



The Vietnamese Fishermen's Association

v.

Knights of the Ku Klux Klan

Tuesday, April 20, 2021
6 PM ET
via Zoom

A virtual trial re-enactment presented by the
Asian Pacific American Bar Association of the Greater
Washington, DC Area and
Champion Sponsor, Wiley Rein LLP



PROGRAM

Introduction

APABA-DC President, Erica Lai

Keynote Address

The Honorable Denny Chin,
Judge for the U.S. Court of Appeals for the Second Circuit

Re-Enactment of

The Vietnamese Fishermen's Association v. Knights of the Ku Klux Klan

Closing Remarks

APABA-DC Community Affairs, Anjum Unwala and Melissa Nonaka

Networking Breakout Rooms

OVERVIEW

After the end of the Vietnam War in 1975, Vietnamese refugees relocated to the United States, and thousands resettled along the Gulf Coast region, where many of the refugees continued their livelihood through the commercial fishing industry. As the number of boats and fishermen increased, however, so did racial tensions as both Vietnamese and American fishermen competed over the same shrimp crop. In the mid-1970s, among the rise in resentment, Louis Beam, a member of the Ku Klux Klan, started the Texas Knights. Additionally, Beam oversaw the Texas Emergency Reserve, a Ku Klux Klan paramilitary organization.

Violence erupted in the late 1970's after an American fisherman was shot and killed by a Vietnamese fisherman, who pleaded self-defense and was later acquitted. The President of the American Fisherman's Association, Gene Fisher, asked for assistance from Louis Beam and the Texas Emergency Reserve.

In February 1981, Louis Beam organized a rally in Santa Fe, Texas, where several hundred people, mostly local American fishermen and Klansmen, gathered. Beam led violent threats against the Vietnamese fishermen, burning their boats and frightening the Vietnamese community. Then, Beam gave the Vietnamese fishermen a deadline of May 15, 1981, the beginning of the shrimping season, to clear the bay.

On April 16, 1981, to stave off the threats of the Ku Klux Klan, the Vietnamese fishermen, led by Colonel Nam Van Nguyen, with assistance from Morris Dees, a lawyer for the Southern Poverty Law Center, and John Hayslip, filed a complaint for injunctive relief under both federal and state statutes and the United States Constitution in the United States District Court for the Southern District of Texas. Judge Gabrielle K. McDonald, the first African American judge appointed to the federal bench in Texas, presided over the case and ultimately granted the plaintiffs' request for expedited discovery and set a motions hearing for preliminary injunctive relief for May 11, 1981.

Tonight's re-enactment will provide the historical context and details from the court proceedings for the Vietnamese fishermen's request for injunctive relief.

ABOUT THE KEYNOTE SPEAKER

The Honorable Denny Chin is a United States Circuit Judge for the United States Court of Appeals for the Second Circuit. He was confirmed in April 2010. From 1994 until his appointment to the Second Circuit, he served as a United States District Judge for the Southern District of New York.



Judge Chin graduated from Princeton University magna cum laude and received his law degree from Fordham Law School. He clerked for the Honorable Henry F. Werker in the Southern District of New York; was associated with the law firm Davis Polk & Wardwell; served as an

Assistant United States Attorney for the Southern District of New York; was a founding partner of the law firm Campbell, Patrick & Chin; and was a partner at a firm specializing in labor and employment law, Vladeck, Waldman & Engelhard, P.C.

Judge Chin was born in Hong Kong. He was the first Asian American appointed a United States District Judge outside the Ninth Circuit and the first Asian American appointed to the Second Circuit. He served as President of the Asian American Bar Association of New York from 1992-1993.

Judge Chin and his wife Kathy Hirata Chin have written, produced, and presented, together with a team from the Asian American Bar Association of New York, a series of reenactments of historic cases involving Asian American litigants. He has taught Asian Americans and the Law at Fordham, Harvard, and Yale Law Schools.

