



Fall 2023 Newsletter

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Fall 2023

Welcome to the Faculty of Federal Advocates

Fall 2023 Electronic Newsletter

www.facultyfederaladvocates.org

The Newsletter brings you news about FFA events and CLE programs along with useful information for federal practitioners, including links to relevant websites. The FFA welcomes contributions to our Newsletter from our membership.

Newer attorneys, experienced attorneys, and law students are all encouraged to submit articles. If you are interested in submitting an article to be considered for publication, please contact the FFA by emailing Executive Director Dana Collier at:

dana@facultyfederaladvocates.org.

THE FFA INVITES YOU TO OUR

End of Summer Reception

Wednesday, September 13, 2023
5 - 6:30 p.m.

10th Circuit Court of Appeals
Byron White Courthouse
1823 Stout Street

As we bid adieu to summer, let's gather in person to reconnect with friends and socialize with new friends. We are grateful to the Federal bench and our members for your support of the organization and our programs. Please join us for a reception to honor special guests and each other.

Who We Are

Board of Directors

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Dana Collier
Executive Director

Mission of the Faculty of Federal Advocates

The Faculty of Federal Advocates

(FFA) is an organization of attorneys dedicated to improving the quality of legal practice in the federal courts in Colorado by enhancing advocacy skills, professionalism, and the integrity of practice.

This event is free for FFA Members, Judges, Judicial Law Clerks and Court Staff Attorneys; \$30 for all others. Registration is required.

Registrants will receive two drinks ticket and complimentary hors d'oeuvres; Cash bar

Click [HERE](#) to register for the reception.

Maximizing Opportunity for Early Constructive Resolution of Litigation

By Stephanie K. Wood

On March 30, 2023, Magistrate Judge Michael E. Hegarty and Robbie M. Barr, Esq., former judge, shared their expertise about how to maximize your opportunity for successful settlement conferences. Resolving litigation before trial through alternative dispute resolution can conserve resources for all parties and the United States District Court for the District of Colorado, which as of 2020 was the 10th busiest judicial district among 94 districts due to the state's population being doubled since the last federal judgeship was created, according to statistics cited by Chief Judge Brimmer from the 2020 Judicial Conference. Magistrate Judge Hegarty is also the statistician for the court, and according to annual court statistics, early alternative dispute resolution often provides both parties with prompt resolution, especially given current average times for ruling on dispositive motions and taking a case to trial.

Litigants may take advantage of a settlement conference with the magistrate judge assigned to their case or hire a private mediator to conduct a mediation. According to Magistrate Judge Hegarty, settlement conferences are the number two priority for federal magistrate judges. In his opinion, "there is no better use of my time to meet your needs and to help get you through the process." A settlement conference with a magistrate judge can give clients their singular day in court with a representative of the judiciary and conserve resources for all parties. When a case is constructively settled, there are no more motions and no appeals. Magistrate Judge Hegarty wants the parties to walk away from his settlement conferences feeling that they reached a satisfactory outcome and participated in an excellent professional process.

At scheduling conferences, Magistrate Judge Hegarty typically assesses the facts, reads the room, and may sua sponte encourage the parties to consider settlement. Under 28 U.S.C. § 652, all litigants in civil actions shall consider the use of an alternative dispute resolution process at an appropriate stage in the litigation. Relatedly, pursuant to D.C.COLO.LCivR 16.6(a), "[a] district judge or a magistrate judge exercising consent jurisdiction may direct the parties to engage in an early neutral evaluation or other alternative dispute resolution proceeding."

Counsel serves their client's interests by writing a solid five-page settlement statement for the Magistrate Judge or private mediator and highlighting the relevant portions of exhibits, and not by submitting a "demand letter." Any valid defenses, fee-shifting provisions, and important non-monetary requested relief should be referenced in the statement. Magistrate Judge Hegarty also appreciates counsel who are realistic about the value and strength of their positions. And he reminded participants that it is sanctionable to send a client representative, who does not have full authority, to a settlement conference.

