

COMMITTEE ON DIVERSITY ISSUES
Annual Report

## **Committee on Diversity Issues**

**New York** 

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Danielle Coppola, ex officio

Carlos Dávila-Caballero, ex officio

Donna Harris, ex officio

Mark Leddy, ex officio

Francesca L. Odell, ex officio

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Clockwise from top left: Shawn Chen, *Chair* (Washington, DC); Arthur Kohn, *Co-Chair* (New York); Kara Hailey, *Co-Chair* (New York); Carlos Dávila-Caballero, *Manager of Diversity and Inclusion* 

## Welcome

Diversity and inclusion are among the founding values of Cleary Gottlieb, and over its more than 60-year history, the firm has maintained its strong commitment to these principles.

The Committee on Diversity Issues at Cleary Gottlieb – formed in the early 1990s – is entrusted to foster a work environment that welcomes different perspectives, backgrounds, and life experiences. It ensures that no individual's professional growth, experience, or advancement will in any way be limited because of his or her gender, race, color, national origin, religion, sexual orientation or preference, gender identity or expression, age, or any category protected by law.

The Committee's composition in 2011 consisted of more than 40 lawyers from various practice areas and levels of seniority, including associates, senior attorneys, counsel, and partners from New York and Washington, DC. In addition, a new position, Manager of Diversity and Inclusion, was created at the beginning of the year to oversee diversity initiatives and assist the development of diversity and inclusion strategies at Cleary Gottlieb.

In 2011, the Committee on Diversity Issues developed and sponsored numerous initiatives to support diversity and inclusion at the firm, including core curriculum training, speaker series, mentoring programs, and other activities and events.

As Co-chairs of the Committee, we are particularly pleased with the quality of our programs and the progress achieved by Cleary Gottlieb during 2011 in furtherance of our diversity and inclusion efforts.

#### **2011 Committee highlights include the following:**

- Provided support and encouragement to Cleary Gottlieb's affinity groups
- Increased collaboration to strengthen women's initiatives
- Enhanced pipeline, outreach, and recruiting efforts
- Presented educational programs
- Strengthened mentoring programs
- Hosted speakers throughout the year
- Fostered and complemented the firm's collegial and supportive community
- Sponsored a significant number of organizations and events related to diversity and inclusion
- Received awards and recognition from clients and bar organizations

## **Affinity Groups**

The Committee on Diversity Issues believes that fostering interactions among lawyers with similar affinities, as well as those with diverse experiences and perspectives, makes Cleary Gottlieb a stronger law firm and a more welcoming and supportive institution. These interactions create an environment of inclusion where all attorneys have the opportunity to thrive in the context of our larger community of lawyers.

Affinity groups are comprised of lawyers from varying practice areas and levels of seniority, including associates, senior attorneys, counsel, and partners. Each affinity group is open to all lawyers, and any lawyer may become a member of a group based on affinity or individual interest. Every member of the Committee is active in at least one affinity group and provides support, guidance, and expertise to the respective group. Affinity groups also serve the vital role of creating opportunities for professional relationships to develop between senior and junior lawyers.

The affinity groups organize social activities, conduct continuing legal education programs, participate in recruiting efforts, and raise awareness about topics relevant to the members of the group.

# The Committee on Diversity Issues supports six affinity groups for Cleary Gottlieb lawyers:

- Black Affinity Group
- East Asian Affinity Group
- Hispanic/Latino Affinity Group
- LGBT Affinity Group
- Parent Affinity Group
- South East Asian South Asian Middle Eastern Affinity Group (SESAME)













"We were approached by several associates about women's initiatives. We jumped on it – and formed the Committee on Retention and Promotion of Women, made up of both partners and associates. All of it was done within a matter of days."

Francesca Odell, Partner



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## Women's Initiatives

In 1995, a group of female associates in New York formed the Women's Working Group (WWG) as a forum to discuss topics of interest to female lawyers and explore initiatives to enhance the experience of female lawyers at Cleary Gottlieb. Since then, similar groups have formed in other firm offices.

The WWG continues to be led by female associates, while including lawyers of varying practice areas and levels of seniority. During 2011, the WWG sponsored periodic training sessions on professional development skills, networking receptions with clients, lunch discussions with a variety of speakers (including panels on issues related to the practice of law), and events with firm alumnae. These and other events help to foster a sense of community and maintain a support network for female lawyers at Cleary Gottlieb.

