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Our Values at Work

2014 highlights of our Pro Bono practice in the Americas





Giving back to our communities is an integral part of what it means to be a lawyer at Hogan Lovells. We stand up for those who can't defend themselves and speak for those whose voices aren't heard.

Each year we deliver tens of thousands of hours of free legal services and mobilize hundreds of volunteers to work on critical projects that affect our communities. In 2014, lawyers in our U.S. offices contributed more than 71,000 hours to pro bono, for an average of 74 hours per lawyer. 82 percent of our U.S. lawyers devoted at least 20 hours to pro bono work.

This work has taken many forms — from pursuing justice in the courts to safeguarding health and welfare and seeking refuge for immigrants. This report serves as a window into some of the ways in which we are meeting the needs of our neighbors around the world.

Since the inception of our dedicated pro bono practice in 1969, our commitment to pro bono has not wavered. We are proud to share the highlights of our work in 2014 as we continue to respond to some of the most pressing needs of our time.

Warm regards,

T. Clark Weymouth
Pro Bono Partner

PURSUING JUSTICE IN THE COURTS





Landmark victory for whistleblowers

We depend on federal employees to warn us of government practices and bureaucratic errors that endanger public health or safety. We secured a rare win for government whistleblowers in the U.S. Supreme Court in early 2015, representing former federal air marshal Robert J. MacLean.

In 2003, MacLean learned that the Department of Homeland Security (DHS) planned to remove federal air marshals from long-distance flights, despite an imminent hijacking threat. When the DHS refused to change course, MacLean turned to the media. The DHS ultimately reversed itself after a congressional uproar, but the agency fired MacLean in retaliation.

The U.S. Court of Appeals for the Federal Circuit ruled that MacLean was eligible for federal whistleblower protections, but the government took the appeal to the Supreme Court, arguing that this ruling opened the door to leaks that threaten public safety and that the disclosure was prohibited by agency regulations.

Our lawyers stepped in on MacLean's behalf and secured a landmark victory before the Supreme Court. The court's 7-2 decision stands as an important bulwark against government abuse.

Distinguished

We received the Distinguished Pro Bono Service Award from the Minority Media and Telecommunications Council in recognition of comments we prepared on its behalf.



Acting as a friend of the court

We regularly weigh in on important issues before the judiciary that will have sweeping implications for society.

Marriage equality

With its June 26 decision in *Obergefell v. Hodges*, the Supreme Court struck down laws prohibiting same-sex marriage in a landmark victory for civil rights. And in the majority opinion, the court cited a 23-page section of one of Hogan Lovells' two supportive amicus curiae briefs in holding that same-sex couples have a constitutional right to marry.

Our representation of amici in support of marriage equality began with the 2013 *United States v. Windsor* and *Hollingsworth v. Perry* Supreme Court cases, where we represented multiple amici in support of marriage equality. We continued to represent clients throughout 2014 and into 2015 in the quest for marriage equality in various circuit courts of appeals, and ultimately again before the Supreme Court.

In November 2014, a divided panel of the U.S. Court of Appeals for the Sixth Circuit upheld several state bans on same-sex marriage or on recognizing same-sex marriages performed in other states. The Supreme Court granted certiorari in those consolidated cases, the lead of which was *Obergefell*. Hogan Lovells filed two amicus curiae briefs

with the Supreme Court, highlighting the importance of marriage equality from the perspectives of history and public health.

The first brief was filed on behalf of the Organization of American Historians. It detailed the long and continuing history of discrimination against gay men and lesbians, from the colonial period until today, and explained how state same-sex marriage bans were simply more recent iterations of that longstanding discrimination.

The second brief was filed on behalf of American Public Health Association and Whitman-Walker Health. The brief highlighted the growing body of social science that has linked discriminatory marriage policies with adverse mental and physical health effects on lesbian, gay, and bisexual individuals.

On June 26, 2015, the Supreme Court reversed the Sixth Circuit, finding that gays and lesbians enjoyed a constitutional right to marry. The court cited a lengthy span of the Historians' brief in its 5-4 majority opinion.