According to Magistrate Judge Hegarty and Ms. Barr, experienced litigators and judges can deduce an appropriate range for a settlement value; however, they believe that

The FFA provides continuing legal education classes, mentoring and pro bono opportunities, and other support services to foster and demonstrate commitment to the highest standards of advocacy and professional and ethical conduct. The FFA promotes support, mentorship, education, and camaraderie for federal court practitioners.

Become a member or learn more at our website:
facultyfederaladvocates.org

Quick Links

[Join the Faculty of Federal Advocates Here!](#)

[U.S. Supreme Court](#)

[U.S. Court of Appeals
10th Circuit](#)

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Court District of
Colorado](#)

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District of Colorado](#)

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beginning the settlement process discussing numbers is counterproductive. They both believe in due process where each side feels heard and through negotiations will nudge the parties toward a similar range as the day progresses. For example, a number spoken at 11 am could drive one party out of the room whereas the same number spoken at 6 pm settles the case. Judge Hegarty and Ms. Barr do not aim to “split the baby” and both take an evaluative approach to settlement conferences. They both assess what is justified considering the facts and controlling authority and neither will participate in requests by one side that could cause more harm to the other side. According to Ms. Barr, a claim by defense counsel that they only have authority to offer a certain amount is usually bogus, and she has settled lots of cases above what defense counsel has claimed to be their “top authority.”

It is helpful to bring a concise draft settlement agreement or term sheet to the settlement conference to facilitate memorializing the final agreement. Any non-monetary relief can be carved out into a consent decree. Sometimes the Article III Judge will not consent to retaining jurisdiction to enforce the terms of a settlement agreement; however, a Magistrate Judge could retain jurisdiction through consent. Counsel can avoid any question on this issue by structuring settlements so that dismissal papers are not filed until full payment is tendered and received.

Click [HERE](#) for the written materials from this program.

Sentencing and Motions Practice in Criminal Cases Before Judge William J. Martinez

By Sean McDermott

On May 9, 2023, District Judge William J. Martinez spoke to the Faculty of Federal Advocates about Criminal Motions and Sentencing Practices. While the presentation emphasized the law, the program provided an opportunity to see a federal judge discuss the human element that a Judge brings when applying the law to the facts.

The human factor showed early in the presentation when Judge Martinez was introduced by one of his former law clerks, Jamie Hubbard, who is now a well-regarded criminal defense practitioner.

Ms. Hubbard began the introduction by describing Judge Martinez’s background, which includes an undergraduate degree in engineering. Following law school, Judge Martinez was an attorney with the Equal Employment Opportunity Commission and worked for Legal Aid in Chicago. When Judge Martinez shifted to private practice his focus was employment law and securities cases. Judge Martinez was appointed to the United States District Court for the District of Colorado by President Barak Obama.

I. Sentencing in Criminal Cases

When discussing criminal cases and sentencing, Judge Martinez broke the cases down by categories and explained what motivates him and what he looks for when judging a case. He admitted that judges within our District view things differently and focused on what he personally looks at when sentencing a person in his courtroom. When explaining this, Judge Martinez discussed different kinds of cases. The criminal cases commonly adjudicated in the District of Colorado include financial fraud and drug cases. The presentation’s discussion of these is outlined below. Other topics and areas discussed at the presentation included crimes related to firearms, unlawful reentry cases, child pornography, and environmental crimes.

A. Financial Fraud

Judge Martinez stated his focus in financial fraud cases is deterrence. Judge Martinez explained this class of offenders tends to pay attention to the deterrence goals of the criminal law and the sentencing statute, 18 U.S.C. § 3553(a). Judge Martinez contrasted financial offenders with drug addicts who break the law to feed their habit. The latter generally do not consider deterrence. The takeaway was, those who have something to lose will be impacted more by a message of deterrence than those who believe they have nothing to lose.

Judge Martinez then discussed what he viewed as aggravating factors when it comes time to sentence a defendant for a financial fraud crime. He included:

- 1) the significance of the harm caused by the fraud,
- 2) the complexity of the fraud,
- 3) the duration of the fraud,
- 4) whether restitution had been paid, and
- 5) lack of authentic remorse.

