



Connecting Communities  
Protecting the Planet

## The People of ELAW

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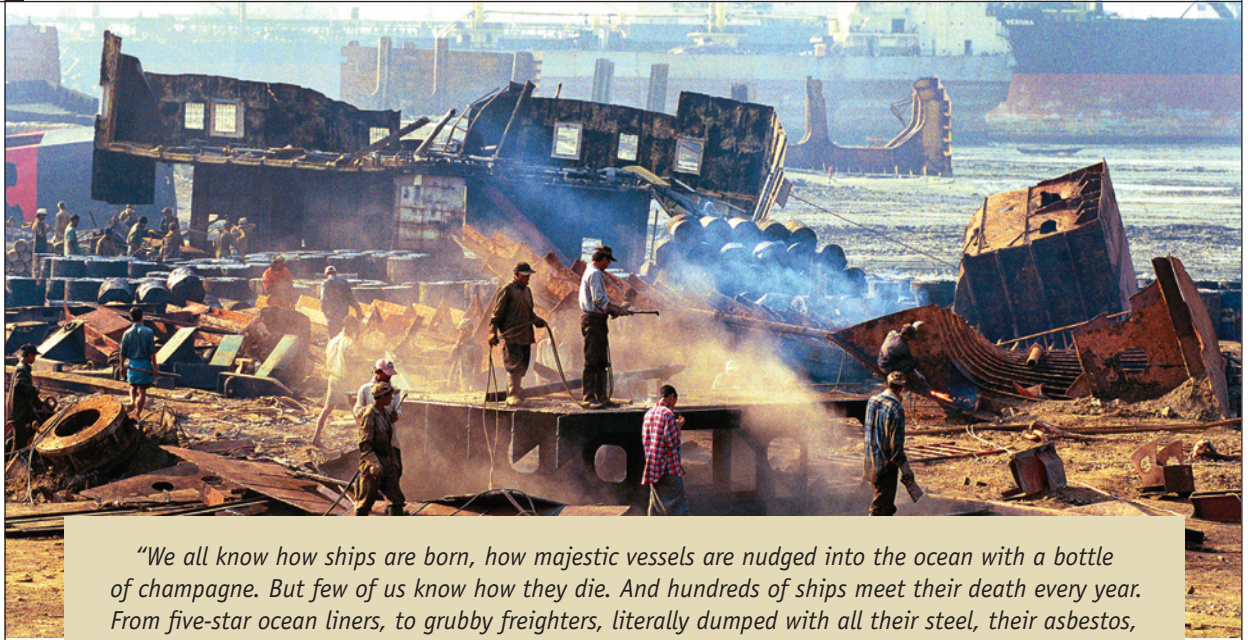


PHOTO: © Brendan Carr, www.brendancorphotography.co.uk

*"We all know how ships are born, how majestic vessels are nudged into the ocean with a bottle of champagne. But few of us know how they die. And hundreds of ships meet their death every year. From five-star ocean liners, to grubby freighters, literally dumped with all their steel, their asbestos, their toxins on the beaches of some of the poorest countries in the world, countries like Bangladesh.*

*You can't really believe how bad it is here, until you see it. It could be as close as you'll get to hell on earth, with the smoke, the fumes, and the heat. The men who labor here are the wretched of the earth, doing dirty, dangerous work, for little more than \$1 a day."*

**Bob Simon, CBS News, on 60 Minutes, November 2006**

(<http://www.cbsnews.com/stories/2006/11/03/60minutes/main2149023.shtml>)

### Bangladesh: Ship-Breaking Victory

Ever since 2000, **Rizwana Hasan**, an ELAW partner and the Executive Director of the Bangladesh Environmental Lawyers Association (BELA), has been taking on the ship-breaking companies. She has been trying to improve the working conditions for ship-breaking laborers and prevent environmental damage caused by the work. She called on ELAW Staff Scientist Mark Chernaik to help fight the abuses.

Then, at the 2003 ELAW Annual Meeting, Rizwana spoke with ELAW colleagues from around the world about the horrific problem with ship-breaking yards in her country. She asked for their assistance in challenging the ship owners – who, despite her efforts, had been abusing workers and the environment for years.

She sat around a table with Mark, and was joined by ELAW partners from her region – and worked on her petition to end this scourge. She then went back to Bangladesh and filed the lawsuit.

