

St. Thomas More Society of San Francisco

www.stthomasmore-sf.org

Executive Committee

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Matthew F. Graham, 1st Vice President
Honorable Martin J. Jenkins, 2nd Vice President
Chinhayi C. Cadet, 3rd Vice President
Honorable Suzanne R. Bolanos, 4th Vice President
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Karen P. Kimmey, Secretary
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Laura Vartain Horn
Honorable Kathleen Kelly
Thomas P. Mazzucco
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University of San Francisco School of Law

Isabelle Ord,
Immediate Past President

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Fr. Roger Gustafson, Chaplin

Regis Servus Dei Prius

December 4, 2015

Dear Members and Friends of the Society:

You don't need to surf the web very long to find all kinds of lists touting the perfect Christmas present for the lawyer in your life. The lists seem to be heavy on ties, books, cuff links, and expensive scotch, although one site suggested Lawsuit, "a popular board game from Professional Games. The game illustrates the day-to-day operation of a law firm. Players bring fictitious lawsuits with whimsical premises, and can opt to settle or appeal cases, as well. It is designed for ages 8 and up so attorney's children may enjoy it as well. It sells for \$34.95." I think I'd rather have a jump rope.

I thought I would suggest my own list that you can use to shop for your colleagues or perhaps leave somewhere that your significant other will be sure to find it.

- Career satisfaction. You won't win all of your trials and motions, come out on top in every negotiation, ace all of your exams, or be affirmed on all of your decisions. But hopefully you will find that your work engages and challenges you, benefits your clients, and provides you with a comfortable living.
- More time with family. May your family hours be as important and as many as your billable hours. You may find that doing so results in an even better year-end bonus.
- More time with God. In our very busy lives, this one always seems to fall to the bottom of the list. The good news is that it is like a diamond – even a little

can be priceless. May you find some quality time to spend with God every day. Hopefully the Society can help.

Whatever is on your list, I hope you find it under the tree.

November Lunch Re-Cap

Members and guests attending our Pastor's Lunch in November were treated to remarks from historian Charles Fracchia. Professor Fracchia discussed in rich detail the challenges faced by English Catholics, particularly the great lawyer Sir Edmund Plowden, during the time of the Elizabethan Recusancy Acts. We also heard briefly about Legatus, an organization for Catholic business leaders that seeks to integrate faith, family and business in its members' lives. Legatus is looking to develop a chapter in the Bay Area, so hopefully we will hear more about the organization in 2016.

December Lunch

Our December lunch is scheduled for Thursday, December 17, at noon at The Family Club. This is our annual Christmas season celebration in which we forego a speaker for a well-stocked bar, carols from students at De Marillac Academy in the Tenderloin, and good cheer and fellowship. We will also be electing our 2016 Executive Committee, delivering our Secret Santa presents, and hearing from the winner of our 8th Grade essay contest. Students were asked to share their thoughts on the following:

Pope Francis recently revealed that he prays to St. Thomas More every day. The Thomas More prayer includes the following words: "Grant me a simple soul that knows to treasure all that is good and that doesn't easily frighten as the sight of evil, but rather finds the means to put things back in their place. Grant me, O Lord, a sense of good humor. Allow me the grace to be able to take a joke to discover in life a bit of joy, and to be able to share it with others." Please describe how you might use either the words of the Thomas More prayer or the example of the life of St. Thomas More to help you with challenges in your life.

We hope you will join us for the festivities.

Secret Santa Program

Once again this year we will be lending Santa a hand by helping to provide a joyful Christmas to some needy De Marillac Academy families. Those who are interested in becoming a Secret Santa will be assigned a De Marillac family and asked to bring gifts of a modest amount to the December lunch. Gift suggestions will be provided, but gift cards to Target, Safeway, Ross, and similar retailers generally work best. If you are interested in participating, please contact Tony Phillips at adphillips@dons.usfca.edu. The shopping days before our December lunch are going fast, so please don't delay in reaching out to Tony.

