

Detroit Legal News

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DAILY BRIEFS

Nessel reaches settlement in Progress Michigan's FOIA lawsuit

Michigan Attorney General Dana Nessel announced Wednesday that the Department of Attorney General has entered into a settlement agreement with Progress Michigan regarding a lawsuit involving a Freedom of Information Act request received by the Department under the previous administration. The settlement includes partial payment of attorneys' fees to Progress Michigan.

This settlement ends a lawsuit brought by Progress Michigan after the Department denied a FOIA request in 2016 seeking emails from 21 Department employees which were "sent or received using a personal email account in the performance of official functions." Those emails are missing from the Department's records, and it cannot ascertain whether they were maintained in accordance with the applicable retention and disposal schedules. Prior to the lawsuit the State of Michigan did not have a policy prohibiting the use of private emails for official business. The state now has a policy that requires all state business to be conducted by state email.

After taking office in 2019, Nessel placed an emphasis on openness in government, including advocating for greater transparency within her own department and other governmental offices.

"The Freedom of Information Act protects the people's right to inspect and receive public records, including concerning official business that may have been sent or received on personal email accounts," Nessel said.

Federal Bar hosts Holiday Party online

The Federal Bar Association, Eastern District of Michigan Chapter, will celebrate the season online with its Annual Chapter Holiday Party on Wednesday, December 16, from 4:30 to 6 p.m. via Zoom.

There will be pre-party entertainment with a very special guest from 4:30 to 5 p.m. (suitable to enjoy with or without a significant other and/or kids).

The Holiday Party (proper) will include:

- 1) A presentation of the Avern Cohn Award (5:05 to 5:15 p.m.)
- 2) Small Group Speed-Socializing (5:15 to 5:55 p.m.)

Cost for the Holiday Party is \$8 for FBA members and \$13 for guests.

There will also be an "Afterparty" (with separate registration) featuring a 3 v. 3 Pop Culture Trivia Competition with all event proceeds/donations going to a local charity. Cost for the "Afterparty" is \$15 per person or \$50 per team.

To register for either event, visit www.fbamich.org and click on "events."

Catholic Lawyers Society to host Advent Reflection Event

The Catholic Lawyers Society of Metropolitan Detroit will host an Advent Reflection Event (Feast of the Immaculate Conception) on Tuesday, December 8.

Members of CLSMD will gather for 12:15 p.m. mass at Old St. Mary's Catholic Church in Greektown, followed by an Advent reflection with CLSMD Spiritual Director Msgr. Ronald Browne. A luncheon will follow.

To register, email catholiclawyersociety@gmail.com.

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Santa found time to stand watch over some of the proceedings at the symposium in Grand Rapids. Also pictured is Troy attorney Mark Rossman (left) and Shaun Fitzpatrick of Fortz Legal.

All business

A symposium on 'Corporate Oppression Actions' draws socially distanced crowd

BY TOM KIRVAN
Legal News

Twenty-five speakers were featured during a two-day symposium titled "Corporate Oppression Actions and Business Law Oppression in the Age of the Pandemic" on November 11-12.

The somewhat catchy title proved to be a draw, attracting a record number of registrants for the mostly virtual event that was hosted by Fortz Legal in Grand Rapids, and was sponsored by the State Bar of Michigan Business Law Section in cooperation with Wayne State University Law School and the Wayne State Journal of Business.

More importantly, the symposium focused on subject matter that is "very germane, as I am seeing more corporate separations since this pandemic started than ever before," according to attorney Mark Rossman, who served as the principal moderator and host of the two-day event.

"I started the program for the State Bar three years ago, and this year's program was our largest in terms of speakers and registration, and was a great success notwithstanding the pandemic," said Rossman, a University of Michigan alum and head of a Troy law firm that bears his name. "I think it is noteworthy that we were able to grow the symposium notwithstanding the pandemic and run a very informative and expansive program remotely with participants all over the country — something we never would have thought possible pre-pandemic."

The speakers featured members of the bench and bar, and included: Oakland County Circuit Judge James Alexander; Noman Ankers of Foley & Lardner; Charles Ash of Warner Norcross + Judd; John Below of Bodman, R.J. Cronkite of Dinsmore; Shaun Fitzpatrick of Fortz Legal; Jonathan Frank of Frank & Frank; Thomas Frazee of FVF Consulting; Bernard Fuhs of Butzel Long; David Hansma of Seyburn Kahn; Ethan Holtz of Jaffe Raitt; Jonathan Lauderbach of Warner Norcross; E. Powell Miller of The Miller Law Firm; Professor Douglas Moll of the University of Houston Law School; H. Joel Newman of H. Joel Newman, PLLC; retired Oakland County Circuit Judge Wendy Potts, now a mediator with the Detroit office of JAMS; Daniel Quick of Dickinson Wright; Judge Brian Sullivan of the Wayne County Business Court; Linda Watson of Clark Hill; Ian Williamson of Mantese Honigman; I.W. Winsten of Honigman; Judge Christopher Yakes of the Kent County Business Court; Judge T.J. Ackert of the Kent County Circuit Court; Professor Erick Zacks of WSU Law School; and Linda Roelans of Rossman, P.C.

Rossman, who earned his law degree from Wayne State University, offered a tip of the hat to Fortz Legal for helping host the symposium and for coordinating the production out of its Grand Rapids location, while P.J. Muer Productions provided the voiceover and musical transitions from Nashville.

"Other than a small handful of registrants who attended in person in Grand Rapids, where

the event was catered by Carolina Low Country Kitchen, the vast majority of the over 100 registrants appeared remotely," Rossman said. "The event was very well received by the practitioners who attended, and it went off with only a few technical glitches."

Day one of the symposium include a roundtable discussion of "Trial Preparation and Trial Strategies," featuring attorneys Norman Ankers, John Below, E. Powell Miller, H. Joel Newman, and Ian Williamson.

On the closing evening, a roundtable of business court judges highlighted the program. The panelists included Judges T.J. Ackert, Wendy Potts, Brian Sullivan, Christopher Yakes, and James Alexander, in a discussion moderated by retired Judge Jonathan Lauderbach, formerly of the Midland County Circuit Court.

Following the roundtable talk, a tribute to Oakland County Circuit Judge Alexander was offered by Jaffe attorney Ethan Holtz. Alexander, a 1970 graduate of Miami University in Oxford, Ohio who received his law degree from the University of Detroit, will retire at the end of the year following a distinguished career on the bench that began in 2001.

In fact, it was September 11, 2001. It was quite a first day, Judge Alexander acknowledged.

"I started on 9/11 and now I will end my career in the midst of a pandemic," Alexander mused in an interview with The Legal News earlier this year. "How's that for bookending a career?"

Resentencing instructions may cause confusion for trial courts

BY KELLY CAPLAN
BridgeTower Media Newswires

DETROIT — A man serving a mandatory life sentence for an armed robbery and kidnapping conviction will get another day in court to determine if a sentencing error was made.

In *People v. Wines*, a Michigan Supreme Court majority reversed part of a Court of Appeals judgment addressing Gregory Wines' sentencing arguments, and remanded to the trial court for further proceedings.

The Kent County Circuit Court "shall consider the defendant's arguments ... and may exercise its discretion to resentencing him for those convictions, in particular 'if it finds that the sentence[s] [were] based on a legal misconception that the defendant was required to serve a mandatory sentence of life without parole on the greater offense.'"

While Justice Stephen J. Markman con-

curred with the majority's holding to reverse that part of the Court of Appeals judgment, he wrote a lengthy dissent — joined by Justice Brian K. Zahra — on the majority's decision to deny the prosecutor's application for leave to appeal.

"The prosecutor argues that the Court of Appeals erred by holding that the trial court must consider the 'distinctive attributes of youth, such as those discussed in [*Miller v. Alabama*, 567 US 460 (2012)]; even where the prosecutor has not sought a sentence of life imprisonment without the possibility of parole," he wrote. "Because I am inclined to agree with the prosecutor, and because there are significant consequences for our juvenile justice system, I would grant leave to appeal."

Markman pointed out that, in a "sharply divided 5-4 decision," the United States Supreme Court in *Miller* said children are "constitutionally different from adults for purposes of sentencing" and that "mandatory life without parole" for those who are under the age of 18 at the time of their crimes is a violation of the Eighth Amendment's prohibition on cruel and unusual punishments.

As such, trial courts must weigh several *Miller* factors before handing down such a sentence. In response, the Michigan Legislature adopted MCL 769.25, which states, in part that if a prosecuting attorney files a motion to sentence a defendant to life without parole, the trial court shall consider the factors listed in *Miller*.

"However, if the prosecutor does not file such a motion — as here — there is no obligation imposed by either the United States Supreme Court or our Legislature to consider such factors," he wrote. "In other words, extending *Miller* into this new realm simply lacks warrant in either *Miller* or in the statute enacted in furtherance of *Miller*. Moreover,

Detroit Mercy Law student eyes clinic opportunities

BY SHEILA PURSGLOVE
Legal News

Attending law school was always a dream of William Frush—and after graduating from Detroit Catholic Central High School, he earned a degree in political science from the University of Michigan, studying the rise of communism in Eastern Europe and China in the 20th century, politics in Germany following World War II, and the evolution of democracy in the developing world.

"Counselors and teachers alike told me political science was an excellent way to develop some of the skills critical to succeed in law school," he says. "The decision was made easier by the fact I've always had a fascination with the history of political systems."

Frush was drawn to the law by the significant career flexibility that allows lawyers to work in a variety of fields. While committed to practicing law, he also is interested in pursuing a career as an educator, and notes that law school allows him to move closer to achieving both of those goals. The Detroit Mercy Law 1L student particularly appreciates the alumni engagement.

"I was told by both students and administrators that the alumni maintain a very active presence—however, the alumni participation still exceeded any expectations I had," he says. "During our three-day virtual orientation, alumni from around the country volunteered to lead breakout group sessions and speak to us about their experiences at Detroit Mercy Law."

He has also enjoyed the alumni participation in the Career Services Office's "Lunch with a Lawyer" series.

"It's been extraordinarily helpful to have advice from established attorneys," he says. "It also provides the students with valuable networking opportunities."

Frush initially was focused on pursuing a career in law enforcement—an interest sparked by an eighth grade tour of the FBI training facility in Quantico, Va., part of a Washington, D.C. based program, "Bringing the Lessons Home."

"I was struck by the professionalism of the FBI and their rigorous commitment to justice. It would be an honor to be a member of an organization tasked with defending our country," he says.

But his career goals have recently become more fluid and he is keeping an open mind about the many opportunities that lie ahead.

"I'm not ready to commit to just one field yet," he says. "I attended CSO events with alumni in cybersecurity, commercial litigation, and governmental roles and found myself intrigued by each. I'd like to use the summer following my 1L year to develop some experience in the legal field. Professors and alumni have told me the internship after your 1L year can be very useful in determining what someone is and is not interested in."

My focus right now is on performing well in my classes and exploring career fields after finals."

Frush is grateful to be a Dean's Fellow, not only for the alleviation of the financial burden

See **STUDENT**, Page 9

Official Newspaper: City of Detroit • Wayne Circuit Court • U.S. District Court • U.S. Bankruptcy Court

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Money Matters

MARSHA AKPODIETE, BRIDGETOWER MEDIA NEWSWIRES

Five tips to navigating open enrollment amid the pandemic

This year's open enrollment period is proving to be more important than ever before. With the COVID-19 pandemic increasing health concerns for many across the country, employees are now taking a closer look at their employer's benefit offerings and finding value in options that may have been previously overlooked or unavailable.

As businesses kick off their open enrollment periods, it's important to keep in mind that in today's virtual environment, it's not just about the plan changes or updated offerings, but how the information regarding the plans is delivered to employees in a virtual, digital way. HR managers and benefits specialists are also being tasked with advising employees on how to respond to the pandemic and strike a balance between over-insuring and under-insuring during this uncertain time.

To provide a streamlined open enrollment process that empowers employees with the information and flexibility that they need, HR managers should update their strategy to ensure they're providing employees with detailed information about available benefits and offerings. These five tips can help businesses efficiently navigate their open enrollment period through the COVID-19 pandemic, while ensuring their employees get the support they need to make an informed decision about their benefits.

Offer virtual meetings and/or webinar

Whether plans changed drastically or minimally this year, employees are interested in hearing about these changes from HR. Hosting virtual meetings or offering a webinar to go over changes to the benefits plans is an essential step in helping to eliminate confusion. It gives employees a chance to ask questions and voice concerns, all while maintaining safe social distancing measures in this new remote world in which many employees are living. If a business chooses to move forward with an in-person meeting to review plan changes, it's important to ensure the employees'

safety by adhering to all relevant state, local, and CDC guidelines. In these sessions, HR professionals should encourage employees to ask questions or request clarification where necessary to cultivate an environment of trust and transparency. If your company is using a self-service portal to enable employees to sign up for their plan of choice, encourage them to familiarize themselves with the platform and reach out with questions or concerns.

For those who may have recently joined the company or have experienced a qualifying event, such as turning 26 years old in the last year and no longer having access to their parents' insurance, this may be their first time having a benefits specialist walk them through the plans offered. Enabling employees to sit down and hear what their benefits options are and why the employer is offering these plans can lessen future questions as employees begin their benefits selections.

Start sending reminders early

We all know that life can sometimes get in the way of our plans, especially during the COVID-19 pandemic, and the open enrollment period is no different. Employees may have time set aside to enroll in their benefits but may find themselves distracted with other tasks or responsibilities, causing them to lose track of deadlines and miss the enrollment period.

Beginning the communication process about open enrollment early can help employees to keep this crucial task top of mind during this busy time of year. Encourage employees to keep an eye out for a confirmation notice once they've enrolled if that is something your company provides. Offering clear, detailed information about important timelines and due dates as well as regular reminders can help employees to better plan for their enrollment.

Provide helpful tools and resources

Benefits information can sometimes contain a sizeable amount of information. See **ENROLLMENT**, Page 5

Notice to attorneys

In case of an emergency relating to Third Judicial Circuit matters occurring on a weekend, holiday or during non-business hours, please call (313) 967-2002.

Please have all pertinent information available, i.e., case caption, case number, attorney names, telephone numbers and client names. The information will be forwarded to the designated Emergency Judge.

Zenell B. Brown,
Executive Court Administrator
Third Judicial Circuit of Michigan

Weekend/Holiday Arraignment On Warrants for Wayne County Including Detroit

Cases originating in Wayne County (including the City of Detroit) will be held at:

34th District Court
11131 S. Wayne Road
Romulus, MI 48174

Court begins at 11:00 a.m.

Zenell B. Brown,
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BUSINESS

Left for dead, twice, RadioShack gets another shot online

Big question: How much value does the brand have with younger consumers?

By MATT OTT
AP Business Writer

SILVER SPRING, Md. (AP) — RadioShack, a fixture at the mall for decades, has been pulled from brink of death, again.

It's the most prized name in the basket of brands that entrepreneur investors Alex Mehr and Tai Lopez have scooped up since the coronavirus pandemic bowled over the U.S. retail sector and sent a number of chains into bankruptcy protection. Those brands so far include Pier1, Dressbarn and Modell's.

Mehr and Lopez plan to make RadioShack competitive again, this time online, rather than on street corners or in malls. However, unlike RadioShack's glory years, it's Amazon's world now.

The big question is: How much value does the RadioShack brand have when the prized target audience of younger consumers may have never owned a radio, let alone stepped inside a RadioShack store?

"It's a very thin line between being iconic and being dead," said Robert Passikoff, founder and president of Brand Keys Inc., a

marketing and research consultancy. "Being iconic a lot of the time just means people have a memory of it. I'm not sure that just remembering something is leverageable enough to be able to convert something into success."

Success is something that's been in RadioShack's rear-view mirror for quite some time. The company, which would celebrate its 100th birthday in 2021, appeared to be on top of the tech world in the pre-personal computer days of the late 1970s and early 1980s, the place kids and hobbyists would go to buy radios, walkie-talkies and all the parts to fix them, or even build them themselves.

Somewhere along the way, "The Shack" got lost. Unable to capitalize on the PC boom that began in the mid-eighties, it also found itself largely on the outside of the portable device revolution of the aughts and drifting toward irrelevance. It booked its last profit in 2011. After store redesigns and other changes failed to draw customers, the Fort-Worth, Texas, company filed for Chapter 11 bankruptcy protection in 2015 and then again two years later.

Mehr and Lopez have no designs on rebuilding the brick-and-mortar RadioShack empire. But they say there is a path back to profitability, and it all starts with the name.

"We bought the raw material to build a big business," Mehr said. "Brand means trust. And the brand is very, very strong. I have quantifiable data that the brand is very strong."

Mehr said REV's formula for measuring public opinion of a brand differs significantly from the way other experts value such things, including their own polling and analysis of how the company might work in a specific "ecosystem."

