

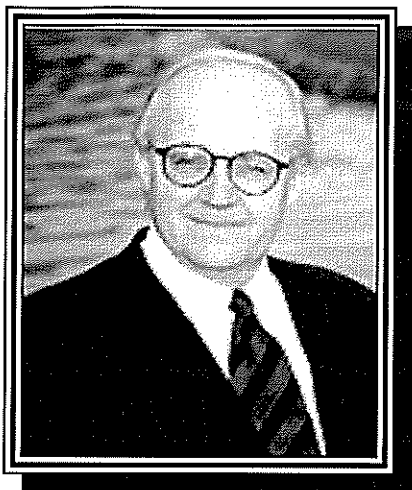
*Sixth Circuit Judicial Conference*

*2005*

*Annual Report  
and  
Roster of Judges*

*June 26-28, 2005  
The Grand Hotel  
Mackinac Island, Michigan*

*Danny J. Boggs  
Chief Judge*



# *A Message From the Chief Judge*

## *Welcome*

I take great pleasure in welcoming you to the fifth judges-only conference of the Sixth Circuit. As many of you know, the Court of Appeals adopted Rule 205 in 1999 to be effective beginning with the 2000 conference. That rule calls for the regular rotation between conferences that are open to all attorneys admitted to practice in the federal courts of our circuit and judges-only conferences. Our experience with these dual formats has shown that both have been highly successful.

Our open conference in Louisville last year was the most successful open conference held to date. The success of that conference was due in large measure to the work of our Standing Committee on Conference Planning, chaired by District Judge James G. Carr of the Northern District of Ohio, and the untiring support of the Life Members of the Sixth Circuit.

The Grand Hotel on Mackinac Island is one of the unique venues in the Sixth

Circuit for our judges-only conferences. We are indebted again this year to Judge Damon J. Keith for all of his assistance in making the arrangements for our conference to return to the Grand Hotel.

Judge Carr and his committee of judges and lawyers, with the assistance and support of the Federal Judicial Center, has given us another outstanding group of topics and speakers. Their efforts will ensure another stimulating and enjoyable conference.

## **PERSONNEL CHANGES.**

The Court is pleased to welcome new circuit judges David W. McKeague and Richard A. Griffin. Judge McKeague has served as a district judge in the Western District of Michigan since 1992. Judge Griffin has served as a judge of the Michigan Court of Appeals since 1988. Judge McKeague already has entered on duty, and Judge Griffin will enter on duty before the end of June, providing much needed assistance for our court.

We also are pleased to welcome Timothy D. Schroeder as the new Senior Staff

Attorney for the Court of Appeals. Mr. Schroeder replaces Kenneth A. Howe, Jr., who served the court for 28 years. Mr. Schroeder comes to the court from the position of Chief Deputy Clerk for the United States District Court for the Southern District of Florida. His experience also includes service as a staff attorney and supervising staff attorney for the Eleventh Circuit Court of Appeals. Mr. Schroeder will enter on duty around the end of June.

## **WORKLOAD**

The following are some of the highlights of the workload of the circuit, district and bankruptcy courts in the Sixth Circuit for the 12-month period ending December 31, 2004.

### **Court of Appeals**

- New filings decreased by 7.1 percent to 4,686 cases.
- Appeals terminated decreased by 1.7 percent to 4,615.

### **District Courts**

- Circuit-wide, civil filings increased by 4.3 percent for the period ending December 31.
- Civil terminations decreased by 15 percent over 2003.

- Criminal filings increased by .4 percent in the Sixth Circuit during 2004.

### **Bankruptcy Courts**

- The bankruptcy courts in the Sixth Circuit followed the national trend in filings, with a slight decrease of 3.8 percent in filings in 2004.

## **COMMITTEES AND APPOINTMENTS**

The Sixth Circuit continues to be well represented by the many judges who serve on the committees of the Judicial Conference of the United States and other special assignments for the administration of justice. The complete roster of committee members from the Sixth Circuit is as follows:

Hon. Paul D. Borman  
Eastern District of Michigan  
Committee on Court Administration  
and Case Management

Hon. R. Guy Cole, Jr.  
Sixth Circuit  
Advisory Committee on Bankruptcy Rules

Hon. Jennifer B. Coffman  
Eastern and Western Districts  
of Kentucky  
Committee on Judicial Resources

Hon. Robert L. Echols  
Middle District of Tennessee  
Committee on the Judicial Branch

Hon. Richard Alan Enslen  
Western District of Michigan  
Committee on Criminal Law

Hon. Julia Smith Gibbons  
Sixth Circuit  
Chair, Committee on the Budget

Hon. Ronald Lee Gilman  
Sixth Circuit  
Committee on Federal State Jurisdiction

Hon. James S. Gwin  
Northern District of Ohio  
Committee on Information Technology

Hon. Joseph M. Hood  
Eastern District of Kentucky  
Committee on Financial Disclosure

Hon. Damon J. Keith  
Sixth Circuit  
Committee on the Judicial Branch

Hon. David W. McKeague  
Western District of Michigan  
Committee on the Budget  
Committee on Defender Services

Hon. James D. Moyer  
Western District of Kentucky  
Committee on Federal-State Jurisdiction

Hon. Alan E. Norris  
Sixth Circuit  
Committee on the Administrative Office

Hon. George C. Paine II  
Middle District of Tennessee  
Committee on International Judicial  
Relations

Hon. Dan A. Polster  
Northern District of Ohio  
Committee on the Administration of the  
Magistrate Judge System

Hon. Thomas B. Russell  
Western District of Kentucky  
Advisory Committee on Civil Rules  
Advisory Committee on Evidence Rules

Hon. Edmund Sargus, Jr.  
Southern District of Ohio  
Committee on Space and Facilities

Hon. David T. Stosberg  
Western District of Kentucky  
Committee on the Administration  
of the Bankruptcy System

Hon. Gordon J. Quist  
Western District of Michigan  
Chair, Committee on the Codes of  
Conduct

## CONCLUSION

I want to take this opportunity to express my appreciation once again to the many District Judges of this circuit who have responded to my requests for assistance by agreeing to sit with the Court of Appeals this year. The Court could not have functioned effectively without your generous help. Since the last judges only conference, with your help, we have improved by about four months the time parties must wait for an oral argument once briefing has been completed. We all look forward to the day when our vacancies are filled and we no longer will

have to rely on visiting judges in such numbers as we have in the past. Until then, we are grateful to the District Judges for their continuing help.

Again, I welcome each of you to this Conference and thank the many judges and staff who have worked so hard to make this a great Conference.