2016 Executive Committee Nominees

We will elect the members of the 2016 Executive Committee at our December lunch. The nominees are:

- **President: Matt Graham.** Matt is a long-time member and officer of the Society and currently our 1st Vice President. He is a graduate of the University of San Francisco School of Law and is a partner at Wendel Rosen Black & Dean in Oakland, where he specializes in complex construction litigation.
- **1st Vice President: Karen Kimmey.** Karen is a partner at Farella Braun + Martel, where she handles a variety of commercial disputes with particular emphasis on complex contract, fraud, unfair competition and negligence claims as well as class actions, intellectual property, and products liability matters. A graduate of Hastings College of the Law, Karen currently serves as the Society's Secretary.
- **2nd Vice President: Thomas "Tip" Mazzucco.** A former Assistant United States Attorney and Assistant District Attorney in San Francisco, Tip has been a member of the San Francisco Police Commission since 2008. He is a former varsity football player at Cal and a San Francisco Law School graduate, and his practice involves both civil litigation and white collar criminal defense as well as internal investigations. He is a partner at Murphy Pearson Bradley & Feeney and a member of the Society's Executive Committee.
- **3rd Vice President: Catharine Dacre.** Currently a member of our Executive Committee, Catherine leads the Wage & Hour Litigation Practice Group in Seyfarth Shaw's San Francisco office, where her practice includes wage and hour class action litigation of California Labor Code and FLSA claims in state and federal court. A member of our Executive Committee, she is a graduate of Hastings College of the Law.
- **Treasurer: Andres Orphanopoulos.** A new father, Andres is counsel for North Coast Land Holdings, a real estate development company based in Marin County. Before moving in-house, he was a Deputy District Attorney in San Francisco and an associate at Reed Smith. A graduate of the Thomas Jefferson School of Law, Andres is currently the Treasurer of the Society.
- **Secretary: Tony Phillips.** Raised in Scotland, England, and the Bay Area, Tony is a graduate of the University of York in the United Kingdom and the University of San Francisco School of Law. He is an associate in the San Francisco office of Archer Norris, where he focuses on complex and commercial litigation, including antitrust, consumer protection, corporate governance and securities cases. Before law school, Tony was the Director of Product Management for a Bay Area software company, providing transportation and shipping solutions to Fortune 500 manufacturers. For the past year he has been the Society's liaison with our Service Project Partner De Marillac Academy.

- **At-Large Member: Amelia Lancaster.** Amelia is a graduate of Hastings College of the Law and is currently an associate at the Law Offices of Stanton & Kaufman, where she practices immigration law. Her prior work experience includes a stint at NASA's History Division in Washington, D.C. Amelia has been an Academic Decathlon Coach as well as a violin instructor at De Marillac Academy.
- **At-Large Member: Ethan Niedermeyer.** A graduate of the University of San Francisco School of Law, Ethan was the captain of the University of Portland varsity basketball team and played professionally in Germany. He is an associate with The Dolan Law Firm, where he focuses on personal injury litigation.
- **At-Large Member: Justice Peter Siggins.** Justice Siggins is a member of the 1st District Court of Appeal. He previously served as the Governor's Legal Affairs Secretary and Interim Chief of Staff as well as with the Attorney General's Office of the California Department of Justice. A graduate of Hastings College of the Law, Justice Siggins currently serves on a number of boards, including the board of the Jesuit School of Theology in Berkeley. He is the recipient of the 2014 St. Thomas More Award.
- **At-Large Member: Judge Sharon Reardon.** Judge Reardon was appointed to the bench of the San Francisco County Superior Court in 2015. Prior to her appointment, she served for many years as an Assistant District Attorney in San Francisco. She earned her law degree from San Francisco Law School.
- **At-Large Member: Dean John D. Trasviña.** John is the 18th dean of the USF School of Law. He was previously appointed by President Obama to serve as the assistant secretary for fair housing and equal opportunity in the U.S. Department of Housing and Urban Development, and before that he was president and general counsel of the Mexican American Legal Defense and Educational Fund. Earlier this year the Hispanic National Bar Association presented him with the Othli Award in recognition of his significant contributions to the Latino community. A current member of our Executive Committee, John is a graduate of Stanford Law School.

A very special thank you to departing Executive Committee members Judge Suzanne Bolanos, Assistant United States Attorney Chinhayi Cadet, Justice Martin Jenkins, Judge Kathleen Kelly, and Assistant United States Attorney Laura Vartain Horn for their hard work and dedication to the Society. They will be missed, but we look forward to their continued involvement in a less official capacity.

Law Student News

The Society is again sponsoring a scholarship for law students at Golden Gate, Hastings, San Francisco Law School, and USF. The \$2,000 award is intended to recognize scholarship, community service, and service to God as exemplified by our Patron. The application is attached to this newsletter and is also available on our website. The scholarship is not limited to law

student members of the Society, but remember that law student membership is free, so there's no reason not to join. An application is available on our website.

