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22

# PRO BONO REPORT

GIBSON DUNN





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## Letter from the Chair & Managing Partner

Dear Colleagues, Clients, Alumni, and Friends of the Firm,

We have achieved remarkable things together over the past year, including through our vital work to ensure meaningful access to justice and to help those in need.

Gibson Dunn's pro bono platform is an integral part of who we are as a firm; we empower our attorneys to curate their practices through our Free Market System, and that includes encouraging them to pursue cases and causes that are important to them in their pro bono work.

In 2022, Gibson Dunn lawyers devoted 138,000 hours to a wide range of pro bono projects. We drafted asylum applications for Afghan and Ukrainian refugees, helped hundreds of Venezuelan families seeking refuge in the United States, supported victims of AAPI hate crimes, advocated for the rights of the LGBTQ+ community, partnered with The Innocence Project to advance racial justice and equity, advised nonprofits and small businesses, and fought to preserve the rule of law internationally—to name just a small sampling. We also worked to protect the right to protest, including winning a historic, unanimous verdict in a civil rights case arising out of the Los Angeles Police Department's attack on Deon Jones, a protester peacefully demonstrating against George Floyd's murder.

In the pages that follow, you can read more about our fantastic pro bono practice and some of the key matters we worked on over the past year. We are proud of all we accomplished together in 2022, and look forward to continuing this legacy of giving back in the years to come.

Thank you for being part of the Gibson Dunn community, and for your continued partnership and support.

Barbara L. Becker



## Letter from the Pro Bono Chair

At Gibson Dunn, access to justice is the touchstone of our pro bono practice, as we strive to create a society where legal protections and privileges are available to everyone. I am proud to work at a firm that encourages our lawyers to dedicate their time and energy to causes that are personally meaningful to them. This culture has fostered myriad new, impactful pro bono projects initiated by attorneys around the world, many of which are highlighted in this report. We feel privileged to be able to do this work, which unquestionably makes us better lawyers and a better firm.

In 2022, we dedicated thousands of hours to representing refugees and displaced individuals from countries in turmoil, and to supporting the nonprofits operating on the ground serving these communities. Gibson Dunn attorneys at all experience levels and across all of our offices worldwide, jumped into action to assist families from Afghanistan, Ukraine, and Venezuela in innovative ways. These crises presented an unparalleled need for legal assistance, but also led to an unparalleled desire to help from the legal community, which forced us to develop frameworks for the efficient, effective delivery of pro bono legal services. By leveraging the Firm's expertise in global crisis response, we were able to implement innovative approaches to providing pro bono legal services efficiently, quickly, and at unprecedented scale.

Over the last several years, I have had the privilege to work alongside an exceptional team of attorneys from across the Firm to pursue civil rights litigation on behalf of Deon Jones. When I met Deon, shortly after the LAPD shot him in the face with a rubber bullet in 2020, I knew immediately that this was a client and a case that we had to take on. Nearly three years later, after a seven-day trial, we secured an historic jury verdict on his behalf. I am so proud to have been a part of this effort, which truly is one of my most meaningful experiences at the Firm.

In closing, I wanted to share my appreciation for all those whose efforts enable us to do this work. I am thankful to the legal aid partners who trust us to collaborate with them. We also could not do this work without the partnership of our corporate clients who share our commitment to pro bono work. And I am tremendously grateful to the attorneys at Gibson Dunn, who always rise to meet the moment with determination and passion, and who are always looking for a way to do more and make the world we live in more just. I look forward to what we can accomplish together in the year to come.

Best Wishes,

Katie Marquart



# GLOBAL CRISIS RESPONSE

In recent years, a seemingly endless series of crises has brought the Firm together to provide pro bono legal assistance to individuals in need. It is in these moments that the Firm is at its best—harnessing the passion, determination, and ingenuity of attorneys and staff across the globe to rapidly create and execute a plan to serve the community in need on a large scale. In 2022, the ongoing humanitarian crises in Afghanistan, Ukraine, and Venezuela required the services of pro bono attorneys at an unprecedented level. At Gibson Dunn, we leveraged our worldwide network of attorneys to respond on a mass scale. Hundreds of attorneys around the world dedicated their time and energy to these projects, often on very short timelines and without well-established legal frameworks or precedents to guide the way forward.

These efforts are a continuation of the Firm’s legacy of crisis response pro bono work, which can be traced back at least to 2017. That year, nearly 200 Gibson Dunn attorneys provided more than 2,000 hours of pro bono work to protect the constitutional rights of those affected by the Travel Ban, which prohibited individuals from certain Muslim-majority countries from entering the United States. Later that year, attorneys in our Houston office stepped up to support their local community after Hurricane Harvey ravaged the city. As the need for pro bono assistance grew larger, attorneys from other Gibson Dunn offices joined the effort to answer Houston residents’ questions about their rights in the wake of the storm.

# 01



The Firm has continued to develop its crisis response practice in more recent years. Beginning in 2018, we represented families torn apart by the Family Separation Crisis, advocating for their reunification and bringing suit to hold the government accountable for the harms this policy caused. In 2020, 300 attorneys across Gibson Dunn worked together to provide more than 10,000 hours of free legal advice to small businesses and others affected by the COVID-19 pandemic. In the late summer of 2021, as the United States withdrew from Afghanistan and the Taliban took power, a new crisis rapidly unfolded. By the close of 2021, a global team of hundreds of Gibson Dunn attorneys had provided more than 5,000 hours of pro bono assistance to Afghan clients. We are particularly proud to have worked collaboratively with the broader legal industry—including legal aid organizations, in-house legal teams, and other law firms—to provide pro bono legal assistance to Afghans across the United States, in the UK, and around the world.

We remain committed to this work, and our Afghanistan crisis response efforts were a primary focus of our pro bono practice in 2022. At the same time, we created new pro bono initiatives in response to Russia’s invasion of Ukraine and the evolving political and humanitarian crisis in Venezuela. Working collaboratively and innovatively, and often advancing first-of-their-kind collaborations and initiatives, attorneys across the Firm have helped both individual clients and our nonprofit partners respond to the changing global landscape in real-time. Time and again, our attorneys have raised their hands to help identify crises requiring a response from the legal community and ensure the most vulnerable members of our communities have access to the legal services necessary to overcome these crises. Equally importantly, our attorneys have not wavered in their commitment to helping our clients navigate these crises; we look forward to continuing to work on these efforts, even as global developments demand our attention on new initiatives.

# AFGHANISTAN

Since the Taliban’s takeover in 2021, a team of Gibson Dunn attorneys—including attorneys from all U.S. offices and nearly all international offices—has worked with hundreds of Afghan pro bono clients seeking safety outside Afghanistan. In total, the Firm dedicated more than 14,000 pro bono hours to this effort in 2022. Many of our clients remain in Afghanistan, where they live in hiding and in fear of reprisals due to their opposition to the Taliban or their connections to the United States. Others made it safely to the United States, where they are seeking a pathway to permanent status and, eventually, citizenship. Alongside nonprofit partners and in-house legal teams, we have worked to help these clients obtain long-term safety and security away from the Taliban’s reach. We have taken on dozens of Special Immigrant Visa (“SIV”), Temporary Protected Status (“TPS”), and asylum applications on behalf of Afghan refugees, including journalists and others associated with the *New York Times*, diplomats, soldiers who fought alongside U.S. forces, and advocates for women’s empowerment.

Of course, our work often was done in collaboration with the many phenomenal nonprofits who are on the front lines of this effort, including Church World Service (“CWS”), a resettlement agency helping large numbers of Afghan evacuees build their new lives in the United States. Gibson Dunn partnered with CWS’s Jersey City office on limited-scope clinics to submit SIV and TPS applications on behalf of eligible families.

“ The CWS Jersey City legal department is so grateful for the opportunity to collaborate with Gibson Dunn to support our Afghan clients. Since September 2021, our office has resettled over 250 Afghan Humanitarian Parolees. With just one staff attorney dedicated to working on Afghan legal assistance, we have relied on the invaluable support of law firms to meet the immense client need. When Gibson Dunn cohosted a TPS and an SIV clinic for our Afghan clients, it was the first time in nearly two years many of those clients had received legal assistance! That is the difference this partnership is making. Seeing a Zoom room full of kind, prepared, and dedicated attorneys eager to help our clients has meant so much to our team at CWS JC legal. We are immensely grateful for the support of Gibson Dunn and look forward to continuing and growing this partnership in the years to come. ”



Nora Salitan  
Director of Development, CWS JC



## Welcome.US

The Firm is a proud partner of Welcome.US, a national initiative to inspire, mobilize, and empower Americans from all corners of the country to welcome and support those seeking refuge here. Welcome.US began as a project to welcome our new Afghan neighbors, and it soon expanded to build a durable capacity to welcome other newcomers, including those fleeing the war in Ukraine.

Welcome.US helps bring together individuals, nonprofits, and businesses from all corners of the country to welcome and support those seeking refuge in the United States by helping provide access to legal assistance, housing, public benefits, medical care, job training, language classes, and other necessities. Gibson Dunn’s Managing Partner, Barbara Becker, is an active member of the Welcome.US CEO Council, a cohort of leaders from across business sectors committed to supporting Welcome.US initiatives and using private sector resources to support those seeking refuge here in the United States. In particular, the CEO Council focuses on helping meet newcomers’ initial resettlement needs, providing employment and training, and encouraging employee and community participation in efforts to welcome newcomers to the country.

As a part of this broader initiative, Gibson Dunn helped to co-found the Welcome Legal Alliance, a Welcome.US initiative bringing together lawyers, law firms, in-house legal teams, law students, and legal aid organizations to provide pro bono legal assistance to refugees navigating the U.S. immigration system. Since launching in March 2022, the Welcome Legal Alliance has supported more than 1,000 Afghans in their immigration proceedings. Because most Afghan evacuees entered the United States on a temporary “parolee” status, obtaining permanent immigration status is one of their foremost concerns. Gibson Dunn attorneys regularly participate in Welcome Legal Alliance clinics to help evacuees apply for permanent immigration relief.



Among other things, our attorneys have assisted Afghan asylum-seekers in evaluating potential immigration pathways, submitting their SIV applications, completing their asylum applications, and preparing for their asylum interviews. Our assistance has ranged from limited-scope clinics, often conducted in collaboration with in-house legal teams, to full-scope asylum representations. For example, we were proud to participate in a series of limited-scope pro bono clinics the Welcome Legal Alliance hosted in commemoration of World Refugee Day. We expect an increased need for pro bono assistance in the coming months, as many Afghan evacuees' parole status will expire by the end of 2023, and we look forward to continuing to work with the Welcome Legal Alliance to provide pro bono legal assistance to Afghans across the country.

“ I, along with most of America, watched with horror as Afghanistan fell back into the hands of the Taliban in August of 2021. Since then, I have been in awe of the resources that the Firm has put into assisting vulnerable Afghans. Whether it be working with a team of Gibson Dunn attorneys on applications for humanitarian parole for members of the Afghanistan Women’s National Volleyball Team and their families or, separately, working on an asylum application for a member of the first (and only) all-female combat Afghan military unit that served alongside the U.S. Army in Afghanistan, the pro bono work I have done on behalf of Afghan nationals has been some of the most meaningful work of my career. ”



Hila Solomon  
Associate (Los Angeles)



### UK Afghan Pro Bono Initiative (APBI)

In the months that followed the Taliban’s takeover of Afghanistan, Gibson Dunn came together with Safe Passage International and Refugee Legal Support, as well as 13 other law firms, to launch the Afghan Pro Bono Initiative (“APBI”). APBI provides pro bono representation to Afghan refugees seeking legal advice and support in the UK, helping them apply to be reunited with family members in the UK. Beginning in March 2022, Gibson Dunn and its APBI partners provided pro bono legal advice to dozens of Afghan nationals seeking family reunification in the UK.

