

*PeTA: Schumacher Furs***FOR PROFESSIONAL SERVICES RENDERED:****FEES:**

<u>Date</u>	<u>Atty.</u>	<u>Description</u>	<u>Time</u>	<u>Amount</u>
4/24/07	PJH	Download; review; notes re: defense; research counsel	1.0	350.00
4/25/07	PJH	T/C Kerr; outline pleadings; research law firms in California and Oregon	1.0	350.00
5/01/07	PJH	Kerr re: counsel; review California lawyers	.5	175.00
5/03/07	PJH	T/Cs Kerr and Robson; emails; pleadings	1.0	350.00
5/04/07	PJH	Emails; review documents	.5	175.00
5/07/07	PJH	Emails; T/Cs office	.2	70.00
5/08/07	PJH	Emails; edits to letters; T/Cs Robson; review pleadings	.8	280.00
5/14/07	PJH	Emails Robson; review injunction opposition	.4	140.00
5/15/07	PJH	Review SLAPP motion; emails Robson	.4	140.00
5/17/07	PJH	T/C Kerr; review pleadings	.2	70.00
5/22/07	PJH	T/C Robson; email Kerr; review preliminary injunction	.4	140.00
5/24/07	PJH	Email from Robson	.1	35.00
5/29/07	PJH	Review opposition; T/C Robson	.5	175.00
6/06/07	PJH	T/Cs Kerr; revise affidavits; review pleadings; emails	1.3	455.00
6/07/07	PJH	Review draft affidavits; T/C Kerr and Robson re: affidavits; emails	1.0	350.00
6/08/07	PJH	Review drafts of affidavit; T/C Robson,; T/C Kerr; review brief and T/C Robson re: same	1.5	525.00
6/11/07	PJH	T/C Kerr; review final filing	.4	140.00
6/18/07	PJH	T/C Kerr; emails Robson	.2	70.00

HIRSCHKOP & ASSOCIATES, P.C.

STATEMENT OF ACCOUNT

PeTA: Schumacher Furs

6/19/07	PJH	Emails Richelieu and Robson	.2	70.00
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TOTAL FEES: \$ 4,060.00

PHILIP J. HIRSCHKOP
Hirschkop & Associates, P.C.
908 King Street, Suite 200
Alexandria, Virginia 22314

Born: May 14, 1936

EDUCATION:

Hightstown High School, New Jersey, 1954
Columbia College, New York, A.B., 1960
Columbia University, Engineering School, B.S., Mechanical Engineering, 1961
Georgetown University Law Center, J.D., 1964

HONORS:

College Class President, Engineering School
Phi Delta Phi Fraternity
Georgetown Law Journal
Who's Who in American Law
Virginia Trial Lawyers Association Distinguished Service Award, 1999
Southern Trial Lawyers Association, "War Horse Award", 2000, "For extraordinary contribution to the trial bar of the nation"
Various Awards

MILITARY SERVICE:

77 Special Forces-Airborne (Green Beret, 1954-56; Honorable Discharge)

EMPLOYMENT:

United States Patent Office, 1961-63
Congressman Richard Ichord, 1964
Adjunct Professor of Law (Constitutional Litigation), Georgetown University Law Center, 1969-1975
Professorial Lecturer teaching Animal Rights Law, George Washington University Law School, Fall 2001
Attorney, private practice, 1964-present

BAR ADMISSIONS:

See Attached

ORGANIZATIONS (Past and Present):

Fellow, Virginia Law Foundation (1992-Present) (Limited to 1% of Virginia State Bar membership)
Virginia State Bar Council (Governing body of Virginia Bar) 6 years
Chairman and Member, Eighth District Committee, Virginia State Bar
General Counsel, People for the Ethical Treatment of Animals

