

FORGING THE RESISTANCE



**National Lawyers Guild
Social Justice Dinner 2017**



National Lawyers Guild—Minnesota Chapter
SOCIAL JUSTICE DINNER
May 20, 2017

6:00 pm Reception

♪*Music by Larry McDonough and Carol Bergquist*♪

6:30 pm Dinner

Food by The Naughty Greek

7:30 pm Speakers and Awards

KEYNOTE SPEAKER

Mara Verheyden-Hilliard

Executive Director, Partnership for Civil Justice Fund

Introduction by Joe Vaccaro

SOCIAL JUSTICE AWARD

Antonia Alvarez and the Lowry Grove Residents

For their work protecting the rights of low income manufactured home residents in St. Anthony Village

Introduction by Pablo Tapia

FORGING THE FUTURE YOUTH AWARD

Young Peoples Action Coalition

For their work organizing school walk outs and other activities in response to the Trump agenda

Introduction by Michelle Gross

PAUL MARINO PEOPLE'S LAWYER AWARD

Ryan Anderson, Caroline Brown, Randall Cohn, Grace Davies, Susana De Leon, Kim Hunter, Bruce Nestor, Teamsters from the Hennepin County Public Defender's Office, Bill Tilton, Diane Wiley/National Jury Project

For their work defending protesters against the DAPL with the Water Protector Legal Collective

Introduction by Larry McDonough

Our thanks to this year's Social Justice Dinner committee: Paula Duthoy, Michelle Gross, Carla Magnuson, Andrea Palumbo, Joe Vaccaro, Iron Workers Local 512 for this lovely venue, and the many volunteers who made this event possible.

National Lawyers Guild—Minnesota Chapter Welcome

Welcome to the 2017 National Lawyers Guild Minnesota Chapter Social Justice Dinner. Bad times for America, in a very limited way, mean good times for the Guild, and it is wonderful to see you all here to celebrate and recommit to carrying the work of creating a just, free, and equal society along. Over the past year we've done just that: we've passed new bylaws, formalized committees, hosted talks, defended activists, and trained dozens of additional legal observers. Yet, though the state of our chapter grows stronger, the condition of human rights, democracy, and all the hard-fought gains of the people the Guild was founded to defend grow evermore dire. It is as though the Federal Government is the domain of those united by the inversion of the Guild motto "property rights are more sacred than human interests."

Dismaying as the current political scene is, we're here tonight to celebrate some slivers of sunlight in the otherwise darkening sky. Fundamentally, our task as the real lawyers of the left is making more room in the storm clouds for the light to get through. Charles Garry, a Guild member who served as a national counsel to the Black Panther Party, put it best: "The system is rotten, and it's the job of the movement lawyer to tie it up."

Despite our intellectual pretensions, everyone here is, at some level, either a technician or aspirant technician, trained in the code written by people with economic and social power to maintain their privilege. As the members of the Water Protector Legal Collective we honor tonight know well, the ruling class will make or break the law at their leisure and convenience.

Yet things aren't quite that simple; any body of written words attempting to regulate seemingly every aspect human affairs and the competing interests therein cannot be the objective and dispassionate edifice we were assured it is by our law school professors. Even with the most adroit legal minds crafting them, statutes, opinions, and all other forms of legal authority are riddled with gaps and contradictions, to say nothing of the caverns and crevasses the b-rate brain trust in the saddle today in D.C. is bound to leave in its wake. It is in those spaces that the Guild is of maximum value, creating space for the People to make the changes our society so desperately needs. Changes like the affordable housing fought for by Antonia Alvarez and the residents of Lowry Grove, and the society rid of the identity-based oppression and economic ruination pedaled by the Trump Administration that the members of the Young People's Action Collective stand up against.

Though we know the demands of the hour, we shouldn't size up our odds through rose-colored glasses. Thirty years of bipartisan neoliberalism have left the people atomized as well as unorganized, and the federal bench replete with Federalist Society members and virtually no one from our own ranks. Be that as it may, defeat is only certain if we shirk our duty and fail to organize ourselves for the coming struggles. If we meet the enemy wearing our green caps in the street, and our lawyer costumes in the courtroom, we have a sporting chance of coming out on top, and even if we don't, at the very worst, we can say to ourselves, as the tramp Vladimir does in Beckett's *Waiting for Godot*: "We are not saints, but we have kept our appointment. How many people can boast as much?"

