

Pro Bono Practice

Annual Report 2007

CLEARY
GOTTLIEB

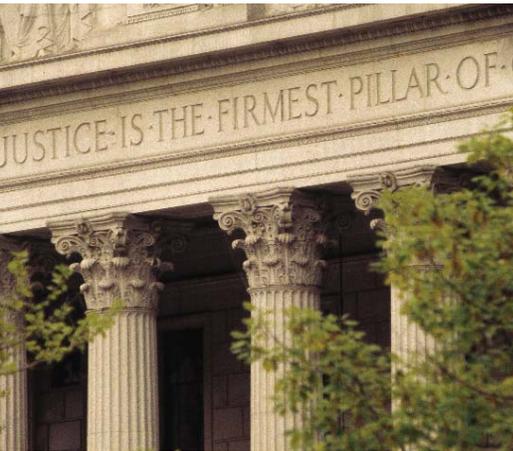
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In 2007, Cleary Gottlieb ranked #7 on *The American Lawyer's* A-List—a weighted ranking of the 200 highest-grossing U.S. firms based on revenue per lawyer, pro bono performance, treatment and development of young lawyers and workplace diversity. Cleary Gottlieb is one of only eight firms to have made this top-20 list in all five years that the magazine conducted the ranking.

Introduction

In 2007, approximately two-thirds of all Cleary Gottlieb lawyers worldwide were active in pro bono and public service programs, with 86 partners, 25 counsel/senior attorneys, 491 associates and 93 summer associates taking part in various firm initiatives. On average, 57 hours of pro bono and public service time were billed per lawyer worldwide. In the U.S. offices, lawyers devoted an average of 88 hours per year.



The firm opened 85 new matters in 2007, addressing international human rights and immigration, not-for-profit law, domestic violence, arts and entertainment law, community development, civil rights, education and children's rights, family law, housing litigation and homelessness, veterans' rights and environmental law.

In 2007, Cleary Gottlieb lawyers continued to dedicate a significant amount of time and energy to the firm's pro bono practice. As a result, the firm once again surpassed its pledge of devoting at least 3 percent of all billable hours to pro bono clients. This steadfast effort reflects the firm's longstanding philosophy on pro bono work—that it is a privilege to practice law and a duty to give back to the community.

Cleary Gottlieb lawyers worked on a broad spectrum of pro bono and public service projects last year. Its lawyers argued and won path-breaking decisions for immigrants and applicants for political asylum in the federal courts of appeals, before the Bureau of Immigration Affairs and in front of Immigration Judges; led an effort in protecting veterans' rights and securing access to benefits; represented a large number of Hurricane Katrina survivors with appeals to FEMA and the Mississippi Development Authority; helped to secure educational opportunities for students in underserved school districts; fought for affordable housing for tenants; represented several leaders in the international microfinance community; protected the rights of domestic violence survivors; continued to assist the Washington, D.C. and New York City homeless communities; represented Guantánamo Bay detainees in their effort to get legal redress; filed an amicus brief on behalf of the Indiana League of Women Voters to the Supreme Court in a voters' rights matter; and partnered with not-for-profit organizations on community development and affordable housing projects. Lawyers in both the firm's corporate and litigation practices were equally involved in these pro bono efforts. In 2007, the Legal Aid Society, as well as the Mississippi Center for Justice, MFY Legal Services Inc., National Legal Aid and Defender Association, and Sanctuary for Families, all honored Cleary Gottlieb's pro bono program for its outstanding services.

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January

Cleary Gottlieb designed and hosted the Legal Aid Society-sponsored CLE seminar on How to Draft a Will for Low-Income Elderly. Amanda Oberg, Chi Yu de Tray and former associate Taylor Custis instructed approximately 40 lawyers on how to interview the client, assess the information collected and prepare the appropriate documents for seniors with small estates.

Cleary Gottlieb volunteers coached Washington Irving High School (WIHS)'s Model United Nations Team in preparation for its conference at Columbia University. The team did very well at this international conference and one student won an award for being the best delegate on his committee.



Cleary Gottlieb continued its trend of working with other law firms to increase the overall provision of legal services to those in need. Among other efforts, in New York, the firm worked with Chadbourne & Park LLP; Cadwalader, Wickersham & Taft LLP; Milbank, Tweed, Hadley & McCloy LLP; Shearman & Sterling LLP; Schulte Roth & Zabel LLP; and White & Case LLP to organize and sponsor the fifth New York City Law Firm Pro Bono Coordinators meeting.

Cleary Gottlieb also collaborated with several law firms and the New York City Bar Justice Center to pioneer the Veterans' Disability Benefit Clinic Program in New York City. The program trains lawyers to represent veterans in filing their disability claims to the Veterans Administration.

Cleary Gottlieb lawyers met regularly with not-for-profit legal service providers, public interest law groups and long-standing pro bono clients to discuss the latest trends in pro bono service provision and to determine how the firm's vast and varied legal talent could be best used to continue to assist communities in need.

Cleary Gottlieb logged **63,860 in pro bono and public service hours in 2007**, over 3 percent of all billable hours.

In 2007, Cleary Gottlieb's pro bono work received recognition from the federal judiciary of the District of Columbia, the National Legal Aid and Defender Association, and the Mississippi Center for Justice. The Legal Aid Society of New York presented awards to a group of Cleary Gottlieb associates for their work representing a client in habeas proceedings, and a separate set of Cleary Gottlieb associates received MFY awards for their work representing a family in guardianship proceedings. Carrie Grimm, the firm's pro bono administrator, received Sanctuary for Families Pro Bono Achievement Award.

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Cleary Gottlieb associates Tanisha Massie, David Rush and former associate Justyna Gudowska planned, designed and conducted the annual in-house asylum and immigration training CLE with support from former paralegal Mariangela Anzalone. The training seminar is a half-day long program to prepare Cleary Gottlieb lawyers to represent asylum seekers and other immigrants at all levels of their application.

Cleary Gottlieb hosted the annual WIHS Financial Aid Night. Volunteers from the firm assisted seniors and their parents in completing financial aid forms and answered questions concerning scholarships, grants and other types of funding assistance for college.

Courtroom Advocates Project and Sanctuary for Families

Understanding both the importance of family courts within the legal system and how underserved they often are, Cleary Gottlieb has long participated in the Courtroom Advocates Project (CAP) to help fill the existing gap in advocacy, education and services in New York City's Family Courts. Through CAP, law students and non-admitted lawyers are trained, supervised and mentored in the intake and processing of legal matters that come through these courts.

During 2007, Cleary Gottlieb hosted two CAP trainings: one for summer associates and the other for first-year associates. CAP's creator, Jennifer Friedman of Sanctuary for Families (SFF), an organization committed to preventing and treating domestic violence, and SFF staff attorney Elizabeth Brownback conducted the trainings. After attending the training, law clerks participated in the CAP program by spending a day in family court interviewing domestic violence survivors and assisting them in drafting Orders of Protection.

In the summer, Cleary Gottlieb hosted a luncheon with SFF, which included a presentation reviewing the evolution of family law, as well as the challenges that domestic violence survivors face in the justice system today.

At the end of 2007, the firm had 16 active cases referred by SFF, including six U visa matters that were opened late in the year. The U visa is a remedy for immigrant victims who have been helpful with the investigation or prosecution of certain crimes committed against them, and have suffered substantial physical or emotional harm as a result.

STAFFING DEVELOPMENTS

Amelia (Amy) Sanchez-Moran succeeded **Melissa Negron** as the firm's Courtroom Advocates Project (CAP) paralegal coordinator. Sanchez-Moran assists Carrie Grimm, the firm's pro bono administrator, and the SFF staff in arranging the CAP trainings and also maintains information about past and present participants.



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February

Cleary Gottlieb organized and participated in the fifth annual NYC Law Firm Pro Bono Coordinators Meeting, which was attended by more than 70 representatives from over 50 area firms. Discussion topics included if/how law firm donations to public interest law groups effect case placements, how to work with microfinance institutions, and how to evaluate the eligibility of not for profits for potential pro bono placement.

The WIHS SAT preparatory course given by the firm every year was launched this month, with classes held every Saturday morning through May. Cleary Gottlieb lawyers and staff joined together to prepare students for both the math and verbal sections of the SAT.

The U visa, codified at INA §101(a)(15)(U), was created by the Victims of Trafficking and Violence Protection Act in October of 2000. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute certain crimes against immigrants, including domestic violence, rape, incest, felonious assault, trafficking and kidnapping. Implementing regulations were promulgated in September 2007 for the first time, almost 7 years after the U visa was first signed into law.

Without any regulations to guide them, Sanctuary for Families submitted over 400 requests for interim relief under the U visa statute on behalf of victims of domestic violence, which allowed the victims to remain in the United States legally and obtain employment authorization. Now that the regulations have been promulgated, recipients of interim relief have until April 14, 2008 to file the newly created U visa applications. If by that date no such application has been filed, removal proceedings may be initiated against anyone who previously received interim relief. With hundreds of clients granted interim relief and only six months to file applications, SFF reached out to law firms to partner with them to ensure timely filing for the clients. Cleary Gottlieb answered this call.

In other efforts, Cleary Gottlieb staff donated more than 50 bags of clothing and books to benefit SFF during the Women's Working Group's fourth annual winter donation drive.



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March

The Community Legal Assistance Committee (CLAC) of Cleary Gottlieb hosted the 2007 Pro Bono Appreciation Event. Administrative partner Allan Sperling made the opening remarks, and Deborah Burand, the Executive Vice President of Strategic Services at the Grameen Foundation, was the keynote speaker. Ms. Burand is an expert in the world of microfinance institutions (MFIs), with whom we have worked since 2000. Our partnership began when she worked at pro bono client FINCA and continued when she transitioned to the Consultative Group to Assist the Poorest in 2005. She joined the Grameen Foundation in 2006 and we are pleased that we continue to work with her in her new position. Ms. Burand briefly discussed the role of MFI's in addressing the needs of the poor and the role that pro bono lawyers can play in assisting MFI's. All lawyers who billed 100 or more hours to pro bono and/or public service projects were honored.

