



President's Letter 1

Meet Your President - Andy Portinga..2

Great Venue, Company, and
Programming Highlight the
2014 Bench-Bar Conference at
Mission Point Resort3

Retirement Event Celebrates
Judge Scoville's Long and
Distinguished Career as Western
District Magistrate Judge 6

News from the Clerk..... 7

Selection Process Underway
to Fill the Seat of Long-
Serving Magistrate Judge
Hugh Brenneman, Who Has
Announced His Retirement 8

Court Uses Cartoon to "Illustrate"
Duty of Candor for Counsel 9

Changes to FRCP 45 Substantially
Alter Federal Subpoena Practice 10

Book Notes: *Guardian of Lies* 13

President's Letter

D. Andrew Portinga, President
Federal Bar Association, W.D. Michigan

Thank you for the opportunity to serve as the president of the Federal Bar Association for the Western District of Michigan. I am humbled and honored to follow the footsteps of prior presidents such as Ron DeWaard, Jennifer McManus, Katherine Smith Kennedy, and many others.

Last September, we gathered on Mackinac Island for our triennial Bench-Bar Conference. We took in substantive programming, interacted with other federal court practitioners and the bench in an informal setting, and enjoyed perfect weather in a breathtaking venue.

As I gazed out over the Straits of Mackinac from Mission Point, I was struck by how fortunate we are to practice law in the Western District of Michigan. We have a collegial, competent, and ethical bar as well as an experienced, diligent, and conscientious bench. Perhaps most importantly, the bench and the bar have a close relationship based on mutual respect. I really do not think that there are many districts that have both the quality of practice and the quality of life that we have. The Western District of Michigan is a unique place.

In the upcoming year, we will continue our Chapter's tradition of providing substantive, informative programming. We have already held three brownbag lunches. In November, we held a "Meet the Judges" program, where we introduced newly-appointed Magistrate Judge Phillip J. Green and newly-appointed Bankruptcy Judges John T. Gregg and James W. Boyd. In December, Adam Strauss, Chief Intellectual Property Counsel at Stryker Corporation, presented a brownbag lunch entitled "Intellectual Property Law 101." And in February 2015, Social Security Administrative Law Judge Nick Ohanesian talked about the process of applying for Social Security disability benefits.



**Your
Western Michigan
Chapter Federal Bar
Association**

www.wdfba.org

President
Andy Portinga

President-Elect
Sarah Riley Howard

Vice-President/Programs
Sharon Turek

Vice-President/Operations
Brian Lennon

Secretary
Matt Borgula

Treasurer
Bryan Walters

National Delegate
Jennifer McManus

Immediate Past President
Ron DeWaard

Newsletter Editor
Joseph A. Kuiper

Ex Officios
Honorable Hugh Brenneman, Jr.
Honorable Timothy P. Greeley
Honorable Phillip J. Green



President's Letter
Continued from page 1

More exciting programs are in the works. Among others, in March, John Bursch, the co-chair of Warner Norcross & Judd's Appellate and Supreme Court practice, along with Don Davis, former U.S. Attorney, will present their annual Supreme Court review. We are also planning programs on bankruptcy law and on retirement planning.

Once again, thank you for the opportunity to be the President of the FBA for the Western District. I look forward to serving, and I look forward to continuing the tradition of excellence set by my predecessors.

Andy Portinga, President

Meet Your President - Andy Portinga

Andy Portinga was elected President of the Western District Chapter of the Federal Bar Association in fall of 2014. Mr. Portinga's involvement with the FBA started about seven years ago, in 2007, when he served on the committee to re-ignite the Bench-Bar conference after several years of dormancy. Following that involvement, Mr. Portinga was invited to serve on the FBA Cabinet. He has since served as Secretary, Vice President of Programming, and Treasurer. He has also worked on the last two organizing committees for the Bench-Bar Conference.

Mr. Portinga has been a litigator at Miller Johnson since 1996. His practice includes general civil litigation, insurance coverage, and ERISA litigation. He graduated from Kalamazoo College in 1992 and the University of Michigan Law School in 1996. In addition to his FBA involvement, he has chaired the United States Courts Committee for the State Bar of Michigan.

