



Mayor of Providence

Jorge O. Elorza

December 14, 2015

Honorable Members
Providence City Council
City Hall

Dear Honorable Members:

Pursuant to Sections 302(b) of the Providence Home Rule Charter of 1980, as amended; Section 8-13 of the Code of Ordinances of the City of Providence; and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, I am this day re-appointing Lynette Labinger, Esq., of 658 Hope Street, Providence, RI, 02906 as the Chief Justice of the Providence Housing Court, for a term to end January 4, 2019, and respectfully submits the same for your approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "J-O-E", followed by a horizontal line.

Jorge O. Elorza
Mayor

IN CITY COUNCIL
JAN 07 2016

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED AND APPROVED
A handwritten signature in blue ink, appearing to read "Linda L. Lopez", followed by the word "CLERK".

Curriculum Vitae of:

LYNETTE LABINGER

344 Wickenden Street
Providence, RI 02903
401-421-9794 (office)
401-421-0132 (fax)
401-465-9565 (mobile)
labinger@roney-labinger.com

LEGAL EMPLOYMENT

February 2004- current (term ending January 2016)

Chief Judge, Housing Court of the City of Providence

(part-time continuing appointment; appointed 2007, reappointed 2010, 2013)

Associate Justice, Housing Court (2004-2007)

City of Providence, RI

January 1983 - current

Partner

Roney & Labinger LLP

344 Wickenden Street

Providence, RI 02903

401-421-9794 (phone)

401-421-0132 (fax)

September 1976 - December 1982

Associate Attorney

Abedon, Michaelson, Stanzler, Biener, Skolnik & Lipsey

220 South Main Street

Providence, RI 02903

September 1974 - August 1976

Law Clerk to Honorable Raymond J. Pettine, Chief Judge

United States District Court for the District of Rhode Island

ADMITTED TO PRACTICE OF LAW BEFORE:

Massachusetts Supreme Judicial Court, December 1974

Rhode Island Supreme Court, October 1975

United States District Court, District of Rhode Island, November 1975

United States Circuit Court of Appeals, for the First Circuit, November 1978

United States Supreme Court, May 1980

EDUCATION

College

Mt. Holyoke College
South Hadley, Massachusetts
A.B. 1971, *magna cum laude*
Phi Beta Kappa 1970
Sarah Williston Scholar

Law School

New York University School of Law
New York, New York
J.D. 1974, *cum laude*
University Prize 1974 (highest
cumulative average)
Order of the Coif, 1974
Root-Tilden Scholar, 1971-74
Alumnae Key Award, 1974

CASES OF INTEREST¹

Discrimination on Basis of Sex, Age, Race, Disability

Berard v. Burroughs, Rhode Island Superior and Supreme Courts (represent individual defendant in a sexual harassment suit under the Rhode Island Civil Rights Act; summary judgment for defendant affirmed on appeal in an unpublished order, 10/2000).

Burney v. City of Pawtucket, U.S.D.C. (sex discrimination in employment)(partially successful challenge to Municipal Police Academy entry and graduation requirements.) Cites: 559 F. Supp. 1089 (D.R.I. 1983), *appeal dis'd*, 728 F.2d 547 (1st Cir. 1984); also 563 F. Supp. 1088 (D.R.I. 1983).

**Cohen v. Brown University*, U. S. District Court, District of Rhode Island (represent plaintiffs in a class action suit under Title IX of the Education Amendments claiming sex discrimination in athletics program provided to women students), preliminary injunction granted, 809 F.Supp.978 (D.R.I.1992), *affirmed*, 991 F.2d 888 (1st Cir. 1993); *partial settlement approved December 16, 1995*, judgment for plaintiffs after trial, 879 F.Supp. 185 (D.R.I. 3/29/95), *aff'd in part, rev'd in part*, 101 F.3d 155, 188 (1st Cir. 1996), *cert. denied*, 520 U.S. 1186 (1997), *class settlement approved October 8, 1998*. On fees: 47 Fed. R. Serv. 3d 266 (D.N.H. 2000)(vacating protective order); Magistrate's report and recommendation, 2001 U.S. Dist. LEXIS 22438 (D.R.I. 2001), adopted as modified, 2001 U.S. Dist. LEXIS 20714 (D.N.H. 2001);Magistrate's report and recommendation, 2003 U.S. Dist. LEXIS 12512 (D.R.I. 2003), adopted as modified, 2003 U.S. Dist. LEXIS 11121 (D.N.H. 2003).

**Cook v. State of Rhode Island, Department of Mental Health, Retardation and Hospitals*, U.S. District Court, District of Rhode Island (handicap/disability in employment). Cites: 783 F.Supp. 1569 (D.R.I. 1992)(denying motion for failure to state a claim of handicap discrimination on basis of severe obesity); after jury verdict for plaintiff, judgment entered for plaintiff on September 24, 1992 awarding job reinstatement and \$100,000 in damages; *affirmed*, 10 F.3d 17 (1st Cir. 1993)

¹ Where noted (*), I represented the client as a volunteer cooperating counsel for a public interest organization or by appointment of the Court (*Rodi v. Ventetuolo*).

Hildebrandt v. State of RI/MHRH, R.I. Commission for Human Rights (finding sex discrimination in denial of promotion), decided December 1989), appeal withdrawn.