The WWG also partners with WWG groups in Cleary Gottlieb's overseas offices to host joint lunches, practice-group talks, and social events.

In 2007, Cleary Gottlieb established the Global Committee on Women's Issues to ensure that all female lawyers have appropriate opportunities for promotion and exposure, within and outside the firm, and to foster the exchange of best practices among offices.

In 2009, Cleary Gottlieb further expanded its women's initiatives by establishing the Committee on Retention and Promotion of Women (CRPW) in the New York office. The CRPW is a standing committee that addresses topics related to the advancement of women at Cleary Gottlieb. The CRPW is comprised of female and male lawyers from varying practice areas and levels of seniority, including associates, senior attorneys, counsel, and partners. The CRPW contributes to women's initiatives by sponsoring associate-partner lunches, collaborating with the WWG on business- and skills-development programming, and expanding mentoring programs, including the development of mentoring circles.

# In 2011, the CRPW collaborated with the WWG on the following events:

- New Lawyers Panel program
- Women attorney reception for all female lawyers from Cleary Gottlieb's New York and Washington, DC offices, including female partners from overseas offices
- Cocktail reception to welcome the firm's new female associates







# Pipeline, Outreach, and Recruiting

Cleary Gottlieb maintains a strong commitment to diversifying the legal profession and devotes significant resources to this end. Our recruiting efforts incorporate pipeline initiatives and partnerships with organizations that have demonstrated a commitment to increasing diversity within the profession, including the following:

#### **Legal Outreach**

Legal Outreach prepares junior high and high school students from underserved communities in New York City to compete at high academic levels. This nonprofit organization uses intensive legal and educational programs as tools for fostering vision, developing skills, enhancing confidence, and facilitating the pursuit of higher education. In 2011, more than 50 volunteers, including summer associates, hosted high school students for a two-week period. Participants visited the stock market and federal judicial chambers, and completed mock legal briefs and oral arguments.

#### New York City Bar Association's Thurgood Marshall Summer Law Internship Program

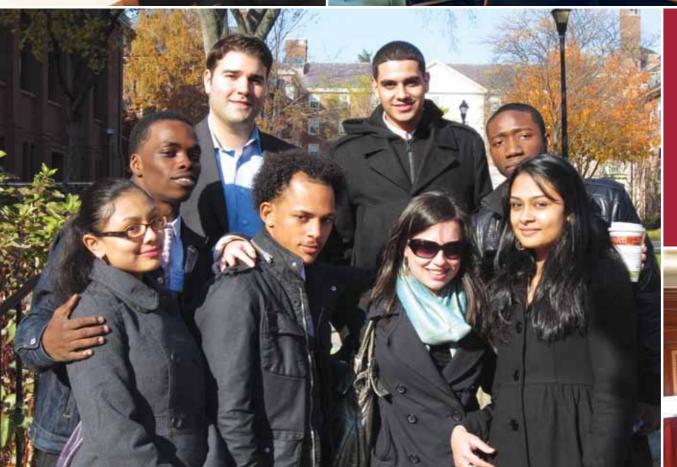
The Thurgood Marshall Summer Law Internship Program places high-achieving inner-city high school students with legal employers for the summer. In 2011, Cleary Gottlieb hired one legal intern in Human Resources, who completed projects for various firm departments. The intern also participated in the Legal Outreach program.

#### **Washington Irving High School**

In 1991, Cleary Gottlieb initiated a partnership with Washington Irving High School (WIHS) to assist in revitalizing the New York City public school system. The partnership allows the entire firm to participate in community service in an area where there is dramatic need. Major partnership programs include mentoring students on a one-to-one basis, providing college advising, offering SAT preparation courses, and sponsoring annual events that promote the students' various academic and cultural talents. The WIHS program also includes Mock Trial and Model UN teams. In 2011, more than 80 lawyers and staff participated in the WIHS partnership, interacting with more than 400 students.







"My internship at Cleary Gottlieb last summer provided me with the skills needed to thrive in the corporate world. While there, I became more comfortable communicating and interacting with people on the corporate level, allowing me to form long-lasting professional relationships."

Octavia Ewart, Thurgood Marshall Summer Intern















"Cleary Gottlieb has been a proud sponsor of the SEO program for the last 19 years. Our SEO partnership is a valuable pipeline that has helped us further our diversity initiatives at the firm. As a former SEO intern and chair of the firm's Recruiting Committee in the New York office, I can personally attest to the success and value of the program to law firms and corporations."

