



National Association of Former U.S. Attorneys

October 2004

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Hello Everybody!

I apologize for my tardiness in getting this newsletter out. Two things got in my way: Developing and putting all the pictures together and a three week sailboat trip around the Mediterranean Sea-Barcelona to Rome.

I have not gotten over the excitement and satisfaction of the Asheville, North Carolina conference. We worry a lot getting these things to come together and fret about attendance. Then it happens. Wham—a giant success! Your out-going President, **Margaret Currin**, (5/10/03—8/28/04) was right all along. Not only is Asheville a wondrous place to visit, but the Grove Park Inn is right up there with the best of them. Food, service, golf, location, rooms—everything first class.

None of this distracts from the excellence of our C.L.E. program. I seem to say this year after year, but this *was* the best! Previous speakers shouldn't get mad at me; just blame it on an older fellow's waning memory.

The highlight was, of course, the Honorable **Janet Reno**, former Attorney General of the United States. We all know that politically and philosophically we are a pretty diverse group. Didn't matter when this lady took the podium. Her intellect, her commitment and her charm were overwhelming. The standing ovation told the story. We are forever grateful for her presence and hopefully she'll make a habit of joining us each year. She can just come and listen.

Our conference, in it's new tradition, opened with a golf tournament (see page 2) We followed up with the Thursday night cocktail reception, lubricating us all for the early morning C.L.E. that was around the corner. These receptions are wonderful for meeting new folks and finding old friends, essential to NAFUSA.

Friday morning — into the laboratory. We were graciously welcomed by his Honor, Judge **Lacy H. Thornburg**, United States District Court, Western District of North Carolina. A true gentleman. His Honor, a former Attorney General for North Carolina, shared his views and experiences with State/Federal Prosecutorial Relations. His offerings were most positive. (Continued on page two)

The judge was followed by our traditional presentation from the Executive Office of United States Attorneys, U. S. Justice Department. They led off with our new friend, **William Mercer**, United States Attorney for Montana and at the same time, the Chairman of the Attorney General's Advisory Committee. He was accompanied by the unflagging **Louis DeFalaise**, (U.S. Attorney, ED of KY 81-91), Chief Counsel to EOUSA and now Director of the Office of Attorney Recruitment and Management. (*Hey Lou, is 'unflagging' a good description?*) They continue to enlighten and keep us current with the institutions we so fondly respect.

Enter **Joe Whitley**, the Honorable Mr. Whitley, (U.S. Attorney, M.D. Georgia 1981—1987, N.D. of GA 1990-1993) Chief Counsel, Department of Homeland Security. A very serious presentation filled with illuminating and interesting information. There is so much about Homeland Security we continue to discover. Joe Whitley makes me feel a lot more comfortable.

For the last few years NAFUSA has taken it upon itself to honor that person our organization feels is the most outstanding and deserving Assistant United States Attorney in the entire country. One of these recipients was **Robert Posey** who recently prosecuted the murderers in the 1966 16th Street Baptist Church in Birmingham, Alabama. This year he won the U.S. Justice Department's John Marshall Award for Excellence. Proving we know how to pick 'em. This year we did it again. The J. Michael Bradford Memorial Award recipient for 2004 was **J. Malcolm Bales**, Chief of the Criminal Division, ED Texas. Mr. Bales presented a slide presentation on "*An Anatomy*

24 Play in NAFUSA's 2004 Golf Tournament

The golf tournament at the Asheville NAFUSA conference was a great success. Twenty-four golfers participated. For the first time, we also had a ladies' division. Here are the results:



Mens Championship Flight:
Winner: Ed Dowd
First Runner-up: Rick Hess
Second Runner-up: John Tinder

Mens A Flight:
Winner: Bill Lutz
First Runner-up: Jim Brady
Second Runner-up: Sam Currin

Ladies Winning Team:
Joyce Eagleton
Moria Russionello
Mary Vaira

Ladies Runner-up Team:
Margaret Currin
Mary Ederer
Mary Hess
Barbara Lowe

Plans are already underway for another exciting golf tournament for the 2005 Boston NAFUSA conference. Plan now to participate—both men and women!

A special thanks to **Sam Currin** for putting the golf tournament together. Invaluable!

of a High Yield Investment Fraud" and shared his experiences therein. He's one of those special and exceptional government attorneys that goes out there everyday and kicks butt. He truly exemplifies the purpose of the J. Michael Bradford Award.

Off to the Biltmore Estate for lunch and a tour. The lunch was dynamite and the setting wonderful. What's not to like about the Biltmore Estate (check out the pictures) Makes you want to give three cheers for Capitalism (unbridled). We followed up with a tour and tasting session at their winery.

Saturday morning - enter our friend and member Professor **Stephen D. Easton** (North Dakota 1990-1995) Law Professor at the University of Missouri Law School. What an amazing and fun presentation: "*Would You Like Fries With That?*" Don't let the title fool you. A course on ethics unequaled. Our group fell in love with him and since he lectures on four different subjects, he has promised to return each year when possible. Professional responsibility and legal malpractice got a thorough going over.

Steve was followed by our friend and perennial presenter, **Leon Friedman**, Professor of Law at Hofstra Law School. Mr. Handicapper, of the U.S. Supreme Court that is. He was his usual entertaining self filled with an unequaled insight into that august body. We keep our fingers crossed that he will continue to enjoy us as much as we enjoy him. Remember, he's a member of this organization.