ACCIÓN NY

STAFFING DEVELOPMENTS

Paula Agulla and Isabel Mattina succeeded William Dau, Rocio Arlette Garza and Ryan Hubert as paralegal coordinators of the ACCIÓN NY partnership. Agulla and Mattina process ACCIÓN NY client in-take, maintain the program database and assist ACCIÓN NY lawyers in staffing new matters.



“I am an associate in the firm’s executive compensation and benefits/ERISA group, and it’s sometimes difficult to find pro bono work in my field. I work with ACCIÓN clients on a variety of employment related issues. One client was subject to a non-competition clause under a franchise arrangement, and I advised him on how to start up a new business within his area of expertise that complied with his obligations not to compete. I’ve also helped a start-up business in the film industry structure equity and employment arrangements. Working with ACCIÓN clients is extremely satisfying because I’m helping people realize their dreams.”

— Caroline Hayday, Cleary Gottlieb associate

ACCIÓN NY is a not-for-profit organization offering loans to self-employed individuals who do not have access to traditional forms of business credit. With these loans, ACCIÓN NY increases business and family incomes, creates jobs and revitalizes economically disenfranchised neighborhoods in New York City. The majority of ACCIÓN NY clients are Spanish speakers. Cleary Gottlieb works in partnership with ACCIÓN NY to provide financial and educational tools that build and foster economic independence in the organization’s clients.

Since 1998, Cleary Gottlieb has offered pro bono legal services to approximately 147 ACCIÓN NY clients. In 2007, lawyers at the firm provided counsel to 11 microentrepreneurs in incorporating and structuring businesses, navigating tax matters, attaining commercial leases, negotiating and drafting contracts and leases, and forming partnerships. ACCIÓN NY clients include a jewelry designer, a shoe storeowner, a marketing consultant, a film distributor, a barber and a bakery owner, among others.

By providing pro bono services, Cleary Gottlieb helps establish successful individual ACCIÓN NY businesses and also contributes to the greater development of the community as a whole. The firm’s partnership with ACCIÓN NY provides Cleary Gottlieb lawyers with the opportunity to work with microenterprises at a stage where business and legal advice is crucial to the businesses’ success. The collaboration between Cleary Gottlieb and ACCIÓN NY has been and will continue to be a rewarding experience for the lawyers and clients alike.

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March (continued)

The immigration practice held its first in a series of brown bag lunches. The series is a forum for informal discussions about our pro bono immigration practice including recent legal developments, trends and Cleary Gottlieb’s pro bono matters.

Human Rights and Immigration

In 2007, the firm opened 18 new international human rights cases, several of which involve immigration and/or asylum issues. This year the firm's associates won nine immigration victories for clients from around the world, including the Caribbean, Africa, the Middle East, Asia and Central and Latin America. The remaining cases await resolution by the U.S. Bureau of Citizenship and Immigration Services (USCIS) and immigration courts.

As post-9/11 developments increasingly narrow the prospects for aliens seeking to remain within U.S. boundaries, Cleary Gottlieb has taken on more cases at the appellate level, briefing and arguing before the Board of Immigration Appeals and the federal appellate courts.

Associates from the firm argued and won a path-breaking case before the U.S. Court of Appeals for the Second Circuit. The case involved representing Mr. F. in a petition for review of an order by the Board of Immigration Appeals (BIA) finding Mr. F. ineligible for relief from deportation under former section 212(c) of the Immigration and Nationality Act. Cleary Gottlieb successfully argued that denying Mr. F. and others like him the opportunity to apply for such relief, while granting it to similarly situated aliens who happened to have traveled abroad recently, violated the Constitutional guarantee of equal protection. As the Court recognized, its holding in this case is likely to preserve section 212(c) eligibility for thousands of "lawful permanent residents whose criminal convictions imperil their stay in the United States."

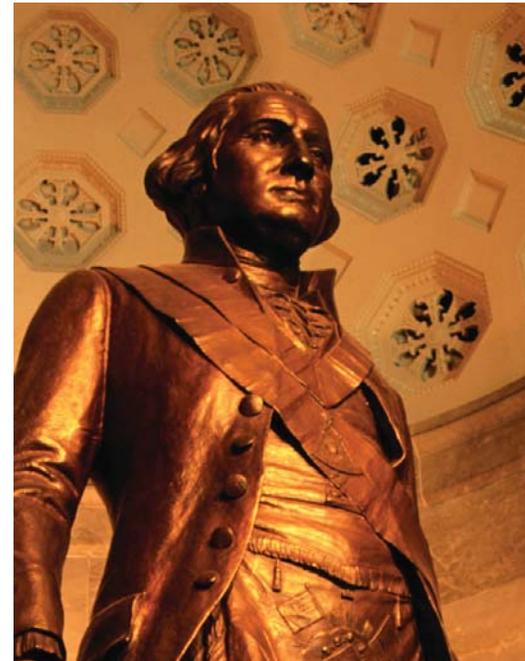
Throughout 2007, Cleary Gottlieb continued its partnership with The Door's Legal Services Center, which advises undocumented youth between the ages of 12 and 21 with their applications to the USCIS. Volunteer lawyers assist not only with regular asylum claims, but also with Special Immigrant Juvenile (SIJ) referrals. Young people

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April

Christa Steward, the director of The Door's Legal Service Center joined Cleary Gottlieb for a luncheon to discuss the organization's representation of youth and ways of expanding the firm's pro bono participation in the Door's legal services practice. Founded in 1972, the Door offers NYC youth ages 12-21 comprehensive programs to meet their developmental needs and offer support in meeting barriers to success.

The federal judiciary of the District of Columbia honored Cleary Gottlieb's Washington office for its pro bono work. Cleary Gottlieb was one of several Washington, D.C. law firms in which 40 percent or more of both its partners/counsel and its associates devoted at least 50 hours to pro bono legal services in calendar year 2006.



STAFFING DEVELOPMENTS

Cleary Gottlieb lawyer **Joe Landau** joined **Tanisha Massie** and **David Rush** as coordinators of the firm's immigration practice group. As coordinators, Landau, Massie and Rush assist other firm lawyers with legal and procedural questions on immigration matters, keeping them abreast of recent legal and procedural developments and organizing the in-house immigration CLE training.

Elyse Richardson succeeded **Mariangela Anzalone** as the firm's immigration practice paralegal coordinator. Richardson assists the immigration practice coordinators and maintains the Cleary Gottlieb database of immigration cases.

who qualify for SIJ status, which may lead to permanent legal residency, have been abused, neglected or abandoned by their parents and often arrive in the United States unaccompanied. In addition to its partnership with the Door, Cleary Gottlieb worked on cases referred from Human Rights First, Tahirih Justice Center, the Legal Aid Society, Immigration Equality, and the New York Public Defenders Association Immigrant Defense Project.

Cleary Gottlieb continued its representation of three Guantánamo Bay detainees. Following the victory and the release of one of the firm's clients in November 2006, Cleary Gottlieb has assisted him with resettlement and immigration issues. The representation of the other two clients is ongoing, with both clients having been held in Guantánamo since 2002 as enemy combatants. The firm is working to gain each of them legal redress.



Cleary Gottlieb's international human rights docket also includes providing counsel to several microfinance institutions including FINCA International, ACDI/VOCA, Women's World Banking and Nobel Prize winner Grameen Foundation, and providing analysis and advice on public international law matters to Independent Diplomat, an organization dedicated to advising inexperienced and marginalized groups on how to have their voices heard in diplomatic and international affairs. The firm is also working on a research project with Sauti Yetu Center for African Women, Inc., to develop a resource on African family law for U.S. legal professionals representing African immigrant clients.

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April (continued)

Pro bono client the International Institute of Rural Reconstruction (IIRR), an international not-for-profit whose mission is to work with poor communities as their partner enabling them to improve their lives and achieve their full potential, while compiling and sharing a list of best practices for rural development, joined Cleary Gottlieb lawyers for a luncheon. IIRR President, Mike Luz, and the African Regional Director, Isaac Bekalo, discussed IIRR programs and pro bono opportunities.

Cleary Gottlieb associates Kelly Frawley, Amanda Oberg and former associate Raja Raghunath were honored by MFY Legal Services, Inc. receiving the 2007 Pro Bono Partners in Justice Awards for their work winning guardianship for a caregiver aunt, who had been

Externships in Public Interest Law

Testament to the firm's deep-rooted commitment to its pro bono practice and the importance of giving back to the communities in which it serves, in 1968, Cleary Gottlieb became the first law firm to provide public interest law externships and has continued to do so for 40 years. In 2007, Cleary Gottlieb sponsored two public-interest externship programs, whereby on a rotating basis Cleary Gottlieb associates are placed for four months in a full-time position at one of two legal service organizations in New York City.

MFY Legal Services, Inc.

Since 1969, Cleary Gottlieb has sponsored an externship at MFY Legal Services, Inc. (MFY). MFY provides civil legal representation and community education to nearly 5,000 households each year. The organization's effectiveness over the years has been rooted in community participation and its collaborative delivery of services that address the multiple and interrelated problems affecting low income families and individuals. Approximately 156,000 eligible low-income people reside in MFY's Manhattan service areas of Chinatown, Lower East Side, Manhattan Valley, East Harlem and Clinton. Cleary Gottlieb externs generally work in MFY's housing department and represent indigent New Yorkers in housing court.

Lawyers Alliance for New York

Created in 1989, Cleary Gottlieb's externship with Lawyers Alliance for New York continues to provide the firm's corporate lawyers firsthand experience in the world of not-for-profit law. Lawyers Alliance is New York City's largest provider of business law services to the not-for-profit community and provides pro bono opportunities for law firms and in house counsel. Lawyers Alliance staff and volunteers serve thousands of not-for-profit clients each year, advising them on corporate structure and governance, tax, real estate, employment and other business and transactional law issues. The legal services provided strengthen the organizations' abilities to achieve their missions and improve the lives of the communities and individuals that they serve.

