Diversity Matters

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Diversity, For Women, For All

In this issue of Diversity Matters, we explore the vast talents of our diverse attorneys, particularly our women. You will read about their accomplishments – Nina M. Gussack named Rainmaker of the Year by InsideCounsel magazine; Barbara W. Mather, Amy B. Ginensky and Nina making the Benchmark Top 250 Women in Litigation list; Isla L. Long being named a recipient of the Multicultural Award by the National Diversity Council; and our four new female partners: Ann B. Graff, Deborah Kovsky-Apap, Delia C. Donahue, and Yvonne M. McKenzie. You will also read about their endeavors, everything from serving in the Israeli Army, to working with the Network of Arab American Professionals to the perspective of young associates who believe they have huge footsteps to follow. As we look ahead in 2013, we will continue to make strides so all of our attorneys may have the opportunities to be as successful as the ones you will read about in this issue. We cannot, however, become complacent with the accomplishments of a few. There is still much work to be done to improve the retention and advancement of our diverse attorneys.

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Nina M. Gussack to be Honored With Transformative Leadership Rainmaker Award

Immediate Past Chair of Pepper’s Executive Committee Nina M. Gussack has been selected as the recipient of the 2013 Rainmaker Award by the Transformative Leadership Awards Committee of InsideCounsel magazine. The annual awards recognition program honors law firm partners and general counsel who have demonstrated commitment to advancing the empowerment of women in corporate law.

Speaking of the award, Pepper CEO Scott Green said, “Nina has a long track record of professional success, particularly in the pharmaceutical industry. She possesses a unique blend of extraordinary intelligence, vision and foresight, responsiveness and teamwork. Nina is a tremendous role model for women and an inspiration to fellow attorneys, staff and clients. We are thrilled she is being given this well-deserved award.”

In 2007, Gussack was elected chair of the firm’s Executive Committee, the first woman in the firm’s history to hold that position. She was one of the few women chief executives of a major law firm in the country. In addition, Gussack chairs the firm’s Health Effects Litigation Practice Group. Her trial practice is concentrated in civil litigation, with a primary emphasis in the defense...
of pharmaceutical and medical device companies regarding marketed products, investigational new drugs, medical devices and over-the-counter drug products. Gussack serves as national coordinating and trial counsel and as regional counsel in pharmaceutical litigation, including class actions and multi-district litigation.

Gussack and other recipients of the Transformative Leadership Awards will be recognized during a gala dinner on April 16, 2013 at Gotham Hall in New York City. Awards are presented in seven categories, recognizing career achievements as well as the individual’s commitment to leadership, courage, advancement and empowerment of women. Award nominations are reviewed and selected by a committee of the nation’s top general counsels and senior legal officers.

The awards program, now in its fourth year, is presented by InsideCounsel magazine, the oldest monthly magazine published specifically for general counsel and in-house legal executives.

Three of Pepper’s distinguished partners – Barbara W. Mather, Nina M. Gussack, and Amy B. Ginensky – have been honored in the inaugural edition of Benchmark: Top 250 Women in Litigation (Top 250). Although Benchmark Litigation (Benchmark) has been profiling some of the most talented attorneys in the U.S. litigation market since 2008, the vast majority of attorneys featured in this guidebook have consistently been men. Recognizing this imbalance, Benchmark’s readers began to demand an increased focus on female litigators. Top 250 is Benchmark’s response to this demand.

Perhaps because of Pepper’s long history of supporting female attorneys, three of the 12 Pennsylvania litigators honored in Top 250 are Pepper partners. Barbara Mather was recognized for her “deep experience litigating matters in an array of practice areas including antitrust, securities and corporate governance matters.” Nina Gussack was acknowledged for her impressive product liability and white-collar criminal defense work. And Amy Ginensky was described as a “noted expert in First Amendment matters.” Top 250 recognized all three for their professional accomplishments within their respective practice areas.

However, these women are more than just talented litigators; Top 250 also highlighted their respective leadership roles both within the firm and within the larger legal community. Mather is a fellow of the American College of Trial Lawyers and a former head of the Litigation and Dispute Resolution Department at Pepper. She also was the first female managing partner at Pepper, from 1988 through 1994. Gussack is the immediate past chair of Pepper’s Executive Committee and the head of the firm’s Health Effects Litigation Practice Group. Additionally, she serves as national coordinating and trial counsel and as regional counsel in pharmaceutical litigation. Similarly, Ginensky chairs the firm’s Commercial Litigation Practice Group and is the leader

“While I am flattered by this award, I think this is a testament of the opportunities available to the women at Pepper who want to be leaders.”

– Nina M. Gussack

Pepper Leaders Make the Top 250 Women in Litigation

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www.pepperlaw.com/diversity.aspx
Pepper’s Female Partners Share Insights into Their Success

It has been more than four months since I became an associate at Pepper. Having attended law school directly after college, I was eager to begin my legal career. When my friends, who had been working for a few years at various firms, heard that I was going to begin my legal career at a large law firm, they found it necessary to warn me. Mostly, they warned me of the male-dominated environment of law firms and the possible limiting effect it could have on my success. I mulled over these cautionary tales, but I couldn’t help but wonder: how did the numerous successful female attorneys I met at Pepper thrive? Was it because Pepper was different from other law firms? Were these women a special breed of superheroes?

As I sat in my office on November 19, an e-mail popped up on my screen with the subject line “Results of Elections at Annual Partners Meeting.” The e-mail stated that eight new associates were elected to the partnership. As I skimmed the names, the first thing I noticed was that half of them were women. After seeing so many females make partner, I could not help but think, “wow, they did it, I can’t imagine what it took, but it’s possible ... Maybe I should get back to this article.”

JOINING THE RANKS

As Pepper attorneys Ann B. Graff (Construction-Pittsburgh), Deborah Kovsky–Apap (Bankruptcy-Detroit), Delia C. Donahue (Financial Services-Princeton), and Yvonne M. McKenzie (Health Effects-Philadelphia) joined the ranks of Pepper’s highly accomplished and successful female partners, Pepper Executive Committee Past Chair Nina M. Gussack said, “We’re delighted to welcome such truly talented lawyers to the partnership.”
I knew that the success of female attorneys at Pepper was not just about objective statistics such as billable hours; it was also about each attorney’s personal story. While many female attorneys at Pepper have been successful, paving the way for younger female associates, realistically, not every associate who enters through Pepper’s doors is able to reach similar levels of success.

