



ROBINS  KAPLAN LLP

QUARTERLY

Tackling Tough Business Litigation Matters

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A Landmark Victory for Disabled Homeless Veterans: Q&A with the Trial Team

This fall, Robins Kaplan LLP, in collaboration with Public Counsel, Brown Goldstein & Levy, and Inner City Law Center, secured a historic legal victory for disabled homeless veterans in Los Angeles. After a 16-day bench trial, U.S. District Judge David O. Carter ruled that the Department of Veterans Affairs (VA) must honor its commitment to provide housing and healthcare to veterans on the West Los Angeles VA Grounds. The sweeping decision requires the VA to build 1,800 permanent housing units within six years and 750 temporary units within 18 months, voids illegal land-use leases, and mandates critical improvements to veteran services.

Los Angeles is home to the largest population of homeless veterans in the U.S., with thousands living on the streets without access to essential care. This ruling reaffirms the VA's duty to those who have served, restoring the campus to its intended purpose.

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Historic Legal Victory for Homeless Veterans

Roman Silberfeld and Tommy Du talk about the case's challenges, key moments, and the lasting impact this decision will have on the lives of disabled homeless veterans.

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Building an Inclusive Legal Profession

Brandon Vaughn explores how the legal industry can move closer to realizing its potential as a diverse, equitable, and inclusive sector.

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REWRITING THE ODDS

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We spoke with the co-leads of the trial team—Roman Silberfeld and Tommy Du—about the case’s challenges, key moments, and the lasting impact this decision will have on the lives of disabled homeless veterans.

How did this case come to Robins Kaplan, and how long has it been ongoing?

ROMAN SILBERFELD (RS): This case came to us through our long-standing relationship with Public Counsel, a nonprofit law firm dedicated to advancing justice for underrepresented communities. Public Counsel approached us because of our firm’s experience with complex litigation and our commitment to public interest cases. The case was filed in November 2022, and it has been an intense and rewarding journey since then.

What were some of the primary challenges the team faced at the outset, and how did you approach these in your strategy for the case?

RS: The first thing that we had to do was to establish a legal claim, and that involved prevailing on a motion to dismiss on two separate important prongs: a claim under the Rehabilitation Act of 1973 and the establishment of a fiduciary duty by the VA toward veterans as beneficiaries of a trust. These foundational elements set the stage for the case to proceed.

TOMMY DU (TD): Along with the foundational legal hurdles, we also had to contend with the government’s aggressive litigation strategy, requiring us to operate on multiple fronts simultaneously. Once the case was assigned to Judge Carter, we were on a very compressed timeline to bring the case to trial. This included a last-minute, massive production of documents from the government. Our e-discovery team—special thanks to Lisl Fuhrken and Renae Knudson—was instrumental in helping us sift through those documents to prepare for trial.

Public Counsel approached us because of our firm’s experience with complex litigation and our commitment to public interest cases.

The trial spanned 16 days—what were some of the most pivotal moments during this time?

TD: Two moments stand out for me. First, Roman’s masterful cross-examination in breaking down a complex housing finance issue to dispel one of the government’s key theories. Second, the plaintiffs’ testimonies were unforgettable. Each veteran who took the stand brought a human face to their struggle, recounting experiences from the time they enlisted to the moment they sought help, only to be turned away by the VA while seeking housing. Their testimonies served as a powerful reminder to everyone in the courtroom that their homelessness was not a choice but a consequence of a system that failed them.

RS: Hearing the veterans’ firsthand accounts of homelessness, coupled with expert testimony about its devastating effects on health and well-being, deeply moved the court. Scientific literature and expert testimony presented during the trial showed that homelessness is linked to significantly shortened life expectancies—on average, seven to 10 years shorter than those who are housed, across all age groups. This evidence illustrated the dire implications of being homeless and reinforced the urgency of addressing this issue.

How does this ruling align with the original mission of the West LA VA campus, and what precedent could it set for veteran care across the country?

RS: This ruling restores the campus to its intended purpose: serving as a space for disabled veterans in need of housing and healthcare. It reinforces the VA’s obligation to prioritize veterans’ needs above all else. Importantly, it also sets a significant legal precedent, signaling that other VA campuses must honor their commitments to veterans and cannot misuse land or resources for purposes unrelated to veteran care.



What impact do you hope this decision will have on the lives of disabled homeless veterans in Los Angeles?

TD: There are far too many disabled homeless veterans in Los Angeles. We hope that this decision will help provide some, if not all, with the housing that they deserve after making a voluntary decision to serve and protect our country.

RS: This ruling, when affirmed on appeal, has the potential to end veteran homelessness in Southern California.

Reflecting on this journey, is there a particular moment or aspect of the case that stands out to you personally?

RS: Seeing justice dispensed through the court's opinion was a very proud moment for me. It affirmed my belief in the legal system's power to effect meaningful change for those who need it most.

