

Meet the Member

What is your name?

Frank Gebauer.

How/why did you join THLA?

I think it's important for LGBTQ legal professionals to be visible in the community and to work together to build a society that is more just. THLA is also a great way to get out of my daily routine, meet people with different views, and honor the history of the LGBTQ movement.

Where were you born and raised?

I was born and raised in Columbus, Ohio.

Does anyone else in your family practice law?

No. I made them all sign non-compete agreements.

What are your interests or hobbies?

I love foreign films, going to plays, and hole-in-the wall restaurants. I recommend *Mama's Bakery & Deli* in North Park.

What type of law do you practice and/or what are your interests?

I am a first-year attorney interested in corporate and real estate transactions. ▼

President's Column

Jonathan Schneeweiss, THLA President

Thanksgiving has passed and the Holidays are rapidly approaching. Each year brings change and it seems to be happening on many fronts. Mayor Sanders recently changed his position about the amicus brief in the Marriage Cases before the California Supreme Court and agreed with the San Diego City Council to sign on to the Amicus Brief submitted in support of gay marriage. Many THLA members sent emails to various Council Members and the Mayor thanking them for their bold actions. Hopefully our email updates

on some of these issues have helped keep you informed.

We have been sending regular updates on various issues via email and find that is our best form of communication. We recommend that you go to the THLA website to make sure your email address is updated. If you have a job listing or other notice you would like to get out to the THLA membership just let us know. You may email me at JonathanS@ColdwellBanker.com, or call me at 619.279.3333.

THLA also recently co-sponsored a continuing legal education course on diversity at the San Diego County Bar Association. It was nice seeing our membership participating in these events.

On December 11, 2007, Andrea Kimball, past THLA President and partner at Luce, Forward, Hamilton & Scripps LLP, will be putting on an MCLE course at the County Bar starting at noon. Andrea will be discussing the law of trade secrets. She will discuss how to prove a case and has an expert on computer technology coming to discuss what you can discover on computers. Andrea recently won a verdict of over \$20 Million for her client, El Dorado Stone, against a former employee who took trade secrets when they left and started their own company using El Dorado Stone's "recipes." THLA will be co-sponsoring this event with various other sections of the County Bar. Come have lunch, mingle and get CLE credit on an interesting topic by one of our own members!

Also, December 6, 2007, is our annual THLA Holiday Party. The Board meeting starts at 5:30 p.m. and the party follows at 6:30 p.m. As usual, all members (and guests) are encouraged to attend the Board meeting. *Happy Holidays.* ▼

Girls' Room Interrupted

By Brett Masch

Few legal issues have been as fiercely debated as the right to privacy. Many liberties we enjoy today have been fought and won because it is reasonable to feel free from intrusion in certain areas. Where can we feel safe? In our homes? Certainly. In our cars? Perhaps less than in our homes, but in the bathroom – one would certainly think so.

Few would argue that when 28 year old Khadijah Farmer excused herself to use the restroom at Caliente Cab Co. restaurant in New York City on the evening of June 24 and headed to the ladies' room that she could expect the male bouncer to follow her in and ask her to leave. Farmer, like many women regardless of their sexual orientation, opts to wear baggy clothes and keeps her hair short. As she walked into the bathroom, another woman asked her if she knew that this was not the men's room. Having been confronted with this question before, she gave her automatic response that she was aware of it and that this was where she was supposed to be.

Now alone in the downstairs ladies' bathroom, she was startled moments later by the 6'4", 225 pound bouncer bursting into the bathroom and pounding on her stall door that a woman complained that there was a man in the ladies' room. Farmer came out of the stall and began her usual explanation: "yes, I am a female...here is my I.D." The over-sized bouncer ignores her pleas, insists she (and her friends) leave the restaurant and their party was told to pay the entire check despite having not yet received their meal, and they were escorted out of the

Cont'd next page

restaurant. Had this incident occurred in middle America might be understandable, but it is particularly disheartening to note that it happened in the middle of Greenwich Village during **gay pride weekend**.

Fortunately for Farmer, what happened was illegal in the city. In 2002, an amendment to New York City's Human Rights Laws was adopted that protects the rights of city residents whose gender expression is different from their biological sex. Title 8 of the New York City Administrative Code extends this protection in many areas including "public places and accommodations." Because the bouncer refused to see her I.D., the basis for throwing her out was solely on how she looked. The municipal law has become the basis for the suit against Caliente Cab Co.

