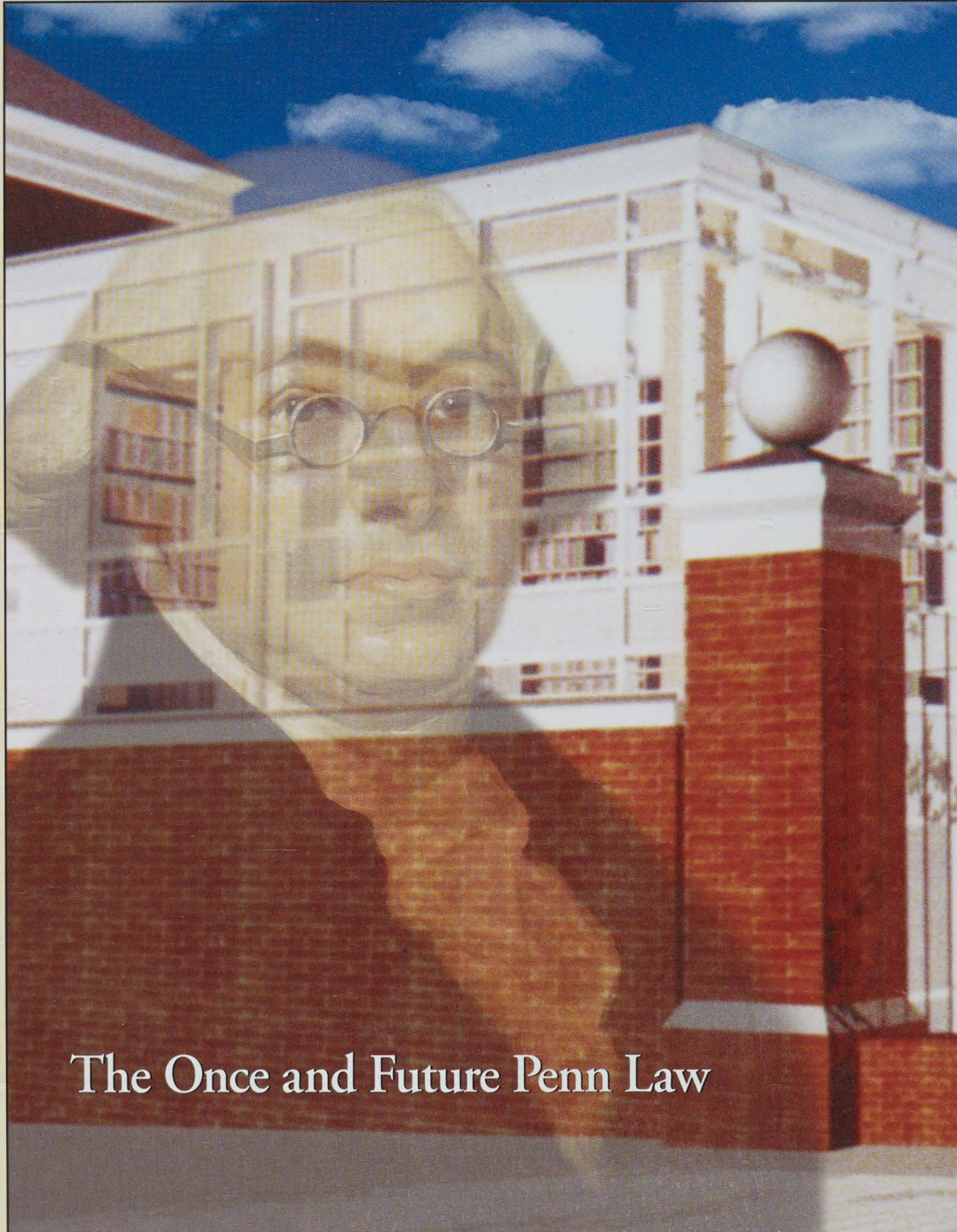


Penn Law Journal

UNIVERSITY OF PENNSYLVANIA
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SPRING 2003



The Once and Future Penn Law

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Louis B. Schwartz L'35*

FEATURES

The Once and Future Penn Law

by Larry Teitelbaum

With a cutting-edge curriculum, a Ph.D.-laden faculty, a fervor for interdisciplinary study, and a growing number of international students, it's clear the law school is charting a new course – but not at the expense of its traditional strengths as a warm and engaging place.

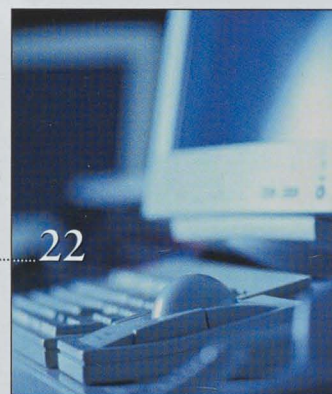
Four families compare notes on their education at Penn Law. All enjoy the rich heritage and intellectual rewards, even though it's safe to say, "This is not your father's or mother's law school."



IP Matures to Meet Demands of Hi-Tech Age

by Jennifer Baldino Bonett

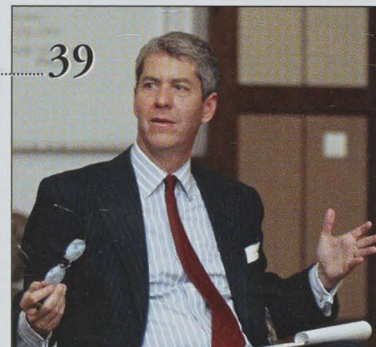
Driven by the Internet and the proliferation of information, Intellectual Property has risen to the fore as an area of law practice, and as an area of ever-greater concentration at Penn Law.



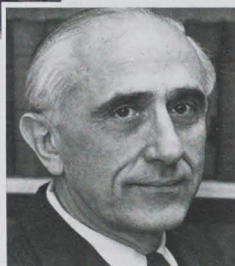
Shanin Specter Brings Precision to the Classroom

by Larry Teitelbaum

Son of a well-known politician, and a leading litigator in his own right, Shanin Specter imparts his courtroom lessons to students. He takes raw recruits and drills them on the basics.



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Pictured on cover:
 Roberts Hall, new faculty building.



Penn Law

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Every effort has been made to ensure accuracy in this *Journal*. We offer our sincere apologies for any typographical errors or omissions. Please forward any corrections to the attention of:

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MESSAGE FROM THE DEAN



*Michael A. Fitts
Dean and Bernard G. Segal Professor of Law*

To the Penn Law Community:

Recently, I was in Roberts Hall and passed by the portrait of one of Penn Law's most legendary figures, Louis B. Schwartz L'35. I have walked by that portrait countless times, but it caught my particular attention on this occasion. As I studied it more closely, it led me to think about Professor Schwartz' legacy. Louie, as he was sometimes called by his students, began his pioneering work in anti-trust by collaborating with his colleagues from the Wharton school. This work, across disciplines, was quite avant-garde at the time. Today, it is the hallmark of Penn Law School.

As we continue to follow Louis' lead, our linkages with other schools and fields have become part of our everyday curriculum. Our faculty regularly introduce other disciplines and perspectives in their classrooms and scholarship. Our students are able to crisscross campus and take advantage of classes at the university's other law-related professional schools – pedagogical opportunities no other law school can match. This emphasis on interdisciplinary study has been formalized for our students in our joint and certificate programs. In addition, we are now preparing to launch the Levy Scholars Program next fall, which will provide unprecedented financial support – and encouragement – to gifted students who wish to delve deeper into law-related fields of inquiry.

In this issue, we also describe the law school's evolution – from a more regional law school to one that attracts international students; from a rather confined campus to one that is more adequately suited to today's curricular demands; and from a friendly, nourishing and stimulating environment to ... well, some things never change. In some respects, we are a brand-new law school, but, in others, we are not that different, ever-mindful of our past.

Not a week had gone by, after I passed that portrait, when I learned that Professor Schwartz had passed away. In this issue we pay tribute to him and to Professor Martin J. Aronstein L'65, a revered teacher and commercial law expert at the Law School, who also died this spring. They and countless others were the genesis of Penn Law today.

It has been my privilege, as professor and dean, to observe the amazing evolution that has occurred at Penn Law through the years. Penn Law is at the forefront of teaching and scholarship today, just as it was when Louis Schwartz first began writing and teaching. I hope you enjoy the issue, which catalogues many of those changes. My best wishes for your continued success. If you find yourself near the Law School, I'm always happy to host any member of the Penn Law family.

Michael A. Fitts



SYMPOSIUM

Irving R. Segal Lecture in Trial Advocacy

ABRAMS SAYS WAR ON TERRORISM SUPERCEDES CIVIL LIBERTIES



Celebrated Constitutional lawyer Floyd Abrams launched a direct hit across the bow of civil liberties when he defended the U.S. government in its efforts to detain suspected terrorists.

Abrams said the current situation poses a delicate assessment of national and personal security versus principles of civil liberties. In this year's Irving R. Segal Lecture in Trial Advocacy, Abrams said he believes the imminent danger from al-Qaeda justifies holding "enemy combatants" without a right to counsel, even though no criminal charges have been filed against them. Abrams, a partner at Cahill, Gordon & Reindell in New York, also said he supports increased surveillance and monitoring of suspected terrorists, including photographing and fingerprinting students or businesspeople from Arab countries. That monitoring may also mean the FBI has to attend religious or political meetings, if remarks or activities in a mosque, for instance, present a potential danger to Americans, Abrams said.

Speaking on "The First Amendment and the War Against Terrorism," Abrams noted precedents for suspension of civil rights: The Sedition Act of 1789, which permitted the arrest of citizens who defame the government; the Civil

War, when President Lincoln waived the writ of habeas corpus; and World War II, when Japanese citizens living in America were interned in detention camps. Although Abrams recognized these acts as misguided, he nevertheless defended current treatment of "enemy combatants" as necessary, given the attacks on September 11.

"If I thought the al-Qaeda threat was a passive one or equivalent to the Barbary pirates ... I certainly would not at all be ready to make some of the painful compromises that I think must be made between the claims of security and freedom," Abrams said. On the other hand, the man who represented *The New York Times* in the famous Pentagon Papers case argued that the United States should maintain freedom of the press and access to information. "The more power we give the government, the more important it is for the press to be utterly free to criticize the manner in which the government has behaved and ... to be knowledgeable about what the government has done." Consequently, Abrams said he believes the media must be allowed to inform the public on who is being detained and for how long, without restrictions or fear of reprisal, as has been the case thus far.

Abrams current position on civil liberties, however, represents a departure for him. In 1994, Abrams served on a Civil Liberties Advisory Committee created after the first attacks on the World Trade Center. Then, he insisted that an automated profiling system not include race, religion or the national origin of U.S. citizens. Post 9/11, he calls for accommodations in the rule of law, based on the level of threat to public safety. We must assess risk and draw balances accordingly, Abrams said.

"As our security risks have risen there will be no easy answer about how to reconcile the two claims (security and civil liberties), and I think we had better keep our minds open as we attend to the painful task of determining how to do so," Abrams concluded.

Dean's Speakers Series

MASTRO PROVES TO BE MAESTRO OF PUBLIC SERVICE

How would you like to have a resume that includes working for David Boies and former New York City Mayor Rudy Giuliani? Randy Mastro L'81 holds that distinction.

Mastro returned to Penn last November to kick off the Dean's Speakers Series. He spoke about his varied life and times in public service, in a talk titled "Running Cases to Running Giuliani's City Hall." His career path almost took him in another direction. Mastro started as a journalist at *The Washington Post*, before he did an about-face and entered law school, where he learned the skills and made the connections that have made him so successful.

Mastro's interest in litigation and public policy led him first to Boies and then to Giuliani. He helped Boies, then with Cravath Swaine & Moore, in *Westmoreland v. CBS*, a seminal case in which the commander of the U.S. armed forces sued the network for libel after it aired a corrosive report on the Vietnam War. An eyewitness to history, Mastro recounted his fascination watching military generals and government leaders testifying.

With that experience, Mastro joined the U.S. Attorney's office, where he met Giuliani, then the U.S. Attorney. Together they brought a string of groundbreaking prosecutions against the Teamsters Union. Mastro and Giuliani effectively cleaned house, forcing most top officials to resign. After joining Gibson, Dunn and Crutcher, where Mastro worked on cases involving Presidents Nixon and Reagan, he reconnected with Giuliani.

In 1993 Giuliani ran for mayor of New York and asked Mastro to serve as a campaign advisor. When Giuliani won, Mastro joined his administration – and together they cleaned up New York City. They reduced crime by sixty percent, murder by seventy percent, and cut the welfare rolls by more than half. The administration also revamped Times Square, removed prostitution, strip joints and drugs from the streets, and routed the mob from Fulton Fish Market, for which Mastro and his family received death threats.



Randy Mastro, former Mayor Giuliani's right-hand man, regales audience with stories of his years running New York.

After his government service, Mastro returned to private practice, representing families of New York firefighters who perished in the World Trade Center attacks. Families sued to recover \$70 million in donations held by the Firefighters Union. Mastro won the case. Mastro stressed to students that you don't have to be in government to do public service work. You can do it in private practice as well.

Mastro said he credits Penn Law's rigorous training for his success. His interest in litigation and how he could use it to shape public policy, plus the "strength of advocacy," and "courage of convictions" he gained at Penn made him what he is today, he said.

Edward B. Shils Lecture in Alternative Dispute Resolution

NO DISPUTE: WORLD BANK RESOLVES STAFF CONFLICTS WITHOUT FUSS

Professor Gorman Tells of His Time on Unique Law Tribunal



If you want to know how to resolve workplace disputes without rancor, look to the World Bank. So said Robert Gorman, a member of the Bank's Administrative Law Tribunal.

Last December, Gorman, Kenneth Gemmill Professor of Law Emeritus at Penn, offered a fascinating glimpse into the judicial workings of one of the world's largest sources of economic assistance to developing countries. Describing the Bank's unique judicial style, Gorman said that it sometimes acts like a court, reviewing lengthy written pleadings, applying legal principles and precedents, and developing a body of law. At other times, he said, the World Bank resembles labor arbitrators, holding few hearings and taking little discovery so as to expedite decisions on staff complaints.



Robert Gorman, Penn Law professor emeritus, emphasizes point during his talk.

No matter the approach, unanimity rules the day. Gorman marveled at how the World Bank's Law Tribunal, whose members span the globe, consistently manages to overcome cultural and legal differences to reach unanimous decisions. Miraculously, every one of its 290 decisions in the last 22 years were unanimous, he said. "All of us have given great weight to the belief that our judgments have greater force

"All of us have given great weight to the belief that our judgments have greater force and clarity, and that the tribunal will have greater credibility, if we speak with one voice."

and clarity, and that the tribunal will have greater credibility, if we speak with one voice," Gorman said. Tracing the tribunal's evolution, Gorman joked about the days when its seven judges sat impassive, like members of the International Court of Justice, uttering not a word to counsel. To elicit information, members passed questions to the Tribunal president, who read them aloud. They literally spoke with one voice. Today, Tribunal judges emulate the U.S. Supreme Court. They participate and probe counsel's arguments, he said.



Gorman and Edward B. Shils, a legendary professor at The Wharton School and Penn Law graduate in his 70s for whom the lecture is named, have a tête-à-tête.



COHEN SAYS REPORTS OF RENDELL'S DEFEAT WERE PREMATURE

A week after Randy Mastro L'81, one of Mayor Guiliani's top aides inaugurated the Dean's Speakers Series, David L. Cohen L'81 returned to the law school and analyzed how his former boss, Ed Rendell, beat the odds to become governor of Pennsylvania.

Invited by the Penn Law Democrats, Cohen, executive vice president of the Comcast Corporation and former chief of staff for Philadelphia Mayor Ed Rendell, said conventional wisdom favored Rendell's opponent, Pennsylvania Attorney General Mike Fisher. According to Cohen, most pundits figured a Philadelphia Democrat could not win the governorship in Pennsylvania. The state's too Republican and too conservative. Rendell's liberal social policies would not play in Pennsylvania. Those were the arguments. The question was, Would Rendell's conservative economic positions override his social liberalism?

The answer was yes. Turns out, Cohen said, that Rendell's charm, regional popularity, and excellent campaign were a winning combination. Cohen specified the factors that helped Rendell. He pointed to Rendell's political base in the Philadelphia region, which makes up more than 40 percent of registered voters in Pennsylvania. Rendell, he said, had historically high approval ratings in the area, and this support gave him a remarkable boost going into the election, as did his longtime cultivation of the local media. Many voters were familiar with him from his Philadelphia Eagles' commentary on both Comcast TV and in the Philadelphia Daily News. And there's his charisma: he's approachable and likeable. All of which paid off on election night when he amassed huge pluralities in vote-rich Philadelphia and surrounding counties.

Cohen called Rendell "a quality candidate, which no amount of paid media can compete with." However, Rendell's war chest did contribute to his landslide victory. He raised \$40 million for his campaign in what became the most expensive gubernatorial race in Pennsylvania history. Fisher, his Republican opponent, "only" raised \$13 million. Rendell spent half of his campaign dollars defeating Bob Casey Jr. in the Democratic primary. By the general election, Democrats who had not voted for Rendell in the primary were prepared to support him.

On election night, Rendell received sixty percent, or more than 800,000, of his votes from the Philadelphia region. Astoundingly, Rendell captured almost as many votes in the area as Fisher received statewide, Cohen noted. Just as astounding, or confounding, Rendell became Pennsylvania's 45th governor.

Caroline Zelaznik and Joseph S. Gruss Lecture on Talmudic Law

PHILOSOPHY PROFESSOR INTERPRETS JEWISH THOUGHTS ON HOLINESS



Josef Stern, professor of philosophy at the University of Chicago and Bar-Ilan University (Israel), speaks on Rabbinic law and thought.

The Torah commands Jews to be holy (Hebrew: qadosh). What that means and how to achieve this state was the subject of Josef Stern's two Gruss Lectures this year. On a visit to Penn Law in November, Stern, professor of philosophy at the University of Chicago and Bar-Ilan University (Israel), analyzed the writings of two great Medieval Jewish philosophers who hold very different views on the subject of holiness.

*For one can follow the
letter of the Law and abuse its
range of permissible actions,
acting like a
"scoundrel within the Law."*

According to Stern, Maimonides rejects the idea of holiness as a supernatural, magical, mythical power or state. Instead he reduces holiness to the life of the Mosaic commandments. He considers the injunction to be holy to be a general obligation to perform the Law, a responsibility to fulfill all the commandments -and nothing more. At the same time, Maimonides rethinks the role of the commandments as exercises that train one to repress, minimize, and even forsake bodily drives and desires (such as sex) and to detach themselves from moral passions and emotional sentiments that Maimonides took to be bodily. In this sense, the holy life is a spiritual, non-material way of living.

Nahmanides, Stern said, argues that holiness cannot simply consist in the life of the commandments. For one can follow the letter of the Law and abuse its range of permissible actions, acting like a "scoundrel within the Law." For Nahmanides, the function of holiness is to correct the possibility of such abuse of the Law, to seek broader and higher standards exemplified but not explicitly legislated in the Law, thus to go within the line of the Law. For Nahmanides, the holy life is a spiritual life in that it seeks to achieve not just the letter of the Law but its spirit as well, either through additional injunctions or by cultivating people who have holy characters and holy virtues. The Grusses established the lecture for visiting scholars and contributed a collection of scholarly materials on Talmudic law to the Biddle Law Library in 1987.

