



# AABA Newsletter

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DECEMBER 2007

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**President's Column**

Edwin Prather, AABA President

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- [AABA's Call to Community Service Program](#)
- [NAPABA Convention – November 16-17<sup>th</sup>](#)
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**AABA Holiday Party – December 5<sup>th</sup>**

December brings with it a few certainties each year: holiday cheer, mass amounts of eating and drinking, sales at department stores, associates frantically trying to make hours and the AABA holiday party.

On December 5<sup>th</sup>, for the first time, AABA will host a gastronomic challenge modeled after the popular reality television shows "Iron Chef" and "Top Chef." Starting at 6:00 p.m., in addition to an open bar and a variety of hors d'oeuvres, local Bay Area chefs will provide guests with special dishes based on the evening's theme ingredient, Dungeness crab (or Maryland blue crab, per availability). Guests will select the best dish (and chef) based on popular vote.

At 7:00 p.m., the chefs – including **Rob Lam** of Butterfly, **Kenji Tominaga** of Hanna Sushi and Go Fish, **Kelly Degala** of Pres De Vi and Va De Vi, **Joseph Manzare** of Globe, Tres Agaves, and Zuppa, **Mike Yakura** of Ozumo, **Jimmie Kwok** of Bodega Bistro and **Gerald McGuinness** of Pescheria – will compete in a skills competition in teams of two. Each team will compete against each other and against the clock as they chiffonade chives, brunoise onions, butcher chickens, filet whole salmons, french rack of lambs, shuck oysters and make whipped cream. So that guests may have a reference point as they compare their own skills with the competitors, AABA plans on entering a member into the fray to compete side by side with these acclaimed chefs.

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**PRESIDENT'S COLUMN** *continued from page 1*

Please join us and meet these local chefs on December 5<sup>th</sup> at 6:00 p.m., at Butterfly, located on the Embarcadero at Pier 33. As our last event of 2007, we plan to make this an event not to be missed.

**Call to Community Service – 2007-08**

While AABA, the first and largest local Asian American bar association in the nation, has come to serve thousands of lawyers on a variety of national and local issues, we must always be mindful of our history and our origins as a civil rights organization. We have deep roots in the Asian American community and were founded over three decades ago on Asian lawyers' commitment to public service. It's an understatement to say that today's AABA attorney is committed to pro bono and community service work. Our attorneys are engaged in more service work than any other group of attorneys I know. We need look no further than the attorneys at the Asian Law Caucus and Asian Pacific Islander Legal Outreach who not only work long hours for a public interest salary, but also volunteer nights and weekends to continue to provide essential services and legal counsel to the Asian American community. Moreover, scores of AABA attorneys not only bill 1800 or 2000 hours each year, but also provide hundreds of additional hours on pro bono and community matters.

It is time that AABA recognized these community heroes. For this purpose, AABA begins a new program entitled: AABA's Call to Community Service – 2007-08. AABA members will be asked to describe their AABA, pro bono, community service or other work on behalf of the Asian American community. AABA will present a limited edition gift for members completing 50 or 100 hours of service. And once our goal of 10,000 hours is reached, AABA will print a roster of our heroes (and their employers), recognizing their contributions through an advertisement in a local legal news publication. Please look for my letter regarding this program or visit [www.aaba-bay.com](http://www.aaba-bay.com) for more information.

I am proud to recognize and honor the contributions of our members to the Asian American community. I am also proud that AABA continues to stay the course and remain true to its roots. We will continue our dedication to the community as a pillar of our continued existence.