Mr. Portinga has been married to his wife Clare for 17 years. Mrs. Portinga is a social worker at Gilda's Club. They have three sons: Kevin, who is an eighth-grader at City Middle; Jon, a sixth-grader at Blandford; and Drew, a third-grader at St. Stephen. In his spare time, Mr. Portinga enjoys coaching his sons' basketball teams. He is also an avid runner who has completed eight marathons. ■

Great Venue, Company, and Programming Highlight the 2014 Bench-Bar Conference at Mission Point Resort

By Bryan R. Walters¹

Over 100 members of the Western District of Michigan Federal Bar Association gathered from September 25–27, 2014, at the Mission Point Resort on Mackinac Island for our tri-annual Bench-Bar Conference. As always, the Bench-Bar Conference was extremely well supported by our bench, with all of our district judges and magistrate judges in attendance.

The planning committee's decision to move the Bench-Bar Conference to Mackinac Island paid off handsomely, as we were blessed with amazing weather, sunny skies, and temperatures in the upper 60s. Not surprisingly, in the feedback forms after the event, the top request for our next Bench-Bar Conference in 2017 is that the planning committee arrange for the same weather we had this year.



Attorney Brian Lennon (left) with Assistant United States Attorney Ray Beckering

The conference started out with a powerful presentation from the Honorable Bernice Donald of the United States Court of Appeals for the Sixth Circuit on the Civil Rights Act of 1964 and its continued importance in today's society. Judge Donald shared a number

of personal experiences from her past in helping conference attendees better understand the significance and magnitude of the Civil Rights Act in her life and the lives of many others.



Attorneys Fred Dilley (left) and Jon March

The conference also had a number of outstanding breakout sessions on a wide range of topics of interest to both the bench and bar. Among the many highlights were: a panel on effective appellate advocacy led by the Honorable Richard Allen Griffin of the United States Court of Appeals for the Sixth Circuit and Clifford Taylor, former Michigan Supreme Court Justice; a discussion on the Department of Justice's SMART on Crime program, led in part by the United States Attorney for the Western District of Michigan, Patrick Miles; a panel discussion on recent amendments to the Federal Rules of Civil Procedure led in part by the Honorable R. Allan Edgar; and a lively panel on the interplay between federal and state law relating to medical marijuana.

The lunch presentation was provided by Tracey Cordes, the Clerk of the Court for the Western District of Michigan. Ms. Cordes had the somewhat daunting task of making a presentation on the work of the clerk's office both informative and interesting. She did an admirable job in doing so.

Continued on next page



The lawn at Mission Point Resort with the Straits of Mackinac in the distance



Federal Public Defender Ray Kent (left) and Assistant United States Attorney Matt Borgula enjoying some after dinner comradery



Clerk of Court Tracey Cordes during her presentation. ■

The dinner presentation was provided by Harry Schneider of Perkins Coie LLP in Seattle, Washington. Mr. Schneider was one of the attorneys who volunteered to represent *Guantanamo captive* Salim Ahmed Hamdan, Osama bin Laden’s personal driver, in his trial. Mr. Schneider recounted the history of the trial and gave a detailed description of both the process leading up to the trial and the actual trial. Mr. Hamdan was ultimately found guilty of materially supporting bin Laden, but was acquitted of the more serious conspiracy charges against him.

The final day of the conference concluded with an “Ask the Judges” panel, in which the participants presented the judges and magistrate judges with a number of questions about practice in the Western District of Michigan. Federal Public Defender Ray Kent and David Gass of Miller Johnson facilitated the session. As

always, the exchange between the bench and bar was interesting and robust. The frank and respectful exchange of ideas during the session was illustrative of the strength of the relationship between the bench and the bar in our district.

Many thanks to the members of the planning committee for the Bench-Bar Conference, the generous sponsors of the conference (listed on the next page), and the judges of the district for the extraordinary support they continue to provide to this program. ■

Endnotes

- 1 Bryan Walters is an attorney at Varnum LLP in Grand Rapids.

Thank you to the sponsors of the 2014 FBA Bench-Bar Conference!

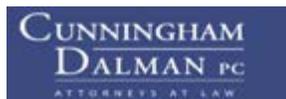
Gold



Silver



Bronze



**Wiley & Chamberlain
LLP**

Retirement Event Celebrates Judge Scoville's Long and Distinguished Career as Western District Magistrate Judge

By Sarah Howard and Bryan Walters¹

Over 200 members of the Western District of Michigan bench, bar, and court staff gathered on June 20, 2014, at the Gerald R. Ford Federal Courthouse in Grand Rapids, to celebrate the extraordinary career of United States Magistrate Judge Joseph G. Scoville, who retired last summer after more than 25 years of service.

