

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF EXECUTIVE COMMITTEE
CONFERENCE CALL MEETING
SEPTEMBER 20, 2012**

Members Participating: Abernethy, Doyle, Finerty, Gaffney, Gerstman, Gorgos, James, Lau-Kee, Martin, Millon, Miranda, Myers, Safer, Schraver, Slezak, and Young.

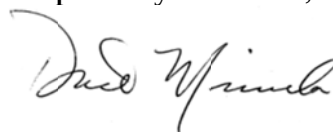
Guests: Gregory L. Diskant, Benjamin S. Litman, Joseph R. Richie, Diana Sagorika Sen, Stephen P. Younger.

Mr. James presided as President of the Association.

1. Proposed *amicus curiae* brief in *Clapper v. Amnesty International*. Mr. Younger, together with Messrs. Diskant, Litman and Richie, outlined a proposed *amicus* brief to be filed with the United States Supreme Court in support of standing for attorneys to challenge the constitutionality of the FISA (Foreign Intelligence Surveillance Act) Amendments Act of 2008. The brief would address the duty of an attorney to abide by the Rules of Professional Conduct and the impact of technology on an attorney's ethical obligation to maintain client confidentiality. Ms. Sen, chair of the Committee on Civil Rights, advised that the committee supports the submission of an *amicus* brief in this case. After discussion, a motion was adopted to approve the submission of an *amicus* brief on behalf of the Association. Messrs. Abernethy, Doyle, Miranda and Schraver agreed to serve as a subcommittee to review the final brief.

There being no further business to come before the Executive Committee, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David P. Miranda", written in a cursive style.

David P. Miranda
Secretary