According to the new female partners whom I interviewed, the path to partnership was no easy task. “You have to be willing to put in the hard work and long hours” said Kovsky-Apap. Donahue added, “You need drive—you have to want it. Everyone here is smart, but you also need drive.”

McKenzie credited her success to having “advocated for and been given tremendous opportunities within [her] practice group to do challenging work that has helped [her] grow as an attorney.” Graff found these learning opportunities by getting “engaged in the cases and not just looking at a case from the perspective of the one assignment you were given.”

New associates usually recognize that long hours and challenging work is part of the job, but there is another, less tangible, challenge that could affect your success. New associates have to balance the fact that they bring a new perspective to the table with their very limited experience. Partner Amy B. Ginensky, Chair of the Commercial Litigation Practice Group in Philadelphia, summed up her perspective when she said, “Those who succeed force themselves to be fearless. Their knees may be quaking, but when they’re most afraid, they certainly move forward.”

Help Along the Way

Each new partner had some help along the way. Kovsky-Apap notes that she has had “fantastic mentors along the way.” She stated that finding “someone you trust who can teach you how to become a good lawyer” is essential to an associate’s success. Similarly, McKenzie found that “it’s important to have colleagues that value you and will help you get the opportunities you need and develop as an attorney.”

Cultivating such relationships is not always easy, but it is essential to one’s success. In terms of achieving partnership, “it’s very important at the partner level to get your name out there and get people talking,” said Graff, since “they help facilitate your success.” Isla L. Long, a partner in the Commercial Litigation Practice Group in Philadelphia, stressed the importance of finding someone to advocate on your behalf. “You need a sponsor,” said Long. “Merit alone will not get you where you need to be.” Kristin H. Jones, a partner in the White Collar Litigation and Investigations Practice Group, agreed, stating, “You need multiple sponsors and broad-based support.”

Bumps in the Road

It seems that the successful female partners at Pepper are not a special superhuman breed. In fact, even the most successful female attorneys at Pepper will admit to having made some mistakes along the way. It is how they dealt with those mistakes that kept them on the path to success. One of the new partners said that she learned early on that after making a mistake you should “admit it immediately. Go to the partner. Most things are fixable, but you have to be upfront.” Long added that an associate should “try to be proactive in acknowledging the mistake and keep it in perspective. Know that the initial reaction may feel earth-shattering. There may be harsh words, but over time it gets put in its proper perspective.” Ultimately, a mentor or champion can help navigate the associate through these bumps and down the path of success.

Team Effort

While much of the onus falls on the associate herself to achieve a successful career, practice group leaders, supervising attorneys, and mentors all play an important role in developing female associates. “They all need to play a role in making sure women are getting access to good work and that the law firm isn’t an all-boys network,” says Audrey D. Wisotsky, a partner in the Financial Services Practice Group in Princeton and chair of
the firm’s Associates Committee. “Have transparent discussions about what works for part-time associates or those who have families — have the discussion.” Long added that practice group leaders should “make sure there is equality of opportunity and be willing to have uncomfortable conversations. One of the worst things is when supervising partners or practice group leaders feel they can’t critique a person for fear of emotions, but then the associate gets blind-sided.”

In terms of balancing personal obligations with work, Donahue said that her mentors encouraged her to think of herself as a potential partner. “People reminded me that I wanted partnership and it wouldn’t have to come at the expense of family.” Wisotsky added that the part-time and flex-time schedule gave her the ability “to take care of personal needs and support clients at a high level.”

**Conclusion**

The advice of the female partners at Pepper is invaluable because it demonstrates what is needed to attain similar levels of achievement. But in addition to their words, their personal examples of success provide inspiration and demonstrate that Pepper supports its female attorneys and that, although challenging, success can be achieved. “Pepper has excellent female role models that have paved the way for other female attorneys,” said Donahue. “They’re trailblazers, and seeing people who are doing it, and have done it already, instills a feeling that I can do this too.”

The number of successful female partners at Pepper is impressive and unique among law firms, but the work is far from over. As Barbara W. Mather, a Commercial Litigation partner in Philadelphia and former firm managing partner, noted, “The work remains and the challenges change.” Nevertheless, the endeavor is worthwhile because the power of a company culture that supports its female colleagues and supports a system of work-life balance will surely benefit all members of the firm.

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**G.I. Jane JAG**

Odia Kagan, as a 17-year-old high school senior, was accepted to the Israel Defense Forces’s “Atuda” (academic reserve) program. Putting on camouflage face paint, jumping out of helicopters in the wake of exploding mortars and charging at the enemy totting a sub-machine gun, G.I. Jane-style – that is NOT what my military experience was like …

Born and raised in Israel, it was always clear to me that I would serve in the Israel Defense Forces (IDF), a mandatory service for all Israeli citizens, both men and women. Unlike most of my friends, however, as a 17-year-old senior in high school, the course of my military service had already been set. Having been accepted to the IDF’s “Atuda” (academic reserve) program, I would transition from high school directly to four years of law
school, followed by three years in the Military Advocate General’s Unit, the IDF’s JAG corps.

Instead of looking for a job, I spent the summers of law school completing basic training, an officer’s course and military law officer’s course, following which I was awarded the rank of lieutenant.

My military duties included writing recommendations for applications for presidential pardons for those who had been convicted in military courts (both soldiers convicted of military offenses and civilians convicted of terrorist acts), serving as a prosecutor for the Israeli Air Force, and serving as a law clerk for the head of the Military Advocate General (MAG). This position included conducting comparative legal research on the issues and experience of foreign armies, including the U.S. armed forces, which the MAG wanted to learn from.

While it always was clear to me that my future legal career would lie in the practice of transactional law in the private sector, my time in the MAG was invaluable. It provided me with an opportunity to experience the practice of law in the public sector, allowed me to acquire litigation skills and sowed the seeds of my curiosity about foreign legal systems – a curiosity that only increased with time, eventually leading me to a career at Pepper.