With respect to restitution, Judge Martinez pointed out that money obtained by fraud went somewhere; the implication being that fraudulently obtained money is either saved or spent, and it is the offender's obligation to make the victim whole. Paying restitution gets favorable consideration in his Court. When discussing a lack of remorse, Judge Martinez used the maxim, "You know it when you see it." To illustrate the point, Judge Martinez used the widely-publicized case of Elizabeth Holmes. Ms. Holmes was a well-connected person convicted of fraud in the United States District Court for the Northern District of California after duping the public and investors out of huge sums of money. Despite the harm she caused, she insisted that prison was inappropriate, since she was not a "danger to the community." People who have committed crimes but think that they are above other people who have committed crimes will not be viewed favorably in Judge Martinez's Court.

B. Drug Crimes

Aggravated sentences will be considered for drug traffic organization leaders. Judge Martinez noted that while he has been on the bench, he has seen drugs ruin lives. The practical reality of how drugs are made and distributed has also changed. The days when you needed a field to grow illicit opioids such as heroin are gone. Instead, drugs like fentanyl are made in a lab. Similarly, methamphetamine is made in a lab, as opposed to the stimulant cocaine which needs the cultivation of the cocoa plant. These newer drugs are more deadly than their predecessors and that is something that weighs in Judge Martinez's analysis and conscious.

In contrast to the drug trafficking organization leaders, Judge Martinez expressed sympathy for the accused who apparently have been taken advantage of by the leaders of drug trafficking organizations. An example are people recruited under false pretenses to do legitimate work and then are told that they will be drug couriers.

During his tenure on the bench, Judge Martinez's "antenna" has become more refined. If he senses a lack of authenticity during an expression of remorse, it will not bode well for someone sentenced in his Court.

II. Criminal Motions Practice in Judge Martinez's Courtroom

Judge Martinez reviewed the different kinds of motions in criminal cases and stated which will generally be treated favorably and which will have more of a challenge. While

each category of motion, such as a motion to sever a defendant from his or her codefendants, will have inherent challenges, Judge Martinez emphasized what is important to him across the board. Practice tips also included making a better motion for a variant sentence and improving motions related to the Speedy Trial Act. Reply pleadings were discussed, and it was emphasized that a good opening motion will usually make a reply unnecessary.

III. The Overall Presentation

Judge Martinez emphasized that his workload is large. He relies on attorneys to do their homework and to be accurate with the law and the facts. When attorneys do this, they gain credibility and make everyone's job easier. Judge Martinez stated that when attorneys do not fulfill this obligation, they will have a challenge to gain or regain credibility in his courtroom.

The presentation was an informative overview of what will generally work in litigation and in particular, criminal law litigation in Judge Martinez's Courtroom. The information provided insight as to what should be done, what should be avoided, and what can be corrected by the practitioners who handle cases in Judge Martinez's courtroom.

Click [HERE](#) for the written materials from this program.

How to Address Abusive Conduct by a Judge

By Kelly K. Schulten

We've met them: the all-knowing judge, the bench weary judge, the advocate judge, and the brutish judge. Everyone who has litigated can tell you of a time when it felt like a judge was unnecessarily critical. The question that faces us is: "How can we possibly confront this without hurting our client's case?"

On May 23, 2023, the FFA welcomed United States Magistrate Judge Kristen L. Mix and attorneys Jill Langley, Jess Mekeel, and Byeongsook Seo to discuss this issue. The presenters focused on the rules that govern the bounds of judicial conduct.

1. The Federal Standards

There are two sources of guidelines for judicial conduct: the Code of Conduct for U.S. Judges and the Judicial Conduct and Disability Rules (JCD). While the Code outlines a judge's ethical obligations, the JCD sets forth the enforceable rules a judge must conform to.

A. Code of Conduct

In relevant part, Canons 3(A)(3) and 3(A)(4) of the Code identify a judge's core ethical obligations. A judge must practice civility by being patient, respectful, and courteous to all persons. Additionally, a judge should accord to every person, and that person's lawyer, the full right to be heard according to law.