Mass at San Quentin

Members and friends of the Society are invited to join the congregation at San Quentin State Penitentiary for 10:00 a.m. Mass on Sundays. The prison allows up to 10 visitors each Sunday, and advance clearance is required. If you are interested in attending, please contact Rev. George Williams, S.J., the prison's Catholic Chaplain, at least two weeks in advance. You will need to provide him with the full name, date of birth, social security number, and driver's license number for each visitor. You can reach Fr. Williams at george.williams.cdcr@ca.gov.

“For I was in prison, and you visited me.” Mt. 25:35-46

Mentor Program

With law students returning to school and newly minted lawyers embarking on their careers, this is a great time to get involved with our Mentor Program, which matches law students and younger lawyers with more experienced attorneys who share practice and other interests. If you would like to participate as a mentor or mentee, please indicate your interest on the Membership Application or contact Laura Vartain Horn at lvartain@gmail.com.

Chaplain's Corner

“Intelligent Disobedience”

I recently went on a field trip with fifth graders from our school to visit Guide Dogs for the Blind. During the tour, our docent explained that service dogs are trained to “intelligently disobey” any command that would put the blind person in jeopardy. If the blind person, for example, commands the dog to enter a street with oncoming traffic, the animal will disobey the order.

As you undoubtedly know, Governor Brown recently signed into law ABx2-15 (Eggman) the so-called “End of Life Option Act,” authorizing physicians to prescribe life-ending drugs to patients who have been diagnosed with a terminal illness and have fewer than six months to live. Without the euphemisms, the legislation, plainly stated, permits physicians to help their patients to commit suicide.

Promoters of the law say it is about compassion, choice, and mercy. But this bill grew out of an attempt to plug a billion dollar hole in the Medi-Cal budget. How did they do it? By making suicide an option. Is that compassion? The law does not even require an assessment by a licensed mental health professional before patients are given a lethal prescription at their request. Is that genuine choice?

This law threatens to prey on the most vulnerable in our society by subtly convincing them that those who are afraid of suffering or pain or being physically incapacitated are in fact a burden on society and to their families. Where is the mercy in that?

In fact, the law profoundly infringes on the truth that all life is sacred because it comes from God, finds its destiny in God, and therefore can be unconditionally taken only by God. Indeed, the medical community has traditionally refused to participate in physician-assisted suicide or euthanasia. The Oath of Hippocrates, dating from the fourth century BC, states, "I will neither give a deadly drug to anybody who asks for it, nor will I make a suggestion to this effect." The American Medical Association's policy H-140.952(1) clearly states that physician-assisted suicide is "fundamentally incompatible with the physician's professional role." Subsection (4) further states that "[r]equests for physician-assisted suicide should be a signal to the physician that the patient's needs are unmet and further evaluation to identify the elements contributing to the patient's suffering is necessary."

Indeed, requests for this extreme measure are most often hidden pleas for help rooted in a deep fear of abandonment by caregivers and family and fear of pain. However, modern medicine provides many options for palliative care so that terminally ill patients need not die in agony. In addition, according to paragraph 60 of the *Ethical and Religious Directives for Catholic Health Care Services*, "Catholic health care institutions may never condone or participate in euthanasia or assisted suicide in any way." Instead, patients "should receive loving care, psychological and spiritual support, and appropriate remedies for pain and other symptoms so that they can live with dignity until the time of natural death." Indeed, the *Declaration on Euthanasia* by the Congregation for the Doctrine of the Faith (May 5, 1980) states that "[t]he pleas of gravely ill people who sometimes ask for death are not to be understood as implying a true desire for euthanasia; in fact, it is almost always a case of an anguished plea for help and love."

Thus, the debate about physician-assisted suicide fundamentally is about what it means to be truly merciful and compassionate. Allowing human life to be snuffed out at the request of someone who is fearful of being alone in their last days is neither true mercy nor genuine compassion.

Many people see this law as allowing "mercy killing." They justify their refusal to intervene or protest with platitudes about non-judgmentalism. But, as Catholic lawyers, we, like the guide dogs for the blind, are called to guide the spiritually blind to safety and to protest any misguided law that so fundamentally violates the truth of who we are as human beings. In other words, we too must engage in "intelligent disobedience."

