Federal Bar Association

Advocate

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Editorial Board James M. Garner and Virginia Laughlin Schlueter

Message From The President

by Don K. Haycraft

Tenth Circuit Judge Deanell Tacha spoke recently at the Federal Bar Association Annual Meeting. She is among the most active federal judges working on the judicial pay issue, the FBA's primary focus in its legislative agenda. Comparison of the inflation-adjusted wages of federal judges to other segments of society shows that while real wages for all workers have risen 12.5% between 1969 and 2000, real wages for federal judges have declined by 25% in the same time frame. The comparison is even more dramatic when judges' pay is compared to private sector attorneys or professors at major law schools. Judge Deanell asked the question that every sitting judge and potential judge candidate must ask, "Is the privilege of serving the nation worth the sacrifice to my family? Am I cheating my family by becoming a judge?"

Judge Deanell remarked that certainly federal judges make a lot more money than average workers. She emphasized, though, that the independence of the federal judiciary is at stake when the compensation clause of Article III of the Constitution effectively is being violated in real terms. The judiciary will no longer be able to attract top tier candidates from every sector of the legal profession as the years and decades continue to pass with the specter of declining real pay. She mentioned that recently a federal judge in Texas resigned because the judicial salary could not support the number of children that judge had to put through college. The trend may be that the judiciary will be able to attract state court judges, government attorneys, or attorneys who have the independent means necessary to afford the job without making their families sacrifice. Certainly, these judges make excellent judges, but Judge Deanell spoke of the Framers' intention to make the federal judiciary the backbone of our democracy. This independence is buttressed by the ability to have the federal judiciary include all sectors of the profession and not just those judges who can afford the job.

EXCELLENCE OF NEW ORLEANS CHAPTER RECOGNIZED AT FBA NATIONAL CONVENTION

Chapter President Don Haycraft and National Council Delegate Judge Carl Barbier represented the Chapter at the 2002 FBA Convention in Dallas on September 27-28. Chapter members Ashley Belleau (5th Cir. Vice President), Greg Grimsal (National Membership Chair), and Matt Moreland (Young Lawyers Division Board Member) also participated in leadership roles at the convention at which new National President Kent Hoffmeister took the reins of the FBA.

A highlight of the convention for the New Orleans Chapter was the presentation of the "Boots" Fisher award to Andy Lee, immediate past president of the Chapter. Nominated for his humanitarian work on behalf of the New Orleans Area Habitat for Humanity, Andy received a $500 check that he designated for Habitat for Humanity. In addition, the Chapter received a Shaw Public Service Award grant of $2500 to fund a Chapter program chaired by Chief Judge Ginger Berrigan to train New Orleans public school teachers in legal-related education for at-risk children. The Chapter further received a Presidential Excellence Award "in recognition of superior Chapter activities in the areas of administration, membership, programming, and member outreach. " Judge Barbier accepted a Presidential Citation for the Chapter's Annual Rubin Symposium, and the Chapter's newsletter The Advocate received a Meritorious Newsletter Award. Through these many awards, the National FBA recognized the New Orleans Chapter as one of the most active and service-oriented among the FBA's more than 80 chapters across the country.

Other significant events at the Convention included speeches by Alberto Gonzales, Counsel to President George W. Bush, Judge Patrick Higginbotham of the U.S. Fifth Circuit, and Judge Deanell Tacha of the U.S. Tenth Circuit. The Convention included a tour of the Sixth Floor Museum of the Texas Book Depository and a panel discussion by several participants in the events of November 22, 1963. United States District Judge Barefoot Sanders (N.D. Texas), one of the panelists, was United States Attorney in Dallas at the time and located Judge Sarah Hughes so that she could administer the oath on Air Force One at Love Field to new President Johnson. Another panelist, Judge Arthur Burnett, Sr., was a 28-year old Justice Department attorney to whom Attorney General Robert Kennedy delegated the determination on that day whether federal jurisdiction existed for the crime of the assassination so that federal law enforcement could take Lee Harvey Oswald into custody.

Our representatives were surprised but delighted to return home with all the Chapter awards.