The plan, in short, is to build a vast online marketplace on top of the RadioShack brand. Trust in that name will get consumers to the site, where the quality and variety of merchandise will dictate whether or not shoppers click the "Buy" button, they say.

Since it was founded in 2019, REV has been in the hunt for other names that could once be described as "household." It's turned Pier1, Dressbarn and Modell's into online-first businesses.

Other bankrupt retailers have found a second life online. The overhead is low and there are people who remain loyal to the brand, even after the store lights go out. But they are typically much reduced affairs. American Apparel, which went bankrupt and closed all its stores a few years ago, now sells hoodies and sweatpants online. Toys R Us, which closed its doors two years ago, opened a couple of small stores and it has a website. However, the Toys R Us site redirects those who want toys to Amazon.com.

REV says that its much leaner RadioShack will sell from its own website and an Amazon storefront. RadioShack was the place to go for batteries, phone chargers and headphones. Those are products that Amazon sells under its own brand name in vast quantities.

And therein lies REV's challenge. Megachains like Walmart and Target have been able to slow Amazon's encroachment, but Amazon is the ultimate disrupter. It has upended industries from tech and grocery, to global shipping.

If Amazon is the biggest threat to some of America's largest cor-

porations, what are the prospects for a relic from the 1980s?

"Amazon is the Death Star," said Allen Adamson, co-founder of the marketing strategy firm Metaforce. "They have everything and it's easy and fast. There's no need to go to your corner RadioShack to find something, or even to RadioShack online."

Yet Mehr doesn't look at Amazon as a competitor. Rather, he said, it's another channel where RadioShack can sell its products.

"It's like a big mall with a lot of traffic," Mehr said. "So I think of Amazon as a partner, and I've done that in other brands, too. So this is yet another distribution channel for us."

REV bought RadioShack from General Wireless Operations Inc. for an undisclosed amount this year. The former owners have retained a minority stake, betting on the social media marketing expertise of Mehr and Lopez.

The new owners say they hope to have RadioShack.com open for business by the end of the month. About 400 RadioShack locations remain open, but operate independently from the REV-owned parent company.

AUTOMOTIVE

Black Friday car deals may not be as bountiful as in past years

By RONALD MONTOYA
Edmunds

Once a novel concept in dealership marketing, Black Friday car deals have become as common as the TV deals at your local big-box store. While the savings on new cars aren't that dramatic — no 70% off fire sales here — they do generally make mid-to-late November a good time to buy a car.

This year, however, the COVID-19 pandemic has wreaked havoc on just about everything — Black Friday car deals included.

Perhaps the biggest factor is the lack of inventory caused by all the factory shutdowns. There simply aren't as many 2021 models on dealer lots this year as there were 2020s at this time last year. Moreover, Edmunds market analysts expect inventory to remain low through the end of the year. Depressed supply means it's

a seller's market, so discounts won't be nearly as steep as in years past.

And what of that 0% financing you might've seen advertised a few months ago? Well, we have good news and bad news. The bad news is that, yes, there are fewer 0% offers than the record highs we saw in late spring. In October, such deals made up about 9% of car loans, down from 12.9% in September, according to Edmunds data. But the good news is that this figure is still about 4 percentage points higher than the 2019 norm.

So what should you look for? The deal hunters at Edmunds have located five 2020 vehicles in various categories that still offer significant savings this month. We've organized them from the highest percent savings to the lowest. Note that these savings are averages, which means that you can likely improve on the savings

with some negotiating and incentives.

2020 Chevrolet Bolt EV
Average manufacturer's suggested price \$41,361; average discount \$10,364 (25% savings)

What our editors say: "The Bolt has surprising interior space for a vehicle that looks small from the outside. And for the 2020 model year, Chevrolet updated the Bolt's battery pack, increasing its capacity without changing its size. The result is an increase in total range to an impressive 259 miles."

2020 Jeep Cherokee
Average MSRP \$32,768; average discount \$6,013 (18% savings)

What our editors say: "The latest Jeep Cherokee ditches its non-traditional styling for a more familiar look based on the bigger Grand Cherokee. The V6 engine is still an option, but there's a hot turbocharged four-cylinder engine

as well. In proper Jeep fashion, the Cherokee remains one of the most capable small SUVs for going off-road."

2020 Chrysler 300
Average MSRP \$35,587; average discount \$6,484 (18% savings)

What our editors say: "There is nothing small about the Chrysler 300. It's a large sedan in nearly every sense of the word, with a spacious upscale interior, a long wheelbase for a smooth ride, and an available V8 engine that has plenty of muscle."

2020 Ford Fusion Hybrid
Average MSRP \$27,090; average discount \$4,940 (18% savings)

What our editors say: "The current-generation Ford Fusion Hybrid dates all the way back to 2013, but Ford's continuous tweaks have kept it fresh long past a normal car's sell-by date. Even though all of its competitors are

newer, the 2020 Fusion Hybrid's long list of strengths helps it remain one of the best choices for a midsize sedan."

2020 Ford F-150
Average MSRP \$52,385; average discount \$7,674 (15% savings)

What our editors say: "The 2020 Ford F-150 is a great example of the tough yet modern full-size pickup truck. It has the power to tow and haul at the top of its class, yet it also offers a wide range of luxury and technology features. The combination makes it one of the most versatile trucks available."

EDMUNDS SAYS: Despite the lack of typical Black Friday deals this year, you can still find great vehicles at appealing prices for the holiday season. Just keep in mind that supply limitations may make it harder to find the exact mix of features you're looking for.

ANALYSIS

American timber industry crippled by double whammy of trade war and COVID-19

By ANDREW MUHAMMAD
University of Tennessee

(THE CONVERSATION) — The forestry sector — landowners, logging companies and sawmills — have lost an estimated US\$1.1 billion in 2020. Devastating wildfires and Hurricane Laura have played a part, but the COVID-19 pandemic has also contributed to significant losses. If workers are required to stay home, then no trees will be felled or logs sawed into lumber.

These losses have been exacerbated and amplified because of a longstanding trade war that has severely curbed the sale of U.S. forestry products to foreign markets, particularly China.

I am a professor of economics with a specialty in international agricultural trade, trade policy and global food demand. My work at the University of Tennessee Institute of Agriculture is

informed by my nearly 10 years as a senior economist with USDA researching international trade issues affecting agriculture and forestry.

The U.S.-China connection
Forest product exports in the U.S., including logs and lumber, were valued at \$9.6 billion in 2018, according to the U.S. Department of Agriculture. Forest products are the third leading U.S. agricultural export sector after soybeans and corn. In 2018, China accounted for nearly \$3 billion of U.S. forest product exports.

The forest products relationship between China and the U.S. is complex. The U.S. sells logs and lumber to China; China uses the logs and lumber to produce finished wood products, such as furniture and hardwood flooring; and China exports these finished wood products to the world. Inter-

estingly, the U.S. market is the leading destination for these exports. In 2018, U.S. imports of wooden furniture and other wood products from China exceeded \$9 billion, according to the U.S. Census Bureau.

This raises an obvious question: Why doesn't the U.S. simply make furniture and flooring? The answer is wages. The wage differential between U.S. and Chinese workers makes it more profitable to sell logs and lumber to China and then buy back finished wood products.

Since the demand for products like logs and lumber is directly linked to the demand for finished wood products like furniture and flooring, any decline in the latter negatively affects U.S. forest product exports. To say that what happens in China does not necessarily stay in China is an understatement.

A vulnerable industry takes the hit

COVID-19 has caused a major disruption on U.S. forest exports and hindered production because of lockdowns, business closures and production stoppages. Many of these supply disruptions started in China, where lumber was being turned into furniture, chairs and other goods where the pandemic began.

However, another major factor has been the interruption of demand because of decreased incomes and delayed purchases by

consumers. In the U.S., furniture sales decreased as much as 66% in April 2020 when stay-at-home orders went into effect. As of August of this year, U.S. imports of wood furniture and other wood products from China were down by nearly \$2 billion, or 40%.

Consequently, U.S. forest product exports as of August 2020 had dropped by more than \$670 million overall, with exports to China down by more than \$100 million. Geographically, most of these losses are in the South, a loss of \$246 million, followed by the West, with losses of \$183 million, and the Northeast, with losses of \$143 million. In addition, these substantial losses are compounded by a multiplier effect that go beyond the raw export numbers.

In my state of Tennessee, for instance, the forestry sector provided nearly 100,000 jobs and had an annual economic impact of more than \$24 billion in 2017, accounting for nearly 3% of Tennessee's economy. This, of course, was before the COVID-19 pandemic and the U.S. trade war, which has devastated the forestry sector. When considering the related activities associated with the forestry sector, such as trucking or equipment, total income and job losses are likely double the direct losses from export sales.

The economic fallout of the trade war

Prior to the pandemic, the

U.S.-China trade war had already made the forestry sector vulnerable because of the tariffs that the Chinese government imposed on U.S. timber and the resulting loss in exports. The industry was in a crisis when COVID-19 hit.

In 2018, President Trump ordered that tariffs be imposed on Chinese imports, including a 10% tariff on furniture and related goods from China. In retaliation, the Chinese government imposed tariffs on many U.S. agricultural goods, including 25% tariffs on U.S. logs and lumber. This double taxation resulted in nearly halving the export to China — from \$3 billion in 2018 to \$1.6 billion in 2019. The trade war, compounded by COVID-19, has had a major negative effect on forest products export sales — from timber harvest and lumber production to timber exports — which hurts working people including loggers and mill workers. Sawmills, in particular, have taken a serious hit.

How is this related to the current pandemic? In January 2020, the U.S. and China signed the Phase One Trade Agreement. Based on the details of the agreement, timber and other forest product exports to China were expected to reach more than \$4 billion in 2020. The fact that current export sales to China, as of August of 2020, were only \$1 billion suggests that COVID-19 is having an even larger impact than the numbers reveal.



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www.checkyearly.com

Commentary

The Legal News presents a weekly Commentary Page. Anyone interested in contributing on an occasional or weekly basis to future commentary pages should contact the editor at bcx@legalnews.com



Under Analysis

CHARLES KRAMER, THE LEVISON GROUP

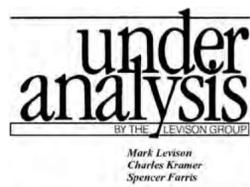
*The uncompered life –
Some things are still true*

It was December of 2010. The years had already passed. I was no longer the young avenger in the courtrooms or client board rooms I frequented. I was older than the majority of attorneys I would run into in the courthouse. I had more years under my belt than those sitting across the closing tables from me. It was then that I first mused that my skill of vanquishing any thought that I may actually be “old” from my brain was being significantly challenged. I blamed the apparent break down of the law of comparisons.

As my mind wandered and pondered, I thought of all of the things that those of us who already remembered the “good old days” of the 1980s and 90s thought took too long in 2010, or involved too many obstacles, or too many rules, but which were accepted by the newer practitioners as the norm because it was all they had ever known. (Things such as e-discovery retention policies, dual language court filings, redacting “sensitive” information about minors from federal filings – things that I admit I relied on younger attorneys to remember to do.) I thought of the then-new use of tablets (back then they were just called “ipads”), the pervasive ipods, and how computer research had become the substitute for, rather than an addition to, the “good old books” and key digests.

It was then that my mind’s eye saw once again, this time with renewed understanding, the conversation I’d had during my first year as an attorney with an “older” lawyer. To today’s reader, he would sound like a fictional character, talking about things that most assuredly were fake news. No lawyer could ever have practiced the way he claimed he

and his brethren had. The older lawyer had told me that, in his earlier days, he had worked in a world without central air conditioning and photocopiers. He swore that the invention of these two conveniences had increased the burdens on attorneys more than any other thing. Before air



conditioning, he explained, you had to work with your windows open and the winds breezing through your office. If documents got too long, you couldn’t keep the pages from blowing around your office, so people would end their discourse sooner. Similarly, back in the days before photocopiers, anytime you had to change something you’d written, you’d have to re-write the entire document and then use carbon paper or manual reproduction to make your copies – again, briefs and agreements stayed shorter.

I remember wondering if the older lawyer had been right to “blame” such machinery, and have concluded he may very well have been right. I thought of the birth of the computer and word processing software, and how those inventions had exacerbated the situation. I’d chuckled, as I returned to my office to continue drafting my sixty five page memorandum in opposition to summary judgment. I knew what I knew, and I was fine with it.

Today, with the practice of law

inundated by even more documents, the proliferation of texting and messaging platforms, social media outlets, informational gathering, and even more “documents”, the practice of law has evolved into key word searches, and agreed upon protocols. With the pandemic, the trip to the courtroom has been replaced by a trip to the office or home “zoom studio.” The coat and tie is now joined by a mask. Depositions by Zoom, in which an objection cannot be shouted over the question or the deponent’s answer begun too quickly – because the software won’t allow two people to speak at the same time—are the infuriating norm. These things bother and confound me. However, when I speak to the newly minted lawyers, they look at me with the same patronizing gaze that I’d probably given that older lawyer in my first year of practice.

Next week it will be December 2020. Ten years will have passed since my last contemplation of aging and the law of comparisons. Am I ten years older? Do I have to admit it? As think about today’s younger lawyers and the way they surf through the circumstances presented, never even considering a day without Zoom, let alone one without air conditioning, I realize the answer remains the same—the shortest road to happiness is simply having nothing to which to compare your life.

Charles Kramer is a principal of the St. Louis, Missouri law firm, Riezman Berger PC. Under Analysis is syndicated column of the Levison Group. Comments or criticisms about this column may be sent c/o this newspaper or directly to ckramer@riezman-berger.com.
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Funny you should say that...



On Point

JASON HAYES, MACKINAC CENTER FOR PUBLIC POLICY

Whitmer plan to revoke Line 5 easement threatens reliable, affordable energy for Michigan

In her latest attack on Line 5, the pipeline that transports oil and natural gas liquids through the Straits of Mackinac, Michigan’s governor has moved to revoke the 1953 easement contract that allows the pipeline to operate. This arbitrary and ill-advised move will shutter a key part of the state’s essential energy infrastructure, increase the price of heating and transportation fuels, and threaten thousands of jobs across the region.

Michigan should reject this flawed policy and choose to maintain our supply of affordable, reliable and safe energy.

With the move to revoke the easement, Gov. Gretchen Whitmer appears to be fleshing out her green energy agenda that will, among other things, require Michigan to achieve net-zero CO2 emissions by 2050. Stopping the flow of essential oil and natural gas liquids will certainly move the state toward that target. But it will also push Michigan residents toward an increasingly cold and dim future in which we pay exorbitant rates for the privilege of enduring rolling blackouts and limited, unreliable access to energy.

Whitmer claims our use of reliable energy sources “has already wrought devastating consequences for future generations,” but she appears unmoved by the devastating consequences her plans will have on existing Michigan residents.

We can easily see what those impacts will be by looking at what supporters of similar plans elsewhere anticipate. For example, in a 2011 Daily Telegraph article, Steve Holiday, then chief executive of Britain’s National Grid, informed families in the U.K. that they would need to “change [their] behaviour.” Holiday warned they would need to shed their expectations of having reliable electricity service and learn to consume electricity only “when it is available.”

That counsel was echoed by

Rutgers anthropology professor David McDermott Hughes. In a recent article, Hughes describes the economically destabilizing and environmentally destructive impacts of a Green New Deal-style shift to renewables and batteries, but then downplays the need for reliable energy sources. Instead, he recommends post-Hurricane-Maria Puerto Rico and still-developing Zimbabwe as positive “models for what we might call pause-full electricity service.” He contends that our demands for “continuous energy” and “business continuity” must be stifled to forestall the impending climate crisis that is the motivation for Whitmer’s CO2 plan.

California’s rolling blackouts provide another bleak foretaste of what Michigan residents can expect under Whitmer’s restrictive green energy policies. The Golden State is farther along the path of embracing renewable energy, and this summer, Californians were forced to endure the unreliable nature of the energy supply its renewable energy-reliant utilities send to the state’s grid.

When electricity supplies can’t keep up with demand, utilities often cut service to large industrial customers — a situation they euphemistically refer to as “demand response.” Translated into common English, demand response means targeted industrial blackouts. But during this summer’s heat wave, California was so dangerously short of electricity that utilities extended the same demand response “service” to residential and small business customers.

Attitudes toward pipelines exemplify the dynamics of a disconnect between green expectations and reality. The “shut-it-down” crowd ignores the value of the fuels and energy that pipelines supply, choosing instead to myopically focus on any potential risks they might pose. But, to the extent that anti-pipeline zealots are successful, the real and growing costs of their plans will be

borne by average people. Real people like residents of Michigan’s Upper Peninsula, who rely on Line 5 to supply roughly 65% of the propane they use to heat their homes during Michigan’s frigid winters. In fact, the Wolverine State is the largest consumer of residential propane in the U.S. Over 330,000 households rely on it each day to safely and affordably heat their homes. And the governor’s own energy task force admitted that alternatives would be prohibitively expensive.