Yours in solidarity and for a better tomorrow,
Joe Vaccaro

KEYNOTE SPEAKER
Mara Verheyden-Hilliard, Esq.
Executive Director, Partnership for Civil Justice Fund



Mara Verheyden-Hilliard is Executive Director of the Partnership for Civil Justice Fund, a public interest legal organization based in Washington, D.C. that handles constitutional law, civil rights and civil liberties matters and Freedom of Information Act cases. Her practice focuses on complex constitutional rights litigation, particularly concentrated in the areas of free speech, assembly or other protected First Amendment activity and also in defense of targeted communities.

She has represented numerous political activists and organizations challenging violations of free speech rights nationally. Much of her work has focused on the intersection of First and Fourth Amendment rights and law enforcement response to demonstrations. Her FOIA work has exposed the FBI's and Department of Homeland Security's abuse of "anti-terrorism" authority and funding against peaceful political protest in America.

Verheyden-Hilliard's litigation, including class action cases, has resulted in landmark rulings and settlements securing extensive changes in both the law and police practices in the handling of demonstrations to bring law enforcement into compliance with constitutional obligations. She has obtained among the largest monetary settlements for violations of protestors' rights in the U.S., totaling over \$25 million in Washington D.C. alone.

Ms. Verheyden-Hilliard has appeared extensively in the mass media and has been an outspoken advocate for civil rights and women's rights and a critic of U.S. militarism. She previously served as co-chair, with Carol Sobel, of the National Lawyers Guild Mass Defense Committee for a decade. She is a 1994 graduate of Columbia Law School.

IN MEMORIUM

The National Lawyers Guild—Minnesota Chapter lost two of our best in the last year. Ted and Larry are past recipients of the Paul Marino People's Lawyer Award. They are deeply missed by their colleagues, the legions of people they helped, and their many friends and family members.



Ted Dooley

Ted was a 27-year member of the National Lawyers Guild. A 1987 graduate of William Mitchell College of Law, Ted practiced many areas of law, but throughout his career he defended activists and the right to dissent.

One of his early cases was the defense of members of Up and Out of Poverty Now, who were frequently arrested for squatting abandoned buildings. He often represented Cheri Honkala with Poor People's Economic Human Rights Campaign. During the 2008 Republican National Convention in St. Paul, Ted spent many hours in the jails checking on the well-being of arrestees and representing protesters in court. He helped a number of activists pursue civil cases and was part of the defense team for the RNC 8, activists charged under Minnesota's version of the Patriot Act. Ted is remembered by many for his passion for justice but also for his hearty laugh and brilliant sense of humor.

Larry Leventhal

For over 48 years, Larry was known for his extensive work defending the American Indian Movement. As a young lawyer, he was on the defense team for Dennis Banks and Russell Means, on trial for their roles in the Wounded Knee, SD uprising. Larry used an 1868 treaty to maintain AIM's right to defend the land on the Pine Ridge reservation. The charges were thrown out after a finding of government misconduct.



Larry became a foremost expert on Native American treaty rights, using the trial process to defend and define land, resource management, and fishing rights and to challenge civil rights abuses and police brutality. Advocating for Native Americans became Larry's specialty. He served on the board of the American Indian Policy Center and worked for freedom for Leonard Peltier.

Larry lent his legal expertise to the defense of Quibilah Shabazz, daughter of Malcolm X, the Green Party's fight against redistricting in Minneapolis, the Hard Times Café's licensing fight, and for free speech rights for many protesters. He was well known for his work ethic. "He works all the time," William Kunstler once said of Larry. Indeed, Larry often slept in his office. But he wasn't all work. He served for years as an officer of Block Heads, a Laurel and Hardy fan club.

**In Memory of
Larry Leventhal**

Rest in Power!

**The 2014 Mall of
America Defense Team**

**In Memory of
Ted Dooley**

Rest in Power!

**Carol Walker, Michelle
Gross and legions of
grateful clients
and dear friends**

*Congratulations to this year's winners!
Thank you for all you do to empower
the community!*



Communities United Against Police Brutality

17 years of working to empower victims, educate the community, and end police brutality.