Founder, National Prison Project
Chairman, Steering Committee, National Prison Project
Board of Directors, National Center on Institutions and Alternatives
National Board of Directors, American Civil Liberties Union (20 years)
National Executive Committee, American Civil Liberties Union
Chairman, American Civil Liberties Union of Virginia
Board of Directors, Trial Lawyers for Public Justice
Founder, Law Students Civil Rights Research Council
Board of Directors, Alexandria (VA) Bar Foundation, 1990-Present
Board of Directors, Lawyers Constitutional Defense Committee
Counsel to Southern Student Organizing Committee
Counsel to Action Coordinating Committee to End Segregation in the Suburbs (ACCESS)
Legal Consultant to National Education Association
Legal Consultant to Office of Economic Opportunity
Board of Advisors, Law Center for Constitutional Rights
Executive Director, Penal Reform Institute
Chairman, Committee on Federal Court Admissions Standards, Virginia State Bar
Member, Committee to Study the Code of Professional Responsibility, Virginia State Bar
Member, Special Committee on Lawyer Discipline, Virginia State Bar
Vice President, National Committee Against Repressive Legislation (NCARL)
American Trial Lawyers Association
State Committeeman, American Trial Lawyers Association
Virginia Trial Lawyers Association
District of Columbia Bar Association
National Association of Criminal Defense Lawyers
American Bar Association
Counsel, Humane Society of Fairfax County (VA)
National Organization for Reform of Marijuana Laws
Counsel to most major organizations protesting the war in Vietnam - including the
Mobilization, Mayday Collective, NCPC, Women's Strike for Peace; etc.

ARTICLES PUBLISHED:

Virginia Law Review, Vol. 55, June 1969, p. 795, "The Unconstitutionality of Prison Life"
Flicker, The Campus Crisis, the Role of the Faculty in Campus Crisis, Chapter 7
The Rights of Americans, "The Rights of Prisoners" (N. Dorsen, Ed. 1971)
Prisoners' Rights, "How to Litigate a Prisoners' Rights Case" (Half and Herman, Ed. 1972)
Section 1983 Litigation: Plaintiff's View, University of Richmond Law Review, p. 785 (1977)

SPEAKING:

Faculty on National PLI Seminars and State Continuing Legal Education Seminars
Numerous Speeches and Lectures to Churches, Social Action Groups, Business
Groups, and Bar Association Seminars and Meetings

CASES OF BROAD INTEREST:

Loving v. Virginia (unanimous U.S. Supreme Court opinion voiding all mixed marriage (miscegenation) laws in the United States; this was also a major constitutional case setting a standard for review of discrimination laws)

Kirstein v. University of Virginia (federal case voiding discrimination against women for admission to the University of Virginia and most other major universities and colleges in the Commonwealth of Virginia; one of the first cases on the rights of women in higher education)

Cohen v. Chesterfield County (unanimous opinion in the U.S. Supreme Court which abolished teacher maternity leave policies as illegal sex discrimination; affected every municipal, county, state, etc. school system across the United States protecting the rights of hundreds of thousands of female teachers)

Johnson v. Branch (an *en banc* decision of the Fourth Circuit establishing new rights for teachers engaged in civil rights activities in Southern schools; one of the earliest major federal court decisions on the rights of teachers to demonstrate and express First Amendment rights.)

Scott v. Tennessee (a federal lawsuit attacking the law banning the teaching of evolution ("Scopes"). This is the law giving origin to the Scopes trial made famous in "To Inherit the Wind" and defended by Clarence Darrow. The Tennessee legislature repealed the law right after the suit was filed)

Hirschkop v. Snead (an opinion of the Fourth Circuit; one of the three major cases in the United States protecting the free speech rights of lawyers.)

United States v. Hubbard (designated chief counsel in the U.S. District Court in defense of the leadership of the Church of Scientology in criminal prosecutions resulting from the largest government search and seizure in history)

Collins v. Straight, Inc. (a substantial jury verdict in federal court against a drug rehabilitation program where people were imprisoned against their will and without court commitments for many months at a time. Although this program was initially backed by various American presidents and major public officials, this major case led to the exposure of the evils of the program and its ultimate dissolution)

United States v. N. B. Hunt, et al. (successful defense of a criminal wiretap prosecution in federal court against two sons of H. L. Hunt of Dallas, Texas; established a major precedent for defense of federal wiretap prosecutions)

United States v. Bast (successful defense of a private investigator charged under the Omnibus Crime Bill with possession of wiretap equipment; one of the initial cases brought under the Omnibus Crime Bill for wiretap offenses)

Landman v. Royster (one of the first statewide class actions against a prison system establishing due process rights for prisoners in a federal litigation. Much of the statewide prison litigation in other states was based on the precedents in *Landman* and some other contemporaneous statewide prison condition cases)

