

**Best LGBT Lawyers Under 40: Class of 2013  
Nomination Form**

***Nominee Information***

Name: Jennifer M. Protas Date of Birth: February 15, 1982  
Title: Attorney Firm/Organization: Hoge, Fenton, Jones & Appel, Inc.  
Mailing Address: 60 South Market Street, #1400 City, State Zip: San Jose, CA 95113  
Phone Number: (408) 947-2435 Email Address: jmp@hogefenton.com

***Nominator Information***

Name: Daniel W. Ballesteros  
Title: Managing Shareholder Firm/Organization: Hoge, Fenton, Jones & Appel, Inc.  
Mailing Address: 60 South Market Street, #1400 City, State Zip: San Jose, CA 95113  
Phone Number: (408) 287-9501 Email Address: dwb@hogefenton.com  
Relationship to Nominee: employer

***Optional:*** To your knowledge, does the nominee identify as any of the following?

☐ Racial or Ethnic Minority ☒ Female ☐ Transgender  
☐ Person with Disability ☐ Other: \_\_\_\_\_

The complete nomination package must be submitted via email to [nominations@LGBTbar.org](mailto:nominations@LGBTbar.org) **no later than 5:00 pm EDT on June 3, 2013**. Please submit the following information:

- Nomination Form
- Statement of Support of Nominee (not to exceed 2 pages). Please include:
  - Details on achievements within their legal field
  - Details on their commitment to LGBT equality
- Current Resume of the Nominee
- Letters of Support



# HOGE FENTON

Hoge Fenton Jones & Appel

Attorneys at Law | Founded in 1952

*Celebrating 60 Years of Modern Solutions*

Daniel W. Ballesteros  
408.947.2416  
dwb@hogequenton.com

May 28, 2013

The National LGBT Bar Association  
1301 K Street NW, Suite 100  
East Tower  
Washington, DC 20005

Re: Best LGBT Lawyers Under 40: Class of 2013  
Nomination of Jenn Protas

Dear Sir or Madam:

I am the managing partner at the law firm of Hoge, Fenton, Jones & Appel, Inc. I am very pleased to submit this statement of support on behalf of Jenn Protas. Hoge, Fenton is a mid-sized business law firm with its principal office in San Jose, California. Hoge, Fenton was founded in 1952, then defending clients, primarily insured defendants. As the times have changed so has Hoge, Fenton. Hoge, Fenton is committed to promoting diversity in the legal profession. For example, Hoge, Fenton was the first in the county to have a female managing partner and has now had two. As far as I can tell, I am one of the very few Mexican American managing shareholders in our region.

With the above as background, Hoge, Fenton was very happy to have successfully recruited Jenn Protas out of McGeorge School of Law back in 2007. Jenn graduated in the top 10% of her class and participated in a variety of LGBT-focused activities. For example, the summer prior to clerking at Hoge, Fenton Jenn had interned at Lambda Legal. She very much enjoyed the opportunity to work on matters involving issues important to the LGBT community such as the application of the panic defense, the availability of domestic violence protections for same sex couples, and marriage equality issues in Hawaii.

The first step in overcoming intolerance is familiarity. However, Jenn rapidly learned that the key to being an influential member of the LGBT legal community was to first become an outstanding member of the legal community. Jenn has the intellectual curiosity and devotion to her craft necessary to become a great attorney.

In her quest for excellence, Jenn made her first court appearance the day after she was sworn in. In fact, she was sworn in early in a private ceremony so that she could make that court appearance. It has long been Hoge, Fenton's practice to provide young associates with as much experience and direct client contact as they request and demonstrate an ability to handle. Jenn demonstrated an immediate aptitude and desire and has made numerous court appearances, law and motion arguments, as well as taken and defended numerous depositions. Jenn has also

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represented clients in labor commission conferences and other evidentiary hearings as the first and only chair.

In addition to becoming an excellent civil litigator, Jenn has developed excellent presentation skills. She has become a sought after speaker for sexual harassment prevention training programs as well as presentations on employment topics and elimination of bias CLE programs through a variety of regional and subject matter based bar associations.