Hotline 612-874-7867

National Lawyers Guild Mission

The National Lawyers Guild is an association dedicated to the need for basic change in the structure of our political and economic system. The Guild unites lawyers, law students, legal workers, and jailhouse lawyers as an effective political and social force in the service of the people.

Our aims: to eliminate racism; to safeguard and strengthen the rights of workers, women, farmers and minority groups, upon whom the welfare of the entire nation depends; to maintain and protect our civil rights and liberties in the face of persistent attacks; to use the law as an instrument of protection of the people, rather than for their oppression "to the end that human rights shall be regarded as more sacred than property interests."

SOCIAL JUSTICE AWARD
Antonia Alvarez and the Lowry Grove Residents



Photo: Colin Michael Simmons, City Pages

Under Minnesota law, mobile home park residents have the right of first refusal when their park is sold if they can meet the same conditions as the purchaser. When residents learned that the owner of Lowry Grove sold the park to an organization called The Village they sprang into action, raising the \$6 million needed to purchase the park. Despite this, the owner refused their offer and finalized his deal with The Village. The Village has presented plans to the St. Anthony city council to replace the mobile home park with high rise apartments.

Since then, residents—70% of whom are Latinx and many undocumented—have fought their battle for low income housing in the courts and in the streets. Court efforts are designed to address their ownership rights in Lowry Grove but also to codify these rights for all mobile home residents in the state. The powerhouse behind these efforts is park resident and community leader Antonia Alvarez. In meetings translated between Spanish and English, residents plan events ranging from barefoot marches in the streets to speaking out at city council meetings and building for large turnouts in court hearings. Their efforts have resulted in a number of concessions including leaving the park open until the end of the school year. Residents continue to work to own their own housing.

We are proud to present this year's Social Justice Award to Antonia Alvarez and the Lowry Grove Residents for their efforts for self-determination and to protect the rights of low income mobile home residents across the state.

FORGING THE FUTURE YOUTH AWARD Young Peoples Action Coalition



Northfield high school student walkout for immigrant rights

Young Peoples Action Coalition is an entirely youth run multi-issue organization dedicated to personal liberation through community and connection, of justice lived through democracy in all institutions and systems, of life lived with dignity and a balanced co-existence with all living things.

YPCA provides middle school and high school youth with an intersectional movement to address systemic problems with systems-changing solutions. They provide workshops on issues and root causes, bring new people into the movement and develop youth leaders. They mobilize young people to engage in direct actions and events in solidarity with many other organizations, campaigns, and movements.

YPAC has played key roles supporting striking fast food workers, as part of \$15 NOW, standing with immigrants, and as part of the Resist from Day One Coalition, taking on the Trump agenda. YPCA has organized school walkouts and on-campus protests across many Twin Cities and outstate schools.

For their work organizing youth across campuses to take on many issues, we are pleased to recognize Young Peoples Action Coalition with our first ever Forging the Future Youth Award.



Thanks to
Iron Workers Local 512
for use of your beautiful union hall for
our Social Justice Dinner

**IRON WORKERS:
FORGING THE FUTURE**



Many thanks to all who made this event possible:

- Iron Workers Local 512
- Mara Verheyden-Hilliard
- Larry McDonough and Carol Bergquist, Music
- Anna Moore, Bartender
- The Naughty Greek, Catering
- Monique Doty, Décor
- Social Justice Dinner Committee
- Our Wonderful Volunteers

PAUL MARINO PEOPLE'S LAWYER AWARD

Ryan Anderson, Caroline Brown, Randall Cohn, Grace Davies, Susana De Leon, Kim Hunter, Bruce Nestor, Teamsters from the Hennepin County Public Defender's Office, Bill Tilton, Diane Wiley/National Jury Project



Water Protector Legal Collective (WPLC) is the on-the-ground legal team for the resistance camps at Standing Rock, North Dakota and operates in partnership with the National Lawyers Guild. The collective provides legal advocacy, jail and court support, criminal defense, and civil and human rights protection to the Native peoples and their allies engaged in resistance to the Dakota Access Pipeline.

A number of people with the NLG—Minnesota Chapter went to the camps in Standing Rock and worked in the WPLC office in Mandan, ND to provide legal representation for Water Protectors. Teamsters from the Hennepin County Public Defender's Office raised funds for Ryan Anderson to spend a month at Standing Rock. The efforts of these attorneys and legal workers have resulted in many charges—including felonies—being dropped.