And waited. But she didn't wait idly. She organized a seminar on "Workers Security in Ship-Breaking Yards in Bangladesh: Legal Norms and Reality" in Chittagong, near the ship-breaking yards at Bhatiari and Sitakunda. She filed petitions seeking to deny entry into Bangladesh of two toxic-laden ships, the Alfaship, a Greek-owned oil tanker, and the SS Norway, a French-owned ocean liner, and succeeded in preventing them from entering and further polluting the bay.

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**This is a tremendous victory for  
environmental justice and the  
people and beaches of Bangladesh.**

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Rizwana Hasan

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The Environmental Law Alliance Worldwide (ELAW) is a network that facilitates the development and practice of public interest environmental law throughout the world. The network of ELAW advocates exchanges legal, scientific and technical information, ideas, precedents, and strategies across national boundaries in support of grassroots, public interest environmental law.

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## Are Environmental Lawyers Cool?

During a group discussion on media and communications at the ELAW Annual Meeting, **Diana McCaulay**, the unstoppable CEO of Jamaica Environment Trust, lamented that she's not considered "cool" in Jamaica. She explained that she has a hard time garnering interest in her work to protect coastal areas and reefs from the impacts of sprawling resort development -- perhaps, she wondered aloud, it is because she's not cool.

We all laughed, perhaps a little nervously.

Are environmental lawyers cool? The evidence would seem to point in the direction of a resounding "NO!"

We are frequently surrounded by big books and pages of densely-written laws.

We discuss renewable energy payments with great excitement to anyone who will listen.

We understand Latin terms for obscure judicial procedures.

But consider this: Public-interest environmental lawyers have put their passion first. Whether it is

love for the mountains or the sea, love for our communities, or love for our children, we are driven by passion to protect the environment.

Last month, my colleague Jen Gleason and I gave a presentation on "Defending the Defenders" at a symposium on human rights and the environment held at the University of Oregon School of Law. We shared the unfortunate experiences of many of ELAW's partners who have been victims of physical violence, subject to invasive searches of their offices and homes, or imprisoned on false or nonexistent criminal charges simply because they are working to protect communities' rights to a clean and healthy environment. It is passion that keeps these brave public interest lawyers moving forward through obstacles that most people would never even try to overcome.

Passion first.

To me, that's cool. What do you think? Go to our blog and leave us a comment. [www.elaw.org/blog](http://www.elaw.org/blog)

**Liz Mitchell**  
ELAW Staff Attorney



Diana McCaulay  
JET - Jamaica

**BANGLADESH SHIP-BREAKING VICTORY** CONTINUED FROM PAGE 1

But the usual delay in the legal system slowed down the ultimate verdict. As she waited, hundreds of workers died and thousands more were injured or became sick from the toxic conditions. She watched a once pristine beach become a waste-yard of toxic junk. And she worried that the environmental laws would never be enforced.

But she waits no more.

After more than five years of dogged litigation by BELA, the Bangladesh Supreme Court ordered:

- Uncertified ship-breaking operations must close within two weeks;
- Ship-breaking operations must obtain environmental certification before operating in Bangladesh;

- Ships must be cleaned of all hazardous materials before entering the country; and
- Ship-breaking operations must guarantee safe working conditions for workers and environmentally sound disposal plans for wastes.

This is a tremendous victory for environmental justice and the people and beaches of Bangladesh. This courtroom victory will echo around the world and help end the unjust practice of sending toxic ships to distant beaches where people without adequate protection break them down.

We congratulate Rizwana for this stunning victory!

For more information about the tragedy of ship-breaking, see: <http://www.shipbreakingbd.info> and/or [http://en.wikipedia.org/wiki/Ship\\_breaking](http://en.wikipedia.org/wiki/Ship_breaking)

## 2009 ELAW Annual Meeting

One minute, advocates would be discussing a recent case on the right to a healthy environment from the Philippines and the next minute, sharing photos of their children.



ELAW partners gather at the top of Mount Pisgah.



### Pastel de Papas y Salmon

1½ onion  
 3 cloves garlic  
 ½ tsp. dried chili peppers  
 ½ stick melted butter (divided)  
 2 tbs. olive oil  
 Salt and pepper  
 14 small potatoes  
 (peeled or not, your preference)  
 ½ cup milk  
 ½ tbs. chopped rosemary  
 1 salmon fillet  
 1 small jar capers

Dice the onion and chop the garlic. Add the dried chili peppers. Fry in 1 tablespoon of the butter mixed with 2 tablespoons olive oil, add salt and pepper according to taste.

If you don't want this too spicy, add less chili. Don't burn this mixture — cook it for about 5 minutes on low.

