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Summer 2023

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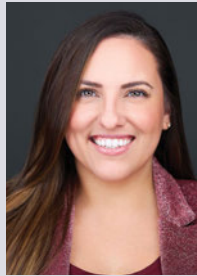


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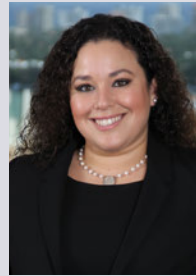
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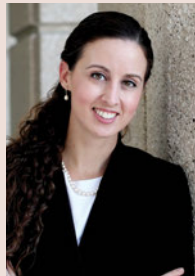


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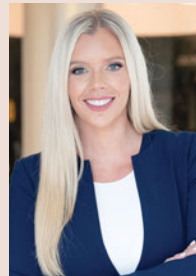
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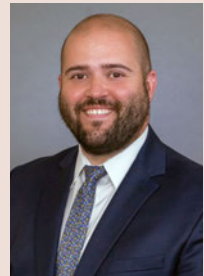
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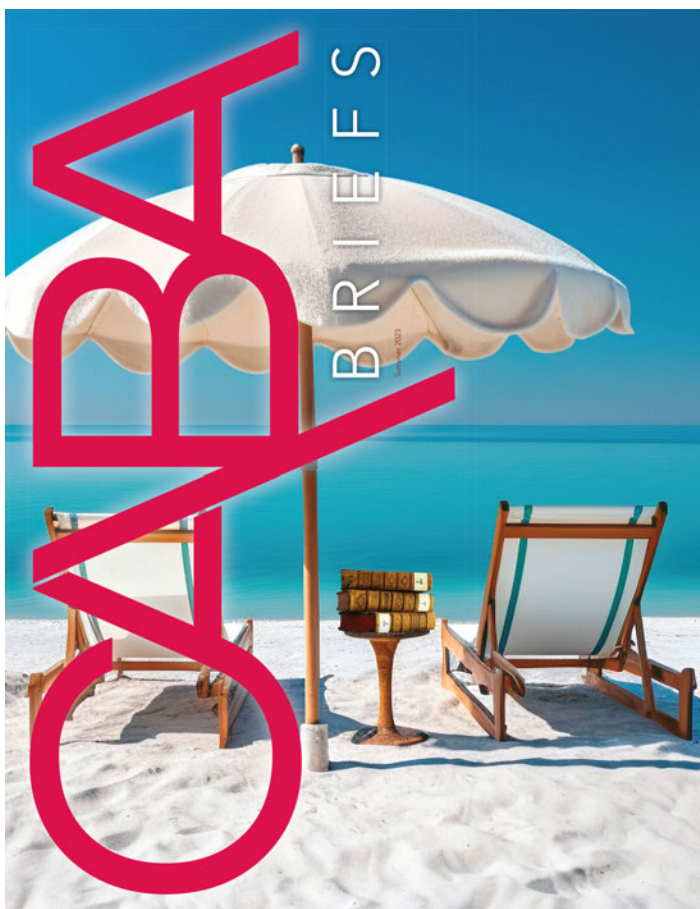
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SUMMER 2023

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President's MESSAGE



Dear Esteemed CABA Members:

As we close the summer season, I am delighted to share with you some exciting updates about our journey together as the Cuban American Bar Association. Our teamwork is paying off and significantly advancing the ambitious goals we set for this year. We have achieved success in our events and fundraising endeavors, fortified member engagement, provided steadfast support to the judiciary, and unwaveringly upheld our commitment to the Cuban people.

Our Corporate Counsel Series has been a standout success. These gatherings have been more than just lunch events; they have facilitated genuine conversations that have brought our members and corporate counsel closer together. The candid discussions at these events have offered valuable insights into the legal landscape and the opportunities that lie ahead.

The L.E.A.D. with CABA leadership program is well underway, and it has been a transformative experience for both participants and mentors. Our fellows, who we introduce in this issue of CABA Briefs, have had the unique opportunity to engage with a wide spectrum of community leaders, from federal appellate judges to state appellate judges, circuit court judges, and even influential figures like the Presidents of the Florida Bar, members of the Florida Bar Board of Governors, mayors, and local government leaders. This program not only imparts leadership skills but also instills the values that underpin CABA's mission.

In October, our CABA on Cuba Conference returned, this year themed "International Human Rights & Legal Advocacy: The Cuba Case." For the first time since 2016, we hosted the CABA on Cuba Conference, and provided a platform for vital discussions on pressing human rights issues.

November brings our annual retreat in Washington, D.C., where several CABA members will be sworn in at the Supreme Court of the United States — a powerful symbol of our commitment to justice and the rule of law. During our time in the nation's capital, we'll also engage in advocacy meetings with U.S. Senators and Representatives to champion CABA's petition before the Inter-American Commission on Human Rights, where we are seeking relief for 52 political prisoners still unjustly imprisoned in Cuba.

So far, our 2023 journey has been marked by progress, resilience, and unwavering dedication to our mission. I extend my heartfelt gratitude to the entire CABA community, our CABA past Presidents, and the CABA Board of Directors for their hard work and unwavering commitment to the betterment of our organization and our community. Together, we will continue to make a profound impact.

Yours In Service,

A handwritten signature in black ink, which appears to read "Giselle Gutierrez".

Giselle Gutierrez
CABA 2023 President



Editor-In-Chief's MESSAGE



Dear CABA Members:

I am thrilled to bring you this digital edition of CABA Briefs. Summer is a time when we disconnect and slow down. The Cuban American Bar Association, however, did the opposite. The events, partnerships, and articles provided in this edition are just the tip of the iceberg for all the hard work and dedication from CABA and its members.