Andy Lee, Ashley Belleau, Judge Carl Barbier and Don Haycraft

Don Haycraft, Alberto Gonzalez, White House Counsel and Andy Lee

Aaron Buhloff, President of the N.D. Ohio Chapter presents Andy Lee the Elaine R. "Boots" Fisher Award

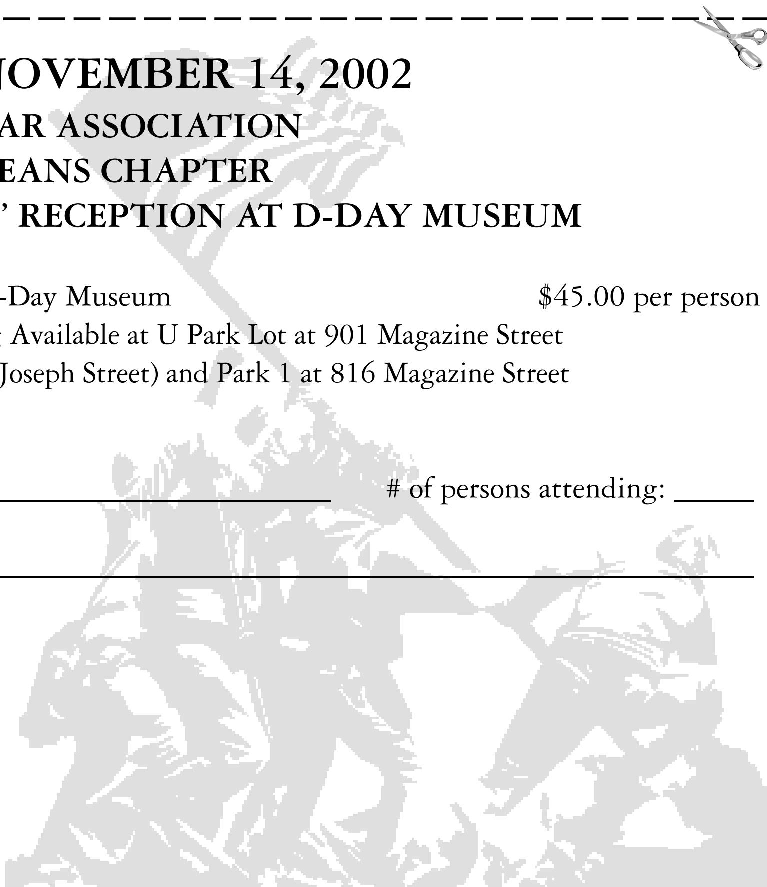
ATTORNEY CONFERENCE CENTER CELEBRATES 10TH ANNIVERSARY

The New Orleans FBA Chapter is proud to announce that the Michaelle Pitard Wynne Attorney Conference Center celebrates its 10th year of service on November 10, 2002. The facility is a collective effort of the United States District Court for the Eastern District of Louisiana and the New Orleans FBA Chapter. It is operated by the Chapter for the benefit of all attorneys having court business.

A brief bit of history: The Conference Center opened on November 10, 1992, with Chief Judge Morey L. Sear and Chapter President Frank E. Lamonthe, III, presiding over the opening ceremonies. Another significant moment in its history was the renaming and dedication of the Conference Center in memory of Magistrate Judge Michaelle Pitard Wynne. This formal ceremony occurred on August 16, 1994. Again, Chief Judge Sear presided over the dedication, with Chapter Board member Michael McGlone and Magistrate Judge Alma Chasez providing remembrances of the beloved Magistrate Judge. The Conference Center, just down the hall from Magistrate Judge Wynne's former chambers and courtroom, provides a continuing reminder of Magistrate Judge Wynne's significant contributions to the judiciary and her service to both members of the bar and the community. As the dedication plaque in the Conference Center reads, "Throughout the time we were privileged to know her she always demonstrated those endearing qualities that showered good will on all who passed her way."

