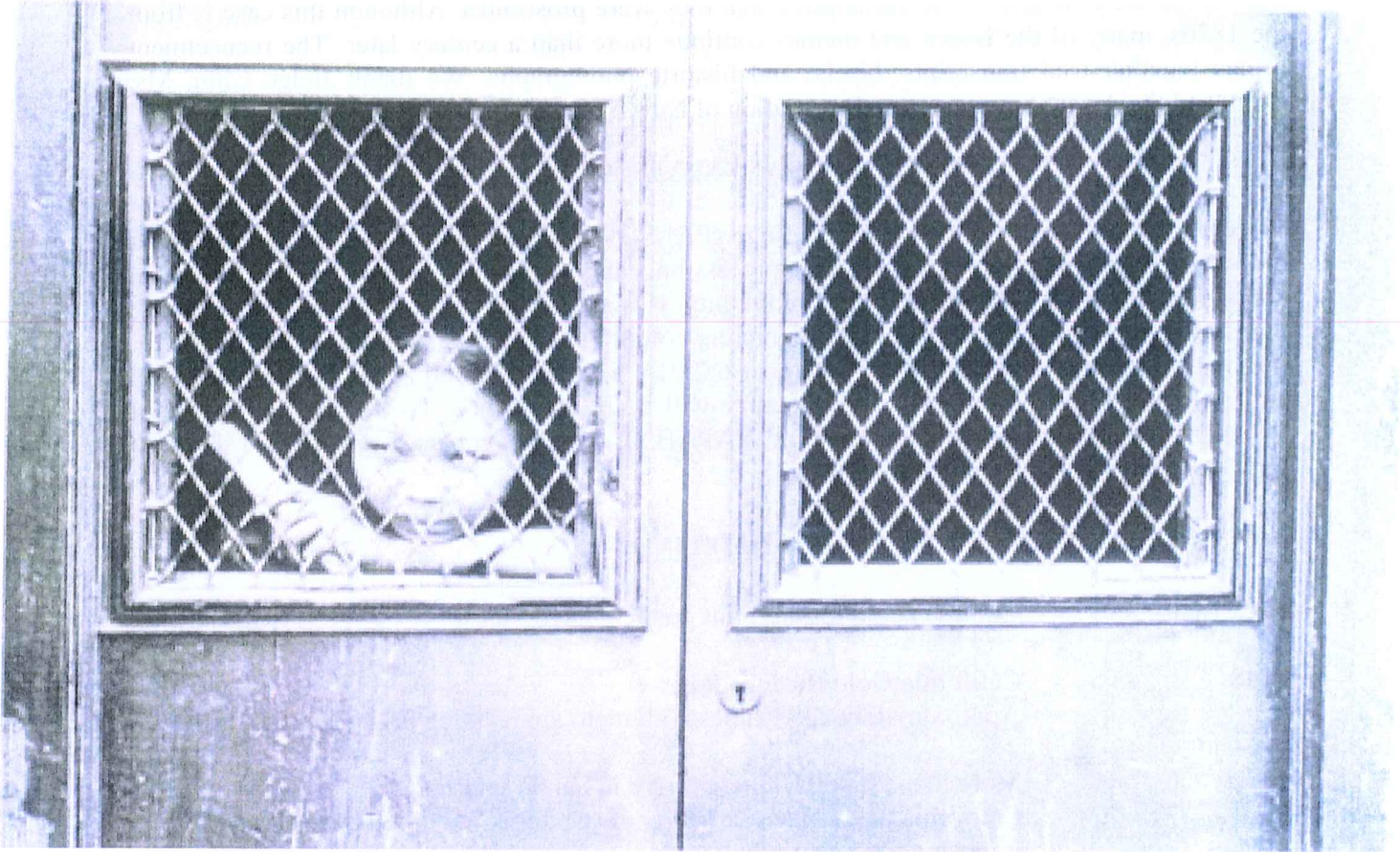


# 22 Lewd Chinese Women: *Chy Lung v. Freeman* a historical reenactment



Wednesday, May 18, 2016  
5:30 – 7 p.m.  
U.S. District Court Jury Lounge  
333 West Broadway, San Diego