## *Judicial Personnel in the Sixth Circuit*

### *Deaths*

**Bailey Brown.** The Honorable Bailey Brown, retired United States Circuit Judge of the Sixth Circuit Court of Appeals, passed away on October 6, 2004 at the age of 87. He was a graduate of the University of Michigan and Harvard Law School. From 1942 to 1946 Judge Brown served as an officer in the United States Navy in the Pacific theatre and was serving in Japan at the time of its surrender. Following his military service, he returned to Memphis and joined the law firm of Burch Porter & Johnson; later Burch Porter Johnson & Brown. In 1971 President John F. Kennedy appointed him to the United States District Court for the Western District of Tennessee. His appointment to that bench was the first in twenty-one years. Judge Brown served as chief judge of the Western District of Tennessee from 1966 to 1979 when he was appointed to the Sixth Circuit Court of Appeals. He served the Sixth Circuit as an active and senior judge until his retirement in 1997. During his tenure on the bench, Judge Brown served on numerous committees and boards and received many awards for his outstanding public service.

**Robert B. Krupansky.** The Honorable Robert B. Krupansky, senior United States Circuit Judge of the Sixth Circuit Court of Appeals, passed away on November 8, 2004 at the age of 83. He received his undergraduate degree from Adelbert College of Western Reserve University and his law degree from Case Western Reserve School of Law. Judge Krupansky served as a pilot in the United States Air Corps from 1942 to 1946; and he retired in 1972, as a Colonel in the United States Air Force Reserve. Following his active military service, Judge Krupansky served as an Assistant Attorney General for the State of Ohio; as a member of the Governor's Cabinet and Director of the Department of Liquor Control; as a Judge of the Court of Common Pleas for Cuyahoga County; as Executive Partner for the firm of Metzenbaum, Gaines, Krupansky, Finley and Stern; and as United States Attorney for the Northern District of Ohio. In 1970 he was appointed Judge of the United States District Court for the Northern District of Ohio and served in that position until his appointment in 1982 to the Sixth Circuit Court of Appeals. At the time of his passing, Judge Krupansky was still serving the Court in senior status. He was

a member of numerous legal organizations and was a recipient of Case Western Reserve Law School's Fletcher Reed Andrews Award.

**Robert M. McRae, Jr.** The Honorable Robert M. McRae, Jr. passed away on June 24, 2004. A 1966 appointee to the United States District Court for the Western District of Tennessee, he served the district until his retirement in 1994. Judge McRae served as Chief Judge of the Western District of Tennessee from 1979 to 1986. He received his B.A. from Vanderbilt University and his LL.B. from the University of Virginia. Prior to his appointment to the federal bench, Judge McRae was in private practice from 1948 to 1964; and from 1964 to 1966, he served as Judge of the Fifteenth Judicial Circuit of Tennessee. During his tenure on the bench he served as the Sixth Circuit district judge representative to the Judicial Conference of the United States; he served on the Judicial Conference Committee on the Administration of Criminal Law; and he served as president of the District Judges Association of the Sixth Circuit. Judge McRae was a member of the American, Memphis and Shelby County Bar Associations; and the Memphis Mid-South Chapter of the Federal Bar Association.

**Ralph H. Kelley.** The Honorable Ralph H. Kelley, United States Bankruptcy Judge for the Eastern District of Tennessee, passed away on June 24, 2004. Judge Kelley was appointed to the Bankruptcy Court in 1969 and he was still serving the Court in recall status at the time of his death. He was a graduate of the University of Tennessee, Chattanooga, and Vanderbilt University Law School. From 1946 to 1949, Judge Kelley served in the United States Air Force. Prior to his appointment to the bankruptcy bench, he was in private practice; served as an Assistant Attorney General for Hamilton County, Tennessee; a member of the Tennessee House of Representatives; and as Mayor of Chattanooga. He was a member of the American and Federal Bar Associations; American Bankruptcy Institute and the National Conference of Bankruptcy Judges.

### ***Appointments***

**David W. McKeague.** The Honorable David W. McKeague was sworn in as Judge of the United States Court of Appeals for the Sixth Circuit on June 13, 2005. Prior to his appointment to the Circuit Bench, Judge McKeague had served as United States District Judge for the Western District of Michigan for over

thirteen years. Prior to his appointment to the bench, Judge McKeague was a senior partner and officer of the firm of Foster, Swift, Collins & Smith, PC, of Lansing, Michigan. Judge McKeague received a Bachelor of Business Administration from the University of Michigan in 1968 and his Juris Doctor from the University of Michigan in 1971. He was admitted to the Bar in 1971. Judge McKeague is a member of the Western Michigan Chapter of the Federal Bar Association, the State Bar of Michigan, the District of Columbia Bar Association, and the Federalist Society for Law and Public Policy Studies. He is also a founding Master and President of the American Inns of Court, Michigan State University, Detroit College of Law. He is currently Chairman of the District Judges Education Committee of the Federal Judicial Center, a member of the Judicial Conference's Budget Committee and its Committee on Defender Services. He also serves as an Adjunct Professor at Michigan State University, Detroit College of Law. Active in his community, Judge McKeague has served in numerous ways, including serving as a member of the board of directors of Junior Achievement of Mid-Michigan, Camp Highfields, and Impression 5 Science Museum.

**Richard A. Griffin.** The Honorable Richard A. Griffin was appointed Judge of the United States Court of Appeals for the Sixth Circuit on June 10, 2005. Prior to that he was a Judge of the Michigan Court of Appeals for over sixteen years. Judge Griffin received his Bachelor of Arts, *magna cum laude*, from Western Michigan University Honors College in 1973 and received his juris doctor from the University of Michigan Law School in 1977. He was a founding partner of the Traverse City law firm of Read & Griffin. During his eleven years of private practice, Judge Griffin was engaged in an extensive trial practice. He tried cases in thirteen different counties and handled numerous appeals. He served as court-appointed mediator in eight counties. Judge Griffin also practiced in the Federal District Courts of the Eastern and Western Districts of Michigan as well as the Sixth Circuit Court of Appeals. Judge Griffin is active in his community serving in numerous ways, including as Chief Judge of the YMCA Youth in Government mock trial program; president, Grand Traverse Zoological Society; and past chairman, Grand Traverse Yellow Ribbon Committee (Desert Storm Welcome Home).



## *Senior Status*

**Lawrence P. Zatkoff.** The Honorable Lawrence P. Zatkoff assumed senior status on June 16, 2004. Appointed to the United States District Court for the Eastern District of Michigan in 1986, he served the Court as its chief judge from 1998 until his assumption of senior status. Judge Zatkoff is a graduate of the University of Detroit and the Detroit College of Law Night School. Prior to his appointment to the bench, he served as Assistant Prosecuting Attorney, Probate Judge and Circuit Judge for Macomb County, Michigan. From 1968 to 1978 he was in private practice. From 2002 through 2004, Judge Zatkoff served as the Sixth Circuit District Judge representative to the Judicial Conference of the United States. He continues to render valuable service to the Court.