**NAPABA Convention – November 16-17<sup>th</sup>**

The National Asian Pacific American Bar Association hosted its annual conference on November 16-17<sup>th</sup> in Las Vegas, Nevada. I have attended the conference in various locations for several years now and find it to be one of the more worthwhile opportunities for Asian American

Edwin Prather, Judge Delbert Gee (Alameda County Superior Court), Trailblazer Victor Hwang, David Cheng



Celia Lee and Emi Gusukuma



Billy Chan and Victor Hwang



Victor Hwang, Judge Russell Hom (Sacramento Superior Court), Dale Minami, Rick Sueyoshi



Garner Weng, Eddie Angeles, Edwin Prather

**PRESIDENT'S COLUMN** *continued from page 2*

attorneys to network and meet colleagues from across the country. (See accompanying photos). A number of AABA members were also able to attend and I enjoyed spending time with the usual suspects as well as creating new friendships. While the conference included several memorable moments, the highlight of the weekend's festivities was NAPABA's presentation of its 2007 Trailblazer Award for Northern California to AABA ex-President **Victor Hwang**. Victor's acceptance speech recognized those local trailblazers – such as **Joan Haratani, Dale Minami, Bill Tamayo, Ed Chen**, et al. — that made the path traveled just a bit easier. His words were short and to the point and allowed him to get back to the blackjack table without missing too many hands. The next evening NAPABA presented its 2007 class of its "Best Lawyers Under 40" Award. Among this year's class was AABA Treasurer **Garner Weng**. His award is certainly well deserved. Congrats Garner. I'd like to give special thanks and congratulations to recent USF Law School graduates **Derek Tran** and **Jamieson Fong**. I can think of no better way or place to receive and celebrate bar exam results. Congrats guys.

### **Opposition to the Los Angeles Police Department's Muslim-American Community Mapping Project**

I was recently contacted by **Khurshid Khoja**, the President of the Bay Area Association of Muslim Lawyers (BAAML). Khurshid, told me about the Los Angeles Police Department's proposition to "map" the Muslim-American community in the Greater Los Angeles Area. The plan specifically involved the LAPD's counterterrorism unit's identification of Muslim enclaves to determine which might be likely to become isolated and susceptible to "violent, ideologically based extremism." The LAPD also explicitly stated that it wanted to know "where the Pakistanis, Iranians and Chechens are." Such plans can be viewed as racial and religious profiling under the guise of counterterrorism. It can also be a step backwards as

Muslim Americans may be hesitant to work with authorities even with just the proposal of such a plan. BAAML sent a letter to the Los Angeles Mayor and Police Chief in opposition of the LAPD's plan which AABA was proud to sign onto (The letter can be found on page 10). Roundly criticized by other Muslim and civil rights groups, the LAPD recently announced that they had abandoned the plan. There's value in letter writing; that's advocacy in action.

### **AABA's First Ever Open House and President's Profiles**

On November 8, 2007, we hosted our first ever open house event. The event was a success in every sense of the word. The open house brought dozens and dozens of new faces to our AABA family. All new faces sought more information about AABA and many showed great interest in getting more involved. I won't go into the event too much as it is described in detail in its own article on page 5, however I'd be remiss not to take this opportunity to thank **Esther Que** and the other members of the Membership Committee – Marcus Wu, Janet Li and Kay Tuazon. The committee did a fantastic job of planning and pulling off the Bar-nival event, our first of many more open house events.

This month, you will find Esther's profile on page 4. Esther has dedicated herself to the Membership Committee for the past two years and in addition to the recent Bar-nival event, is responsible for the maintenance and updating of AABA's membership database.

I've also profiled **Jack Lee**, a partner at Minami Tamaki LLP. Minami Tamaki practically invented the term minority-owned law firm and has been the role model for us all through the firm's commitment to the Asian American community for over three decades. Jack has been a stalwart of the firm and is one of the best plaintiffs' employment lawyers in the city. I invite you to learn more about Jack on page 4.

*Have a wonderful holiday season!*

## PRESIDENT'S PROFILES . . .

JACK LEE is a Partner with Minami Tamaki LLP in San Francisco. Jack is an accomplished lawyer in employment, consumer fraud and civil rights law, having practiced for over 30 years. Jack has prosecuted precedent-setting class action discrimination and sexually hostile environment cases against major Fortune 500 corporations and governmental entities, attaining some of the most significant monetary settlements in the history of Title VII of the Civil Rights Act of 1964. Jack has been involved with AABA from our organization's early years and was a former chairperson of the community service committee.



