
Morgan Lewis | Memorandum

To All Personnel:

Since leaving my firmwide voice message on Sunday concerning the killing of George Floyd and the resulting protests, I have heard from many of you that either portions of the message were missed because of technology issues or that you would appreciate reading a transcript to give closer consideration to my message given the gravity of the situation.

I'd also like to take this opportunity to say that, as the situation in cities across America deteriorates by the day, I hope everyone remains safe and takes a measure of comfort in knowing that if we truly stand united in addressing the root causes of racial injustice, our best days may still be ahead.

Transcript of May 31, 2020, Voice Message to All Personnel

Like all of you, I watched the video of the killing of George Floyd with deep revulsion, pain, and outrage. This horrific event and its aftermath have ripped open wounds so deep that we as individuals are devastated and our communities have been crumbling before our eyes. Even as person after person steps up to condemn this unthinkable act of aggression and evil, we are seeing the consequences of our failure as a country to prevent this unnecessary tragedy and the many other instances of racial injustice that occur every day, and to insist that those who commit these crimes be held accountable. We need only look back to the February killing of Ahmaud Arbery to be reminded that what happened in Minnesota is not an isolated incident in the United States, and in many other countries in the world. And the sad fact is that there are many, many examples going back years, and new examples each day.

For people like me who grew up in United States in the '60s, we wonder how we could possibly have gotten this so wrong; how we could even be going backwards—because that is in fact what we have done in recent years. The events of the past few weeks have highlighted that truth. Far too often we witness acts of violence, inhumanity, and immorality based on race or the color of one's skin. That these actions, small and large, happen routinely throughout our society, often under the protection of law, offends everything that we stand for as a people and as a law firm.

We are in a time when many already feel largely powerless, caught in the grip of a world health crisis that no one knows how to fix, that threatens our way of life, and that is dividing us as patience and tempers begin to fray under its strain. To be in that place and at that time

when something happens that threatens our country's moral fiber makes us feel even more powerless.

But the two things are not the same, and we are NOT powerless when it comes to racial injustice. Indeed, we cannot afford the self-indulgence of feeling powerless. We are obligated, as citizens of our country, as people who work for a law firm, as residents of our communities, and as honorable people of decency and integrity to **refuse** to be powerless, and to act to restore our way of life for all, and to insist on actively honoring the principles on which our entire society is grounded.

I have been reminded of many meaningful quotes in the last days, but I keep coming back to our own Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. **That to secure these rights,** Governments are instituted among men, deriving their just powers from the consent of the governed." Governments exist to **secure** these rights, and we cannot stand by and allow those obligated to enforce and protect these rights to ignore or eviscerate them.

If a ray of hope emanates from the events of the past week, it is that all of us are united in our reaction of outrage and pain at what happened to George Floyd. ***That outrage and pain*** transcends race, gender, generation, position, wealth, and political party. It is a beacon of unity at a time when our country seems divided on so much else. The question for us is what we do now.

Our firm has long been a bastion of social justice. We have used our skill and our resources to fight for the underserved and the oppressed, and our work in the area of racial injustice is extensive and our track record is one of which we should be proud. Our commitment to that cause is reflected in the core values of our institution, and in our unshakable fidelity to treating every person fairly and with respect and dignity. But it is clear that we must do more.

There is no easy answer here, no quick fix or program that can be rolled out. We all know that. But that does not mean we can throw up our hands or remain neutral in the face of injustice. It is time for us to act and we must put our energy into figuring out a path to meaningful change. I have asked Grace Speights to work with me and others in our firm to determine what more we can do as a firm to attack more directly, effectively, and aggressively the pervasive issues of racial injustice in our society. She and I are convening a group drawn from all segments of our community, including representation from our Diversity & Inclusion Committee, to develop a plan of action. We are also in touch with leaders of other law firms, law schools, and clients, discussing how we can best work together. We will want to hear your ideas and suggestions, and we will ask every member of our family to stay engaged with us on this critical effort.

When I say that we are not powerless and that this is a problem that we can, and must, harness our collective strength to attack, I do not claim to know the answer, except that we cannot do this alone. What I **do** know is that we cannot sit back and be silent, and that words are not enough to give life to the promise that is embedded in the foundation of our country.

If we are not the people who will insist on justice for all, then who? It starts with each of us, and while we may be world weary and so filled with heartache that we cannot see a clear way forward, we must rise to this challenge. That is who we are, and who we will continue to be. Our colleagues, our community, and our country deserve nothing less.

I don't know that it is possible for my words to address the depth of anguish that black members of our firm are feeling, or the fear that they and so many of our colleagues have for themselves and their families every day simply because of the color of their skin or their national origin. But it is my sincere hope that this initiative will provide an avenue for our law firm to pull our communities forward into a more equal and just future and be a voice of leadership on what is almost certainly the defining issue of our day.

This is a moment in which we are called to reaffirm our commitment to the core values of our firm. Thank you for all you do to promote equality, inclusivity, safety, and the rule of law in our communities, and to ensure that everyone is treated fairly, with dignity and humanity.

Jami

Jami Wintz McKeon

Chair of the Firm

Morgan, Lewis & Bockius LLP

1701 Market Street | Philadelphia, PA 19103-2921

Direct: +1.215.963.5638 | Main: +1.215.963.5000 | Fax: +1.215.963.5001

Mobile: +1.267.570.6906 | jami.mckeon@morganlewis.com | www.morganlewis.com

Assistant: Maya Bryant | +1.215.963.4804 | maya.bryant@morganlewis.com