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Throughout the pandemic, our extraordinary lawyers and staff have achieved superior results for our clients and held major corporations and institutions accountable when they caused harm. Their excellent work has led to the firm being named Civil Rights Firm of the Year, Employment Rights Firm of the Year, and Human Rights Firm of the Year by *The National Law Journal*, Labor and Employment Firm of the Year by *Benchmark Litigation*, and Employment Practice Group of the Year by *Law360*. We are proud of our exceptional work and proud to be in a great position to help individuals across our country when they need it most. Going forward, we will be highlighting this work and the stellar attorneys and staff who are responsible for it in the firm's quarterly newsletter, *90 Days Since*.



We wish you a happy and safe holiday season, and we look forward to the opportunity of connecting in 2023!

— David Sanford, Co-Founder and Chairman

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## Firm News: Greetings from Palo Alto

Sanford Heisler Sharp is pleased to announce the opening of our new office in **Palo Alto, California**, where our attorneys will continue to bring cases in employment discrimination, wage and hour violations, and whistleblower and qui tam matters with a particular focus on Silicon Valley workers and tech-focused investment professionals and lawyers. The address of our new Palo Alto office is 300 Hamilton Avenue, 5th floor, Palo Alto, California. Please note our new San Francisco office address: 50 California Street, Suite 1538.



## Recent Settlements/Arbitration Awards

The firm reached a **\$13.75 million settlement** in a 401(k) mismanagement class action against Walgreens. Partners **Charles Field** and **David Tracey** conducted a lengthy investigation and successfully filed claims that Walgreens violated ERISA's duty of prudence standard by retaining ten Northern Trust Target Date Funds in Walgreens' retirement plan despite nearly a decade of poor investment performance relative to established benchmarks.

The firm secured an **\$8.3 million arbitration award**, including \$650,000 in punitive damages and \$500,000 for emotional distress, in a breach of oral contract and fraud case against InnoGrit Corporation, a multinational semiconductor company based in Silicon Valley, and its CEO Zining Wu. **Qiaojing Ella Zheng**, Co-Managing Partner of the firm's Palo Alto and San Francisco offices and Chair of the Asian American Litigation and Finance Practice Group, and **Leigh Anne St. Charles**, Managing Partner of the firm's Nashville office, represented the plaintiff, Dr. Yuhui David Chen, who co-founded InnoGrit but was wrongfully denied his rightful equity stake in the Company promised by his co-founder.

The firm reached a **\$2.85 million settlement** as co-counsel in a case against Aurora Behavioral Health Care – Santa Rosa, LLC, an acute psychiatric hospital operated by Signature Healthcare Services, LLC, over understaffing and unsafe working conditions. The settlement, which includes programmatic relief to review hospital staffing and protect employees from whistleblower retaliation, was brought under the California Private Attorney General Act ("PAGA") for pervasive violations of the California Occupational Safety and Health Act ("Cal/OSHA"). Partners **Andrew Melzer** and **Qiaojing Ella Zheng** co-led the three-year investigation, with Partner **Ed Chapin** and Associate **Alok Nadig**.

The firm reached a **\$2.1 million settlement** in a decade-long litigation of a wage and hour class action against telecom provider Alaska Communications Systems, which unlawfully exempted 74 sales employees from overtime dating back to 2011. Partner and Wage and Hour Practice Group Co-Chair **Michael Palmer** served as lead counsel, alongside Partner and Discrimination and Harassment Practice Group Co-Chair **Melinda Koster** and Senior Litigation Counsel **Nicole Wiitala**.



Charles Field    David Tracey    Qiaojing Ella Zheng    Leigh Anne St. Charles    Andrew Melzer    Ed Chapin    Alok Nadig    Michael Palmer    Melinda Koster    Nicole Wiitala

## Discrimination and Civil Rights Case Highlights

**Adnan Syed case (a matter featured on the podcast 'Serial')**: Partner and Criminal/Sexual Violence Practice Group Co-Chair **Steve Kelly** and Associate **Ari Rubin** are representing *pro bono* the family of murder victim Hae Min Lee over numerous alleged constitutional and statutory crime victims' rights violations. In September, a Baltimore circuit court vacated Syed's 2000 conviction for Lee's murder. Read more about the case in [The Baltimore Sun](#) and [Rolling Stone](#).