Breon Peace, Partner



#### LatinoJustice-LAWbound

LatinoJustice-LAWbound aims to increase the number of Latinos who successfully stay on the path to law school during their college preparation. The program is sponsored by LatinoJustice PRLDEF. In 2011, Cleary Gottlieb hosted participating college students at the New York office and presented a panel of Latino/a associates who spoke about practicing law at a large firm.

#### **Sponsors for Educational Opportunity**

Sponsors for Educational Opportunity (SEO) provides superior educational and career programs to young people from underserved communities in order to maximize their opportunities for law school and career success. In 2011, Cleary Gottlieb hired two SEO interns in the New York office and one in the Washington, DC office. All three interns were successfully integrated into our summer associate program and collaborated with lawyers from all seniority levels.

#### Practicing Attorneys for Law Students Program, Inc.

Practicing Attorneys for Law Students Program, Inc. (PALS) is dedicated to enhancing the skills and careers of minority law students and early-career attorneys. PALS does this by offering customized mentoring, educational, and professional development opportunities. PALS provides resources to augment the law school and employer training of, respectively, minority law students and beginning lawyers.

#### **Fireside Chats**

Cleary Gottlieb partners with law school affinity organizations and supports student-led initiatives that promote diversity within their respective law schools. We host our "fireside chats" early in the academic calendar, which feature on-campus meetings where Cleary Gottlieb attorneys educate law students about life at a large firm. These meetings specifically target first-year law students and law school affinity groups, including African-American, Latino, Asian-American, Southeast Asian, Middle Eastern, LGBT, and women groups. In 2011, Cleary Gottlieb hosted 16 fireside chats at law schools throughout the New York and Washington, DC metropolitan areas, as well as the Northeast region. More than 200 law school students attended these fireside chats hosted by more than 35 Cleary Gottlieb associates.

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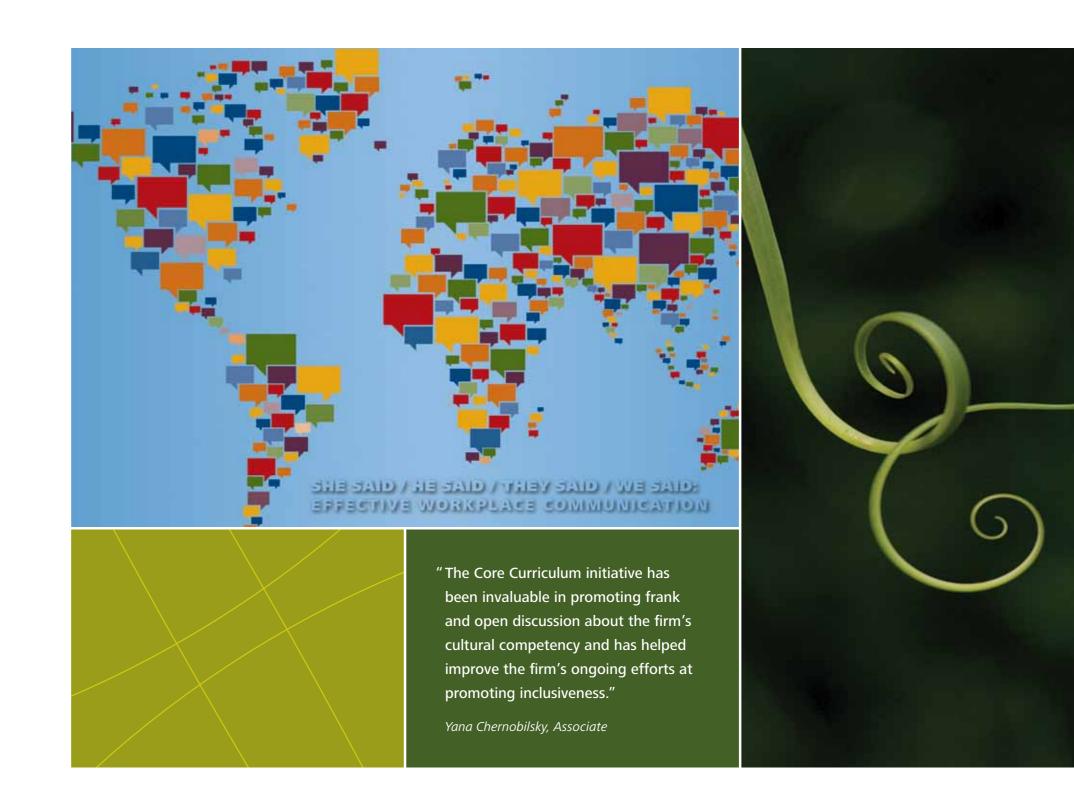
## **Educational Programming**

