

et al.: Penn Law Journal: Answering the SOS

PENN LAW JOURNAL

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THE PUBLIC INTEREST LAW ISSUE

Answering the SOS

Agents of Change **page 20** Summer of Service **page 30**

Education Without Borders **page 36**

PENN LAW JOURNAL

FEATURES

Agents of Change

BY EDWARD N. EISEN, ANDY GREENBERG, JOHN ROSENGREN,
AND LARRY TEITELBAUM

The fires of idealism burn brightly here in the home of the ABA Pro Bono Publico Award. We create a culture which encourages service. So it's no surprise when alumni see law as the ultimate helping profession, and a way to change the world — or at least their little corner of it.

20

What I Did on My Summer Vacation

BY LARRY TEITELBAUM

Before the summer associate job, before plunging into work at a major law firm, before their careers get into high gear, a group of enterprising students spent a summer of discovery in the global village. They learned that the law can heal and restore and reconcile — and they came away with a new appreciation of the American legal system.

30

Education Without Borders

BY JENNIFER BALDINO BONETT

There is no turning back. More and more, the practice of law requires fluency in other cultures and other legal regimes. Whether working with immigrants or the victims of human rights violations, young lawyers must know how to speak a new language: cross-border law. In the new Transnational Legal Clinic, they are learning how.

36

Manifest Destiny in the Middle East

BY SALLY FRIEDMAN

Construction cranes are popping up all over the United Arab Emirates as builders such as Hill International create a resort dubbed the “Eighth Wonder of the World” and the Guggenheim Foundation strives to bring great works of art to the Persian Gulf. As usual, Penn Law alumni are smack in the middle of these wondrous projects.

40

DEPARTMENTS

A Message from the Dean	3
The Brief	4
Faculty News and Publications	46
The Campaign for Penn Law	56
Alumni Briefs	66
In Memoriam	77
Case Closed	84



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CORRECTIONS

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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A MESSAGE FROM THE DEAN



MICHAEL A. FITTS
Dean and Bernard G. Segal
Professor of Law

AT PENN LAW'S COMMENCEMENT a few years ago, Supreme Court Justice Stephen Breyer addressed an issue which concerns him — and should concern all of us in the legal profession. He spoke with passion about the national decline in public service among lawyers, and lamented the unfortunate erosion of the traditional commitment to *pro bono* work.

As Breyer noted, the majority of young lawyers continue to pursue high paying jobs at big law firms out of economic necessity. Most graduates simply cannot afford to take jobs in the public or nonprofit sector. And that's a shame. But we can do something about it.

At Penn Law, we are trying to reverse the trend by encouraging more graduates and alumni to consider careers in public service. To accomplish that goal, we are using financial incentives in the new Jane and Bob Toll Public Interest Scholars Program as a recruitment tool.

Similarly, we are setting aside a good portion of the spring Penn Law Journal to celebrate the good work being done in the name of public service. In this issue, we tell the inspiring stories of alumni who fought for closed captioning on television; battled payday lenders who prey on poor people; decried human rights violations in America's juvenile justice system; and educated young offenders and high school students about their constitutional rights. We highlight students who traveled to the depths of Africa, to the steamy provinces of Latin America, and to the killing fields of Asia to do human rights work in the first year of the Summer International Human Rights Fellowship Program. And we document the early stages of the new Transnational Clinic, in which students are learning how to navigate the complex cross-border legal issues that they are soon to confront.

In that international vein, we also provide sneak previews of two fascinating projects under way in the Middle East, both led by Penn Law alumni. David Richter, Eng'87, W'87, L'92, president of Hill International, is participating in the construction of a chain of islands off the coast of Dubai unlike anything you've ever seen. Donald Millinger, L'79, meanwhile, is overseeing an ambitious effort to build a Guggenheim Museum in Abu Dhabi.

Speaking of the Middle East, we include an account of our conference on Iraq, which drew two Iraqi ambassadors during a day-long dissertation on the fate of this embattled country. We also chronicle a month-long visit by a brilliant group of Arab women, who were here via the State Department to learn about the American legal system.

Finally, we report on a landmark achievement: the culmination of a two-decade quest to establish a civil rights chair in honor of Raymond Pace Alexander and Sadie Alexander, ED'18, GR'21, L'27, the first African-American woman to graduate from Penn Law School.

Like the other featured alumni, the Alexanders were avatars of public service, fighting for civil rights at a time when one did so at great peril. We are proud to include them in our public interest issue.

Mike



THE BRIEF

LAW SCHOOL

NEWS & EVENTS

Two-Decade Quest Ends with Creation of Alexander Chair in Civil Rights

RAE ALEXANDER-MINTER approached the podium and shouted “Hallelujah” three times.

With those words this great-granddaughter of an African Methodist Episcopal bishop celebrated the culmination of a two-decade effort to fund the Raymond Pace and Sadie Tanner Mossell Alexander Professorship in Civil Rights, which was announced in February by Dean Michael A. Fitts at the annual dinner commemorating the career of Sadie T.M. Alexander.

This is the first chair in Penn Law history named for African Americans.

“(My parents) were towering intellectual figures, whose command of the intricacies of the law and its equitable application to those marginalized by society were life reforming ... My family and I are tremendously inspired by this great tribute,” Ms. Alexander-Minter told the gathering.

Sadie T.M. Alexander, ED’18, GR’21, L’27, the first African-American woman to graduate from Penn Law School, died in 1989. In her will she left a \$100,000 bequest to the University of Pennsylvania with the purpose of establishing a civil rights chair in her parents’ names at the Law School. That year the Black Law Students Association organized the first Alexander conference and began the push to create the chair.

Funding for the chair came together this year when Rep. Dwight Evans, the Democratic chairman of the Appropriations Committee of the Pennsylvania House of Representatives, secured a \$1 million grant from the Pennsylvania Department of Education. Another key development was a \$100,000 gift from

Philadelphia law firm Duane Morris. Nolan Atkinson, GL’69, a partner at Duane Morris and former colleague of Sadie Alexander, worked behind the scenes to enlist the support of both Evans and his law firm. In addition, hundreds of alumni, students, and friends of the Alexanders’ helped establish the chair with their contributions.

After the ceremonial presentation of a \$1 million check to Dean Fitts, Evans noted that the Alexanders were wholly deserving of this honor. “What the Alexanders did for this area, for Pennsylvania, and for this country (more than qualifies them) to receive this chair,” he said. “I will go back to Harrisburg and tell everyone that these are the kinds of things we should be doing.”

Sheldon Bonovitz, chairman and chief executive officer of Duane Morris, lauded Penn Law School for setting an example for its peers. “No doubt this will spur other law schools to do something as great,” Bonovitz said.

The chairholder will be devoted to the study of civil rights and race relations — a fitting tribute since no couple in Pennsylvania exerted more of an impact on the civil rights movement than the Alexanders.

“My family and I are tremendously inspired by this great tribute.”

Sadie T.M. Alexander was the first African American in the United States to earn a Ph.D. in economics. She entered the private practice of law with her husband following her graduation from Penn Law School, and hence dedicated her career to securing the rights of people underrepresented due to race or gender. In 1946, President Truman appointed her to the President’s Committee on Civil Rights. She also served on a civil rights com-



Rae Alexander-Minter and Mary Brown Cannaday, the Alexanders' daughters, stand beside portraits of their parents that they are donating to the Law School. The portraits were painted by Harlem Renaissance artist Laura Wheeler Waring.

mittee created by President Kennedy, and was instrumental in the creation of the Philadelphia Commission on Human Rights, serving as its first commissioner.

Raymond Pace Alexander, who graduated from Wharton in 1920 and Harvard Law School in 1923, was appointed in 1959 the first African-American judge on the Philadelphia Court of Common Pleas. One of his court decisions led to the establishment of Community Legal Services. He and his wife played key

roles in the passage of Pennsylvania's 1935 Equal Rights Law, which made it illegal to deny African Americans access to public schools, restaurants and hotels in the Commonwealth.

Rae Alexander-Minter and her sister, Mary Brown Cannaday, have donated portraits of their parents to Penn Law School. The portraits were painted by Harlem Renaissance artist Laura Wheeler Waring.



Two high-level Iraqi diplomats address conference convened to consider the state of Iraq on the first anniversary of the constitution. Samir Sumaidaie (left), ambassador to the United States, and Hamid Al Bayati, permanent representative to the United Nations and visiting scholar at Penn Law this past year, urged America to remain in their country.

Diplomats Say Iraq Faces Difficult Choice: Reconciliation or Partition

MEMBERS OF CONGRESS are not the only ones who can't agree on what to do in Iraq. At a Penn Law conference last October, diplomats debated the best course for stabilizing Iraq, with one calling for national reconciliation and the other arguing for partition.

These policy fault lines were on display at the conference, which marked the first anniversary of the Iraqi constitution. The conference was organized by Assistant Professor William W. Burke-White.

Veteran Middle East presidential envoy Dennis Ross suggested that Arab countries, for whom peace is important, convene a regional conference to address the challenges in Iraq. He also advised the Bush administration to broker an Iraqi conference with the goal of making amendments to the constitution that increase Sunni participation in the government and in the spoils of the economy.

"I don't suggest (reconciliation) is going to be easy," said Ross, a Middle East expert at The Washington Institute for Near East Policy who was special Middle East coordinator under President Clinton and director of policy planning in the State Department in the first Bush administration. "When I raised this idea with people in the (current administration), I said, 'Why not

do this?' Their answer to me was, 'too hard.' If it's too hard then guess what, Iraq is going to be too hard."

Peter Galbraith, former U.S. ambassador to Croatia and senior diplomatic fellow at the Center for Arms Control and Non-Proliferation, disagreed with Ross. He said the Iraqi constitution provides for partition. Neither the Kurds nor the Sunnis, who did not vote for the constitution, are interested in one nation state, said Galbraith. "It is inconceivable that the people of Kurdistan would vote for any constitutional change that would diminish (their right to secede or control their own oil revenues)."

He continued, "This constitution is indeed a road map for the partition of the country. It creates very strong regions, (and) an almost nonexistent central government."

Galbraith, the author of *The End of Iraq*, said partition makes sense because a Shiite region limits the majority's influence and creates an opportunity for the Sunnis to form an autonomous buffer zone and provide their own security.

Whatever the outcome, Galbraith said the United States should not determine Iraq's future.

But two Iraqi ambassadors, while acknowledging mistakes by the Iraqis and the Americans, held out hope that Iraq, with America's continuing help, can overcome its problems and survive as a state.

Hamid Al Bayati, Iraq's permanent representative to the United Nations, was part of a delegation that met with Vice President Cheney, Secretary of State Colin Powell, and Defense Secretary Donald Rumsfeld in late summer 2002. To no avail, he said the group advised the U.S. leaders to install an Iraq government immediately after the fall of Sadaam Hussein, and forego an American occupation.

Nearly five years later, however, Bayati supports a continuing American military presence in Iraq. "Cut and run will be the biggest victory for terrorists, because they want a safe haven. Whenever they have a safe haven, they have 9/11, I can assure you," warned Bayati.

Samir Sumaidaie, Iraq's ambassador to the United States, was one of the first Arab politicians to speak in favor of a united

government. "Iraq as a unified country is highly desirable ... because it is in the best interests of its people. There was a civil war in this country (the U.S.) but yet you are still united and powerful. Let's not write the obituary of Iraq prematurely."

Justice Goldstone Tells of South Africa's Journey from Apartheid to Democracy

NELSON MANDELA first came before a South African court as a dissident leader facing the death penalty. Several years later he returned to speak at the opening session of the Constitutional Court of South Africa as president of the country.

Justice Richard J. Goldstone recalled Mandela's triumphant and unlikely rise to power during his stirring **ROBERTS LECTURE** last November. In his epic account, Goldstone also recounted South Africa's abolition of apartheid and its transformation into one of the most progressive countries on earth after three-and-a-half centuries of ruthless discrimination.

Goldstone, an original member of the Constitutional Court of South Africa, provided a textbook example of how a modern democracy is created. He talked about how every citizen was invited to comment on the provisional constitution; how the court rejected the constitution because it failed to convey the spirit of 34 core principals; and how, ultimately, the document was returned to the Constitutional Assembly for a rewrite.

"The South African constitution has been aptly described as a transformative constitution," said Goldstone, who served on the Constitutional Court from 1994 to 2003. "It's designed to transform South Africa from an oppressive, racist, unequal society to a democratic, open and non-racist, non-sexist democracy."

The Constitutional Assembly met for two years to draft the constitution. Goldstone said South Africa's constitution, which took effect in February 1997, guarantees full rights to all citizens. He said the equality clause provides sweeping protections: The state may not discriminate against anyone on the basis of race, gender,

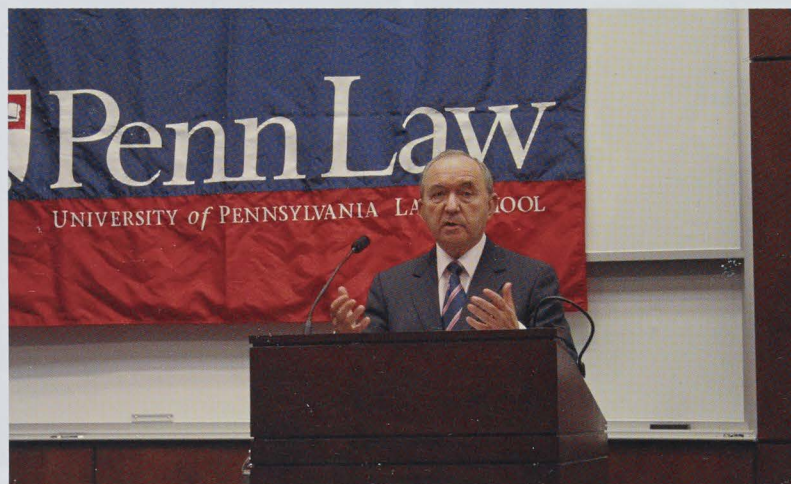
pregnancy, marital status, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. The constitution also enshrines affirmative action as a remedy to years of institutional racism (though Goldstone said challenges may arise down the road when the legacy of prejudice fades).

On one critical point, however, the Constitution remained silent — but not for long.

When the Constitutional Court convened for the first time in 1995, the initial case involved the death penalty, which had been outlawed the year before. Goldstone said president Mandela approached the bench and told the jurists that the last time he had come before a South African court, he was nearly executed. After this poignant reminder of apartheid, the court ruled against white leaders who wanted the death penalty reinstated, and the Constitutional Assembly let the decision stand, said Goldstone.

Goldstone told of another landmark case: a test of presidential powers. In an American-style pardon before his inauguration, Mandela signed an order to release the following prisoners, provided they had not committed serious crimes: those with less than six months to serve, mothers with children under the age of 12, and people under the age of 18.

A male prisoner, who had a young daughter whose mother had died, filed a discrimination case. The court found few precedents around the world. Nonetheless, the Constitutional Court of South Africa held that the president is subject to the same laws as all citizens. Mandela's decision to release only women with children was overturned.



Richard J. Goldstone, former Justice on the Constitutional Court of South Africa, gives a stirring Roberts Lecture describing his country's break from apartheid and the establishment of a system based on equal justice.

At Law Review Symposium, a Provocative Question: Who Pays for Damages of Global Warming?

THIS YEAR, PRESIDENT BUSH addressed global climate change in his State of the Union for the first time, shifting the debate from whether global warming exists to how to deal with it. Across the country, climate change regulations and lawsuits have been heating up at the state level. Though no federal laws or regulations currently exist, nine eastern states have joined the Regional Greenhouse Gas Initiative and the state of California made history last September when it brought a lawsuit against six major car manufacturers.

The potential legal, economic and scientific ramifications of these decentralized responses were discussed at the Law Review Symposium last November. The interdisciplinary event was the first of its kind among major American law reviews. Participants included Penn Law professors Howard Chang and Jason Johnston, who both discussed common law duties and damages, and Matthew Adler, who commented on climate change victim compensation. Wharton Professors Howard Kunreuther and

Erwann Michel-Kerjan detailed the insurance challenges posed by global warming. Penn Earth and Environmental Studies Professor Robert Giegengack also provided comment.

Oxford Physics Professor Myles Allen spoke of the central problems of climate change litigation and compensation. Attributing harm from greenhouse gases can be difficult. Allen said that ultimately identifying climate change damage based on pre-industrial rates or using a hypothetical greenhouse gas-free world is ill-advised in a legal setting. He contended that it would be easier to assess the effects of global warming through current and future emissions.

However, once the damage is quantified, it will remain difficult to assess and assign blame. At an afternoon roundtable discussion, participants noted that it is hard to pinpoint the source of greenhouse gases because they are not concentrated in one area of the atmosphere and emanate from all over the world. Consequently, allocating liability often proves prohibitively complex. The participants concluded that litigation against a small number of emitters may not be the most effective way to push for policy change.

The symposium's discussions became all the more relevant when in late November the Supreme Court heard oral arguments on whether the Environmental Protection Agency should regulate greenhouse gas emissions. In a 5 to 4 ruling this April, the court found that the EPA acted improperly by declining to regulate new-vehicle emission standards.



A panel of distinguished academics gathered last November to discuss the legal ramifications of global warming. From left to right: Wayne Hsiung, a Searle Fellow at Northwestern University who presented a paper on the effect of climate change on animals with Cass Sunstein of The University of Chicago Law School; Jason Johnston, director of Penn Law's Program on Law, the Environment, and Economics, who commented on Hsiung's paper; and Penn Law's Howard Chang, an expert on environmental policy.



A new suite for the Admissions office and the Graduate program opened in time for the fall semester, brightening the space in Tanenbaum Hall. These more spacious quarters were part of a major renovation project. In addition to the offices, two new seminar rooms and a video conference room were built and new offices for the Information Technology Services were consolidated downstairs. This construction had a domino effect, enabling the Registrar to move into the vacated – and bigger – Admissions office and Facilities to relocate to the old Registrar’s office.

Burbank Fears Waning Support for Independent Judiciary

PROFESSOR STEPHEN BURBANK used a big stage and a prominent audience in Washington to convey his concern that support for an independent judiciary could erode under the assault of special interest groups.

During last September’s discussion on the state of the judiciary, attended by five Supreme Court justices and influential former office holders, Burbank warned of growing pressures on the courts to accede to popular opinion.

“Given what we know about public knowledge of and attitudes towards courts today,” said Burbank, “and about the incentives and tactics of the interest groups that are involved in judicial selection, there is reason to fear that the distinction between support for courts irrespective of the decisions they make and support that depends upon those decisions, will disappear.”

Burbank, the David Berger Professor for the Administration of Justice, feared a slippery slope in which the court would be

deemed part of “ordinary politics,” leaving judicial independence “a junior partner to judicial accountability.”

Joining Burbank on the panel were former speaker of the house Newt Gingrich, and former senators Tom Daschle and Warren Rudman, and former presidential aide Kenneth Duberstein.

Imasogie Brings Broad Business Experience to Board of Overseers

OSAGIE IMASOGIE L’85, a venture capitalist and entrepreneur in the pharmaceutical industry, has been appointed to the Penn Law Board of Overseers. Imasogie is also a member of the adjunct faculty of the Law School, where he teaches a seminar on Intellectual Property and National Economic Value Creation.

Imasogie is the co-founder of Phoenix IP Ventures, a life sciences private equity and venture capital firm based in Philadelphia. Prior to Phoenix IP Ventures, Imasogie founded Trigenesis Therapeutics, Inc., a company that developed dermatological products. He sold the company to a publicly traded

THE BRIEF

LAW SCHOOL NEWS & EVENTS

pharmaceutical company. Imasogie was also a co-founder, president and chairman of Ception Therapeutics, Inc.



Previously, he was vice president for Product Development Strategy at Smith-Kline Beecham and was later founding vice president of GlaxoSmithKline Ventures. In the latter role, he brokered 30 worldwide transactions over three years, either starting new companies or investing GSK's non-progressed R&D assets in established firms.

In a broad ranging career, Imasogie has also been the founding senior vice president for Business Development and general counsel at Endo Pharmaceuticals, vice president for International Sales and Marketing at DuPont Merck and general counsel to the Dupont Merck's International, Manufacturing and Generic Drug divisions.

Imasogie also served as a senior consultant to the President's Emergency Plan for AIDS Relief, a unique \$15 billion, five-year initiative to combat the AIDS epidemic.

Imasogie, who holds a postgraduate degree from the London School of Economics, serves on the board of directors of Genaera Corp., and is chairman of iCeutica Pharmaceuticals, Inc. In addition, Imasogie is a member of the Wilson Council of the Woodrow Wilson International Center for Scholars and former chairman of the board of trustees of the International House of Philadelphia.

New Admissions Director and Associate Director of Alumni Relations

Renee Post

RENEE POST WAS APPOINTED IN MARCH associate dean for admissions and financial aid. She had been serving as the acting dean of admissions since last August. In that position, she implemented the new Early Decisions process and the launch of an online blog for admitted students. Post also introduced a new program to recruit legal assistants working at top

law firms in New York and Washington. Thanks to her efforts, Penn Law applications remained constant at a time when the number of students applying to law school decreased six percent nationally.



While earning her Masters in Higher Education at the Graduate School of Education, Post joined the Penn Law Admissions department in 1999. Over the next four years, she worked as an admissions officer, associate director and interim assistant dean for admissions and financial aid. Post also consulted for Admissions Consultants, Inc. for two years before returning to Penn Law in August of 2005 as director of admissions.

Nancy Rasmussen

IN MARCH, NANCY RASMUSSEN was named associate director of Alumni Relations. Rasmussen is responsible for coordinating all alumni outreach programs outside of the Philadelphia area. In that role, she will develop alumni clubs and create events throughout the United States and the world. She will also serve as liaison to the Law Alumni Society, the Penn Law African-American Law Alumni Society, and other affinity groups. Before coming to Penn Law, Rasmussen served as director of Alumni Relations at The University of the Arts in Philadelphia and off-campus alumni director for the University of Colorado at Boulder. If you have an idea for an alumni activity or would like to be included in a regional gathering, please contact Nancy at nrasmuss@law.upenn.edu or 215-746-0320.



Case of Dissident Oil Tycoon Puts Spotlight on Human Rights in Russia

IS HE A POLITICAL PRISONER or a tax cheat?

Last December a panel of Russian experts discussed the intriguing case of oil tycoon Mikhail Khordorkovsky, who has been in a Siberian prison on charges of tax evasion since October 2003.

As Assistant Professor William Burke-White explained, the case has drawn international attention from activists, who accuse the Russian government of taking retribution against the businessman because he supported democratization and opposition candidates. Khordorkovsky is challenging his conviction in the European Court of Human Rights.

One of Khordorkovsky's lawyers described Russian attempts to derail his defense. Through a translator Elena Levina said when she visited the prison in Chita, Siberia, she was forced to slip documents to her client under netting at a bottom of a wall. What's more, since her visits must take place after 5 p.m., it is hard for her client to read the papers in the diminishing light.

Levina said for six months she was searched by a female officer both before and after her visits. Before she left, an officer

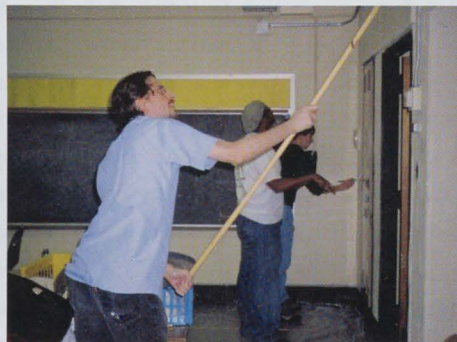
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would seize her notes and demand an explanation. When she replied that the information was confidential and protected by client-attorney privilege, the officer scoffed, saying the law had nothing to do with her request.

Joining Levina in the discussion were other members of Khordorkovsky's defense team: her colleague Pavel Iovov and three American lawyers from, respectively, Amsterdam & Peroff and Greenberg, Traurig, LLP. Benjamin Nathans, professor of history at the University of Pennsylvania, also participated.

Sanford Saunders, an international defense lawyer and a member of the defense team, said, "The arrest and trial of Khordorkovsky is a turning point in Russia — turning away from a liberal society, turning away from the rule of law, turning away from democracy."



More than 50 Penn Law students, faculty and staff combined public service and homage to Martin Luther King, Jr. by spending his birthday painting classrooms and murals and cleaning the facilities at Alain Locke Elementary School in West Philadelphia.



THE BRIEF
LAW SCHOOL
NEWS & EVENTS



Visiting Professor Yair Lorberbaum speaks about "The Image of God in Classical Judaism" during The Caroline Zelaznik Gruss and Joseph S. Gruss Lectures in Talmudic Law last October. He presented two lectures on the subject, one pertaining to Biblical literature and the other to Talmudic literature. Lorberbaum is a professor at the Bar Ilan University Law School in Jerusalem. He is author of "Zelem Elohim - Halakhah and Aggadah" and is working on "Not in Heaven - Kingship in Early Rabbinic Literature and its Biblical Background."

1L on the Beam as Top NCAA Scholar-Athlete

COURTNEY BUMPERS, a 1L from Stone Mountain, Ga., was named Co-NCAA Woman of the Year for the Atlantic Coast Conference for her outstanding academic and athletic achievement, as well as a dedication to service and leadership.

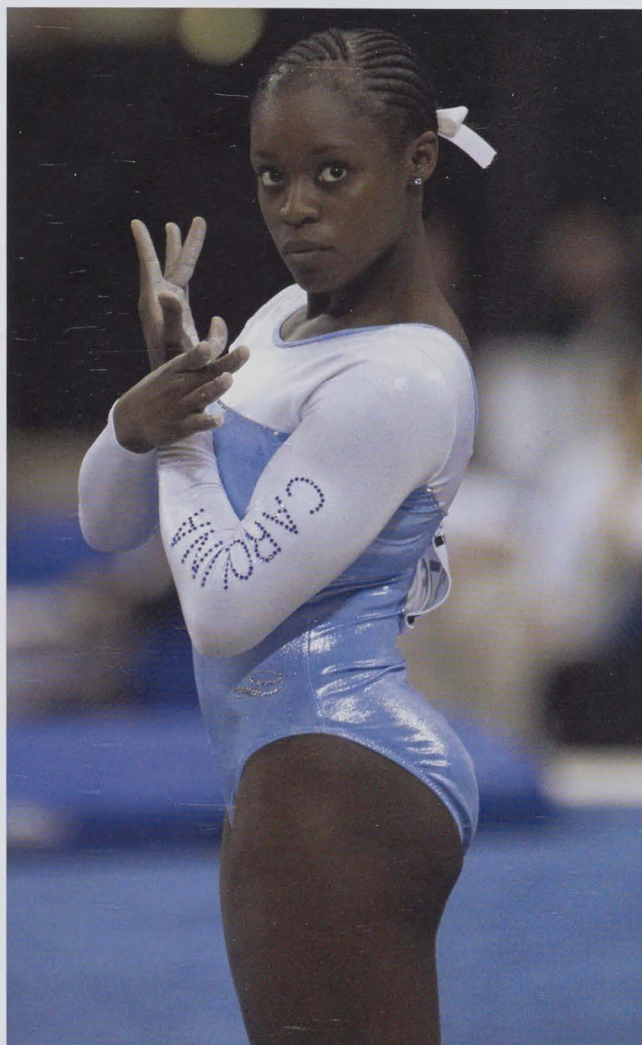
"I was not expecting to win NCAA Woman of the Year," said Bumpers. "I was definitely shocked."

Courtney completed her undergraduate degree in environmental health science at the University of North Carolina at

Chapel Hill. In addition to the NCAA conference honors, she was also awarded the 2006 East Atlantic Gymnastics League Gymnast of the Year award and the 2006 American Award, a national honor that goes to a senior gymnast who is outstanding in academics and athletics.

Courtney excelled in the Floor Exercise at UNC, winning national titles in her sophomore and junior years. She also competed on the balance beam, uneven bars, and vault.

Though she is officially retired as a competitive gymnast, Bumpers still works out an average of four times per week. If her rigorous schedule as a law student permits, she is hoping to help out the Penn gymnastics team.



Courtney Bumpers prepares to compete in the gymnastic floor exercise at the 2005 NCAA National Championship.

She has found Penn Law a good fit. “While I enjoyed going to a large university as an undergraduate, I appreciate the small size of the law school because it has allowed me to get to know the other students in my graduating class, who are really amazing people.”

The Nation’s Oldest Law Review Goes Modern with New Blog

THE UNIVERSITY OF PENNSYLVANIA LAW REVIEW, the nation’s oldest law review, has gone modern. It is testing the waters with a new online blog called *PENNumbra*.

Editor-in-Chief Justin C. Danilewitz, 3L, is heading up the new interactive venture, which hosts monthly debates on current topics and posts responses to print articles in the Review.

