

Segal McCambridge
Segal McCambridge Singer & Mahoney



Simply
Make A Difference.

PRO BONO & PUBLIC SERVICE COMMITTEE

2020-2021 REPORT

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Walk Against Alzheimer's

Chicago

Despite the COVID pandemic preventing the firm from conducting its annual in-office fundraisers for Walk to End Alzheimer's, Segal McCambridge raised more than \$8,000 in 2020. Many members of the Chicago office participated in the annual walk, this time creating their own path through Lincoln Park on October 10, 2020.

~ Segal McCambridge



Joseph Kish
Shareholder

Segal McCambridge continues its tradition of bettering the communities in which we live and work. From correcting injustices, big and small, to collecting coats for the needy during the winter, to raising money for charitable organizations, this generous spirit echoes in the halls of each of our offices across the country.

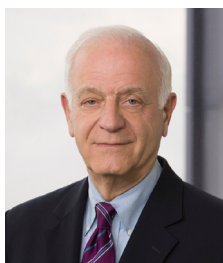
The Pro Bono & Public Service Committee is honored to drive the firm forward in these efforts. These pages contain just a small sampling of the positive change our attorneys, staff, clients and friends have made in the lives of others recently.

We hope you will be inspired by these efforts and find ways to contribute to those in need near you.

~ Joseph Kish

Segal McCambridge Announces Recipients of Second Annual Donald Segal Pro Bono Award

Chicago



Donald Segal
Of Counsel

Segal McCambridge is proud to announce that Chicago Volunteer Legal Services (CVLS) and Bluhm Legal Clinic's Center on Wrongful Convictions are the recipients of the 2021 Donald Segal Pro Bono Award.

"I am honored that our firm continues to invest in our communities and am proud of the many attorneys and staff who donate their time to help others seek justice," said Mr. Segal. "CVLS and the Center on Wrongful Convictions are just two of the many excellent organizations that our lawyers have supported across the country, and I continue to be humbled that this award bears my name."

This year, the \$5,000 donation will be divided between Chicago Volunteer Legal Services and Bluhm Legal Clinic's Center on Wrongful Convictions. Last year's recipients were The Chicago Bar Foundation and the Chicago Lawyers' Committee for Civil Rights Under Law.

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Special Projects

International Senior Lawyers Project in Mexico Tackles Human Rights Case

Austin



Arturo M. Aviles
Of Counsel

The International Senior Lawyers Project in New York, in association with the American Bar Association in Washington, D.C., engaged Of Counsel Art Aviles and former employee John Lee to work on a complex human

rights case in 2015.

The client was a human rights attorney in Mazatlán, Mexico, a woman who was hired to represent a group of people (Comuneros) who were seeking proper compensation from the government after being displaced from their homes by the construction of the Picachos Dam outside of Mazatlán.

During her representation of the Comuneros, she was arrested several times and mistreated while in custody, five of her clients were assassinated, an activist who was assisting

her was killed while giving a radio interview, her brother was kidnapped and killed and an attempt was made on her life. She survived, but her bodyguard was killed.

To date, Mr. Aviles and Mr. Lee have filed a Petition for her client with the Inter-American Commission of Human Rights alleging multiple violations under the American Convention on Human Rights by the government of Mexico. That petition currently is in the admissibility stage, awaiting a response from Mexico to the allegations. Mr. Aviles and Mr. Lee filed a second petition with the Commission on behalf of the client's brother also alleging multiple Convention violations. The Commission has advanced the petition for the client's brother to the Merits stage, and Mr. Aviles and Mr. Lee are currently awaiting a final ruling by the Commission.

In addition, Mr. Aviles and Mr. Lee were successful in moving the Commission to grant precautionary measures for the client's brother. Precautionary measures require the government of Mexico to undertake immediate steps to investigate the kidnapping and murder.