But it is not just us at Hoge, Fenton that recognize Jenn Protas as an excellent lawyer. Jenn has been a member of the Santa Clara County Bar Association Rainbow Committee since 2007 and co-chaired the committee in 2009 and 2010. She has also been a member of the Santa Clara County Bar Association Diversity Committee since 2010 and chaired that committee in 2012. Jenn also moderated a panel at the Lavender Law conference in 2011. In recognition of her contributions to the legal and LGBT community Jenn was the 2011 recipient of the Santa Clara County Bar Association's Barrister of the Year award. That award recognizes young lawyers who are making a difference in their communities.

Over the course of my 24 years of practicing law I have seen numerous young lawyers on their paths through the law. Many have a number of excellent attributes. However, even in this milieu Jenn stands out. Jenn possesses an intellectual curiosity that is difficult to match. The reason Jenn is such a success is because she wants to be a success and drives herself relentlessly toward excellence. She is one of the first to arrive and last to leave. She is confident in who she is and eager to break down walls and stereotypes. Jenn has done an excellent job in achieving those goals on both an individual and community-wide level. It is my pleasure to unreservedly support Jenn Protas for this award.

Thank you for your consideration.

Very truly yours,

HOGE, FENTON, JONES & APPEL, INC.

A handwritten signature in black ink, appearing to read "Dan Ballesteros", with a stylized flourish at the end.

Daniel W. Ballesteros

DWB: jjp

# JENNIFER M. PROTAS

25 South Third Street, #415, San Jose, California 95113 • 408.876.0187 • jennprotas@gmail.com

## PROFESSIONAL LEGAL EXPERIENCE

### **HOGUE, FENTON, JONES & APPEL, San Jose, California**

Associate, September 2007 – Present; Summer Associate, May 2006 – August 2006

- Handle and assist in civil litigation cases and administrative law issues, with an emphasis on employment law, including all aspects of discovery, motion practice, and alternative dispute resolution.
- Advise and counsel employers on best practices, including hiring and firing, wage and hour issues, employee leave issues, and establishment and implementation of employment policies.
- Present seminars on various employment issues.

### **UNIVERSITY OF THE PACIFIC, MCGEORGE SCHOOL OF LAW, Sacramento, California**

Research/Teaching Assistant to Professor Stephanie Thompson, August 2005 – May 2007

- Researched employment law and First Amendment issues.
- Reviewed and graded student assignments in research and writing.

### **LAMBDA LEGAL DEFENSE AND EDUCATION FUND, Los Angeles, California**

Legal Intern, May 2005 – August 2005

- Drafted *amicus* brief statements of interest for a Ninth Circuit Court of Appeals case.
- Wrote research memoranda on protections for same-sex couples under domestic violence statutes, the homosexual/transgender panic defenses, and marriage equality issues in Hawaii.
- Advised help desk callers on employment and transgender discrimination, family law, domestic partnership benefits, and reproductive rights issues.

## EDUCATION

### **UNIVERSITY OF THE PACIFIC, MCGEORGE SCHOOL OF LAW, Sacramento, California**

Juris Doctor, 2007

GPA 3.42; top 10%

Law Review: Comment Editor, MCGEORGE LAW REVIEW, 2006-2007  
Comment Staff Writer, MCGEORGE LAW REVIEW, Staff Writer 2005-2006

Honors: Order of the Coif  
Traynor Honor Society  
Dean's Honor List, 2004-2006  
Witkin Awards for highest grade in Legal Process (legal writing and research), Sexual Orientation and the Law, Employment Law, and Gender and the Law.  
Dean's Scholarship, 2004-2007; Poile Scholarship; Sac LEGAL Scholarship  
Public Legal Services Society, Grant Recipient

Activities: McGeorge Lambda Law Students, Vice President 2006-2007, Secretary 2005-2006

### **THE UNIVERSITY OF ARIZONA, Tucson, Arizona**

Bachelor of Arts in English and Creative Writing, *summa cum laude*, May 2004

GPA 3.91

- Honors College; Honors English Program; Phi Beta Kappa
- Summer abroad study program, Cambridge, England
- Worked 20-30 hours per week

## COMMUNITY INVOLVEMENT

### **SANTA CLARA COUNTY BAR ASSOCIATIONS (SCCBA)**

Judiciary Committee (member since 2010)

Diversity Committee (member since 2010, chair 2012)

Civil Practice Committee (member since 2013)

Executive Committee (member 2011-2012)

Board of Trustees (member 2010-2012)

LGBT Committee, formerly Rainbow Committee (member 2008-2012, chair 2009-2010)  
Strategic Planning Committee (member 2009)  
Finance Committee (member 2010)  
Employment Law Section (member 2009)  
Law Related Education Committee (member 2009)

**LINCOLN HIGH SCHOOL FUTURE VISION MENTOR, 2008-2011**

Mentored a group of high school students identified at risk not to graduate from freshman year through graduation.