Danilewitz hopes that “the interplay of conventional academic scholarship and commentary from the lay public” will spur a more contemporary approach to law theory and practice.

PENNumbra derives its name from *Griswold v. Connecticut*, the 1965 Supreme Court privacy case in which Justice William O. Douglas wrote that “specific guarantees in the Bill of Rights have penumbras, formed by emanations from those guarantees that help give them life and substance.”

The blog (www.pennumbra.com) launched at the start of the school year with a debate between Penn Law professor William Burke-White and Abraham Bell, a professor at Bar-Ilan University in Israel, on the relevance of the United Nations and the development of international law.

Dean Michael A. Fitts congratulated the Review on the endeavor, calling it “a terrific project with a new look that appropriately reflects Penn Law’s dedication to innovation in legal scholarship.”



An overflow crowd listens to U.S. Seventh Circuit Judge Richard Posner, a father of the Law and Economics movement, describe the reasons for the high compensation of American CEOs.

Leader of Law and Economics Movement Sees No Easy Solution to High Executive Pay

POLITICIANS HAVE TAKEN TO citing the statistic that corporate executives make 400 times that of the average worker — a 20-fold increase since 1965. According to Judge Richard A. Posner, a more telling ratio may be the difference between the compensation of an American CEO and that of a foreign executive. At the Institute of Law and Economics **DISTINGUISHED JURIST LECTURE** series in October, Judge Posner referenced the aforementioned ratio in his talk titled, “The Embattled Corporation.”

Described by Dean Michael A. Fitts as “the guiding light of the law and economics movement,” Posner has served on the U.S. Court of Appeals for the Seventh Circuit since 1981 and published nearly 2,200 judicial opinions. The former law clerk to Justice William J. Brennan, Jr. has written 38 books and currently teaches part time at the University of Chicago Law School.

The subject for Posner’s talk emerged while he was revising his treatise *Economic Analysis of Law* for the seventh edition, which was published in February. Posner noticed that his chapters on corporations and financial markets had become obsolete in a few short years because of real world events and academia’s response to them.

In his re-analysis of executive compensation, Posner found that American CEOs are paid twice as much as their foreign counterparts because American executive incomes contain a higher fraction of non-salary income, bonuses and stock options. “To tie a CEO’s income to the value of his company’s stock would be like if the salary of the President of the United States was tied to the GNP,” said Posner. In order for executives to accept the uncertainty surrounding stock options, they will demand a high wage, he said.

Posner explained that a company’s board of directors has little incentive to reign in executive compensation as its members are predominately highly-paid executives themselves. Furthermore, corporate mergers enable increases in executive compensation to escape scrutiny. “From the CEO’s standpoint, the larger the enterprise you control, the larger income you can appropriate without it becoming such a large fraction of the income of the corporation that the shareholders begin to object,” said Posner.

Economists used to believe that corporate abuses and executive overcompensation would be righted by market competition, said Posner. In short, firms that expended vast resources on CEO compensation would be at a competitive disadvantage with other companies who are allocating some of that money to other uses, or might lose investors who pursue other investment opportunities.

However, because executive overcompensation has become so widespread, many firms have no incentive to address the problem. "What can be done about this is very unclear," concluded Posner.

Daley Explains GE's Well-Oiled Business Development Machine

YOU COULD SAY THAT Pamela Daley, L'79 has answered the multibillion dollar question: How does one maintain and grow a company as large as General Electric? As senior vice president of corporate business development, Daley works to keep GE's portfolio healthy while strengthening its business every day.

In her lecture, "Large-Scale Entrepreneurship: Business Development at GE," at the Institute for Law and Economics last November, Daley described the company's inner workings. Considering that GE has six major business divisions and prides itself on its scale, breadth and depth, this is no small task. In order for the company to achieve its double-digit growth objectives, Daley said that it requires adding the annual earnings equivalent of McDonald's, Ford or Lowe's each year.

Daley began her presentation by explaining the company's evolution over the last 50 years. In 1955, technology products composed about half of GE's holdings with the rest split evenly between consumer products and power. By the 1980s, the company had expanded into three new sectors: materials, financial services and aircraft engines.

Then Daley described the company's aggressive initiative in 2000 to reposition its portfolio through investments in new fields and platforms. In all, GE completed more than three hun-

dred acquisitions since then, ranging from Hispanic and digital media to life sciences and homeland protection as well as wind and solar energy and coal gasification. One of its largest acquisitions was Vivendi-Universal that together with NBC created global media giant NBC-Universal. Between 2000 and this year, GE made acquisitions totaling more than \$300 billion.

Recently, GE has focused on making larger but fewer acquisitions in old and new industrial and financial sectors and redeploying its capital into growth sectors. Following its portfolio repositioning, GE has introduced new programs such as ecomaginationSM, which is GE's company-wide commitment to helping its customers meet environmental challenges. In Algeria GE is building Africa's largest desalinization plant which will use energy-efficient reverse osmosis technology to create clean, fresh water. The ecomaginationSM initiative includes the use of advanced membrane technology, cleaner coal power generation, and energy-conserving compact fluorescent lighting products.

Daley also detailed how GE decides to divest volatile, capital intensive companies that are not meeting growth expectations. For the divestiture process to succeed, she said, the company must plan ahead and conduct a competitive sales process before



Pam Daley, L'79, senior vice president for corporate business development at GE, explains the fabled company's acquisition strategy to students.

deciding to sell a business to a particular buyer. "Getting divestitures right is our biggest challenge," she said.

Today GE is one of the largest companies in the world with a market capital of \$365 billion. Daley's business development team has helped the company become the success it is today.



Business executive Henry Silverman, L'64 calls for regulatory reforms that he believes will prime the American economy.

Silverman Calls for Regulatory Reform to Jump-Start American Productivity

LONGTIME BUSINESS EXECUTIVE Henry R. Silverman, L'64 believes federal regulators have gone too far in reaction to corporate scandals, stifling innovation and making America less competitive in global markets.

"Today's managers are burdened with an environment of unwarranted suspicion, know-nothing activism, and pointless overregulation," Silverman charged during his LAW AND ENTREPRENEURSHIP LECTURE last October.

Silverman, chairman and chief executive officer of Realogy Corp., said The Sarbanes-Oxley Act, which established new standards for public companies, has cost the economy \$1.4 trillion. He contended that the legislation and the atmosphere of distrust accompanying it has caused a decline in America's economic standing. The United States, he said, has fallen from first to sixth in global competitiveness, according to a report issued last year by the World Economic Forum.

In his wide-ranging talk, Silverman also criticized activist shareholders and independent boards and addressed complaints about CEO compensation.

Silverman blamed activists with "narrow agendas" for destroying stockholder value. According to Silverman, the apotheosis of this attitude occurred last year when shareholders of Berkshire Hathaway were advised not to re-elect Warren Buffett to the board, even though he has returned more than 25 percent on investment over a quarter century.

Activists, he said, are also responsible for pitting corporate boards against their executives. Silverman said putting outsiders on boards as a counterweight, which many activists want, is misguided because it leads to "paralysis by analysis" and creates an atmosphere of distrust rather than one of candid discussions and teamwork.

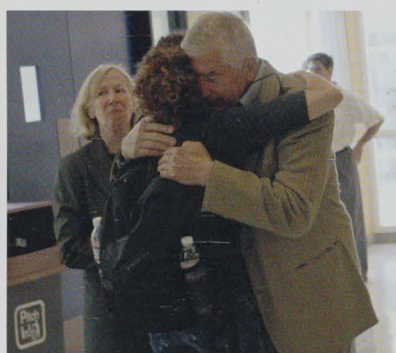
Tackling the shibboleth of executive pay, Silverman said despite public perception, salary increases for the majority of CEOs grew more slowly from 1995 to 2005 than companies' revenues, net income, and shareholder return. Nonetheless, he said he believes CEOs should be paid on performance measures such as earnings per share.

Silverman spoke from experience, having gone through a trial by fire when he was chairman and chief executive officer of Cendant, primarily a provider of real estate and travel services with a large portfolio of leading brands such as Century 21, Coldwell Banker, Wyndham, Ramada, Orbitz.com, and car rental companies Avis and Budget. In 1997, Silverman's company, HFS Incorporated, merged with CUC International to form Cendant. In the years prior to the merger, CUC had inflated earnings. When this was discovered and disclosed in April 1998, investors fled and Cendant's stock price dropped precipitously. The resulting \$14 billion in lost value taught Silverman a valuable lesson, one he contends has more power than all the enforcement efforts and regulations in the world.

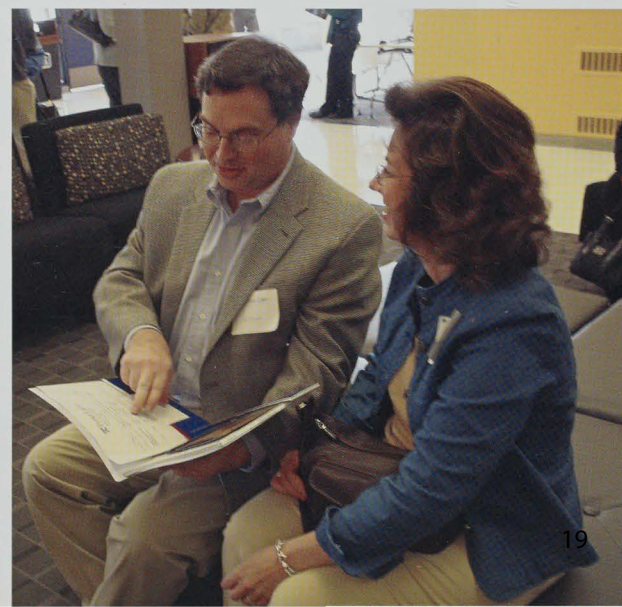
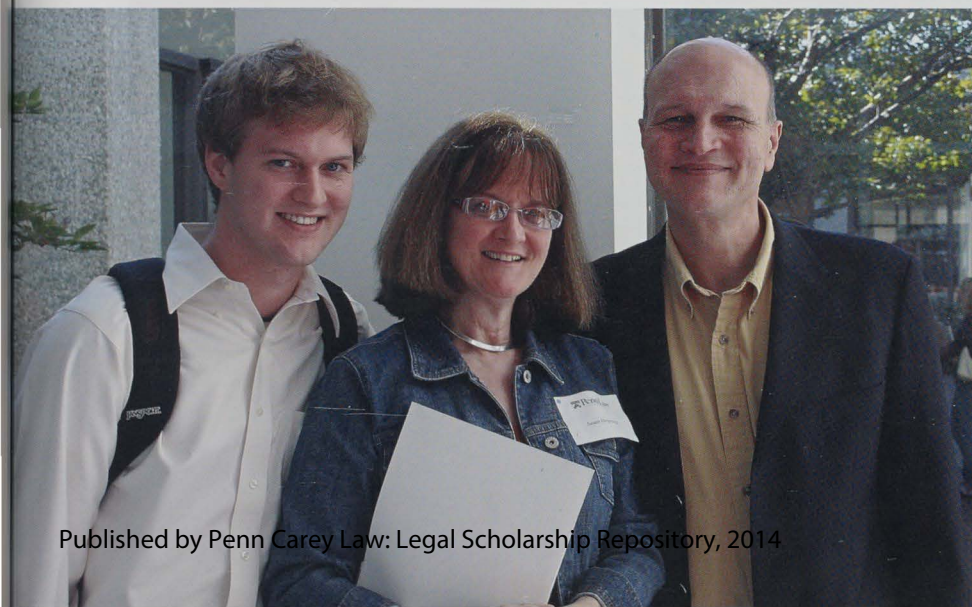
"You cannot regulate honesty, trust or integrity," said Silverman. "The most important thing we do is understand that, in the final analysis, every good partnership — in business, in friendship, in marriage — is based on trust, on integrity, and on doing what you know is the right thing," said Silverman. "If you tell the truth and act with integrity, you have a much better chance of winning."



PARENTS AND PARTNERS DAY



At the annual Parents and Partners Day, relatives of IL students get a firsthand look at what is an incredible rite of passage: the first year of law school. They attended classes, heard administrators explain the academic program and social experience, toured the Law School, and listened to alumni and students describe their course of study. The event drew more than 100 people, the highest turnout since its origin in the 1980s.



The World is Finding its Way to Penn Law's Door

AS PART OF AN EFFORT to boost its global profile, the Law School hosted a bazaar of international speakers this past year.

Adam Kolker, associate dean of The Office of Graduate and International Programs, says the goal was to “broaden students’ vision” of what it means to be an international lawyer.

Toward that end, a delegation of 18 Arab jurists, including judges, prosecutors, police officers, government officials, academics, and human rights’ lawyers, visited the Law School in February. They were touring the United States under the sponsorship of the U.S. State Department, wishing to gain insight into the admissions process and curriculum at American law schools. Penn Law’s cross-disciplinary programs were a particular point of interest for the jurists, who met with students.

In November, Edward Kwakwa, general counsel to the World Intellectual Property Organization, lectured on cross-border property law and described his experience working for

international organizations such as the United Nations and the World Trade Organization. Earlier in the year, money laundering expert Emile van der Does de Willebois spoke to the inaugural International Civil Society Law class about his efforts at the World Bank to disrupt terrorist financing.

Other speakers addressed a range of human rights issues. Visiting Penn Law scholar Hassan El Menyawi of the United Nations-mandated Peace University gave a talk on his experiences as a human rights advocate in his native Egypt. A scholar on the Koran, El Menyawi received his legal education in Canada after being exiled by the Mubarak government for his gay rights activism. Prof. Masoud Karimi of Mofid University in Iran spoke about the challenges he faces teaching human rights in his country. The professor, who co-founded the Center for Human Rights Scholars in 2003, presented the Islamic perspective on human rights.

The speaker series built upon the 40 percent increase in applications to the LL.M. program and an expansion of the J.D. study abroad program, which is now offered in France, Germany, Spain, Israel, Japan, and China.



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**IDEALISM.
COMMON GOOD.
THE PUBLIC INTEREST.**

Call it what you will, the drive to serve is ingrained at Penn Law. It's in our marrow, infused through our clinical programs and the mandatory public service requirement. Here we live by the slogan, "Be the change." So it's only natural we continue to create new avenues to fulfill the impulse to help, and turn out numbers of alumni dedicated to helping others.

AGENTS OF



PENN LAW ALUMNI GIVE VOICE

The impulse to change the world takes many forms. It could mean joining government and serving as an advocate for the disabled. Or working to protect American's civil rights. Or teaching children about the cherished principles embedded in the Constitution. The following alumni answer the distress signals coming from people in need, and, in doing so, make their corner of the world just a little bit better.

NOISE

TO SOCIETY'S INVISIBLE PEOPLE



Andrew Ferguson, L'00

FERGUSON USES THE CONSTITUTION TO AMEND YOUNG LIVES

By John Rosengren

A darkened jail cell crystallized Andrew Ferguson's crusade for constitutional literacy. Talking to an 18-year-old boy locked up on a gun charge, Ferguson, L'00, realized the disconnect between the law he'd studied and the life juvenile delinquents lived. "I don't understand this Fourth Amendment that you say protects me," the boy told him. "That's your law, not my law."

No one had ever talked to the boy about the rights granted him under the Constitution. Ferguson's effort to explain the law's relevance tripped a light in the boy's head. "In an otherwise disempowered situation — locked up, separated from his family, facing longer incarceration — he left (our meeting) understanding something more about his rights," Ferguson says. "That gave him more power."

The conversation also prompted Ferguson to write *Youth Justice in America* (CQ Press), a textbook on teaching constitutional criminal law to high school students. The book, published in 2005, led Ferguson and his co-authors, Maryam Ahranjani and Jamin Raskin, to form the National Youth Justice Alliance

AGENTS OF CHANGE

(NYJA), whose goal is “to empower youth to embrace constitutional literacy as a weapon against recidivism.” That has become the 35-year-old attorney’s life work.

Through the NYJA, Ferguson fashioned a course to teach constitutional law in detention centers modeled on the successful Marshall-Brennan Project that has law students teaching the Constitution in D.C. high schools. Two years ago, with the support of Susan Feathers, director of Penn Law’s Public Service Program, and project director Gwen Stern, he introduced the Marshall-Brennan Project to Philadelphia high schools, tapping Penn Law students as instructors. He also collaborates with the American Constitution Society on “The Constitution in the Classroom Project,” another effort to make the Constitution accessible to secondary students. “The theme of all of my work on constitutional literacy is to reach youth and empower them with the same tools we all learned in law school,” Ferguson says. “All of those constitutional-based issues of participation, fairness, equality, free expression, deliberation, and accountability are important civic virtues. By tying it to juvenile justice and constitutional rights as we did in *Youth Justice in America*, you ground these abstract principles in real life.”

Ferguson, who has a day job as a public defender for the District of Columbia, grew up predisposed to public interest work as the only child of two public interest attorneys — his mother runs the Pension Rights Center and his father is an appellate attorney at the National Labor Relations Board. “The spirit of turning your law degree into doing something meaningful mattered in our house,” says the Washington, D.C. native.

Several Penn Law professors helped define what would become meaningful work, including David Rudovsky, Sandra Simkins and Seth Kreimer, who opened Ferguson’s eyes to the world of criminal justice and ways he could apply his skills in that arena. “I attribute a lot of my desire and passion for what I’m doing now to them,” he says.

The NYJA pilot started this academic year, 2006-07, with American University law students teaching weekly classes at D.C.’s Youth Services Center. As young lawbreakers learn about the law, through simulated locker searches and fair trials, and discover how it applies to their lives, Ferguson says they often come to believe in the system, understanding that rights carry responsibilities. “I hope they’ll walk out saying it is a fair system — if I want my rights respected, I’ve got to respect the rights of others.”

When Ferguson helped launch the Pennsylvania initiative of the Marshall-Brennan Project in September 2005, with Penn Law students teaching the Constitution in ten Philadelphia high

schools, he saw it as his way of giving back to his alma mater. Although he may not have the resources to build a new wing at the Law School, Ferguson says the constitutional literacy project provides Penn Law students the opportunity to put into practice what they’ve learned.

While still in law school, he clerked at a powerful Washington law firm and saw how the other half of lawyers live, but he has no desire to trade what he’s doing for larger paychecks. “Once your eyes are opened to the world of criminal defense, it’s really hard to do anything else, to turn your eyes away (from the fight for justice),” he says. “It is incredibly meaningful to use your legal education to make a tangible difference in someone’s life.”

JOHN ROSENGREN IS THE AUTHOR OF SEVERAL BOOKS, INCLUDING “BLADES OF GLORY: THE TRUE STORY OF A YOUNG TEAM BRED TO WIN.” HE HAS WRITTEN FOR MORE THAN 75 PUBLICATIONS, RANGING FROM *READER’S DIGEST* TO *SPORTS ILLUSTRATED*.

BHATNAGAR POLICES HUMAN RIGHTS ABUSES IN THE CRADLE OF LIBERTY

By Andy Greenberg

Chandra Bhatnagar, L’01 describes an appalling scene: a juvenile detention center where the worst imaginable human rights abuses are commonplace. Children are beaten for minor infractions. Some are hog-tied or shackled to poles. Others are stripped and left naked in cells for hours, sometimes in total darkness.

As Americans, we’d like to imagine these atrocities took place in Sudan or China, the sort of countries we usually associate with the words “human rights abuse.” But these incidents occurred much closer to home, at the Columbia Training School, a reformatory school in Mississippi. And it’s Bhatnagar’s mission to remind us: you don’t need a passport to witness tragic cases of indifference, oppression, and exploitation.

As a staff attorney in the American Civil Liberties Union’s Human Rights Program, Bhatnagar is working with the ACLU of Mississippi and a coalition of grass-roots activists to document human rights violations and advocate for improvements in the Mississippi juvenile justice system. Moreover, he’s committed to holding our nation as accountable for the treatment of its most vulnerable citizens as we do other countries.

“The U.S. holds itself up internationally as a model for freedom, democracy, and fundamental rights,” says Bhatnagar, “but here in America, we’ve witnessed a significant erosion of those rights for people of color, the poor, prisoners, women, immigrants, and children. And we’ve given our government a

free pass to talk about these issues abroad without addressing them here.”

Since Katrina ravaged the Gulf Coast, there's been no shortage of such abuses. Much of Bhatnagar's work has focused on the most helpless victims of that disaster: inmates abandoned by guards in flooded New Orleans prisons and left to drown

“Our work on Katrina is about casting a global spotlight on the U.S. human rights record,” he says. “The simple message: The fight for human rights begins at home.”

or starve, illegal immigrants who sought post-disaster aid from the federal government, only to be detained and deported instead. On behalf of these voiceless groups, Bhatnagar and his organization have traveled repeatedly to stand before the U.N. Human Rights Committee and other human rights bodies in Geneva and New York, holding up human rights treaties the U.S. has signed to highlight the failures and inequities of our government's disaster response.

“Our work on Katrina is about casting a global spotlight on the U.S. human rights record,” he says. “The simple message: The fight for human rights begins at home.”

For Bhatnagar, home is New York City, but his personal story of human struggle began thousands of miles away. Bhatnagar's grandparents were two of the 14.5 million people displaced by the 1947 partition of British India into India and Pakistan, a political event that created the largest movement of humans in history. After settling in the newly-independent India, then the second poorest country in the world, Bhatnagar's family struggled and his grandfather died in 1960, leaving his grandmother a widow with six young adult children.

One of these children was Bhatnagar's father, who emigrated to New York with \$29 in his pockets. He went on to found a therapeutic institute using traditional Indian methods of healing



Chandra Bhatnagar, L'01

AGENTS OF CHANGE

and sound. Just a generation later, his son Chandra has become a world-class human rights lawyer at the age of 32, a living embodiment of American social mobility.

But Bhatnagar's inspiration stretches beyond his family's experience, to the social movement theories that first swept him up as a high school student reading the autobiography of Malcolm X. From that early age, he became committed to social justice. Years later, he stumbled upon Malcolm X again, this time pictured on a poster with Che Guevara on the wall of a tiny office in New Delhi. In the humble headquarters of Bonded Labor Liberation Front (BLLF), a single room without air conditioning or running water, Bhatnagar spent one of his law school summers working with a five-person operation that since 1984 has freed hundreds of thousands of Indian children sold into slavery and bonded labor.

After witnessing so few individuals creating such enormous impact, Bhatnagar was tempted to finish his education at Penn Law and then return to India to continue his work. But, he was counseled by BLLF's founder, Swami Agnivesh, one of India's most respected spiritual and political leaders, to first address the human rights abuses taking place in the country in the country in which he grew up, the United States.

"He convinced me that the U.S., the most economically developed nation on Earth, has a special responsibility to uphold and protect human rights," says Bhatnagar.

Bhatnagar's devotion to social justice was forged as well at Penn Law, where he became a public interest scholar in 1998. He worked closely with professors Regina Austin and Lou Rulli, whose Public Interest Law class inspired him to think about what it means to be a public service lawyer. "I always knew I wanted to go into public interest law," says Bhatnagar, "but those thought-provoking classes really crystallized my career as a social movement lawyer."

Quite a career it's been, including stints as director of a human rights program for South Asian workers at the Asian American Legal Defense and Education Fund and assistant director of a program at Columbia Law School devoted to protecting human rights in America. But having been out of law school only five years, Bhatnagar knows he still has decades of important work ahead of him. And as visions of his former-refugee grandmother, his mentor Swami Agnivesh, and the victims of Mississippi's juvenile justice system silently remind him, he'll need every moment.

ANDY GREENBERG WRITES ABOUT TECHNOLOGY AND LAW AS A SENIOR REPORTER FOR FORBES.COM.



Cathy Carr, L'79

AS HEAD OF PHILADELPHIA'S COMMUNITY LEGAL SERVICES, CARR MANS THE LOCAL "EMERGENCY ROOM" OF PUBLIC INTEREST LAW

By Andy Greenberg

In 1995, when Cathy Carr, L'79 took the helm of one of the nation's foremost providers of legal aid to the needy, she was already a veteran of the war on poverty. But she never expected that just months later, Congress would declare war on her.

Soon after Carr was promoted to executive director of Community Legal Services of Philadelphia, where she had been for 11 years, the legislature passed crippling funding restrictions, hamstringing the activities of government-subsidized legal service organizations. The new laws tied CLS's federal grant to prohibitions on litigating class actions, engaging in legislative advocacy and filing legal challenges to welfare reform. Faced with these suffocating limitations, Carr gave the feds an interesting response: No thanks.

Under Carr's leadership, CLS declined all federal funds, rather than jeopardize the organization's mission of uncompromised legal services to the poor. This bold move cost CLS \$2.5 million, a third of its budget.

"I had no idea that when I took over operations that the legal services restrictions would come to pass," says Carr. "My first year was a nightmare. Being new to management at the time, I'm amazed to have lived through it."

But Carr did survive, and her organization did more than that: It flourished. Within five years of her gutsy decision, CLS's

budget had actually *grown* by nearly a third as she found alternative funding from a variety of foundations and state funders. Carr also worked with the Philadelphia Bar Association as it launched Philadelphia Legal Assistance, a federally funded project that would work within the government's new rules. Today, Carr's organization and the sister group she helped found work in tandem, and together their budgets have increased by nearly 50 percent over CLS's budget at the beginning of Carr's tenure. "It was a long and painful transition," says Carr, "but I think we're in a good place now."

And a good thing, too: as Carr's resources have grown, so have her community's needs. Philadelphia's increasing incidence of home foreclosures and predatory lending as well as skyrocketing rents and dwindling welfare benefits have only heightened the need for free representation for the indigent.

"I see this organization as the emergency room of Philadelphia's public interest law world," says Carr, who began her career as an attorney for the Education Law Center in Philadelphia. "The hard part is that there's so much need. A couple dozen people walk in every day, facing the prospect of losing their homes. Choosing which of those cases we can handle is heartbreaking."

But on top of that Sisyphean task of "emergency legal triage," CLS also prides itself on a second role: shaping policy and fighting administrative battles for the poor and litigating some cases which lead to revolutionary court decisions. Carr has personally litigated landmark cases defending disability benefits, protecting Social Security, and expanding the reach of social programs like food stamps.

"We handle the problems of individuals who just walk in the door, but we also take the information we gain and use it to address systemic problems," says Carr. "That dual role makes us unique. It's what keeps us grounded in the reality of poor people's lives."

More and more, CLS is taking its battles out of the courtroom and into the conference room, focusing on advocacy and education rather than lawsuits. For Carr, that slow transformation represents a triumphant gain in legitimacy for poverty law and her organization. "When I first joined CLS, it was a very heady time, with young attorneys walking into the Supreme Court and winning on behalf of some of the most ignored people in America," she says. "But now we've moved from the outside to the inside. We still litigate, but we also sit down with policymakers."

Carr isn't the only one to take note of the accomplishment. Her recent accolades include the Mary Philbrook Award from

the Women's Law Caucus at the Rutgers Law School, The National Legal Aid & Defender Association's Denison Ray Award, and the Pennsylvania Legal Services Excellence Award. She's also been honored with Penn Law's Public Service Program Award and the University of Pennsylvania's Robert F. Davies Award, and was selected as one of the *Legal Intelligencer's* Fifty Women of Influence.

Much of the credit for those laurels, she says, goes to her professors at Penn Law: Howard Lesnick, Edward Sparer, whose course in income security was an eye-opening experience for a young 1L with little knowledge of how income laws affect the poor, and Doug Frenkel, W'68, L'72, whose clinic opened a window onto the type of work that she would pursue in the future.

Now teaching a course in public interest law herself with professor Lou Rulli, she admires Penn Law's vastly expanded public interest program, with summer placements, a scholars' program,

"You see that there's so much need for this work, so many invisible people," she says. "You can't help but care for everyone, every moment."

an annual conference, and *pro bono* requirements — a "kind of integrated support for public service that was unimaginable 20 years ago," says Carr.

But if Penn Law offers students the tools to become socially responsible lawyers, Carr says the promise of public service is fulfilled by working with the poor whose lives are shaped by the law.

"You see that there's so much need for this work, so many invisible people," she says. "You can't help but care for everyone, every moment."

ANDY GREENBERG WRITES ABOUT TECHNOLOGY AND LAW AS A SENIOR REPORTER FOR FORBES.COM.

AGENTS OF CHANGE

THE IMPETUS BEHIND CLOSED CAPTIONING, STRAUSS GAVE VOICE TO SOCIETY'S VOICELESS

By Edward N. Eisen

When people gather in bars, restaurants and other public places and watch words scrawl across television screens, few would know that Karen Peltz Strauss, L'81 is behind the genesis of this technological marvel.

Strauss, the former FCC official who drafted the original legislation that led to closed captioning on all television shows, is among those unsung heroines who pioneered a movement that gave voice to society's voiceless. She and a small army of activists quietly battled under the radar for 20 years, finally winning recognition that the ability to communicate is not a privilege but a civil right.