Make mashed potatoes: Boil the potatoes until soft, drain the water and use a mixer to mash the potatoes with milk, salt to taste and rosemary.

Butter a casserole pan. Put a very thin layer of mashed potatoes on the bottom (this keeps the salmon from burning). Add the onions in a layer.

On top of that place the sliced salmon and sprinkle with capers. Cover with the rest of the potatoes. Brush with melted butter. Bake at 400 degrees for 20 minutes, until the top is a little brown.

Serves 4 to 8.

Muchas Gracias to Andres Pirazzoli, ELAW partner from Chile for sharing his wonderful recipe.

Environmental and human rights advocates from around the world traveled to Eugene for the 2009 ELAW Annual Meeting in February. More than 24 countries were represented, and the collaboration and the conversations continued non-stop. One minute, advocates would be discussing a recent case on the right to a healthy environment from the Philippines and the next minute, sharing photos of their children.

The first morning featured a group discussion on international finance institutions and the climate talks leading to Copenhagen. Throughout the day, advocates met in smaller working groups discussing topics ranging from strategies to advance indigenous rights, to holding corporations accountable, to using access to information laws. But alongside those intense discussions, there was plenty of time for laughter and camaraderie.

One evening, we enjoyed a home-cooked meal prepared by **Andres Pirazzoli** (Chile) and **Jeanette and Estuardo de Noack** and **Mara Bocaletti** (Guatemala), with help from meeting participants from Peru, Ukraine, and the U.S.

We feasted on pastel de papas y salmon (see recipe), pepian chicken and vegetables, and delightful dulce de leche. **Meche Lu**, ELAW scientist, served

chicha morada (a Peruvian fruit drink made with purple corn) that she had prepared herself.

Another day, we left the warm, dry meeting rooms for a field trip.

Our day started with a tour of the West Eugene Wetlands with Neil Bjorklund, the city's Parks and Open Space Planning Manager. As if on cue, it started pouring rain when we reached the overlook. As geese landed and birds flitted through the grasses, Neil shared the story of Eugene's nationally recognized efforts to protect 3,000 acres of wetlands, including the restoration of hundreds of acres that had been converted into a grass seed farm.

After lunch at Fifth Street Market, we continued on to Buford Park Arboretum and Mt. Pisgah. Led by Bruce Newhouse, a local botanist, most of the group fanned out along the trail to the top and enjoyed sweeping views over Eugene and the Cascade foothills as the clouds temporarily lifted. **Fernando Dougnac**, perhaps South America's most famous environmental attorney, was the last to reach the top.

Someone teasingly shouted, "Fernando, great to see you, but it's time to head back down!"

Compared to the climb, the descent was easy. Fernando brought up the rear with 2008 Goldman Prize winner **Pablo Fajardo** from Ecuador. He learned about Pablo's work representing indigenous communities and



CONTINUED ON PAGE 6

## The People of ELAW



Carla has helped preserve the coastline of Baja de California so that dolphins like these can continue to frolic.

PHOTO: Fernando Ochoa

Tijuana is a city that has experienced many challenges over the years. But for Carla it is home.

When asked for five words to describe her hometown she said:

- Tijuana is:
- Eclectic
  - Energetic
  - Chaotic
  - Pioneering
  - Multicultural

### Carla García Zendejas: No soy de acá, ni soy de allá.

“I’m not from here and I’m not from there,” began the story of this girl from Tijuana, who was fortunate enough to have parents who straddled the border every day to provide the best for their children. ELAW partner **Carla García Zendejas** was born to a medical doctor and a schoolteacher who recognized that their children would have more opportunities if they could, themselves, walk as easily among Americans as among Mexicans. So they drove the kids to San Diego each day, where Carla and her brother and sister attended an English-speaking Catholic school.

“We would get a pink slip for speaking Spanish on the playground,” recalls Carla.

Carla’s parents provided ample educational opportunities for their children. And they also taught by their example. Her father and his colleagues started the Tijuana Red Cross and were active in Rotary.

Both of her parents were active in community service projects. Being perfectly bilingual and bicultural in an era defined by free trade agreements, Carla could have taken her pick from numerous high-paying corporate jobs. But her respect for her parents, coupled with the influence of her Catholic teachers and priests, led her to seek opportunities to serve. In her teens, she and her friends started their own advocacy group, ProForum, and traveled to poor communities to help with building projects and holding retreats for teenagers and community members.