EXPERTS SAY LEGAL REFORM IN RUSSIA PROCEEDS AT SLOW PACE



A range of scholars who explored Western efforts to enact legal reform in Russia agreed that the challenge is daunting. “Success has been modest in Russia,” Penn Professor of Law Jacques deLisle commented during a two-part conference last November on Russian Law Reform.

Seven speakers detailed the stumbling blocks to reform, among them cultural and political differences, widespread corruption which obstructs change, ordinary citizens’ skepticism of new market economies, and distrust of outside interference – all of which can compromise the best intentions. Presenters said long-term commitment, collaboration, and cultivating a deep understanding of the local culture breed success.

Dimitry Lobatch, senior counselor and head of the legal section of the Permanent Mission of the Russian Federation to the UN, lent a native’s perspective, encouraging America to keep pushing reform. Lobatch said it is imperative to train Russian law students in the United States, to create a legal framework for small businesses, and to make judicial reform a priority.

In the second session, the speakers shared their experiences in other countries with emerging economies. Charles A. Cadwell, director of the Center for Institutional Reform in the Informal Sector at the University of Maryland, advises developing countries on issues of economic growth. Caldwell talked about his involvement in a large project in Bangladesh, where scores of competent local people are trying to effect change but are so enmeshed in the political system that it is hard to achieve. Despite these difficulties, Philip Nichols, associate professor of Legal Studies at The Wharton School of Business, believes reforms are possible. As an example, he pointed to post-war Japan, where a great deal of reform occurred in two years.

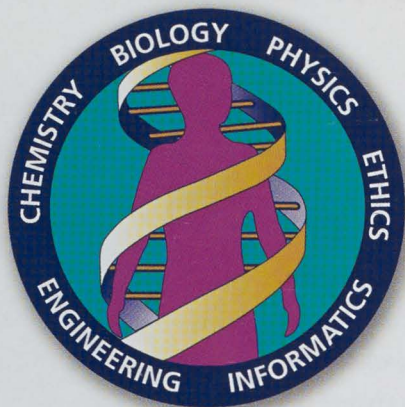
“Success has been modest in Russia,”

Penn Professor of Law

Jacques deLisle commented.

The Russian-American Institute for Law & Economics sponsored the conference. Other presenters were Kim Lane Scheppele, professor of law and psychology at Penn Law School; Don Wallace Jr., chairman of the International Law Institute in Washington and professor of law at Georgetown University; and Edward L. Rubin, professor of law at Penn Law School. Moderators were Law School Dean Michael A. Fitts and Dick Thornburgh, former Governor of Pennsylvania and U.S. Attorney General.

AUSTRALIAN JUDGE MAPS OUT BATTLE OVER HUMAN GENOME RIGHTS



U.S. Department of Energy Human Genome Program,
<http://www.orn.gov/hgmis>

To hear Justice Michael Kirby tell it, there is an ongoing clash between developed and developing countries over access to research on the Human Genome. Kirby, one of seven justices on the High Court of Australia, knows of what he speaks. He sits on three bodies devoted to sorting out these intellectual property issues.

In a visit to Penn Law School last fall, Kirby said member states of the World Trade Organization want the right to protect Human Genome information, while UNESCO, the UN organization that promotes worldwide collaboration through science and education, says it is important to share knowledge in places that don't have the resources to do research. Much of Human Genome research is done in Third World countries, where genetic disorders are prevalent and the cost to gather data is cheap. Kirby said India and China fear that these countries will be the source of genetic breakthroughs but not share in the "genetic dividend."

Kirby heralded The Human Genome Project, begun in 1990, as a "significant development in human knowledge and human medicine." By identifying gene patterns that appear in particular disorders, we can uncover information that predicts who is prone to a disease and develop better treatments, Kirby said.

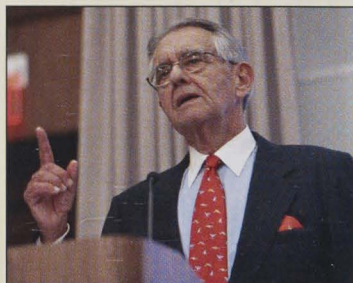
FORUM FOCUSES ON COUNTERTERRORISM EFFORTS

Jonathan Fredman, chief counsel to the CIA's counterterrorism unit and Penn Law School lecturer in law, makes a point at a forum on America's strategy to fight terrorism. Joining him on the panel were Penn Law professors Kim Lane Scheppele, Seth Kreimer, and David Rudovsky (not pictured). They discussed the impact of 9/11 on civil liberties.



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PETERSON OFFERS BOTTOM-LINE SOLUTIONS TO IMPROVE CORPORATE ETHICS



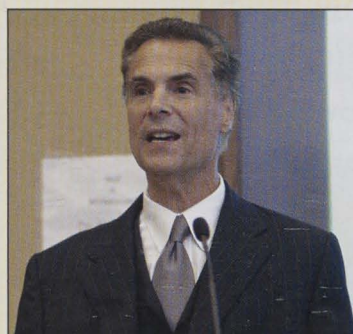
Pete Peterson didn't come riding in on a white horse. It just seemed that way. Peterson, head of a group formed to address corporate abuses and scandals, delivered a blistering critique of American business but an equally uplifting prescription for renewal.

Drawing on recommendations from The Conference Board's Commission on Public Trust and Private Enterprise, which he co-chairs, Peterson said he believes corporate ethics will improve if directors base executive compensation on performance, if companies require senior managers and directors to hold onto stock and give notice when they intend to sell, and if firms make ethics an enduring part of company culture.

In a talk last November, Peterson, chairman of The Blackstone Group, a global investment and advisory firm, said public trust in corporations and management is at an all-time low. He traced this plunge in workplace confidence and America's corresponding economic decline to issues of inequity, wrongdoing, and bad leadership. Citing examples, he said CEOs earn 531 times the average worker's salary, adding that large stock holdings tempt management to manage earnings for short-term personal gain.

One look at the big picture reveals why corporate misbehavior matters. Peterson, former Secretary of Commerce, said foreign investment (America receives \$500 billion in capital from abroad) depends on confidence in the U.S. economy and capital markets. On a smaller scale, people don't want to work for corrupt companies. Despite his gloomy assessments, Peterson sees light at the end of the balance sheet. "There's already been a sea change in corporate governance ... Boards are now much more involved than they were a year ago."

POTAMKIN EXHIBITS BUSINESS DRIVE



Robert Potamkin L'70 runs auto dealerships, develops real estate and invests in other businesses such as radio stations, television stations, and Office Depot stores in Poland and Hungary. And he's done exceptionally well, with 68 auto franchises all over the United States. He projects gross revenues of \$1.6 billion for 2002. So, to what does his good fortune accrue?

Potamkin traces his success to the business acumen he acquired while studying law at Penn. The auto mogul expounded on the car business as he spoke at the 17th Institute for Law and Entrepreneur Lecture last September.

He said a major part of the value in his far-flung dealerships derives from the real estate on which the dealerships are located. Expanding on this point, he said car manufacturers make excellent tenants: They pay the rent and tend to stay in one location for a long time. Value attaches as well to management by talented general managers who have an ownership interest in the specific location they run which, in Potamkin's words, "guarantees a committed and savvy manager." As a successful dealmaker, Potamkin advised: "There is no good deal with a bad guy."

As much the well-known philanthropist as entrepreneur, he was co-founder of the Potamkin Prize for Alzheimer's Research, was a member of the Young Presidents' Organization and remains active in the World Presidents' Organization. Potamkin and his wife, Lexie, also are members of the United Way Million Dollar Roundtable, supporting the organization with their gift of \$1 million.

NLRB MEMBERS PARTICIPATE IN LABOR LAW ROUNDTABLE

Members of the National Labor Relations Board (NLRB) participated in a daylong roundtable discussion on labor law last December. The first subject was *Judging Unions' Future Using a Historical Perspective: The Public Policy Choice Between Competition and Unionization*. Next a panel of experts talked about *Employment Representation in the Boundaryless Workplace*. The last panel discussed *NLRB v. Pall Corp: Bargaining for Recognition Rights*. Harold Datz, NLRB's chief counsel, and NLRB member Wilma B. Liebman were participants. Moderators included Michael L. Wachter, William B. Johnson Professor of Law and Economics at the University of Pennsylvania, and Marshall B. Babson of Jones, Day Reavis & Pogue. Babson is a former member of the NLRB. Edward B. Rock, Saul A. Fox Distinguished Professor of Business Law, is co-director with Wachter of Penn's Institute for Law and Economics.

The Once and Future Penn Law

School Broadens Intellectual Scope, But Retains Trademark Warmth

By Larry Teitelbaum

As prophecy goes, former Penn Law Dean Robert Mundheim hit the mark pretty well. In a 1982 interview, the newly appointed dean specified the need to increase faculty size, improve facilities, and strengthen the curriculum to reflect students' diverse interests.

Consider it done.

In the intervening years, Penn Law has not only grown physically but in reputation, thanks to a remarkable evolution during which the school has recruited a cadre of top-rank faculty, built a first-rate library, and devised a second-to-none curriculum that establishes new frontiers in interdisciplinary learning.

Today the growth spurt continues, as Dean Michael A. Fitts picks up where his predecessors left off, without sacrificing Penn Law's era-spanning hominess.

**“CHANGE DOES NOT NECESSARILY ASSURE PROGRESS,
BUT PROGRESS IMPLACABLY REQUIRES CHANGE.”**

Henry Steele Commager
American Historian and Educator

David Albert L'03 had an inkling about going to law school, but he delayed that decision. Instead, he took a circuitous route. It's as if he traveled the Silk Road, a fabled Oriental trade route, to get to Penn. After college, Albert worked in Hong Kong for an Asian manufacturer of power tools. Tired of widgets, he studied International Affairs at Columbia University and later joined Henry Kissinger in an effort to improve U.S.-China relations.

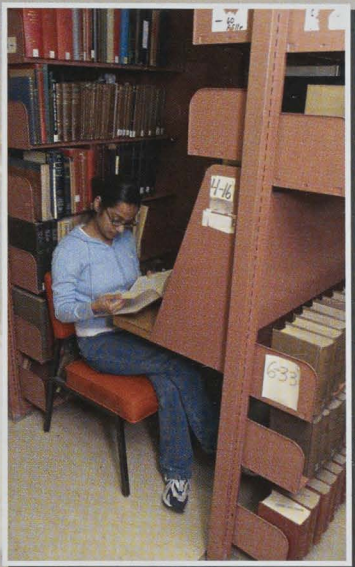
Ten years after earning his undergraduate degree, and more the wiser, the prodigal son had come full circle to Penn Law. “I've had strong interests in business but also interests in politics and law and society,” says the 35-year-old Albert, a third-year law student who grew up in a suburb near Philadelphia. “I think the law school touches on all of those things.”

“We have students who began their careers internationally,” Jo-Ann Verrier says. “Never heard of that even five years ago.”

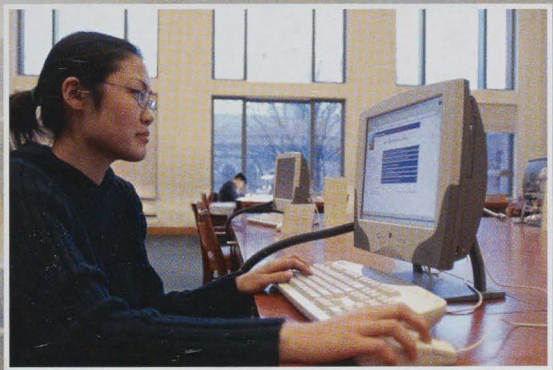
Albert's round-the-world trip parallels the journey Penn Law School has taken into a new era. Like Albert, many students are older. They're more mobile. They're more diverse – in gender and race. More career-driven. And they have more choices – not to mention obligations – than they did twenty years ago. In the early 1980s, there were no Public Service requirements. No Gittis Center for Clinical Legal Studies. And Intellectual Property courses were still developing.



The Goat, an enduring symbol at Penn Law, makes David Albert feel right at home.



Student wedges into old stacks.



Finding citations is a snap now in Biddle Law Library.

The setting was a bit antiquated as well. Students headed to cramped, dark and musty stacks to study and search manually through card catalogs. Today, students go to Biddle Law Library – with its high ceilings, good lighting, and computerized retrieval systems.

Jo-Ann Verrier L'83, a former student and current administrator, is in prime position to catalog the changes at Penn Law. “Where maybe 25 years ago forty percent of the class stayed here in Philadelphia, today only about twenty percent of the class stays in Philadelphia,” says Verrier, assistant dean for student affairs and director of career planning and placement. “We have students who began their careers internationally,” she says. “Never heard of that even five years ago.”

“A lot of learning and thinking occurs between fields,” says Law School Dean Michael A. Fitts. “Penn is at the forefront of this academic effort. The law school is better positioned than any other law school in the country to take advantage of its other professional schools.”

Two years, let alone five years ago, the law school did not even have a Graduate Studies Department for international students. **Denise McGarry**, director of graduate programs, says enrollment in the masters’ program has doubled – to nearly 80 this year – in the 13 years she has been at Penn Law School. That growth created the need for the department.

What accounts for the growth? More students are coming from Japan, China, Korea and Taiwan, McGarry says. “Because the Asian countries are doing more and more business with the United States, they (Asian workers) have a greater need to learn about the U.S. legal system.” The influx of

students from the Far East enriches American students and creates a cross-fertilization that complements the law school's emerging interest in promoting studies across disciplines. "A lot of learning and thinking occurs between fields," says Law School **Dean Michael A. Fitts**. "Penn is at the forefront of this academic effort. The law school is better positioned than any other law school in the country to take advantage of its other professional schools."

Next fall, for instance, the law school expects up to twenty students to enter the new Levy Scholars Program, a groundbreaking effort that will give incoming students a chance to expand their intellectual horizons and explore their interests in law-related subjects such as real estate, finance, bioethics, engineering and communications. Students can also cross campus to earn a certificate in business and public policy at the Wharton School. Not only are students studying at various professional schools, but professors from those schools are teaching at the law school.

Fitts says the curriculum still features all of the traditional core courses, such as civil procedure, contracts and property. And while it remains critical, he says, to teach students the basics - how to gather facts, exercise critical thinking, and build an argument

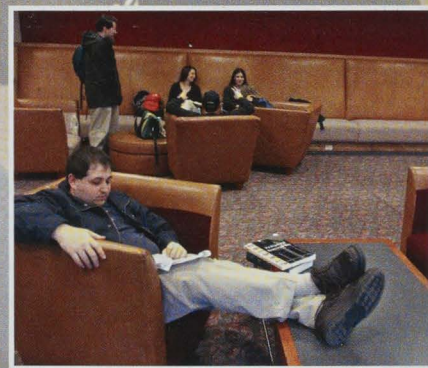
- those are no longer enough for many students. "We recognize now that lawyers are going to do more than simply analyze cases," Fitts says. "They negotiate. They run organizations. They lobby. They analyze balance sheets. They do all of these things, and it requires traditional lawyer skills, but it may be helpful to learn these other abilities as well."

For David Albert, those other abilities include specialized studies in Chinese law - in the original Chinese. Albert graduated from Emory University in Atlanta with a degree in political science. Pondering what to do next, a friend pointed him to a job in Hong Kong. Overseas, he became fascinated with Chinese culture, studying the language for a year at Beijing University. Eventually he worked alongside Henry Kissinger at the America-China Society and, in 1998, accompanied the über diplomat on a trip to meet Chinese Premier Zhu Rongji and President Jiang Zemin.

With his travels and experiences, it's no surprise, then, that Albert, who hopes to practice law someday in the Far East, spent a semester at Penn's School of Arts and Sciences reading Chinese-language legal journals, so he could learn the vocabulary and better understand the intricacies of Chinese law.



Students stroll and take a break in Tanenbaum Hall.





But students don't have to go to Wharton, the School of Arts and Sciences or any of the other professional schools at Penn to get a much different and broader education than they received two decades ago. It's available at the law school, in the Public Service Program, where students are required to spend at least 70 hours in the community doing *pro bono* work in order to graduate; at The Gittis Center for Clinical Legal Studies, where students are assigned real-life cases in Philadelphia to litigate; and in Intellectual Property classes, where students learn to navigate the complex world of copyrights and patents in the new world of technology. No doubt, students have more choices: Those with an interest in government can pick among four elective courses in regulatory law, or obtain a broader view of law through six Perspectives' courses: *American Legal History*, *Introduction to Intellectual Property Law & Policy*, *Jurisprudence*, *Law & Society in Japan*, *Legal Responses to Inequality*, and *Privacy*.

Naturally, this cornucopia of courses requires more professors. When Fitts joined the faculty in 1985, there were 28 professors. The school now boasts 42, and the school's master plan calls for five or six more – in health, corporate and international law. “When I got here (in 1981) the fact that I had read some economics in college made me one of the more interdisciplinary members of the faculty,” says **Seth Kreimer**, associate dean and professor of law. “Today half of my colleagues have Ph.D.'s. in some other discipline.”

Now, you might think more students, more professors, and a more complex web of relationships with other schools at the university would diminish the school's trademark friendliness. Think again. Yes, intellectually, the law school has traveled a route of Marco Polo proportions, but it has done so without losing its small-town character.

“I think what's stayed the same is the fundamental decency of the students around here,” says **Gary Clinton**, assistant dean of student affairs. “We've been able to attract a group of students ... who say, ‘This is the kind of community I want to be a part of.’ “ At the law school, collegiality rules. Students greet each other warmly, share notes, answer each other's questions. The atmosphere is less competitive than at other peer law schools due, in part, to the small scale of Philadelphia, to smaller class sizes than at other schools, and to the bonds developed between long-term administrators and students.

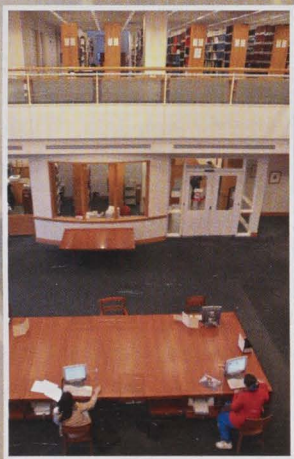
“Maybe that student in Arizona wouldn't have applied to Penn twenty years ago, and now sees Penn as a top choice,” Verrier says.

That's why when **Dan Markind L'83** returned to visit after fifteen years away from the school, administrators treated him like family. Markind, one of Jo-Ann Verrier's classmates, came back because he needed a copy of his transcript. With him was a summer associate from another law school. As soon as Markind walked into the Registrar's Office, Verrier recalls, Registrar Gloria Watts said, “Hi, Dan, what can we do for you?” Which floored the student, who almost fainted. “This student knew that not a single administrator at his current law school knew his name, and here we had the registrar calling an alumnus by name years and years after he graduated,” Verrier says. “I think that's telling.”

David Albert concurs. “The class is small enough ... that you get to really know your classmates ... I've just found other students to be extremely helpful. I've never had anyone tell me if I missed a class that they won't share their notes.”



The Goat: Law School mainstay is Chinese arbiter of guilt and innocence.



Biddle Law Library - all high ceilings and streaming light.



The Clock has become a favorite meeting place.

In other respects, though, student life has changed dramatically. Beyond quality, there's quantity. Quite simply, Penn Law's growing reputation translates to more applications and more students. Just as Manifest Destiny gave rise to new states, the law school has stretched its physical boundaries to accommodate growth. Walk into the building and you enter a new realm. The Goat retains its place in law school lore, but it now has company: The Clock. This relatively new gathering spot is in Tanenbaum Hall, which did not exist until ten years ago. And the expansion isn't done. Renovations to Roberts Hall will be complete this summer, giving the school a gleaming, modern façade along Chestnut Street and space for additional faculty.