ESTHER QUE is an Associate at Bledsoe Cathcart Diestel Pedersen & Treppa LLP in San Francisco. Esther practices in the areas of premises liability, personal injury, residential landlord-tenant law, real estate transactions, and landslide/earth movement cases.

Esther has been a chairperson of AABA's Membership Committee for the past two years and was instrumental in the Bar-nival, AABA's first ever open house carnival held on November 8, 2007.

**What was your favorite class in law school?** I didn't have one. I spent all my free time hangin' at the Asian Law Caucus.

**In law school, did you sit in the front of the room or the back?** Wherever the professor wouldn't call on me.

**What do you wish you knew in law school that you know now?** It's good to have math skills too.

**What do you consider to be your greatest achievement?** Making a living doing civil rights law.

**What is the most important lesson you've learned on the job?** Your first impression is usually the right one.

**If you could change one thing about yourself, it would be...?** I'm hyper.

**What skill should every lawyer have?** Compassion.

**What is your most marked characteristic?** I've never had to represent a client or position I didn't like.

**What is your most treasured possession?** My family.

**Any recurring dreams?** White-knuckle moments ... The jury filing in after deliberation... .

**What's the greatest honor you've ever received?** The feeling that you positively changed someone's life direction by your work.

**What do you like to do when you're not working?** I fancy myself a chef who likes to experiment.

**What is your favorite restaurant?** A hole-in-the-wall in southern France which serves the best roast chicken

**What was your favorite class in law school?** Legal Research and Writing

**In law school, did you sit in the front of the room or the back?** I sat in the middle, but when the professor passed around the master seating chart (poster board size), I wrote my name as small as possible so when he photocopied it onto an 8.5 x 11 sheet of paper, my name was illegible.

**What do you wish you knew in law school that you know now?** USF is better than Hastings... =)

**What do you consider to be your greatest achievement?** At 28, I'm glad I don't have a greatest achievement yet, otherwise, what's there to look forward to?

**What is the most important lesson you've learned on the job?** Don't take things too personally. People are just doing their jobs, like you.

**If you could change one thing about yourself, what would it be?** I wish I were an eloquent speaker.

**What skill should every lawyer have?** The ability to empathize with both sides. This is why 97% of cases settle.

**If you were not an attorney, what would you be?** A film director.

**Which living person do you most admire?** My grandfather. In the 40s, he escaped from the Communists during the war and was able to raise a family in Taiwan. He eventually brought his entire family to the U.S. He's also the only 98 year-old I know who can solve the Rubik's Cube.

**What was your favorite meal?** September 1, 2007, Stonehill Tavern in Monarch Beach. It's a Michael Minna restaurant and it was tastebud heaven.

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*continued on page 11*

## AABA's Carnival-Themed Open House a Smashing Good Time

*By Esther Que, Membership Committee Co-Chair*

On Thursday, November 8, 2007, at BASF's new contemporary conference center, over 120 AABA members stepped right up to the various carnival games presented at AABA's Open House, playfully coined the "AABA Bar-nival." The bar-nival was designed as an entertaining way to generate interest and involvement in AABA's 13 committees. Though many members frequent a whole host of AABA events planned by the committees, few have had the opportunity to explore the actual roles of the committees. For this reason, the AABA Board enlisted the aid of the Membership Committee (Marcus Wu, Janet Li, Kay Tuazon and Esther Que) in organizing AABA's first annual carnival-themed open house to encourage members to learn more about the various committees. Chairpersons of each committee staffed the slew of challenging carnival games while addressing questions about their roles in their respective committees.

One corner of the room was designated as the food and drink arena. The food booth was stationed with a plethora of hotdogs, corndogs, jalapeño poppers, quesadillas, fried chicken wings, onion rings, veggies, fruits, and more. In addition, as a fundraising venture for their pro-bono clinic, the Asian Pacific Islander Legal Outreach bartenders graciously provided an amazing array of alcoholic and non-alcoholic beverages. Thanks to APILO, AABA members felt warm and toasty as they endeavored the tricky carnival games.

