



MESSAGE FROM THE DIRECTOR OF DIVERSITY

Welcome to the latest issue of *Spectrum*, highlighting our efforts to advance diversity in Ballard

Virginia G. Essandoh Spahr and the legal profession.

The first half of 2010 has been busy. We formalized our Flexible Work Arrangement Policy for lawyers and participated in programs that encourage diverse students to pursue law, including awarding a scholarship to a graduating high school senior interested in a law career. I'm also pleased to say that three of our seven new partners are women, including one woman of color.

We are first in diversity among partners in a Philadelphia law office, according to *The American Lawyer's* annual Diversity Scorecard of the 200 largest law firms nationwide. Increasingly, we hear from clients that they've noticed how diverse we are at Ballard Spahr. We value and appreciate our clients' expectations of us in this area and look for opportunities to partner with them in advancing diversity. One client we regularly partner with is Exelon, so we are opening this issue of *Spectrum* with a Q&A with Anthony E. Gay, Associate General Counsel for Exelon BSC Legal.

- Virginia G. Essandoh, Director of Diversity

**SPOTLIGHT:
THE IMPORTANCE OF DIVERSITY TO OUR
CLIENT EXELON**

**Q&A with Anthony E. Gay, Associate General
Counsel for Exelon BSC Legal**

Q: What are some diversity initiatives in Exelon's legal department?

A: Exelon's Diversity Goals include:

- Increasing spend with diverse attorneys at Preferred Provider firms and Minority and Women-owned Business Enterprises (MWBES) over 2009 levels
- Encouraging employee participation in diversity and inclusion events

Initiatives to achieve these goals include:

- An active Diversity Committee, composed of employees at all levels of the department, which sets goals and initiatives for the year.
- Billing data is analyzed and shared with Exelon attorneys and is also provided to each firm on an annual basis. This is crucial as Exelon attorneys are encouraged to consider diverse staffing on all matters sent to outside counsel.
- A Diversity Honor Roll (tier rankings of our preferred law firms with respect to their use of diverse employees working on Exelon matters) is named annually.
- We conduct a Legal Department Employee Diversity Survey to gather input on how Legal can improve its diversity and inclusion efforts.
- We sponsor Diversity Topics at "All Hands" meetings. The most recent example is a stereotyping exercise.
- We launched a Legal Diversity Committee Newsletter for our Department.
- The Legal Department encourages its employees to participate in company-wide diversity events.

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Q: Why does Exelon request that its law firms provide diversity information?

A: Exelon’s corporate culture is one that values diversity and inclusion. Exelon Legal has developed the following three goals to further the company’s commitment:

- To attract, develop, and retain key talent that reflects the realities of the marketplace, our communities, and the relevant labor market
- To create a culture of inclusion through consistent and sustained execution of the Exelon “Diversity & Inclusion” strategy, including progress measurement and accountability for results
- To achieve a diverse range of contract suppliers, vendors, and service providers

Although Exelon Legal had a longstanding commitment to diversity in the legal profession, in early 2005, it took steps to enhance and formalize its diversity efforts. It advised all law firms serving as its preferred providers that they would be required to identify the ethnic/racial status (as a minority or nonminority) and gender (male or female) of each professional timekeeper working on Exelon matters.

This program—known as the AAA Diversity Program (Awareness, Action and Assessment)—focuses not only on the use of MWBE firms but also on utilization of diverse lawyers in majority-owned law firms who work on Exelon matters (not just diversity among lawyers within the firm generally). In this regard, the program requires firms to focus on the inclusion of women and attorneys of color in the staffing of Exelon’s outside legal work. Under the program, Exelon Legal also reports its internal diversity efforts to its preferred provider law firms. The program was, and continues to be, a best-practice diversity program for large corporate law departments.

Q: What have you learned from the data?

A: That our Preferred Providers are happy to partner with us in this important area, and that it is important to discuss diversity when staffing each and every matter. When our legal team most closely mirrors the communities Exelon serves, we all benefit.

Q: How is Exelon holding law firms accountable for diversity?

A: To ensure that firms understand the importance that

Exelon Legal places on having talented diverse professionals on its matters, Exelon Legal announces an Honor Roll for both racial/ethnic diversity and for gender diversity each year. Internally, Exelon uses the firm’s numeric profiles and institutional commitment to diversity to make decisions regarding the level of work assigned to each firm.