Then, too, there's the astounding number and variety of student clubs – a reflection of students' manifold interests. More than forty clubs have replaced the fraternal groups of old. Organized around race, gender and identity, there are political, sports, law reform, law and medicine, law and business, law and real estate groups – all of which give students with similar ideas and interests a vehicle to meet.

There's the drift away from campus for after-school social life. More students used to live in the dorms and spend more time on campus, watching movies and going to parties. Now, many students tend to live downtown. "Students are much more quality-oriented," Clinton says. "Students have more money ... and they spend more time away from school, because they've got better apartments, better opportunities for socializing at other places."

There's the dispersion of students. Today, nearly 70 percent of students come from outside the Mid Atlantic states. "Maybe that student in Arizona wouldn't have applied to Penn twenty years ago, and now sees Penn as a top choice," Verrier says.

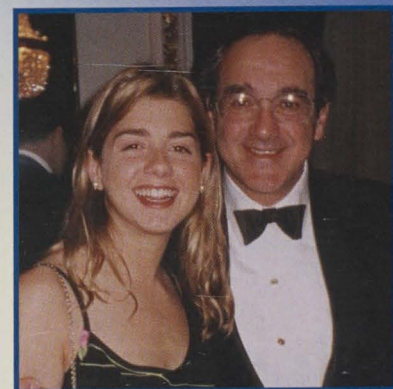
Certainly, Penn was David Albert's first choice. "(Penn) has an international reputation that automatically makes it a great place to be, especially if you want to have an international career," Albert says.

On the whole, the well-traveled Albert would rather be in Philadelphia, at Penn, which manages to maintain a fine balance between innovation and tradition. ■

*Four families
compare notes on
their education at
Penn Law.
All enjoy the rich
heritage and
intellectual rewards,
even though it's safe
to say,
"This is not your
father's or mother's
law school."*

TOLLS EXTOL THE VIRTUES OF DIFFERENT ERAS

By Derek Davis



When **Robert Toll L'66** attended law school, for the most part he had to take prescribed courses his first two years. That seems like a course in ancient history to his daughter, **Rachel L'03**, who enjoys more choices and opportunities.

"You can pretty much design your own curriculum," after the first year, says Rachel. "Last year I wanted to take as diverse a range as I could. This year I'm taking all corporate classes, except for my seminar. Penn Law provides a great opportunity to take classes that are really interesting."

Bob says he struggled his first year but kept at it until he caught on. "I hardly understood anything ... and was convinced that I was an idiot. But I did well in the courses; it turned out the whole purpose was to teach you that you really didn't know what you were doing. Those who thought they knew were in a lot of trouble."

Nearly forty years separate the Tolls' days at Penn. Over that time, the school has changed to meet the temper of the times. Bob Toll went to Penn when the Vietnam War raged and students organized protests on campus. Today, there is less visible activism, yet Rachel has more outlets for expression. "There's a group or club for any sort of interest, from the Older Students Club to the Yoga Club to the Feminist Working Group."

Although the law school has evolved, some things never change. Bob remembers the camaraderie of mid-1960s' campus life. "The first year we were in the dorms, which were pretty much monk cells," says the elder Toll, Chairman and CEO of Toll Brothers, a national luxury home builder located outside Philadelphia. "You had interaction with everybody ... The first-year academic pressure was intense, but we felt no competition – at least not the guys I hung around with."

That collegiality carries over to this day, according to Rachel. "All the students go out of their way to help each other out," she said. "The first year you're bummed because you're in the basement, but I think that brings the class together – it's kind of like boot camp."

The quality of professors remains another common thread. Both Tolls remember their favorite professors. Rachel favors Bruce Mann's unique approach – he read Ann Landers to every class – and Jason Johnston's digressions that make "you care about things you wouldn't necessarily have thought about." Bob recalls Leo Levin's animated personality, Curtis Reitz' low-key style, and Bernard Wolfman's analytical bent. Of Wolfman, he says: "He could take a hair and split it until you couldn't see it any more, then split it one more time."

All in all, Bob credits the faculty with teaching him life lessons. "Except for a couple of teachers in my avant-garde elementary school, this was the only place that I learned anything," Bob says. "You learned a way to think that made you for the rest of your life."

To which Rachel adds: "We're like a little family" at the law school.



PRATTERS AGREE ON ONE THING: PENN LAW'S GREATNESS

By Jennifer Baldino Bonett

Robert, Gene, and Paige Pratter agree about the architecture of their family: Active, boisterous, lots of joking and enjoying the company of one another. All educated at Penn Law, they also joust about things, and today it's the architecture of their law school.

As the legal threesome stand on Silverman Hall's terrazzo tiles one winter's day, Gene L '75 recalls the faculty lounge on the right. Always been on the left, insists her daughter Paige, a 3L. (For the record, they're both right; it moved and is now on the left.) Robert L'69 is focused on the library, formerly in Silverman. And there were law school dorms? Paige is amazed.

Robert and Gene attended Penn Law at times when linoleum and the light pods (space-age lighting that hangs from the ceiling) were mod. It was also when tuition was \$5,000 for Robert, \$6,000 for Gene (now approximately \$31,000 for Paige); students earning a JD/MBA were considered "exotic"; and attending Penn Law yielded little contact with the rest of the university. Robert went on to become senior vice president and general counsel for PMA Capital Corp. in Philadelphia, and is a member of the Institute for Law and Economics' advisory board; Gene, an overseer from 1993-99, is a partner in and general counsel of Philadelphia-based Duane Morris. In the latter role, she oversees legal issues for the firm.

As active alumni, they saw changes at Penn Law, and they liked what they saw: A school growing more supportive of its students through orientation ("a successful beginning of the relationship between the student and the school," says Robert); Parents and Partners Day; revitalized facilities; dedicated career planning; interdisciplinary opportunities with other schools at Penn; a stronger relationship with West Philadelphia; and a more well-rounded student experience with a richer curriculum and extra-curricular activities.

Considering Penn Law "more of a community than many other law schools" and "a much more progressive institution than some of the others," the Pratter parents were delighted when Paige chose their alma mater. "Of course it was nice to think of her being close by," adds Gene.

"I remember when I started school feeling that my parents had been holding out on me for 25 years," recalls Paige. "I had expected to be familiar with much of what we covered in the

first year just from growing up in a household with two lawyers. When school started, I found that I was familiar with about the first six hours, and then I'd exhausted everything I'd learned in 24 years at the dinner table."

(Even an early meeting with Professor Curtis Reitz hadn't fully prepared her. The legendary Reitz, feared for his grueling Socratic style, taught both Gene and Robert, and helped Paige with her fifth grade report on *Brown v. the Board of Education*. "And I was not scared of him," Paige recalls. "I was too young to know any better.")

Her mother had tried to counsel her about the rigors of the law. In "A Letter to My Daughter" in *The Philadelphia Lawyer* in 1999, Gene advised Paige to "recognize from the start that it won't be particularly easy or a barrel of unrelenting laughs. . . . [sometimes] more reminiscent of the trial scene from Carroll's *Alice's Adventures in Wonderland* . . . than the prose of Judge Woolsey's opinion in *United States v. One Book Called Ulysses*."

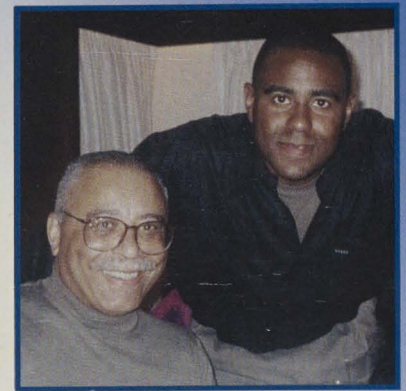
Continuing her counsel, Gene also wrote in the letter, ". . . It is a field that provides much. . . . I urge you to seize and hold on to a sense of self-confidence, of responsibility for your own well-being and that of others with and for whom you work, and of the obligation to preserve and promote your career choice with honor and integrity."

Paige has heeded her parents' wisdom and is now striking out on her own path. She is articles editor for the school's *Journal of Constitutional Law*, a member of the Guild Food Stamp Clinic, and on the school's building, budget, and planning committee. She has interned at Dechert in Philadelphia and Covington & Burling in Washington, D.C. She will clerk for U.S. District Judge Colleen Kollar-Kotelly after graduation this spring.

"Penn has given me one of the best legal educations available," says Paige. "More important than specific knowledge of the law, though, is that we have all been taught how to continue to learn about our field, and how to approach and understand legal concepts that we haven't even encountered yet. The opportunity to learn this process, in the company of the truly remarkable friends I've made, from faculty who are just terrific, is something that I will value long after we graduate in May."

ACROSS GENERATIONS, ED AND E. DENNIS FIND MELTING POT OF IDEAS

By Robert Stewart



When **Ed Dennis** studied law at Penn, the Watergate scandal dominated national news and eventually toppled Richard Nixon's presidency.

Twenty-five years later when **E.** (his preferred name) **Dennis**, Ed's son, was completing his J.D. at Penn, sexual activities inside The White House derailed Bill Clinton's presidency.

While a quarter century of presidential history passed between their experiences at Penn Law, Ed Dennis and his son have strong memories of the institution's character and their student lives. "You knew that some of the country's greatest lawyers came from Penn," recalls Edward S.G. Dennis Jr., L'73. "The feeling of being part of a great tradition was the most vivid recollection of my first year, along with a challenging curriculum." His earliest recollections were the interior of Lewis Hall (now known as Silverman Hall) and the skylight illuminating the marble staircase leading up to the Biddle Law Library. "It was rather awe inspiring."

Ed Dennis was older than many law classmates who came directly from college. He was an engineering officer in the maritime service and a graduate of the United States Merchant Marine Academy. He sailed for several years, including voyages to Vietnam, before studying law. "When I started law school, the war was winding down. There wasn't much debate on campus about whether or not we should remain in Vietnam."

E. Dennis remembers spirited discussions in and out of the classroom as a valuable part of the school's atmosphere in the late 1990s. "Sometimes discussions out of class were as interesting as what went on inside. A group might continue what we discussed in class or some current issue related to it." The Hopwood decision that struck down affirmative action admission policies at the University of Texas comes to mind. "The effects of the decision were a direct result of constitutional interpretations that we were studying at the time. It certainly was a poignant illustration of the power of law."

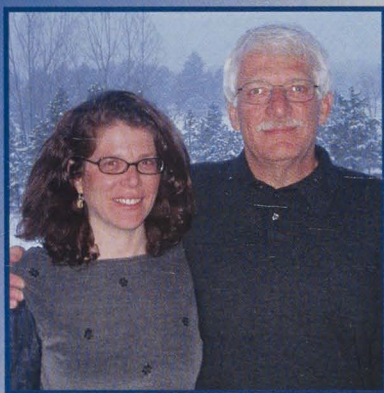
Being a member and later the president of the Black Law Students' Association profoundly influenced Ed Dennis' law school life and his legal career. "My class represented a quantum leap in the number of black students admitted to the law school, some 15 or 16 admitted in the first year class. We met for

brown bag lunches and discussed the issues of the day, which usually included minority admissions and the responsibility of black lawyers to be professional resources to the African American community."

In the early 1970s Penn Law's dean was sensitive about the school's efforts to increase minority enrollment. Ed tended to carry a large set of keys on a ring and "the dean would see me with these keys dangling and sternly say, 'Dennis, do you have to wear those keys?' We'd both laugh because we knew that anyone who didn't know me would assume I was a black school janitor." Some connections with faculty were particularly consequential. In his third year, Ed Dennis served as administrative assistant to U.S. District Judge A. Leon Higginbotham, Jr., while the judge was an adjunct professor. Ed Dennis clerked for Judge Higginbotham after graduation, and went on to spend 15 years at the U.S. Department of Justice. He eventually became assistant attorney general for the Criminal Division, the nation's highest ranking criminal prosecutor. He was also the U.S. Attorney for Philadelphia and is now retired from Morgan, Lewis, and Bockius.

Both men remember classmates leaning toward commercial and corporate law. "Many students wanted to specialize in a commercial practice, including myself," reflects Ed Dennis. As for his son, "I primarily wanted to practice corporate law but I was also interested in the political process, so I took Election law and Administrative law," comments E. "The stock market was booming. Popular classes included Venture Capital and Junk Bond Financing, and Securities Regulations." E. thought Penn Law Dean Michael Fitts was outstanding at teaching administrative and election law. "I liked his easy manner, and his professional involvement in many of the cases we studied was a real kick. Criminal Law and Evidence with David Rudovsky was also great. He was a criminal defense attorney with tremendous real-world experience and hundreds of stories to tell us. You felt immersed in the subject." E. finished a four year program in 2000 with a J.D. and an MBA from The Wharton School. He handled business development for a dot.com for two years, and now is a screenwriter in Hollywood.

Ed and E. Dennis are watching presidential history unfold again – this time in the recent war with Iraq.



BRETTS LAUD SCHOOL'S DIVERSE AND EGALITARIAN CULTURE

By Robert Stewart

The Vietnam War was on **Steve Brett's** mind when he arrived at Penn Law in 1963. By the time his daughter **Claudia** followed him there in 1990, her peers were protesting the fact that 200,000 American military forces were in Kuwait.

While influenced by different conflicts, their law school memories revolve around one mutual certainty: Penn Law was a profoundly worthwhile, important and enduring experience in their lives.

Stephen M. Brett '66 remembers unloading his belongings during a downpour and wondering what he was doing here. In no time, he felt right at home. "Penn Law was a very comfortable place, the most intellectual experience I ever had." He considered Columbia Law but chose Penn because its environment seemed "more comfortable, less dominated by an overly-competitive atmosphere."

His strongest recollections as a 1L were being impressed with the quality of the people – students, faculty and administration. "Everyone was just solid, and the faculty was mostly young as well as very good."

Claudia Brett Goldin was drawn to public service as a Harvard undergraduate and later as a VISTA volunteer before she joined Penn Law's Class of 1993. "I had a great time my first year. I met a core of students who were also interested in public interest law. I also enjoyed being one of 100 students who shared the same four classes first semester and same three classes in the second semester, which provided unlimited opportunities for gossip, of course." She also recalls appreciating her classmates' diversity of ages, professional and personal interests, and ethnic backgrounds.

Claudia felt fortunate to receive a full scholarship as a Penn Public Interest Scholar. "The law school made an admirable effort to beef up its public interest program (in the late 1980s)," Claudia said. "They were really trying." (Penn Law now boasts the finest Public Service Program in the country, having received the *Pro Bono Publico* Award from the American Bar Association.)

Her legal career has followed her earlier predilection to public service. After serving as a Colorado state deputy public defender for five years, she joined the State Office of the Attorney General and currently represents the state board of medical examiners in

civil prosecutions against physicians who violate Colorado's medical practice act. "I was pretty sure I wanted to be a lawyer but I viewed my Penn education as training to become politically involved as much as to become a lawyer."

Steve Brett recalls an even-handed atmosphere where faculty did not direct students to particular disciplines in law. "There wasn't any faculty influence about areas to specialize in because this or that was hot. Most of my courses were intellectually stimulating and socially comfortable, and Criminal Procedure was fascinating." He also remembers how the Vietnam War and national tragedies overshadowed the campus.

"John Kennedy was killed and the anti war movement picked up. Most students at the time had difficulty supporting the war and believing it was the right thing for the country."

While the war went on, he continues, "Penn Law was a great social environment and we enjoyed some good parties. It was a warm, cocoon-like atmosphere at a time when society seemed pretty messed up. When I left I really missed it, that kind of place where your friends and pressures are all focused on one or two common things." He remembers classes as a place where "things clicked. The faculty and students fed off each other. The faculty being relatively young and new at Penn made the experience so good. "After graduation, Steve Brett went into corporate law in New York before heading to Colorado, where he has enjoyed a rewarding legal career in telecommunications and with Sherman & Howard in Denver, first as a partner and now as of counsel.

Both father and daughter recall classmates attracted to large law firms. In Steve's era, students had their sights on firms in major cities. "Working for big firms might have been hot for some on campus," says Claudia, "but my professional interests were clearly in public service, and it was the same for the people I hung around with. I wanted to be doing major impact litigation in a civil rights forum or poverty law, and my professors encouraged my aspirations."

Steve Brett remembers his law school experience as "one of joy." For Claudia, "I certainly made some friends for life at law school. I was intellectually challenged and engaged, and I have wonderful memories of Penn Law and Philadelphia."

From ENIAC to the Internet

IP Matures To Meet Demands Of Hi-Tech Age

By Jennifer Baldino Bonett

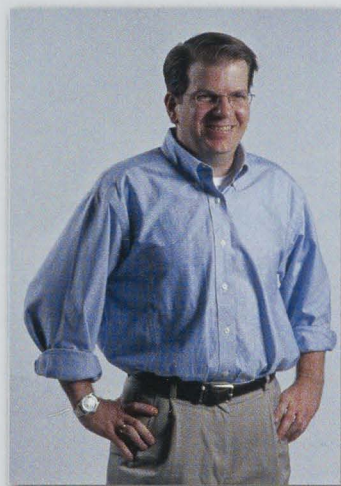
Who could have guessed that the big black box humming in the basement of Penn's School of Engineering in 1946 would become a touchstone for controversy and launch a new way of thinking about the law? Half a century later, ENIAC, the world's first large-scale, all-electronic, general-purpose digital computer, has begotten a techno-powered global information network that casts a new light on the ownership and power of ideas — and the laws now commonly known as intellectual property.

“IP is everywhere,” says **Lee Petherbridge '02**. “It relates to individuals through the brands of goods we purchase, through movies and music, and through machines and medications we use. Moreover, the competitive implications of IP may make it increasingly more difficult to provide good advice to business clients if a lawyer does not have an understanding of the IP issues involved. I think for many lawyers giving good advice will necessitate having some understanding of IP issues.”

Petherbridge, now an associate at Finnegan, Henderson, Farabow, Garrett & Dunner, an IP firm in Washington, D.C., is one of the growing number of Penn Law alumni and students attracted to the area of intellectual property, the domain of copyright, patent, and trademark law. The mix of developing technologies (particularly computer and information technologies) with high-profile, controversial IP cases like Napster, the growing value placed on intellectual assets, and the emerging global economy has reshaped the teaching and practice of IP law.



IP Matures To Meet Demands Of Hi-Tech Age



Assistant Professor
R. Polk Wagner

“The ranks of people who are teaching and writing in IP has exploded in the last five years or so,” says Assistant Professor **R. Polk Wagner**. “Even five years ago you could count on at least both hands and both feet the number of people who were doing a lot of work in IP. I think now we’d have trouble coming up with a list, it’s so many.”

At Penn Law, Wagner is one of two new faculty members who specialize in IP. The other is Assistant Professor **Gideon Parchomovsky**. Together, they are expanding the curriculum, research, and student activities in IP law.

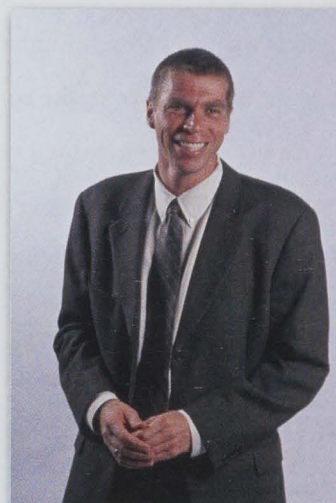
“The confluence of talent in law, business, medicine, and the applied sciences on one campus allows us to offer a richer law student experience than ever before, particularly in the rapidly developing area of IP law,” says Penn Law Dean **Michael Fitts**. In a law seminar one February night, Jonathan M. Smith, professor of computer and information science, visited the school to lecture about open-source software and intellectual property rights. He showed the key points of his presentation using a VGA (video graphics array) cable to connect his laptop to the display and talked in terms of UNIX, Linux, BSD and GNU.