Liu v. Striuli, U. S. District Court, District of Rhode Island (represented individual defendant in a sexual harassment suit under Title IX of the Education Amendments, Violence Against Women Act, and Rhode Island law; defendant's motion for summary judgment granted and denied in part; case settled without trial). Cites: 36 F. Supp.2d 452 (D.R.I. 1999).

**Melendez v. Town of North Smithfield*, U. S. District Court, District of Rhode Island (2003-2004) (represented female Hispanic firefighter applicant in successful challenge to prevent a municipal acquisition of a an all white, all male private fire and rescue service pursuant to a state law that gave the town a one-time exemption from the state anti-discrimination act; after obtaining a temporary restraining order preventing the acquisition from proceeding, case was decided on state law grounds).

Morro v. Department of Corrections, R.I. Commission for Human Rights, Rhode Island Superior and U.S. District Courts (age, retaliation)

Primack v. Providence School Committee, R.I. Human Rights Commission, U.S.D.C. (sex discrimination in employment) (settled after favorable HRC decision)

Rocha v. East Providence School Committee, U.S.D.C. and R.I. Human Rights Commission, U.S.D.C. (sex discrimination in employment) (settled after favorable HRC decision)

**Rathbun v. Autozone*, 361 F.3d 62 (1st Cir. 2004) (determining that claims under the Rhode Island Civil Rights Act are governed by a three-year statute of limitations); *overruled by Horn v. Southern Union*, 927 A.2d 292 (R.I. 2007).

Satti v. State of RI/MHRH, R.I. Commission for Human Rights (finding age discrimination in non-selection), decided April 1995

Satti v. State of RI/MHRH, R.I. Commission for Human Rights (finding age discrimination and retaliation in transfer and other adverse action), decided November 2007, affirmed on administrative appeal, *State of RI v. RI Commission for Human Rights*, 2014 RI Super LEXIS 147 (2014).

Souza v. Providence Mental Health Center, Inc., U.S.D.C., R.I. Human Rights Commission (race, retaliation in employment) (settled after favorable HRC decision on retaliation)

Walker v. Robert E. Derektor, Inc., Rhode Island Human Rights Commission (finding race discrimination in application for employment), decided June 30, 1986, affirmed on appeal, R.I. Superior Court (11/88).

Vierra v. State of Rhode Island/City of Newport, Rhode Island Human Rights Commission and R.I. Superior Court (finding retaliation in dismissal in training program and sex discrimination and retaliation in dismissal from employment). Petition for certiorari denied 11/21/91.

Zackroff v. Bryant College, U. S. District Court, District of Rhode Island (represented defendants in a Title VII, §1981 suit claiming reverse discrimination on the basis of race); defendants' motion for summary judgment granted and denied in part (case settled without trial).

First Amendment/Public Employment

Pilkington v. Bevilacqua, U.S. District Court and First Circuit Court of Appeals (successful challenge to discharge of employee of Institute of Mental Health on basis of his speech) Cites: 439 F. Supp. 465 (D.R.I. 1977), *aff'd*, 590 F.2d 386 (1st Cir. 1979); on fees, 522 F.Supp. 906 (D.R.I. 1981), on remand from 632 F.2d 925 (1st Cir. 1980)

Brule v. Southworth, U.S. District Court and First Circuit Court of Appeals (successful challenge to suspension of two Rhode Island prison officials for testifying in favor of inmates challenging a lockup). Cites: 611 F.2d 406 (1st Cir. 1979); on fees, 552 F. Supp. 1157 (D.R.I. 1982), *vacated sub nom. Gabriele v. Southworth*, 712 F.2d 1505 (1st Cir. 1983)

Fishman v. Clancy, U.S. District Court and First Circuit Court of Appeals (successful challenge to discharge and other harassment of outspoken public school teacher) Cites: 763 F.2d 485 (1st Cir. 1985)(affirming merits and fee award).

Vierra v. Rhode Island Municipal Police Academy, R.I. Superior and Supreme Courts (successful challenge to differential treatment of training program candidate as retaliation for past legal challenges to actions of Police Academy). Cites: 539 A.2d 971 (R.I.1988)

Maurer v. Rigney, R.I. Superior Court (challenge to dismissal as retaliatory response to "whistleblower") (settled by consent judgment including reinstatement after TRO entered, 1986)

First Amendment/Commercial Speech

Lovett & Linder, Ltd. v. Carter, U.S.D.C. and First Circuit Court of Appeals (challenge to rules of R.I. Supreme Court restricting attorney advertising) Cites: 523 F. Supp. 903 (D.R.I. 1981), *appeal dis'd as moot*.

First Amendment/Noncommercial Speech,

**CCJ v. Central Falls*, U.S.D.C.

**CCJ v. North Kingstown*, U.S.D.C.

**RIHAC v. Middletown*, U.S.D.C.

**RIHAC v. Woonsocket*, U.S.D.C.

**R.I. WAGE v. Bristol and Warren*, U.S.D.C.

**R.I. WAGE v. North Providence*, U.S.D.C.

[all challenges to local restrictions on door-to-door solicitation by charitable organizations--TRO entered in each]

**R.I. WAGE v. Barrington*, U.S.D.C. (preliminary injunction against town ordinance prohibiting door-to-door canvassing after dark.)