The Committee on Diversity Issues organizes and hosts educational programs to which all lawyers are invited. These programs are generally structured around hypothetical fact patterns designed to foster dialogue on diversity and inclusion among all lawyers. The goal is to broaden perspectives on issues that relate to diversity within and outside Cleary Gottlieb.

**Core Curriculum:** In 2011, the Committee on Diversity Issues developed a program titled "Effective Workplace Communication" as part of its core curriculum training. This interactive program educated lawyers about effective communication across cultural backgrounds, and fostered awareness about diversity and inclusion topics.

Continuing Legal Education (CLE): The Committee on Diversity Issues actively pursues opportunities to present CLE programs at Cleary Gottlieb that expand our lawyers' understanding and knowledge base on topics related to diversity awareness, including cross-cultural communications, legal developments, and civil rights. In 2011, the Committee presented two CLEs related to marriage equality. The first featured James Esseks, Director of the American Civil Liberties Union (ACLU)'s Lesbian Gay Bisexual Transgender & AIDS Project, and was titled What Obama's Decision Not to Defend DOMA Means for Marriage and for LGBT Rights. The second CLE related to the passage of the Marriage Equality Act in the State of New York. Attorney Alyssa A. Rower of Aronson Mayefsky & Sloan, LLP, discussed legal issues and considerations for same-sex couples under the Act.

**Professional Development:** The Committee on Diversity Issues partners with the professional development team to ensure content, exercises, speakers, and other relevant materials employed to develop the firm's lawyers incorporate current best practices related to diversity and inclusion. In 2011, the firm's Manager of Diversity and Inclusion participated in joint meetings where speakers and programs were considered.





"I've been fortunate to have very good mentors. It's not that I worked with them every day, but they would talk to me, give me guidance and, more generally, I would be able to talk with them as issues came up. I found that very helpful."

Robin Bergen, Partner

Mentoring Circle participants



# Mentoring

Cleary Gottlieb recognizes the importance and value of mentoring to the professional development of lawyers. In 2011, the firm launched several initiatives to strengthen our existing mentoring structures.

#### **Mentors for New Parents**

Associates on maternity and paternity leaves are assigned a senior lawyer within their practice group to serve as a mentor during their time away from the office. The purpose of this mentorship is to provide an additional resource for associates and a direct line of communication with the firm should the associates want any type of advice during their leave. The mentorship creates a specific relationship for mentees to discuss topics related to the transition—both out and back in—and answer any questions that may arise during their leave.