In one APBI case, attorneys from Gibson Dunn’s London office prepared an application to the UK Home Office for family reunification on behalf of a 16-year-old Afghan refugee and his cousin—his only remaining family member. Our client’s family had worked with the U.S. military and the national police force, making them a target for Taliban reprisals. After the Taliban took power in 2021, our client’s family faced persecution at their hands. Our client was forced to flee Afghanistan to Pakistan, where he sought safety from the Taliban. Finally, after months of advocacy, he arrived in the UK to be reunited with his cousin, whom he had not seen for more than a decade.

“ For over a year, attorneys from both disputes and transactions departments of Gibson Dunn’s London office have been providing enthusiastic pro bono support to the APBI. Teams have been taking on cases to bring Afghans in dire humanitarian circumstances to safety in the UK. The work has already brought about life-changing consequences for some individuals, and other applications for leave to remain in the UK are being actively pursued. I’ve been impressed by the dedication of the associates in navigating the urgent timeframes, intricacies of immigration law, and complex language barriers, and proud to see the important role the Firm has been playing within this initiative. ”



Jonathan Griffin  
Of Counsel (London)





# Afghan Female Tactical Platoon

Afghanistan’s Female Tactical Platoon was an all-women security forces unit that fought alongside U.S. and Afghan special forces. These courageous women played a critical role in the fight against the Taliban, ISIS, and other extremist forces. They regularly joined high-stakes missions to gather information from women who would not have been able to speak with other soldiers due to cultural norms or language barriers. Of course, the women’s involvement in this unit would have put them at the top of the Taliban’s kill list, so they were forced to keep their involvement secret from everyone, including friends and family. Unfortunately, the Taliban seized government offices with records of the Female Tactical Platoon program, putting the women at extreme risk of Taliban reprisals. With help from U.S. soldiers who served alongside them, the women were able to evacuate to the United States. The Firm is honored to assist them and their families in applying for asylum.

“ Working on the Female Tactical Platoon project has been one of my favorite things I’ve done in my career at Gibson Dunn. It has been so awesome getting to know my client and her sweet family on a personal level, and rewarding to know we are helping some of the most deserving women out there.” ”



Christine Ranney  
Associate (Denver)





# UKRAINE

Russia’s brutal full-scale invasion of Ukraine on February 24, 2022, unleashed violence and a humanitarian crisis on a scale not seen in Europe since World War II. After more than a year of war, the United Nations High Commissioner for Refugees counts more than eight million Ukrainian refugees living across Europe, and estimates that nearly 18 million people still living in Ukraine will require humanitarian assistance this year. In 2022, Gibson Dunn attorneys around the world came together to help those impacted by the war.

In a first-of-its-kind effort, Gibson Dunn has worked with a consortium of law firm partners and the pro bono law firm Public International Law & Policy Group (“PILPG”) as part of the Ukraine Memorialization And Accountability Initiative. Through the Initiative, Gibson Dunn attorneys have collected and preserved testimony from individuals who may have experienced or witnessed potential atrocity crimes in Ukraine in the wake of the invasion. In parallel, the Firm has provided immigration assistance to Ukrainians displaced by Russia’s invasion, as well as to Russian dissidents opposed to the war. Finally, we have provided pro bono legal assistance to nonprofit organizations supporting the Ukrainian people. As the war continues, Gibson Dunn’s efforts are ongoing. We welcome and encourage the involvement of our friends, colleagues, and clients in these continued efforts.



## Ukraine Memorialization and Accountability Initiative

Russia’s invasion of Ukraine brought with it countless reports of atrocity crimes committed by Russian forces. These range from torture and summary executions of civilians, mass abduction and deportations of children, widespread rape, deliberate targeting and destruction of civilian infrastructure, and theft of artifacts from Ukrainian cultural institutions. Journalists, international and local investigators, and civilians have been documenting these events in real time. Images of the Bucha Massacre—in which hundreds of civilians were summarily executed in a suburb of Kyiv—emerged in April 2022, sparking international outrage and a push for swift accountability. For much of the last year, international media have been flooded with images of destruction and civilian casualties in the wake of continued rocket and drone attacks from Russian forces. But with witnesses to these tragic events often fleeing their homes and even their country, the chance to record their recollections in a standardized, thorough, and forensically sound fashion can be fleeting.

Gibson Dunn, working with PILPG and a group of law firm partners, led efforts to fill an important gap in the ongoing efforts to document these atrocities. The Ukraine Memorialization and Accountability Initiative is designed to take and preserve direct testimony from individuals who were in Ukraine when the invasion began on February 24. Interviews are conducted pursuant to rigorous confidentiality standards and a clear consent protocol, and are securely preserved and coded based on an index designed to help classify the information witnesses provided. Gibson Dunn spearheaded the creation of the workflow for the Initiative, helped train participants in the Initiative, and conducted the painstaking work of locating witnesses ready to share their stories. Since the Initiative was launched in May 2022, Gibson Dunn has conducted dozens of witness interviews with individuals from all over Ukraine, including many who have seen and experienced some of the worst atrocities of the invasion.

The goal of the Initiative is to create a robust and detailed database of direct testimony that will serve as a powerful historical recollection of the events as well as evidence to be used in national and international





tribunals to seek justice against those responsible for atrocity crimes. Gibson Dunn continues to work with PILPG and local civil society organizations to publicize the Initiative and encourage witnesses to participate, in the hopes of achieving this important goal.

“ The Gibson Dunn team’s work with PILPG on our Ukraine Memorialization and Accountability Initiative over the past year has been crucial for our effort to support both national and international accountability efforts, as well as for contributing to documenting war crimes in Ukraine, and building local partner capacity. The commitment of the Gibson Dunn team to the project has been hugely valuable and helpful in adapting the project as the situation on the ground has been progressing in order to achieve the biggest impact for future accountability. PILPG is immensely grateful to Gibson Dunn for their essential support to our Ukrainian clients, helping further their goal of a just and peaceful future”



**Dr. Paul R. Williams**  
President, PILPG

## U.S. Immigration Response

Outside of Ukraine, Gibson Dunn also has worked with individuals displaced by the war or otherwise seeking refuge in the United States. For example, Gibson Dunn attorneys have helped families fleeing the conflict in Ukraine apply for and secure Temporary Protected Status (“TPS”) in the United States. In April 2022, the Department of Homeland Security (“DHS”) designated Ukraine for TPS, which allows Ukrainian nationals who arrived in the United States on or before April 11, 2022, to remain in the United States, avoid removal, obtain employment, and obtain discretionary travel rights through October 19, 2023. Although Ukrainian nationals outside the United States are not eligible for TPS (and do not become eligible by relocating to the United States), DHS estimates that nearly 60,000 individuals could be eligible for TPS under Ukraine’s designation. In collaboration with nonprofit partners working directly with Ukrainian communities across the country, Gibson Dunn’s attorneys have filed applications on behalf of Ukrainian nationals who fled to the United States and now are seeking TPS. Many of these applicants are families with minor children who were forced to flee their homes when Russia invaded; without TPS status and their related employment authorization cards, these families would face significant challenges supporting themselves in the United States.

The Firm also is working with Ukrainian nationals who may not be eligible for TPS, such as those individuals who fled to the United States after April 11, 2022. Among other things, we have advised clients on other immigration programs like Uniting for Ukraine, which allows Ukrainian citizens with a U.S. sponsor to secure a two-year period of parole. We also are working with several individuals who are seeking asylum in connection with the war, including Russian nationals who oppose Vladimir Putin and the invasion of Ukraine.

## Brighter Future for Ukrainian Children & Women

Following Russia’s invasion of Ukraine, a group of Ukrainian-Americans living in Los Angeles united in a desire to support Ukrainian women and children affected by the war. With Gibson Dunn’s assistance, these individuals came together to form a nonprofit, Brighter Future for Ukrainian Children & Women (“BFF UCW”). BFF UCW’s mission is to create health, rehabilitation, humanitarian, social, and educational programs for Ukrainian women and children. In the months since its formation, BFF UCW already has made a difference in the lives of hundreds of Ukrainian women and children. BFF UCW has provided ongoing support to meet children’s basic needs—including food, clothing, and medicine—and has helped provide Ukrainian children with access to education despite the damage and disruption to their schools and other infrastructure.

After assisting with BFF UCW’s nonprofit formation work, Gibson Dunn has remained involved with the organization. At the end of 2022, BFF UCW organized a holiday drive to benefit Ukrainian children affected by the war. In partnership with BFF UCW, our attorneys came together to send warm clothes and toys to nearly 300 Ukrainian orphans.



“ Thanks to Gibson Dunn’s generous contribution, we were able to deliver holiday gifts to over 150 orphans and over 2,000 lbs. of humanitarian aid, including winter essentials and medicine, to eight shelters housing internally displaced families. The impact of the war on Ukrainian women and children cannot be understated. With every act of kindness, we bring hope for a brighter future, beyond the bleak realities of despair and hopelessness caused by the war. ”



**Julie Osher**  
Co-Founder, BFF UCW



# VENEZUELA

Over the last decade, Venezuelans have fled the country in record numbers, with more than seven million Venezuelan refugees and migrants estimated to be living outside the country as of the end of 2022 (including more than one million asylum-seekers worldwide). Hundreds of thousands of refugees fleeing Venezuela’s humanitarian crisis, political repression, and severe economic disruptions have arrived in the United States. In fall 2022, thousands of Venezuelans were bused to New York, forcing local nonprofits to find novel solutions to help provide them with the critical legal services they need to pursue permanent status in the United States.



## New York Asylum Project

Among the nonprofits that began working with Venezuelan refugees was Project Rousseau, a New York-based nonprofit whose mission focuses on supporting marginalized youth. Building on this mission, Project Rousseau committed itself to providing social services, academic support, and pro bono legal assistance to Venezuelan youth and their families. In total, Project Rousseau began working with more than 250 families. Immigration assistance was a top priority for many of these families, but Project Rousseau could not begin to provide the appropriate assistance without first screening each family’s eligibility for immigration relief. The week of Thanksgiving, a team of Gibson Dunn attorneys representing a broad range of offices and practice groups immediately raised their hands to help.

Throughout the month of December, approximately 75 Gibson Dunn attorneys collectively dedicated hundreds of hours to screening the families for asylum eligibility. After building a rapport and establishing trust with the families, our attorneys learned about their journeys to the United States and what drove them to flee their home country. Many of the families had faced violence and threats in Venezuela, leading them to fear persecution if forced to return. Ultimately, many of the families have strong asylum claims; others may be eligible for other types of immigration relief. We look forward to continuing to partner with Project Rousseau to assist these families in their immigration proceedings, including by representing families with viable claims in their asylum applications.

“ I am continuously awed—but never surprised—by our attorneys’ willingness to answer a call to action in times of crisis. Last year, as the holidays approached, our attorneys immediately responded when they learned that hundreds of Venezuelan families needed help pursuing asylum here in the United States. I was privileged to work alongside associate Daniela Tapia to help screen several Venezuelan refugees for asylum eligibility as part of this effort. In many ways, this project was a continuation of our existing refugee-focused work. Over the last several years, I have had the privilege to sit on the CEO Council for Welcome.US, working alongside our business partners to provide holistic support to refugees from Afghanistan, Ukraine, and elsewhere. Through these and other initiatives, attorneys across the Firm devoted nearly 40,000 hours in 2022 to helping refugees as they rebuild their lives in the United States. ”



Barbara L. Becker  
Chair & Managing Partner  
(New York)



# IMMIGRATION

Immigration work has always been a core component of the Firm's pro bono practice, from large-scale litigation matters defending the rights of the U.S. immigrant community to individual representations in asylum applications and other immigration proceedings. In 2022, the Firm devoted nearly 40,000 hours to pro bono matters on behalf of immigrants and refugees in the United States and around the world. In addition to the Firm's work to respond to the crises in Afghanistan, Ukraine, and Venezuela, this also included a wide range of work on behalf of Dreamers, LGBTQ asylum seekers, survivors of domestic violence and trafficking, immigrants appealing adverse BIA decisions, green card holders seeking to become naturalized U.S. citizens, and individuals applying for many other forms of immigration relief.