Per these Canons, a judge may not engage in any form of harassment or retaliate against those who report misconduct. Harassment includes sexual and discriminatory harassment and other abusive, inappropriate conduct. Moreover, a judge has an ethical obligation to take corrective action if they learn another judge violates the Canons.

B. Judicial Conduct and Disability

The presenters next addressed cognizable misconduct under JC&D Rule 4(a)(2):

- (A) engaging in unwanted...abusive sexual conduct, including...harassment or assault;
- (B) treating...attorneys...in a demonstrably egregious and hostile manner.

Per 28 U.S.C. § 351(a), the core inquiry is whether the judge's conduct was "prejudicial to the effective and expeditious administration of the business of the courts."

Qualifying examples of such misconduct include a judge threatening to "come over the bench and choke" a lawyer, a judge telling a woman that they "didn't let girls do it in the old days," and a judge telling a teenager she was stupid, and her life was a "garbage pit."

JC&D Rule 4(b)(1), however, excludes as misconduct comments about a case and its merit. This limitation protects judicial independence by excluding allegations that are "directly related to the merits of a decision or procedural ruling." JC&D Rule 4 comments that if the judge's language was relevant to the case, then the language is presumptively merits-related, absent an improper motive. Examples, such as warning a party that their offensive motions won't be tolerated or being short-tempered during efforts at courtroom administration, are generally not misconduct.

2. The Complaint Procedure

Most issues are resolved informally. Under JC&D Rule 5, if the Chief Circuit Judge has information that constitutes reasonable grounds for inquiry into misconduct, the Chief Judge may conduct a "limited inquiry" into the allegations, even if no complaint is filed. If probable cause supports the allegation of misconduct, the Chief Judge may seek an informal resolution.

Under JC&D Rule 11, the Chief Judge will identify a formal complaint if there is no informal resolution. Any person may initiate a formal complaint under JC&D Rule 6. The Chief Judge, after inquiry, may either dismiss the complaint, conclude a complaint if the subject judge has taken corrective action, or refer the complaint to a special committee who will send a report to Judicial Council with findings and recommendations. The Judicial Council may then dismiss the complaint, conclude the proceedings, or take remedial action such as private censure or removal.

3. The Colorado Standards

At the state level, the Code of Judicial Conduct guides judges. These Canons and Rules advise to uphold and promote the independence, integrity, and impartiality of the Judiciary, and avoid impropriety and the appearance of impropriety.

The Code discusses how a judge shall perform the duties of judicial office impartially and competently and shall not manifest bias or prejudice or engage in harassment. A judge has a duty to hear proceedings with patience and dignity.

The Colorado Rules of Professional Conduct also address behavior relevant to judges and lawyers. Rule 8.3(b) requires lawyers to inform an appropriate authority if a judge's conduct raises questions regarding fitness.

The panel shared final points to remember in practice. It is important to be respectful of a judge and remember that judges are human as well. Address matters concisely and professionally when approaching a judge about conduct.

The panelists closed the training with some wisdom. Protect yourself. Give yourself the best opportunity to get justice for your case. If you cannot get justice because of judicial misconduct, do something. Always protect your client. Make sure the decisions you make in addressing misconduct are in your client's best interests.

Click [HERE](#) and [HERE](#) for the written materials from this program.

Shielding Your Firm: Identifying Threats & Protecting Your Sensitive Data

By Alex Ruge

The danger is coming from inside the building. This was the overwhelming message of May's FFA presentation on data security from Mr. Scott Greene of Evidence Solutions, Inc.

As we all know, scam emails and other threats to data security have become a plague afflicting the practice of law. Mr. Greene discussed the range from the high sophistication threats attempting to extort organizations down to the now clichéd hard-up foreign princes that need assistance moving funds around. For me, as for many in the audience by a show of hands, the most common contemporary variation is a phishing email purporting to be from a "colleague" that instructs me to make purchases or wire funds.