First, I am excited to introduce the inaugural LEAD with CABA Fellows. These are a stellar group of individuals and we look forward to see their CABA involvement grow. In this issue you will find articles on the July 1th Protests and CABA's proceedings before the Inter-American Commission on Human Rights on behalf of 52 Cubans who remain arbitrarily detained or unjustly imprisoned as a result of these protests. CABA Briefs Committee member, Olivia Castillo, also put together a summary of *El Movimiento 26 de Julio*.

We want to highlight and thank President Scott Westheimer and President-Elect Roland Sanchez-Medina for the Florida Bar member services presented during the State of the Bar. This Summer Edition of CABA Briefs also focuses on CABA's dense member schedule. Members of CABA advocated for the CABA Pro Bono Project during Dade Days in Tallahassee, Florida and met with the Florida State University CABA Student Chapter. A great time was had by all at the first meetings of the Power Lunch Series and the Corporate Counsel Series. The year is nowhere near over. I look forward to seeing everyone at Art in the Tropics and Getaway in Washington, D.C., and recapping those events here in the upcoming issues of CABA Briefs.

Putting together CABA Briefs would not be possible without the CABA Briefs Committee. I am appreciative of their time and feedback. CABA Briefs is an institution of this organization and would not be possible without the support shown by our members and community.

Sincerely,

A handwritten signature in black ink that reads "Emily K. Balter". The signature is fluid and cursive.

Emily K. Balter

Editor-in-Chief



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Introducing the Inaugural L.E.A.D. with CABA Fellows



Ian Michael Corp, Esq.

Ian Michael Corp is a business, real estate and bankruptcy litigation attorney at Agentis PLLC. Corp received his B.A. in political science from Florida International University in 2014, and graduated from St. Thomas University's College of Law in 2018. He is a Florida Bar Business Section fellow 2023-2025, a committee member of the Florida business law section for Blockchain and Digital Assets, and is also a committee member of CABA's Young Lawyers and Marlins Night.

Previously, Corp was an attorney at Cole, Scott & Kissane as well as Lydecker Diaz.



Kyle Forges, Esq.

Kyle Forges is a criminal defense Assistant Public Defender for the Miami Public Defender's Office, Eleventh Judicial Circuit. He received his Bachelor of Arts degree from Florida Atlantic University in 2019, and earned his J.D. in 2022 from the University of Florida Levin College of Law.

During law school, Forges placed well in the Chicago Bar Moot Court Competition and the New York Bar Regional Moot Court Competition. He also presented oral arguments to the Florida Supreme Court and was inducted into the Order of Barristers.

Forges was a law clerk at the Strategic Legal Group, summer associate at Carey Rodriguez Milian, and became a certified legal intern at the Law Office of the Public Defender in the 17th Judicial Circuit of Florida before becoming an Assistant Public Defender.



Alani L. Fraga, Esq.

Alani Fraga is an associate at Bilzin Sumberg in the Real Estate Group. She holds a bachelor's degree from the University of Miami, and a Juris Doctor from the University of Virginia School of Law. During her undergraduate studies, she was active in student government, served as a teaching assistant and was a member of the Golden Key Honor Society. Throughout law school, she was a member of the Latin American Law Organization, Virginia Law Ambassadors and the Virginia Law and Business Review.

Fraga began her career at Deloitte & Touche LLP as an international tax intern, followed by a position as an SEO Law Fellow at Paul, Weiss, Rifkind, Wharton & Garrison LLP. She then went on to become a judicial intern for the Honorable Cecilia Altonaga in the United States District Court for the Southern District of Florida. She also interned at the United States Court of Appeals for the Eleventh Circuit for the Honorable Adalberto Jordan. Previously, she worked at White & Case as a summer associate and then as a real estate associate.



Andy Hernández, Esq.

Andy Hernández, Esq. is an associate at Martínez-Cid Law. He obtained a Bachelor of Arts degree in political science from Florida International University in 2016, and received his Juris Doctor from Northwestern Pritzker School of Law in 2019.

Prior to Martínez-Cid, Hernández was an associate at Carey Rodriguez Milian LLP and started his career as an associate at León Cosgrove, LLP. He was a judicial law clerk for the Honorable Aileen M. Cannon in the United States District Court for the Southern District of Florida.



Juliette Hernandez, Esq.

Juliette Hernandez is an associate at Stearns Weaver Miller, P.A. She received her Bachelor of Science degree in industrial labor relations from Cornell and graduated from the University of Miami School of Law in 2022. During law school, she served as the Cuban American Bar Association Student Chapter secretary and then as president. Hernandez was also Articles and Comments editor for the University of Miami Business Law Review.

Hernandez has interned at Prospera, Morgan Stanley and Walt Disney World. Before joining Stearns Weaver Miller, she was a law clerk at EPGD Business Law and a student clinician at the Investor Rights Clinic at the University of Miami School of Law.



Yoe Lopez, Esq.

Yoe Lopez is a Senior Assistant City Attorney for the City of Miami Beach. He attended the University of Central Florida and received a Bachelor of Science degree in legal studies, and Florida State University for his Juris Doctor. While obtaining his undergraduate degree, Lopez was a legislative scholars' intern for the Florida Senate. After graduation he worked as an administrative intern for the Leon County Clerk of the Circuit Court & Comptroller.

During law school, Lopez worked as a law clerk at Flury & Atkins LLC, as a summer associate attorney for Rumberger, Kirk & Caldwell, and as Assistant State Attorney in the Office of the State Attorney, 2nd Judicial Circuit.