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seeking to be made the guardian of her two nieces and one nephew after the tragic death of their mother in a car accident. The pro bono client was referred to Cleary Gottlieb from MFY's Kinship Caregiver Law Project. Carrie Grimm also received a 2007 Partners in Justice Award for her work in facilitating the Kinship Caregiver Law Project.

Cleary Gottlieb hosted a college fair for all WIHS juniors, where more than 60 college representatives offered recruiting materials and answered questions about the admissions process for students.



"Providing direct legal services to those in need is a privilege. The MFY externship was one of the most gratifying experiences of my career. It is wonderful that Cleary gives its associates the opportunity to give back to the New York community in a profound way."

— Patrick W. Pearsall, Cleary Gottlieb associate

"I was extremely excited to be selected as the next Cleary Gottlieb MFY extern and the experience did not disappoint. You are able to accept your own new clients by participating in the weekly intake process. As the extern, with appropriate supervision, all these cases really are your own to manage on a day-to-day basis. As managing your case load includes negotiating settlements, conducting home visits, drafting and arguing motions, and navigating the housing court system, the externship helped me develop and refine both my skills as an advocate and as a counselor. To do so in the context of saving our clients' homes was incredibly rewarding."

— Molly Manning Lens, Cleary Gottlieb associate

"It was a great learning experience for me to work on the diverse legal needs of the various not-for-profit clients of Lawyers Alliance. I feel very fortunate that Cleary and Lawyers Alliance provide this unique opportunity."

— Grant T. Harris, Cleary Gottlieb associate

Not-For-Profit Clients

At Cleary Gottlieb, the pro bono practice encompasses a diverse range of projects and draws on lawyers from various practice areas throughout the firm. Lawyers in the firm's corporate practice have been increasingly involved in pro bono activities through Cleary Gottlieb's growing relationships with not-for-profit organizations. Many of these entities need assistance incorporating, finding suitable tax structures and understanding how corporate governance laws affect them, among other issues. A sampling of organizations for which Cleary Gottlieb has done work in 2007 is included below.

A Bridge for Children International: Cleary Gottlieb assisted the organization with 501(c)(3) and tax-exempt filings. A Bridge for Children International, started by a young Korean couple, currently helps finance and run an orphanage in North-Eastern China. The goal of the organization is to provide such services to abused and underprivileged children worldwide.

The Armenian Gay and Lesbian Association of New York, Inc.: Cleary Gottlieb assisted this New York-based organization with not-for-profit incorporation and tax-exempt filings. Its mission is to promote the welfare, rights, and community of gay, lesbian, bisexual and transgendered Armenian-Americans, their partners and allies and the broader communities to which they belong.

Boundless Theatre Company: Cleary Gottlieb assisted the organization with 501(c)(3) and tax-exempt filings. Boundless Theatre Company was founded by a group of Latino individuals dedicated to the performing arts in New York City. The organization's goal is to produce theater from international writers with multicultural casts and production teams in addition to collaborating and staging theater productions with groups throughout Latin America.



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May

Cleary Gottlieb's annual summer associate pro bono luncheon was held to introduce summer associates to the diverse range of pro bono opportunities at the firm.

The firm also hosted a luncheon with representatives from Sanctuary for Families (SFF), which is a legal services provider for domestic violence survivors. Guest speaker Jennifer Friedman, director of the Courtroom Advocates Project (CAP), discussed opportunities for not-yet-admitted lawyers to provide legal counsel to SFF clients in family court.

Brooklyn Bridge Park Conservancy: Cleary Gottlieb provided legal counsel with regard to the creation, funding and operation of the Floating Pool Lady and the Brooklyn Bridge Park Beach. This 25 meter, seven lane, public swimming pool moored in the East River and 40,000 square foot man-made beach located on Piers 4 and 5 attracted over 71,000 guests during 9 weeks of operation during the summer of 2007. The firm also advised on internal governance issues related to the group’s name and status in the community.

Consultative Group to Assist the Poor (CGAP)/Grameen Foundation: Cleary Gottlieb is assisting CGAP and Grameen Foundation through the creation of annotated guarantee and reimbursement agreements to be published by CGAP as training and support materials for microfinance (MFI) professionals.

Coney Island Preparatory Charter School: Cleary Gottlieb assisted the organization with 501(c)(3) and tax-exempt filings. Coney Island Prep runs a rigorous academic program with a strong focus on writing and supportive and structured school community with the goal to ensure students in grades 5-12 develop the academic skills and character necessary for success in selective secondary schools and their careers.

FINCA International: The firm reviewed ongoing financing transactions and developed model financing agreements for the organization. FINCA International is a microlending organization with a mission to provide financial services to the world’s lowest-income entrepreneurs so they can create jobs, build assets, and improve their standard of living. With 21 programs in Africa, Eurasia, the Greater Middle East and Latin America, FINCA provides life-improving small loans, averaging \$532, to nearly 700,000 clients, who repay their loans at a remarkable 97 percent.



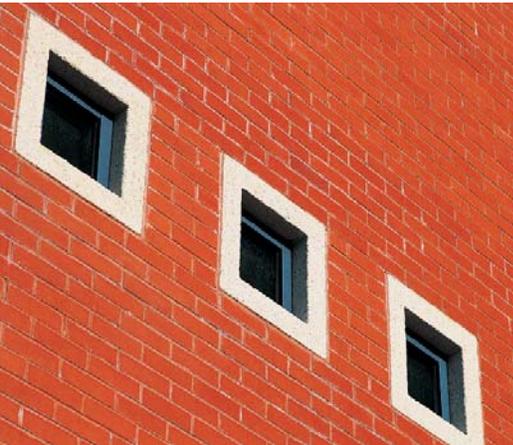
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June

At a June 7th ceremony in Washington, D.C., Cleary Gottlieb was honored by the Mississippi Center for Justice (MJC) for “Advancing the Recovery and Ensuring Fairness in the Wake of Hurricane Katrina.”

Cleary Gottlieb hosted a citywide training of the 2007 CAP Program for summer associates and lawyers not yet admitted to practice. The CAP program, which trains future lawyers in assisting women with filing Orders of Protection against their batterers, is organized by SFF.

National Legal Aid and Defender Association honored Cleary Gottlieb at their Exemplar Awards Dinner on June 12th for the firm’s representation of Guantánamo Bay detainees.



Imagine H2O: Cleary Gottlieb assisted the organization with 501(c)(3) and tax-exempt filings. The mission of Imagine H2O is to foster innovation in order to meet the current and continuing water crisis in the United States and the developing world.

Independent Diplomat, Inc.: Cleary Gottlieb helped Independent Diplomat, Inc., an organization dedicated to advising inexperienced and marginalized groups on how to have their voices heard in diplomatic and international affairs, in organizing as a not-for-profit. The firm also provided legal advice on human resources and substantive legal advice on issues of public international law.

Jewish Heart for Africa (JHA): Cleary Gottlieb assisted with the incorporation and filing of this charitable organization's 501(c)(3) status and provided additional tax and corporate advice. JHA's purpose is to improve the quality of life of rural African villages suffering extreme poverty by providing them with sustainable access to clean water and lighting through solar technologies.

Learning Enterprises: Cleary Gottlieb assisted Learning Enterprises, a non-profit organization that facilitates cultural exchange by sending volunteers to developing nations, in structuring their organization. Volunteers live in rural communities where they teach English to local children in exchange for room and board from a local host family. Volunteers only pay for the cost of their airfare and incidental costs.

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June (continued)

Cleary Gottlieb continued its sponsorship of a summer fellowship with the Harvard Immigration and Refugee Clinic, which enables a law student to work as a fellow assisting refugees and immigrants in search of human rights and immigration-based protections.

Cleary Gottlieb organized its traditional, end-of-the-school year "Cleary Day" at WIHS, whereby volunteers from the firm meet students and teachers on their own turf and participate in enriching team-building activities.

As part of the Legal Aid Society Associates' Campaign, representatives from the Legal Aid Society (LAS) including LAS President, Ted Levine, and other LAS senior staff met with Cleary Gottlieb volunteers to speak about their practices and about how Cleary Gottlieb associates can help support their programs.

The Reut Institute: Cleary Gottlieb assisted the Reut Institute (“Re’ut”) with advice on how to revisit the traditional assessment of poverty in order to educate decision makers about new ways of designing welfare policies and reforms. Reut offers decision-support services to Israeli leaders and decision-makers by focusing on identifying strategic surprises and opportunities, creating new knowledge and disseminating it to people in positions of authority, leadership or influence.

Sauti Yetu: Cleary Gottlieb is assisting on a research project with Sauti Yetu Center for African Women, Inc. to develop a resource on African family law for U.S. legal professionals representing African immigrant clients. The project involves compiling civil, customary and religious laws on marriage, divorce, child custody and other family matters beginning with the laws of Mali, Senegal, Guinea and Nigeria.

Women’s World Banking: Cleary Gottlieb assisted Women’s World Banking with a feasibility study on the potential for and implications of international investors purchasing locally issued capital markets instruments issued by microfinance institutions in India, Philippines, Colombia, Kenya, Dominican Republic, Bangladesh, Peru and Morocco.



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Volunteer Lawyers for the Arts (VLA) staff attorney, Sergio Sarmiento, and pro bono coordinator, Kate Nelson, joined Cleary Gottlieb lawyers for an informational luncheon to discuss VLA’s programs and pro bono opportunities. VLA provides legal assistance to artists and arts organizations unable to afford private counsel.

New Projects

At Cleary Gottlieb, pro bono is not a static set of programs. The firm encourages its lawyers to take the initiative on new projects, which helps keep everyone at the firm excited about the many pro bono opportunities available to them. Some of the larger new programs the firm began in 2007 are listed below.



ACDI/VOCA: Cleary Gottlieb assisted ACDI/VOCA, a U.S. not-for-profit with a major programmatic focus on rural credit and microfinance institutions (MFIs), in exploring the creation of a for-profit subsidiary to mobilize equity investment capital for the organization's many financial affiliates worldwide. ACDI/VOCA has assisted in the establishment of more than a dozen rural credit and microfinance institutions, primarily in Central Asia, but also in Latin America, Iraq and elsewhere. Although these ACDI/VOCA projects were financed primarily through grant funds from USAID, such funding has since become increasingly scarce. As a result these rural credit and related MFIs now face constraints on their growth and development necessitating additional capital investments, which ACDI/VOCA aims to mobilize through its proposed for-profit investment fund subsidiary.