**Harvard University Lawsuit**: Sanford Heisler Sharp's Title IX complaint, filed on February 8, 2022, alleges that Harvard University ignored a pattern of alleged sexual harassment and retaliation by a well-known anthropology professor against three of his female doctoral candidate students. Partner **Russell Kornblith**, Senior Litigation Counsel **Carolyn Guentert**, and Associate **Sean Ouellette** represent the plaintiffs. Read more in [The New York Times](#) and [The Boston Globe](#).

### Midshipman-cadet suits against Maersk Line, Limited:

The firm's complaint, filed on June 14, 2022, on behalf of two female cadets of the Merchant Marine Academy against shipping giant Maersk, alleges that the company failed to protect the cadets from sexual assault and sexual harassment during their compulsory "Sea Year" service aboard the Maersk-operated vessel. **Christine Dunn** and **Steve Kelly**, Co-Chairs of the firm's Criminal/Sexual Violence Practice, represent the plaintiffs; both cases were recently successfully resolved. Read more about the case on [cnn.com](https://www.cnn.com) and in [The Washington Post](https://www.washingtonpost.com).

**Ghost Guns Lawsuit:** On June 1, 2022, Sanford Heisler Sharp joined with the City of Baltimore and Brady, a national gun violence prevention organization, in filing a public nuisance suit against Polymer80, which advertises, manufactures, and sells easy-to-assemble gun kits that account for 91% of all "ghost guns" seized by Baltimore police. Partner and Criminal/Sexual Violence Practice Group Co-Chair **Steve Kelly**, Staff Attorney **Albert Powell**, and Associate **James Hannaway** are co-counsel. Watch Baltimore Mayor Brandon Scott's [press conference](#) announcing the suit.



Steve Kelly



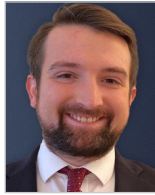
Ari Rubin



Russell Kornblith



Carolin Guentert



Sean Ouellette



Christine Dunn



Albert Powell



James Hannaway

## Financial Services Class Actions

**Snyder, et al. v. UnitedHealth, et al.:** A 401(k) mismanagement class action against UnitedHealth Group in the U.S. District Court for the District of Minnesota, representing a certified class of 150,000 individuals. The Amended Complaint contains information about how the senior leadership of UnitedHealth personally intervened to keep employees' retirement funds in a poorly performing Wells Fargo Fund Suite because Wells Fargo was a critical customer and financier of UnitedHealth. **Charles Field**, San Diego Managing Partner and Chair of the firm's Financial Services Litigation Practice Group, and **Alexandra Harwin**, firmwide Executive Chair of the Discrimination & Harassment Practice Group, are lead counsel, working with **Leigh Anne St. Charles** and **Sean Ouellette**.

**Daly, et al. v. West Monroe, et al.:** A class action in the U.S. District Court for Northern Illinois against consulting firm West Monroe Partners, alleging that senior executives short-changed current and ex-employees of approximately \$50 million by cashing out their holdings in an employee stock ownership plan. The buyback occurred only a month

before West Monroe sold a 50% stake in the company to a private equity firm in a deal that valued the company at \$2.5 billion. San Diego Managing Partner **Charles Field** is lead counsel, alongside Partner **Russell Kornblith**, Associate **Sean Ouellette**, and Associate **James Hannaway**.

**Mattson, et al. v. Milliman, et al.:** A class action in the U.S. District Court for the Western District of Washington against Milliman, Inc., an actuarial and consulting firm, for breach of fiduciary care under the Employment Retirement Income Security Act of 1974 ("ERISA"). Milliman, with annual revenues of approximately \$1.4 billion, has allegedly cost its employees as much as \$85 million in retirement savings by failing to remove poorly performing "target risk funds" from its 401(k) plan. San Diego Managing Partner **Charles Field** is lead counsel, and the team includes **Meredith Firetog**, **David McNamee**, and **Ari Rubin**.