**Thibodeau v. Town of Cumberland*, U.S.D.C. (challenge to zoning ordinance prohibiting political signs other than during a specified election season; TRO entered)

**Rhode Island Brotherhood of Correctional Officers v. Rhode Island Airport Corporation*, U.S.D.C. (consent judgment entered in 2002 enabling plaintiffs' previously-rejected installation of a non-commercial "political" advertisement at Green Airport)

First, Fourth and Fourteenth Amendments/Censorship, Obscenity Law Challenges

Columbus Theatre, Inc. v. Providence Police Dept., U.S.D.C.

East Management, Inc. d/b/a Rustic Drive-In v. Stone, U.S.D.C.

Johnston Cinema Corp. v. Stone, U.S.D.C.

[all challenges to state enforcement of obscenity law; TRO entered]

O'Connor v. Columbus Theatre, R.I. Superior Court

State v. Berberian, R.I. Superior and Supreme Courts. Cites: 427 A.2d 1298 (R.I.1981)

Wisner v. Ricci, U.S.D.C. ("Private Parts")

First, Fourth and Fourteenth Amendments/Privacy

Club Steambath of Providence, Inc. v. Ricci, U.S.D.C. (represented men's steambath and individual patrons subjected to police raids; consent judgment entered)

In Re Michael and Shana Leblovic, R.I. Family Court (represented parents accused of publishing pornographic magazines in action to divest them of custody of their children)

In Re Doe, R.I. Family and Supreme Courts (served as guardian *ad litem* to profoundly retarded adult in State care who became pregnant as result of rape). Cites: 533 A.2d 523 (R.I.1987)

Police Misconduct; Fourth and Fourteenth Amendments

Club Steambath of Providence, Inc. v. Ricci, U.S.D.C. (see Privacy below)

Testa v. Winquist, U.S.D.C. Cites: 451 F. Supp. 388 (D.R.I. 1978)

Prisoners' Rights

**Rodi v. Ventetuolo*, First Circuit Court of Appeals (appointed by appellate court to represent inmate on *pro se* appeal; established "liberty" interest protected by Due Process Clause in "Morris Rules" adopted by the Department of Corrections as a result of previous consent order). Cite: 941 F.2d 22 (1st Cir. 1991).

Public Employee Rights, Fourteenth Amendment (Due Process)

Azarian v. State of Rhode Island, U.S.D.C. (settled 1987)

Wilkinson v. RIHMFC, U.S.D.C. (settled 1988)

Public Entitlements

**Spruill v. Alexander*, U.S.D.C. (seeking enforcement of timely processing of food stamp applications), filed and settled 2009.

Religious Freedoms

**Ahlquist v. City of Cranston, U.S. D. C.* (challenging, as a violation of the Establishment Clause, permanent display of a "School Prayer" in a public high school), permanent injunction granted, 2012 U.S. Dist. LEXIS 3348 (D.R.I. 2012).

**Spratt v. Rhode Island Department of Corrections*, First Circuit Court of Appeals (challenging, as a violation of the Religious Land Use and Institutionalized Persons Act, prison's prohibition of preaching by an inmate; summary judgment for defendant reversed; settled on remand). Cites: 482 F.3d 33 (1st Cir. 2007).

R.I. Federation of Teachers v. Norberg, U.S.D.C. and First Circuit Court of Appeals (represented plaintiffs in a challenge, under the Establishment Clause, to Rhode Island law passed in 1979 authorizing tax deduction to parents for tuition, texts and transportation) Cites: 479 F. Supp. 1364 (D.R.I. 1979), *aff'd*, 630 F.2d 855 (1st Cir. 1980); *aff'g denial of intervention*, 630 F.2d 850 (1st Cir. 1980)

**Taft v. Pontarelli*, U.S.D.C. (represented plaintiffs in a challenge, under the Establishment Clause, to portions of federal block grants to sectarian schools as administered in Rhode Island; settled upon adoption of a comprehensive administrative regulation by the State Commissioner of Education)

Reproductive Rights (Fourteenth Amendment)

**Rhode Island Medical Society v. Whitehouse*, successful challenge to constitutionality of ban on "partial birth abortion" enacted in 1997 and amended in 1998. Cite: 66 F. Supp. 2d 288 (D.R.I. 1999), *aff'd*, 239 F.3d 104 (1st Cir. 2001).

**Planned Parenthood of Rhode Island v. Rhode Island Board of Medical Review*, U.S.D.C. (successful challenge to constitutionality of mandatory husband notification of abortion statute). Cite: 598 F. Supp. 625 (D.R.I. 1984)

**National Education Association v. Garrahy*, U.S.D.C. (successful challenge to constitutionality of state prohibition of employer-paid abortion insurance coverage to municipal employees). Cites: 598 F.Supp. 1374 (D.R.I. 1984), *aff'd per curiam*, 779 F.2d 790 (1st Cir. 1986)

**Planned Parenthood of Rhode Island v. Caldarone*, U.S.D.C. (successful challenge to constitutionality of state requirement that abortions be excluded from comprehensive health insurance and offered only at additional cost.) Cites: 598 F. Supp. 1374 (D.R.I. 1984), *aff'd per curiam*, 779 F.2d 790 (1st Cir. 1986)

**Planned Parenthood of Rhode Island v. Roberts*, U.S. District Court, D.R.I. (successful challenge to constitutionality of 1980 Rhode Island "Informed Consent for Abortion" Act.) Cites: *Women's Medical Center of Providence, Inc. v. Roberts*, 512 F.Supp. 316 (D.R.I.1981); 530 F.Supp. 1136 (D.R.I. 1982)

Rhode Island Constitution ("pension rights" under Contract and Takings Clause)

RI Council 94, AFSCME, AFL-CIO v. Chafee, RI Superior Court, 2010 challenge under RI Constitution by eight unions to statutory modifications to pension benefits of "vested" employees, pending. Cites: 2011 R.I. Super. LEXIS 120 (2011), cert. denied, R.I. 2011.