Protection from gun violence

Gun violence is an all-too-familiar problem in the United States. Every day, an average of 32 Americans are murdered with guns; 140 are treated for gun assaults in emergency rooms; and 45 are shot or killed in accidents involving guns. It takes a massive toll on American children, who are 11 times more likely to die by guns than children in other high-income countries. Gun violence is also a major drain on U.S. taxpayers, costing an estimated \$100 billion annually in medical treatment, judicial proceedings, security precautions, and reductions in quality of life.

In collaboration with the Brady Center to Prevent Gun Violence (Brady Center), we have filed amicus curiae and other briefs in support of reasonable gun restrictions facing Second Amendment challenges in state and federal courts. After a divided panel of the U.S. Court of Appeals for the Ninth Circuit struck down the concealed-carry regimes of several California counties, our lawyers, on behalf of the Brady Center, moved to intervene in order to persuade the court to rehear the case en banc, which it has granted. We also secured a significant victory in the Louisiana Supreme Court, which upheld the constitutionality of two Louisiana laws restricting juvenile possession and carrying of guns.

In addition, our work has helped keep guns out of the hands of domestic violence offenders in Massachusetts. We have defended similar laws across the country, helping to frustrate the gun lobby's efforts to deprive law enforcement of the tools that it needs to keep guns off the streets.

Access to healthcare

In 2015, the Supreme Court heard a challenge to the Affordable Care Act's (ACA's) healthcare subsidies. *King v. Burwell*, decided on June 25, arose from an ambiguity in the statute's drafting. The ACA provides that each state can create an "exchange" where individuals can purchase health insurance plans, and that the federal government will establish such an exchange if the state does not.

A different section of the ACA establishes tax credits for low-income individuals enrolled in an insurance plan through "an Exchange established by the State." Four plaintiffs challenged the IRS's ruling that the ACA's tax

credits were available in all states, even those that have a federal (rather than a state) exchange.

Hogan Lovells filed an amicus curiae brief on behalf of the National Women's Law Center (NWLC) and 68 advocacy organizations and healthcare providers. NWLC argued that women have long faced difficulty obtaining comprehensive, affordable health coverage, and that Congress could not have intended, in a four-word phrase buried in the tax provisions of the massive ACA, for millions of women (and others) to lose their subsidies. The Supreme Court upheld the subsidies, tracking some of the arguments presented in Hogan Lovells' brief.

Freedom

The national civil rights group Muslim Advocates recognized us with its Thurgood Marshall Award for our courage and leadership in upholding freedoms for Americans of all faiths.

We were honored by the Mid-Atlantic Innocence Project for our efforts to fully exonerate Johnathon Montgomery of a sexual assault conviction that he did not commit and that never actually occurred.

Providing a voice for the incarcerated

Prisoners face legal and practical hurdles when they seek relief from civil rights abuses.

In February 2009, George Pasion was sent to administrative segregation because he would not withdraw a grievance alleging misconduct by correctional officers. For nearly a month, he was kept in a six-foot by ten-foot cell for 23 hours a day, sharing that cramped space with another inmate. California regulations make clear that administrative segregation can be used only under strictly limited circumstances — and never to suppress speech protected by the First Amendment.

Pasion initially filed his case pro se and failed to advance his claims, but we were appointed to his appeal and convinced the U.S. Court of Appeals for the Ninth Circuit that his claims should have survived dismissal and a motion for summary judgment. The case was remanded to the district court, where lawyers in our San Francisco and Silicon Valley offices are now representing Pasion at the trial stage.

In another appellate case on behalf of an incarcerated client, we secured a major victory for Eric Grandberry, an Indiana inmate charged with unauthorized use of the prison law library's computer. Grandberry worked as the head law library clerk and was punished for complying with his staff supervisors' instructions to print several legal documents for their personal use. Prison officials punished our client for complying with the request, revoking 30 days of his earned good-time credits.

Our team challenged this punishment as a violation of procedural and substantive due process. We explained that his compliance with the directions of his staff supervisors was — by definition — “authorized,” and therefore could not support punishment. The U.S. Court of Appeals for the Seventh Circuit agreed and remanded with instructions that Grandberry's good-time credits be restored.



SAFEGUARDING HEALTH AND WELFARE







At its Global Legal Awards dinner in New York City, *The American Lawyer* honored the firm and our longtime pro bono collaborator, the International Senior Lawyers Project, with the Global Citizenship Lifetime Achievement Award for our ongoing pro bono work in Liberia.