TD: For me, working with the veterans to tell their story—some for the very first time—was incredibly impactful. It was understandably difficult for some of them to talk about how the trauma of war and their treatment by the VA led to their predicament. It took a lot of courage for them to testify, but they knew that their testimony was crucial for everyone to understand what we were fighting for.



ROMAN SILBERFELD

Roman Silberfeld, who serves as the firm's National Trial Chair, has secured over 80 trial victories to date. He has led precedent-setting cases in entertainment and business litigation, safeguarded California consumers, and has been deeply involved in the protection of intellectual property rights.



TOMMY DU

Tommy Du is a trial attorney focused on complex business and commercial litigation. He has represented a range of clients, from Fortune 500 companies to individuals, in every aspect of litigation. He has obtained significant recoveries for plaintiffs and dismissals of lawsuits for defendants in a variety of cases.

Recruiting & Retaining Diverse Attorneys: Building an Inclusive Legal Profession

BY BRANDON VAUGHN



In the United States, the legal profession plays a critical role in upholding justice and advocating for societal change. However, despite strides toward diversity and inclusion, significant disparities persist within the legal field. While non-white individuals make up about 40% of the U.S. population, only 19% of lawyers are non-white, [highlighting](#) a clear gap that needs addressing.

Progress has been made, especially at the associate level, with increased representation of women, people of color, and LGBTQ+ individuals among summer associates and associates. However, advancing diverse attorneys to partnership positions remains a challenge, with women of color particularly underrepresented within partnership ranks.

BARRIERS TO DIVERSITY

Several studies highlight the persistent barriers to diversity within the legal profession. Research [shows](#) that white applicants receive about 50% more callbacks than Black applicants with identical resumes. Additionally, biases are evident in the treatment of diverse students, with Caucasian males often granted preferential access to faculty members, compared to their female or diverse counterparts.

The Thomas Meyer study, conducted in 2014, underscores the need for proactive measures to address biases in legal evaluations. The research analyzed 60 partners from 22 firms who reviewed a memo written by a third-year associate named Thomas Meyer. Half were told Meyer was white, and the other half were told he was Black. The memo attributed to the white Meyer received a score of 4.1 out of 5, while the memo attributed to the Black Meyer received a 3.2, despite both memos having the same number of spelling errors. The group analyzing the Black Meyer's paper [found](#) more errors than those reviewing the white Meyer's version.

MERITOCRACY & BIAS

Meritocracy, the belief that individuals succeed based on their talents and efforts alone, often overlooks the pervasive influence of bias. Many assume the playing field is level and that merit alone determines success. However, even individuals with the requisite skills and abilities may be denied opportunities due to conscious or unconscious biases. Conversely, biases can also lead to overestimating someone's merit, granting undue advantages based on implicit preferences. Recognizing and mitigating these biases is crucial to ensure that merit truly determines success and that opportunities are equitably distributed. Awareness of biases is the first step toward creating a fairer and more inclusive legal environment. To combat bias effectively, implementing blind reviews, using software tools for objective evaluations, and maintaining consistent feedback mechanisms are essential.

LEVERAGING COLLECTIVE POWER FOR DIVERSITY

Clients increasingly prioritize diversity when selecting legal representation, presenting opportunities for firms to align their values with client expectations. Collaboration with clients and a genuine commitment to diversity beyond surface-level metrics are crucial for meaningful progress. To enhance diversity and inclusion within the legal profession, firms can implement various strategies:

- Organize diversity receptions for law students to foster connections and opportunities.
- Establish formal mentoring programs for junior lawyers to help better support the growth and development of attorneys. In 2023, 86% of law firms that submitted data for Bloomberg Law's [DEI Framework](#) reported having mentorship programs as a way to [increase](#) diversity at all levels.
- Host events that facilitate interactions between diverse associates, partners, and prospective candidates.
- Develop specialized programs to provide diverse attorneys with industry-specific knowledge and skills.
- Invest in pipeline programs targeting high school and undergraduate students to cultivate interest in legal careers among underrepresented groups.

- Establish DEI benchmarks to help track your progress. Focus on clear and digestible metrics like pay rates, participation in mentorship programs, hiring sources, and a sustained commitment to racial and ethnic diversity in leadership. This approach helps organizations stay accountable to their goals and ensures that lawyers from all backgrounds have fair opportunities to build their careers and book of business.

Inclusion should extend beyond mere representation to foster a sense of belonging for all individuals within the legal profession. Allies play a crucial role in advocating for diversity and challenging biased practices. As an ally, take the time to conduct your own research and educate yourself, rather than putting that responsibility on the ones you care to learn from.

HERE ARE A COUPLE OF STEPS YOU CAN TAKE TO AS AN ALLY:

- Read the book “What If I Say the Wrong Thing? 25 Habits for Culturally Effective People” by Vernā Myers. This practical guide helps readers enhance cultural competence and navigate diversity issues more effectively.
- Speak up on someone’s behalf if you feel that he or she has been minimized or a victim of an inappropriate comment.