The Convention of the Elimination of All Forms of Discrimination: Cleary Gottlieb assisted the Lawyers' Committee for Civil Rights Under the Law (LCCR) with researching, drafting, editing and producing a report on U.S. compliance with the International Convention on the Elimination of all Forms of Racial Discrimination (CERD). The United States is required to submit a report on CERD every four years and submitted the most recent report in spring of 2007. On December 11, 2007, the Lawyers' Committee submitted its shadow report,

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July

Representatives from pro bono partner ACCIÓN NY joined interested volunteers to discuss our partnership. ACCIÓN NY is a not-for-profit organization that offers loans to self-employed individuals in New York City who lack access to traditional forms of business credit. ACCIÓN NY clients may need assistance with the legal issues that inevitably arise when developing a business. Through our partnership with ACCIÓN NY, Cleary Gottlieb attorneys provide pro bono corporate legal services to assist these start up businesses.

Unequal Opportunities: A Critical Assessment of the U.S. Commitment to the Elimination of Racial Discrimination, to the United Nations Committee on the Convention of the Elimination of All Forms of Discrimination. The Report details the U.S. government's failure to enforce federal civil rights laws. It is being disseminated widely by LCCR to inform U.S. policy makers and the public about our government's shortcomings in complying with CERD.

Hurricane Katrina Contractor Fraud Matters: In 2006, Cleary Gottlieb lawyers looked for ways to assist victims of Hurricane Katrina in understanding and enforcing their legal rights. The firm hosted a training session on Federal Emergency Management Agency (FEMA) appeals for Hurricane Katrina survivors and Cleary Gottlieb lawyers assisted Hurricane Katrina victims appeal FEMA benefit denials. The Lawyers' Committee for Civil Rights Under the Law and Mississippi Center for Justice conducted the FEMA appeals training. Cleary Gottlieb continues to represent over 20 FEMA appeals cases and has expanded representation to assist with Mississippi Development Authority appeals.

Sadly, that is not the end of the Gulf Coast Survivors legal challenges. The current legal need that the Mississippi Center for Justice (MCJ) has brought to our attention is contractor fraud matters. The survivors are paying thousands of dollars to local contractors and are not receiving proper services for their payment. In some instances no work is done at all, and in other instances the work is so poorly executed that everything has to be replaced. Cleary Gottlieb lawyers work with the MCJ to draft demand letters and where that does not suffice, to as necessary prepare the case to be transferred to local Mississippi counsel for trial.

CALENDAR OF EVENTS

August

Cleary Gottlieb's New York office participated in Legal Outreach's summer legal internship for public high school students. Legal Outreach is one of the largest pipeline diversity programs in the country, providing programs designed to assist students in pursuing a college education and beyond. Cleary Gottlieb welcomed select students as summer interns for one week. WIHS students with summer jobs at Cleary Gottlieb are also participated for a week of legal research, mock contract negotiation, brief writing and litigation.





Misdemeanor Representation: Cleary Gottlieb joined the Neighborhood Defender Service of Harlem (NDS)'s misdemeanor program where the representation entails preparing for the client's arraignment, the arraignment, motion practice (including discovery demands and requests for pre-trial hearings), plea negotiations, court appearances through the pendency of the case, pre-trial hearing and trial, if any. The NDS supervising attorneys work with Cleary Gottlieb volunteers from the time of the arraignment through the pendency of the case.

NDS is a non-profit model public law office providing legal representation to inner city residents in Upper Manhattan. NDS has a community-based, client-centered public defense practice. Each NDS client is represented by a small team, rather than by an individual attorney. NDS defense teams combine the skills provided by attorneys, social service providers, investigators and paralegals.

U Visas: At the end of 2007, Cleary Gottlieb joined the efforts of Sanctuary for Families to assist six clients and their families with U visas. The U visa is a remedy for immigrant victims who have been helpful with the investigation or prosecutions of certain crimes committed against them, and have suffered substantial physical or emotional harm as a result. Implementing regulations were promulgated in September 2007 for the first time almost 7 years after the U visa was first signed into law. Now the recipients of interim relief have until April 14, 2008 to file the newly created U visa applications. If by that date no such application has been filed, removal proceedings may be initiated against anyone who previously received interim relief.

CALENDAR OF EVENTS

September

Martha Bergmark, the President of the Mississippi Center for Justice, joined us for breakfast on September 18th to discuss the state of the post-Katrina recovery efforts on the Gulf Coast. We have been working with the Mississippi Center for Justice since January 2006 to assist clients filing appeals to FEMA claims that have been denied and in 2007 started to assist with contractor fraud cases.

Pro bono client FINCA joined us for an informal discussion. FINCA's general counsel, Donald Crane, and their Corporate Relations Manager, Bob Price, gave an overview of FINCA and its programs as well as the role of that Cleary Gottlieb volunteers have played and can continue to play in advancing FINCA's mission.

The immigration practice held its second brownbag lunch to discuss current legal trends, developments and matters.

Veterans Program: Cleary Gottlieb in collaboration with ten other law firms and the New York City Bar Justice Center pioneered the New York City Veterans’ Disability Benefit Clinic Program. The program trains lawyers to represent veterans in filing their disability claims to the Veterans Administration. Cleary Gottlieb currently represents several clients with their appeals and the clinic program has thus far provided representation for over 80 veterans in the New York City area. In addition, the firm’s Washington, D.C. office has taken on two veterans’ appeals through the National Veterans Legal Services Program.

The Cyrus R. Vance Center for International Justice Initiatives: Cleary Gottlieb partnered with the Cyrus R. Vance Center for International Justice Initiatives and the Association of the Bar of the City of New York (ABCNY) to publish a report on gender-based violence legislation in Africa. The report analyzed existing gender-based violence legislation and documented model legislation, both internationally and in Africa, to aid African countries seeking to draft and implement effective gender-based violence legislation. The African Affairs Committee of ABCNY was so pleased with the report that it convinced other organizations active in women’s and reproductive rights to include their names on it. In September, the Committee distributed the report at the United Nations General Assembly to every African delegation and to one relevant nongovernmental organization from each African country.



CALENDAR OF EVENTS

October

Cleary Gottlieb collaborated with several law firms and the New York City Bar Justice Center to pioneer the Veterans’ Disability Benefit Clinic Program in New York City. The program trains lawyers to represent veterans in filing their disability claims to the Veterans Administration. The first volunteer training and disability benefit clinics were held on October 24th and 25th.

Cleary Gottlieb hosted a training session for the Homeless Experience Legal Protection (HELP) Program on October 5th. This program was created by Federal Judge Jay Zainey and pioneered in New Orleans in 2000 to assist the homeless population by addressing its legal needs. Volunteers dedicated time once a week to answer questions and provide counsel to those seeking services at three New York homeless organizations—Urban Pathways, Project Renewal and CEO Works.

Pro Bono in Washington, D.C.

The federal judiciary of the District of Columbia honored Cleary Gottlieb's Washington, D.C. office for its pro bono work. Cleary Gottlieb was one of several Washington, D.C. law firms in which 40 percent or more of both its partners/counsel and its associates devoted at least 50 hours to pro bono legal services in calendar year 2006. The firm's Washington, D.C. office has a long-standing commitment to pro bono legal services and is proud to be among this elite group within the Washington, D.C. legal community.

The lawyers in Cleary Gottlieb's Washington, D.C. office bring a sense of purpose and true conviction to their pro bono efforts. As is true throughout the firm, lawyers are encouraged to follow their interests and suggest new projects and representations. As a result, Cleary Gottlieb's Washington, D.C. office handled a wide array of matters in 2007, including corporate work for not-for-profits, representation of veterans, the homeless and immigrants, among others.

Defending the Rights of the Homeless. In 2007, Cleary Gottlieb continued its work to stop eviction companies from paying their homeless employees below minimum wage. Cleary Gottlieb is litigating a class action on behalf of the employees against six Washington, D.C.-area eviction companies and their principals. The suit seeks a

court order barring the companies from illegally paying rates below minimum wage and from conspiring with each other to suppress wages, as well as damages for backpay and antitrust violations. To date, four defendants have settled with the class, accepting the injunction, paying damages, and cooperating in prosecuting the case against the remaining defendants. The firm's work on this case received press coverage in *The Wall Street Journal*, *The Washington Times*, and on National Public Radio, among other media.

MoverMoms Non-profit Incorporation. Cleary Gottlieb assisted a local charitable group, MoverMoms, in its efforts to incorporate as a non-profit in Maryland. The group organizes volunteers to carry out charitable activities in the greater Washington, D.C. area. During its first year of operations the



CALENDAR OF EVENTS

October (continued)

Over 25 Cleary Gottlieb volunteers began mentoring WIHS students in a “big brother/big sister”-style relationship.

The WIHS SAT intensive preparatory course was given to WIHS seniors as a refresher from the course during the spring. Classes were held on Saturday mornings during October and Cleary Gottlieb lawyers and staff helped refresh students for both the math and verbal sections of the SAT.

group expanded to over 100 active volunteers, organized several charitable events each month, and received sponsorships from two corporations. Cleary Gottlieb lawyers worked closely with the organization to develop a workable corporate governance structure and to plan for the organization's future operations.

Assisting Disabled Veterans. Cleary Gottlieb is working with the National Veterans Legal Services Program and the Veterans Pro Bono Consortium Program to assist veterans with disability claims before the Department of Veterans Affairs or the Court of Appeals for Veterans Claims. In 2007, the firm assisted a Vietnam veteran with a claim on remand from the Court of Appeals for Veterans Claims and the firm is currently assisting a veteran with a claim before the Board of Veterans Appeals.

Guantánamo Bay Detainees. In collaboration with lawyers working on similar cases in the New York office, Cleary Gottlieb's Washington D.C. lawyers continued representation of an individual facing trial before the U.S. Military Commission. The man is a Canadian national who was taken into custody in Afghanistan in 2002, when he was 15 years old, and is currently being held in Guantánamo Bay.