**James L. Graham.** The Honorable James L. Graham assumed senior status on September 1, 2004. Appointed to the United States District Court for the Southern District of Ohio in 1986, Judge Graham served as the Court's chief judge from 2003 until his assumption of senior status. Judge Graham received his B.A. degree and J.D., *summa cum laude*, from Ohio State University and its Law School,

simultaneously in June of 1962. Following graduation, he went into private practice first with the firm of Dresbach, Crabbe, Newlon & Bilger, and for a short time, he was a single practitioner. Judge Graham was then joined in his practice by Hubert C. Dutro and John C. Nemeth to form the law firm of Graham, Dutro & Nemeth which specialized in civil litigation. He served on the Ohio Board of Bar Examiners and served one year as its chairman. He also served as a member of the Development Commission of the City of Columbus from 1972 to 1977 and was its Chairman in 1976-77. Judge Graham is a fellow of the American College of Trial Lawyers and has authored several articles on subjects related to insurance law and trial practice. He has also taught classes for the Ohio Judicial College and the Ohio Legal Institute. Judge Graham continues to render valuable service to the Court.

**Walter Herbert Rice.** The Honorable Walter Herbert Rice, United States District Judge for the Southern District of Ohio, assumed senior status on December 1, 2004. He is a graduate of Northwestern University and Columbia University School of Law from which he also received a Masters in Business Administration. Following graduation from law school, Judge Rice was in private

practice, was an Assistant County Prosecutor for Montgomery County, Ohio and was Judge of the Montgomery County Court of Common Pleas. He was appointed to the District Court in 1980 and served as its chief judge from October 1996 to October 2003. Judge Rice has received honorary degrees from both the University of Dayton and Wright State University. He is the recipient of numerous awards including the Mark of Excellence Award from the National Forum for Black Public Administration and the "304" Big Brothers-Big Sisters Award. He is a member of the Dayton Bar Association; the Federal Judges Association; and a member of the Board of Advisers for the University of Dayton Law School. Judge Rice continues to render valuable service to the Court.

***Paul R. Matia.*** The Honorable Paul R. Matia assumed senior status on January 1, 2005. He is a 1991 appointee to the United States District Court for the Northern District of Ohio, and served as its chief judge from 1999 until his assumption of senior status. Judge Matia is a graduate of Case Western Reserve University where he received his B.A. degree *cum laude*. He received his J.D. degree from Harvard Law School. Following graduation, he served as law clerk to the Court of

Common Pleas of Cuyahoga County, Ohio and as an Assistant Ohio Attorney General. In 1970 Judge Matia was elected to the Ohio Senate from the 25th District. After his first term as a state senator, he returned to practice law in Cleveland as a member of the firm of Hadley, Mills & Matia. In 1978 he was again elected to the Ohio Senate and served as chairman of the Senate Elections, Financial Institutions and Insurance Committee. In 1974 Judge Matia was named Outstanding Legislator by the Ohio Association for Retarded Citizens, the Ohio Education Association, and the Ohio Public Transit Association. In 1984 he was elected Judge of the Cuyahoga County Court of Common Pleas, a position he held at the time of his appointment to the federal bench. He is a member of the American Judicature Society, the Federal, Ohio State, Cleveland and Cuyahoga County Bar Associations. In 1988 he received the President's Award from the Cleveland Bar Association and the Heritage Award from the Polonia Foundation. Judge Matia retired from the bench in May of 2005.

***David A. Katz.*** The Honorable David A. Katz, United States District Judge for the Northern District of Ohio at Toledo, assumed senior status on January 1, 2005. He is a *summa cum laude*

graduate of Ohio State University College of Law where he was Associate Editor of the *Law Journal*. Following his graduation from law school, Judge Katz practiced law in Toledo with the Spengler Nathanson firm where he became a partner and then managing partner. In 1994 he was appointed United States District Judge for the Northern District of Ohio and continues to serve that Court in senior status. Judge Katz serves as a Trustee of the Toledo Symphony Orchestra; on the Boards of the Toledo Zoo Foundation and the Mercy Health System, Northwest Region. He is the recipient of numerous awards including the 2001 William K. Thomas Distinguished Jurist Award from The Ohio State Law School.

***Karl S. Forester.*** The Honorable Karl S. Forester, United States District Judge for the Eastern District of Kentucky, assumed senior status on May 1, 2005. Appointed to the Court in 1988, Judge Forester served the district as its chief judge from 2001 until his assumption of senior status. He is a graduate of the University of Kentucky and its law school. Prior to his appointment to the Court, he was in private practice. He is a member of the Kentucky Bar Association. Judge Forester continues to render valuable service to the Court.

## ***Elevations***

***Bernard A. Friedman.*** The Honorable Bernard A. Friedman became Chief Judge of the United States District Court for the Eastern District of Michigan on June 17, 2004. He succeeds the Honorable Lawrence P. Zatkoff who assumed senior status. Judge Friedman is a graduate of the Detroit Institute of Technology and the Detroit College of Law. Following his graduation from Law School, Judge Friedman was Assistant Prosecutor for the Wayne County Prosecutor's Office; a practicing attorney from 1970 to 1982; and from 1982 to 1988 he was Judge of the Michigan District Court. Judge Friedman is the recipient of the 1985 Distinguished Service Award and the 1988 Frances R. Avadenka Award from the Oakland County Bar Association. In 1986 he was named Person of the Year by *Eccentric* newspapers. He is a member of the Michigan and Oakland County Bar Associations.

***Sandra S. Beckwith.*** The Honorable Sandra S. Beckwith became the Chief Judge of the United States District Court for the Southern District of Ohio on September 1, 2004. She is the first woman to hold this position in the Southern District of Ohio. Judge

Beckwith succeeds the Honorable James L. Graham who assumed senior status. She is a graduate of the University of Cincinnati McMicken College of Arts and Sciences and the University of Cincinnati College of Law. Following graduation, she joined her father and practiced law in Harrison, Ohio. She was the firm's trial lawyer and handled all the firm's litigation cases. In 1976 she was appointed to the Hamilton County municipal bench and the next year she became the first woman ever elected to that bench. In 1986 Judge Beckwith was the first woman elected to the Hamilton County Court of Common Pleas, Division of Domestic Relations. In 1989 she was appointed to a vacancy on the Hamilton County Board of Commissioners and returned to the practice of law with the Cincinnati firm of Graydon, Head & Ritchey. Judge Beckwith was the first woman appointed to the Hamilton County Board of Commissioners, serving as the first woman president of that Board in 1990. She was appointed to the District Court on February 10, 1992 and was sworn into office by the Honorable Carl B. Rubin on February 21, 1992. Judge Beckwith is a member of the Sixth Circuit District Judges Association having served as its president in 1998-1999. She is active in professional and community organizations serving on the

Boards of the Cincinnati Chapter of the Red Cross and Tender Mercies. Judge Beckwith's remarkable career, becoming the first woman elected judge of the Hamilton County Municipal Court; the first woman elected judge of the Hamilton County Common Pleas Court, Domestic Relations Division; the first woman elected to the Hamilton County Board of Commissioners; and the first woman federal judge of the United States District Court for the Southern District of Ohio, earned her a place in the Ohio Women's Hall of Fame in 1995.