# 02





## Settlement and Restored Status for Wrongfully Detained “Dreamer”



Beginning in 2014, Daniel Ramirez Medina—like over a million other DACA recipients—lived and worked in the United States as a “Dreamer.” That changed without warning on February 10, 2017, when a team of ICE agents entered Mr. Ramirez’s apartment, placed him under arrest, and initiated what a federal district court would later describe as a “vendetta” against Mr. Ramirez. Despite his being an “American in all ways but legal status,” Mr. Ramirez spent the next six weeks in federal detention, separated from his family and fearful for his safety. The government justified this detention, along with its subsequent repeated efforts to deprive Mr. Ramirez of his

DACA status and work authorization, with the false assertion that Mr. Ramirez was gang-affiliated and a threat to public safety. In the years of litigation that followed, the government continued to advance this falsehood in the courts and the press—notwithstanding its failure to produce any credible corroborating evidence.

In partnership with Novo Legal Group and attorneys at Public Counsel and the Northwest Immigrants Right Project, a team of Gibson Dunn lawyers came to Mr. Ramirez’s aid. After obtaining preliminary injunctive relief, the team filed a Federal Tort Claims Act (“FTCA”) complaint against the government in 2022. Settlement talks ensued, and the government ultimately agreed to grant Mr. Ramirez deferred-action status, renew his work authorization, and refrain from relying on the unfounded accusations behind Mr. Ramirez’s illegal detention in all future immigration determinations. Because of this settlement, Mr. Ramirez and his family can now move forward with their lives with the security and stability that was taken from them six years ago.

## Farmville Detention Center

On July 6, 2022, Gibson Dunn and our pro bono partners, Legal Aid Justice Center and the National Immigration Project of the National Lawyers Guild, achieved a significant victory on behalf of 15 immigrants exposed to COVID-19 while detained at the ICA-Farmville Detention Center (“ICA- Farmville”) when the federal government agreed to a favorable resolution of Plaintiffs’ claims for injunctive and monetary relief in *Santos Garcia et al. v. Mayorkas et al.*, No. 1:20-cv-00821 (E.D. Va.).



Plaintiffs’ claims were based on their experiences at ICA-Farmville, a private immigration detention center located in Farmville, Virginia, which, in the summer of 2020, experienced the largest outbreak of COVID-19 among detained populations in the country. Ninety percent of the individuals detained at the facility—over 300 people—ultimately tested positive for COVID-19, and one individual died.

This outbreak was the result of the government’s pretextual transfer of immigrants to ICA-Farmville from facilities then known to house individuals sick with COVID-19—without adequate testing or isolation, even by summer 2020 standards. It later came to light that this transfer was undertaken so that ICE could move agents into Washington, D.C., to quell racial justice protests in the aftermath of the murder of George Floyd.

Under the terms of the injunctive relief settlement with the federal government, ICE has agreed to reduce the number of immigrants housed at ICA-Farmville to roughly 25% of its capacity for the next two years, or until the CDC declares the end of the COVID-19 pandemic. The agreement also imposes a number of requirements designed to limit the possibility of another COVID-19 outbreak at ICA-Farmville, and requires the federal government to pay Plaintiffs’ attorneys’ fees and costs. The federal government also agreed to pay \$500,000 to settle Plaintiffs’ claims for damages under the Federal Tort Claims Act. This settlement complements an earlier settlement with the private defendants. The relief secured in this case will make a meaningful difference in the lives of our Plaintiffs, as well as for immigrants detained at ICA-Farmville in the future.





## ***Matter of Montufar-Varela***

On January 13, 2023, at Gibson Dunn’s urging, the Board of Immigration Appeals (“BIA”) took the relatively unusual step of itself resolving on the merits a request for asylum relief and granted our client’s application without the need for further fact-finding on remand. We took on Ms. Montufar’s case in May 2020, over one year after her March 2019 hearing before the Immigration Judge (“IJ”). At that hearing, Ms. Montufar testified about the conditions she faced in Honduras as a woman and as the former wife of an abusive husband who had killed a local gang member, which led to constant harassment and death threats directed against her by the gang. The IJ found Ms. Montufar to be credible in her testimony and granted her withholding of removal under the Convention Against Torture (“CAT”) because she would likely experience severe persecution if she returned to her native Honduras. The Department of Homeland Security (“DHS”) did not oppose the granting of CAT relief. The IJ rejected, however, her application for asylum, thus preventing Ms. Montufar from moving to adjust status to a Permanent Resident and build a lasting life in this country. The IJ concluded that Attorney General Jeff Session’s decision in *Matter of A-B-* precluded our client from establishing any nexus between her persecution and the cognizability of a particular social group (“PSG”), specifically: a) kinship ties to a person targeted by gangs, and imputed anti-gang political opinion; and b) gender. The IJ noted that under pre-*Matter of A-B-* case law, our client’s application would have been granted.

Ms. Montufar, through her then-pro bono counsel, filed an appeal to the BIA in June 2019. She did not receive a Briefing Schedule from the BIA until September 2021—over two years after filing her appeal. Gibson Dunn then briefed the case to the BIA. In addition to the merits of her original case, we argued that, because Attorney General Garland had acted to vacate *Matter of A-B-*, the IJ’s decision should be reversed and remanded back to the IJ for reconsideration. DHS did not file an appeal brief. On January 13, 2021—about fifteen months after our appeal was filed, the BIA accepted our argument regarding *Matter of A-B-* as a matter of law, taking into account (1) the IJ’s finding of credibility and (2) the IJ’s statement that he would have granted asylum but for then-controlling precedent. The BIA granted our client asylum in full and remanded the case to the IJ only for the limited purpose of allowing DHS to complete her application—a sweeping victory for Ms. Montufar.





# RACIAL JUSTICE

Racial justice work has been a focus of Gibson Dunn's pro bono practice for years, and in 2022 our attorneys dedicated nearly 20,000 hours to pro bono matters advancing racial justice and equity. These matters ran the gamut. On the transactional side, our attorneys worked with minority-owned small businesses and nonprofits fighting for racial equity across the United States. Meanwhile, our litigators defended the constitutional rights of protesters who demonstrated peacefully in the wake of George Floyd's murder, advocated for police and criminal justice reform, and represented victims of anti-Asian hate crimes. Many of these efforts are ongoing, and we are committed to maintaining a focus on racial justice and equity in our pro bono practice in the years to come.

# 03







## Lafayette Park

On April 13, 2022, Gibson Dunn obtained a partial settlement of a lawsuit brought on behalf of three women—two educators and a director at an educational non-profit—who were attacked, without warning, by law enforcement officers at a peaceful, Black Lives Matter protest in Lafayette Park on June 1, 2020. As the nation watched in horror, officers used military force to remove the peaceful protesters, spraying the crowd with tear gas, rubber bullets, smoke bombs and flash grenades. Shortly after the attack occurred, then-President Trump walked through the cleared park and posed in front of St. John’s Church with a bible for a photo-op.

Gibson Dunn entered into settlement discussions with the government shortly after Judge Dabney Friedrich of the U.S. District Court for the District of Columbia issued an order on the government’s motions to dismiss on June 21, 2022. Judge Friedrich allowed a number of the plaintiffs’ claims to proceed, rejecting the government’s requests to throw out the case. The partial settlement resolves only the plaintiffs’ injunctive claims, and Gibson Dunn will continue to pursue damages. As part of the settlement, the U.S. Park Police and U.S. Secret Service agreed to adopt significant demonstration policing reforms. These included:

- providing that Park Police cannot revoke demonstration permits absent “clear and present danger to the public safety,” or “widespread violations of applicable law that pose significant threat of injury to persons or property;”
- requiring Park Police to enable the safe withdrawal of demonstrators and provide audible warnings if a protest is being dispersed;
- requiring Park Police to wear clearly visible identification;
- prohibiting them from displaying gas masks and shields at protests, unless approved by a high-ranking officer;
- prohibiting discriminatory policing based on race, color, sex, national origin, religion, sexual orientation, gender identity or expression, disability, or viewpoint; and
- modifying Secret Service policy to make clear that uses of force and dispersals are not normally justified by the unlawful conduct of some individuals in a crowd.

The case is *Buchanan v. Trump*, No. 1:20-cv-01542 (D.D.C).



“ It is a privilege to represent and fight for protesters who had the courage to stand up for racial justice and to help them vindicate their civil rights in the face of wanton aggression from the very government officials sworn to protect them. ”



Lee Crain  
Associate (New York)



# Black Lives Matter Protester

In June 2020, members of the New York City Police Department assaulted and falsely arrested Gibson Dunn’s pro bono client during a “defund the police” protest near City Hall. Gibson Dunn worked with the Neighborhood Defenders Service of Harlem to obtain justice for the client. The Gibson team drafted a complaint and supporting materials and gathered evidence and intelligence, including an expert psychologist report and a jury consultant’s analysis of possible venues for the action in the New York City region. The team also prepared the client to be questioned under oath during his mandatory 50-H exam (a requirement applicable to any claims against the City of New York). Based on the strength of his pre-suit settlement conference submission, the New York City Comptroller’s Office agreed to pay him \$43,000 in lieu of litigation.



## Anti-Asian Hate Crime

In August 2022, our client and three friends—all of whom are Indian-American—were leaving dinner and saying their goodbyes in the Bengali language when a local woman approached the group, unprovoked, and began yelling racial slurs and ethnically charged profanities at the group. When our client and her friends tried to record this assault, the woman physically attacked them, and at one point threatened to shoot our client and her friends if they did not turn off their phones while simultaneously putting her hand in her purse as if to retrieve a gun. In that moment, our client feared for her life and the lives of her friends. Fortunately, that was the same moment when two Plano Police officers arrived to the scene.

In coordination with the Alliance for Asian American Justice, Gibson Dunn immediately jumped into action by drafting a petition on behalf of our client. In addition to seeking legal remedies, our client voiced a desire to create more awareness of racial hate incidents, such as the one she faced, in the hopes of combating such disgraceful actions. Gibson Dunn continues to seek relief for her and further her goal of deterring similar racially and ethnically motivated assaults in the future, and continues to work with the Alliance for Asian American Justice to provide legal assistance to those who have faced anti-Asian violence across the country, including in civil litigation on behalf of a family in Orange County, California, as well as clients in Baltimore, Maryland. Gibson Dunn proudly coordinates with the Alliance to connect those in need of pro bono representation with law firms all over the country, as well as to facilitate educational efforts, training, and identify additional specialized services, including social services, mental health services, and other community support.

“ It has been a true honor and privilege to partner with the Alliance for Asian American Justice to fight senseless hate crimes and other acts of bigotry. As an Asian American and first generation immigrant myself, it is deeply inspiring to see Gibson Dunn attorneys from all backgrounds rally together on cases that are so significant to the Asian American community and to the racial justice movement at large. ”



Betty Yang  
Partner (Dallas)



# VETERANS

Each year, the Firm takes on pro bono projects on behalf of veterans who served in our armed forces. In partnership with organizations that assist veterans across the country, we provide both limited-scope and long-term representation to veterans seeking the benefits they deserve. These pro bono matters include, among other things, discharge upgrades—in which we help apply to upgrade veterans' characterization of service to help them receive VA benefits, access healthcare, and improve their employment opportunities—and medical retirement cases—where we represent veterans seeking military medical retirement, which provides an array of important benefits. In addition to these efforts on behalf of individual veterans, we also have provided transactional and corporate governance advice to nonprofits serving veterans. We are proud to help facilitate access to services and benefits for those who have served as members of the armed forces.

# 04





# Medical Retirement Decades After Sexual Assault

Gibson Dunn secured a sweeping victory for a pro bono client who has been struggling for years to correct her military discharge records and secure a medical retirement based on PTSD she developed in 2001, when she was raped by her direct superior while on active duty in the Coast Guard. The Coast Guard’s decision to grant the relief requested, including full backpay and benefits, brings a tragic two-decade saga to a close and vindicates the rights of a young woman who suffered unimaginable trauma while honorably serving her country and was then left to fend for herself in the years that followed.

