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Newsroom: U.S. District Court Sits at Roger Williams

Roger Williams University School of Law

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Court was in session at RWU Law recently – for real – when the Honorable John “Jack” McConnell, Jr., of the United States District Court for the District of Rhode Island heard arguments on two Motions for Summary Judgment earlier this month. The event also included Q & A sessions with the judge and lawyers.

Around 175 students (including all 1L Civil Procedure sections), faculty and staff members packed the appellate courtroom to hear the arguments in what Judge McConnell call two “incredibly complicated and well-argued cases” (Civ Pro students had received copies of all motions and briefs in advance of the hearing). Also present were Judge McConnell’s law clerks, Aileen Sprague and Amy Moses, as well as RWU Law 3L Liz Maxwell, who is currently completing an externship with the judge.

The first case heard was *A Touch of Merengue LLC v. United States of America*, in which the plaintiff, A Touch of Merengue, was represented by Edward Pepe of Cranston; and the defendant U.S. by Leslie Kane of the U.S. Attorney’s Office. The case involved a
convenience store owner challenging the government’s decision to disqualify it from participation in the Food Stamp program for alleged fraud.

“Judge McConnell sets a nice tone” Kane told students during a break after the arguments. “Often Federal Court is so formal it’s terrifying.”

Kane added that the secret to success in motion practice is “insane preparation,” but admitted that she was put off-balance when Judge McConnell “threw my entire argument aside” on a key point, and took the questioning in an entirely unanticipated direction. “The key is to really listen to what the judge is asking and respond to that. Don’t just spout off on your own thing,” she said.

Pepe agreed and added, “When I don’t know the answer, I say so and move on to a different issue.”

The second case was *Henrikson v. East Greenwich Fire District et al*, in which plaintiff Kristen Henrikson was represented by William J. Conley, Jr. and Deidre Carreno of Providence; defendant the Town of East Greenwich by James T. Murphy and Mary Welsh McBurney of Providence; and defendant East Greenwich Fire Fighters Association, Local 3328, represented by Elizabeth Wiens (RWU Law ’03) and Marc Gursky of North Kingstown. The case involved alleged gender discrimination by the fire department.
In a Q & A session following the arguments, Judge McConnell commented, “All of the briefs in these cases were outstanding, which makes my work easier – in that I have awesome, well-presented material; but it also makes deciding the case more difficult, precisely because all sides presented so well.”

He also stressed that “the questions judges ask you in oral argument are meaningful. If you can understand why they’re asking these questions and take your cues from that, you’ll be very good at oral argument.”