Rebuilding a unified nation

More than a decade of civil conflict within the Republic of Liberia claimed the lives of a quarter of a million people, displaced hundreds of thousands more, and was ruinous for the country's infrastructure and economy. Though the civil war ended in 2003, Liberia's health services, in particular, have struggled to keep pace with the needs of the people and have relied heavily on international relief organizations.

Since 2007, we have partnered with the International Senior Lawyers Project (ISLP) to assist the Liberian government in revitalizing, restoring, and strengthening the nation and its people. Our ongoing work in Liberia,

particularly in the public health sphere, earned us *The American Lawyer's* Global Citizenship Lifetime Achievement Award in 2014.

We worked with ISLP and the Liberian Ministry of Health and Social Welfare in developing a legal framework for the delivery of health services, including recommendations on the Public Health Law. Our team advised on the development of the law that created the Liberian Medicines and Health Products Regulatory Agency and on provisions addressing mental health, reproductive health, communicable diseases, and other issues.

In addition, our lawyers are connected with the Angie Brooks International Centre, a nongovernmental organization, and are assisting the Liberian government in establishing formal mechanisms to conduct a clinical trial of two promising Ebola vaccine candidates. An Ebola outbreak has been ongoing in the country since March 2014, and the epidemic marks the deadliest occurrence of the rare virus since it was discovered 40 years ago.

Among other work, we drafted a memorandum of understanding between the Liberian government, the National Institutes of Health — which is funding the trial — and two pharmaceutical companies that are developing the Ebola vaccines. We also helped in reviewing and commenting on the protocol and informed consent documents and provided general advice on how to properly conduct the clinical trial.

We were honored by the New York Legal Assistance Group for our outstanding pro bono service to the organization and its clients. Specifically recognized were partner Howard Topaz and associate Meaghan Atkinson for their work to assist terminally ill clients with their advance planning needs.



Fighting cancer

Cancer is the second most common cause of death in the United States, and more than 1.6 million new cases are expected to be diagnosed in 2015. In an effort to stem the tide of this endemic disease, we handle a wide scope of cancer-related issues.

As a member of the CEO Roundtable on Cancer, we collaborate with other member organizations to develop and implement initiatives related to prevention, early diagnosis, access to treatments, and the discovery of new diagnostic tools and therapies.

As in years past, we worked extensively with Roundtable subsidiary Project Data Sphere LLC as it launched a limited access website where researchers can obtain and analyze oncology clinical trial data.

Since embarking on the Project Data Sphere initiative in 2012, we have helped in myriad ways: by negotiating a website hosting agreement with the SAS Institute, auditing the development website, preparing website terms of use and template agreements for use with data providers and researchers, and assisting with the organization of an

advisory executive committee. Our team has also organized and advised on the tax-exempt status of the LLC and handled trademark, privacy, liability exposure, and other website issues.

Our work in the fight against cancer extends into the litigation sphere as well. Our longtime pro bono representation of the Ovarian Cancer National Alliance (OCNA) recently continued to the Supreme Court, as we defended the provision in the Affordable Care Act (ACA) that requires most employers that provide insurance for employees to include coverage for contraceptive services.

While for-profit employers ultimately convinced the court that the ACA's contraception mandate substantially burdens their religious freedom, we will continue to support OCNA in making ovarian cancer a priority for lawmakers and government agencies.

Idealist of the Year

Washington, D.C. pro bono associate Allison Holt was named one of City Year Washington, D.C.'s Idealists of the Year.

Combatting brain tumors

There are 700,000 people living with brain tumors in the United States today. This year, another 70,000 will be diagnosed with a primary brain tumor, and 14,000 will lose the battle against brain tumors. Brain tumors are now the leading cause of cancer death in children under age 14.

The National Brain Tumor Foundation and the Brain Tumor Society came together in 2008 to form the National Brain Tumor Society (NBTS), the largest nonprofit dedicated to the brain tumor community in the United States.

Hogan Lovells participates on the board of directors of the NBTS, which, in 2014, launched the Defeat GBM Research Collaborative, an unprecedented, strategic research initiative with the aim to double the five-year survival rate of glioblastoma multiforme (GBM) patients.