The speakers uniformly celebrated Judge Scoville's excellent skill in managing and settling cases, but particularly his renowned sense of humor and sharp wit.

Among those who spoke to celebrate Judge Scoville's service were Chief Judge Paul L. Maloney, Magistrate Judges Ellen S. Carmody and Timothy P. Greeley, Sarah Howard on behalf of the Federal Bar Association, and Larry Willey on behalf of the criminal defense bar. Judge Scoville was also presented with a plaque by the United States Attorney's Office.

The speakers uniformly celebrated Judge Scoville's excellent skill in managing and settling cases, but particularly his renowned sense of humor and sharp wit. Everyone shared great stories about especially blunt statements (yet as kind as possible) he'd made from the bench, times he congratulated a lawyer on a nice try as he ruled against them, or wry advice he'd offered to new lawyers or judges.

Judge Scoville's career stood out even among this exceptional legal community. But more than that, he embodied the kind of personal traits that make practic-

ing law here a lot more like belonging to a family than being part of an impersonal business. He was among the first to offer to help with a retirement party for a court staff person, among the first to call upon a lawyer in turmoil, and among the first to participate in a charitable event. That character was reflected time and again in the fond recollections of those in attendance.

The program was a resounding success. Judge Scoville took the time to talk briefly with almost everyone in attendance. His retirement plans include volunteer-teaching high school government at Sacred Heart Academy. The bench and bar are sad to see Judge Scoville retire, but happy for him and his wife for this new chapter in their lives. We are also very grateful to have enjoyed his good work and wonderful company for so many years. ■



Hon. Joseph G. Scoville

Endnote

- 1 Sarah Howard is an attorney at Pinsky Smith Fayette & Kennedy LLP, and Bryan Walters is an attorney at Varnum LLP.

News from the Clerk

By Tracey Cordes, Western District Clerk of Court

Greetings, all! After a fairly quiet holiday season in the court, things have really begun to hum again. Here are a few of the things “in the news:”

The Budget

While we are still waiting to see the actual allotment for our court, we know that the numbers will be slightly better than initially projected. This is owing, in large part, to the recognition by members of Congress of the importance of the judicial function. Our branch of government has also initiated many cost-cutting measures, thereby signaling our willingness to work in partnership with Congress in managing our way through the fiscal challenges.

By way of example of our “belt tightening,” our court plans to reduce our physical footprint by over 8,000 square feet district wide by 2018. By October 1, 2014, our court had already relinquished 3500 square feet, by reducing the square footage we hold in reserve for storage and by reducing the size of the Probation and Pretrial Services office in Marquette. This alone represents a savings in annual rent payments of approximately \$60,000. We are working with an architect to develop ideas for reducing our space in the Marquette District Court and in the Grand Rapids Bankruptcy Court offices without compromising—and even improving, perhaps—security and work flow.

Our branch of government has also initiated many cost-cutting measures, thereby signaling our willingness to work in partnership with Congress in managing our way through the fiscal challenges.

The Hillman Program

Believe it or not, the Hillman Trial Skills Program has already come and gone. Between January 21 and 23, the Grand Rapids courthouse was again abuzz with activity.

Retirement

As you very likely know by now, Chief Judge Paul L. Maloney has announced the retirement of Magistrate Judge Brenneman, effective July 31, 2015, after 35 years of service. There will be celebratory events worthy of such a fine gentleman and generous public servant. Stay tuned for announcements.

The Court set a deadline of February 6, 2015 for applications from those interested in trying to fill Judge Brenneman’s very large shoes. For additional information, please consult “News and Announcements” on the court’s webpage at www.miwd.uscourts.gov.

Best wishes, everyone! ■

**Past issues of *Bar & Bench* can be found
at
<https://www.westmichiganfederalbar.org/newsletters.php>**

Selection Process Underway to Fill the Seat of Long-Serving Magistrate Judge Hugh Brenneman, Who Has Announced His Retirement

Western District Magistrate Judge Hugh Brenneman recently announced that he will be retiring from the bench at the end of July 2015, after 35 years of service. Judge Brenneman has served as a Magistrate Judge since 1980. There will be celebratory events to honor Judge Brenneman for his years of dedicated service to the court. We will have more about those events in the next issue of *Bar & Bench*.