For those who have not made use of the Conference Center, it is located on third floor of the Hale Boggs Building and can be accessed from the third floor of the Courthouse. It provides lounge and conference room facilities, snacks and refreshments, access to telephone, fax, and secretarial assistance, so that the attorney at court is provided his or her "office away from home." Three conference rooms equipped with secure telephone lines are available for use for witness rooms, mediations, depositions, meetings, etc. FBA members have access to these conference rooms at the reduced rate of $20/day or $5/hour, while non-members may rent a room for $35/day or $10/hour.

Those who have made use of the facilities know Inge Hamidjaja and her winning smile and congenial personality. Inge has staffed the Conference Center almost from the beginning. She has been joined recently in a job-sharing arrangement by Karen McDevitt. Please stop by and say hello to Inge and Karen and enjoy the comfort and convenience of this unique facility.



THURSDAY, NOVEMBER 14, 2002

FEDERAL BAR ASSOCIATION
NEW ORLEANS CHAPTER
ANNUAL FEDERAL JUDGES' RECEPTION AT D-DAY MUSEUM

Thursday, November 14, 2002 | National D-Day Museum | $45.00 per person

6:00 - 9:00 p.m. | Self-Parking Available at U Park Lot at 901 Magazine Street (enter on St.Joseph Street) and Park 1 at 816 Magazine Street

Name: ______________________ # of persons attending: _____

Address: ______________________

Please return this form and remittance to:

Inge Hamidjaja
Federal Bar Association/New Orleans Chapter
501 Magazine Street, Room 364
New Orleans, Louisiana 70130
(504) 589-7990

MALCOLM W. MONROE FEDERAL PRACTICE SEMINAR

SPONSORED BYTHE FEDERAL BAR ASSOCIATION, NEW ORLEANS CHAPTER, YOUNGER LAWYERS' DIVISION

November 15, 2002
The W Hotel, 333 Poydras Street,
New Orleans, Louisiana

Each year, New Orleans Chapter of the Federal Bar Association hosts the Malcolm W. Monroe Federal Practice Seminar. Malcolm W. Monroe was president of both the national FBA and the New Orleans chapter and a leader in the New Orleans legal community. It is in his honor that we present this seminar each year.

The seminar offers attorneys a unique opportunity to fulfill Continuing Legal Education requirements and at the same time, obtain admission to all federal courts in Louisiana, including the U.S. Fifth Circuit Court of Appeals, in a joint admission ceremony held at the end of the day.

In addition, by registering for the seminar, attendees become members of the Federal Bar Association, an organization dedicated to improving the quality of practice in federal courts and facilitating interaction and communication between the bar and the judiciary. The many benefits of FBA membership include invitations to FBA activities and functions, such as our popular "Lunch with the Court" program and our annual Federal Judges' Reception; special member rates for CLE programs; complimentary subscriptions to national and local FBA publications; and numerous opportunities to interact with members of the federal bench and bar. This year, we are pleased to offer a variety of topics that should prove both entertaining and educational, presented by experienced practitioners, federal judges, and clerks of court. Presentations will include a mock appellate oral argument, a panel discussion of federal criminal law issues, tips on avoiding Rule 11 sanctions, and an analysis of the legal profession through the prism of popular films.

The registration fee is $250 for non-members, which includes the fee for membership in the Federal Bar Association. FBA members may register for $200. Additional fees will be charged for admission to each of the federal courts. Contact Inge Hamidjaja at 589-7990 for a registration packet.

HOUMA COURTHOUSE PRACTICE RULE by the Honorable Stanwood R. Duval, Jr. United States District Judge

On April 18, 2002, the judges of the Eastern District in an *en banc* meeting changed the rule relating to the designation of cases in connection with Terrebonne, Lafourche, St. Charles, Assumption, St. James and St. John Parishes. The focus of the change was to enable the Court to make more efficient use of the Federal Courthouse in Houma, Louisiana. The previous rule did not contain any protocol as to what should be designated as a "Houma case," and the onus was placed on the party wanting a Houma designation to file a motion with the Court. The Court would then make a decision using the guidelines of 28 U.S.C. 1404 (*forum non conveniens*) to make its decision. The rule also provided that one of the Magistrate Judges will serve as the Administrator for the Houma Docket. The rule applied to pending cases as well as newly filed ones.