Carla received her law degree in Tijuana, and then pursued an LLM at American

University in Washington, DC. She remembers well when she chose public interest environmental law as her path. Carla took a class called Trade and Environment, thinking it might help her defend Mexico’s trade interests. But as the professor outlined the impacts of free trade on communities, Carla realized, “she’s talking about my home, my place - Tijuana. I have to help.” She shared with a friend that she wanted to be an environmental lawyer and he told her: “Write it down!”

Carla’s biculturalism already gave her a unique perspective on U.S. demand, and Mexico’s supply. With new clarity of purpose, Carla reached out to nongovernmental advocacy organizations in Mexico to learn about impacts of trade on communities, her communities. After graduation, she moved back to Tijuana to defend the rights of women working in maquiladoras (modern day sweat shops). Following that, she took on highly destructive liquefied natural gas (LNG) terminals planned for the coast of Baja California. Of the six terminals planned, Carla and the coalition of advocates she teamed up with defeated five. In addition to direct advocacy for the environment, Carla educates U.S. audiences about the impacts of our consumption on Mexico’s natural environment.

When asked what brings her personal satisfaction, Carla thinks back to that piece of paper bearing the words, “environmental lawyer!” She is proud of the fact that, a decade later, she has not strayed from her path. She is gratified when her words resonate with the community members she seeks to serve - when she sees that the seeds she has planted are growing, and bearing fruit. “It’s the joy of the job well done.”

Carla’s greatest role model is her mom. Although she learned from numerous law professors, teachers, clients, authors, and community organizers along the way, she says, “My mom provides order in a chaotic world. She is a rock. I would do well to be as focused, precise, and dedicated.”



## The People of ELAW

Carla has recently joined the Defensa del Ambiente del Noroeste (DAN), as Director of Public Policy. DAN is a relatively new NGO, and Executive Director Fernando Ochoa Piñeda was thrilled to have Carla join forces. He said, "I feel like we're the team last in the standings, so we got 'first draft pick' and somehow managed to get our top pick!"

However, the import of Carla's work reaches beyond the borders of U. S. and Mexico. She has worked with ELAW partners in Europe and other places too. Her passion and commitment to her work makes her unstoppable. She is not only from here, and from there; her reach through the ELAW network is truly global.

### Cheryl Coon: from Oregonian Article to Board Member Extraordinaire

On a chilly Sunday in March 2002, **Cheryl Coon** was reading her hometown newspaper, the Oregonian. She came across a story about ELAW and was immediately intrigued. Cheryl had a thirty-year career as an environmental attorney, including stints in the U.S. Virgin Islands and as a committee staffer on Capitol Hill before moving to Oregon to join the Attorney General's office as a Senior Assistant Attorney General in the Natural Resources Section. She was transitioning from that position to consulting work, so she called ELAW to offer her time as a volunteer attorney. Jen Gleason matched Cheryl up with an ELAW partner in Chile, Miguel Fredes, because of her background with endangered species issues. Miguel was fighting to save ancient forests in Chile, and stop the illegal harvesting of the endangered "alerce" tree, a majestic conifer that is related to the Giant Sequoia.

When Cheryl contacted Miguel, she learned that Chilean authorities had been using an exception to CITES, an international convention to stop the trade of endangered species, to export alerce to the U.S. The CITES exception allowed export of alerce logged before 1973 (when alerce was added to the

endangered list) or trees damaged by fire or disease. Miguel believed that this CITES exception was resulting in illegal logging of healthy trees, but he needed to document a clear link between the exported trees and the wrongdoers. Cheryl was able to use her familiarity with the Freedom of Information Act to help Miguel obtain critical information from the U.S. Fish and Wildlife Service and U.S. Customs about import of alerce into the U.S. Miguel followed the trail of documents and laid the groundwork for a criminal investigation by authorities in Chile.

Through her close work with Miguel, Cheryl came to understand and appreciate the importance of ELAW's network approach to providing assistance to public interest environmental lawyers. Soon, in addition to donating her time, she became a donor to ELAW.

After Miguel won a landmark victory when Chile's government announced it was closing the longstanding CITES loophole, and ordering no further export or trade of alerce, Cheryl remained committed to assisting other ELAW partners. Cheryl saw first-hand how providing strategic legal support can yield huge benefits for ecosystems and communities.

Her next big opportunity came when ELAW Associate Director Lori Maddox invited Cheryl to travel to Honduras with her for a series of meetings and public education seminars regarding the Mesoamerican Reef. Cheryl met with a group of ELAW partners working in the region, participated in official government meetings, and spoke to members of the Honduran Bar Association about the role of private attorneys in environmental enforcement. She came away from the experience even more committed to working with ELAW and to helping protect the Mesoamerican Reef.