We are proud to present this year's Paul Marino People's Lawyer Award to the dedicated lawyers, law students, legal workers, and legal observers who have defended Water Protectors through their work with the Water Protector Legal Collective.

MNI

WICONI

Congratulations
to the Water Protectors'
Legal Protectors!

Bill Tilton Grace Davies
Diane Wiley Bruce Nestor
Susan De Leon Randall Cohn

IN MEMORIAM OF LARRY LEVENTHAL

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WATER

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ABOUT THE PAUL MARINO PEOPLE'S LAWYER AWARD



The Minnesota Chapter of the National Lawyers Guild can think of no greater way to honor its hero, Paul Marino, than to honor those whose work has carried the torch forward.

On March 14, 2002, we lost a valiant fighter for the poor and downtrodden. Paul J. Marino was born in New York of Sicilian parents on October 29, 1936. He grew up in New York City. He served in the US Marine Corps Reserves while attending City College of New York, from which he graduated in 1962. He then attended the University of Chicago Law School, where he earned his Juris Doctor degree in 1965.

Paul began his legal career with the Legal Aid Society of Minneapolis. Along with fellow New Yorker and dear friend Bernard Becker, Paul represented people who could not afford to pay for a lawyer. Paul soon became an expert in the area of landlord/tenant law and worked tirelessly in the legislative arena, drafting and securing the passage by the Minnesota Legislature of landmark legislation protecting the rights of tenants, including laws on retaliatory eviction, tenants' remedies, and covenants of habitability. Paul became the Legal Aid Society's Executive Director in 1970, and held that position until 1974 when he joined the faculty at William Mitchell College of Law.

During his 27 years at William Mitchell, Paul taught numerous courses—Torts, Evidence, Employment Law, Work of the Lawyer, and Professional responsibility. Together with his friend Bernard Becker, who had joined William Mitchell faculty a year before Paul, they founded William Mitchell's Immigration Law Clinic.

Paul earned the admiration and affection of thousands of William Mitchell students. They loved the dramatic flair he brought to the classroom, and enjoyed his use of props and a "class villain" carefully chosen to be the good-natured foil for various hypothetical situations addressed in class discussions.

Students also appreciated Paul's concern and approachability—he was frequently spotted talking to students in the student commons. He participated in extracurricular programs for students, advising client counseling competition students, judging moot court arguments, and presenting diversity programs on discrimination and the practice of law.

In addition to his teaching duties, Paul continued to support legal assistance to the poor and disadvantaged, and was active in Hennepin County and Minnesota Bar Association committee work, particularly in the area of lawyers' professionalism and in the drafting of proposed rules of lawyers' professional conduct.

Paul was very active in the National Lawyers Guild. He served on the Minnesota Chapter's steering committee and for two years as chapter president. He played a key role in the National organization's Committee on Corporations, the Constitution and Human Rights. He fostered a national debate on the growing role of corporations as actors in the political sphere and brought attention to the impact of corporations on the judicial and democratic process.

Paul retired and became a William Mitchell College of Law emeritus professor of law in January 2001. He had barely begun his retirement when he suffered a near-fatal auto accident in Wisconsin, and then was diagnosed with cancer. His health deteriorated inexorably and progressively, and he died peacefully in his home.

Paul's career is probably best summarized by his own words that appeared in his faculty page on the William Mitchell website:

"As an attorney and law professor, I have tried to provide effective legal representation and voice to those who too often are left behind economically or face discrimination in our nation. Nothing makes me prouder than former law students who tell me that I helped spark their interest in the legal services or pro bono work they are doing now."

Adapted from a work by Profs. Ken Kirwin and Peter Erlinder

HISTORY OF THE NATIONAL LAWYERS GUILD

Founded in 1937, the National Lawyers Guild (NLG) was the nation's first racially integrated bar association. The first Guild lawyers supported President Roosevelt's New Deal, assisted the emerging industrial labor movement, and opposed the racial segregation policies of the American Bar Association and the larger society. During its 65 year history, the NLG has been an important part of the American people's struggle for real democracy, for economic and social justice, and against oppression and discrimination based on race, ethnicity, class, immigration status, gender or sexual orientation. Consistent with its commitment to ensuring fairness and equality for all people, law students, non-lawyer legal workers, and inmate legal experts are full members. The Guild elected its first African-American president in the early 1950s and its first female president in the 1960s. The first legal worker president was elected in 1996.