RI Council 94, AFSCME, AFL-CIO Locals, et al. v. Chafee, RI Superior Court, 2012 challenge under RI Constitution by over seventy unions to statutory modifications to pension benefits of "vested" employees, pending. Cites: 2014 R.I. Super LEXIS 62 (2014); 2014 RI Super. LEXIS 102 (2014)

RI Public Employees' Retiree Coalition, et al. v. Raimondo, 2015 class action challenge under RI Constitution to statutory modifications to pension benefits, pending. Cites: 2015 R.I. Super LEXIS 39 (2015)(certifying class and preliminarily approving settlement); 2015 R.I. Super LEXIS 70 (2015)(approving settlement after fairness hearing).

Students' Rights, First and Fourteenth Amendments (Due Process)

**Fricke v. Lynch*, U.S.D.C. and First Circuit Court of Appeals (successful challenge to school principal's refusal to permit male student to bring male date to his senior prom). Cites: 491 F. Supp. 381 (D.R.I. 1980), *appeal dis'd as moot*.

Teacher/Faculty Rights, Fourteenth Amendment (Due Process)

Purvis v. Newman, U.S.D.C. (TRO entered against suspension of tenured URI professor; case later moot)

Voter, Political Party and Election Rights (First and Fourteenth Amendments; related federal statutes)

**Rhode Island Women's Political Caucus v. Rhode Island Lottery Commission*, U. S. District Court (challenge to constitutionality of raffle provisions of R.I.G.L. §11-19-1). Cite: 609 F.Supp. 1403 (D.R.I. 1985)

**Puerto Rican Political Action Committee v. DiStefano*, U.S. District Court (constitutional and statutory challenge to R.I.G.L. §17-1-3.3)

**Project Vote! v. DiStefano*, U.S. District Court (challenge to procedure used by Rhode Island Board of Elections in selecting state wide voter registrars)

Fifth Senatorial Democratic District Committee v. Quattrocchi, U.S. District Court

Murray v. Norberg, U.S. District Court and R.I. Supreme Court (represented defendant Chair of Democratic State Committee in action challenging validity of R.I. dollar-check off provision). Cites: 423 F.Supp. 795 (D.R.I. 1976) (3-judge court)

**Rhode Island Minority Caucus, Inc. v. Baronian*, U.S. District Court and First Circuit Court of Appeals (challenge by minority group and individuals on basis of race and political affiliation to procedures utilized by Providence Board of Canvassers in selecting deputy registrars). Cites: 590 F.2d 372 (1st Cir. 1979)

Dettore v. Fagnoli, U.S. District Court (and *Fagnoli v. Cianci*, R.I. Superior and Supreme Courts and U.S. Supreme Court) (represented "regular Democratic" faction of Providence City Council in dispute over mayoral appointments in July 1978). Cites: *Fagnoli v. Cianci*, 121 R.I. 153, 397 A.2d 68 (R.I.1979)

Anderson v. DiStefano, U.S. District Court

Fahey v. Darigan, R.I. Superior Court

Attorney Sanctions

Young v. City of Providence, U.S.D.C. and First Circuit Court of Appeals (represented one of attorneys for plaintiffs in a civil rights action in successful challenge to district court finding of Rule 11 violation). Cite: 404 F.3d 33 (1st Cir. 2005).

PUBLICATIONS

Labinger, L., "Opportunities Aren't Equal for Women," NEW YORK TIMES, 9/17/95, Section 8, page 11, *reprinted in*, Egendorf, L., editor, *Sports and Athletes*, Greenhaven Press 1999, at 137-139.

Labinger, L., and A. Bryant, "P.R. Can't Make Brown's Athletic Policies Fair or Legal," PROVIDENCE JOURNAL, 11/27/95, Section B, page 5

Labinger, L., "Title IX and Athletics: A Discussion of *Brown University v. Cohen* by Plaintiffs' Counsel," 20 WOMEN'S RIGHTS LAW REPORTER 85 (1999).

Labinger, L., "A Conversation with Joseph Brodsky (Leningrad, July 13-15, 1970)," AGNI No. 51, at 17-20 (2000), *reprinted in*, Haven, Cynthia, editor, *Joseph Brodsky: Conversations (Literary Conversations)*, Univ. Press of Mississippi 2003.

Labinger, L., Nancy Littell, Barbara Roberts, Julie Pell and John M. Roney, "Carcieri and Abortion," PROVIDENCE JOURNAL, 11/01/02, Section B, page 4

Labinger, L., and Charles S. Sims, editor, and Labinger, L., contributor, "A Collection of Remembrances From Judge Pettine's Clerks," RHODE ISLAND BAR JOURNAL, March/April 2004, Vol. 52, page 4

Labinger, L., "A Response From the Field: One Practitioner's View," 15 RWU L.Rev. 755 (2010)(revised remarks from Judicial Symposium, noted below)

SPEECHES AND PRESENTATIONS

Speaker, "Employment at Will and Unjust Dismissal," at the Annual Meeting of the Rhode Island Bar Association, on June 24, 1983

Faculty Member, National Institute of Trial Advocacy, "Advocacy Skills Course," March 1984, sponsored by The Law Center, Roger Williams College and Rhode Island Legal Services, Inc.