Mr. Aviles and Mr. Lee traveled several times to Mazatlán to meet with the client. Because of the danger, the client usually has a bodyguard present at the meetings. Mr. Aviles and Mr. Lee have received police escorts from the airport in Mazatlán to attend these meetings. For her safety, the client has been relocated to Mexico City. To date, Mr. Aviles and Mr. Lee have not been allowed to visit the Picachos Dam area.

If Mr. Aviles and Mr. Lee receive favorable rulings on the petitions they filed with the Commission for the client and the client's brother, the next step is to invoke the Friendly Settlement Procedure of Article 48 of the American Convention on Human Rights to enter negotiations with the Mexican government. Failure to reach an agreement might result in the case being forwarded to the Inter-American Court of Human Rights in Costa Rica.

~ Segal McCambridge

Chicago Associates Successfully Challenge a Bankruptcy Plan

Chicago



Taofikat Ninalowo
Associate



Patrick Sullivan
Associate

Chicago Associates Taofikat Ninalowo and Patrick Sullivan successfully challenged a Bankruptcy plan that would have prevented their pro bono client from receiving compensation for a prior lawsuit. Years ago, the client won a judgment against a debtor on a Chicago Residential Landlord and Tenant

Ordinance claim and recorded the judgment as a lien on a house owned by the debtor. The client had attempted to collect on the judgment for years, but the debtor repeatedly used Chapter 7 and Chapter 13 bankruptcy filings to prevent collection.

Last Autumn, the debtor filed a new Chapter 13 bankruptcy, leaving the client out of the bankruptcy plan. The debtor wrongfully claimed that the client's debt was previously discharged in a previous bankruptcy.

Ms. Ninalowo and Mr. Sullivan dug into previous files on this 10-year-old case, crafted a motion objecting to the debtor's Chapter 13 plan and argued that the client's debt survived the prior bankruptcy due to inadequate notice and omission from bankruptcy schedules.

The judge agreed with the motion in its entirety

and ruled that the debtor's pending Chapter 13 plan was untenable. They also filed a claim in the debtor's bankruptcy case on behalf of the client for the debt owed to them. The debtor objected to the client's claim, arguing that the client did not record the judgment to create a lien on the debtor's property in order for the client to collect in the bankruptcy.

The court agreed with Ms. Ninalowo and Mr. Sullivan that the judgment was properly recorded in accordance with Illinois law. Ultimately, the client was found to be a secured creditor in the debtor's Chapter 13 case and the court ordered the debtor to make a new plan accounting for the client's debt as a secured creditor. This ruling allows the client to collect on the long-standing debt owed to them by the debtor.

~ Segal McCambridge

Special Projects

Chicago Associates Reduce Sentence of Life in Prison to 25 Years

Chicago



Russell Baker
Associate



Benjamin Nellans
Associate

For the past five years, Segal McCambridge has represented an indigent defendant through Northwestern's Juveniles With Life Without Parole program. At his re-sentencing hearing – the culmination of this representation – Chicago attorneys, Benjamin Nellans and Russell Baker successfully reduced the client's sentence of life in prison without the possibility of parole to 25 years. This result was made possible by years of hard work by multiple Segal McCambridge attorneys and staff.

The client's initial sentence of life without the possibility of parole was issued as a result of a double-homicide conviction. The client was only 16 at the time these crimes were committed. While the client was serving his sentence, the United States Supreme Court issued a ruling declaring such a sentence unconstitutional. While this led to courts overturning the sentences

of minors who were sentenced to life without the possibility of parole, prosecutors quickly took advantage of a work-around: seeking sentences which were not life sentences without the possibility of parole, but so long that they effectively ensured the defendants would never be released from prison.

The client's initial sentence was determined to be unconstitutional. Over the last five years Segal McCambridge fought to have the court set a just and constitutional sentencing range. Prior to the sentencing hearing, the firm defeated the state's argument that the client could still be subject to a discretionary life sentence. Additionally, the firm obtained county funding for an expert forensic psychiatrist to provide an expert assessment of the client's culpability as a minor and risk of recidivism. Even after the holding that the client was not eligible for life sentence, the state aggressively argued for a 55-year sentence, a stark contrast to the firm's argument that a 20-year sentence was appropriate in this instance. In the fall of 2020, the client's re-sentencing hearing finally went forward. Four witnesses testified on the client's behalf including an expert forensic psychiatrist, a pastor, a correctional officer and a representative from his family.

