

ATLANTIC LEGAL FOUNDATION 2019 ANNUAL REPORT



THE YEAR IN REVIEW

2019 marked the 42nd year of Atlantic Legal Foundation's advocacy in courts across the country. Atlantic Legal vigorously pursued its mission of advancing the rule of law by advocating limited and efficient government, free enterprise, individual liberty, school choice and sound science.

In more than a dozen cases before the United States Supreme Court, other federal appellate courts, and state appellate courts, we addressed issues of compelled speech, freedom of association, regulatory overreach, circumvention of the notice and comment procedure of the Administrative Procedure Act, and enforcement of arbitration agreements, scoring significant successes.

The Foundation continued its role as the nation's preeminent public interest law firm in advocating application of clear and sound rules for the admissibility of expert testimony in toxic tort, product liability and other litigation, filing briefs in state and federal courts on behalf of individuals and business associations in cases focusing on the admission of expert testimony.

*The Foundation filed briefs in the United States Supreme Court in cases involving the enforcement of contractual arbitration provisions in employment and consumer contracts, following up on our success in the "blockbuster" decision in *Epic Systems Corp. v. Lewis*, 138 S. Ct. 1612, decided in 2018.*

We continued our work on behalf of charter schools with distribution of our “Leveling the Playing Field” series of guides for charter school leaders. The 3rd edition of Atlantic Legal’s guide for charter school leaders in California was printed and distributed in June of 2017 with high praise from the California Charter School Association. Uncertainty in the state of the law pending possible federal preemption caused Atlantic Legal to temporarily defer publication of state specific guides. A more complete report reflecting significant recent developments in the law in this area is provided on page 9.

On March 28, 2019 we were privileged to present the Foundation’s Annual Award for 2018 ... its 31st annual award ... to Thomas N. Kendris, US Country President, Global Head Litigation and President of Novartis Corporation, who was introduced by Joe G. Hollingsworth, nationally renowned courtroom advocate, head of the eighty-five lawyers practice group at Hollingsworth LLP in Washington DC and a Director of Atlantic Legal. Mr. Kendris remarks – “The Pharmaceutical Industry at a Crossroad: Innovating for the Future” – before a near capacity attendance of close to 200 in the elegant Metropolitan Club in NYC, were enthusiastically received and were published at page 16 in the Foundation’s Report for 2018.

Unfortunately, government restrictions imposed to mitigate further coronavirus contagion prevented Atlantic Legal from recognizing another great American early in 2020 for 2019. We are hopeful conditions will allow a deferred Awards Dinner in the fall of 2020. In the meantime, we are republishing the remarks of our Foundation’s 2014 Award Honoree, H. Lawrence Culp Jr., today’s Chairman and CEO of GE, on leadership at a time when leadership skills in the private and public sectors are especially critical with the disruption attributable to the coronavirus pandemic. See page 15 for his remarks following.



At the Foundation’s September board meeting, Jim Friedlich, nationally renowned CEO and former Group Publisher of The Wall Street Journal for Europe, Asia and the Americas in charge of global business opportunities, and the current Executive Director of The Lenfest Institute of Journalism, engaged the Board, Council and guests with an enlightening presentation and discussion on the state of journalism and freedom of speech and the press in America. See page 26 for a more complete report.

As 2019 came to a close, we were saddened by the loss of our Atlantic Legal Annual Award Honoree for 1999, P.X. Kelley, former Commandant of our Marine Corps and the youngest 4-star general in the history of the Corps. Diane and Dan Fisk were honored to attend the service for P.X. at the Fort



Myers chapel and Arlington Cemetery this past February 20. It was special. For a more complete report, see Dan's February 25 email to the Foundation's Leadership Team – its Board, Council and staff – at page 24.

In late 2018, as reported and pictured in our Annual Report for 2018 and in this Report for 2019 at pages 32–36, we named 9 distinguished professionals to our leadership team including 5 Directors and 4 Advisory Council Members. In January of 2020, we appointed John M. Kalas, Partner of Hollingsworth LLP to our Advisory Council. His photo and more complete bio is set forth at page 36.

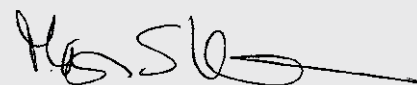
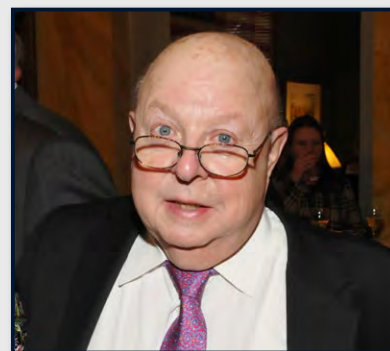


We are especially pleased to report a key addition to the staff of Atlantic Legal late this past year; Nishani Naidoo, has joined us as Vice President and Associate General Counsel, to assist us with a growing workload. Her exceptional educational credentials, distinguished professional experience and her American Dream story are presented at page 38 following.

Atlantic Legal's Board and Advisory Council remain convinced that our legal system needs the kind of responsible, objective, and vigorous advocacy the Foundation has provided for over 42 years. The need has been exacerbated by the disruption and compromises thrust upon our republic by the pandemic and related government actions. We are especially grateful for the loyal support of our contributors, leadership and staff, enabling the Foundation to continue its important work during these critical times.

A handwritten signature of Dan Fisk in black ink.

Dan Fisk
Chairman & President

A handwritten signature of Marty Kaufman in black ink.

Marty Kaufman
Executive Vice President
& General Counsel

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EXECUTIVE SUMMARY

About Atlantic Legal Foundation

- Atlantic Legal Foundation has been defending liberty for over 42 years, since its establishment in 1977.
- Atlantic Legal Foundation is a nonprofit, nonpartisan public interest law firm with a history of advocating for individual liberty, free enterprise, property rights, limited and efficient government, sound science in the courtroom, and school choice. Atlantic Legal provides legal representation, without fee, to individuals, corporations, trade associations, parents, scientists and educators.
- The Foundation frequently files *amicus curiae* briefs in high-profile court cases in the United States Supreme Court, federal circuit courts and state supreme courts.

Constitutional Issues

Atlantic Legal Foundation participates in important cases involving the expansive and capricious exercise of governmental power, as well as the interplay between U.S. law and international law. Among the issues we have addressed: challenging state and local attempts to regulate interstate and foreign commerce, combatting limits on free speech, compelled speech and association, and opposing expansive assertions of U.S. court jurisdiction over foreign entities and transactions.

Sound Science

Atlantic Legal is the nation's preeminent public interest law firm advocating for the admissibility of sound medical and expert testimony in toxic tort, product liability and other litigation. Atlantic Legal fights the admissibility of "junk" science, and fosters the use of sound science principles in judicial and regulatory proceedings. Our *amicus* briefs on behalf of several Nobel Laureates and numerous other prominent scientists were cited and relied on by the majority in the landmark Daubert trilogy of U. S. Supreme Court cases.

Corporate Issues

Atlantic Legal advocates for responsible corporate governance and advocates against intrusive regulation of business. The Foundation was an early and vigorous proponent of preservation of the attorney-client privilege against compulsory waiver of that essential protection where corporate misconduct has been asserted. It has challenged abuse of class action procedures and has strongly advocated for the enforcement of arbitration agreements.

School Choice

Atlantic Legal supports school choice. Its work in this area is focused on supporting charter schools. A major part of this effort is publishing a series of state law guides, written by nationally known labor law attorneys, to educate charter school leaders about what they need to know to deal with efforts by public employee unions to burden charter schools with intrusive union work rules that stifle innovation.

The Foundation also provides legal counsel for charter schools and charter school advocates at no cost.

Position Papers and Conferences

Atlantic Legal publishes papers on legal issues of public concern, such as: inadequate judicial compensation and its impact on the New York economy, the need for a restructuring of New York's court system, correcting weaknesses in law school curricula, and the need for and benefits of parental choice in K through 12 education. Of note, we have published a series of state-specific guides for charter school leaders entitled *"Leveling the Playing Field: What Charter School Leaders Need to Know About Union Organizing."*

The Foundation sponsors conferences on topics of importance to the business and legal communities, such as: Science and Public Policy Implications of the Health Effects of Electromagnetic Fields; the Attorney-Client Privilege – Erosion, Ethics, Problems and Solutions; Corporate Litigation – How to Reduce Corporate Litigation Costs and Still Win Your Case.





IN THE COURTS

In pursuing our Atlantic Legal Foundation's mission of advancing the rule of law by advocating limited and effective government under the Constitution, free enterprise, individual liberty, the use of principles of sound science in litigation and regulation, and school choice, the Foundation provides legal representation without fee, to individuals, corporations, trade associations, parents, scientists, educators and other groups. Our primary effort consists of filing friend of the court briefs in the United States Supreme Court, other federal appellate courts, and the highest courts of states.

Some of the principal issues on which we focus are federal constitutional issues including individual liberty interests, separation of powers, rules of evidence, and free speech and association. Each year we typically file 10 or more *amicus curiae* briefs in the U.S. Supreme Court (at both the petition and merits stages), in federal courts of appeal, and in the highest courts of several states.

We oppose the expansive and capricious exercise of governmental power. Atlantic Legal regularly participates in cases involving issues affecting the market economy. We have been leaders in advocating for educational choice, in which we have focused on supporting

charter schools by providing legal counsel to and representing charter schools and charter school advocates at no cost, often where teachers unions seek to derail the certification of the charter school.

We are the nation's preeminent public interest law firm advocating for the use of sound science in adjudication and regulation, notably in numerous cases in which the issue of the law of admissibility of medical and other scientific expert testimony in toxic tort, product liability and other cases has been and is being developed. In these cases we regularly represent prominent scientists who endeavor to educate the court about underlying scientific principles. Our *amicus* briefs on behalf of almost two dozen Nobel laureates and numerous other prominent scientists have been cited and relied on by the majority in the landmark *Daubert* trilogy of U. S. Supreme Court cases and the California Supreme Court.

In the past 12 months we have filed briefs in cases involving a variety of issues:

Compelled Speech

We were involved in cases challenging local laws requiring cell phone stores to post signs warning customers of the “dangers” of cell phones, when the Federal Communications Commission and the consensus of relevant scientific organizations has found no emission from cell phones of harmful radiation.

Freedom Of Association And Speech

In the U.S. Supreme Court we filed amicus briefs in cases involving mandatory bar association dues which in part fund essentially political advocacy.