Panelist, "Workplace Politics and Discrimination" at Conference on "Women in the Workplace," October 19, 1984, sponsored by Child and Family Services of Newport County

Guest Speaker, Series on Advocacy, National Council of Jewish Women, Rhode Island Section, "In Jeopardy: Women's Right to Legal Abortion," January 22, 1986

Lecturer, Rhode Island Law Institute, "Employment Law for the General Practitioner" ("Sex Discrimination in the Workplace"), May 30, 1986

Speaker, "Sexual Harassment on Campus: Legal Perspectives," presented by Honors Program, et al., of University of Rhode Island, April 8, 1987

Panelist, "Case Law Update--Impact Decisions," at the Annual Meeting of the Rhode Island Bar Association, on June 19, 1987

Panelist, "Women and Work" at Conference on "Women and the Constitution" sponsored by the R.I. Legal/Education Partnership Program, March 19, 1988

Speaker, Rhode Island Women's Network, "'You are the Jury!' Sexual Harassment- What Is It?" with Jeffrey Kasle, Esq., January 18, 1989, Cranston, Rhode Island

Speaker, Rhode Island Industrial Relations Research Association, held at Bryant College, February 22, 1989, "Sexual Harassment: What Labor and Management Can Do"

Presenter, "Due Process in the Workplace," Rhode Island Legal/Education Partnership Summer Institute on the U. S. Constitution held July 14, 1989

Guest Speaker, "Review of Civil Rights Decisions of the Supreme Court in the 1988-89 Term," Cooperating Attorneys Luncheon, Rhode Island Affiliate ACLU, Faculty Club, Brown University, October 1989

Speaker, "Sexual Harassment" at the Employment and Labor Law Conference, co-sponsored by the URI Labor Research Center and Labor Law Committee of the Rhode Island Bar Association, held at University of Rhode Island (W. Alton Jones Campus), March 24, 1990

Speaker, "Freedom from Fear" at the Rhode Island Women's Network Dinner Meeting, held at Johnson and Wales Airport Hotel, Warwick, Rhode Island, April 11, 1991

Speaker, "Equal Justice?," at the Rhode Island National Organization for Women 1991 Annual State Conference, held at Day's Inn on the Harbor, Providence, Rhode Island, October 19, 1991

Faculty (Presenter), "Emerging Developments from EEOC Guidelines--Workshop," at the "Discipline & Discharge Issues" Conference, American Arbitration Association, Department of Education & Training, held at Omni Biltmore, Providence, Rhode Island, October 31, 1991

Speaker, "Avoiding Litigation," at the Rhode Island Chapter, International Personnel Management Association, Johnson & Wales Airport Hotel, Warwick, Rhode Island, November 19, 1991

Speaker, "The 1991 Civil Rights Act," Legal Updates on the Federal Level at the Tri-State Conference of the International Personnel Management Association, Newport Marriott Hotel, Newport, Rhode Island, March 13, 1992

Speaker, "Sexual Harassment and the 'Reasonable Woman' Today," at the Personnel Law Update 1992, sponsored by the Council on Education in Management, Providence Marriott Hotel, Providence, Rhode Island, May 27, 1992

Speaker, "Obesity and Handicap Discrimination Laws," New England Chapter of NAAFA, Holiday Inn, Taunton, Massachusetts, June 4, 1992

Speaker, "The 1991 Civil Rights Act," at the "Food for Thought" series of the Rhode Island Bar Association, Continuing Legal Education program, at the Rhode Island Bar Association, Providence, Rhode Island, June 5, 1992

Speaker, "Sexual Harassment--Legal Issues and Answers," section of the "Rhode Island Employment Discrimination Issues in the 90s" seminar presented by the National Business Institute, Inc., held at the Providence Holiday Inn, Providence, Rhode Island, January 14, 1993

Speaker, "Sexual Harassment," presented to the Rhode Island chapter of the National Association of Women in Construction, held at the Kings Inn, Lincoln, Rhode Island, May 3, 1993

Speaker, "Civil Appeals to the Federal Circuit Court of Appeals, F.R.A.P. and Local Rules of the First Circuit," section of "The Keys to Appellate Practice," seminar presented by the Rhode Island Bar Association Continuing Legal Education at Johnson & Wales Airport Hotel, Warwick, Rhode Island on June 22, 1993

Speaker, "Employment Discrimination: Applicable Statutes and Procedural Requirements,"

continuing legal education seminar presented by the Rhode Island Affiliate, American Civil Liberties Union, at the Rhode Island Bar Association, Providence, Rhode Island on November 4, 1993

Panelist, Symposium on "Gender Equity in College Athletics: An Analysis of Title IX," presented by the Villanova Sports & Entertainment Law Forum, Villanova University School of Law, Villanova, Pennsylvania on November 13, 1993

Speaker, Seminar on Litigation Strategies (*Cook v. Rhode Island*), presented to staff of the Office of General Counsel, Equal Employment Opportunity Commission, Washington, D.C., on March 7, 1994

Speaker, "Compensatory and Punitive Damages in Discrimination Cases," at the Seventh Annual Labor and Employment Law Conference, sponsored by the URI Labor Research Center, held at University of Rhode Island (W.Alton Jones Campus), March 25, 1994