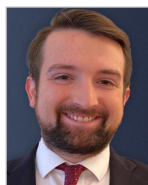
Charles Field



Alexandra Harwin



Leigh Anne St. Charles



Sean Ouellette



Russell Kornblith



James Hannaway



Meredith Firetog



David McNamee



Ari Rubin



## Recent Recognitions

Sanford Heisler Sharp was named Civil Rights Law Firm of the Year by *The National Law Journal's* 2022 Elite Trial Lawyers at the annual awards event in July. The firm was also a finalist for Discrimination Law Firm of the Year.

**Qiaojing Ella Zheng**, Co-Managing Partner of our Palo Alto and San Francisco offices, was named a 2022 Rising Star of the Plaintiff's Bar by *Law360*.

**Vince McKnight**, Co-Managing Partner in our Washington, DC office and Co-chair of Sanford Heisler Sharp's Whistleblower and Qui Tam Practice Group, was named a 2022 Plaintiffs' Lawyer Trailblazer by *The National Law Journal*.

**Leigh Anne St. Charles**, Managing Partner of our Nashville office, was named a 2022 Rising Star by *Business Insider*.

**Melinda Koster**, Partner and Co-chair of the Discrimination and Harassment Practice, and **Christine Dunn**, Partner and Co-chair of the Criminal/Sexual Violence Practice Group, were named 2022 Women Worth Watching by *Diversity Journal*.



Qiaojing Ella Zheng



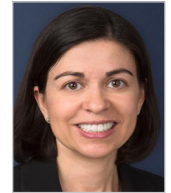
Vince McKnight



Leigh Anne St. Charles



Melinda Koster



Christine Dunn

## New Firm Roles

**Kate Mueting** and **Saba Bireda**, Co-Chairs of the firm's Discrimination and Harassment Practice Group in the firm's Washington, DC office, have been named to new roles. Kate is now the firm's Administrative Partner, and Saba is now Co-Managing Partner in Washington, DC, alongside **Vince McKnight**.



Kate Mueting



Saba Bireda

## Recent Arrivals



**Nancy E. Rafuse**, a nationally recognized employment attorney and former partner at Seyfarth Shaw, Polsinelli, Paul Hastings, and at her own firm, Rafuse Hill & Hodges, LLP, has joined Sanford Heisler Sharp as firmwide Head of Litigation and Managing

Partner in our new Atlanta office. Nancy also currently serves as Professor and Counselor in Residence at the University of Georgia Law School, teaching courses in employment discrimination, wage and hour law, and litigation. Read [Nancy's bio](#).



**Michael B. Greene** has been named firm Chief Financial Officer. Through his previous business management firm, Michael was Sanford Heisler Sharp's financial and business manager for almost 17 years. Read [Michael's bio](#).



**Sarah Chu** has joined our Washington, DC office as an Associate focused on whistleblower/qui tam matters and employment discrimination. Sarah graduated from the University of Maryland Francis King Carey School of Law, during which she spent summers interning for the Honorable Clayton Greene, Jr. in the Maryland Court of Appeals and for the Honorable Nancy Purpura in Baltimore County. Read [Sarah's bio](#).



**David McNamee** is an Associate focused on financial services litigation and employment discrimination in our Nashville office. David graduated from Yale Law School and received his doctorate from Princeton University. Before joining our firm, David clerked for Justice Sharon G. Lee of the Tennessee Supreme Court. Read [David's bio](#).



**Samone Ijoma** is an Associate in our Baltimore office. Samone graduated *cum laude* from the University of Maryland Francis King Carey School of Law. Before joining our firm, Samone completed a clerkship with the Honorable Michele D. Hotten on the Maryland Court of Appeals and was a Workplace Justice Legal Fellow at the National Women's Law Center. Read [Samone's bio](#).