Asylum Cases. In 2007, the firm represented a Malian woman in a Battered Spouse Self-Petition to obtain lawful permanent residency in the United States. After marrying a U.S. citizen she met on a visit to the United States, the woman suffered escalating physical and mental abuse at his hands, but feared seeking help because of her



CALENDAR OF EVENTS

November

Cleary Gottlieb's bankruptcy group and The New York City Bankruptcy Project of Legal Services of New York City hosted a pro bono bankruptcy training. Attendees received an orientation to bankruptcy law from the consumer debtor's perspective and were trained in how to assess, advise and prepare a Chapter 7 petition for consumer debtors. The training included a hands-on exercise in which the attendees prepared a bankruptcy petition and supporting documents.

Cleary Gottlieb hosted a Courtroom Advocates Project (CAP) training, which enables lawyers not yet admitted to the bar to assist domestic violence survivors in navigating their way through the legal system and obtaining orders of protection against their batterers.



immigration status. When a particularly violent episode of abuse convinced her to leave and seek a restraining order, her immigration status left her without a means of supporting herself or her daughter. She has now received a work permit and her application for a permanent residency is pending.

Cleary Gottlieb also successfully represented an Iranian citizen in her asylum hearing on religious persecution grounds. The client converted from Islam to Christianity, a crime punishable by death in Iran.

Overcoming Terrorism Bar in Asylum Case. The firm represented an asylum seeker from the Columbia who had been kidnapped by the Revolutionary Armed Forces of Colombia (“FARC”) and paid the FARC a ransom to secure his release. While the Asylum Office had found that Cleary Gottlieb’s client had a credible fear of future persecution, it put the case on an indefinite hold under the theory that he was barred from asylum under the terrorism bar because he had given money to terrorists (the ransom paid to the FARC). Cleary Gottlieb advocated for a more reasoned approach to the terrorism bar, such that the bar would not cover circumstances such as a ransom payment given under duress. After the Department of Homeland Security’s issuance of new rules implementing a duress exception under certain conditions, Cleary Gottlieb successfully persuaded the Asylum Office to recommend the client for asylum.

CALENDAR OF EVENTS

November (continued)

Joined by representatives from the New York public interest law community, incoming associates learned about the firm’s pro bono practice at Cleary Gottlieb’s New Associates Pro Bono Reception.

The Legal Aid Society presented awards to Cleary Gottlieb associates Jane Kim, Katherine Roberts and Abdallah Simaika at the Legal Aid Society’s Annual Pro Bono Awards and Law Firm Recognition Ceremony for their work representing a client in his habeas petition before the Second Circuit Court of Appeals.

Pro Bono in London

Lawyers in Cleary Gottlieb's London office also have a tradition of providing diverse legal advice to a variety of not-for-profit and charitable organizations pro bono. Cleary Gottlieb was the second American firm to sign the Joint Protocol for Pro Bono Legal Work and is also active with LawWorks (formerly the Solicitors Pro Bono Group). LawWorks is the leading pro bono resource for legal volunteers in the United Kingdom and promotes pro bono work among the legal profession, acts as a referral agency for pro bono matters and provides free legal training on a variety of topics to members. In addition to pro bono legal work, lawyers in the London office became involved in firm sponsored community service work.

Citizenship Foundation School Twinning Program. In 2007, Cleary Gottlieb became involved in the "School Twinning Program", a program run by the UK's Citizenship Foundation. A number of law firms in London participate in this program, which entails pairing a law firm with one or more classes at inner-city London schools in order to teach the legal aspects of citizenship to 14 and 15 year olds. This program offers the participants the chance to learn and discuss a range of topics, such as employment law, rights and responsibilities, and human rights, with members of the legal profession. We are working with the Swanlea School. The program has proved very popular not only with the school, but also among Cleary's lawyers, who have signed up in significant numbers. As such, discussions are under way to determine the viability of further expanding Cleary's involvement in the program next year.

CALENDAR OF EVENTS

Cleary Gottlieb's pro bono administrator Carrie Grimm was honored at the fifth annual Sanctuary for Families' Pro Bono Achievement Awards and Benefit on November 5th. Carrie is the first pro bono administrator ever to receive this award, which honors members of the legal community who have gone "above and beyond" the call of duty by providing outstanding pro bono representation and advocacy on behalf of domestic violence victims.





Undercurrents Joint Venture. In 2007, Cleary Gottlieb began working with Undercurrents Foundation, a registered charity and private company limited by guarantee that is involved in training amateur filmmakers to make films supporting social, economic and environmental campaigns. The firm is assisting Undercurrents in the incorporation of a joint venture with third parties called Vision on TV. It is intended that Vision on TV, which will be a commercial venture, will launch an internet protocol television channel that will distribute video content produced by the filmmakers trained by Undercurrents and others. The client is considering various structures and the matter is on-going.

CALENDAR OF EVENTS

December

During the Women's Working Group's third annual winter donation drive, Cleary Gottlieb staff donated more than 50 bags of clothing and books to benefit pro bono partner Sanctuary for Families, which provides integrated services to domestic violence survivors in New York City.

Washington Irving High School Partnership

In 1991, Cleary Gottlieb initiated a partnership with Washington Irving High School (WIHS), a New York City public school, in order to assist with the major challenge of revitalizing the perceived failure of the NYC public school system. The partnership allows the firm, as a whole, to participate in community service in an area where there is dramatic need. Major partnership programs include mentoring students one-on-one, providing college advising, offering SAT preparation courses, and sponsoring annual events that promote the various academic and cultural talents of the students.

All personnel at the firm are invited to share their time and talents with WIHS students through participation in these programs and events. A partnership coordinator and a committee composed of lawyers, paralegals and non-legal employees administer the program from the New York office.

More than 80 lawyers and staff from all of Cleary Gottlieb's departments participated in the WIHS partnership in 2007, helping more than 300 students.

WIHS Programs

Next Steps: In 2007, Cleary Gottlieb was initiated into the Next Steps program, which helps prepare students for life after high school. Cleary Gottlieb volunteers helped Next Steps seniors prepare their college applications, and former college admissions officers held office hours to field the students' questions. Next Steps juniors have also benefited from the help of Cleary Gottlieb volunteers who led workshops on public speaking, computer research and planning for the future.

Mentoring: Each September, a new set of Cleary Gottlieb volunteers "adopts" WIHS students in a "big brother/big sister"-style relationship. Mentors meet with their mentees for approximately four to six hours per month to help them set goals, identify interests and explore New York City. Cleary Gottlieb's mentoring program doubled this year to 30 active mentee-mentor pairs.

SAT Preparation Classes: Cleary Gottlieb also organized two SAT programs in 2007, one for juniors in the spring and one for seniors in the fall. Volunteers from all departments in the firm use practice tests, textbooks, vocabulary lists, math handouts and games to review the basic areas of the exams.

College Fair: Each spring, Cleary Gottlieb hosts more than 40 college representatives to spend the evening speaking to WIHS students and parents about their institutions and assisting WIHS students in making decisions about college applications.

Emerging Artists: Each fall and spring, Cleary Gottlieb celebrates the artistic efforts of WIHS students by sponsoring a reception featuring their work in the firm cafeteria.

Cleary Gottlieb's New York office continues to participate in Legal Outreach, a summer legal internship for public high school students. Legal Outreach is one of the largest pipeline diversity programs in the country, providing programs designed to assist students in securing a college education.





For more than 15 years, Cleary Gottlieb has maintained a partnership with Washington Irving High School, through which lawyers and staff at the firm provide educational, professional and personal advice to students at this New York City public school.

STAFFING DEVELOPMENTS

Maurya Couvares succeeded **Sarah Winchell** as Cleary Gottlieb's Washington Irving High School Partnership Coordinator.

Legal Outreach: Each summer, Cleary Gottlieb's New York office participates in Legal Outreach, a summer legal internship for public high school students. As part of the program, Cleary Gottlieb, as well as other New York law firms, welcomes select students as summer interns for one week. WIHS students with summer jobs at Cleary Gottlieb are also invited to participate for a week of legal research, mock contract negotiation, brief writing and litigation.

Cleary Gottlieb's Day of Service at WIHS: This community service day affords all Cleary Gottlieb employees the opportunity to mingle with WIHS students and staff for a morning of activities, including a treasure hunt of public monuments and buildings in the Union Square area, a college essay-writing workshop, and roundtable discussions on topics such as college life, the college application process and multicultural diversity.

Day One: Cleary Gottlieb volunteers are trained by the staff of the non profit domestic violence education organization, Day One, to lead workshops for students at Washington Irving on domestic violence and students' rights and responsibilities under the law.

Success Day: Cleary Gottlieb volunteers, along with other business partners, participate in WIHS's success day during the fall. Volunteers visit classrooms to discuss their careers and life choices with students. The day provides an excellent opportunity for students to be exposed to many different career paths.

Model United Nations: In 2007, Cleary Gottlieb took over responsibility for coaching WIHS's Model United Nations Team. Volunteers help the students research the topics they will discuss and the countries they will represent, learn the rules of procedure, and hone their presentation and speaking skill in preparation for participation in Model U.N. conferences throughout the year.

New York College Access Coalition Collaboration: Throughout the year, Cleary Gottlieb holds collaborative events with the College Access Coalition of New York City. In 2007 the coalition hosted interview workshops, money management workshops and scholarship workshops. In addition, the coalition hosted admissions representatives from MIT, Harvard, and Cornell at Cleary Gottlieb.

Mock Trial: Cleary Gottlieb volunteers helped train the Mock Trial team at WIHS, leading the practices twice a week and escorting the team to competition. This year's team of nearly all freshmen did extremely well against Stuyvesant and Brandeis High Schools.

