

**THE OFFICES OF THE FEDERAL PUBLIC DEFENDERS
FOR THE EASTERN AND WESTERN DISTRICTS OF VIRGINIA**

JOINTLY PRESENT THE TWELFTH

***FRANK DUNHAM FEDERAL
CRIMINAL DEFENSE
CONFERENCE***

**Thursday, April 11 - Friday, April 12, 2019
Boar's Head Inn, Charlottesville, Virginia**

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PROGRAM SCHEDULE

Note: All sessions are in the Pavilion I and II;
Friday lunch will be in the Ballroom.

Thursday, April 11

- 1:30 Program check-in begins
- 2:25 *Welcome and Introduction* Geremy Kamens, FPD ED Va.
Juval Scott, FPD WD Va.
- 2:30 *Fourth Circuit Update* Alan DuBois, FPD EDNC
Patrick Bryant, RWA ED Va.
- 3:30 Break
- 3:45 *The Ethics of Joint Representation and
Joint Defense Agreements* Tom Spahn, Esq.
- 4:45 Bonus Session for CJA Attorneys:
*Using E-Voucher for the Services You
Need to Represent Your Client* Larry Dash, 4th Circuit
CJA Budgeting Attorney
- 5:30 Adjourn for evening

Friday, April 12

- 7:30 Continental breakfast begins
- 8:00 Program check-in continues
- 8:25 *Welcome and Introduction* Geremy Kamens, FPD ED Va.
Larry Shelton, FPD WD Va.
- 8:30 *Supreme Court Review and Preview* Paul Rashkind, AFPD SD Fla.
- 9:30 Break

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| 9:45 | <i>Writing, with Style</i> | Jay McEntire, AFD ED Wash. |
| 11:00 | <i>Understanding Immigration Consequences of Federal Convictions</i> | Ubong Akpan, Attorney Advisor, DSO Training Div. |
| 12:00 | Lunch (meal provided) | Hon. Gerald B. Lee Keynote speaker |
| 1:15 | <i>The First Step Act of 2018: What You Must Know to Help Your Clients</i> | Benji McMurray, AFD, D Utah Carter Burwell, Counsel to Sen. John Corynn Nick Xenakis, Counsel to Sen. Dianne Feinstein |
| 2:15 | Break | |
| 2:30 | <i>Defending RICO Cases: Actually, You Can Win Them</i> | Jack Cunha, Esq. |
| 3:30 | <i>Ethics Game Show, Round VI</i> | Ken Troccoli, AFD ED Va. Ellen Shultz, ED Va. |
| 4:30 | Complete evaluations and adjourn | |

FACULTY INFORMATION

UBONGE. AKPAN

Attorney Advisory, Defender Services Office
Training Division, Washington DC

Education: B.A. 1999, Boston University; J.D. 2003, American University
Washington College of Law

Professional: Litigation associate, Venable LLP, Baltimore, Maryland,
2003-05; law clerk, Hon. Inez Smith Reid, District of Columbia
Court of Appeals, 2005-06; associate, Dickstein Shapiro, LLP,
Washington, DC, 2006-10; trial and appellate attorney, Law
Offices of Emmanuel D. Akpan, J.D., Ph.D., Silver Spring,
Maryland, 2010-12; research and writing attorney, Office of the
Federal Public Defender, Pittsburgh, Pennsylvania, 2012-15;
assistant deputy public defender, Office of the Public Defender
for the State of New Jersey, Camden, New Jersey, 2015-17;
Attorney Advisor, Defender Services Office Training Division,
Washington, DC, 2017-present

PATRICK L. BRYANT

Appellate Attorney, Office of the Federal
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Education: B.A. 1998, Duke University; J.D. 2002, Washington and Lee
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Professional: Staff attorney, U.S. Court of Appeals for the Fourth Circuit,
Richmond, Virginia, 2002-04 and 2005-07; law clerk, Hon.
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Circuit, Tampa, Florida, 2004-05; appellate attorney, Office of the
Federal Public Defender, Alexandria, Virginia, 2007-present

CARTER BURWELL

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Education: B.A. 1996, Columbia University; MPhil, Cambridge University,
1998; J.D. 2002, University of Virginia School of Law

Professional: Law clerk, Hon. John Gleeson, U.S. District Court, Eastern District of New York, 2002-03; law clerk, Hon. Karen Henderson, U.S. Court of Appeals for the D.C. Circuit, 2003-04; associate, Davis Polk & Wardwell, New York, New York, 2004-07; assistant U.S. Attorney, Eastern District of New York, 2007-12; assistant U.S. Attorney, Eastern District of Virginia, 2012-15; staffer, Senate Judiciary Committee, 2014-present

