

The Early Years of PELA/MWELA
Compiled by Alan Banov

Bob Fitzpatrick founded a Washington Chapter of the Plaintiff Employment Lawyers Association in 1986. Members met sporadically in the late 1980s. Besides Bob, those active at that time included Bruce Fredrickson, Larry Lapidus, Robert Bell, Judith Eagle, Peter Broida, Barry Goldstein, Woody Osborne, Joel Bennett, John Karl, and Alan Banov.

Banov recalls (from notes) a brown bag luncheon held on November 7, 1986, with a talk by a local psychologist on troubled employees. Brown bag lunches were an early attraction, well before there were regular board meetings (which were instituted when Bruce Fredrickson became president).

The first PELA Mid-Atlantic Employment Law Conference was held on January 17, 1987, at the Capitol Hill Hyatt Hotel. Speakers included Balt Baca, John Clifford, Sheldon Cohen, Fitzpatrick, Fredrickson, Joe Golden (Detroit), Paula DiMeo Grant, Steven Langhoff (recent winner of the polygraph case in Md.), Michael Leech (Chicago), Bill Lightfoot (before he went on City Council), Judge Richey, and Paul Tobias, and Banov.

Banov reports he spoke on Tort Law in Wrongful Discharge Cases. At that time there was *Adler*, but not *Carl*. There was *Ivy* instead. The advance registration cost for the conference was \$75 for members.

In 1988, dues were \$50/year.

There was PELA lunch in April 1988. Minutes reflect the following in attendance: Banov, David Fishman, Lucinda Riley, Judith Eagle, Osborne, Charles Aschmann, Jim Klimaski, Lynn Miller, Marty McMahon, Steve Kramer, David Cashdan, Joanne Husted, Suzanne Bryant, and Fitzpatrick. Osborne was named chair of the Amicus Committee. For many years, until he became president, Osborne chaired that committee. Other committees were Settlements-Verdicts (McMahon, chair); Decisions (Cashdan); Brief Bank (Banov; Fredrickson got them off to a good start); Membership; Speakers (Fitzpatrick); Local Lobbying (Klimaski); and Federal Lobbying (Fitzpatrick).

There was "monthly meeting" of PELA at the Sumner School on May 18, 1988. It was a catered luncheon. A major topic was amicus briefs. The archives have an unsigned memo dated May 18, 1988, on guidelines for submitting amicus briefs. The group wanted to be selective in what they weighed in on; they had limited resources and wanted to focus on cases where they thought they could make a difference. Woody Osborne frequently wrote briefs which did just that.

At a PELA meeting on July 20, 1988, they discussed filing an amicus brief in the seminal Md. App. case of *Fowler*. There was also had a talk by Ed Cooke, who was then counsel to a House member or House Committee, on a bill which would have affected EEOC.

The Second Annual PELA Employment Law Conference was held on October 22, 1988. Goldstein and Fitzpatrick spoke on new developments in the case law. Banov spoke on the topic of Settlements in Employment Termination Cases.

The conferences were billed as “Mid-Atlantic” conferences and drew employment lawyers through the Mid-Atlantic states, including Pennsylvania and central Virginia. Banov even has a letter from a Massachusetts lawyer thanking him for his presentation.

A very important board meeting was held on January 11, 1989. The attendees were Fitzpatrick, Lapidus, Eagle, Bell, Fredrickson, and Banov. Banov’s notes indicate that Lapidus said: “We need to get more organized.” Fredrickson responded by bringing up stationery, formal offices, and more regular meetings. They estimated they had about 35 members. They talked about having an Employment Lawyer of the Year, a referral service, a handbook bank, and a newspaper. You can see how MWELA implemented almost all of these early ideas!

At that meeting, or soon thereafter, Fredrickson took charge and got the group organized. He made sure there were regular meetings. He started the newsletter, with the late Edie Barnett as the first editor.

On July 17, 1991, the group met and decided on a formal organization structure and name, the Metropolitan Washington Employment Lawyers Association. They wanted to make it clear that members from outside of D. proper were welcome. Even though it was difficult to pronounce (some wondered if the “W” should be made silent), the acronym, “MWELA,” stuck.

The first issue of the newsletter came out in July 1991 and announced the first formal MWELA business meeting for August 16, 1991. The late Gary Simpson was in charge of the nominating committee; the newsletter said that a list of nominations for the board was enclosed and should be sent to Simpson if members could not vote in person.

As reported in issue No. 2 of the newsletter, the August 16, 1991, meeting was held at Cashdan’s office, as were many of the board meetings after then. The officers elected were: Fredrickson, president; Cashdan, vice-president/treasurer; and Joel Bennett, secretary. The first board included them and the following: Edie Barnett, Robert Bell, Laura Einstein, the late Vicki Golden, John Karl, Daniel Koch, Larry Lapidus, Mary O’Melveny, Osborne, Simpson, and Fitzpatrick as “chairman” (like Paul Tobias’s emeritus title of “founder”). Plans were made for a “Mid-Winter” Conference for January 1992. For many years this was held in January, February, or March, and eventually they realized that if it was held in March, it could not be “mid-winter”!

Over the years, MWELA has maintained a brief bank, had a mentoring program for new employment lawyers, enjoyed cocktail parties, operated a very successful list-serve, maintained a website, and filed many amici briefs.

Presidents after Fredrickson have been Cashdan, Karl, Banov, Osborne, Eric Siegel, Linda Correia, Stephen Chertkof, Jonathan L. Gould, and R. Scott Oswald. The custom has been for the president to serve two one-year terms.