In the 1930s, NLG lawyers helped organize the United Auto Workers (UAW), the Congress of Industrial Organizations (CIO) and supported the New Deal in the face of determined ABA opposition. In the 1940s, Guild lawyers fought against fascists in the Spanish Civil War and WWII, and helped prosecute Nazis at Nuremberg. Guild lawyers fought racial discrimination in cases such as *Hansberry v. Lee*, the case that struck down segregationist Jim Crow laws in Chicago and entered our culture as Lorraine Hansberry's *A Raisin in the Sun*. The Guild was one of the non-governmental organizations (NGOs) selected by the US Government to officially represent the American people at the founding of the U.N. in 1945.

In the late 1940s and 1950s, Guild members founded the first national plaintiffs' personal injury bar association that became the American Trial Lawyers Association (ATLA), and pioneered the storefront law offices for low-income clients that became the model for the community-based offices of the Legal Services Corporation. During the McCarthy era, Guild members represented the Hollywood Ten, the Rosenbergs, and thousands of victims of anti-communist hysteria. Unlike all other national civil liberties groups and bar associations, the Guild refused to require "loyalty oaths" of its members and the NLG was unjustly labeled "subversive" by the government. The Justice Department admitted the charges were baseless after ten years of federal litigation.

In the 1960s, the Guild set up offices in the South and organized thousands of volunteer lawyers and law students to provide legal support for the Civil Rights Movement long before the federal government was involved. Guild members represented the families of murdered civil rights activists Schwerner, Chaney and Goodman, who were assassinated by local law enforcement members of the Ku Klux Klan. Guild-initiated lawsuits brought the Kennedy Justice Department directly into the Civil Rights struggle in Mississippi and challenged the seating of the all-white Mississippi delegation at the 1964 Democratic Convention. Guild lawyers defended thousands of civil rights activists who were arrested for exercising basic rights and established new federal constitutional protections in groundbreaking Supreme Court cases such as *Dombrowski v. Pfister*, which enjoined thousands of racially-motivated state court criminal prosecutions; *Goldberg v. Kelly*, the case that established the concept of "entitlements" to social benefits which require due process protections; and *Monell v. Dept. of Public Services*, which held municipalities liable for brutal police employees.

In the late 1960s and early 1970s, Guild members represented Vietnam War draft resisters, antiwar activists, and the Chicago 7 after the 1968 Chicago Democratic Convention. NLG offices in Asia represented GIs who opposed the war. Guild members argued *US vs US District Court*, the Supreme Court case that established that Nixon could not ignore the Bill of Rights in the name of "national security" and led to the Watergate hearings and Nixon's resignation. Guild members defended FBI-targeted members of the Black Panther Party, the American Indian Movement, the Puerto Rican independence movement and helped expose illegal FBI and CIA surveillance, infiltration and disruption tactics (called COINTELPRO), that the US Senate Church Commission hearings detailed in 1975-76 and which led to enactment of the Freedom of Information Act and other specific limitations on federal investigative powers. The NLG supported self-determination for Palestine, opposed apartheid in South Africa, at a time when the US Government still called Nelson Mandela a "terrorist" and began the fight against the blockade of Cuba. During this period, NLG members founded other important civil rights and human rights institutions such as the Center for Constitutional Rights,

National Conference of Black Lawyers, Meiklejohn Civil Liberties Institute in Berkeley, San Francisco's New College School of Law and the People's Law School in Los Angeles.

In the 1980s, the Guild pioneered the necessity defense and used international law in support of the anti-nuclear movement and began challenging the use of nuclear weapons under international law. This eventually resulted in the World Court declaration that nuclear weapons violate international law in a case argued by Guild lawyers more than a decade later. The NLG National Immigration Project began working systematically on immigration issues, spurred by the need to represent Central American refugees and asylum activists fleeing US sponsored terror in Nicaragua and El Salvador. The Guild organized People's Tribunals to expose the illegality of US intervention in Central America that was more widely known as the "Iran-Contra" scandal. The Guild prevailed in a lawsuit against the FBI for carrying out illegal political surveillance of legal, activist organizations, including the Guild.