*James G. Carr.* The Honorable James G. Carr became Chief Judge of the United States District Court for the Northern District of Ohio on January 1, 2005. Judge Carr is a *magna cum laude*, Phi Beta Kappa graduate of Kenyon College in Gambier, Ohio. From 1962 to 1963 he attended the University of Freiburg, West Germany; and in 1966 he graduated from Harvard Law School. Following graduation, Judge Carr became an associate with the Chicago law firm of Gardner, Carton, Douglas, Chilgren & Waud. From 1968 to 1970, he worked as a staff attorney with the Cook County Legal Assistance Foundation; and in 1970, he became Professor of Law at the University of Toledo College of Law. In

1979 Judge Carr was appointed United States Magistrate Judge for the Northern District of Ohio at Toledo, a position he held until his appointment to the district court bench in 1994. He has written extensively on such subjects as electronic surveillance; juvenile law; criminal procedure; and family law. Judge Carr is a member of the Toledo and Ohio State Bar Associations; from 1975 to 1983 he was founder and board member of the Family and Child Abuse Prevention Center; from 1991 to the present, he was a member of the Pretrial Services Resource Center; and from 1995 to 1999 he served on the Jury Initiatives Task Force. Since 2002 Judge Carr has served as Chair of the Sixth Circuit Judicial Conference Planning Committee.

*Joseph M. Hood.* The Honorable Joseph M. Hood became Chief Judge of the United States District Court for the Eastern District of Kentucky on May 2, 2005 succeeding the Honorable Karl S. Forester who assumed senior status. He is a graduate of the University of Kentucky where he did graduate studies in the Department of Economics and served as a graduate teaching assistant. Judge Hood then served in the U.S. Army where he was an infantry commander in Viet Nam and was released from active duty as a

Captain. Following his military service Judge Hood attended and graduated from the University of Kentucky College of Law. Prior to his appointment to the District Court bench, he served as law clerk to United States District Judge David Hermansdorfer; and served for fourteen years as United States Magistrate Judge for the Eastern District of Kentucky. In 1999 Judge Hood received the Outstanding Judge Award from the Kentucky Bar Association. He is a member of the Committee on Financial Disclosure of the Judicial Conference of the United States; the Federal Judges Association; and the Sixth Circuit District Judges Association of which he is a past president.

### *United States District Courts*

#### *Appointments*

*Michael H. Watson.* The Honorable Michael H. Watson was appointed United States District Judge for the Southern District of Ohio at Columbus on October 1, 2004. He succeeds the Honorable James L. Graham who assumed senior status on September 1, 2004. Judge Watson served three years in the United States Air Force and six years in the Ohio National Guard. Following his military service he received his B.A. degree from

Ohio State University and his J.D. degree from Capital University School of Law. Prior to his appointment to the District Court, Judge Watson served as Chief Legal Counsel to Ohio Governor George Voinovich; as Judge on the Franklin County Common Pleas Court; and as Judge on the Tenth District Court of Appeals in Franklin County, Ohio. He is a member of the Columbus and Ohio State Bar Associations; and recently completed a term as a member of the Alvis House, Inc. Board of Trustees.

***Christopher A. Boyko.*** Prior to becoming a federal judge, Christopher Boyko served on the Common Pleas bench for Cuyahoga County following his appointment by then Governor Voinovich in January 1996. He won election in 1996 and re-election in 1998 and 2004.

Before taking the Common Pleas bench, Judge Boyko served as a Parma Municipal Court Judge, Parma Law Director, Chief Prosecutor and Assistant Prosecutor. He also maintained a general practice for 16 years.

In addition to memberships in numerous professional and civic organizations, Judge Boyko has lectured to the Federal Bureau of Investigation and

hosted "Sidebar," a show on Cox Cable which presents people and issues which affect the law in our community.

An avid supporter of the "Cops and Kids" program, Judge Boyko was also a member of, and legal advisor to, the Parma Police SWAT Team and was Chief Legal Counsel to the Southwest Enforcement Bureau.

On July 22, 2004 Judge Boyko was nominated by President Bush for the United States District Court for the Northern District of Ohio. The U.S. Senate confirmed the nomination on November 21, 2004. On January 4, 2005 he was sworn in as United States District Judge for the Northern District of Ohio. He succeeds United States District Judge Paul R. Matia who took senior status on January 1, 2005.

### ***United States Bankruptcy Courts***

#### ***Appointments***

***Kay Woods.*** The Honorable Kay Woods was appointed United States Bankruptcy Judge for the Northern District of Ohio at Youngstown on July 7, 2004. She succeeds the Honorable William T. Bodoh who retired. Judge Woods is a

*magna cum laude* graduate of Bowling Green State University with a B.S. in Education. She is a *summa cum laude* graduate of the Ohio State University College of Law where she was Order of the Coif. Following her graduation from law school, Judge Woods was an associate in the litigation department of the Cleveland office of the Jones Day law firm. At the time of her appointment, she was Associate General Counsel for LTV Steel Company, Inc. in Cleveland. Judge Woods has a corporate generalist background and has handled numerous areas of responsibility. LTV's two Chapter 11 bankruptcy filings – the first in 1986 and the second in 2000 – gave her extensive experience with bankruptcy issues. Judge Woods is a member of the American, Ohio and Cleveland Bar Associations. She serves on the Advisory Board of In Counsel With Women; and she served on the Advisory Board for Convention 2000 of the Federal Bar Association. In 2002 Northern Ohio Live named her one of the “500 Most Influential Women in Northeast Ohio.”

### ***Elevation***

***Jo Ann C. Stevenson.*** The Honorable JoAnn C. Stevenson became Chief Judge of the United States

Bankruptcy Court for the Western District of Michigan on March 1, 2005. Appointed to the bankruptcy court in 1987, she is presently serving her second 14-year term. Judge Stevenson is a graduate of Douglass College, Rutgers University, and a *cum laude* graduate of Detroit College of Law. Following graduation from law school, Judge Stevenson served as a law clerk to Judge Vincent J. Brennan of the Michigan Court of Appeals and to Judge Cornelia G. Kennedy of the Sixth Circuit Court of Appeals. At the time of her appointment she was an attorney with the Detroit law firm of Hertzberg, Jacob and Weingarten. She is a member of American Bar Association; the Western Michigan Chapter of the Federal Bar Association; the Grand Rapids Bar Association; and the Women Lawyers Association of Michigan.