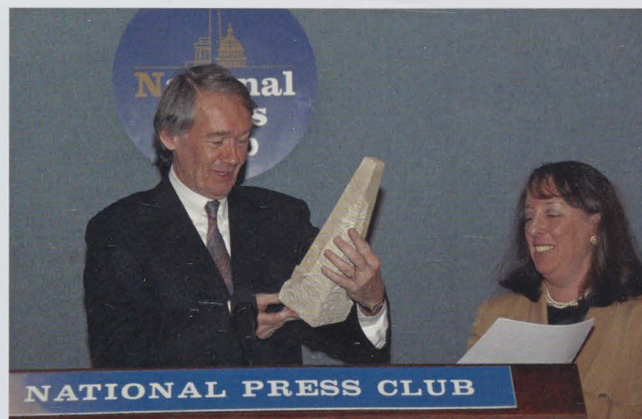
This remarkable revolution is chronicled in Strauss' first book, a 450-page tome, *A New Civil Right: Telecommunications Equality for Deaf and Hard of Hearing Americans*.

"We had equal rights in employment, access to buildings for people with disabilities, civil rights for minorities, yet no one ever thought of access to talk on a telephone as a civil right," says Strauss, who writes that telecommunications companies all too often rolled out innovative and highly profitable technologies ignoring this often silent and invisible audience. Meanwhile, lawmakers — reluctant to impede competition and innovation — stood on the sidelines, she charges.

A New Civil Right depicts in technical and human terms the 40-year struggle by deaf people to communicate over distances. "History shows," says Strauss, "companies are not likely to build accessibility features into their products unless they are forced to do so by federal policies." The book details these hard-fought efforts for federal laws that tunneled the path for access to telephone, television, and 911 emergency services.

Her account is first-hand. Strauss was a player in these often contentious encounters for communications access since the mid-1980s. And her book chronicles the struggle in meticulous detail before that, going back to their genesis in the 1960s.

There is some irony in all this. Strauss never intended to become a voice for the deaf. "I fell into it... but once I was in, I was hooked," she recalls. The author is not hearing impaired nor are any members of her family. Yet from the time she was a teenager growing up in Brooklyn, Strauss' interests lay in advocacy causes, from the plight of little children teased at school because their parents were deaf to protests against the Vietnam War. And so when she entered Penn, her goal was always "to use the law to improve society."



Congressman Edward Markey (D-Mass.) holds an award he received from Karen Peltz Strauss, L'81 for his efforts to increase access to telecommunications for people with disabilities. Strauss received the same award in 2000 from the Alliance for Public Technology.

With J.D. in hand, Strauss signed on with Georgetown University Institute for Public Representation, a public interest law clinic that handled some disability rights issues. There she was involved in legislation to expand voting rights for people with disabilities. Later she was hired by the National Center for Law and Deafness at Gallaudet University in Washington, a world leader in liberal education for the deaf and hard of hearing. At Gallaudet her career took shape.

Strauss learned sign language and stayed for 11 years focusing on federal policy issues until the facility closed. Then she joined the National Association for the Deaf where she drafted the original TV captioning bill. One of her proudest moments, she reveals in *A New Civil Right*, was when she witnessed President Clinton sign these amendments in 1996. Three years later Strauss joined the FCC, holding the second highest position in the Consumer Information Bureau. It was there she helped establish the first Disabilities Rights Office.

Working as a leading telecommunications policy consultant today, Strauss' hand can be seen in many of the developments that make life better for people who are deaf. In 2002 she returned to Gallaudet to start writing the history and scope of the movement. The effort took four years.

A New Civil Right is unique because it offers the only comprehensive overview of all federal laws and regulations on telecommunications access for people with hearing loss — both the history of those laws and their contents. "I wanted to share with people," she says, "how extraordinary these struggles were." The book also lays out a road map for how people in the future can continue to shape public policy in this field.



Langer & Grogan finds satisfaction — and profit — in blend of commercial and public interest law. From left to right: John Grogan, L'93; Howard Langer, L'77; and Ned Diver, L'99.

Her efforts have been applauded by the deaf and hard of hearing community with scores of letters and accommodations, among them an award presented by the National Association for the Deaf. One letter, particularly, stays with Strauss. It is from a deaf man in Sioux Falls, S.D. who turned a tiny business into a 3,000 employee service organization. “All of us are fighting for what we believe is right... Unfortunately, there aren’t enough of us who can carry this fight on to where it counts most — in the halls of the FCC and on Capitol Hill,” he wrote. “Thanks for your vigilant eye, your silver tongue and your steadfast efforts. You are truly a warrior worthy of praise in our pantheon of heroes.”

EDWARD N. EISEN IS A FREELANCE WRITER BASED IN PHILADELPHIA.

IDEALISM FUELS LANGER & GROGAN'S HYBRID PRACTICE OF COMMERCIAL AND PUBLIC INTEREST LAW

By Larry Teitelbaum

For several years, payday lender Cash Today earned hefty revenues by loaning money — at 500 percent APR — to poor people in Philadelphia and the surrounding area. But the company suf-

fered a change in fortune a few months ago, and now finds itself on the receiving end of a most unexpected payback: bankruptcy.

Cash Today was sued by Langer & Grogan and Community Legal Services with support from Fine, Kaplan & Black. They filed suit against Cash Today in 2005 on behalf of 10,000 Pennsylvanians. Within two weeks, Cash Today had filed for bankruptcy and today all of its stores are closed.

“They target the working poor and the most desperate,” laments Howard Langer, L'77. “They encourage people to hock their next paycheck. This is presented as a ‘service’ to increase liquidity, if you can believe it.”

Langer & Grogan’s five-member Philadelphia-based law firm includes four Penn Law alumni: Langer, an adjunct faculty member at Penn Law; John Grogan, L'93, a former winner of the Young Alumni Award; Ned Diver, L'99, a Penn Ph.D. and son of former Penn Law Dean Colin S. Diver; and Judah Labovitz, C'60, L'63. Penn Law Professor Geoffrey Hazard is of counsel to the firm.

Blending idealism with practical sense gleaned from a major commercial litigation practice, Langer & Grogan maintains a hybrid practice that is rare for a small law firm in the big city: aside from its bread and butter commercial work, it devotes one third of its practice to public interest cases, many of them *pro bono*.

AGENTS OF CHANGE

“We looked to Kairys Rudovsky as a model when we founded our firm. But we were commercial litigators, not civil rights lawyers, and our strengths were different,” explained Langer. “We were better placed to fight commercial exploitation.”

The firm takes on a range of work in both its commercial and pro bono practice — it brings the same zeal with which it litigates its antitrust cases to immigration appeals, representation of community groups, and combating abusive lending. Aside from its recent payday lending case, the firm represents community groups in Philadelphia opposed to developers’ plans to build casinos in their neighborhood. Langer & Grogan brought a constitutional challenge to halt the casino siting process arguing that the legislature improperly delegated responsibility for choosing casino locations to an unelected Gaming Control Board.

The firm collaborated with Community Legal Services in 2005 to represent persons whose names were wrongfully placed on a list of accused child abusers by the Pennsylvania Department of Health and Human Services. “People are added to the list on the say so of a social worker and without adequate notice of their rights to a hearing. Having one’s name on such a list can make it impossible to obtain employment and, as Grogan notes, “poor people and people of color are disproportionately affected by the practice.”

Langer & Grogan was formed in 2004, the result of its two principals’ desire to build a profitable law firm without forsaking their interest in social justice. John Grogan, a former Public Interest Scholar at the Law School, had started the Camden Center for Law and Social Justice after law school. As the Center matured, Grogan found himself devoting more time to administration and fund-raising than lawyering. Restless, he solicited advice from his former professor and mentor Seth Kreimer.

Kreimer introduced him to Howard Langer, who had recently left Berger & Montague. Langer and Grogan ultimately formed a partnership and the firm is now prospering and earning recognition for its work in the public interest. In 2006, Community Legal Services presented its Equal Justice Award individually to Langer, Grogan and Diver for their work with them.

“None of us were interested in the traditional model of a for-profit practice,” says Grogan. “We want the practice of law to be about more than just making a living.”

Langer & Grogan’s core commercial work involves antitrust, contract, and class action law. The firm rarely handles more than five to six cases at one time. Its goal is to demonstrate that a mix of *pro bono* and fee generating cases brought in the public interest together with a commercial practice can succeed.

Over the last two years the firm has specialized in representing generic drug manufacturers throughout the world in patent and antitrust litigation. Most recently, the firm has been co-counsel in the maelstrom surrounding the launch of a generic form of *Plavix*, the second largest selling drug in the world.

“For us to take it, the case has to be fun. We have to like what it’s about,” says Langer. “And the overall mix has to be profitable or the cases stop being fun. But if it’s just profitable and not fun, what’s the point?”

DOW RELISHES THE CHALLENGE OF CRACKING DOWN ON CRIME IN NEWARK

By Andy Greenberg and Tasneem Paghdiwala

Paula Dow, L’80 courts trouble. She grew up in the working class neighborhood of Yeadon near Philadelphia, parlaying her drive to succeed into a round of ever-increasing challenges.

In 1987 Dow left the comparatively placid world of corporate law, in which she was lead attorney for one of the world’s largest oil and gas refineries, to fight corruption alongside Rudy Guiliani. She later became the highest law enforcement official in the badlands of Essex County, N.J.

“I recognized that if I didn’t make a change, I would stay in corporate practice for the rest of my life and go on cruise control. I wanted a challenge,” says Dow. “I wanted to do public service.”

For a dynamo like Dow, who can accelerate to match the pace of most any job, avoiding cruise control has led her on



Paula Dow, L’80

a constant search for more demanding assignments. Looking back, she wouldn't have it any other way. "There were less perks than the corporate life," she says. "But the sense that you're working for the good guys and making a difference in people's lives, those are the overwhelming positives."

"Making life difficult," she adds, "(is) what keeps me sharp and makes me a better attorney."

Dow's appetite for rough trade began when she left Exxon in 1987 to work for Giuliani, then a U.S. Attorney in New York embroiled in big, dirty corruption cases. "It was the most exhilarating time for me as a young attorney. Giuliani was making headlines all over the country for cleaning up Wall Street and the Fulton Fish Market," says Dow, who tackled a number of high-profile cases of her own, including Pan Am's complex bankruptcy in 1991.

However, Dow soon found a new challenge, joining the U.S. Attorney's Office for the District of New Jersey in 1994. "I did nothing but criminal prosecutions," she says. "You name it: public corruption, fraud, drug cases. I couldn't get enough." She prosecuted drug traffickers in New Jersey who had criminal ties all over the United States and in Mexico and Thailand, and later handled one of the most notorious cases of her career, the corruption trial of former Irvington, N.J. Mayor Sara Bost, who eventually pled guilty to witness tampering.

Her work on the Bost trial prepared Dow for perhaps the toughest assignment yet. In 2003 she was nominated by then-governor Jim McGreevey as prosecutor for Essex County, which includes the poor, troubled cities of Newark, East Orange, and Irvington, site of New Jersey's highest rates of homicides and other violent crimes. As if that challenge wasn't enough, the prosecutor's office itself had been in a state of turmoil since the last prosecutor resigned in 1999 amid charges of mismanagement.

By the time Dow took the helm, the prosecutor's office was known for its poor conviction rate and a hefty backlog of cases. Predictably, it was a difficult confirmation process. "Some state senators felt they didn't know me, because I was coming from the federal side. It was the first time a federal government attorney was considered for this position, and people look warily at the feds," she says.

Nonetheless, Dow was confirmed in 2005 for a five-year term. She hit the ground running. Dow inherited the Seton Hall University fire case, in which a pair of college students were charged with arson in a blaze that killed three other students. It was called the worst dormitory fire in U.S. history, and Dow quickly became the public face for the government in the case. At the same time, she took charge of a much-publicized child-

"I recognized that if I didn't make a change, I would stay in corporate practice for the rest of my life and go on cruise control. I wanted a challenge," says Dow. "I wanted to do public service."

abuse prosecution in which a young boy was found dead and his brother and half-brother on the brink of starvation in the basement of a relative's home. Dow sharply criticized the New Jersey Division of Youth and Family Services for its lack of oversight. The case led Gov. McGreevey to overhaul the state's social services agency.

During Dow's term, there has been a dramatic decline in the number of assaults and robberies, as well as a significant drop in narcotics trafficking stemming from a new federal-state task force on gangs and narcotics. In addition, she has been responsible for an increase in homicide convictions, has put teeth in a program to punish violators of probation, and has presided over the building of a new state-of-the-art Crime Scene Unit.

Dow says despite the attendant controversy and difficulty in her position, she finds her work immensely fulfilling. "People look to us for redress of wrongs that they can't get anywhere else," she says. "And I know that this office is a better place today thanks to the changes I've had the chance to implement."

That's not to say she's ready to start gathering moss. Dow continues to seek new challenges: She admits to an interest in being a judge down the line. "I'm not completely joking when I tell people that I'm still not sure what I'm going to do when I grow up," she says. "This is just another great avenue for me, another path to the next challenge." **PLJ**

ANDY GREENBERG WRITES ABOUT TECHNOLOGY AND LAW AS A SENIOR REPORTER FOR FORBES.COM. TASNEEM PAGHDIWALA IS A STAFF WRITER FOR *THE CHICAGO READER*.

TO PHILADELPHIA
THE WORLD

The Journal, Vol. 42, Iss. 1 [2014], Art. 1

ORIGINAL ISSUE
CALCULATION

 * **WHAT I DID ON MY** *
 * **SUMMER VACATION** *

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BY LARRY TEITELBAUM

If the Peace Corps had a law division, it might look like our new Human Rights Fellowship Program. Last summer, a group of intrepid students left behind the comforts of home to travel to the far reaches of Africa, the Latin American tropics, and the conflicted lands of Asia. They explored unfamiliar legal systems and the consequences of AIDS, domestic violence and environmental degradation, and the haunting legacy of genocide. What they discovered in the first year of this program can't be learned in books.

Caustic Mix of AIDS and Domestic Violence Endangers Women in Namibia

When Nermeen Arastu went to Namibia last summer, she received a lesson in sexual politics she will never forget.

“AIDS is used as a threat by a lot of men in their relationships with their wives,” recalls Arastu. “You’d see a lot of cases where the woman said, ‘Oh, my husband said he’d sleep around and bring AIDS home to me and my children. You saw millions of cases like that and that was very disturbing.’”

Nermeen spent 13 weeks in Namibia, which gained its independence from South Africa in 1990. She was there to study the effectiveness of the country’s new domestic violence law.

She spoke to city dwellers and tribesman in villages and towns in an effort to find out if they knew that the three-year-old law contained provisions for protection orders. Most villagers did not, she said. One reason is that the poor have less access to lawyers; the other is lack of communication. (There are eight languages in Namibia, and it can be difficult to convey information, says Nermeen.)

AIDS is prevalent in Namibia, with a transmission rate of up to 30 percent in some parts of the country, according to Nermeen. She says Namibia is grappling with AIDS-related legal issues, such as whether rapists who transmit the disease should be charged with homicide. When she was there, the Parliament was also considering a law on AIDS testing that raises concerns about unreasonable search and seizure.

Nermeen worked for the Legal Assistance Center, which advises Parliament. She says many people are afraid to report domestic violence, just like in America. But she says the young democracy is “trying harder than we are” to reform their laws. “There’s not as much apathy towards the system.”

She was drawn to the project because of her history of working on issues of domestic violence. Nermeen manned a domestic violence

hotline while in college and after graduation worked on the issue at the National Organization for Women.

Before she left the country, Nermeen was asked for a recommendation on a proposed law that would have required mandatory AIDS testing on suspected rapists. Through the prism of her American legal training, she decided that such testing infringes on people’s rights.

Establishing Rule of Law After Khmer Rouge Reign of Terror

Laura Conn saw a country in recovery. She heard heart-rending tales of murdered family members, witnessed the shelled remains of buildings, and sat through unintended mock trials.

Welcome to Cambodia, post-Khmer Rouge.

Nearly three decades after despotic rulers razed the countryside and killed a quarter of the population, Laura arrived in Cambodia in time for the Khmer Rouge tribunals. As Laura explains, up to a dozen people will be tried for their crimes. But more important, the tribunal will establish an historical record of the atrocities committed and she hopes move the country toward a respect for the rule of law.

Laura spent last summer developing proposals with Legal Aid of Cambodia to educate villagers in remote regions



Laura Conn enjoys a moment of camaraderie with her co-workers at Legal Aid of Cambodia.

WHAT I DID ON MY SUMMER VACATION



Headquarters of Legal Aid of Cambodia



Cambodians listen intently as lawyers from Legal Aid of Cambodia educate them about the tribunal being held on the crimes committed by the Khmer Rouge.

of Cambodia about the tribunal. “Every single person you talk to was dramatically affected by the Khmer Rouge,” says Laura, who worked for Legal Aid of Cambodia. “Everyone has family members who were killed. Everyone was forced to flee their homes.”

“There’s fear that there will not be a lot of change in Cambodia, it will be more of a show trial,” she says.

That fear is rooted in Cambodia’s catastrophic history. The Khmer Rouge regime was removed from power in 1979, after which years of conflict ensued. Even today, Laura reminds, Cambodia is run by a dictatorial prime minister, and the rule of law is a rumor.

“There is no juvenile justice system at all so children are tried as adults and placed in adult facilities,” says Laura. As a result, recidivism rates are high. One remedy could lie in a small pilot program that Laura helped to develop. Children arrested for minor offenses, such as stealing a chicken or sniffing glue, would enter a community diversion program supervised by their parents and local leaders. The project has since received a grant from UNICEF.

Cambodia is developing new procedures, civil and criminal codes. Still, Laura harbors no illusions about the challenges of establishing a credible legal system in the former communist country. She says all of the country’s laws are found in one book, and judges have free reign to interpret them as they wish. “Judges can do what they want and are infamous for taking bribes from victims, from prosecutors, from defense attorneys, from the accused, to the point where one of our (Legal Aid) lawyers at a conference told me, ‘You know, it’s difficult for me to chart how well I’m doing with some of these cases.’”

Laura, who co-directed the Penn Law Immigration Clinic, hopes to return to Cambodia someday to see how the legal system is working. She hopes

as well to work for a public service organization, perhaps on refugee resettlement.

Guatemala Imprisons Women with Impunity

The 17-year-old girl’s voice quivered as she testified before three judges about her discovery of a women’s body in the house she cleaned. She was terrified that someone would try to kill her or her family for speaking up.



Silvia Diaz trained in this building for her work monitoring human rights violations against Guatemalan women.

Knowing what she did about Guatemala, Silvia Diaz was frightened as well as she watched the court proceeding. She knew women face grave dangers in a country where they are routinely abducted, murdered, and imprisoned without much chance for due process or protection.

While in Guatemala for six weeks, Silvia visited prisons and monitored human rights violations against women for El Instituto de Estudios Comparados en Ciencias, an organization that pressures Latin American governments to reform their criminal justice systems and observe human rights.

Forget due process or witness protection programs. Women are arrested at times for no apparent reason, says Silvia, recalling a case where a mother of a handicapped daughter was suddenly hauled from her fruit stand. Once in jail, she continues, women suffer sexual assault and verbal abuse — that is, if they even make it to prison.

A prison guard told Silvia that conditions are tolerable because there are only 300 women in the prison, far fewer than the number arrested. “Guatemala has a big problem with disappearances,” says Silvia. “The best way to make a problem go away, especially if (the government) knows it has done something illegal, is to make people disappear.”

According to Amnesty International, more than 2,200 women have been murdered in Guatemala since 2001. “One way to control a population,” says Silvia, “is to take its women and make them afraid of even walking outside their homes... Label them as prostitutes if you see them on the street, and it makes it okay to kill them.”

Silvia grew up in New York City. But nothing prepared her for Guatemala City, where she lived. She says gangs roam the streets of the capital, making it dangerous for a woman to walk alone. In rural areas, meanwhile, frontier justice prevails because people have little faith in the courts or the government.

“There are a lot of forces of chaos, a lot of corruption,” says Silvia. “Judges are pressured by the military.”

They receive threats, as do human rights organizations. Silvia says her organization had to hire guards and install cameras outside the building after several leaders were threatened and documents were stolen by vandals.

Silvia expressed admiration for the courage and resiliency of the Guatemalan people fighting oppression. During her six weeks in Guatemala, she also earned a better appreciation of the U.S. legal system. “I trust that charges are going to be brought

WHAT I DID ON MY SUMMER VACATION

against (the accused) and they are going to have a chance to face those charges,” she says.

Tourism Takes Toll on Ecosystem in Ecuador

The land where Charles Darwin conducted his famous research is as endangered as some of the species he studied. The Galapagos Islands are experiencing a barrage of tourism. And the potential damage to the island’s ecosystem is of great concern to Christopher Jon Fromherz, who spent last summer working for a policy research organization called the Ecuadorian Center of Environmental Law.

Fromherz says the island, which is 600 miles off the coast of Ecuador, is a world treasure, home to a host of rare creatures and pristine wetlands. More than 100,000 tourists visit every year, and the population has swelled from 3,000 in the 1980s to 30,000 today. Although Christopher did not spend time in the

Galapagos, he says he says other regions of the country face similar environmental issues, as indigenous populations grapple with the trade-offs of economic benefit at the expense of preservation.

Ecuador is one of the few countries in the world whose constitution guarantees every citizen a fundamental right to a clean and healthy environment. As Christopher discovered, however, the spirit of the law falls short in practice.

One example is the movement to preserve wetlands. International oil companies with a significant investment in Ecuador want to drill in the Amazon region. Residents who oppose such activity face stiffer obstacles than in the United States, explains Christopher, who studied Ecuador’s legal regime governing wetlands during his two-month stay in the capital city Quito.

The courts will not act on alleged environmental violations, he says, unless there is a specific remedy in the legal code or the executive branch promulgates a new policy. “The judiciary is much more limited in what it can do in Ecuador than it is in the United States,” says Christopher.

Internal politics also pose a problem, with the environmental, mining and agricultural ministries, which share jurisdiction over

The Human Rights Fellowship Program, which began last summer, provided a number of students an experience in Public Interest Law that can’t be replicated in the classroom. Among the beneficiaries were (left to right): Christopher Jon Fromherz, Laura Conn, Silvia Diaz, Nermeen Arastu and Robert Manzanares.





Christopher Jon Fromherz takes in mythic countryside in Ecuador, where he spent last summer studying the country's wetlands regulations.

wetlands, holding different agendas. Even the tribes feel conflicted, says Christopher, because the oil companies are doing a better job of building hospitals and schools than the government.

Christopher, who met his wife while teaching English literature for two years in Bolivia, has more than a passing interest in Latin America. He plans to return sometime after law school to start a nonprofit organization with his wife, perhaps one specializing in alternative dispute resolution, still in its infancy in Ecuador and other Latin American countries.

Probing Police Brutality in Argentina

Robert Manzanares spent an eye-opening summer in Argentina last year. In a country where brutal repression, storm trooper tactics, and whitewashing investigations were once common practice, Robert was on hand to witness a major breakthrough in the government response to police wrongdoing.

The government acknowledged blame in the death of a young bystander in a police shootout with robbers. The confession led to hearings on reparations before a three-judge panel.

"That was the first time that kind of arbitration ever happened in the country, so I was pretty honored to be there," says Robert. "It was quite the learning experience."

Robert studied the case during his two months in Argentina, where he investigated random police violence and the lack of government accountability for the Comision de Familiares de Victimas Indefensas de la Violencia (COFAVI). The organization, founded by families and friends of victims of police violence, is devoted to protecting human rights.

Robert, who took Professor William Burke-White's class in Public International Law this year, is familiar with Latin America, having been on service missions to Mexico and Cuba while in college.

But his extended stay in Argentina presented a great opportunity to immerse himself in the problems of a developing democracy. Robert describes the facts of the incident in 1992. The young man met his father at a café after his first day of work. He was drinking coffee when robbers took hostages and used him as a human shield. Without negotiation, 40 police officers stormed the café and opened fire.

The victim's mother "tried to bring claims in the Argentinian judicial system without success," says Robert. "Her son's autopsy was doctored on three occasions."

In the aftermath of last summer's hearing, COFAVI is working with the government on amending the penal code to change the rules of evidence for police. Under consideration are proposed changes that would allow families to request independent autopsies.

One moment crystallized Robert's summer experience. He talked to a police officer who acted as an informant in another case involving a drug dealer released by other officers. The officer expressed amazement that our courts actually work, reminding Robert how years of corruption can erode people's faith in justice.

Coincidentally, Robert will keep the Argentine connection going as a summer associate at Cleary Gottlieb. He will handle sovereign debt restructuring. One of his clients: Argentina. **PLJ**

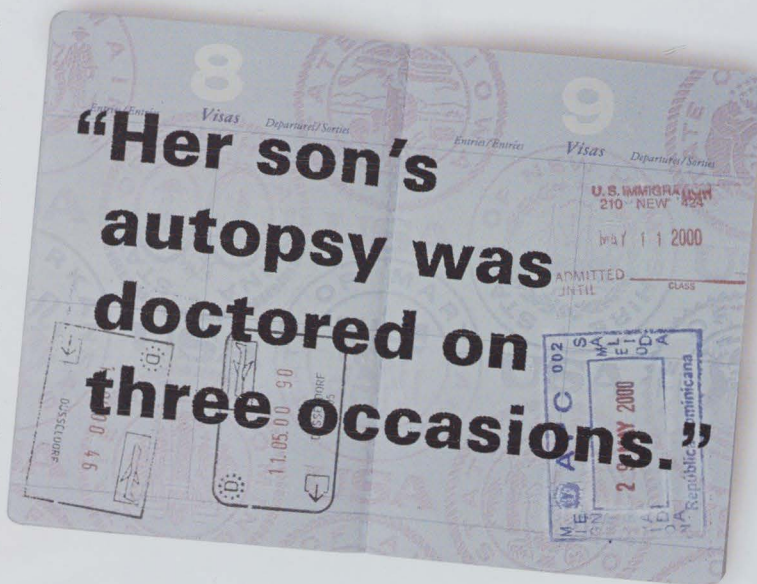
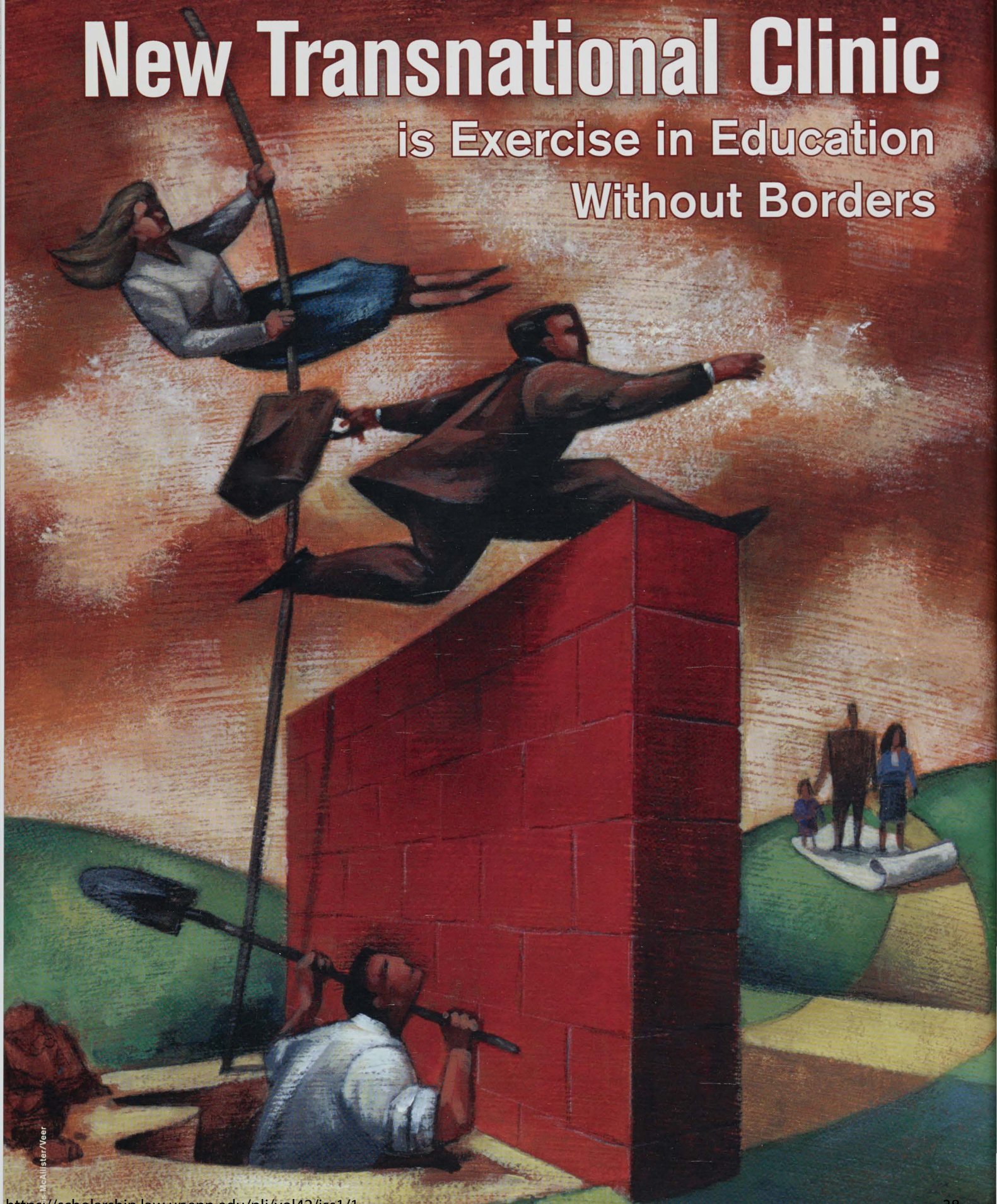


Photo: © Getty Images

New Transnational Clinic

is Exercise in Education
Without Borders



McAllister/Veer

Students Face Language and Cultural Barriers in Immigration Cases

By Jennifer Baldino Bonett

Leopoldo Z. is a Mexican national who fractured his leg when he fell out of a tree picking apples. He required three surgeries and now suffers from a chronic pain disorder. Because of his current status as a migrant unauthorized to work in the United States, he has been forced to settle his workers' compensation claim for \$35,000. Were he a U.S. citizen, he would have been entitled to benefits of approximately \$100,000.