ABOUT THE CO-DIRECTORS

Nina Hsu currently serves as a health science policy analyst at the National Institute of Neurological Disorders and Stroke, part of the National Institutes of Health. Prior to her government career, she obtained her Ph.D. in neuroscience from the University of Pennsylvania and worked in academic research for several years. In her spare time, she performs and teaches improv in DC, while also dreaming up her next cooking experiment.

Caroline Chen has an educational background in forensic science and enjoyed a career as a DNA analyst before transitioning to a career as a web developer. In her spare time, she enjoys exploring acting, writing, and improvisational comedy. Caroline is excited to co-direct this re-enactment and be a part of this unique experience.

ROLES (IN ORDER OF APPEARANCE)

Narrator 1 - *Played by Judge Florence Pan*

Louis Beam - *Played by Judge John Tran*

Grand Dragon of the Texas Ku Klux Klan

Eugene “Gene” K. Fisher - *Played by Judge Amit Mehta*

President of the American Fisherman’s Association who called the KKK

Colonel Nam Van Nguyen - *Played by Judge Zia Faruqui*

Former military colonel for South Vietnamese military

Narrator 2 - *Played by Judge Raymond Chen*

Director of Shellfish Programs - *Played by Judge Jeri Somers*

Texas Bureau of Coastal Fisheries

Police Chief of Seabrook, Texas - *Played by Judge Kelly Higashi*

Narrator 3 - *Played by Judge Theodore Chuang*

Morris Dees - *Played by Judge Jeannie Hong*

Lawyer for Plaintiffs and Co-Founder of the Southern Poverty Law Center (SPLC)

John Hayslip - *Played by Judge Amit Mehta*

Lawyer for Plaintiffs and Colonel Nam

David Berg - *Played by Judge Jason Park*

Lawyer for Plaintiffs

ROLES (IN ORDER OF APPEARANCE)

Philip Zelikow - *Played by Judge Amit Mehta*

Lawyer for Plaintiffs

Sam Adamo - *Played by Judge Errol Arthur*

Lawyer for Defendants

Richard Cobb - *Played by Judge Kelly Higashi*

Lawyer for Defendants

Narrator 4 - *Played by Judge Gwen D'Souza*

Russell Gregory Thatcher - *Played by Judge Jeri Somers*

Friend of Louis Beam

Beam Supporter - *Played by Judge Kelly Higashi*

Judge Gabrielle Kirk McDonald - *Played by Judge Jeri Somers*

Judge for United States District Court, Southern District of Texas, Houston Division

Phuong Pham - *Played by Judge Kelly Higashi*

Colonel Nam's thirteen year-old sister-in-law

Margaret Anderwall - *Played by Judge Zia Faruqui*

Witness who testified for Plaintiffs

Walter Wilkinson - *Played by Judge Jason Park*

Security consultant who was an expert on military operations and a former Green Beret

Southern Poverty Law Center (SPLC) Staff Member - *Played by Judge Jason Park*

TIMELINE OF EVENTS

- August 1979** Sam Van Nguyen shoots and kills an American fisherman out of self-defense in Seadrift, Texas. Nguyen is later acquitted of the crime.
- February 14, 1981** After being contacted by Gene Fisher, Louis Beam leads a rally comprised of American fishermen and members of the Ku Klux Klan in Santa Fe, Texas. Beam declares a deadline of May 15, 1981, the beginning of the shrimping season, for state and federal authorities to resolve the issues between the American and Vietnamese fishermen.
- March 15, 1981** During a “boat ride,” Klansmen and local fishermen steer a shrimp boat with a cannon and human figure hung in effigy to the dock of Colonel Nam.
- April 16, 1981** Colonel Nam, John Hayslip, and Morris Dees file a preliminary injunction against Beam and the Ku Klux Klan to prevent future violence.
- April 30, 1981** Depositions begin at the office of defense counsel, Sam Adamo and Richard Cobb.
- May 1, 1981** Judge Gabrielle McDonald orders all further depositions to be taken at the U.S. Attorney’s Office, and depositions are held through May 8, 1981.
- May 5, 1981** Defendants move to disqualify Judge McDonald from the case on the grounds of personal bias. The motion is denied.
- May 8, 1981** Plaintiffs are granted leave to amend their complaint to include a request to enjoin the defendants from conducting guerilla operations through the Texas Emergency Reserve.
- May 11-14, 1981** Judge McDonald hears arguments on Plaintiff’s motion for preliminary injunctive relief.
- May 14, 1981** Judge McDonald grants the Plaintiff’s motion for injunctive relief in part and denies in part. The Defendants are temporarily enjoined from engaging in violence against the Vietnamese fishermen. On July 15, 1981, the Court issues its opinion.
- May 15, 1981** Beginning of the shrimping season in Texas.
- August 13, 1981** The Court converts the preliminary injunction into a permanent injunction, but reserves on the issue of the military actions of the Texas Emergency Reserve.