Ultimately, the court rejected the state's argument that the maximum possible sentence was 60 years and agreed with the firm's position that any sentence above 40 years would have been an unconstitutional de facto life sentence in this case. The court agreed, going on to say his sentence should run concurrently, ultimately determining that a 25-year sentence was appropriate.

The firm believes this is the lowest sentence issued under this case law in St. Clair County, IL. Most importantly, the client will be released in the next three years, with a chance to have a normal life and be a positive contributor to society.

~ Segal McCambridge

Philadelphia Associate Helps Local Musician with Intellectual Property

Philadelphia



Jordan Rosenberg
Associate

Philadelphia Associate Jordan Rosenberg regularly works with the Philadelphia Volunteer Lawyers for the Arts assisting local artists in understanding their intellectual property rights and achieving their artistic goals. Mr. Rosenberg recently worked with a local musician on copyrighting his musical compositions for his upcoming album, as well as how to protect his stage name and branding through trademark registration. By counseling the client on issues relating to fair use, parody and public performance royalties, Mr. Rosenberg ensured the client obtained a copyright for his album.

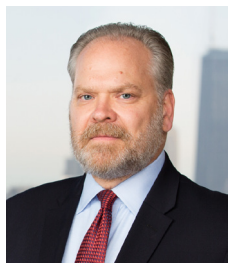
Additionally, Mr. Rosenberg is now consulting with an aspiring songwriter on protecting the intellectual property rights for an album with several other musical artists, including advising on publishing rights and copyrighting joint musical works.

~ Segal McCambridge

Local & National Non-Profits

Segal McCambridge Partners with The Community Justice Project and NSU Law School

Florida



Joseph Kish
Shareholder



Ilana Olman
Shareholder



Kenneth Williams
Shareholder

Earlier this year, Ft. Lauderdale attorneys partnered with the Community Justice Project, a non-profit organization that is comprised of South Florida lawyers who collaborate with community and grassroots groups in low-income communities of color.

The Community Justice Project provides pro bono legal services that assist low-wage workers fighting for basic rights and freedom from workplace abuses, as well as housing work to assist low-income tenants living in public, private and subsidized housing.

As part of this collaboration, the firm will assist on pro bono legal assignments, including research projects, litigation and appellate work. Segal McCambridge has also joined forces with Nova Southeastern University, Shepard Broad College of Law in Ft. Lauderdale, to ensure law students with an interest in pro bono services can shadow and assist firm attorneys with pro bono services provided through the Community Justice Project.

The partnership with the Community Justice Project and NSU College of Law has been facilitated by Ft. Lauderdale Shareholder, Ilana Olman, and with support by the firm's Pro Bono Committee Chair and Shareholder, Joseph Kish, as well as Diversity & Inclusion Committee Chair and Shareholder, Kenneth Williams.

~ Segal McCambridge

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Continued from cover

Chicago

Chicago Volunteer Legal Services is an organization that assists Chicago's legal community to deliver traditional representation and innovative legal solutions to people working or living in poverty. This pro bono organization has been assisting the residents of Chicago for more than 55 years.

Since 1999, the Center on Wrongful Convictions has dedicated itself to identifying and rectifying wrongful convictions and other serious miscarriages of justice. To date, the Center has exonerated more than forty innocent men, women and children from around the country.

Segal McCambridge serves corporate and insurance industry clients in a variety of litigation, providing strategic counsel and invoking a trial-ready approach in matters involving product liability, toxic torts, employment law, environmental law, premises liability and transportation law, as well as complex commercial disputes. The firm was founded in 1986 in Chicago and boasts offices in Austin, Detroit, Ft. Lauderdale, Houston, Jersey City, New York, Philadelphia and St. Louis.

~ Segal McCambridge