Winners of the games collected tickets in the hopes of earning enough points to visit the prize booth to exchange their tickets for some interesting prizes. One such prize was a red T-shirt that read "Big Winner" on the front and "2007 AABA Bar-Nival" on the back. During the event, the steady energetic chatter was intermittently interrupted by AABA Secretary Billy Chan on the mic in his best broadcaster voice announcing, "Ladies and gentleman, we have





another BIG WINNER!" whenever an AABA member earned 10 tickets and won the modest crimson tee. Billy Chan also revealed his hidden talents in the cotton candy and popcorn making trade. One highlight of the evening was when BASF executive director Dan Burkhart attempted the crossbow booth, missed the target, and nearly impaled several innocent AABA bystanders.

AABA committee chairs felt it was a productive event. Social committee chair Alan Ting said it best: ***"It was a fantastic event. I saw and talked to a lot of new faces that seem really excited to help. Mission accomplished."***







# *Compétition de Gastronomie* *-aka-*

AABA'S ANNUAL HOLIDAY PARTY  
DECEMBER 5, 2007

*Do you* own a Le Creuset pan, pot or skillet? Get excited over artisanal breads and cheeses? Know what an "amuse bouche" is? If so, you have earned the right to judge the culinary skills of some of San Francisco's most talented chefs — in AABA's very own Gourmet Challenge hosted by Butterfly. If you said 'no' to any of the above questions, you, more than anyone, may educate your boorish palate by rubbing forks with the gastronomic elite of AABA.

## *Program*

DECEMBER 5, 2007  
BUTTERFLY  
PIER 33

EMBARCADERO AT BAY ST.  
SAN FRANCISCO, CA

6:00 PM COCKTAILS  
7:00 PM GOURMET CHALLENGE  
8:00 PM JUDGING / RESULTS

## *Details*

Members—Free\*

Non-members—\$50

Hors d'ourves & Host Bar

Valet Parking Available

Culinary-themed Giveaways & Prizes

Special Thanks To Rob Lam  
Executive Chef, Butterfly

\* \$25 SUGGESTED CONTRIBUTION TO AABA  
LAW FOUNDATION. (TAX DEDUCTIBLE)

## *Gourmet Challenge*



### THE THEME:

Dungeness & Maryland Blue Crab.



**THE EVENT:** Top local chefs will match their gastronomic wits in a battle of theme ingredient appetizers that party go'ers will sample and vote on. A culinary skills challenge will follow involving filleting a whole salmon, brunoising an onion and frenching a rack of lamb, among other skills.



### JUDGING:

The skills challenge will be judged by a panel of three VIP guests.

## *Featured Chefs*

Rob Lam—Butterfly

Kenji Tominaga—Hanna Sushi & Go Fish

Kelly Degala—Pres De Vi & Va De Vi

Joseph Manzare—Globe, Tres Agaves & Zuppa

Mike Yakura—Ozumo

CONTACT RHEAN AT [RHEAN@FAJARDOLAWOFFICE.COM](mailto:rhean@fajardolawoffice.com) FOR QUESTIONS.

*President's Note: AABA Board Member Isabel Choi has temporarily relocated to Paris to explore AABA's expansion into France (well, actually she's spending time with her husband there on assignment). We've asked Isabel to share her humorous and informative stories from the front lines.*

## Strike Mania in France

*By Isabel Choi, AABA Board Member*

Until November 13th, we had been able to evade the infamous French strikes that debilitate daily life. Since we work from home, the one-day public transportation strike in October had barely affected us. But a series of visitors punctured our cocoon, propelling us to taste what Parisians experience yearly, as strikes are par for the course here. Unlike in the U.S., where strikes are a result of failed talks, strikes in France actually open negotiations.



Photo credit: Jen Fabish

You may recall from my previous installment that due to other distracting events, the October strike did not receive proper attention. No longer the case, we are in the eighth day of the strike as I am writing this article. Transit and electricity workers have been protesting the government's plan to eliminate certain pension privileges, termed the *regimes spéciaux*, allowing them to retire as early as 50 and 55, respectively, compared with a national retirement age of 60. They can retire after 37.5 years of service, compared with 40 years for other public and private sector employees. Because these pensions are financed by only 500,000 employees, the pensions create a deficit of several billion euros. Essentially, Sarkozy's reforms would force the employees at issue to work 2.5 to 5 more years in an effort to reduce this deficit.