On October 9, the non-profit organization, Transgender Legal Defense and Education Fund (TLDEF) brought suit on Farmer's behalf in Manhattan Supreme Court. Michael Silverman, executive director of TLDEF, hopes to show the importance of the issue reaches beyond the city limits and that state government should begin to afford similar protection for everyone statewide. Silverman intends to prove that discrimination based on sex stereotyping in public accommodations is as unjust and harmful as if it were committed by an employer.

Farmer has said that this is not about money and that she would be satisfied if the staff at Caliente would undergo tolerance and sensitivity training to prevent future similar situations.

For more information, go to www.transgenderlegal.org. ▼

**Happy Holidays
from THLA!**

THLA Board Members Honored and Appointed

Tamara Keller, a THLA Board Member since 2004, recently received The San Diego Daily Transcript's 2007 Young Attorney honor. As 1 of 33 finalists, this prestigious recognition acknowledges lawyers with seven years of experience or less who excel in their field and maintain the utmost integrity in their ethical and professional practice. The award finalists were announced in Transcript's November 21, 2007 issue. Tamara, a member of the labor and employment group at Luce, Forward, Hamilton & Scripps LLP, was selected by an independent judging panel of legal experts from more than 250 San Diego County attorneys nominated by their peers for this award. Tamara's nomination stems not only from her accomplishments in legal matters but also from her solid commitment to community involvement.

For the complete article, go to: http://www.sddt.com/files/YoungAttorneys_2007.pdf

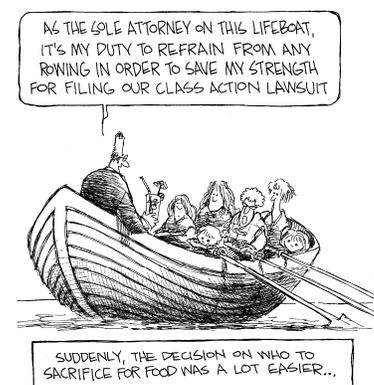
Board President **Jonathan Schneeweiss** was recently nominated by San Diego Mayor Jerry Sanders and confirmed by the City Council as the LGBT member on the City's *Citizens Equal Opportunity Commission*. The Commission's objectives are to monitor and/or evaluate the Equal Opportunity Program of the City; advise on a continuing basis, the Mayor, City Council, Civil Service Commission and other appropriate agencies of City government; submit reports for review by Rules Committee and Council; assist in the recruitment of competent historically under-represented, women and disabled; and finally promote the City as an Equal Opportunity Employer of individuals and firms desiring to contract with the City."

Board Member **Ted Roberts** has been appointed the 2008 Chair of the San Diego County Bar Association's Ethnic Relations and Diversity Committee (ERDC) by incoming SDCBA President Heather Rosing. The ERDC is comprised of the local ethnic minority Bar Associations plus the Lawyers Club of San Diego and THLA. The ERDC promotes equality and opportunity for lawyers and law students from ethnic and sexual minorities, and women, through CLE programming, the annual Unity Breakfast and various initiatives such as the Diversity Pledge and the annual Diversity Survey.

Secretary and newsletter co-editor, **Torr Melling**, was elected to the City Heights Project Area Committee (PAC) Board. The Board's objectives are to encourage and support commercial and mixed use projects; affordable and market-rate housing developments and rehabilitation; youth recreation and service centers; transportation facilities; living wage job creation; and increased homeowner occupancy. ▼

Intellectual Property Trade Secrets Litigation and Advisory CLE

Included in this newsletter is a flyer for the CLE entitled *Intellectual Property Trade Secrets Litigation and Advisory*, featuring Andrea Kimball, to be held on December 11 at the SDCBA at noon. Sign up now! ▼



THLA Law Student Mixer at Bourbon Street, Friday, November 19.



Maximize your THLA Membership

By Gregg St. Cyr

Are you making the **most** of your membership? THLA is a great organization with networking opportunities. THLA provides for networking, community, education, referrals, employment boards, publication, CLE credits and more. *How can you become more involved?*

Attend Board Meetings: We hold our board meeting at *The Center* in Hillcrest on the first Thursday of every month. There, we discuss and plan social events, the annual dinner & awards ceremony, CLE's and manage business affairs.