#### **Mentoring Circles**

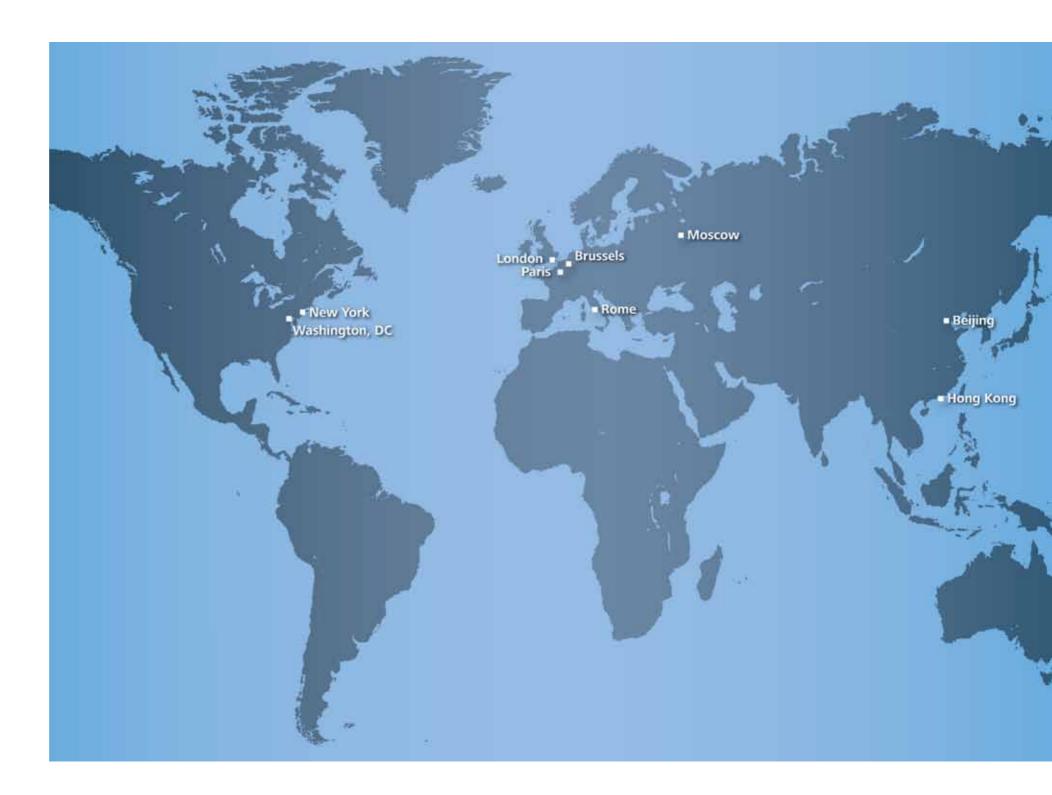
This initiative aims to broaden the contact of junior and senior lawyers, particularly women, and encourages the exchange of expertise among lawyers. In 2011, Cleary Gottlieb launched five pilot mentoring circles, each comprised of at least four senior lawyers and eight junior lawyers from various practice groups to ensure quality interaction between juniors and seniors during mentoring sessions. Mentoring circles conduct activities led by circle participants, including circle discussions, lunches and dinners, bar organization events, and other activities that strengthen mentoring relationships. Cleary Gottlieb retained a mentoring consultant with expertise on women in the legal industry to provide advice and technical support during the initiative's launch and review process.



# **Case Study: Diversity** and Representation

Cleary Gottlieb is a diverse community tackling complicated legal matters, so our teams of lawyers apply their individual strengths and perspectives collectively to achieve a superior outcome for our clients. An extraordinary example of this approach is our groundbreaking work over the past several years to transact the insolvency of our longtime client Nortel.

This project involved lawyers from our offices in New York, Washington, DC, London, Paris, Brussels, Rome, Moscow, Beijing, and Hong Kong. We accomplished sales of businesses for over \$7 billion, including a record-breaking \$4.5 billion sale of U.S. and foreign patents, representing technology that provides the foundation for modern communication networks. Over 6,000 U.S. and foreign patents and patent applications were sold, the largest stand-alone patent sale ever measured in both price and number of patents. The buyer was a consortium of corporations, including Apple, EMC, Ericsson, Microsoft, Research in Motion, and Sony. Sales of this complexity in a cross-border reorganization are unprecedented, and Cleary Gottlieb excels in such complex engagements because of our diversity.









JANE KIM is a litigator who came to Cleary Gottlieb in 2002 from Harvard Law School. As a junior lawyer, she worked on varied commercial and securities litigations, including for Goldman Sachs, Bank of America, and Citigroup. Over the past few years, Jane has focused increasingly on bankruptcy litigation and was responsible for coordinating large portions of the bankruptcy sale process, as well as other aspects of Nortel's bankruptcy, including litigation involving various employee matters.

"Nortel's case involved cross-border, tax, and corporate complexities that really had no precedent, so there were no cookie-cutter solutions to even the smallest issue. We've accomplished so much because we had the ability to draw on all of Cleary's resources, across disciplines and offices. It was an invaluable experience to collaborate with lawyers from different practice areas and backgrounds on cutting-edge issues on behalf of our client."

**LUKE BAREFOOT** started with Cleary Gottlieb in 2004 upon graduating from Stanford Law School. He is a bankruptcy litigator who took time off from private practice to clerk for the Honorable Rosemary Barkett of the U.S. Court of Appeals for the Eleventh Circuit. In Nortel, Luke has been involved primarily in cross-border litigation brought by Nortel's former European affiliates, litigation that involves novel questions of English, French, Irish, and U.S. law.