Pepper Hosts, Participates in Meeting with Journalists from Arab Spring Countries

Ten Arab journalists visited Philadelphia as part of the Foreign Press Tour sponsored by the New York Foreign Press Center, a branch of the State Department’s Public Affairs Office. The Foreign Press Tour was organized to provide journalists from several Arab Spring countries, including Yemen, Egypt, Tunisia, and Libya, an opportunity to learn about the American democratic process in the context of the presidential election. Prior to their visit to Philadelphia, the journalists asked to meet with a panel of Arab-Americans from the Network of Arab-American Professionals of Philadelphia (NAAP) to learn about issues important to Arab-Americans and how they, as a minority community, are involved in the political process in the United States. Noor Najeeb, Stephanie Wahba, and I hosted the meeting at Pepper’s Philadelphia office, and participated in the panel, along with seven other members of NAAP. Interestingly, the journalists were both surprised and excited to learn that Pepper had three female Arab-American attorneys in its Philadelphia office.

The dialogue between the journalists and panelists, in both Arabic and English (at times both spoken by the same speaker in the same sentence), yielded some interesting insights. The journalists asked hard-hitting questions regarding what they perceived as a failure of the Arab-American community to engage in U.S. politics. However, it appeared that the journalists’ emphasis was on foreign policy, as opposed to domestic politics. The panelists emphasized that as Arab-Americans, we care not only about foreign policy, but also about domestic politics such as economic policies, health care reform, and civil rights, which also motivate our political choices and involvement.

“The Framers of the Constitution knew that free speech is the friend of change and revolution. But they also knew that it is always the deadliest enemy of tyranny.”

– Justice Hugo Black

By acknowledging and addressing our differences, and feeling comfortable while doing so, we took significant steps toward bridging the gap.
In addition, the diversity among the Arab-American population was on full display during the session, which appeared to surprise the journalists. It seemed that the journalists came with expectations about what Arab-Americans think and do, or at least what they should think or should do. The viewpoints expressed by the panelists demonstrated that all Arab-Americans do not share a singular experience that consistently yields one set of political beliefs. As a result, the journalists came to understand that statements such as “all Arab-Americans think …” or “all Arab-Americans vote …” are too simplistic and deceiving.

Like other racial and ethnic groups in the United States, the Arab-American community has a diversity of views on various issues, which is to be celebrated. With that realization came the most important lesson from the discussion: democracy requires the ability to have open and respectful dialogue among those with differing views. The journalists seemed to appreciate that the panelists embraced their roles as citizens and were individually involved in the democratic process. It appeared that the journalists yearned for that same feeling of citizenship in their respective countries.

While there were cultural differences between the Arab journalists and the Arab-American panelists, everyone shared a common appreciation for the democratic process. By acknowledging and addressing our differences, and feeling comfortable while doing so, we took significant steps toward bridging the gap. The journalists’ passion and thirst for learning about the democratic process left me hopeful about the future of democracy in the Middle East.

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The National Asian Pacific American Bar Association (NAPABA) held its 24th Annual Convention in Washington, D.C. from November 15-18, 2012. The theme of the convention – “Reaching Monumental Heights” – was not only a nod to the skyline of the national’s capital, but also a way of acknowledging the increasing level of contributions that Asian Pacific-American attorneys are making to the legal profession.

I attended the convention on behalf of Pepper. More than 1,800 attorneys attended the event, which was funded by more than 200 sponsors, including large and small law firms from all regions of the United States, government agencies, and companies of all sizes, across all industry lines.

Over four days, NAPABA offered receptions, legal training seminars, and a variety of programs meant to allow attendees to network and make or advance already-existing business connections. There were “Best of the Bar” and Trailblazer award ceremonies, tours and social events at major D.C. destinations like the White House and the Smithsonian, and a basketball tournament at the courts at Georgetown Law (in which I played – my team made the finals). The theme, woven throughout all these events, was the greater impact that Asian Pacific-American attorneys are making in the world of law firms; the corporate ranks; and federal, state, and local government.

By way of example, at one session I listened to U.S. Attorney for the Southern District of New York Preet Bharara, who – among other accomplishments – has overseen the recent wave of insider trading cases filed against certain participants in the hedge fund industry. Bharara spoke about the accomplishments of his office, his time working on Capitol Hill as a senior aide, and his career at a private law firm, where he practiced litigation. He credited his cultural background as helping to guide his choices and decision-making during each of these chapters of his career.

Among other stories, Bharara spoke of how, as the U.S. attorney overseeing the prosecution of crime in New York City, he deals firsthand with a vast range of violent and malicious criminal behavior. It is extremely difficult, according to Bharara, to not become too jaded when dealing with issues like murder, financial extortion, child sex trafficking, and family violence, all on a daily basis.

Bharara shared how the experience of Rais Bhuiyan helps him put the pressures of his office into perspective. Bhuiyan was a Bangledeshi immigrant who was working at a gas station in the weeks following the attacks on the World Trade Center on September 11, 2001. A gunman entered Bhuiyan’s store and shot him in the face, because he looked like the attackers. The gunman, Mark Stroman, had already shot and killed two other men for the same reason. Bhuiyan, however, miraculously survived the attack.

After several surgeries, a doctor saved Bhuiyan’s eye, but his vision was gone. And Bhuiyan is still carrying more than 35 pellets on the right side of his face. In addition, at the time of the
shooting, Bhuiyan’s family was still living in his native Bangladesh. When told what had happened, Bhuiyan’s father suffered a stroke. Meanwhile, Bhuiyan’s shooter, Stroman, was tried for the murder of one of his victims and given the death sentence.

Despite his misfortune, Bhuiyan spent several years working with Amnesty International and Stroman’s defense attorney, assisting with several appeals of Stroman’s capital sentence. Bhuiyan, who came to the United States to study information technology, also created a Web site called World Without Hate to educate others about hate crimes as a means of preventing them. Bhuiyan cited his upbringing and his faith as reasons for his ability to forgive what Stroman did to him.

Bharara concluded by stressing how stories such as Bhuiyan’s — with whom he is able to empathize especially because of his background as an Indian immigrant — are how he uses diversity to help him in his job. After Bharara left the podium, the breakfast emcee, a senior member of NAPABA, addressed the audience. Clearly moved, she spoke about how, in the early years of the NAPABA convention in the late 1980s, it was difficult finding just one prominent Asian-American lawyer to address the audience. She was thankful that Bharara was now just one of many in 2012 to share their experiences.