In May 2014, Hogan Lovells participated in the NBTS lobby day, helping more than 100 brain tumor survivors, family members, and friends visit their congressional representatives' offices to discuss the specific needs of the brain tumor community. We assisted in the introduction of the Oral Chemotherapy Parity Act to provide equal insurance coverage for oral and intravenous chemotherapy.

In addition, the Hogan Lovells International Trade and Investment practice group established the "Trade Troopers Team" to participate and help raise funds during the 2015 Brain Tumor Race for Hope event in Washington, D.C.

Lifetime Achievement

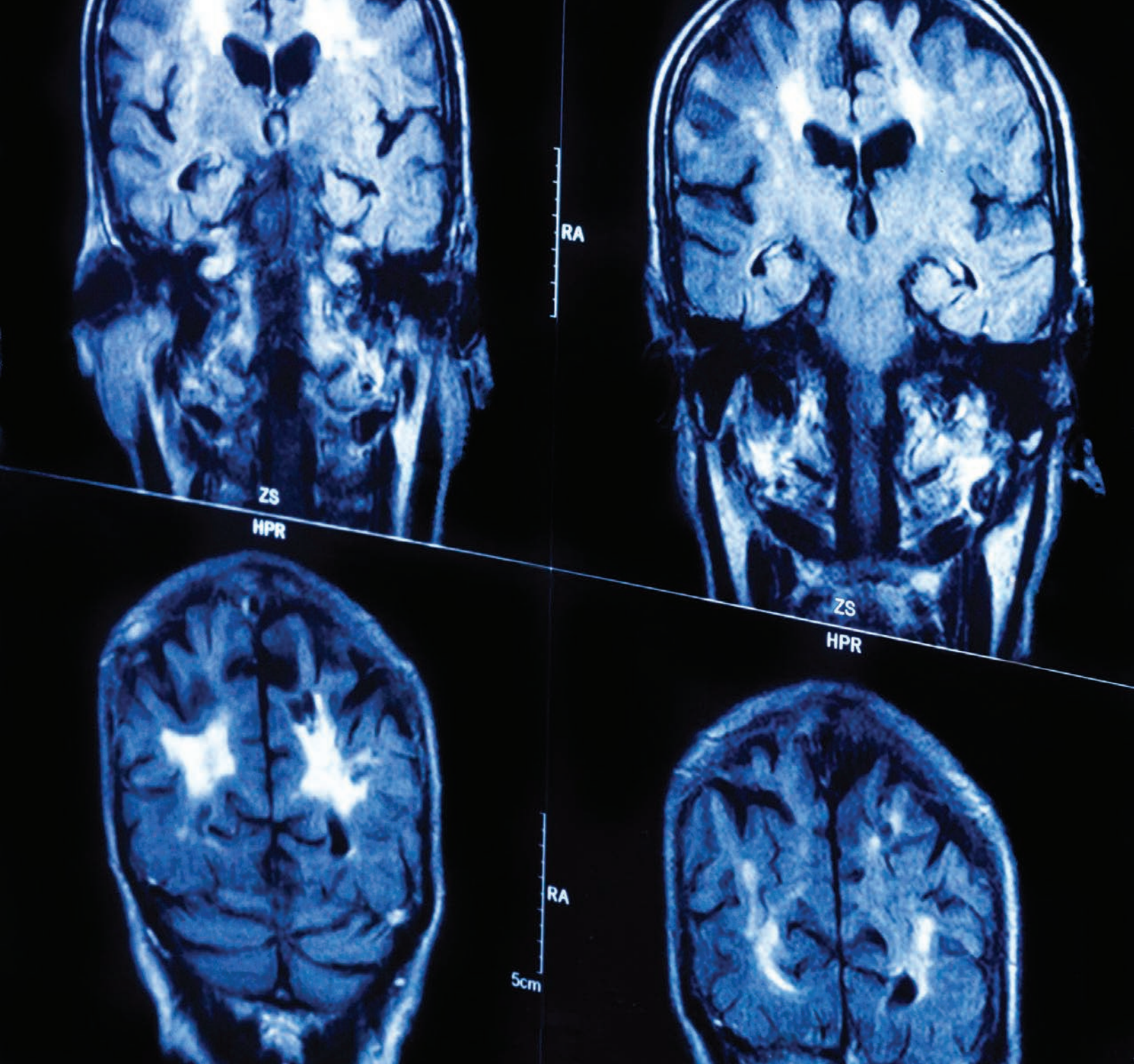
Parker Thomson, of counsel in our Miami office, was honored by the *Daily Business Review* with a Lifetime Achievement Award.

