



July 2014

## In this Issue

- [Message from Edward J. Heath, Pro Bono Partner](#)
- [Robinson+Cole Secures Compassionate Release for Dying Prisoner](#)
- [Kathleen M. Porter Earns Boston Bar Association President's Award for Efforts with Marathon Assistance Project](#)
- [Robinson+Cole Appellate Attorneys Obtain Favorable Decision from U.S. Court of Appeals](#)
- [Sikorsky Aircraft Corporation Recognizes Robinson+Cole for Sponsoring Home Run for Heroes](#)
- [Robinson+Cole Saves Veterans from Eviction](#)

### MESSAGE FROM EDWARD J. HEATH, PRO BONO PARTNER

For the last six years, I have had the privilege of serving as chair of the firm's pro bono committee. I inherited this position from Pamela K. Elkow, who succeeded Don Buck, the first committee chair. Our firm's pro bono tradition extends back to as early as the beginning of the twentieth century. It is a tradition that we all should be proud of, and it has been carried on diligently by so many of us. As you may know, it was a Robinson+Cole associate who was the leading force in forming Hartford County's first legal aid organization. It is now time for me to pass the torch to the new chair, Brian D. Nichols. I am confident that he will lead our pro bono program to greater heights.



### ROBINSON+COLE SECURES COMPASSIONATE RELEASE FOR DYING PRISONER

Robinson+Cole lawyers James A. Wade and Dominic Spinelli secured the release from prison of a 51-year-old man dying of cancer.

Bernard Mulka was convicted in 2003 and 2004 for his involvement in two bank robberies. He was sentenced to 20 years in prison, with execution suspended after 12 years in the Judicial District of Hartford. He also received a consecutive 5-year sentence in the Judicial District of Tolland.

In 2013, while an inmate at Osborn Correctional Institute, Mr. Mulka was informed that his cancer, for which he had received treatment a decade earlier, had returned and that his prognosis was poor. Robinson+Cole assisted Mr. Mulka with his application for medical and/or compassionate parole, a statutory provision in Connecticut that offers early release to inmates who are terminally ill and who do not pose a threat to society.

Over approximately eight months, Mr. Wade and Mr. Spinelli argued Mr. Mulka's case. This included initially submitting an application with the Connecticut Board of Pardons and Paroles (Board), who denied Mr. Mulka's application on January 16, 2014. Thereafter, Mr. Wade and Mr. Spinelli sought modification

of Mr. Mulka's sentence to time served in the original sentencing courts in Hartford and Tolland, which was also unsuccessful. Finally, they brought a habeas corpus action in the Connecticut Superior Court, alleging violations of his constitutional rights and seeking compassionate and/or medical parole. After one day of trial, the Board agreed to hold a second hearing on Mr. Mulka's application, at which time the Board granted him compassionate parole. He was released on May 12, 2014, after spending 10 years in prison.

Sadly, Mr. Mulka passed away on May 27, 2014, but spent the final two weeks of his life at his father's house with his family by his side.

#### **KATHLEEN M. PORTER EARNS BOSTON BAR ASSOCIATION PRESIDENT'S AWARD FOR EFFORTS WITH MARATHON ASSISTANCE PROJECT**

Through the Boston Bar Association's (BBA) Marathon Assistance Project, business and intellectual property lawyer Kathleen M. Porter volunteered to represent a father and son who were injured in the Boston Marathon bombings. The duo were waiting for their wife and mom to complete the race. "I was inspired by the BBA's quick efforts to connect volunteer lawyers to those affected by the marathon bombings and a desire to do something positive and practical in response to these attacks on my city," said Ms. Porter. "It was my privilege to be able to provide legal assistance to this family at this time."



In May 2014, Paul T. Dacier, BBA president, presented Ms. Porter and 69 other volunteer lawyers with the 2014 BBA's President's Award for assisting victims and small businesses affected the Boston Marathon bombings.