Lopez is also a part-time instructor for the Law Enforcement Academy at Miami Dade College, School of Justice.



Joshua P. Padron, Esq.

Joshua Padron is a personal injury associate at the Haggard Law Firm. Padron graduated from Florida State University with a B.S. in finance in 2015, and received his J.D. from Florida International University College of Law in 2019. Padron's activities during law school included the FIU Law trial team, the Cuban American Bar Association's Student Chapter, and the Business Law Society, where he was a founding vice president.

Before his current position, Padron worked for the Miami-Dade State Attorney's Office as a Felony "B" Assistant State Attorney. He was also a judicial intern for the Honorable Antonio Arzola, Eleventh Judicial Circuit of Florida.



Fabian A. Ruiz, Esq.

Fabian Ruiz is a labor and employment shareholder at GrayRobinson P.A. Ruiz graduated from Rutgers in 2011 with a B.S. in Spanish literature and communication, and from Rutgers University School of Law in 2015. In law school he was vice president of the Student Bar Association, president of the International Law Society, and president of the Sports and Entertainment Law Society.

He is a founding member of the ABA's Men of Color Project, and has been recognized by "Best Lawyers in America: Ones to Watch," 2021 to 2023, and a "Rising Star" for Florida Super Lawyers in 2022.

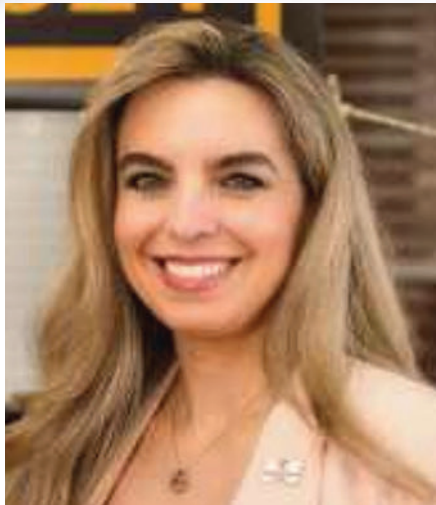
Previously, he served as a judicial law clerk to United States District Court Judge Jose L. Linares, and he was a senior associate at FordHarrison LLP. Fabian also recently joined CABA's Board of Directors.



Magbis Sanchez, Esq.

Magbis Sanchez is of counsel at R+C Litigators, PLLC. Sanchez received a Bachelor of Applied Science from Miami Dade College, and her Juris Doctor from Florida International University College of Law. During law school, Sanchez was awarded for her exceptional contribution and work in the Community Lawyering Clinic, as well as the CALI Excellence for the Future Award in Criminal Law. She has worked with various legal associations such as CABA and the Hispanic National Bar Association.

While obtaining her degree, Magbis was a student attorney for FIU Law's Business Clinic, a legal intern for the City of Miami-Office of the City Attorney, and a judicial intern for the Honorable Migna Sanchez-Llorens in the Eleventh Judicial Circuit Court. Magbis will also be joining the upcoming class of the Florida Bar Leadership Academy.



Isis Pacheco Velasco, Esq.

Isis Pacheco Velasco is a vice president at Interamerican Bank. She received her Bachelor of Arts degree in political science and history in 2004 from the University of Miami, and attended St. Thomas University School of Law, where she received her Juris Doctor in 2007. Velasco went on to receive a Master of Laws in real property development from the University of Miami School of Law in 2010.

While obtaining her degrees, she was a judicial law clerk for the Honorable Peter T. Fay, the Eleventh Judicial Circuit Court. Prior to that, she was a congressional intern for former U.S. Rep. Ileana Ros-Lehtinen.

Most recently, Velasco completed a certificate in business management essentials at Cornell and a certificate in corporate governance from the Wharton School at the University of Pennsylvania. Her current professional affiliations include director of the nonprofit, Facts About Cuban Exiles (F.A.C.E.), and the Florida Bankers Association Government Relations Council and BankPac. She is on the board of advisors for the St. Thomas University School of Law.



Jonathan Vita, Esq.

Jonathan Vita is an associate at Weil, Gotshal & Manges, LLP. Vita graduated from Florida International University in 2016 with a bachelor's degree in criminology, and later obtained his Juris Doctor from the University of Florida Levin College of Law in 2019. He received his L.L.M. in taxation from the New York University School of Law.

Previously, Vita was an associate at Peterson & Myers, P.A. in Lakeland, Florida and was an intern in the Office of Chief Counsel for the Internal Revenue Service.

The Anniversary of Cuba's Historic July 11th Protests: Two Years And Counting

Originally published on July 11, 2023 in the Daily Business Review

By Giselle Gutierrez

This year marks the second anniversary of the Cuban regime's violent suppression of peaceful protests and demonstrations across the island nation. Two years ago, on July 11, 2021, thousands of Cubans participated in a mass nationwide protest, peacefully demanding that their government adopt basic civil liberties and political freedoms. The scale of the protests caught the Cuban regime by surprise, as it did the rest of the world. But

the Cuban regime's response was, unfortunately, not surprising.

In the midst of protests that were rapidly spreading from city to city across the island, Cuban leader Miguel Diaz-Canel took to national television to incite violence against these peaceful protesters by telling the regime's supporters and security forces that "[t]he order to fight has been given." Adding, "[w]e're ready for anything and we'll be in the streets fighting. There are many

of us revolutionaries in this town who are willing to give our lives... And this is not a slogan, it is a conviction. They [protesters] have to go over our dead bodies if they want to confront the revolution." Seizing upon the combative language promulgated by its leadership, the Cuban regime then confronted its citizenry in the streets, and in their own homes, with bloody brutality. It immediately cracked down on the protesters with intimidation, force, and unlawful detentions.