Leopoldo Z. is among the six to eleven million undocumented workers currently in the U.S. Many work for businesses that gladly hire them as low-paid employees in some of the most undesirable jobs, but shun responsibility when times turn tough. These workers live and work in a limbo where seeking justice from the U.S. legal system can leave them empty-handed, and possibly deported.

At Penn Law, a new clinic is helping clients in these murky predicaments and educating students in areas of law that are becoming increasingly important to every practicing attorney. Transnational legal cases intersect through some of the most challenging aspects of law and present unique complexities found at the crossroads of U.S. and international laws.

Last fall, during the inaugural semester of the Transnational Legal Clinic, students worked with director Sarah Paoletti to file a petition with the Inter-American Commission on Human Rights to urge protection for undocumented workers like Leopoldo Z. The petition, filed jointly by Penn Law, the ACLU and the National Employment Law Project, is just one example of how the Transnational Legal Clinic is giving students hands-on experience.

"It has been both shocking and enlightening to observe firsthand the many traumas and abuses that undocumented workers endure," says Christine Chuang, L'07. "Taking the clinic was a perfect way to gain exposure to such issues while working with real clients. This has made me learn to think like a lawyer, instead of just a law student."

Students like Chuang, with her interest in human rights and immigration issues, may be drawn to the clinic naturally. But the interface between U.S. and international law is becoming organic to the entire practice of law in this country, explains Paoletti.

"There are very few things in our day-to-day lives now that don't cross national boundaries," she says. "It is rare that anyone will engage in a practice of law that doesn't require us to think globally or have a global interaction. The world is becoming smaller. More law firms are dealing with offices and businesses that go overseas. Legal services agencies are dealing with more clients who are foreign-born."

Paoletti has been very close to this shift throughout her career. Recognized early on for her interest in human rights, she won the Skadden Fellowship and the Independence Foundation Public Interest Law Fellowship, both of which support legal services for the poor and disadvantaged. She worked as an attorney for Philadelphia-based Friends of Farmworkers, Inc., and is now a member of their board. She then spent three years at American University Washington College of Law as a practitioner-in-residence. Paoletti joined the Penn Law faculty in 2006 as lecturer and clinical supervisor. She shares her expertise in employment, immigration, international and labor law with her students, offering them real-world cases and the chance to make a real-world difference.

Sharp and focused, yet approachable and empathetic, Paoletti appreciates the unique situations of clients walking the tightrope between U.S. and international law. She works closely with her students to overcome the myriad challenges that come with the territory.

Each student in the Clinic is assigned at least one immigration case per semester and the goal is for everyone to work on a human rights matter as well. Paoletti is networking among well-established agencies and her own professional contacts to further develop the Clinic's client-referral base.

TRANSNATIONAL CLINIC

“It has been both shocking and enlightening to observe first-hand the many traumas and abuses that undocumented workers endure.”

“Immigration [a factor in almost all the Clinic’s cases] is probably the most complex area of law you can deal with,” says Paoletti. “Nothing is simple. Clients don’t come with us with nice, easy problems. They come to us with their lives, and lives can be messy.”

The most common challenge with clients is the language barrier. This can be overcome with translators, but Paoletti is attuned to shades of meaning in her clients’ words. With her knowledge of French, she caught the difference between “not a great chance” and “not a 100 percent chance” for a francophone African client. Such nuance can make “a great difference in what the client is hearing,” she says.

Overcoming cultural barriers is an even knottier matter. “We’re already talking two different cultural languages — the culture of the law school versus the culture of the person coming in and needing our services,” says Paoletti. “It’s getting the students to understand that culture isn’t just coming from another country. Clients come to us with a different set of understandings and assumptions and students do the same. Part of our job is trying to identify those and look at how they may interfere with our attorney-client relationship or help us understand it a little bit better.”

Students also need to grapple with, often for the first time, the extreme poverty and muddled complexities of their clients’

Sarah Paoletti (left), director of the Transnational Legal Clinic, guides students such as Christine Chuang, L’07 through the cultural shoals of difficult immigration cases.



lives. One of Chuang's clients was living in a car for a time. Drawing a line between legal representation and social work was difficult, and Paoletti guides the students in setting appropriate boundaries. "This is not unique to the Transnational Legal Clinic, but is a recurring issue when representing the poor," says Paoletti. "The students always struggle with determinations of the scope of their representation and defining their role in the relationship with the client. . . . Our clients can appear more vulnerable, more in need – they are in foreign country; they have less access to services; they likely have undergone some trauma. There often is a desire to take care of them."

Tackling difficult lawyering questions and learning from them are part and parcel of the clinic experience at Penn Law, says Douglas N. Frenkel, W '68, L '72, director of the Gittis Center for Clinical Legal Studies. The concept is termed "reflective lawyering," and it is more than an idiom, it's a mantra in Penn Law's clinics. "Our overarching teaching objective is to prepare students not just for the immediate experience but the ability to teach themselves from this collection of experiences," he says. "What were the alternatives? What can I learn from this experience? How can I generalize from this experience, so that when I leave here, I will in a sense become my own teacher?"

He sums up: "It's not only teaching students how to do *this* case, but how they can learn from this case for a lifetime."

In transnational law, there are many deep lessons to parse. Perhaps the most unexpected for students in transnational law is the frequent lack of ready closure on cases. "Remedies for individuals bringing cases before international human rights tribunals against the U.S. are less concrete than what state and federal courts can provide in the U.S.," explains Paoletti. She uses the petition on behalf of undocumented workers as an example.

"Cases in the Inter-American Commission do not move so quickly. . . . We hope to have a hearing on admissibility when the Commission meets in October." (The Commission only meets twice a year.) Even then, the Commission can only issue a recommendation to the U.S., which can be used in other advocacy fora.

Chuang treats the slow pace of progress as a life lesson: "You can help people with little victories."



Students simulate an interview with actor portraying an immigrant.

Many of those victories can spark right in Philadelphia, a city "ripe for bringing human rights home," says Paoletti. She sees Philadelphia, with its central location, strong legal services base, and history of collaboration on human rights issues as "a place where you can do this bridging of international human rights and U.S.-based clients."

Paoletti is enthusiastic about building the Transnational Legal Clinic, and she is working in multiple directions to enrich it. She would like to build on the interdisciplinary opportunities available at Penn. She sees potential for collaborations with the School of Medicine, the School of Nursing, the Political Science Department, and the Solomon Asch Center for Study of Ethnopolitical Conflict.

Simply put, in the Transnational Legal Clinic, Paoletti is leading an initiative in education without borders. It is an opportunity for students to learn from cases that span the globe and cases found in their own backyard. It is a chance to work on cases that cross cultures, languages, and international laws. It is an exceptional occasion to work with clients who bring home the reality that contemporary legal counsel increasingly means reaching across geographical boundaries to get to the heart of the matter. **PLJ**

AWARD-WINNING JOURNALIST JENNIFER BALDINO BONETT WAS DIRECTOR OF EXTERNAL AFFAIRS FOR FORMER PENN PRESIDENT JUDITH RODIN. SHE IS NOW A FREELANCE WRITER AND EDITOR SPECIALIZING IN HIGHER EDUCATION.

Manifest in the Middle

BY SALLY FRIEDMAN

It's a long way from the University of Pennsylvania Law School to Dubai, once a sleepy fishing village in the United Arab Emirates, to what a *New York Times Magazine* supplement recently called "...The fastest growing city on earth...a mix of Singapore and Las Vegas."



Destiny East

It's almost impossible to fathom the transformation from the Dubai of just a decade ago to the one that now has \$100 billion worth of projects already underway, or on the launching pad, and an economy that grew at a gallop of 16 percent in 2005.

This is a journey that David Richter, ENG'87, W'87, L'92 has taken with his company, Hill International, Inc., a partner in Dubai's astonishing growth spurt. And therein lies a tale.

When David was 10 years old, he used to wait for his father to come home from work so he could make a beeline for his dad's briefcase, pop it open and look for his construction drawings and papers.

"I was always fascinated by anything related to construction, and I still am," says Richter, whose father, attorney Irvin Richter, created Hill International in 1976, and was its sole employee. Today, Hill is a worldwide construction consulting company with 60 offices worldwide, 1,400 employees and approximately \$200 million in revenues last year. The company is the largest construction claims company in the world and the 17th largest project management company in the United States.

At 40, David Richter is president and chief operating officer of the company. And now it's his briefcase that's stuffed with all manner of construction-related documents and drawings, al-

MANIFEST DESTINY

though his own four daughters, all under the age of five, are still a bit too young to be interested in its contents.

Richter, a resident of Princeton Junction, N.J., earned a double degree as a University of Pennsylvania undergraduate: a B.S.

But back then, he was determined not to join his father in the family business. “My early dream was to be an architect,” says Richter. “Working with my dad was going to be my fallback position, almost the last thing on my list.”

“In every direction as far as you could see, there were construction cranes on the horizon, and there was the feeling that you were witnessing **the global future...**”

in management and a B.S.E. in civil engineering before earning his J.D. from the University of Pennsylvania Law School. During summers in college, Richter worked with area builders and developers on construction sites, learning through the muddy boots route the intricacies of the business by wielding tools and taking orders from foremen.

Richter was determined to be the next Donald Trump, with entrepreneurial visions fueling his ambitions. He vacillated between law school and an MBA program, but law school won out.

“My course load included a heavy concentration in corporate law, securities, commercial law and real estate,” says Richter, who also served as senior editor of the then-named University of Pennsylvania Journal of International Business Law — a preview of what was to come.

Inevitably, after a three-year stint practicing corporate law at New York City law firm Weil, Gotshal & Manges, LLP, Richter came “home.” In 1995 he joined Hill International as vice president and general counsel. In 2001, he moved over to the operations side of the company, taking over as president of Hill’s Project Management Group. In 2004, he was promoted to president and COO. By the summer of 2006, he was helping ring the Nasdaq opening bell after spearheading the company’s effort to go public. Hill, which had already managed over 1,000 projects valued at more than \$100 billion, was poised for even greater growth.

Today, the world is Hill’s playing field, with David Richter up at bat. Which is how two years ago Richter found himself standing and surveying a sight that he will never forget. On his first trip to Dubai, this lawyer/executive was stunned by a place that resembled a boomtown during the California Gold Rush — interesting in that, unlike its UAE neighbors, the emirate’s economy is not built on oil revenue.

“In every direction as far as you could see, there were construction cranes on the horizon, and there was the feeling that you were witnessing the global future,” Richter recalls. “People say that Dubai is the Hong Kong of the 21st century, and I saw that for myself.”

David Richter in front of the Comcast Center, Philadelphia.



Hill International's interest in Dubai came several years before the current rush. "We saw this coming some years ago," says Richter, "but our deepest involvement has been more recent."

That involvement includes Hill's high-visibility role as project manager for the design and construction of Jumeirah and its sister island Palm Jebel Ali, the two man-made, palm-shaped islands in the Persian Gulf off the coast of Dubai. Created under Hill International's watchful eye in a \$2.8 billion project that involved the use of more than 100 million cubic meters of earth and about five million cubic meters of rock fill to complete, the effort was heralded by the world press as one of the most ambitious and unusual in construction history. Some have even dubbed it the "Eighth Wonder of the World."

Each island is built in the shape of a palm tree with 17 fronds and a trunk connected to the mainland. The site has the distinction of being only the second man-made object that can be viewed from space. The Great Wall of China is the other.

The Palm Islands, as they are known, will ultimately house several dozen luxury hotels, numerous apartment buildings, single family homes with private beaches, restaurants, shops and entertainment facilities. It has become one of the boldest tourism and commercial projects in history, and Hill is in the thick of it.

Along with Palm Islands, there is the company's project management of Bawadi, believed to be the most expensive privately-financed development project in history, also in Dubai. The Las Vegas-style complex is part of a giant undertaking known as Dubailand, the ultimate resort/theme park, which will eventually include 31 new and ultra-lavish hotels. Asia-Asia, slated to be the world's largest hotel, will have 6,500 rooms.

Hill's David Richter, who is not given to hyperbole, suggests that Bawadi will be like no other resort area in the world. "It's totally unique," he says, "and so is the entire Bawadi concept."

"This part of the world is very important to Hill," notes Richter, explaining that Hill has 400 people already in the region, with more to come. "Success in the Middle East will help us to grow in Eastern Europe, the Far East, China, Korea and other parts of the world."

Hill is already a presence in Bucharest, where it is overseeing the renovation and expansion of 106 schools; in the Balkans, where it is managing water treatment facilities; in Abu Dhabi, where it is supervising the tallest high-rise, an 84-story skyscraper called Sky Tower; among numerous other international projects.

Locally, the company is managing the 57-story Comcast Center, which upon completion will be Philadelphia's tallest skyscraper. Hill has also managed the construction of the National



Palm Towers, Dubai



Bawadi, Dubai

MANIFEST DESTINY



Palm Jumeirah, Dubai

Constitution Center and the Battleship USS New Jersey Memorial and Museum.

The Marlton, New Jersey-headquartered company has also been one of the principal construction management advisers to the U.S. Army Corps of Engineers on the multibillion dollar Iraq Reconstruction Program in Baghdad, with the challenge of creating infrastructure for six major industry sectors including oil and gas,

Hill International's Top Ten Projects

1. Palm Islands, Dubai, UAE
2. Iraq Reconstruction Program
3. Comcast Center, Philadelphia
4. World Trade Center Site Transportation Hub, New York
5. U.S. Supreme Court Building, Washington, D.C.
6. Bawadi Hotel Complex, Dubai, UAE
7. Hamad Medical City, Dohar, Qatar
8. National Constitution Center, Philadelphia
9. United Nations Headquarters Complex, New York
10. Dubai Tower, Doha, Qatar

electricity, public buildings and health, transportation and communication, security and justice, and public works and water.

The long and winding road to Dubai and other developing parts of the world still brings David Richter back to his favorite spot: his home in Princeton Junction, where his wife, Michelle, and four daughters claim and frame his days and nights.

These days, Richter reflects on how his search for fulfillment ended up in his own backyard. "I'm within an hour of where I grew up and went to school. I found everything I was looking for career-wise at Hill International," he says. Challenge, certainly. Adventure, excitement, a chance to combine my Penn educations in engineering, law, and business in one firm."

There was also one more "perk," acknowledged a grateful son. "I've had an opportunity to learn from my best teacher and mentor — my own father. And it just doesn't get any better than that."

SALLY FRIEDMAN IS A GRADUATE OF THE UNIVERSITY OF PENNSYLVANIA AND HAS BEEN A FREELANCE WRITER FOR THREE DECADES. SHE HAS CONTRIBUTED TO *THE NEW YORK TIMES*, *THE PHILADELPHIA INQUIRER*, *THE NEWARK STAR-LEDGER* AND OTHER MAJOR NEWSPAPERS AND MAGAZINES. ALONG WITH FEATURE WRITING, SHE IS ALSO AN ESSAYIST WHOSE WEEKLY COLUMNS RUN IN THE *JOURNAL REGISTER* NEWSPAPER CHAIN.

Guggenheim Go-Between

Millinger Guides Flourishing Arts Scene in Abu Dhabi

For most of his adult life, Don Millinger, L'79 has juggled three passions: law practice, travel, and the arts. Each brought him great satisfaction, but he felt something was amiss.

The demands of his job sometimes made it harder for him to indulge his other interests, and he suffered from arts and travel deficit disorder.

In 2001, Millinger found the perfect synthesis, and a solution to his predicament: he became special counsel to The Solomon R. Guggenheim Foundation in New York.

These days, Millinger is doing some serious globetrotting, mostly to Abu Dhabi, the capital of the United Arab Emirates. And he is on the cutting edge of a cultural explosion there that he sees as having a profound impact on the region, with exponential growth and development on the horizon.

"After 21 years of major law firm and in-house counsel experience as a corporate and business lawyer, I've shifted my focus, and I'm feeling enormously gratified," said Millinger, who had been a partner at the Philadelphia firm of Wolf, Block, Schorr and Solis-Cohen and also Vice President-Law at Wells Fargo Alarm Services Inc. in King of Prussia, Pa.

After Millinger learned that the Guggenheim Foundation's visionary director, Thomas Krens, was seeking someone with his background for international expansion projects in South America, Asia, and the Middle East, and following substantive conversations over several months, Millinger took the leap, joined the foundation as special counsel, and never looked back.

The job allows Millinger to draw on his experience in the arts: He's been general counsel and president of the Prince Music Theater and was a member of the board of the Philadelphia Dance Affiliates/Dance Celebration. Immersed for decades in the cultural scene in Philadelphia, where he still lives with his partner, Gary Clinton, associate dean for Student Affairs at the Law School, Millinger is now working with the foundation on establishing a major cultural district in Abu Dhabi, which will include a branch of the Guggenheim as one of its cornerstones.

The Guggenheim Foundation owns and operates three museums: The Guggenheim Museum in New York City, the Peggy Guggenheim Collection in Venice, Italy; and the Guggenheim Hermitage Museum in Las Vegas. It also provides programming and management for the Guggenheim Museum Bilbao in Spain and the Deutsche Guggenheim in Berlin.

"Tom Krens and the board have determined that the Guggenheim should and will be even more of a global institution, and Abu Dhabi is a wonderful fit. It's an incredibly exciting international place that is ready to make its presence felt on global culture in unprecedented ways," says Millinger.



Don Millinger, L'79 (right), special counsel to The Solomon R. Guggenheim Foundation, with Foundation Director Thomas Krens.

The foundation has plans to develop a world-class museum as part of a comprehensive cultural district in Abu Dhabi. The Guggenheim Abu Dhabi, to be designed by acclaimed architect Frank Gehry, will be devoted to international modern and contemporary art and will help position the emirate as a leading international cultural destination, believes Millinger.

"What is so fascinating is that this is an Islamic monarchy, but one with the vision of participating in a global society," says Millinger. "For too long, the art dialogue has been between Western Europe and the United States, but now that conversation is expanding."

The Abu Dhabi cultural district, which will be on Saadiyat Island, a natural island just offshore from the capital, will likely include a branch of the Louvre, representing the classic arts, along with a national museum, a performing arts center, a maritime museum and a biennale park with 19 pavilions for alternating art and architecture biennales. In addition to the Guggenheim Abu Dhabi, Millinger has been involved in the preliminary master planning of the entire cultural district. "It's important to integrate these institutions so that they operate as a unified whole," he notes.

So these days, the Penn Law alumnus often finds himself interacting with members of Abu Dhabi's royal family, who are the impetus behind the planning.

"This is a place where tremendous exoticism and modernity coexist, and where mutual cultural respect is an essential ingredient in working on one of the most important cultural developments in the world," says Millinger. "To be a part of it is an enormous privilege." **PLJ**

— SALLY FRIEDMAN



FACULTY NEWS AND PUBLICATIONS

FACULTY NEWS FLASH

Uncommon Law

Middle Eastern Women Receive American-Style Leadership Training

THIS SPRING, 37 new “students” entered the halls of Penn Law and Wharton for whirlwind study of first-year law and finance and management courses followed by choice internships throughout the country. Sounds like a typical leadership development program until you consider this: these classmates were professional women from the Middle East engaged in the ultimate interdisciplinary exercise.

They were here courtesy of the U.S. State Department, which funded the Legal and Business Fellowship Program run by America-Mideast Educational Training Services, Inc., a nonprofit organization dedicated to improving understanding between the United States and the Middle East. The goal was to spawn leaders who bring the skills and knowledge they acquired, as well as an appreciation of American’s democratic system, back home.

And from what Prof. Michael Knoll observed as coordinator of the program at Penn Law, the participants are well on their way to achieving that goal. Said Knoll: “They’re very impressive. They’re smart, they’re articulate, they’re engaged.”

Penn Law hosted 15 professional women from Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Qatar, Tunisia, and the West Bank. Among them were academics, government workers, and lawyers. They spent four weeks on Penn’s campus before departing for five-month internships with large companies and top-tier law firms. Knoll, who taught Taxation, said the women attended an abbreviated LL.M.-like program — but with no grades or exams, just projects and presentations to demonstrate understanding of the material. They covered as much ground as possible in a short time, learning the basics of American law, from civil procedure

to torts to property, as well as taking courses in special subjects. These included Islamic Finance in the West and another course exploring Paul Robinson’s work on designing a modern criminal code in the Maldives that incorporates Sharia, a body of law inspired by the Koran. They were also exposed to Penn’s trademark interdisciplinary education when they joined their Wharton counterparts in the program, which ended in mid-April.

A highlight was a visit to the U.S. Courthouse in Philadelphia, where the Middle Eastern women had impromptu discussions with nearly 30 federal judges about the differences between the legal systems in their countries and America. Call it comparative law on the fly.



Middle Eastern women attending a special leadership program at Penn Law School meet federal judges at the U.S. Courthouse in Philadelphia for a broad discussion of the legal systems in their respective countries.

The women were astonished by the judges' independence. Huda Attiga, an associate at a law firm in Jordan, was also struck by the number of women on the bench. Among the judges at the luncheon were Cynthia M. Rufe, Norma L. Shapiro, L'51, Petrese B. Tucker, Anita B. Brody, Mary A. McLaughlin, L'76, and Gene E.K. Pratter, L'75 of the U.S. District Court for the Eastern District of Pennsylvania, Doris K. Sloviter, L'56, and Marjorie O. Rendell, CW'69 of the U.S. Court of Appeals for the Third Circuit.

In one jurisdiction Attiga saw more women judges than there are in her whole country. Even more impressive to her, some had been judges for almost 30 years. By contrast, Jordan appointed its first woman judge seven or eight years ago. There are now five or six, said Attiga. "It's not easy to become a judge in my country," she noted. "(But) in Jordan we're doing well compared to other Arab countries."

Knoll hopes to reprise the program, which drew enthusiastic support from the 15 to 20 faculty members who participated. "We had no idea what to expect," said Knoll. "My colleagues came out quite excited after teaching their courses."

— LARRY TEITELBAUM



THE FACULTY WERE IN THE MEDIA 791 TIMES BETWEEN JULY 2006 AND MARCH 2007. THE FOLLOWING IS A SAMPLING OF PROMINENT APPEARANCES.



DAVID RUDOVSKY, *The Washington Post*, July 25, "Suit: Philly detainees spend days jammed into cells without beds"

SARAH GORDON, *International Tribune*, August 29, "Leader of Polygamist Mormon Sect is Arrested"

POLK WAGNER, *Fortune*, August 30, "Taxes: Patent that loophole: You may save on your tax bill but also owe licensing fees. Can all this be legit?"

MICHAEL KNOLL, *The Philadelphia Inquirer*, Sept. 12, "Glaxo will pay billions to IRS: The record settlement of \$3.4 billion may affect how global firms allocate expenses and revenue"

STEPHEN MORSE, *Wired Magazine*, Sept. 27, "Psychos Need a Little Sympathy"

STEPHEN BURBANK, *USA Today*, Nov. 11, "Fight against 'judicial activism' to continue despite election setbacks"

WILLIAM EWALD, *The Wall Street Journal*, Nov. 16, "No, Everything Isn't Relative"

KERMIT ROOSEVELT, *The Weekly Standard*, Nov. 25, "A View from the Bench: The unpersuasive case for judicial activism"

STEPHANOS BIBAS, *The Washington Post*, Nov. 27, "Abandoned O.J. Project Shows Shame Still Packs a Punishing Punch"

PAUL ROBINSON, *The Chicago Tribune*, March 2, "State trying to take goofy out of the law"

JACQUES DELISLE, *Taipei Times*, March 29, "Drop 'one China' policy: US think tank"



STEPHEN BURBANK, ESPN, Sept. 2, "Pacific Trade Winds? Seattle still interested in Branch"

NATHANIEL PERSILY, ABC Evening News, Nov. 8, Virginia Senatorial Race

STEPHEN BURBANK, Fox News, Nov. 10, "Judicial Independence Remains Under Fire"

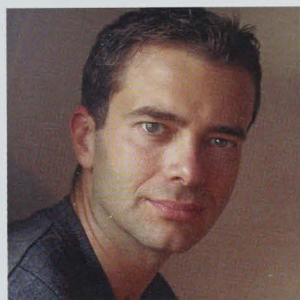
ANITA L. ALLEN, PBS, Jan. 31, "The Supreme Court"

AMY WAX, BBC Radio, March 26, Discussion on housing

FACULTY NEWS AND PUBLICATIONS

Wolff and Yoo Join Faculty

TOBIAS WOLFF has taught at the University of California, Davis Law School since 2000. He writes and teaches in Civil Procedure and Constitutional Law.



In the field of Procedure, he has specialized in complex litigation and the conflict of laws. His forthcoming work focuses on the federal Class Action Fairness Act of 2005. He is co-author of a casebook — “Civil Procedure: Theory and

Practice” — now in its second edition. Tobias has consulted on a number of major class action proceedings and currently sits on the executive committee of the AALS section on Conflict of Laws. He also serves as a member of the executive board of the Equal Justice Society, an organization that seeks to translate the insights of the academy into progressive reforms in law and policy. Prior to joining the University of California, Davis Law School, Tobias clerked for Judges Betty Binns Fletcher and William A. Norris, both of the Ninth Circuit Court of Appeals, and practiced as a litigator at Paul, Weiss, Rifkind, Wharton & Garrison in New York.

CHRISTOPHER YOO, who comes to Penn Law from Vanderbilt, is one of the nation’s leading authorities on law and technology.



His research focuses primarily on how technological innovation and cutting-edge theories of economics are transforming the regulation of electronic communications. He is also pursuing research on the economics of copyright as well as an historical project on presidential control over the administration of the law.

Prior to joining the Vanderbilt faculty in 1999, he clerked for Justice Anthony M. Kennedy of the U.S. Supreme Court and Judge A. Raymond Randolph of the U.S. Court of Appeals for the D.C. Circuit. He also practiced law at Hogan & Hartson in Washington, D.C., under the supervision of now-Chief Justice John G. Roberts, Jr.

Roosevelt Explores Judicial Activism in New Book

ASSISTANT PROFESSOR OF LAW Kermit Roosevelt is disturbed by the increasing heat of political rhetoric and the way that partisans discredit court decisions with which they don’t agree. In his latest book, “The Myth of Judicial Activism: Making Sense of Supreme Court Decisions,” Roosevelt argues that decisions should be judged solely on whether they are legitimate interpretations of the Constitution.

Last December, the themes in Roosevelt’s book were explored by a panel of professors, including Mitch Berman of the University of Texas and Rick Garnett of Notre Dame University. Penn Law Professor Nathaniel Persily, who served as moderator of the discussion, called the book “very accessible,” adding that readers do not need a law degree to understand it.

Professor Garnett noted that “(the book) steers us away from the empty and partisan ideas of activism...It invites us to talk civilly about what the court does, in a reasonable way.”

Explaining the premise of his book, Roosevelt said “we should, ideally, be arguing about the weight of factors (in a case), not whether the judges are giving policy preferences.”

“The Myth of Judicial Activism” (Yale University Press) comes a year after Roosevelt’s legal thriller “In the Shadow of the Law,” which *Time* magazine named one of “Five Fantastic First Novels.” Roosevelt teaches Constitutional Law.