Arey v. Oliver (a case brought contemporaneously with the *Landman* case against the Virginia statewide prison system establishing communication privileges and rights of prisoners)

Short v. Cavedo (statewide prison action against all local county, municipal and city jails bringing about desegregation of the jails)

Mason v. Peyton (a federal court action successfully causing desegregation of the entire Virginia prison system)

Oliver v. Button (a federal court case that declared the Virginia vagrancy statute unconstitutional)

Rakes v. Coleman (a federal lawsuit challenging the criminal prosecution and confinement of alcoholics in the Commonwealth of Virginia)

Miller v. Davis (successfully challenged the firing of the Executive Director of the American Association of Retired Persons for challenging the dominance of AARP by Colonial Penn Group. As a result of this and another case, Colonial Penn lost its exclusive right to market insurance to the elderly through the AARP in the United States. The lawsuit, which was settled shortly before trial, alleged one of the major frauds in the history of the United States.)

Koehl v. Resor (a suit in federal court seeking to have the leader of the American Nazi party (The National Socialists White People's Party) be buried in a national cemetery as a U.S. veteran.

Krebs v. Ashbrook (a suit to abolish the House Un-American Activities Committee which likely helped prod Congress into dissolving that odious committee)

Alabama State Teachers Association v. Lowndes County (fourteen Alabama statutes were declared unconstitutional by a three judge federal court in Alabama for denying tenure to minority teachers)

Jervey v. Martin (a successful federal lawsuit against Radford College and its president, protecting the academic freedom of a major professor at that college. The case was initially defended by the Honorable Lewis Powell who withdrew from the case to become a Justice of the Supreme Court of the United States.)

Rypkema v. Board of Education (a case in federal court in West Virginia protecting the right of a teacher to assign classroom materials and books to students with reasonable academic freedom.)

CASES OF BROAD INTEREST (Continued):

Diethrich v. Maricopa County Medical Society (a precedential case (settled for a very large sum) in the U.S. District Court in Arizona protecting a physician's rights to medical admission in a hospital and freedom against unjustified prosecutions before the Board of Medical Examiners. The plaintiff was an internationally known heart surgeon and the defendants included seventeen surgeons, a lawyer (who put the conspiracy together and who was a principal in one of the major firms in Phoenix), four hospitals, the American Medical Association, the Maricopa County Medical Society and several other major medical societies.)

Rogers v. Phibbs (I was plaintiff's counsel in a precedential case involving the rights of doctors to be free from unfair conspiracy by other doctors because of different medical discipline. The case, in addition to a substantial settlement, resulted in a very substantial jury award in Tucson, Arizona against a lawyer and some doctors for rigging a medical malpractice panel award and conspiring to destroy the career of an osteopathic physician over differing views on the use of pacemakers.)

Robinson v. Linus Pauling (I was plaintiff's counsel in an employment case in the San Francisco area against the only two-time Nobel prize winner in American History and his institute in California for dismissing the president of the institute. The case resulted in a substantial six-figure settlement.)

Peterson v. Fairfax Hospital (a malpractice case for one of two babies who received unprescribed insulin from the pharmacy in Fairfax Hospital, which actions the hospital, some attorneys and others sought to conceal. After the malpractice case settled for the million dollar cap, a precedential fraud suit was brought against the hospital, lawyers and others that resulted in settlements of \$3.3 million and precedential decisions of the state trial judge on the crime-fraud exception, allowing the plaintiff to get many hospital internal documents (including ones classified as legal documents) which showed the pattern of the hospital in covering up malpractice cases.

Curtis v. Fairfax Hospital (a malpractice case on behalf of a baby who suffocated in the neonatal unit of Fairfax Hospital. The case resulted in a substantial jury verdict and a precedential opinion from the Virginia Supreme Court that the unlawful disclosure of the child's mother's medical records by the hospital was malpractice.)

Cadel v. Gary Hart (successful defense of presidential candidate, Gary Hart and his campaign committee against a national pollster, Pat Cadel.)

Huntingdon Laboratories v. PeTA, et al. (defense of a major RICO action brought in the U.S. District Court in Norfolk, Virginia against the largest animal rights group in the United States and internationally. A successful settlement of the case included dismissal of the case without any payment of any funds to the laboratory.)