Remarkably, for the first time in Cuba's history, these human rights violations were exposed by electronic means thanks to social media and the internet, which has become more widely available on the island. However, when it was discovered that news of the protests and of the regime's response to it was spreading via social media, the Cuban regime took immediate measures to shut down the country's internet access, preventing its citizens from documenting and sharing the human rights violations committed by, and with the approval of, the regime.

Over 1,000 individuals were unlawfully detained and most were charged with bogus crimes, such as "public disorder" or "propagation of the pandemic." In truth, their only act was to speak out against their own repressive government at a moment in Cuba's history when the world's eyes were upon it. Individuals participating in the protests were thereafter convicted in sham trials by a judiciary lacking in any independence, led by judges who are subordinate to the leadership of the Communist Party—the only officially recognized political party in Cuba, which Article 5 of its Constitution identifies as "the organized vanguard of the Cuban nation" and "the superior driving force of the society and the State." Their detentions and convictions have been condemned by the United States government as well as foreign governments and international organizations, including the United Nations and the European Union.

Subsequent to these detentions, on November 17, 2021, the Cuban American Bar Association, Inc. (CABA), a voluntary bar organization composed of licensed attorneys and judges in the United States and one of the largest voluntary bars in the State of Florida, initiated

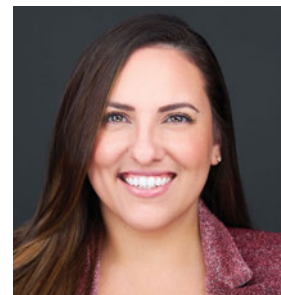
proceedings before the Inter-American Commission on Human Rights (IACHR) on behalf of 52 Cuban activists, artists, citizens, dissidents, and victims who remain arbitrarily detained or unjustly imprisoned as a result of the July 11, 2021 protests—i.e., *Cuban American Bar Association, Inc. v. República de Cuba*; Petition No. 0000063750. The IACHR is an autonomous arm of the Organization of American States (OAS) headquartered in Washington, D.C., and examines allegations of human rights violations in the Americas.

Among those represented by CABA in the pending petition are prominent members of Cuban human rights and pro-democracy organizations, including Luis Manuel Otero Alcantara, Jose Daniel Ferrer Garcia, Daniel Joel Cardenas Diaz, and Maria Cristina Garrido Rodriguez. Since July 11, 2021, CABA has worked with a dedicated team of volunteers, including human rights activist Omar Lopez Montenegro and members of *Cuba Decide*, to compile information from communications authored by dissidents, their family members, and witness interviews, in an effort to identify and document human rights violations by the Cuban regime against its own people.

CABA's Petition against the Cuban State alleges violations of some of the most basic and fundamental human rights recognized by all democratic countries in the world. These human rights are also recognized by the OAS's American Declaration of Human Rights, which include: (1) right to freedom of expression, assembly, and dissemination of ideas; (2) right to a fair trial; (3) right to humane treatment; (4) right to liberty and to be free from arbitrary arrest and detention; (5) right to protection, honor, dignity, privacy, and inviolability of the home; (6)

right to vocation; and (7) right to participate in government. CABA's Petition asks the IACHR to set a hearing date for the presentation of the petitioners' cases and to take precautionary measures that include, but are not limited to, directing the Cuban State to release all of the petitioners, reverse their convictions, and demands that the Cuban State release all who were unlawfully detained or imprisoned for exercising universally recognized rights, as set forth in the American Declaration of Human Rights.

The IACHR is arguably the most important human rights body of the Western Hemisphere. Accordingly, CABA calls on IACHR Commissioner Edgar Stuardo Ralón and OAS Secretary General Luis Almagro to set a hearing date for its petition and respectfully requests that the IACHR act swiftly and not permit the crimes committed by Cuba's regime to go unchallenged. The brave men and women who languish in prison today should not be forgotten. They deserve to be more than a passing footnote in Cuba's history, as their individual human rights are worthy of attention and protection.



Giselle Gutierrez is a Shareholder in the Labor & Employment and Litigation Departments at the law firm of Stearns Weaver Miller. Giselle is the current President of the Cuban American Bar Association.

JULY CLE:

State of the Bar

*with Florida Bar President Scott Westheimer and
President-Elect Roland Sanchez-Medina*

📅 Wednesday, July 19, 2023 | ⌚ 12:00 - 1:00 pm | 📍 via zoom



FLORIDA BAR PRESIDENT
SCOTT WESTHEIMER



PRESIDENT-ELECT
ROLAND SANCHEZ-MEDINA

CLE approved by the Florida Bar

On July 19, 2023, Florida Bar President, Scott Westheimer, and Florida Bar President-Elect, Roland Sanchez-Medina, hosted the State of the Bar. Members of CABA and the Florida Bar received valuable updated information and resources during the presentation. We have included an excerpt from the presentation in Briefs.