Adler Wins Lindback Award

MATTHEW ADLER, the Leon Meltzer Professor of Law, has received Penn’s Lindback Award for Distinguished Teaching. The award is considered the University’s highest accolade for teaching. Only eight professors receive the award each year.

Adler, who joined the Penn Law faculty in 1995, has twice received the Harvey Levin Memorial Award for Excellence in Teaching. He is nationally known for his innovative work applying philosophical principles to the areas of legal theory and risk regulation, with emphasis on cost-benefit analysis. He teaches administrative and constitutional law.

COLLOQUIUM

A Periodic Look at the Law School's Interdisciplinary Program

Coglianese Launches Penn Program on Regulation to Evaluate Government Performance

THE AIR WE BREATHE, the water we drink, the airlines we fly, the banks to which we entrust our money and the hospitals in which we stay to regain health — almost all facets of life are subject to regulation.

And only when government considers the economic, environmental and financial impact of its actions can informed legal decisions result.

To that end, Professor Cary Coglianese, who joined the Penn Law and Political Science faculties last year, devoted the past academic year to exploring ways to improve the nation's regulatory response to a range of major public problems. He took on this task as head of the new cross-university Penn Program on Regulation.

Coglianese, who led a similar program at Harvard over the past decade, inaugurated the program with several major events. Working with Penn colleagues in the Law School, the Wharton School, and the Fels Institute of Government, he brought to

Penn some of the nation's leading experts from law, economics, medicine, and public policy for a yearlong series of seminars on catastrophic risk.

These seminars built on a recent effort by Provost Ron Daniels to convene a major symposium on the aftermath of Hurricane Katrina, from which evolved a book, "On Risk and Disaster: Lessons from Hurricane Katrina."

"Often in academe, researchers and institutions will finish a book and then move on to something else," said Coglianese. "Yet catastrophic risks are so fundamental, I wanted to make sure that Penn continued the vital intellectual momentum the Provost had initiated."

The catastrophic risk seminar drew a number of partners from across the University including the Law School's Program on Law, the Environment and Economics; the Fels Institute of Government, and Wharton's Risk Management and Decision Processes Center.

Over the course of the year, two major themes emerged: first, the nation's deep vulnerability to catastrophic risks, from hurricanes to terrorism to pandemics; and second, the American government's inability to prevent or respond to such events.

"We came away with a much clearer sense of the institutional challenges catastrophes present," said Coglianese, who plans next to organize a series of seminars or colloquiums in which recommendations are developed on how to lessen the risk or respond better to catastrophes. "Natural and human-made disasters are certainly not new, but clearly we need to think harder about how to design our legal and governmental system to address these risks effectively."

In a separate effort to better understand how to design effective public institutions, Coglianese assembled in December the largest public gathering of regulatory czars from past presidential administrations to discuss gaps in the government's performance in designing new regulations. Attending the conference were five former administrators of the Office on Information and Regulatory Affairs (OIRA) across both Republican and Democratic administrations. They were: James C. Miller III, John Spotila, Sally Katzen, John Graham, and Wendy Lee Gramm.

The conference marked the 25th anniversary of President Reagan's establishment of OIRA, which reviews cost-benefit analyses of proposed regulations and has the power to approve or delay new federal rules.

Coglianese expects the new Penn Program on Regulation will become a centerpiece at the University and in the nation, for the study of government's regulatory impact on both business and ordinary daily life.



Wendy Lee Gramm, regulatory czar under President Reagan, describes the challenges she faced at the Office of Information and Regulatory Affairs. A number of her peers took their turns at the microphone including (left to right) James Miller, Sally Katzen, John Spotila, and John Graham. On the far left is Prof. Cary Coglianese, who organized the forum as part of the Penn Program on Regulation.

FACULTY NEWS AND PUBLICATIONS



MATHEW ADLER

LEON MELTZER
PROFESSOR OF LAW

Adler participated in a Penn Law mini-symposium about his book *New Foundations of Cost-Benefit Analysis* this spring and also discussed the work at the AEI-Brookings Joint Center on Regulation in Washington, D.C.

Adler presented "The Time-Slice Problem: Should Welfarists Care about Lifetime or Sublifetime Well-Being?" to faculty workshops at Penn Law, Chicago-Kent Law School, University of Illinois Law School, Berkeley Law School, Arizona State University Law School, and Georgetown Law and to a student seminar at Harvard Law School. He also presented "Inequality and Uncertainty," which he co-authored with Chris Sanchirico, to a faculty workshop at University of Virginia Law School.

At the Penn Law Review symposium he presented a comment on a paper by Dan Farber on global warming. He also commented on papers by Robert Stavins

and Stuart Shapiro at the symposium on OMB review which was organized by Cary Coglianese. Adler participated in a symposium about FDA decision making at Seton Hall Law School.

PUBLICATIONS

New Foundations of Cost-Benefit Analysis (with Eric Posner) (Harvard University Press, 2006)



ANITA L. ALLEN

HENRY R. SILVERMAN
PROFESSOR OF LAW
AND PROFESSOR OF
PHILOSOPHY

Allen was named the Distinguished Stice Professor at the University of Washington Department of Philosophy in late October. She spoke at the Franklin Inn Club of Philadelphia on the topic of public moral figures and moral failures. Allen also served as a panelist at the Fred Friendly Ethics Seminar on nanotechnology and security. In early February, Allen was the first Distinguished Levi Professor for Bioethics at the Johns Hopkins School of Public Health where she delivered a series of lectures. Later

that month, she served on the "Privacy and the Public Sphere" panel at the Association for Practical and Professional Ethics. Allen gave a lecture titled "The Virtuous Spy" at the Cornell University Ethics and Public Life Program in March.

The following month she delivered the 2007 Quinlan Lecture on government mandated privacy at the Oklahoma City University School of Law.

PUBLICATIONS

"Moralizing in Public," 34 no. 4 *Hofstra Law Review* 1325 (2006)

"Disrobed, the Constitution of Modesty," 51 *Villanova Law Review* 841 (2006)

"Privacy," in *Encyclopedia of Privacy* (William G. Staples, ed, 2006)

"Peer Commentary: 'Gunther von Hagens' BODY WORLDS: Selling Beautiful Education," *American Journal of Bioethics* (2006)

"Affirmative Action," in *Encyclopedia of African-American Culture and History: The Black Experience in the Americas*, (New York: MacMillan, 2006, Second edition).

"Introduction," 1 *Journal of Animal Law & Ethics* VII (2006)

"Spying on Others: Privacy as a Limit," *The Monist* (forthcoming, 2007)

REGINA AUSTIN

WILLIAM A. SCHNADER
PROFESSOR OF LAW

At the September Loyola Law School Los Angeles symposium on popular

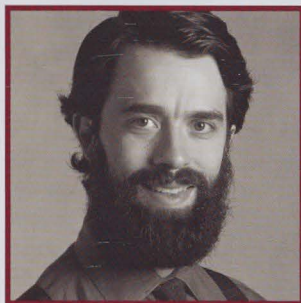


culture's effect on Americans and the civil justice system, Austin served as a panelist on "Super Size Me and the Conundrum of Race/Ethnicity, Gender, and Class for the Contemporary Law-Genre Documentary Filmmaker." She also moderated the "Surviving and Thriving In and Out of the Workplace" panel at the 25th Anniversary Symposium of the NBA Women Lawyer's Division, Philadelphia Chapter. In November, she gave a talk titled "Visualizing Women's Citizenship at the Borders: An introduction to the Documentary Performing the Border" for the Hofstra University School of Law conference on the dimensions of women's equal citizenship. Later that month, she was a discussant at the A. Leon Higginbothan, Jr. Memorial Lecture on "Social Justice, Human Rights and Sharia Law: A Conversation with Hauwa Ibrahim (the Nigerian Human Rights lawyer.)"

PUBLICATIONS

"The Next 'New Wave': Law-Genre Documentaries, Lawyering

in Support of the Creative Process, and Visual Legal Advocacy" *Fordham Intellectual Property, Media & Entertainment Law Journal* 16 (2006)



STEPHANOS BIBAS

PROFESSOR OF LAW

In October, Bibas participated in the University of Colorado at Boulder School of Law symposium which commemorated the fortieth anniversary of the *Miranda v. Arizona* and considered the future of and possible alternative to *Miranda* warnings. The following month he was interviewed by the Washington Post on the successful use of public shame to force Rupert Murdoch to cancel his multi-million dollar book deal with O.J. Simpson. This January, Bibas took part in a Liberty Fund conference at Northwestern University Law School on the political thought of John C. Calhoun and economists James Buchanan and Gordon Tullock.

PUBLICATIONS

"Transparency and Participation in Criminal Procedure" *New York University Law Review* (2006)

"White-Collar Sentencing After Booker" *William and Mary Law Review* (2006)

"The Rehnquist Court's Fifth Amendment Incrementalism" *George Washington Law Review* (2006)

"Making Sentencing Sensible" (with Douglas A. Berman) *Ohio State Journal of Criminal Law* (2006)

"Forgiveness and Criminal Procedure" *Ohio State Journal of Criminal Law* (forthcoming 2007)



WILLIAM BURKE-WHITE

ASSISTANT PROFESSOR OF LAW

In September, Burke-White presented a paper on Positive Complementarity at the International Criminal Court at the Association of European Human Rights Institutes meeting in Vienna. The following month he formally received a Ph.D. in international relations from Cambridge University.

Burke-White organized October's "The Iraqi Constitution: One Year On" conference which took place at Penn Law and assessed the state of the Iraqi Constitution after its

first year of operation. The conference raised critical issues regarding the structure of the constitution going forward and featured key note speakers including the Iraqi Ambassadors to the U.S. and the United Nations as well as U.S. Ambassador Dennis Ross.

Burke-White also organized "Human Rights and Political Prisoners in Russia: A View from the Khodorkovsky Case" in December in recognition of U.N. Human Rights Day. The event brought together key members of Mikhail Khodorkovsky's legal team and leading experts on issues of human rights, international law and Russia.

An authority in international investment disputes, Burke-White testified at the International Center for the Settlement of Investment Disputes (ICSID) as an expert witness for the government of Argentina in the case of *Continental Casualty Co. v. Argentina* in December. The case raised issues of the interpretation of the US-Argentina Bilateral Investment Treaty and the liability of Argentina for actions taken in the financial crisis of 2001/2002. He also presented a paper on "Proactive Complementarity in the Rome System of Justice" at Leiden University and the TMC Asser Institute in The Hague, Netherlands.



HOWARD F. CHANG

EARLE HEPBURN PROFESSOR OF LAW

In September, Chang presented "The Effect of Joint and Several Liability Under Superfund on Brownfields," which he co-authored with Hilary Sigman, at the annual meetings of the European Association of Law and Economics at the Instituto de Empresa in Madrid and of the Canadian Law and Economics Association at the University of Toronto. He also presented this paper at a Drexel University economics department seminar in November, and at a law and economics workshop at Tel Aviv University and at a law faculty workshop at Bar-Ilan University, both in January of this year.

He presented his paper "Cultural Communities in a Global Labor Market: Immigration Restrictions as Residential Segregation" at the Penn law faculty retreat in September, and at a symposium on the ethics of immigration at Sacramento State University and at a symposium on immigra-

FACULTY NEWS AND PUBLICATIONS

tion law and policy at the University of Chicago Law School, both in October.

Chang presented his paper "The Economic Impact of International Labor Migration: Recent Estimates and Policy Implications" at a symposium on immigration policy in October at the Temple University Beasley School of Law.

He presented his paper "The Economics of International Labor Migration and the Case for Global Distributive Justice in Liberal Political Theory" at a symposium on immigration policy at Cornell Law School in February.

He presented his comment "Reasonable Emissions of Greenhouse Gases: Efficient Abatement of a Stock Pollutant" at the University of Pennsylvania Law Review symposium on global warming in November.

He served as a discussant at the World Congress of Environmental and Resource Economists in Kyoto last July and at the annual meeting of the European Association of Law and Economics in Madrid in September. Chang served as a discussant at an International Law Colloquium in March and also served on the planning committee for the annual Delaware Valley International Law Day conference in October, both at

the Temple University Beasley School of Law. This fall he will be a visiting professor of law at the University of Chicago Law School.

PUBLICATIONS

"Reasonable Emissions of Greenhouse Gases: Efficient Abatement of a Stock Pollutant," 155 *University of Pennsylvania Law Review* (forthcoming, 2007)

"Cultural Communities in a Global Labor Market: Immigration Restrictions as Residential Segregation," 2007 *University of Chicago Legal Forum* (forthcoming, 2007)

"The Economic Impact of International Labor Migration: Recent Estimates and Policy Implications," 16 *Temple Political & Civil Rights Law Review* (forthcoming, 2007)

"The Economics of International Labor Migration and the Case for Global Distributive Justice in Liberal Political Theory," 40 *Cornell International Law Journal* (forthcoming, 2007)



CARY COGLIANESE

EDWARD B. SHILS
PROFESSOR OF LAW AND
PROFESSOR OF
POLITICAL SCIENCE

In October, Coglianese delivered a presentation on performance-based regulation at the Inter-Jurisdic-

tional Regulatory Collaboration Committee on the Use of Risk in Regulation in San Francisco. In February, he gave a presentation on management-based regulation to top British regulators at a workshop organized by the UK's Cabinet Office for the Better Regulation Executive.

He organized a Penn Law conference on "White House Review of Regulation: Looking Back, Looking Forward" in December. Throughout the academic year, he organized a seminar series on catastrophic risk regulation in conjunction with the Wharton School and the Fels Institute of Government.

Coglianese is a member of the Law & Society Association's publications committee as well as its program committee for the 2007 annual meeting in Berlin. He serves as an invited member of an ABA Committee on the Status and Future of Federal e-Rulemaking and an EPA advisory group on environmental evaluation. A member of the *International Journal of Electronic Governance* editorial board, he also co-edits the new international, peer-reviewed journal *Regulation & Governance*.

PUBLICATIONS

Regulation and Regulatory Processes (with Robert A. Kagan) (Ashgate, forthcoming)

"Weak Democracy, Strong Information: The Role for Information Technology in the Rulemaking Process" in *From Electronic Government to Information Governance: Governing in the 21st Century* (Viktor Mayer-Schoenberger & David Lazer, eds., MIT Press, forthcoming)

"Business Interests and Information in Environmental Rulemaking," in *Business and Environmental Policy* (Michael Kraft & Sheldon Kamieniecki, eds., MIT Press, 2007)

"Legitimacy and Corporate Governance," *Delaware Journal of Corporate Law* (2007)

"After the Scandals: Changing Relationships in Corporate Governance," (with Michael L. Michael) *The ICFAI Journal of Corporate & Securities Law* (2007)

Leveraging the Private Sector: Management-Based Strategies for Improving Environmental Performance (with Jennifer Nash) (Johns Hopkins University Press/Resources for the Future Press, 2006)

"Beyond Compliance: Business Decision Making and the US EPA's Performance Track Program," (with Jennifer Nash) *Regulatory Policy Program Report No. RPP-10* (2006)

"E-Rulemaking in the 21st Century: Issues and Themes from a Congressional Symposium," report prepared for the Committee on the Judiciary, House of Representatives (2006)

"Citizen Participation in Rulemaking: Past, Present, and Future," *Duke Law Journal* (2006)

"Management-Based Strategies for Improving Private-Sector Environmental Performance," (with Jennifer Nash) *Environmental Law Reporter* (2006)



ERIC A. FELDMAN
PROFESSOR OF LAW

An active member of the Law & Society Association, Feldman will serve on the editorial board of the *Law and Society Review* until 2010 and is a member of its 2007 nominations committee.

PUBLICATIONS

"Legal Reform in Contemporary Japan," in *Emerging Rights in Japanese Law* Harry Scheiber and Laurent Mayali, eds Berkeley: UC Press, forthcoming 2007).

"New Lower Nicotine Cigarettes Produce Compensatory Smoking and Increased Carbon Monoxide Exposure," (with Andrew A. Strasser, Caryn Lerman, Paul M. Sanborn, and Wallace B. Pickworth) 86 *Drug and Alcohol Dependence* 294 (2007)

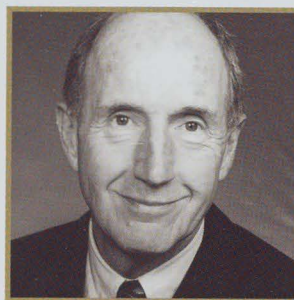
MICHAEL KNOLL

THEODORE K. WARNER
PROFESSOR OF LAW &
PROFESSOR OF REAL
ESTATE

Knoll presented his article "Compaq Redux: Implicit Taxes and the Question of Pre-Tax Profit" at the University of Minnesota Law School tax policy conference and at the University of Toronto conference on



Constitutional Law 1 (forthcoming 2006)



FRIEDRICH KÜBLER
PROFESSOR OF LAW

In September, Kübler gave a talk on "An Economic Analysis of Judicial Intervention into Partnership Agreements" at the Workshop of the Economics Department of Frankfurt University. The paper is a preliminary result of a project with Gerold Spindler of Goettingen University. He also presented "Perspectives of Privacy" at the 100th conference of the German Association of Mass Media Law in Berlin in November. The lecture will be published in an upcoming issue of *Archiv für Presserecht*.

PUBLICATIONS

"Development of Free Speech Protection: the American Experience" in *Festschrift für Peter Mailaender* (2006)

CHARLES W. MOONEY, JR.

CHARLES A. HEIMBOLD,
JR. PROFESSOR OF LAW

Mooney continued his service as a member of the



United States delegation (appointed by the Department of State) for the UNIDROIT draft convention on intermediated securities. He represented the government at intergovernmental meetings in Rome in March and November. He also attended intercessional meetings in July in Paris and Berlin.

Mooney spent the fall term as a visiting scholar at the Institute for Monetary and Economic Studies at the Bank of Japan in Tokyo where he conducted comparative research on Japanese and United States intermediated securities law. In November, Mooney attended a workshop on the Cape Town Convention and Aircraft Protocol at the Waseda University Law School in Tokyo.

In February, he presented his research at an academic conference at the University of Rey Juan Carlos in Madrid. The following month Mooney served as a speaker on two panels at the American Bar Association Section of Business Law spring meeting in Washington, D.C.



SETH KREIMER

KENNETH W. GEMMILL
PROFESSOR OF LAW
PUBLICATIONS

"Censorship by Proxy: The First Amendment, Internet Intermediaries and the Problem of the Weakest Link," 155 *University of Pennsylvania Law Review* 11 (2006)

"Uncontrolled Authority Over the Body: The Decencies of Civilized Conduct, the Past and the Future of Unremunerated Rights," 9 *University of Pennsylvania Journal*

taxes and competitiveness last fall.

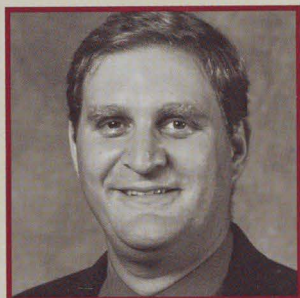
PUBLICATIONS

"Compaq Redux: Implicit Taxes and the Question of Pre-Tax Profit," *Virginia Tax Review* (forthcoming 2007)

"Implicit Taxes and Pretax Profit in Compaq and IES Industries" 114 *Tax Notes* 679 (2007)

"The Section 83(b) Election for Restricted Stock: A Joint Tax Perspective" 59 *Southern Methodist University Law Review* 721 (2006)

FACULTY NEWS AND PUBLICATIONS



NATHANIEL PERSILY

PROFESSOR OF
LAW; SECONDARY
APPOINTMENT: POLITICAL
SCIENCE DEPARTMENT

Last September, Persily served on a panel at the American Political Science Association's Annual Meeting in Philadelphia where he discussed political competition and American election law. He also made a presentation on public opinion on same sex marriage at Penn's Political Science Department and at the Northwestern Law School. During the spring, he delivered talks at the Columbia, Northwestern and USC law schools on the new Voting Rights Act. Persily presented "The Implications of the 2006 Elections for Legal Debates over Partisan Gerrymandering" at the NYU Annals of American Law conference in February. Later that month, he gave a presentation on "Public Opinion and Constitutional Controversy" at the Penn Law symposium on Positive Approaches to Constitutional Law and Theory. He also gave a presentation

on voter participation at Stanford Law School.

PUBLICATIONS

"Eat Dessert First!" (a tribute to Nelson Polsby) *The Forum* (March, 2007)

"The Promise and Pitfalls of the New Voting Rights Act," *Yale Law Journal* (forthcoming, 2007)

"Strict in Theory, Loopy in Fact," *105 Michigan Law Review First Impressions* 43 (2006)



WENDELL PRITCHETT

ASSOCIATE DEAN AND
PROFESSOR OF LAW

This January, Pritchett presented "Rebuilding the Gulf: The Dilemma of Eminent Domain" at the Association of American Law Schools' Katrina Workshop called "Redeveloping a Region after a Mega Disaster."

PUBLICATIONS

Governing Resources: Property Law and Policy from a Comparative Institutional Perspective (with Peter Menell and John Dwyer) (Foundation Press, forthcoming 2007).

PAUL ROBINSON

COLIN S. DIVER
PROFESSOR OF LAW

In October, Robinson presented "Codifying Shari'a:



Why & How" at the Army Judge-Advocate General annual conference at the JAG Center & School in Charlottesville, VA.

This January he was interviewed at the AALS annual conference as one of three featured academics in its section on scholarship. Robinson moderated a panel on restorative justice at the Marquette University Law School conference in April. The following month, he presented several papers on the subject of intuitions of justices at the Gruter Institute Annual Squaw Valley "Law, Behavior and the Brain" conference.

Robinson also works with the Irish government in promoting a codification of their criminal laws. The Irish parliament recently enacted legislation setting up a codification commission for which Robinson will serve as a consultant.

PUBLICATIONS

Criminal Law Case Studies 3rd ed. (West Group, 2007)

Teacher's Manual for Criminal Law Case Studies 3rd ed. (West Group, 2007)

"The Origins of Intuitions of Justice," (with Robert Kurzban and Owen Jones) *Vanderbilt Law Review* (forthcoming, 2007)

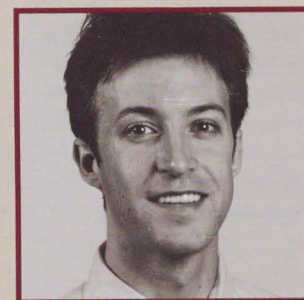
"Concordance & Conflict in Intuitions of Justice," (with Robert Kurzban) *Minnesota Law Review* (forthcoming, 2007)

"Codifying Shari'a: International Norms, Legality & the Freedom to Invent New Forms," *Journal of Comparative Legislation* (forthcoming, 2007)

"Model Penal Code," *The New Oxford Companion of Law* (forthcoming, 2008).

"Restorative Processes & Doing Justice," *University of St. Thomas Law Review*, Symposium Issue (forthcoming 2007)

Final Report of the Maldives Penal Law & Sentencing Codification Project (two volumes) (with University of Pennsylvania Law School's Criminal Law Research Group) (Republic of Maldives 2006)



KERMIT ROOSEVELT

ASSISTANT
PROFESSOR OF LAW

Roosevelt presented his book *The Myth of Judicial Activism* at Randy Barnett's seminar on "Recent Books on the Constitution" at Georgetown Law School. In October, he served on a panel at a Vanderbilt conference on "Keeping

Faith with the Constitution in Changing Times” and also coordinated Penn Law School’s participation in the nationwide Guantanamo Teach-In.

Later that month, he moderated an American Constitution Society panel on the voting rights act. Towards the end of October, at a symposium in honor of Paul Mishkin at Boalt, he presented the paper, “A Retroactivity Retrospective: What the Supreme Court Learned from Paul Mishkin, and What it Might,” which will be published in the California Law Review’s May 2007 issue.

In November 2007, Roosevelt served as a moderator at the National Constitution Center where John Yoo presented his book, *War By Other Means*. He also served as a panelist on “Judicial Independence” for the National Asian-Pacific American Bar Association annual meeting in Philadelphia. Roosevelt participated in the online debate on *The Myth of Judicial Activism* on the *University of Pennsylvania Law Review* Pennumbra website. He gave several talks about *In the Shadow of the Law* and *The Myth of Judicial Activism* to law school and lawyer chapters of the American Constitution Society in Dallas, Atlanta,

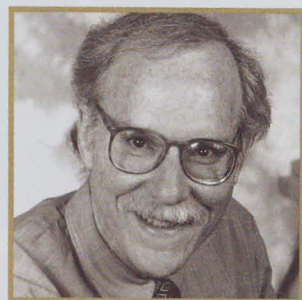
Seattle, and Philadelphia, and to the Acorn Club here in Philadelphia.

PUBLICATIONS

“The Death of Innocence (book review),” 9 *Green Bag* 403 (2006)

Conflict of Laws: Cases—Comments—Questions (with David Currie, Herma Hill Kay, and Larry Kramer) (7th edition, 2006)

The Myth of Judicial Activism (Yale University Press, 2006)



DAVID RUDOVSKY
SENIOR FELLOW

In March, Rudovsky participated in a mock Supreme Court argument at the National Constitution Center as part of the Peter Jennings Project for Journalists and the Constitution. Earlier that month, he presented a paper at the Columbia School of Law in a Conference titled, “Pursuing Racial Fairness in Criminal Justice: Twenty Years After *McCleskey v. Kemp*.”

PUBLICATIONS

The Law of Arrest, Search and Seizure in Pennsylvania (PBI Press, 2007)



THEODORE RUGER
PROFESSOR OF LAW

In October, Ruger presented “A Critique of FDA’s Preemption Initiative” at Indiana University School of Law and also presented “Constitutional Issues and Pharmacy Conscientious Objector Laws” at the Pennsylvania Bar Institute.

PUBLICATIONS

“Chief Justice Rehnquist’s Appointment’s to the FISA Court: An Empirical Perspective,” *Northwestern University Law Review* (2006)

“Preempting the People,” *Chicago-Kent Law Review* (2006)

“Oregon v. Gonzales and the Supreme Court’s (Re)Turn to Constitutional Theory” *Journal of Law Medicine & Ethics* (2006)

“Social Movements Everywhere,” *University of Pennsylvania Law Review PennUmbra* (2006)



CHRIS WILLIAM SANCHIRICO
PROFESSOR OF LAW, BUSINESS AND PUBLIC POLICY

Sanchirico presented a new empirical paper on tax progressivity and work patterns at the first annual Conference on Empirical Legal Studies at the University of Texas School of Law in October. He was made Chair-Elect of the Evidence Section of the Association of American Law Schools and a member of the Board of Directors of the American Law and Economics Association. Sanchirico continues to edit the two online journals, *Economic Inequality and the Law* and *Evidence and Evidentiary Procedure*. In May, he gave a presentation at the annual meeting of the American Law and Economic Association.



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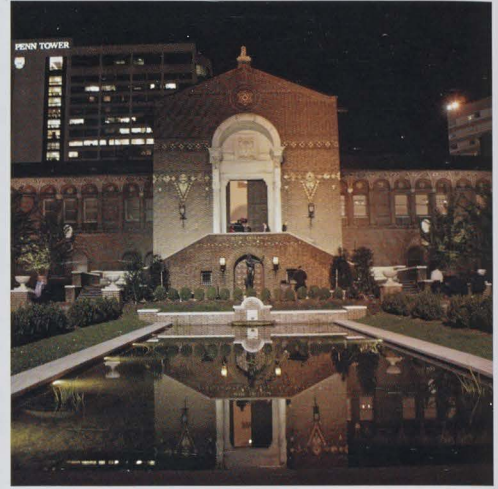
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The Campaign for
**PENN
LAW**



Last November we inaugurated our Bold Ambitions campaign with a rousing presentation that showcased the cardinal virtues of a Penn Law education. Best-selling author Lisa Scottoline, C'77, L'81 referenced the ties that bind alumni – the friendships forged, the prestige conferred, the ambitions stoked. She spoke about the atmosphere of mutual respect, the inspirational faculty, and the unique vision of our cross-disciplinary program.

We lauded young alumni like Holly Fernandez, C'03, L'06, GR'06 and Curtis Jewell, L'06, as well as Tashanna Pearson, L'08, who has now joined them in their ranks. We paid homage to beloved professors such as Leo Levin and Lou Schwartz, who taught generations of students that power resides in the clarity of thought and in bold imagination. And we heard

Penn's President, Dr. Amy Gutmann, proclaim, "Penn Law is fast becoming the preeminent law school in the country and is shaping the future of legal education and scholarship."

This was but the beginning of the public phase of the campaign. Our goal is to raise \$175 million. We are more than halfway there, having raised approximately \$93 million.