### ***United States Magistrate Judges***

#### ***Appointments***

***Susan Kerr Lee.*** The Honorable Susan Kerr Lee was sworn in as United States Magistrate Judge for the Eastern District of Tennessee at Chattanooga on July 12, 2004 after being appointed to a newly authorized magistrate judge position. Judge Lee graduated *cum laude* from the University of Georgia with a dual

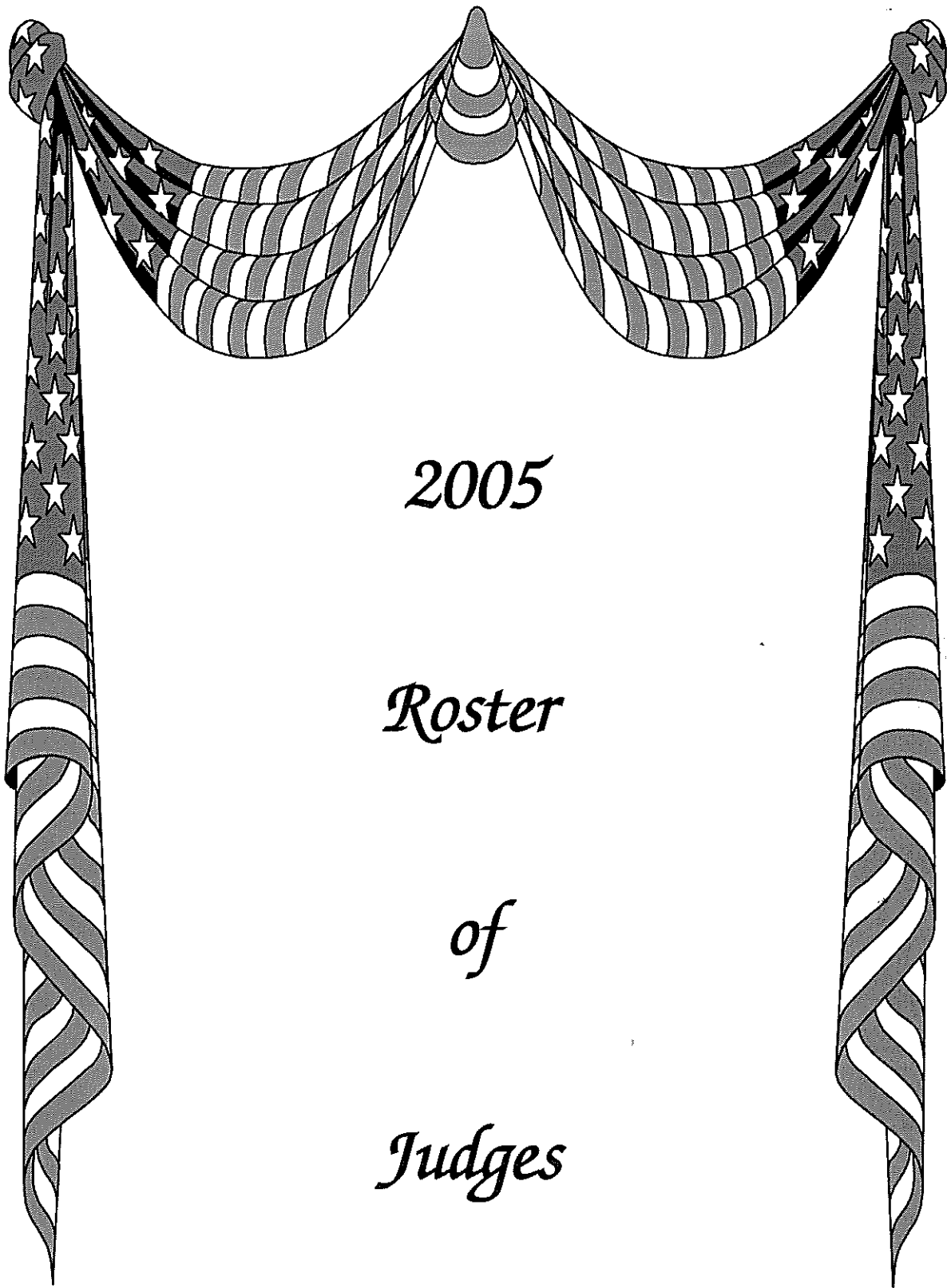
J.D./M.B.A. degree. Prior to her appointment, she was a director at the law firm of Grant, Konvalinka & Harrison in Chattanooga, Tennessee.

Municipal Court and for ten years as a civil litigator with the Cincinnati law firm of Graydon, Head & Ritchey.

***Dave Whalin.*** The Honorable Dave Whalin was sworn in as United States Magistrate Judge for the Western District of Kentucky on July 26, 2004. He succeeds the Honorable C. Cleveland Gambill who retired on January 2, 2004. Judge Whalin received a B.S. with honors from the University of Louisville. He received his J.D. from the University of Louisville Brandeis School of Law in 1985. Prior to his appointment to the bench, Judge Whalin completed a 20-year law enforcement career, followed by twelve years in private practice as a partner in the Louisville law firm of Landrum & Shouse.

***Timothy S. Black.*** The Honorable Timothy S. Black was appointed United States Magistrate Judge for the Southern District of Ohio, Western Division (Cincinnati) on May 1, 2004 to succeed the Honorable Jack Sherman, Jr. who has retired. Judge Black is a graduate of Harvard University and Northern Kentucky University's Salmon P. Chase College of Law. He served for ten years as Judge of the Hamilton County





*2005*

*Roster*

*of*

*Judges*

## *United States Supreme Court*

### *Circuit Justice*

Honorable John Paul Stevens, Washington, D.C.

### *United States Court of Appeals for the Sixth Circuit*

Honorable Danny J. Boggs, Chief Judge, Louisville, Kentucky

Honorable Boyce F. Martin, Jr., Louisville, Kentucky

Honorable Alice M. Batchelder, Medina, Ohio

Honorable Martha Craig Daughtrey, Nashville, Tennessee

Honorable Karen Nelson Moore, Cleveland, Ohio

Honorable R. Guy Cole, Jr., Columbus, Ohio

Honorable Eric L. Clay, Detroit, Michigan

Honorable Ronald Lee Gilman, Memphis, Tennessee

Honorable Julia Smith Gibbons, Memphis, Tennessee

Honorable John M. Rogers, Lexington, Kentucky

Honorable Jeffrey S. Sutton, Columbus, Ohio

Honorable Deborah L. Cook, Akron, Ohio

Honorable David W. McKeague, Lansing, Michigan

Honorable Richard A. Griffin, Traverse City, Michigan

### *Senior United States Circuit Judges*

Honorable Damon J. Keith, Detroit, Michigan

Honorable Gilbert S. Merritt, Nashville, Tennessee

Honorable Cornelia G. Kennedy, Detroit, Michigan

Honorable Ralph B. Guy, Jr., Ann Arbor, Michigan

Honorable David A. Nelson, Cincinnati, Ohio

Honorable James L. Ryan, Detroit, Michigan

Honorable Alan E. Norris, Columbus, Ohio

Honorable Richard F. Suhrheinrich, Lansing, Michigan

Honorable Eugene E. Siler, Jr., London, Kentucky

***Senior United States Circuit Judges Retired***

Honorable Pierce Lively, Danville, Kentucky  
Honorable Albert J. Engel, Grand Rapids, Michigan  
Honorable Harry W. Wellford, Memphis, Tennessee  
Honorable H. Ted Milburn, Chattanooga, Tennessee