If Line 5 were shut down, Upper Peninsula residents who could first afford the \$25,000 cost of converting from propane to electric heating would then face annual heating costs about \$3,500 above what they currently pay. And for what? Certainly not an improved environment.

Pipelines are more efficient and safer form of transportation than either rail or truck. But pipeline opponents aren’t interested in allowing these essential fuels to move. Their “leave it in the ground” mindset requires that we eliminate hydrocarbons and the means of transporting them, now, no matter the economic dis-

Stopping the flow of oil and natural gas liquids will push state toward a cold and dim future.

ruption and hardship. But the proposed upgrades to Line 5 would come at no cost to taxpayers. They would improve essential energy infrastructure, and would wholly remove the pipeline from the waters of the Great Lakes, encasing it in a cement-lined tunnel 100 feet below the lake bed.

Rather than needlessly impose California’s unenviable condition on its residents, Michigan’s state government should allow the Line 5 tunnel project to proceed.

Jason Hayes is the director of Environmental Policy for the Mackinac Center for Public Policy.

One Perspective

TIM STRICKLER, BRIDGETOWER MEDIA NEWSWIRES

2020 underscores the importance of good leadership

The madness of this year, 2020, has revealed an acute need for leadership. Great leaders recognize that certain leadership qualities are being tested now like never before, and the strength of the following qualities will have extraordinary impact far beyond the direct setting in which one currently leads:

Seeking truth. Leaders recognize that fair discussion and debate is vital to truth. Any truth, anywhere, among anyone. They know freedom rests on truth, and so does unity and peace. “The further a society drifts from the truth, the more it will hate those who speak it.” — George Orwell. They are honest with themselves and others, even when the truth is disappointing. They are a truth seeker, not a defender of self or ideological positions. They cultivate intellectual honesty, and welcome thoughtful disagreement. They counter false-narratives and spin designed to fool the naïve.

Encouraging diversity. They commit to diversity and equality, including diversity of thought and one’s political affiliation. They stand against cancel-culture and censorship, calling them out as the poisons they are. They foster truly inclusive discussion and debate to achieve the very best ideas and solutions. They reject narcissism, which is at the root of those who believe their version of facts and comprehension are the absolute truth and thus resist as invalid any debate or contrary opinion.

Exercising professional skepticism. They recognize that traditional journalistic media is no longer the virtuous independent check on power it was for two centuries, and that social media is

only now revealing its significant perils. They listen well to various news avenues, balancing and evaluating, knowing the true reality is often somewhere in between. They rise above the media echo chambers, tailored to what those specific audiences want to hear and used to manipulate public opinion. They are wise to what is reported, and what is omitted.

Standing as Americans. They remember what it means to be an American and the sacrifices of so many to provide it. They recall that only united do we stand, enjoying freedoms and opportunities unlike any other country. An America imperfect, because people are imperfect, but ever evolving towards a more perfect union. They know that without any “we,” a country cannot long stand and will lose everything. They recognize that upon any honest examination there is far more to celebrate and unite us as Americans than divide us, and astutely see that divisiveness has been intentionally fueled by politicians and media for unsavory purposes. They understand this divisiveness insidiously impacts work and home life, colleagues and friends and family—our very peace and societal stability.

Imparting wisdom. They display wisdom, which is neither intellect nor competency but more highly evolved and hard-earned through the trials and bumps of experience. Wisdom gives them the ability to display poise, and foster calmness in the face of chaos. It allows them to rise above it all with perspective, revealing the true picture and sense of trajectory of things. Wisdom guides them to thoughtfully comprehend, and to act with a measured voice

of reason. It powers their ability to rescue others from the quixsand of heated myopia. It enables them to cut through the chaos, through the alleged facts and figures and slants and soundbites. Wisdom sharpens perspective for balancing facts into fair outlook and placing problems into honest context.

Displaying courage. They stand against groupthink, understanding the critical importance of free and independent thought. They actively defend truth and expose manipulation for what it is. Their courage fuels strength of character to resist bully-silencing tactics and to do what’s right even when unpopular or risky. They are realistic, but keep fear in check. They operate from a spirit of abundance, not scarcity, which gives them depth and elasticity to be courageous. When duty calls, they are willing to have the difficult conversations, stand strong.

Why are these leadership qualities so acutely needed in 2020? Because our society is quickly losing its ability to discern facts and engage in healthy discussion and debate. Because we have lost sight of our common bonds and have fallen prey to magnification of our differences. Because we are losing our free press and freedom of expression. Because no one wants to live in a country without ability to freely think and speak truth. And because we need leaders to be courageous first, inspiring courage in the rest of us.

Tim Strickler is CFO of Communications Electronics Inc., a regional wireless communications company based in Timonium, Maryland. He can be reached at stricklerlrc@gmail.com.

COMMENTARY PAGE

The Legal News presents a weekly Commentary Page every Friday.

We invite letters to the editor as well as opinion pieces on facets of the legal community.

Anyone interested in contributing on an occasional or weekly basis to future commentary pages is encouraged to contact Brian Cox at bcx@legalnews.com or at (313) 967-5532.

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Legal View

LLOYD J. WILSON, BRIDGETOWER MEDIA NEWSWIRES

A closer look at patents for startups

There are many reasons you may choose to start your own business, with one of those reasons being that you believe the businesses will be financially successful. Patents may be key to helping you achieve your financial goals, but understanding whether to get a patent, how to get a patent, and how to profit from a patent are important considerations.

In the U.S., a patent provides you with the legal right to exclude others from making, using, or selling an invention for a limited period of time (20 years for utility patents) that is granted to you by the U.S. Patent Office in exchange for publishing an enabling public disclosure of your invention.

Whether to get a patent

As part of your business you may have done something or created something you think is new and will set you apart from the competition. Sometimes, what you have done or created falls within one of the categories of things that may be patented. In the U.S., you may patent a process, a machine, an article of manufacture, a composition of matter, or other improvements to existing products or innovations. Obtaining a patent for what you have done or created may help you and those financially invested in your startup justify the investment of time and money into designing, producing, and marketing your invention. Additionally, by obtaining a patent you can have peace of mind knowing that your invention has legal protections that can be enforced against others if someone infringes on your legal rights. Also, if you are planning to license or sell your invention to another company, a patent is a valuable asset. While there are no guarantees that obtaining a patent will bring you financial success, a patent can help your startup be financially successful.

How to get a patent

There are various legal complexities for obtaining a patent that can be difficult to navigate on your own without the help of a patent attorney. Crafting the language of a patent application so that it can survive the patent examination process at the U.S. Patent Office is difficult. Even if a patent is granted, the "scope" of the patent claims will often control the commercial value of the patent. The "scope" of the patent claims defines the boundary of your right to exclude others from making, using, or selling your invention without your permission. As you may expect, the broader the "scope" of the patent claims, the greater the commercial value. However, the patent examination process at the U.S. Patent Office will undoubtedly limit the scope of the claims to what is enabled by your written description of the invention in addition to reviewing the claims to make sure your invention is novel, nonobvious, and useful. Although it may be tempting for a startup with a limited budget to take a do-it-yourself approach to drafting a patent, consulting a patent attorney to help you through this process is highly recommended.

Once you decide to consult a patent attorney to help you through this process, be mindful of what it is you are asking a patent attorney to do. Ideally, you want whomever you hire to provide you with something of value; not just check the box so you can market your product with "patent pending." While there is nothing wrong with shopping around and trying to keep costs reasonable, the old adage of "you get what you pay for" often rings true for patent applications. That does not mean you have to go for broke to pay for the highest-priced patent attorney. Ideally, you will want to find a patent attorney who provides a high-value product for a reasonable price. Things to consider when selecting an attorney include: (a) does the attorney have the appropriate technical background to understand the technology of your invention; (b) how familiar is the

attorney with the part of the patent office that will likely examine your invention; (c) what are the success rates of the patent attorney within that technology area; (d) what is the reputation of the law firm; (e) what is the experience level of the attorney; and (f) is the attorney responsive and accessible?

How to profit from a patent

A patent is an asset just like stocks or real property. Once you have applied for a patent, there are primarily four ways in which you may use your patent to help your business make money. In particular, you may (1) commercialize your invention, (2) market your invention as "patent pending" or "patented," (3) license your patent rights, and (4) sell your patent rights.

Commercializing your invention — by limiting others from selling your patented product you can sell your product at a higher price. However, understanding the role of a patent in commercializing your invention is important. A patent does not provide you with a right to make, use, or sell the patented invention — only exclude others from making, using, or selling your invention. Your invention could still infringe the patent rights of others, in which case you would need to obtain a license in order to commercialize your invention. Obtaining a "freedom to operate" opinion from a qualified patent attorney can provide you with a legal opinion of whether your invention infringes upon the patent rights of others. To help you decide if obtaining a "freedom to operate" opinion is right for you, some factors to consider are: (a) whether you could suffer significant financial harm if infringement litigation were to result in an injunction or a costly design-around, and (b) whether a "freedom to operate" opinion would lessen investors' concerns about infringement risks.

Marketing your invention as "patent pending" or "patented" — you can offer something to buyers and potential buyers that nobody else can offer. This is a great marketing tool that adds value to your product and gives your company greater credibility. Additionally, copycat companies are often dissuaded from reproducing your invention if they are concerned that you might sue them. Further, you begin to build a reputation as being an industry leader.

License your patent rights — you retain ownership of your invention and earn royalty payments from licensees on future sales of the product. You may want to consider that you will likely need more than one patent if you are hoping to make money via this process. Prospective licensees may find it easier to design around your single patent rather than agreeing to pay you royalties to use your invention. If you have a collection of patents, i.e. a patent portfolio, that provides broad coverage for many features of your invention, you may have more leverage in negotiations with prospective licensees. It tends to be more difficult for a competitor to invent around multiple patents that cover different features than it is to invent around a single patent.

Selling your patent rights — if you sell your business, a patent can increase the value of your business. Some prospective buyers may be interested in buying your business solely for the intellectual property rights owned by your business. Large companies that work in the same technology area as your patent might want to buy your patent rights because your patent, or more likely multiple patents, might be preventing these companies from operating freely.

Summary

There are a lot of considerations when deciding whether to obtain a patent, how to get a patent, and how to profit from a

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In the Courts

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CONNECTICUT

Jury duty? No thanks, say many, forcing trials to be delayed Non-response rates are much higher now than before the pandemic

By DAVE COLLINS
Associated Press

HARTFORD, Conn. (AP) — Jury duty notices have set Nicholas Philbrook's home on edge with worries about him contracting the coronavirus and passing it on to his father-in-law, a cancer survivor with diabetes in his mid-70s who is at higher risk of developing serious complications from COVID-19.

Philbrook and his wife, Heather Schmidt, of Camarillo, California, have been trying to convince court officials that he should be excused from jury duty because her father lives with them. But court officials told him that is not a valid reason and he must appear in court early next month.

"My main concern is you still have to go into a building, you still have to be around a set number of people," said Philbrook, 39, a marketing company editor. "In an enclosed space, how safe are you? It just doesn't feel like a right time still to be doing that kind of stuff on a normal basis."

People across the country have similar concerns amid resurgences of the coronavirus, a fact that has derailed plans to resume jury trials in many courthouses for the first time since the pandemic started.

Within the past month, courts in Hartford, Connecticut, San Diego and Norfolk, Virginia, have had to delay jury selection for trials because too few people responded to jury duty summonses. The non-response rates are much higher now than they were before the pandemic, court officials say.

Judges in New York City, Indiana, Colorado and Missouri declared mistrials recently because people connected to the trials either tested positive for the virus or had symptoms.

"What the real question boils down to are people willing to show up to that court and sit in a

jury trial?" said Bill Rafferty, a senior analyst with the National Center for State Courts. "Many courts have been responsive to jurors who have said that they're not comfortable with coming to court and doing jury duty and therefore offering deferrals simply because of concerns over COVID."

Also this month, state court systems in Connecticut, New York and New Jersey and courts in Denver, Colorado, were among those to suspend all jury trials because of rising virus rates. On Friday, federal officials announced that about two dozen U.S. district courts across the country have suspended jury trials and grand jury proceedings because of virus outbreaks and too few people showing up for jury duty.

Courts are under pressure to resume trials because of the case backlogs piling up during the pandemic.

A few courts have held trials in person and by video conference. Although video conferences may appear to be the best bet, many criminal defense lawyers oppose them because it's harder to determine witness credibility and to see if jurors are paying attention, said Christopher Adams, a lawyer in Charleston, South Carolina, and president of the National Association of Criminal Defense Lawyers.

"For almost everybody, there is no compelling need for trials to go forward during the pandemic," he said, adding that most courts are not holding jury trials at the moment.

Adams said another concern is how representative juries would be if trials went ahead — the virus' impact and the level of concern about it across different demographics, such as Black, Latino and elderly populations that are dying at higher rates, could affect who feels safe to serve jury duty.

"What we can't allow is to

Although video conferences may appear to be the best bet, many criminal defense lawyers oppose them because it's harder to determine witness credibility and to see if jurors are paying attention.

have trials where there's not a fair cross section of the community represented," he said.

But many criminal defense lawyers are pointing to a major issue with not holding trials — defendants who are detained while awaiting trial. Although jails and prisons across the country have released thousands of low-risk inmates because of concerns about the virus, many people remain locked up in pretrial detention.

A case in federal court in Hartford, Connecticut, offers a glimpse of how the virus can upend proceedings.

In October, 150 people were summoned for jury duty for the trial of Amber Foley, who is fighting child pornography charges and demanding her constitutional right to a speedy trial. It would be the first criminal trial in Connecticut, in state or federal court, since the pandemic began.

Only about half the potential jurors showed up and many others were excused for various reasons including concerns about COVID-19. Only 19 people were left, short of the 31 people estimated to be needed to pick a jury of 12

and one alternate juror.

And then, two court security officers tested positive for the virus, forcing the temporary closure of the courthouse for cleaning and prompting Judge Vanessa Bryant's law clerk to go into isolation and get tested because of contact with the officers.

Bryant decided last week to postpone Foley's jury selection until mid-January. Like judges in other parts of the country, she ruled the interests of public health outweigh those of a speedy trial.

"Despite every effort being made by the Court, the Court must reluctantly conclude that it is unable to empanel a representative jury from the 200 prospective jurors summoned without jeopardizing the safety of all trial participants," Bryant wrote in a ruling.

Federal officials have designated one courtroom for jury trials in each of the three federal courthouses in Connecticut, with an entire second courtroom set aside for jurors to gather for breaks and deliberations. Some plexiglass has been installed, air circulation systems have been improved and seating arrangements have been

reconfigured for social distancing. Masks are required.

Foley has been free on bail awaiting trial. Her lawyer, Todd Bussert, argued in court documents that the coronavirus does not trump Foley's speedy trial rights and other courts around the country have held trials during the pandemic. He also noted he has two children attending in-person classes in public schools.

"That schools can operate and remain open ... even when members of their communities test positive for COVID-19 ... belies any hyperbolic assertion seeking to abridge defendants' rights," he wrote.

In San Diego, a criminal case had to be postponed last month because too few people showed up for jury duty. Officials twice summoned 900 people, but only about 40 people showed up each time, KGTV reported.

In Norfolk, Virginia, efforts to resume jury trials during the pandemic stalled recently because roughly nine out of 10 possible jurors weren't showing up in court, The Virginian-Pilot reported.

Failure to report to jury duty is a crime in most places. Punishment can include fines and, in some cases, short jail sentences. Officials in some court systems have said they were considering increasing enforcement to improve response rates.

Philbrook, the California man, said he and his wife are trying to get a letter from his father-in-law's doctor saying his health could be put in jeopardy if Philbrook has to serve jury duty. Philbrook also is concerned for his own health.

"You just never know with this virus. It seems to not care," he said. "It doesn't seem to care how healthy you are or unhealthy you are. You hear about healthy people getting it really badly. That bothers me. I feel I'm healthy. I feel like, OK, if I get it, I should be OK, but I don't actually know."

VIRGINIA

Lawsuit challenges admissions changes at elite public school

RICHMOND (AP) — More than a dozen middle schoolers and their families have filed a lawsuit seeking to block changes in the admissions process at an elite public high school in Northern Virginia that has been ranked as the best in the nation.

Fairfax County Public Schools, frustrated by a decades-long failure to attract Black and Hispanic students to the Thomas Jefferson High School for Science and Technology, said last month it is eliminating a standardized test that had been a huge factor in determining who is admitted into the highly competitive school.

The new admissions process is not yet finalized, but officials have proposed a lottery system open to all students achieving a certain grade-point average.