It is helpful to be reminded that, despite the variety and evolving nature of these schemes, there are steps that we can all take. In this vein, Mr. Greene stressed the fundamentals of data security as the most effective means to protect client data and our firms' finances:

- Keep systems up to date.
- Do not open attachments that are unexpected or otherwise suspicious.
- Use strong passwords and do not share them freely.

A key takeaway from the CLE is that data security is not just an issue for IT departments. It requires everyone's vigilance to make it work. Mr. Greene stressed the importance of teaching data security to all employees and at all levels.

A surprising fact brought up by Mr. Greene is that one of the biggest threats to data security in any organization, including law firms, are the organizations' leaders. This is not because leaders have a higher susceptibility or lack technical savvy. Rather, it is a consequence of their authority and access, often including administrative privileges or similar increased access. Perhaps because of this, these individuals may be targeted in social engineering attacks that attempt to cause a breach by tricking an employee into doing something to compromise security.

Mr. Greene noted some basic tools that firms and individuals can take advantage of to ease the burden of maintaining best practices for data security. First among these Mr. Greene recommended that everyone use *any* password management system. By securely storing and retrieving passwords as needed, such systems allow for using strong passwords and avoiding duplicate passwords for multiple systems. In particular, he noted that strong, unique passwords increase the chances that any access compromise that does occur will be limited to a single system.

Unfortunately, Mr. Greene reported that studies have shown that sophisticated ransomware attacks are a growing problem. It was surprising to learn that, even among those that pay a ransom, a third to 40% never recover the compromised data. This reinforces the understanding that the best defense is teaching everyone to be aware of

potential threats and take basic steps to reduce the chance of any trouble as much as possible. Ultimately, it appears that for data security as well, an ounce of prevention is worth a pound of cure.

Click [HERE](#) for the written materials from this program.

**The Pitfalls of the Proffer: Sitting Down with the Government
in Criminal and Civil Matters**
By Ellen Henrion

On June 21, the FFA hosted a panel on “The Pitfalls of the Proffer: Sitting Down with the Government in Criminal and Civil Matters,” presented by defense attorneys Miller Leonard and John Tatum and assistant United States attorneys Jasand Mock and Peter McNeilly.

The panel first gave an overview of the mechanics of criminal proffers, explaining that a proffer typically involves a meeting between the defendant, the defendant’s attorney, the assistant United States attorney, and a federal agent or investigator. The goal of the proffer is to benefit both sides: the government receives truthful information that may assist it in other investigations, and the defendant may receive a reduction in sentence as a result of the proffer. The panel stressed that a successful proffer requires the defendant’s complete truthfulness and thorough preparedness.

Mr. McNeilly then provided an overview of the ways in which a proffer can benefit a criminal defendant. First, section 5K1.1 of the United States Sentencing Guidelines and 18 U.S.C. § 3553(e) permit the court, upon a motion from the government, to depart from the Guidelines’ recommended sentence (USSG § 5K1.1) or a statutory minimum sentence (18 U.S.C. § 3553(e)) where the defendant has provided “substantial assistance” in the investigation or prosecution of another person who has committed an offense. In addition, 18 U.S.C. § 3553(f) provides a “safety valve” for defendants charged with certain drug offenses and permits a court to sentence a defendant without regard to a statutory minimum sentence if the court finds, among other things, that the defendant truthfully provided to the government all of the information and evidence the defendant has concerning the offense(s) that were part of the same course of conduct or common scheme or plan.

With respect to the civil side, Mr. Mock explained that the government seeks proffers in matters involving civil enforcement statutes, such as the False Claims Act and the Financial Institutions Reform, Recovery, and Enforcement Act. Similar to criminal cases, individuals who proffer with the government in a civil investigation may receive credit during the resolution of the civil matter. Mr. Mock also discussed the nuances surrounding parallel criminal and civil investigations, and explained that while parallel proceedings may streamline certain aspects of the investigations, there are also strict limitations on the civil division’s involvement in criminal investigations.