At the time of the rape in 2001, the client was denied a PTSD diagnosis based on an egregious misdiagnosis by the civilian psychologist who examined her. Specifically, the psychologist determined that the rape was not “sufficiently traumatic” to support a PTSD diagnosis and, for this reason alone, instead diagnosed her with an “adjustment disorder.” As a result, she was administratively separated from the Coast Guard. The client lived with her debilitating PTSD symptoms for nearly fifteen years, before a friend witnessed one of her panic attacks in 2015, and encouraged her to apply for disability benefits through the Department of Veterans Affairs.

The client was referred to Gibson Dunn in May 2019, by which time the statute of limitations on a claim for correction of military records had already expired. Undaunted, we immediately set to work to correct this obvious injustice, interviewing witnesses, engaging experts, and preparing a request that the client’s separation from the Coast Guard be changed from a discharge to a medical retirement. That application, submitted in the fall of 2019, was opposed in substantial part by the Coast Guard.

In May 2022, more than two decades after the rape and the client’s discharge from the Coast Guard, the Board granted the client’s application. Among other things, the Board waived the statute of limitations in



the interest of justice, rejected the psychologist’s 2001 diagnosis, expressly held that the client did, in fact, have PTSD at the time of her discharge, and ordered the Coast Guard to submit her case for processing through the Coast Guard’s Physical Disability Evaluation System. In September 2022, based entirely on the service treatment records already submitted, the Coast Guard informed Gibson Dunn that the client would be awarded a permanent medical retirement for her PTSD, with backpay and full benefits, and that her discharge papers would be corrected to reflect the same. New York Of Counsel William J. Moccia, who represented the client in these proceedings, was awarded the Firm’s 2022 Frank Wheat Award in recognition of his work on this case.



“

The award and recognition Mr. Moccia received could not be any more deserved. I began working with him in June 2019. From our very first phone call he showed me nothing but the utmost respect. Mr. Moccia made it clear that I was a priority to both him and the firm. He listened patiently to everything I had to say, he was dedicated to my case, and he diligently answered every phone call and email almost immediately. He would continually check in with me when the case would lag and remind me that I was important to him, and would always inform me if he would be out of the office, or if there might be a potential delay in responding due to COVID procedures. Throughout the 4 years I had the pleasure of Mr. Moccia representing me, he never made me feel like I was a burden of any sort, even though I know he had his own workload of actual paying cases/clients. He never wanted my thank yous, and he would shy away from any praise. He made me feel like we were equal partners in our case to seek justice.

The monetary amount that was recuperated was obviously appreciated. But much more than that, Mr. Moccia made me feel validated for the first time in the 22 years since my discharge. He believed in me and my case, and made me proud to be fighting it. The correction of my DD-214 released an amount of emotion I had no idea I had pent up for so very long. To get to share that with Mr. Moccia meant more to me than any dollar amount. If it wasn’t for Mr. Moccia’s unwavering dedication, NONE of this would have been possible. Even to this day, he is still checking in with me, and offering help and support in any capacity that he can. There are not enough words to show my gratitude, so I will just say, from the bottom of my heart, thank you.

Coast Guard Veteran Client



# ADVISING SMALL BUSINESSES & NONPROFITS

Transactional and corporate governance advice constitutes an important part of the Firm's pro bono practice. Across the United States and around the world, our attorneys work closely with nonprofits and small businesses in need of legal assistance. Our transactional pro bono work includes advising clients on matters such as commercial leasing, doing business online, nonprofit formation, intellectual property, corporate governance, and many other important issues. Often, our representation evolves with our clients' needs, as we advise them on a variety of matters over several years. At other times, we help clients address their legal needs through limited-scope clinics that provide advice on an expedited timeframe. In all of these matters, we are proud to help further our clients' missions and, in so doing, strengthen our communities.

# 05





## Boys & Girls Clubs of America

Boys & Girls Clubs of America (“BGCA”) is a national nonprofit dedicated to providing safe, affordable places for kids and teens to meet, play, and learn. It provides life-changing programs and services to more than four million young men and women across the country and on U.S. military bases abroad.

Several years ago, BGCA launched its “Great Futures 2025” initiative, a strategic plan focused on strengthening local clubs, improving program quality, advocating for youth development, and increasing the number of youth served. A major component of this effort has been the exploration of organizational restructuring, especially in areas where there are many clubs in close geographic proximity, where clubs are underperforming, or where clubs have limited resources.

In furtherance of BGCA’s efforts to strengthen local organizations, Gibson Dunn has provided significant pro bono counsel and resources to both the national organization and local clubs considering and executing organizational restructuring. Because BGCA wanted to ensure that every club was represented by solid legal counsel, Gibson Dunn reached out to other law firms to help form what came to be known as the BGCA Legal Advisory Workforce. Together, the cohort of firms has helped effectuate a great number of transactions over the last several years. Much of Gibson Dunn’s work has taken place throughout the states of California and Texas.

In total over the last several years, the Firm has donated nearly 8,400 hours valued at nearly \$6 million in free legal services to the Great Futures 2025 Initiative, with attorneys from nearly all U.S. offices participating in the effort. The team was awarded the Firm’s 2022 Frank Wheat Award in recognition of their outstanding work on these matters.

“ It has been a real privilege to work with the team at the Boys & Girls Club of Metro Los Angeles over the years, first – in the creation of the initial alliance of clubs that formed the organization and more recently, in the next stage of their growth through the acquisition of the Boys & Girls Club of Venice. These transactions have helped the clubs consolidate operations, ultimately allowing the organization to more effectively provide services to the children of Los Angeles. ”



Candice Choh  
Partner (Century City)



## Hatch Enterprise

In recent years, Gibson Dunn has developed a strong pro bono relationship with Hatch Enterprise, the UK’s leading community enterprise program. Hatch supports under-represented entrepreneurs, helping them develop the knowledge, confidence, and skills needed to launch and grow a business. Since 2014, Hatch has supported more than 6,700 founders across the UK.

Since 2020, Gibson Dunn has provided ongoing support to Hatch , often in partnership with the Firm’s corporate clients. For example, we recently collaborated with Accenture to conduct a series of client consultations in which we provided targeted assistance to a group of entrepreneurs in Hatch’s Female Founder program. In these clinics, Gibson Dunn volunteers team up with in-house volunteers to provide practical advice and assistance to small businesses on a wide range of issues, from shareholder/funding arrangements and IP licensing to compliance with data protection regulations and managing contractual disputes. This advice is invaluable to the entrepreneurs—and is a fantastic experience for the volunteers from Gibson Dunn and our in-house partners alike.

“ We have had the chance to provide real-world, practical assistance to the Hatch entrepreneurs on a wide variety of issues, ranging from general corporate matters and IP licensing to the importation of precious metals and a cat-sitting dispute! It has been a lot of fun and the participants have really appreciated the legal and commercial insights that we have been able to provide. ”



Ciaran Deeny  
Associate (London)







## Red Argentina para la Cooperación Internacional

In 2022, Gibson Dunn began working with Red Argentina para la Cooperación Internacional (“RACI”) to carry out research on laws and regulations related to inequality in the private sector. RACI is a network comprised of more than 150 civil society organizations (“CSOs”) from Argentina that actively work towards the social transformation of Argentina through the creation of a space for exchange and inter-institutional dialogue. Broadly, the RACI network seeks to produce and disseminate information that is valuable to civil society, and to develop and optimize the CSOs’ capacities and skills.

Recognizing that, following the COVID-19 pandemic, inequality was a growing systemic risk that created burdens for those who already were economically vulnerable, RACI sought to undertake a detailed, up-to-date analysis of the policies and regulations designed to control inequality caused by the private sector. Several law firms participated in this research project, and Gibson Dunn’s Singapore and Beijing offices assisted with the research into applicable law in Singapore and the People’s Republic of China. Ultimately, the project will result in a comparative legal report that RACI can use to map the laws and regulations to redress inequality (e.g., gender, race/ethnicity, migrants, etc.) across selected jurisdictions.

## The Sovereign Art Foundation

The Sovereign Art Foundation (“SAF”) is a charity whose mission is to transform the lives of vulnerable children through art. For example, the SAF’s “Make it Better” program is a program that combines expressive arts workshops for children with special needs in Hong Kong and across Asia with education, training, and support for their caregivers and educators. Gibson Dunn’s Hong Kong office has been providing pro bono support to the SAF for several years. Among other things, the Firm has prepared template agreements for the SAF to use with their corporate donors, their event sponsors and artists who compete in the SAF’s annual art prizes and reviewed non-fungible token (“NFT”) agreements between the SAF and certain artists.





# LGBTQ+ RIGHTS

In 2022, defending the rights of the LGBTQ+ community remained a cornerstone of Gibson Dunn's pro bono practice. We have represented LGBTQ+ asylum-seekers; helped transgender, nonbinary and gender-nonconforming clients obtain name and gender marker changes; and partnered with organizations defending LGBTQ+ rights around the world. We also work closely with nonprofits in the United States and abroad to advocate on behalf of LGBTQ+ individuals around the world.

# 06







## LGBTQ+ Asylum Initiative

One of the Firm’s flagship pro bono initiatives is a partnership with Legal Services NYC, a leading legal aid organization in New York, to assist LGBTQ+ individuals seeking asylum in the United States. Each year, we screen dozens of LGBTQ+ clients for asylum eligibility and take on the cases of those individuals deemed to have a viable asylum claim. In some cases, we pair our asylum representation with assistance obtaining name and gender-marker changes.

In 2022, one of the victories coming out of this initiative was on behalf of a lesbian woman from Kazakhstan who had been a successful musician and performer in her home country before rumors about her sexuality began to swirl. Our client fled to the United States in 2014 and applied affirmatively for asylum in 2015, but was unsuccessful and saw her case referred to immigration court. Gibson Dunn subsequently took over the case, conducting extensive research about the climate for LGBTQ+ people in Kazakhstan, gathering evidence, and preparing our client to testify before the Immigration Judge.

After multiple pandemic-related and other delays, the immigration hearing was finally held on April 1, 2022. After the direct and cross-examination of the client concluded, the Immigration Judge issued his decision on the spot, awarding our client asylum and bringing an end to her eight-year journey of seeking status in the United States.

## The Trevor Project

In 2022, the Firm continued its longstanding partnership with The Trevor Project, the largest LGBTQ+ youth crisis intervention and suicide prevention organization, and the only nationwide organization that offers accredited, free, and confidential phone, instant message, and text messaging crisis intervention services for LGBTQ+ youth. Last year, for example, we filed an amicus brief on behalf of The Trevor Project, American Foundation for Suicide Prevention, and American Association of Suicidology, seeking affirmance of a decision that a Washington state statute banning the practice of conversion therapy on minors was constitutional. We set forth evidence that conversion therapy causes significant mental health harm to LGBTQ+ youth, in support of the argument that Washington was well within its rights and duties to protect minors in enacting the conversion therapy ban. For example, a study published by The Trevor Project found that LGBTQ+ youth subjected to conversion therapy were more than twice as likely to report having attempted suicide than LGBTQ+ youth who had not undergone conversion therapy. In September 2022, the Ninth Circuit affirmed the district court’s order, holding that states may enact laws to protect youth from the harms of conversion therapy.





# Transgender Rights

Throughout the United States, incarcerated transgender individuals are routinely mis-gendered and housed with the incorrect population. Not only does this practice place transgender people at enormous physical risk, but the psychological and emotional trauma of incorrect housing in prison cannot be overstated. Transgender inmates are particularly vulnerable while detained. A Bureau of Justice Statistics report found that nearly 40% of transgender inmates reported sexual assault—ten times the rate at which the general prison population was victimized.