The selection process to fill the Judge's seat is now underway. The official announcement from Chief Judge Paul L. Maloney is reprinted below:

Announcement to the Federal Bar Association Membership

From: Chief Judge Paul L. Maloney

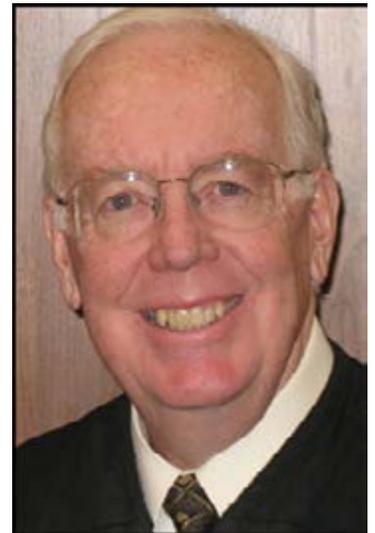
Magistrate Judge Hugh W. Brenneman has notified the District Judges of his intention to retire as of July 31, 2015.

Judge Brenneman's nearly 35 year career as a Magistrate Judge has exemplified the highest standards of legal scholarship, judicial temperament, sound judgment and discretion. In addition to his judicial responsibilities, Judge Brenneman has served the court on numerous committees including, space and facilities, and district security. He was a founding member of the Court's Historical Society. Please join me in congratulating Judge Brenneman on his years of truly distinguished service.

The Court has received authorization to fill the vacancy created by Judge Brenneman's retirement. Consistent with Judicial Conference regulation, the position will be posted for applications commencing January 5, 2015 with a deadline of February 6, 2015. A Merit Selection Panel will be appointed shortly to screen applicants and to recommend candidates for the Court's further consideration for appointment.

This vacancy arises soon after the retirement of Magistrate Judge Joseph Scoville. For this reason any applicant who applied for the previous vacancy need only send a letter of continuing interest in appointment including therein any updated professional information he/she deems relevant.

Any questions regarding the application process can be addressed by Melanie Vugteveen of the Clerk's Office at (616) 456-2389 starting January 5, 2015. ■

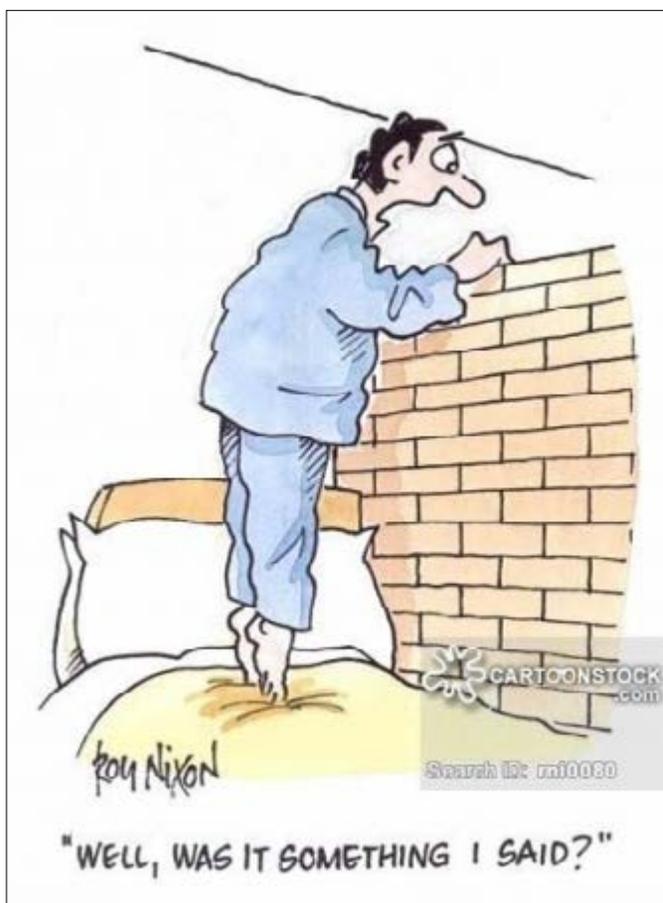


Hugh Brenneman

Court Uses Cartoon to “Illustrate” Duty of Candor for Counsel

By Bryan R. Walters

In *Employers Insurance of Wausau v. McGraw-Edison Co.*, the Honorable Robert J. Jonker literally illustrated his confusion (and frustration) with counsel for one of the parties by starting an order with the following cartoon:



So what happened? On December 2, the parties had a status conference before the Court to discuss scheduling and other issues related to a motion to enforce a settlement agreement. The settlement agreement provided that any dispute about the settlement would be commenced and resolved in the United States District Court for the Western District of Michigan. At the

settlement conference, no party objected to the Court’s jurisdiction.

