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Tuesday, March 6, 2012

Litigation**Layoffs, restructuring in LA courts to be sped up**

The "new normal" in cash-strapped Los Angeles County Superior Court could mean lawyers hiring their own court reporters for civil trials and downsized courtrooms juggling more menial tasks, with 350 layoffs on the way.

Large Firms**Dewey deferring some rainmakers' compensation**

High-ranking partners at Dewey & LeBoeuf LLP have had a portion of their 2011 compensation deferred, with a promise that Dewey will pay them in the coming months after the firm takes a closer look at its financials.

Moving day for Greenberg, first in Bay Area and now LA

As part of an effort to bolster its California presence, the law firm of Greenberg Traurig LLP is relocating and expanding its Los Angeles office from Santa Monica to Century City.

Mergers & Acquisitions**Dealmakers**

A roundup of recent M&A and financing activity and the lawyers involved.

Environmental**Updated EPA classification of contaminant may have big impact**

The health assessment for a dry cleaning solvent is updated for the first time since 1988. By **Warren A. Koshofer** of Michelman & Robinson LLP

Perspective**'But my lawyer told me to delete the Facebook posts!'**

Practitioners should be cautious about advising clients to 'clean up' their social media pages. By **Caroline H. Mankey** of Cypress LLP

Government**Fisker's power outage: placing bets on startup companies**

Taxpayer funds should not be used to place bets on startup companies, especially in emerging industries. By **Jonathan Michaels** of Michaels Law Group

UCI law students pitch in on U.S. Supreme Court case

Clinic's work is not done, as Supreme Court ordered the case to be reargued in the fall.

By **Don J. DeBenedictis**

SANTA ANA - UCI third-year law student Brian Hardingham told many of his professors and externship supervisors that he'd turn his focus to their work as soon as the U.S. Supreme Court's February argument calendar wrapped up. He was wrong.

Hardingham is one of nine students who spent the last two months helping adjunct professor Paul L. Hoffman research issues, write briefs and prepare for oral arguments in *Kiobel v. Royal Dutch Petroleum*, 10-1491, a closely watched human rights case the court heard last week.

Now that the Supreme Court has ordered the case reargued in the fall, Hardingham won't be able to concentrate on those other obligations.

**"It was playing the game at the highest level."
- Emma Soichet**

Instead, he and other Hoffman students said they plan to throw themselves into getting the case ready for the second round of arguments on a new issue.

"I owe a lot of other people some work," Hardingham said.

The students had signed up for Hoffman's clinical class on international human rights law before the Supreme Court announced it would take the case on the centuries old and rarely invoked Alien Tort Statute. By the time classes started Jan. 9, Hoffman had already filed his opening brief.

After a couple of weeks reading old precedents and background material, his students plunged right into researching issues, debating strategy and offering edits on the evolving reply brief, due Feb. 21.

"They were working pretty much around the clock with me the last weeks," said Hoffman, a well-known civil rights attorney with Schonbrun DeSimone Seplow Harris Hoffman & Harrison LLP, who has taught at many law schools.

"Some of the students are excellent writers. They had good ideas on how to frame things" in the reply brief, he added.

"We did a lot of memo writing," Hardingham said. "We broke into groups and focused on different sections."

Hoffman "was very interested in talking strategy with us," said David Rodwin, another student.

As the class studied issues raised by the other side, including in 15 amicus briefs, "he was always asking, 'What do you think about this? What's the best way you could respond,'" Rodwin said. "And he really listened."

The students also watched as Hoffman went through several moot court practice arguments to discuss issues raised.

But they weren't there merely as free research assistants.

"We were trying to use it as an educational experience ... to show the extent of preparation for a Supreme Court argument," Hoffman said. "They were really privy to the whole process."

Third-year student Emma Soichet said she hadn't realized how much work went into preparing for a 20-minute argument at the Supreme Court.

"It was playing the game at the highest level," Soichet said.

The students travelled to Washington, D.C. - and slept on the Supreme Court steps in the February cold to ensure they got seats to watch the arguments.

That provided another unique experience.

When they lined up outside the court on the evening of Feb. 27, a group of students from New York University's law school - who had worked with Hoffman over the summer on the case - were already there.

Other groups of students from law schools at Harvard, Stanford, Georgetown and Minnesota followed. All had participated in the case in some way on amicus briefs or were taking classes in international human rights law, Soichet said.

"There was a moment at about 2 a.m. when I looked back and I realized I had lined up with ... a whole community" of people involved in the issues, Soichet said.

"I think a lot of us came to law school to do exactly this," said Jean Su, another Hoffman student. Su came to the clinic committed to defending human rights around the world from her work with aid groups in Madagascar before she started at UCI.

The clinic and other classes end on May 4. The second opening brief in *Kiobel* is due May 3.

"The students are all in," Hoffman said Monday. "They're ready for round two."

U.S. Supreme Court

High court to rehear major human rights case

The U.S. Supreme Court took the rare step Monday of ordering reargument in a major human rights case for sometime next term, expanding its scope in a way that could cripple international human rights litigation.

Law Practice

Dewey dealmaker is departing firm

Managing partner of its Bay Area offices, Eric Reifschneider joins a former client

U.S. Supreme Court

Supreme Court denials

The U.S. Supreme Court turned down Oakland's bid to collect on a \$470,000 verdict that a state court levied against an advertising company and declined to hear a defunct adult magazine's case against Google Inc.

Law Practice

Carroll Burdick firm expands global reach

A merger, official Monday, adds 10 lawyers to the 70-lawyer San Francisco-based firm, and offices in Munich and Singapore.

Litigation

UCI law students pitch in on U.S. Supreme Court case

UCI third-year law student Brian Hardingham told many of his professors and externship supervisors that he'd turn his focus to their work as soon as the U.S. Supreme Court's February argument calendar wrapped up. He was wrong.

Law Practice

Sidley partner jumps to Sheppard Mullin to bolster IP practice

One of the founding partners of Sidley Austin LLP's Palo Alto office has decided to take up a new challenge at Sheppard, Mullin, Richter & Hampton LLP.

California Supreme Court

Restrictions for reimbursements for death penalty lawyers eased

The state Supreme Court Monday made it easier for death penalty defense lawyers to get reimbursed for handling post-conviction evidentiary hearings.

U.S. Supreme Court

Court weighs when death row inmates should get new lawyer

The U.S. Supreme Court partially agreed with a liberal panel of 9th U.S. Circuit Court of Appeals in a habeas corpus case on Monday, but still unanimously overturned the circuit's decision to allow a death row inmate a new lawyer.

RELATED ARTICLES

Justices weigh corporations' liability for human rights abuses abroad February 29, 2012

The U.S. Supreme Court appeared open Tuesday to dialing back corporations' liability for torture, genocide and other human rights violations committed abroad, although it's unclear just how far the justices would be willing to go.

High court to consider corporate liability under alien tort statute February 27, 2012

The U.S. Supreme Court will hear a case next week that could stop foreign victims of human rights abuses from sue corporations in federal courts, which may leave those businesses impervious to such lawsuits.

UC Irvine's inaugural class jumps out of the gate with clerkships December 20, 2011

Nearly a quarter of UC Irvine School of Law's first graduates have landed judicial clerkships next year, a higher percentage than Harvard's.

9th Circuit rules against Iranian brothers November 4, 2011

Four Iranian brothers accused of terrorism, jailed for more than three years and then cleared and freed cannot sue the government for false imprisonment, a 9th U.S. Circuit Court of Appeals panel ruled Thursday.