Under the new rule, any case relating to these parishes, whether by location of an attorney, specific designation, factual nexus, or residence of the parties is automatically designated as a Houma case. Additionally, with the advice of the Administrator Magistrate Judge, the Clerk may assign the case to the Houma docket based on other factors.

The purpose of the rule is to stimulate use of the Houma Courthouse, as well as to give an opportunity to the litigants and witnesses in the six parish area to have motions, pretrial conferences and trials heard in the Houma Courthouse.

Of course, although there is an automatic designation, any party may seek to have the designation changed on the basis that it would be more convenient for judicial proceedings to be held in New Orleans.

If the case remains designated in Houma, there is not a uniform policy among the judges as to when motions and/or pretrial conferences would be conducted in Houma. The general consensus is that if the parties want to conduct the proceedings in New Orleans, the Court would, of course, accommodate the parties. However, if one of the parties wants to conduct the proceedings in Houma, the Court would conduct the proceedings in Houma. Its purpose was less to accommodate lawyers than to convenience the residents of the six parish area who ultimately are the litigants and witnesses in the proceedings.

The Clerk of Court provides information on its website giving directions to the Courthouse and other information about the Houma area (www.laed.uscourts.gov). The Courthouse is a fine facility and this rule change will give area residents an opportunity to better utilize it. It is suggested that members of the Bar read the text of the standing order of the Amended Houma Practice Rule which can be found on the website under the archives icon dated 4/19/2002.

The Key Elements of Bankruptcy Fraud

by Douglas C. Driggers, J.D., C.P.A.

In medieval times, it was the custom in Italian city-states to break the benches of a banker or merchant who fled from unpaid creditors.[1] In fact, the word "bankrupt" has its origin in words meaning "broken bench."[2] Uncooperative debtors over the centuries have been at times brutally punished by methods that included imprisonment and even hanging.[3] Such was the wrath often directed toward offenders.

Modern bankruptcy statutes now moderate the consequences of becoming hopelessly insolvent. Yet the manner of distribution of the bankrupt's estate remains a matter of contention and violators of the statutory scheme for an equitable distribution can find themselves caught up in nasty legal consequences, including denial of discharge, fines, and imprisonment.

Conflict is, of course, inevitable where there is anything to carve up. The debtor presents the situation to the Bankruptcy Court as beyond the point of financial recovery. The debtor would like the blessings of the court so as to emerge from the proceedings free and clear of debt. Furthermore, as part of his fresh start, he would like to retain as much property as possible by having it declared to be beyond the reach of creditors. Sometimes a surreptitious strategy is adopted by a desperate person who feels justified in broadening the statutory exemptions to cover additional property that would, in the debtor's estimation, help the post-bankruptcy survival effort. Sometimes, however, the bankruptcy strategy is that of a sophisticated financial gamesman who is using the bankruptcy provisions to hide or protect bilked property.

Whether the financial difficulties are the result of improvidence, errors in judgment, unavoidable changes in the economy, or outright fraud, the creditor is never happy with the debtor filing bankruptcy. He would prefer for the debtor to tough it out and find some means by which to pay the debt rather than drop his debt load on the way to a fresh start.

Creditors, likewise, when faced with a situation where they are about to lose both a customer and an unpaid account, may be tempted to either gain a concession from the debtor in exchange for not taking some other action against the debtor or in exchange for some future benefit. The Bankruptcy Code itself provides that a debtor convicted of fraud will be denied a discharge. Regrettably, other parties who may be tempted to take advantage of the situation include those parties in whom the court has placed its trust, such as the court-appointed trustee and the lawyers, who may be tempted to either recover impermissible expenses or to gain a hidden profit on the liquidation of the bankrupt estate. Others who run afoul of the criminal provisions include those who rig bidding at auctions and those who file false claims and misleading reports with the Bankruptcy Court.

Such acts frustrate the intention of the law to equitably settle the debtor's estate and to provide a fresh start. The consequences of these acts coming to light are dire; they include a denial of discharge, the avoidance of transfers, and the imposition of fines and jail sentences. And if unfair acts remain unpunished, there remains the disgruntled creditor who harbors the belief that the system is flawed and that there should be a return to the earlier policy of imprisonment or hanging.