Indeed, the speakers and participants at each of the other events were just as impressive. The highlight of the convention was a conversation with U.S. Supreme Court Justice Sonia Sotomayor, as part of the Saturday night Gala Installation Dinner. The moderator of the session was Lawrence Tu, a former clerk for U.S. Supreme Court Justice Thurgood Marshall. Friday’s lunch panel included the Honorable Daniel Inouye, the late senior U.S. senator from Hawaii; Carol Lam, the former U.S. attorney for the Central District of California and currently a deputy general counsel for QUALCOMM; and Ajit Pai, a commissioner of the Federal Communications Commission. Saturday’s luncheon panel discussed the recent affirmative action case that was argued before the Supreme Court, Fisher v. University of Texas, and was moderated by James Ho, a partner at Gibson, Dunn & Crutcher.

[Also please see the story on page 10 of this newsletter for coverage of Pepper’s own symposium on the Fisher case.]
Nefertiri R. Smarr, an associate in the Commercial Litigation Practice Group at Pepper, recently organized a symposium focusing on the value of diversity in fostering educational excellence. Motivated by her background (having earned a master’s degree in special education from The George Washington University and a master’s in developmental psychology from Columbia University), Smarr conceived an event that would promote diversity. According to Smarr, “Diversity in education, business and the military is critical to ensuring a prosperous American economy and a progressive and positive American society.”

Consistent with Pepper’s efforts to improve diversity in the workplace, the firm, in collaboration with The George Washington University’s Graduate School of Education and Human Development (GSEHD), co-sponsored a symposium on Fisher v. University of Texas at Austin, a case argued before the Supreme Court of the United States on October 10, 2012. In Fisher, the Court considered whether its prior decisions interpreting the Equal Protection Clause of the Fourteenth Amendment, including Grutter v. Bollinger and Gratz v. Bollinger, permit colleges to consider race as one of several factors in its admissions process. The Fifth Circuit, in affirming the judgment of the District Court of the Western District of Texas, held that the university may pursue the goal of a diverse student body, and the educational benefits that flow therefrom, as a compelling interest, so long as the plan is narrowly tailored.

To organize the event, Smarr worked with Michael Feuer, dean of the GSEHD and professor of Education Policy at The George Washington University. The symposium, held at Pepper, featured Liliana Garces, an assistant professor at the GSEHD, who had filed an amicus brief with the Court on behalf of American Social Science Researchers, a group including 444 scholars from 172 universities and research centers in 42 states. The brief, written in support of the University of Texas at Austin, presents a summary of the social science evidence that bears directly on whether the university’s race-conscious admissions policy is narrowly tailored to satisfy strict scrutiny.

Garces addressed an audience of more than 55 Pepper partners and associates, clients, local attorneys, members of various nonprofit boards and corporations, professors, and alumni of George Washington University. Among the numerous questions asked by the audience was whether the introduction of social science research into the evaluation of affirmative action programs is effective. Garces responded that social science research data helps to answer some of the complicated questions about the efficacy of affirmative action, including the confusion of “negative action” (the preference for one group over another) with “affirma-
Pepper’s African-American/Black Affinity Group: More than Just Fun and Games

Pepper’s African-American/Black Affinity Group (AABAG) was recently formalized to serve as a resource to all Pepper attorneys and professional staff interested in the recruitment, training, retention, and promotion of African-American/Black attorneys and professional staff at Pepper. To further its goal of creating an environment that fosters the success of African-American/Black attorneys and professional staff, the AABAG’s Internal and External Networking Subcommittee (co-chaired by Andrea de Vries and T. Stephen Jenkins) hosted its inaugural event, a gathering to welcome new associates.

The event, at Dave and Busters in Philadelphia, provided an occasion for new associates to bond with more senior attorneys over food and games. Beyond the chance to compete with partners and associates on a friendly level, new associates were given the opportunity to establish relationships that are sure to continue throughout their careers.

“The event, along with the affinity groups, was a confirmation to me of the firm’s commitment to supporting diverse associates,” said Drew Pinkston, a member of the first year class in the Commercial Litigation Practice Group. Stephanie M. Wahba, also a new associate in the Commercial Litigation Practice Group, said the event emphasized that Pepper cares about developing young diverse associates from the moment they arrive.
This event showed that “Pepper walks the walk when it comes to valuing diversity.”

Moreover, valuing diversity extends to all aspects of the firm. The presence of partners and senior associates from across the firm’s practice groups was particularly impressive to Noor S. Najeeb, a new Health Effects Practice Group associate. “Seeing partners and higher-level associates take time out of their busy schedules to support the event was very encouraging,” she remarked.

In addition to evidencing the firm’s commitment to diversity, several incoming associates commented on the significance of the setting as a way to break the ice. “We all have had opportunities to interact with partners and associates at receptions, but getting to know people in an informal environment really helps build those connections,” said Stefan Ellis, a new associate in the Health Effects Practice Group.

According to Andrea de Vries, one of the co-organizers of the event, “It was our intention, by having the event at Dave and Busters, to give people the opportunity to intermingle in a more informal setting. At a big firm, it might be intimidating to introduce yourself to a senior associate or partner, because for many incoming associates, this is their first time in a professional setting.” In co-organizing the event, she remarked that being able to interact in an informal setting helps people relax and get to know one another.

Isla L. Long, AABAG chair and member of the firm’s Diversity and Hiring committees, opened the occasion by sharing the wisdom of how internal networking can benefit new associates. Long emphasized that it is not only formal mentorship that is important; informal mentorship also creates powerful connections.

Further reflecting on the night, Long commented that “sometimes we miss the value of social interactions. Mentoring needs to be more organic. It happens when people are drawn to you, and social interactions help make this internal connection.” Long also commented that it was encouraging to see that “the event attracted more than just ‘diverse’ individuals—an example that social interactions can break down initial barriers.”

While internal networking events present opportunities for junior attorneys to receive informal mentoring, such events also expose senior attorneys to junior attorneys who are available to assist on future matters for Pepper clients. A chance conversation between a new associate and partner over a game of billiards could identify not only similar personal interests but practice interests as well.