State and local departments of corrections’ housing policies and decisions across the country have major implications for the health and safety of transgender inmates. Yet transgender inmates are often in the dark about the very policies in place to protect them. Transgender inmates and their advocates deserve to know how they are supposed to be treated and housed so that they can take appropriate action when these procedures and policies are not followed.

Recognizing the information gap and heightened vulnerability, a global team of Gibson Dunn attorneys worked on a nationwide project to compile policies concerning housing transgender inmates across all 50 states and territories in the United States on behalf of the National LGBTQ+ Bar Association. Because many policies are shielded from the public on an arbitrary basis, the team submitted public records requests to

states and counties for the information, and pursued formal and informal appeals if such requests were denied. The team won *all* appeals it undertook, including a hard-fought victory in Utah that resulted in a finding by the Utah Department of Corrections adopting the team’s arguments as to why the records should be released.

Through their diligent work and creative strategies, the team obtained policies for most states and territories, and created robust, easy-to-use, and comprehensive resources intended for use by transgender inmates, attorneys, and allies. The team is hopeful that enhanced transparency and accessibility of these housing policies will support and empower transgender inmates seeking housing placements that are consistent with their gender identity.

“ I am so proud of the work that the Gibson Dunn team did on the LGBTQ+ Bar Association’s Transgender Inmate Resource Project. Through passion, resourcefulness, and resilience, our team was able to navigate Byzantine state departments of correction to secure vital housing policies that transgender inmates (and their advocates) can use to ensure that they are properly housed according to their gender identity rather than their sex assigned at birth. Gibson Dunn has a long and proud history of defending LGBTQ+ rights. Our team was honored to play our part in this strong and enduring legacy through this important project for the LGBTQ+ Bar Association.”



Sydney Scott  
Partner (Houston)





# PRISONERS' RIGHTS

Over the last 50 years, the U.S. incarceration rate has grown by 500%, with millions of people under supervision of the U.S. correctional system. Although the United States comprises only 5% of the global population, the U.S. prison population is more than 20% of the prison population worldwide. Black and Latino men are disproportionately represented in the prison population, as racial inequities persist in the criminal justice system. Moreover, some individuals are imprisoned following wrongful convictions, and many individuals face shocking mistreatment while incarcerated. For all these reasons, Gibson Dunn takes seriously its commitment to work to improve our criminal justice system and to fight for those who suffered mistreatment as a result of that system.

# 07





## Solitary Confinement

After being held in solitary confinement in a Phoenix jail for eight-and-a-half years while awaiting trial, Anthony Wright brought suit in the District of Arizona against the sheriff and other officers in their personal and official capacities under 42 U.S.C. § 1983 for violating his Fourteenth Amendment right not to be punished as a pretrial detainee, among other claims. The district court granted the defendants summary judgment on all of Mr. Wright’s claims in May 2020.

A Gibson Dunn team was appointed as pro bono counsel on appeal in early 2021. The briefs argued that the Ninth Circuit should reverse on Mr. Wright’s (1) substantive due process claim for housing him in solitary confinement for eight-and-a-half years while he was a pretrial detainee, (2) procedural due process claim for failing to provide him any meaningful review of his confinement conditions, (3) separate substantive due process claim for subjecting him to continuous lighting for 8.5 years, and (4) inadequate medical care claim. After oral argument, the Ninth Circuit reversed the district court’s grant of summary judgment on Mr. Wright’s substantive due process and procedural due process claims (the two most important claims in the case) and remanded for trial on those claims.

The team moved to reopen discovery to allow Mr. Wright to appoint medical and damages experts, depose the defendants, and pursue relevant document discovery. While that briefing was ongoing, Defendants asked to mediate the case. In October 2022, Defendants agreed to settle the case for \$975,000—a substantial sum that far exceeded their previous settlement offer, which was well under six figures—all of which will go to Mr. Wright and his family. Los Angeles associate Emily Sauer, the lead attorney on this case, received the 2022 Frank Wheat Award in recognition of the incredible result obtained in this matter.

## Failure to Accommodate Physical Disabilities

In June 2022, Gibson Dunn obtained a victory in the Seventh Circuit Court of Appeals on behalf of pro bono client Carl Joseph McDaniel. Mr. McDaniel sought a preliminary injunction against the Wisconsin Department of Corrections for failing to accommodate his physical disabilities. The district court denied the preliminary injunction; Mr. McDaniel then retained Gibson Dunn to handle his appeal, which focused on the district court’s failure to consider Mr. McDaniel’s evidence. Days later, the panel agreed that the district court had improperly relied only on the prison’s evidence and assessments. The Seventh Circuit vacated the preliminary-injunction order, remanding with instructions to consider the full scope of the evidence.

“ Our pro bono work for Carl McDaniel, a disabled inmate in Wisconsin, was incredibly rewarding. We gave him an opportunity to be heard and taken seriously, and we obtained a ruling that district courts must engage with substantive evidence of discrimination; they can’t just take the state at its word. ”



Johanna Smith  
Associate (Houston)

## The Innocence Project



In 1992, the Innocence Project was founded to exonerate the innocent, prevent wrongful convictions, and create a more equitable justice system. Each year, the Innocence Project receives thousands of requests for assistance from incarcerated individuals—far too many for it to meaningfully review and consider. As part of the Firm’s support of the Innocence Project, Gibson Dunn has stepped in to help screen dozens of cases to evaluate whether they have colorable claims of actual innocence worth pursuing.

Many cases that ultimately end in exoneration involve faulty evidence that contributed to the original guilty verdict, including many cases with witness misidentification, false confessions, and misapplied forensic science. Our teams review the case file and provide an in-depth summary of the facts of the case, the biological evidence available, and the theory under which DNA testing can or cannot prove innocence. The ultimate goal is to determine whether DNA testing has the ability to prove innocence and ultimately exonerate the defendant. Often, our attorneys partner with corporate clients to complete these screenings. In recent years, dozens of attorneys and other legal professionals from in-house legal teams have collaborated with Gibson Dunn volunteers to screen these cases and submit their evaluations to the Innocence Project.

“ Partnering with Gibson Dunn on the Innocence Project has been a rewarding experience for me and has given me the opportunity to give back to the community on important social justice issues. I value Gibson Dunn’s support and ongoing collaboration, and the Pro Bono team do such a tremendous job organizing and triaging the cases. ”



Marcela Castro  
Executive Director & Assistant General Counsel,  
J.P. Morgan Chase



# CONSTITUTIONAL RIGHTS

Promoting the rule of law and defending constitutional rights is at the core of our pro bono practice. Over the years, Gibson Dunn has taken on cases and clients fighting to preserve First Amendment freedoms, and has taken on matters focused on important issues related to women's rights, gun control, the rights of criminal defendants, and many other constitutional issues.

# 08





**California v. Bureau of Alcohol, Tobacco, Firearms, and Explosives**

Ghost guns are do-it-yourself (“DIY”) projects that allow anyone to quickly and easily build fully functional firearms—including military-grade assault rifles—in as little as fifteen minutes using common household tools. Traditionally, ghost guns were sold in “kits” that provided not only the critical components of firearms (unfinished “frames” or “receivers”), but also the relevant tools and templates needed to complete the gun in minutes.

Because of the Bureau of Alcohol, Tobacco, Firearms and Explosives’ (“ATF”) prior regulatory rulings, ghost guns have been completely unregulated and not subject to the requirements of the Gun Control Act—they can be purchased without a background check (and thus are easily accessible to “prohibited purchasers” like minors and those with a history of domestic violence), and they lack serial numbers, which prevents law enforcement from tracing guns used for criminal activity. In the 2019 Saugus High School Shooting in Santa Clarita, California, a ghost gun was used by a minor to kill 15-year-old Gracie Anne Muehlberger and 14-year-old Dominic Blackwell.

ATF passed a new regulation in August 2022, which attempted to regulate ghost guns, but fell short—creating a massive loophole that will severely undermine any attempt to end the ghost gun epidemic in his country. Rather than ruling that the core firearms components—unfinished frames and receivers—are subject to regulation under the Gun Control Act, ATF’s rule has concluded that only frames or receivers sold as part of an all-in-one DIY “kit” can be regulated. The final rule does not require background checks or serialization if an unfinished firearm frame or receiver is sold separately from the tools necessary to turn it into a fully-functioning firearm—even if those tools are offered by the same seller and can be purchased by the same buyer minutes after purchasing an unfinished frame.

Gibson Dunn, representing the Giffords Law Center to Prevent Gun Violence, Mr. Blackwell and Mr. Muehlberger, originally brought this case against ATF in 2020, alleging that their prior regulatory rulings related to ghost guns were arbitrary and capricious. The case had been stayed since spring 2021, when the Biden Administration announced that ATF would be promulgating a new rule to address the ghost gun epidemic. Following promulgation of that rule, Gibson Dunn and its co-counsel amended the complaint,



alleging ATF’s regulations are contrary to law (the Gun Control Act) and are arbitrary and capricious. The federal government moved to dismiss, and it’s motion was largely denied on February 9, 2023, setting the stage for discovery and summary judgment motions to be filed later this year.







***Freedom from Religion Foundation, Inc. v. Mack***

Shortly after he was elected in 2014, Judge Mack responded to a fatal accident. After trying in vain to find a chaplain to counsel and comfort the victim’s family, Judge Mack set out to establish a chaplaincy program to ensure chaplains would be available in times of need. The program is open to members of any faith-based community and comprises a diverse coalition of clergy and lay persons who subscribe to a variety of belief systems, faiths, and denominations—including Protestantism, Catholicism, Buddhism, Hinduism, Judaism, and Islam. To thank the volunteer chaplains for their service and to solemnize the courtroom proceedings, Judge Mack regularly invites a volunteer chaplain to be recognized before the first case is called. Judge Mack describes the program, introduces the chaplain, and permits the chaplain to say a few words—many offer prayers; others offer “encouraging words.” Attendance at and participation in the opening ceremony is completely optional—as numerous written signs and the bailiff’s oral instructions remind attendees.

The Freedom from Religion Foundation nevertheless sued, challenging the constitutionality of Judge Mack’s opening ceremony. Despite ample evidence of the history and tradition of opening government proceedings with a solemnizing prayer, the district court declared that Judge Mack’s practice “flies in the face of historical tradition, and makes a mockery of both, religion and law.” Within days of the district court’s refusal to stay its order, Gibson Dunn secured an emergency stay in the Fifth Circuit. A unanimous panel then granted the stay in a published opinion, recounting the arguments and historical evidence presented by Gibson Dunn. By reversing and rendering judgment in favor of Judge Mack, the Fifth Circuit ensured that Judge Mack can continue honoring the volunteer chaplains.

***Palin v. New York Times Amicus Brief***

In December 2022, Gibson Dunn filed an amicus brief in the U.S. Court of Appeals for the Second Circuit in support of the defendants in *Palin v. The New York Times Co.* The Gibson Dunn brief was filed on behalf of the Reporters Committee for the Freedom of the Press and a large coalition of 52 news media organizations.

The high-profile litigation involves claims brought by Sarah Palin, the former Governor of Alaska and 2008 vice presidential nominee, against the *New York Times* and its former editor, James Bennet, arising from an editorial published in the *Times* in 2017. A closely watched jury trial earlier this year ended when the district court granted judgment in favor of the *Times* and the jury ruled in favor of the *Times* on the same day. Governor Palin has appealed the result of the trial to the Second Circuit. Among other things, the appeal asks the Second Circuit to set aside or not apply the foundational “actual malice” standard announced in the Supreme Court’s seminal 1964 *New York Times v. Sullivan* decision.

The Gibson Dunn brief explains why the “actual malice” standard, both in its historical context and present-day application, remains an urgently important bedrock principle of First Amendment jurisprudence. The brief also addresses a subsidiary issue in the appeal and explains why the “actual malice” standard should apply both to whether the defendant actually intended to communicate anything defamatory, as well as to whether the defendant was aware that the statement was false. Finally, the Gibson Dunn brief urges the Court to affirm the district court’s ruling that New York state law independently imposes the “actual malice” standard in this dispute, separate and apart from the requirements of the federal constitution.