Q: How is Ballard Spahr doing in terms of diversity on Exelon matters?

A: Ballard is doing very well. For 2009, 16 percent of Exelon’s spend with Ballard was for work performed by attorneys of color, and 29 percent was for work performed by female attorneys, which places Ballard in Tier 1 for both categories.

Q: What does progress look like in terms of diversity?

A: Quite simply, the percentage of Exelon work handled by women and people of color at our outside firms (partners, associates, and legal support staff) will increase and our in-house staffing will continue to be diverse and inclusive.

DIVERSE TEAM CLOSSES SUBSTANTIAL NMTC DEAL

A diverse team of Ballard Spahr lawyers closed the largest and most complicated New Markets Tax Credit (NMTC) transaction ever handled by the firm, as counsel to Manufacturers and Traders Trust Company (M&T Bank), the senior leveraged lender. The NMTC program is designed to promote private investment in low-income communities.



Stephanie L. Franklin-Suber

Dominic J. De Simone

Mark J. Maichel



Mary Croft

John S. Rollings

Muhammad At-Tauhidi

Stephanie L. Franklin-Suber, Dominic J. De Simone, Mark J. Maichel, Mary Croft, John S. Rollings, and Muhammad At-Tauhidi worked on the leveraged transaction, which financed construction of a multistory, mixed-use facility in Pittsburgh.

BALLARD SPAHR CO-HOSTS THE 'FABULOUS WOMEN OF FINANCE'

In Los Angeles, we co-hosted a networking event with Wells Fargo. The "Fabulous Women of Finance" is an informal organization formed to foster relationships among women bankers, and those in private equity and hedge funds and other financial services. The highlight of the evening was a panel discussion featuring the founder of one of only two women-owned mezzanine funds in the United States and two senior bankers.

The speakers addressed how the role of women in banking has changed over the past 30 years, the challenges facing women in the profession, and how cultural mores learned as part of a traditional Latina upbringing challenge the reality of today's primarily Anglo-Saxon banking environment.

DIVERSITY LEADERSHIP

Many Ballard Spahr attorneys serve in leadership positions that advance diversity within the legal profession and their communities. A list of recent activities follows.

- **Adiah I. Ferron, Patrick R. Gillard, Mary Gay Scanlon, and Kia Holifield Wimmer**, all of the Philadelphia office, prepared living wills and health care directives at a legal clinic organized by Exelon for seniors at a Hispanic community center in North Philadelphia.



Adiah I. Ferron

Patrick R. Gillard



Mary Gay Scanlon

Kia Holifield Wimmer

- Ballard Spahr lawyers and paralegals, led by **Denise M. Keyser** of the New Jersey office, logged more than 100 hours this spring helping to research and draft an amicus brief in *Lewis v. Harris* for the New Jersey Bar. The brief, in support of the Lambda Legal Defense and Education Fund, concerned the inadequacy of civil unions as an alternative to gay marriage.



Denise M. Keyser

- The Pennsylvania Bar Commission on Women in the Profession recognized retired Philadelphia partner **Lila G. Roomberg** with the Lifetime Achievement Award and **Lynn E. Rzonca**, managing partner of the Philadelphia office, with the 2010 Lynette Norton Award.



Lila G. Roomberg Lynn E. Rzonca

- **Lee A. Storey**, of the Phoenix office, joined the Advisory Board of Stanford University's Center for Comparative Studies in Race and Ethnicity.



Lee A. Storey

- **Mitzie V. Smith-Mack**, of the Washington, D.C., office, was elected to the Board of Directors of the Housing and Development Law Institute.



Mitzie V. Smith-Mack

- The Philadelphia office hosted students from the University of Pennsylvania's Summer Mentorship Program for diverse high school students interested in law. **Adiah I. Ferron, Thomas D. Rethage, and Ronald M. Varnum** were presenters.



Adiah I. Ferron

Thomas D. Rethage



Ronald M. Varnum

- Three diverse attorneys were named "Leaders in Their Fields" in the 2010 edition of *Chambers USA: America's Leading Lawyers for Business*: **Tobey M. Daluz** (bankruptcy/restructuring), **Robert C. Kim** (corporate/commercial law), and **Lee A. Storey** (environmental/water rights law).