The lawsuit claims that TJ, as

one of nearly 20 "Governor's Schools" across the state, is

required under state law and regulations to provide education to students who have been designated as gifted through the administration of a recognized aptitude test, like the one that has been used in the past as part of the TJ admissions process.

Changing the admissions process to eliminate the test violates those procedures, the lawsuit alleges.

Srinivas Akella is the parent of a seventh-grader who aspires to attend TJ. He said at a Nov. 5 news conference that he moved to Fairfax County in 2009 with the specific goal of getting his son into TJ, and that the son has prepared and studied for years to be ready for both the admissions test and the school's rigorous

curriculum.

"It just feels like a slap in the face" to have the rules change as his son approaches high school, Akella said. "All this hard work was to show his aptitude."

The school system said it has not yet seen the lawsuit and declined to comment on it specifically, but said in a statement that "throughout the process of reviewing any potential admission changes to TJ admissions, the school division has broadly included a wide variety of voices, thoughts, and suggestions from stakeholders on how to make race-neutral improvements to the admissions process."

The lawsuit, filed Nov. 4 in Fairfax County Circuit Court, makes no mention of the racial implications of the admissions changes.

But the Pacific Legal Foundation, a conservative legal group, wrote a letter to the school system last month warning that the proposed revisions may unlawfully discriminate against Asian Americans.

More than 70% of the student body at TJ is Asian American, and only tiny fractions of the student body are Black and Hispanic. The school board and Superintendent Scott Brabrand have cited the lack of Black and Hispanic representation and the need for equity as a major factor in the proposed revisions.

Similar debates are occurring at elite magnet schools across the country and at other Governor's Schools in Virginia, particularly Maggie Walker High School in Richmond. Virginia Education Secretary Atif Qarni has been

working to change the admissions process at all Governor's Schools to improve diversity.

Many of the Asian-American parents at TJ have argued that the school is already diverse, and that the efforts to change the school's racial makeup reflect an anti-Asian bias.

TJ has an international reputation and many of its graduates attend Ivy League schools or other elite colleges. The average SAT score at the schools exceeds 1500 and it was named the nation's top high school in the most recent rankings from U.S. News and World Report.

The parents are represented by former Virginia Solicitor General William Hurd, who led a legal effort several years ago to stop the planned closure of Sweet Briar College.

ENROLLMENT:

Many employees will be taking a closer look at their benefits plans this year

From Page 2

Create a new communications plan

As a result of the COVID-19 pandemic, this year's open enrollment period looks very different from how it has looked in previous years. With this in mind, it's important to remember that the communications plan around open enrollment should shift along with the new normal. As many employees continue to work remotely, businesses should plan to leverage HR technology to communicate benefit options to employees. Self-service applications are particularly valuable as they empower employees to assess plans at their own pace and complete the process of signing up at a time that works for them and their families.

Offering these resources up front during open enrollment will enable employees to feel more knowledgeable as they make their selections during this period. Additionally, these resources will help to minimize the number of questions the HR team may receive throughout open enrollment.

These tools can help ensure employees feel supported by their HR departments while they make their enrollment selections and help to create a more streamlined process for both the employees and HR management.

Consider virtual benefits office hours

Many employees are used to having their HR team just a few doors down when they have a question during open enrollment. Yet, the new virtual work environment may leave many feeling unaware and uncertain. Offering virtual benefits office hours gives employees a few dedicated hours a week to connect with their HR teams to discuss the benefits plans and ask questions throughout the enrollment period.

As HR's role continues to evolve throughout the COVID-19 pandemic, many HR professionals may be wondering how they can take the time to address employee concerns throughout open enrollment. Blocking off this dedicated time to virtually connect with employees also allows the HR teams to feel connected and engaged with the employees as they make these crucial decisions.

A different year for open enrollment

As employees remain concerned about how the COVID-19 pandemic will impact their health and the health of their families, many will be taking a closer look at their benefits plans this year as they head into open enrollment.

With uncertainty looming, it's more important than ever that businesses provide transparent guidance and support to their employees to help them make the decision that is right for them. The degree to which you empower your employees through technology and support them throughout this process will determine both the efficiency of the process as well as the satisfaction of your employees.

With more than 20 years of HR experience, Marsha Akpodiete is an HR coach at Paychex where she supports 60 HR generalists across the United States who are responsible for advising Paychex clients on a wide range of business and HR issues in a variety of industries.

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November 27, 2020 Bid: 18916 RIVERSIDE PARK CONSTRUCTION PHASE 3 & 4 Solicitations providing proposals/pricing for Riverside Park Construction Phase 3 & 4 for the City of Detroit in accordance to specifications provided in Bid: 18916. Bids will only be received electronically by OCP through the Oracle Supplier Portal on or before 2:00 p.m., December 23, 2020.

Detroit Housing Commission Procurement Division 1301 E. Jefferson Detroit, Michigan 48207

November 24, 2020 BIDS ON THE FOLLOWING ARE DUE ON OR BEFORE 2:30 P.M. ON THE DATE(S) SHOWN BELOW: File: H682 Fire Damage Renovation Virtual Pre-Bid Date: December 1, 2020 via Zoom Bid Due Date: December 8, 2020 by 2:30 p.m. Bid Opening following.

Please Note: In order to ensure that all interested bidders/proposers receive all documentation, including riders and addendums, relevant to a bid/RFP/RQ, the bidder/proposer can obtain packets online at no charge from the MITN Purchasing Group at: www.bidsdirect.com/mtdetroit/housingcommission. If you need help registering, please call MITN Purchasing Group vendor support department toll free 800-835-4603 option 2.

Housing Comm. - 14

NEW FAX NUMBER FOR DETROIT LEGAL NEWS PUBLICATIONS, CANCELLATIONS AND CORRECTIONS IS: (248)589-1823

ADVERTISING POLICIES Advertiser shall indemnify and save Publisher harmless from any loss or expense, including reasonable attorney fees, resulting from claims or suits based on the content of the copy submitted to Publisher or published. Failure to publish copy as ordered or material typographical errors by Publisher shall entitle advertiser to credit for actual space of error, which credit shall be the sole remedy to advertiser. Publisher reserves the right, at its absolute discretion and at any time, to reject any advertising copy, whether or not it has been previously acknowledged and/or published.

LEGAL NOTICES

All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination. We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.

Complete and up-to-date legal publication forms are available without charge. FOR PUBLICATION SERVICE IN WAYNE, OAKLAND or MACOMB COUNTIES, Call (248) 577-6100.

First Insertion

FILE NO. 20-108181-NC PUBLICATION AND NOTICE OF HEARING - NAME CHANGE STATE OF MICHIGAN - THIRD JUDICIAL CIRCUIT - WAYNE COUNTY In the matter of Anass Yazbek TO ALL INTERESTED PERSONS: Whose address(es) is/are unknown and whose interest in the matter may be barred or affected by the following: TAKE NOTICE: A Zoom hearing will be held on December 17, 2020 at 9:00 a.m. before Judge Carla Testani, for the following purpose: Petition to change the name of Anass Yazbek to Anas Yazbek

The Zoom hearing can be entered by going to www.3rdcc.org/zoom and selecting "Join Meeting" of the Assigned Judge listed under the Family Division - Domestic tab. Date: November 24, 2020 Anass Yazbek 838 N. Charlesworth Dearborn Heights, MI 48127 313-384-3553 Petitioner

FILE NO. 2005-696-111-TV PUBLICATION OF NOTICE OF HEARING STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE In the matter of Arthur Walls Special Needs Trust TO ALL INTERESTED PERSONS including: Fannie Walls, Irene Walls whose address(es) is/are unknown and whose interest in the matter may be

barred or affected by the following: TAKE NOTICE: A hearing will be held on January 5, 2021 via Zoom, Meeting ID 424601629 at 8:15 a.m., 2 Woodward Avenue, Detroit, MI 48226, before Judge Freddie G. Burton, for the following purpose: Petition to Allow 15th Annual Account Dated: November 24, 2020 KEMP KLEIN LAW FIRM Alan A. May P17230 201 W. Big Beaver Rd., Ste. 600 Troy, MI 48084 248-528-1111 Attorney Jeffrey Surma 43218 Chase St. Chantilly, VA 20152 571-214-1087 Personal Representative (11-27)

FILE NO. 2020-860677-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Brenda Jean Donahue, Deceased Date of Birth: 2/26/1946 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Brenda Jean Donahue, died 10/8/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Joy Kilgore, personal representative, or to both the probate court at 1305 CAYMC, 2 Woodward Avenue, Detroit, MI, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-859498-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Bronko Popovich Date of Birth: 9/19/1927 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Bronko Popovich, died 5/9/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Deborah Sumner, personal representative, or to both the probate court at 1307 CAYMC, 2 Woodward Avenue, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-858898-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of James Leonard Stone, deceased Date of Birth: 10/21/1936 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, James Leonard Stone, died 4/15/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Craig Wakefield, personal representative, or to both the probate court at 1300 CAYMC, 2 Woodward Avenue, Detroit, MI 48226, and the named/proposed personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-860584-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Charles A. Radabaugh, a deceased person Date of Birth: 4/6/1950 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Charles A. Radabaugh, died 10/4/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Nancy Rudolph, personal representative, or to both the probate court at 1307 CAYMC, 2 Woodward Avenue, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-860584-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Charles A. Radabaugh, a deceased person Date of Birth: 4/6/1950 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Charles A. Radabaugh, died 10/4/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Nancy Rudolph, personal representative, or to both the probate court at 1307 CAYMC, 2 Woodward Avenue, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-859829-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Jimmie Mae Phillips, Decedent. Date of Birth: 2/22/1945 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Jimmie Mae Phillips, died February 11, 2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Constance Phillips, personal representative, or to both the probate court at 21144 Parkcrest Dr., Harper Woods, MI 48225, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-859405-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Connelly Lowell Brooks Sr., Decedent. Date of Birth: September 6, 1944 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Connelly Lowell Brooks Sr., died April 2, 2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Ruth Elizabeth Brooks, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-859587-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Dorothy Marie Surma Date of Birth: 5/10/1929 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Dorothy Marie Surma, died 8/22/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to L. Pahl Zinn, personal representative, or to both the probate court at 1305 CAYMC -

FILE NO. 2020-860973-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Dorothy Marie Surma Date of Birth: 5/10/1929 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Dorothy Marie Surma, died 8/22/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to L. Pahl Zinn, personal representative, or to both the probate court at 1305 CAYMC -

FILE NO. 2020-860973-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Dorothy Marie Surma Date of Birth: 5/10/1929 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Dorothy Marie Surma, died 8/22/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to L. Pahl Zinn, personal representative, or to both the probate court at 1305 CAYMC -

FILE NO. 2020-860973-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Dorothy Marie Surma Date of Birth: 5/10/1929 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Dorothy Marie Surma, died 8/22/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to L. Pahl Zinn, personal representative, or to both the probate court at 1305 CAYMC -

300 Woodward Ave., Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice. Dated: November 27, 2020 Joan Cripe Skrzyziarz P64655 2600 W. Big Beaver Rd., Ste. 300 Troy, MI 48084 248-433-7521 Attorney L. Pahl Zinn 22 Lee Gate Lane Grosse Pointe Farms, MI 48236 313-223-3705 Personal Representative (11-27)

FILE NO. 2020-860193-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of: Maryanne Klotz, Decedent. Date of Birth: 12/20/1957 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Maryanne Klotz, died 9/1/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Ronald W. Klotz, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-860964-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Maxine C. Riley Date of Birth: December 15, 1942 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Maxine C. Riley, died September 17, 2018. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Fredrick M. France, personal representative, or to both the probate court at 2 Woodward Avenue, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-857526-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Nancy Marie Fraley, Decedent. Date of Birth: 12/12/1945 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Nancy Marie Fraley, died 11/19/2019. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Charles R. Fraley, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2018-840248-DE PUBLICATION NOTICE OF HEARING STATE OF MICHIGAN - The Probate Court for the County of Wayne In the matter of Phillip A. Pulliam, Decedent TO ALL INTERESTED PERSONS: Stephanie Taylor and Maria Major whose address(es) is/are unknown and whose interest in this matter may be barred or affected by the following: TAKE NOTICE: A hearing will be held on December 16, 2020 at 8:15 a.m., at Zoom, 2 Woodward Avenue, Detroit, Michigan 48226 before Judge Freddie Burton, for the following purpose: Petition for Approval of Sale of Real Estate Dated: November 23, 2020 Stephen J. Trahey P29840 14703 Allen Rd., Suite 100 Southgate, MI 48195 734-676-1111 Attorney Henry Koppe 18100 Wisconsin Detroit, MI 48221 313-475-4849 Petitioner (11-27)

FILE NO. 2018-843464-GA B PUBLICATION NOTICE OF HEARING STATE OF MICHIGAN - The Probate Court for the County of Wayne Estate of: Richard John Cooper, Decedent. Date of Birth: April 13, 1944 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Richard John Cooper, died November 22, 2019. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Maria A. de Simon, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2018-843464-GA B PUBLICATION NOTICE OF HEARING STATE OF MICHIGAN - The Probate Court for the County of Wayne Estate of: Richard John Cooper, Decedent. Date of Birth: April 13, 1944 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Richard John Cooper, died November 22, 2019. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Maria A. de Simon, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

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2 Woodward Ave., Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice. Dated: November 27, 2020 Joan Cripe Skrzyziarz P64655 2600 W. Big Beaver Rd., Ste. 300 Troy, MI 48084 248-433-7521 Attorney L. Pahl Zinn 22 Lee Gate Lane Grosse Pointe Farms, MI 48236 313-223-3705 Personal Representative (11-27)

FILE NO. 2020-860193-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of: Maryanne Klotz, Decedent. Date of Birth: 12/20/1957 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Maryanne Klotz, died 9/1/2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Ronald W. Klotz, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-860964-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Maxine C. Riley Date of Birth: December 15, 1942 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Maxine C. Riley, died September 17, 2018. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Fredrick M. France, personal representative, or to both the probate court at 2 Woodward Avenue, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-857526-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Nancy Marie Fraley, Decedent. Date of Birth: 12/12/1945 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Nancy Marie Fraley, died 11/19/2019. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Charles R. Fraley, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2018-840248-DE PUBLICATION NOTICE OF HEARING STATE OF MICHIGAN - The Probate Court for the County of Wayne In the matter of Phillip A. Pulliam, Decedent TO ALL INTERESTED PERSONS: Stephanie Taylor and Maria Major whose address(es) is/are unknown and whose interest in this matter may be barred or affected by the following: TAKE NOTICE: A hearing will be held on December 16, 2020 at 8:15 a.m., at Zoom, 2 Woodward Avenue, Detroit, Michigan 48226 before Judge Freddie Burton, for the following purpose: Petition for Approval of Sale of Real Estate Dated: November 23, 2020 Stephen J. Trahey P29840 14703 Allen Rd., Suite 100 Southgate, MI 48195 734-676-1111 Attorney Henry Koppe 18100 Wisconsin Detroit, MI 48221 313-475-4849 Petitioner (11-27)

FILE NO. 2018-843464-GA B PUBLICATION NOTICE OF HEARING STATE OF MICHIGAN - The Probate Court for the County of Wayne Estate of: Richard John Cooper, Decedent. Date of Birth: April 13, 1944 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Richard John Cooper, died November 22, 2019. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Maria A. de Simon, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

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December 21, 2020 at 2:30 p.m. at 1309 Coleman A. Young Municipal Center, Detroit, Michigan, before Hon. Judy A. Hartfield, for the following purpose: Petition for Appointment of Guardian. Dated: November 23, 2020 Lenbenom & Rothman, P.C. Andrew R. Rothman P34237 2701 Troy Center Drive, Ste. 450 Troy, MI 48064 248-362-9699 Attorney Dominique Campbell on behalf of Oak-pointe Senior Care 18901 Meyers Detroit, MI 48235 313-864-8681 Petitioner (11-27)

FILE NO. 2020-860689-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of: Shirley Jean Pittman, Decedent. Date of Birth: 5-24-1945 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Shirley Jean Pittman, died June 11, 2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Jill Anne Baldwin, personal representative, or to both the probate court at 2 Woodward Avenue, Room 1305, Detroit, MI 48226, and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-859725-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Walter J. Moretti, Decedent Date of Birth: 9/10/1925 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Walter J. Moretti, died August 6, 2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Jon P. Everly, personal representative, or to both the probate court at 1305 CAYMC, 2 Woodward Avenue, Detroit, Michigan 48226 and the personal representative within 4 months after the date of publication of this notice.