Campaign Goals:

A Top-Notch and
Expanded Faculty:
\$63 Million

Student Aid to Compete
for the Finest Students:
\$65 Million

Cross-Disciplinary
Institutes:
\$4 Million

Modernized Facilities that
Foster the Challenging but
Personal Experience
Unique to Penn Law:
\$15 Million

Program Support and
Increased Annual Support:
\$28 Million

WHY I give

Marcy Engel, L'83

Chief Operating Officer and General Counsel
Eton Park Capital Management

I WANTED TO BE A LAWYER since I was 14 years old. I am not sure today why I was so sure then, but I am thankful that I had the foresight, if not the knowledge, to decide that law was the right career for me. I am even more thankful that I chose Penn as the place to get my education. Not only did the law school teach me the academic skills that I would need to establish a foundation for my chosen profession, it also taught me how to think, analyze and address issues and develop self-confidence in my abilities. The depth of the faculty's dedication and devotion to the students was evident. Had Penn simply been about the quality of the education, I am sure I would still be appreciative of the role Penn Law School has played in my life. Combining that with the supportive, friendly and cooperative spirit of the law school (words that I had never thought would be used in describing the law school experience before I arrived at Penn) made my experience at Penn one of the most meaningful of my life. Now, as an alum, it is great to see Penn's continued growth and development. Dean Fitts is an incredible leader. I support Penn so that this growth can continue and today's students and those of the future can receive the same opportunity that I had.

Rachel Lipschutz, L'85

I AM NOT SURE WHEN I KNEW I wanted to become a lawyer, but I always knew that I would end up using whatever education I received in a business-related legal career. I chose Penn Law for its high ranking, excellent reputation and breadth of business-related courses. What I received was not only a first-rate education, but also a mind-set which helped me in my years as a real estate lawyer. The faculty and staff at Penn were caring, nurturing and devoted to their students. The friendships I made are still among my closest friendships. Penn gave me the confidence to go out to a law firm knowing I had the foundation I needed to succeed. Today, Penn Law is one of the few law schools which encourage students to combine their legal training with one of the many inter-disciplinary curricula being offered. Dean Fitts is a great leader who has created a bright future for Penn Law. I am proud to support Penn Law with a scholarship so that a young student has the opportunity to experience all that Penn has to offer.

Originator of Holt Lecture Brings Changing World to Students' Doorstep

LEON "LEE" HOLT, JR., L'51 joined Air Products and Chemicals, Inc., shortly after the start of the Cold War when the world was rapidly changing. Stateside, the company was involved in supplying the Defense Department and NASA with liquid hydrogen missile fuels.

Hired as an "engineer lawyer," Holt worked from a steel desk in an industrial atmosphere – the company heads felt that its principal Air Force customers would feel more at home in such a setting. His previous employers, an oil company and a prestigious New York City law firm, had more sophisticated tastes.

At Air Products, one of Holt's missions was to build lasting partnerships across the globe. Just as he guided troops across the Pacific Ocean as a navigator and radar officer in World War II, Holt successfully led the company into Europe, Africa, and Asia.

A pattern quickly emerged: Air Products would strike a licensing deal, form a joint venture and eventually acquire the foreign company. While negotiating long-term contracts, Holt realized the need for understanding the traditions and culture in which the foreign company operated.

"Lawyers are at the forefront of outsourcing and international business," explains Holt. When going into a new country you need to know not only what your legal rights and obligations are," he said, "but lawyers must also have a broad understanding of the different social, political and cultural issues that exist in the countries in which it does business."

Throughout his career, Holt remained an active member of the Penn Law community and served as an Overseer for almost a decade and an adviser to the Institute for Law and Economics.

It was clear to him that the need for international understanding and exchange among young lawyers was now greater than ever. Together with June, he made a \$1 million gift to establish the Holt Program in International Trade Law, the aim of which is to prepare Penn Law students for work in the global economy through conferences, workshops, and lectures on international issues. He says Penn Law is the perfect setting for such a program because of its cross-disciplinary focus. The inaugural lecture in March featured Dorit Beinisch, the president of the Israeli Supreme Court, speaking about the



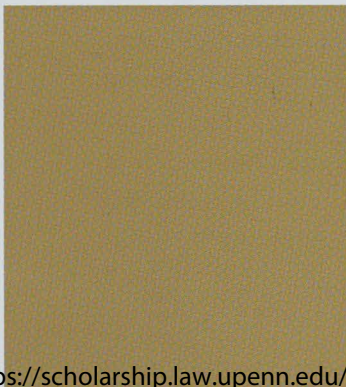
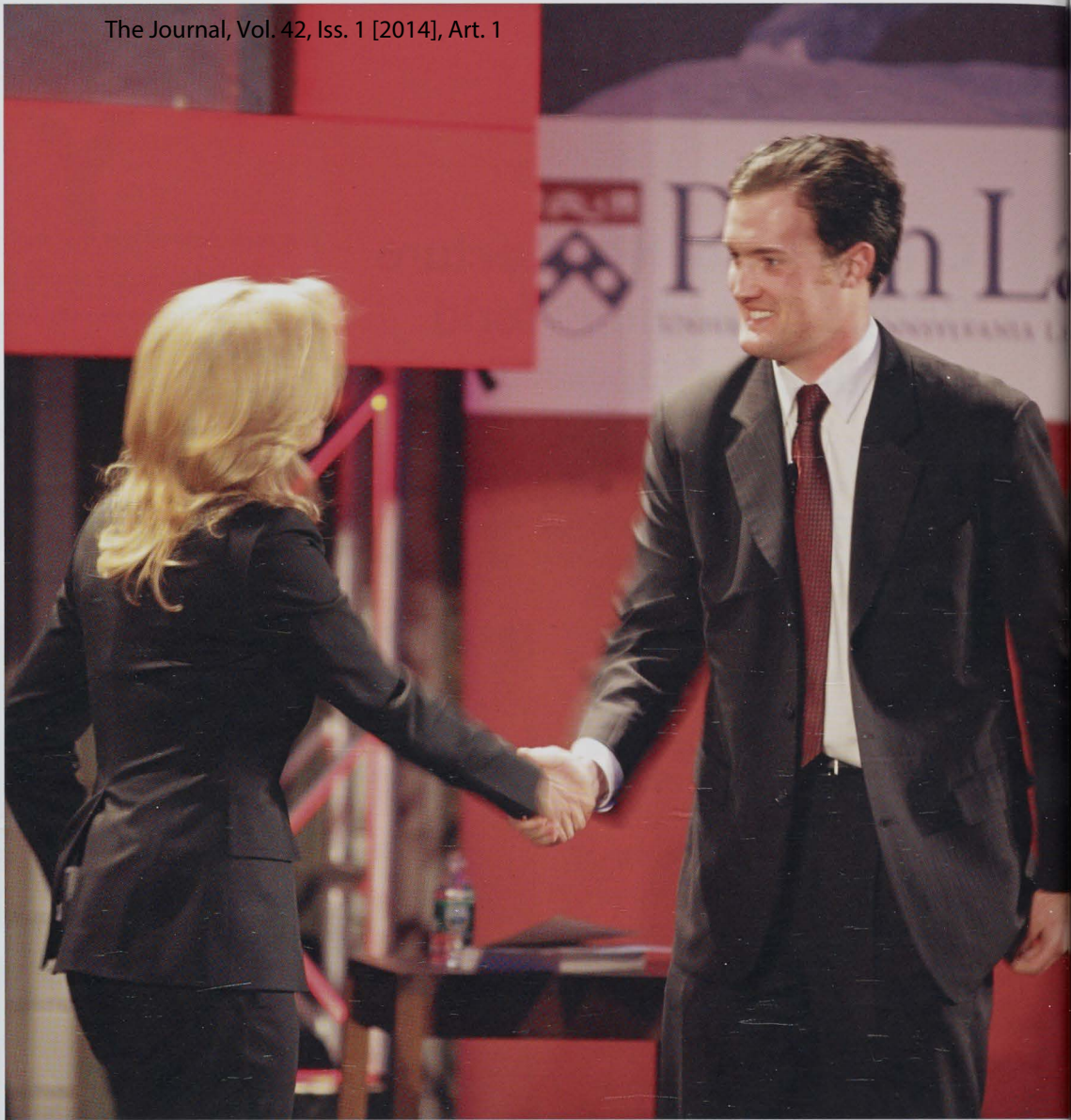
Dean Michael A. Fitts thanks June and Lee Holt, L'51 for their contribution establishing the Holt Program in International Trade Law.

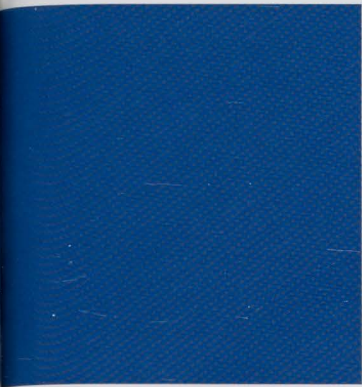
court's role in dealing with the complicated issue of protecting human rights in times of terror.

Since retiring from Air Products as the company's vice chairman, chief administrative officer and director in 1990, Holt spends much of his time working with nonprofit organizations and also fly fishing in Florida or in the Poconos in Pennsylvania.

And while he is far removed from Europe, Asia and Africa, he remains mindful of the education he received in international trade that he now wishes to impart through the Holt Program.

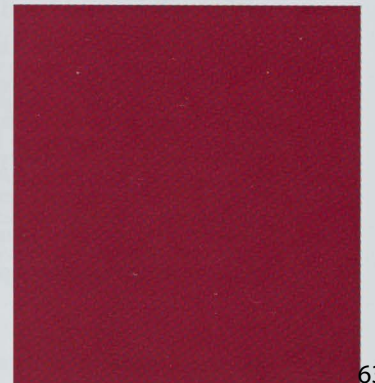
– AMARA ROCKAR





Bold Ambitions Takes Wing

Penn Law launched the most ambitious campaign in its history with a gala event at the University Museum. Videos were shown, speeches delivered, encomiums offered as the scene shifted from the Chinese Rotunda to Harrison Auditorium to the Egyptian gallery. It was a dramatic evening and an auspicious start to the final drive of the campaign.



BOLD AMBITIONS

Pamela Daley, L'79 and Randy Phelps

PAMELA DALEY AND RANDY PHELPS have made a significant gift to establish the Pamela Daley and Randy Phelps



Endowed Fund for Business Law and to support Annual Giving. The fund, created in the name of Daley and her husband, will support business law classes, courses and activities.

As an adjunct Penn Law professor in the 1980s, Daley taught Federal Income Taxation of Partners and Partnerships for seven years. At that time she was partner at Morgan, Lewis & Bockius, where she specialized in domestic and cross-border commercial transactions and tax-oriented financings.

In 1989, Daley joined General Electric as tax counsel and quickly rose to vice president and senior counsel for transactions. Taking part in many high-profile deals, she served as GE's lead lawyer in the venture between NBC, a GE subsidiary, and Microsoft to create MSNBC. Daley became the senior vice president of corporate business development in 2004.

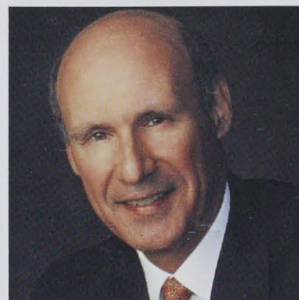
A member of the Penn Law Board of Overseers, Daley also serves on the board of directors of the General Electric Capital Corp., the GE Foundation and the World Wildlife Fund.

Mark Davis, L'75 and Yoly Villamil

MARK DAVIS AND HIS WIFE, Yoly Villamil, have made a significant gift to establish the Davis-Villamil Scholarship for first-year students and to support Annual Giving. The scholarship will be need-based and awarded to first-year students, preferably from Puerto Rico.

Davis was appointed to the Penn Law Board of Overseers in 2006. Prior to the sale of his portfolio in 2005, he was chairman of the PMI Retail Property Management Corporation in Puerto Rico. It was the largest retail management company in the Caribbean. Davis is also founder and chairman of TJAC, a shopping center development partnership with Wal-Mart, Inc. Since

TJAC's inception in the 1990s, the company has developed four million square feet of shopping space across Puerto Rico.



In addition to his continuing new development activities in Puerto Rico, Davis is also developing shopping centers and malls in Mexico, as well as running his own private equity investment company. Davis worked previously at the Miami-based

law firm, Greenberg Traurig, where he chaired its Real Estate department.

An editor of the University of Pennsylvania Law Review, he graduated cum laude from the Law School and summa cum laude from Temple University.

Marcy Engel, L'83

MARCY ENGEL HAS MADE a generous contribution to the Law School's General Endowment and to Annual Giving. Engel is chief operating officer and general counsel of Eton Park Capital Management, a global alternative investments firm. She is responsible for Eton Park's infrastructure and business, including technology, operations, finance, treasury, legal and compliance, risk and human resources. She joined Eton Park in 2004 after having been at Citigroup and its predecessor firms, Salomon Brothers and Salomon Smith Barney, for 18 years. Before



Murray Kusher, C'73, L'76 basks in the glow of his first look at The Kushner Classroom in Gittis Hall. A dedication ceremony was held last October in honor of Kushner's major gift to the Law School.

Salomon Smith Barney, Engel was an associate at Sullivan and Cromwell. A member of the Penn Law Board of Overseers, she also has served on the board of the Journal for International Economic Law. In addition, she has been a class agent and Reunion Committee chair. Engel graduated *cum laude* from the Law School.

Osagie O. Imasogie, GL'85

OSAGIE O. IMASOGIE HAS MADE a substantial contribution to establish the Osagie & Losenge Imasogie Endowed Scholarship Fund. The scholarship will provide financial support to an incoming J.D., LL.M. or S.J.D. student who grew up in Africa or is a citizen of an African country.



Imasogie, a Nigerian-American, is the I Grant Irej Adjunct Professor of Law and a member of the Penn Law Board of Overseers. Over the past 25 years, his career has spanned the fields of law, finance, and pharmaceuticals. Imasogie has founded a number of companies including Phoenix IP Ventures, an IP-based merchant bank, as well as pharmaceutical companies Endo Pharmaceuticals Inc., Trigenesis Therapeutics Inc., Ception Therapeutics, Inc. and, most recently, Iroko Pharmaceuticals, LLC.

While at SmithKline Beecham, Imasogie was vice president for Product Development Strategy and later established the Intellectual Property Venture Capital Group, GlaxoSmithKline Ventures. He was previously vice president of International Sales and Marketing at DuPont Merck and general counsel to the company's International, Manufacturing and Generic Drug Divisions. Imasogie has also been a partner at Price Waterhouse.

Imasogie served as chairman of the Board of Trustees for the International House of Philadelphia from 2000 to 2005. He is also on the Wilson Council of the Woodrow Wilson International Center for Scholars and was a senior consultant to President George W. Bush's Emergency Plan for Aids Relief.



The Honorable Harold Berger, EE'48, L'51 cuts the ribbon last April at the official opening of the Harold and Renee Berger Seminar Room in Tanenbaum Hall. Judge Berger, senior partner and managing principal of Berger and Montague, has been a generous supporter of the Law School.

The Leo Model Foundation

THE LEO MODEL FOUNDATION has made a generous gift to establish the Model Environmental Faculty Research and Development Fund. The fund will provide financial support to faculty and students studying environmental and related public policy issues.

Allen J. Model, L'80 is the chair of the Leo Model Foundation and the founder and managing director of Overseas Strategic Consulting Ltd. The Philadelphia-based strategic communications company specializes in the support of economic, judicial, regulatory and social reforms in developing nations around the world.

Jeanne Olivier, L'79

JEANNE OLIVIER HAS MADE a generous contribution to the Law School's General Endowment and to Annual Giving. Olivier joined the Sherman & Sterling LLP in 1980 and became a partner in 1988. She leads the firm's project development and finance group and is an expert in the fields of international and domestic financing as well as political risk insurance. A former member of the Penn Law Board of Overseers and the Institute for Law & Economics' Board of Advisors, Olivier is a member of the Law School's Campaign Executive Committee and Tulane

BOLD AMBITIONS



Mike Rotko, L'63, his wife Denise, and son Tom cut the ribbon at the dedication last April of The Rotko Seminar Room in Tanenbaum Hall. Rotko and his wife made a significant gift for the renovation. Mike Rotko was chief deputy district attorney in Philadelphia under Arlen Specter; Denise Rotko graduated from Penn's School of Nursing in 1973 and from the Graduate School of Nursing in 1976; and Tom Rotko graduated from Penn Law in 1994.

University's Board of Trustees. She also serves on the board of the Thomas J. Watson Foundation and the national board of Boys Hope Girls Hope.

Cary M. Schwartz, W'66, L'69 and Elaine Schwartz, CW'67

CARY M. AND ELAINE L. SCHWARTZ have made a substantial gift to endow the Samuel and Jean Rothberg Scholarship Fund recognizing their more than seven decades of philanthropy. Among other activities, Samuel Rothberg has served as Chairman of the Board of the Hebrew University in Jerusalem, the Founder of the Rothberg International School at the University as well as its Truman Institute for Peace.

Cary is the President of Blackhill Capital, an investment advisory and asset management firm working with individual and family group investors, based in Morristown, New Jersey. Previously, Cary was associated with Goldman Sachs & Co. in New York City as Head of Equity Capital Markets. He joined Goldman Sachs following graduation from Penn Law School.

Elaine has worked in secondary education at independent girls' schools since graduating from Penn. Active in developing educational materials in economics, she is currently teaching AP

Economics at the Kent Place School in Summit, New Jersey, and is the author of *Econ 101 ½* (Avon Books), an economic textbook, *Our American Economy* (Addison Wesley) and an interactive website, econteacher.com.

The Schwartzes have two children — Benjamin C'98 and his wife Tracy C'97 — and daughter Rebekah, an artist in Santa Fe.

Paul F. Ware, Jr. L'69

PAUL F. WARE JR. HAS MADE a generous gift to establish the Ware Family Endowed Scholarship which will provide financial aid to Penn Law students. A partner at Goodwin Procter since 1978, Ware chairs the firm's Litigation Department. He specializes in litigation, including patent and other complex technology-related litigation, and has represented clients including General Electric, Boston Scientific, CBS, Inc. and Harvard University.

In March of 2007, Ware was named Special Assistant Attorney General to conduct the criminal investigation of the Big Dig tunnel collapse in Boston. He has previously served the state of Massachusetts as Special Counsel to the Judicial Conduct Commission from 2001-2003 for the investigation and trial of a sitting judge. He also served as lead trial counsel for the prosecution of the Chief of European Operations of the CIA during the Iran Contra investigation for the Office of Independent Counsel.

Ware has been a Fellow of the American College of Trial Lawyers since 1989. He is a trustee of the Social Law Library in Boston and serves on the Board of Overseers for the Supreme Judicial Court Historical Society. He and his family live in Concord, Massachusetts.

Corrections to the Annual Report for 2005-2006

WE INCORRECTLY LISTED Pamela Daley, L'79 as the sole donor for a leadership gift. Randy Phelps was also a contributor. In addition, we omitted David A. Williams, L'68 as a donor. Finally, we incorrectly reported the contribution from Saul Ewing law firm. Saul Ewing collectively contributed \$9,295, rather than \$4,235.



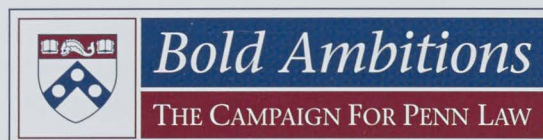
*Today Clive Cummis L'52 practices law.
In the future, Penn Law Cummis Scholars will continue his legacy.*

Since his graduation from Penn Law in 1952, Clive Cummis has built both a legal career and firm, Sills Cummis Epstein and Gross, through hard work and determination. A committed philanthropist to many local, regional and national charities, as well as a noted community leader in his native New Jersey, Clive believes that those who have benefited from a quality education and prospered over the years need to create the same opportunities for future generations.

Clive's estate gift to Penn Law will fund the Clive Cummis Scholarship Endowment. Beneficiaries of the scholarship will continue Clive's legacy in perpetuity. "I decided to fund a scholarship endowment at Penn Law because I wanted to

help my community. When I consider what one Penn lawyer is able to accomplish, and multiply it by the life work of additional Cummis Scholars, the long-term impact on our society is tremendous."

Consider creating a lasting legacy in partnership with Penn Law. It can be as simple as naming the School as a beneficiary of your life insurance, IRA, 401(k) or other retirement plan. For those in the highest tax brackets, such a technique can save you over 70% in estate and income taxes at death. For more information, please contact Al Russo (215) 573-1198 or e-mail alrusso@law.upenn.edu.

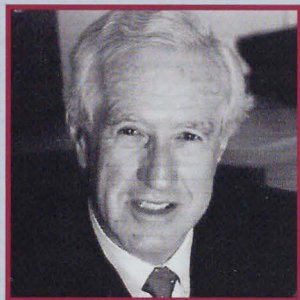


ALUMNI BRIEFS

1930s

LEON I. MESIROV, C'31, L'34 The first and second grade classroom building at the Miquon School was formally dedicated in September to the memory of Leon and Sylvia Mesirov. Leon was a founding partner of Mesirov, Gelman, Jaffe, Cramer & Jamieson in Philadelphia.

1950s



NORMAN P. ZARWIN, C'52, L'55 has been appointed to the TD Banknorth regional advisory board. Norman is a founding member of Zarwin

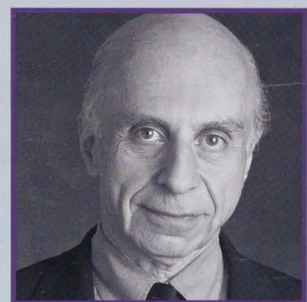
Baum DeVito Kalplan Schaeer Toddy P.C., and leads the firm's Nonprofit Practice Group. He also provides legal counsel in the areas of transactions, real estate, estate planning, wills and petroleum marketing.

1960s



FREDERICK COHEN, W'57, L'60 served as moderator for the American Academy of Matrimonial Lawyers Program, "Deal or No Deal: Advanced Alimony." Frederick is of counsel at the Philadelphia law firm Obermayer Remann Maxwell & Hippel LLP, where he is a member of the firm's litigation department as well as its family law group.

STEPHEN G. YUSEM, L'63 presented on "The Disclosure Requirement" at the Third Annual ABA Section of Dispute Resolution Program's Arbitration Training Institute in February. His talk focused on Commonwealth coatings, the code of ethics, Canon II, evident partiality, institutional provider rules and the continuing duty to disclose.



ALAN L. REISCHE, L'65 has been named one of the best lawyers in America by national research firm Woodward/White. Alan works for Sheehan Phinney Bass + Green in Manchester, NH. He represents family-owned companies and shareholders.

SHELDON N. SANDLER, L'65 has been ranked the leading Delaware Employment Lawyer by *Chambers USA* – *America's Leading Business*



Lawyers. Sheldon is described by the publication as 'the father of employment law in Delaware.' He is currently a partner with the law firm Young Conaway Stargatt & Taylor, LLP.

NORMAN PEARLSTINE, L'67 has been named senior advisor to the private equity firm Carlyle Group. He will work with the group's telecommunications and media team. Pearlstine was formerly the senior advisor to Time Warner, Inc.



WILLIAM V. STRAUSS, L'67 was appointed to the

Executive Advisory Council of the University of Cincinnati Real Estate Program. William is the president of Strauss & Troy.



JOSHUA A. KALKSTEIN, L'68 joined Robinson & Cole's Intellectual Property and Technology Practice Group. Joshua will continue his work in the biotech industry. Formerly, Joshua served as assistant general counsel and counsel to the president of Global Research and Development at Pfizer.

JAMES M. MORRIS, L'68 was appointed general counsel of Farm Credit System Insurance Corp. Prior to his appointment, he was the executive assistant and counsel to Farm Credit Administration Chairman and CEO Nancy C. Pellett.



JOY POLLOCK, L'68 was elected to her first term as a national vice president of

Hadassah, the Women's Zionist Organization of America. Joy also serves as the American Affairs/Domestic Policy Chair.



JANE LESLIE DALTON, L'71 has been named chancellor of the Philadelphia Bar Association. She practices employment law at the Center City law firm of Duane Morris LLP.

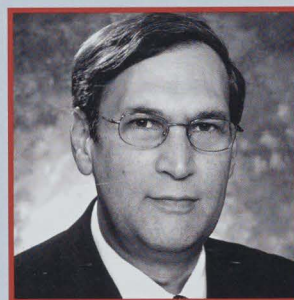
DAVID KAIRYS, GL'71, the James E. Beasley Professor of Law at Temple University Beasley School of Law, received the 2007 Deborah L. Rhode Award from the Association of American Law Schools. The award recognizes outstanding contribution to increasing *pro bono* and public service opportunities in law schools through scholarship, leadership or service.

WILLIAM H. SUDELL, JR., L'71 was recognized as one of *The Best Lawyers in America* on the prestigious biennial list put out by Woodward/White, Inc. William is a partner in the Wilmington, De. firm of Morris, Nichols, Arsht & Tunnell, LLP, specializing in Bankruptcy and Creditor-Debtor Rights Law.

RICHARD C. WALTERS, W'68, L'71 administrative judge and vice chairman of the U.S. Department of Veterans Affairs



Board of Contract Appeals, was elected president of the Boards of Contract Appeals Bar Association. He is also chair of the federal Interagency Alternative Dispute Resolution Working Group.



DENNIS L. COHEN, C'69, L'72 presented a seminar for accountants at the Brindisi Tax Academy, discussing the key provisions of The Tax Increase Prevention and Reconciliation Act of 2005 and The Pension Protection Act of 2006. Dennis is a member of Cozen O'Connor, where he heads the tax practice.

KENNETH E. AARON, W'70, L'73 was a featured speaker at a seminar titled "Practical Guide to Zoning and Land Use Law." He also was course planner for a Pennsylvania Bar Institute program titled "Chapter 11 for Individuals and Small Businesses." Kenneth is a shareholder at Weir & Partners



LLP and chairman of the Lower Merion Township Zoning Hearing Board.

CHARLES E. DORKEY III, L'73 was appointed by President Bush and confirmed by the Senate to serve on the Saint Lawrence Seaway Development Corporation advisory board. Charles was recently named a partner in the Litigation Department of McKenna Long & Aldridge LLP. He had been a partner and chair of the United States Litigation Department at Torsys LLP.

HENRY S. SCHLEIFF, C'70, L'73 has been named president and chief executive of Crown Media Holdings, which operates cable television channels, including the Hallmark Channel. Henry was chairman and chief executive officer of Court TV from 1999 to 2006. He has also held executive positions at Home Box Office Inc., Viacom Inc. and Studios USA.

A. GILCHREST SPARKS III, L'73 was named among the 'elite group of the top 25 corporate governance attorneys in the United States' by Legal Media Group – Euromoney. Additionally, Sparks was included in the Who's Who Legal – The International Who's

ALUMNI BRIEFS

Who of Business Lawyers 2007 edition and the Lawdragon 500 list, a list of the top 500 leading lawyers in America ranked by clients and peers. Gilchrest is a partner at Morris Nichols Arshst & Tunnell, LLP, where he is a member of the Corporate and Business Litigation and Delaware Corporate Law Counseling groups.

DONALD STERN, L'73 was elected to the Board of Overseers of the Boys & Girls Clubs of Boston. He is a partner in the litigation department of Bingham McCutchen and has served on the BGC's Youth Service Providers Network advisory board since 2005.

SUSAN KATZ HOFFMAN WG'74, L'74 spoke at two seminars presented last September by West Legalworks. At the 19th Annual ERISA Litigation Conference she addressed statutory claims, executive compensation litigation and COBRA issues. As part of a panel discussion for the "Ethics for Benefits Practitioners" breakfast workshop, she spoke on attorney client privilege and work product doctrine, benefit claims litigation under 502(a)(1)(b) and ethical problems in complex ERISA litigation. Susan is a partner at Pepper Hamilton LLP.

ALBERTO IBARGÜEN, L'74 was named chairman of the Newseum, an institution in Washington, D.C. dedicated to the history of the news business. Alberto is president and chief executive officer of the John S. and James L. Knight Foundation.



DAVID B. PUDLIN, L'74 was selected to serve as legal counsel for the U.S. Committee, Sports for Israel. In addition, David spoke at the New Jersey National Guard Pre-Retirement Planning Seminar. David is President and CEO of Hangley Aronchick Segal & Pudlin, where he concentrates his practice on tax law, estate planning, and business and employment law.

JAMES A. BACKSTROM, L'76 is a principal author of the second edition of "Criminal Antitrust Litigation Handbook," published in spring 2006. James is a member of the American Bar Association's International Cartel Working Group for 2006-07, where he defends executives and organizations in federal criminal investigations and trials.