So, what is the next logical step for a person with the depth of enthusiasm for ELAW that Cheryl has shown? Why, an invitation to the Board of Directors, of course!

Cheryl joined the ELAW Board in the spring of 2008 and she and her husband Jim continue to support ELAW and our partners enthusiastically.

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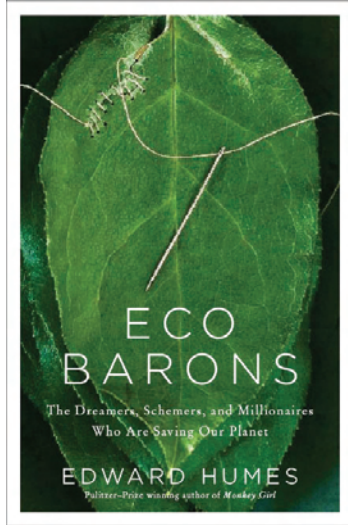


## Books & Ideas of Interest

### *Eco Barons:*

*The Dreamers, Schemers and Millionaires Who Are Saving Our Planet*

By Edward Humes



What's an Eco Baron? It is sort of like a robber baron, only much better. Here's how Ed Humes describes them:

"In an era in which government has been either broke, indifferent or actively hostile to environmental causes, a band of visionaries — inventors, philanthropists,

philosophers, grassroots activists, lawyers and gadflies — are using their wealth, their energy, their celebrity and their knowledge of law and science to persuade, and sometimes force, the United States and the world to take a new direction."

Sounds like some of our ELAW partners, right? Well, although it could be about some of the ELAW partners, *Eco Barons* is a book about other visionaries, men and women who look at our planet in peril and act. They "are writing the next chapter in the story, and theirs is a message of hope: The world can be saved," writes Humes.

The men and women described in *Eco Barons* range from controversial to mainstream; from rich to poor, from celebrities to obscure unknowns. But they all have one thing in common — they have seen environmental devastation and are acting to prevent it. Doug Tompkins began to buy up the rainforests of southern Chile in order to preserve them from deforestation; Kierán Suckling and Peter Galvin began using the Endangered Species Act to protect the forests of the American southwest and went on to found the Center for Biological Diversity; single mom Carole Allen has spent her entire life working to save the endangered Kemp's ridley sea turtle; Roxanne Quimby, who started Burt's Bees, has used her fortune to preserve the Maine woods. And then there is Andrew Frank, who has championed electric cars for decades; Terry Tamminen, promoter of California's Global Warming Solutions Act, one the nation's most comprehensive environmental laws; and Ted Turner who, well, has lots of money and uses it to do good things.

Despite its inherent flaw — there are way more Eco Barons than Humes could ever describe, and therefore he leaves out too many of them — it is a wonderful book, an easy read, a hopeful script about what people are doing, and what can be done to protect the planet. It is an optimistic and timely reminder that individuals can make a difference.

2008 ELAW ANNUAL MEETING CONTINUED FROM PAGE 3

settlers in the Amazon who are suffering from 30 years of pollution from multinational oil operations. Fernando has been successful challenging multinational logging operations in Chile, so they had much to share.

The rain began to come down again as the group retreated to the White Oak Pavilion where Bruce Newhouse, botanist with Salix Associates, showed slides of Mt. Pisgah's impressive birds, butterflies and native plants.

Neil Bjorklund, Eugene's Parks and Open Space Planning Manager, gives visiting ELAW advocates a tour of the West Eugene Wetlands.



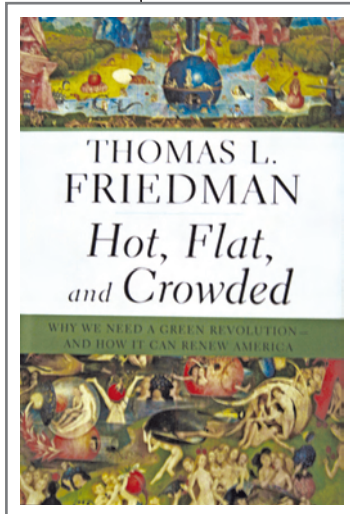
An Eco Baron is: "a band of visionaries — inventors, philanthropists, philosophers, grassroots activists, lawyers and gadflies — who are using their wealth, their energy, their celebrity and their knowledge of law and science to persuade, and sometimes force, the United States and the world to take a new direction."