Indications of Bankruptcy Fraud

All criminal acts in bankruptcy involve subterfuge in one form or another. The crime always involves hiding the true state of financial affairs from the Bankruptcy Court, either at the time the petition is filed or in contemplation of an actual filing. Thus, the existence of an actual or contemplated bankruptcy proceedings is a requirement of every offense under 18 U.S.C. § 152. Without such a condition, there is no nexus to the criminal bankruptcy statutes. Where no actual bankruptcy filing has yet occurred, the issue is often raised as to whether the defendant can be charged with a crime under § 152. The court must look to the level of knowledge that existed at the time of the alleged act is often raised.

The statutory prohibitions are found in § 152, which provides that a violator shall be fined or imprisoned for any of nine offenses. All nine refer to knowingly and fraudulently doing a particular act either in conjunction with or in contemplation of a case under Title 11, the Bankruptcy Code. In general these particular acts involve concealment of property that belongs to the estate of the debtor or filing inaccurate or incomplete information with the court. In either case, there is the concealment of the true extent of the debtor's estate. Furthermore, since concealment is an ongoing or continuous fraud on the court, it makes no difference how much time has elapsed between the suspect transfer and the filing of the petition[4].

What the law seeks to prevent are acts done with the intent to hinder, delay, or defraud creditors. And at some point, the subterfuge or concealment mentioned above takes shape. In many cases the concealment takes the form of a pretended transfer of legal title to a third party who, in actuality, holds the property in trust for the debtor.

One important point is that an absolute transfer, even if it defrauds creditors, is not a concealment. Concealment exists only if the debtor retained some equitable interest in the property and did not disclose that interest to the court.

However, even if there is no concealment because the suspect transfer has been reported to the court, the debtor may still run afoul of the provisions of § 152 by knowingly and

(cont'd on page 6)

The Key Elements of Bankruptcy Fraud (continued from page 5)

fraudulently removing such property from the reach of creditors in contemplation of bankruptcy with an intent to defeat the provisions of the Bankruptcy Code. The crime is complete when the concealment occurs with criminal intent.[5]

People seldom announce their intention to hide their assets from their creditors. Such intention must be based on inferences drawn from their course of conduct. Whether a debtor has "knowingly and fraudulently" acted to violate any part of § 152 is determined by whether the debtor knew of the intended bankruptcy filing. Constructive knowledge, where knowledge by an agent is attributed to the principal, is not considered. However, "conscious avoidance of knowledge" is sufficient to establish criminal intent.[6] A person cannot intentionally avoid knowledge by ignoring facts that call for an investigation.[7]

"Knowingly" means that the act was done voluntarily and purposefully, not by mistake or accident. If follows that knowledge of the bankruptcy case can be inferred from the concealment of the assets, together with all the facts and circumstances that surround the case. In other words, "a person who has enough knowledge to prompt an investigation and then avoids further knowledge really does 'know' all that the law allows." [8]

Courts often include in jury charges an "ostrich" instruction that informs the jury that "actual knowledge and deliberate avoidance of knowledge are the same thing."[9] Such is the case where the defendant chose not to inquire about what he had "reason to believe" he would discover.[10] A person may choose to ignore what is apparently wrong to avoid the appearance of involvement. However, when the defendant knows of the risk, yet refuses to investigate, his omission is criminal recklessness. An ostrich instruction "points the jury in the right direction without dwelling on the fine details of recklessness."[11]

For example, excessive gifts or sales of property at greatly depressed prices raise the suspicion that something is wrong, because people normally do not give up their property for less than full value. Ignoring such circumstances could be shown to be conscious avoidance of knowledge of an impending bankruptcy.

In some cases, a series of transactions may provide an inference of irregularity. [12] Often, however, there may not be the kind of direct evidence which demonstrates an actual intent to hinder, delay, or defraud creditors. "[W]hether a particular transaction is intentional and fraudulent, either in fact or as a matter of law, may arise in a variety of ways."[13] In such cases, the courts may inquire as to a pattern of conduct, involving multiple transactions sharing a variety of characteristics that point to fraud. These isolated occurrences of events that may collectively indicate wrongdoing are referred to as "badges of fraud."

