



NATIONAL LAWYERS GUILD LOS ANGELES CHAPTER

8 1 2 4 T H I R D S T R E E T , S T E . 1 0 1 L O S A N G E L E S , C A 9 0 0 4 8

Annual Dinner

June 22, 2008

Pasadena Hilton

Honoring:

Gary Blasi

Collette Brooks

Lisa Jaskol

Eric Zucker

(posthumously)

(See Inside for Dinner Details)

GUILD HELPS FORM LOS ANGELES RAPID RESPONSE NETWORK IN WAKE OF MICRO SOLUTIONS ICE RAIDS

By: Nikhil Shah

On February 7, 2008, Immigration and Customs Enforcement (ICE) raided the Micro Solutions printer-cartridge factory in Van Nuys, arresting and detaining 130 workers.

The workers were handcuffed and prevented from calling family members to tell what was happening or arrange child care for their minor children. The LA Raids Response Network responded.

The Raids Response network is a coalition of the National Lawyers Guild, CHIRLA, the National Immigration Law Center (NILC), the American Civil

Liberties Union (ACLU), the American Immigration Lawyers Association (AILA), the Central American Resource Center (CARECEN), and other local immigrant rights groups opposing ICE raids in Los Angeles.

The NLG, ACLU and NILC filed suit against DHS because ICE refused to allow attorneys into the interviews with the detainees. The case, *NLG v. Chertoff*, was settled. ICE agreed to allow attorneys at all future interviews of aliens detained in the raids, and allow re-interviews of those who

did not appear for initial interviews.

ICE required those released to wear monitor ankle bracelets, including the sick and pregnant, and have a 7 p.m.-to-7 a.m. curfew despite no evidence of flight risk. Supposedly, ICE needed the ankle bracelets and curfew to ensure that the workers showed up for immigration hearings. The bracelets were problems as they required a dedicated phone line in the house and daily charging in a special outlet. Many workers with bracelets were ostracized by family and neighbors.

Cont. p.3

INSIDE

Next Generation 2

FOIA Victory on Iraq War Papers 2

Far West Regional 3

Car Wash Workers 4

SETTLEMENT TALKS SET IN MAY DAY CASES

By: Carol Sobel

NLG-LA lawyers, with MALDEF and other attorneys, will hold settlement talks with the City in the lawsuit arising from the police assault on immigrants at the May Day rally in MacArthur Park in 2007.

Guild lawyers filed the action, *Multi-Ethnic Immigrant Workers Organizing*

Network ("MIWON") v. City of Los Angeles, in federal court in Los Angeles in May, 2007.

In December, federal Judge A. Howard Matz certified the *MIWON* case as a class action, making it the lead federal case for all the May Day litigation.

Four settlement ses-

sions are scheduled in July and August with federal Magistrate Judge Carla Woerhle, who previously handled the settlement of the Guild's litigation following the use of "rubber bullets" to shoot demonstrators at the Democratic National Convention in Los Angeles in 2000.

Cont. p.3

CHAPTER'S NEXT GENERATION COMMITTEE ACTIVE ON MANY FRONTS

By: Scott Grunman Miller

The Next Generation Committee is the Guild's institutional way to smooth the transition from engaged law student to seasoned practitioner of people's law. Newer lawyers are easily overwhelmed by the need to make a living or establish a career when the point of sitting through years of law school and the bar exam was to help those who would otherwise go unrepresented or, as the Guild's mission statement puts it, to put the needs of people before the interests of property.

Next Gen provides support and camaraderie of a peer group for new practitioners and recent grads interested in pursuing public interest law. Whenever possible, Next Gen members eat, drink and have a good time, too. The Committee hosts MCLE seminars for the Chapter, as well as

informal practice seminars.

The Next Gen Committee holds Practice Management dinners – small group events pairing Next Gen members with Guild veterans to focus on practical skills with time for questions and informal interaction. Great food helps, too. March's topic was "Negotiation, Mediation and Settlement: Strategies and Tips for the Young Lawyer," with Virginia Keeny of Hadsell Stormer Keeny Richardson & Renick, LLP, and Peter J. Marx, a long-time attorney, mediator and arbitrator.

The next Practice Management Dinner is set for Sunday, July 27. Dan Stormer and Lauren Teukolsky of Hadsell, Stormer, Keeny, Richardson & Renick, LLP, will discuss: "Managing Discovery for Trial." They will discuss the case of Bur-

mese villagers against the oil giant Unocal and other cases that will make even your worst discovery nightmare seem manageable.

For further information, questions or suggestions for future Next Gen events, contact Next Gen Committee co-chairs Colleen Flynn and Scott Miller at nextgenla@gmail.com.

LAWYERS GUILD RADIO SHOW

KPFK 90.7 FM

THURSDAYS 7-8 pm

With Jim Lafferty

JUDGE TO ORDER FEDS TO MAKE IRAQ WAR DOCUMENTS PUBLIC

Federal Jurist Rejects Government's 'Trust Us' Approach

By: Chris Ford

A federal judge in San Francisco said during a recent hearing that she plans to order the government to release documents pertaining to the war in Iraq that the U.S. military has been fighting for more than three years to keep under wraps.