## Addressing global environmental challenges

### *Hot, Flat, and Crowded:*

#### *Why We Need a Green Revolution - And How it Can Renew America*

By Thomas Friedman



Early in March, Thomas Friedman spoke to a sold out audience at Portland State University about his latest book, *Hot, Flat and Crowded: Why We Need a Green Revolution - And How it Can Renew America*. He focused his lecture – which was really just an hour-long description of his book – on the big, broad theme of ‘the Energy-Climature era’ in which we live.

In the book he describes five big problems – energy supply and demand, petrodicatorship, climate change, energy poverty, and biodiversity loss. He

explains – in great detail, over many chapters of the book – how each of these problems has been growing more serious for many years, and how they have reached a ‘critical mass’ or a ‘tipping point’ in the last few years.

Friedman is very America-centric. He seems to believe that America – and only America – can solve the world’s environmental problems. But he does recognize (and illustrates it rather humorously) that the rest of the world does not always agree with him. He started his lecture the way he starts his book: with an advertising slogan appearing on a billboard in South Africa by Daimler promoting the Smart “forfour” car. “German Engineering, Swiss innovation, American nothing.”

Friedman ended his lecture the way he ends his book: with a story from a eulogy given by Amory Lovins at a memorial service for the environmental

pioneer Dana Meadows. Lovins describes an email that he received from Dana about a father home alone with his daughter. “He was trying to read the paper but was totally frustrated by the constant interruptions. When he came across a full page of the NASA photo of the Earth from space, he got a brilliant idea. He ripped it up into small pieces and told his child to try to put it back together. He then settled in for what he expected to be a good half-hour of peace and quiet. But only a few minutes had gone by before the child appeared at his side with a big grin on her face. ‘You’ve finished already?’ he asked. ‘Yep’ she replied. ‘So how did you do it?’ ‘Well, I saw there was a picture of a person on the other side, so when I put the person together, the Earth got put together too.’”

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**In the book he describes five big problems – energy supply and demand, petrodicatorship, climate change, energy poverty, and biodiversity loss.**

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It’s a good story and it reflects Friedman’s optimism that we humans can solve these global problems. It also reflects the beauty of the ELAW global network: Connecting people – putting people together – might be the best way to protect our planet.

**Be part of the solution. Donate to ELAW**



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## What are some steps you can take to save money and reduce your carbon footprint?

Here are ten good ones, courtesy of Terry Tamminen, author of *Lives per Gallon: The True Cost of Our Oil Addiction*.

1. **Adjust your thermostat by two degrees** (cooler in winter, warmer in summer), to save one ton of greenhouse gas emissions a year.
2. **Switch out incandescent light bulbs for compact fluorescents** and save three hundred pounds of greenhouse gases per bulb. Switching ten bulbs saves 1.5 tons of greenhouse gases and cuts the household electric bill by seventy-five dollars a year.
3. **Insulate your hot water heater** with a simple thermal "jacket" and save 550 pounds of greenhouse gases a year.
4. **Replace air-conditioner filters** to save 350 pounds of greenhouse gas emissions a year.
5. **Unplug "vampire" electronics** that suck up electricity even when turned off—TVs, VCRs, DVD players, cable boxes, chargers—anything that is instant-on or that has a blinking light. The typical household will save a half ton of greenhouse gases just by making sure "off" is really off.
6. **Wash clothes in cold water** and save one ton of greenhouse gases.
7. **Dry clothes on clotheslines** and save nearly one and a half tons of greenhouse gases.
8. **Take mass transit or telecommute once a week** to save one ton of greenhouse gases.
9. **Check tire inflation every week** to increase fuel efficiency by three percent and save a quarter ton of greenhouse gases (as most drivers have chronically under-inflated tires, which makes the engine work harder and burn more gas).
10. **Lose ten pounds**—the average weight gain for Americans in the past ten years. Airlines use 350 million more gallons of jet fuel every year hauling around those extra pounds.

Bonus items to substitute where necessary: eat fresh food, not frozen (fresh consumes ninety percent less energy); eat less beef (the production of beef, pound for pound, uses up more energy than any other food); avoid bottled water and disposable grocery bags; buy local produce and other foods to avoid the 1,300 miles the average American plate travels on its way to the dinner table, using fossil fuels all the way.

More substantial steps: plant a vegetable garden, weatherize your home, install a solar water heating system or solar electric panels.

From *Eco Barons* by Edward Humes; reprinted with permission of Terry Tamminen.

## THINK GLOBALLY. GIVE LOCALLY.

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