# ENVIRONMENTAL CONSERVATION

Environmental preservation and conservation are increasingly important issues, and the Firm is proud to partner with nonprofit organizations that lead the way in this space. We look forward to continuing this work in the years to come, and we hope these efforts will help protect our planet for us and generations to come.

# 09







## The Nature Conservancy

Gibson Dunn has developed a strong pro bono relationship with The Nature Conservancy (“TNC”), a nonprofit founded in the 1950s to conserve the lands and waters on which life depends. Since 2020, the Firm has represented TNC in an eminent domain proceeding, where the condemning authority initiated condemnation proceedings as part of its project to expand and modernize a dam.

TNC holds two conservation easements over a portion of the affected property, and those easements prevent significant development and protect the rare habitat type on the property. TNC also owns adjacent land, which it manages as a preserve. The conservation easement and preserve properties together serve as a critical wildlife corridor that allows fauna, including endangered animals, to travel through the increasingly developed area. The condemning authority’s planned improvement of a dirt road would change the nature and uses of the road and have impacts on the surrounding land.

In 2022, the Gibson Dunn team helped TNC negotiate a global settlement of the eminent domain proceeding with the landowner and the condemning authority. While the condemnation could not be avoided, as a result of the negotiations, Gibson Dunn ensured protection of the habitat protected by the conservation easements through both monetary and non-monetary compensation, including various conservation-focused project management terms.

“ It has been so rewarding to work with The Nature Conservancy and help further their efforts to conserve important local land.”



Lydia Lulkin  
Associate Attorney (Denver)

## Solar AI Technologies

Gibson Dunn’s Singapore office currently is providing corporate law and regulatory advice to Solar AI Technologies, a Singapore-based social enterprise that seeks to promote the use of solar energy. Recognizing that the upfront cost of solar ownership and a lack of awareness and trust in the market prevents solar adoption from scaling up, Solar AI Technologies aims to simplify the process of getting rooftop solar by offering zero upfront cost rooftop solar as a service. We are proud to promote the environmental cause of hyper-scaling the adoption of solar energy across Southeast Asia.





# INTERNATIONAL RULE OF LAW

In 2022, Gibson Dunn continued its efforts to promote the international rule of law, including through support for nonprofits and international NGOs dedicated to promotion of international human rights, and through advocacy for human rights defenders and the victims of international crimes. Like many of our pro bono initiatives, this work brings together attorneys from the Firm's U.S. and international offices working toward a common purpose.

# 10





# Nazanin Zaghari-Ratcliffe

In April 2016, Iran illegally and arbitrarily detained Iranian-British dual citizen Nazanin Zaghari-Ratcliffe on false espionage charges. Nazanin, then an employee of the nonprofit charity Thomson Reuters Foundation, was on vacation visiting family in Iran with her 20-month-old daughter, Gabriella, when she was convicted and sentenced to imprisonment for allegedly plotting to overthrow the Iranian government. Nazanin, who was interrogated for a month and left in solitary confinement for long periods, adamantly denied the allegations. In the UK, her husband, Richard, fought tirelessly for her release, with pro bono assistance from a team of Gibson Dunn attorneys in the London office.

Throughout the course of the representation, the team engaged with the UK Foreign Office and Consular teams of the UK Government to push for the Government to (1) acknowledge Nazanin’s detention as arbitrary and illegal; (2) accept that her treatment in prison (and particularly in solitary confinement) constituted torture and a violation of her human rights; and (3) demand that Iran release her and allow her to come home to her family. Over the years, the team supported Richard on regular calls with the Foreign Office and in meetings with multiple successive Foreign Secretaries. In March 2019, Diplomatic Protection was finally granted for Nazanin in a ground-breaking decision by Foreign Secretary Jeremy Hunt—the first and only time Diplomatic Protection has ever been invoked for an individual British national.

Central to the case was a £400 million debt that a UK Government-owned arms company owed to the Iranian Ministry of Defense. This debt had gone unpaid since 1979, and it became clear that Iran would not release

Nazanin until the UK agreed to repay it. As part of our advocacy in this case, Gibson Dunn repeatedly challenged the Government’s continued breach of its internationally owed legal obligations with regard to this unpaid debt.

During the six years that Nazanin was imprisoned, her case gained significant national and international attention—and raised serious questions about the UK Government’s responsibilities to British nationals detained abroad. Both Nazanin and Richard undertook prolonged and devastating hunger strikes in protest against her mistreatment in Iran and the lack of meaningful action taken in the UK. The UK’s historic debt to Iran’s Ministry of Defense was finally settled in March 2022, after which Nazanin was finally allowed to fly home and be reunited with Richard and Gabriella, now an eight-year-old child. The London team that represented Richard Ratcliffe was awarded the Frank Wheat Award in recognition of the outstanding result in this matter.

“ This has been a long hard fight with the Government to force the UK to take action to protect the fundamental human rights of a British citizen and to take responsibility for the Government’s own disregard for the Rule of Law. It was an incredible moment when Nazanin finally took off from Tehran. All credit to the team for their tireless work on this matter.”



Penny Madden  
Partner (London)



## Lawyers Without Borders

As part of the Firm’s broader international human rights work, an international team of attorneys from Gibson Dunn’s Hong Kong, Munich, New York, and Singapore offices prepared a case file for the Lawyers Without Borders (“LWOB”) ATLAS program, an ongoing initiative by LWOB to attain lasting change for better enforcement of labor and criminal law to address child labor, forced labor, and human trafficking. ATLAS provides enforcement-related training in these areas to prosecutors, public defenders and judges in countries around the world.

Gibson Dunn created a sample case file for ATLAS, which included a fact pattern, pleadings, witness statements and documentary exhibits. LWOB then used the case file in experiential training sessions for local officials in Liberia. As part of the training, Gibson Dunn attorneys also had the opportunity to present to participants at LWOB’s Enforcement Training Program Refinement Workshop. Since piloting the program in Liberia in June 2022, the LWOB team has received great feedback about the case file from participants.



# CASE SPOTLIGHT: *JONES V. CITY OF LOS ANGELES*

Gibson Dunn achieved a historic victory for its client Deon Jones on March 9, 2023, when a federal jury in Santa Ana, California returned a unanimous verdict in his favor, finding that a police officer violated Mr. Jones’ Fourth Amendments rights by shooting him in the face with a rubber bullet during a demonstration that occurred in the wake of the murder of George Floyd. The jury awarded Mr. Jones a total of \$375,000 in damages.



I believe it is no coincidence that the verdict came down on the 58th anniversary week of Bloody Sunday in Selma where the late Congressman John Lewis almost died at the hands of law enforcement. It was a reminder that I come from a people and legacy who bled and died to have a voice in this country, and that is why we showed up and gave 100 percent every day to fight this fight. From the beginning, what I wanted was accountability for what was done to me that day, and I am grateful for the verdict.

Deon Jones



Deon Jones with *LA Times* front page on Friday, March 10, 2023.

Mr. Jones, a Los Angeles-based performance artist, entrepreneur, and Truman Scholar, grew up in Wiggins, Mississippi, where he witnessed and was subjected to rampant anti-Black racism. He has chosen to dedicate his adult life to serving as a leader and voice for his communities, using his work to help spread messages of inclusivity, social justice, and equality. He counts among his mentors the late Congressman John Lewis, who instilled in him the deep-seated belief that he had a responsibility to stand up and fight against inequality.

On the afternoon of May 30, 2020, LAPD officers outfitted in riot gear arrived as the protesters began to march away from the park, causing the scene to become increasingly chaotic. Mr. Jones and his friend sought refuge in the parking lot of a nearby Trader Joe’s. While peacefully filming the scene with his phone in the parking lot, Mr. Jones was suddenly shot in the face by Officer Peter Bueno with a projectile from a weapon known as a 40mm “less-lethal” launcher. The projectile broke two bones in Mr. Jones’ face and was millimeters away from blinding him, or even worse, killing him.





Deon Jones with John Lewis

Mr. Jones brought this civil rights lawsuit to hold the City of Los Angeles, the Los Angeles Police Department, the Chief of the LAPD, and LAPD Officer Bueno accountable for their egregious and unconstitutional conduct on May 30, 2020. When Mr. Jones filed his initial Complaint in the Central District of California on December 9, 2020, he did not know the identity of his shooter. It was only after the City and the LAPD were ordered by the Court to produce critically important documents to Mr. Jones, including documents related to the LAPD’s internal investigation into the shooting, that Mr. Jones was finally able to identify Officer Bueno as his shooter—almost a year after filing his initial Complaint. Mr. Jones’ case then survived multiple motions to dismiss and a motion for summary judgment before proceeding to trial. Mr. Jones also rejected a settlement offer from the City, an offer that would turn out to be less than what Mr. Jones was awarded at trial.

On February 28, 2023, trial commenced before an eight-person jury, with the Honorable Fred W. Slaughter presiding. The trial featured body-worn camera videos that captured the events of the day, including videos showing Officer Bueno using excessive force against Mr. Jones and other protesters. The trial also featured testimony from eyewitnesses of the shooting and LAPD officers and other witnesses who testified it violates LAPD policy to shoot people in the face and otherwise engage in excessive uses of force.

After listening to four days of testimony, the jury deliberated for approximately five hours before returning a unanimous verdict in favor of Mr. Jones on his Fourth Amendment claim against Officer Bueno. The jury awarded Mr. Jones a total of \$375,000, consisting of \$250,000 in compensatory damages and \$125,000 in punitive damages. In awarding Mr. Jones punitive damages, the jury concluded Officer Bueno’s shooting of Mr. Jones was malicious, oppressive, or in reckless disregard of Mr. Jones’ rights.

As reported by the *Los Angeles Times*, this verdict is “the first verdict of its kind since mass protests swept Los Angeles in 2020,” with several other similar lawsuits ending in settlement with no acknowledgement of any wrongdoing by the City of Los Angeles or the officers involved. This verdict in favor of Mr. Jones helps pave the way for future protesters to exercise their fundamental constitutional rights without fear of police violence and retaliation.

The Gibson Dunn trial team includes partners **Orin Snyder, Katie Marquart, Matt Kahn, Lauren Blas, and Karin Portlock**, as well as associates **Lee R. Crain, Mark J. Cherry, Lauren Dansey, Tim Biché, Courtney Johnson, Ariana Sañudo, Chaplin J. Carmichael, Viola Li, Rebecca Rubin, Isabella Sayyah, Brian Yeh, Katy Baker, Lana El-Farra, Jabari Julien, Amanda Sadra, Sam Whipple, Terry Wong, Nicolas Rossenblum, Yan Zhao, Mitchell Wellman, Geronimo Morales**, paralegals **Dan K. Tom, Leigh Fandy, and Josh Green**. Other associates and former associates also provided invaluable assistance over the past few years, including **Cassarrah M. Chu, Angela Reid, Hannah Stone, Brennon Mendez, Leni Ackerman, Grace Assaye, Abi Averill, MacKenzie McCullough, and Eric Richardson**.



Gibson Dunn Associate Team

“ I’m humbled by the courage it took for Deon to stand up to the LAPD, and I’m grateful to have been a part of such a skilled and dedicated team. We put everything we had into the case and I’m proud to know that we got justice for our client. The experience of working on Deon’s case (and with the GDC team) will stay with me for a long time and motivates me to continue pushing the law towards fairness, equality, and justice. I hope that Deon’s story will serve as a powerful reminder that our right to lift our voices in protest remains as strong as ever.”



