

Important Memorandum

To: All Chadbourne Partners
From: Kerrie Campbell 
Date: April 19, 2017
Subject: Proposed Motion to Formally Expel Me from the Firm

I respectfully ask all partners to thoughtfully consider the information presented in this memorandum in advance of the April 19, 2017 meeting called by the Management Committee to expel me from the Firm. In light of my contributions to the Firm and the circumstances in which the Management Committee has decided to expel me, I urge you to vote *against* my expulsion.

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My Efforts to Raise Gender Discrimination Concerns Internally

When I joined Chadbourne, I came with the belief and expectation that I would be here for the long term. After joining the Firm, though, I became concerned about gender inequality in pay, power and promotions. I raised my concerns internally with DC Managing Partner Dana Frix, in meetings with the Management Committee in New York in January 2015 and 2016, in a meeting with Andy Giaccia in his DC office in February 2015, in my 2014 and 2015 Year-End memoranda to the Management Committee, in a meeting with the Management Committee in late March 2016 and in written communications thereafter. In my discussions with Chadbourne’s management, I emphasized my desire to participate in Firm leadership and to be a part of the solution to this problem.

I am not the only female attorney at Chadbourne to raise concerns about gender inequality at the Firm. I am aware of women before me – partners and associates – who have raised gender inequality concerns with their superiors, colleagues and management. These include Mary Yelenick, Jaroslawa Johnson, Lori Hoberman and Melanie Willems, to name a few – women with over fifty years of combined experience at Chadbourne. It is my understanding that some women previously presented management with analyses of Firm data indicating disparately low compensation for female partners based on a number of indices, including among other things, billable hours, business generation and other contributions to the Firm.

The Firm did not investigate or address my concerns, just as it did not take seriously the concerns of the other women who preceded me.

Chadbourne Management’s Retaliation

After I objected to gender pay inequity during my first two years with the Firm – without notice or warning – on February 19, 2016, Andy Giaccia and Abbe Lowell came to my office and informed me that the Management Committee decided in its late 2015 deliberations that my practice no longer “fit” the “strategic direction” of the Firm, and they directed me to leave the Firm. I asked them if this decision was in any way based on my performance, and Andy assured me that this was a “strategic” decision that my practice and client base no longer “fit” with the Firm. In connection with the Management Committee’s decision forcing me to leave the Firm, I was labeled

a “partner in transition,” my points were slashed from 550 to 400, my monthly pay was cut to approximately \$9,000 per month, and the Firm stopped paying me tax distributions.

After being blind-sided by this decision, I met with the Management Committee in New York in late March 2016 to voice my serious concerns and objections to its actions. I provided facts and data demonstrating that management’s actions were unwarranted and urged the Management Committee to reverse its decision, which would cause me profound professional and economic harm. Again, two Committee members, Andy Giaccia and Marc Alpert, stated that the Committee decided to take these actions because my practice (which had previously been touted in the press as a great fit with the strategic direction of the Firm) didn’t “fit” with the Firm.

My Professional Contributions

It was only after I commenced the litigation against Chadbourne that the Management Committee began denigrating my professional abilities and contributions to the Firm.

Contrary to their suggestions otherwise, I am a hard-working person who cares deeply about providing excellent client service. Honesty, integrity, fairness and generally trying to do the right thing are paramount values to me. My professional career in defamation law and First Amendment litigation and regulatory compliance and enforcement has focused on advocating for truth and accuracy from the media, government and competitors. I am also deeply committed to mentoring and inspiring younger lawyers to be passionate and effective advocates in a profession that I love, and believe in working to create opportunities for others to shine and succeed.

I have demonstrated my professional integrity and ability over the course of three decades as a lawyer, and along the way earned the trust of CEO’s, general counsel, government agency officials, political and public figures, and just plain folks in many walks of life, all of which has allowed me to generate business and revenue for this Firm. I have been fortunate to be involved in some unique, exciting and historically significant cases – and relished every moment.