Arbitration Of Disputes

Despite a clear statutory enactment favoring arbitration as an effective and efficient alternative to protracted, expensive and burdensome litigation, many state and lower federal courts and state legislatures remain hostile to contractual arbitration provisions. As a result, the Supreme Court has been called upon several times in the past few years to reiterate its holdings instructing inferior courts to enforce and apply the Federal Arbitration Act. Atlantic Legal has frequently filed amicus briefs in those cases, including what has been called the “blockbuster *Epic Systems* case.”

One leading Supreme Court practitioner recently “recognized the ALF’s strong track record in advocating for the fair enforcement of arbitration agreements, as well as addressing issues affecting the business community generally.” The Foundation is frequently asked by leading Supreme Court practitioners to file amicus briefs in arbitration and other cases.

Admissibility Of Expert Testimony On Medical Causation, In Both State And Federal Appellate Courts

These cases typically involve the issue whether an expert’s causation testimony is based on unsound methods or speculative theories.

Atlantic Legal has also addressed many other issues affecting the business community, including challenging state and local attempts to regulate interstate and foreign commerce, opposing expansive assertions of U.S. court jurisdiction over foreign entities and transactions, and challenges to the abuse of class action procedures.





CHARTER SCHOOL ADVOCACY



Thomas V. Walsh

CHARTER SCHOOL DEVELOPMENTS: THE NLRB (FINALLY) TAKES AN HONORABLE COURSE

Thomas V. Walsh
Principal, Jackson Lewis PC
Advisory Council Member
Atlantic Legal Foundation



Roger S. Kaplan

The Atlantic Legal Foundation has long supported charter schools' laudable goals of reforming public education. The Foundation has supported the charter school community by providing unique labor law guidance to school leadership through a series of books entitled *Leveling the Playing Field*, addressing the difficult area of union organizing, collective bargaining, and related employee rights at charter schools. * These issues have historically been determined by the individual states' charter school legislation and public sector labor law, since all charter schools are *public* schools, as defined by the various state statutes.

The *Leveling* series raised the question of whether the National Labor Relations Act (NLRA), and not state law, should have jurisdiction over charter schools, despite their states'

characterization as “public schools.” Although there is variation from state to state, in most instances, charter schools are created by and administered by private entities, although funded publicly and subject to state regulation. A few years after these publications, the National Labor Relations Board (NLRB) began to assert federal labor law jurisdiction over charter schools in various states.

There are myriad differences between the labor laws of the individual states and that of the NLRA. Some states have no collective bargaining rights for teachers. Some have limited rights. Some allow employees to vote on unionization through secret ballot elections. Others do not. It is amply clear that no state labor law provides protections and rights to *employees* as broadly as the NLRA.

The laws of some states tilt toward the benefit of the employers, others, toward the unions. As a result, charter school employers around the country have their own preferences. In some cases unions sought NLRB jurisdiction. In others, employers sought it. As the NLRB has added more states to its jurisdiction, interested parties on both sides have raised their concerns.

Because the NLRB issues decisions on a case by case basis, its extension of jurisdiction over charter schools has been limited to those schools in which a union, employees, or an employer has brought a case. The legal analysis utilized by the Board determines whether the school is a “political subdivision” of the state. If the charter school is initiated by a government entity, or if the government has management control, the school is a political subdivision and is exempt from the National Labor Relations Act.

To date, either the NLRB itself, its regional offices, or its administrative law judges have exercised jurisdiction over charter schools in Arizona, California, Connecticut, District of Columbia, Illinois, Louisiana, Maine, Michigan, Minnesota, New York, Ohio, Oregon, Pennsylvania, Rhode Island, and Tennessee. In every case brought to the NLRB, the Board has determined the school is not a political subdivision with one lone exception. In one case arising in Texas, the Board did decline jurisdiction due to a greater level of authority over the charter school retained by the state.

Although NLRB cases in most states have yet to be litigated, it is clear that the weight of Board law (except in Texas) supports federal jurisdiction.

The rise of charter schools has been highly politicized. The NLRB, somewhat surprisingly, began granting NLRA jurisdiction to charter schools in 2012, during the years of the Obama Board when Democrats held a majority of seats on the Board. In those years, the Republican minority were vocal dissenters on this subject – generally asserting a “states’ rights” view

supporting a state legislature's prerogative to define whether its charter schools were legally equivalent to public schools. Under the Trump Administration, the Board obtained a Republican majority. The NLRB soon began hinting that – when the right case came before it – it would take the radical step of withdrawing federal jurisdiction from all charter schools nationally.

Section 14(c)(1) of the NLRA provides the Board with the extraordinary discretion to decline jurisdiction of the law over all employers within a particular industry, as a class. It is almost never utilized, and certainly never over workplaces as widespread as charter schools have become.

The case the Board appeared to be waiting for finally arrived. A New York City charter school – one of the very first charters in the state – had been (due to the peculiarities of state law) unionized since its inception in 1999. Its employees never voted for unionization, nor in any way expressed a desire to be union represented. Under local law, the powerhouse United Federation of Teachers (UFT) represented the school staff as part of the single bargaining unit covering over 70,000 city public school teachers.

The UFT collective bargaining agreement contains terms and working conditions that are anathema to charter school philosophy. Curiously, the UFT has never enforced its contract regarding the school's educational operations. However, the teachers chafed under union rules, including mandatory payment of significant union dues. Years later, the teachers petitioned to “decertify” the UFT – meaning to remove them as their bargaining representative. At the time, state law applied, and after three years of litigating, the state labor agency ruled that one school's employees could not “decertify” the union as to their single school; only the entire school system could do so. Their petition was dismissed.

After 2012, charter schools in New York began considering their options under the emerging new NLRB cases extending jurisdiction. Atlantic Legal Foundation Advisory Council member Tom Walsh counseled several schools, resulting in a landmark 2016 NLRB decision interpreting New York state law to require federal jurisdiction. It should be noted that a key element of NY labor law is that union organizing is achieved by “card check” which denies employees a secret ballot election. The NLRA is premised on the principle of a democratic vote.

For several years, unions seeking to organize New York charter schools continued to contest the NLRB's “political subdivision” test, to no avail. Absent the advantage of “card check,” unions were often unsuccessful in organizing schools.

In 2017 the employees whose petition to decertify was rejected by the state labor board filed a new decertification petition, this time with the NLRB. Atlantic Legal's Advisory Council labor law specialist Tom Walsh represented the charter school employer in this matter. Eighteen months

later, the Board's New York regional director issued a decision granting the employees a decertification election. The UFT appealed to the full Board in Washington, D.C. The newly seated Board GOP majority took the opportunity to consider whether the NLRB might withdraw jurisdiction from *all* charter schools, as it had threatened to do – despite the fact that no party in the case requested that result.

The NLRB issued a call for *amici* to file briefs. The Atlantic Legal Foundation was interested in being heard on this subject. The Foundation consulted with state and national charter school groups. Ultimately, the ALF declined to file an *amicus* brief because schools and charter school associations the Foundation supports are on both sides of the matter, often depending upon where they are located.

The school and its employees argued that although the Board has the statutory authority to withdraw jurisdiction, there was no evidence supporting such an unprecedented abandonment of employee rights. Illustrated by a partial list of the scores of cases in which the NLRB, its regional offices, its administrative law judges, and its General Counsel processed charges and petitions, the school asked the Board how it could now reverse course and advise thousands of employees that they no longer enjoyed the protections of the NLRA.

On March 25, 2020, the NLRB issued its decision, determining “not to exercise its discretion to decline jurisdiction over charter schools as a class.” *KIPP Academy Charter School*, 368 NLRB No. 48.

In the final analysis, the Board appears satisfied to allow the status quo to remain. It seems likely that Board jurisdiction will continue to be extended. But, there are still many states' laws which have not been subject to the Board's analysis. Charter school operators in those states in which the Board has affirmatively found jurisdiction should be aware of employers' rights and responsibilities under the law – which may significantly differ from state law. Employers in states not yet reviewed by the NLRB should be aware of the possibility that the state law they have operated under may change without notice – federal law generally provides a greater degree of protections to employees than states' public sector labor laws.

The Atlantic Legal Foundation will continue to monitor the legal landscape for charter schools, and where appropriate, will extend support.

*The Foundation published separate editions of *Leveling the Playing Field* focusing on charter schools in New York, New Jersey, California, Michigan, and Massachusetts. Encouraged by the California Charter Schools Association, the ALF published an updated California edition in 2017. *Leveling* was authored in the main by Atlantic Legal's Advisory Council member Tom Walsh and Advisory Council member emeritus Roger Kaplan.

Annual Award Dinner

In light of the disruption of the coronavirus, our Atlantic Legal Foundation's Award Dinner, which was to have been held in the spring of 2020 for 2019, has been postponed, as indicated at the inception of this Report. Over the years from our first Annual Award recipient, the Hon. William E. Simon, former Secretary of the Treasury, for 1988 ... each year our Annual Award recipient has been an icon of leadership in corporate, government or professional communities and most often in more than one. Traditionally, our Awardee has presented remarks upon accepting the Award for publication in our Annual Report for the year of the award. In some years, a Lifetime Achievement Award has been presented as well, as highlighted in Atlantic Legal's special 2018 Annual Report and for all distinguished former Lifetime Achievement Honoree's in this Report for 2019.

Without exception, the Remarks of Atlantic Legal's Annual Awardees, and Lifetime Achievement Honorees in select years, have been seminal, insightful, and deserving of publication.

In the absence of Remarks for a 2019 Award Honoree at the time of publication of this 2019 Annual Report, we are republishing the Remarks of our 2014 Honoree, H. Lawrence Culp, Jr.: "Reflections on Being a CEO" as **his Remarks are both timeless and particularly cogent at this time of coronavirus caused crises when unusually challenged business, government and professional leaders need inspiration and consideration of the "common sense" principles which when "vigorously applied" produce superior results.** Notably, Mr. Culp has moved on from having served Danaher Corporation as its President and Chief Executive Officer to currently serving as the Chairman and Chief Executive Officer of GE where no doubt he is ardently applying his common sense principles in the face of multiple challenges, compounded by the coronavirus crises.

Notably, his long time General Counsel Jonathan Graham, who introduced Mr. Culp as our 2014 Honoree, has also moved on from Danaher. He is now the SVP-General Counsel and Secretary of Amgen Inc in the Los Angeles area and is a recent addition to Atlantic Legal's Board of Directors. See page 33.