***United States District Court  
Eastern District of Kentucky***

***United States District Judges***

Honorable Joseph M. Hood, Chief Judge, Lexington  
Honorable Jennifer B. Coffman, Lexington  
Honorable Karen K. Caldwell, London  
Honorable Danny C. Reeves, London  
Honorable David L. Bunning, Covington

***Senior United States District Judges***

Honorable William O. Bertelsman, Covington  
Honorable G. Wix Unthank, London  
Honorable Henry R. Wilhoit, Jr., Ashland  
Honorable Karl S. Forester, Lexington

***United States Bankruptcy Judges***

Honorable Joseph M. Scott, Jr., Chief Judge, Lexington  
Honorable William S. Howard, Lexington

***United States Bankruptcy Judge Retired***

Honorable Joe Lee, Lexington

***United States Magistrate Judges***

Honorable J. B. Johnson, Jr., London  
Honorable Peggy E. Patterson, Ashland  
Honorable J. Gregory Wehrman, Covington  
Honorable James Black Todd, Lexington

***United States District Court  
Western District of Kentucky***

***United States District Judges***

Honorable John G. Heyburn II, Chief Judge, Louisville  
Honorable Charles R. Simpson III, Louisville  
Honorable Thomas B. Russell, Paducah  
Honorable Joseph H. McKinley, Jr., Owensboro

***Senior United States District Judge***

Honorable Edward H. Johnstone, Paducah

***United States Bankruptcy Judges***

Honorable David T. Stosberg, Chief Judge, Louisville  
Honorable Joan Lloyd Cooper, Louisville  
Honorable Thomas H. Fulton, Louisville

***United States Magistrate Judges***

Honorable W. David King, Paducah  
Honorable James D. Moyer, Louisville  
Honorable E. Robert Goebel, Owensboro  
Honorable Dave Whalin, Louisville

*United States District Court  
Eastern District of Michigan*

*United States District Judges*

Honorable Bernard A. Friedman, Chief Judge, Detroit

Honorable Gerald E. Rosen, Detroit

Honorable Robert H. Cleland, Detroit

Honorable Nancy G. Edmunds, Detroit

Honorable Denise Page Hood, Detroit

Honorable Paul D. Borman, Detroit

Honorable John Corbett O'Meara, Ann Arbor

Honorable Arthur J. Tarnow, Detroit

Honorable George Caram Steeh, Detroit

Honorable Victoria A. Roberts, Detroit

Honorable Marianne O. Battani, Detroit

Honorable David M. Lawson, Bay City

*Senior United States District Judges*

Honorable John Feikens, Detroit

Honorable Julian Abele Cook, Jr., Detroit

Honorable Avern Cohn, Detroit

Honorable Anna Diggs Taylor, Detroit

Honorable Lawrence P. Zatkoff, Port Huron

Honorable Patrick J. Duggan, Detroit

Honorable Paul V. Gadola, Flint

*Senior United States District Judges Retired*

Honorable Charles W. Joiner, Ann Arbor

Honorable James Harvey, Port Huron

Honorable James P. Churchill, Bay City

Honorable Stewart A. Newblatt, Flint

***Senior United States District Judges Retired  
(Continued)***

Honorable Horace W. Gilmore, Detroit  
Honorable George E. Woods, Detroit  
Honorable Barbara K. Hackett, Ann Arbor

***United States Bankruptcy Judges***

Honorable Steven W. Rhodes, Chief Judge, Detroit  
Honorable Marci Beth McIvor, Detroit  
Honorable Phillip J. Shefferly, Detroit  
Honorable Thomas J. Tucker, Detroit

***United States Bankruptcy Judge Retired***

Honorable Walter Shapero, Detroit

***United States Magistrate Judges***

Honorable Steven D. Pepe, Ann Arbor  
Honorable Charles E. Binder, Bay City  
Honorable Virginia M. Morgan, Detroit  
Honorable Donald A. Scheer, Detroit  
Honorable Wallace Capel, Jr., Flint  
Honorable R. Steven Whalen, Detroit  
Honorable Mona K. Majzoub, Detroit

***United States Magistrate Judge Retired***

Honorable Paul J. Komives, Detroit

*United States District Court  
Western District of Michigan*

*United States District Judges*

Honorable Robert Holmes Bell, Chief Judge, Grand Rapids  
Honorable Richard A. Enslen, Kalamazoo  
Honorable Gordon J. Quist, Grand Rapids

*Senior United States District Judge*

Honorable Wendell A. Miles, Grand Rapids

*Senior United States District Judges Retired*

Honorable Douglas W. Hillman, Grand Rapids  
Honorable Benjamin F. Gibson, Grand Rapids

*United States Bankruptcy Judges*

Honorable Jo Ann C. Stevenson, Chief Judge, Grand Rapids  
Honorable James D. Gregg, Grand Rapids  
Honorable Jeffrey R. Hughes, Grand Rapids

*United States Magistrate Judges*

Honorable Hugh W. Brenneman, Jr., Grand Rapids  
Honorable Joseph G. Scoville, Grand Rapids  
Honorable Timothy P. Greeley, Marquette  
Honorable Ellen S. Carmody, Grand Rapids

***United States District Court  
Northern District of Ohio***

***United States District Judges***

Honorable James G. Carr, Chief Judge, Toledo  
Honorable Lesley Wells, Cleveland  
Honorable Solomon Oliver, Jr., Cleveland  
Honorable Kathleen M. O'Malley, Cleveland  
Honorable Peter C. Economus, Youngstown  
Honorable Donald C. Nugent, Cleveland  
Honorable Patricia A. Gaughan, Cleveland  
Honorable James S. Gwin, Akron  
Honorable Dan A. Polster, Cleveland  
Honorable John R. Adams, Akron  
Honorable Christopher A. Boyko, Cleveland

***Senior United States District Judges***

Honorable John M. Manos, Cleveland  
Honorable Ann Aldrich, Cleveland  
Honorable David D. Dowd, Jr., Akron  
Honorable David A. Katz, Toledo