Cleary Gottlieb Success Stories

Disability Claim Successfully Appealed

Cleary Gottlieb successfully appealed a Social Security disability benefits application that had been denied by the Social Security Administration. This appeal extended Cleary Gottlieb's unbroken streak of Social Security benefits victories since 2005. In preparing the appeal, the Cleary Gottlieb team investigated the client's medical condition and the applicable Social Security regulations, prepared the client and his sister to testify before the judge, obtained additional medical records, and filed pre- and post-hearing memoranda. Brooklyn Legal Services Corporation A referred this client to the firm.

Iranian Client Wins Asylum

Cleary Gottlieb won asylum for a pro bono client who converted from Islam to Christianity in the United States after leaving Iran in December 2004. Iran, a country modeled on Islamic law, considers the act of converting from Islam a crime punishable by death. Cleary Gottlieb filed a brief and numerous supporting documents, including an amended application for asylum and country conditions materials that documented the persecution of Christian converts in Iran. An Immigration Judge in Baltimore, Maryland granted asylum based on the client's fear of returning to Iran as a Christian. The Department of Homeland Security waived its right to appeal the decision. The Washington Lawyers' Committee for Civil Rights and Urban Affairs referred the case to Cleary Gottlieb.

Irish Repertory Theater in Purchase of Arts Center

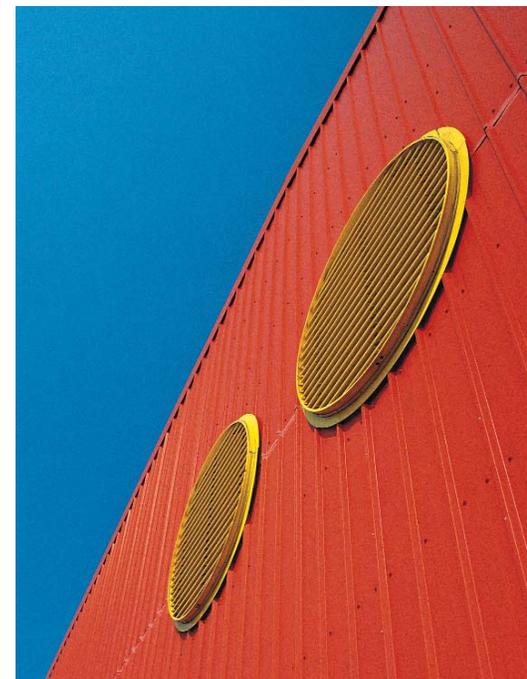
Cleary Gottlieb represented pro bono client The Irish Repertory Theater, Inc. in the purchase of its own performing arts center in Chelsea for \$5,475,000. Sources of financing included various city and state grants and private donations, as well as a mortgage from Manufacturers and Traders Trust Company (M&T Bank). The transaction closed on February 15, 2007.

Established in 1988, The Irish Repertory Theater is one of the most well respected independent theater companies in New York City and is a recipient of the New York Drama Desk Award for "Excellence in Presenting Distinguished Irish Drama." The theatre's mission is to expose American audiences to the major works of renowned Irish and Irish American masters and contemporary playwrights.

Chadian Client Wins Asylum

On October 3, 2007, Immigration Judge Henry Dogin granted asylum to a pro bono client who fled Chad after being arrested, beaten and interrogated by the Chadian authorities. The Chadian government targeted the client because his uncle, a prominent politician in the Chadian government, opposed a Constitutional amendment that eliminated the existing presidential term limits. Although the client himself was not politically active, Cleary Gottlieb successfully argued that he would be persecuted on account of political opinions the Chadian government would impute to him. The Department of Homeland Security waived its right to appeal the decision.

Cleary Gottlieb argued and won a path-breaking immigration case before the U.S. Court of Appeals for the Second Circuit that preserves section 212(c) eligibility for thousands of lawful permanent residents. The firm continued its advocacy for homeless communities with litigation in Washington, D.C. and walk-in legal clinics in New York.





Eritrean Client Wins Asylum

Cleary Gottlieb won political asylum for a pro bono client who fled Eritrea in June 2002 after being threatened with persecution by Eritrean authorities on account of her opposition to the Eritrean government's policies and its ongoing war with Ethiopia. The Eritrean government targeted the client because she spoke out against the government at community meetings and held small gatherings of anti-government activists at her home. After she escaped to the United States, the client discovered that the government ransacked her home and found pro-democracy flyers.

The case was referred to Cleary Gottlieb by Georgetown University Law Center's CALS clinic and Human Rights First, after it had argued the case before the Immigration Court. Cleary Gottlieb took on the appeal, filing a brief with the Board of Immigration Appeals and securing a remand, and successfully represented the client in hearings before the Immigration Court. On March 20, 2007, an Immigration Judge granted asylum to our client.

Social Security Disability Claim Successfully Appealed

Cleary Gottlieb successfully appealed a denial of a Social Security application before the Social Security Administration. The Social Security Administration issued an "on the record" decision (without a hearing) in the client's favor on April 13, 2007.

The judge found that the client suffers from a variety of mental impairments, which make it extremely difficult for her to engage with or relate to other people and function in public settings. The judge's decision concluded that she is therefore unable to work, entitling her to benefits. In preparing the appeal, the Cleary Gottlieb team researched the client's medical condition and the applicable Social Security regulations, obtained additional medical records, and filed a pre-hearing memoranda.

Client Successful in Family Court Matter

Cleary Gottlieb has successfully represented a pro bono client in New York Supreme Court and New York Family Court. The Cleary Gottlieb team obtained a full Petition of Child Support, a Final Judgment of Divorce, a Declaration of Paternity and an award of full custody award for the client in numerous courts, and before several different judges, within the New York State system.

Cleary Gottlieb took on the case after the client's former husband filed false divorce papers that omitted one of the couple's two marital children. Cleary Gottlieb successfully obtained an amendment to the divorce to include both marital children and a final order of support—including additional child-care expenses and retroactive benefits—based on the correct divorce decree. Cleary Gottlieb also negotiated a final settlement regarding visitation. The Brooklyn Volunteer Lawyers Project referred the case to Cleary Gottlieb.

Chadian Client Wins Asylum

Cleary Gottlieb won political asylum for a Chadian pro bono client who had been arrested twice by Chadian authorities over a period of two and a half years on account of her political activities. She was awarded asylum on April 25, 2007, after a hearing before an asylum office at the New Jersey asylum office in Lyndhurst.

The client's family had a long history of suffering persecution at the hands of the Chadian government—her father was murdered by the head of the former regime and her remaining family was targeted because of their relationship to her father. In 2002, the client was arrested while hosting a meeting for students who advocated the same educational opportunities for southern Christian students as given to northern Muslim students. She was tortured in prison. Two years later, she was again arrested after attending a rally in support of an opposition leader.

The case was referred to Cleary Gottlieb by Human Rights First. Cleary Gottlieb submitted the client's I-589 form, supporting documentation and a legal memorandum to USCIS, including the argument that the extraordinary circumstances exception to the one-year filing deadline should apply to in the case.

Uzbek Client Wins Asylum

Cleary Gottlieb won political asylum for a pro bono client who feared returning to Uzbekistan after receiving threats from family members for her perceived irreligious activities and in retaliation for a sexual assault of which she had been the victim. Asylum was granted on September 12 by the New York Immigration Court in Rosedale.

The client feared physical abuse by her sister, brother and husband because of their perception that she was insufficiently religious and had shamed her family, partially stemming from a sexual assault on while she was vacationing in the United States. The Uzbek police had refused to investigate threats and physical assaults on by her family members on numerous occasions in the past.

Following a factual investigation, Cleary Gottlieb submitted her I-589 form, supporting documentation and a legal memorandum to the asylum office, and represented her in the hearing before the asylum officer. Sanctuary for Families referred the case to Cleary Gottlieb.



Cleary Gottlieb Wins a Path-Breaking Decision Establishing the Rights of Thousands of Immigrants to 212(c) Hearings

Cleary Gottlieb successfully represented EF in a petition before the Second Circuit Court of Appeals for review of an order by the Board of Immigration Appeals (BIA) finding Mr. F ineligible for relief from deportation under former section 212(c) of the Immigration and Nationality Act.

Mr. F, a lawful permanent resident in the United States since 1981, was charged with deportation in 2000 on the basis of a 1990 guilty plea to an aggravated felony. Mr. F conceded his deportability but sought a waiver of deportation under section 212(c), which by its terms provides discretion to the Attorney General to waive the exclusion, at the border, of certain lawful permanent residents based on equitable considerations. In 1976, the Second Circuit held in Francis v. INS that affording such discretionary relief to lawful permanent residents who had traveled abroad temporarily, but not to those who never left the country, lacked rational justification and thus violated constitutional equal protection. Since Francis, section 212(c) relief has been available to deportees to the same extent that it would be available to similarly situated excludees.

The BIA, citing its recent 2005 decision in In re Blake, nevertheless denied Mr. F's request for a 212(c) hearing, finding him categorically ineligible for 212(c) relief under Francis because the ground of deportation for which he sought a waiver lacked a "counterpart" in the exclusion grounds explicitly covered by the statutory language. Mr. F, in parallel with Mr. Blake and others, petitioned the Second Circuit for review of the BIA's order, arguing that he was eligible for 212(c) relief under Francis because, among other reasons, a similarly situated lawful permanent resident in an exclusion proceeding would be eligible for such relief.

By published decision dated June 1, 2007, the Second Circuit granted Mr. F's petition for review. Declining to afford any deference to the BIA's implementation of Francis, the Court held that whether a deportee and an excludee are "similarly situated" for purposes of the Francis equal protection analysis turns on whether the underlying criminal offense would give rise to removal in both contexts, not, as the BIA had urged, whether the deportation ground as a category of offenses overlaps sufficiently with a listed ground of exclusion. In so holding, the Court broke from the result reached on this issue by the First, Third, Fifth and Ninth Circuits, all of which had deferred to the BIA's "formulaic" approach.

As the Court recognized, its holding in this case (titled Blake v. Carbone) is likely to preserve section 212(c) eligibility for thousands of "lawful permanent residents whose criminal convictions imperil their stay in the United States."