Tackling HIV/AIDS

For nearly a decade, we have been at the forefront of the fight against HIV/AIDS in Washington, D.C. with thoughtful assessment and recommendations related to the disease.

In 2005, we collaborated with DC Appleseed to publish an inaugural report, HIV/AIDS in the Nation's Capital: Improving the District of Columbia's Response to a Public Health Crisis. Since then, we have played a substantial role in authoring annual updates to the report, which is used at the highest level of the District of Columbia government to assess its challenges and successes in combating this epidemic.

More than 30 legal professionals from our Washington, D.C. office, many from health-related practices, worked with DC Appleseed in 2014 to produce the ninth annual report on the status of HIV/AIDS in the nation's capital, which was an effort similar to that made on the first through eighth report cards over the last decade. Team members devoted more than 800 hours to this comprehensive effort to document the fight against HIV/AIDS in Washington, D.C.



The Washington Lawyers' Committee for Civil Rights and Urban Affairs presented us with two Outstanding Achievement Awards. These awards were given in recognition of our work with the Equal Employment Opportunity and Immigrant and Refugee Rights Projects on *Mejia v. Beverly Enterprises - Virginia, Inc. et al.*, and with the Fair Housing Project on the Affordable Housing Report.

PROVIDING REFUGE TO IMMIGRANTS





Allegiance

Kids in Need of Defense recognized our commitment to its mission with an Allegiance Award.



Securing legal protections for immigrants

Hogan Lovells devotes thousands of hours each year to helping those who come to our nation's borders seeking relief from persecution and violence. We work to provide legal protections to asylum seekers, refugees, and unaccompanied minors who would otherwise have no voice in our complex legal system.

Kids in Need of Defense

The number of unaccompanied minors making the treacherous journey to the United States from their home countries began to surge in 2012. These children's ordeals do not end when they reach our borders; there

are many barriers upon arrival, including this country's daunting immigration process. Our lawyers have devoted more than 6,000 hours to helping nearly 30 children navigate the system since 2012. We work closely with Kids in Need of Defense (KIND) — an organization that pairs pro bono lawyers with unaccompanied minors who enter the U.S. immigration system alone — in this effort.

KIND recognized our commitment to its mission with an Allegiance Award presented in April 2014. We were honored for our "tremendous contributions and leadership" in providing thousands of hours of pro bono representation to unaccompanied children referred by the organization.

CASE SPOTLIGHT

We represented three Honduran siblings — ages 15, 13, and 10 — whose family had been a target of violence, persecution, and murder by Mara 18, one of the principal gangs in Honduras. Following the murders of two of their older siblings, the children endured daily threats and severe intimidation by the gang. They fled to the United States after the gang's armed invasion of their family home on the evening of their sister's wake. After three months of travel, the children entered the United States, were detained, and were sent to Los Angeles to be reunited with their mother.

We pursued asylum for our clients based on their well-founded fear of future harassment, persecution, and retaliation. In October 2014, we received notice of the grant of asylum for all three children.

CASE SPOTLIGHT

After spending some of his early teenage years living homeless in Guatemala and helping to raise his two younger brothers without parental support, our client made a difficult journey to the United States before being detained at the Arizona border. In the two years since his detainment, with the help of our team, the client won a dismissal of his removal proceedings in federal immigration court, obtained orders containing predicate factual findings for Special Immigrant Juvenile Status (SIJS) from a Maryland trial court, and eventually became eligible for lawful employment and secured permanent resident status. Our client is thrilled with the result and looks forward to continuing to work and learn in the United States while staying active in his local church.





CASE SPOTLIGHT

We won an appeal for a 17-year-old Argentinian client, arguing that she is eligible for SIJS, as reunification with one of her parents is not viable due to more than 12 years of neglect and abandonment by her father.