The court may look to the existence of the following conditions in evaluating whether a pattern of fraudulent activity has occurred:

(1) The transfer or obligation was to an insider;

(2) The debtor retained possession or control of the property transferred after the transfer:

(3) The transfer or obligation was disclosed or concealed;

(4) Before the transfer was made or obligation was incurred, the debtor had been sued or threatened with suit;

(5) The transfer was of substantially all the debtor's assets;

(6) The debtor absconded;

(7) The debtor removed or concealed assets;

(8) The value of the consideration received by the debtor was reasonably equivalent to the value of the asset transferred or the amount of the obligation incurred;

(9) The debtor was insolvent or became insolvent shortly after the transfer was made or the obligation was incurred;

(10) The transfer occurred shortly before or shortly after a substantial debt was incurred; and

(11) The debtor transferred the essential assets of the business to a lienor who transferred the assets to an insider of the debtor.[14]

Although the presence of a single badge of fraud may not be sufficient to establish actual fraudulent intent, "the confluence of several can constitute conclusive evidence of an actual intent to defraud, absent 'significantly clear' evidence of a legitimate supervening purpose."[15]

In order to convict a defendant for bankruptcy fraud, a jury must find beyond reasonable doubt that: (1) that there was an adjudicated bankruptcy; (2) that the bankrupt owned property; (3) that the defendant "had concealed or aided and abetted concealment" of the property from bankruptcy trustees; and (4) that this had been done with knowledge of the "appointment of the trustees and with intent to defraud" creditors.[16]

Applying the Law

Many acts of a debtor, creditor, or third party obviously fall within the expected scope of § 152. Still other acts, while seemingly harmless, can give rise to criminal liability.

An example of the first situation was where a real estate developer transferred business interests worth $ 2.3 million to his attorney for safe keeping and buried cash and diamonds worth more than $ 0.4 million in anticipation of filing for relief under Chapter 7. Both the developer and the attorney were sentenced to prison terms for bankruptcy fraud and other crimes.[17]

(cont'd on page 7)

The Key Elements of Bankruptcy Fraud (continued from page 6)

An example of the second situation was where an individual was prosecuted for having made false statements under oath, claiming to be employed when in fact he was not. He was convicted, even though he argued that his false statements were to benefit his creditors, not to their detriment. The court was not mollified.[18]

Similar cases abound where parties fail to disclose amounts due to the bankrupt estate from a wide range of sources, such as from divorce settlements, personal injury settlements, and other windfalls that the debtors do not wish to share with their creditors. These crimes, like all bankruptcy crimes, exhibit a disharmony between the information provided the Bankruptcy Court and the petitioner's true financial position.

Consequences of Conviction

A person who commits an offense under the nine subsections of § 152 "shall be fined under this title, imprisoned not more than 5 years, or both."[19] Furthermore, these penalties are not exclusive; the trustee also may have the beneficial transactions avoided and recover the property to the bankrupt estate.

And lastly, the *coup de grace* is provided by 11 U.S.C. § 727, which precludes a discharge in bankruptcy for debtors convicted of criminal offenses under § 152. Furthermore, under this same section, the court has the ability to reopen a case where a discharge was improper. Therefore, the offender may fare far worse than had no bankruptcy petition been filed or contemplated.

Conclusion

The great temptation for debtors, creditors, and officers of the court to abuse the bankruptcy provisions has not diminished in recent years. In fact, "prosecutions for bankruptcy crimes have increased to the point where bankruptcy is probably the most common area for parallel civil and criminal proceedings."[20] Bankruptcy crime is not a victimless crime; the creditor who discovers he is being defrauded is likely to complain and to complain loudly. And should the complaint be investigated, the debtor's attorney may be placed in a the conflicting position of defending himself as well as his client against charges of bankruptcy fraud.