**PALSD**  
PAN ASIAN LAWYERS OF SAN DIEGO

## ABOUT THIS REENACTMENT

Pan Asian Lawyers of San Diego and the co-sponsoring organizations thank you for joining us to celebrate Asian Pacific American Heritage Month. The important roles that Asian Americans have played in legal history and civil rights struggles in the United States are often ignored or forgotten. For the last nine years, these stories have been brought to life through reenactments created by the Honorable Denny Chin of the United States Court of Appeals for the Second Circuit, Kathy Hirata Chin, and the Asian American Bar Association of New York. The reenactment tonight tells the story of 22 Chinese women who were barred from immigrating to the United States based on the assumption that they were prostitutes. Although this case is from the 1870s, many of the issues and themes continue more than a century later. The reenactment brings together trial transcripts, briefs, and historic photographs. We thank Judge Chin, Ms. Chin, and the Asian American Bar Association of New York for generously sharing their work.

## ABOUT PAN ASIAN LAWYERS OF SAN DIEGO

Since 1978, Pan Asian Lawyers of San Diego (PALSD) has been dedicated to the advancement of Asian American attorneys in the profession, and assisting Asian Pacific American communities and the wider San Diego community. It is an affiliate of the National Asian Pacific American Bar Association (NAPABA), which is holding its annual convention in San Diego for the first time from November 3 to November 6, 2016. More than 1,600 Asian Pacific American attorneys and judges from around the country will be in attendance. To become a member of PALSD (and automatically a member of NAPABA), visit [www.palsd.org](http://www.palsd.org). Also "Like" our Facebook page for up-to-date information.

## TIMELINE

- |            |   |
|------------|---|
| circa 1820 | Chinese begin immigrating to the United States  |
| 1848       | California Gold Rush begins;<br>Approximately 325 Chinese (all men) are residing in the United States   |
| 1852       | More than 20,000 Chinese arrive in San Francisco;<br>California passes laws targeting the Chinese, including one statute imposing a tax on foreign miners and another authorizing immigration officials to require ship owners to post indemnity bonds for foreign passengers arriving in the state                                     |
| 1868       | Burlingame Treaty is signed, establishing formal relations between China and the United States  |
| 1870       | California legislature passes a law entitled "An Act to Prevent the Kidnapping and Importation of Mongolian, Chinese and Japanese Females for Criminal and Demoralizing Purposes"; under the law, which is amended in subsequent years, state immigration officials are authorized to require bonds for certain passengers to disembark |

- August 24, 1874 Steamship *Japan* arrives in port of San Francisco; 22 female Chinese passengers are detained pursuant to the California statute
- August 25, 1874 Petition for a writ of habeas corpus is filed in the District Court for the 4th Judicial District in San Francisco, in *In re Chy Lung*
- August 26, 1874 Testimony commences in *In re Chy Lung* before Judge Morrison
- August 29, 1874 Judge Morrison denies the petition and remands the 22 women to the Captain of the *Japan*, to be returned to China
- September 7, 1874 Supreme Court of California affirms Judge Morrison's decision, in *Ex Parte Ah Fook*, 49 Cal. 402 (1874)
- September 21, 1874 Circuit Court for the District of California rules in *In re Ah Fong*, 1 F. Cas. 213 (1874), holding the California statute unconstitutional and granting a writ of habeas corpus
- 1875 Congress passes the Page Act -- the first federal statute restricting immigration into the United States, which targets certain immigrants from "China, Japan, or any Oriental country," including "women for the purposes of prostitution"
- March 20, 1876 United States Supreme Court rules in *Chy Lung v. Freeman*, 92 U.S. 275 (1876), holding in favor of the Chinese women
- 1882 Congress passes the Chinese Exclusion Act of 1882
- 1892 Congress passes Geary Act, renewing Chinese Exclusion Act for ten years
- 1902 Chinese Exclusion Act is made permanent
- 1943 Congress repeals Chinese Exclusion Act
- June 18, 2012 House of Representatives passes House Resolution 683 expressing regret for the passage of legislation adversely affecting people of Chinese origin in the United States because of their ethnicity
- June 25, 2012 United States Supreme Court decides *Arizona v. United States*, 132 S. Ct. 2492 (2012)