FILE NO. 2020-859725-DE NOTICE TO CREDITORS Decedent's Estate STATE OF MICHIGAN - PROBATE COURT - COUNTY OF WAYNE Estate of Walter J. Moretti, Decedent Date of Birth: 9/10/1925 TO ALL CREDITORS: NOTICE TO CREDITORS: The decedent, Walter J. Moretti, died August 6, 2020. Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Jon P. Everly, personal representative, or to both the probate court at 1305 CAYMC, 2 Woodward Avenue, Detroit, Michigan 48226 and the personal representative within 4 months after the date of publication of this notice.

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FILE NO. 17-111252-DM HON. HELAL A. FARHAT THE THIRD CIRCUIT COURT FOR WAYNE COUNTY FAMILY DIVISION DANH LE, Plaintiff/Counter-Defendant, v. TUYEN NGUYEN, Defendant/Counter-Plaintiff. Joseph S. Dodds (P77311) BAZZI LAW, PLLC Attorneys for Defendant/Counter-Plaintiff 25639 Ford Road, Ste. 201 Dearborn Heights, MI 48127 T. 313-978-0000 F. 313-960-4400 joseph@bazzilaw.com

DEFENDANT/COUNTER-PLAINTIFF'S MOTION FOR THE ENTRY OF A DEFAULT JUDGMENT OF DIVORCE NOW COMES Defendant/Counter-Plaintiff, Tuyen Nguyen, by and through her attorney Joseph S. Dodds of Bazzi Law, P.L.C. and for her Motion for the Entry of a Default Judgment of Divorce states the following: 1. This matter was originally filed on August 29, 2017 as a DO action by Plaintiff husband, and then upon Defendant wife's motion, the Default Judgment was set aside, the case reopened and re-assigned as a DM by court order on May 28, 2020.

DEFENDANT/COUNTER-PLAINTIFF'S MOTION FOR THE ENTRY OF A DEFAULT JUDGMENT OF DIVORCE NOW COMES Defendant/Counter-Plaintiff, Tuyen Nguyen, by and through her attorney Joseph S. Dodds of Bazzi Law, P.L.C. and for her Motion for the Entry of a Default Judgment of Divorce states the following: 1. This matter was originally filed on August 29, 2017 as a DO action by Plaintiff husband, and then upon Defendant wife's motion, the Default Judgment was set aside, the case reopened and re-assigned as a DM by court order on May 28, 2020.

DEFENDANT/COUNTER-PLAINTIFF'S MOTION FOR THE ENTRY OF A DEFAULT JUDGMENT OF DIVORCE NOW COMES Defendant/Counter-Plaintiff, Tuyen Nguyen, by and through her attorney Joseph S. Dodds of Bazzi Law, P.L.C. and for her Motion for the Entry of a Default Judgment of Divorce states the following: 1. This matter was originally filed on August 29, 2017 as a DO action by Plaintiff husband, and then upon Defendant wife's motion, the Default Judgment was set aside, the case reopened and re-assigned as a DM by court order on May 28, 2020.

DEFENDANT/COUNTER-PLAINTIFF'S MOTION FOR THE ENTRY OF A DEFAULT JUDGMENT OF DIVORCE NOW COMES Defendant/Counter-Plaintiff, Tuyen Nguyen, by and through her attorney Joseph S. Dodds of Bazzi Law, P.L.C. and for her Motion for the Entry of a Default Judgment of Divorce states the following: 1. This matter was originally filed on August 29, 2017 as a DO action by Plaintiff husband, and then upon Defendant wife's motion, the Default Judgment was set aside, the case reopened and re-assigned as a DM by court order on May 28, 2020.

DEFENDANT/COUNTER-PLAINTIFF'S MOTION FOR THE ENTRY OF A DEFAULT JUDGMENT OF DIVORCE NOW COMES Defendant/Counter-Plaintiff, Tuyen Nguyen, by and through her attorney Joseph S. Dodds of Bazzi Law, P.L.C. and for her Motion for the Entry of a Default Judgment of Divorce states the following: 1. This matter was originally filed on August 29, 2017 as a DO action by Plaintiff husband, and then upon Defendant wife's motion, the Default Judgment was set aside, the case reopened and re-assigned as a DM by court order on May 28, 2020.

service of process may be made in a manner that is reasonably calculated to give the defendant actual notice of the proceedings and an opportunity to be heard. IT IS ORDERED: Summons and complaint other: Motion for Alternate Service and a copy of this order may be made by the following method(s): First class mail to Heather C. Allen. Other Publication: Defendant is to publish for five (5) weeks in the Detroit Legal News. In addition Defendant is to run a postal check on Plaintiff and mail via registered mail to any address revealed by the postal check. For each method used, proof of service must be filed promptly with the court. Date: 10/27/2020 HON. HELAL A. FARHAT P64872 Judge (11-20)(12-18)

MUSTAPHA N. HAWILY, P83817 313-908-6019 13265 Michigan Avenue Dearborn, MI 48126 Case No. 20-108664-DM STATE OF MICHIGAN, 3rd Judicial Circuit, 2 Woodward Avenue, Detroit, MI 48226. 313-224-5176 SAWUSAN IBRAHIM FAKIH 6968 Robindale Avenue Dearborn Heights, MI 48127 Plaintiff, vs. MOUSSA HASSAN FAKIH N/A Defendant. ORDER REGARDING ALTERNATE SERVICE THE COURT FINDS: Service of process upon the defendant MOUSSA HASSAN FAKIH cannot reasonably be made as provided in MCR 2.105, and service of process may be made in a manner that is reasonably calculated to give the defendant actual notice of the proceedings and an opportunity to be heard. IT IS ORDERED: Service of the summons and complaint and a copy of this order shall be made by the following method(s): Other: Service of process via email at: quickfixauto@gmail.com with Notice sent to his last phone number: 781-408-9171 * P is to perform a postal check and mail to any address obtained. In addition P is to publish in Detroit Legal News for 4 consecutive weeks. For each method used, proof of service must be filed promptly with the court. Date: 11/11/2020 HON. HELAL A. FARHAT P64872 Judge Imaged & Filed Cathy M. Garrett, Wayne County Clerk 11/11/2020 20-108664-DM (11-20)(12-11)

Carolyn Markowitz (P47862) CASE NO. 20-103357-DP Hon. Charlene M. Elder STATE OF MICHIGAN, 3rd JUDICIAL CIRCUIT, 2 Woodward Ave., Detroit, MI 48226 (313) 224-5436 Kaidou Sow Plaintiff, v. Seynabou Niayee AND Jonathan Anderson Defendant. ORDER REGARDING ALTERNATE SERVICE THE COURT FINDS: Service of process upon the defendant, Jonathan Anderson, cannot reasonably be made as provided in MCR 2.105 and service of process may be made in a manner that is reasonably calculated to give the defendant actual notice of the proceedings and an opportunity to be heard. IT IS ORDERED: Service of the summons and complaint and a copy of this order shall be made by the following method(s). Other: Publication in the Detroit Legal News for 3 Weeks. Proof of Publication must be filed with return of service For each method used, proof of service must be filed promptly with the court. Date: 11/03/20 Charlene M Elder Judge Imaged & Filed Cathy M. Garrett Wayne County Clerk 11/03/2020 20-103357-DP (11-20)(12-4)

Notice of foreclosure by advertisement. Notice is given under section 3212 of the revised judiciary act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Wayne County, starting promptly at 11:00 a.m. on Thursday, January 14, 2021. The amount due on the mortgage may be greater on the day of sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information. MORTGAGE SALE - Default has been made in the conditions of a certain mortgage made by Park Square Limited Dividend Housing Association Limited Partnership to Column Financial, Inc., Mortgagee, dated October 4, 2004, and recorded on October 20, 2004, in Liber 41537, Page 470-510, Wayne County Records, Michigan, and assigned by said Mortgagee to Wells Fargo Bank N.A., as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 2005-C2 by an assignment dated October 4, 2004, and recorded on November 12, 2005, in Liber 44086, on page 718, Wayne County Records, Michigan, on which mortgage there is claimed to be due at the date hereof the sum of Four Hundred Eighty-Three Thousand Five Hundred Ninety-Three and 29/100 Dollars (\$483,593.29), including interest at 6.88% per annum. Said premises are situated in the City of Detroit, Wayne County, Michigan, and are described as: Parcel 1: Lots 26 and 27, Stephen's Subdivision of part of Lots 26 & 27 of Subdivision 144 Section 46, Ten Thousand Acres Tract, Detroit, Wayne County, Michigan, as recorded in Liber 30, Page 45 of plats, Wayne County Records. Property address: 1620 Gladstone / Sidwell No.: Ward 08 Item 002477 Parcel 2: Lots 297 and 298, Austin's Subdivision of part of 1/4 Section 47, Ten Thousand Acres Tract, Greenfield, Wayne County, Michigan, as recorded in Liber 30, Page 45 of plats, Wayne County Records. Property address: 1620 Gladstone / Sidwell No.: Ward 08 Item 002477 Parcel 2: Lots 297 and 298, Austin's Subdivision of part of 1/4 Section 47, Ten Thousand Acres Tract, Greenfield, Wayne County, Michigan, as recorded in Liber 30, Page 45 of plats, Wayne County Records. Property address: 1620 Gladstone / Sidwell No.: Ward 08 Item 002477

Notice of foreclosure by advertisement. Notice is given under section 3212 of the revised judiciary act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Wayne County, starting promptly at 11:00 a.m. on Thursday, January 14, 2021. The amount due on the mortgage may be greater on the day of sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county

LEGAL NOTICES

(Continued from Page 6)

Third Insertion

gage Pass-Through Certificates Series 2005-6
 Date of Mortgage: October 10, 2005
 Date of Mortgage Recording: November 16, 2005
 Amount claimed due on date of notice: \$90,292.36
 Description of the mortgaged premises: Situated in City of Detroit, Wayne County, Michigan, and described as: All that part of the East half of Section 13, Town 1 South, Range 10 East, Redford Township, Wayne County, Michigan (City of Detroit) which is described as follows: Beginning at the Northwest corner of Lot 39 of Greenfield Acres Subdivision, according to the plat thereof, as recorded in Liber 32 of Plats, Page 17, Wayne County Records; thence Northerly along the Easterly line of Winthrop Avenue 41.6 feet to a point; thence Easterly parallel with the Northerly line of said Lot 39 for a distance of 162.6 feet to a point; thence Southerly parallel with the Easterly line of Winthrop Avenue 41.6 feet to a point in the Northeast corner of said Lot 39; thence Westerly along the Northerly line of said Lot 39 for a distance of 162.6 feet to the place of beginning
 Common street address (if any): 15340 Winthrop St, Detroit, MI 48227-2346
 The redemption period shall be 6 months from the date of such sale, unless determined abandoned in accordance with MCL 600.3241a; or, if the subject real property is used for agricultural purposes as defined by MCL 600.3240(16).
 If the property is sold at foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCL 600.3278 the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period.
 Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.
 This notice is from a debt collector.
 Date of notice: November 13, 2020
 Trott Law, P.C.
 31440 Northwestern Hwy, Suite 145
 Farmington Hills, MI 48334
 (248) 642-2515

1424843 (11-13)(12-04)

Notice of Foreclosure by Advertisement
 Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Wayne County, starting promptly at 11:00 AM, on December 17, 2020. The amount due on the mortgage may be greater on the day of sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information:
 Name(s) of the mortgagor(s): Johnny Toaster and Rosita Cage, joint tenants with rights of survivorship
 Original Mortgagee: Household Finance Corporation II
 Foreclosing Assignee (if any): U.S. Bank National Association, as indenture trustee, for the CIM Trust 2016-3, Mortgage-Backed Notes, Series 2016-3
 Date of Mortgage: February 11, 2002
 Date of Mortgage Recording: February 20, 2002
 Amount claimed due on date of notice: \$37,952.49
 Description of the mortgaged premises: Situated in City of Detroit, Wayne County, Michigan, and described as: Lot 218 Addison Heights Subdivision of the SE 1/4 of NE 1/4 of SEC. 16, T1S, R11E, Greenfield Township, Wayne County, Michigan, recorded in Liber 34, Page 53 Plats, Wayne County Records.
 Common street address (if any): 16150 Monica St, Detroit, MI 48221-2966
 The redemption period shall be 1 year from the date of such sale, unless determined abandoned in accordance with MCL 600.3241a.
 If the property is sold at foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCL 600.3278 the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period.
 Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.
 This notice is from a debt collector.
 Date of notice: November 13, 2020
 Trott Law, P.C.
 31440 Northwestern Hwy, Suite 145
 Farmington Hills, MI 48334
 (248) 642-2515

1424903 (11-13)(12-04)

Fourth Insertion

Notice of Foreclosure by Advertisement
 Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Wayne County, starting promptly at 11:00 AM, on December 10, 2020. The amount due on the mortgage may be greater on the day of sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information:
 Name(s) of the mortgagor(s): Haarieon Manier, an unmarried man
 Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for lender and lender's successors and/or assigns
 Foreclosing Assignee (if any): First American Trust, LLC
 Date of Mortgage: May 5, 2006
 Date of Mortgage Recording: June 8, 2006
 Amount claimed due on date of notice: \$36,656.64
 Description of the mortgaged premises: Situated in City of Detroit, Wayne County, Michigan, and described as: Lot 342 Seymour and Troester's Loyola Park Subdivision, as recorded in Liber 45, Page 41 of Plats, Wayne County Records.

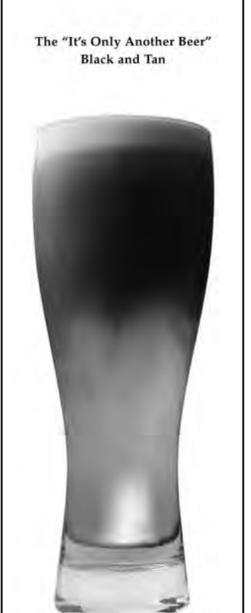
Common street address (if any): 17586 Kentucky St, Detroit, MI 48221-2409
 The redemption period shall be 6 months from the date of such sale, unless determined abandoned in accordance with MCL 600.3241a; or, if the subject real property is used for agricultural purposes as defined by MCL 600.3240(16).
 If the property is sold at foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCL 600.3278 the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period.
 Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.
 This notice is from a debt collector.
 Date of notice: November 6, 2020
 Trott Law, P.C.
 31440 Northwestern Hwy, Suite 145
 Farmington Hills, MI 48334
 (248) 642-2515

1424462 (11-06)(11-27)

Notice of Foreclosure by Advertisement
 Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Wayne County, starting promptly at 11:00 AM, on December 10, 2020. The amount due on the mortgage may be greater on the day of sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information:
 Name(s) of the mortgagor(s): Christopher G. Dubose, a single man
 Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for lender and lender's successors and/or assigns
 Foreclosing Assignee (if any): Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series 2006-RFC1, Asset-Backed Pass-Through Certificates
 Date of Mortgage: March 9, 2006
 Date of Mortgage Recording: March 17, 2006
 Amount claimed due on date of notice: \$64,966.10
 Description of the mortgaged premises: Situated in City of Detroit, Wayne County, Michigan, and described as: Lot 471 and the East 9 feet of adjacent vacated Alley, Frischkorns City Park Subdivision, as recorded in Liber 54, Page 9 of Plats, Wayne County Records.
 Common street address (if any): 10057 Bramell, Detroit, MI 48239-1370
 The redemption period shall be 6 months from the date of such sale, unless determined abandoned in accordance with MCL 600.3241a; or, if the subject real property is used for agricultural purposes as defined by MCL 600.3240(16).
 If the property is sold at foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCL 600.3278 the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period.
 Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.
 This notice is from a debt collector.
 Date of notice: November 6, 2020
 Trott Law, P.C.
 31440 Northwestern Hwy, Suite 145
 Farmington Hills, MI 48334
 (248) 642-2515

1424459 (11-06)(11-27)

The "It's Only Another Beer"
 Black and Tan
 8 oz. pilsner lager
 8 oz. stout lager
 1 frosty mug
 1 icy road
 1 pick-up truck
 1 10-hour day
 1 tired worker
 A few rounds with the guys
 Mix ingredients.
 Add 1 totalled vehicle.
 Never underestimate 'just a few.'
 Buzzed driving is drunk driving.



Ad Council U.S. Department of Transportation



**HOW TO LIVE UNITED:
 JOIN HANDS. OPEN YOUR HEART.
 LEND YOUR MUSCLE. FIND YOUR VOICE.
 GIVE 10%. GIVE 100%. GIVE 110%.
 GIVE AN HOUR. GIVE A SATURDAY.
 THINK OF WE BEFORE ME.
 REACH OUT A HAND TO ONE
 AND INFLUENCE THE CONDITION OF ALL.
 GIVE. ADVOCATE. VOLUNTEER.
 LIVE UNITED™**



Want to make a difference? Help create opportunities for everyone in your community. United Way is creating real, lasting change where you live, by focusing on the building blocks of a better life—education, income and health. That's what it means to Live United. For more, visit LIVEUNITED.ORG.