Tobey M. Daluz

Robert C. Kim



Lee A. Storey

- **Roger D. Winston**, Chair of the ABA's Section of Real Property, Trust and Estate Law, implemented several goals set forth in the May 2009 Diversity Plan, including creation of the Diversity Speaker Database.



Roger D. Winston

- **Ballard Spahr** was named a top 100 law firm for diversity and women by *MultiCultural Law* magazine.
- **Ballard Spahr** earned a 100 percent rating in the 2010 edition of the Human Rights Campaign Foundation's *Corporate Equality Index*. The perfect rating recognizes the firm's benefits and protections for lesbian, gay, bisexual, and transgender employees and their families.

EVENTS AND SPONSORSHIPS

Ballard Spahr supported the following events from January 2010 through July 2010:

January 2010

Martin Luther King Jr. Day of Service



The Ballard Spahr team made sure that many Atlantans had something to eat on MLK Day through meal delivery for Project Open Hand.



The Los Angeles office collected toiletries for Beyond Shelter. The emergency shelter offers programs to help families get back on their feet.



The Salt Lake City office participated in MLK Day blanket-making and book-share projects. Eighteen large and six small blankets were made, and 10 large bags of clothing were collected.

Barristers' Association of Philadelphia Annual Memorial Breakfast

Atlanta Bar Association Women in the Profession Panel

University of Pennsylvania Latin American Law Students Association Conference

University of Pennsylvania Asian Pacific American Law Students Association Ninth Annual Conference

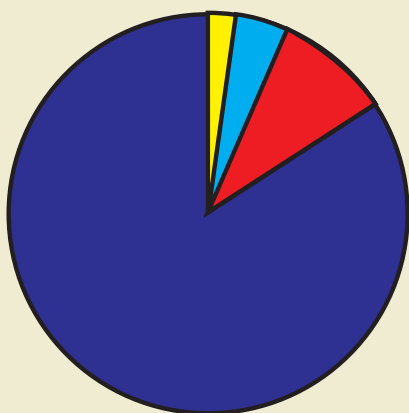
Colorado Campaign for Inclusive Excellence Rocky Mountain Legal Diversity Summit

Facts & Figures

Fortune 500 Women General Counsel

By Race/Ethnicity*	No.	%
Asian American/Pacific Islander	2	2.1
Hispanic	3	3.2
African American	7	7.5
Caucasion	82	87.2
Total	94	100

*Percentage of Fortune 500 companies with women general counsel



- Asian American/Pacific Islander
- African American
- Hispanic
- Caucasion

Source: July/August 2010, *Diversity & The Bar*

February 2010

Constitution High Job-Shadowing at Ballard Spahr

March 2010

United Way Women's Initiative Girls Today, Leaders Tomorrow Gala

April 2010

Women's Way Annual Gala

2010 La Justicia Event



On April 14, the Hispanic Bar Association of Pennsylvania presented the Ninth Annual La Justicia Award to the Honorable L. Felipe Restrepo, U.S. Magistrate Judge for the U.S. District Court for the Eastern District of Pennsylvania. Marlene S. Gomez (far right) of the Philadelphia office, secretary of the organization, co-chaired the event.

May 2010

Exelon Senior Law Clinic



Adiah I. Ferron, Patrick R. Gillard, Mary Gay Scanlon, and Kia Holifield Wimmer, all of the Philadelphia office, prepared living wills and health care directives at a legal clinic organized by Exelon for seniors at a Hispanic community center in North Philadelphia.

Barristers' Association of Philadelphia Annual Awards and Scholarship Gala

National Bar Association Regional Dr. Martin Luther King, Jr., Oral Advocacy Competition

Equality Forum's International Equality Dinner



Dee Spagnuolo (left) and Geoffrey D. Bruen (right), of the Philadelphia office, with David Boies, Chairman of Boies, Schiller & Flexner LLP, at the Equality Forum's International Equality Dinner at the National Constitution Center in Philadelphia.

June 2010

Asian American Pacific Bar Association of New Jersey Regional Conference

National Bar Association, Women Lawyers Division 29th Annual Scholarship Luncheon

North American South Asian Bar Association Annual Convention

July 2010

Atlanta Bar Association Women in the Profession

University of Pennsylvania Summer Mentorship Program for High School Students Interested in Law



Teenagers and their professor Jane Zenzi Li visited Ballard Spahr's Philadelphia office to hear about various practice areas as part of the University of Pennsylvania 2010 Summer Mentorship Program for High School Students.