New to NAFUSA, but not to his subject matter, our next speaker was Professor **John M. Conley**, University of North Carolina School of Law giving a tremendous lecture on the Ramifications of the Patriot Act. He too delivered a slide presentation opening a few eyes and was well received. Professor Conley is living proof of the growing excellence of the NAFUSA program.

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Our CLE Educational program closed with a presentation by a most amazing individual. A man of the highest convictions with a unique ability to put his mouth where his mind is, the Honorable **John S. Martin**. He speaks out in the public forum and challenges not only the Federal Sentencing Guidelines, but the numerous other stumblings of our legal system. He acknowledges there are two sides to every issue but he certainly rallied the troops at this conference. Someone with the experience of a U.S. Attorney for the Southern District of New York and a federal judgeship for that same district, giving up that lifetime security so as to speak his mind is surely a profile in courage. My kind of guy.

More golf. There is certainly a commitment among our members to this silly sport, boys and girls alike. Some came in two days early to whack that little ball. The more sensible people went downtown to Asheville or back to the Biltmore Estate.

Saturday Night. Our annual dinner reception. This is truly a highlight event. Former Attorney General **Janet Reno**, proved once again her praiseworthy reputation. Instead of heading for greener pastures (big law firms), she is right back at it. Service to her country and her surroundings. She is busy with the issue of bringing relief to those wrongfully convicted and jailed by a faulty prosecutorial environment (not everywhere). The new wonders resulting from the use of DNA science were the topic of her presentation. She's not the first one addressing NAFUSA on this subject. Remember New York and Howard Safir? A lot has happened since then.

Lady Reno not only delivered a great speech, but mixed and conversed with the group like the Pro she is!

We are awaiting our
CLE accreditation.

BUSINESS

As most of you know, our friend, **George Lowe** (ND NY 89-82), now a federal magistrate, was informed by those that oversee the Federal Judiciary's behavior, that he couldn't be a Magistrate and serve as NAFUSA's president at the same time. Alas, George must pass a position he truly earned and deserved. The Good News! We have a new President, **Jack Selden** (ND Alabama 92-93) Our then Vice-President, and with everybody's endorsement, simply moved up a notch and was followed by the rest of the officers. Therefore a need for a new Secretary and a new Treasurer presented itself. NAFUSA's new Secretary is **Ed Dowd** (ED Missouri 93-99) and its new Treasurer is **Mike McKay** (WD Washington 89-93). Two fine choices.

NAFUSA's Board of Directors say goodbye to **John Clark** (WD TX 75-77), **William Price** (WD OK 82-89), **Rick Hess** (SD IL 75-93), and **Sharon Zealy** (SD OH 97-2001). These wonderful folks served dutifully as NAFUSA Directors for 3 years and now move on. They're not going far and we're forever grateful for their service. **Bill Lutz** (ND NM 82-91) was reappointed to fill in for **Ed Dowd**.

The Board of Directors have chosen this year's new members who are: **Billy Kimbrough** (SD AL 77-81), **Rich Rossman** (ED Michigan 80-81), **Richard Deane** (Georgia), **Michael Spaan** (Alaska 81-89), and **Ron Woods** (SD TX 90-93). NAFUSA's new president is about as hard working a fellow you could ever want and totally dedicated to our organization. We're very lucky. So, good luck, Everybody.

The next newsletter will have reports from our new Secretary and Treasurer, relative to our Board Meeting. A letter from our new President will also be included.

LET'S TALK BOSTON, the site of our next year's conference. (October 6, 7, 8, 2005)

First, a hats off to **George Lowe** and **Donald Stern** (D MA 93-2001). They scouted Boston and it's hotels pretty good. The results equal the wonderful Langham Hotel right in the middle of one of America's most historic and beautiful cities. Please start marking your calendar now. If you didn't make Asheville, too bad. Now's your chance to get back in the swing of things at a most accessible location.

KUDOS A sincere thanks to Patricia Cook for her untiring work on the conference and to Sarah LaManna who does the tough work everyday including this newsletter.

How do you say thank you to our outgoing President, Margaret Currin? What an outstanding job she's done. We will miss her dearly, I especially. M.B.



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**The beautiful Langham Hotel
In Boston, Massachusetts**
**Mark your calendars
now for next year's
annual conference:
October 6 - 8th, 2005**

"Congratulations on a fabulous conference. ...The NAFUSA conference was definitely head and shoulders above what is offered regularly to practicing attorneys."

Stephen Easton, Assoc.
Prof. of Law, UNC, Missouri

"the meeting in Asheville was a success..." William L. Lutz

"Asheville gets 4 stars! A spectacular setting, wonderful golf course, excellent programs and, of course, the world's greatest people. Way to go, Margaret!"
Honorable George Lowe
Federal Magistrate



**WE'LL BE
LOOKING
FOR YOU!**

**A NEW WEBSITE
IS ON ITS WAY!**

"Congratulations once again on an outstanding conference..."
A. Bates Butler III
Fennemore Craig

"Great conference. The best one ever..."
James Brady

**⚡ ⚡
PAY
YOUR
DUES!**