The subject matter, the technology in the classroom, and the meeting of minds from Law and Engineering signal a new era from **Robert A. Gorman**’s formative days teaching IP subjects. In 37 years of teaching copyright, Gorman, Kenneth Gemmill Professor of Law Emeritus, saw it transform from “a boutique subject somewhat on the margins of the curriculum”

into “one of the most heavily subscribed elective courses.” By the 1990s, he says, the copyright-related issues surrounding computer software, music, and the entertainment industry “began to affect the life of many, if not most, students.”


Thus, Penn Law began its “dramatic increase in interest and the burgeoning of course offerings and faculty members who are devoted to IP issues,” says Gorman.

Courses in years past were limited to an introduction to copyright law, and alternate offerings of patent law and trademark law. A course in cyberspace law was introduced in the 1990s. Today, traditional courses in copyright, patent, and trademark provide the foundation for such courses as Electronic Commerce: Law, Technology & Business; Strategic Intellectual Property; Biotechnology and IP Rights; The Future of Ideas; and Intellectual Property in a New Technological Age. **Tara Elliott, 3L**, recalls: “My goal, as a 1L, was to take all the IP courses the school had to offer; by my third year, however, there were more IP classes than I could fit into my schedule.”



Assistant Professor
Gideon Parchomovsky

“Not only has the field become more important and touched the lives of more and more people, but there is just a lot more to know about copyright than there ever was before,” says Gorman. “If you compare the number of words in the copyright statute in 2000 to 1990, I would say that it probably doubled in that 10-year period after having been fairly quiescent throughout the first 90 years of the century.”



Eldred v. Ashcroft, decided by the U.S. Supreme Court in January, is the prime example. Gorman calls it “the biggest case ever in copyright.” The Court upheld the 1998 Copyright Term Extension Act which lengthened the duration of copyrights by 20 years to “life plus 70 years,” raising a spectrum of legal issues.

In fact, federal approaches to IP issues are among the current research of Polk Wagner, who specializes in patent law. He is working on an empirical study of the Federal Circuit’s patent claim construction methodology and an analysis of contemporary control-based criticisms of intellectual property laws. “I’m deeply skeptical about the common criticism of intellectual property laws as inherently destructive of the public domain of ideas and information, and thus may, in the long run, diminish intellectual activity,” says Wagner. “In fact, I think that on most analyses, intellectual property rights can be — and have been — tremendous forces in increasing the quantity of information from which creators and inventors can build. In my view, as long as we get the incentive structures right, ‘open’ information will grow right along with — and often well beyond — the proprietary.”

Gideon Parchomovsky, who joined the faculty in the fall, has research interests in IP, property law, fair use, the scope of patents, and patent law. “The complementary strengths of our IP faculty give the Law School a strong core,” says Fitts. “Their attention and energy will make Penn highly prominent in this area.” Wagner and Parchomovsky are planning conferences, says Wagner, in an effort to shape policy debate, legislative decisions, and judicial thinking about IP issues.

The faculty are also grooming their students for scholarship and policy development on IP issues. Wagner leads the Wilson Fellows in Law and

Technology, now in its inaugural year. The Wilson Fellows are the top incoming students with an interest in IP law. In a specially designed seminar, Wagner works with the students on projects like a clinic for domain name and trademark dispute resolution and writing IP-related amicus briefs. A student organization called the Penn Intellectual Property Group, established in 2001, hosts speakers, panels, and a mentorship program. “There’s a group of students here who are not only very interested, but very active in doing a lot of real things with IP,” says Wagner.

“IP relates to so many other areas of law and other disciplines,” says Fitts. “We try to instill in our students that IP is part of a larger effort to promote innovation.”

Once in practice, graduates can expect to find IP-related issues laced through many areas of law — constitutional, commercial, property, contracts, corporations, and federal courts among them — and more law firms with an IP component. “There are a lot of career opportunities in it (IP),” says patent law expert Herbert F. Schwartz, JD/MA ‘64, a Penn Law adjunct professor and lecturer since 1981. “That wasn’t true 25 years ago. . . . What’s happening now is that IP law, which used to be the purview of specialized firms, is becoming more a part of the practice of major law firms.” But, he emphasizes, “the basic discipline” — grounded in copyright, patent, and trademark law — “is still the same.”

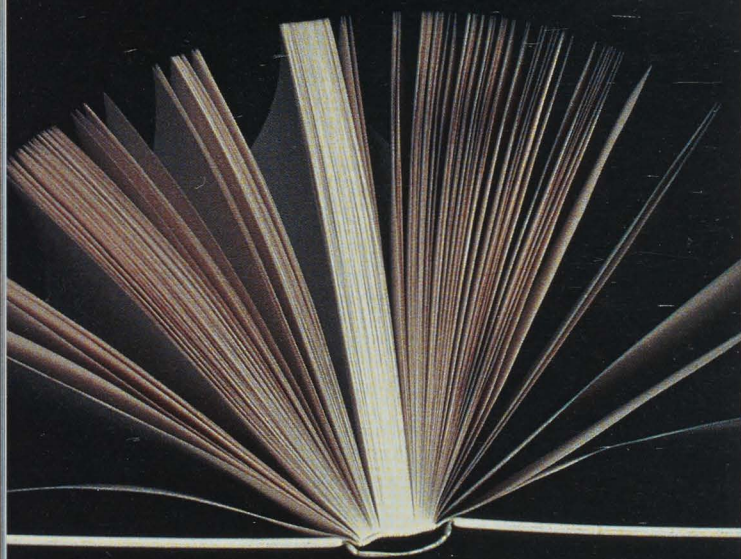
Penn came early to that “basic discipline,” with law school leaders like **Leo Levin L’42**, Leon Meltzer Professor of Law Emeritus, taking note of student interest in the areas of copyright, patent, and trademark law. They encouraged faculty members like Schwartz and Gorman, now known as giants in their fields, long before the subjects were en vogue. Penn Law is poised for another generation of innovation.

“Penn is one of the first elite law schools to make a real investment in IP as an area of curricular development,” says Fitts. “Many of the law schools with a focus on IP were ones that trained practitioners, and were not involved in guiding policy development. . . . Penn is on the leading edge in this regard.”

Faculty

NEWS

&
PUBLICATIONS



Matthew Adler, professor of law, was a visiting professor of law at the University of Virginia Law School in the fall of 2002. He presented "Risk, Death and Harm" to a faculty workshop at Virginia in October 2002, and to a faculty workshop at the College of William and Mary School of Law in November 2002. In October, he participated in a conference on Legal Transitions at the University of San Diego School of Law, where he presented "Legal Transitions: Some Welfarist Remarks." In January 2003, his co-authored paper (with Michael Dorf), "Constitutional Existence Conditions and Judicial Review," was presented by Professor Dorf at the AALS panel in honor of Marbury's bicentennial. Adler and Dorf presented that paper in February 2002 to a law and philosophy workshop at Columbia Law School.

Risk, Death and Harm: The Normative Foundations of Risk Regulation, Minnesota Law Review

Constitutional Existence Conditions and Judicial Review, Virginia Law Review

Rational Choice, Rational Agenda-Setting and Constitutional Law: Does the Constitution Require Basic or Strengthened Public Rationality? Linking Law and Political Science (Christoph Engel, ed.)

Legal Transitions: Some Welfarist Remarks, Journal of Contemporary Legal Issues.



Anita Allen-Castellitto, professor of law and philosophy, has been named a fellow in the Law and Public Affairs Program at Princeton University for the 2003-04 academic year. She has also been appointed to the board of directors of the Family Planning Council of Philadelphia. Allen completed a three-year term on the executive committee of the AALS in January 2004, and five years of service on the Working Group of the Association for Study of Law, Culture and Humanities. In addition, she delivered the Meador Lecture at the University of Alabama in February 2003. Her topic was "Privacy Isn't Everything." The lecture will be published in the Alabama Law Review. Allen also spoke at the annual "Philosophers Brown of Struggle" conference at Brown University in October 2002, and was a speaker at the Tanner Lecture Symposium at the University of Michigan in September 2002.



Regina Austin, William A. Schnader Professor of Law, was a visiting professor at Columbia Law School during the fall 2002 term. She presented a paper on the authority of poor mothers and drug-related evictions from public housing at the Tenth Annual CLE Conference-Update for Feminist Law Professors, held at Temple Law School and sponsored by the Pennsylvania and Delaware Valley Women Law Teachers. She also discussed

her work on the economic disenfranchisement of black and Latino ex-offenders at the Fordham Urban Law Journal's symposium "Beyond the Sentence: Post-Incarceration Legal, Social, and Economic Consequences of Criminal Convictions." The article on which her presentation was based will appear in a forthcoming issue of the journal *Race & Society*. Professor Austin was a panelist at the conference on "Children, Culture and Violence: Myths, Images and Realities," which was held at the University of Florida Levin College of Law. Her topic was "Dangerous Stereotypes: Poor Minority Urban Children as Workers and Consumers."

Step on a Crack, Break Your Mother's Back, Yale Journal of Law and Feminism (forthcoming)



Stephen B. Burbank, the David Berger professor for the administration of justice, has been appointed Special Master of the National Football League by federal judge David Doty, on the joint recommendation of the NFL Players Association and the NFL Management Council. As Special Master, Burbank will resolve designated disputes under the consent decree settling antitrust litigation involving the NFL, and under the

collective bargaining agreement. In September 2002, Burbank was one of four speakers at the Supreme Court ceremonies honoring Chief Judge Edward Becker upon his receipt of the Devitt Award, and in November he was a panelist at the Third Circuit Judicial Conference. Burbank has been appointed a member of the Selection Committee for the Berlin Prize Fellowships to the American Academy in Berlin. He was a visiting professor at Harvard Law School during the fall term.

The Roles of Litigation, 80 Washington University Law Quarterly 705 (2002)

What Do We Mean by 'Judicial Independence'?, Ohio State Journal (forthcoming)



Howard F. Chang, professor of law, presented his paper *Fair Paretian Social Choice* at the annual meeting of the European Association of Law and Economics in September 2002 in Athens, Greece, and at the University of Chicago Law School in November 2002. He also presented his paper *The Immigration Paradox: Poverty, Distributive Justice, and Liberal Egalitarianism* at the annual meeting of the Association of

American Law Schools in January 2003 in Washington, D.C.

Any Non-Welfarist Method of Policy Assessment Violates the Pareto Principle: A Comment, 111 Journal of Political Economy, with Marc Fleurbaey and Bertil Tungodden (forthcoming 2003)

The Immigration Paradox: Poverty, Distributive Justice, and Liberal Egalitarianism, 52 DePaul Law Review (forthcoming 2003)

Immigration and the Workplace: Immigration Restrictions as Employment Discrimination, 78 Chicago-Kent Law Review (forthcoming 2003)

Public Benefits and Federal Authorization for Alienage Discrimination by the States, 58 New York University Annual Survey of American Law 357 (2002)

Liberal Ideals and Political Feasibility: Guest-Worker Programs as Second-Best Policies, 27 North Carolina Journal of International Law and Commercial Regulation 465 (2002)

IN NEW BOOK, ALLEN CHAMPIONS ACCOUNTABILITY OVER PRIVACY

Anita L. Allen, professor of law and philosophy, tackles a thorny issue in her new book *Why Privacy Isn't Everything: Feminist Reflections on Personal Accountability* (Rowman & Littlefield, April 2003). She weighs the competing demands of the need to protect personal life from intrusion against the responsibility to account for actions.

In her fresh take on an oft-neglected issue the author examines what it means to be accountable for conduct, what personal matters qualify for scrutiny, and to whom one should answer. In the process, Allen concludes that a liberal society can accommodate the vital demands of accountability and still aggressively respect personal privacy.



Jacques deLisle, professor of law, spoke on *China and the WTO: Evolving Relationships Among International and Domestic Law and Politics* at the American Political Science Association's annual meeting, Boston, in September 2002. The following are deLisle's other presentations: *The PRC and the WTO: China's Changing Motives for Membership and Implications for Beijing's Participation in the Global Economic*

Order (conference on China After Jaing Zemin, St. John's University, November 2002 – the paper is forthcoming in a conference volume, co-edited by T.J. Cheng, Jacques deLisle and Deborah Brown); *Cross-Strait Relations: Sustaining the Status Quo?* (Bureau of Intelligence and Research, National Intelligence Council, U.S. Department of State, Conference on China's Strategic Vision, summer 2002); *Lessons for Promoting Law Reform Abroad: The Russian Case and Comparisons to China*, Conference on Russian Law Reform, Russian American Institute for Law and Economics/University of Pennsylvania/Foreign Policy Institute, November 2002); *The Roles of Law and the War on Terrorism* (Penn Law European LLM Alumni meeting, Berlin, June 2002); and *Human Rights, Civil Wrongs and International Politics: A 'Sinical' Look at the Use of U.S. Litigation to Address Abuses Abroad* (Clifford Symposium on Tort Law and Social Policy, DePaul Law School, April 2002). deLisle, director of the Foreign Policy Research Institute's Asia Program, organized the conference entitled *Asia's Strategic Landscape* (Philadelphia, February 2003). He also chaired a session with Carter Center and National Committee for U.S.-China Relations-sponsored delegation of election officials and election observers from the PRC, Taiwan, and Hong Kong (November 2002). His other activities include: senior fellow, Salzburg Seminar session entitled *The Rule of Law in Asia* (Salzburg, Austria, December 2002), presenter, Qinghua University/ Temple University international conference on property law reform in China (Beijing, June 2002); and member, international scholars' delegation to Taiwan (July 2002). deLisle was also elected vice chair, Pacific Rim Interest Group, American Society of International Law.

Human Rights, Civil Wrongs and International Politics: A 'Sinical' Look at the Use of U.S. Litigation to Address Abuses Abroad, DePaul Law Review (conference volume on Tort Law and Social Policy, forthcoming 2003)

A Chinese Solution?: Development without Democracy and the Turn to Law, in the P.R.C. in Development and Democracy: New Perspectives on an Old Debate 252-293 (Sunder Ramaswamy & Jeffrey W. Cason, eds., University Press of New England, 2003)

The China-Taiwan Relationship: Law's Spectral Answers to the Cross-Strait Sovereignty Question, *Orbis*, vol. 46, no. 4, 733-752 (conference volume on sovereignty and cross-strait relations), (2002)

The Roles of Law in the War on Terrorism, *Orbis*, vol. 46, no. 2, 301-320 (2002)

Sinical Voters?: Elections in Greater China"; *Bless and Keep the S.A.R. . . . Far Away From Us: Taiwan's Hong Kong Phobia Five Years On*; *Varieties of Sovereignty and Cross-Strait Relations: A Conference Report*

(All three published as E-note commentaries for the Foreign Policy Research Institute).



Eric Feldman, assistant professor of law, chaired a panel and presented a paper on "Tobacco Control and the Liberal State: Legal, Ethical, and Policy Issues" at the Annual Meeting of the American Public Health Association, and was invited to speak on "Tobacco, Law, and Policy in Japan" at Harvard Law School. At Penn, Feldman moderated the session "National Security vs. Individual Rights at the 2003 APALSA Conference -

Homelands: Securing Civil Rights after 9/11). He also spoke at an undergraduate career services panel on legal and policy careers related to bioterrorism; co-taught two seminars on conflict of interest and research ethics at the School of Medicine; led a discussion of Chinua Achebe's "Things Fall Apart," part of Penn's undergraduate Reading Project; and hosted Australian High Court Justice Michael Kirby, who presented a law school lecture on "Patent, Human Rights, and the Human Genome."

Wrapping Big Tobacco in a Silk Kimono: Smoking and the Japanese State (forthcoming 2003)

Dispute Resolution in Japan: A Reassessment (forthcoming 2003)

He has also submitted a book manuscript for publication entitled *Unfiltered: International Conflict over Tobacco Policy and Public Health*.



Claire Finkelstein, professor of law, organized a conference, with paper at the 21st World Congress of the International Association for Philosophy of Law and Social Philosophy, in Lund, Sweden, in a panel on Criminal Responsibility. Finally, Finkelstein served as chair of the AALS Section on Jurisprudence for the 2002-03 academic year.

Recent and Forthcoming Publications:

Intentional Action and the Deliberative Requirement, in Reason, Intention and Morality (Editors Gijs Van Donselaar and Bruno Verbeek)

Is Risk a Harm? *Pennsylvania Law Review*, Symposium on Rationality and Preferences

Disposition and Reason in Criminal Law, 6.1 Buffalo Criminal Law Review

Contractarian Legal Theory, Rationality (Editor, Al Mele), Oxford University Press

Death and Retribution, Criminal Justice Ethics (Summer/Fall 2002)



Peter H. Huang, assistant professor of law, presented *Affective Investing and Effective Securities Regulation: Regulating Financial Anxiety and Euphoria* at Duke Law School, and *Emotional Investing and Securities Regulation of Anxious or Exuberant Financial Markets* at the University of Virginia Law School. He was also a visiting professor of law at the University of Virginia Law School during the spring of 2003.

Trust, Guilt, and Securities Regulation, 151 U. Pa. L. Rev. (January 2003)

International Environmental Law and Emotional Rational Choice, 31 J. Legal Stud. S237 (2002)



Leo Katz, professor of law, presented his paper "Time, Irrationality, and the Law: Temporal Anomalies in Legal Doctrine" at the conference on Rationality and Preferences, Penn Law, on March 1-2, 2002.

What to Compensate? Some Surprisingly Unappreciated Reasons Why the Problem Is So Hard, U San Diego L.Rev., symposium on "Harms, Baselines and Counterfactuals" (forthcoming 2003)

Villainy and Felony, Symposium on The New Culpability, Buffalo Criminal Law Review (2002)

Time, Irrationality and the Law: Temporal Anomalies in Legal Doctrine, University of Pennsylvania Law Review (2002)

Justification and Harm in Negligence, Journal of Theoretical Inquiry (2002)

Comment on Scott Shapiro, in *Legal and Political Philosophy*, ed., Enrique Villanueva (2002)



Michael S. Knoll, professor of law and real estate

Put-Call Parity and the Law, Cardozo (2003)

Taxing Sunny Days: Adjusting Taxes for Regional Living Costs and Amenities, Harvard (2003)

A Primer on Prejudgment Interest, Litigation Services Handbook (2003)

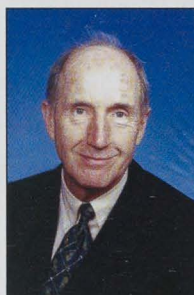
Ethical Screening in Modern Financial Markets: The Conflicting Claims Underlying Socially Responsible Investment, Business Lawyer (2002)



Seth F. Kreimer, associate dean and professor of law

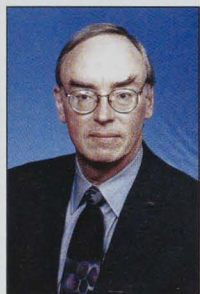
Double Helix, Double Bind: Factual Innocence and Postconviction DNA Testing 151 U.Pa. L.Rev. 547, with co-author David Rudovsky (2002)

The Pennsylvania Constitution's Protection of Free Expression, 5 U.Pa. Journal of Constitutional Law (2002)

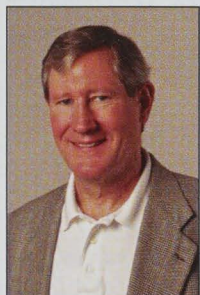


Friedrich K. Kübler, professor of law, delivered the opening lecture, "The Impact of Capital Markets and Enterprise Organization on Bankruptcy Law", at the Frankfurt Conference of the German-Brasilian Lawyers Association in October 2002. Kübler also spoke at the Conference on Racism and Antisemitism in Budapest in February 2003. His lecture was entitled "Racist Hate Speech and Freedom of

Expression: International Aspects of a Conflict of Human Rights." He presented papers on "Accounting Systems in Transition: How Should Monetary Stability be Defined?" at the First Conference of the Foundation "Money and Currency" (established by the German Central Bank), in December 2002; on "The Statute of the European Stock Corporation," at the Corporate Law Conference in Frankfurt, January 2003; on political aspects of the relationship between public service and commercial broadcasting at the Symposium on Broadcasting Law (Frankfurt, February 2003).



