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November 19, 2010

Michael Moline
Assistant Managing Editor
The National Law Journal
120 Broadway
New York, NY 10271

Dear Mr. Moline:

I am pleased to write in support of my partner Jerry Hartman as an appropriate recipient of one of *The National Law Journal's* 2010 Pro Bono Awards.

All of us recognize and admire good people who have been spurred by personal loss to take up and support a worthy cause. Jerry is such a person, but his case is extraordinary. His determination to carry on the widely acclaimed work of his late wife, Barbara McDowell, a national leader in public interest advocacy, was unquestionably a fitting way to remember her. Barbara established the appellate advocacy program at Legal Aid – after clerking for Justice White, practicing law as a partner at Jones Day, and serving as an assistant in the Solicitor General's Office of the Justice Department (where she argued 18 cases before the Supreme Court). Barbara chose Legal Aid as a career instead of returning to private practice. Jerry's activity over the last couple of years honors that choice.

But Jerry's furthering of Barbara's passions is also a testament to his own. Following Barbara's untimely death in 2009, Jerry was the driving force behind the formation of the Barbara McDowell High Impact Pro Bono Initiative at Drinker Biddle & Reath LLP. He serves as director of the Initiative – even while pursuing a busy employment law practice in the firm's Washington, D.C., office. I have attached a fuller description of this Initiative to this letter.

Jerry has also created the Barbara McDowell and Jerry Hartman Foundation, which aims to improve the economic well-being and social conditions of disadvantaged persons and groups in the United States through grants to organizations that will undertake systemic litigation with funds received from the Foundation. I have also attached a fuller description of the Foundation to this letter.

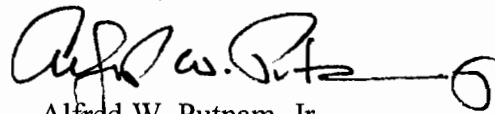
Finally, never satisfied simply to direct programs, Jerry has immersed himself in the other organizations to which his late wife was particularly dedicated – the Legal Aid Society of Washington, D.C., and the Westmoreland United Church of Christ. With the support from Barbara's friends, the Jones Day and Drinker Biddle law firms, and a

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bequest from Barbara's estate, he has initiated an endowment at Legal Aid to fund the Appellate Advocacy Program that Barbara started. Fundraising for the endowment has raised over \$200,000 so far. In addition, Jerry has been actively working with Legal Aid on some of its appellate briefs and, in 2010, was elected to the serve on its board. Similarly, at Westmoreland United Church of Christ, Jerry has taken Barbara's place on the church's community outreach board and has established an endowment to support the church's social justice programs.

Modest to a fault, Jerry will tell you that he is only continuing his late wife's work. Maybe so – but I believe that his determined support of the Initiative, the Foundation and the causes about which Barbara was so passionate should not go unrecognized. They are eloquent testimony not only to Jerry's devotion to his much-loved wife, but also to his own commitment to pro bono work and to social justice. For these reasons, I can think of no more deserving person to be honored with one of *The National Law Journal's* 2010 Pro Bono Awards than Jerry Hartman. I hope you will agree.

Very truly yours,



Alfred W. Putnam, Jr.

AWP/bd
Attachments

The Barbara McDowell High Impact Pro Bono Initiative At Drinker Biddle

The Barbara McDowell Pro Bono Initiative is a program that aims to significantly and positively impact social justice concerns faced by indigent, charitable or civic groups unable to afford legal services. The concept of the Initiative derives from the work championed by Jerry's late wife, Barbara McDowell, the founding director of the Appellate Advocacy Project of the Legal Aid Society of the District of Columbia, who died of brain cancer in January 2009. Barbara did extraordinary work on behalf of the disadvantaged and downtrodden, training and inspiring a generation of public advocacy lawyers and endowing the Legal Aid Society with a rich and compelling record of legal human rights achievement.

The purpose of the Initiative is to enhance the economic, health, social condition and civil liberties of low-income and disadvantaged people through litigation and legislative and administrative rule-making engagements across a broad range of social justice issues. Like Barbara's work, the Initiative is unique in its pursuit of litigation to remedy systemic problems – matters that are deemed likely to have a significant impact on important social justice concerns and with more than singular significance.

Under Jerry's stewardship and direction, and with the volunteer help of more than 60 lawyers and professionals from every Drinker Biddle office, the Initiative has undertaken a number of significant and challenging projects since its inception in April 2009.

The Initiative is assisting the Legal Aid Society of the District of Columbia with litigation concerning public benefits programs in the District of Columbia. The case brought by the Legal Aid Society seeks injunctive relief as well as retroactive benefits for all those that meet the new eligibility standards under the city's expanded Food Stamp Program and who have been denied benefits.

Another of the Initiative's ongoing matters is an action on behalf of 15 death row inmates against the state of Mississippi, seeking to enforce the inmates' right to competent counsel and access to the courts during their state post-conviction proceedings. The lawsuit seeks to compel the state to provide the plaintiffs with competent and conscientious counsel for future proceedings and to remedy the denial of those rights in past proceedings. It also requests a stay of executions for these 15 inmates.

In Alabama, the Initiative is investigating the practices of a county prosecutor's office in systematically exercising its peremptory challenges in a racially discriminatory manner so as to exclude African Americans from serving as jurors in death penalty cases. The Initiative is preparing to file an action challenging this systematic discriminatory practice and seeking equitable relief to ensure that the county abides by its constitutional obligations to allow citizens to serve as jurors in death penalty cases without regard to their race.

The Initiative is exploring other cases in the areas of rights to counsel by unaccompanied children in deportation hearings and the rights of foster children who have been abused in foster care programs in a southern state.

The Barbara McDowell and Jerry Hartman Foundation

In addition to serving as director of the Barbara McDowell High Impact Pro Bono Initiative at Drinker Biddle, Jerry also established the Barbara McDowell and Jerry Hartman Foundation in 2010. The Foundation grants funds to tax-exempt organizations that promote its mission through litigation with systemic impact in the areas of civil rights, low income housing, political asylum, domestic violence, human trafficking, refugee rights, immigration, rights of children, voting rights, disability rights, educational rights, constitutional rights, and disparities in community services and opportunities for economic development. Such systemic impact litigation should be aimed at improving the economic well-being, social conditions, and civil liberties of disadvantaged persons and groups throughout the United States.

Jerry serves as Vice President and a member of the board of directors of the Foundation, which this year made its inaugural grants to seven organizations, including the Brennan Center for Justice, the National Center for Law and Economic Justice, the George Washington University Domestic Violence Legal Empowerment and Appeals Project, the National Immigrant Justice Center, the Mississippi Center for Justice, the American Civil Liberties Union Prison Reform Project, and the Tahirih Justice Center.

More information about the Foundation can be found on its website, which is currently in development and close to completion. The website can be found at: <http://mcdowellfoundation.publishpath.com/> Jerry helped develop this website with the assistance of Drinker Biddle's Information Technology Department.