The Court subsequently learned later that same day that one of the parties was filing a motion in New Jersey Superior Court asking the state judge to enjoin the parties from enforcing the settlement agreement in federal court. Moreover, the same lawyer whose name appeared on the motion papers in New Jersey attended the scheduling conference before Judge Jonker, yet “did not mention or even hint that he was planning to file a motion in New Jersey Superior Court to enjoin the parties from proceeding here in Michigan.”

After noting the clear prohibition on the power of a state court to enjoin federal court proceedings in *in personam* actions, the Court went on to explain its confusion and frustration with counsel:

But regardless of what happens in New Jersey, nobody likes having someone build or attempt to build a brick wall in a bedroom or a courtroom overnight, especially without providing even the common courtesy of advance notice of the attempt—especially when the interested parties are already gathered in the courtroom. More than that, at least in the Western District of Michigan, this kind of behavior by counsel would—barring some explanation—likely fall below the expected standard of practice for candor with the Court and the other parties. Of course, there may be explanations or circumstances of which the Court is unaware. Maybe it really was something the Court said. Or maybe there is some other misunderstanding. But at a minimum, prompt explanation is needed.

The Court ordered the offending counsel to submit a written explanation of his actions within seven

Continued on next page

days. The Court also ordered the offending counsel to retain local counsel under Local Civil Rule 83.1(f) and ordered local counsel to review and approve every paper filed in the case and appear at all hearings and other proceedings before the Court.

It may sound cliché to counsel who do not practice regularly in the Western District of Michigan, but there is a different expectation of counsel in the Western District than in many other courts. The district enjoys a

high level of collegiality and respect between the bench and bar. With that comes greater expectations on counsel, both in their communications with opposing counsel and as officers of the Court. There is no doubt that Judge Jonker is correct that “at least in the Western District of Michigan, this kind of behavior by counsel would – barring some explanation – likely fall below the expected standard of practice for candor with the Court and the other parties.” ■

Changes to FRCP 45 Substantially Alter Federal Subpoena Practice

By Steven C. Corhern¹

One of the most effective tools a trial lawyer has is the Rule 45 subpoena. But, as history has shown, disagreements over the procedural requirements of Rule 45 can add substantial time and costs to any lawsuit. The 2013 amendments to the Federal Rules of Civil Procedure made four major changes to Rule 45 that are intended to decrease such disputes and thereby streamline federal subpoena practice:

- First, under the amended Rule 45, a subpoena always issues from the court where the matter is pending.
- Second, a party can serve a subpoena anywhere in the United States in all circumstances.
- Third, even though Rule 45 now provides for nationwide service, a subpoena can only command compliance within 100 miles of where a person resides, is employed, or regularly transacts business in person. In certain situations, however, a subpoena for a deposition, trial, or hearing can have a somewhat longer reach.

- Fourth, a person opposing a subpoena must initially seek relief from the court in the district where compliance is required. However, that court can now transfer issues related to the subpoena to the court where the action is pending if (1) the subpoenaed person or entity consents, or (2) the court finds exceptional circumstances.

Issuing a Subpoena

Under the old Rule 45, the type of subpoena determined the district court from which the subpoena had to issue. For a trial or hearing, a subpoena had to issue from the district where the trial or hearing would occur. For a deposition, a subpoena had to issue from the district where the deposition would be taken. For the production of documents, a subpoena had to issue from the district where the production was to be made. The 2013 amendments to Rule 45 eliminated these various provisions. Now, all subpoenas *must* issue from the court where the action is pending. *See* Fed. R. Civ. P. 45(a)(2).

Continued on next page

Serving a Subpoena

The old Rule 45 contained four different provisions regarding the service of a subpoena. Generally, the service of a subpoena was geographically limited to the district or state where the court issuing the subpoena was located. A party could also serve a subpoena outside the district, but only within 100 miles of the place specified for the production, deposition, trial, or hearing. The old Rule 45 also allowed for nationwide service in limited circumstances. The amended Rule 45 makes this exception the rule. Now a party can serve a domestic subpoena at any location within the United States in all circumstances.

