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HIPLA Board Meeting Minutes  
December 20, 2010

In Attendance:

Al Riddle  
Anthony Matheny  
Michael Locklar  
Joe Beauchamp  
Howard Speight  
Carey Jordan  
Jennifer Carnahan  
Stephen Koch  
Elizabeth King  
Ted Ro  
Charles Walker  
Georgianna Braden

1. Approval of Minutes of Previous Meeting

Al Riddle called the meeting to order. Steve Koch moved, with Georgianna Braden seconding, approval of the minutes for the November meeting. All approved.

2. Treasurer's Report

Joe Beauchamp reported that as of the end of November 2010, the HIPLA account had a balance of approximately \$203,527. Most but not all Institute expenses are have been accounted for.

Joe also reviewed the budget plan for 2010 and the outlook relative to that plan. A discussion was held regarding whether the intent was to always plan on the maximum number of scholarships each year for each school (three per school per year, \$3k each) and the consensus was that under the organization's present budget outlook that plan would continue if qualified students were available. A discussion was also held on the losses being observed on the monthly lunches, but it was agreed that part of the annual loss was due to last March's income showing up on the prior year budget, with the expenses on this year's budget. The consensus was that the lunch program should continue.

Joe was also asked to look back over the last several years to assess the trend, if one is present, on the bank account

average level. There was some belief that it has been going up, on average, but the evidence one way or another is not clear.

### 3. Old Business

#### *- Scholarships*

Bryan Adams reported on the scholarship nominees, which he has worked on with Billy Allen. A total of ~25 applicants submitted applications from all three schools. A discussion was held on the qualifications that HIPLA wanted to see in the nominees. It was generally agreed that those candidates who rise to the top based on academic qualifications, or a combination of academic qualifications and need, are what HIPLA wants to see. Past recipients have all been strong performers. It was noted that U. of H. may give HIPLA more deference in the future in making the final selection of students who are to receive the scholarships. The slate of nominees for this year's awards were moved by Anthony, seconded by Carey, and approved by all. The process for notifications will be for Bryan to notify the schools, the schools will notify the students, and all students will receive a Judge's Dinner invitation from Anthony.

#### *- Membership*

Al Riddle will follow-up on membership details but it was noted that at this stage of the year the only remaining regular opportunity for new members to join revolves around the Judge's Dinner Invitation and attendance process. Nevertheless a membership reminder will be sent to lapsed members. The email will indicate there is no pro-rated membership. Anthony will allow for memberships to be paid via Federal Judges dinner registration.

#### *- Fall Institute*

Joe Beauchamp will be the coordinator for the 2011 Institute.

#### *- Luncheons*

The holiday luncheon at Brennan's was judged to be a success. Lunch planning for the New Year is ongoing. A fifty year anniversary luncheon may be planned for April.

#### *Judge's Dinner*

Preparation for the Judge's Dinner is on-track. It was agreed that Southern and Eastern Districts will be invited, as well as Southern District magistrates and Southern District Bankruptcy Judges. The first contact will be by telephone.

*- By-Laws Update*

A discussion was held regarding the information Steve and Al learned about whether other IP organizations allow paralegals to be members. After discussion, it was agreed that HIPLA's existing practice of requiring members to be attorneys will be continued, but words will be added to announcements that paralegals are welcome to attend as guests. There will also be some reachout in the way of possibly having HIPLA members attend or present at paralegal group luncheons. A further red-line of the bylaws will be discussed.

4. New Business

*- Agent for HIPLA*

It was agreed that an amendment to the bylaws would be proposed such that the incoming Vice-President would, every four years, be named as the agent for HIPLA. Mike Locklar will therefore become HIPLA's new agent; Al will notify Steve Spears.

*- 50<sup>th</sup> Anniversary*

A discussion was held on the possibility of having past presidents, particularly the long past presidents, interviewed on camera on the changes in the IP business over the course of the history of the organization. Possible interviewers include Greg Vetter, perhaps with an introduction by Paul Janicke. Al will contact 3D and perhaps others to help cover costs. Al will also contact Greg and Paul.

*- Amicus Brief*

The board approved the drafting of an amicus brief on the Microsoft-i4i Supreme Court case. The agreement was that HIPLA would not explicitly take one party's side over the other, but rather would focus on the aspect of previous case law that allows for the presumption of validity to be more easily overcome and supporting the continuation of the clear and convincing evidence standard. The committee will be requested not to focus on the additional complications and judicial efficiency that might be impacted with different or reduced standards.

5. Next Board Meeting Date

The next Board meetings will be January 18, February 15, and March 8.

6. Adjournment

Charles Walker moved for adjournment and Steve Koch seconded. All approved and the meeting adjourned.

Respectfully submitted,

Howard L. Speight, Secretary