***Senior United States District Judges Retired***

Honorable John W. Potter, Toledo  
Honorable Sam H. Bell, Akron

***United States Bankruptcy Judges***

Honorable Randolph Baxter, Chief Judge, Cleveland  
Honorable Richard L. Speer, Toledo  
Honorable Marilyn Shea-Stonum, Akron  
Honorable Pat E. Morgenstern-Clarren, Cleveland  
Honorable Russ Kendig, Canton  
Honorable Mary Ann Whipple, Toledo  
Honorable Arthur I. Harris, Cleveland  
Honorable Kay Woods, Youngstown



***United States Magistrate Judges***

Honorable James S. Gallas, Akron  
Honorable Patricia A. Hemann, Cleveland  
Honorable Vernelis K. Armstrong, Toledo  
Honorable Nancy A. Vecchiarelli, Cleveland  
Honorable George J. Limbert, Youngstown  
Honorable William H. Baughman, Jr., Cleveland  
Honorable Kenneth S. McHargh, Cleveland

***United States Magistrate Judge Retired***

Honorable David S. Perelman, Cleveland

***United States District Court  
Southern District of Ohio***

***United States District Judges***

Honorable Sandra S. Beckwith, Chief Judge, Cincinnati  
Honorable Susan J. Dlott, Cincinnati  
Honorable Edmund A. Sargus, Jr., Columbus  
Honorable Algenon L. Marbley, Columbus  
Honorable Thomas M. Rose, Dayton  
Honorable Gregory L. Frost, Columbus  
Honorable Michael H. Watson, Columbus

***Senior United States District Judges***

Honorable S. Arthur Spiegel, Cincinnati  
Honorable Walter Herbert Rice, Dayton  
Honorable John D. Holschuh, Columbus  
Honorable Herman J. Weber, Cincinnati  
Honorable James L. Graham, Columbus  
Honorable George C. Smith, Columbus

*United States Bankruptcy Judges*

Honorable Thomas F. Waldron, Chief Judge, Dayton  
Honorable Barbara J. Sellers, Columbus  
Honorable J. Vincent Aug, Jr., Cincinnati  
Honorable Charles M. Caldwell, Columbus  
Honorable Jeffery P. Hopkins, Cincinnati  
Honorable John E. Hoffman, Jr., Columbus  
Honorable Lawrence S. Walter, Dayton

*United States Bankruptcy Judges Retired*

Honorable Burton Perlman, Cincinnati  
Honorable William A. Clark, Dayton  
Honorable Donald E. Calhoun, Jr., Columbus

*United States Magistrate Judges*

Honorable Mark R. Abel, Columbus  
Honorable Norah McCann King, Columbus  
Honorable Michael R. Merz, Dayton  
Honorable Terence P. Kemp, Columbus  
Honorable Timothy S. Hogan, Cincinnati  
Honorable Sharon L. Ovington, Dayton  
Honorable Timothy S. Black, Cincinnati

*United States District Court  
Eastern District of Tennessee*

*United States District Judges*

Honorable R. Allan Edgar, Chief Judge, Chattanooga  
Honorable Curtis L. Collier, Chattanooga  
Honorable Thomas W. Phillips, Knoxville  
Honorable Thomas A. Varlan, Knoxville  
Honorable J. Ronnie Greer, Greeneville

*Senior United States District Judges*

Honorable Thomas G. Hull, Greeneville  
Honorable James H. Jarvis II, Knoxville  
Honorable Leon Jordan, Knoxville

*United States Bankruptcy Judges*

Honorable John C. Cook, Chief Judge, Chattanooga  
Honorable Richard S. Stair, Jr., Knoxville  
Honorable Marcia P. Parsons, Greeneville  
Honorable R. Thomas Stinnett, Chattanooga

**United States Magistrate Judges**

Honorable Dennis H. Inman, Greeneville  
Honorable William B. Mitchell Carter, Chattanooga  
Honorable C. Clifford Shirley, Knoxville  
Honorable H. Bruce Guyton, Knoxville  
Honorable Susan Kerr Lee, Chattanooga

*United States District Court  
Middle District of Tennessee*

*United States District Judges*

Honorable Robert L. Echols, Chief Judge, Nashville  
Honorable Todd J. Campbell, Nashville  
Honorable Aleta A. Trauger, Nashville  
Honorable William J. Haynes, Nashville

*Senior United States District Judges*

Honorable Thomas A. Wiseman, Jr., Nashville  
Honorable John T. Nixon, Nashville  
Honorable Thomas A. Higgins, Nashville

*United States Bankruptcy Judges*

Honorable George C. Paine II, Chief Judge, Nashville  
Honorable Keith M. Lundin, Nashville  
Honorable Marian F. Harrison, Nashville

*United States Magistrate Judges*

Honorable Juliet E. Griffin, Nashville  
Honorable Joe B. Brown, Nashville  
Honorable E. Clifton Knowles, Nashville

*United States District Court  
Western District of Tennessee*

*United States District Judges*

Honorable James D. Todd, Chief Judge, Jackson  
Honorable Jon Phipps McCalla, Memphis  
Honorable Bernice B. Donald, Memphis  
Honorable Samuel H. Mays, Jr., Memphis  
Honorable J. Daniel Breen, Jackson

*Senior United States District Judge Retired*

Honorable Odell Horton, Memphis

*United States Bankruptcy Judges*

Honorable David S. Kennedy, Chief Judge, Memphis  
Honorable William H. Brown, Memphis  
Honorable G. Harvey Boswell, Jackson  
Honorable Jennie D. Latta, Memphis

*United States Magistrate Judges*

Honorable Diane K. Vescovo, Memphis  
Honorable Tu M. Pham, Memphis  
Honorable S. Thomas Anderson, Jackson

*Staff, United States Court of Appeals*

James A. Higgins, Circuit Executive  
Leonard Green, Clerk  
Patrick Shroeder, Senior Staff Attorney  
Robert W. Rack, Jr., Chief Circuit Mediator  
Kathy Joyce Welker, Circuit Librarian



*In  
Memoriam*

*Honorable Bailey Brown  
Honorable Robert B. Krupansky*

## *MEMORIAL RESOLUTION*

Bailey Brown, a lifelong resident of Memphis, Tennessee, served the federal judiciary faithfully and with distinction in a number of capacities for over thirty-five years. He was appointed to the district court for the Western District of Tennessee by President John F. Kennedy in 1961 at the age of forty-four; the first new district judge at Memphis in more than twenty years.

Educated in Memphis public schools, Judge Brown received his undergraduate degree in history and economics at the University of Michigan. He earned his law degree at Harvard Law School in 1942. He was a loyal alumnus of both Michigan and Harvard and enjoyed associating with fellow alumni in the judiciary. Immediately after law school graduation, he began service as a naval officer. During his service in the Pacific theater, Judge Brown served in Guam and was serving in Japan at the time of the surrender ceremony aboard the U.S.S. Missouri.