The admonition to the practitioner is to educate the client as to the imperative of maintaining contemporaneous records and of erring on the side of over-disclosure to the Bankruptcy Court. The practitioner, as well, should fully document his own actions in self-defense against a client who is less than forthright. In the case of a crooked client, "the refrain may be that it is better your client go to jail than you."[21]

1 Douglas G. Baird, The Elements of Bankruptcy 4 (rev. ed. 1993).
2 Merriam Webster's Collegiate Dictionary 90 (10th ed. 1993).
3 *See supra* text accompanying note 1.
4 For example in United States vs. West, 22 F.3d 586 (5th Cir. 1994), the Fifth Circuit held that a transfer more than one year before filing could be prosecuted as bankruptcy fraud.
5 United States v. Knickerbocker Fur Co., 66 F.2d 388 (2nd Cir.1933), cert. den. 54 S.Ct. 91, 290 U.S. 673, 78.
6 United States v. Cincotta, 689 F.2d 238, 243 (1st Cir. 1982).
7 United States v. Ramsey, 785 F.2d 184, 189 (7th Cir. 1986).
8 *id.* at 189.
9 *id.* at 189.
10 United States v. Picciandra, 788 F.2d 39, 46 (1st Cir. 1986).
11 United States v. Ramsey, 785 F.2d 184, 189 (7th Cir. 1986).
12 Vecchione v. Vecchione, 407 F.Supp 609, 616 (E.D.N.Y., 1976).
13 In re May, 12 B.R. 618, 625 (N.D. Fl.).
14 Sherman v. Third National Bank, 67 F.3d 1348, 1354 (8th Cir. 1995).
15 *id.* at 1354.
16 United States v. Guiliano, 644 F.2d 85, 87 (2d Cir. 1981).
17 Tamara Ogier & Jack F. Williams, Bankruptcy Crimes and Bankruptcy Practice, 6 Am. Bankr. Inst. L. Rev. 317, 344.
18 United States v. O'Donnell, 539 F.2d 1237 (9th Cir. 1976), cert. den. 429 U.S. 960.
19 18 U.S.C. § 152.
20 Tamara Ogier & Jack F. Williams, Bankruptcy Crimes and Bankruptcy Practice, 6 Am. Bankr. Inst. L. Rev. 317, 319. *quoting* William I. Kampf & Jay M. Quam, *The Intersection of Bankruptcy and White Collar Crime*, 97 Com. L.J. 70, 70 (1991).
21 *id.* at 320.

The New Orleans Federal Bar Association will present a bankruptcy seminar in the Spring of 2003. The dates and times will be announced in the next issue of the Advocate.

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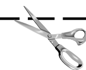
Membership in the F.B.A. entitles both national and charter membership

RUBIN SYMPOSIUM TO BE HELD NEXT SPRING

Mark your calendars - the next Rubin Symposium will be on May 8, 2003, from 2:00 to 4:00 p.m. The program is tentatively entitled "Leave it Outside - Professionalism and Ethics in Practice." Topics to be covered by hypotheticals based on real cases are: 1) the duty to investigate before filing a complaint; 2) update on attorney sanctions since last year's program; and 3) professionalism and depositions. The program will be held in the en banc courtroom, Room C501 of the United States District Court. One hour of ethics and one hour of professionalism CLE credit will be awarded. Cost will be $20 for Federal Bar Association members and $30 for non-members.



JUDGE BARBIER TO HOST SEMINAR "THE SEVEN (more or less) HABITS OF HIGHLY SUCCESSFUL PRACTITIONERS: A FEDERAL COURT PERSPECTIVE"

The Honorable Carl J. Barbier will host a seminar entitled "The Seven (more or less) Habits of Highly Successful Practitioners: A Federal Court Perspective" in his courtroom on December 6, 2002 from 10 to noon. The seminar will provide the Judge's perspective on advocacy in the federal court system. There is no charge. Enrollment is limited to 20 lawyers to ensure the most effective and meaningful discourse. 2.4 CLE credit hours will be awarded to attendees. Those interested should return the attached form to Stevan C. Dittman.

Friday, December 6, 2002 • 10:00 a.m. - Noon
Section "J" Courtroom, United States District Court
500 Camp Street, New Orleans, LA 70130

Name: ____

Address:____

Please return this form to: Stevan C. Dittman, Esq.
1100 Poydras Street, Suite 2800
New Orleans, LA 70163
(504) 522-2304