2014 Annual Award Presented to H. Lawrence Culp, Jr.



In November of 2014 the Foundation presented its twenty-seventh Annual Award to H. Lawrence Culp, Jr., recently-retired President and Chief Executive Officer of Danaher Corporation.

Larry Culp stepped down in September, 2014 as Danaher Corporation's President and Chief Executive Officer to become a Senior Advisor following a nearly 14-year run during which revenues and market capitalization increased approximately five-fold to nearly \$20 billion and \$50 billion, respectively, while at the same time driving shareholder returns five times that of the S&P 500 Index. He also played a key role

in the evolution of the Danaher Business System, the common operating philosophy and model deployed across Danaher.

During Mr. Culp's tenure, international sales expanded from approximately 40% of total revenues to almost 60% and the company deployed approximately \$25 billion for strategic acquisitions. Mr. Culp drove the establishment and growth of Danaher's health care platforms in clinical diagnostics, life sciences and dental.

He joined Danaher in 1990 from Veeder-Root, a Danaher subsidiary, where he became President in April 1993. In 1995, he was appointed Group Executive and Corporate Officer, with responsibility for Danaher's Environmental and Electronic Test and Measurement platforms. Mr. Culp also served as President of Fluke and Fluke Networks. He became an Executive Vice President of Danaher in 1999, Chief Operating Officer in 2000, and President and CEO in May 2001.

Mr. Culp served as chair of the Board of Trustees for Potomac School and Vice Chair of the Board of Visitors and Governors of Washington College. He served as a Non-Executive Director at GlaxoSmithKline PLC. Mr. Culp holds a B.A. from Washington College and MBA from Harvard Business School.

Today, he is the chairman and CEO of GE.

Larry Culp's Remarks: "Reflections on Being a CEO"

I'm really quite humbled to be here this evening, particularly in light of the previous recipients of this award; former Marine Corps Commandant General P.X. Kelley, certainly first amongst them. So I'd like to thank the Atlantic Legal Foundation, the directors, the officers, of course, Bill Slattery and Dan Fisk, for recognizing, really not me because as, I think, Jon's (Jonathan Graham, Danaher General Counsel) introduction suggests, the success we've enjoyed at Danaher over a long period of time has really been a function of those nearly 70,000 people on our payroll, many of whom are in attendance tonight. So I think all of us are humbled and thankful for this honor.

I also want to take a moment to thank the many friends of Danaher who are here this evening, a number of law firms, accountants and consultants who I know are here. It's great to see you. We certainly appreciate your support of the Foundation and all that you've done over nearly a quarter of a century to help us be the company that we are today. Let's not stop. There's still a lot of value to be created. There's still a lot of Danaher to be built in the years to come.

I also want to thank Jon. Jon remembers those days up in Montgomery County quite well. Unlike a number of general counsels of Fortune 200 companies, Jon did not come to Danaher to replace anyone. Jon came to forge a legal function and forge a legal function he did. **Jon did that with an eye toward not finding opportunities to say no, but helping us find ways to smartly say yes always with keeping the integrity bar very high in a thoughtful, but uncompromising way. And that, I think, is really an important part of the culture that we've been able to build.**

And, as Jon teased a little bit, he's done that in a Danaher like cost efficient way. He'll tell you over cocktails he's never heard me say that publicly. That, too, is true, but, Jon, thanks for taking a business school grad and helping him understand what a general counsel and a legal function can really do for a great company. It's been a great ride.

As a business leader I think I have some perspective on the work—the important work that the Atlantic Legal Foundation does. Business does not enjoy a stellar reputation in our country today. Business is under attack in a whole host of different ways—some deserved, some not so—but **I think the Foundation's emphasis on free enterprise and efficient and limited government is work that's incredibly important and I just want to, I think, on behalf, not only of Danaher, but really the entire corporate community, thank the lawyers at the Foundation for the incredibly important work, good work, that you do.**

They really are those principles of free enterprise and limited and efficient government that have, I think, created, not only an economy, but a society, warts and all, which is the envy of the world. And we ought not to forget that. I think, moreover, the importance Bill

Slattery, Atlantic Legal President, highlighted of real facts, science, and the consideration for the economics for all stakeholders as we move our country and our economy forward are critical. And I think the Foundation lends a strong voice to that activity and, again, I think the corporate community is in your debt for that good work.

Jon highlighted, I think, very well a quick overview of Danaher. I thought before we get started in some of the remarks that Jon asked me to share with you tonight on how we built the company, I'd give you a little bit of context. Jon covered a fair bit of this already..., we're very proud of the fact that we're nearly \$20 billion in size and pushing nearly \$60 billion in market capitalization.

But I think, more importantly, we really take pride in the fact that the way that we have transformed the company. We were a hand tool company, an OEM manufacturing company with a lot of small factories in the East and in the Midwest. Today we've got an incredible global footprint, really serving as a science and technology company, the most important markets in the world today. Think about what we do in the environment. **Think about what we do in healthcare, both from a clinical and from a research perspective.** And what we're able to do in a whole host of important markets, not only creates great value for our shareholders, because these are growth markets around the world, but, just as importantly, we're helping scientists; **we're helping researchers solve the most pressing challenges that our country and the world faces over the next 10 or 20 years.**

So it's good business; it's important work to do. And the financial characteristics of the markets and the companies that are part of Danaher drive the numbers that you see here, a 50 percent gross margin; very high indication of the sort of value that we create for our customers. The fact that a quarter of our revenues today come from the high growth markets under pressure, for sure today, but have really been a great growth driver for us and certainly over the next 20 years will change the competitive nature of all the markets that we serve. So we want to be there. We want to be there in a way that allows us to win so that we can continue to be that leading science and technology company that you heard about in the video.

Jon also talked about our shareholder returns. And I'm glad I brought a slide. I'm glad—this is the only other slide I'll use tonight. I'm glad I was able to do this to really paint the picture of the returns that we've enjoyed over a one, ten and twenty year period relative to the S&P. The chart captures that 20-year run and it's just tremendous, sustained outperformance. As you can imagine, we're exceptionally proud of that track record at Danaher. I happen to preside over that as CEO for nearly 14 years, but it certainly wasn't my work alone. It was the work of those 70,000 people on the payroll and many of you here in the audience who have had a hand in creating this sort of track record.

What I thought we could do is take you through much more detail about the work that we do, the markets that we serve and some of the financial characteristics of the company. Thirty, maybe thirty-five pages of PowerPoint would have been exceptionally boring for you so we decided not to do that. But as Jon and I were preparing for this evening we talked—kicked around some of the

topics that might be of interest - I shared with Jon that a lot of people have asked, since April when we announced the transition, what have you learned as the CEO about leadership. Now I'm really going to get out there a little bit on this because **with General Kelley in the audience I feel like I have a lot to learn about leadership, one of the great leaders in American history. But as a CEO there's certain things that I thought I knew, but—that I know much better now having been in that chair. And I thought I would share some of those lessons with you.**

The first amongst them..., is we fervently believe at Danaher the best team wins. That's our number one core value and talent is what it's all about. If you've got the right people on your team the sky's the limit, but if you don't it probably won't be your opportunity.

There's a lot that we do to operationalize that at Danaher. There's a fair bit of process that we've built in over time to make sure that we're recruiting, developing, retaining, and promoting the best people for our businesses. And that's not strictly a matter of pedigree and IQ. We really look for fit; we look for competence; we look for runway for the work that's to be done. And that'll be different in different functions. It'll be different in different businesses and certainly different in different geographies. But by deliberately being aggressive about every-body that we bring in and everybody we promote, we think we've been able to build some of the better teams in our markets and, in turn, that's allowed us to win.

Early in my tenure as CEO I **challenged the board to keep track of a lot of numbers**, but to make sure we kept **track of what we call internal fill, the rate at which we fill our senior positions with our own people**. We successfully doubled that number to nearly 75 percent today and we did that while we were quintupling the size of the business. So a lot of that process yielded results. It allowed us to build our own leadership cadre who are good at what they do, but, more importantly, are cut from the Danaher block. **And I think that's really been a differentiator for us.**

One of the keys that I learned along the way was the power in making sure that I interviewed every one of our 50 operating company presidents or presidential candidates. You might think that's micromanagement in a company as large as Danaher there are lots of levers to pull, but I learned early that in a decentralized structure those presidents really held our future in their hands; **who we hired, who we promoted, who we fired were really the critical lever points for me as a CEO**. So every time we had an opening I wanted to be part of that conversation. I wanted to see those candidates, and not in a cursory way, but in an in depth way so that we made sure we were building the best leadership team we possibly could.

Similarly, I became a big believer in what we call one over one. And that's simply a mechanism where Jon and Dan Comas, our CFO who's here tonight, and all of our senior team who reported directly to me allowed me to interview the folks they were bringing onto their team so we could have an opportunity to make sure we were clear that we were **bringing in the best talent**. Served for folks like Jon as an opportunity to calibrate on what looks good, and I'll come back to that, but it also made sure that those that were involved in searches for talent didn't fall to what we call

search fatigue where you get a little tired and you drop the bar. Somebody comes in, search is done. They do OK, but they don't do great and it's not a big deal the first year, but down the road you feel that.

So those were just some of the things that were important to us as we were really making sure that we were living that value of the **best team wins**. Not always easy because we were all really in a growth company keen to make sure that we were building out the team. It was easy to fall prey to search fatigue, but I don't think we did very often. And as a result, I think we enjoy a team today that's the envy of many of the industries in which we participate.

One of the other things I learned along the way was **the importance of doing the right things well**. If you know Danaher, particularly if you have a history with Danaher, you probably know that we're steeped in the Toyota manufacturing system. We get a lot of credit, some of it, frankly, not probably deserved, as one of the expert U.S. companies with respect to **lean manufacturing**. We do OK on our factory floors, but when we go see a Toyota factory we're always reminded about how much more we have to go.

So the perception out there with many is that we're an outstanding execution company. Early in our growth that's what we were, but we weren't always doing well on those things that mattered most. So over time I think I developed an appreciation, as the senior team did, that we needed to **continue to improve our ability to execute**, but we had to choose wisely. We had to choose well those things we did so that we pointed, if you will, those arrows in the right direction and just as deliberately, **and sometimes almost as maniacally, we needed to be clear with the organization, that which we were not going to do**.