Limits on the Court's Subpoena Power

Under the old Rule 45, the limits on the court's subpoena power were not always clear. The amended Rule 45 addresses this problem by adding a new subsection (c), which expressly establishes two different limits on the court's subpoena power—one applicable to the production of documents and one applicable to depositions, trials, and hearings. *See* Fed. R. Civ. P. 45(c). For the production of documents, a subpoena can command production "at a place within 100 miles of where the [producing] person resides, is employed, or regularly transacts business in person." *See* Fed. R. Civ. P. 45(c)(2)(A). There are no exceptions to this 100-mile rule.

The rule for depositions, trials, and hearings is slightly different. Generally, a court cannot compel a person to travel more than 100 miles from "where [that] person resides, is employed, or regularly transacts business in person." *See* Fed. R. Civ. P. 45(c)(1)(A). There are two exceptions. First, a court can order a party or a party's officer to attend a deposition, trial, or hearing anywhere within the state where that person resides, is employed, or regularly transacts business in person. *See* Fed. R. Civ. P. 45(c)(1)(B)(i). Second, a court can order a person (not just a party or its officer) to attend a trial anywhere within the state where that person resides, is employed, or regularly transacts business in person *as long as* that person will not incur substantial expense. *See* Fed. R. Civ. P. 45(c)(1)(B)(ii).

Opposing a Subpoena

Place where compliance is required.

Under the old Rule 45, a party opposing a subpoena could easily determine the court from which to seek relief. Because a subpoena issued from the court where the trial or hearing would be held, the deposition would occur, or the documents would be produced, a party sought relief from the issuing court. Under the amended Rule 45, a subpoena issues from the court where the action is pending, and can be served anywhere in the United States. Thus, the issuing court may not be the district where the deposition or production will occur. In this situation, a person or entity opposing a subpoena does not seek relief from the issuing court. Instead, Rule 45 now directs a person or entity to seek relief from "the court for the district where compliance is required." Fed. R. Civ. P. 45(d) & (e).

It is not exactly clear from the language of the amended rule how one determines "where compliance is required." The new subsection (c) is titled "Place of Compliance," but that subsection only addresses the geographical limits on a court's power. It does not specify "where compliance is required" for determining the court to which a person or entity opposing a subpoena should turn for relief. Rule 45(a)(1)(A)(iii) may provide the answer. This provision requires each subpoena to specify the place where the person must produce the documents or appear for the deposition, trial, or hearing. Arguably, this specified location is the place "where compliance is required."

However, this interpretation could produce bizarre results. For example, in an action pending in Atlanta, Georgia (located in the Northern District of Georgia), a party might specify Birmingham, Alabama (located in the Northern District of Alabama) as the location for the deposition of a person who lives, works, and only regularly transacts business in Montgomery, Alabama (located in the Middle District of Alabama, but fewer than 100 miles from Birmingham). Birmingham is not objectionable under the new Rule 45(c) because it is within 100 miles of Montgomery—the place where the deponent resides, is employed, and regularly transacts

business in person. Yet, the action is not pending in the Northern District of Alabama and the deponent does not reside, work, or regularly transact business there. Thus, it seems odd that this person would have to seek relief from the Northern District of Alabama. Nonetheless, the new rule suggests this result.

Transfer to the court where the action is pending.

The 2013 amendments to Rule 45 also added a new subsection (f). This subsection authorizes the court where compliance is required to transfer a dispute related to a subpoena to the court where the action is pending in two situations. First, a court may transfer a dispute when the person or entity subject to the subpoena consents to the transfer. Second, a court may transfer a dispute upon a finding of “exceptional circumstances.” The advisory committee note makes clear that “exceptional circumstances” are very rare and that a court’s primary “concern should be avoiding burdens on local nonparties subject to subpoenas.” *See* Fed. R. Civ. P. 45 advisory committee notes (2013 amendment). The note also places “the burden of showing that [exceptional] circumstances are present” on the proponent of the transfer. Finally, the note suggests that a transfer is appropriate only when a dispute might impede the management of the underlying litigation by the court where the action is pending.

Due to this new authority to transfer issues related to a subpoena, the 2013 amendments to Rule 45 also added a new subsection (g), which preserves a district court’s authority, formerly found in subsection (e), to punish a party for disobeying a subpoena or an order to comply with a subpoena. The new subsection (g) also provides that, if an issue related to a subpoena is transferred under Rule 45(f), then a failure to obey an order from the court where the action is pending is contempt of both that court *and* the court where compliance is required.