Speaker, Workshop on "Civil Rights: Equality Under the Law," presented at the Law Day program of the Ocean State Center for Law and Citizens Education at the University of Rhode Island, Kingston, Rhode Island on May 5, 1994

Keynote Address, "New Avenues for Preventing Discrimination on the Basis of Obesity under the Americans with Disabilities Act," presented to the annual meeting of the American Society for Bariatric Surgery in Minneapolis, Minnesota on June 10, 1994

Speaker, "Civility--It Can Happen," with John Tarantino, Esq., at the "Food for Thought" series of the Rhode Island Bar Association, Continuing Legal Education program, at the Rhode Island Bar Association, Providence, Rhode Island, September 8, 1994

Speaker, "Employment Discrimination: Applicable Statutes and Procedural Requirements," continuing legal education seminar presented by the Rhode Island Affiliate, American Civil Liberties Union, at the Rhode Island Bar Association, Providence, Rhode Island on January 24, 1995

Speaker, "The Law of Sexual Harassment," continuing legal education seminar presented by the National Education Network at the Sheraton Tara, Warwick, Rhode Island, on June 20, 1995

Panelist, "Blazing the Equality Trail," presented by the Rhode Island Commission on Women at its 25th Anniversary conference at the Rhode Island Convention Center, Providence, Rhode Island, on September 29, 1995

Panelist, "Sexual Harassment and Discrimination in the Law Firm," continuing legal education seminar presented by the Rhode Island Bar Association at the Chamber of Commerce Auditorium, Providence, Rhode Island, on June 26, 1996

Speaker, "Cohen v. Brown Title IX Litigation," Annual Membership Meeting, Trial Lawyers for Public Justice, July 29, 1996, Boston, Massachusetts

Speaker, "Appellate Procedure," Rhode Island Bar Association, March 4, 1997, Providence, Rhode Island

Guest Lecturer, "Cook v. State of Rhode Island from the Litigator's Perspective," April 10, 1997, Suffolk University Law School, Advocacy Writing Class (Prof. Seligmann)

Panelist, "Judicial Administration Round Robin," April 29, 1997, Salve Regina University (Prof. Farrington and Mitchell)

Speaker, "Employment Discrimination," June 2, 1997, Citizens Law School, sponsored by the Rhode Island Trial Lawyers Association, Smithfield High School, Smithfield, Rhode Island

Speaker, "Federal Litigation," at the Annual Meeting of the Rhode Island Bar Association, on June 19, 1997

Speaker, "Title IX and Athletics," at the Workshop for Principals and Athletic Directors of the Rhode Island Interscholastic League, August 21, 1997, at the Johnson & Wales Hospitality Center, Providence, Rhode Island

Panelist, "Appellate Practice: A View from the Bench and Bar," at the Annual Conference of the North Carolina Association of Women Attorneys, September 19, 1997, Wrightsville Beach, North Carolina

Keynote Address, "Title IX, Athletics and *Cohen v. Brown University*," at the Annual Conference of the North Carolina Association of Women Attorneys, September 19, 1997, Wrightsville Beach, North Carolina

Panelist, "Cohen v. Brown," at the Annual Conference of the National Association of College Women Athletic Administrators, October 12, 1997, Denver, Colorado

Panelist, "Brown v. Cohen: Implications for Interscholastic and Intercollegiate Athletics," at Conference, "The Next Twenty Five Years: A Celebration of Title IX," November 20, 1997, Providence, Rhode Island

Featured Speaker, "*Cohen v. Brown University*," at Mount Holyoke College, South Hadley, Massachusetts, February 4, 1998

Panelist, "Remedies for Litigants," at the Annual Meeting of the Rhode Island Bar Association, on June 19, 1998

Panelist, "Are You Being Harassed? Employment Practices Liability in the Workplace," at 13th Annual Rhode Island Conference on Labor-Management Relations, October 19, 1998, Providence, Rhode Island

Featured Speaker, "*Cohen v. Brown University: Plaintiffs' Perspective*," at Rutgers Law School (Newark campus), presented by the Rutgers Law School Women's Rights Law Reporter, October 21, 1998

Speaker, "Sexual Harassment in Employment," June 14, 1999, Citizens Law School, sponsored by the Rhode Island Trial Lawyers Association, Kingston Library, Kingston, Rhode Island

Speaker, "Forcing Brown University to Comply with Title IX," Annual Meeting, Trial Lawyers for Public Justice Foundation, July 18, 1999, San Francisco, California

Guest Lecturer, "Legal Challenges," Women's Studies 37 (Jocks, Gender and Justice: Title IX and American Education), February 17, 2000, Dartmouth College (Prof. Turco), Hanover, NH

Panelist, "From the Courtroom to the Playing Field: A Panel Discussion of Title IX," Symposium on Women & Sports, March 30, 2000, Brandeis University, Waltham, MA

Speaker, "Sexual Harassment in the Workplace-The Employee's Perspective," November 2, 2000, sponsored by the Education Unit, Rhode Island Department of Labor and Training, Johnston, Rhode Island

Panelist, "The ADA and State's Rights," at the Annual Meeting of the Rhode Island Bar Association, on June 7, 2001

Panelist, "Labor and Employment Law Update," at the Annual Meeting of the Rhode Island Bar Association, on June 14, 2002