World Affairs

Submit news & views to
bcox@legalnews.com

TENNESSEE

Sen. Alexander nears finish line of decades in public office *Senator has been known as a dealmaker from a more cooperative era*

BY JONATHAN MATTHEW
Associated Press

NASHVILLE, Tenn. (AP) — More than four decades ago, Lamar Alexander won a ticket to the governor's mansion after he walked more than 1,000 miles (1,609 kilometers) around Tennessee in a plaid shirt and hiking boots. He spent the night with 73 families and called his campaign headquarters from payphones.

Alexander, who served two terms as the state's chief executive before heading to Washington, is finishing up his third and final U.S. Senate term in a nation increasingly divided by the COVID-19 pandemic, issues of racial injustice and law enforcement, and the vitriolic election season.

In a recent interview with The Associated Press, wearing a face mask in the same red-and-black plaid he favored as a young candidate, the 80-year-old Republican lawmaker discussed how he has navigated the presidency of President Donald Trump.

Known as a dealmaker from a more cooperative, bygone era, Alexander has spent his final years, in part, deciding how and whether to react to what Trump is saying, doing and tweeting, with-

out losing a partner in the White House who shares some of his own priorities.

Alexander said many Democrats wish he would "spend more time criticizing President Trump's behavior," while a lot of Republicans wish he "spent more time criticizing President (Barack) Obama's liberal policies."

"President Lincoln, if he got mad, he'd write a hot letter and put it in the drawer," Alexander said. "Today, if the president gets mad, he puts it out on a tweet to 72 million people and they put something out on their tweet. So, this drives a lot of division in the country. The blessings of an internet democracy — we're somehow going to find a way to tolerate it and live with it if we want to unify the country and solve big problems in a way most of us can accept."

The former U.S. education secretary and two-time presidential candidate recently urged Trump's team to begin the transition with Democratic President-elect Joe Biden, citing the need to keep coronavirus vaccine distribution plans on track. Even before COVID-19, the Senate health committee chairman pushed back against anti-vaccine disinformation. This summer, he also pressed

Trump to wear a mask more often to set an example for his followers.

The attorney and businessman helped draw the auto industry to Tennessee as governor. He served as the University of Tennessee's president before his 2002 election to the Senate. Tea party-aligned opposition arose during his 2014 reelection, resulting in a tighter-than-desired GOP primary win of 9 percentage points.

The legislative wins he touts most aren't really the kinds of accomplishments that put politicians in the limelight: A copyright law change to sort out pay for songwriters in the digital age; simplification of the federal college aid application; legislation to cut in half maintenance backlogs in national parks, national forests and other public lands; national laboratories funding; and an education law that gives states authority to decide how to use certain testing results to evaluate teachers and schools.

But the spotlight shone brightly on Alexander during some particularly fraught moments in the administration — most notably, when the senator voted against allowing witnesses and to acquit Trump during his impeachment trial.

"On the impeachment, I said I thought he did it," Alexander said. "That didn't justify removing him from office."

Alexander is retiring at the end of his term in January. Former U.S. Ambassador to Japan Bill Hagerty ultimately won the open seat with Trump's endorsement and his pledge to support the president's priorities. Hagerty emerged from a rough primary in which he and another Republican traded fire over who was better aligned with Trump. Alexander said the jury's still out on how Hagerty will act in office, but he predicted he will be an "excellent senator."

"A lot of things are said in campaigns, and they have been for a long time. They don't have much to do with what happens after you get elected," Alexander said. "So I think we need to wait and see."

Alexander, who served in the Senate with Biden, said his focus on unifying the country is "exactly the right message," but he said Biden should not veer too far left. Senate Republicans could aim to block Biden's priorities if they deem them too progressive. Thus far, key Senate Republicans have kept quiet on confirmation of Biden's Cabinet nominees.

"He's a person of good character," Alexander said of Biden. "He's well-liked in the Senate on both sides of the aisle. He listens well. He's well-acquainted with leaders around the world. Those are his strengths. The difficulty he is going to have is with the radical left agenda of the Democratic national party."

As the U.S. nears a new presidency and a COVID-19 vaccine, Alexander says there are good reasons for Americans to reject disinformation about both the coronavirus and the election.

He said the hand tally of votes cast in the presidential race in Georgia, for example, "should reassure the American people that the election is valid."

Additionally, Alexander said he hopes the high effectiveness rates and safety of COVID-19 vaccines will outweigh concerns. For people who don't buy into masks, he suggested talking to frontline workers.

"When I stopped smoking was when my doctor showed me a picture of a lung of a person who died from lung cancer," Alexander said. "I think what might persuade people is if they talk to a nurse who has been dealing with people in a hospital who are dying from COVID."

ITALY

As season nears, Europe ponders skiing during pandemic

BY COLLEEN BARRY
AND JAMEY KEATEN
Associated Press

MILAN (AP) — Though the first real snow has yet to fall across much of Europe, ski buffs are imagining with dread a once-unthinkable scene: Skiing in Zermatt in Switzerland while lifts idle across the border in Italy's Aosta valley.

The leaders of Italy and France are resisting pressure to reopen ski resorts before Christmas, pushing for European coordination so their industries don't suffer during the pandemic while others flourish. But the Alpine countries of Switzerland and Austria could well be spoilers.

Ski resorts were one of the major sources of contagion in the deadly spring surge of COVID-19.

So far, restrictions to slow the curve of infections have kept lifts closed in Italy, France, Germany and Austria, as well as countries further east. But skiers are already heading to mountains in Switzerland, drawing an envious gaze from ski industry and local officials in mountain regions elsewhere on the continent who lost most of last season due to the virus. They are warning of irreversible economic damage if they are not permitted to open this season.

Both Italian Premier Giuseppe Conte and French President Emmanuel Macron said this week that pre-Christmas openings are unthinkable. While such skiing luminaries as world and Olympic champion Alberto Tomba argue that it is an individual sport conducted in the open air, the leaders point to the risks of contagion in crowded lift lines and lodges, as well as closed cable cars.

Top health officials in Italy appeared aghast when they were asked at a briefing Tuesday about the prospects for opening ski season, minutes after they had just reported a resurgence-high 853 deaths in a 24-hour period.

"I admit I have a difficult time inside commenting on arguments relating to ski areas and what will happen at Christmas, thinking about these numbers," said Dr. Franco Locatelli, head of Italy's national scientific council.

French mountain industry representatives met with the French prime minister Monday to press to be able to reopen, but apparently their pleas weren't heard.

"It seems impossible to me to imagine a reopening for the

holidays, and much more preferable to favor reopening in January, in good conditions," Macron said as he laid out plans Tuesday night for a gradual easing of the current lockdown.

Plans for reopening also remain on ice in the eastern countries of Poland, Slovenia, Slovakia and the Czech Republic — although Serbia is prepping for the winter season in full swing, as if COVID-19 did not exist, counting on both domestic and foreign visitors.

Austria, whose current lockdown runs through Dec. 6, has been for months saying that it hoped to reopen the slopes this season and rejected Italy's idea of keeping them closed until Jan. 10. On Wednesday, Austrian Chancellor Sebastian Kurz pushed back against calls to write off this year's ski season because of the pandemic.

In Bavaria, Germany's largest ski destination, Governor Markus Soeder supported the idea, saying that if Europe's borders are to remain open through the Christmas season there will have to be some sort of a blanket rule on keeping resorts closed.

In Switzerland, lifts are indeed in operation on Zermatt, next to the famed Matterhorn, and eastern Davos, near Austria. The famed resort of St. Moritz, a favorite destination for well-heeled Italians, is set to open about 60% of slopes this weekend.

But much of the fun of skiing getaways is missing: Zermatt's slopes may be open, but its restaurants are not — meaning a warm cocoa, mulled wine or cold beer at pubs or eateries after mountain runs is out.

So far, just 10% of the country's 250 ski stations are open as only the highest altitudes have gotten enough snow, according to Switzerland Tourism spokeswoman Veronique Kanel. She said she didn't expect a flood of foreign skiers, noting strict travel rules still in place in many countries.

An official in the Swiss health ministry said Switzerland plans to join a discussion among officials from Alpine countries in the coming days on coordinating a plan for relaunching the ski season.

"Clearly the situation is complicated: It's difficult to have only one country open its ski slopes when others close theirs. There needs to be coordination," said the official on condition of anonymity because he was not authorized to speak publicly on the matter.

GERMANY

Global push to end domestic violence, worse amid COVID-19 *Organizations see pandemic as additional source for men to mistreat women*

BY RAF CASERT AND ANGELA CHARLTON
Associated Press

BRUSSELS (AP) — In a global push to end violence against women, activists held rallies Wednesday and world leaders called for action to stop the abuse, which worsened because of the coronavirus pandemic this year.

Protests from France to Ukraine were held on the International Day for the Elimination of Violence against Women to draw attention to domestic violence in what is an uphill struggle to protect millions of women killed or abused every year by their partners and close relatives.

In Rome, the office of the prime minister was being lit in red and red banners tumbled from trade union offices in Florence to demand an end to violence against women. Italy was a hotbed for COVID-19 infections this year, forcing the government to impose lockdowns to keep the virus out. In an unintended consequence, domestic violence cases began to grow.

"Because of the restrictions, we involuntarily created profound distress," that led to increased episodes of domestic violence and femicide, Prime Minister Giuseppe Conte told a parliamentary discussion on Italy's long-standing problem with violence against women.

The Italian Health Ministry, citing data from national statistics agency ISTAT,

said calls to domestic violence hotlines shot up during the lockdown, registering a 75% increase compared to the same period in 2019. Between March and June, calls and text messages to the anti-violence number more than doubled during the same period, to 119.6%.

Together with Spanish Prime Minister Pedro Sánchez, Conte signed a joint declaration vowing to accelerate measures to stamp out violence against women, which they called "an invisible pandemic."

Even if detailed statistics were hard to come by, organizations and countries, from the United Nations to the European Union, France and Britain, all said that the pandemic had so far been an additional source for men to mistreat women.

In Ukraine, the Femen feminist activist group staged a protest outside the president's office with a topless protest before being dragged away.

"We want to illustrate the situation with women's rights in Ukrainian society — unprotected from any violence. We think the violence against women is a human rights violation, Femen activist Anya Alian said.

U.N. agency UNAIDS said that "evidence shows that the COVID-19 pandemic has resulted in significant increases in gender-based violence in nearly all countries," especially for women trapped at home with their abuser.

"Men's violence against women is also

a pandemic — one that pre-dates the virus and will outlive it," said Phumzile Mlambo-Ngcuka, executive director of the U.N. Women agency. "Last year alone, 243 million women and girls experienced sexual or physical violence from their partner. This year, reports of increased domestic violence, cyberbullying, child marriages, sexual harassment and sexual violence have flooded in," she said.

Pope Francis marked the day by tweeting: "Too often women are offended, mistreated, raped and forced to prostitute themselves ... If we want a better world, a home of peace and not a courtyard of war, we all must do much more for the dignity of each woman."

France's government sealed a deal with TikTok to encourage young people to report abuse through the social network. World soccer governing body FIFA announced an awareness campaign.

France's deal with TikTok is among multiple measures it has taken since a national reckoning over domestic violence last year prompted by an unusually high number of women killed by their husbands, boyfriends or former partners. Activists say more needs to be done.

France's minister for equal rights, Elisabeth Moreno, said that reports of domestic violence registered with the government rose 42% during France's first virus lockdown in the spring, and have risen 15% since a new lockdown was imposed

nearly a month ago. Given that most people don't report such abuse, the real rise is believed to be higher.

In Britain, The Office for National Statistics said police recorded 259,324 domestic abuse offenses between March and June, an increase of 18% compared to the same period in 2018. The charity Refuge said the number of people calling its domestic abuse hotline were 65% higher between April and June than in the first three months of the year, before lockdown.

"These appalling statistics show endemic levels of domestic abuse," Labour Party crime spokesman Nick Thomas-Symonds said. "The COVID crisis didn't create this scar on our society, but it has made the situation even worse."

Europe largest human rights organization, the 47-nation Council of Europe, called on legislators throughout Europe to better protect women and girls.

"The COVID-19 pandemic has shown how fragile the protective safety-net for victims of violence really is, especially when it comes to domestic violence," said Petra Bayr (SOC, Austria), Chair of the Committee on Equality and Non-Discrimination of the Council of Europe Parliamentary Assembly (PACE). "The increase in violence during lockdown has been a shocking revelation in almost all our societies; it has put a magnifying glass on the harmful mindsets that still prevail."

ISRAEL

UN agency: Israel's Gaza blockade has devastated economy *Israel says restrictions are needed to prevent Hamas from building up its military capabilities*

BY JOSEF FEDERMAN
Associated Press

JERUSALEM (AP) — Israel's blockade of the Hamas-ruled Gaza Strip has cost the seaside territory as much as \$16.7 billion in economic losses and sent poverty and unemployment skyrocketing, a U.N. report said Wednesday, as it called on Israel to lift the closure.

The report by the U.N. Conference on Trade and Development echoed calls by numerous international bodies over the years criticizing the blockade. But its findings, looking at an 11-year period ending in 2018, marked perhaps the most detailed analysis of the Israeli policy to date.

Israel imposed the blockade in 2007 after Hamas, an Islamic

militant group that opposes Israel's existence, violently seized control of Gaza from the forces of the internationally recognized Palestinian Authority. The Israeli measures, along with restrictions by neighboring Egypt, have tightly controlled the movement of people and goods in and out of the territory.

Israel says the restrictions are needed to keep Hamas from building up its military capabilities. The bitter enemies have fought three wars and numerous skirmishes over the years.

But critics say the blockade has amounted to collective punishment, hurting the living conditions of Gaza's 2 million inhabitants while failing to oust Hamas or moderate its behavior. Gaza has almost no clean drinking water, it suffers from frequent power outages and people

cannot freely travel abroad.

"The result has been the near-collapse of Gaza's regional economy and its isolation from the Palestinian economy and the rest of the world," the U.N. agency said in a statement.

The report analyzed both the effects of the closure, which has greatly limited Gaza's ability to export goods, as well as the effects of the three wars, which took place in 2008-2009, 2012 and 2014.

The last war was especially devastating, killing over 2,200 Palestinians, more than half of them civilians, and displacing some 100,000 people from homes that were damaged or destroyed, according to U.N. figures. Seventy-three people, including six civilians, were killed on the Israeli side, according to Israel's Foreign Ministry,

and indiscriminate Hamas rocket fire brought life to a standstill in southern Israel.

Using two methodologies, the report said that overall economic losses due to the blockade and wars ranged from \$7.8 billion to \$16.7 billion. It said Gaza's economy grew by a total of just 4.8% during the entire period, even as its population grew over 40%.

These economic losses helped propel unemployment in Gaza from 35% in 2006 to 52% in 2018, one of the highest rates in the world, UNCTAD said.

It said the poverty rate jumped from 39% in 2007 to 55% in 2017. Based on Gaza's economic trends before the closure, the report said the poverty rate could have been just 15% in 2017 if the wars and blockade had not occurred.

"The impact is the impoverishment of the people of Gaza, who are already under blockade," said Mahmoud Elkhafif, the agency's coordinator of assistance to the Palestinian people and author of the report.

Israel has long accused the U.N. of being biased against it. The report, for instance, included only a brief mention that indiscriminate rocket fire at Israeli civilian areas is prohibited under international law. "Palestinian militants must cease that practice immediately," it said.

Israel's Foreign Ministry accused UNCTAD of failing its mission to assist developing economies and presenting a "one-sided and distorted depiction" that disregards "terrorist organizations' control over the Gaza Strip and their responsibility

for what occurs in the Gaza Strip."

"In light of all this, we cannot take the findings of the reports it publishes seriously, and this report is no different," it said.

In Gaza, Hamas spokesman Hazem Qassem said the report revealed "the level of the crime" committed by Israel.

"This siege has amounted to a real war crime and pushed all services sectors in the Gaza Strip to collapse," he said. "These figures also reveal the international inability to deal with the illegal siege on Gaza."

Gisha, an Israeli human rights group that pushes for freedom of movement in an out of Gaza, said it was Israel's "moral and legal obligation" to lift the closure. "The true price paid by Palestinians in lost time, opportunities, and separation from

loved ones is inestimable," it said.

The U.N. agency said it compiled the report at the request of the U.N. General Assembly and noted that it did not include other costs of Israeli occupation over the Palestinians. Israel captured the West Bank, east Jerusalem and Gaza Strip in the 1967 Mideast war, though it withdrew from Gaza in 2005.

UNCTAD, a technical agency that seeks to reduce global inequality, recommended that Israel lift the blockade to allow free trade and movement. It also called for reconstruction of Gaza's infrastructure, addressing Gaza's electricity and water crisis, allowing the Palestinians to develop offshore natural gas fields and for the international community to push Hamas and the Palestinian Authority to reconcile.