On the defense perspective, the panel highlighted the safeguards that would ideally always be in place during a proffer—for example, Mr. Miller instructed that if the government seeks to record the proffer meeting, the defense attorney should request a copy of the recording before the start of the proffer and should only consent to the recording if the government agrees to provide a copy of the recording to the defense. In addition, Mr. Miller and Mr. Tatum suggested that attorneys should conduct a step-by-step “dress rehearsal” of the proffer, explaining to your client what to expect at each stage of the proffer. This exercise was described as a practice interrogation, and the

attorneys stressed that extensive practice and preparation prior to a proffer is necessary for a successful outcome.

The panel also discussed some other potential concerns arising out of a criminal proffer that may not be obvious to an attorney unaccustomed to the practice, such as the inherent risks to incarcerated individuals arising from their participation in a criminal proffer. Mr. Tatum suggested that defense attorneys remind their incarcerated clients of the importance of discretion about their participation in a proffer, particularly in the company of other inmates, and explained that incarcerated clients may want to be prepared with an alternative explanation for their transport to and from a facility to attend a proffer meeting.

Click [HERE](#) and [HERE](#) for the written materials from this program.

**Of Note from the United States District Court,
District of Colorado**

The District of Colorado Welcomes United States Magistrate Judge Kathryn A. Starnella: United States Magistrate Judge Kathryn A. Starnella was sworn into office on August 7, 2023, by Chief Judge Philip A. Brimmer. A formal investiture is planned for a later date. Judge Starnella will immediately start on the bench. Her chambers will be in C-253 in the Byron G. Rogers Courthouse, and she is assigned courtroom C-204. Chambers telephone number is: (303) 335-2770. Cases assigned to Judge Starnella will be identified on the docket by her initials, KAS. Magistrate Judge Starnella's practice standards may be found [HERE](#).

Civil Pro Bono Panel: The Panel program's procedure is that when an attorney or law firm's name is drawn and counsel contacted, the court asks that counsel review the case and respond to [Ashley Sheehan](#) within five days to let her know if you are preliminarily interested in the matter, or whether you would prefer to decline the case. The case and Pro Bono Panel information are described by clicking [HERE](#) and the principal documents in the case are available [HERE](#). Let Ashley know if you have any questions about the case, its deadlines, the Civil Pro Bono Panel appointment process, or anything else. Contact [Ashley Sheehan](#) or email the [Civil Pro Bono Panel](#).

FFA UPCOMING EVENTS AND CLE PROGRAMS

Sign-up on our website at www.facultyfederaladvocates.org.

FRIDAY, SEPTEMBER 15, 2023

12 noon – 1:15 p.m.

**"PLAYING BY THE RULES: THE COMMITTEE ON CONDUCT'S ROLE IN
INVESTIGATING AND PRESIDING OVER ATTORNEY DISCIPLINARY MATTERS"**

PETER B. GOLDSTEIN, ESQ.
The Harris Law Firm

MARK J. FREDRICKSON, ESQ.

BROOKE H. MEYER, ESQ.

MAGISTRATE JUDGE N. REID NEUREITER
U.S. District Court, District of Colorado

TROY R. RACKHAM, ESQ.
Spencer Fane, LLP

COURTENAY PATTERSON, ESQ., Moderator
Law Office of Courtenay Patterson

MAEVE E. GOODBODY, ESQ., Moderator
The Goodbody Law Firm, Inc.

Alfred A. Arraj Federal Courthouse
901 19th Street, Denver
Jury Assembly Room

IN PERSON ONLY

This CLE will examine the U.S. District Court's Committee on Conduct. Current and former members of the Committee will review the Rules of Professional Conduct and the District Court's local rules of practice, as well as discuss the role of the Committee, what matters the Committee presides over, how complaints are initiated, the investigation process, applications for reinstatement and/or readmission, petitions for relief from the rule of good standing, and matters involving attorney disability. As former chair of the Committee, Magistrate Judge Neureiter will provide insight and perspectives from the bench regarding attorney misconduct and disciplinary matters. The CLE will also examine the role of the Committee on Conduct versus the Office of Attorney Regulations.

Click [HERE](#) to register for this program.
2 general/1.5 ethics credits approved.

WEDNESDAY, SEPTEMBER 20, 2023

12 noon – 1:15 p.m.