**Kasi Wautlet** has joined our Nashville office as an Associate focused on employment discrimination, public interest litigation, and complex civil litigation. Kasi graduated from the New York University School of Law. Before joining Sanford Heisler Sharp, Kasi completed a clerkship for the Honorable Alistair E. Newbern, Magistrate Judge in the U.S. District Court for the Middle District of Tennessee. Read [Kasi's bio](#).



**Michael Lockman** joins our Nashville office as an Associate focused on breach of contract, fraud, discrimination, retaliation, and civil and human rights. Michael graduated from the University of Chicago Law School, after which he clerked for the Honorable Jay S. Bybee of the U.S. Court of Appeals for the 9th Circuit. Read [Michael's bio](#).



**Frank Xu** is an Associate in our Washington office. Frank focuses on qui tam/whistleblower and employment discrimination matters. Frank graduated from The George Washington University School of Law. Prior to joining our firm, Frank clerked for the Honorable William M. Jackson of the Superior Court of the District of Columbia. Read [Frank's bio](#).

**[Ting Cheung](#)** is a Litigation Fellow in our Palo Alto office. Ting received law degrees from the University of Hong Kong and Harvard Law School.

**[Surabhi Dhar](#)** is a Litigation Fellow in the New York office. Surabhi received law degrees from the National University of Juridical Sciences in India, and Harvard Law School.

**[Amy Frieder](#)** is a Tom Henderson Civil Rights Fellow in the Washington, DC office. Amy received her law degree from Harvard Law School and her master's from Johns Hopkins University.

**[Bethel Habte](#)** is a Tom Henderson Civil Rights Fellow in the San Diego office. Bethel received her law degree from Northeastern University School of Law.

**[Hyun Kim](#)** is a Litigation Fellow in the New York office. Hyun received his law degree from Columbia Law School. After his fellowship at Sanford Heisler Sharp, Hyun will begin a clerkship with the U.S. Court of Appeals for the Second Circuit and the U.S. District Court for the Eastern District of New York.

**[Sean Kolkey](#)** is a Deborah Rhode Fellow in our Palo Alto office. Sean received his law degree from Berkeley Law.

**[Christopher Owens](#)** is a Litigation Fellow in our Baltimore office. Christopher received his law degree from the New York University School of Law and his master's degree from the University of Michigan.

**[Ari Rubin](#)** is a Litigation Fellow in our Washington, DC office. Ari received his law degree from Georgetown University Law Center. Prior to joining our firm, Ari clerked for the Honorable Matthew J. Fader of the Court of Special Appeals of Maryland and for the Honorable Roy B. "Skip" Dalton of the U.S. District Court for the Middle District of Florida.

**[Elena Schiefele](#)** is a Litigation Fellow in our Washington, DC office. Elena received her law degree from Washington and Lee University School of Law. Following her fellowship at Sanford Heisler Sharp, Elena will begin a clerkship with the U.S. Court of Appeals for the Fourth Circuit.



Ting Cheung



Surabhi Dhar



Amy Frieder



Bethel Habte



Hyun Kim



Sean Kolkey



Christopher Owens



Ari Rubin



Elena Schiefele

## New Fellowships at Sanford Heisler Sharp

In 2022, Sanford Heisler Sharp established two fellowships to honor the work and mentorship of two friends and colleagues who passed away in 2021. **Tom Henderson** spent his entire career as a civil rights advocate, and worked at Sanford Heisler Sharp for the past 13 years. **Deborah Rhode** was a Stanford Law professor and leading legal ethicist. Both [The Tom Henderson Civil Rights Fellowship](#) and [The Deborah Rhode Fellowship](#) are one-year appointments awarded to a junior attorney who has demonstrated academic excellence and a passion for and commitment to civil rights throughout law school.

## Justice on the Horizon for Leonard Peltier

It has been an active year in the firm's representation of Leonard Peltier in his petition for clemency. Mr. Peltier has spent more than 46 years in prison following a controversial and at times blatantly unconstitutional trial in the aftermath of a firefight between the FBI and members of the American Indian Movement (AIM). A team of attorneys and legal assistants at Sanford Heisler Sharp, led by Co-Chairman Kevin Sharp, drafted and filed Mr. Peltier's petition for clemency with President Biden in 2021, and have been actively advocating for his release while the petition is pending.