Bruce H. Mann, professor of law and history, chaired a panel last November on the *Limits of Legal Doctrine* at the Conference on Law and the Disappearance of Class in Twentieth-Century America, at Penn Law. He also was a frequent newspaper commentator on the Barnes Foundation's petition to alter its indenture and move to Philadelphia. Mann gave the keynote address at the convention of the National Association of Consumer Bankruptcy Attorneys.



Charles W. Mooney, Jr., professor of law, received the Distinguished Service Award, presented in 2002 by the American College of Commercial Finance Lawyers, for "work in the creation and adoption of Revised Article 9" (for which he served as co-reporter). Mooney continues to advise the U.S. Department of State as it works toward signature and eventual ratification of the Cape Town Convention on International

Interests in Mobile Equipment and the related Aircraft Equipment Protocol. Mooney served as position coordinator and member of the United States delegation for the State Department at a diplomatic conference in Cape Town in October and November 2001, at which the Cape Town Convention and Aircraft Protocol were completed. He spoke on the Cape Town Convention in February 2003 at a conference in Miami and again at the April 2003 ABA Business Law Section spring meeting in Los Angeles. In January 2003 Mooney presented his paper in progress, *A Normative Theory Bankruptcy: Bankruptcy As (Is) Civil Procedure*, at an academic conference on secured transactions and bankruptcy at Oklahoma City University School of Law. He was honored at a luncheon at that conference "for his dedication to law-reform efforts at the state, national and international levels, his career of service to legal education, and his leadership in the Revision of UCC Article 9." In April 2003, Mooney also made a presentation on bankruptcy law reform at an academic conference in New York City sponsored by the Cardozo School of Law.

A Normative Theory Bankruptcy: Bankruptcy As (Is) Civil Procedure

A Taxing New Model for Consumer Bankruptcy Discharge: Moving from Means Testing to Means Measurement, 62 co-author Jean Braucher

The Roles of Individuals in UCC Reform: Is the Uniform Law Process a Potted Plant? The Case of Revised UCC Article 8, 27 Oklahoma City University Law Review, 553 (2002)

Modeling the Uniform Law 'Process': A Comment on Scott's Rise and Fall of Article 2, 62 Louisiana. Law Review 1081 (2002)



Stephen Perry, John J. O'Brien Professor of Law and Professor of Philosophy; Director, Institute for Law and Philosophy

In February, Perry presented his paper *Harm, Counterfactuals, and Compensation* at a conference on Compensatory Damages at the University of San Diego School of Law. He presented the same paper at the Oxford Jurisprudence Colloquium 2003, held in Oxford on

March 10 and 11. Perry currently is revising the paper for publication in a symposium on compensatory damages. Later this spring he will participate in a roundtable on Moral Luck, sponsored by the University of San Diego Institute for Law and Philosophy. In the 2002-03 academic year Perry continued to serve as director of the University of Pennsylvania's Institute for Law and Philosophy, and in that capacity hosted a series of successful workshops by Larry Temkin and Douglas Husak (Rutgers University); Joseph Raz (Oxford and Columbia); John Gardner (Oxford); and Connie Rosati (University of California at Davis).

The Normativity of Law, Texas Law Review (forthcoming). Revised for publication from the first Annual Leon Green Lecture in Jurisprudence, delivered last spring at the University of Texas at Austin.

Method and Principle in Legal Theory 111 Yale L.J. 1757 (2002)

MANN SHOWS DEBT IS PART OF AMERICAN FABRIC

It's easy to assume that debt is a modern phenomenon, the byproduct of the buy now, pay later culture in which we live. Bruce H. Mann, professor of law and history, shatters that notion in his recent book, *Republic of Debtors: Bankruptcy in the Age of American Independence* (Harvard University Press, January 2003).

Mann plumbs eighteenth century history and finds debt a prevalent part of colonial and early national life, not to mention a subject of heated debate. He explores the political implications of debt and failure, in the process shedding light on America's emerging consumer marketplace and commercial economy. What results is an engrossing character study of a new nation in search of its identity. The book drew a warm reception in economic circles, as Mann was interviewed on BBC Radio 3, Bankrate.com, and Money Matters with Larry Burkett, as well as among historians. It will be the subject of a panel at the annual meeting, in July, of the Society of Historians of the Early American Republic.



Nathaniel Persily, assistant professor of law, was an expert witness on behalf of the California State Senate on the issue of redistricting litigation. He evaluated the 2002 senate and congressional redistricting plans for compliance with state constitutional provisions requiring respect for political subdivisions and geographic regions. He presented "The Law and Technology of the Redistricting Process" at Columbia Law School in

February 2003 and at New York University Law School in September 2002. Additionally, in December 2002 he addressed "The Effect of the BCRA on State Political Parties" and delivered a talk "In Defense of Foxes Guarding Henhouses: The Case for Judicial Acquiescence to Incumbent-Protecting Gerrymanders at the National Conference of State Legislatures in Washington. In July 2002, Persily also spoke on "Parties, Money and Corruption" during "The Funding of Political Parties Workshop" at the University of London's Institute of Advanced Legal Studies. Finally, he conducted an ad hoc workshop – Redistricting New York – at Penn Law in the summer of 2002.

Parties, Money and Corruption, in Keith Ewing and Samuel Issacharoff, eds., Title TBA (Oxford University Press, 2004)

In Defense of Foxes Guarding Henhouses: The Case for Judicial Acquiescence to Incumbent-Protecting Gerrymanders, 115 *Harvard Law Review* 593 (2002)

The Legal Implications of a Multiracial Census, in Joel Perlmann and Mary Waters, *The New Race Question* (Russell Sage Press, 2002)

Soft Money and Slippery Slopes, 1 *Election Law Journal* 401 (2002)



Wendell Pritchett, assistant professor of law, gave the Harold Rose Lecture in Urban Studies at the University of Wisconsin-Milwaukee in February 2003. He also participated in the conference, "The Mayoralty of Robert Wagner," at the New York Historical Society and presented papers in September and November 2003, respectively: *A Continuing Emergency: Rent Control in Post-War New York and America* (Urban

History Association in Pittsburgh); *The Romance of Home: The Fair Housing Movement in the Postwar Years* (Penn Law).

The Public Menace of Blight: Urban Renewal and the Private Uses of Eminent Domain, *Yale Journal of Law and Policy* (January 2003)



Paul H. Robinson, professor of law

Prohibited Risks and Culpable Disregard or Inattentiveness: Challenge and Confusion in the Formulation of Risk-Creation Offenses, *Theoretical Inquiries in Law*, Vol. 4, No. 1 (January 2003)



Edward B. Rock, Saul A. Fox Distinguished Professor of Business Law, is Co-Director, with Michael L. Wachter, of the Institute for Law and Economics (ILE). Rock and Wachter organized the ILE/Law Review Symposium on "Corporate Control Transactions," February 8 and 9, 2003; the symposium was supported in part by the Alfred P. Sloan Foundation and the Saul A. Fox Research Endowment.

They also organized the Moot Delaware Chancery Court Argument on the Staggered Board/"Just Say No" Debate, March 25, 2003, and the Corporate Law Roundtable on the "New Federalism" in corporate law, April 11, 2003; he and Wachter moderated the panel discussion "Mergers of Equals." Rock also organized "Law and Poetry," with commentary and a reading by Brad Leithauser, poet, novelist and Harvard Law graduate, co-sponsored with Penn's Kelly Writers House, March 20, 2003. Finally, Rock participated in a law and economics workshop at the University of Michigan Law School and was a commentator at the F. Hodge O' Neal Corporate Law conference at Washington University of St. Louis.

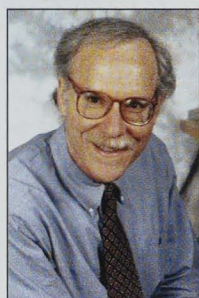
How I Learned to Stop Worrying and Love the Pill: Adaptive Responses to Takeover Law (with Marcel Kahan), 69 *U. Chi. L. Rev.* 871 (2002)

Corporate Constitutionalism: Antitakeover Charter Provisions as Pre-Commitment (with Marcel Kahn), forthcoming *Univ. of Pa Law Review* (part of the symposium issue)



Kermit Roosevelt, assistant professor of law, presented “The Supreme Court in American Society” at Philadelphia’s National Constitution Center in March, and “Lockups in the Market for Corporate Control” at a Continuing Legal Education Seminar in Philadelphia last December. His op-ed piece, “One Cheer for Roe”, appeared in *The Washington Post* in January 2003.

Defeating Class Certification in Securities Fraud Actions, *The Review of Litigation* (forthcoming 2003)



David Rudovsky, senior fellow

Double Helix, Double Bind: Factual Innocence and Postconviction DNA Testing 151 U.Pa. L.Rev. 547, with co-author Seth F. Kreimer (2002)



Louis S. Rulli, practice professor of law, was honored with a *Leaders for Justice* award by Pennsylvania Legal Services in February 2003 in recognition of the role that he played in the enactment of Pennsylvania’s Access to Justice Act that was recently signed into law by the governor. Rulli was the principal drafter of the legislation and worked closely with the state legislature on its adoption. The Act will provide millions of dollars

annually in new funding for legal services programs to provide legal representation to the poor and disadvantaged in civil matters. Rulli served as consultant to the Philadelphia Bar Association’s Commission on Pro Bono and, together with the co-chairs of the Commission, delivered a presentation to the Association’s Board of Governors in June 2002 summarizing the findings and recommendations contained in the 78-page report produced by the Commission. The report offered many recommendations on how the legal profession could boost *pro bono* participation from all lawyers. The Association is currently in the process of implementing these recommendations.

In November 2002, as part of the Public Interest Speaker Series, Professor Rulli delivered a lecture at Penn Law on how the law silences the poor. He also spoke on representing low-income clients to one hundred young, law firm associates attending the First Year Associates Day of the Volunteers for the Indigent Program. He was a faculty panelist in several continuing legal education courses, including the annual Public Interest Day where he spoke on the Art of Legislative Advocacy, and he recently conducted client interviewing training for student volunteer advocates.



Kim Lane Scheppele, professor of law and sociology, spent the spring 2003 semester in Moscow on a grant from the National Science Foundation to research the development of Russian constitutional consciousness in the post-Soviet period. She will be in Russia through the summer. Scheppele also gave a presentation on military tribunals at the Association of American Law Schools meeting in January and spoke on *Human Rights at Home &*

Abroad at Penn Law’s Edward V. Sparer Symposium in March. In addition, she is a consultant to the United Nations Commission on drafting a new constitution for Afghanistan.

Agendas of Comparative Constitutionalism, Law and Courts Newsletter, American Political Science Association

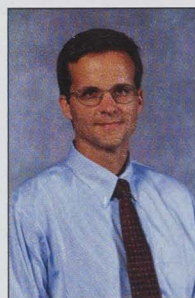
Cultures of Facts, in *Perspectives*, American Political Science Association

Constitutional Negotiations: Political Contexts of Judicial Activism in Post-Soviet Europe, International Sociology

Aspirational and Aversive Constitutionalism: The Case for Studying Cross-Constitutional Influence through Negative Models I-CON (International Journal of Constitutional Law)

Democracy by Judiciary (Or Why Courts Can Sometimes Be More Democratic Than Parliaments), in *Rethinking the Rule of Law in Post-Communist Europe*, edited by Wojciech Sadurski, Martin Krygier, and Adam Csarnota

(All are forthcoming in 2003)



David A. Skeel, Jr., professor of law, made the following presentations in 2003: *Creditors’ Ball: the “New” New Corporate Governance in Chapter 11*, meeting of the reorganization group of Klett Rooney (March 24); introduced poet Brad Leithauser at Law and Poetry event sponsored by Edward B. Rock, Saul A. Fox Distinguished Professor of Business Law and the Kelly Writers’ House and held at Penn Law (March 20);

delivered keynote speech entitled *The Ghost of J.P. Morgan? The Origins of American Corporate Reorganizations and How History is Repeating Itself* at the Fixed Income Forum Roundtable at the Metropolitan Club in New York (March 19); and *Creditors Ball: The “New” New Corporate Governance in Chapter 11* at the Corporate Control Transactions conference at Penn Law (February 9). In 2002 Skeel lectured on *Enron, WorldCom and the Corporate Scandals* to Professor Kent Smetters’ Wharton undergraduate Risk and Risk Management class (October 29); co-chaired a panel on corporate responsibility during the Reed, Smith Roundtable on the Financial Industry (October 25); presented a talk entitled *Reflections on the Fall of Enron and WorldCom* to the Penn Faculty-Staff Christian Fellowship

(October 2); served as presenter/commentator/moderator for Professor of Law Amy Wax's article on *Economic Theories of the Family* (September 27); spoke on *The Evolutionary Law: US vs. UK* at the first meeting of the Bankruptcy Task Force, Institute for Policy Dialogue, Joseph Stiglitz, Columbia (September 23, 2002); and delivered a speech entitled *The Lessons of Enron and WorldCom* to the Swarthmore Economics Discussion Group, a group of Swarthmore professors and administrators; local business people; and others (September 17, 2002).

Can Majority Voting Provisions Do it All?, 52 Emory Law Journal. xx, response to Buchheit & Gulati, *Sovereign Bonds and the Collective Will*, 51 Emory Law Journal 1317 (Forthcoming)

Not-So-Poor-Richard, Books & Culture, review of God and Mammon: Protestants, Money and the Market, 1790-1860, ed. Mark Noll, 2002 (March/April 2003)

America's States are Gambling With Their Principles, Financial Times (January 10, 2003)

Still a Lot Not to Like in Lotteries, Philadelphia Inquirer (January 5, 2003)

Corporate Ownership Structure and the Evolution of Bankruptcy Law: Lessons from the United Kingdom, 55 Vanderbilt Law Review 1699, with John Armour & Brian Cheffins (2002)



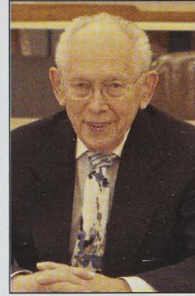
Catherine T. Struve, assistant professor of law, presented *Turf Struggles: Land, Sovereignty and Sovereign Immunity* at the New England Law Review's Symposium, *The Role of Jurisdiction in the Quest for Sovereignty*, in October 2002. In February 2003, Struve participated in a presentation at the University of Pennsylvania Law School American Inn of Court on "The War on Terrorism, Lawyers and Civil Liberties."

Realspace Sovereigns in Cyberspace: Problems with the ACPA, co-authored with R. Polk Wagner, was published in 17 Berkeley Technology Law Journal 989, (2002)

How Bad Law Made a Hard Case Easy: Nevada v. Hicks and the Subject Matter Jurisdiction of Tribal Courts, 5 University of Pennsylvania Journal of Constitutional Law 288 (2003)

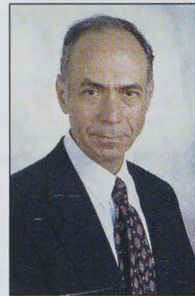
Direct and Collateral Federal Court Review of the Adequacy of State Procedural Rules, 103 Columbia Law Review 243 (2003)

Turf Struggles: Land, Sovereignty and Sovereign Immunity, 37, New England Law Review (forthcoming 2003)



Clyde Summers, Jefferson B. Fordham professor of law emeritus, presented the Rush McNight Lecture on *Privatizing Justice: Compelling The Unwilling to Arbitrate* at Case Western Law School in January. In September, Summers was named president-elect of the International Society for Labor Law and Social Security, and in January 2003 was honored by the Association of American Law Schools' Section on Labor Relations and Employment Law for "outstanding contributions to teaching and scholarship in Labor and Employment Law."

Free Trade v. Labor/Human Rights: Doubts, Definitions and Difficulties, in *Changing Industrial Relations and Modernization of Labour Law*, Liber Amicorum, in honour of Professor Marco Biagi.



Michael L. Wachter, William B. Johnson Professor of Law and Economics, is Co-Director, with Edward B. Rock, of the Institute for Law and Economics. Wachter organized the Labor Law Roundtable on December 6, 2002, with ILE board member Marshall Babson of Jones, Day, Reavis & Pogue. At the roundtable, Wachter presented a paper on "Judging Unions Future Using a Historical Perspective: The Public Policy Choice Between Competition and Unionization." He also organized with Ed Rock the ILE/Law Review Symposium on "Corporate Control Transactions," February 8 and 9, 2003. At the symposium, Wachter, with Richard Kihlstrom of Wharton's Finance Department, presented a paper on "Managing to Market Anomalies versus Maximizing Corporate Value: The Essential Tension in Takeover Law." Wachter and Rock also organized the Moot Delaware Chancery Court Argument on the Staggered Board/"Just Say No" Debate, March 25, 2003, and the Corporate Law Roundtable on the "New Federalism" in corporate law, April 11, 2003; He and Rock moderated the panel discussion "Mergers of Equals."

Managing to Market Anomalies versus Maximizing Corporate Value: The Essential Tension in Takeover Law, co-author Richard E. Kihlstrom, University of Pennsylvania Law Review (forthcoming 2003)

Judging Unions' Future Using a Historical Perspective: The Public Policy Choice Between Competition and Unionization, Journal of Labor Research (Spring 2003)

PHILANTHROPY

Levy Gives Students Chance To Broaden Their Horizons



A new age of cross-disciplinary studies has dawned at the law school with the Levy Scholars Program. Established by Board of Overseers Chairman Paul Levy L'72 and his wife, Karen, the program enables students to broaden their law education by deepening their knowledge of law-related areas such as business, medicine, engineering and communications. What students choose to study is only limited by their creativity and imagination.

Levy scholars will come from the top ranks of incoming law students. The first group of up to twenty students will begin the program in the fall. They will receive a grant for full tuition the first year and half tuition the second and third years. Among the opportunities, Levy scholars will receive academic counseling to guide them through the many interdisciplinary choices available at the university; mentoring from alumni in their field of interest; and invitations to special faculty and research seminars. This innovative program will help Penn Law develop a new generation of leaders who are "multidimensional professionals" well-prepared for novel careers in established and burgeoning fields.

Levy is the founding partner and senior managing director of the New York investment firm JLL Partners. Founded in 1988, JLL is a private equity firm that specializes in restructuring troubled companies.

Levy and his wife, Karen, a graduate of NYU Law School, also funded the renovation of Sharswood Hall and the creation of the Levy Conference Center on the second floor of historic Silverman Hall.

Gift Establishes Family Law Endowment



Based on the Robert Stephan Cohen family's recommendation, Penn Law has received a gift from the Jewish Community Foundation. This gift will support the school's curriculum in Family Law.

Cohen, founder and chairman of New York-based Morrison Cohen Singer & Weinstein and counsel to Julie Roy in the landmark case of *Roy v. Hartogs*, is one of the leading family law attorneys in the United States and the father of first-year law student, Nicholas Cohen.