**Jabari Julien**  
Associate (New York)



# CORPORATE CLIENT SPOTLIGHT: AMAZON





At Gibson Dunn, we are fortunate to be able to collaborate with an unparalleled group of nonprofit partners and in-house legal teams on our pro bono initiatives. Partnering with in-house teams makes it possible for the Firm to take on significantly more bono cases than we otherwise could staff, expanding our pro bono practice's reach to include many more clients in need of legal assistance. In recent years, we have been proud to partner with Amazon on a series of pro bono initiatives—a collaboration we look forward to continuing for years to come. After first partnering on pro bono matters more than five years ago, we have forged an especially close partnership with Amazon since 2021. Reflecting the broader relationship between Amazon and Gibson Dunn, our pro bono partnership has involved attorneys from around the world teaming up to work on a variety of short- and long-term projects, with a strong focus on helping refugees who have arrived in the United States after fleeing persecution in their home countries.

Together, Amazon and Gibson Dunn have helped dozens of individuals fleeing persecution or other threats in their home countries gain safety and security in the United States. More than 80 countries have laws criminalizing people who are LGBTQ+, including several countries that apply the death penalty. Representing LGBTQ+ asylum-seekers fleeing these countries has become an important pro bono initiative for the Firm. And some of our first collaborations with Amazon focused on assisting LGBTQ+ individuals who, having faced serious risks to their safety, traveled to the

United States in search of the freedom to live as their true selves without the fear of anti-LGBTQ+ violence looming over their every decision.

Amazon and Gibson Dunn regularly have collaborated on this project with Legal Services NYC (“LSNYC”), one of the nation’s largest legal service providers and a lifeline to more than 100,000 low-income New Yorkers each year. LSNYC’s client base includes a large number of LGBTQ+ individuals who have traveled to New York in search of a new life and require pro bono legal assistance to obtain lawful status in the United States. In partnership with LSNYC, teams of Amazon and Gibson Dunn attorneys have worked together to assist dozens of LGBTQ+ individuals in all stages of their asylum process—from screening individuals for asylum eligibility to representing them throughout their asylum proceedings, and finally to helping asylees apply to become naturalized U.S. citizens. Each step of this journey helps provide critical safeguards and important benefits to our clients.

Amazon also is a valued partner in addressing the immigration needs caused by large-scale crisis situations, such as Russia’s invasion of Ukraine and the Taliban’s takeover of Afghanistan. For example, Amazon volunteers immediately raised their hands to help Ukrainians in the United States apply for Temporary Protected Status (“TPS”). TPS is a

temporary status that allows citizens of designated countries affected by war, natural disasters, and other emergencies to live and work in the United States. Days after the Department of Homeland Security designated Ukraine for TPS, Amazon already had agreed to assist with these important applications to ensure Ukrainians who had traveled to the United States would be free to remain in the country while conditions in Ukraine remained too dangerous for them to return home.

Similarly, Amazon has contributed to the private sector’s efforts to help Afghans evacuated to the United States as part of the U.S. withdrawal from Afghanistan. In 2021 and 2022, when tens of thousands of Afghan evacuees arrived in the United States and began searching for housing, employment, and legal assistance, the private sector came together to help meet these critical needs. Amazon and Gibson Dunn, along with dozens of other major companies across the United States, began working with Welcome.US to help welcome Afghan evacuees and help them adjust to life in the United States. A key part of that mission is ensuring Afghan evacuees have access to pro bono legal assistance to help them in their immigration journeys. Amazon and Gibson Dunn have participated in a series of legal clinics to provide legal support to Afghans as they pursue their asylum claims. Of course, there is still a huge need for pro bono assistance. Amazon and Gibson Dunn are committed to supporting Welcome.US and its mission until the job is done. We look forward to continuing to partner with Welcome.US and Amazon on this important initiative, which has grown to include volunteers from across Gibson Dunn’s 20 offices and from Amazon’s global legal team.

“ I am incredibly proud of the work the Amazon and Gibson Dunn legal teams have done together in the pro bono space. By combining forces, we have provided critical legal aid to vulnerable populations, including refugees from countries that criminalize people who are a part of the LGBTQ+ community. We have also reacted quickly to help immigrants from large-scale crises like the war in Ukraine and the Taliban’s takeover of Afghanistan seek asylum in the United States. We will continue this important work together so we can make even more impact for those who need it most. ”



David Zapolsky  
General Counsel, Amazon



# OFFICE SPOTLIGHT: SAN FRANCISCO







## Berkeley Receivership Case

For the past two years, a team of Gibson Dunn attorneys based in San Francisco has represented Leonard Powell against the City of Berkeley in legal proceedings arising from a sprawling and unnecessary receivership over Mr. Powell’s family home. The case began in October 2014, when Mr. Powell, an 80-year-old Black veteran, was served with 33 discrete housing code violations by the City of Berkeley. Most of these violations were minor and would have been easy to remediate, and Mr. Powell worked with his sons to comply with the notice of violations. As a senior with limited means, he also asked City officials for their advice on how to cure the violations they cited.

Instead of working with Mr. Powell, the City pursued an aggressive course of action. In January 2015, the City began soliciting the services of a Receiver to take control of Mr. Powell’s home. Just five months later, and despite Mr. Powell’s good-faith efforts to address the code violations himself, the City moved to place Mr. Powell’s home under a receivership, paving the way for a top-to-bottom remodel of the property that exceeded \$1 million dollars.

Much of the construction work the Receiver performed was entirely unnecessary to cure the noticed violations. For example, the Receiver inexplicably converted Mr. Powell’s single-family home into a duplex—to the tune of tens of thousands of dollars. Adding insult to injury, when Mr. Powell expressed concerns about the Receiver’s spending and asked him to take into consideration his limited means, the Receiver just kept spending, telling Mr. Powell that he had no ability to object to the Receiver’s actions. At bottom, the exorbitant receivership threatened to permanently force Mr. Powell out of his home, where he has lived with his family for over 50 years.

Despite limited precedent in receivership law in California, the team sought to hold the City responsible for its role in initiating the receivership through motion practice, seeking a writ of mandate, writing to local officials, and engaging community stakeholders. Ultimately, the City of Berkeley sought to settle the case. The settlement included a financial disbursement to Mr. Powell, as well as a commitment from the City of Berkeley to change its receivership policy. In particular,

the City committed to providing a list of free or low-cost legal providers to potential respondents of receivership petitions—a significant change, given that Mr. Powell was unrepresented during part of the proceedings, thereby limiting his ability to challenge aspects of the receivership. The City of Sacramento is similarly taking a hard look at the inequities caused by its receivership policies and is endeavoring to revamp its processes to prevent others from facing the injustices that plagued Mr. Powell.

“ The San Francisco office is deeply committed to pro bono work—it gives all of our attorneys the chance to give back to our Bay Area community and to bring our many diverse talents to bear on issues that affect us all, directly and indirectly. We strive every day to deliver our highest quality work for our pro bono clients, many of whom otherwise may not be able to safeguard their rights and interests through the legal process. It is a responsibility that all of the attorneys in our office take on with enthusiasm and dedication.”



Duncan Taylor  
Associate (San Francisco)







## Asylum for Eritrean Refugee

On September 16, 2022, Gibson Dunn secured asylum for a pro bono client in the U.S. Immigration Court in San Francisco, California. The client is a refugee from Eritrea and a member of the Baryan ethnic minority group in Eritrea that is discriminated against in many ways, including being forbidden from marrying and working many jobs. In 2015, our client was arrested, beaten, tortured, interrogated, and imprisoned based on his ethnicity and based on the imputed political belief that he opposed the Eritrean government, which he did not. After four years of imprisonment, he escaped Eritrea and made his way to the United States.

During a bench trial held on July 15, 2022 and September 16, 2022, the Gibson Dunn team presented evidence from three supporting declarants, a country conditions expert, and testimony from the client himself. The Department of Homeland Security cross-examined the client over the course of the two hearings. Following the presentation of evidence, the Immigration Court granted our request for asylum from the bench.

## Supporting Bay Area Veterans

Attorneys in Gibson Dunn’s San Francisco office have a longstanding commitment to veterans’ advocacy. Among other things, the office has partnered with Swords to Plowshares, a local nonprofit providing Bay Area veterans with free health, wellness, housing, employment, and legal assistance. For example, San Francisco attorneys have participated in Swords to Plowshares clinics to assist veterans seeking military discharge upgrades, including helping veterans who received a less-than-honorable discharge under “Don’t Ask, Don’t Tell” obtain military benefits they would otherwise be entitled to.

“ This year the San Francisco office continued its partnership with Swords to Plowshares to serve military veterans in the Bay Area through pro bono clinics. These clinics focus on assisting veterans with discharge upgrades, including helping some of the thousands of veterans who received a less than honorable discharge under “Don’t Ask, Don’t Tell” obtain military benefits they would otherwise be entitled to. Gibson Dunn’s commitment to this work is particularly meaningful to me, given that I was not eligible to join the military under “Don’t Ask, Don’t Tell” when I graduated from high school, college, and law school, and commissioned in the Navy Reserve after joining Gibson Dunn. The San Francisco office is proud to contribute to Gibson Dunn’s longstanding commitment to supporting military veterans. ”



Joseph Gorman  
Of Counsel (San Francisco)





# INTERVIEW WITH ADAM HEINTZ, LSNYC

Legal Services NYC (“LSNYC”) is a large poverty law organization with a staff of nearly 700 that helps more than 100,000 New Yorkers each year on civil legal matters like housing, immigration, public benefits, and more. LSNYC’s mission is to fight poverty and seek racial, social, and economic justice. Adam Heintz is the Director of Pro Bono Services at LSNYC. Since stepping into that role in 2013, Adam has developed dozens of innovative pro bono initiatives focused on many different areas of law. LSNYC works with dozens of law firms and corporate legal teams to provide pro bono legal services to thousands of low-income New Yorkers each year.





# Interview with Adam Heintz, LSNYC



Under your leadership, the pro bono program at LSNYC has exploded over the last decade. How did you accomplish this?

When I began in my position as Pro Bono Director at Legal Services NYC (LSNYC) in 2013, the organization had never had a formal pro bono program. In the 10 years since then, I built a unit of 13 people that now works with thousands of volunteers and clients annually. That includes partnerships with nearly 100 law firms and corporations, individual volunteers, and others. I have created nearly 20 initiatives focused on the bread-and-butter poverty law work of the organization. These include: (1) housing conditions cases; (2) public benefits applications; (3) asylum; (4) U-visas; (5) VAWA-Self Petitions; (6) adjustment of status; (7) naturalizations; (9) transgender name changes; and more. Each of these initiatives has

required development of intake procedures, technology, trainings and manuals, mentorship and supervision models, and recruitment and cultivation of pro bono volunteers.

That’s amazing. And, in your opinion, how do pro bono partnerships help advance LSNYC’s mission?

LSNYC partners with law firms and corporations so that we can expand our reach and serve more clients. Despite our size, we sadly turn people away every day across all of our practice areas. Estimates are that when you put together all of the work done by organizations like LSNYC in New York, we are collectively meeting only half of the need for low-income clients seeking representation to stay in their homes, remain in the country, or obtain essential benefits like SNAP. The need is just so tremendous, and the problems that our clients face are so substantial that we need all hands on deck to help as many people as possible. Law firms can step in to solve these challenges and make it not only possible, but easy to decide to volunteer. It is a pretty amazing thing to see how many clients we can now help thanks to this model of hybrid partnerships between law firms, corporations, and LSNYC.

What are the keys to a successful pro bono collaboration?

The keys to a successful pro bono collaboration are a shared passion for helping our clients, trust between the people organizing the work, and open lines of communication about what we loved and what we want to do better on next time. It is also essential to have experts at LSNYC who prepare trainings and mentor the volunteers. We have a phenomenal team of subject matter experts in the pro bono unit at LSNYC who specialize in training and supervising pro bono teams

so that they can work confidently and effectively to secure great outcomes for clients.

When did LSNYC start working with Gibson Dunn? How did this pro bono partnership come to be?

We have been working with Gibson Dunn for nearly 10 years. Our work together has grown massively over the years, largely because we worked so closely together to come up with innovative shared corporate / law firm partnerships. Gibson Dunn is one of our top three law firm partners by case volume and donated hours—despite a number of firms having many more attorneys in NYC. But the relationship is much deeper than those metrics can convey.