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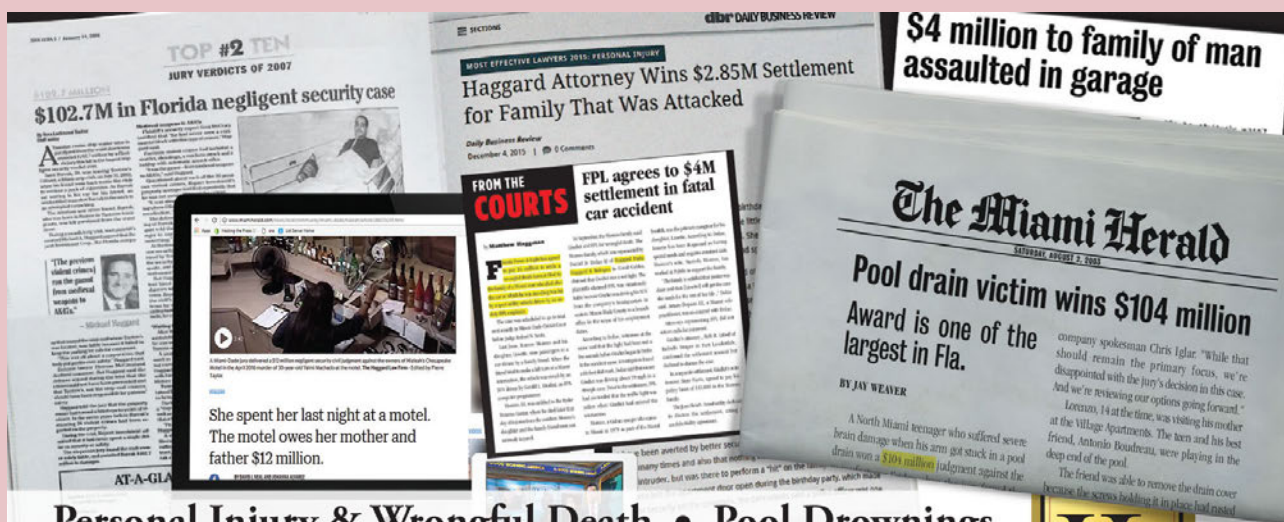
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26 de Julio

By Olivia Castillo

This year marked the 70th anniversary of the “Asalto al Cuartel Moncada” (Assault on Moncada Barracks) on July 26, 1953. On this day, Fidel Castro, his brother Raul, and other armed “revolutionaries” attacked the Moncada Barracks, the second largest military garrison on the island, located in Santiago de Cuba. Fidel—then a 26-year-old lawyer—sought to become a renowned leader of the opposition against Cuba’s then-dictator, Fulgencio Batista. After attempting to ambush the barracks in the early morning hours, the rebels were quickly outnumbered by Batista’s soldiers. Some were killed on the spot and others were detained, tortured, and executed. Fidel went into hiding but was eventually detained. As fate would have it, Fidel’s life was spared, and he was tried and sentenced to fifteen years in prison. In May 1955, after yielding to international pressure, Batista conceded amnesty. Fidel then went to Mexico where he organized a rebel movement—Movimiento 26 de Julio (“M-26-7”)—in homage to the historic date.

The M-26-7 forces arrived in Cuba in 1956 and began the fight that culminated in Fidel’s taking power in 1959. In keeping with his noble façade, Fidel ordered that the Moncada Barracks be converted into a school. The 26th of July became the Cuban Communist Party’s most revered date. Each year, July 26 serves as an arbitrary target for the completion of community projects and for planned agricultural and industrial



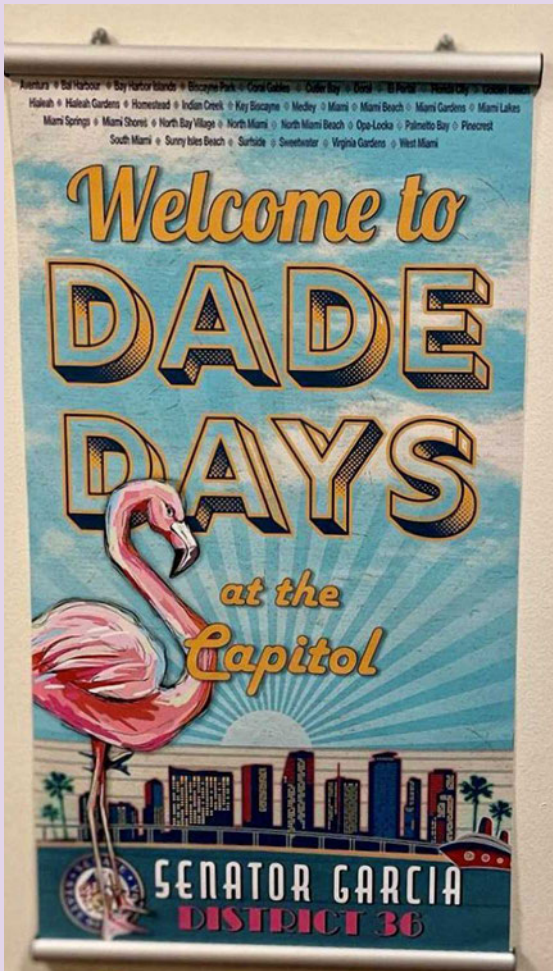
output, often compromising quality. This year, despite stagnant productivity, the communist government declared a weeklong holiday to commemorate the date. Amid a cash shortage crisis and a scarcity of staple products at the bodegas, this announcement left many citizens indignant.

Today, Fidel’s ashes are kept in a cemetery less than two miles from the Moncada Barracks, and the tragic events of July 26 and the movement that arose from it mean almost nothing to the average Cuban citizen. The movement’s fading flag and slogans are now ignominious, if not forgettable, features of sadly crumbling cities and neighborhoods. The current

regime clings to M-26-7 for what little legitimacy and authority its memory can still give it.



Olivia Castillo is a Career Law Clerk at the United States District Court for the Southern District of Florida. She attended the University of Miami School of Law and is an active CABA member on the Briefs Committee.