While the unions and the government are locked in a futile circle in pushing the other to yield a sign of good faith to begin meaningful negotiations, the typical Parisian negotiates the gridlock

traffic by riding a bicycle, driving a car, or taking a taxi. These are not easy options. Temperatures have plummeted to a high of 30 degrees, finding parking is almost impossible, and tracking down a taxi is like hunting for gold. During strikes, hotels refuse to call one for you, the mainline taxi switchboards go black, and a fair number of cab drivers decide to stay home rather than immerse themselves in the chaos. Many people are paying for hotel stays near their workplace. Since the government reforms would affect a small percentage of the workforce, and would place these employees' pension benefits in line with those of the majority, impatience mounts and sympathy remains low.

So low in fact, that a group called the Liberal Alternative organized a stop-the-strike strike on Sunday, where either 8,000 or 20,000 people protested (depending on whose reports you follow). This of course, clogged up the streets even more. Another is planned for the following weekend.

Despite such counter measures, strikes from others sectors have entered the fray. Sarkozy's reforms also include a

drastic cut in public sector jobs: the positions of many retiring employees will not be re-hired. Thus, civil servants, including teachers, postal workers, and airport personnel, have begun a mass walkout. French judges and lawyers will have led a strike by the time you read this, to protest the closure of 200 courts. In addition, Students have shut down 36 of the 85 state-run universities, to fight the planned privatization of these schools.

These socialist stances clash directly with Sarkozy's attempts to pull France out of its economic malaise, resisting what the workers view to be an unwelcome tide of American capitalism. Specters of the three-week transportation strike in 1995 that humbled previous president Jacques Chirac into scrapping his social welfare reforms, and the student-led strike in 2006 that dissipated his plans to lower job security of entry-level positions, provide the workers today with precedents to continue their protests. However, Sarkozy possesses a stubbornness unknown of Chirac.

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JOINT STATEMENT ON THE LAPD'S DECISION TO  
"SHELVE" MAPPING OF MUSLIM-AMERICAN COMMUNITY

November 16, 2007

The Hon. Mayor Antonio R. Villaraigosa  
Office of the Mayor, City of Los Angeles  
200 North Spring Street, Room 303  
Los Angeles, CA 90012

Chief William J. Bratton  
Chief of Police  
Los Angeles Police Department  
150 N. Los Angeles Street, Room 630  
Los Angeles, CA 90012

Re: Joint Statement on the LAPD's Decision to "Shelve" Mapping of Muslim-American Community

On behalf of the undersigned bar associations and civil rights organizations, we welcome the decision by the Los Angeles Police Department ("LAPD") to "shelve" efforts by the LAPD to "map" Muslim communities in the Los Angeles area under the guise of counter-terrorism. Though we commend the LAPD for being responsive to the concerns of the Muslim community, we feel it is necessary that the LAPD should not only "shelve" the program, but in light of historical lessons, permanently abandon and publicly renounce such efforts altogether.

We were deeply disturbed by LAPD Commander Michael Downing's recent description of the mapping program as an effort "to identify and counter violent extremism," and his public pronouncements that "we want to know where the Pakistanis, Iranians and Chechens are so we can reach out to those communities." The road to Manzanar was paved with similar "outreach" efforts initiated in the name of national security. Soon after the Pearl Harbor attack, then Attorney General Earl Warren directed the mapping of all Japanese-owned land in California, moved to enforce the Alien Land Law against Japanese landowners, and publicly stated his belief that the Japanese presence created the conditions for another Pearl Harbor. Having set the stage for internment, he soon advocated for excluding all Japanese from within 200 miles of the coast.

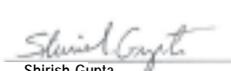
At a time when hate crimes and other egregious civil rights violations committed against Muslims, South Asians, Arabs, Iranians and other minority communities are on the rise, we feel it was deeply irresponsible for Commander Downing to popularize the premise that these communities are more likely than other Americans to commit violent acts of terror.