Speaker, "Questions of Attorney-Client Privilege," continuing legal education seminar presented by the Rhode Island Bar Association at the Radisson Airport Hotel, Warwick, Rhode Island, on April 9, 2003

Panelist, "Women at Risk: Roe v. Wade -- Yesterday, Today and Tomorrow," presented by the National Council of Jewish Women, Rhode Island Section, Providence, Rhode Island on December 18, 2003

Speaker, "Post-Trial Motions and Appellate Practice," with David Wollin and Kathy Lanza, continuing legal education seminar presented by the Rhode Island Bar Association at the United States District Court, Providence, Rhode Island, on May 12, 2004

Panelist, "Can or Should Law Schools Train Lawyers to be Social Architects?," at the Annual Meeting of the Rhode Island Bar Association, on June 9, 2005

Panelist, "The Impact of the Movement: Intergenerational Effects of the Civil Rights Movement, 1/19/06, Roger Williams Law School, Bristol, Rhode Island, on January 19, 2006.

Speaker, "What is an Adverse Employment Action Under Title VII," with Neal McNamara, 13th Annual Labor and Employment Law Conference, presented by the Schmidt Labor Research Center, University of Rhode Island, on April 7, 2006

Panelist, "Appellate Practice," at the Biennial Conference of the United States District Court for the District of Rhode Island, Providence, Rhode Island, on September 22, 2006.

Panelist, "Drawing Outside the Laws: Controversial Art and the Constitution," presented by the Roger Williams American Inn of Court, at Rhode Island School of Design, on February 19, 2009

Speaker, "Comparison of State and Federal Employment Law—Important Differences," with Hon. William Smith, U.S. District Judge and Timothy Bliss, continuing legal education seminar presented by the Rhode Island Bar Association at the United States District Court, Providence, Rhode Island, on April 8, 2009

Guest, with film producer Theresa Moore, to discuss Title IX issues, on "Amazing Women," hosted by Deb Ruggiero, WPRO, East Providence, Rhode Island, on June 14, 2009

Panelist, "Hate Crimes/Anti-Discrimination Law," panel at the "Gay and Lesbian User Guide to Rhode Island," presented by the Roger Williams Law School LGBT Alliance and others, at Roger Williams University Law School, Bristol, Rhode Island, on October 16, 2009

Speaker, "The Right to 'Confidential' Information in Sexual Harassment or Discrimination Investigations," with Ira Sills, Esq., at the Labor Arbitration Conference, sponsored by the Schmidt Labor Research Center, University of Rhode Island, at Newport, Rhode Island, on October 30, 2009

Panelist, "Judicial Selection in Rhode Island: Assessing the 15-Year Experience with 'Merit Selection'," a symposium presented by the Roger Williams University Law Review, at Roger Williams University Law School, Bristol, Rhode Island, on November 13, 2009

Speaker, "A Very Brief Summary of the Freedom of Speech Clause of the First Amendment," 7th Annual Diversity Symposium Dinner, presented by Roger Williams University School of Law, Roger Williams University School of Law Multicultural Law Students Association and others, at the Providence Marriott, Providence, Rhode Island on April 9, 2010

Panelist, "Federal Court Practice: What's So Different About It?," at the Annual Meeting of the Rhode Island Bar Association, Providence, Rhode Island, on June 10, 2010

Guest Lecturer, Honors Program Roundtable, Roger Williams Law School, Bristol, Rhode Island, on October 27, 2008, February 4, 2010, February 25, 2011 ("Gender Politics and Jury Selection") and February 13, 2012 ("The prayer on the wall: the struggle for clear direction in Establishment Clause case law")

Panelist, Recognizing National Girls and Women in Sports Day, YWCA of Rhode Island, Woonsocket, Rhode Island on February 1, 2012

Speaker, Film and Lecture Series on Women in Sport, discussing "Title IX and Cohen v. Brown University," at Providence College, Providence, Rhode Island on March 1, 2012

Panelist, "The Cranston School Banner Case," presented by the St. Thomas More Society of Rhode Island, Providence Chamber of Commerce, Providence, Rhode Island, on March 28, 2012.

PROFESSIONAL SOCIETIES AND RELATED ORGANIZATIONAL ACTIVITIES

CURRENT MEMBERSHIPS

Member, Board of Trustees, New England Institute of Technology (May 2013-, re-elected May 2015)

Member, Rules Advisory Committee for the United States Court of Appeals for the First Circuit, 2013 (three-year term)

Arbitrator, Court-annexed arbitration of the Superior Court, State of Rhode Island, 1989-

Member, Panel of Neutral Intervenors, Alternative Dispute Resolution Plan of the United States District Court, District of Rhode Island, 1995-

Member, Committee on Professionalism and Civility of the Chief Justice of the Rhode Island Supreme Court, 9/95-6/96

Rhode Island Bar Association

Current Member

House of Delegates (first selected 2006-07)

Labor Committee

Superior Court Bench-Bar Committee

Former Member

Ad Hoc Committee on Advertising (chair 8/93-7/94)

Ad Hoc Committee to Draft Personnel Policies (chair 2004)

Annual Writing Awards Committee

Attorney Advertising Committee

Civil Liberties Committee

Committee on Involvement of Minorities

Committee on Professionalism and Ethics

Committee on Technology in the Practice

Editorial Board, *RI Bar Journal*

Federal Bench-Bar Committee (chair 7/89-6/92)