During my time at Chadbourne, I have delivered on my commitments to this Firm. I transferred all of my clients and matters from my previous firm to Chadbourne, and I generated substantial new business and matters from existing and new clients within my first two years with the Firm. I have originated dozens of new matters since joining the Firm. You do not have to take my word for it. Readily-available matrix and Intelsat data confirm my business origination, revenue generation and strong track record. During my time at the Firm, I have also been recognized as one of the Best Lawyers in America in First Amendment litigation. Even after the Management Committee’s decision to terminate me, I continued to bring in substantial revenue for the Firm – on the order of around \$1 million in collections as billing partner during the last matrix year.

In addition to client billable work, I have devoted substantial time to pro bono work and business development. For example, during my initial year with the Firm, at Andy Giaccia’s request, I devoted substantial time to advising his daughter on a pro bono basis regarding complex mandatory regulatory requirements applicable to several children’s products she was marketing while attending Yale University. Since joining Chadbourne, I have also worked closely with former Acting Chairman of the U.S. Consumer Product Safety Commission, Nancy Nord (a friend of former long-time Managing Partner Charlie O’Neill), to prepare and file detailed and authoritative comments concerning the agency’s proposed rule to eliminate due process

requirements mandated by Congress to ensure that agency disclosures about companies and their products are fair and accurate. Among others, former CPSC Acting Chairman and Commissioner Nord and current CPSC Acting Chairman Anne Marie Buerkle, former and current agency staff and respected members of the CPSC Bar – some of whom have known me for decades – can attest to my professional integrity, ability, and demeanor. In June 2016, it was my privilege and honor to prepare and present testimony at the public hearing on the Commission’s Agenda and Priorities for Fiscal Year 2017. Afterward, I received notes from two sitting commissioners thanking me for presenting courageous testimony on an important public policy issue.

I Am Currently on Medical Leave

I am currently out of the office on medical leave through May 4, 2017, as I have been recovering from extensive and invasive hip surgery. This has involved a difficult rehabilitation process requiring frequent therapy sessions, and I have experienced serious complications, including severe pneumonia which resulted in hospitalization last month. While on medical leave, I have kept the Firm apprised of my medical situation. I repeatedly requested management’s assistance to provide support for several of my pending matters but was not provided with adequate support and was counseled to refer out my cases. Recently, at the beginning of this month, the Firm suddenly stopped making all payments to me without any prior notice or explanation; I no longer receive any salary and also received no tax distributions.

Please Vote Against Expulsion

The Management Committee’s decision to terminate me originated after I raised concerns about gender equality, and Chadbourne’s punitive actions towards me have only intensified because I brought suit. The upcoming expulsion vote that the Management Committee has initiated will only exacerbate the Firm’s wrongful conduct. The expulsion will be ruinous to my professional reputation and place my entire family’s financial future at risk, as I am the sole earner.

Before Chadbourne Management notified the Firm’s partners of the vote to expel me, Chadbourne went to the press with a statement that denigrated me and linked the calling of this vote to my decision to bring suit against the Firm. Chadbourne characterized the vote as the “the inevitable result of the choices Ms. Campbell has made” and specifically referred to what Chadbourne called “my choice to pursue baseless claims in the cynical pursuit of a big and underserved payday.” I would ask each and every partner to not ratify this retaliatory action.

I can assure you that the decision to initiate the pending litigation was a difficult one, with bigger issues at stake than my personal compensation. I can assure you that I did not initiate the litigation in a “cynical pursuit of a big and undeserved payday,” as Chadbourne has claimed. I initiated the lawsuit to do what I believe is the right thing to make a change for the good in this Firm and in the legal profession. I brought the case only after my efforts to address my concerns internally with Chadbourne’s management proved unsuccessful.

In light of my substantial contributions to the Firm and the troubling circumstances of the Management Committee’s decision to oust me, I urge each partner to vote *against* my expulsion.

Thank you for your consideration.