And then day in day out once we'd agreed that vision, we agreed that strategy make sure that we didn't stray. And that's hard. It was particularly hard as the company was growing and becoming more global; lots of good people doing good work, thinking they were doing the right things and even when they were doing them well they weren't always the right things. So we instituted a lot of process and capability to make sure that once we huddled and agreed to that road map that it was hard to stray. And along the way we were not only doing the right things, but we were bringing a lot of the DBS tools and capabilities that you heard about to bear to **make sure that we were doing them well in a sustainable way; not trying to muscle out a quarter, but to do it in a way whether it was improving the development of a new technology, whether it was driving productivity in a manufacturing operation in a way that was sustainable, predictable and repeatable**. We got a lot of things wrong. By no means do I want to leave you with the impression that we executed flawlessly. We certainly didn't, but I think over time we were able to build that aerobic capacity in the organization so that we knew that we were **doing the right things well**.

One of the things I got a taste of as a young operating executive, but really only as CEO did

I fully appreciate, is the power CEO's and business leaders have, the tremendous leverage and impact you get from your ability to define winning, to define what good looks like. So many organizations, particularly large organizations like ours, end up being trapped by internal conversations which turn into negotiations about how much will the budget be for next year, what will the sales target be for the next quarter, all of that. Many of us have been there, right. And unfortunately it's human nature for those negotiations to be very inwardly focused and in many cases for folks to want to find a safe target to sign up to, to attach their names to.

I think what we tried to do at Danaher was to make sure that our leaders understood that their leverage with an eye toward building the sorts of results you saw on the slides really began on a day-to-day basis with how they defined what was acceptable. **Walk past a piece of trash on the shop floor, that's not acceptable. Fall prey to hiring somebody who's almost on spec the bar comes down.** Conversely folks that really wanted to be outstanding, who wanted to compete and win, to build and to grow found that at Danaher we could have a conversation. We weren't necessarily negotiating with each other; we were sharing dreams. And in the process we could take a little bit of a leap of faith, certainly sign up to hard targets, a year's budget, profit plans and the like, but always have the opportunity after the fact to see, not only how well we did against those absolute targets, but to look at our performance on a relative basis.

We would much prefer to have a company sign up for an audacious goal and fall short than have someone cleverly negotiate a target that's safe, deliver it, maybe beat it a little bit. Because in the long run all winning is relative and those companies that were able to stretch themselves did really well, and do really well for Danaher.

I think a business leader's role, certainly my role as CEO, was to make sure that we avoided those internal negotiations, that we set those bars high, but also made it safe for folks to fall short. None of us, right, ever want to lose. None of us want to fall short, none of us want to disappoint. That, too, is human nature. But that said **lots of companies make it difficult for folks to dream and to reach, to win, but to somehow fall short of a target. So we always try to make sure that we had a view of that subjective element so that the folks, who were really stretching and building, even if they were falling short from time to time, were properly rewarded and supported,** be it as a business team or as individuals.

In turn, that leads me to my **fourth lesson** and that is **the importance of how leaders deal with failure and surprises.** You think from some of those numbers that failure and surprises didn't come our way very often; they did. A one-time Washingtonian, **Mike Tyson, once famously said, "Everyone's got a plan until they're punched in the mouth."** That happened to us on more than one occasion.

And I think business leaders, and certainly myself as a young business leader, think that folks

rally around the wins and the celebrations. That's important, but I think **leaders really make their mark and they build followership or not when bad things happen, when surprises are encountered.**

And we love to compete with companies where a lot of yelling and screaming goes on when things go wrong. We love to compete with companies that don't have a systematic problem solving process like the Danaher Business System, but rather will focus on a person or people as opposed to the problem themselves. So we built up a lot of capability in our organization to make sure that when bad things happen, when we fell short, when we lost market share, when a new program was late that we really got to root cause and dug in deeply to make sure we understood why that happened so that we could do better next time. **So we take those lessons and implement corrective actions. That's part of making failure safe, but it also, in our experience, has helped us build a leadership cadre that understands that folks will follow you or not often because of the way things go.**

This hit me in a very personal way early in my tenure. Every December we go to New York to offer up a year in review analysis for Wall Street as well as give them a look ahead for the earnings guidance for the company. It's typically an afternoon. I tended to take the stage at 4:00, once the market closes, to give the wrap up and in the market moving information. I remember vividly sitting at my seat in the front row one year. We started about 1:00. I think it was about—it wasn't even 2:00 yet. I got a note to come to the back of the room. Went to the back room and heard that we had our website hacked. Our wrap up presentation, our guidance had been released inadvertently, probably criminally.

It didn't take us very long to huddle and agree that we were simply going to acknowledge that that had happened and we were going to effectively give the wrap up presentation midstream and hope that everybody stayed for the rest of the presentations. I let the presenter wrap up; I took the stage, gave the presentation, not a lot of surprises given. Most of them had been pounding their Blackberries during the course of the presentation. They had the numbers. And I just humbly pleaded with them to stick around for the next couple of hours. We still had some good presentations that would really help them understand what our company's all about rather than just the earnings guidance. The Blackberries continued to be pounded. No one left and we had a successful day.

It was only afterwards that I think I appreciated the impact of that session. I just thought we were doing what we normally do, but Pat Allender, our long time CFO, came up to me afterwards and said that was great. Pat, our website was hacked; what can be great about that? He said you're a relatively new CEO. The street doesn't really know you yet. You're doing fine in all the prepared remarks and the like, but **they got to see you in the way they rarely see CEO's dealing with a crisis, a modest crisis, but nevertheless a surprise and you handled it pretty well.**

And I had never fully appreciated the importance of dealing with surprises. I think from then on and certainly we talk about this with our business leaders that rush of blood that we all feel when something bad happens or something comes along we weren't expecting. Try to check that; just check it for a moment, take a breath and make sure that what you do is something that is thoughtfully done. All your people are going to remember that far more than they remember anything else.

And if I was to offer a **final lesson**, and Jon suggested that I not include any lawyer jokes in this presentation, which I have adhered to. I want a reputation as being good company, but I did worry about this last one and that is **listen; listen a lot**. And I worry about that because I know many of you have been trained to speak in 15-minute increments.

You're in good company. CEO's are taught something similar. CEO's are taught to be in send mode all the time. CEO's are taught to have a vision and talk about it endlessly. And to remember that only when you begin to be sick of the sound of your own voice is your message likely to be getting through. So we're all in good company, but we all need to listen. And I would say CEO's need to listen a lot more than they do because CEO's and other business leaders, I think, have a unique responsibility. They sit in a single chair in the org chart. They've got a unique perspective. They've got to figure out the pieces of the puzzle. They need to stitch together the mosaic, to make the right decisions, the strategic calls, the organizational calls to set a business up for future success. And there's no way anyone ever brings that to you on a platter. I think business leaders really have to stitch all of that together with their teams, but sometimes alone. And there's no way you get the pieces that matter most if you're talking, if you're in send mode. And what we try to do at Danaher with our leaders, and certainly something I learned, was **the importance of having lots of touch points, formal and informal, across the organization, inside the company and out in the market, so that those pieces of information, those scraps, those rumors and the like all came in and we sifted through them to make the best possible decisions we could. And that often requires trust, particularly as you're cutting through layers in an organizational chart, cutting through the hierarchy; really important to make sure that folks know that not only are you—that you're listening, but you'll share—you'll use what they share with you judiciously and not put them in harm's way.**

I'm sure a lot of what I've just shared with you is common sense. We believe it's common sense, but one of the things that really differentiates Danaher is our, I think, our acknowledgment that what we call a Danaher Business System, this operating model and this culture, is really nothing more than **common sense vigorously applied**.

This video's a tough one to watch having been out of the chair for nine and a half weeks because we really did have, and do have, a wonderful team. I want to thank again many of them for being here this evening and certainly, again, appreciate the recognition for Danaher that the Foundation has given us this evening. Thank you.

Annual Award Recipients 1988-2019

2019

TBD

Delayed due to Coronavirus

2018



Thomas N. Kendris

*US Country President, Global Head
Litigation and President
Novartis Corporation*

2017



Richard J Stephenson

*Founder and Chairman of the Board
Cancer Treatment Centers of
America®*

2016



Hon. Harvey L. Pitt

*Chief Executive Officer
Kalorama Partners, LLC
Chairman of the United States
Securities and Exchange
Commission (2001-2003)*

2015



Hon. Frank Keating

*President and CEO (Ret.)
American Bankers Association
Governor of Oklahoma (1995-2003)*

2014



H. Lawrence Culp, Jr.

*President and CEO (Ret.)
DanaHER Corporation*

2013



Bill Nuti

*Chairman, CEO and President
NCR Corporation*

2012



William H. Swanson

*Chairman and CEO
Raytheon Company*

2011



Edward J. Ludwig

*Chairman of the Board
BD*

2010



W. James McNerney, Jr.

*Chairman, President and CEO
The Boeing Company*

2009



Chad Holliday

*Chairman of the Board
DuPont*

2008



William C. Weldon

*Chairman of the Board and CEO
Johnson & Johnson*

2007



Hon. Fred F. Fielding

*Counsel to
President George W. Bush
Former Counsel to
President Ronald Reagan*

2006



Thomas J. Donohue

*President and CEO
U.S. Chamber of Commerce*

2005



Edward D. Breen

*Chairman and CEO
Tyco International Ltd.*

2004



Hon. George J. Mitchell

*Former United States Senator
Chairman, The Walt Disney Company
Partner, Piper Rudnick LLP*

Annual Award Recipients 1988-2019

2003



Maurice R. Greenberg
Chairman and CEO
American International Group, Inc.

2002



Henry A. McKinnell, Jr., Ph.D.
Chairman and CEO
Pfizer Inc

2001



Hon. William S. Cohen
Former Secretary of Defense
and United States Senator

2000



Norman R. Augustine
Retired Chairman and CEO
Lockheed Martin Corporation

1999



General P. X. Kelley
Former Commandant of
the Marine Corps

1998



Hon. Rudolph Giuliani
Mayor of New York City

1997



Hon. Donald Rumsfeld
Former Secretary of Defense

1996



Bruce Atwater
Retired Chairman and CEO
General Mills, Inc.

1995



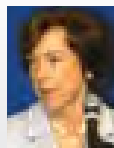
Alfred C. DeCrane, Jr.
Chairman and CEO
Texaco Inc.

1994



Malcolm S. Forbes, Jr.
President and CEO
Forbes, Inc.