Complete CLE materials, including a Timed Agenda, Excerpt from Trial Transcript, *Chy Lung v. Freeman*, 92 U.S. 275 (876), and a Bibliography, are online at [www.palsd.org](http://www.palsd.org) or [bit.ly/PALSD](http://bit.ly/PALSD).

## CAST OF CHARACTERS

Narrator 1	Hon. Dana Makato Sabraw
Narrator 2	Linh Lam
Rudolph Piotrowski	Kris Mukherji
Captain John Freeman	Rick Liu
Ship Owner	Brian Johnson
Ah Fung	Grace Tenorio
Governor Jon Bigler	Tammy Lin
Leander Quint	Hon. Selena Dong Epley
Judge Robert Morrison	Hon. Margie G. Woods
Thomas Ryan	Loren Freestone
Reverend Otis Gibson	Francisco Javier Aldana
Gaylos Woodruff	Heather Riley
Ah Yek	Brian Johnson
Fang Hoy	Grace Tenorio
Chung Lee	Tammy Lin
Reporter	Olga Álvarez
Lon Ying	Ariel Chiu
Interpreter	Hon. Patricia Cowett
Ah Fook	Kim L. Carter
Ah Fung	Grace Tenorio
Di He	Brian Johnson
Ahr Keo	Sarah Redparth
M.M. Estee	Grace Tenorio
Justice Stephen Field	Arlene Yang
Edward Pierrepont	Hon. Tamila Ebrahimi Ipema
Justice Samuel F. Miller	Mark Cumba
Congressman Horace F. Page	Mark Cumba
Justice Anthony Kennedy	Tammy Lin
Governor Janice Brewer	Sarah Redparth
Representative Judy Chu	Mark Cumba

## CAST

**Francisco Javier Aldana** is a private attorney at The Law Offices of Francisco Javier Aldana. His areas of practice include Bankruptcy Law, Immigration Law including Defense of Criminal Aliens, and Civil Litigation in personal injury and to prevent home foreclosure. Mr. Aldana is on the Board of Directors of La Raza Lawyers of San Diego and a member of Tom Homann Law Association. He takes on many pro bono cases as he is passionate about helping aliens and people who are losing their homes. Mr. Aldana attended Harvard College and Thomas Jefferson School of Law.

**Olga Álvarez** is a Certified Specialist in Estate Planning, Trust & Probate Law by the State Bar of California Board of Legal Specialization. She is rated AV Preeminent by Martindale Hubbell™ and has been named one of the top ten attorneys in Trusts & Estates by the San Diego Daily Transcript as well as one of the top 25 attorneys in San Diego by San Diego Metro Magazine. In 2015, the San Diego Business Journal awarded her with the “Women Who Mean Business Award,” and she was a finalist for SD Magazine’s Woman of the Year Award. She has been named Best of the Bar by the SDBJ for three consecutive years and recently received the SDCBA Service to Diversity Award. She is a graduate of the University of Texas at Austin and the University of San Diego School of Law where she was inducted to the Order of the Barrister.

**Kim L. Carter** is an attorney at Carothers DiSante & Freudenberger LLP, a statewide labor, employment and immigration law firm with offices throughout California. Ms. Carter represents employers with workforces in California in employment litigation involving claims of race/disability, sexual harassment, wage and hour disputes, and other labor and employment litigation issues. Ms. Carter also counsels employers on preventative measures to avoid litigation or threatened litigation. Kim Carter practices out of CDF’s San Diego office and has strong ties in the community. She received her B.A. from San Diego State University and her J.D. from Thomas Jefferson School of Law where she graduated magna cum laude. Currently, she is a member of the San Diego County Bar Association Diversity Fellowship Committee and she is on the Board of Directors for BAME Community Development Corporation. She has also provided pro bono legal services at Employee Rights Center in San Diego. She can be contacted via email at [kcarter@cdflaborlaw.com](mailto:kcarter@cdflaborlaw.com).