Nominating Committee

Sex Discrimination Committee

Specialization Committee

Fellow, Rhode Island Bar Foundation, inducted 1988
Board of Directors, 1992-

Fellow, American College of Trial Lawyers, inducted 2000
Rhode Island State Committee, vice chair 2006-07, chair 2007-08, 2008-09
Task Force on Discovery and Civil Justice, 2008-2015

Member, Federal Bar Association, Rhode Island Chapter

Secretary, 1986-1987
Vice President, 1987-1989
President-Elect, 1989-1990
President, 1990-1993

Member, Rhode Island Association for Justice (formerly RI Trial Lawyers Association)
Board of Governors, 1990-93

Rhode Island Women's Bar Association, 2009-

Rhode Island Affiliate, American Civil Liberties Union
Board of Directors, 1978-1980
Volunteer Attorney, 1977-present
Legal committee, 1977-1978, 1983-

PAST MEMBERSHIPS

Member (emeritus), American Inns of Court, Roger Williams (R.I.) Inn, 1994-2009
Executive Board, Barrister Representative, 1995-96
Executive Board, Representative-at-Large, 1996-97
Secretary-Treasurer, 1997-98
President, 1998-1999

Member, Board of Federal Examiners for the District of Rhode Island, 1981-2004

Member, Board of Editors, *Rhode Island Lawyers Weekly*, July 2001-February 2004

Member, Planning Committee, First Circuit judicial conferences
Newport, Rhode Island, June 19-21, 2005
Providence, Rhode Island, September 28-October 1, 1997 (Committee Chair)
Newport, Rhode Island, November 13-15, 1989

Member, Commission on Judicial Tenure and Discipline of the State of Rhode Island, May 1983-June 1986

Member, Advisory Committee on Women in the Courts, appointed September, 1987; served 1987-1993

Advisor to Committee on the Treatment of Women in the Courts, appointed December 1984; served 1984-1987

Coalition of Women Lawyers (Rhode Island), 1979-1984

Rhode Island Legal Services, Inc., Board of Directors, 1980-1983

HONORS AND RECOGNITIONS

Rhode Island Affiliate, American Civil Liberties Union

Recipient, 1982 Volunteer Attorney Award

Recipient, 1989 Civil Libertarian of the Year Award

Co-Recipient, 2009 Raymond J. Pettine Civil Libertarians of the Year
(representing co-operating attorneys, 1979-1989)

Planned Parenthood of Rhode Island, guest speaker at 1982 annual meeting and 1982 recipient of Charles Potter award

Recipient, Mary Ann Sorrentino Award, conferred by R.I. Women's Political Caucus, January 31, 1988

Recipient, Annual Award of Excellence for 1996, conferred by R.I. Women's Bar Association, May 23, 1996

Recipient, 1999 Public Justice Achievement Award, conferred by Trial Lawyers for Public Justice Foundation, San Francisco, California, July 20, 1999 (awarded jointly to members of litigation team for plaintiffs in *Cohen v. Brown University*)

Honoree, "Women Who Make a Difference," conferred by the Rhode Island Coalition for Affirmative Action, Providence, Rhode Island, April 24, 2002

Honoree, Event "Will We Ever Leave the '70s?," conferred by the Women's Fund of Rhode Island, Providence, Rhode Island, May 7, 2009

Honoree, "2010 Woman of the Year/Advocacy," conferred by the Rhode Island Commission on Women, October 6, 2010

Profiled by OCEAN STATE BUSINESS, vol. 7 #5 (January 1990), *Lynette Labinger: Civil Liberties Lawyer in a Conservative Era*

Profiled by RHODE ISLAND LAWYERS WEEKLY, vol. V #46 and vol. VIII, #35 (11/23/87)

Profiled by RHODE ISLAND LAWYERS WEEKLY, "Civil Rights Lawyer Prepares for New Challenge," vol. 24, number 43 (3/8/2004)

Profiled by RHODE ISLAND LAWYERS WEEKLY, "Lynette J. Labinger: High-Profile Preacher Case Among Civil Libertarian's 07 Victories," in "Lawyers of the Year" feature, 28 RILW 494 (12/24/2007)

Profiled by RHODE ISLAND MONTHLY in Kadzis, *The Best of the Bar*, vol. I #8 (12/88)

Profiled by RHODE ISLAND MONTHLY in Francis, *Legal Eagles [Fifty Best Lawyers in Rhode Island]*, vol. 10 #11 (2/98)

Also listed in RHODE ISLAND MONTHLY in Francis, *Power of Attorneys [Forty-Nine Best Lawyers in Rhode Island]*, vol. 1 #5 (9/03)

Profiled (RI cover) by NEW ENGLAND SUPER LAWYERS 2010, "The Advocate" (11/10)

Also listed in NEW ENGLAND SUPER LAWYERS 2007 [Top 50 Women] (11/07)

Also listed in NEW ENGLAND SUPER LAWYERS 2008 [Top 50 Women] (11/08)

Also listed in NEW ENGLAND SUPER LAWYERS 2009 [Top 50 Women] (11/09)

Also listed in NEW ENGLAND SUPER LAWYERS 2011, 2012, 2013, 2014

BEST LAWYERS IN AMERICA (Employment Law - Individuals and First Amendment Law)
(Woodward/White pub. 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016 ed.)

U.S. NEWS--BEST LAWYERS "BEST LAW FIRMS" (2013, 2014, 2015 ed.)