Osheroff v. Chestnut Lodge (a malpractice suit widely published in medical journals on behalf of a doctor who voluntarily committed himself and then was held against his will and mistreated at a major psychiatric institute in the United States. It litigated the enormous conflict between psychoanalysts and psychopharmacologists in the treatment of depression and involved some of the major authorities in the country and world as expert witnesses. The case resulted in a successful verdict from a malpractice panel in Maryland and was settled prior to a trial by other counsel.)

Commonwealth v. Don Turner (defense of a member of the Board of Supervisors of Prince William County prosecuted for alleged illegal activities with a state trooper. The defendant was acquitted by a jury that was only out for a matter of minutes after the prosecution was put on trial for political motivation in bringing the prosecution.)

Berosini v. People for the Ethical Treatment of Animals, et al. (defense of a several week long trial in state court in Las Vegas, Nevada of allegations by one of the three major acts on The Strip against the country's largest animal rights group and others. The initial jury verdict and substantial sanctions against defense counsel were reversed by the Nevada Supreme Court. Further proceedings resulted in a verdict of almost four hundred thousand dollars against Bersosini for costs of defendant in defending the suit.)

Dome Petroleum of Canada v. Nelson Bunker Hunt, et al. (Chief counsel in a lawsuit in Canada on behalf of the Hunt brothers and their company resulting in a \$400 million settlement on behalf of the Hunts.)

Steingaszner v. Velsicol (This was a product liability case with Bernard J. DiMuro against the major manufacturer of chlordane, the most widely used chemical to treat against termites. The case was settled for several hundred thousand dollars on the eve of trial and principally as a result of this case, and after a number of others had been brought, Velsicol stopped manufacturing and distributing chlordane, a highly toxic chemical.)

New England Aquarium v. The Animal Legal Defense Fund, et al. (I was lead counsel in defense of a suit in Boston against the national bar association of animal rights lawyers and two animal rights groups. The case was successfully concluded on behalf of the defendants.)

In re: Wansley (Fourth Circuit opinion on the effect of publicity on change of venue stemming from a notorious racially tainted rape case tried in a segregated courtroom in Lynchburg, Virginia)

In re: H. Rap Brown (Federal habeas obtaining release of a noted major civil rights leader held for extradition in the Commonwealth of Virginia to Maryland. After his release, the major charges in Maryland were ultimately found to be without basis and dismissed.)

Vietnam Summer v. World War II Memorial Commission (A federal lawsuit enjoining a denial of the use of a major public facility in Richmond, Virginia from a group seeking to protest the war in Vietnam.)

CASES OF BROAD INTEREST (Continued):

Demonstration Cases: Numerous cases including several major cases, principally in the District of Columbia, on the rights of demonstrators to demonstrate in and around public buildings and on public lands. This included representation of a group from Vietnam Veterans against the War in Vietnam arrested on the Supreme Court steps (charges against all demonstrators were dismissed after a representative trial of four veterans resulted in their acquittals); twelve hundred people arrested on the steps of the United States Capitol (all charges dismissed after lengthy trial of a representative group of eight demonstrators that resulted in jury acquittals. Witnesses at trial included a sizable number of nationally known congressmen); representation of Dick Gregory for demonstrating in front of the White House; representation of Norman Mailer for demonstrating at the Pentagon; representation on a number of occasions of Phil and Dan Berrigan for demonstrating at the Pentagon and other government buildings; representation of Mitch Snyder, often known as the father of the homeless movement in the District of Columbia, for a fast at a Catholic Church in Georgetown and various demonstration activities before he became a national figure; representation of Dr. Benjamin Spock and other nationally known figures engaged in demonstrations against the war in Vietnam in the District of Columbia; representation of numerous leaders of the Women's Strike for Peace for demonstrating in front of the White House; representation of demonstrators summoned before grand juries during the war in Vietnam for alleged conspiracy charges (this included the Evans case, which led to a successful challenge of government wiretaps against demonstrators causing a shutdown of one bogus grand jury. The case was precedentially used by many other attorneys in challenging subpoenas to grand juries based on unlawful wiretap); representation with David Clark of the Poor Peoples' Campaign and members of the Southern Christian Leadership Conference who set up the poor people's camp on The Mall in Washington, D.C. and demonstrated at the Department of Health, Education and Welfare in the District of Columbia; representation of a large group arrested in the U.S. Capitol for demonstrating against the war in Vietnam including the wife of conductor Leonard Bernstein, Candace Bergen, Jon Voight and others (most of the charges against that group were ultimately dismissed); a suit successfully challenging the constitutionality of the vagrancy statute in the District of Columbia; hundreds of other demonstration cases were handled on behalf of the National Organization for Women, the American Civil Liberties Union, peace demonstrators, women's rights groups and others over the last fifteen years.