**Ariel Chiu** is a newly admitted attorney that practices criminal defense litigation. She handles misdemeanors and simple felonies. Ms. Chiu is a member of the San Diego County Bar Association, American Bar Association, Criminal Defense Bar Association of San Diego, and California Women Lawyer. Ms. Chiu obtained her bachelor’s degree from the University of California, San Diego and obtained her law degree from California Western School of Law. She is passionate about criminal justice and dedicates her free time to volunteering with North County Homeless Court. Ms. Chiu is also a volunteer attorney with the Legal Aid Society of San Diego. Outside of the law, Ms. Chiu enjoys crafting, baking, and hiking. She also enjoys learning foreign languages and learning about different cultures. Ms. Chiu speaks Mandarin and has general working knowledge of American Sign Language.

**The Honorable Patricia Cowett (Ret.)** of the San Diego Superior Court of California is a native Californian who served nearly 30 years on the bench. She first began her judicial career in 1979 after being appointed to the Municipal Court by then-Governor Jerry Brown and then succeeded to the Superior Court in 1998. Judge Cowett served as the second of only two women to be the Presiding Judge of the San Diego Municipal Court and helped establish the specialized criminal domestic violence court. Judge Cowett was named “Judge of the Year” by the San Diego County Bar Association in 2006. Prior to joining the bench, Judge Cowett worked as a litigation attorney with San Diego Gas & Electric (now Sempra Energy), the California Department of Transportation, and the criminal division of the City of San Diego. Judge Cowett received her law degree from the University of California Davis School of Law. Judge Cowett continues with her involvement with local legal groups, including the San Diego Inn of Court, Lawyers Club, and the Pan Asian Lawyers of San Diego. Judge Cowett was recently chosen as the City of Coronado’s representative to the San Diego Port District’s Public Arts Committee. Judge Cowett

provides mediation and arbitration services through ADR Services, Inc. and the American Arbitration Association.

**Mark Cumba** is a Deputy Attorney General with the California Department of Justice where he is assigned to the Bureau of Medi-Cal Fraud and Elder Abuse. There, he investigates and prosecutes companies and individuals for illegally abusing the Medicare/Medi-Cal programs as well as residential care facilities, skilled nursing facilities, caretakers and other individuals for abusing or neglecting California's elderly and dependent adult citizens. Mark is an adjunct faculty member at Thomas Jefferson School of Law where he coaches the National Trial Team and is also a board member of Filipino American Lawyers of San Diego and the National Asian Pacific Islander Prosecutors Association. He is entering his third and final year as an appointed member of the Commission on Judicial Nominees Evaluation where he assists the governor in the judicial selection process.

**The Honorable Selena Dong Epley** was appointed to the San Diego Superior Court in July 2014 after nineteen years as a deputy public defender with the San Diego County Office of the Primary Public Defender, where she also served as an assistant supervising attorney for a central felony team. She earned a Juris Doctor degree in 1995 from Stanford Law School where she served as co-president of the Asian Pacific American Law Students Association and an associate editor for the Stanford Law Review. After earning a Bachelor of Arts degree from the University of Washington, she worked as the legislative director for the United States Student Association in Washington D.C. for two years before attending law school.