This type of internal networking sets the stage for career advancement and client engagement, as the skills realized through internal networking are harmonious with the aptitude required for external networking and practice development. Moreover, such events expose the attendees to potential new relationships both internal and external to Pepper. Relationships amongst Pepper attorneys and professional staff contribute to client retention and growth by providing avenues for diverse attorneys and professional staff to bring new insight to current client matters and future client development.

To this point, the AABAG’s Internal and External Networking Subcommittee will continue to plan and facilitate events that allow all Pepper attorneys and professional staff to build both internal and external relationships with other attorneys, professional staff, and current and potential clients. If you are interested in co-hosting an event with the subcommittee, please contact either of its co-chairs, Andrea de Vries or T. Stephen Jenkins.
Isla L. Long and A. Michael Pratt Awarded Multicultural Leadership Award by National Diversity Council

Pepper partners Isla L. Long and A. Michael Pratt are two recipients of the National Diversity Council (NDC)’s 2012 Pennsylvania Multicultural Leadership Award. Pepper partner Kassem L. Lucas was a recipient of the same award in 2011.

Founded in 2008, the NDC is a nonprofit organization that brings together the private, public and nonprofit sectors to discuss the many dimensions and benefits of a multicultural environment. The NDC’s mission is to be a resource and an advocate for the value of diversity and inclusion. The NDC serves as the umbrella organization to support statewide and regional affiliates, which foster an understanding of diversity and inclusion as a dynamic strategy for business success and community well-being through various initiatives.

Through the Multicultural Leadership Award, the NDC recognizes individuals who personify the principles of diversity and leadership in their field and community.

Long is a partner in the Commercial Insurance and Reinsurance Practice Group in Pepper’s Philadelphia office. Long concentrates her practice in reinsurance, insurance insolvency and complex commercial litigation. Long was selected as a Pennsylvania Rising Star by Super Lawyers Magazine in 2007-2008 and 2010-2012. Long was also selected for the 2012 Fellows Program of the Leadership Council on Legal Diversity, a national organization made up of the legal profession’s top general counsels and managing partners.

Pratt is a partner in Pepper’s Philadelphia and Harrisburg offices, concentrating in complex commercial, product liability and toxic tort litigation. He has served as chancellor, chancellor-elect, and vice chancellor of the Philadelphia Bar Association, and as president of the Barristers’ Association of Philadelphia. Pratt has received several other awards for his contributions to diversity, including the Philadelphia Diversity Law Group’s Pennsylvania’s Diversity Attorneys of the Year Award, the Barristers’ Association’s J. Austin Norris Award, Community Legal Services, Inc.’s Equal Justice Award, the Philadelphia Bar Association’s LGBT Rights Committee Cheryl Ingram Advocate for Justice Award, and the Friends of Farmworkers’ Leadership Award.

Both Long and Pratt serve on Pepper’s Diversity Committee. In addition to serving on the Diversity Committee, Long also serves on the firm’s Hiring Committee. She promotes diversity at Pepper by serving as a mentor to young associates, and diverse associates in particular. She also is a regular contributor to Diversity Matters, providing valuable advice about how to succeed as a diverse associate at Pepper. Pratt contributes to diversity at Pepper both as a mentor and through leadership roles in the firm and the wider Philadelphia legal community. Pratt is the first African-American partner to be elected to Pepper’s Executive Committee. During his tenure as chancellor of the Philadelphia Bar Association, Pratt established the association’s Office of Diversity.
The NDC presented the Multicultural Leadership Awards at the 3rd Annual Philadelphia Diversity & Leadership Conference on October 18, 2012. The theme of the conference was “From Awareness to Action.” The Multicultural Leadership Award recipients were honored at a luncheon featuring a keynote speech by CNN correspondent and host Soledad O’Brien. Long attended the awards luncheon with Pepper associates Desa L. Burton, Stefan Ellis, and Noor S. Najeeb.

Pepper Bestows 2012 William R. Klaus Pro Bono and Community Service Awards

Pepper recently recognized and awarded two individuals who tirelessly dedicate their time to pro bono and community-related initiatives. The William R. Klaus Pro Bono Award for 2012 was presented to Philadelphia attorney Emmanuel Ewenike, in recognition of his sustained record of pro bono service and outstanding achievements. The latest William R. Klaus Community Service Award was presented to Darlene Moore, an electronic services librarian in Pepper’s Philadelphia office, in recognition of her enduring contributions and commitment to the educational advancement of today’s youth.

Ewenike was nominated by his colleagues for his zealous dedication to helping refugees and asylees obtain legal residency in the United States and for inspiring pro bono work by other attorneys throughout his seven-year tenure at Pepper. Most recently, Ewenike has been involved with the Hebrew Immigrant Aid Society (HIAS) in Pennsylvania, which provides assistance to refugees from more than 20 countries who come to the United States seeking resettlement, immigration integration and citizenship programs. In Pennsylvania HIAS assists refugees and asylees from Bhutan in obtaining legal residence status on the road to citizenship.

Prior to his involvement with the HIAS, Ewenike assisted the Philadelphia Volunteers for the Indigent Program (VIP). Philadelphia VIP provides legal services to low-income families who face civil legal problems that threaten the loss of their basic human needs. Through VIP, Ewenike helped Sudanese refugees, who escaped the threat of violence and religious tension in their country, to become lawful, permanent residents of the United States.

Ewenike’s motivation to drive these initiatives stems from his own personal experience as an immigrant, faced with the same fears as those whom he has assisted, and as one who dreams to become an American citizen. In describing his ongoing commitment to his pro bono work, Ewenike states “there is nothing more satisfying than being able to help and witness people create a new beginning in the United States after they have traveled thousands of miles, fleeing from persecution.”

Moore has been extensively involved with the Camden County East Branch of the National Association for the Advancement of Colored People (NAACP), whose mission is to ensure the political, educational, social and economic equality of rights of all people and to eliminate race discrimination. In furtherance of this mission, Moore has served as secretary of the Camden County East Branch since January 2011. However, her efforts do not end there. Moore actively assists in voter registration drives and supports other community initiatives aimed at eradicating discrimination.
Moore also is one of the founding members of the Paul C. Harris Memorial Scholarship fund, which supports the higher educational pursuits of the young students of Camden County, New Jersey. Moore’s contributions include raising funds for the program and selecting scholarship recipients. Believing in the importance of a strong educational foundation as key to our children’s future, Moore also participates in the Scholarship Committee of Alpha Kappa Alpha Educational Advancement Foundation, Inc., Theta Pi Omega Chapter. That organization provides scholarship awards to individuals with financial hardships who demonstrate community service and involvement. According to Moore, the most rewarding feature of both scholarship programs is providing life-changing opportunities to deserving individuals who may not have been able to further their education without these scholarships.