CABA and CABA Pro Bono made the exciting trip to the Florida State Capitol, Tallahassee, for Dade Days in March 2023. This event takes place each year during the annual Florida Legislative Session. CABA's leadership met with numerous State legislators during Miami-Dade Days to seek their support of CABA Pro Bono's appropriation request. The group also attended an event at FSU Law School with the FSU-CABA Student Chapter.







LATINA IN-HOUSE LAWYERS' PERSPECTIVES *The Journey to the Top*

PANELISTS

Ana Paola "AP" Capaldo, Assistant General Counsel, TD SYNEX
Claudia Brea, General Counsel, 3Sixty Duty Free
Jessica Palomino, In-House Counsel, Coca-Cola Beverages Florida



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We congratulate and celebrate the female jurists recognized during **CABA's Judicial Forum & Luncheon: A Tribute to Florida's Hispanic Women Judges.**

Holland & Knight has a decades-long tradition of advocating for the Cuban American community across Florida. Our partners are dedicated to advancing and participating in CABA, with six having served as president.

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*CARMEN MIRANDA IMAGE BY ALFONSO MÁLAGA CUBA



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FAR+OUT



A photograph of the U.S. Capitol building in Washington, D.C., taken at sunset. The building's iconic dome and neoclassical architecture are visible, with the sky showing soft orange and pink hues. The building is reflected in a pool of water in the foreground.

CABA GETAWAY 2023

WASHINGTON, D.C.
NOVEMBER 1-5

* AGENDA *

caba getaway

WEDNESDAY, NOVEMBER 1

- * Supreme Court of The United States Swearing In Ceremony
1 First Street, NE, Washington, D.C.
 - * Pictures at the Supreme Court of The United States
1 First Street, NE, Washington, D.C.
 - * The Florida House on Capitol Hill - Tour
Number one Second Street Northeast Washington, DC 20002
 - * Meetings with Senators & Staff
Capitol Hill
 - * Cocktail Reception
TBA
-

THURSDAY, NOVEMBER 2

- * Meetings with Representatives & Staff
Capitol Hill
- * Lunch & Supreme Court Briefing CLE
Jones Day, 51 Louisiana Ave NW, Washington, D.C.
- * Roundtable Discussion
FIU D.C., 601 New Jersey Ave NW, Washington, D.C.
- * Cocktail Reception
FIU D.C., 601 New Jersey Ave NW, Washington, D.C.
- * Dinner
AMBAR Restaurant

* AGENDA *

caba getaway

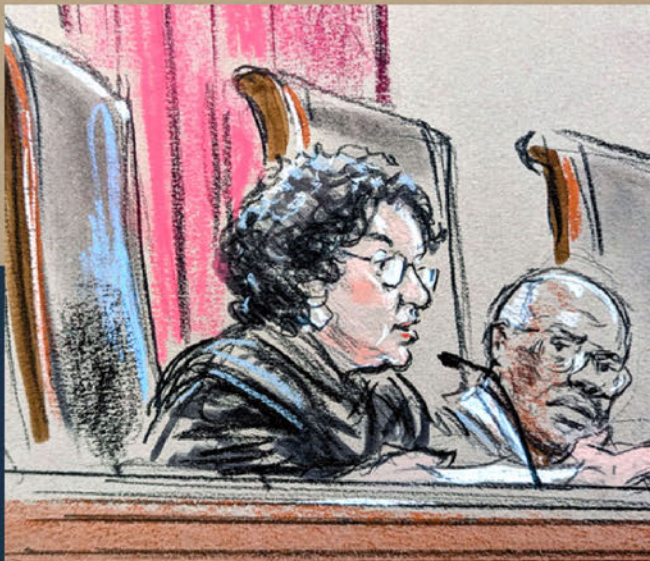
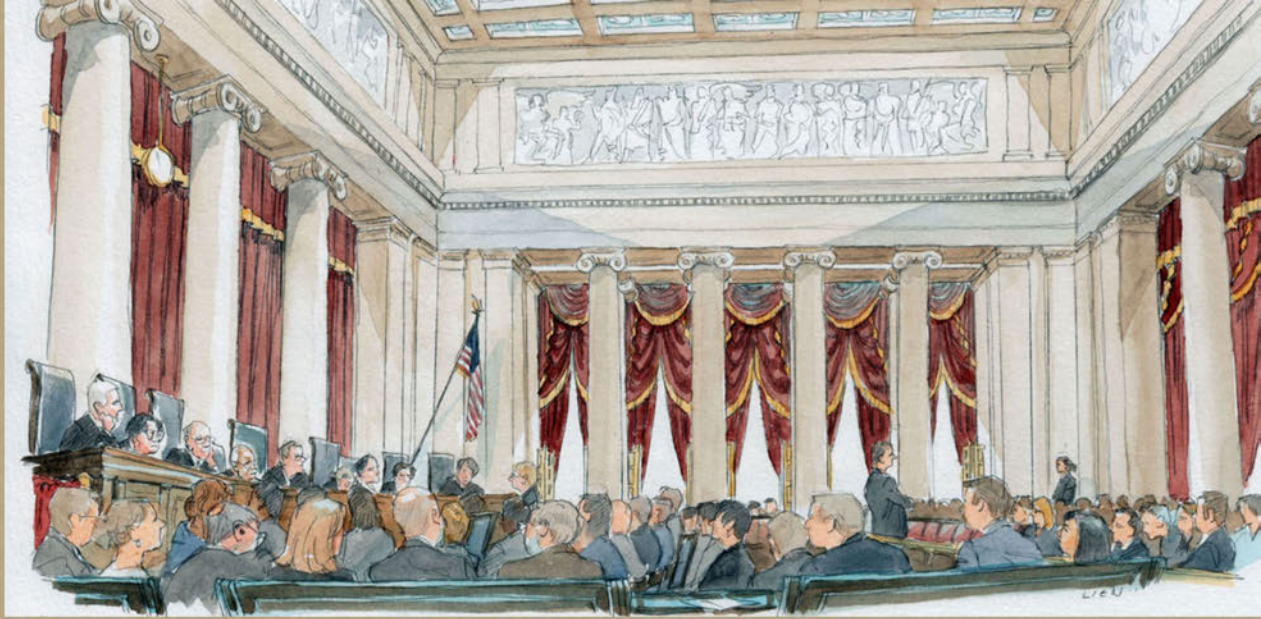
FRIDAY, NOVEMBER 3