**"CYBERSECURITY AND DATA BREACHES: COVERING
YOUR LEGAL ASSETS"**

JENNIFER KURTZ
CONUNDRUM CREEK CONSULTING

Alfred A. Arraj Federal Courthouse
901 19th Street, Denver

Jury Assembly Room

IN PERSON ONLY

Achieving a "reasonable" cybersecurity posture may appear a quixotic quest, given daily reports of successful security attacks and exploits of vulnerable technology. In this talk, Jennifer will address common risks and requirements for legal practitioners--and introduce tools and techniques to mitigate risk and promote compliance. Topics to be addressed will include: access control; information media protection; secure communication; incident response; and risk assessment.

Click [HERE](#) to register for this program.
2 general/1 ethics CLE credits requested.

WEDNESDAY, OCTOBER 11, 2023

12 noon – 1:15 p.m.

"SPACE LAW: COLORADO'S NEXT LEGAL FRONTIER"

MATTHEW M. LINTON, ESQ.
Chief Legal Officer
True Anomaly

JUSTIN SILVER, ESQ.
Director, Corporate Attorney
Maxar

MILTON "SKIP" L. SMITH, ESQ.
Sherman & Howard, LLC

DAVID TONINI, ESQ., MODERATOR
Senior Director, Global Ethics & Compliance
Maxar

Alfred A. Arraj Federal Courthouse
901 19th Street, Denver
Jury Assembly Room

IN PERSON ONLY

Colorado has developed the second-largest aerospace economy in the United States, and it is home to U.S. Space Command, NASA research facilities, nine of the nation's top aerospace contractors, and world-leading aerospace engineering programs at the state's universities. In this CLE, a panel of seasoned space law practitioners in Colorado will explain the framework of international and domestic space law. They will outline the substantial regulations applicable to launching, operating, or selling commercial spacecraft and innovative space products. They will discuss issues in litigation, such as anomalies and launch failures disputes, and issues in commercial contracts, such as financing and spacecraft manufacturing. The panel will conclude with a discussion of emerging issues in

space law, such as the employment implications of commercial manned missions and the national security implications of anti-satellite weapons.

Click [HERE](#) to register for this program.
2 general CLE credits approved.

**The 2023
Bankruptcy Bench-Bar Roundtable**

**Friday, October 20, 2023
1:30 - 5:00 p.m.**

The Westin Denver Downtown
1672 Lawrence Street, Denver

Please join us for an afternoon of open discussion of bankruptcy law and practice in Colorado. This will be a discussion group format. As an attendee, you will participate in three successive discussion groups on wide-ranging issues relating to bankruptcy law and practice in the U.S. Bankruptcy Court, District of Colorado. Topics will include: Chapter 11 Best Practices Prior to Filing the Case Through First Day Motions; Updates on Filing Statistics and CM/ECF NextGen; Best Practices and Hot Topics for Chapter 7 and Chapter 13 Cases; Improving on Legal Writing and Effective Communication with the Court; Effective Presentation of Evidence, and Practical Considerations, Procedures and Rules; Small Business Reorganization Act Developments.

Judicial Participants scheduled to participate:

The Honorable Kimberley H. Tyson, Chief Judge
The Honorable Michael E. Romero
The Honorable Thomas B. McNamara
The Honorable Cathleen D. Parker
The Honorable Joseph G. Rosania, Jr.

Click [HERE](#) to register for this program.
4 general CLE credits have been approved.

HOLD THE DATE!

The 2023 FORUM

**Friday, October 27, 2023
1:30 - 5:00 p.m.**

The Westin Denver Downtown
1672 Lawrence Street, Denver

Information will be posted on the FFA website and sent in an email very soon.

NOT A MEMBER OF THE FFA?

Have you been enjoying member discounts to our CLE programs and events? Have you benefited from those programs and other services provided by the FFA? If you answered “no” to these questions, you should consider being a part of the organization committed to enhancing the practice of law in Colorado’s Federal Courts! 2023 dues are discounted 50% until November 1!

Click [HERE](#) to join the FFA.

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