JOHN H. CUNHA, JR. Partner, Cunha & Holcomb, P.C. Boston, Massachusetts

Education: B.A. 1973, Boston College; J.D. 1977, Boston College Law School

Professional: Attorney, trial division, Massachusetts Defenders Committee, 1977-79; attorney, Massachusetts State Ethics Commission, 1979-81; partner, Cunha & Holcomb, Boston, Massachusetts, 1981-present; instructor in criminal defense advocacy, Suffolk University Law School, 1982-85; instructor in criminal defense advocacy, Harvard Law School, 1985-95; member, Massachusetts State Sentencing Commission, 2016-present

LARRY M. DASH CJA Case Budgeting Attorney, U.S. Court of Appeals for the Fourth Circuit

Education: B.A. 1982, Columbia College (Missouri); J.D. 1989, Touro College, Jacob D. Fuchsberg Law Center

Professional: Assistant staff judge advocate, U.S. Air Force, 1991-94; circuit trial counsel, U.S. Air Force, 1994-97; associate, Greg D. McCormack, P.C., Virginia Beach, Virginia, 1997-98; private practice, Newport News, Virginia, 1998-2001; assistant federal public defender, Norfolk, Virginia, 2001-14; CJA case budgeting attorney, U.S. Court of Appeals for the Fourth Circuit, Richmond, Virginia, 2014-present

G. ALAN DUBOIS Federal Public Defender, Eastern District of North Carolina

Education: B.A. 1984, Duke University; J.D. 1987, University of Virginia School of Law

Professional: Staff attorney, U.S. Court of Appeals for the Fourth Circuit, Richmond, Virginia, 1988-89; assistant federal public defender (senior appellate attorney), Raleigh, North Carolina, 1989-2013; first assistant federal public defender, Raleigh, North Carolina, 2013-17; federal public defender, Raleigh, North Carolina, 2017-present

JOHN B. McENTIRE, IV Senior Litigator, Federal Defenders of Eastern Washington and Idaho

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Professional: Law clerk, Hon. Edward F. Shea, U.S. District Court, Richland, Washington, 2007-09; litigation associate, Lukins & Annis, P.S., Spokane, 2009-10; senior litigator, Federal Defenders of Eastern Washington & Idaho, 2010-present; adjunct faculty in advanced federal criminal procedure, trial advocacy, and advanced legal writing, Gonzaga University School of Law, 2013-present

BENJAMIN C. McMURRAY Assistant Federal Public Defender, District of Utah

Education: B.A. 2000, Brigham Young University; J.D. 2003, Brigham Young University

Professional: Law clerk, Hon. Paul G. Cassell, U.S. District Court for the District of Utah, 2003-04; law clerk, Hon. Timothy M. Tymkovich, U.S. Court of Appeals for the Tenth Circuit, Denver, Colorado, 2005-06; research & writing specialist, Utah Federal Defender Office, 2004-05, 2006-08; special counsel, U.S. Sentencing Commission, 2007-08; Supreme Court fellow, assigned to U.S. Sentencing Commission, 2008-09; special counsel, Senator Mike Lee, Washington, D.C.; assistant federal public defender, Salt Lake City, Utah, 2009-present; adjunct professor, University of Utah Law School, 2009-present; commissioner, Utah Sentencing Commission, 2010-14

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Education: B.B.A. 1972, University of Miami; J.D. 1975, University of
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Professional: Assistant state attorney, Miami, Florida, 1975-78; chief assistant
state attorney (appeals), Miami, Florida, 1977-78; associate, Sams
Gerstein & Ward, 1978-83; partner, Bailey, Gerstein, Rashkind
& Dresnick, 1984-92; chief of appeals and supervisory assistant
federal public defender, Miami, Florida, 1992-present

THOMAS E. SPAHN

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Education: B.A. 1974, Yale University; J.D. 1977, Yale Law School

Professional: Associate and partner, McGuireWoods, LLP, 1977-present;
author, *The Attorney-Client Privilege and the Work Product
Doctrine: A Practitioner's Guide* (Virginia Law Foundation,
2013), *Virginia Legal Ethics Opinion Summaries*, and numerous
articles; speaker at over 1,500 CLE programs; past and present
professional service includes membership on the Virginia Bar's
Legal Ethics Committee, the Virginia Judicial Ethics Advisory
Committee, the ABA Standing Committee on Ethics and
Professional Responsibility, the American Law Institute
(member), and the American Bar Foundation (fellow)

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University Law School; LL.M. 2001, Georgetown University Law
Center

Professional: Law clerk, Hon. H. Carl Moultrie, Superior Court of the District
of Columbia, Washington, DC, 1984-85; associate, Krooth &
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NICHOLAS J. XENAKIS

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Professional: Law clerk, Hon. Robert B. King, U.S. Court of Appeals for the Fourth Circuit, Charleston, West Virginia, 2010-11; fellow, Equal Justice Initiative, Montgomery, Alabama, 2011-12; research and writing attorney, Office of the Federal Public Defender for the Eastern District of Virginia, Alexandria, Virginia, 2012-17; staffer, Senate Judiciary Committee