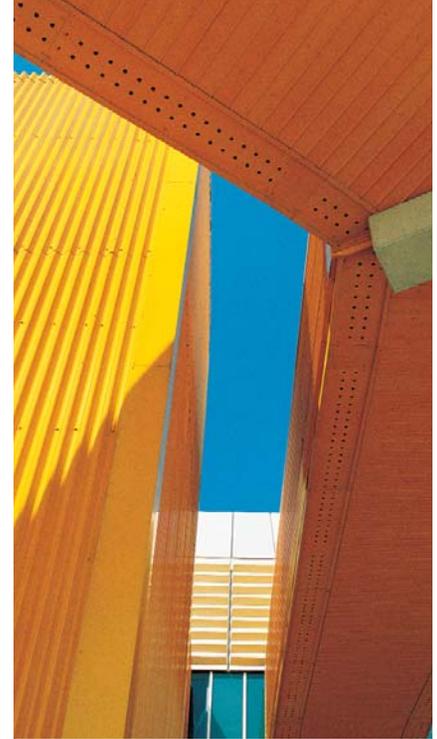
Asylum Client Wins a Remand from the Ninth Circuit Court of Appeals

The Department of Justice (“DOJ”) accepted arguments Cleary Gottlieb made on behalf of pro bono client EA and requested that the Ninth Circuit remand Mr. A’s claims for asylum and related relief to the Board of Immigration Appeals (“BIA”) for reconsideration. The DOJ’s motion for remand agrees with arguments made in Cleary Gottlieb’s brief that the BIA’s prior treatment of Mr. A’s claims misapplies binding Ninth Circuit precedent.

Mr. A, a native and citizen of El Salvador, suffered a life-long pattern of abuse in El Salvador on account of his sexual orientation and gender identity. In El Salvador, Mr. A was raped, repeatedly sexually assaulted, beaten and stabbed, and subject to a variety of other harassment and mistreatment. Further, much of this abuse was perpetrated by the police and members of the Salvadoran military. Though Mr. A approached the police to seek help, because the police indicated they would likely be unable to protect him, Mr. A did not pursue a claim against the perpetrators of this abuse.

The immigration judge found Mr. A’s testimony credible, but found that the abuse to which Mr. A testified rose only to the level of discrimination—not to the level of persecution within the meaning of the INA. The immigration judge further faulted Mr. A for his supposed failure to give the police an opportunity to pursue claims against Mr. A’s attackers, though Mr. A’s testimony established that such pursuing such a claim would only subject him to further abuse. In a cursory opinion, the BIA agreed with the immigration judge’s analysis and dismissed Mr. A’s appeal.

On appeal, Cleary Gottlieb argued that the life-long abuse that Mr. A suffered constituted persecution as a matter of law. Cleary Gottlieb’s brief also argued that the BIA erred in imposing what amounted to a requirement that petitioners exhaust in-country remedies—a requirement that was contrary to Ninth Circuit caselaw which requires no such exhaustion where it would be futile or result in additional persecution. The government accepted both of these arguments, and moved the Circuit to remand the case for reconsideration to the BIA. Mr. A was referred to Cleary Gottlieb by Immigration Equality, and Cleary Gottlieb represented him in the appeal of the BIA’s decision to the Ninth Circuit, and will continue to represent Mr. A before the BIA on remand.



TECHNOLOGY UPDATE

Chris Fanelli, Igor Edelstien, Karl Schmitt and Cleary Gottlieb’s IT Department further enhanced the time-saving pro bono reporting system to include automated status update reminders. The system also enables the firm to issue reports on pro bono work for surveys conducted by the American Bar Association and publications, such as *The American Lawyer*, at the click of a button.



At Cleary Gottlieb, lawyers successfully represent their pro bono clients in and out of the courtroom—a victory can mean asylum is granted for a political refugee or that a not-for-profit is able to finance its business operations.

Brooklyn Bridge Park Conservancy in Floating Pool Development

Cleary Gottlieb is representing pro bono client Brooklyn Bridge Park Conservancy in its development and operation of the Brooklyn Bridge Park Beach and Floating Pool this summer at the site of the future Brooklyn Bridge Park along the Brooklyn waterfront. This is the first major project at the site and involves cooperation between government, not-for-profit and for-profit entities. Cleary Gottlieb has been involved in all aspects of the project on an on-going basis. The Cleary Gottlieb team helped negotiate a license with the Brooklyn Bridge Park Development Corporation (BBPDC), a subsidiary of the Empire State Development Corporation, for the use of the site, agreements with the Neptune Foundation and American Leisure, Inc. for the use and operation of the Floating Pool Lady, and an agreement for the operation and maintenance of the beach and sale of concessions. The Cleary Gottlieb team also advised on obtaining and administering a grant from BBPDC to fund the project.

The Floating Pool Lady, owned by the Neptune Foundation, is a steel deck barge that has been retrofitted with a 25-yard, seven-lane swimming pool along with a spray pool, lockers, bathrooms and showers. The Floating Pool Lady has breathtaking views of New York harbor and the lower Manhattan skyline, and is moored adjacent to a 40,000 square foot urban beach with beach volleyball, sand soccer, rental chairs and umbrellas and concessions. Since opening to the public on July 4, the Floating Pool at Brooklyn Bridge Park Beach has welcomed over 30,000 visitors and has already expanded its hours of operation.

Tibetan Client Wins Asylum

Cleary Gottlieb won asylum for a Tibetan refugee and high ranking member of the Tibetan Youth Congress, the largest nongovernmental association supporting a free Tibet. The firm's client was persecuted by radical members of the Dorjee Shugden, a violent separatist religious sect, for her support of Tibetan independence and for her support of the Dalai Lama. The immigration judge granting our client asylum praised Cleary Gottlieb for their outstanding representation and thanked the lawyers for their pro bono contributions. Cleary Gottlieb is currently working to obtain derivative asylum for the client's husband and child, who are currently living in India.

Tenants' Committee in Dismissing Chapter 11 Filing, Paving Way for Rehabilitation of Run-Down Apartment Building

Cleary Gottlieb represented the Informal Committee of Tenants of 300 Putnam Avenue in obtaining dismissal of a chapter 11 bankruptcy petition by the owner of a Brooklyn apartment complex, Bedford Throop Housing Development Fund Company, Inc., in the U.S. Bankruptcy Court for the Eastern District of New York. The dismissal paves the way for the U.S. Department of Housing and Urban Development to foreclose on Bedford Throop's mortgage and sell the building to a responsible HUD-approved non-profit buyer that can make much-needed building repairs.

The 300 Putnam Avenue apartment complex suffers from nearly 1,500 New York City housing code violations, over 1,000 of which are classified as hazardous or immediately hazardous. Among the most serious violations at the 52-unit, six-story building are serious damage to the roof and walls, lack of water supply to several apartments, damaged fire doors, and inoperative elevators (which prevent disabled or elderly residents from leaving their apartments unless carried up and down the stairs). According to HUD estimates, more than \$3.5 million in repairs are necessary to restore the building to a habitable condition.

In June, facing imminent foreclosure by HUD as secured lender for failure to maintain the building in a habitable condition and to make mortgage payments, Bedford Throop filed a bankruptcy petition, which prevented the immediate foreclosure of the apartment building. Cleary Gottlieb, on behalf of the Tenants' Committee, argued that the court should dismiss the case on the grounds that the bankruptcy petition had been filed in bad faith, and that allowing Bedford Throop to maintain ownership of the building would only delay an inevitable foreclosure, forcing tenants to continue living in uninhabitable conditions, diminishing the value of the estate, and exposing the estate to potential liability as conditions continue to worsen. The New York City Department of Housing Preservation and Development and the U.S. Trustee filed similar motions to dismiss, while HUD joined in a proposed order dismissing the bankruptcy petition with prejudice.

At a hearing on September 6, Bankruptcy Court Judge Dennis Milton dismissed the chapter 11 petition with prejudice, barring Bedford Throop from filing another bankruptcy petition for 6 months. Now that the bankruptcy petition has been dismissed, HUD will recommence foreclosure proceedings and transfer 300 Putnam to a responsible, adequately financed non-profit buyer. South Brooklyn Legal Services provided housing and landlord-tenant law advice.





“I started working with ACCIÓN clients back in 1998 when we first began our partnership with ACCIÓN NY. My first client had developed the technology to create digital books, and we worked with him on intellectual property matters, as well as to bring new partners into his business. As a young lawyer, it was a great opportunity for me to work directly with a client and help him grow his business at an important time. Since then I have worked directly on a number of cases, and supervised dozens of lawyers at the firm on other matters. Pro bono work is a really important aspect of Cleary Gottlieb’s practice, and our ACCIÓN relationship helps involve our corporate lawyers, particularly those with Spanish language skills, in promoting microenterprise efforts in our community.”

— Francesca L. Odell, Cleary Gottlieb partner

Brooklyn Artist Obtains Dismissal of Action

Cleary Gottlieb obtained the voluntary dismissal of an action brought against its pro bono client Eddy Steinhauer, a Brooklyn-based artist, who had been sued by a visitor to an art exhibition Mr. Steinhauer curated in 2003. The plaintiff agreed to discontinue the action against Mr. Steinhauer after Cleary Gottlieb filed a motion for summary judgment.

The lawsuit arose out of injuries the plaintiff suffered after attending the opening for Mr. Steinhauer’s 2003 exhibition titled “Lightshow.” After leaving the exhibition, which was confined to the first floor of Brooklyn’s seven-story Clocktower Building, the plaintiff used a freight elevator to trespass up to the building’s roof, climbed the rooftop watertower ladder, lost his footing, and fell more than twenty feet to the rooftop surface. Plaintiff sued Mr. Steinhauer, along with the building owners and the other co-curators of the art exhibition.

After nearly two years of discovery, the building owners moved for summary judgment in 2007. Judge Wayne Saitta (New York Supreme Court, Brooklyn County) granted the motion, finding among other things that the building owners had no duty to warn the plaintiff about the risk posed by climbing the watertower ladder (in fact, the plaintiff admitted that he climbed the ladder fully aware of the risk that he could fall). Based on that ruling, Cleary Gottlieb also moved for summary judgment in favor of Mr. Steinhauer, arguing that his connection to the plaintiff’s injury was even more attenuated than that of the building owners. In lieu of responding to the motion, the plaintiff agreed to release Mr. Steinhauer from the case.