**Loren Freestone** is a partner at Higgs Fletcher and Mack. He represents and advises small, medium and large employers, corporations, and healthcare practitioners in employment disputes, litigation and trial. This includes representing clients in employment-related litigation involving claims of discrimination, wrongful termination, harassment, and wage and hour violations. Mr. Freestone has successfully argued cases at the Court of Appeal. Mr. Freestone received his bachelor degrees (two) from UCLA, and his law degree from the University of San Diego. He was a judicial extern for Associate Justice Judith L. Haller of the Fourth District Court of Appeal, and as a new lawyer, was trained by Hon. Gregory W. Pollack. Mr. Freestone was recently elected President of the San Diego County Bar Association ("SDCBA"), after having served as its Secretary. He will serve as President-Elect in 2016 and assume the role of President beginning in 2017. He also serves as a board member of the Tom Homann Law Association.

**The Honorable Tamila Ebrahimi Ipema** received her Bachelor's Degree from Damavand College in Tehran, Iran. In 1978 she moved to the United States in pursuit of higher education. She received a Master's Degree in 1985, and a J.D. from University of Louisville in Kentucky in 1988, and an LL.M. Degree in International and Comparative Law from Georgetown University School of Law in 1994. Judge Ipema has served as a judicial officer for more than ten years. She has family, criminal, and civil experience. She is currently in a civil assignment. Judge Ipema has worked as an immigration defense attorney, Assistant District Counsel with the U.S. Department of Justice in immigration matters for DHS, and as a judicial research attorney and supervising research attorney for the Los Angeles Superior Court. She has also served as a Superior Court Commissioner in both Los Angeles and San Diego Counties prior to her appointment as a Judge to the San Diego Superior Court. Judge Ipema serves on the National Association of Women Judges' (NAWJ) Executive Board as the Vice President of Districts. Judge Ipema is chair of an educational conference/workshop in San Diego for the incarcerated women that is entitled "Success Inside & Out," on June 3, 2016. Judge Ipema received the "Friend of the Community Award" from Tom Homann Law Association on April 14, 2016 and the San Diego County Bar Association's "Outstanding Jurist Award" on May 6, 2016.

**Brian Johnson** is a shareholder at Guerra & Johnson, P.C. ([www.gjpcplaw.com](http://www.gjpcplaw.com)), a boutique full-service immigration law firm with offices in Houston, TX and San Diego, CA. His practice is focused on business immigration and consular matters and his clientele ranges from families to small and medium size businesses. He began his work in immigration law with the Houston office of Department of

Homeland Security, Immigration and Customs Enforcement in the Office of Chief Counsel and received the 2005 Public Interest Fellowship for his work. He is licensed in Texas and admitted to practice before the U.S. District Courts for the Southern and Northern District of Texas, and U.S. Circuit Court of Appeals for 5th and 9th Circuit. He practices exclusively in the area of Immigration and Nationality law and is a graduate of Rutgers College and the University of Houston Law Center.

**Linh Lam** is a prosecutor with the San Diego County District Attorney's Office where she is assigned to the Appellate and Training Division. She handles People's appeals, petitions for review, amicus letters and briefs, writs of mandate, writs of habeas corpus, writs of *coram nobis*, and California Public Records Act requests. Prior to her assignment in the Appellate and Training Division, she prosecuted misdemeanor and felony cases at the trial level, from simple petty thefts to murder. She is the current president of Pan Asian Lawyers of San Diego, and has served as a dedicated board member for 8 years in the capacity of Director, Secretary, Treasurer, and President-Elect.

**Rick Liu** is an associate with Perkins Coie's White Collar & Investigations practice. He advises and defends a broad range of clients including chief executives, directors and officers, broker-dealers, hedge funds, committees, and accounting firms in shareholder litigation, and criminal and civil government investigations. Mr. Liu has extensive experience representing clients facing allegations of securities fraud, insider trading, financial fraud, and Foreign Corrupt Practices Act (FCPA) violations before the U.S. Department of Justice, Securities Exchange Commission, and the Financial Industry Regulatory Authority. He is also an experienced securities litigator with particular depth in California and Delaware-based actions. Finally, Mr. Liu has significant international experience having conducted investigations in Africa, Europe, South America, and Asia.

