

# LAWYERS ADVISORY COMMITTEE

## MINUTES – MARCH 11, 2019

The Lawyers Advisory Committee met at the Hilton East Brunswick. The meeting was convened by Chair Thomas R. Curtin at 6:50 p.m. and the following occurred:

1. The Chair invited a motion to approve the minutes of the November 19, 2018 meeting. The motion was made, seconded and the minutes were approved.
2. The Chair congratulated Chief Judge Linares on the birth of his grandson.
3. The Chair requested that each member in attendance introduce him/herself to the committee.
4. Thomas Curtin expressed gratitude to Chief Judge Linares for his service as Judge and Chief Judge.
5. In his report to the LAC, Chief Judge Jose Linares:
  - \* Expressed his gratitude to the members of the Committee, the Court and the Bar. He will continue to be present after retirement.
  - \* Reported that judicial vacancies at the District Court level currently number five and soon, six. He commended the magistrate judges for their hard work in keeping the cases moving. Chief Judge Linares reported that two new magistrate judges have been allotted, one each for Newark and Trenton, and interviews will be conducted soon. He also commented that Magistrate Judges Cathy Waldor and Michael Hammer are up for reappointment.
  - \* Stated that the Prisoner Litigation Office is running at full strength. The number of positions is expected to shrink in the coming years.
  - \* Recognized the three new members of the LAC: Justin Quinn (Robinson Miller); John Keefe (NJSBA President); and Fernando Pinguelo (Associate Counsel for Willis). Judge Linares acknowledged the departure of some LAC members who have served the Committee for many years and expressed his appreciation of members' input at this, his last LAC meeting as Chief.
  - \* Gave special recognition and gratitude to Chair Curtin who assisted him with the LAC process.
6. In his introduction of Craig Carpenito, U.S. Attorney for the District of New Jersey, the Chair remarked that the U.S. Attorney and the Attorney General for the State of New Jersey have been active members of the LAC.

Report by Craig Carpenito:

- \* Special acknowledgment of Chief Judge Linares, who served and represented the Court with honor and distinction.
- \* It has been one year since the reorganization of the U.S. Attorney's Office.
- \* The Office has returned its focus to "quality of life" cases through the formation of new units: Violent Crimes, Public Protection, Cyber Crime Prevention and Enforcement, and Opioid Units. Project Safe Neighborhoods, a violent crimes initiative, is now up and running in Newark, Jersey City and Camden.
- \* DEA cases, which were primarily going to EDNY, are coming back to New Jersey.
- \* Indictments are up in every category. There have been prosecutions in SAMSAM case (cyber case involving Iranian hackers) and Edgar hacking case (cyber case where trade information was obtained through hacking of SEC computers before information was publicly available).
- \* U.S. Attorney's Office, approved for 154 Assistant U.S. Attorneys, is almost at full staff with 151 AUSAs.

7. Stacy Adams presented on behalf of the Subcommittee on Revisions to Appendix S. No consensus has yet been reached on proposed revisions to Appendix S, addressing discovery confidentiality orders. One unresolved issue is whether "Attorney Eyes Only" language would be helpful for confidentiality order. Subcommittee was unable to have a conference call prior to meeting and upon request, Chair agreed to table the issue. Judge Simandle suggested that Subcommittee look for direction in patent rules, which have language providing that if the parties are unable to agree, the Court may require that they use Appendix S discovery confidentiality order.
8. Steve Richman asked if the district court should adopt a local rule addressing disclosure to adversaries of third-party funding. The Third Circuit has funding disclosure rules and other jurisdictions are adopting them. Judges Linares and Wolfson agreed. A subcommittee of seven persons was appointed to explore the issue - Steve Richman (chair), Phil Sellinger, Lisa Rodriguez, Justin Quinn, Beth Sher, Sharon King and Michael Furey.
9. The Chair, joined by Judge Wolfson and Steve Richman, recognized that this meeting will be the last one for Chief Judge Linares as Chief Judge. A photo of the three District of New Jersey courthouses, taken and framed by Steve Richman, was presented to Chief Judge Linares by Judge Wolfson, incoming Chief Judge. Chief Judge Linares accepted the gift, thanked Judge Wolfson and Judge Simandle, and recognized Committee Chair for his support during the transition, referring to Chair Curtin as "a great leader to the Committee." Chief Judge Linares thanked the Committee for the gift, stated that he enjoyed his jobs as Chief and Judge, and that he is looking forward to practicing as a lawyer again.

10. The Chair reminded the Committee of the Judicial Conference, to be held at Mayfair Farms on March 28, and the Brennan Dinner, taking place on June 12. He encouraged everyone to attend.
11. There being no further business, a motion to adjourn was made and seconded. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

John Reilly