls' mistreatment by school officials.

### **HEALTHY ELECTIONS DATABASE**

Many MoFo clients responded to an invitation from our firm chair to partner with us on pro bono work addressing racial justice. One of the key elements of racial justice is ensuring fair elections, an ever-present challenge that has been magnified enormously by the coronavirus pandemic. Lawyers from about a dozen of our clients took part in a pro bono project aimed at helping to keep elections safe amid the pandemic while protecting full and equal voter participation.

These in-house lawyers worked with a dedicated MoFo team to support the Stanford-MIT Healthy Elections Project in creating an online database of litigation involving voting and COVID-19. This searchable database of the more than 190 cases filed to date on COVID-19 related election issues will be an unparalleled resource for election officials, journalists, voting rights advocates, and members of the public as they craft responses to the pandemic that protect both public health and voting rights.

# D+I RESOURCES

FOR ADDITIONAL INFORMATION ON MOFO'S  
D+I INITIATIVES

Diversity Strategy Committee

Women's Strategy Committee

MoFo Color

MoFo Proud

MoFo Women

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We at Morrison & Foerster will continue our work to break down barriers to equal opportunity, to fully value the differences among people in our organization while recognizing our similarities, and to create an atmosphere in which each individual can develop his or her potential to the fullest extent possible.

# NO MATTER WHERE YOUR MOFO STORY STARTS, THE FUTURE IS YOURS TO WRITE.

Regardless of how you go from campus to MoFo, our summer program will give you the training, the support, and the MoFo know-how to take your career wherever you want it to go.

**f** My journey at Mofo started as an SEO. Mofo's commitment to people and mentorship quickly stood out to me. I returned to Mofo because its associates, partners, and staff have fostered a community in which I have never hesitated to show up as my whole self.



Nishi Tavernier  
2020 First Year Associate

**f** The camaraderie and collaboration at MoFo is unparalleled. This summer I had the opportunity to work on substantive assignments, all while receiving top-tier mentorship from both associates and partners. At all levels there's a real dedication to attorney diversity, development, and delivering high-caliber work.



Alex Devine  
2020 1L Wetmore Fellow

**f** I chose MoFo because it's a place where you can learn to be a great lawyer and be socially responsible. There is so much that a young attorney can learn here, as well as plenty of opportunities to make a difference in the communities that matter to you. Morrison and Foerster as an institution understands that being an asset to the firm and being an advocate for those who need it most are not mutually exclusive.



Caleb Woods  
2020 Summer Associate

**f** At MoFo I have found an amazing community of associates. I'm fortunate in that the friendships I made during my summers, particularly with the Wetmore Fellows and other summer associates of color, have lasted to this day. Those relationships have been so important to my life as a full-time associate at MoFo.



Brianna Liang Velasco  
Technology Transactions Associate

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