"Representing the Nortel debtors has underscored for me the importance of seeing legal problems from multiple perspectives. We've had to confront the interplay between different legal regimes and understand and appreciate how English, French, Irish, and U.S. lawyers approach claims differently. It's been a fantastic opportunity to work with our European colleagues and foreign law experts and collaborate to get the best result for the client."

JEFFREY PENN is an employee benefits lawyer who joined Cleary Gottlieb in 2007 from Columbia Law School. He has handled employee benefits issues on a wide range of transactional work, including numerous private equity deals. In Nortel, Jeff has been involved primarily in matters related to employee benefits following the bankruptcy proceeding and wind-down of the company.

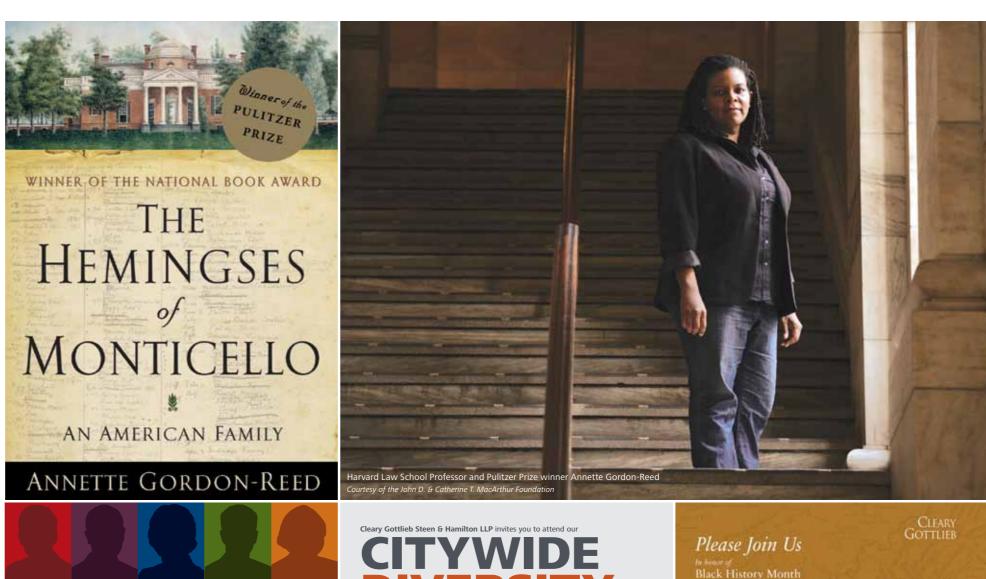
"Finding comprehensive solutions and navigating the regulatory environment on complex employee benefits matters during the bankruptcy and winding down of a major company has been a challenging task. It has forced me to draw from many previous experiences and think creatively and broadly to present potential options."

## **Guest Speakers**

The Committee on Diversity Issues frequently hosts speakers whose presentations enrich and broaden awareness about topics related to diversity and inclusion.

Cleary Gottlieb's Black History Month presentation is among the most well-attended and highest-regarded Black History Month celebrations in New York City. In 2011, the Committee on Diversity Issues hosted Harvard Law School Professor and Pulitzer Prize winner Annette Gordon-Reed, who spoke about her books *The Hemingses of Monticello: An American Family* and *Andrew Johnson*, with particular emphasis on constitutional issues related to Reconstruction efforts. This Black History Month celebration was attended by more than 300 guests, including lawyers, professional staff, law students, clients, bar organizations, and law school representatives.

Cleary Gottlieb sponsors a citywide diversity event to highlight issues challenging diversity as well as celebrate its strengths. In 2011, the Committee hosted the Honorable Raymond J. Lohier, circuit judge at the U.S. Court of Appeals for the Second Circuit, as keynote speaker for our Citywide Diversity Reception. The event was attended by more than 500 guests, including lawyers, professional staff, law students, clients, bar organizations, law school representatives, and members of the judiciary. Past speakers include Dean of Columbia College Michele Moody-Adams (July 2010); New York City Council Speaker Christine Quinn (July 2009); Southern Center for Human Rights Director Lisa Kung (July 2008); American Express CEO Ken Chenault (July 2007); and ACLU Executive Director Anthony Romero (July 2006).