Among his significant achievements, in the 1976 *Roy v. Hartogs* case he represented the plaintiff, a patient who claimed her psychiatrist seduced her under the guise of therapy. The court awarded Julie Roy significant damages and established important criteria for psychiatrists on boundary violations. The case became the subject of a book and was made into the 1978 movie "Betrayal." He has represented many of our country's leading business people, entertainers and professionals. In 2002, he was featured in a *New York Times* profile.

Voted one of the Outstanding Young Men of America" in 1968, Cohen is on the faculty of the American Academy of Psychiatry and the Law and has been a consistent lecturer and writer for various professional publications. He is also author of *Reconcilable Differences: 7 Essential Tips to Remaining Together from a Top Matrimonial Lawyer* (published in 2002 by Pocket Books).

Witkin Scholarship Will Benefit Wide Range of Students



Once, students turned to Morton Witkin L'17 for tutoring. Now the late Mr. Witkin will help students again, with a scholarship endowment in his name to Penn Law.

The endowment will be established by his widow, Gale B. Witkin, who plans to make a bequest to the law school that will provide financial assistance to exceptional students from all socioeconomic backgrounds. Mrs. Witkin's decision to devote a portion of her estate to Penn Law reflects her late husband's esteem for the institution and its contributions to his life.

Education was important to Mr. Witkin. A prototypical self-made man, Witkin learned the habit of hard work as a child, when he sold newspapers and operated a pushcart for a dollar a day. He put his intelligence and enterprise to good use at Philadelphia's Central High School, where he tutored classmates in Latin and mathematics, won a gold medal for oratory, and graduated with top honors.

A self-made teacher as well, Witkin paid his way through college by continuing to instruct students. After one year at The Wharton School, Witkin attended and graduated from Penn Law.

Using his speaking ability, legal skills, and resourcefulness, Witkin, a longtime partner at Witkin & Egan in Philadelphia, became a force in Pennsylvania politics. He served as chairman of the county commissioners of Philadelphia for 16 years and was a member of the Pennsylvania House of Representatives for 12 years, two of them as minority leader. An early proponent of gun control, he sponsored the Witkin Firearms Act, which aimed to make it more difficult to obtain a permit to carry a pistol.

As both an attorney and politician, Mr. Witkin enjoyed great success. The endowment in honor of Mr. Witkin and his wife, Gale, will give future students the opportunity to receive a quality education and achieve similar success, and will help ensure a well-balanced and diverse student population at Penn Law.

For more information about how to make a bequest or planned gift, please contact Eleanor Brown Davis at (215) 898-1516 or ebdavis@law.upenn.edu

MAKE A GIFT, BENEFIT PENN LAW, GET THE DEDUCTIONS AND INCREASE YOUR INCOME

"An investment in knowledge always pays the best interest."

Benjamin Franklin



Alvin L'55 and Jean Snowiss

"I wanted to leave a lasting impact on the institution that had shaped my life and to which I wanted to say thank you - Penn Law. After conversations with Penn Law School, Jean and I determined that a charitable gift annuity would benefit us and the law school. Through this vehicle we were able to ensure our lifetime income and qualify for a current income tax deduction while at the same time meeting one of Penn Law's most pressing needs - endowed professorships."

Contact Eleanor Brown Davis in the Law Development Office to learn about making a planned gift to Penn Law School.

(215) 898-1516 or
ebdavis@law.upenn.edu

BENEFITS OF A PENN GIFT ANNUITY:

- Safe income at great rates. Penn gift annuities pay the donor guaranteed income for life at advantageous rates.
- Tax Savings. Gift annuities qualify for an immediate income tax deduction, can save on capital gains taxes and yield some tax-free income.
- Support for Penn Law, too. The donor receives a lifetime income while also supporting Penn Law.
- You will become a member of the Lewis Legacy Circle, established to honor alumni and friends who have generously provided for the future of Penn Law.

HOW DOES IT WORK?

You donate cash or publicly traded securities to the University of Pennsylvania.

Penn agrees, in writing, to make guaranteed, fixed payments for life to one or two people you name.

\$25,000 CHARITABLE GIFT ANNUITY			
AGE	RATE*	INCOME TAX DEDUCTION*	ANNUAL INCOME
55	5.8%	\$ 3,464	\$ 1,450
60	6.0	\$ 5,052	\$ 1,500
65	6.3	\$ 6,601	\$ 1,575
70	6.7	\$ 8,245	\$ 1,675
75	7.3	\$ 9,786	\$ 1,825
80	8.3	\$ 11,100	\$ 2,075
85+	9.5	\$ 12,645	\$ 2,375

* Rates and deductions vary with annuitant age and timing of the gift. Not available in all states.

Annual Benefactors Dinner

Law School Dean Michael A. Fitts, Paul S. Levy L'72, Chairman of the Board of Overseers, and Vijay Kapoor L'02, former President of the Council of Student Representatives, spoke at the dinner, which honors donors to Penn Law School.



Paul S. Levy L'72, Chairman of the Board of Overseers, enjoying some conversation.

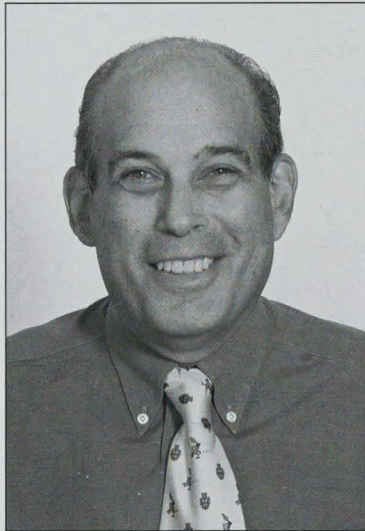
Myles Tanenbaum L'57 (left) with Dean Fitts.

Left to right: Charlotte Shapiro, Paul Shapiro L'67, Nancy Blank and husband Robert Blank L'65.

Vijay Kapoor L'02, former President of the Council of Student Representatives, at the podium.

Norm Veasey L'57, Chief Justice, Delaware Supreme Court, and Deborah Poritz L'77, Chief Justice, New Jersey Supreme Court

SHAPIRO AND RICH NAMED TO BOARD OF OVERSEERS



Following a distinguished career in private practice, **Paul E. Shapiro C'64 L'67**, has held successive, high-ranking positions in the corporate world. Currently, he is executive vice president and chief administrative officer at Revlon Inc., a world leader in cosmetics, skin care, fragrance and personal care products. He held a similar position with Sunbeam Corp. and was executive vice president and general counsel for The Coleman Co. Inc., and for Marvel Entertainment Group, Inc.

Previously, Shapiro was a partner at Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quental in Palm Beach, Fla. In addition, he was a partner with Wolf, Block, Shorr and Solis, which he left to co-found Shapiro & Bregman. Shapiro is a member of Toll Brothers' Board of Directors.

As a founder of Philadelphia's Institute for Paralegal Training, Shapiro created not only the nation's first such school but also gave birth to the paralegal profession. He has made an impact as well on Penn Law, where, in December 2000, Shapiro, his aunt, Charlotte, and other family members made a donation to establish the Shapiro Family Faculty Research Fund. It funds research in the area of law and mental health.



R. Bruce Rich L'73 is a partner at Weil, Gotshal & Manges, a prominent law firm in the field of music licensing. Cited in *The Best Lawyers in America*, *Who's Who in America*, and *Chambers Global Guide to the Legal Profession*, Rich is a nationally recognized expert in communications-related intellectual property law. His clients include book, magazine and newspaper publishers, broadcasters, cable television companies, and trade associations. Rich specializes in First Amendment rights, music licensing, copyright, trademark and antitrust.

He is Penn Law School's national chair of Annual Giving. Rich has also been chair of the Benjamin Franklin Society, a member of the IP Panel on Creativity and Law. Rich is a former trustee of the Freedom to Read Foundation.



Shanin Specter L'84, a tough advocate and successful litigator, settles his lanky frame into a chair and launches into his opening statement to students. Remember to prove negligence, show cause, and establish damage ... Tell the jury you're going to shred defense arguments ... Make sure to introduce witnesses in your opening statement ... And never, ever bring up anything that you can't prove!

Drill over, Specter rests his case and yields the floor to a guest lecturer. This is how it goes one Thursday night as Specter turns his classroom into a courtroom. During the spring semester, Specter teaches Introduction to Trial Advocacy. And like an attorney preparing a brief, he covers all the bases: Students read transcripts, watch videotapes of depositions, and see lawyers conduct examinations. He then requires them to demonstrate these skills in class.

LEADING LITIGATOR BY DAY, TOP-NOTCH TEACHER BY NIGHT

Shanin Specter Brings Precision to the Classroom

By Larry Teitelbaum

"By the end of the semester they should have a pretty good idea of what it means to be a trial lawyer and what goes into a case from the moment the potential client calls you on the phone until you sit down after your closing statement," says Specter, an adjunct professor at Penn Law School.

In distilling these lessons, Specter draws on two decades of experience. When he's not in the classroom, Specter is a partner at Philadelphia-based Kline and Specter, where he's won record monetary awards for clients in high-profile personal injury cases. No wonder the National Law Journal named Specter one of Pennsylvania's top ten litigators.

So clearly, Specter, a former member of a governor's advisory board on physician liability, understands the high stakes involved in issues such as medical malpractice. And make no mistake, he's not for Band-Aid solutions. Rather, to resolve physicians' skyrocketing costs, he suggests a systemic overhaul. His three-point plan:





LEADING LITIGATOR BY DAY, TOP-NOTCH TEACHER BY NIGHT

1) Take better care of patients (“It will produce less work for lawyers like me, but we’ll find something else to do with our time,” he says); 2) Reform the insurance system so that doctors’ premiums pay for medical claims, not insurer’s administrative costs or “outrageous executive salaries”; and 3) Raise service reimbursement rates in Pennsylvania, which, he said, are among the lowest in the nation. He thinks fair compensation would help balance doctors’ high insurance bills.

“Only after those things don’t work, though I think they will work, should we then turn around and say, ‘Maybe we’re going to have to punish the victims of bad care by reducing their access to the courts,’” Specter says. As a trial attorney, he is understandably interested in medical malpractice, as he is in product liability law. With the fervor of Atticus Finch in “To Kill a Mockingbird,” Specter has spent his career pursuing justice for those who have been unfairly harmed. “I think there’s been an enormous improvement in product safety over the last fifty years as a result of civil litigation,” Specter says.

But there are deadly exceptions. In class, Specter obliquely refers to one of his cases. The case, in which he represented the plaintiff, involved a Pennsylvania man who suffered catastrophic injuries after he swerved to avoid a car and flipped over his handlebars, landing headfirst on the road. The man’s helmet should have blunted the blow, especially at the low speeds the bike was traveling. But it didn’t. Specter tells his students, as practicing trial lawyers they would have had a responsibility to prove the helmet was defective and caused these serious injuries.

Ariella Feingold, a second-year law student, listens intently. She wants to be a litigator. She took Specter’s course to get, as she puts it, “in the trenches” and learn from a master. Her verdict on Specter? Persuasive. Sincere. Convincing. Commands respect. “I wouldn’t want to show up against him in the courtroom,” she says.

She marvels at how Specter recreates what a real-life trial looks like from the inside. Indeed, Specter goes to great lengths to simulate cases. One night, in a class on how to interview clients, Specter noticed a woman sitting in the back row whom he didn’t recognize. When he asked her what she was doing there, the woman told him she had a legal problem and wanted to learn how to handle it. Specter questioned her to find out all the details. At the end of the class he disclosed that she was a plant.

“That’s the kind of guy he is,” said Shanin’s father, Pennsylvania Senator Arlen Specter, who shared the story. “He always has got some interesting touch which enlivens the issue.” No surprise, the senator is one of his son’s biggest boosters. “He is so smooth, he makes silk look like sandpaper... With all of his talent, he has a very sensitive and congenial manner. People like him and he says things with finesse and deference.”

Shanin grew up in a political household, absorbing lessons from his father, who ran for Philadelphia district attorney, governor, senator, even president. All the while, Shanin honed skills that would serve him as an attorney. He filled in for his father at debates. He did polling analysis. He conducted tracking polls for former Pennsylvania Governor Tom Ridge and for Sen. Rick Santorum (R-Pa). He watched storied media guru David Garth produce political ads for his father (Garth is notoriously picky about who enters his inner sanctum). But, above all, he wears the mantle of most trusted adviser to his father.



And yet Shanin views politics as a side dish, not the main course. Cooled in his 19th floor sanctuary overlooking Philadelphia’s skyline, Specter says he’s not subject to the fickle whims of the electorate nor the constant demands on your time. “I enjoy politics as an avocation, not as a vocation,” he says, deflecting a question about running for public office some day.

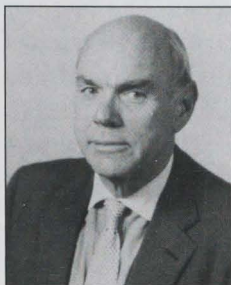
To which, his father scoffs: “I’d say, ‘Don’t count him out.’ I’ve heard him say that (he won’t run for political office), but I think under the right circumstances, that he might be draftable.”

For now, Specter is content to practice law and teach. “I have chosen a life where I can still make a sincere contribution to others while enjoying a private life.”

ALUMNI BRIEFS

1930s

Leonard S. Forman C'36, L'39 has been selected as the 2002 recipient of the Dennis H. Replansky Memorial Award. Commemorating the former Blank Rome partner, the award recognizes high professionalism, service to the bar and the community, and the mentoring of young lawyers. Forman is senior counsel in the Financial Services department of Blank Rome.



Edward W. Madeira C'49, L'52, partner and chairman emeritus of Pepper Hamilton LLP, has been appointed chair of ABA's Commission on the 21st Century Judiciary. The commission will identify methods to decrease partisanship in state court judiciaries. The commission will promote merit selection of judges or public financing of judicial campaigns. Madeira will take serve with the two honorary co-chairs: former FBI director and District Judge William Sessions; and former Presidential counsel and Chief Judge Abner Mikva.

William A. Whiteside L'54, former partner at Fox Rothschild O'Brien Frankel, has been named chairman of the board of the Police Athletic League of Philadelphia, a nonprofit youth service organization.



Arthur Levy W'52, L'55 was selected by the American Inns of Court Foundation Charter No.28 to receive the Guy D. deFuria award in recognition of his professional life and abilities as a trial lawyer. He is president of the Delaware County Legal Assistance Association and a shareholder and Municipal Law Department chair at Eckell Sparks Levy Auerbach Monte Rainer & Sloane P.C.

James M. Mulligan, Jr. L'57 received the 2002 Daniel L. Herrmann Professional Conduct Award, recognizing his distinguished service on the Delaware Bar. Mulligan is a partner at the Connolly Bove Lodge & Hutz in Wilmington, Del. He practices in the Corporate, Commercial and Business Group.

The latest edition of *The Best Lawyers of America* includes : Bruce L. Castor L'54 (of Ballard Spahr Andrews & Ingersoll); Stanford Shmukler W'51, L'54 (of Roda & Nast); Michael M. Dean L'57, Michael L. Temin L'57 and Jack A. Rounick L'59 (all of Wolf Block Schorr & Solis-Cohen).

ALUMNI BRIEFS

1960s

Professor **Anthony Amsterdam L'60** has been presented the 2002 Robert J. Kutak Award by the ABA Section on Legal Education. The award recognizes high professional responsibility and an increased understanding between legal education and practice.

Retired Superior Court Judge **William Lee Swain L'60** has joined Bifferato Bifferato & Gentilotti in Wilmington, De. He joins the firm's alternative dispute resolution team. Lee is a former Delaware state deputy attorney general.

The latest edition of *The Best Lawyers of America* includes : Edward D. Slevin L'62, Steven A. Arbittier L'63 and Michael Sklaroff L'67 (of Ballard Spahr Andrews & Ingersoll); Henry A. Gladstone C'61, L'64 and H. Robert Fiebach W'61, L'64 (of Cozen O'Connor); David A. Franklin L'63 and James R. Ledwith L'63 (of Pepper Hamilton); Henry F. Miller L'63 and Ronald B. Glazer L'67 (of Wolf Block Schorr & Solis-Cohen)

Phillip D. Freedman L'64 was awarded a U.S. patent for his laser surgery device and method. This is his second patent. The first was for his work in mining Canadian tar sands deposits. Freedman practices law in Alexandria, Va. His speciality areas are advanced and emerging technology.

Daniel R. Vaughen L'64 has been named chairman of the board of directors of ACT Corp., a private, not-for-profit group in Florida that provides mental health services. Vaughen is a professor at the University of Central Florida's College of Business Administrator.



William H. Lamb L'65 was nominated for a one-year term to the Pennsylvania Supreme Court by outgoing Gov. Mark Schweiker. Lamb is senior partner at Lamb Windle & McErlane P.C. in West Chester, Pa.

Gerald J. McConomy L'65 was named partner at Knapp McConomy Merlie LLP in Chester Springs, Pa.

Fred Blume L'66 has recently been named managing partner and CEO of Blank Rome in Philadelphia.

Ronald B. Glazer L'67 spoke at a seminar, "Legal Aspects of Condominium Development and Homeowner's Associations in Pennsylvania," in Philadelphia. Glazer is a partner in Wolf Block's Real Estate Law Practice Group.

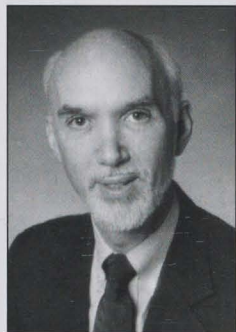
Shamin Ahmed Sarwana GL'67 was appointed to the High Court of the Sindh Province in Pakistan. This High Court is the equivalent of a U.S. State Supreme Court. Additionally, Sarwana was nominated chairman of the Board of Governors of the Institute of Business Administration. Established in 1955 with the collaboration of the Wharton School, IBA is the oldest business school in South Asia.

Frederic W. Clark L'68, partner at Philadelphia's Ballard Spahr Andrews & Ingersoll, has joined the board of the John Bartram Association of Historic Bartram's Gardens.

James R. Redeker L'68 was elected chairman of the board of Philadelphia's Prince Music Theater. He is a vice-chairman at Wolf Block Schorr & Solis-Cohen LLP.

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1970s



Richard M. Stone L'70 joined the Cincinnati-based law firm of Cohen Todd Kite & Stanford, representing its business and entrepreneurial clients. He was previously senior vice president and general counsel to the Mills Corporation, a national developer of shopping centers and malls.

The latest edition of *The Best Lawyers of America* includes: Edward M. Walters III L'70 and Barry M. Abelson L'71 (of Pepper Hamilton); Bruce S. Katcher W'71, L'76 (of Manko Gold Katcher & Fox); Thomas J. Gallagher W'74, C'74, L'77 and Kenneth J. Warren L'79 (of Wolf Block Schorr & Solis-Cohen); and Gerald Austin McHugh Jr. L'79 (of Litvin Blumberg Matusow & Young).

Barry M. Abelson L'71 has been elected to the board of the Children Crisis Treatment Center, a private, nonprofit agency for mental health counseling and family services for children affected by violence or neglect. Abelson chairs the Executive Committee of Pepper Hamilton LLP, as well as the firm's Corporate and Securities Practice Group.

Arthur W. Lefco L'71 presented a segment entitled "Selected Hot Topics in Legal Malpractice" at the *Legal Ethics in Pennsylvania* seminar, organized by Lorman Education Services. A former member of the Law School Board of Managers, Lefco is chairman of a hearing committee of the Disciplinary Board of the Pennsylvania Supreme Court, and a shareholder in the regional defense litigation firm of Marshall Dennehey Warner Coleman & Goggin.