When she was 5 years old, our client's father put her on a plane in Argentina, alone, and sent her to the United States to live with family members who were not expecting her arrival.

The juvenile court denied our petition, but in one of the first appeals of its kind, we successfully persuaded a Virginia trial court that our client indeed satisfies the requirements for SIJS. With SIJS status in hand, our lawyers were able to successfully petition the United States Citizenship and Immigration Service to obtain lawful permanent residency for the client.

In appreciation

In recognition of our efforts in the matter relating to communal placement of homeless families, we received a volunteer appreciation award from the Washington Legal Clinic for the Homeless.



Immigration Equality

In 2014, our lawyers devoted more than 2,000 pro bono hours to asylum and U.N. Convention Against Torture matters referred by Immigration Equality, which represents lesbian, gay, bisexual, and transgender (LGBT) and HIV-positive individuals. Our relationship with Immigration Equality began in 2012, when our New York office embarked on its first affirmative asylum case for a gay man from Jamaica, who was finally granted asylum in May 2015.

We significantly expanded our work with the organization in 2014, opening more than a dozen new matters and staffing them across our New York, Washington, D.C., Philadelphia, Miami, and Los Angeles offices. More than 35 attorneys assisted more than a dozen lesbian, gay, and transgender asylum clients fleeing from persecution in Jamaica, Macedonia, Belarus, Peru, Cameroon, Saudi Arabia, Nigeria, Mauritania, Azerbaijan, and India.

In addition to these individual representation matters, teams of attorneys drafted amicus curiae briefs on behalf of Immigration Equality in two Board of Immigration Appeals cases in support of gay Jamaican immigrants who had been denied relief under the Convention Against Torture.

4,000 hours

Miami-Dade Public Defender Carlos Martinez honored 15 law firms for contributing a total of 6,000 hours of pro bono work to the agency. For donating 4,000 hours of legal counsel to the indigent in Miami-Dade County through the public defender's office, we received top honors at the annual Pro Bono Partners reception.

CASE SPOTLIGHT

We secured a landmark asylum victory for a gay married couple fleeing persecution in Macedonia. In their home country, the two young men were attacked by homophobic civilians and were sexually abused and violently beaten by anti-gay police officers. Fearing for their lives, they escaped their native country by obtaining visas to travel to the United States for temporary employment. Once in the United States, they were married in New York and turned to Immigration Equality for help in applying for asylum.

Over the course of six months, our lawyers assisted the clients by drafting affidavits describing the anti-gay persecution they had suffered in Macedonia, collecting supporting evidence and witness affidavits to corroborate the facts of the case, and preparing them for the asylum interview.

CASE SPOTLIGHT

We helped a young gay man fleeing persecution in Belarus to secure an asylum victory. When he reported to begin his mandatory military service, he was deemed "unfit to serve due to the disease of homosexuality" and was confined in a government-run mental institution for two weeks so doctors could attempt to "cure" him.

After being released with an official diagnosis of the "disorder of sexual preference," the man became a victim of police brutality during a raid on an underground gay club. Fearing for his life, he escaped to the United States on a tourist visa and turned to Immigration Equality for help in applying for asylum. Immigration Equality referred the man to our pro bono team in April 2014, and with our help, he was granted asylum in February 2015.

SPOTLIGHT ON OUR OFFICES





An aerial photograph of the New York City skyline at sunset. The sun is low on the horizon, casting a warm, golden glow over the city. The Empire State Building is prominent on the left, and the Freedom Tower is visible on the right. The Hudson River and East River are visible in the distance. The sky is a mix of blue and orange.

Legal Services NYC

New York pro bono associate Erin Meyer was named one of the top 30 pro bono attorneys by Legal Services NYC. Seven other lawyers were added to the organization's honor roll.

New York

Our New York office has long been dedicated to pro bono endeavors, expanding its active practice in 2014 with 92 percent of lawyers engaged in pro bono and 150 new matters opened. In addition to highlights in the immigration context (see Immigration Equality story on page 21), our New York office helped nonprofit organizations navigate an overhaul in the law and supported the city's lesbian, gay, bisexual, and transgender (LGBT) community.

Keeping nonprofits in business

The New York Nonprofit Revitalization Act (NRA), which took effect in 2014, was the most significant revision to the laws governing New York nonprofit organizations in the past 40 years, requiring the adoption of more robust financial oversight, conflict-of-interest, and whistleblower policies.