Moore has graciously donated the $1,000 William R. Klaus Award to the Enon-Coulter Community Development Corporation, which will use the funds to provide tuition assistance to struggling parents of students at the Anchoring Bright Children Learning Center. When asked what motivates her to dedicate so much of her time to promoting the education of children, Moore replied that “it is the belief that education starts at an early age and continues throughout our lives, coupled with the desire to provide positive moral guidance and educational opportunities to young people who may not have these resources readily available to them.”

Pepper’s awards are named in honor of the late William R. Klaus, whose distinguished career included many pro bono, philanthropic and community service achievements. In addition to serving as co-chairman of Pepper and as chair of the firm’s Commercial Practice Department, Klaus was a founder of Community Legal Services of Philadelphia and served as its chairman from 1966 to 1985. He also served as chancellor of the Philadelphia Bar Association and chairman of the Philadelphia Foundation, and held leadership positions in many other civic and community organizations.
Adding Value with Diversity: Pepper Formalizes Supplier Diversity Program

In 2012, a small group of Pepper’s office administrators and directors joined together to develop a supplier diversity program to further promote diversity throughout our supply chain. Today, many Fortune 500 companies have supplier diversity programs that are committed to buying goods and services from businesses owned by women; members of racial and ethnic minority groups; people with disabilities; members of the lesbian, gay, bisexual and transgender (LGBT) community; veterans; or businesses designated as small- or disadvantaged-business enterprises (DBEs). These programs are not merely doing well by doing good — they are simply good for business. However, law firms are lagging behind this trend, with only a handful of AmLaw 100 firms having established this type of program.

With the support and assistance of Pepper partner Gay Parks Rainville and Pepper Partner in Charge of Diversity Kassem L. Lucas, we created a Supplier Diversity Team for the firm. One of the team’s first tasks was to develop a Supplier Diversity Statement and a firm-wide program that would provide diverse suppliers with an equal opportunity to do business with Pepper and to maintain a firm environment that promotes, increases and improves the quality of participation by a widely diverse group of business enterprises.

At Pepper, our clients and colleagues represent a diverse population, and we believe our suppliers should reflect the diversity of the communities in which we live and work. This firm-wide program is committed to identifying diverse suppliers that can add value to our supply chain and provide an opportunity to increase our value to our clients. Our focus is not only on expanding our own pool of diverse suppliers, but also to encourage and guide these businesses to become certified through appropriate national organizations.

Pepper’s Supplier Diversity Team is: Robyn L. Beyer, director of library and research services, Philadelphia; Janine D. Book, administrator, Pittsburgh office; Amy Y. Coral, administrator, Berwyn and New York City offices; Craig J. Dunston, director of office services, Philadelphia; Larry Halicki, administrator, Detroit office; Patty Hamilton, personnel administrator, Philadelphia; Andrew Logan, administrator, Wilmington office; Katherine Seaman, administrator, Princeton office; Carole Ward, diversity coordinator, Philadelphia; and Patricia Woodson, director of administration, Philadelphia and Orange County offices.

*Janine D. Book is the administrator of Pepper’s Pittsburgh office and is not admitted to practice law.*
The Lesbian, Gay, Bisexual, and Transgender (LGBT) Affinity Group at Pepper recently hosted area attorneys and law students for an interactive panel discussion on navigating a career in the law as an LGBT attorney. Jim Epstein, a partner in Pepper’s Corporate and Securities Practice Group, moderated a panel of attorneys in private practice, the government, the corporate world, and the not-for-profit sector. The panel consisted of Lara Thane, an associate at Pepper; Jacquelyn Boyer, a senior wealth planner at PNC Wealth Management; Katherine Gomez, the managing attorney of the Family Advocacy Unit of Community Legal Services; and Vince Regan, an assistant chief at the Philadelphia District Attorney’s Office. The topics of discussion during the program ranged from whether and how to self-identify on one’s resume to “coming out” in the workplace. The evening concluded with a reception.

The panel began by discussing how best to research prospective employers to determine their commitment to providing a welcoming environment to LGBT employees. One panel member noted that resume entries indicating participation in LGBT-related charities and legal organizations can be a good way to spark a conversation with an interviewer, and added that evaluating surveys from the National Association for Law Placement and other entities regarding whether an employer reports LGBT statistics is useful in choosing a prospective employer.

Other panel members took a more personal approach. One panelist e-mailed managing directors, asked them to coffee, and steered the conversation toward family issues. Another researched potential employers’ efforts in supporting the LGBT rights movement.

The panelists next discussed the approaches they take when they come out to clients and co-workers. One panelist remarked that while she comes out to co-workers in an open, organic way, she usually does not come out to clients unless doing so furthers the relationship. Another panelist remarked that coming out can be an ally-building process. This panelist recalled that when one
judge called somebody a derogatory term for homosexual in a joking way in the courtroom, the courtroom staff—who knew the panelist's sexual orientation—alerted the judge and the judge promptly apologized.

The panelists and audience members also considered the special issues faced by LGBT lawyers who cannot or will not “pass” as straight. One panelist commented that these lawyers may have a more difficult time because there might be too much focus on the lawyer's personal qualities. Others felt that putting on a “costume” is part of the job. But in all it was felt that attorneys should use good judgment based on their workplace.

Pepper Participates in Bone Marrow Donation Drives

Leukemia is a deadly cancer that affects more than a quarter of a million people in the United States.1 This type of cancer is characterized by the creation of abnormal white blood cells by the bone marrow, which crowd out normal white blood cells, red blood cells, and platelets. This crowding out prevents the normal blood cells from functioning properly, resulting in issues with blood clotting, a weakened immune system, and anemia.2

While many cases of leukemia can be treated with medication combined with a chemotherapy regimen or radiation treatment, some cases require a bone marrow transplant. The transplant is needed to replace the bone marrow that has been destroyed by treatment with high doses of anticancer drugs or radiation, since these treatments wipe out cancerous and normal cells in the bone marrow.3 This healthy bone marrow will begin to produce normal white blood cells, red blood cells and platelets. Patients and donors must have matching tissue types, and these matches are most often found between people of the same racial and ethnic background. Unlike the amount of blood donations, the registry of bone marrow donors is much smaller. Moreover, people of certain racial and ethnic backgrounds are unable to find compatible donors among those on the registry due to a critical shortage of diverse volunteers.