1993



Amb. Carla Anderson Hills
United States Trade Representative

1992



Paul H. Henson
Retired Chairman and CEO
Sprint Corporation

1991



Walter B. Wriston
Retired Chairman and CEO
Citicorp

1990



Irving S. Shapiro
Retired Chairman and CEO
DuPont

1989

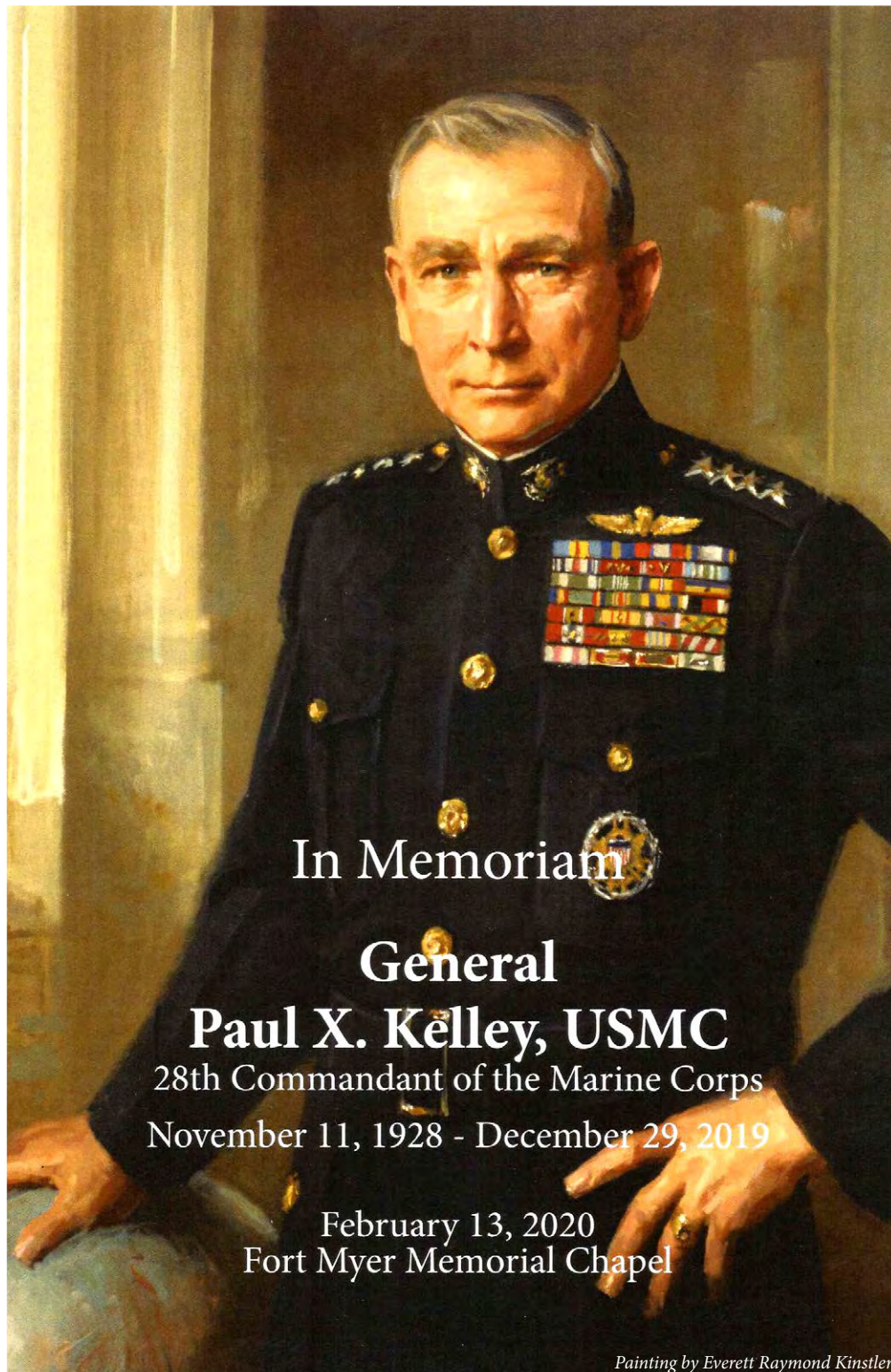


Edmund T. Pratt, Jr.
Chairman and CEO
Pfizer Inc

1988



Hon. William E. Simon
Former Secretary of Treasury



In Memoriam

General

Paul X. Kelley, USMC

28th Commandant of the Marine Corps

November 11, 1928 - December 29, 2019

February 13, 2020
Fort Myer Memorial Chapel

Painting by Everett Raymond Kinstler

Dear Atlantic Legal Foundation Leadership Team...

This past Thursday, Diane and I were privileged to attend the funeral service & ceremony at the Fort Myer Memorial Chapel and adjoining Arlington Cemetery for our Atlantic Legal Foundation 1999 Honoree, the former Commandant and youngest 4 Star General in the history of the Marine Corp, P.X. Kelley with whom I shared a long and valued friendship beginning in the mid-1980s when we first met and sat next to each other at a dinner held at the Lebanese Embassy by Ambassador Bouhabib and his American wife, Julie, followed by a spectacular variety show by all Lebanese performers hosted by the late Danny Thomas at the Kennedy Center in Washington DC. We had been friends ever since ... he used to call me a couple of times per month until he moved into an assisted living facility a few years ago to help his wife, Barbara, who has been afflicted with osteoporosis ... she, looking spry and attractive at the service but in a wheelchair, and their only child, their daughter, Chris Cimko, and granddaughter, Lexie, survived him.

In 2015, Chris and I collaborated in composing a letter of tribute to another old friend, the late Hugh O'Brian, also a Great American, who was the youngest Drill Sergeant in the history of the Marine Corp. Inspired by Albert Schweitzer while assisting him attend to natives in Africa afflicted by leprosy, Hugh became the founder in the 1950s and over the many years to follow, the builder of HOBY, a program for leadership development for high school youngsters from all over the US and many foreign countries ... over 500,000 kids have benefited from the program, including luminaries such as Arkansas Governor Mike Huckabee, and of course you all may remember Hugh for his work on Broadway, in movies and on TV, most notably as Wyatt Earp. P.X. signed the letter on his 4 Star stationery and I presented it to Hugh for his 90th birthday ... Hugh treasured it until his death at 91. Some of you may remember Hugh attended one of our annual award dinners ... as I recall, the one honoring Fred Fielding for 2007. Diane and I attended Hugh's funeral service, too ... also quite an event ... as was his marriage to Virginia ... his first and only ... he was 81!

I have attached for your information the program presented at P.X.'s service & ceremony which was remarkable in many respects ... MGySgt Mike Ryan, who must be in his 80s, sang "Danny Boy" and "Perhaps Love" dedicated to Barbara, both a cappella ... I've heard "Danny Boy" sung many times, but never as well. Former US Senator / CA Governor Pete Wilson's remarks were superb, as were those of the others participating in the eulogies. Note among P.X.'s many extraordinary accomplishments and honors recited in the program, penultimate among them ... "Atlantic Legal Foundation's Honoree for 1999," I was especially pleased to see. The solemn ceremony at the cemetery included a riderless horse with a boot in the saddle stirrup, General Kelley in his coffin drawn by a team of horses in the procession, cannons, and a 21 gun salute, plus uniformed marching Marines in procession or transporting the coffin within the Chapel and at the grave site and a full Marine band both outside the Chapel and at the grave site ... special aircraft were planned overhead but a light drizzling rain created non-conducive conditions. Notably, P.X. was extolled for saving the Osprey aircraft program in the face of heavy Congressional pressures to discontinue it ... current Marine Corp Commandant, General David Berger, observed that without the Osprey, the Marines would not have been able to save our Embassy in Iraq from the recent heavy attack reported in the news. It was a most memorable service and ceremony.

The reception following at the Crystal Gateway Marriott was well attended. I was able to renew acquaintances with Pete Wilson with whom I enjoyed a private lunch years before. He would make a great lifetime achievement honoree for ALF, incidentally ... I hope to report on good progress in lining up our 2019 Honoree soon ... overtures are outstanding and there are reasons to be optimistic. Our new objective is an event in April or May. Will advise ... Happy Presidents' Day ... Dan

Board Speaker



Jim Friedlich

James Friedlich is an American media and philanthropy executive. He serves as Chief Executive Officer and Executive Director of The Lenfest Institute for Journalism, a non-profit organization that supports innovative journalism initiatives nationwide and is the owner of The Philadelphia Inquirer.

Jim Friedlich spoke to the Foundation's Board, Advisory Council, staff and guests at the Foundation September 2019 Board meeting dinner in Philadelphia. He serves as CEO and Executive Director of The Lenfest Institute for Journalism, an innovative non-profit organization that supports local journalism in Philadelphia and nationwide. The Institute has become the leading American non-profit organization devoted to the support of local public service journalism. Founded in 2016 by philanthropist H. F. "Gerry" Lenfest, the Institute supports investigative news, newsroom diversity, and digital technology investment at The Inquirer and throughout the Philadelphia news ecosystem. The Institute is the owner of The Philadelphia Inquirer, now the largest newspaper in America owned by a non-profit organization, and it leverages the Philadelphia Inquirer as a "live lab" for journalism innovation efforts nationwide. Friedlich was a long-time executive at Dow Jones and Company, serving previously as Group Publisher of The Wall Street Journal for Europe, Asia, and the Americas, in charge of global business operations. He was a Board Director of CNBC and a co-founder of the Journal's digital edition, WSJ.com. In his remarks and the extensive question and answer session that followed, an enlightening focus on journalism's higher mission and purpose, its role in a free society, in a healthy democracy, and in promoting and presenting honest information in the marketplace of ideas, was captivating for all. Mr. Friedlich was recruited and introduced by Atlantic Legal's longtime Director, Stephen J. Harmelin, Co-Chairman of Dilworth Paxson LLP in Philadelphia.



Lifetime Achievement Honorees

In some years, the Atlantic Legal Foundation presents a supplemental Lifetime Achievement Award to deserving professionals and business leaders who have made distinguished contributions to the business or professional communities or to the world over a lifetime of productive service. In 2018 Atlantic Legal lost its 2013 Honoree, Harvard Physics Professor Richard Wilson, who was a spark plug for Atlantic Legal's successful efforts to assure sound science in judicial and regulatory proceedings by assisting with the Foundation's advocacy and by recruiting Nobel Laureats and other scientists of stature to serve in Atlantic Legal's stable of amici for its filings before the US Supreme Court and other tribunals over many years. These men and women of mark are featured in this special tribute following ...