Through existing relationships with New York-based nonprofit organizations and referrals from Pro Bono Partnership and Lawyers Alliance for New York, our corporate and transactional lawyers assisted more than a dozen nonprofit organizations in reviewing and revising their bylaws and other corporate governance policies to ensure compliance with the NRA. One such nonprofit was Bridging Access to Care, Inc., which provides people living with HIV/AIDS with culturally sensitive disease-prevention education, comprehensive social services, and extensive community advocacy.

Beyond the NRA, our New York lawyers also assisted many more nonprofit organizations with matters involving contracts, dissolution, employee benefits, taxes, loans, and investments. This crucial pro bono assistance strengthens nonprofit organizations, enabling them to better serve their constituencies. Our work helped organizations that serve children with autism, immigrants, the elderly, and survivors of domestic violence.



Advocating for LGBT civil rights

The 1969 Stonewall riots in New York City signaled the birth of the modern LGBT liberation movement in the United States. New York City has since remained an epicenter of LGBT culture and civil rights advocacy, and we are committed to supporting the LGBT community in New York City and beyond. In addition to winning asylum for a number of LGBT refugees (see Immigration Equality story on page 21), lawyers in the New York office partnered with the Transgender Legal Defense & Education Fund to obtain name change orders from the New York City Civil Court for low-income transgender individuals.

New York lawyers also assisted the National Queer Asian Pacific Islander Alliance in campaigning to air public service announcements (PSAs) featuring Asian American, South Asian, and Pacific Islander parents declaring love and support for their LGBT children. Our lawyers helped the Alliance to optimize its strategy for approaching ethnic television stations by analyzing Federal Communications Commission regulations, conducting station-specific research, and drafting advocacy correspondence. With our help, the PSAs aired on television stations across the United States.

Silver Supporter Award

Our New York office was the recipient of a Silver Supporter Award for its participation in the Empire State Counsel Program.



Mexico

Hogan Lovells combined with Barrera, Siqueiros y Torres Landa (BSTL) in August 2014, expanding our footprint into Mexico City and Monterrey, Mexico. The combination brought together two premier legal practices with shared values.

BSTL had a longstanding pro bono tradition and was a pioneer in Mexico as the first firm with a full-time, dedicated pro bono lawyer. For several years running, BSTL was selected by Latin Lawyer as a Leading Light for its progress in institutionalizing pro bono within the firm, and Hogan Lovells BSTL won that accolade again in 2014 after the combination. The office has a cadre of pro bono clients, working on matters to affect everything from public health to gender equity. One area of concern in particular is drug-related organized crime, which has increased dramatically in the last decade.

Navigating the General Victims' Law

In July 2013, a client's employee who was dispatched on a business trip to McAllen, Texas, went missing near Ciudad Mante, in the state of Tamaulipas. Since then, lawyers in our Mexico offices have been working tirelessly to have him declared legally missing in order to provide his wife with the rights afforded to her under the new General Victims' Law. This is the first case the offices have handled under the 2013 law, which provides compensation to the relatives of people who have been killed or forcibly disappeared, or who have been kidnapped or injured by organized crime elements.

Without the legal declaration, the employee's wife has been charged expenses related to the mortgage, and our Mexico offices recently won a case against the bank to prevent her from being evicted from her home. Lawyers continue to work toward a judgment that will allow the wife to file all related documents to the bank and settle her mortgage debt.

United against crime

We regularly work with México Unido Contra la Delincuencia (MUCD), a nongovernmental program aimed at curing the deficiencies of justice and security in Mexico. The NGO works to hold the government accountable; promote a culture of lawfulness; provide services to victims of violent crimes; and generate a national drug policy.

Our Mexico offices provide transactional assistance to MUCD, and members of the firm serve on the NGO's board and as legal advisors on specific programs run by MUCD. Through our partnership with the organization, Hogan Lovells BSTL has a hand in improving safety and justice in Mexico — a country where more than 80,000 people died during a six-year period in the "war on drugs." Assisting MUCD in programs directly aimed at improving the rule of law in Mexico is a natural way to foster best practices and improve security conditions in the country.



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