IN THE PIPELINE

Constitution High. Ballard Spahr awarded its first Diversity = Excellence Scholarship to **Christiana Sanders**, a member of the first graduating class of Constitution High School for American Studies. The \$2,500 award was presented at the graduation, held June 16 at the National Constitution Center.

The scholarship was created to defray college costs for students whose background and experience would increase diversity in the legal profession. Academic achievement, leadership in the community or school or extracurricular activities, and acceptance by an accredited college or university are scholarship requirements.

Ms. Sanders, who aims to be an entertainment lawyer, is among 77 students in the inaugural class at the school, created through a partnership among the Constitution Center, the Gilder-Lehrman Institute of American History, and Ballard Spahr. The firm provides mentoring, job shadowing, mock-trial team coaches, and other support.

Charles Hamilton Houston Scholars. Members of the inaugural class of the University of Baltimore School of Law's Charles Hamilton Houston Scholars Program visited Ballard Spahr's Baltimore office on June 15. The six-week program seeks to educate minority college students about legal careers.

The 17 students met with attorneys for small-group discussions about the firm's work and attorneys' practices. At a luncheon, Baltimore office Managing Partner **Raymond G. Truitt** and Director of Diversity **Virginia G. Essandoh** offered guidance on achieving academic success to prepare for law school and legal careers. Baltimore office attorney **Norman E. Parker, Jr.**, coordinated the daylong experience at Ballard Spahr.

Thanks to the following lawyers and staff who contributed time as participants, speakers, and event organizers:

Cecilia M. Andrews	Morton P. Fisher, Jr.	Charles S. Hirsch	William H. Needle	Gina M. Smith
Geoffrey D. Bruen	Winston T. Folmar	Leslie E. John	Emilie R. Ninan	Mitzie V. Smith-Mack
Lucretia C. Clemons	Patrick R. Gillard	Justin P. Klein	Norman E. Parker, Jr.	Dee Spagnuolo
Tobey M. Daluz	Marlene S. Gomez	John B. Langel	Mark Pollak	Roger P. Thomasch
Monique Y. DeLapenha	Anuj Goswami	Amy M. McClain	Thomas D. Rethage	Raymond G. Truitt
Virginia G. Essandoh	Teri M. Guarnaccia	Tejal K. Mehta	Mary Gay Scanlon	Cynthia Utz
Adiah I. Ferron	Isaac P. Hernandez	Charles R. Moran	Michael W. Skojec	Ronald M. Varnum

A special thanks to the more than 40 lawyers and staff who participate as mentors in our pipeline programs.

Ballard Spahr Diversity Committee Members

If you have any diversity-related inquiries, please contact any of the following Diversity Committee members:

Name	Office	Phone Number
Tobey M. Daluz	Wilmington	302.252.4440
Leslie E. John	Philadelphia	215.864.8212
Virginia G. Essandoh	Philadelphia	215.864.8192
Valarie J. Allen	Philadelphia	215.864.8565
Cecilia M. Andrews	Atlanta	678.420.9324
Barbara Bagnasacco	Salt Lake City	801.517.6831
Bonnie Bell	Philadelphia	215.864.8163
Barbara A. Casey	New Jersey	856.761.3430
Lucretia C. Clemons	Philadelphia	215.864.8137
Jenelle M. Dennis	Bethesda	301.664.6205
John T. DiBattista	Philadelphia	215.864.8313
Kenya Mann Faulkner	Philadelphia	215.864.8121
Stephanie L. Franklin-Suber	Philadelphia	215.864.8203
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Geoffrey A. Kahn	Philadelphia	215.864.8219
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Justin P. Klein	Philadelphia	215.864.8606
Laura E. Krabill	Philadelphia	215.864.8848
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Mary Gay Scanlon	Philadelphia	215.864.8912
Paul W. Scott	Denver	303.299.7370
Mitzie V. Smith-Mack	Washington	202.661.7626
Mark S. Stewart	Philadelphia	215.864.8225
Lee A. Storey	Phoenix	602.798.5443
Lydia W. Wu	Los Angeles	424.204.4321

For more information on the diversity program at Ballard Spahr, please visit our Web site at www.ballardspahr.com/diversity.