At Pepper, one of our own has been affected by this terrible disease. Carol Giles was recently diagnosed with leukemia. She is the wife of the Honorable James T. Giles, the first African-American attorney at the firm and a retired federal judge for the Eastern District of Pennsylvania. After undergoing intensive and demanding hospital chemotherapy treatments over the course of three months, she is now in need of a bone marrow donor to increase her chances for survival.

To further this cause, associate Nerfitiri R. Smarr and partner Amy B. Ginensky approached Kassem L. Lucas, the firm’s partner in charge of diversity, to explore ways Pepper could help increase the donor population specifically amongst people from diverse backgrounds. The three then approached Pepper leadership to sign on to a pledge to be tested, which received overwhelming support. Pepper leadership then solicited participation from all firm employees. As a result, many agreed to be tested and some participated in a bone marrow donation drive held at Philadelphia University by the Be The Match Registry®, a

At a post-panel cocktail reception, panelists and audience members reflected on many of the topics discussed, particularly the hetero-normative nature of law firms and courtrooms. In attendance were Pepper partners and associates, law students and members of the surrounding business community. Since the event, the Pepper LGBT Affinity Group has continued the discussions started by the panel and followed up with area law students on ways Pepper attorneys can help support them.
donor registry operated by the National Marrow Donor Program (NMDP). At the drive, donors were tested with a simple swab of the inside of their mouths, and committed to following through if their sample was a match for anyone in need of bone marrow.

Although Mrs. Giles, who is of African, Native American, German and Scottish-Irish descent, may be matched with someone who is not from any of those ethnic groups, a large, ethnically diverse group of prospective donors will give her and other diverse patients a better chance of finding a suitable match.

As part of Pepper’s campaign to increase awareness of this subject and to spur action to support donor drives for all population groups, Pepper’s New York office hosted a bone marrow drive in the New York Times Building for employees, friends, families, and colleagues to be tested and then have their name registered with DKMS, another bone marrow donor registry organization. Pepper also has extended these efforts externally by reaching out to contacts within the greater Philadelphia community as well as from affinity groups nationwide, encouraging them to join the registry and spread awareness and knowledge of this life-threatening disease.

For more information on bone marrow transplants, and to become a donor, please visit http://marrow.org/Home.aspx. For the nearest bone marrow donation drive, enter your zip code at http://marrow.org/Join/Join_in_Person/Join_in_Person.aspx.

ENDNOTES

2 http://americancancerfund.org/leukemia/48-what-is-leukemia
3 http://www.cancer.gov/cancertopics/wyntk/leukemia/page7#treatment6

Pepper Hosts 2nd Annual Veteran’s Day Observance

On November 11, 2012, Pepper’s Diversity Committee and Veterans Group joined forces to host a Veteran’s Day Observance. The event honored current and former members of the military at Pepper as well as attorneys and staff who have immediate family in the military. The entire firm was invited to attend.

Three female members of the Pepper family who are veterans delivered opening remarks. Lisa Flynn, a legal secretary who is a U.S. Air Force veteran, led the group in the Pledge of Allegiance. As a U.S. Army veteran and associate in the Corporate and Securities Practice Group, I shared some Veteran’s Day history and led a moment of silence in honor of the 11th hour of the 11th day of the 11th month, which was the moment prior to the official end of World War I when the armistice between the Allied nations and Germany went into effect. Desa L. Burton, a U.S. Navy veteran and an associate in the Intellectual Property Practice Group, noted in her opening remarks, “I am humbled by the enthusiasm and hard work of every member of the Pepper
At a December 27, 2012 event hosted by Pepper’s Veterans Group, the firm was honored with an award from Employer Support of the Guard and Reserve (ESGR), a Department of Defense agency. Attendees of the event included (L to R) Pepper associate, Veterans Group member and former Navy SEAL Ryan E. Peters, Lt. Col. Tyrone Tseymyman, ESGR Chair Albert Newman, Col. Howard “Chip” Eissler, Liberty USO President and COO Joseph P. Brooks, retired Pepper partner and Veterans Group chair Jonathan Kane, Pepper senior associate and Veterans Group Vice Chair Desa L. Burton, and Pepper Managing Partner Thomas J. Cole, Jr. (Photo courtesy of Liberty USO.)

Veterans Group, and I am thankful – every day – for the sacrifices of those who have served, and continue to serve, our great nation.” Burton also introduced keynote speaker Thomas M. Gallagher.

A former U.S. Naval Officer and Pepper partner, Gallagher also co-chairs Pepper’s White Collar Litigation & Investigations Practice Group, serves on Pepper’s Executive Committee and is a member of the Pepper Veterans Group. He served as a surface warfare officer on the U.S.S. Briscoe (DD-977), a Spruance-class destroyer, and then as a trial lawyer and staff judge advocate for the U.S. Navy. He retired as a captain in the U.S. Naval Reserve, Judge Advocate General’s Corps. Gallagher shared his experiences and lessons learned in the field, which included respect for fellow service members from all walks of life.

In closing, Jonathan Kane, then-chairman of the firm’s Labor and Employment Practice Group, spoke about military values – loyalty, duty and courage – and the place they have here at Pepper, in terms of how Pepper treats its colleagues and clients. Kane served as a special operations officer in the U.S. Army and served a tour of duty in Vietnam. He was awarded the Bronze Star.