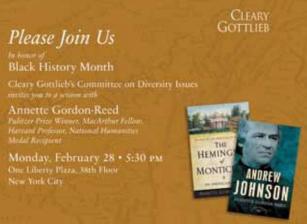


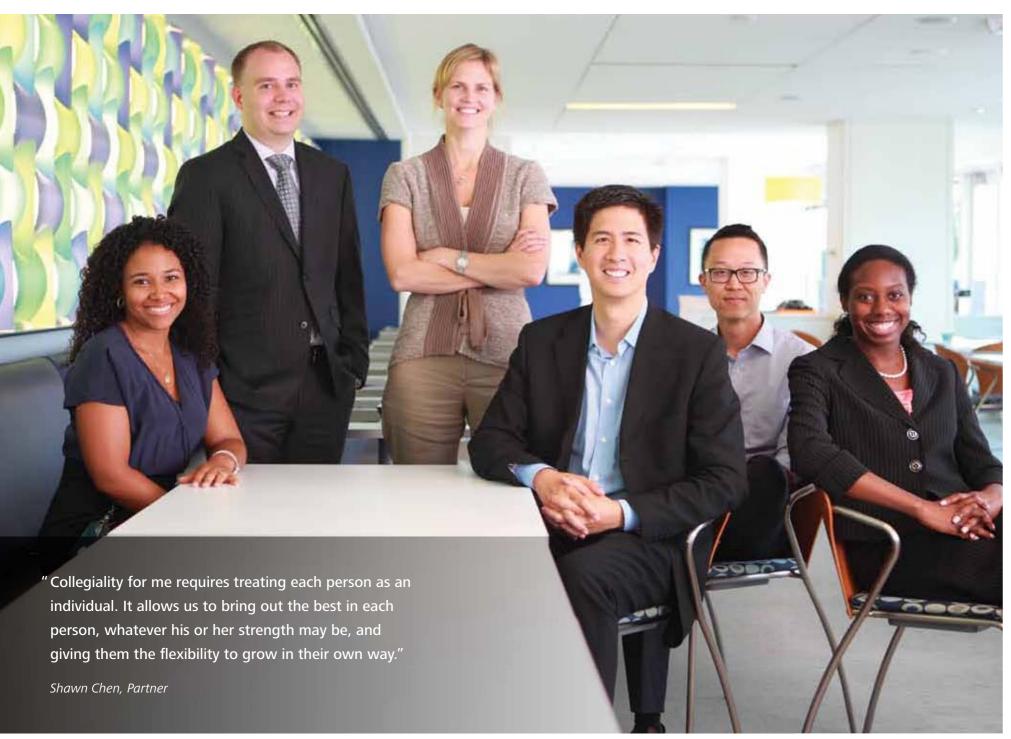
Cleary Gottlieb Steen & Hamilton LLP invites you to attend our
CITYWIDE
DIVERSITY
RECEPTION

Hosted by the Committee on Diversity Issues
Featuring Keynote Speaker
JUDGE RAYMOND J. LOHIER, JR.
One Libert
United States Court of Appeals for the Second Circuit
38th Floor

WEDNESDAY, JULY 13 AT 6:30 PM One Liberty Plaza, New York City

> CLEARY GOTTLIEB





#### Diversity Committee, Washington, DC

# **Collegiality and Support**

Cleary Gottlieb sponsors both internal and external programs and social events among attorneys of color, women attorneys, and LGBT attorneys to encourage networking, community building, and a sense of support among peers.

Program highlights include community partnerships, affinity group events, minority recruiting events, pipeline initiatives, and CLE programs.

One notable and popular event was the private screening of the Oscarnominated documentary *The Barber of Birmingham: Foot Soldier of the Civil Rights Movement* (2011). *The Barber of Birmingham* is the story of Mr. James Armstrong, an unsung hero of the civil rights movement, and his personal struggle to promote civil rights in Birmingham, Alabama. Robin Fryday, one of the film's directors, attended the event and engaged the audience in a Q&A session after the viewing.

"Dying ain't the worst thing a man can do. The worst thing a man can do is to do nothing. I want to live for a purpose."

- James Armstrong, "The Barber of Birmingham"

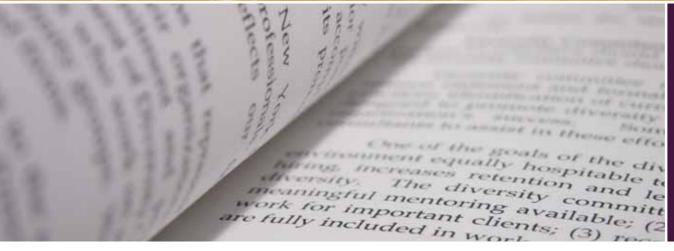


## **Collaborations**

Cleary Gottlieb demonstrates its commitment to diversity and inclusion by continually expanding its engagement and partnership with leading stakeholders inside and outside the legal industry.