G. Craig Lord L'71 will head the Business Department at Blank Rome LLP. The department is one of three main branches of the firm's restructured practice.

Dennis L. Cohen C'69, L'72 has been appointed to the council of the tax section of the Philadelphia Bar Association for a two-year term. He is chair of the tax department of Cozen O'Connor.

Robert C. Heim L'72 has been appointed by U.S. Supreme Court Chief Justice William Rehnquist to serve a three-year term as a member of the Judicial Conference Advisory Committee on Civil Rules. The commission will study the Federal Rules of Civil Procedure (F.R.C.P.) and recommend applicable changes. Heim has taught appellate advocacy at the Penn Law and is currently a partner and litigation chair at the Dechert law firm.

Michael F. Kraemer L'72 has joined Hickley Allen & Synder LLP as a partner in the Labor and Employment Practice Group. Previously, he was partner and chair of the Labor and Employment Law Group at White & Williams in Philadelphia.

Michael Scheininger L'72 received the *Charles Fahy Distinguished Adjunct Professor Award* from Georgetown University Law Center, where he teaches trial practice. Scheininger is a litigation partner at McKenna Long & Aldridge in Washington, D.C.

Joseph E. Murphy L'73 delivered a presentation entitled "What Business Has Learned from September 11 and Enron" at the annual meeting of the Australian Compliance Institute in Melbourne, Australia. Murphy is vice-chairman of Integrity Interactive Corporation and co-editor of *ethikos*, a newsletter on compliance and business ethics.

ALUMNI  BRIEFS

1970s

Ian M. Comisky W'71, L'74 participated in the 20th Cambridge International Symposium on Economic Crime, held at Cambridge University, United Kingdom. Comisky also presented "Keeping Yourself and Your Clients Out of Jail: Representing Clients in the New Millennium" in collaboration with the IRS Criminal Investigation Division at the Montgomery County CPA Association Seminar. Finally, he spoke at the Florida Bar Continuing Education Committee seminar entitled "Expanding Florida Law for the Out-of-State Practitioner." Comisky is a partner in the Tax & Fiduciary Department of Blank Rome LLP.

Paul G. Haaga, Jr. L'74, WG'74 was elected to a one-year term as chairman of the Investment Company Institute, the national trade association of the American investment company industry. He is executive vice president of the Los Angeles-based Capital Research and Management Co.

The **Hon. Roderick McKelvie L'73** has left the Delaware district court bench to join the New York-based Fish & Neave, an intellectual property law firm. He is opening the firm's office in Washington, D.C.



David E. Beavers L'75 was elected to a three-year term on Stradley Ronon's board of directors. He has been with the firm since 1975, specializing in business law.

Charles F. Kalmbach L'75 has become senior vice president for Administration at Princeton University. After graduating from Penn Law, he was an assistant professor at the Wharton School for a year.

Andrea R. Kramer L'76 has been re-elected to a two-year term as first vice president of Girl Scouts of Southeastern Pennsylvania's board of directors. She is the Principal of the Law Offices of Andrea R. Kramer.

Jeffrey I. Pasek L'76 was the featured speaker at the Pennsylvania Bar Institute's Labor Law Symposium. His speech entitled "The Duty to Furnish Information under the National Labor Relations Act" focused on how employers should respond to information requests by labor unions. Pasek is chair of Cozen O'Connor's Labor and Employment department.

Ronald A. White L'76 has joined the board of Commerce Bank Pennsylvania, a publicly-held bank in Philadelphia.

Kathryn H. Levering L'76 has been named chairwoman of the Litigation department at Drinker Biddle & Reath, Philadelphia. She will remain a senior partner in the Labor and Employment Practice Group.

Daniel B. Evans L'77 was elected Fellow to the American College of Trust and Estate Counsel, a national association of lawyers with outstanding contributions to the trust and estate law in their communities. Additionally, he was elected to the council for the Real Property, Probate and Trust Law Section of the Pennsylvania Bar Association.

Robert D. Lane, Jr. L'77, a partner of Morgan, Lewis & Bockius, has joined the board of directors of the Center City District, downtown Philadelphia's private-sector sponsored business improvement district.

Neil D. O'Toole L'79 was voted "Outstanding Claimant Attorney" by the Professionals in Workers Compensation, a Colorado organization comprised of attorneys, adjusters, and case managers. Additionally, he was elected President of the Workers' Compensation Education Association (WCEA).

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John Parvensky L'79 was one of 20 awardees of the *Leadership for a Changing World*, a program of the Ford Foundation in partnership with the Advocacy Institute in Washington, D.C. and the Robert F. Wagner Graduate School of Public Service in New York University. President of Colorado Coalition for the Homeless, Parvensky was recognized for linking 30 separate social service organizations into formal financial collaborations to bring better services to the homeless. As a result of his initiative, more than 240 service providers throughout the state of Colorado now work together to find solutions to homelessness.

Robert Schneider L'79, WG'79 has recently joined the New York State Economic Development Council.

M. Kelly Tillery L'79 has been appointed to the Board of Trustees of Quality Healthcare Associates, Inc., a Pennsylvania nonprofit corporation. Additionally, he has been invited to join the prestigious World Intellectual Property Organization Arbitration and Mediation Center's List of Neutral Arbitrators, based in Geneva, Switzerland. Finally, Tillery was a faculty member for the Fourth Annual Advanced American Law Institute – ABA CLE Course of Study for Inside and Outside Counsel. The course was entitled "Litigating Trademark, Domain Name, and Unfair Competition Cases." Tillery is senior partner and chair of the Intellectual Property and E-Commerce Group at Leonard Tillery & Sciolla, Philadelphia.

Kenneth J. Warren L'79, partner and head of the environmental practice group at Wolf Block Schorr & Solis-Cohen LLP, was named chairman-elect of ABA's Section of Environment, Energy and Resources. When Warren assumes his position in August 2003, he will be the first Philadelphia lawyer in more than 50 years to serve in that leadership role.

1980s

Steven N. Cousins L'80 became the first African American to be listed in the last five editions of *The Best Lawyers in America*. He is with the St. Louis-based law firm of Armstrong Teasdale LLP.

Kent Mason L'80 has been appointed partner at Davis & Harman in Washington, D.C. He was previously with Caplin & Drysdale.

Harvey D. Rumeld L'80 has become chief employment counsel at WorldCom, Inc., in Washington, D.C.

David L. Cohen L'81, executive vice president of Comcast, served as general chairman of Pennsylvania Governor Ed Rendell's transition team.

David E. Loder L'81 has been named a member of the Board of Philadelphia's Wilma Theater. He is a partner at Duane Morris LLP.

ALUMNI BRIEFS

1980s

Clifford Scott Meyer L'81 has been named partner at Montgomery McCracken, Walker & Rhoads, LLP in Philadelphia. He is a member of the firm's Business department. He concentrates his practice on trusts and estates, tax, and nonprofit organizations.

Marie-Laure Ducamp-Weisberg L'82 was named general counsel for the European Headquarters of NextiraOne. She has provided legal services to a variety of multinational companies, including Chanel and CompleTel Europe N.V.

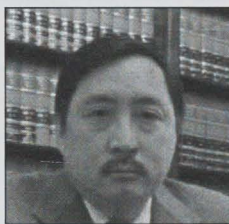
Arthur S. Gabinet L'82 has been appointed district administrator of the Securities and Exchange Commission's Philadelphia District Office. He is a partner in the litigation department at Dechert Price & Rhoads.

Linda Herman L'82 was appointed counsel at Bryan Cave Robinson Silverman in New York.

David Gitlin GL'82, a partner with Wolf Block Schorr and Solis-Cohen LLP, was named chair of the Corporate/Securities Practice Group. A member of the Pennsylvania, New York and Israel bars, he joined the firm in 1981 and has been a partner since 1989.

Andrew J. Rudolph C'78, L'82 (of Pepper Hamilton) and Lynn R. Axelroth L'83 (of Ballard Spahr Andrews & Ingersoll) were featured in the latest edition of *The Best Lawyers of America*.

Joseph P. Ditre C'80, L'83 has been named one of several "Consumer Health Advocates of the Year" by Families USA, a nonprofit organization dedicated to achieving affordable health care for all Americans. Ditre is executive director of Maine's Consumers for Affordable Health Care. He founded the coalition of citizens' groups, businesses, labor and religious organizations in 1988.



Tsiwen M. Law L'84, a trial attorney with Philadelphia's Hwang & Associates, was featured in the "Minorities of Influence" supplement of the Legal Intelligencer. He is a founder and past president of the Asian American Bar Association of Delaware Valley (AABA/DV) and an adjunct instructor in the Asian-American studies program at the University of Pennsylvania.

Stuart Rosen L'84 was appointed assistant vice president of Legal Affairs at the New York-based Broadcast Music, Inc.

Glenn D. Blumenfeld L'85 has joined Tactix Real Estate Advisors in Radnor, Pa. Tactix represents clients who are interested in leasing space. Blumenfeld had been with Dechert, a Philadelphia law firm.

Sheila E. Dow-Ford L'85, general counsel for the Pennsylvania Higher Education Assistance Agency, acted as a deputy director of Pennsylvania Governor Ed Rendell's Executive Transition Committee.



Terry Gillen L'85 was named a Fannie Mae Foundation Fellow at Harvard University's John F. Kennedy School of Government Program for Senior Executives in State and Local Government. Recognized for her commitment to affordable housing, Gillen is COO of National Community Capital Association, a national network that provides financing, technical assistance and advocacy for community development. She was an Urban Health Initiatives Fellow for the Robert Wood Johnson Foundation.

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Curtis L. Golkow W'85, L'88 has joined the Philadelphia office of Fox Rothschild O'Brien & Frankel as a partner in the Corporate Department.

Sheldon D. Pollack L'86 has published his book *Refinancing America: The Republican Antitax Agenda*. He is a Professor of Business Law at the University of Delaware.

Kenneth I. Trujillo L'86, former Philadelphia city solicitor in Mayor John Street's administration, served as deputy counsel of Pennsylvania Governor Ed Rendell's transition team. Additionally, Trujillo has been appointed to the board of Health Partners, a nonprofit health plan in Philadelphia.

Kenneth C. Gold L'87 has been reappointed chairman of the Surface Water/Groundwater Committee of the State Bar of Michigan's Environmental Law Section. He is a partner in the Environmental Law Department of Honigman Miller Schwartz & Cohn in Detroit.



Jonathan H. Newman L'87 was appointed chairman of the Pennsylvania Liquor Control Board. A member of the board since 1999, he was promoted by former Governor Mark Schweiker. Newman serves as Of Counsel to Obermayer Rebmann Maxwell & Hippel in Philadelphia.



Mark A. Sereni L'87, a partner at DiOrio & Sereni in Media, Pa., recently served as a faculty member for the Pennsylvania Bar Institute's Annual Auto Law Update seminar.

Frank N. Tobolsky L'87 delivered a presentation entitled "Documenting a 'Simple' Commercial Loan" during the Pennsylvania Bar Institute's annual Real Estate Institute program. He owns the firm of Frank N. Tobolsky P.C.

Carol Ann Mueller L'88 became counsel in the Real Estate group Spector Gadon & Rosen in Philadelphia.

Orin Snyder L'86 is a star, just like the celebrities he represents. The American Lawyer has named Snyder, a partner at Parcher, Hayes & Snyder in New York, one of its "45 under 45". As a recipient, Snyder is considered one of "The Rising Stars of the Private Bar." More than 600 nominees nationwide vied for the honor.

Snyder counts Julie Andrews, Mariah Carey, Ozzy and Sharon Osbourne, and Bob Dylan among his clientele. He has also represented the William Morris Agency, Home Box Office (HBO), Sony Pictures Entertainment, and Turner Broadcasting Corp.

Snyder began his career at New York-based Paul, Weiss, Rifkind, Wharton & Garrison. He left the firm in 1989 to become an Assistant U.S. Attorney in New York. Three-and-a-half years later, at age 31, he was appointed chief of the narcotics division. He was one of the youngest prosecutors to ever hold that position. In 1994, Snyder joined Parcher & Hayes, a leading entertainment litigation firm, as an associate, and became a partner in 1996.

ALUMNI BRIEFS

1980s

Keenan R.S. Nix W'85 L'89 was selected as one of "15 Atlanta young super-achievers who are making their marks" and recognized as the "Litigator on the Rise" by *The Daily Report*. Keenan is now the principal of Nix & Graddock.

1990s

Bart E. Cassidy L'92, partner at Manko Gold Katcher and Fox, was featured in the latest edition of *The Best Lawyers of America*.

Steven L Chudnow L'92 has joined the New York City office of Seyfarth Shaw as a partner in the Real Estate department.

Scott A. Coffina L'92 has been named partner at Montgomery, McCracken, Walker & Rhoads, LLP. Coffina is a member of the firm's Litigation department. He co-authored an article, "Taking the Fifth in Civil Litigation," in the Fall 2002 edition the ABA's Litigation Journal.



Mark A. Saloman L'92 has been appointed chairman of the Employment Law Substantive Committee of the New Jersey Defense Association. Saloman is employment litigation and labor relations counsel with Gortta, Glassman & Hoffman in Roseland, NJ.

Lisa Washington L'92, WG'98 has joined the board of the Philadelphia Multicultural Affairs Congress, a division of the Convention and Visitors Bureau.



Wendy Beetlestone L'93 has been named general counsel of the School District of Philadelphia. She will serve as a legal advisor to the district and to The School Reform Commission. Beetlestone had been a partner at Schnader Harrison Segal & Lewis' Philadelphia office.

Eric Rothschild L'93 has been elected partner at Pepper Hamilton. He focuses his practice on insurance and reinsurance, insurance insolvency and commercial litigation.

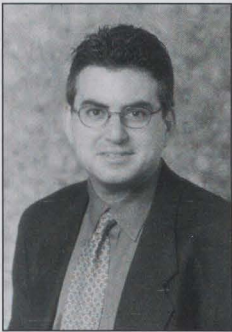
Anthony P. Forte L'94 has been elected partner at Saul Ewing LLP. Forte specializes in Real Estate law.

PARENTS AND PARTNERS DAY

Beginning their day at The Clock, inquisitive parents and partners got a bird's-eye view of what it's like to be a law student at Penn. They heard an overview of the services and programs offered and a peek into the Law School's future. Their orientation also included building tours and a chance to attend classes taught by Professors Geoffrey Hazard, Wendell Pritchett, Catherine Struve and Amy Wax. **Stella Ming Tsai L'88**, president of the Law Alumni Society, welcomed parents and partners, who later listened as students described how they survive Law School.

www.law.upenn.edu/alumni/alumnijournal

John Groarke L'94 has been reassigned to the American Embassy in Cairo. He will become chief legal advisor for the US economic assistance program, which supports the implementation of the Camp David Accords between Egypt and Israel.



Matthew P. Joseph L'94 was named partner at McKee Nelson. He was previously a partner at New York's Stroock & Stroock & Lavan.

Jennifer Kroman L'94, who joined New York-based Cleary Gottlieb in 1996, has been elected partner at the firm. Kroman focuses on civil, regulatory and criminal matters.

Wolfgang Hellman L'95 has joined the Anti-Trust and Competition law group of Blake Dawson Waldron in Melbourne, Australia. He was with Freshfields Bruckhaus Deringer in Duesseldorf, Germany.



Michael Rosenberg L'95 gave a presentation on "The Basics of Legal Assisting in Pennsylvania" at the Philadelphia Airport Hilton. He is a commercial litigator at Wolf Block LLP.

Jeremy S. Rosof C'96, L'99 has joined Stroock & Stroock & Lavan LLP as an associate in the firm's litigation department. Previously, he practiced commercial litigation with the New York office of Morgan Lewis & Bockius and served as a law clerk to U.S. District Judge A. Richard Caputo L'63.

Allis Milkovich Oswell L'97, formerly an associate with Reed Smith in Pittsburgh, has become assistant general counsel at Carnegie Mellon University.

Elizabeth D. Preate L'97 has been elected to the board of the Justinian Society, an educational nonprofit organization of lawyers with Italian ancestry. Preate is a corporate and securities associate with Pepper Hamilton LLP.

Keep Connected



@law.upenn

The Law School's Information Technology Services (ITS) offers LawOne email with the @law.upenn extension for graduates of 2000, 2001 and 2002. In addition, recent alumni can create personal home pages, register their web pages on the alumni home page directory, and call on the Help Desk for support for these services.

CONTACT: ITS Help Desk
215-898-2679
itshelp@law.upenn.edu

Maryellen Feehery L'98 was elected vice-president of technology for the Entrepreneur's Forum of Greater Philadelphia, which assists early-stage companies in the Delaware Valley. Feehery is an associate at Reed Smith in Philadelphia.

Beatrice M. Schaffrath L'98 was recently appointed vice-chair of the American Bar Association's China Law Committee. She is an attorney at the Hong Kong office of Baker & McKenzie.

Arshad Ahmed L'99 has co-founded The Sidrah Group LLC, an investment management boutique. The organization recently launched its first hedge fund, managed by Omar Bassal W'02, WG'02.

Leticia Flores DeWilde L'99 has been named manager of policy research at the American Cancer Society.

Eric Martins L'99 has become managing director of Trenton-based Public Affairs Management LLC, which specializes in government relations and lobbying services.

2000s

Tyler Korn L'00 has entered the private practice of tax law in Naples, Florida, where he relocated after practicing in New York.

Carrie Kei Heim L'01 has left the litigation department of Cravath Swaine & Moore to clerk for Judge Jeffrey R. Howard of the United States Court of Appeals for the First Circuit in Concord, NH.

Sean A. Andrade L'02 has joined the Los Angeles office of Baker & Hostetler LLP.

Suzanne Ashley L'02 and **Mark Rabuano L'02** joined the Washington D.C. office of Akin Gump Strauss Hauer & Feld. Ashley joined the firm's litigation practice, while Rabuano was appointed to the Labor and Employment department.

NEW LAW SCHOOL WEBSITE MAKES DEBUT

With all the progress occurring at Penn Law, it stands to reason the Website would change too. And it has. The new site has more substance and is more accessible. It's also easier to navigate, with links to the precise information alumni need. Plus, it sports a sleek new design.

To wax nostalgic, alumni can take a virtual tour of the school and see the landmarks, or watch a slide show to revisit Philadelphia. Of interest as well are the class notes on your classmates' activities and a news section with reports on the faculty and alumni and changes at the law school.

Please go to www.law.upenn.edu to see for yourself all of the improvements to the Website.