In the 1990s, Guild members mobilized opposition to the Gulf War, defended the rights of Haitian refugees escaping from a US-sponsored dictatorship, opposed the US embargo of Cuba, and began to define a new civil rights agenda that includes the right to employment, education, housing, and health care. Legal theories for holding foreign human rights violators accountable in US courts based on early 19th century statutes were pioneered by Guild lawyers. The Guild began developing an analysis of the impact of globalization on human rights and the environment several years before the Seattle demonstrations, and our members have played an active role opposing NAFTA and in facilitating and supporting the growing movement for globalization of justice. As the 20th century came to a close, the Guild was defending anti-globalization, environmental, and labor rights activists from Seattle to DC to LA. Guild members were playing an active role in encouraging cross-border labor organizing and exposing the abuses in the maquiladoras on the US-Mexican border. The NLG's Project for Human, Economic and Environmental Defense (HEED) and the Committee on Corporations, the Constitution and Human Rights began working on globalization issues.

NLG Today and Tomorrow

At the turn of the 21st century, globalization of information and economic activity is a fact of life, but so is the globalization of extremes in wealth and poverty. Guild members have long recognized that neither democracy nor social justice is possible—internationally or domestically—in the face of vast disparities in individual and social wealth. In short, we have always seen questions of economic and social class as inextricably intertwined with most domestic and international justice issues.

Domestically, the betrayal of democracy and the Supreme Court's integrity in *Bush v. Gore* has made clear that the struggle for real democracy in the US is far from over. The intertwining of governmental power with the influence of corporations, epitomized by the ENRON debacle, has confirmed fighting corporate power will be a major challenge for the American people in the new century. The seizure of governmental power, the huge buildup of military might, and the attack on civil liberties after the 9/11 tragedy, together with the scapegoating of Muslims, Middle Eastern immigrants, and the recreation of McCarthyesque "anti-terrorism" measures has demonstrated that the Guild must, once again, play the role for which history and experience has prepared its members.

Guild members lobbied Congress and worked with the House Judiciary Committee in a failing effort to turn back the worst aspects of the 2001 USA PATRIOT Act. Guild members filed the first challenges to the detention of prisoners from Afghanistan and to the use of military tribunals. Across the nation, Guild members are demanding that civil liberties be protected and that the US Government protect the Constitution and international law at home and abroad. Guild members are defending activists, representing immigrants facing deportation, testifying in federal and state legislatures against civil liberties cutbacks. They are using their experience and professional skills to help build the 21st century grassroots movements that will be necessary to protect civil liberties and to defend democracy now and in the future.

*Professor Peter Erlinder
Past National President, NLG (1993-1997)*

NATIONAL LAWYERS GUILD MEMBERSHIP

As a member of the National Lawyers Guild, you join thousands of others who have dedicated their lives and careers to the proposition that the law should serve the people. You help determine the direction of the Guild, and you help make us a stronger community of like-minded individuals working for social change. Each lawyer, law student, legal worker or jailhouse lawyer who joins our ranks brings us another step closer to a just world.

We benefit from both the stability and experience of our long-standing members and from the vitality of our newer members who carry on our legacy with a sense of urgency and energy. While the Guild has grown older and wiser, our nation's leaders have not. The Guild is a dynamic, living organization made up of members who never stop challenging themselves and who never rest in their quest for justice. As a member of the Guild, your work puts the power of the law back into the hands of the people.

Membership in the National Lawyers Guild is open to attorneys, law students, jailhouse lawyers, and legal workers. To join, go to www.nlg.org

BECOME A FRIEND OF THE GUILD

The National Lawyers Guild is the oldest, largest and most effective membership organization of progressive people who work in the American legal system. You can become a supporter of the National Lawyers Guild work for legal and social justice by becoming a Friend of the Guild. Friends help enable our ongoing work by contributing financially; in return we keep Friends informed of our initiatives and special events.

Yes! Please make me a Friend of the Guild. Enclosed is my donation of:

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- \$100 Ally
- \$250 Partner
- \$500 Sustainer
- \$_____ Other

Friends of the Guild receive our quarterly newsletter Guild Notes.

Please make checks payable to **National Lawyers Guild**. If you wish to make a tax-deductible contribution of \$100 or more, please make your check payable to **National Lawyers Guild Foundation** and note "National Office" in the memo line.

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