It takes a shared vision and trust to scale work up to the degree that LSNYC and Gibson have done together. I am grateful to Katie Marquart for her leadership of the pro bono program at Gibson, and for her deep commitment to helping LSNYC’s clients. Her lodestar for the firm’s pro bono is being as effective as possible for the pro bono clients who need it most. Our experience with Gibson attorneys more broadly has just been exceptional. We have worked with hundreds of the firm’s attorneys and staff over the years, and time and time again we have seen them go above and beyond to represent our clients not only effectively, but with passion, empathy, and kindness. I love seeing how those many hundreds of experiences have led to a deep connection between our two institutions—and the ways that it leads us to do even more together to serve more low-income New Yorkers.

What’s your favorite pro bono collaboration, and why?

My favorite pro bono collaboration is our LGBTQ+ affirmative asylum project with Gibson Dunn and a series of corporate partners. We created this project





together early in the Trump Administration, when times were exceptionally dark for immigrants in this country. In early 2018 the administration decided to change the processing of affirmative asylum applications to a “last in first out” approach, designed to deport immigrants as quickly as possible. We decided to turn that change to the advantage of our clients, who could secure interviews months - sometimes week - after applying. We helped scores of LGBTQ people who were fleeing terrible persecution to become asylees just months after we began representation—and have since helped many of those clients to become legal permanent residents. It has been so inspiring to see the positive change that we have made for so many clients who have been through some of the worst experiences imaginable—and who can now start a new life in this country with legal status and a changed future ahead of them.

Gibson has also developed so much expertise in this area that it has become really easy for our attorneys to partner with the firm. It is rare to have the kind of internal expertise in immigration matters like these, and it has allowed us to continue expanding the work in an efficient way.

**What do you see as the key pro bono needs of 2023?**

To me, the most pressing pro bono need of 2023 is, broadly speaking, to continue representing individuals in essential civil legal proceedings like housing, immigration, public benefits, and beyond. So many people continue to go without an attorney. And the concrete benefits that pro bono attorneys can obtain for clients are profound: food, shelter, safety, legal status and the ability to work

**What is your favorite part about your job?**

The best part of my job is that pro bono has this almost magical quality of possibility. We can rapidly generate pro bono resources to respond to a need, even when there isn’t adequate funding available. If we can find something that is a good fit for pro bono lawyers and a significant area of client need, we will build a project and systems to make it work at a very large scale. I love that—building it, managing the work, and seeing the impact on both clients and volunteers. We are so lucky to be in New York where there are firms like Gibson Dunn that get it, share our mission, and have so many talented attorneys and staff ready to help our clients!

“

**My pro bono advocates are the most loving, caring, and honest attorneys I ever met in my life. I have a whole new perspective on lawyers. They fought for me like no one had ever done and were always in communication with me to update me about the case and to check on me as a person. They showed me compassion, respect, and love for what they do.**

LSNYC Clinic Client





# FRANK WHEAT AWARD WINNERS

Each year, Gibson Dunn acknowledges the exemplary pro bono work done by its lawyers that has changed lives and, in some cases, changed laws. To that end, we created the Frank Wheat Memorial Award. Frank Wheat, a former Gibson Dunn partner who passed away in 2000, was not only a giant in the legal community—a superb transactional lawyer, an SEC commissioner, and president of the Los Angeles County Bar—but a giant in the nonprofit community as well. He founded the Alliance for Children’s Rights, was a founder and trustee of the Earthjustice Legal Defense Fund, a leader of the Sierra Club, and a former board member at the Center for Law in the Public Interest, which established a fellowship in his name to train young lawyers in public interest litigation. The Frank Wheat Memorial Award is given annually to lawyers who have demonstrated leadership and initiative in their pro bono work, obtained significant results for their pro bono clients, and served as a source of inspiration to others through their pro bono work.

## Individual Award Winners



**William J. Moccia**  
Of Counsel (New York)



I’ve been fortunate enough to be a part of a lot of exciting victories during my time at Gibson Dunn, but nothing can beat the joy that comes from delivering this sort of life-changing result for an individual client in need. It was a privilege to advocate on behalf of a military veteran who underwent unspeakable trauma while honorably serving our country, and I hope that others at the Firm who are looking for opportunities to give back will consider undertaking similar matters in the future.



**Emily Sauer**  
Associate (Los Angeles)



Representing pro bono clients at Gibson Dunn offers attorneys the best of all worlds. I was able to gain significant substantive experience briefing and arguing an appeal before the Ninth Circuit, while also having the opportunity to make a meaningful difference in my client’s life. I am so grateful for all of the support I received in leading my pro bono case from start to finish.

## Team Award Winners

**Advocacy for Nazanin Zaghari-Ratcliffe’s  
Release from Arbitrary Detention**  
(London Office)

**Boys & Girls Club of America Great  
Futures 2025 Initiative**  
(Cross-Office Team)



# PRO BONO AWARDS & ACCOLADES

## New Civil Liberties Alliance George Washington Award for Best Amicus Brief

On June 8, 2022, the New Civil Liberties Alliance awarded **Allyson Ho** and her team—**Ashley Johnson, Jacob Spencer, Brad Hubbard, Joseph Barakat, Liz Kiernan** and **Bryan Clegg**—its coveted George Washington Award for Best Amicus Brief. The award-winning brief was filed on behalf of the Texas Public Policy Foundation—a non-profit, non-partisan research institute dedicated to promoting and defending liberty, personal responsibility and free enterprise throughout Texas and the nation—in the Fifth Circuit’s *SEC v. Cochran* case, which addresses whether district courts have power to hear a separation-of-powers challenge to the constitutional legitimacy of the SEC’s administrative law judges. The brief argued that the answer must be yes because the structural impartiality of agency adjudicators like ALJs simply cannot be remedied after enforcement proceedings are already over. The Fifth Circuit, sitting en banc, ruled 9-7 in favor of Ms. Cochran and the position laid out in our brief.

## Sovereign’s Medal of Merit of the Order of St. John

Gibson Dunn has been awarded the Sovereign’s Medal of Merit of the Order of St. John in recognition of the Firm’s pro bono legal advice to the Order. The Sovereign’s Medal is the highest award that the Order can bestow on an institution and has been awarded only three times in the Order’s history. The Medal was accompanied by a diploma confirming the award and signed personally by HM Queen Elizabeth II.

## LawWorks 2022 Awards

The UK Afghan Pro Bono Initiative (“APBI”), of which Gibson Dunn is a founding member, won the 2022 LawWorks Award for “Most Effective Pro Bono Partnership.” The APBI is a UK- based partnership made up of Safe Passage International, Refugee Legal Support, Gibson Dunn, and thirteen other law firms, which launched in March 2022 following the Taliban takeover of Afghanistan. APBI was formed to provide much needed pro bono representation to Afghan refugees seeking legal advice and support. APBI helps refugees apply to be reunited with their family in the UK and access the Afghan Relocation and Assistance Policy scheme, and also provides information on the Afghan Citizens Resettlement scheme. Through the end of 2022, the APBI successfully resettled seven Afghans in the UK and provided vital advice and support to around 250 Afghan nationals.

Gibson Dunn was also included in the nominations for “Most Effective Pro Bono Partnership” and “Best New Pro Bono Activity,” for the Domestic Abuse Response Alliance (“DARA”), of which it is also a founding member. DARA is a multi-firm advocacy alliance made up of seven law firms. It was launched to represent survivors of domestic abuse who are ineligible for legal aid and who cannot afford to pay for private representation. DARA is the largest pro bono project ever assembled in the UK to provide end-to-end representation and, crucially, advocacy for survivors seeking protective orders against their abusers. Through 2022, DARA supported over 40 clients seeking legal protection against their abusers, of which Gibson Dunn obtained six and is working on a further one.

LawWorks (the Solicitors Pro Bono Group) aims to promote, support and facilitate pro bono legal services that extend access to the law for individuals and communities in need and the organizations that support them. LawWorks has more than 150 members, including some of the largest City and International firms, national, regional and local firms, and in-house teams, law schools and charities.





## ALDF Advancement in Animal Law Pro Bono Achievement Award

On November 5, 2022, the Animal Legal Defense Fund awarded Gibson Dunn the 2022 Advancement in Animal Law Pro Bono Achievement Award for its success in *United Pegasus Foundation v. California Equine Retirement Foundation*. Since 2019, in partnership with ALDF, Gibson Dunn has represented United Pegasus Foundation and CARU Society for the Prevention of Cruelty to Animals in Riverside Superior Court action to remedy the starvation and abuse of approximately 75 horses and donkeys on a purported animal “sanctuary” in San Jacinto, California. Following extensive discovery and motions practice, Gibson Dunn obtained a settlement that requires, among other things, regular independent monitoring of the horses’ welfare and conditions, and that Defendants surrender any unhealthy horses to a sanctuary.

**Jessica Pearigen** and **Jordan Johnson** accepted the award at the 2022 Animal Law Conference. Many other Gibson Dunn attorneys contributed to this special victory, including **Rodney Stone**, **Perlette Jura**, **Shannon Mader**, **Joseph Gorman**, **Negin Nazemi**, **Matthew Reagan**, **Nathan Powell**, **Viola Li**, and **Katherine O’Reilly-Jones**.

## KIND Pro Bono Team of the Year Award

The Gibson Dunn team representing two sisters who fled Guatemala to escape gang violence was awarded the 2022 Pro Bono Team of the Year award by Kids in Need of Defense (“KIND”). The team—which includes **Richard Mark**, **Alina Wattenberg**, **Samantha Weiss**, **David Sterngold**, **Rachel Beckman Spinka**, **Dillon Westfall**, and **Devin Bergstein**, with invaluable interpretation assistance from **Ileana Rivera**—has been working with the sisters on their immigration cases since 2018 and helped them obtain legal permanent resident status in 2021.

## TrustLaw Powered by Pro Bono Award

Gibson Dunn was among the winners of TrustLaw’s 2022 Powered by Pro Bono Award, in recognition of the Firm’s work for Smart Air, a social enterprise based in China. With Gibson Dunn’s help, Smart Air has expanded its operations to provide affordable air purifiers to countries across Asia. The team advising Smart Air includes **Daniel Angel**, **William Peters**, **Saptak Santra**, **Kai Wen Chua**, **Nathan Hancock**, **Li-Hsuan Shih**, and **Zhi Ying Teo**.



# PRO BONO STATISTICS

New Pro Bono Matters Opened in 2022:

500+

Participating Attorneys:

1,623

Pro Bono Hours  
in 2022:

138K

Pro Bono Hours  
Since 2013:

1.4M

Attorneys with 20+  
Pro Bono Hours:

1,062

Value of Pro Bono Hours  
in 2022:

\$130M

Value of Pro Bono Hours  
Since 2013:

\$1B+

Average Pro Bono Hours  
(United States)

79

Average Pro Bono Hours  
(Firmwide)

72



Gibson Dunn is honored to be a signatory to the Pro Bono Institute’s Pro Bono Challenge, which requires us to use our “best efforts” to perform 60 hours of pro bono work per lawyer each year. We are proud to recognize the following attorneys, all of whom individually billed 60 or more hours to pro bono matters in 2022.

A  
Jonathan J. Abrams  
Natalie H. Abshez  
Justin Paul Accomando  
Joseph Clark Adams  
Colton Addy  
Ryan M. Adlem  
Daniel R. Adler  
Syamack Afshar  
Anna Marie P. Aguiard  
Sarah Akhtar  
Eli Albrecht  
Thomas H. Alexander  
Nadia K. Alhadi  
Fahad Ali  
Brian W. Anderson  
Nikita L. Aneja  
Rameez Anwar  
David E. Arom  
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Thank you to everyone who partnered with us on pro bono work in 2022. We look forward to building on these efforts in 2023 and beyond. For more information or to get involved in these efforts directly, please reach out to a member of the Firm's pro bono team.

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