This premise is false - one only needs to examine the many documented acts of hatred and violence directed at these communities by fellow Americans from outside these communities, not to mention the dearth of successful domestic terrorism prosecutions. History demonstrates the danger of advancing such premises. Not long ago, it was falsely premised that all Japanese-Americans were inclined toward espionage. The results were tragic and shameful for our great nation.

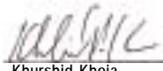
Isolating whole communities for investigation, surveillance, and intelligence-gathering based on religion and national origin is no less unlawful, imprudent and reprehensible than racial profiling - which the U.S. Department of Justice banned for federal law enforcement agencies based on a presidential directive. The LAPD's plan raised urgent constitutional concerns - violating equal protection guarantees and chilling the free exercise of religion.

The lessons of Japanese internment - beginning with mapping - taught our country that national security goals are not served by violating civil liberties. The LAPD's proposed measures had threatened to drop these hard-learned lessons down the memory hole. We urge all law enforcement agencies to keep these lessons in mind, so that we never have to relearn them.

Sincerely,



Shirish Gupta  
President  
The South Asian Bar Association  
of Northern California



Khurshid Khoja  
Member, Board of Directors  
The Bay Area Association of  
Muslim Lawyers



Nema Milaninia  
Chapter Vice-President  
The Iranian American Bar  
Association



Edwin Prather  
President  
The Asian American Bar Association  
of the Greater Bay Area



Rajbir Singh Datta  
National Director  
The Sikh American legal Defense  
& Education Fund

**JACK LEE** *continued from page 4*

in the world; even better than Zuni's.

**Who are your heroes in real life?** My law partners; all of whom made great sacrifices to do the right thing.

**Fill in the blank. Most AABA members probably don't know that I...** used to play intercollegiate volleyball.

**AABA is...** important because it exposes each new generation of smarter and more talented Asian American lawyers to its roots and heritage.

**ESTHER QUE** *continued from page 4*

**Do you have a scar that tells a story?** When I was a toddler, I pointed out the fact my cousin who was also a toddler, went "number two" in his pants with no diaper on. I have a scar on my right arm the size of my cousin's front tooth. You do the math.

**Any recurring dreams?** YES! I have dreams where I show up to school and find out there's a major exam and I'm completely unprepared and I'm trying to figure out how to get out of the exam.

**What one experience do you want to have before you die?** Having a child of my own.

**What is the last great book that you read?** "What is the what" by David Eggers about the Sudanese civil war.

**Fill in the blank. Most AABA members probably don't know that I...** don't know how to use chopsticks.

**AABA is...** at your disposal, use it wisely.

**STRIKE MANIA IN FRANCE** *continued from page 9*

Even though the strike is costing France at least US\$439.6 million a day, I don't believe he or his administration will budge. I don't believe that Sarkozy will need the millions of silent supporters to stride down the Champs Élysées, as they did in 1968 to show support for then-president Charles de Gaulle in response to the student riots.

Perhaps by the time you read this, Sarkozy will have succeeded in stifling the strikes. If not, I will still be standing in the cold in front of the Musée d'Orsay, committing a minor assault in wrestling for the approaching taxi to take my husband, his parents and me to the next warm haven.

## OCA Sacramento's 2007 Hate Crimes Prevention and Awareness Forum

Wednesday, December 5

Sacramento City Police Department Community Room  
5770 Freeport Blvd., Sacramento

5:30 - 6:30 reception

6:30 - 8:30 forum

**Moderator:** Alice Wong, Attorney at Law

**Panelists:** Brian Louie, Sacramento City Deputy Chief of Police

Jerry Chong, Attorney at Law

Georgette Imura, Chair, Satendar Justice Coalition

Ed Bennet, President, Stonewall of Greater Sacramento

Basim Elkarra, Executive Director, CAIR

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### Asian American Bar Association of the Greater Bay Area

P.O. Box 190517  
San Francisco, CA 94119-0517  
[www.aaba-bay.com](http://www.aaba-bay.com)