CONCLUSION

Recruiting and retaining diverse attorneys is not only a matter of social justice, but also critical for the legal profession’s effectiveness and legitimacy. By addressing systemic barriers, challenging biases, and leveraging collective efforts, the legal industry can move closer to realizing its potential as a diverse, equitable, and inclusive sector. Through deliberate actions and sustained commitment, the legal profession can lead by example in promoting diversity, equity, and inclusion for generations to come.



FRONT AND CENTER

MID-MINNESOTA LEGAL AID, ROBINS KAPLAN BRING CLASS ACTION SUIT AGAINST MOBILE HOME PARK

Exposure to raw sewage, overcharging for utilities, and invalid leases are at the heart of a class action lawsuit filed by Mid-Minnesota Legal Aid (“Legal Aid”) and Robins Kaplan LLP against a mobile home park in Sartell, Minnesota. The suit, filed by four longtime residents, names the out-of-state owners of the Sartell Manufactured Home Park (“the Park”) as the Defendants.

“We have identified three major violations at the Park that need urgent and immediate correction,” says Robins Kaplan partner Anne Lockner. According to the complaint, Defendants defrauded residents by falsely informing each resident, under duress and the threat of eviction, that state law required them to re-sign their leases, while failing to disclose that the leases presented to them contained new, illegal, and restrictive terms not found in their current leases.

Second, the complaint alleges that the Defendants installed utility meters under each home with the stated purpose of charging each resident for the utilities that they use. In reality, the meters either do not work or the Defendants are charging for utility use that is wildly inaccurate.

Finally, the suit claims that Defendants knowingly operate compromised water and sewage systems that cause human excrement and other sewage to back-up into residents’ homes and leak onto residents’ rented lots and community spaces, making the Park uninhabitable.

[READ MORE HERE](#)



ANNE LOCKNER



GEOFFREY KOZEN



RASHANDA BRUCE



AJ VALENZI

B. TODD JONES RETURNS TO ROBINS KAPLAN AS PARTNER



B. TODD JONES

This fall, Robins Kaplan announced that B. Todd Jones has rejoined the firm as a partner in its Minneapolis and New York offices. Jones brings unparalleled experience and leadership to the firm, with a distinguished legal career that spans public service, federal law enforcement, and private practice.

Jones' career is marked by a series of high-profile roles and achievements, including two terms as U.S. Attorney for the District of Minnesota and his appointment as the first confirmed Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Most recently, he served nearly a decade as Senior Vice President and Special Counsel for Conduct at the NFL, overseeing the league's risk management, investigatory, and disciplinary processes, including matters related to player and employee misconduct and legalized sports betting.

"We are thrilled to welcome B. Todd back to Robins Kaplan," said Anthony Froio, Chair of the firm's Executive Board and Managing Partner. "His exceptional leadership, extensive experience across both the public and private sectors, and commitment to justice give him a unique, 360-degree perspective that will be invaluable to our clients."

[READ MORE HERE](#)

ROBINS KAPLAN RANKS AMONG TOP FIRMS IN 2024 AMERICAN LAWYER MID-LEVEL ASSOCIATES SURVEY

Firm Jumps Up 10 Spots from Previous Year

Robins Kaplan is pleased to announce that it ranked among the top firms nationwide for midlevel associate satisfaction according to *The American Lawyer's* 2024 Midlevel Associates Survey.

The firm is ranked 28th overall, scoring an average of 4.3 on a 5-point scale. This year's ranking is up 10 spots from last year, when the firm ranked 38th nationwide.

The American Lawyer's annual Midlevel Associates Survey examines several aspects of job satisfaction for third-, fourth-, and fifth-year associates. They include compensation and benefits, training and guidance, interaction with partners and other associates, interest and satisfaction level of work, the firm's policy on billable hours, and management's openness about firm strategies and prospects for partnership.



ROBINS KAPLAN EARNS MANSFIELD 2023-2024 CERTIFICATION STATUS

Robins Kaplan is pleased to announce that the firm has once again achieved Mansfield Certification status in 2024 for its ongoing commitment to fostering diversity, equity, and inclusion in leadership roles.

The Mansfield Rule, launched in 2017 by Diversity Lab in collaboration with Bloomberg Law and Stanford Law School, is a yearlong, data-driven certification program designed to increase the representation of underrepresented talent in law firm leadership. The program ensures that all qualified candidates are given a fair and equal opportunity for advancement, with a focus on transparency and accountability.

The criteria for Mansfield Certification continue to evolve, becoming more rigorous to drive even greater impact. Robins Kaplan has participated in the program for six consecutive years, contributing to monthly knowledge-sharing meetings, attending expert-led workshops, and implementing processes that expand opportunities across leadership roles.