We *must* respond because we are *able* to respond. In this country, God has blessed us with certain inalienable rights and great freedom. But with those gifts comes responsibility. In particular, we must take a stand against any unjust, inhumane, and immoral law.

Petitions are being circulated at most Catholic parishes in our Archdiocese over the next few weeks. I strongly urge you to sign the petition that would repeal this ill-conceived law. In this Year of Mercy that Pope Francis will open on December 8, may we discover true mercy in the love we show for terminally ill patients, not by allowing them to end their lives, but in assuring them of our support, care, and love during that difficult time in their lives and by promising never to abandon them.

■ Father Roger Gustafson, Chaplain

2015 Dues

The end of the year is upon us, but it's still not too late to submit your 2015 dues! The 2015 Membership Form is attached to this letter and may be used to pay your dues and to update membership records. Annual dues for 2015 are \$75.00 for attorneys with five years or more of practice and \$25.00 for retired attorneys and those with fewer than five years of practice. Law student membership is free. Your dues are essential to the Society and enable us to fund events, attract quality speakers, and award scholarships, so please get them in. You can make your dues payment through PayPal or Venmo by following the links provided above.

We are continuing our efforts to attract new members, particularly among younger lawyers, and we encourage you to help us recruit new members to join the Society. Feel free to start by forwarding this newsletter to someone you think may be interested in joining. Remember that lunch is free for prospective members, so bring along a colleague, a friend, a parishioner, or even opposing counsel to our December lunch.

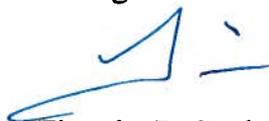
Thank You and Farewell

This newsletter marks the end of my tenure as President of the Society. It has been an honor to serve with the other members of the Executive Committee and to work with all of our members. And a lot of fun, too. Thank you for all of your support in 2015. I look forward to a growing, vibrant, engaged, and relevant St. Thomas More Society in the years ahead. We have a lot to offer our community and each other.

* * *

We welcome your input, so if you have any questions, comments, or ideas for the Society, please feel free to contact any member of the Executive Committee.

Your good servant,

A handwritten signature in blue ink, appearing to read 'Timothy P. Crudo', with a stylized flourish at the end.

Timothy P. Crudo
President

ST. THOMAS MORE SOCIETY DECEMBER 2015 LUNCHEON RESERVATION
The Family Club
545 Powell Street at Bush Street

Please use this Form to reserve your spot at the luncheon and to make payment.

_____ I plan to attend the St. Thomas More Society Luncheon at 12:00 noon on December 17, 2015, at The Family Club.

Please reserve ___ place(s) at \$52 per person (10 years or more in practice).

Please reserve ___ place(s) at \$42 per person (fewer than 10 years in practice).

Please reserve ___ place(s) at \$25 per person (law students and clergy).

There is no charge for pastors or first-time prospective members of the Society.

Member Name: _____

Member e-mail: _____

Names of other attendees for whom payment is submitted:

I am bringing the following potential member as a guest of the Society (no charge):

I would like to sponsor one or more law students or members of the clergy at \$25 per person and include \$___ in my check for this purpose.

The total amount of my enclosed check is \$_____.

Please make checks payable to the "St. Thomas More Society of San Francisco." If you RSVP and cannot attend, please let us know in advance. The Society is charged for no-shows, so cancellations on less than 48 hours cannot be reimbursed.

Please return this form and your check to our Treasurer:

Andres Orphanopoulos
North Coast Land Holdings LLC
2350 Kerner Boulevard, Suite 360
San Rafael, California 94901
Phone 650-224-1129 | Fax 415-461-5946
orphanopoulos@gmail.com

**ST. THOMAS MORE SOCIETY OF SAN FRANCISCO
2015 MEMBERSHIP FORM**

*Use this form to pay your annual dues and update your membership record.
New members may use this form to join the Society.*

Name: _____

Firm, Company, Court, or School: _____

Area(s) of Practice: _____

Street Address: _____

City, State and Zip: _____

Telephone: _____

Email: _____

Parish: _____

Year Admitted to Bar: _____ **Retired from Practice?** _____

Law Student? _____ **Note: Law students membership is free.**

Would you like to participate in our Mentor Program as a mentor or mentee? _____

Please accompany this application with your dues payment. Annual dues for 2015 are \$75.00 for attorneys with five years or more of practice and \$25.00 for retired attorneys and those with fewer than five years of practice. Law student membership is free. Please make checks payable to St. Thomas More Society.

Return form and check to:
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