#### **ROBINSON+COLE APPELLATE ATTORNEYS OBTAIN FAVORABLE DECISION FROM U.S. COURT OF APPEALS**

Robinson+Cole appellate attorneys Jeffrey J. White and Kathleen E. Dion recently obtained a favorable decision from the United States Court of Appeals for the Second Circuit for their client Jovan Fludd. Mr. Fludd, an inmate housed in a New York State correctional institution, brought claims under 42 U.S.C. § 1983, alleging violations of his due process rights for the four years he was held in solitary confinement. The district court dismissed the case on a motion by the government, and Mr. Fludd appealed to the Second Circuit. Mr. White and Ms. Dion drafted the appeal brief, and Ms. Dion argued the appeal earlier this year. Following the argument, the Second Circuit issued a decision agreeing with Mr. Fludd, allowing him to proceed with his due process claim in the district court. The firm took this case at the request of the Second Circuit as part of the Court's pro bono program; the Court made a point to thank the firm at the end of the oral argument for doing so.



#### **SIKORSKY AIRCRAFT CORPORATION RECOGNIZES ROBINSON+COLE FOR SPONSORING HOME RUN FOR HEROES**

Kevin M. Lenehan, litigation director at Sikorsky Aircraft Corporation, recently presented Robinson+Cole with a replica of a Sikorsky helicopter for sponsoring the third annual Home Run for Heroes Bluefish Baseball Game, held on July 13, 2013, at Bridgeport's Bluefish Stadium. The event, held in conjunction with Sikorsky's Veterans Appreciation Weekend, recognizes and raises funds for those who served our country, producing significant donations to



national and local veterans' charities. The firm's participation as a Gold Sponsor, combined with contributions from other organizations, allowed Sikorsky to raise over \$48,000 for local veterans organizations last year. Through the proceeds from Home Run for Heroes, Sikorsky supports Harkness House/Columbus House, which offers a safe living environment for homeless veterans and helps them to reintegrate into society; the Connecticut Veterans Legal Center, which assists veterans recovering from homelessness and mental illness in surmounting legal obstacles to housing, health care, and income; and the Connecticut Fallen Heroes Foundation, which has dedicated itself to always remembering, posthumously, fallen heroes each year since 2004.

**Photo:** Mr. Lenehan presents replica helicopter to Robinson+Cole lawyers Edward V. O'Hanlan, Craig A. Raabe, Robert S. Melvin, Earl W. Phillips Jr., and John B. Lynch Jr.

### **ROBINSON+COLE SAVES VETERANS FROM EVICTION**

Jonathan H. Schaefer and Robert S. Melvin, along with Ted Perrault, a lawyer from United Technologies Corporation, recently concluded a successful resolution of a housing dispute on behalf of a Connecticut Veterans Legal Center (CVLC) client. In resolving the case, Mr. Perrault, Mr. Schaefer, and Mr. Melvin helped two veterans and their son avoid an eviction and provided them additional time to make arrangements to stay in their residence without suffering further financial hardship. Over a span of 21 months the lawyers negotiated several agreements with the veterans' landlord to freeze the eviction proceeding, represented the veterans in housing court on four occasions, worked with nonprofits to obtain financial assistance, and worked with the veterans to ensure they were reinstated as tenants in good standing. The CVLC's mission is to help Connecticut veterans recovering from homelessness and mental illness overcome the legal barriers to housing, health care, and income. The firm frequently handles cases referred by this valuable organization.



---

### **2014 PRO BONO COMMITTEE MEMBERS**

[Kenneth C. Baldwin](#) | [Nicole A. Bernabo](#) | [Karla L. Chaffee](#) | [Kathleen E. Dion](#)

[Matthew M. Dolan](#) | [Pamela K. Elkow](#) | [Edward J. Heath](#) | [Gregory J. Ligelis](#) | [Megan R. Naughton](#)

[Brian D. Nichols](#) | [Christopher S. Pitt](#) | [Taylor A. Shea](#)

---

© 2014 Robinson & Cole LLP. All rights reserved. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior written permission. This document should not be considered legal advice and does not create an attorney-client relationship between Robinson & Cole and you. Consult your attorney before acting on anything contained herein. The views expressed herein are those of the authors and not necessarily those of Robinson & Cole or any other individual attorney of Robinson & Cole. The contents of this communication may contain attorney advertising under the laws of various states. Prior results do not guarantee a similar outcome.