

Presents a Quick Teleconference program  
**This program does not offer CLE credit.**

## **“A FOIA in the House?”: Two Critical Supreme Court Cases for the Environmental and Energy Lawyer**

**Thursday, January 13, 2011**

12:00 p.m. – 1:30 p.m. Eastern Time / 11:00 a.m. – 12:30 p.m. Central Time  
10:00 a.m. – 11:30 a.m. Mountain Time / 9:00 a.m. – 10:30 a.m. Pacific Time

### **Program Overview:**

The U.S. Supreme Court has granted review of two cases involving critical exemptions in interpreting the scope of the frequently used Freedom of Information Act (FOIA). In *Milner v. Department of the Navy*, the Supreme Court heard argument in December on the statutory language of FOIA exemption 2 and its application to Navy maps depicting the potential scope of environmental impact from a naval facility’s munitions explosion. In January 2011, the Court will consider *FCC v. AT&T, Inc.*, the Government’s challenge to a Third Circuit decision finding a constitutional right of privacy on behalf of corporations filing documents with a federal agency in connection with FOIA exemption 7. The results of these cases could have major impacts on how environmental and energy lawyers obtain information from EPA, DOE, FERC, and other regulatory agencies.

For background information, please see P. Stephen Gidiere III’s source book, “*The Federal Information Manual: How the Government Collects, Manages and Discloses Information under FOIA and Other Sources*” (ABA 2006).

### **Educational Objectives:**

- Learn about two Supreme Court cases involving FOIA and exemptions to the Act.
- Learn how these two cases can affect the environmental and energy practice.
- Learn about the constitutional right of corporate privacy.

### Moderator:

**Norman A. Dupont**, Richards Watson Gershon, Los Angeles, CA

### Panelists:

**P. Stephen Gidiere III**, Balch & Bingham LLP, Birmingham, AL (author of FOIA textbook)

**Professor Jane Kirtley**, University of Minnesota School of Journalism and Mass Communication, Minneapolis, MN (formerly Executive Director, Reporters Committee for Freedom of the Press)

**David S. Mann**, Gendler & Mann LLP, Seattle, WA (Counsel of record for Milner in *Milner v. Department of Navy*)

### **Questions?**

Do you have a question that you would like the panel to address? Please email your question to Norman A. Dupont at [ndupont@rwglaw.com](mailto:ndupont@rwglaw.com) by Wednesday, January 12, 2011 at noon Eastern Time and the panel will make every effort to address your inquiry.

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There are two ways to participate in this program either attending a host site location (free of charge) or individual dial-in:

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*Participation at a host site location is free of charge; however, registration with the host site contact is required.*

### **Austin, TX**

Brown McCarroll, L.L.P., 111 Congress Ave., Ste. 1400

RSVP: Keith Hopson, (512) 479-9735 or [khopson@brownmccarroll.com](mailto:khopson@brownmccarroll.com)

### **Bloomfield Hills, MI**

Butzel Long, Stoneridge West  
41000 Woodward Ave

RSVP: Beth S. Gotthelf, (248) 258-1303 or [gotthelf@butzel.com](mailto:gotthelf@butzel.com)

## **CONFERTEL TELECONFERENCE (Individual dial-in)**

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<https://secure.confertel.net/tsregister.asp?course=2065167>

Online registration is encouraged for immediate confirmation and billing receipt. You may also complete this form and fax it to (760) 931-0079. Registration cannot be confirmed until ConferTel receives check or Purchase Order. The registration fee covers the cost of the phone connection; you are encouraged to have others listen to the program with you.

*\*The Section has secured ConferTel to provide conferencing services, including registration, conferencing and payment. Please make checks payable to ConferTel. Questions regarding the teleconference can be directed to ConferTel at (866) 930-4500.*

## **Law Students:**

Complimentary registrations are available for law student groups and environmental law societies. Please contact Julie Connell at [ConnellJ@staff.abanet.org](mailto:ConnellJ@staff.abanet.org) to secure your registration.

## **Late Registration Notice:**

Please register early, we cannot guarantee late registrations (day of event).

## **CONFERTEL REGISTRATION INFORMATION:**

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