2016

The Honorable Michael Mukasey
Retired Attorney General
United States of America

Michael B. Mukasey served as the 81st Attorney General of the United States, the nation's chief law enforcement officer, from November 2007 to January 2009. During that time, he oversaw the U.S. Justice Department and advised on critical issues of domestic and international law. From 1988 to 2006, he served as a district judge in the United States District Court for the Southern District of

New York, becoming chief judge in 2000. In February 2009, Judge Mukasey joined the New York office of Debevoise & Plimpton LLP, where he is of counsel in the litigation department and focuses his practice primarily on internal investigations, independent board reviews and corporate governance.



2014

Evan R. Chesler
Chairman
Cravath, Swaine & Moore LLP

Mr. Evan R. Chesler serves as the President of the Dwight Opperman Institute of Judicial Administration. Mr. Chesler served as Presiding Partner at Cravath, Swaine & Moore LLP from January 1, 2007 to December 31, 2012 and Deputy Presiding Partner from November 2005 to January 2007. He also served as Head of the Litigation Department at Cravath, Swaine & Moore LLP from September

1996 until November 2005. After a clerkship with Hon. Inzer B. Wyatt (U.S. District Court for the Southern District of New York), he joined Cravath in 1976, was elected a Partner in 1982. He has been the Chairman and Director of Cravath, Swaine & Moore LLP since January 1, 2013. He has been the Chairman of Board of Trustees at The New York Public Library since November 18, 2014 and Trustee since November 2009. He is on the boards of both New York University and the New York University School of Law. He is an Adjunct Professor at New York University Law School and has taught at NYU's College of Arts and

Lifetime Achievement Honorees

Science. He is a Litigator with a broad litigation practice. He has been recognized as one of the country's leading trial lawyers and has tried numerous cases in federal and state courts all over the country. He is well known for handling a wide variety of litigation, including securities, shareholder derivative, intellectual property, general commercial, contract and antitrust litigation. Mr. Chesler has represented companies and their management in virtually every industry, including technology, pharmaceutical, manufacturing and financial services. His clients have included Alcoa, American Express, DuPont, IBM, JPMorgan Chase, Merck, NCR, Novartis, Qualcomm and Xerox. Mr. Chesler has been cited as one of the country's leading practitioners in the antitrust, intellectual property and commercial litigation arenas by, among others, Benchmark Litigation; Chambers USA; America's Leading Lawyers for Business and Chambers Global; The World's Leading Lawyers for Business; The Legal 500; The Best Lawyers in America; and The International Who's Who of Business Lawyers. He has received a number of awards, including, among others, the Chambers USA Award for Business Trial Litigation, the Chambers and Partners Award for Outstanding Contribution to the Legal Profession and the Gould Award for Outstanding Oral Advocacy. Mr. Chesler has also been recognized for his commitment to public service and is a recipient of the Human Relations Award from the Anti-Defamation League, the Law & Society Award from New York Lawyers for the Public Interest and the Judge Simon H. Rifkind Award from The Jewish Theological Seminary. He is a Fellow of the American College of Trial Lawyers, a Fellow of the American Bar Foundation, a Fellow of the New York Bar Foundation, and a Member of the Council of the American Law Institute. Mr. Chesler received an AB with Highest Honors from New York University in 1970, an M.A. in Russian area studies from Hunter College in 1973 and a J.D. cum laude from New York University School of Law in 1975, where he was Topics Editor of the Law Review and was elected to the Order of the Coif.



2013

The Late Richard Wilson

**Mallinckrodt Professor of Physics, Emeritus
Harvard University**

Wilson's first research was on the properties of the nucleon. He started by using radioactive sources and then using first the cyclotron at AERE, Harwell, UK then the cyclotron at Harvard University, USA. This work is described in many papers and in the book "The Nucleon-Nucleon Interaction" (Wiley-Interscience) in 1963.

At Harvard he became an enthusiastic supporter of the Cambridge Electron Accelerator (CEA) and was Chairman of the Management committee from 1961 to 1968. He became known for his work on nucleon form factors, an interest which continued.

He was a Trustee of the Universities Research Association from 1987 to 1993, and studied the inelastic form factors. Wilson was an early proponent of electron-positron colliding beams and worked thereon in Frascati, CEA and Cornell University.

Lifetime Achievement Honorees

In 1991 he realised that the general public was no longer automatically supporting physicists and began a career explaining the positive aspects of radiation use, as well as its risks and dangers. In this he used the “hands on” style of an experimental physicist and soon became an expert on nuclear accidents: Three Mile Island, Chernobyl & Fukushima. He is particularly known for his visits to Chernobyl, being the first American scientist to go to the plant, and measure radioactivity levels thereby exposing himself to the dangers.

He expanded his interests to other hazards, and thereby helped found the field of Risk analysis. His paper “The Daily Risks of Life” was reprinted in Readers Digest and the Farmers’ Almanac. In the same year his testimony about the risks of benzene was quoted by the US Supreme Court. In this work he realised that while it is interesting what scientists say in their conferences, the US public is more concerned about what Congress enacts in response but most importantly what the courts said last week. This realization led to his focus on emphasizing to the courts the fundamental thinking of a physicist. This includes the role of expert witnesses in court cases. He was a longtime member and former Chairman of the Advisory Council of the Atlantic Legal Foundation and a prolific author of nearly 1,000 books, major professional articles and significant publications over his long and productive professional life.



2011

Kathryn S. Wylde
President and CEO
Partnership for New York City

Dr. Kathryn S. Wylde, also known as Kathy, serves as the Chief Executive Officer and President of The Partnership for New York City, Inc. and the Chamber of Commerce, Inc. Dr. Wylde served as the President and Chief Executive Officer at the New York City Housing Partnership from 1982 to 2000, where she was responsible for developing and managing affordable housing and economic development programs. In that capacity, she was instrumental in the creation of a number of pioneering initiatives in affordable

housing at the local, state and national levels. Dr. Wylde has been with the Partnership for New York City since 1982. In 1996, Ms. Wylde became founding president and chief executive officer of the New York City Investment Fund, the Partnership’s economic development arm. Prior to joining the Partnership, Dr. Wylde was the urban affairs officer at Anchor Savings Banks from 1979 to 1981 and spent 11 years from 1968 to 1979 in various positions at Lutheran Medical Center, where she helped lead the redevelopment of the federally designated poverty area of Sunset Park, Brooklyn. She served as Deputy Chairman of The Federal Reserve Bank of New York since January 1, 2013 and its Director since July 2009. She serves as a Director at New York City Investment Fund Manager, Inc., NYC & Company, Inc., and The Partnership for New York City, Inc. She serves as a Member of Board of

Lifetime Achievement Honorees

Trustees at Lutheran Medical Center, Inc. She serves as a Director of China Center New York LLC. Dr. Wylde is an internationally known expert in housing, economic development and urban policy and serves on a number of boards and advisory groups, including the Mayor's Sustainability Advisory Board, NYC Economic Development Corporation, NYC Leadership Academy, the Governor's Business Regulation Council, the Research Alliance for NYC Public Schools, The Manhattan Institute, Sponsors for Educational Opportunity (SEO), the Biomedical Research Alliance of New York, the Lutheran Medical Center and the Independent Judicial Election Qualification Commission for the First Judicial District. She has authored numerous articles and policy papers. Dr. Wylde is an Honorary Doctorate of Humane Letters from St. Francis College and a BA, Phi Beta Kappa, from St. Olaf College.



2009

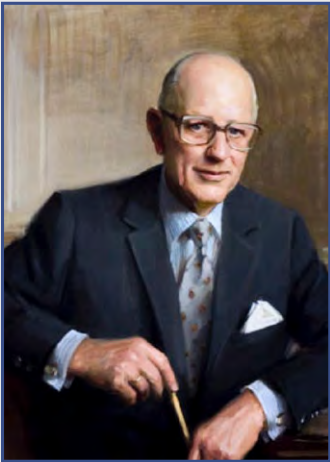
**The Late Hon. Judith S. Kaye
Retired Chief Judge
State of New York**

Judith S. Kaye was the first woman named to the highest court in New York and the first to serve as the state's chief judge — a job she held longer than any of her 21 male predecessors.

Judge Kaye presided over the seven-member Court of Appeals for nearly 16 years and also supervised the \$2.5 billion, 16,000-employee statewide judicial system, which she modernized by making jury service more equitable and convenient and by establishing boutique courts concerned as much with problem-solving as with punishment.

After retiring from the bench, Judge Kaye served for a few years as a partner of Skadden Arps Slate Meagher & Flom before her untimely death at age 77 in early January of 2016.

Lifetime Achievement Honorees



2006

**The Late Dr. Frederick Seitz
President Emeritus
The Rockefeller University**

A June 2000 Business Week article referred to physicist Frederick Seitz as “the granddaddy of global-warming skeptics”. Seitz was once a director and shareholder of a company that operated coal-fired power plants.

Dr. Seitz is a former President of the National Academy of Sciences, but the Academy disassociated itself from Seitz in 1998 when Seitz headed up a report designed to look like an NAS journal article saying that carbon dioxide poses no threat to climate. The report, which was supposedly signed by 15,000 scientists, advocated the abandonment of the Kyoto Protocol. The NAS went to unusual lengths to publically distance itself from Seitz’ article. Seitz signed the 1995 Leipzig Declaration.

Seitz is a recipient of the National Medal of Science. “In 1983 he received the Fourth Vannevar Bush Award presented by the National Science Board of the National Science Foundation and the R. Loveland Memorial Award of the American College of Physicians. Dr. Seitz was a member of the New York City Commission for Science and Technology and has served as chair of the United States delegation to the U.N. Committee on Science and Technology for Development.”

New Board Members

The following Directors assumed responsibility in 2018 or early 2019



John L. Brownlee

John L. Brownlee is a litigation attorney who is the Chair of Holland & Knight's National White Collar Defense and Investigations Team, and a member of the firm's Directors Committee. Mr. Brownlee has extensive experience in white collar defense, securities enforcement and internal and Congressional investigations, having represented many companies and individuals in criminal and civil litigation, as well as in administrative matters before various federal and state agencies. He has litigated numerous cases to verdict.