MARINA ANGEL, GL'77 is spending the year as the Kate Stoneman Visiting Professor of Law and Democracy at Albany

Law School. Marina has been on the faculty of Temple University Beasley School of Law since 1978. Her research focuses on women's legal rights and the status of women in law.



HOPE A. COMISKY, L'77 assumed the role of Professional Responsibility Counsel for Pepper Hamilton LLP in Philadelphia. Hope is also a partner in the Labor and Employment Group.

JOHN F. JOHNSTON, L'77 was recognized as one of *The Best Lawyers in America* on the prestigious biennial list put out by Woodward/White, Inc. Additionally, he was included in the Who's Who Legal - The International Who's Who of Business Lawyers 2007 edition. John is a partner in the Wilmington, Del., firm of Morris, Nichols, Arshst & Tunnell, LLP. He specializes in Corporate Law and Mergers and Acquisitions Law.

AVARITA L. HANSON, L'78 saw the John Marshall Law School's chapter of the National Black Law Students Association renamed in her honor. Avarita is the school's former associate dean of academic affairs. She is now the executive director of the

Chief Justice's Commission on Professionalism for the Supreme Court of Georgia. She is also the first recipient of the Georgia Association of Black Women Attorneys Barbara A. Harris Award for Service to the Community.

EDWARD A. RYAN, C'75, L'78 was named executive vice president and general counsel at Marriott International Inc. He previously served as senior vice president and associate general counsel for the company.

CATHERINE CARR, L'79 received the Denison Ray Award from the National Legal Aid and Defender Association and the Mary Philbrook Public Interest Award from Rutgers University School of Law for her work as executive director of Community Legal Services of Philadelphia.

ROBERT C. SCHNEIDER, L'79 WG'79 was appointed special counsel at Cuddy & Feder LLP in White Plains, New York.

GARRETT L. WONG, L'79 has been appointed by California Governor Arnold Schwarzenegger to the Superior Court of California, County of San Francisco. Wong had been a telecommunications attorney with SBC Communications, Inc., where he handled regulatory and operations matters. Before joining SBC, he was a partner with the San Francisco law firm Chan Doi & Leal, LLP.

1980s



BRUCE CHRISTMAN, L'80 was selected by his peers to be included in *The Best Lawyers in America 2007*, *The Best Lawyers in the Washington D.C. Area* and *Super Lawyer* for both Virginia and the Washington D.C. region. A partner in the Falls Church office of Reed Smith, he was recognized for his work in commercial real estate development, acquisition, sales, leasing and finance.

MARTHA SWARTZ, L'80 published "Conscience Clauses" or Unconscionable Clauses: Personal Beliefs Versus Professional Responsibilities" in the *Yale Journal of Health Policy, Law, and Ethics* in the summer of 2006, and "Health Care Providers' Rights to Refuse to Provide Treatment on the Basis of Moral or Religious Beliefs" in the ABA's *The Health Lawyer* in October 2006. Martha runs her own law firm, where she focuses on the business and regulatory aspects of health law.



PHIL DE PICCIOTTO, L'81 ranked second on the *Sports Business Journal's* "20 Most Influential Sports Agents" list. As president of Octagon's Athletes & Personalities division, he runs the company's global sports and entertainment practice.

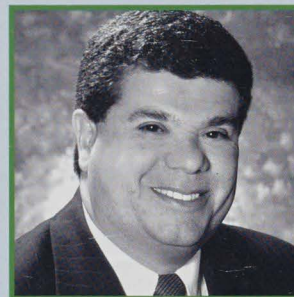
ANDREA HOLTZMAN DRUCKER, L'82 was appointed senior vice president, general counsel and corporate secretary at PuriCore plc, a life sciences company.

GARY S. KLEINMAN, L'82 has joined the New York office of Greenberg Traurig LLP. His area of concentration is real estate law.

GEORGE D. SULLIVAN, L'82 has joined the New York office of Greenberg Traurig, LLP as a shareholder in the Litigation Department. George was formerly managing director and head of Litigation for the Retail Brokerage and Investment Management business at Morgan Stanley.

LUCINDA JESSON, L'83 is leading the new Health Law Institute at the Hamline Law School in Saint Paul, MN. The Institute will give students the

opportunity to learn practical skills through internships and develop specialties in health care areas such as regulation, privacy, genetics, fraud, and finance. Lucinda specializes in health care issues. She worked for Oppenheimer, Wolff & Donnelly in Minneapolis and the Hennepin County attorney's office as chief deputy for administration before starting her own firm in 2001.



RAFAEL PEREZ, L'84 has been named chair of the Board of Trustees of New Jersey City University. He is a member of Cozen O'Connor where he chairs the firm's diversity committee.

DAVID E. PRAGER, L'84 has joined Bond, Schoeneck & King, PLLC as a partner in the firm's Labor and Employment Law Practice in their New York office. Previously, David was a partner with Sills Cummis Epstein & Gross P.C. and Phillips Nizer LLP.

SHARON M. DIETRICH, L'85 received the Andrew Hamilton Award from the Public Interest Section of the Philadelphia Bar Association and the Civil Legal Aid Attorney of the Year Award from the Pennsylvania

Bar Association. Sharon is managing attorney at Community Legal Services of Philadelphia.

DAVID FELDMAN, W'82, L'85 published "Reverse Mergers: Taking a Company Public without an IPO" in September. David is founder and managing partner of Feldman Weinstein & Smith in Manhattan.



SARAH A. KELLY, GED' 79, L'85 served as a course planner and faculty member for the Pennsylvania Bar Institute's program "Retaliation: The Hottest Issue in Employment Discrimination Law," held in Philadelphia. Sarah is an attorney at Cozen O'Connor, concentrating on employment law and employment discrimination law.



JOHN STURROCK, GL'85 was named the foremost mediator in Scotland in the *Chambers Guide to the UK Legal Profes-*

ALUMNI BRIEFS

sion. He is the founder and chief executive of the Core Solutions Group in Edinburgh, Scotland.

ANN R. KLEE, L'86

has been named a partner in the natural-resources and environmental group at the law firm of Cromwell & Moring LLP in Washington, D.C. Klee formerly served as general counsel at the Environmental Protection Agency.



KEVIN ERDMAN, L'87 was a panelist at the Global Workplace Symposium in Dallas. He talked about the need for data protection in an electronic world on a panel titled "Data Privacy Concerns in the Mobility Supply Chain." Kevin is a partner at Baker & Daniels LLP, where he practices information, Internet and intellectual property law.

FERRIER STILLMAN,

L'87 was elected to the board of directors for State Law Resources, Inc., a national network of independent law firms. Ferrier, a partner with Tydings & Rosenberg in Baltimore, Md., was named one of Maryland's Top 100 women in 2006.

MICHAEL SMERCONISH, L'87

debuted a weekly column for *The Philadelphia Inquirer* in February. He writes a column as well for the Daily News, also in Philadelphia. Smerconish does the morning drive-time show on The Big Talker 1210 AM. His latest book is the *New York Times* bestseller *Muzzled: From T-Ball to Terrorism, True Stories That Should Be Fiction*.

KHALED ABOU EL FADL

L'89 was appointed to the Omar and Azmeralda Alfi Endowed Chair in Islamic Law at the UCLA School of Law, where he teaches courses on Islamic law; immigration, national security and investment law; and terrorism and the law.

ROBERT F. HOYT, L'89,

G'89 was appointed by President Bush general counsel to the U.S. Department of the Treasury. He had been associate counsel to the President. Previously, Robert was a partner at Wilmer, Cutler, Pickering, Hale and Dorr.

CHARLES S. MARION,

C'86, W'86, L'89 was elected vice chair of the Philadelphia Bar Association's Federal Courts Committee for 2007. He will become the chair-elect in 2008. Charles is a partner with Pepper Hamilton, LLP.

WILLIAM B. PETERSON,

L'89 has been promoted from general counsel of Verizon's Mid-Atlantic region to president of Verizon Pennsylvania.

Previously, William had a private practice where he specialized in telecommunications law.

J. DENNY SHUP, L'89

was appointed chair of the Aerospace Law Committee for the Defense Research Institute. He is chair of Schnader Harrison Segal & Lewis LLP's Aviation Practice Group.



STEPHANIE CHILDS,

L'90 was named vice president, Government Affairs at Avaya. Stephanie is the former Vice President for Global Public Policy and Government Affairs at the Information Technology Association of America.

JEANNE D'ESPOSITO,

L'90 was named a partner at Lowey Dannenberg Bemporad Selinger & Cohen, P.C. Jeanne has extensive experience in prosecuting large scale securities fraud litigation, antitrust litigation and consumer fraud actions.



THOMAS C. CLARK III,

L'91 will appear in *Best Lawyers in America's* 2007 edition for his

work in Real Estate law. Thomas is a member of Maynard, Cooper & Gale, P.C.



SUZANNE S. MAYES,

L'91 has been appointed a voting member of the Pennsylvania Bar Association House of Delegates. Suzanne is a partner in Saul Ewing's Public Finance Department.

MICHAEL D. STOVSKY,

L'91 will be included in the 2007 Edition of the *Best Lawyers in America* in the Information Technology category. Michael is a partner at Ulmer & Berne LLP in Cleveland, where he chairs the Intellectual Property Technology Group.



STACY K. WOOD, L'91, a

partner in the Regulatory Department of Parker Poe, was named to Woodward/White's *The Best Lawyers in America* 2007. Her work with Parker Poe focuses on alternative dispute resolution and labor and employment law.

Q+A

DANIELS SEES THE 9/11 MEMORIAL AS THE NEW STATUE OF LIBERTY

AT THE WORLD TRADE CENTER Memorial Foundation, Joe Daniels, L'98 is working to help rebuild lower Manhattan and, in a way, our country. The memorial, "Reflecting Absence," will be located at Ground Zero and feature a museum and landscaped public plaza around the footprints of the Twin Towers. The organization will finish laying the foundation for the memorial and museum this summer and construction of the entire plaza is expected to be completed in 2009.

Daniels credits his Penn Law education with giving him the tools to navigate his career. After graduating, Daniels practiced law at Cravath, Swaine & Moore before leaving to consult for McKinsey & Company where he explored the possibilities of socially responsible investment. He started his nonprofit career at the Robin Hood Foundation and led its initiative to give underperforming New York City schools world-class libraries.

The World Trade Center Memorial Foundation was created in May of 2005. Daniels joined as general counsel a month later. Since his appointment as president and CEO last October, the foundation has named New York Mayor Michael Bloomberg its chairman and raised \$108 million in under four months. The foundation is preparing for a national education and fundraising tour later this year.

Q: What compelled you to join the project so early on?

A: I was in New York on September 11th and I witnessed the events outside the World Trade Center. The Memorial Foundation was an opportunity that married two interests: from a mission standpoint, I could help contribute to the rebuilding of the site and lower Manhattan and [from a business standpoint] I could be general counsel and help the organization that way.

Q: Can you explain what the National Outreach Tour is and what its goals are?

A: As a part of [our fundraising], we're reaching out to get all Americans ...and the whole world behind this effort. It's analogous to the effort to refurbish the Statue of Liberty in the '80s. At the end of this summer, we're launching a national tour (in) major cities and small towns across the country. We want to let people know what the memorial and museum are going to look like and, hope-



fully, recapture some of the spirit right after September 11th when we were all together.

Q: What has been the most memorable for you working for the foundation?

A: I think it's the incredible amount of challenges, emotions and aspirations that have been brought to the project. We're redeveloping eight of the original 16 acres at the World Trade Center site in the heart of lower Manhattan. And there are so many different constituencies that are bringing their passions to bear on the projects: families of the victims of the attacks, downtown residents, commercial interests and the architects. Everybody has a very valid contribution to make so the foundation is in a unique and critical position to harness all these contributions and push the project forward. I think that's been the most fascinating thing is to hear and see the result of a wide variety of perspectives that have been brought to the project.

Q: What are your goals for the Memorial Foundation in the future?

A: We want to make sure that we operate the site in a way that is appropriate for something of such national significance. We are building a memorial and a museum and it's an important goal of the foundation that this site becomes a platform to better the world and to better our understanding of America's role in it and what happened on 9/11 – the immediate implications as well as our evolving understanding. The memorial has to be a place that can change the way people think.

- AMARA ROCKAR

ALUMNI BRIEFS

MATTHEW BIBEN, L'92

was promoted to executive vice president of The Bank of New York. He was featured on the cover of December 2006 issue of *Corporate Counsel* magazine in recognition of his cutting-edge compliance program and his work with case management technology.

REBECCA M.

BRATSPIES, L'92, an associate professor at the CUNY School of Law, published a book titled *Transboundary Harm in International Law: Lessons from the Trail Smelter Arbitration* (Cambridge University Press).

CARL M. BUCHHOLZ,

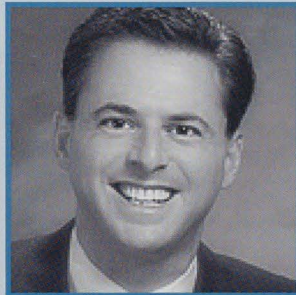
L'92 was appointed managing partner and chief executive officer of Blank Rome in Philadelphia. Previously, Carl was special assistant for Homeland Security in the Bush administration and served as general counsel for the Bush-Cheney campaign in 2004.

MARC E. HANKIN, L'92

was named a Southern California Super Lawyer in the February edition of *Los Angeles Magazine*. This group represents the top 5% of attorneys in California.

ENRIQUE J. MARTIN,

L'92 joined Greenberg Traurig, LLP in Miami as a shareholder in the Global Practice Group. Enrique, a former partner with Hunton & Williams, is returning to Greenberg Traurig, where he had spent nine years.



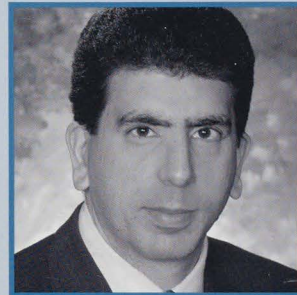
DAVID S. WACHEN, L'92

has joined the firm of Shulman, Rogers, Gandal, Pordy & Ecker, P.A. as a shareholder in the Commercial Litigation Department. Previously, David was associate litigation counsel at MCI, Inc.



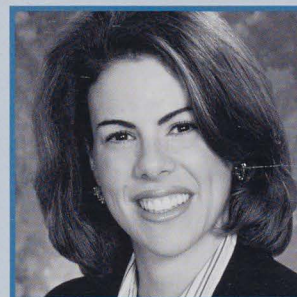
WENDY BEETLESTONE,

L'93 was appointed to the Board of Trustees of Philadelphia University. In addition, Wendy presented "The Nuts and Bolts of Education Law" at the Philadelphia Association of Paralegals' Annual Education Conference and "SES: The Hot Spot of NCLB" at the Education Law Association's annual conference. Wendy is a commercial litigator at Hangley, Aronchick Segal & Pudlin. A former general counsel of the Philadelphia School District, she also counsels education clients. She was articles editor and associate editor of the *University of Pennsylvania Law Review*.



SALVATORE G. ROTELLA,

JR., L'93 wrote "Using Mental Health Records for Research" for the September 2006 issue of *Compliance Today*, a monthly publication from the Healthcare Compliance Association. Salvatore is a member of Cozen O'Connor, where he practices in the Health Law Practice Group in the firm's Philadelphia office.



JENNIFER A. BRANDT,

L'94 was a panelist for the Fundamentals of Family Law Course at the Pennsylvania Bar Institute. Additionally, she appeared on *Your Morning*, a television show on CN8 in Philadelphia, to discuss an adoptive mother attempting to un-adopt her 15-year-old child. Jennifer is a family law expert who regularly appears on media programs, including KYW Newsradio, WPVI, WCAU, and KYW television. She practices at Cozen O'Connor.

DIONNE C. LOMAX,

L'95 was recognized in the December 2006 edition of *Nightingale's Healthcare News* as an "Outstanding Healthcare Antitrust Lawyer." Dionne is a partner at Winson & Elkins LLP.

DAVID A. NASATIR, L'95

was named a 2006 Rising Star by Philadelphia Magazine and Law and Politics Magazine. He was also named "Democrat of the Year" by the Montgomery County Council Democratic Committee. He recently completed a four-year term as the second vice-chair of the Montgomery County Democratic Committee. David is a partner at Obermayer Rebmann Maxwell and Hippel LLP, where he works in the Business and Finance Department and concentrates on municipal law, business, real estate, bank finance and consumer lending.



ELIZABETH NEDROW,

L'95 was appointed to a five-year term on the Public Employee Retirement Board by Montana Governor Brian Schweitzer. Elizabeth is a partner at Holland and Hart in Billings, Montana, where she advises employers on employee benefits.



MICHAEL ROSENBERG, L'95 was elected Junior Warden of Milita Lodge Number 295, Pennsylvania Free and Accepted Masons.

SHARI MARKOWITZ SAVITT, L'95 joined the New York Office of Winston & Strawn LLP as a partner in the Litigation Department. Shari specializes in entertainment and intellectual property litigation. She was previously commercial litigation partner in the New York office of Thelen Reid & Priest LLP.

JACK R. GARFINKLE, L'96 was elected a partner at Pepper Hamilton, LLP. He focuses his practice on mergers and acquisitions, venture capital, and securities offerings in the firm's Philadelphia office.

FARAH M. JIMENEZ, C'90, L'96 was appointed by President Bush to the Community Development Advisory Board of the U.S. Treasury Department's Community Development Financial Institution Fund. She will advise the director of the fund on policies and programs including the new markets tax credit program. Farah is the ex-

ecutive director of Mt. Airy USA, a community development group.

RICHARD BROWN, L'97 was promoted to counsel at Kaye Scholer, LLP. Richard represents financial institutions in domestic and cross-border asset-backed securitizations.

MARTIN T. FELLI, L'97 was promoted to senior vice president and associate general counsel of Clear Channel Outdoor, the world's largest outdoor advertising company. Martin served previously as the associate general counsel for the western region, and senior counsel for Home Box Office Inc.

KELLY B KRAMER, L'97 was elected a partner in the Washington, D.C. office of Nixon Peabody LLP. Kelly also serves on the executive committee of the White Collar Subcommittee of the Young Lawyer's Section in Washington and is a member of the Edward Bennett Williams American Inn of Court.

ROBERT L. KRASELNIK, L'97 has joined the New York office of Riker Danzig Scherer Hyland & Perretti LLP as an associate. Robert specializes in insurance matters such as first-party property, professional liability, and coverage litigation. Previously, Robert was an associate with Sedgwick, Detert, Moran & Arnold LLP in New York.



BART J. VERDIRAME, L'97 has been named vice president of TRIRIGA INC. Previously, Bart was general counsel for Vanguard Integrity Professionals.



JANA L. CRESSWELL, L'98 was named a partner at Stradley Ronon Stevens & Young, LLP, where she is a member of the firm's Investment Management/Mutual Funds Practice Group. Jana advises investment companies, investment advisers and broker-dealers on regulatory matters, state and federal securities law compliance and general corporate matters.

ERIC H. GRUSH, L'98 has been promoted to partner at Sidney Austin LLP in Chicago. Eric focuses on complex commercial litigation, with an emphasis on antitrust and securities litigation.

MICHELE HANGLEY, L'98 served on the faculty of the Pennsylvania Bar Institute's "Piercing the Corporate Veil" seminar. Michele is in the Litigation department of Hangley, Aronchick Segal & Pudlin, where she concentrates her practice in the areas of complex commercial litigation, intellectual property litigation, attorney malpractice defense, and general business litigation.

WILLIAM STRAUSS, L'98 was named last January a partner at Finnegan Henderson's Washington, D.C. office. Finnegan Henderson is the world's largest intellectual property law firm.



ERIC E. MARTINS, L'99 was appointed to the New Jersey Economic Growth Council by Gov. Jon Corzine. Eric is the managing director of Duane Morris Government Affairs-New Jersey.

TEENA SANKOORIKAL, L'99 was elected partner at the New York law firm Cravath, Swaine & Moore LLP. She specializes in litigation law.

ALUMNI BRIEFS

SHARIF STREET, L'99 is running for an at large seat on Philadelphia City Council. Sharif is an associate at Wolf, Block, Schorr and Solis-Cohen LLP, where he works in the real estate and government relations practices.

JOIA M. JOHNSON, L'84, WG'84 was appointed executive vice president, general counsel and corporate secretary of Hanesbrands Inc. She previously served in that capacity at RARE Hospitality International Inc., a restaurant franchise owner and operator.



TODD M. HAND, L'01 joined the Global Wealth Management Group at Morgan Stanley where he focuses on hedge funds, managed futures, and other alternative investments.

PAM JENOFF, L'01 published her first novel, *The Kommandant's Girl* (MIRA Books). She is an attorney in Philadelphia, where she does pro bono work focusing on at-risk youth, hunger relief, and homelessness.

CHRISTINA PEREZ-LABIOSA, L'01 was honored in October by Sanctuary for Families' Center for Battered Woman's Legal Services in New York for her pro bono work on behalf of indigent victims of domestic violence.

DIANKHA LINEAR, L'01 received the Washington Young Lawyers Division 2006 Outstanding Young Lawyer of the Year Award for her commitment to the community and for promoting and diversifying the legal profession. Diankha is an

associate with Cairncross & Hempelmann in Seattle, Wash.

HEATHER L. ALLRED, L'02 joined the law firm of Wolf, Block, Schorr and Solis-Cohen, LLP as a member of the Business Litigation department.

Heather was the senior editor of Penn Law's *Journal of Constitutional Law*.

ANDREW J. SOSSEN, C'98, L'02 was appointed as General Counsel of KKR Financial Corp. Previously, Andrew

AlumniFeature

WRIGHT AND TARBERT TO CLERK FOR THE SUPREME COURT

Abby Wright, L'06 and Heath Tarbert, L'01, GR L'02 chose different postgraduate paths, but their lives are about to converge. Tarbert will serve as a clerk to Supreme Court Justice Clarence Thomas and Wright will clerk for Justice John Paul Stevens during the Court's next session.

Tarbert, president of the Class of 2001, will be only the second Penn Law graduate to clerk for Justice Thomas, who has been on the Supreme Court for 15 years. Not bad for a guy who did not initially set his sights on working for the nation's highest court — or any court.

"I never dreamed I would clerk for the Supreme Court of the United States," said Tarbert. "In fact, I didn't think I would clerk at all. I focused on corporate law and international finance in school and I was eager to begin practicing as an attorney."

Wright, on the other hand, was determined to go to Washington.

"I think I decided at some point during my first year of law school that I was interested in a Supreme Court clerkship if the opportunity presented itself," said Wright.

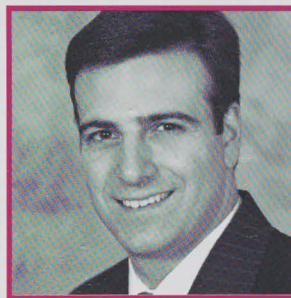
Wright will be the first Penn Law graduate to clerk for Justice Stevens, the longest-standing member with 31 years on the Court. She is finishing a clerkship with Michael Boudin, chief judge of the U.S. Court of Appeals for the First Circuit. Tarbert is serving as an attorney-adviser in the Office of Legal Counsel, U.S. Department of Justice. He clerked for Judge Douglas H. Ginsburg, chief judge of the U.S. Court of Appeals for the District of Columbia Circuit. After graduation he attended Oxford University as a Thouron Fellow, and earned a doctorate in philosophy. He then spent three years with Sullivan & Cromwell LLP, leaving for a clerkship, which he thought would help him hone his analytical and writing skills.

Following the Supreme Court clerkship, Wright hopes to do appellate work, either for a firm or for the government. Longer term, she thinks the clerkship may open doors to an academic career. Tarbert plans to enter the private sector but would also consider working for the government.

"The chance to assist a Supreme Court justice is alone worth giving up a substantial salary and free time," said Tarbert. "I am truly humbled to have such an opportunity."



Abby Wright, L'06



Heath Tarbert, L'01, GR L'02

worked in the corporate practice of Simpson Thatcher & Bartlett LLP in New York.

ANTHONY MAZZARELLI, L'03, GR'03 is co-hosting the radio show "Jill Whelan & Dr. Mazz" on Philadelphia's WPHT 1210AM on Saturday mornings. Anthony is an attorney with Long, Marmero, and Mayer LLP, as well as a practicing emergency medicine physician with Cooper University Hospital.

SARA C. (LEWIS) TEMES, L'03 has joined the Syracuse, N.Y. firm of Bond, Schoeneck & King PLLC as an associate. She concentrates her practice in commercial bankruptcy and reorganizations, creditors' rights and business law.

JULIUS TOWERS, L'03 has been appointed associate counsel in the Corporate Legal Department of Bristol-Myers Squibb. His responsibilities

include trademarks, copyrights, Internet, and licensing law. He formerly practiced at Pillsbury Winthrop Shaw Pittman LLP, specializing in intellectual property/technology law.

GREGORY J. BABCOCK, L'05 has joined Morgan, Lewis and Bockius LLP as an associate in the business and finance practice at their Philadelphia office. Gregory's practice focuses on representing clients in outsourcing and technology transactions.

SETH B. CHERTOK, L'05 joined Blumenfeld, Kaplan & Sandweiss, P.C. as an associate attorney in the firm's business practice group. Seth concentrates on mergers and acquisitions, corporate and securities law.

YAN GAO, L'05 has joined Thompson & Knight as an associate. She works for the firm's Corporate and Securities Practice Group in Dallas.

HYEASUK SEO, L'05 was named a partner at Kim Choi & Lim in South Korea.

EMILY TAYLOR BRODY, L'06 has joined Stradley Ronon Stevens & Young LLP as an associate. She advises investment companies and investment advisers and works with hedge funds managers on regulatory and compliance issues.



WILLIAM E. GREEN JR., L'06 joined Wilmington, Delaware-based Morris, Nichols, Arsht & Tunnell LLP as an attorney.



MARCEL QUINN, L'06 joined Pierce Atwood LLP in Portland, Maine. She works for the firm's Litigation Practice Group.



BRODY C. STEVENS, L'06 has joined the corporate department of Dilworth Paxson LLP. Brody studied as a Fulbright Scholar at the TU Munich Business School in Germany.

RECONNECT with Classmates

In March, Penn Law launched its redesigned Web site. Among the new features is a law alumni directory which enables you to reconnect with former classmates. Think of it as an online face book. It allows you to share pictures and stories about yourself and convey your professional or academic accomplishments. It's also easy to update your business or personal address.

To participate, you must register and sign in. The Law School will automatically list your profile unless you opt out or use privacy settings to protect specific information. The privacy information is available on the first page of the Penn Law Alumni Directory: www.law.upenn.edu/alumni/directory.

If you have questions or comments, please contact Lucyna J. Gorski, director, Development and Alumni Relations Services, at 215.898.1513 or lgorski@law.upenn.edu.

ALUMNI BRIEFS



GREGORY J. BABCOCK, L'05 married Mariko Yasuda last March in Tokyo. He recently joined Morgan, Lewis & Bockius LLP as an associate.

REBECCA BRATSPIES, L'92 is happy to announce the birth of her daughter, Naimo Florence Shulz, on July 27, 2006. Rebecca is an associate professor at the CUNY School of Law.

ANITA ALESSANDRA CHILDRESS, L'90 celebrated the birth of her son, Roman Alessandra Childress, on March 8, 2006.

MARGARET CIMINO, L'91 wed Jaime Wolf on December 31, 2006. She is a vice president in the law department of Bear Stearns.

DERRICK CLAY DIGGS, L'99, W'99 wed Rashida Kali La Lande on November 11, 2006. He is a project manager in the Hartford office of Diggs Construction LLC.



DANIEL I. GOLDBERG, L'95 and Rita L. Goldberg, L'95 had a baby girl, Kayla Gabrielle, on December 6, 2006. She joins her big brothers Yisrael, Eli and Yoni as well as her big sister Abby. Daniel is a partner in the New York office of DLA Piper US LLP.



HILLARY HOLMES, L'03 was married to Matt Archer, L'01 on July 29, 2006. The couple resides in Houston. They met when students at Penn Law. She is an associate in the corporate and securities law section of Baker Botts LLP where he is also an associate in the firm's global projects and project development section.

JEREMY S. ROSOF, C'97, L'99 married Rachel Fetner on September 10, 2006. He is an associate at the New York firm Stroock & Stroock & Lavan.

RAFFAELE SCALCIONE, L'02 and Jane Oberwager, W'03 had a baby girl, Isabella Scovill Scalcione, on July 29, 2006. The family lives in Milan where Raffaele works for Borsa Italiana S.p.A as head of listed companies regulation.

BART J. VERDIRAME, L'97 celebrated the birth of his son Cole on June 28, 2006. Bart is vice president, general counsel and secretary of TRIRIA INC. in Las Vegas.