Across the Nation

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National Roundup

OREGON

Oregon DOJ lawyer reprimanded for 'inappropriate' treatment

SALEM, Ore. (AP) — A high-ranking lawyer at the Oregon Department of Justice has been reprimanded and will work with an executive coach after an outside investigation found he violated state policy in an interaction with another lawyer.

The investigator found sufficient evidence to support claims that chief trial counsel Steve Lippold violated state policies that protect workers against harassment and retaliation and hold managers to a "higher standard" of behavior in 2017, The Statesman Journal reported Tuesday. The investigator's 81-page report, dated Oct. 30, was released to the newspaper through a records request.

Steve Lippold has been the head of the trial division at DOJ, which defends the state and its employees against lawsuits, since 2014.

Lippold said he has asked Attorney General Ellen Rosenblum to reconsider the reprimand, saying the claims of senior assistant attorney general Heather Van Meter — who resigned from DOJ in October — lack credibility.

Van Meter earlier this year made multiple allegations against Lippold and four others at DOJ. The outside investigator, Portland lawyer Lori Watson, found evidence to support two out of Van Meter's 12 allegations, including one against Lippold.

The investigator also found a "preponderance of the evidence" supported Van Meter's allegation that a human resources official — Leslie Anderson, who has since left DOJ — failed to investigate Van Meter's complaint about the interaction with Lippold.

Anderson declined to comment for this story.

Van Meter's lawyer, Sean Riddell, said his client "agrees in part and disagrees in part with the final report" and is exploring all options to hold the Oregon Department of Justice accountable.

NEW YORK

Fox News, family of slain DNC staffer Seth Rich settle suit

NEW YORK (AP) — Fox News has reached a settlement with slain Democratic National Committee employee Seth Rich's parents, who alleged in a lawsuit that the cable news company exploited their son's death in stories and commentary.

Both sides confirmed the settlement on Tuesday.

Rich was shot and killed in 2016 in Washington, D.C., in what authorities described as a botched robbery attempt. His parents, Joel and Mary Rich, had objected to a Fox article and commentary falsely suggesting their son had leaked DNC emails to WikiLeaks during the presidential campaign.

Internet theories that Rich had been assassinated for leaking emails were contradicted by U.S. intelligence reports.

A lower court had thrown out the lawsuit, but the 2nd U.S. Circuit Court of Appeals in Manhattan last year reinstated it. The court said that the family had plausibly alleged what amounted to a campaign of emotional torture.

Rich's parents, in a statement, said the settlement closed another chapter in their efforts to mourn their son, who was 27 when he was killed.

"We are pleased with the settlement of this matter and sincerely hope that the media will take genuine caution in the future," the Riches, of Omaha, Nebraska, said.

Neither side disclosed finan-

cial terms of the deal.

"We are pleased with the resolution of the claims and hope this enables Mr. and Mrs. Rich to find a small degree of peace and solace moving forward," Fox said in a statement.

ALABAMA

February trial set for police officer in fatal shooting

HUNTSVILLE, Ala. (AP) — A February trial date has been set for a Huntsville Police officer accused of shooting to death an armed man who told police he was suicidal.

Madison County Circuit Judge Donna Pate set Feb. 22 for the start of the murder trial involving Officer William Darby, who was indicted in the case following the April 2018 shooting, multiple news outlets reported. The date is two days and a year after the original trial date was scheduled. The case, like many in Alabama, has been delayed for months due to the COVID-19 pandemic.

Darby, 27, is charged in the shooting death of Jeffrey Parker, 49, at Parker's home. Parker had called police, telling them he was suicidal. Darby was the third officer on the scene and after Parker refused to drop the gun he held to his head, Darby shot him.

A Huntsville Police Department shooting review board found Darby had acted within department policy, but a Madison County grand jury indicted him. District Attorney Rob Broussard said he was "gravely concerned" about Darby's actions after seeing body camera video of the shooting.

Darby asked Pate to grant him immunity from prosecution but she declined and Alabama's appellate courts upheld her ruling.

The City of Huntsville has agreed to pay up to \$125,000 for Darby's defense. Darby had been on the police force for about two years at the time of the shooting.

Pate's order says a pre-trial conference is set for Jan. 22.

A federal lawsuit filed earlier this year on behalf of Parker's estate against Darby and the City of Huntsville accuses the city and Darby of excessive force.

UTAH

Parents of autistic teenager sue police dept. over shooting

SALT LAKE CITY (AP) — The parents of a 13-year-old Utah boy with autism filed a federal lawsuit against the Salt Lake City Police Department alleging an officer shot the teenager 11 times.

The lawsuit filed in Utah District Court Monday claims the boy was severely injured when police responded to a call for assistance Sept. 4 while the unarmed teen was suffering a mental health crisis.

The civil lawsuit alleges multiple failures by the police department and responding officers, including the failure of officers to adequately assess the situation or seek guidance from superiors.

Officers aggravated the situation by using aggressive language and actions and intentionally turned off body cameras during and after the shooting, the lawsuit claims.

Salt Lake County District Attorney Sim Gill's office is investigating the case. The officer who was named as a plaintiff in the lawsuit for allegedly firing the shots was placed on administrative leave.

Salt Lake Police Chief Mike Brown, the Salt Lake City Corporation and 10 other people who are not identified are also listed as defendants in the lawsuit.

The Salt Lake City Police said Tuesday that the department had not been served with the lawsuit and would not comment on pending litigation and an open investigation.

MASSACHUSETTS

Report: Mobile fingerprinting a core tool in US deportations

Activists say field use of app exacerbates racial profiling

BY FRANK BAJAK
AP Technology Writer

BOSTON (AP) — A mobile fingerprinting app U.S. immigration agents use to run remote ID checks in the field has become a core tool in President Donald Trump's deportation crackdown, a pair of immigration rights groups say in a new report based on a Freedom of Information Act lawsuit.

The 2,500 pages of documents obtained through the 2017 lawsuit show that the app, known as EDDIE, has helped Immigration and Customs Enforcement agents ramp up deportations of migrants not intentionally targeted for removal, the report states. Such people are often detained as "collaterals" picked up in operations aimed at others, the activists say in Monday's report. They say that field use of the app exacerbates racial profiling in immigrant communities.

For instance, an internal agency newsletter released with the documents described immi-

gration agents using the app during traffic stops in collaboration with local police in Escondido, California, in 2017. That report credited the operation with "333 illegal alien arrests" in a 12-month period, although it provided scant additional context.

Used routinely by U.S. immigration and border agents, mobile fingerprinting figures in a biometric data collection scheme the Trump administration is seeking to broadly expand in its final weeks. A regulation proposed by the Department of Homeland Security on Sept. 11 would formalize the collection of face, iris and palm prints of non-citizens, as well as their DNA, in addition to the fingerprint data now collected.

"EDDIE is a way to bypass oversight and accountability," said Paromita Shah of the nonprofit Just Futures Law, which produced the report with the immigrant rights group Mijente. "It allows agents to do the booking, to do the interrogations out of sight, out of the public's view," she said.

"And in those places, abuse is most likely to occur."

ICE spokesman Mike Alvarez rejected those allegations. He said field use of the mobile app, which is paired with Bluetooth-enabled fingerprint readers, does not replace detention booking at a local office. "There is no way to know" whether its use increases collateral arrests, he said, because the agency doesn't collect such data.

The app allows field agents to remotely check fingerprints they collect against those registered in DHS and FBI databases. Courts have questioned federal databases' reliability when used as the sole basis for detention decisions.

Under extraordinary pandemic-related powers beginning in March, Border Patrol agents have used mobile fingerprinting devices to assist in immediate expulsions to Mexico without giving migrants a chance to seek asylum.

The FOIA lawsuit was brought by the National Immigration Project of the National Lawyers

Guild and Mijente, who say the collection and sharing of biometric data by DHS leaves non-citizens vulnerable to both civil rights and data privacy abuses. The EDDIE app accesses a person's immigration history, any outstanding arrest warrants and previous encounters with U.S. law or immigration officers. It collects location data and time stamps and has been used in all U.S. immigration field offices as well as abroad, the documents show.

Becca O'Neill, a Charlotte, N.C., immigration lawyer, said ICE agents routinely use the app when pulling over vehicles linked to deportation orders, trying to fingerprint everyone inside. Agents do the same at targeted homes, she said. O'Neill tells migrants they have a constitutional right not to submit to mobile fingerprinting. Alvarez, the ICE spokesman, said it is voluntary. But activists say immigration agents' behavior often contradicts that claim.

Immigration officers cannot

force their way into homes without a court-issued warrant, so they often use such deceptive tactics as identifying themselves only as "police," immigration activists say. Such behavior can be seen in the Netflix documentary miniseries "Immigration Nation," where EDDIE is seen being used on "collaterals."

In its platform, the campaign of President-elect Joe Biden vowed to "undo the damage" of Trump's anti-immigration policies but did not address data-collection issues. Biden's transition team did not reply to requests for comment.

Sarah Pierce of the nonpartisan Migration Policy Institute think tank is worried the Trump administration will rush into place the proposed expanded biometric collection rule prior to leaving office on Jan. 20.

The rule could effectively place non-citizens — including children — under a continuous surveillance regime that would be complicated for the Biden team to dismantle, she said.

ARIZONA

Ex-politician in adoption scheme to be sentenced in 3 states

Prosecutors say man violated an international adoption compact

BY JACQUES BILLEAUD
Associated Press

PHOENIX (AP) — U.S. prosecutors in Arkansas will seek a 10-year prison sentence for a former Arizona politician who acknowledged running an illegal adoption scheme in three states involving women from the Marshall Islands.

Prosecutors say Paul Petersen defrauded state courts, violated an international adoption compact and took advantage of mothers and adoptive families for his own profit.

Petersen, a Republican who served as metro Phoenix's assessor for six years and also worked as an adoption attorney, was accused of running a scheme in which birth mothers had their passports taken to keep them from leaving the United States and were threatened with arrest if they tried to back out of adoptions. They were poor, didn't speak English and were living

6,000 miles (or 9,656 kilometers) from home, prosecutors said.

"These circumstances prevented their escape as securely as if they were chained to a wall," prosecutors wrote, noting four birth mothers expressed doubts about their adoptions but went forward with them anyway because the women weren't allowed to return home.

Birth mothers were paid far less than promised, and the money Petersen made helped pay for his lavish lifestyle, including expensive trips, luxury cars and multiple residences, prosecutors said.

Petersen's attorneys vigorously disputed that their client had any part in keeping some of the mothers' passports.

Authorities say Petersen illegally paid women from the Pacific island nation to come to the United States to give up their babies in at least 70 adoptions cases in Arizona, Utah and Arkansas over

three years. A compact has prohibited citizens of the Marshall Islands from traveling to the U.S. for adoption purposes since 2003.

Petersen is scheduled to be sentenced Dec. 1 in Arkansas for his federal conviction for conspiring to commit human smuggling. He also faces sentences in January for related convictions in Arizona and Utah.

In Arizona, prosecutors are seeking an 18-year prison term for fraud convictions for submitting false applications to Arizona's Medicaid system for the mothers to receive state-funded health coverage — even though he knew they didn't live in the state — and for providing documents to a county juvenile court that contained false information.

His sentencing in Arizona is scheduled for Jan. 22. His sentencing in Utah, where he could face up to 15 years in prison for human smuggling and other convictions,

is scheduled for Jan. 20.

Prosecutors and defense lawyers have an agreement for the former assessor to serve all three sentences at once.

Petersen's attorney, Kurt Altman, denied his client coerced the birth mothers and said they voluntarily participated in the adoptions.

Altman said a woman who also pleaded guilty to helping birth mothers get Medicaid benefits told authorities that she kept the passports of some birth mothers, but never claimed Petersen knew anything about it, much less condoned it.

While Petersen previously proclaimed his innocence, he acknowledged in a letter to the Arkansas judge that he had violated the law and was prepared to pay his debt to society.

"Unfortunately, I crossed that line and must accept the consequences of my actions," Petersen

wrote, apologizing to any mother whom he treated poorly.

Still, he claimed to have carried out hundreds of legal adoptions after finding a niche locating homes for vulnerable children from the Marshall Islands and helping needy mothers who wanted a more stable family life for their children. Petersen also said he was ashamed, as a fiscal conservative, for sticking Arizona taxpayers with the labor and delivery costs. He has since paid back \$670,000 in those costs to the state.

His plea in court papers for leniency was accompanied by letters of support from some adoptive families.

Earlier in his life, Petersen, who is a member of The Church of Jesus Christ of Latter-day Saints, had completed a proselytizing mission in the Marshall Islands, a collection of atolls and islands in the eastern Pacific.

COURTS:

Trial court is required to take into account attributes of youth

From Page 1

way from considering the *Miller* factors and, if so, what is that distinction?

He then offered some advice. "Before *Miller* is extended to apply to term-of-years sentences, in whatever manner it is now

apparently being extended, this Court should clarify exactly what are the new obligations being imposed upon the juvenile sentencing process and exactly why we are imposing such new obligations. Some justification would seem to be in order for why, without either public discussion or

legislative charge, this Court would now extend the transformation of our process for sentencing the most serious juvenile offenders — a process initiated in a 5-4 decision of the United States Supreme Court — far beyond the boundaries even of that decision."

Finally, Markman pointed out

that "the Court of Appeals did more than simply say that the trial court may consider a defendant's age; rather, it held that the trial court 'is required to take into account the attributes of youth, such as those described in *Miller*' and that a failure to do so 'constitute[s] reversible error.'"

STUDENT:

Frush is looking forward to applying to clinics during 2L year

From Page 1

of law school, but also for providing an alumni mentor.

"My mentor has given me great advice on how to approach my studies and some items I should be considering when applying for summer internships," he says. "It also relieves some of the pressure of law school to know that you have someone you can reach out to if you have questions."

In addition to intern/externships, Frush is looking forward to applying to clinics during his 2L year.

"A 3L has recommended the family law clinic because of the amount of exposure its participants will have to litigation—he said that during his time in the family law clinic, they were in court nearly every week," he says. "I'm also interested in applying for the criminal trial clinic."

Frush has tried to maintain a system for studying online at his

Northville home, giving 10-11 hours to study and allowing a few hours to relax after class and avoid being overwhelmed.

"It can sometimes be difficult to maintain discipline, but it's a process and I'm learning along the way," he says.

Basketball, golf, reading fantasy novels, and watching professional football are among his leisure pursuits. Pre-pandemic, he loved attending Detroit Lions' games.

"Unfortunately, they aren't a very good football team, which I could discuss all day, but Ford Field is beautiful and I love the atmosphere of the city when I'm there," he says.

In January 2019, Frush started volunteering with Youth for Understanding (YFU), a nonprofit organization sponsoring international exchange students who study for a year in the United States. He has served as an Area Representative to three students,

acting as their primary contact for YFU and submitting monthly reports to the Department of State regarding their status with a host family.

"The pandemic unfortunately interrupted the program in March and students throughout the country were sent home early," he says. "YFU experienced cutbacks

throughout the summer, but has adapted and is working on establishing virtual opportunities for international students who are still interested in experiencing education in America. I'm excited to see how YFU evolves and am hopeful we can bring back international exchange students, physically, next fall."

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PATENTS:

A valuable patent is an asset

From Page 5

patent. Keep in mind that one of the reasons you likely started your business was because you thought your business could be financially successful, and a valuable patent is an asset that can help your start-up be profitable.

Lloyd J. Wilson is an associate with the law firm of Heslin Rothenberg Farley & Mesiti P.C., specializing in patent preparation and prosecution. He has experience in developing and managing patent portfolios for businesses ranging in size from solo inventors to large corporations. Lloyd can be reached at (518) 452-5600 or at lloyd.wilson@hrflaw.com

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The Conversation

ROBIN E. BEST, BINGHAMTON UNIVERSITY
STEVE LEM, KUTZTOWN UNIVERSITY OF PENNSYLVANIA

Republicans didn't lose big in 2020 — they held onto statehouses and the power to influence future elections

(THE CONVERSATION) — Election Day delivered a presidential victory for the Democratic Party and narrowed the partisan split in the U.S. House and Senate. But it was nevertheless a victory for Republicans in the battle every decade to draw state and congressional districts that favor their party.

Beginning in 2021, states will begin redrawing electoral boundaries for U.S. House districts and state legislative districts, using the results of the 2020 census to determine the partisan composition of Congress and statehouses through 2030.

Despite national Democratic success, the results of state legislative elections put Republicans in place to be the long-term winners of the election of 2020.

Legislative control is key

In most states, the legislature is responsible for drawing Congressional district boundaries, and it is common that the majority party draws the lines to give the advantage to its party members, a practice called gerrymandering. In most of these states, the governor can veto legislative maps, but it's common to have a governor from the same party as dominates the legislature.