- * Private Tour of Museum
Location TBA
- * OAS Tour and Briefing with US OAS Ambassador Frank Mora
200 17th St NW, Washington, DC 20006
- * Lunch
- * Meetings with Executive Branch
- * Night Tour of Monuments

SATURDAY, NOVEMBER 4

- * Transportation to VA
- * Stone Tower Winery
19925 Hogback Mountain Rd, Leesburg, VA 20175
- * Bluemont Vinyard
18755 Foggy Bottom Rd, Bluemont, VA 20135
- * Transportation back to hotel

SWEARING IN



The Cuban American Bar Association ("CABA") is thrilled to extend a heartfelt invitation to all esteemed CABA members to participate in an exclusive Group Admission and Swearing-in Ceremony to the Supreme Court of the United States Bar. This momentous event promises to be an unforgettable occasion, celebrating your dedication, expertise, and commitment to the legal profession.

The day begins early when we enter the Supreme Court as a group and are escorted to a reception room for a continental breakfast. Those being sworn in may have one guest accompany them inside the courtroom. Other guests are invited to remain in our reception room during the ceremony.

THE FLORIDA HOUSE

The Florida House on Capitol Hill is the only state embassy in the country! Florida House is an extraordinary and historic setting, located one block from the U.S. Capitol at the corner of East Capitol and Second Street. The House is in the heart of Capitol Hill, within walking distance of the U.S. House of Representatives and Senate office buildings, the U.S. Capitol, the Library of Congress, the U.S. Supreme Court, and the Union Station and Capitol South metro stations.