**Tammy Lin** is an immigration attorney with Jewish Family Service of San Diego, specializing in asylum and refugee law, since 2008. She is a frequent speaker on all aspects of immigration at various local, state and national conferences and events. Tammy was selected by the San Diego Daily Transcript in 2015 as one of the top immigration attorneys in San Diego. In 2014, she was part of the first class of "Who's Next" Leaders chosen by Our City San Diego. She was the Treasurer for YNPN (Young Nonprofit Professionals Network) San Diego, former San Diego Chapter Chair of AILA (American Immigration Lawyers Association), 2012 New Leaders Council Fellow and Notre Dame Club of San Diego Board Member. She earned a B.A. from the University of Notre Dame (Pol.Sci/I.R. with Minor, Peace Studies) and a J.D. from the University of San Diego School of Law. Mr. Lin, a Texas native, is a daughter of immigrants that spent her childhood in the family's Chinese restaurant. Her dog's name is Milhouse (after 'The Simpsons' character, not the former President).

**Kris Mukherji** is a Business Law and Estate Planning/Probate attorney with the Law Office of Kris Mukherji in La Jolla, CA. Kris graduated from Thomas Jefferson School of Law in May 2012 and after passing the bar, started his practice in January of 2013. The business section of his practice focuses on everything from business formation, merger and acquisition, partnership agreement, business dissolution and litigation. His primary business clients are Dentists, Chiropractors and Start Ups. The estate planning section also covers a wide spectrum of issues from the planning stage to litigation if necessary. Mr. Mukherji is the Vice President of the South Asian Bar Association of San Diego, and also sits on the Board of Directors.

**Sarah Redparth** is a local family law practitioner, practicing within the areas of, among others: Dissolution, Custody & Support, Domestic Violence, Conservatorships & Guardianships. Ms. Redparth currently owns and operates Agape Law Firm in downtown San Diego. Ms. Redparth is an active community volunteer to a variety of interests and organizations, as she is always excited to serve her community, especially those persons under-served and marginalized. Ms. Redparth is also a board member of the Earl B. Gilliam Bar Association. Ms. Redparth is happy to celebrate Asian American and Pacific Islander Heritage Month with such an informative play, and diverse cast. With a passion for the profession, and dedication to helping people, Ms. Redparth is proud to be serving America's finest city.

**Heather Riley** is a partner in the San Diego office of Allen Matkins, a California-based full service real estate and business law firm. Her practice focuses on environmental and land use matters, with a particular emphasis on writ litigation. She has extensive experience with the California Environmental Quality Act (CEQA) and has helped shepherd numerous private and public projects through the administrative and judicial process. Ms. Riley is the 2016 President of the San Diego County Bar Association.

**The Honorable Dana Makoto Sabraw** is a judge in the United States District Court for the Southern District of California. He currently serves as Chair of the Court's Patent Advisory Committee, which is responsible for promulgating local rules of practice for patent cases before the Court. Judge Sabraw joined the Court in 2003 after being nominated by President George W. Bush and confirmed by Congress on a 95-0-5 vote. A native of California, Judge Sabraw graduated from San Diego State University with a bachelor's degree with distinction in 1980. He earned his Juris Doctorate degree with distinction from the University of the Pacific's McGeorge School of Law in 1985, where he graduated in the top 10% of his class and served on the Law Review. Prior to joining the bench, Judge Sabraw was a private attorney in California from 1985 to 1995, practicing with Baker and McKenzie. He was a Municipal Court Judge for the North County Municipal Court of California from 1995 to 1998, and a Superior Court Judge in the San Diego County Superior Court from 1998 to 2003.

**Grace Tenorio** is the Principal of the Law Office of Grachielle Tenorio. She practices immigration law and family law in San Diego, California. She is licensed to practice law both in California and the Philippines. She is prominently involved in the legal community. Ms. Tenorio is an active member of the San Diego County Bar Association, American Immigration Lawyers Association, Philippine American Bar Association and the Filipino American Lawyers of San Diego (FALSJ). She is on the Board of Directors of FALSJ and is the current Secretary. In addition, Ms. Tenorio regularly volunteers with the ABA Immigration Justice Project, the San Diego Volunteer Lawyer Project for Family Law cases and the San Diego Legal Aid clinic for Domestic Violence cases. Ms. Tenorio is fluent in Filipino and can be contacted at [grace@tenoriolaw.com](mailto:grace@tenoriolaw.com).

