AMERICAN LAWYER AMLAW LITIGATION DAILY

How Does This Reed Smith Citizen-Soldier 'Reload, Refit, Refuel Both Body and Mind' After Deployment? Prepping to Go to Trial is Part of It

Just months off of a year-plus-long deployment centered on helping California fight COVID-19 and wildfires, National Guard Colonel Jesse Miller is gearing up for an in-person trial.

By Ross Todd September 20, 2021

You can't blame **Reed Smith** partner **Jesse Miller** for getting thirsty for a Monster Energy drink at 11:30 a.m. on a workday.

Colonel Miller, as folks in the military refer to him, recently spent more than a year deployed as the deputy commander of Joint Task Force Domestic Support, a combined Army and Air National Guard effort that supported California's fight against COVID-19 and the wildfires throughout the state. He went on to oversee the military's support for some of the first mass vaccination sites in the country in Oakland and Los Angeles.

Now that he's back to (mostly) civilian life, Miller is gearing up to represent Greyhound Lines at a trial set to push off in person later this month in Spokane, Washington. The case brought by the state's attorney general accuses the company of violating state consumer protection and discrimination laws by allowing federal immigration officials to conduct warrantless searches of its buses.

Last week, before reaching for that energy drink, Miller told me it's been "awesome to jump back in feet first to my practice to a number of really interesting cases."

Civilian life overall?

That's been a little more complicated.



(Lto R) San Francisco-based Reed Smith partner, and Army National Guard Col., Jesse Miller tours the mass vaccination site at California State University, Los Angeles with the Mark Ghilarducci, director of the California Governor's Office of Emergency Services, Major General David S. Baldwin of the California Military Department, and Eric Garcetti, mayor of Los Angeles on February 16, 2021.

"I'm still catching my breath, truthfully," Miller said. Miller took time to take his son, a high school senior, on a trip to New England, where Miller is from, to look at colleges. And he took a short trip with his daughter to the beach. He said those trips were "an important part of the kind of reconnect" that needs to happen after a long deployment.

The transition to pandemic-era work life has been its own adjustment.

"When I was wearing the uniform last year, I had the good fortune to be able to be out and about serving the people of California. So that was an adjustment to be back in San Francisco, but in a different setting," Miller said. "I think that's something we're all adjusting to, whether you're a lawyer and work in a restaurant or write for a newspaper. I mean it's an adjustment for all of us. But it was a big one for me because I never stopped from the moment I got the call up in March of 2020."

When the Litigation Daily last spoke to Miller just about a year ago, he discussed commanding about 500 service members providing support to hospitals and skilled nursing facilities, and logistics for food banks and the state's initial coronavirus testing program. At that time, he was also coming off a summer when 9,000 Guard members were called to active duty during the unrest following George Floyd's killing. Last fall, he coordinated the work of more than 1,200 Guard personnel supporting the state and its top fire fighting agency during a devastating, historic wildfire season.

Although Miller initially expected to complete his duty around the end 2020, he stayed on to help with the initial push to vaccinate 20,000 or so members of the state's Army and Air National Guard members and then roll out some of the nation's first mass vaccination sites at the Oakland Coliseum and California State University, Los Angeles.

"I couldn't leave then because it was our chance to beat the virus. We're pretty competitive folks in the military, and when you have an opportunity to defeat the enemy, you know, I couldn't go home," Miller said.

Miller also helped oversee the deployment of California National Guard members to guard the Capitol after January 6.

Back home since May, he's taken on a new role as chief of staff of 40th Infantry Division, one of the U.S. Army's 19 divisions based in Los Alamitos, in Southern California. Miller compares his new position to the COO role in a civilian corporation.

"You're a confident both to the general and primary staff officers. You're a shoulder to cry on, and you also carry the big stick to ensure things are done right, on time," Miller said. "It's a cool job. But it's a beast."

And unlike last year, when Miller was in his Guard uniform full-time and squeezing in hearings and meetings by Zoom in his downtime, the balance between military and civilian life is harder to find now.

"Sometimes it's a suit. Sometimes it's the military uniform. Sometimes it's both in the same day," Miller said. "I mean that's what citizen-soldiers do."

"I've got the three jobs, right? Reed Smith, the Army and my family, which are all things that I love dearly," Miller said. "But it's a juggling act now. It's exponentially trickier, to say the least."

Has Miller taken any time to reflect on the monumental events for the state and the nation that he's been a part of?

"It hasn't really set in yet," Miller said. "I miss the mission."

Miller said he felt like he was making a difference every day during his deployment.

"It's still catching up with me. I miss the action and the mission, but I'm really proud of what we did. Big time," he said. "But all soldiers know that you can only sprint hard for so long before you've got to step back and reload, refit, refuel both body and mind."

Leave it to a citizen-soldier-litigator to reload, refit and refuel with a trip to Spokane for trial.