- Cleary Gottlieb is a charter signatory of both the Statement of Diversity
   Principles of the Association of the Bar of the City of New York and the
   Diversity Statement of the New York County Lawyers' Association.
- Cleary Gottlieb lawyers participate in a range of minority bar associations and bar committees charged with addressing diversity issues, including the Hispanic National Bar Association; National Asian Pacific American Bar Association (NAPABA); Association of the Bar of the City of New York (ABCNY); Asian American Bar Association of New York (AABANY); Metropolitan Black Bar Association (MBBA); Lesbian, Gay, Bisexual and Transgender Law Association of Greater New York (LeGal); and American Civil Liberties Union AIDS Project.
- Cleary Gottlieb is a member of the Leadership Council on Legal Diversity (LCLD) and sponsored a senior attorney to participate as a 2011 LCLD Fellow.
- Cleary Gottlieb participates and supports Minority Corporate Counsel Association (MCCA) events and efforts.
- Cleary Gottlieb partners with 32 law school student organizations committed to diversity and inclusion efforts.
- Cleary Gottlieb is a corporate member of the Council of Urban Professionals (CUP).





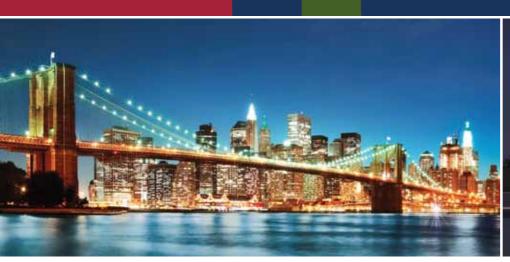
"In partnering with dynamic organizations like CUP and LCLD, we aim to maximize our collective capacity to enhance diversity and inclusion within the legal profession."

Kara Hailey, Senior Attorney

Committee on Diversity Issues, New York

"Diversity is a core value and part of our culture at Cleary Gottlieb. You have to work on your commitment to values and retaining your culture. We strive to do that on a consistent basis throughout each year."

Arthur Kohn, Partner





## **Mission Statement**

We believe that diversity, inclusiveness, and respect among lawyers and staff members are essential values that strengthen Cleary Gottlieb. As a diverse and inclusive firm, we can more effectively serve a broad range of clients and enable our lawyers to grow through the creativity, talents, and perspectives contributed by people of different backgrounds and experiences.

Cleary Gottlieb strives to promote diversity across the firm. To this end, the Committee on Diversity Issues has embraced the following goals:

- to foster a work environment that welcomes different perspectives, backgrounds, and life experiences and ensures that no one's professional growth, experience, or advancement is limited because of gender, race, color, national origin, religion, sexual orientation or preference, gender identity or expression, age, or any category protected by law;
- to increase awareness of the importance of diversity and how it enriches the firm by organizing presentations, speakers, and other events;
- to encourage all lawyers and staff members to develop mutual respect and appreciation for different perspectives and backgrounds;
- to develop and implement strategies to assist the firm and its committees in recruiting, retaining, and advancing lawyers from diverse backgrounds and assist the Recruiting Committee in its efforts to promote diversity in the hiring process;
- to establish procedures for measuring the firm's success in attracting, retaining, and advancing lawyers from diverse backgrounds and to assist the Associates Committee in its efforts to sustain a diverse group of lawyers through comprehensive mentoring and review processes; and
- to evaluate Cleary Gottlieb's existing policies affecting diversity and, with the firm and its committees, to develop and implement new policies that further promote a diverse workplace.



Living the Values Award
The Coca-Cola Company

Excellence in Corporate Diversity

Association of Black Women Attorneys

#4 in Diversity
The American Lawyer's Diversity Scorecard

#6 in Diversity
Vault's Best Law Firms for Diversity

#2 in Diversity
Diversity Report Card, Building a Better Legal Profession

Leadership and Excellence in Inclusion and Diversity (LEID) Finalist Morgan Stanley



#### **CONTACT INFORMATION**

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For more information about the firm and our diversity and inclusion initiatives, please visit

http://www.clearygottlieb.com/about/diversity\_and\_inclusion/

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