Join a Committee: Many of our events require a committee to oversee and plan. We have committees for our annual dinner, CLE events, newsletter, pride festival & parade, and law student interaction. We also have a committee that works on amicus briefs which we author or co-author on important LGBT matters such as the *Boy Scouts* case and *In Re: Marriage* cases.

Newsletter: THLA is always looking for articles on LGBTQ-related laws and news stories from its members to include in the newsletter. Contact Torr Melling or Oliver Cleary to submit an article to the newsletter.

CLE: THLA is attempting to provide more frequent CLE presentations through co-sponsorship with the SDCBA. Share your wealth of knowledge as you obtain CLE credits for yourself, provide CLE credits for others in THLA, and network with the LGBTQ community as well has help to raise awareness of our community, THLA, its members, and our issues. Contact Anita Margolis or Alexis Bastedo regarding CLE presentations.

THLA Website: You can: post or search for job openings, find out who is a member and how to contact them (you can even reach the membership from the website's contact center via email), find events on our calendar, and host or join a discussion on the discussion boards from our new website. Feel free to contact me at 619.235.9354 or gregg@conwaystcyr.com if you have any website questions.

Calendar

- THLA Board Meeting**
5:30 pm, Jonathan Schneeweiss's HouseDecember 6
 - THLA Annual Holiday Party**
6:30 pm, Jonathan Schneeweiss's HouseDecember 6
 - THLA Board Meeting**
5:30 pm, The CenterJanuary 3
-

Board of Directors

- Alexis Bastedo
 - Oliver P. Cleary
 - Paige Folkman
 - Jennifer Kagan
 - Tamara Keller
 - Anita Margolis
 - Lilys McCoy
 - Torr Melling
 - Theodore E. Roberts
 - Jonathan Schneeweiss
 - Gregg St. Cyr
-

**Happy Holidays
from THLA!**

Tom Homann Law Association
1010 University Avenue, PMB 137
San Diego, CA 92103-3398
www.thla.org

Committee Chairs

- President**
Jonathan Schneeweiss619.279.3333
 - Secretary**
Torr Melling619.699.5557
 - Treasurer**
Gregg St. Cyr619.807.8262
 - Program Chair**
Ted Roberts619.699.5111
 - Law School Liaisons**
Barbara Cox.....619.525.1413
California Western School of Law
John Adkins.....619.260.4766
University of San Diego School of Law
Bryan Wildenthal619.297.9700
Thomas Jefferson School of Law
 - Newsletter**
Oliver Cleary619.231.8874
Torr Melling619.699.5557
-

**Membership Application
and Information Update**

If your contact information has recently changed, please use the enclosed membership application to update your contact information.

If, on the other hand, you have a friend in the legal profession who might be interested in membership, please forward the application and encourage them to become THLA members. For every new member you get to register, THLA Board President Jonathan Schneeweiss will buy you a drink! ;-) *Thank you!* ▼

**THLA Holiday Party on
December 6**

Join THLA for *your* annual holiday party to be held at Board President Jonathan Schneeweiss's house (4620 Narragansett Avenue) in Ocean Beach.

The monthly boarding meeting will take place at 5:30 p.m. and the party starts at 6:30. Members and friends are most *welcome* and encouraged to attend. Light snacks and drinks to be served; caroling is *optional*. Please call 619.279.3333 if you need information or directions. ▼

TO:

*"When in a town they close the doors of justice,
they open the doors of the Revolution.*

- Práxedes Sagasta
Spanish politician.

ADDRESS CORRECTION REQUESTED

Tuesday, December 11, 2007 • 12:00 p.m. – 1:15 p.m. • 1.0 GEN
Bar Center, 1333 Seventh Avenue, San Diego CA 92101

**Tom Homann
Law Association
and the
Intellectual
Property Section
of the
San Diego County
Bar Association**

INTELLECTUAL PROPERTY TRADE SECRETS LITIGATION AND ADVISORY

Featuring Andrea Kimball, Esq.