After completion of his naval service in 1946, Judge Brown joined and later became a partner in the well-known and respected firm, Burch, Porter & Johnson, where he engaged in civil, criminal and administrative matters in both state and federal forums. Mr. Burch, a prominent litigator and civil rights advocate, represented Martin Luther King, Jr., in Judge Brown's court.

A bachelor until 1964, Judge Brown married Doris Lawhorn, his widow at his death in 2004. He is also survived by a son, Bailey Brown, Jr.

Judge Brown began his service sitting primarily in Memphis, and also in Jackson, Tennessee, at a time of great turmoil in the midst of school desegregation, the civil rights movement and the Vietnam War. He handled many school desegregation cases, some of

which were ultimately decided by the Supreme Court, with a minimum of discord and tension. He became Chief Judge of the district court in 1966. During his thirteen-year tenure, he initiated steps to bring African Americans and women into the federal court family. President Jimmy Carter elevated him to the United States Court of Appeals for the Sixth Circuit in 1979.

Judge Brown was not only an astute judge who wrote clear and concise opinions, but he was relaxed and pleasant in his demeanor. He often displayed his sense of humor and quiet command on the bench. Collegial and friendly, he was well liked by his colleagues on the district and circuit court benches as well as by the lawyers who appeared before him. As a senior judge, he served as a visiting judge on a number of other circuit courts.

Judge Brown was admired by the bench and bar generally in his home, and by law school academicians, receiving many honors as well as invitations to speak to legal groups, participate in seminars, and to judge in moot court tournaments. He was voted outstanding judge by the Memphis & Shelby County Bar Association, and by its Young Lawyers group. In 1996 he received the bar association's Lawyers' Lawyer Award in recognition of his fairness and devotion to equal justice principles.

He was active in many community affairs, serving, among other activities, as president of the Memphis Symphony, chairman of the Memphis Public Affairs Forum, and before his service as a judge, in political groups with his own independent viewpoint.

He served several years on the Judicial Conference Committee on Court Administration as well as other Judicial Conference Committees.



Throughout his career, Judge Brown eschewed partisanship and was viewed as independent-minded and inclusive in his civic, religious (he was an Episcopalian) and social interrelationships.

THEREFORE, BE IT RESOLVED that the Sixty-fifth Judicial Conference of the Sixth Circuit, in session at Mackinac Island, Michigan this 26th day of June, 2005, pays tribute to the memory of United States Circuit Judge Bailey Brown; and

BE IT FURTHER RESOLVED that a copy of this resolution be preserved upon the records of this Conference and that a copy be forwarded to Judge Brown's family as a testament to the esteem in which Judge Brown was held by the members of this Conference and as an expression of our sympathy.

Respectfully submitted,

Honorable Cornelia G. Kennedy  
Senior United States Circuit Judge  
Sixth Circuit Court of Appeals

Honorable Julia S. Gibbons  
United States Circuit Judge  
Sixth Circuit Court of Appeals

Honorable Harry W. Wellford  
United States Circuit Judge Retired  
Sixth Circuit Court of Appeals

## ***MEMORIAL RESOLUTION***

The judge, according to Plato, “should have learned to know evil, not from his own soul, but from late and long observation of the nature of evil in others: knowledge should be his guide, not personal experience.” Certainly Plato would have looked with satisfaction on the appointment of Robert B. Krupansky to the federal bench. Judge Krupansky was an upright and honorable man whose long observation of human nature, including the evil of which Plato spoke, came from a variety of sources, including his military service—he was a bomber pilot during WWII, and eventually retired from the Air Force Reserve as a colonel—and his active political career—he served as an Assistant Attorney General for the State of Ohio and as the director of the Ohio Department of Liquor Control under Gov. C. William O’Neill. By the time he was appointed to the United States District Court for the Northern District of Ohio, he had spent two years on the Cuyahoga County Common Pleas Court, and he had also served as United States Attorney for the Northern District of Ohio, leading a grand jury investigation into the Kent State University riots that resulted in the deployment of the Ohio National Guard on the campus and the shooting deaths of several students. From this background, he accumulated the wealth of knowledge that guided him in his long and distinguished judicial career.

Appointed to the district court by President Richard Nixon in 1970, Judge Krupansky spent more than a decade as a trial judge, where he earned a reputation for being fair, firm and efficient in conducting the business of the court. In 1982, President Ronald Reagan appointed him to the Sixth Circuit Court of Appeals, where he quickly became known as an active questioner from the bench and the author of well-organized, well-analyzed and well-written opinions—opinions that spoke with a voice uniquely his. Judge Krupansky was direct and forthright in his approach to the cases that came before him, and he relished the opportunity to tackle difficult and controversial matters. Notably, for example, when he was assigned the Cleveland school desegregation case in 1994, which by that time had been ongoing for more than

20 years, Judge Krupansky had already taken senior status. He did not shrink from the task, however, and, after determining that the elected school board had demonstrated fiscal irresponsibility and lack of leadership, the judge placed the Cleveland School District under state control, where it stayed until he returned the case to the district court, some 16 months later.

Judge Krupansky enjoyed politics—he was an unabashed Republican. His politics, however, colored neither his work nor his relationships with his colleagues. Having practiced law for many years with Howard Metzenbaum, one of Ohio’s leading Democrats, Judge Krupansky understood the importance of both diverse political points of view and the individuals who hold them. New judges on the Sixth Circuit learned to look forward to the good-natured sparring at dinner between Judge Krupansky, the staunch conservative Republican, and Judge Keith, the equally staunch liberal Democrat. Beneath the sparring, new judges quickly observed, was a deep and lasting personal friendship, although—to the best of any of their colleagues’ knowledge—neither of them ever made any serious inroads on the political philosophy of the other!

Although he devoted most of his life to the law, Judge Krupansky knew that there was more to life than the court. He loved the water, whether on it in his boat or in it as a scuba diver; he loved wildlife, whether in the form of the fine porcelain figures he and his wife collected, or in real life, even when the creatures appropriated as their personal salad bar the plantings on the grounds surrounding his beautiful home; he loved fast cars, particularly his Corvettes. Most of all, he was devoted to his wife, Marjorie, who survives him and to whom he was married for over 50 years.

His colleagues and his profession suffered a real loss when Judge Krupansky died on November 8, 2004. He served his country and his profession well and honorably, and he will be greatly missed.

THEREFORE, BE IT RESOLVED that the Sixty-fifth Judicial Conference of the Sixth Circuit, in session at Mackinac Island, Michigan, this 26th day of June, 2005, pays tribute to the memory of United States Circuit Judge Robert B. Krupansky; and

BE IT FURTHER RESOLVED that a copy of this resolution be preserved upon the records of this Conference and that a copy be forwarded to Judge Krupansky's wife as a testament to the esteem in which Judge Krupansky was held by the members of this Conference and as an expression of our sympathy.

Respectfully submitted,

Damon J. Keith

David A. Nelson

Alice M. Batchelder