Mr. Brownlee served more than 10 years at the U.S. Department of Justice – both as the United States attorney for the Western District of Virginia and as an assistant U.S. attorney for the District of Columbia. Prior to joining the Justice Department, he served as a law clerk for U.S. District Judge Sam Wilson. In addition, Mr. Brownlee served on active duty in the U.S. Army in the infantry and in the Judge Advocate General Corps (U.S. Army Reserves), and is a graduate of the Army's Airborne and Ranger programs. He holds a Top Secret/SCI level security clearance.



Lee Cheng

Lee Cheng is an attorney and civil rights activist with a long history of achievement in business, law and public policy. He is presently a Shareholder of Maschoff-Brennan, a leading IP-focused law firm with offices in Utah and California, and the Chief Legal Officer for eForCity.com, a pioneering e-commerce retailer.

Lee is a two-time winner (2014 and 2016) of the *National Law Journal's* America's 50 Outstanding General Counsel, the inaugural recipient of the Champion of Equal Opportunity Education Rights Award of the Asian American Coalition for Education (2018), and has been given numerous other awards for innovation and excellence in the practice of law.

He has worked for well known international law firms like Latham & Watkins, and as a C-level executive in global, multibillion dollar companies like Newegg.com and Gibson Brands (the owner of Gibson Guitars).

Lee has been deeply involved in business and community groups, including the Board of the Atlantic Legal Foundation, the Board of Industry Leaders of the Consumer Technology Association (the largest technology focused trade association in the world and the operator of the Consumer Electronics Show) and the Board of Trustees of the CTA Foundation. In 1994, he co-founded and still serves as Secretary and as a Director of the Asian American Legal Foundation. He previously served on the Boards of the Association of Corporate Counsel-Southern California Chapter, the Harvard Club of San Francisco, the Lowell High School Alumni Association, the Organization of Chinese Americans-San Francisco Chapter, and AACE.

He is a graduate of Harvard University (History of Science, *magna cum laude*) and UC Berkeley School of Law.

New Board Members

The following Directors assumed responsibility in 2018 or early 2019



Mary L. Garceau

Mary L. Garceau Senior Vice President, General Counsel and Secretary of The Sherwin-Williams Company, a global leader in the manufacture, development, distribution, and sale of paints, coatings and related products. Garceau oversees delivery of domestic and global legal services, advising management on all aspects of legal matters including corporate governance, litigation and regulatory matters. She joined the company as Associate General Counsel - The Americas Group in February 2014 and played a lead role in managing the legal affairs related to the multi-billion dollar acquisition of The Valspar Corporation, completed in June 2017. Before joining The Sherwin-Williams Company, Garceau spent two years as General Counsel of Thirty-One Gifts LLC, one of America's fastest growing direct sales companies, and five years as Vice President, General Counsel and Corporate Secretary of Bob Evans Farms Inc., a publicly held restaurant and food products company. Before beginning her in-house legal career, Garceau served as a partner at the Columbus office of Vorys, Sater, Seymour and Pease LLP, concentrating her practice in securities, mergers and acquisitions, and general Corporate matters. She is a 1994 graduate of the University of New Hampshire, where she received her Bachelor of Arts degree in political Science (summa cum laude) and a 1997 graduate of the Vanderbilt School of Law. Garceau resides in Cleveland Heights, Ohio, with her husband, Derek, and two sons, William and Andrew.



Jonathan Graham

Jonathan Graham joined Amgen Inc. in 2015 as Senior Vice President, General Counsel and Secretary Before joining Amgen, Graham was senior vice president and general counsel at Danaher Corporation. He was responsible for all legal, governance, regulatory, risk, compliance, and EH&S matters. Prior to Danaher, Graham was vice president, Litigation and Legal Policy at General Electric Company and a partner at Williams & Connolly LLP in Washington, D.C. Graham received a bachelor's degree in Economics from Pitzer College and a J.D. from the University of Texas. He also served as a law clerk to the Honorable Joseph T. Sneed, U.S. Court of Appeals for the Ninth Circuit.



John J. Kenney

John J. Kenney is a Partner of Hoguet Newman Regal & Kenney, LLP in New York where he specializes in complex civil and criminal litigation, government investigations, and corporate governance and compliance law. He is a Fellow in the American College of Trial Lawyers and served as an Assistant US Attorney in the Southern District of New York for nine years (1971-1980), the last three as the Executive Assistant US Attorney. He became a litigation partner at Simpson Thacher in 1981, prior to joining his current firm in 2007. He has tried cases in 16 state and various federal courts, the great majority of which were jury trials, and argued appeals in the United States Courts of Appeals for the First, Second, Fifth and Eighth Circuits and various state appellate courts. Mr. Kenney is listed in Best Lawyers in America (Business Litigation, Corporate Governance, Compliance Law, and Criminal Defense/White Collar Crime) and Super Lawyers in New York. He is a published author on legal topics and Chairman of the Board of the Poetry Foundation, Chicago, Illinois and a past Trustee of Historic Deerfield, Inc., in Deerfield, Massachusetts. He received his B.A. from St. Michael's College in 1966 and his J.D. from Fordham University Law School in 1969.

New Advisory Council Members

Appointed Early in 2019



Mark Kokes

Mark Kokes is Chief IP Officer at Nantworks and the Nant family of companies, a large healthcare conglomerate based in Los Angeles. Dr Kokes is responsible for the development, prosecution, enforcement, licensing and monetization of Nant's patent portfolio.

Dr Kokes is a 15-year veteran of the mobile industry. He joined Blackberry in 2014 and quickly established and launched Blackberry's IP monetization, divestiture and IP venturing programs, building a high-performing, world-class licensing organization which generated more than \$200 million recurring revenue in just three years.

Prior to Blackberry, Dr Kokes was Vice President of Corporate Development and IP Licensing at Intertrust, where he led all North American and European IP licensing and corporate development activities. He was an adviser and member of the management team of five Intertrust portfolio companies.

Before joining Intertrust, Dr Kokes worked at the Nokia Research Center, Sony Ericsson's corporate technology office and HTC's corporate strategy group.

Dr. Kokes has B.S. Degrees in Electrical Engineering from both the University of Texas at Austin and Texas A&M Univ. as well as an MS, Electrical Engineering from Texas A&M and a PhD, Electrical Engineering from Southern Methodist University.



Lawrence G. McMichael

Lawrence G. McMichael is a Senior Partner and Chairman of the practice of law at Dilworth Paxson LLP in Philadelphia. He is a permanent member of the Firm's Executive Committee. He has practiced bankruptcy and commercial litigation for more than 40 years. He is the former Chairman of the Firm's Litigation Department and its Bankruptcy Group. Mr. McMichael has extensive trial experience in federal, state, and bankruptcy courts and has served as lead counsel in many high profile bankruptcy cases, civil and criminal cases and appeals.

Mr. McMichael is one of only a handful of attorneys in the U.S. to be elected as a Fellow of both the American College of Trial Lawyers and the American College of Bankruptcy. He is a member of the American and Philadelphia Bar Associations and the American Bankruptcy Institute.

Mr. McMichael earned his J.D. from Duke University (1978) and his B.A. from Duke, *summa cum laude*, Phi Beta Kappa (1975).

New Advisory Council Members

Appointed Early in 2019



Marco Q. Rossi

Marco Q. Rossi is the founder and principal of Marco Q. Rossi & Associati, PLLC, a boutique innovative international law firm with a singular focus: assisting international enterprises and globally minded individuals with strategic legal and tax advice on cross-border business transactions and international legal and tax matters.

Marco was born and educated in Italy, where he got his law degree from the University of Genoa in 1990 and started practicing international maritime law working primarily as local counsel for major UK – based law firms and U.S. – based clients. In 2002, he earned an international tax LL.M. degree from New York University School of Law and in 2005 he established Marco Q. Rossi & Associati as a U.S. – Italy cross-border practice with offices in Italy and New York. In 2016, Marco opened an office in Los Angeles, through which his firm operates out of both coasts of the United States while being seamlessly integrated with its E.U. based offices in Italy.

Marco is licensed in Italy, New York and California and assists international clients with strategic global tax planning services, foreign companies on U.S. inbound investments and business transactions, U.S.-based companies operating in foreign markets, and executive and managerial workforces employed internationally. In Italy, he maintains a sophisticated Italian international tax practice advising U.S. business and private clients on Italian international legal and tax matters.



Ana Tagvoryan

Ana Tagvoryan is a Partner at the law firm of Blank Rome, LLP. She serves as the vice chair of Blank Rome, LLP's corporate litigation practice group and co-chair of its class action defense team. She has more than a decade of experience defending companies and principals against complex consumer individual and class action claims, fighting abuses of the class action system, and achieving significant results in appellate courts. In fact, she is one of only a handful of attorneys successfully petitioning the United States Supreme Court for review of an appellate ruling affecting separation of powers and judicial deference in federal class action litigation. Her complex corporate litigation practice concentrates on litigating and advocating for fair interpretation of laws as they pertain to consumer fraud, data privacy, online and telephone marketing, false advertising, e-commerce, and regulatory and statutory compliance issues, across various industries.

Ms. Tagvoryan earned a B.A. from Loyola Marymount University and a J.D. from Pepperdine University School of Law. Before joining Blank Rome, Ana was a corporate litigation attorney at DLA Piper. Ms. Tagvoryan is an ardent indoor cyclist and coffee enthusiast, always looking for the newest and best trends in the two things that help her give her best to her three kids, husband, and clients.

New Advisory Council Member Appointed Early in 2020



John M. Kalas

John M. Kalas practices in the Hollingsworth LLP's Complex Litigation, Environmental, Pharmaceutical Products, and Toxic Torts & Products Liability groups. His practice is focused on deconstructing the opposition's core corporate liability and scientific theories. To that end, he has taken and defended dozens of successful depositions of expert and fact witnesses. He has participated in several multi-day Daubert hearings and has significant trial experience as a member of multiple trial teams in jurisdictions nationwide.

Mr. Kalas has litigated personal injury and property damage claims following alleged exposure to perchlorate and other volatile organic compounds ("VOCs") from groundwater contamination, and defended wrongful death claims associated with alleged exposure to airborne toxins in international litigation spanning three continents. He has litigated birth defect claims allegedly associated with occupational and residential chemical exposure, and has represented employers seeking to enforce choice-of-law and arbitration agreements contained within employees' employment contracts. He played a substantial role in the defense of Novartis Pharmaceuticals Corporation in bisphosphonate litigation centralized in Tennessee and New Jersey. He contributed significantly to motions practice in that litigation, researching and drafting scores of successful dispositive and *Daubert* motions.