**DID YOU KNOW YOU CAN
EMAIL YOUR NEWS FOR THE NEXT ISSUE OF THE *JOURNAL*?**

alumnijournal@law.upenn.edu

- 1902**
William F. Berkowitz
- 1903**
Waldo P. Breedon
- 1904**
Joseph J. Goodman
- 1906**
William B. Scott
- 1907**
George F. Cameron
- 1909**
William Baxter
Geo M. Bryson
- 1910**
Frank Salasin
- 1926**
Edward Marcu C'23
- 1927**
Joseph A. Matt C'24
- 1928**
Harrison G. Kildare C'25
- 1931**
James R. Koller, Jr.
- 1932**
Alan R. Schwartz W'28
Daniel G. Smith
- 1933**
Frank Carano C'30
Frank I. Ginsburg
Anthony J. Sweeney, Jr.
- 1934**
Dr. Roland J. Christy
Anna Hawkes Hutton Ed'31
- 1935**
Frederick C. Fleichter
Edwin Longcope
Louis B. Schwartz
- 1936**
Alfred C. Alspach
- 1937**
Dr. Lawrence O. Ealy G'47, GR'51
Robert L. Trescher W'34 HON'82
- 1938**
Theodore L. Brubaker
Maurice Levin W'35
Roger Scattergood
Irving R. Segal C'35
Joseph M. Shotz
- 1939**
Thomas J. Beddow
Robert S. Gawthrop, Jr.
Harry Richman
Barrett G. Tawresey C'36
- 1940**
Allen H. Krause
Robert W. Spicker W'37
- 1941**
Edmund Backman C'38
A. Lynn Corcelius
Arthur S. Efros W'38
Edmund L. Harvey ME'37
Edwin K. Taylor

- 1942**
Samuel T. Bodine
James F. Wildeman
- 1943**
Joseph J. Heimbach
Dr. James B. Scott WG'46
- 1944**
James A. Gilmore
- 1946**
John R. Miller
- 1947**
Justin G. Duryea
- 1948**
Neil L. Conver
Robert Margolis
- 1949**
Basil S. Cole, Jr.
The Hon. Paul R. Kramer C'46
The Hon. Albert F. Sabo W'42
Lee N. Steiner
- 1950**
Virginia Barton Wallace
- 1951**
Arthur R. Littleton C'48
The Hon. D. Donald Palese
- 1952**
The Hon. Herbert A. Fogel C'49
Bertram M. Light
Frederick N. Nabhan
- 1953**
James B. Craig, Jr.
James J. Thompson
- 1954**
Harold A. Lockwood, Jr. C'50
- 1955**
H. L. Eastburn C'52
Arthur J. Sullivan
- 1956**
Charles F. Ludwig C'53
The Hon. John M. Wajert, C'53
- 1958**
John P. Leemhuis
Carl K. Zucker C'55
- 1959**
Jack G. Handler
Charles W. Quimby, Jr. C'50, M'54
- 1960**
Peter W. Rowe
- 1962**
Kenneth M. Cushman W'58
Burton Hoffman
Joel H. Swift GL'79
- 1964**
Robert L. Coles
- 1965**
Martin J. Aronstein
- 1967**
Alan R. Markizon
- 1978**
Thomas B. McCabe III
- 1989**
Chris B. Nakamura W'86

FRANK CARANO C'30 L'33

(1909-2002)

Remembered as a thoughtful and generous man, Mr. Carano gave much to the legal community, to the city of Philadelphia, to the country of Italy – and last but not least – to the law school. Last year he made a special \$2 million gift to establish *The Frank Carano Professorship of Law*, saying at the time that he attributed his success to Penn Law and wanted to help the school bolster its faculty.

Born two years after his parents immigrated to the United States, Carano relentlessly worked to make immigration laws less discriminatory and more just. He not only was a talented attorney, but he became a valuable resource to other attorneys. Whenever other lawyers could not speak the language of prospective clients, they called on Carano, who spoke Italian, Spanish, and French. His proficiency in Italian led the Italian Consul General to appoint him to represent the Consulate in its jurisdiction, which included Pennsylvania and parts of five other states. Further, Italy bestowed on him its highest honor: *Grande Ufficiale*. Even Pope John XXIII thanked Carano for his efforts to reunite families involuntarily separated by immigration laws.

At home, Carano contributed mightily to the community, founding the America-Italy Society and the Philadelphia Grand Opera Company. He is survived by four sisters, three nephews, two nieces, and 12 grand-nephews and grand-nieces.

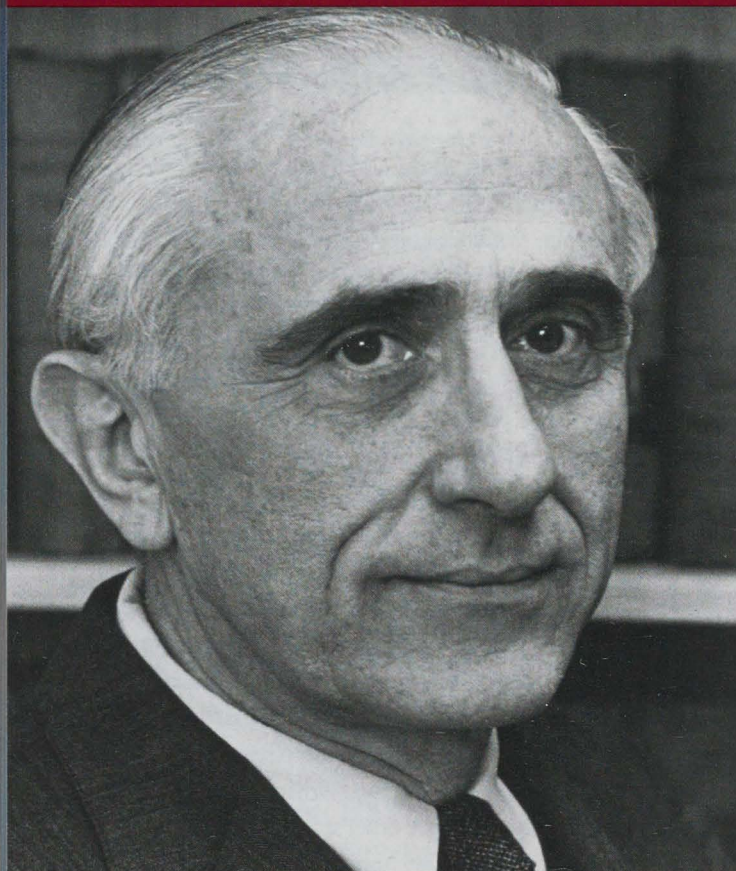
THOMAS B. MCCABE III L'78

(1952-2002)

A prominent banker and lifelong supporter of the law school, Thomas McCabe III died last September at his Haverford residence. Mr. McCabe spent twenty years with Fidelity Bank, which through a series of mergers became Wachovia Bank. Most recently, he was vice president and senior trust officer of Wachovia.

He served on his local Republican committee and on the boards of the Agnes Irwin School, The Haverford School, and the Lankenau Hospital Foundation. McCabe was also the deacon of Bryn Mawr Presbyterian Church, where his daughter Katherine was married less than two weeks before his death.

McCabe is survived by daughters Katherine and Christina, son Thomas IV, and wife Anne.



Louis B. Schwartz W'32 L'35

SCHWARTZ, LAW SCHOOL ICON, DIES AT 89

By Larry Teitelbaum

Louis B. Schwartz, a memorable professor, formidable scholar and larger-than-life personality who left an indelible mark on Penn Law School, died last January in San Francisco. He was 89.

A Penn professor from 1946 to 1983, Mr. Schwartz led the faculty's rise to prominence and influenced legions of students. "Lou was special, said Curtis R. Reitz, the Algernon Sydney Biddle Professor of Law at Penn who was a student and colleague of Schwartz'. "He was an anchor on this faculty. He was a real presence. (He had) great vitality, great intellectual energy, (and was) a person who really enjoyed the whole process of law."

A true Renaissance man, Schwartz was accomplished in both criminal and anti-trust law. He also anticipated the importance of cross-disciplinary studies, drawing on economics in his teachings and writings. In recognition of his scholarship, the university appointed him Benjamin Franklin and University Professor of Law, a rare honor that entitled Schwartz to teach in any department.

"He was a model of the multidisciplinary and innovative scholar," said Robert A. Gorman, Kenneth Gemmill Professor of Law Emeritus. "His work touched upon a variety of fields – not only anti-trust regulations of industry, but he was a pioneer in the area of intellectual property."

Indeed, Schwartz' influence went beyond the walls of Penn. He made lasting contributions on a national scale. One such contribution is the Model Penal Code, adopted by the American Law Institute in 1962. Schwartz co-authored the Code, which had an unparalleled impact on state criminal laws. Roughly forty states still rely on its provisions.

The Model Penal Code imposed order on what had been ad hoc laws administered haphazardly by states. It drew sharp distinctions between crimes, offering clear definitions and equally clear sanctions, giving judges, lawyers and jurors a basis for assessing criminal liability.

"It was really one of the intellectual triumphs in criminal law," said Kevin Reitz, L'82 a law professor at the University of Colorado who is working on revisions to the Model Penal Code. "I think it's fair to say that in the field of criminal law reform in the 20th century, there's no other product that had the same impact."

Schwartz also made a mark in the anti-trust field. Here, too, he was ahead of his time. A populist and old-time liberal who believed he could make life better, Schwartz

championed stringent enforcement of regulated industries – long before the era of divestiture. In the mid-1950s, President Eisenhower’s attorney general commissioned Schwartz and other legal experts to study anti-trust laws. Most committee members favored less regulation. Not Schwartz. He wrote a dissenting opinion that railed against lax regulations and monopolies.

“Antimerger measures are undermined and rendered almost absurd so long as a number of colossal enterprises remain apparently immune from the law even though they are of greater size than their combining competitors,” Schwartz wrote.

Schwartz understood business better than most law professors at the time. He attended The Wharton School and, after graduating from Penn Law School in 1935, spent several years in Washington as an attorney for the Securities and Exchange Commission and the U.S. Department of Justice’s Antitrust Division.

A Philadelphia native, Schwartz returned to Penn Law School in 1946, to teach Criminal Law and Government Regulation of Business. In nearly forty years at Penn, he became an icon, expressing strong opinions, lobbying deans to improve the school and, most of all, mentoring students, several of whom said Schwartz launched their careers with well-placed recommendations.

Harry First L’69, a law professor at NYU, noted that Schwartz was gracious enough to step back and let him co-author the sixth edition of his book, *Antitrust and Regulatory Activities*. Not only that, First said, but Schwartz wrote a letter to officials at the U.S. Department of Justice’s Anti-Trust Division that opened up doors and led to a job offer.

According to Edward Rock L’83, the Saul A. Fox Professor of Business Law at Penn, “the (Philadelphia) anti-trust bar is filled with former students of Lou Schwartz’ ... He was one of those grand professors who could hold forth. He had enormous force of personality. He kind of put his thumbs behind his lapels and discussed the way it was. One really did have the sense of learning from a great man.”

Schwartz also set an example for students that some still remember to this day. Tom Moorhead L’59 was in Schwartz’ first-year criminal law class. One day he and three classmates went to Philadelphia City Council

chambers to hear Schwartz testify against an ordinance that would have required people with criminal records to register when they came to Philadelphia. Schwartz didn’t show. Disappointed, Moorhead called Schwartz at home. Schwartz, still in bed, told Moorhead there was no use testifying because the bill would pass no matter what he said. Moorhead told him he and the other students counted on him coming.

Twenty minutes later, Moorhead recalled, the doors flew open and in strode Schwartz, whose testimony derailed the bill. “We learned that one person can make a difference, and it was a pretty powerful lesson for a first-year law student,” said Moorhead, deputy under secretary for International Labor Affairs in the Bush administration.

Intense and pedantic in the classroom, Schwartz also had a lighter side. Schwartz enjoyed a spirited game of squash with faculty and liked to entertain in his rambling art-filled Victorian home near Penn’s campus. Visiting faculty, students and other people from all over the globe were always welcome.

His zest for life also shines through in his book *Studying Law for Fun and Profit*, whose cover sports the motto “To Be Only A Lawyer Is To Be Half A Lawyer.” Tellingly, his book explores the charms of Philadelphia in depth. Emeritus Professor Ralph Spritzer, now at Arizona State University’s College of Law, said when he joined the faculty in 1968, Mr. Schwartz drove him around Philadelphia for two hours. “Lou’s tour of the city was a staple. (He) provided this to all newcomers. He knew every nook and cranny,” Spritzer said.

Although Schwartz was a visiting professor at Harvard, Columbia, Cambridge and the Institute for Advanced Legal Studies at London University, and recruited by Harvard, he never strayed from Penn until after he retired. Schwartz finished his career at the University of California Hastings College of Law – where he taught until age 83 - but his love affair with Penn and Philadelphia endured.

“He was devoted to this place ... I’m sure it was hard for him to leave, Curtis Reitz said.

Mr. Schwartz is survived by his wife, Mimi, and Johanna and Victoria Schwartz, daughters by his first wife, Berta Wilson.



Martin J. Aronstein L'65

ARONSTEIN, AN IRREPRESSIBLE PROFESSOR, DIES AT 78

By Larry Teitelbaum

Martin J. Aronstein L'65, who switched careers in mid-life and became an esteemed Penn law professor, died suddenly last February after a brief illness. He was 78.

“He was a fine lawyer, but he was a better law teacher,” said Curtis Reitz, the Algernon Sydney Biddle Professor of Law who taught and worked with Aronstein. “He just had this ability to communicate. He had a natural, relaxed style. He was not a person who intimidated students, he encouraged them.”

A U.S. Navy veteran, Mr. Aronstein came to law at a relatively advanced age. After he earned an engineering degree from Yale, Aronstein received a Masters in Business Administration from Harvard. Fresh from the MBA program, Aronstein, born in New York City and raised on Long Island, came to Philadelphia to run one business – the Puro Filter Co., which manufactured water coolers – and start another – Arc, a water treatment company.

But business failed to quench Aronstein’s prolific intellect. So in 1962, at age 37, Aronstein entered Penn Law School – as the first student ever permitted to attend part-time. After he graduated in 1965, Aronstein joined Obermeyer, Rebman, Maxwell, and Hippel in Philadelphia. Four years later, Aronstein joined Penn Law’s faculty.

In fourteen years as a professor, Aronstein earned a reputation for being whimsical yet practical. To wit, one day a student in Aronstein’s Commercial Law class asked him why he gave a different answer than Professor Reitz did to the same question. According to Reitz, Aronstein replied: “That’s the glory of this great law school. You’re entitled to both the right answer and the wrong answer.”

Showing his appreciation for commerce, and thus his practical side, Aronstein offered simple career advice: Go where the money is. Aronstein called his suggestion the secret to becoming a successful lawyer.

“He was a teacher at heart,” said former student Marlene Lachman L'70, who is now a judge on the Philadelphia Court of Common Pleas. “He really wanted students to learn.” In fact, Lachman said, he continued to mentor young lawyers at Philadelphia-based Morgan, Lewis, and Bockius after he retired from Penn in 1986.

Aronstein, also a partner at Ballard, Spahr, Andrews & Ingersoll in Philadelphia, was a member of the American Law Institute and the American Bar Association, where he was the reporter for the Committee on Stock Certificates and the chair of the Subcommittee on Investment Securities. In addition, he was a member of the Permanent Editorial Board of the Uniform Commercial Code and its counsel from 1980 to 1987. In that capacity, he was principal author of revisions to Article X of the Uniform Commercial Code governing uncertificated securities.

Aside from law, Aronstein was an accomplished pianist who often played at law school events and a master at crossword puzzles. His wife, Sally, died in 2000.

Aronstein is survived by daughter Katherine Porter; sons David and James; six grandsons; daughter-in-law Patricia Aronstein; and son-in-law William Porter. Contributions in Aronstein’s memory can be made to the University of Pennsylvania Law School. A memorial service will be held at the law school on May 24 at 3 p.m.



Irving R. "Bud" Segal C'35 L'38

SEGAL DIES; REVERED AND RENOWNED LITIGATOR

By Hon. Arlin Adams

Irving R. "Bud" Segal, a renowned litigator who was revered in the Philadelphia legal community, died last November. He was 88.

Born in Allentown, Mr. Segal grew up in Philadelphia. He earned a bachelor's degree from the University of Pennsylvania before going on to earn his law degree at the school. Mr. Segal began his career as a lawyer in 1938 by passing up an opportunity to clerk for a Justice of the United States Supreme Court, instead opting for a clerkship with Philadelphia Court of Common Pleas Judge Thomas Finletter.

In 1939, he joined Schnader & Lewis, which later became Schnader, Harrison, Segal & Lewis. Arlin Adams L'47, former judge for the U.S. Court of Appeals Third Circuit, observed a quicksilver mind and a perfectionist when he worked with Segal at the firm on-and-off for nearly twenty years. "He was a taskmaster," Adams said. "He demanded excellence."

Segal specialized in labor law and litigation. He handled trials of complex cases for major businesses including AT&T, The Bell Telephone Company, RCA and NBC. Early in his career he became an expert in public utility law, representing the Yellow Cab Company. But he also represented businesses seeking to compete against regulated carriers. In that regard, his work for United Parcel Service (UPS) was his crowning achievement. In more than fifty trials and appeals over 35 years Mr. Segal enabled UPS to grow from a department store delivery service to a national common carrier.

Segal, a captain in the Judge Advocate Branch of the U.S. Army during World War II, was a member of the American College of Trial Lawyers for more than 30 years and was a Regent and Secretary of that organization. He served on the ABA's Standing Committee on Judicial Selection, Tenure and Compensation, Standing Committee on Improvements to the Federal Judiciary and its Commission on Correctional Facilities and Services. He had recently received the 50-Year Award from the American Bar Foundation. Segal also was chairman of the Philadelphia Bar Association's State Civil Judicial Procedures Committee and Senior Lawyers Committee.

With such a distinguished career in law, it's hard to imagine that Segal almost took another direction. After high school he mulled a career in theater. His wife, Eleanor ("Pom"), said he received a scholarship to a performing arts school, but his mother feared he would not earn a living and talked him out of it. Still, with prodding from family, he found time later in life to pursue his artistic interests.

"He just worked a lot ... We kept begging him to develop some hobbies," Mrs. Segal said. Segal collected sculpture and was an accomplished photographer, and he continued to learn new things in his older years. He took up golf at age 65, became an enthusiastic pianist at 70, and mastered computers at 84. He also wrote an autobiography *May It Please the Court!*

He is survived by his wife Eleanor ("Pom") CW '41; daughters Betsyann Carter and Kathy Segal; and son Robert.

CASE CLOSED



Faculty will have a new home when the renovation to Roberts Hall is completed in July. In order to provide additional office space, during the last year faculty offices have been torn down and are being rebuilt. Architects Susan Maxman & Partners designed the expansion to ensure architectural compatibility between historic Silverman Hall and the more contemporary Law School facades along Chestnut Street. The design solution incorporates a “garden wall” along Chestnut Street that visually connects the new glass and steel pavilion to the rest of the complex.

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2002-2003

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Richard E. Rosin '68

* *emeritus status*

**PENN LAW EUROPEAN SOCIETY
STRASBOURG CONFERENCE**

13-15 JUNE 2003

Provisional Programme

	TIME	EVENT	PLACE
FRIDAY, 13 JUNE 2003	6.30 pm	Registration	Hôtel Beaucour 5 rue des Bouchers
	7.30 - 8.40 pm	Opening Cocktail Reception	On "bateau-mouche", River Ill/Canal Boarding point near Hôtel Beaucour
	9.00 pm	Informal Dinner	Chez Yvonne Winstub 10 rue du Sanglier
SATURDAY, 14 JUNE 2003	9.00 am	Bus Tour to Mont St Odile in the Vosges	
	12.00 - 1.30 pm	Lunch in Village on Route des Vins	Kirmann Winstub, Efig
	1.30 pm	Departure to Strasbourg	
	2.30 - 4.30 pm	Academic Programme	European Court of Human Rights
	5.00 - 7.00 pm	Committee Meeting	European Court of Human Rights
	8.30 pm	Gala Dinner Dress Code Black Tie Optional	Cercle Européen de Strasbourg 1 rue Massenet
SUNDAY, 15 JUNE 2003	11.00 - 12.30 pm	Guided Tour of Old Town and La Petite France	
	12.30 pm	Visit of Strasbourg Cathedral	
	1.30 pm	Farewell Lunch	Maison Kammerzell

**Penn Law**

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL

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