**The Honorable Margie G. Woods** of the San Diego County Superior Court of California presides over criminal cases. She also hears juvenile and family law cases. A 25-year veteran of her court, Judge Woods began her judicial career as a Juvenile Court Referee presiding over dependency and delinquency cases from 1987 to 1990. She then served as Municipal and Superior Court Commissioner from 1993 to 2001, when she was appointed a Judge of the Superior Court of California by Governor Gray Davis. Judge Woods is active in the legal community locally and served as Conference Co-Chair for the 36th Annual Conference of the National Association of Women Judges. She has been a volunteer for Meals-on-Wheels Greater San Diego for over 30 years where she serves on the Board of Trustees and delivers meals to home bound seniors. Judge Woods, who was born in Jakarta, Indonesia, immigrated with her family to the United States from The Netherlands in 1960. She received her Juris Doctor at the University of San Diego School of Law in 1980.

**Arlene Yang** is Of Counsel at Brown Law Group, a leading California litigation firm that specializes in all aspects of employment law and business litigation. Her practice focuses on preventative law and litigation on behalf of employers. Last year, she was honored to serve as president of the Pan Asian Lawyers of San Diego. She is a graduate of Massachusetts Institute of Technology and New York University School of Law. In addition to practicing law, she loves the performing arts and spent a number of years as a fundraiser for non-profit theater companies in New York City.

### **PRODUCER**

**Judy Bae** practices probate/trust litigation with Miller Monson Peshel Polacek & Hoshaw. Her practice ranges from will and trust contests, fiduciary defense and estate/trust accountings disputes. Her clients range from individuals contesting estate planning documents procured by undue influence and other



means, defending trusts and wills from attack, trustees requiring guidance in contentious trust administration scenarios, the charitable organizations pursuing accountings from rogue trustees, and everything in-between. Prior to her legal career, Ms. Bae attended medical school, which has been an essential part of her success in understanding the emotional components that often drive probate/trust litigation matters and the background that often leads to an individual's susceptibility to undue influence. Ms. Bae is the President-Elect of the Pan Asian Lawyers of San Diego.

### **AUDIO/VISUAL**

**Ariel Javier** is a Tax Attorney and Certified Public Accountant. Services include tax litigation matters, tax controversy/problem resolution, tax planning, tax preparation, business entity formation and accounting services. Community service is also an important component of his practice because providing help and assistance to a person or group without an expectation of anything in return produces the greatest reward. As a testament to his commitment to community service, Mr. Javier received the 2014 President's Award from Filipino American Lawyers of San Diego and Pan Asian Lawyers of San Diego in recognition of his efforts and service to both organizations and the community. Wanting to expand and support additional causes, Mr. Javier was recently elected as a Board Member of the Tom Homann LGBT Law Association. He is also Past-President of Filipino American Lawyers of San Diego.

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Judy Bae, Erin Lee, Linh Lam, Parada Ornelas, Arlene Yang

### **ACKNOWLEDGEMENTS**

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Peter Quon, Photographer

Honorable Barry Ted Moskowitz, Chief Judge

Honorable Dana Makoto Sabraw

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Miller Monson Peshel Polacek & Hoshaw, Rehearsal Host

Rick Liu, Perkins Coie

Honorable Denny Chin, Kathy Hirata Chin, and the Asian American Bar Association of New York

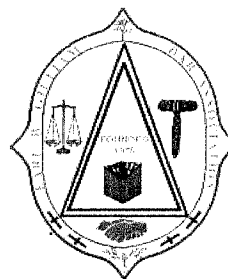
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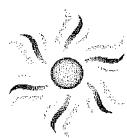
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