This summer, the U.N. Human Rights Working Group issued a [detailed report](#) finding "overwhelming" procedural deficiencies and concluding that Mr. Peltier's continued incarceration is "arbitrary." In September of this year, the Democratic National Convention unanimously passed a [resolution](#) urging President Biden to release Peltier.

The end of this year has been marked by several significant developments in Mr. Peltier's case. In October, our team of attorneys submitted a response to the FBI's written opposition to clemency, highlighting the misleading and disproven claims underlying the FBI's position. On November 13, Kevin Sharp spoke from the steps of the Lincoln Memorial to a large crowd which gathered to support clemency for Mr. Peltier. That week, Judge Sharp also moderated a panel with Sheron Wyant-Leonard and Dorothy Ninham—which [aired on C-SPAN](#)—at Georgetown Law School; they discussed the political motives behind Mr. Peltier's trial and continued incarceration. Judge Sharp

later met with several senators on the Hill to discuss support for Mr. Peltier's clemency petition.

Judge Sharp's advocacy kicked off a flurry of activity in Mr. Peltier's case, culminating in several key developments all occurring within a single week. On November 29, seven senators—Elizabeth Warren, Bernie Sanders, Brian Schatz (chair of the Senate Indian Affairs Committee), Patrick Leahy (the longest serving U.S. senator and former Judiciary Committee chairman), Ed Markey, Mazie Hirono, and Tina Smith—[issued a letter](#) urging President Biden to commute Peltier's sentence. On November 30, Politico kicked off its coverage of the White House Tribal Nations Summit with [headline coverage](#) of Mr. Peltier's case. On December 1, 216 artists in the entertainment and fashion industry also [issued a letter](#) to President Biden urging for the release of Mr. Peltier. The letter was led by indigenous members of the industry, including Dallas Goldtooth and Bird Runningwater, among others, and was signed by hundreds of allies, including: Mark Ruffalo, Ed Helms, America Ferrera, Paul F. Tompkins, Casey Wilson, Ringo Starr, Ani DiFranco, Bonnie Raitt, Tanya Tucker, Jackson Browne, Kris Kristofferson, Graham Nash, Rosanna Arquette, and many more. Finally, on December 3, former FBI agent and 9/11 whistleblower, Coleen Rowley, sent a letter urging President Biden to say "enough is enough" and allow Mr. Peltier to go home.

## In Memory of Albert Woodfox (1947–2022)

Albert Woodfox, who died in August of complications from Covid-19, served 44 years of his life in prison. He spent most of those years in seclusion 23 hours a day, in a 6-by-9-foot cell at the Louisiana State Penitentiary built on a former plantation known as “Angola.” Woodfox served this time for a crime of which he was innocent: the killing of a prison guard in 1972. Albert Woodfox is thought to have spent the longest period in isolation ever suffered by a human being in the U.S. penal system.

The cruel and unusual punishment endured by the trio of men known as the “Angola Three”—all of whom, it was believed, were targeted due to their prison activism and membership in the Black Panther party—drew international condemnation. It was Sanford Heisler Sharp’s honor to join Albert’s case in 2013, and to play a role in gaining his release in 2016, collaborating with other attorneys to defeat Louisiana’s plan to recharge him for the guard’s death.

Albert carried on his mission of ending the barbaric practice of solitary confinement in the U.S. penal system. In 2019, Sanford Heisler Sharp and the Neighborhood Defender Services of Harlem (“NDS”) invited Albert to speak to members of the NDS. Kevin Sharp, the firm’s Co-Vice Chairman and former Chief Judge of the U.S. District Court for the Middle District of Tennessee, introduced Albert after speaking about criminal justice reform. Albert spoke about prison reform and about his book, *Solitary: Unbroken by Four Decades in Solitary Confinement. My Story of Transformation and Hope*, which was a finalist for the National Book Award in Nonfiction and was a finalist for the Pulitzer Prize in General Nonfiction.

[Listen](#) to Albert read from *Solitary* in this 2019 interview with National Public Radio.





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