This article has briefly identified and explained the major changes to Federal Rule of Civil Procedure 45. However, as the author’s civil procedure professor put it on the first day of law school, there is no substitute for actually reading the rule. Accordingly, all practitioners should carefully review the amended Rule 45 before issuing (or opposing) a subpoena in federal court.

Endnotes

- 1 *Steven C. Corhern* is an associate with Balch & Bingham LLP in Birmingham, Alabama. This article, which is reprinted with permission from the author, originally appeared in the November 18, 2014 issue of the ABA Section of Litigation, *Pretrial Practice and Discovery*.

Book Notes

By Clare E. Freeman¹

Guardian of Lies by Steve Martini

A great beach or airplane read, Steve Martini's *Guardian of Lies* isn't going to make you smarter or give you deep thoughts to think. But it is going to entertain, keep you reading till the end, and hurry along that long plane ride. A beautiful, young, Costa Rican woman wrongfully accused of murder, a rogue nuke, Soviet intrigue, Cuban ire, and a handsome criminal-defense attorney . . . sounds like life at Ray Kent's Federal Defender Office. Well, perhaps not quite, but it makes for a fun crime story! Martini packs punch into his prose, knows his venues, and animates his not-quite-believable-but-still-lots-of-fun characters with verve.

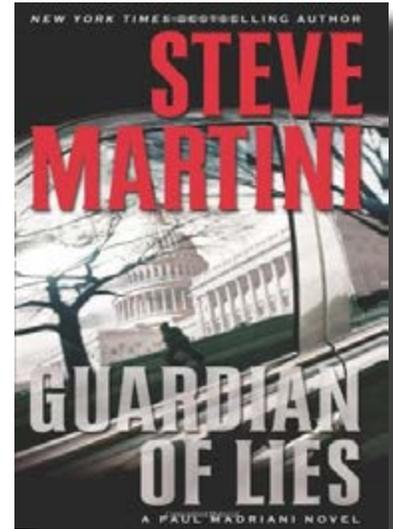
With the story unfolding in San Diego and Tijuana, Cuba, Costa Rica, and Colombia, one is treated to a geographical romp. Twisting modern-day fears of terrorism around 1960s Cold War espionage and betrayal, Martini creates a fun web of history and fantastic what-ifs for his readers to crawl through on their way to a satisfying, uncomplicated, Hollywood-style resolution.

Having grown up in Tijuana and San Diego, I was delighted by Martini's attention to detail in setting his scenes. From abandoned maquiladora factories (foreign factories manufacturing in border cities) to the Brigantine restaurant on Coronado Island, friends of TJ and America's Finest City are going to get a kick out of the familiar sights and spaces. And even if they have never left America's beautiful heartland, federal attorneys are going to enjoy romping through Martini's fun with jail set-ups, federal agents, national security, wire-tapping, judicial orders, and preparation for a murder trial.

I can't say much more without giving the obligatory "spoiler alert," but with characters like "The Executioner," this novel isn't going to lull you to sleep. Fans of the *Lincoln Lawyer* will likely find Martini to be a fun, new friend. He isn't John Grisham, unless the Rainmaker is ready to meet Bruce Willis. There is enough legal realism to make any attorney smile. And even more explosions to make them laugh.

If you're looking for depth, I'll point you toward *Crime and Punishment*. But if you're just looking for a good time that is a little smarter, a little more vivid, and a little faster paced than average, *Guardian of Lies* delivers.

Steve Martini is a California native with a degree from the University of California at Santa Cruz. His career started in journalism, but took a different tack when he returned to school to earn a law degree. He launched his legal career in 1974. A decade later, he returned to writing with the publication of his first novel. Since then, he has published national best-sellers and earned critical acclaim.



Editorial Review

Barnes & Noble:

"Sometimes an encounter with an enchanting face can get you in trouble; at other times, it can nearly kill you. At first, Paul Madriani's chance grocery store meeting with Costa Rican knockout Katia Solaz seems to portend nothing more than pretty smiles and altruistic deeds; before long, this newly met pair are dodging assassins, drug cartels, and terrorist mercenaries. And for the ever-resilient Madriani, of course, it's all in a good day's work." ■

Endnotes

- 1 Clare Freeman is an attorney at the Federal Public Defender's Office in Grand Rapids.