CAST MEMBER BIOGRAPHIES

The Honorable Errol Rajesh Arthur is a Magistrate Judge on the Superior Court of the District of Columbia. Since his appointment in 2010, he has served in the Family Court, and has presided over numerous bench trials in neglect and abuse cases, as well as arraignments and detention hearings in both juvenile and adult cases. Judge Arthur received a Bachelor of Arts degree in English from the University of Maryland and his law degree from the Howard University School of Law. Judge Arthur is a native Washingtonian.

The Honorable Raymond T. Chen was appointed to the United States Court of Appeals for the Federal Circuit by President Obama in 2013. Prior to his appointment, Judge Chen served as Deputy General Counsel for Intellectual Property Law and Solicitor at the United States Patent and Trademark Office from 2008 to 2013 and as Associate Solicitor in the same office from 1998 to 2008. Judge Chen received his J.D. from the New York University School of Law and his B.S. in Electrical Engineering from the University of California, Los Angeles.

The Honorable Theodore D. Chuang serves as a United States District Judge for the District of Maryland and sits at the United States Courthouse in Greenbelt, Maryland. Judge Chuang was nominated by President Obama on September 25, 2013 and received his commission on May 2, 2014. Prior to his appointment, Judge Chuang served as Deputy General Counsel of the U.S. Department of Homeland Security (DHS) from 2011 to 2014 and as Associate General Counsel of DHS from 2009 to 2011. Judge Chuang graduated magna cum laude from Harvard Law School and received his B.A. summa cum laude in Economics from Harvard College.

CAST MEMBER BIOGRAPHIES

The Honorable Gwenlynn D’Souza received her appointment as an Administrative Law Judge with the District of Columbia Office of Employment Services Administrative Hearings Division in September 2014. Judge D’Souza has been mediating since 2000 and has mediated employment, contract, tort, and child abuse and neglect cases. Additionally, she has extensive experience in other areas of civil law as a private practitioner. Judge D’Souza graduated from The Catholic University of America where she earned both a Bachelor of Arts in Politics and a Juris Doctorate.

The Honorable Zia M. Faruqi was appointed as a United States Magistrate Judge for the United States District Court for the District of Columbia on September 14, 2020. Judge Faruqi previously served for twelve years as a federal prosecutor in the U.S. Attorney’s Offices in St. Louis and Washington D.C. While there, he prosecuted cases involving terrorists use of cryptocurrency, North Korean weapons proliferation, darknet sites dedicated to child exploitation, and the theft of antiquities. He also represented the Department of Justice at numerous conferences across the globe on financial crimes, cryptocurrency, and national security issues. Judge Faruqi received both a B.A. and J.D. from Georgetown University.

The Honorable Kelly A. Higashi serves as an Associate Judge of the Superior Court of the District of Columbia. She was nominated by President Trump and confirmed by the U.S. Senate in 2018. Prior to her appointment, Judge Higashi served as an Assistant United States Attorney in the District of Columbia for twenty-four years. For the last fifteen of those years, she served as the Chief of the U.S. Attorney’s Office’s Sex Offense and Domestic Violence Section. Judge Higashi received her Bachelor of Arts degree in History from the University of Pennsylvania and her Juris Doctor degree from the George Washington University School of Law.