John F. Kennedy once noted, “[a]s we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.” On this note, I would like to offer my personal thanks, as a veteran and as an employee of the firm, to the Veterans Group, not only for their efforts in coordinating this day of observance, but for their service to veterans and their families throughout the year. Formed in March 2012, the group consists of 42 individuals who are current and former service members or family members of those serving in the U.S. military. The group is dedicated to representing those at the firm who have served their country as members of the U.S. armed forces. In its inaugural year, the group sponsored a “Denim Day,” the proceeds of which were donated to the Wounded Warrior Project to help support injured service members and their families. The group also led the firm in serving as one of only five United Service Organizations, Inc. (USO) Ambassador Organizations in Pennsylvania in a holiday collection drive sponsored by Liberty USO and serving as a Yellow Ribbon Fund fundraiser, among other things.
Serving as one of only five USO Ambassador Organizations throughout Pennsylvania, Pepper exceeded its original commitment of filling 200 holiday stockings by collecting enough items to assemble more than 400 stockings, plus $2,000 in monetary donations. Among those from Pepper that volunteered to stuff stockings are (L to R) Debbie A. Green, Jean M. Dicus, Lorraine Bradley, Maggie Riley, Joanne Stoner, Pepper associate and former Navy SEAL Ryan E. Peters, Lisa Flynn, Nancy Strano, Joyce Jerla, and Denise M. Smith. (Photo courtesy of Liberty USO.)

Due to the group’s efforts and Pepper’s long-standing commitment to service members, the firm was recently honored with an award from the Employer Support of the Guard and Reserve, a Department of Defense agency, in recognition of the extraordinary support of its employees serving in the Guard and Reserve. Jonathon Kane and Pepper’s then-incoming Managing Partner Thomas J. Cole, Jr. accepted the award on behalf of the firm at an inspiring ceremony at which the Veterans Group presented more than 400 stuffed holiday stockings and various other donations to the USO.

Many thanks to the Diversity Committee and Veterans Group and special thanks to Desa L. Burton and Pepper’s Diversity Coordinator Carole Ward for organizing the Veteran’s Day Observance. It served not only as an opportunity to pause on such an important day to show our appreciation for military service members but also to remember the importance of acting on that appreciation throughout the year.
In September, Pepper welcomed Ibrahim Abdouraoufi, a legal intern from France. Unlike American law students, French law students must complete a one-year internship in a law firm before they can practice. Abdouraoufi, along with three other law students from Lyon, France, came to the United States as part of an exchange program between the bar associations of Lyon and Philadelphia. Abdouraoufi completed the first six months of his internship at Pepper, while his fellow interns were staffed at different law firms in the city. Abdouraoufi, who left Pepper March 1, is spending the following six months interning in France and will then be qualified to practice law.

Pepper has a long history of hosting interns from Lyon, and past interns have joined international firms in Paris and London. Abdouraoufi could follow suit, or he could join one of the smaller firms based out of Lyon.

Abdouraoufi said he was surprised by the American practice of law because of its cooperative nature. He really enjoyed the team-oriented approach to solving legal problems and was grateful to have been welcomed to one of the teams here at Pepper. He worked extensively on a matter taking place in India with Jeremy Heep, a partner in the Commercial Litigation Practice Group and co-chair of the International Law Committee for the Philadelphia Bar Association. As part of the team, Abdouraoufi was asked to draft a memorandum on bilateral investment treaties between France and India. Abdouraoufi found the experience to be “amazing,” and said, “I am always proud to spend my days at Pepper. People are so friendly and I am really learning.” Pepper attorneys became fond of Abdouraoufi and welcomed him with open arms. “I’ve been very proud of my colleagues’ welcoming of Ibrahim. Pepper attorneys took a very strong interest in him,” said Heep.

One of the things Abdouraoufi found fascinating about Pepper is its commitment to diversity, which he described as “perfect.” He feels that his French colleagues deny that diversity is an important issue and he indicated that discussion of increasing efforts to improve diversity initiatives is considered taboo. “In France, people think if you talk about diversity or affinity groups, it is to exclude people that are not in the group,” said Abdouraoufi.

So what did Abdouraoufi do here when he wasn’t working? “I am looking for Philadelphian food and Philadelphian things to do,” he said while he was working at Pepper. “Since I like cheese, I love the cheesesteak!”
Lonnie Shields: Pepper Maintenance Man by Day, Blues Star by Night

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In the halls of Pepper’s Philadelphia headquarters, Lonnie Shields is a quiet, dedicated, hard-working maintenance assistant. He has worked at Pepper for almost four years, ensuring that Pepper’s offices operate smoothly. As many also know, Shields spends his nights and weekends dedicated to his other passion: music. Shields is an established blues musician with five albums of music to his credit. His newest single, “‘Cause the World Ain’t Been Good to You,” which he says was inspired by President Obama, was released on November 1.

Shields was born in West Helena, Arkansas in the 1950s. He grew up in a busy house with five sisters and a brother. His interest in music first began when he and his brother discovered a guitar in an old house in town. He quickly took to the guitar, and his interest in music grew from there. He started singing gospel in his church. Later, Shields joined his first band, the Checkmates, when he was 15, playing funk, gospel, rhythm and blues, and soul.

Shields’s interest in the blues was sparked by the drummer Sam Carr, whom he met in Lula, Mississippi when he was 17. Carr, who insisted that Shields learn to play authentic blues, had to court Shields’s mother with gifts of fresh fish before she would permit Shields to start touring with him.

His first career break came in the 1970s when he performed with Sam Carr and the Jelly Roll Kings. Since then, Shields has played with many other blues greats including Sonny Rhodes, Eddie Shaw and Big Jack Johnson. In 1986, after Shields played the King Biscuit Blues Festival in Helena, Arkansas, he was asked to record a single for the Rooster Blues label. Shields’s first album, “Portrait” was released by Rooster Blues in 1993. Shields has toured the United States and abroad singing his blues and playing the guitar. His music is deeply rooted in gospel, soul and rhythm and blues. On stage, Shields transforms into an extraordinary entertainer and musical virtuoso.

Pepper is a richer workplace with Shields’s unique presence. If you listen hard enough, you might just hear him humming or singing a blues tune while working away in the office. And at Pepper’s holiday party three years ago he did a chilling rendition of “The Thrill is Gone” by B.B. King, his inspiration and musical idol.
In today’s world, “diversity” means much more than recruiting, retaining and promoting diverse professionals. To compete today, we’ve transformed our very culture to maximize the talents of all of our people – becoming faster, smarter and better able to serve clients facing global challenges, by ensuring that the views and skills of everyone on our team are respected, included, and used to the best advantage for our clients.