Judge Marilyn Hall Patel of the Northern District of California rejected government attempts to continue withholding documents that could shed light on whether the U.S. military acted lawfully during the 2004 assaults on the Iraqi city of Fallujah and the 2005 shooting attack on a compact car carrying Italian journalist Giuliana Sgrena to the Baghdad airport. Rebuffing the government's

"trust us" argument, the judge said she plans to require further disclosures in addition to those she ordered them to make in October 2007. *See Hiken v. Dept. of Defense*, 521 F.Supp.2d 1047 (N.D. Cal. 2007).

The April 28, 2008 hearing was the second in a lawsuit filed three years ago under the Freedom of Information Act by the National Lawyers Guild's Military Law Task Force, which publishes an electronic newsletter, called On Watch, for attorneys and others who provide legal assistance to U.S. service members. The NLG attorneys on the case are Colleen Flynn and Chris Ford in Los Angeles, and Gordon Kaupp in San Francisco.

Judge Patel, speaking from the bench, indicated that she not only will order disclosure of certain documents that until now have been withheld, but she also will continue to review secret military documents *in camera* to determine which information in these documents the military legally may continue to withhold and which by law must be released.

The Court indicated that it would issue an order listing potential disclosures, then give the government an chance to respond prior to ordering release of the documents.

NLG RESPONDS TO ICE RAIDS

Raids Response Network lawyers have now successfully challenged the ankle bracelets and all have been ordered removed.

The struggle of the Van Nuys raids workers continues with the prospect of deportation in immigration hearings that are expected to last a year or more. Attorneys will be arguing motions to suppress any illegally obtained statements or evidence at the immigration hearings based on the conduct of ICE officials during the February 7 raids.

The Raids Response Network mobilized over 40 immigration attorneys in the Los Angeles area to represent workers during their immigration hearings pro bono or at low cost. CHIRLA, with other groups, raised money to help with legal fees. Also, the Center for Human Rights and Constitutional Law filed 114 claims for damages by U.S. citizens and legal permanent residents unconstitutionally detained by ICE officials at the Van Nuys raids.

NLG-LA HOSTS FARWEST REGIONAL



The Los Angeles Chapter hosted the NLG Far West Regional at Loyola in mid-April. One panel was "Access to Justice and the Immigrant Workers' Rights Movement in Southern California," with panelists Matt Sirolly of the Wage Justice Organization and NLG-LA Chapter Board member, Betty Hung of the Inner City Law Center, and Justin Prato of the Employment Rights Center in San Diego.

Photo Michel Martinez

MAY DAY SETTLEMENT TALKS

Guild lawyers also blocked efforts by the City Attorney to win an estimated \$3-\$10 million dollars for extra counsel to defend the City in the May Day litigation over the course of three years.

In a series of letters and statements to the City Council, *MIWON* lawyers argued that only limited funds should be appropriated until early settlement discussions were held. The Mayor agreed and vetoed Council approval

of funding for nine outside law firms. Ultimately, limited funding was approved by the Council for settlement preparation.

Guild Legal Observers were present in large numbers at the May Day 2008 immigrant rights march and rally. NLG-LA chapter co-president Victor Narro negotiated on behalf of the organizers with the police to work out the details of this year's event.

Plaintiffs in the May Day litigation hold a press conference in MacArthur Park before marching in the 2008 event.



Photo by Joshua Johnson

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JOIN THE NLG-LA AT THE:

**ANNUAL DINNER
JUNE 22, 2008
PASADENA HILTON
See details inside.**

— Labor Donated —

CLEANING UP THE CAR WASH INDUSTRY

By: Victor Narro

Car washes are a thriving and very profitable industry throughout California. Nationally, car wash employers reported \$872 million in revenues, with more than \$251 million of this amount coming from Los Angeles County. Yet, most car wash workers (called “carwasheros”) earn less than minimum wage.

On average, carwasheros in Los Angeles earn \$30-40 for a 12 hour work day, which comes to about \$3.50 an hour, well below the state minimum wage of \$8 an hour. Others (called “propineiros”) earn only tips for work.

Two months ago, a large coalition of labor and community groups launched the first ever organizing campaign to improve working conditions in the Southern California car wash industry. The CLEAN Car Wash Campaign (“Community Labor Environmental Action Network”) will work to eliminate the minimum wage and overtime violations, as well as pervasive health and safety violations in these workplaces.

The coalition is working with the AFL-CIO and United Steel Workers to support *carwasheros*’ right to organize a union and bar-

gain collectively; improve working conditions and ensure employers meet labor standards and abide by fair workplace practices; and demand environmental cleanup so that waste water from car washes does not contaminate our rivers or oceans.

Workers and organizers hope their efforts will get car wash owners to sign *Clean Car Wash* agreements, with owners pledging to abide by minimum wage and hour, labor, safety and health, and environmental laws. This is a first step in providing a humane workplace for *carwasheros*.

The NLG-LA has become a core member of the legal committee for the CLEAN Campaign. A Next Gen lawyers team will be assisting workers with wage claims..



Newly-elected NLG-LA copresident Victor Narro serves as a legal observer at protest of Pirian family car wash.