*Jonathan Schneeweiss
President of THLA*

What is a trade secret? What is the definition of “misappropriation?”
 What are “reasonable efforts to maintain the secrecy” of company
 trade secrets? And how do you protect your business clients who have
 trade secrets? These are among the many questions that will be
 answered by Andrea Kimball, a partner in the Business and Complex
 Litigation practice group at Luce Forward. By attending this one-hour
 MCLE seminar, you will gain valuable information about:

- Foundational background on intellectual property cases.
- Overview and key elements of IP trade secret litigation.
- Use of evidence in IP trade secret cases.
- Tips to protecting business clients who have trade secrets.
- Nuances and lessons learned from a recent San Diego-based trade secret case with a verdict exceeding \$20 million.

This is a **full-service luncheon**. Registrations must be received by **noon on Friday, December 7, 2007**.
 Walk-in registrants will incur an additional \$5.00 registration fee.

INTELLECTUAL PROPERTY TRADE SECRETS • Tuesday, December 11, 2007 • 1333 Seventh Avenue, San Diego, CA 92101

Complete this form in its entirety (only one registrant per form). Payment is required at the time of registration. If paying by check, send to the SDCBA at 1333 Seventh Avenue, San Diego, CA 92101. If paying by credit card, either mail or FAX to 619-338-0042. Registration can also be completed online at <http://www.sdcb.org>. Registrations must be received by **noon on Friday, December 7, 2007**.

\$25 MEMBER OF THE SDCBA AND THIS SECTION **\$30 MEMBER OF SDCBA, BUT NOT THIS SECTION**
\$25 MEMBER OF THLA (please register by fax or mail) **\$40 NOT A MEMBER OF THE SDCBA**

NAME _____ BAR # _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE _____ FAX _____

Credit Card reservations will not be processed without signature and card billing address.

MASTERCARD VISA AMERICAN EXPRESS DISCOVER CHECK # _____

CARD NUMBER _____ EXP DATE _____

SIGNATURE _____

Registrations must be received by noon on Friday, December 7, 2007. Walk-in registrants will be accommodated as space allows, will incur an additional \$5.00 registration fee, and are not guaranteed meal service. Reservations will be held until 25 minutes after the published seminar start time. No refunds available within 72 hours of the seminar. "San Diego County Bar Association certifies that this activity has been approved for MCLE credit by the State Bar of California."
595120507

Tom Homann Law Association

MEMBERSHIP APPLICATION

NAME:		FIRM:	
MAILING ADDRESS:	<input type="checkbox"/> CONFIDENTIAL <input type="checkbox"/> ADDRESS UPDATE	CITY, STATE ZIP:	
EMAIL:	<input type="checkbox"/> CONFIDENTIAL	TELEPHONE/FAX:	<input type="checkbox"/> CONFIDENTIAL
		/FAX	
AREAS OF PRACTICE OR SPECIALTIES:	INTERESTS OR HOBBIES:		

YEARLY MEMBERSHIP RATES

Attorney, more than five years:	\$55.00
Attorney, fewer than five years:	\$45.00
Other Legal Professional:	\$20.00
Community Member:	\$20.00
Student:	\$15.00
Judges, Commissioners and Referees:	No Charge
Sustaining Member:	\$250.00
Supporting Member:	\$100.00
Voluntary Donation to Scholarship Fund:	\$15.00

CONTACT PREFERENCES

WOULD YOU LIKE EMAIL NOTIFICATION OF MEETINGS AND OTHER THLA EVENTS? <input type="checkbox"/> YES <input type="checkbox"/> NO	THLA'S NEWSLETTER DELIVERY: <input type="checkbox"/> EMAIL <input type="checkbox"/> U.S. MAIL <input type="checkbox"/> BOTH
WOULD YOU LIKE YOUR INFORMATION LISTED IN THE MEMBERSHIP DIRECTORY? <input type="checkbox"/> YES <input type="checkbox"/> NO	WOULD YOU LIKE YOUR INFORMATION LISTED ON THE WEBSITE? <input type="checkbox"/> YES <input type="checkbox"/> NO
ARE YOU INTERESTED IN VOLUNTEER OPPORTUNITIES? <input type="checkbox"/> YES <input type="checkbox"/> NO	HOW WERE YOU REFERRED TO THLA?

STUDENTS

LAW SCHOOL/PARALEGAL PROGRAM:	ANTICIPATED DATE OF GRADUATION:
AREAS OF INTEREST:	

Please complete this form and return it with your payment to the address listed below, or go to www.thla.org and complete your membership application online.

Thank you!