**BAY AREA LAWYERS FOR INDIVIDUAL FREEDOM (BALIF), member 2007-2011**

**PRESENTATIONS AND PANELS**

- MISSION POSSIBLE: Protecting Your Company's Top Secrets and Other Crown Jewels, co-presenter, May 21-22, 2013
- 2013 Annual Employment Law Update, co-presenter, January 2013
- AB 1825 Sexual Harassment Prevention Training, presenter, various onsite trainings January-March 2013
- Fall Employment Law Seminar: Making Leaves of Absence Less Acronymious, co-presenter, September 25-27, 2012
- Employee Relations: Past, Present & Future, co-presenter, May 15-17, 2012
- 2012 Annual Employment Law Update, co-presenter, January 2012
- Fair Housing Training, presenter, January 2012
- SCCBA MCLE: Elimination of Bias, co-presenter, November 16, 2011
- Lavender Law: When Sex is a Crime and Spit is a Dangerous Weapon; How HIV Criminalization Fuels HIV Stigma and Discrimination, moderator, September 9, 2011
- Billy DeFrank Center: How Can One Judge Overturn the "Will of the People"? A Talk with Professor Margalynne Armstrong and NCLR's Kate Kendell, moderator, May 10, 2011
- Avoiding Expensive Mistakes in Interviewing, Hiring, Reviewing and Terminating Personnel, co-presenter, April 2011
- Fair Housing Training, presenter, January 2011
- Leaves of Absence 101: Deciphering the Alphabet Soup!, co-presenter, September 2010
- 2010 California Employment Law Update, co-presenter, January 2010
- Is Your Company in Compliance with Current California Wage and Hour Laws?, co-presenter, September 2009
- Dealing with Difficult Situations: Managing Workplace Absences Caused by Difficult Personal Circumstances, co-presenter, 2009
- 2009 California Employment Law Update, co-presenter, January 2009
- What New Businesses Need to Know About Employment Law, co-presenter, 2008

**HONORS AND AWARDS**

SCCBA Barrister of the Year, 2011

**SIGNIFICANT PUBLICATIONS**

*Divesting From "The Apartheid of the Closet": Toward an Enriched Legal Discourse of Sexual and Gender Identity*, MCGEORGE LAW REVIEW (2007) 38 McGeorge L.Rev. 571.



**EMQ FamiliesFirst**

June 3, 2013

Nomination Committee  
Best LGBT Lawyers Under 40 Award  
The National LGBT Bar Association  
1301 K Street NW, Suite 1100 East Tower  
Washington, DC 20005

**Re: Nomination of Jennifer M. Protas for the National LGBT Bar Association's Award**

Dear Committee Members:

I am pleased to provide this letter of support for the nomination of Jennifer M. Protas for the National LGBT Bar Association's "Best LGBT Lawyers Under 40" Award.

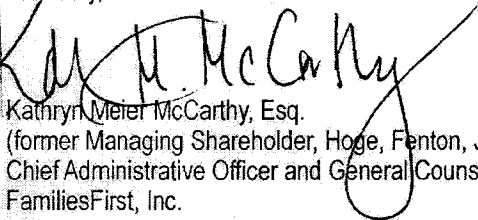
Jenn first joined Hoge, Fenton, Jones & Appel as a summer associate during her second year of law school in Summer 2006. She was already recognized as a distinguished law student at McGeorge Law School for her scholarship on LGBT legal issues. The following year, Jenn joined the law firm's Employment Group, adding immediate depth and breadth to our practice and providing leadership on issues related to civil rights and equality in law. I had the privilege of working with Jenn as a colleague in the Employment Group. Today, her expertise is a key part of the firm's success.