Currently, Mr. Kalas is part of the defense team representing an agricultural company in litigation involving claims of cancer from exposure to pesticides, centralized before the United States District Court for the Northern District of California, and in California, Delaware, and Missouri state courts. As part of that litigation, he has led a team focused on developing experts to evaluate exposure and dose issues and on deconstructing the theories of plaintiffs' exposure, dose, and toxicology experts.

Before joining Hollingsworth LLP, Mr. Kalas interned in the General Counsel's office at General Electric Capital Solutions in London and for U.S. Congressman Roscoe Bartlett (MD-6).

Mr. Kalas graduated from Elon University with a B.A. in 2007 and from Georgetown University Law Center with a J.D. in 2010.

Mr. Kalas is a member of the Firm's Recruitment Committee, and his pro bono practice has included representing clients in administrative court disputes and tutoring students at The SEED School and Garrison Elementary School in Washington, D.C.. At Georgetown Law, he wrote for *The Tax Lawyer* and competed on the mock trial team. He is a member of the Defense Research Institute.



Nishani Devi Naidoo's American Dream (In Her Own Words)



The Board of Directors of the Atlantic Legal Foundation elected me to serve as **ALF's Vice President and Associate General Counsel** in November 2019. While I have the typical background (Ivy League, etc.) that would appeal to an organization seeking to hire legal talent my curriculum vitae masks the real background that made the Atlantic Legal Foundation an ideal fit for me.

I was born and raised in apartheid South Africa. My paternal grandparents are from India, and my maternal grandparents are from Nepal. Both sets of grandparents were taken to South Africa to work as indentured servants. After working off their indentured servitude, my paternal grandparents became hawkers (peddlers who sold fruits and vegetables in white neighborhoods), my maternal grandmother sold vegetables in an open air market, and my maternal grandfather was a street sweeper.

My father, the youngest of six children, left high school in twelfth grade as he could not afford to continue school. He eventually became an auto mechanic, but struggled to find steady work. My mother, the youngest of thirteen children, left high school around the tenth or eleventh grade to become a school teacher. There was a shortage of elementary school teachers at the time and high schoolers were offered the incentive of a paying job to quit high school and teach first grade. After her third child was born, my mother finished high school by correspondence. Then, when I was around nine, my mother went to college full time. With a college degree in hand, my mother was rapidly promoted and eventually retired as an elementary school principal.

With a total of seventeen aunts and uncles, I had an incalculable number of cousins. Only one of those cousins finished high school and went on to get a college degree. In my immediate family, however, both my older brother and younger sister finished high school, went on to college and obtained advanced degrees. We all attended public high school in apartheid South Africa.

When I was in the eleventh grade, I read about someone named Jeffrey Sachs in The Economist who was a professor at Harvard University. The article spoke highly of the work Mr. Sachs was doing saving the world, and I thought it would be wonderful to go to Harvard University. I went to the local US Consulate to find out how to apply to Harvard University. The local education counselor told me in all earnest that this was an **impossible dream**; she explained the process of gaining admission to an American college with the first step being to take the SAT. I obtained a book on the SAT and studied for the test. I also did extremely well in the South African national exams. Under apartheid, there were four separate national exams - one for whites, one for coloreds, one for Indians, and one for blacks. I was classified as Indian and so went to a public school for Indians and took the national exam for Indians. I placed first in that national exam. I had also won numerous national math competitions prior to that. With all of this, I was admitted into the hallowed halls of Harvard. Harvard also gave me full financial aid, as this was the only way I could afford to attend.

Harvard was not easy for me, but I worked hard and persevered. I graduated with a degree in **economics** and gained admission to Stanford Law School but could not afford to attend. Stanford was also impossibly far away. I then worked for two years after college, primarily in the computer lab teaching people how to use computers. I had never used a computer before attending college and so taught myself how to use computers. I was thus very familiar with, and sympathetic to, people who had problems using computers. With the money I saved from this job, I was able to attend Columbia Law School two years later. I was a **Kent Scholar** during my first year at **Columbia Law School**, an honor given to about three to four students in the first year's class who obtain an A grade in all but one course.

After Columbia Law School, I worked as a corporate associate at **Simpson Thacher & Bartlett** and then **Gibson Dunn & Crutcher**. The grueling hours were challenging. I then got a job at a small lawfirm (four lawyers including me) in Elmhurst, Queens. The legal work was typical for a local community lawfirm. And the clientele, given the neighborhood, were all working-class Americans. They were Americans of different race, color and creed; they were Americans who hailed from different national origins - some were recent immigrants and some were descendants of immigrants; and they were Americans who, regardless of what they looked like or where they came from, were striving to achieve the **American Dream**. And I loved being their lawyer. I loved helping them navigate the law to help them achieve their dreams whether it was to form a small business, invest their hard earnings in income-producing property or plan for the future. But since this was the early 2000s, my work was soon consumed with fighting mortgage fraud and trying to show my clients that the American system of justice, while slow, was fair and just. It was in this environment that I first began appellate work.

Soon thereafter though I married and had children. After a hiatus from legal work during which I raised my children, I wanted to return to work part-time when my youngest child went to kindergarten. My ideal job would be writing appellate briefs that helped defend and preserve the system of laws and rules that made my life possible. While I had the "raw material" necessary for such a job - the educational pedigree and a life story personifying the **American Dream** - I had only modest experience and training in appellate work. The opportunity at the Atlantic Legal Foundation to work closely with, and in a supporting role to, Martin Kauffman, ALF's EVP-GC, was thus a dream almost too good to be true. The opportunity for someone like me - a "brown" woman immigrant of plebian origins - to work at a job like this is itself a tale only possible in the United States of America. I truly relish pursuing the high ideals and important work reflected in the Mission of the Atlantic Legal Foundation. See page 43.

Testimonial of Atlantic Legal Foundation Director and former classmate Lee Cheng

"I have known Nishani for a number of years. Although she and I are from the same Harvard class, I did not get to know her until years later when I encountered her incisive writing and formidable analytical skills, and discovered that a top legal talent with a blue chip legal and academic pedigree was hidden in the form of a Connecticut housewife and mother. While there are no higher callings than to be a good partner and mother, I could not resist thinking about how her energy, intelligence and dedication could benefit Atlantic Legal and the causes and values we hold dear."

The Foundation's Board, Advisory Council and Staff has enthusiastically welcomed Nish to its legal staff to assist in a growing and ever more challenging work load.

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With your help, the Atlantic Legal Foundation has been able to successfully pursue its mission to advocate for the rule of law, limited effective government, free enterprise, individual liberty, school choice and sound science.

The Board of Directors, Advisory Council and Staff of the Foundation thank you for your continued support.

Atlantic Legal Foundation: Mission and Programs

The Atlantic Legal Foundation is a nonprofit, nonpartisan public interest law firm with a demonstrable four-decade record of advancing the rule of law by advocating limited and efficient government, free enterprise, individual liberty, school choice and sound science. To accomplish its goals, Atlantic Legal provides legal representation and counsel, without fee, to parents, scientists, educators, and other individuals, corporations, trade associations and other groups. The Foundation also undertakes educational efforts in the form of handbooks, reports and conferences on pertinent legal matters.

Atlantic Legal's Board of Directors and Advisory Council include the active and retired chief legal officers of some of America's most respected corporations, distinguished scientists and academicians and members of national and international law firms.

The Foundation currently concentrates primarily on five areas: representing prominent scientists and academicians in advocating the admissibility in judicial and regulatory proceedings of sound expert opinion evidence; parental choice in education; corporate governance; the application of constitutional guarantees to individuals and corporations; and enforcing arbitration agreements, combating abusive class actions and addressing other threats to free enterprise.

Atlantic Legal's cases and initiatives have resulted in the protection of the rights of thousands of school children, employees, independent businessmen, and entrepreneurs. In case after case, Atlantic Legal brings about favorable resolutions for individuals and corporations who continue to be challenged by those who use the legal process to deny fundamental rights and liberties. Please visit www.atlanticlegal.org and www.defendcharterschools.org where the Foundation's most recent activities are detailed.

Financial and other information about Atlantic Legal Foundation's purpose, programs and activities can be obtained by contacting the President at 500 Mamaroneck Avenue, Suite 320, Harrison, New York 10528, (914) 834-3322, <https://atlanticlegal.org/>, or for residents of the following states, as stated below. Florida: CH No. 60982 A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE, WITHIN THE STATE, 1-800-HELP-FLA OR AT www.FloridaConsumerHelp.com. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE. Maryland: For the cost of postage and copying, from the Secretary of State. New Jersey: INFORMATION FILED WITH THE ATTORNEY GENERAL CONCERNING THIS CHARITABLE SOLICITATION AND THE PERCENTAGE OF CONTRIBUTIONS RECEIVED BY THE CHARITY DURING THE LAST REPORTING PERIOD THAT WERE DEDICATED TO THE CHARITABLE PURPOSE MAY BE OBTAINED FROM THE ATTORNEY GENERAL OF THE STATE OF NEW JERSEY BY CALLING (973) 504-6215 AND IS AVAILABLE ON THE INTERNET AT <http://www.state.nj.us/lps/ca/charfrm.htm>. New York: A copy of our most recently filed financial report is available from the Charities Registry on the New York State Attorney General's website at www.charitiesnys.com or, upon request, by contacting the New York State Attorney General, Charities Bureau, 28 Liberty Street, New York, NY 10005, or us at 500 Mamaroneck Avenue, Suite 320, Harrison, New York 10528. You may obtain information on charitable organizations from the New York State Office of the Attorney General at www.charitiesnys.com or (212) 416-8401. Pennsylvania: The official registration and financial information of Atlantic Legal Foundation may be obtained from the Pennsylvania Department of State by calling toll-free, within Pennsylvania, 1-800-732-0999. Virginia: From the State Office of Consumer Affairs in the Department of Agriculture and Consumer Services, P.O. Box 1163, Richmond, VA 23218. West Virginia: West Virginia residents may obtain a summary of the registration and financial documents from the Secretary of State, State Capitol, Charleston, WV 25305. CONTRIBUTIONS ARE DEDUCTIBLE FOR FEDERAL INCOME TAX PURPOSES IN ACCORDANCE WITH APPLICABLE LAW. REGISTRATION IN A STATE DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION OF ATLANTIC LEGAL FOUNDATION BY THE STATE



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