CAST MEMBER BIOGRAPHIES

The Honorable Jeannie Jinkyung Hong has served as an Associate Judge of the Baltimore City Circuit Court, 8th Judicial Circuit, since October 19, 2011, and prior to that served as the Associate Judge of the District Court of Maryland, District 1, in Baltimore City from August 15, 2002 to October 19, 2011. Judge Hong earned her B.A. in Foreign Affairs from the University of Virginia and her J.D. from American University's Washington College of Law.

The Honorable Amit P. Mehta was appointed to the United States District Court for the District of Columbia on December 22, 2014. Judge Mehta has previously served as a staff attorney for the District of Columbia Public Defender Service and was in private practice with a focus on white-collar criminal defense, complex business disputes, and appellate advocacy. Judge Mehta received his B.A. in Political Science and Economics from Georgetown University in 1993 and his J.D. from the University of Virginia School of Law in 1997.

The Honorable Florence Y. Pan was nominated to the Superior Court of the District of Columbia by President Obama on March 24, 2009, and sworn in on June 8, 2009. Judge Pan has presided over matters in the Criminal Division and in Family Court. She has been assigned to the Civil Division since January 2017. Judge Pan previously served in the U.S. Attorney's Office for the District of Columbia. Judge Pan was then promoted to serve as Deputy Chief of the Appellate Division of the U.S. Attorney's Office. Judge Pan received her two undergraduate degrees, summa cum laude, from the University of Pennsylvania, and her law degree, with distinction, from Stanford Law School.

CAST MEMBER BIOGRAPHIES

The Honorable Jason Park serves as an Associate Judge of the Superior Court of the District of Columbia and was nominated by President Trump and confirmed by the U.S. Senate in 2019. Previously, Judge Park served as an Assistant United States Attorney at the U.S. Attorney's Office for the District of Columbia, where he prosecuted violent crime cases in Superior Court. He then served as the Chief of the office's Major Crimes Unit. Judge Park received a Bachelor of Arts degree in Philosophy from Princeton University, and his Juris Doctor degree from Georgetown University Law Center.

The Honorable Jeri K. Somers has served as Chair of the Civilian Board of Contract Appeals (CBCA), an independent tribunal housed within the General Services Administration, since October 1, 2017. As a member of the board, Judge Somers manages cases, conducts hearings, issues opinions and orders, and serves as a neutral party in alternative dispute resolution proceedings. As chair, she is additionally responsible for management of the tribunal itself. Judge Somers holds a law degree from the American University Washington College of Law and a bachelor's degree from George Mason University.

The Honorable John M. Tran was sworn in as the Judge of the Fairfax County Circuit Court on June 27, 2013. Prior to joining the Circuit Court, Judge Tran served as a substitute judge in the General District Courts and Juvenile and Domestic Relations District Courts throughout Northern Virginia. He also previously served as both a state and a federal prosecutor in the City of Alexandria, Virginia. Judge Tran is the son of a South Vietnamese diplomat and an immigrant who found refuge in the United States. He received his undergraduate and law degrees at The George Washington University.

APABA-DC would like to thank our trial re-enactment sponsors:

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With the rise in hate crimes against the Asian Pacific American community due to the COVID-19 pandemic, it is critical for us to remember the struggles of our communities and highlight the importance of the justice system in combating both individual and organized hate crimes and hate groups that target the APA and other minority communities.

We would like to express our sincere gratitude to Judge Denny Chin for serving as a keynote speaker this evening and for his passion and dedication in drafting the re-enactment scripts and bringing to light important cases in APA history. Thank you also to The Asian American Bar Association of New York (AABANY) for use of the script for “The Vietnamese Fishermen v. The Ku Klux Klan;” Professor Thao Ha of MiraCosta College for use of images for the slide deck; Nina Hsu and Caroline Chen, along with our esteemed cast members for volunteering their time and seamlessly adapting to the virtual format; our Champion Sponsor Wiley for organizing CLE credits; and our co-sponsors for helping us raise awareness of this important case in APA history.

APABA-DC Re-Enactment Committee

Ethel Badawi, Erica Lai, Lloyd Liu, Annica Mae Mattus,
Melissa Nonaka, Simran Ohri, Anjum Unwala