Jenn has immersed herself in local, state and national bar association activities. I had the opportunity to see first hand how Santa Clara County Bar Association leadership recognized Jenn's keen intellect and natural leadership qualities early in her career. Jenn has earned the trust and confidence of her bar colleagues by successfully serving in multiple bar leadership positions. She is poised to lead the SCCBA in the future, if she so chooses.

Jenn demonstrates an internal drive and sophistication beyond her years of practice. She is passionate, focused and determined to make a difference in LGBT equality for her clients and her community. She represents the very best of what our profession can be.

Jenn is an excellent steward of your organization's principles and will represent the organization with the highest integrity and commitment. I heartily recommend Jenn Protas for the Best LGBT Lawyers Under 40 Award.

Sincerely,



Kathryn Meier McCarthy, Esq.  
(former Managing Shareholder, Hoge, Fenton, Jones & Appel)  
Chief Administrative Officer and General Counsel  
FamiliesFirst, Inc.  
251 Llewellyn Avenue  
Campbell, CA 95008

**Superior Court of California  
County of Santa Clara**

191 North First Street  
San Jose, CA 95113  
408-808-7280

CHAMBERS OF

Hon. Julie A. Chese, Judge



June 3, 2013

To: The Committee for the Selection of Best LGBT Lawyers under 40

Dear Committee Members:

I am writing this letter in support of the nomination of Jenn Protas as one of the Best LGBT Lawyers under 40. Jenn is an outstanding candidate for this award, as she is a valuable contributor to our legal community in many ways, and most particularly, as a representative of and advocate for the LGBT community. Throughout all of the time I have known Jenn, I have been impressed by her intelligence and style, her commitment to LGBT issues, and her effective and collaborative leadership.

I first met Jenn through her involvement with the Santa Clara County Bar Association ("SCCBA"), where she has contributed broadly. I met her in early 2009, when she agreed to chair the Santa Clara County Bar Association's ("SCCBA") LGBT Committee. I have been a member of that committee since 1998, and chaired it myself in the late 1990's and early 2000's. Jenn was an outstanding chair of the Committee, and co-chaired again in 2010. She successfully worked to increase participation on and visibility of the Committee. Under her leadership and based on her presentation to the Association's Board of Trustees, the Committee successfully recommended that the SCCBA take a position opposing Proposition 8, the California ballot initiative to amend the state constitution to define marriage as only between a man and a woman. While the ballot initiative ultimately passed, during the campaign season, the SCCBA's position was communicated to the Association's 3500 members and the community at large.

As chair of the LGBT Committee, Jenn was also responsible for representing the Committee on the SCCBA's Board of Trustees in 2009 and 2010. Although only in practice for two and then three years, and therefore a relatively young member of the Board of Trustees, Jenn distinguished herself. She was a visible and vocal representative of the LGBT Community, and quickly became a respected member of the Board. In 2011, Jenn was elected to a district seat on the Board of Trustees. In 2011 and again in 2012, Jenn was asked and agreed to serve on the SCCBA's nine member Executive Committee, which advises the Board of Trustees on matters requiring further investigation and consideration than is possible in a large board setting. It is uncommon for a relatively new attorney to be so recognized as a leader and careful thinker, and Jenn handled the responsibility in stride.

Jenn also served as the LGBT Committee's representative to the SCCBA's Diversity Committee, a committee of emphasis and priority for the SCCBA. Jenn was again a stand-out representative. She was responsible for developing the concept for and organizing a well attended diversity-oriented Speed Networking event, which had a one hour education component as well as a networking portion based on the speed-dating concept. The Diversity Speed Networking event was so successful that the Diversity Committee adopted it as an annual program. Jenn was then asked to chair the committee in 2012.

In all of these activities, Jenn has showed a maturity beyond her years and leadership potential that is only beginning to be tapped. She has been an outstanding representative of the LGBT Community simply by being who she is and always standing up for what she believes is right. Our profession and community are fortunate to count Jenn as one of our own, and I believe she truly is one of the Best LGBT Lawyers under 40.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie A. Emede", written in a cursive style.

Hon. Julie A. Emede  
Judge of the Superior Court