In the 2010 elections, Republicans gained unified control of 17 of the 30 legislatures that then had sole district mapmaking responsibility. And only two of those states, Minnesota and Missouri, had Democratic governors. All those legislatures, which collectively redrew 190 congressional districts, helped produce a congressional map that has been widely regarded as a pro-Republican gerrymander.

Republican-controlled legislatures in North Carolina and Pennsylvania, for example, produced maps that ultimately awarded Republicans with two-thirds of their state's congressional seats despite the party capturing less than 50% of the statewide vote in the next federal election. These and similarly gerrymandered state maps helped the Republican Party maintain their 2010 majority in the House of Representatives, although Democratic candidates won a higher number of votes nationwide in 2012.

Republicans set to dominate redistricting

Republicans continue to dominate statehouses in the wake of the 2020 state legislative elections. Democrats had hoped to flip partisan control of at least one legislative chamber in states like North Carolina, Pennsylvania, Michigan, Minnesota and Texas, where they could exert greater control over the upcoming redistricting process. But they didn't flip any legislative chambers in their favor — and lost control of both chambers of the New Hampshire statehouse.

In the 2021 legislative session, Republicans will have unified control of 20 of the 28 legislatures that retain mapmaking responsibility. Democrats will control just seven. Power will be split only in Minnesota, where Republicans hold the majority in the Senate and Democrats control the House.

In seven states, Democrats will control the process, which will give them a smaller effect on the national congressional

results. As a result of their greater control over district lines, Republicans may be advantaged in the 2022 House elections. But there are some forces that could counter the possibility of pro-Republican gerrymandering — including the states that have taken mapmaking power away from their partisan legislators.

The future of redistricting

In 2018, popular referenda in Colorado, Michigan and Utah created redistricting commissions that are independent from the legislatures. And in November 2020, Virginia voters overwhelmingly approved a ballot measure to amend the Constitution to create a bipartisan redistricting commission composed of state legislators and citizens.

In addition, Democratic governors in states where Republicans control both legislative chambers, such as Kentucky, Louisiana, Wisconsin and Pennsylvania, may veto plans that contain egregious partisan gerrymanders — which would likely throw mapmaking responsibility to the state courts.

There are also forces pushing to preserve more partisan redistricting processes. On Nov. 3, Missouri voters narrowly approved a provision that takes redistricting out of the hands of a nonpartisan demographer and places it instead in the hands of a political commission appointed by the governor.

The measure also says districts will be drawn according to the rule of “one person, one vote” — which some believe may mean Missouri will draw its districts not based on total population, but only on the number of eligible voters. That highlights a growing controversy about whether to count noncitizens and others who are ineligible to vote, rather than the total population, for the purposes of creating electoral districts. Using total population is the current method, followed since the nation's founding.

People seeking to battle partisan gerrymandering can no longer seek help from federal courts, which are barred from taking those cases by a 2019 Supreme Court decision that declared federal courts couldn't review claims of partisan gerrymandering.

Republicans may be poised to launch another round of partisan gerrymandered districts that will last another decade, but 2020 is not 2010. Fewer states will have legislators draw district lines. Democratic governors may keep Republican-dominated legislatures in check. Grassroots movements and activist groups battling against partisan gerrymandering have attracted high-profile support, such as from Eric Holder, a former U.S. attorney general in the Obama administration.

Opposition to redistricting reforms — and specifically the adoption of redistricting commissions — may also intensify, illustrated by the adoption of Amendment 3 in Missouri and challenges to Michigan's new redistricting commission. How these opposing forces will play out over the next decade is an open question, but we are certain they will combine to keep issues of partisan gerrymandering in the spotlight for the foreseeable future.

Legal Affairs

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INTERNATIONAL

Hungary's constitutional court to review transgender law Law stipulates that the 'biological sex' of a person is defined at birth

BY JUSTIN SPIKE
Associated Press

BUDAPEST, Hungary (AP) — A Hungarian court has requested constitutional review of a law disallowing transgender individuals from changing their names and genders in official documents, a potential blow to a wave of recent legislation restricting the rights of LGBTQ Hungarians.

In its decision last week, the Miskolc Regional Court in eastern Hungary ruled in favor of petitioners that argued the law violates constitutional rights to human dignity and private life, according to a statement Tuesday from Hungary's largest LGBTQ rights group Hatter Society.

The constitutional court now has 90 days to make a ruling on the law's constitutionality.

The law, part of an omnibus bill passed by Hungary's parliament in May, stipulates that the “biological sex” of a person is permanently defined by their chromosomes at birth, making it impossible for transgender individuals to petition the government to change their genders or names

in official records. The law's authors argued that one's biological sex can't be changed, and that it was therefore necessary to apply the same rules in public registries.

Critics say the law contradicts earlier decisions by both the European Court of Human Rights and Hungary's Constitutional Court, and that it would increase discrimination against transgender people and force them to reveal themselves as such when presenting official documents.

Prior to its passage, 63 members of the European Parliament sent a letter to Hungarian officials asking them to revoke the bill, and rights group Amnesty International said it brought Hungary “back to the dark ages.” Numerous other individuals and organizations — including several commissioners of the United Nations, the human rights commissioners of France, the Netherlands and Germany, and a resolution by the European Parliament — condemned the legislation.

In an email to The Associated Press, communications officer for Hatter Society Luca Dudits said

the Miskolc court's decision “reflects what we have been saying and repeating since the very proposal of the bill: that it is unconstitutional and goes against domestic and international human rights standards.”

The law on transgender recognition is part of a broader effort by Hungary's right-wing government to stifle what it calls “gender ideology,” and to preserve what it considers the country's status as a traditional Christian society.

Same-sex marriage was constitutionally banned in Hungary in 2012, but civil partnerships are recognized. However, a legal proposal submitted on Nov. 10 by Justice Minister Judit Varga states that only married couples may adopt children, effectively barring same-sex couples from doing so.

Varga also proposed a constitutional amendment that would change the constitutional definition of families to exclude transgender and LGBTQ individuals. The proposed amendment defines the basis of the family as “marriage and the parent-child relationship,” and states that “the mother is a woman and the father

is a man.”

The amendment also declares that the Hungarian state “protects children's right to the gender identity they were born with and ensures their upbringing based on our national self-identification and Christian culture.”

Earlier steps taken by Prime Minister Viktor Orbán's Fidesz party point to an adversarial approach to LGBTQ issues, such as a 2018 ban on gender studies programs in Hungarian universities. In justifying the decision, deputy prime minister Zsolt Semjen said the discipline had no place in academia since gender studies “is an ideology, not a science.”

Hungary has also refused to ratify the Istanbul Convention, a European treaty on preventing and combating violence against women and domestic violence, saying it represents an “attack on the traditional family model.”

“(The convention) tries to implant a gender philosophy, which we will never accept,” Fidesz vice-chair Szilard Nemeth said in 2017.

The speaker of Hungary's par-

liament, Laszlo Kover, has compared same-sex adoption to pedophilia, and in October, Orbán equated homosexuality with child abuse when he spoke out against a Hungarian children's book that took an inclusive approach to LGBTQ issues.

“There are laws in Hungary which concern homosexuality. Hungarians are patient and tolerant of this phenomenon, and we tolerate provocation as well,” Orbán said in an interview with public radio station Kossuth Radio. “But there is a red line which cannot be crossed. Leave our children alone!”

Dudits, of Hatter Society, said the organization is pleased with the Miskolc court's decision, but that questions over the independence of the Constitutional Court could mean the law will remain in force and that the wave of similar measures would continue.

“Recently, we have seen a number of regulations that affect the LGBTQ community, and we believe that this is their way of scapegoating the community to reap votes in the upcoming election,” Dudits said.

Upcoming Events

'Solo Practice Boot Camp' webcast presented by PLI December 1

The Practising Law Institute (PLI) will present “Solo Practice Boot Camp: Best Practices from Legal Incubator Programs to Help You Launch Your Own Practice” as a live webcast on Tuesday, December 1.

Incubators train and support lawyers to set up practices that charge affordable rates to otherwise underserved clients. This boot camp will benefit all lawyers that want to create sustainable practices serving clients of modest means.

The boot camp is designed for law students, new graduates, lawyers participating in incubator programs, lawyers or students interested in developing a solo practice. This program is specifically tailored to benefit individuals serving a modest-means population, but the program information will benefit all lawyers and law students interested in starting their own practice.

Course materials will be available to attendees prior to the start of the program. Cost for the boot camp is \$199. To register or for additional information, visit www.pli.edu and click on “programs.”

Prosecuting Attorneys Association of Michigan to present 'Crash to Courtroom' training December 1-2

The Prosecuting Attorneys Association of Michigan will present the virtual “Lethal Weapon 2: Crash to Courtroom” training on Tuesday and Wednesday, December 1-2, via Zoom.

This two-day course focuses on increasing the ability of Michigan prosecutors and crash reconstruction officers to communicate effectively and confidently in the courtroom. The course includes mock court exercises with actual jurors using a crash case scenario. Presenter Professor John Kwasnoski has reconstructed over a thousand crashes and has testified in numerous cases of national significance.

There is no fee to attend this event. Registration is limited to 30 attendees (15 prosecutors and 15 police officers) and is online only. Deadline to register is Tuesday, November 24. To register, visit www.michiganprosecutor.org and click on “training.”

For questions, contact Amy Gronowski at gronowskia@michigan.gov or 517-643-2114.

'Michigan Estate Planning Essentials' offered online by NBI December 1

The National Business Institute will present the live online seminar “Michigan Estate Planning Essentials: Wills, Trusts, Powers of Attorney and Medicaid Planning 101” on Tuesday, December 1, from 10 a.m. to noon.

Individuals without a plan in place for incapacity, death, or nursing home care will often see their wishes unfulfilled and their assets at the mercy of creditors. You have the power to prevent this. This program will show when and how to use different estate planning tools to accomplish clients' goals.

Speaking at the seminar will be Gregory C. Hamilton, a shareholder with Hamilton and Associates PLLC where he focuses in the areas of estate planning, asset protection, and business succession planning. Hamilton earned his B.S. degree from Michigan State University; his M.S. degree from Wayne State University; and his law degree from Detroit College of Law. He is a member of the State Bar of Michigan (Real Property and Trust Section) and the National Network of Estate Planning Attorneys, where he lectures on issues of estate planning. Hamilton is a member of the National Association of Christian Financial Consultants.

Cost for the live online seminar is \$249 which includes the course book. To register, call 1-800-930-6182 or visit www.nbi-sems.com.

Program to discuss 'What Administrative Law Judges Wish Practitioners Knew' December 2

The State Bar of Michigan's Administrative and Regulatory Law Section and the Young Lawyers Section will be hosting “What Administrative Law Judges Wish Practition-

ers Knew: A Zoom Event with the Michigan Office of Administrative Hearings and Rules” on Wednesday, December 2, from noon to 1 p.m.

The purpose of the event is to provide practitioners the opportunity to hear insight from administrative law judges from the Michigan Office of Administrative Hearings and Rules (MOAHR) and gain insight from the ALJs about how to best present administrative cases. The event will also seek to address some of the particular aspects of presenting cases virtually during the COVID-19 season. MOAHR Director Suzanne Sonneborn will give a few opening remarks.

There is no cost to attend to attend the Zoom event. To register, visit <https://connect.michbar.org/adminlaw/home> and click on “events.” For additional information about the event, contact Dustin Kamerman at 517-391-0580 or dustink1013@gmail.com.

Women's Bar Association hosts online Happy Hour December 2

The Women's Bar Association (Oakland County region of the Women Lawyers Association of Michigan) will host an online Happy Hour on Wednesday, December 2, beginning at 6 p.m. via Zoom.

All WBA members and prospective members are invited to attend. Zoom instructions will be sent upon submitting registration. To register, visit www.womenlawyers.org and click on “events.”

'Preparing Michigan Wills & Trusts' seminar offered online by NBI December 2

The National Business Institute will present the live online seminar “Preparing Michigan Wills & Trusts: Draft Better Estate Planning Documents” on Wednesday, December 2, from 10 a.m. to noon.

This seminar will help build drafting skills with a practical review and discussion of sample will and trust language.

Speaking at the seminar will be Diane Kuhn Huff, an owner with Anderson & Huff PLC where she practices in the area of estate planning, trust administration, probate, elder law, and disability trusts. Huff is a certified elder law attorney with the National Elder Law Foundation. She also has worked in the trust department of a bank working on administering estates and trusts. Huff is a member of the State Bar of Michigan (Probate and Estate Planning Section and Elder Law and Disability Rights Section), Estate Planning Council of the Grand Traverse Area, and the National Association of Elder Law Attorneys (NAELA). Huff earned her B.S. degree from Michigan State University and her law degree from Western Michigan University Cooley Law School.

Cost for the live online seminar is \$249 which includes the course book. To register, call 1-800-930-6182 or visit www.nbi-sems.com.

Virtual Lunch & Learn to look at 'Trends in Employer Provided Health Insurance' December 3

The Employee Benefits Committee of the State Bar of Michigan's Taxation Section will present “Virtual Lunch & Learn: Trends in Employer Provided Health Insurance.”

The online program will take place via Zoom on Thursday, December 3, from noon to 1 p.m. and feature Teresa Rogell of HUB International.

There is no cost to attend and lunch will be provided. To register, email Lena Gionnette at lgionnette@nixon-peabody.com. Registrants will receive an electronic gift card the morning of the event to order lunch delivery.

State Bar section hosting Party'n With Plants December 3

The State Bar of Michigan Paralegal/Legal Assistant Section will host a virtual happy hour and craft event — Party'n With Plants — on Thursday, December 3, from 6 to 7:30 p.m. Guests will plant, socialize, and create a fun succulent garden with a kit from Party'n With Plants.

Party'n With Plants offers succulent terrariums, fairy gardens and zen garden craft kits and is one of the only companies that ships a complete kit which includes the

dirt, gravel, and a real plant. Anyone without a green thumb need not worry since they only use hens and chicks succulents which are low maintenance and hard to kill (they only need to be watered once a month). Party'n With Plants was founded in 2016 in rural Sharon Township, Ohio by Nicole Pearch. Party'n With Plants is mainly found on Etsy where Pearch and her team have shipped out more than 30,000 Garden Kits all over the world. Pearch will walk guests through our projects, answering any questions from those of us who may be “crafted challenged.”

Guests can grab their favorite beverage and order their succulent garden kit from Party'n With Plants at etsy.com/shop/partynwithplants (enter SBM in special instructions field). To register, email sbmparalegal@gmail.com in order to receive the Zoom link.

Next 'Bar Night In' event to feature Drag Queen Bingo December 3

The Oakland County Bar Association will host “Bar Night In: Drag Queen Bingo” on Thursday, December 3, from 7 to 8 p.m. online via Zoom.

This new evening series features a different virtual adventure each month. This month's event will feature virtual Drag Queen Bingo hosted by Five15 in Royal Oak. The approximately 60-minute show will include one of Five15's spectacular entertainers, prizes, game boards, and lots of laughs.

The BYOB event costs \$25 for OCBA members and \$35 for non-members.

Details on how to join the Zoom event will be distributed in a separate email to those who pre-registered one to two days prior to the event. Anyone who does not get that information emailed and is interested in participating can contact the OCBA at 248-334-3400. Space is limited. To register, visit www.ocba.org and click on “events.”

Michigan attorneys invited to training on unconscious decision-making December 4

The State Bar of Michigan's Diversity and Inclusion Advisory Committee is inviting all Michigan attorneys to attend a virtual three-part training series on unconscious decision-making with Kimberly Papillon, an internationally renowned judicial professor and lecturer on neuroscience and fair decision-making in law, medicine, education, and business. The series is being offered free of charge thanks to co-sponsorship by General Motors Legal Staff.

In her series on the neuroscience of decision-making in the justice system, Papillon explores how brain imaging and decision-making studies can explain how we determine intelligence, veracity, threat, and competence. With this understanding, participants can work to identify ways to ensure sound decision-making and fairness guided by science. SBM has organized a previous well-received session for lawyers, judges, bar leaders, and staff, and on the basis of the enthusiastic reviews, is pleased to be offering these sessions to a wider audience.

The training will take place via Zoom with:

- Part One: Friday, December 4 at noon. This introductory session is designed for anyone who hasn't already participated in one of Papillon's lectures.

- Part Two: Friday, December 11 at noon. This session will dive deeper into the implications of neuroscience, psychology, and implicit association in decision-making. Whether you attended Part One in our series, or through your employer, you are welcome to attend.

- Part Three: Friday, December 18 at noon. The final session will focus on moving forward and working toward solutions to the problems identified in Parts One and Two.

To register, visit www.surveymonkey.com/r/SBMtrainingunconscious.

To include your event in “Mark the Date,” send information to bcox@legalnews.com



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