FGM Survivor Wins Asylum

Cleary Gottlieb successfully sought asylum for a pro bono client on December 3, 2007 before an immigration judge in New York City. The client, a twenty year old native of the Ivory Coast, was subjected to female genital mutilation (FGM) when she was six years old. Because the procedure was not completed, the client stood the chance of suffering repeated FGM, and her claim was therefore based on both past and likelihood of future persecution. She came to the United States in 2001 and applied for asylum in 2006, in violation of the rule that she apply for asylum within a year of her arrival in the United States. However, the attorney representing the Department of Homeland Security, upon hearing witness testimony regarding the likelihood of repeated FGM and the psychological impact of the client’s prior experiences in the Ivory Coast, made a recommendation for a full grant of asylum. The immigration judge agreed with that recommendation, and the final order for asylum was signed that same day.

Client Wins Sentence Reduction

Cleary Gottlieb won a substantial sentence reduction for a pro bono client in his application for resentencing before the New York Supreme Court, Criminal Term.

Cleary Gottlieb represented the client in his application for resentencing pursuant to the Drug Law Reform Act of 2005, which permits certain inmates serving indeterminate sentences under the old Rockefeller drug laws to apply for a determinate sentence.

He was serving an eight years to life indeterminate sentence for a controlled substance conviction. Cleary Gottlieb argued that he should be resentenced to the minimum six year determinate sentence because of his extraordinary voluntary rehabilitative efforts during his incarceration, including acting as an AIDS counselor to fellow inmates. The Special Narcotics Bureau of the New York County District Attorney's Office argued that, because of his prior criminal history, he should be resentenced to an eight year determinate sentence. Judge A. Kirke Bartley's decision, issued at a November 7 hearing, substantially adopted Cleary Gottlieb's arguments, holding that there was "little doubt that the client has been unusually productive during his incarceration" and resentenced him to a six-and-a-half year determinate sentence. The new sentence means that he no longer faces life imprisonment and with merit time could be released as early as October 2008.



Youth from Sierra Leone Wins Asylum

Cleary Gottlieb won asylum for a pro bono client, a native of Sierra Leone whose parents were slaughtered by rebels when she was just 7 years old. The client was sold as a domestic servant to a family in Guinea, who subjected her to long-term physical abuse, forced labor, and female genital mutilation. In 2006, at the age of 19, she fled Guinea and arrived in the United States. Asylum was granted on November 9 by the New Jersey Immigration Court in Lyndhurst.

Her argument for asylum was based on past persecution and had a well-founded fear of future persecution at the hands of the family who purchased her as a domestic laborer, as well as continuing persecution in the form of the continued effects of FGM. The Guinean police had refused to investigate her reports of threats and physical assaults, demonstrating their unwillingness/inability to protect her.

The Door referred the client to Cleary Gottlieb. Following factual investigation of her claim, Cleary Gottlieb submitted her I-589 form, a legal memorandum and supporting documentation to BCIS, and represented her in her interview with the asylum officer. Even though her asylum application was filed more than a year after her arrival in the United States, the authorities accepted Cleary Gottlieb's arguments and granted asylum.

Cleary Gottlieb successfully concluded several arts, not-for-profit, land use and affordable housing deals this year, including advising the Brooklyn Bridge Park Conservancy in the creation of a unique development: the Floating Pool Lady and the Brooklyn Bridge Park Beach in the East River. The firm also represented several microfinance institutions, including the Grameen Foundation USA, whose affiliate organization received the 2006 Nobel Peace Prize, in several innovative financing programs for microfinance institutions.

Caregiver Aunt Wins Guardianship

Cleary Gottlieb won permanent letters of guardianship for a pro bono client seeking guardianship of her 12-year-old niece, after the tragic death of the child's father in December of 2006 and the incapacitation of the child's grandmother in 2007. The mother's whereabouts have been unknown since the child was two years old. During the investigation into the whereabouts of the child's mother, Cleary Gottlieb attorneys discovered that the child's mother had been deceased since 2004. The client was referred by the firm's participation in MFY Legal Services' Kinship Caregiver Law Project, a multi-firm pro bono initiative to represent individuals seeking guardianship of family members. The project's goal is to provide the sort of legal support and services for kinship caregivers that are currently provided by the state to foster parents seeking guardianship of children with whom they do not have a pre-existing relation. The guardianship allows the client to continue to provide for the education, health care and other needs of the child, with the security of knowing that the state has entrusted their care to her. Brooklyn Family Court granted the client the letters of guardianship on June 26, 2007.



Clery Gottlieb Files Second Circuit *Amici* Brief in United States v. Stein

Clery Gottlieb filed an *amici curiae* brief on behalf of the New York Council of Defense Lawyers, the New York State Bar Association, and the National Association of Criminal Defense Lawyers, in support of affirmance of Judge Lewis A. Kaplan's groundbreaking order excluding evidence obtained by prosecutors in reliance on the Thompson Memorandum.

The case involves the criminal prosecution of KPMG employees for the development and marketing of illegal tax shelters. Judge Kaplan found that the prosecution had threatened KPMG with indictment if it did not pressure its employees to cooperate with the prosecution. That pressure included threatening to cut off legal fees to employees who did not cooperate with the prosecution by waiving their Fifth Amendment protections against self-incrimination. Judge Kaplan found that the actions of KPMG were fairly attributable to the prosecution both based on the existence of the Thompson Memorandum itself and the manner in which its guidance was implemented in this case. *Amici* argued that, based on the findings of the district court, the prosecution's actions coerced the defendants into sacrificing one constitutional right to preserve another. *Amici* also argued that by effectively substituting itself for the private employer and conditioning attorneys' fees on cooperation, the prosecution's conduct in this case undermined the independence of defense counsel and the robustness with which counsel might have pursued applicable defenses. Such interference with the relationship between defendant and counsel upsets the adversarial balance of our criminal justice system.



Awards

Clery Gottlieb's Washington Office Honored for Pro Bono Work

The federal judiciary of the District of Columbia honored Clery Gottlieb's Washington office for its pro bono work. Clery Gottlieb was one of several Washington, D.C. law firms in which 40 percent or more of both its partners/counsel and its associates devoted at least 50 hours to pro bono legal services in calendar year 2006. **The Standing Committee on Pro Bono Legal Services of the D.C. Circuit Judicial Conference** recognized the firms at a breakfast ceremony. The firm has a long-standing commitment to pro bono legal services and is proud to be among this elite group within the Washington, D.C. legal community.

Clery Gottlieb Associates Won MFY Legal Services, Inc. Pro Bono Partners in Justice Awards

Clery Gottlieb associates Kelly Frawley, Amanda Oberg and former associate Raja Raghunath were honored by **MFY Legal Services, Inc.**, receiving the **2007 Pro Bono Partners in Justice Awards** for their work winning guardianship for a caregiver aunt, who had been seeking guardianship of her two nieces and one nephew after the tragic death of their mother in a car accident. The pro bono client was referred to Clery Gottlieb from MFY's Kinship Caregiver Law Project. Carrie Grimm also received a 2007 Partners in Justice Award for her work in facilitating the Kinship Caregiver Law Project.



Cleary Gottlieb Honored by National Legal Aid and Defender Association

National Legal Aid and Defender Association honored Cleary Gottlieb on June 12th at its **Exemplar Awards Dinner** for the firm's representation of three Guantánamo Bay Detainees.

Cleary Gottlieb Honored by Mississippi Center for Justice

At a June 7th ceremony in Washington, D.C., Cleary Gottlieb was honored by the **Mississippi Center for Justice (MJC)** for **"Advancing the Recovery and Ensuring Fairness in the Wake of Hurricane Katrina"**. Cleary Gottlieb has taken over 25 FEMA and Mississippi Development Authority appeals, as well as contractor fraud cases from MJC since 2006.

Cleary Gottlieb Associates Won Legal Aid Society Pro Bono Awards

The Legal Aid Society presented awards to Cleary Gottlieb associates Jane Kim, Katherine Roberts and Abdallah Simaika at the **Legal Aid Society's Annual Pro Bono Awards and Law Firm Recognition Ceremony**. They were honored for their work representing a client in his habeas petition before the Second Circuit Court of Appeals. New York State Chief Justice Judith S. Kaye presented the awards.

Cleary Gottlieb Pro Bono Administrator Won Pro Bono Achievement Award

Cleary Gottlieb's pro bono administrator Carrie Grimm was honored at the fifth annual **Sanctuary for Families' Pro Bono Achievement Awards and Benefit** on November 5th. Carrie is the first pro bono administrator ever to receive this award, which honors members of the legal community who have gone "above and beyond" the call of duty by providing outstanding pro bono representation and advocacy on behalf of domestic violence victims.



Partners and Associates on the Community Legal Assistance Committee (CLAC)

2007 Membership

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Thomas J. Moloney, *Vice Chair*
David E. Brodsky
Evan A. Davis (*ex officio*)
Hadi Nicholas Deeb
Steve G. Horowitz (*ex officio*)
Francesca L. Odell (*ex officio*)
Lewis J. Liman
Mitchell A. Lowenthal (*ex officio*)
Tanisha Massie
Chris Moore
Allan G. Sperling (*ex officio*)
Mark A. Walker (*ex officio*)
David E. Webb (*ex officio*)
Michael Weinberger

2008 Membership

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David L. Sugerman, *Vice Chair*
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Steven G. Horowitz
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Mitchell A. Lowenthal (*ex officio*)
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Francesca L. Odell (*ex officio*)
David Rush
Allan G. Sperling (*ex officio*)
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Founded in 1946 by lawyers committed to legal excellence, internationalism and diversity, Cleary Gottlieb Steen & Hamilton LLP is a leading international law firm with approximately 950 lawyers around the world. Cleary Gottlieb has offices in New York, Washington, D.C., Paris, Brussels, London, Moscow, Frankfurt, Cologne, Rome, Milan, Hong Kong and Beijing.

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