BAR ADMISSIONS:

Virginia (1964)
Washington, D.C. (1964)
New York (1982)

COURT ADMISSIONS:

United States Supreme Court (6/12/67; Washington, D.C.)

United States Courts of Appeal:

District of Columbia (4/16/65; Washington, D.C.)
Second Circuit (12/23/82; New York, New York)
Fourth Circuit (11/18/65; Richmond, Virginia)
Fifth Circuit (5/20/73 & 10/9/81; New Orleans, Louisiana)
Eleventh Circuit (10/9/81; Atlanta, Georgia)
Also admitted in cases before the Sixth, Eighth and Ninth Circuits

United States District Courts:

District of Columbia (12/29/64; Washington, D.C.)
Eastern District of Virginia (6/7/64; Alexandria, Virginia)
Western District of Virginia
Eastern District of North Carolina
Northern District of Texas (4/9/73; Dallas, Texas)
Southern District of New York (6/7/83; New York, New York)
Also admitted in cases before: District of West Virginia; Eastern District of Michigan;
Middle District of California; Northern District of California; Southern District of Texas;
Middle District of North Carolina; District of New Hampshire; District of Maryland;
Eastern District of Pennsylvania; District of Connecticut; Middle District of Alabama;
District of Massachusetts; District of Arizona; District of Nevada; Southern District of
Florida; Middle District of Florida; Northern District of Florida

State Courts:

Virginia Supreme Court of Appeals (6/9/64; Richmond, Virginia)
District of Columbia Superior Court
District of Columbia Court of Appeals
New York Supreme Court, Appellate Division (3/30/82)

United States Courts:

U. S. Court of Claims (5/6/69; Washington, D.C.)
U.S. Tax Court (3/20/74; Washington, D.C.)
U.S. Court of Military Appeals (10/6/64; Washington, D.C.)

CLIENTS OF INTEREST:

Nelson Bunker Hunt
W. Herbert Hunt
Percy Foreman, Esquire
Ted Diethrich, M.D., world renowned cardiovascular surgeon
Dick Gregory
Rev. Jesse Jackson and the Rainbow Coalition
Norman Mailer
Dr. Benjamin Spock
Rev. Philip Berrigan
Rev. Daniel Berrigan
William Kunstler
Professor Arthur Kinoy
David Dellenger, peace activist
Rene Davis, peace activist
Abbe Hoffman, peace activist
Jerry Rubin, peace activist
John Froines, peace activist
Madelyn Murray O'Hair, head of American Atheist Party
Ingrid Newkirk, President of PeTA
Alex Pacheco, Chairman of PeTA
Neal Barnard, M.D., Chairman of Physicians Committee for Responsible Medicine
Cleveland Amory, renowned author
Waylon Jennings, country western singer
Bea Arthur, actress
Linda Blair, actress
Senator Gary Hart
H. Rap Brown, a founder of Student Nonviolent Coordinating Committee
Robert T. Hall, Esquire and Hall, Surovell, Jackson & Colten
William Artz, Esquire and Artz & Shevlin
David Baugh, Esquire
Various members of Congress in anti-war cases
People for the Ethical Treatment of Animals
The National Center for Institutions and Alternatives
Church of Scientology
New England Anti-Vivisection Society
The Fund for Animals
Humane Society of Fairfax County
Humane Society of the United States (*amicus brief*)
The American Society for the Prevention of Cruelty to Animals (*amicus brief*)
The Animal Legal Defense Fund (national bar of animal rights lawyers)

The National Education Association
The National Science Teachers Association
Alabama State Teachers Association
Florida Education Association
Mobilization Against the War in Vietnam
The New Mobilization Against the War in Vietnam
The Law Students Civil Rights Research Council