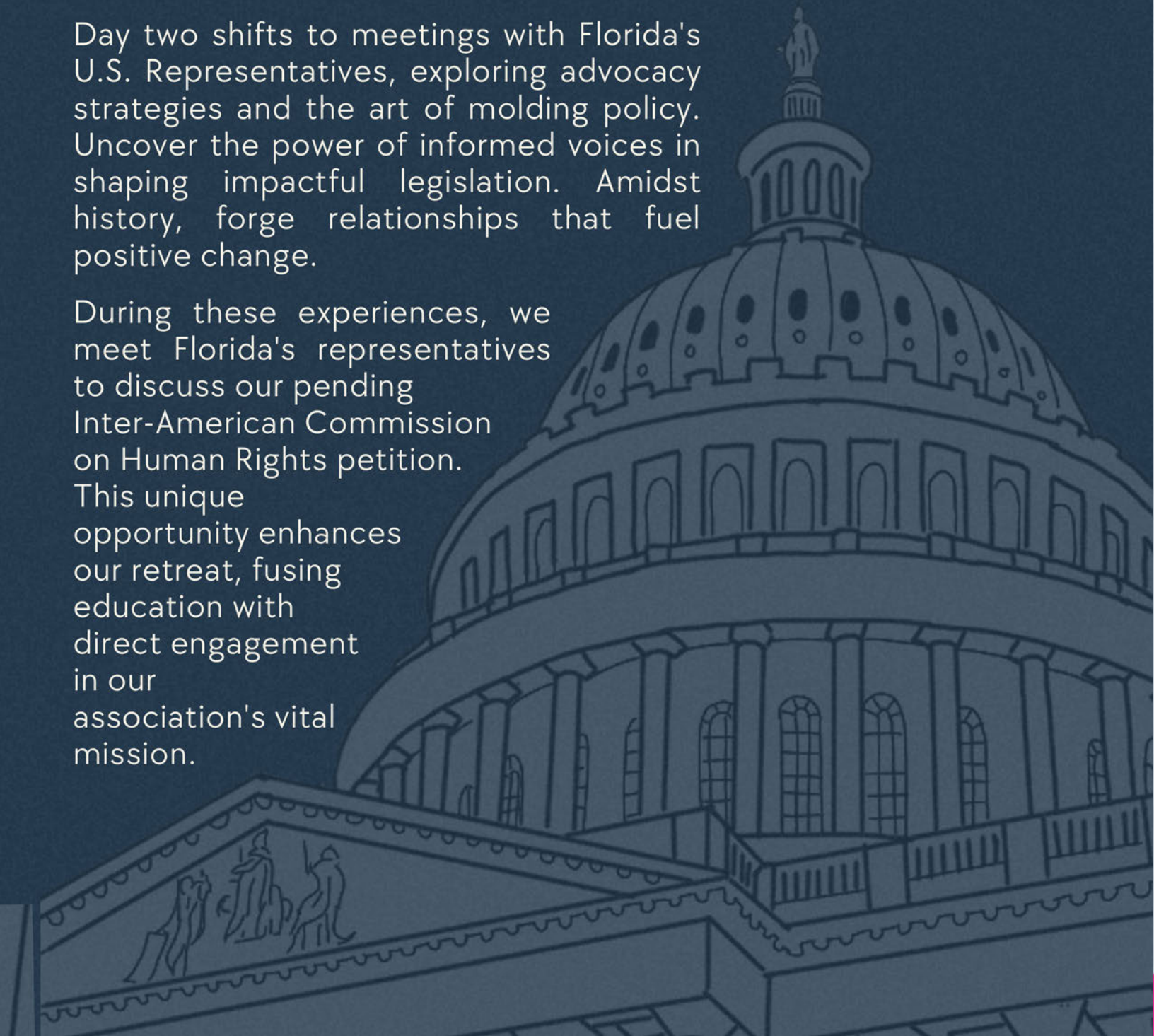


DAYS ON THE HILL

Join us for a captivating two-days on Capitol Hill, where the core of American governance beats. Day one centers on meetings with U.S. Florida Senators, learning about their roles and policy focuses. Engage, learn, and witness democracy against iconic backdrops.

Day two shifts to meetings with Florida's U.S. Representatives, exploring advocacy strategies and the art of molding policy. Uncover the power of informed voices in shaping impactful legislation. Amidst history, forge relationships that fuel positive change.

During these experiences, we meet Florida's representatives to discuss our pending Inter-American Commission on Human Rights petition. This unique opportunity enhances our retreat, fusing education with direct engagement in our association's vital mission.

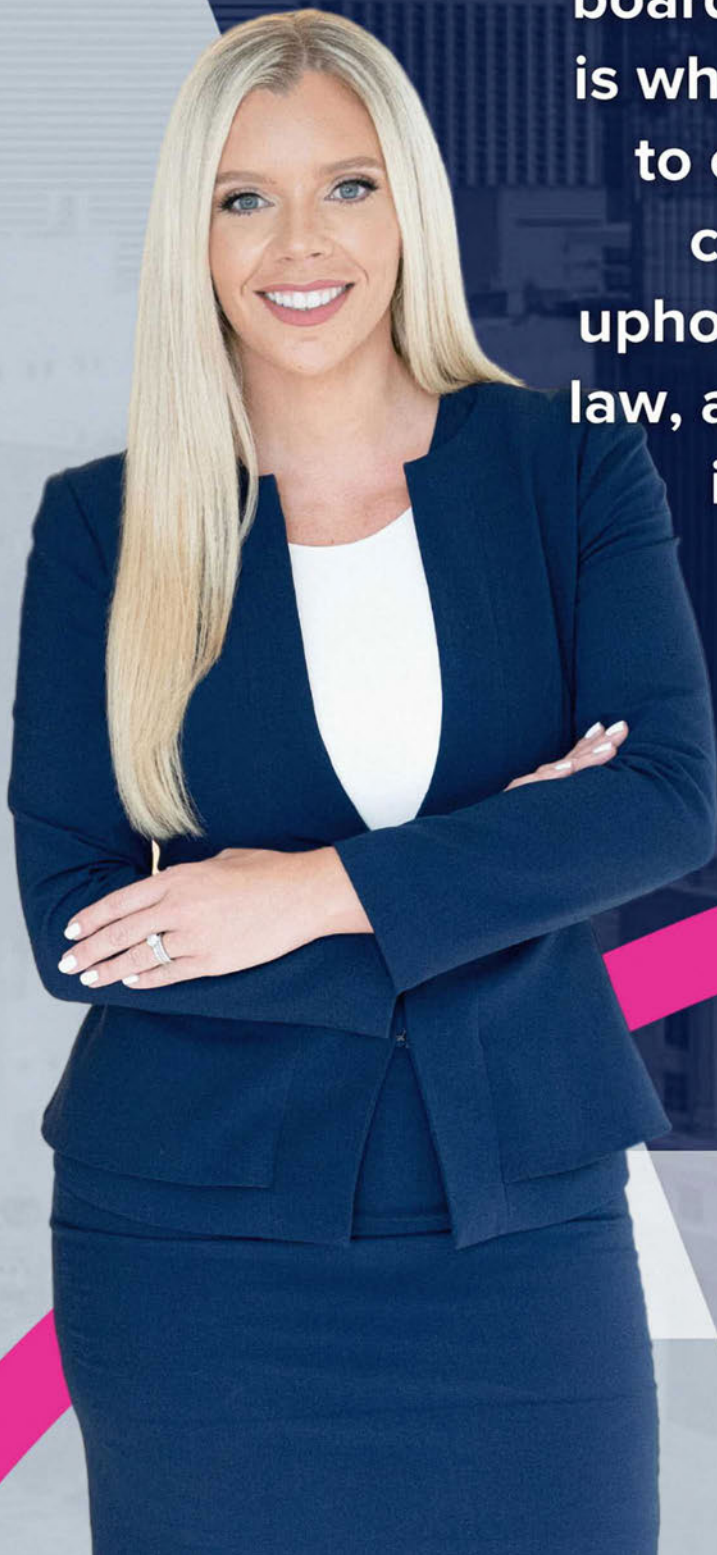




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and an honor to serve on the
board of an organization that
is wholeheartedly committed
to championing equality,
celebrating diversity,
upholding the sanctity of the
law, and ensuring that justice
is accessible to all."**

*-Amanda Demanda,
2023 CABA Director*



AmandaDemanda.com
1-844-DEMANDA



Our firm is proud to
support the

CUBAN AMERICAN BAR ASSOCIATION

Congratulations to the 2023 Judicial Forum & Luncheon Honorees! We are pleased to celebrate these Hispanic women judges and thank them for their significant contributions across Florida's state and federal courts.



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