This is your chance to announce personal milestones in our new section. We are interested in engagements, weddings, births, retirements or whatever else you believe merits attention. Job-related news will continue to run in the main section of alumni notes. Please send information to lteitelb@law.upenn.edu or to alumnijournal@law.upenn.edu.



IN MEMORIAM

Myer Feldman, Influential Adviser to President Kennedy

MYER "MIKE" FELDMAN, who helped John F. Kennedy ascend to the presidency and then arranged his funeral after he was assassinated, died in March at the age of 92.

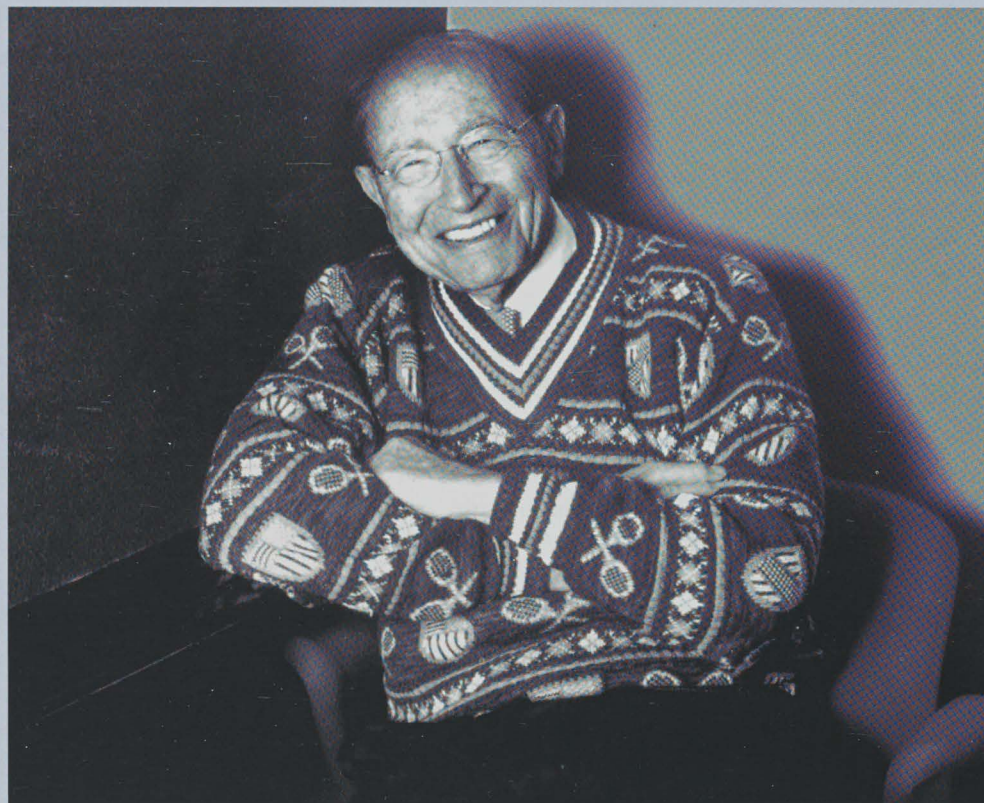
A member of Kennedy's inner circle, Mr. Feldman, W'35, L'38, was an influential but little-known adviser who prepared the young presidential candidate for his famous debate with Richard Nixon.

As deputy special counsel under Ted Sorenson, Mr. Feldman handled a huge portfolio of duties at a time when the executive staff numbered in the tens rather than the hundreds. He was responsible for everything from trade issues to agriculture to Middle East affairs, often shuttling back and forth to Israel to discuss delicate peace negotiations and the country's nuclear program. He also drafted speeches including Kennedy's famous words at the Berlin Wall.

Mr. Feldman's son, Jim, said his father turned down several offers to write his memoirs. "He never was that

interested in being famous. My father was interested in getting the job done and not advancing himself ... He believed very strongly in John Kennedy and his abilities."

In stark contrast to Kennedy, Myer Feldman was born poor in South Philadelphia and grew up in an orphanage after his father died during the influenza epidemic in 1918. After attending Girard College, a boarding school for fatherless boys, Mr. Feldman earned full scholarships to the University of Pennsylvania's Wharton School and to Penn Law School, where he flourished, serving as an editor of the Law Review. He also taught at the Law School from 1941 to 1942, leaving to serve in the military during World War II.



IN MEMORIAM

“He was committed to Penn,” said Mr. Feldman’s son. “He wouldn’t have been able to go to law school or college without (financial aid), and I think he always appreciated that opportunity.”

In return, Mr. Feldman made a gift to establish the Rebecca Feldman Scholarship in 2004. He received Penn Law’s Alumni Award of Merit the following year.

Mr. Feldman started his career in Washington as an assistant to the chairman of the Securities and Exchange Commission. Subsequently he served as counsel to the Senate committee investigating Gen. Douglas MacArthur’s firing and as counsel to a committee studying a stock market scandal. His office was next to Kennedy’s and they talked about the implications of the scandal. In 1957, after the investigation had ended, Kennedy asked Mr. Feldman to join his presidential campaign.

Mr. Feldman became such a trusted and powerful aide that he was one of two people who informed Kennedy of his election. Kennedy went to bed not knowing the outcome. The next morning, Mr. Feldman greeted Kennedy with the words, “Good morning, Mister President.”

He went to play pivotal roles in the defining moments of the Kennedy presidency, one of which was the Cuban missile crisis. The president charged Feldman with developing contingency plans to preserve the government should a nuclear attack occur. Mr. Feldman also had a big hand in planning President Kennedy’s funeral.

Mr. Feldman was flying to Japan with several cabinet members and advisers on a trade mission when they got word that Kennedy had been assassinated. Air Force One returned to Washington immediately. “He was just crushed,” said his son Jim, who recalled the grief-stricken scene of advisers huddled beside Kennedy’s casket in The White House. “It was maybe the only time I saw him cry.”

One of the few Kennedy holdovers, Mr. Feldman stayed on for 18 months as special counsel in the Johnson administration. But he remained loyal to the Kennedy family, serving as an adviser to Robert Kennedy’s short-lived presidential campaign and assisting Eunice Kennedy Shriver during the formative years of the Special Olympics.

Mr. Feldman was chairman of the executive committee and lead director of the worldwide organization. Tim Shriver, chairman of the Special Olympics, practiced a quiet compassion, contributing time and money to help the organization thrive. “He was the hidden wise man (and the) guiding hand behind the legal structure of this movement and its grown and expansion.”

After leaving government service, Mr. Feldman started a law firm which grew to more than 100 lawyers. He also ran radio stations and newspapers; was a book review editor for the *Saturday Review*; and produced six Broadway plays.

Mr. Feldman is survived by his wife Adrienne Arsht; son Jim; a daughter, Jane Walker; two grandchildren; a sister; and his first wife, Jackie Moskowitz.

— LARRY TEITELBAUM

David Berger, Pioneer of the Class-Action Lawsuit

DAVID BERGER, C’32, L’36, a prominent Philadelphia lawyer who was among the pioneers of class-action lawsuits that took on some of the most powerful defendants in the world, died in February at the age of 94.

The son of Austrian immigrants, Mr. Berger devoted much of his career to fighting corporations on behalf of consumers and ordinary people. His advocacy in *Bogosian v. Gulf Oil Co.*, in which he represented gas station owners in a price fixing case, was a model for nationwide class action suits. He later adapted the strategy in fighting for residents affected by the Three Mile Island nuclear accident.

Mr. Berger’s legacy also extended to his adopted hometown of Philadelphia, where he shaped the city’s future as city solicitor and key adviser in Mayor Richardson Dilworth’s reform-minded administration in the mid-1950s. He was instrumental in establishing the Philadelphia Industrial Development Corp. as well as the Southeastern Pennsylvania Transit Authority (SEPTA). Active in the local Democratic Party, he ran for district attorney in 1969 but lost to Arlen Specter.

“David had a deep and abiding passion for the law,” Pennsylvania Gov. Ed Rendell, C’65, HON ’00, a confidant of Mr. Berger, said during a memorial service held at Penn Law School in March. “It’s hard to think we’ll find another David Berger ... To say that we’ll miss him is truly an understatement.”

The vehicle for Mr. Berger’s class action work was Berger & Montague, the law firm he founded in 1970. Under his leadership, the firm became a national leader in representing plaintiffs. In addition to Three Mile Island, Mr. Berger won major cases in the Exxon Valdez oil spill and the Drexel Burnham Lambert junk-bond scandal. His firm also won a \$2 billion settlement



from the government on behalf of shareholders and Penn Central when the railroad went bankrupt.

“Dave was an innovator,” said H. Laddie Montague, Jr., C’60, who helped Mr. Berger start the firm. “Through his leadership, his judgment, his creativity, and his intellect, he built that firm of five young (people) into a very flourishing (enterprise) which we all hope has made a difference in the world ... I can’t imagine anybody having a greater mentor than Dave.”

Mr. Berger was born in Archbald, a small town near Scranton, Pa. He arrived in Philadelphia just before the Stock Market crash in 1929. Undeterred, he worked his way through school at the Jewish Student Center where he earned a dollar and an apple a day.

He graduated first in his class from Penn Law and was elected to the Order of the Coif. For the next two years, he served as special assistant to the dean of the law school and worked on the first Restatement of Torts as an assistant to Prof. Frances H. Bohlen and William Draper Lewis, former Penn Law dean and director of the American Law Institute.

Mr. Berger interrupted his career to serve in the Navy during World War II. After surviving the sinking of his aircraft carrier, the USS Hornet, Mr. Berger was awarded the Silver Star. Adm.

William F. Halsey, commander of the South Pacific, later chose Mr. Berger for his personal staff.

“Not only was David a great American lawyer, not only was he a decorated war hero, but, above all, David was a true American patriot,” said Mr. Berger’s brother, the Honorable Harold A. Berger, EE’48, L’51, speaking at the Law School’s memorial service.

Mr. Berger maintained a lifelong connection to Penn, where he was an associate trustee and to the Law School, where he served on the Board of Overseers and established the David Berger Professorship for the Administration of Justice.

He was also active in the legal community, serving as chancellor of the Philadelphia Bar Association and a fellow of the American College of Trial Lawyers, the International Society of Barristers and the International Academy of Trial Lawyers. He retired from his law practice in 2004.

But not before transforming the legal profession. “My father contributed to strengthening the civil justice system in this country,” said Daniel Berger, CGS’98. “And the civil justice system is essential to the type of fair, decent, just, environmentally responsible society that we all aspire to and that my father worked long and hard to bring about.”

Mr. Berger is survived by sons Jonathan and Daniel; former wife, Harriet Fleigher Berger; two grandchildren, Michael and Erika Berger; brothers Harold and Joseph; and daughter-in-law, Linda Walter Berger.

— AMARA ROCKAR

Covey T. Oliver, Diplomat and Penn Law Professor

COVEY T. OLIVER, former acting dean of Penn Law and professor of International Law, died last February. A former ambassador to Colombia, he dedicated his life to the improvement of inter-American affairs, serving as a key organizer of the Alliance for Progress in President Kennedy’s administration.

Prof. Oliver first joined the Penn Law faculty in 1956. After leaving for a series of diplomatic and governmental positions, he returned to Penn in 1969.

In 1973, he published *The International Legal System* with Noyes E. Leech of Penn Law School and Joseph M. Sweeney of

IN MEMORIAM



Tulane University. "He understood international legal problems and international politics and it showed beautifully in [our textbook]," said Prof. Leech, a lifelong academic who considered Mr. Oliver's real-world international relations experience a great asset in the book's development.

Curtis Reitz, who joined the Penn Law faculty a year after Mr. Oliver, said the late professor emphasized the law in public international law rather than the politics. Mr. Oliver, he said, spurred his interest in this area of law.

Before his retirement in 1978, Mr. Oliver briefly served as acting dean of the Law School, guiding it through a difficult time when much of the faculty was divided over the school's educational direction. "He was an open-minded, wise person who did us a great service," noted Prof. Howard Lesnick.

Born on the border town of the Laredo, Texas, Mr. Oliver became fluent in Spanish and aware of the crises in Latin America early on. During World War II, he was a member of the U.S. Board of Economic Warfare in Washington and later served in Spain where he purchased industrial materials to keep them out of enemy hands.

After the war, he served in the State Department for several years. In 1962, President Kennedy appointed him to the Inter-American Juridical Committee of the Organization of American States. Mr. Oliver later became assistant secretary of state for

inter-American affairs and was also the coordinator of the Alliance for Progress, the aid program that served as a counterweight to the Cuban revolution. He also was an official at the World Bank.

Mr. Oliver, a member of the Council of Foreign Relations as well as the American Law Institute, served as president of the American Society of International Law and was editor for many years of the *American Journal of International Law*.

His diplomatic service informed his scholarship. He left the State Department in 1949 to become professor of international law at the University of California at Berkeley. He subsequently became the first director of the Institute of International Studies at Berkeley. Mr. Oliver also taught for three years at Rice University.

He is survived by his wife of 60 years, Barbara Hauer Oliver; five children, Jane Oliver Menard, Lucy Oliver Sampson, Scotti L. Oliver, Woodlief H. Oliver and Jefferson T. Oliver; a brother and three grandchildren.

— AMARA ROCKAR

MARGARET ALEXANDER, L'80 September 2006, Deputy Mission Director for the U.S. Agency for International Development (USAID) in Katmandu, Nepal. Ms. Alexander was among 24 people who perished late last September in a helicopter crash 400 miles east of Katmandu. Though the cause of the crash is unknown, bad weather is believed to have been a factor. Ms. Alexander had joined USAID as a legal officer assigned to the agency's Office of the General Counsel in 1987 and had been the Katmandu deputy mission director since May 2005. Previously, she had worked in the private law firm of Covington and Burling in Washington, DC, and clerked for the U.S. District Court for the District of Delaware. During her time at USAID she worked at missions and bureaus in Europe, Eurasia, the Caribbean and across Africa. Her positions included assistant general counsel, regional legal advisor and regional legal office chief. From 2002 to 2005, Ms. Alexander was the senior regional legal advisor in Nairobi, Kenya for the agency's missions in East and Central Africa. This year she would have assumed the post of USAID director to the Democratic Republic of Congo. In November 2005, Ms. Alexander received USAID's Superior Honor Award for "sustained exemplary performance" in providing legal services while in her East Africa position. Ms. Alexander is survived by her sister, Harriet Alexander, and nephew, Alexander Evans.

JEROME B. APFEL, L'54 Haverford, Pa., October 2006, lawyer, community activist and arts patron. Mr. Apfel was a lawyer at Blank Rome in Philadelphia for 46 years, his specialty wills and estates. He retired as partner in 2005. At the Penn Center for Bioethics, he earned a master's degree in 2000 and was the founding member of its alumni society. He was a past president of the Law Alumni Society. A contributor to the arts community, Mr. Apfel served on the boards of the Mann Center for Performing Arts, the Annenberg Center and the Philadelphia Chamber Orchestra. Mr. Apfel also served as president of Beth David Reform Congregation in Gladwyne and sat on the board of the Jewish Community Relations Council as well as on the national board of the Union of American Hebrew Congregations. Mr. Apfel is survived by his wife, Fanchon Marks Apfel, OT'54, whom he met at Penn Law School; sons, David, Matthew and Ira; daughter, Sarah; and four grandchildren.

MARY J. BEAVER, L'85

Ardmore, Pa., March 2007.

JAMES S. BOYNTON, L'71 New York, NY, January 2006, attorney. Mr. Boynton was a partner at Salans and had been with the firm and its predecessor, Christy & Viener, for more than 20 years. He is survived by his mother, Lorraine; wife, Kate; daughter, Carrie Boynton Quinlan; son, James Cochran Boynton; and sisters, Anne Boynton-Trigg and Eleanor Boynton.

EARL L. CAHAN, W'33, L'37 Philadelphia, Pa., October 2006, arbitrator for the Philadelphia Court of Common Pleas for over a decade. From 1952 to 1980, Mr. Cahan ran Louis H. Cahan & Co., a construction and real estate management firm founded by his father. During that time, he was also an attorney and broker for the real estate firm owned by Albert M. Greenfield Jr. and Barbara Greenfield for 13 years. Mr. Cahan served as the state arbitration commissioner from 1977 to 1982, and was appointed by then-Gov. Richard Thornburgh as the assistant general counsel for the Pennsylvania Health Care Conciliation Program. He is survived by his son Bruce.

JOHN A. CLARK, L'48 Blue Bell, Pa., October 2006, attorney and author. Mr. Clark was associated with the Philadelphia firm Duane Morris from 1970 until his retirement in 1988. Previously, Mr. Clark had served as counsel to the Internal Revenue Service in New York and been a lawyer in firms located in New York and Reading, Pa. He was vice chairman of an American Bar Association trusts and estates committee from 1988 to 1989 and in 1997 he published the handbook, "How to Save Time and Taxes Handling Estates." He served in the Army stateside and in Japan during World War II. Mr. Clark was predeceased by his wife of 43 years, Dorothy. He is survived by his

daughter, Margaret Jensen; sons William and John R.; a brother; and four grandchildren.

EDWARD COHEN, L'37 Philadelphia, Pa., September 2006, a Philadelphia bankruptcy attorney for 60 years. Mr. Cohen, who grew up in West Philadelphia, was a World War II Army tank commander. He saw action in Europe and attained the rank of major.

EDWARD CUTLER C'34 L'37 Tampa, Fl., October 2006, attorney and executive. Mr. Cutler was an executive with McCloskey & Co., a Philadelphia shipbuilding company with a shipyard in Tampa, where he relocated after Law School. He was a sole practitioner before joining, in 1961, the Tampa law firm of Mabry, Reaves, Carlton, Fields & Ward, now known as Carlton Fields, P.A. He practiced with the firm until his retirement in 2001. He served as president of the American College of Real Estate Lawyers and as a member of the National Conference of Commissioners on Uniform State Laws. In 1991 he was awarded the Fellows of the American Bar Foundation's Fifty-Year Award. After graduation from Penn Law, where he was notes editor of the Law Review and a member of the Order of the Coif, he clerked for Chief Justice John Kephart of the Pennsylvania Supreme Court. Mr. Cutler was preceded in death by his brother, A. Budd Cutler, and sister, Annie Baranoff. He is survived by his brother Martin A. Cutler; his sisters, Helen Avchin and Sophie Domb; his son, Edward, and daughter-in-law, Donna; his daughter, Janet Kossman, and her husband, Robert; his daughter, Robin Cutler-Levine, and her husband, Robert; six grandchildren and three great-grandchildren.

H. FRANCIS DE LONE, L'40 Gladwyne, Pa., November 2006, law firm chairman. Mr. de Lone served a term as chairman of Dechert LLP in Philadelphia. Over the course of his career, he made several successful appearances before the U.S. Supreme Court, where he represented railroad employees and manufacturing companies. He was a past president of both the United Cerebral Palsy Association and of the United Way of Southeastern Pennsylvania and a former board member of the Friends Neighborhood Guild and Philadelphia Academies Inc. During World War II, Mr. de Lone served stateside in the Marine Corps. He was predeceased by his wife of 59 years, Madeline Heckscher deLone, and his son, Richard. Mr. de Lone is survived by his sons, H. Francis Jr. and Austin; his daughter, Pamela Rosner; nine grandchildren; and five great-grandchildren.

JAMES FREYER, L'65 Boulder City, NV., December 2006, veteran of the U. S. Navy Judge Advocate General's Corps. During 27 years on active duty, Captain Freyer served in Washington, D.C., the Great Lakes Naval Base in Illinois, and the San Diego Naval Station. He also served in fleet activities in and around Japan and the western

IN MEMORIAM

Pacific Ocean. He retired from the Navy in 1995. Captain Freyer was buried with full honors in Arlington Cemetery this past April.

TERRY K. GLENN, L'67 Bryn Athyn, Pa, March 2007, attorney and financial services executive. Mr. Glenn joined Merrill Lynch in Philadelphia in 1983 and retired as vice president of Merrill Lynch Investment Managers in 2004. Previously, he had practiced law in New York and Boston and been a securities executive in Cleveland. Mr. Glenn was a trustee of the College of William and Mary, from which he graduated, and a member of the corporation of the Academy of the New Church. He also served on the Swarthmore College investment committee for endowments and was director and chairman of the investment committee of the General Church of the New Jerusalem. Mr. Glenn was a veteran of the Army Reserve. He is survived by his wife of 39 years, Eileen Reider Glenn; daughters, Erin Busby and Brooke Mullion; his mother E. Hope Glenn; a brother; a sister; and a granddaughter.

LEONARD B. GORDON, W'42 L'48 Philadelphia, Pa., October 2006, of counsel at Gordon & Gordon P.C. He specialized in family and personal injury law with offices in Philadelphia and Mount Laurel, N.J. Mr. Gordon had served as chairperson of the board of directors of Horizon House, Inc., an organization which provides services to adult suffering from psychological or developmental disabilities. He is survived by his wife, Tamara Steerman Gordon, FA'53 G'74; his children, Bill, Jane, Sam and Brian; and grandchildren, David, Rachael, Sophie, Emma and Mia.

VINCENT J. LA BRASCA, L'41 Springfield, Pa., January 2007, attorney and decorated veteran. A lawyer for more than 40 years, Mr. La Brasca retired as partner from Fronfield & de Furia in 1987. A member of the Army's Second Armored Division in World War II, he served in North Africa and Europe as an Army postal clerk. Mr. La Brasca landed on Omaha Beach the day after D-Day to set up operations in advance of his division. He also participated in the Battle of the Bulge and his was the first American unit to march into Berlin in July 1945. He was a recipient of the Bronze Star. Mr. La Brasca received his bachelor's degree at Villanova University, where he would later teach contract law for 10 years. He is survived by his wife of 59 years, Gild Veneziano La Brasca; two nieces; and three nephews.

PAUL LAFARGUE, LLM '07 January 2007, student. Mr. Lafargue drowned while surfing off the beaches of Rio De Janerio. He was vacationing with his family in Brazil. A few days later the Law School held a memorial service for Mr. Lafargue. In May, his fellow international classmates held The Paul Lafargue Cup soccer tournament in his memory.

ROBERT W. MCCONNELL JR., L'43 Gladwyne, Pa. February 2007, lawyer. Mr. McConnell was legal counsel for Sears, Roebuck & Co. in its eastern territory for 26 years. He previously worked at American Waterworks in Philadelphia as general counsel and was an associate at the Dechert law firm. Early in his career, Mr. McConnell clerked for the chief justice of the Pennsylvania Supreme Court. He was an editor of the Law Review. During World War II, he contracted polio while serving in the Army and was in an iron lung for a year. After his recovery, he edited a State Department newsletter that educated German prisoners of war about democracy. An active member of the Union League in Philadelphia for 50 years, Mr. McConnell also volunteered for the Maine Line chapter American Red Cross and was a trustee and deacon of the Bryn Mawr Presbyterian Church. He served on the boards of the Ludington Library in Bryn Mawr and Horizon House, Inc., a Philadelphia agency that provides services to adult with psychological or developmental disabilities. Mr. McConnell was preceded in death by his wife of 61 years, Jane Royle McConnell. He is survived by his son, Geoffrey; his daughters, Daphne Graham and Alexandra; and three grandchildren.

ELLIOTT D. MOSSMAN, L'74 Blawenburg, N.J., March 2007, Slavic Languages Department Chair at Penn. Mr. Mossman was a member of the Penn faculty for nearly 40 years, chairing Penn's Slavic Language Department and serving as director of the Center for Soviet and East European Studies. Mr. Mossman began his career at Penn in 1968 and retired in 2006. At Penn, he also served as associate dean for undergraduate studies in the School of Arts and Sciences and was a member of both the Faculty Senate Committee of Administration and the University Council Academic Review Committee. A former editor of the scholastic journal, *Slavic Review*, he also compiled, edited and translated "The Correspondence of Boris Pasternak and Olga Freidenberg, 1910-1954". He is survived by his daughter Ellen; sister Marion; and brothers, Donald, Dwight and Garrett.

PAUL A. NOLLE, L'53
Chatham, N.J., September 2006.

LAWRENCE M. PERSKIE, L'49 Margate City, N.J., January 2007, attorney. Mr. Perskie practiced law until 1990, when he retired from the firm Cooper, Perskie, April, Niedelman, Wagenheim and Levenson. The son of former New Jersey Supreme Court Justice Joseph B. Perskie, he grew up in Atlantic City. Mr. Perskie was a member of the Beth Judah Synagogue and the Jewish Community Center boards and served as president of the Hebrew Old Age Center and the Beth Kehillah Cemetery Association. Mr. Perskie is survived by his wife, Claire and former wife, Audrey Perskie; sons Philip and Jim; daughter,

Joanne Goldberg; three step-daughters; nine grandchildren; and seven step-grandchildren.

ALMARIN PHILLIPS, W'48, G'49 Wynnewood, Pa., August 2006, dean of the School of Public and Urban Policy at Penn. When he joined the Penn faculty in 1963, Mr. Phillips was one of the first professors in the country with a joint appointment in the economics and law departments of a major university. His academic work had a profound impact on the understanding of economic market processes and structures. During his tenure at Penn, Mr. Phillips served as chairman of the Economics Department, as well as associate dean of Wharton and dean of the School of Public and Urban Policy and chair of the Faculty Senate. Mr. Phillips consulted on major antitrust issues including the break-up of AT&T. He also worked with companies such as IBM, Alcoa and Dow Chemical. A senior fellow at the Brookings Institution, he is the author, co-author and editor of eight books. In addition, he was North American editor of the *Journal of Industrial Organization*. Mr. Phillips was predeceased by his second wife, Carole C. Phillips, in 2005 and his eldest son, A. Paul Phillips, in early 2006. He is survived by his wife, Anita Behrle Phillips; first wife, Dorothy B. Phillips; four sons, F. Peter, Thomas, David and Charles; a daughter, Elizabeth; three stepsons, Andrew T. Greenberg, Benjamin F. Behrle and Joshua Behrle; a stepdaughter, Elizabeth Sanchez; nine grandchildren; and one great-grandchild.

FRANKLIN POUL, W'46, L'48 Wynnewood, Pa., August 2006, attorney and activist. Mr. Poul was the adviser on the historic Girard College case which culminated in the precedent-setting Supreme Court ruling to open the college to minority students. A vice president of the American Civil Liberties Union, he also helped challenge the military's "Don't Ask, Don't Tell" policy on gays. After graduating from Penn Law, where he was research editor of the Law Review, Mr. Poul began his career with Gray, Anderson, Schaffer & Rome. He joined Wolf, Block, Schorr and Solis-Cohen in Philadelphia in 1956, becoming partner four years later. Known to his friends as "Frenchy," Mr. Poul was a member of its business litigation practice group and concentrated his legal practice in antitrust, securities and complex litigation. He participated in numerous antitrust cases, including *Goldman v. Paramount*, *Viking v. Paramount* and Japanese electronic products antitrust litigation. An Army veteran during World War II, Mr. Poul served as a finance clerk in Europe. Mr. Poul's wife of 57 years, Shirley, died in April. He is survived by his daughters, Dr. Leslie Poul Melman, CW'74 and Laurie Price; son, Alan; a brother; a sister; and two grandchildren.

IDA ROSA PUGLIESE, G'37, L'44 Wayne, Pa., March 2007, attorney and former librarian at Biddle Law Library. Ms. Pugliese and her husband, Peter, co-founded the American Institute for Italian Culture, which was honored by the Italian government. After earning a master's degree in political science from Penn, Ms. Pugliese became a librarian in the Biddle Law Library, which later prompted her to study law. She joined the Drinker Biddle firm in Philadelphia, leaving to raise three daughters. She returned to the law to start her own practice in Philadelphia. She was predeceased by her husband. Ms. Pugliese is survived by her daughters, Maria Pugliese Hieble, Elisa M. Pugliese and Christina P. Burkhart; and five grandchildren.

ALFRED L. REESER, L'39 Berwyn, Pa. August 2006, Mr. Reeser was a manufacturer's representative for restaurant equipment companies for more than 30 years. An avid horseman, he rode and owned horses until age 70 and was a longtime member of the Radnor Hunt Club. He was also a tennis enthusiast and played well into his seventies. Mr. Reeser served in the Army in Germany during World War II.

JOEL H. WINSTON, L'82 Kansas City, Mo., June 2006, attorney. Mr. Winston was a partner at the Kansas City law firm of Polsinelli Shalton Welte & Suelthaus and specialized in conduit lending and specialized real estate securitizations. Born in Kansas City, he earned a bachelor's degree in Middle Eastern Studies from the University of Michigan and studied financial institutions at the City University of London before attending Penn Law. He is survived by his wife, Kacy; sons, Kyle and Seth; parents, Lois and Emanuel; and sister, Debra Winston Howard.

WELSH S. WHITE, L'65 Pittsburgh, Pa, December 2006, professor and authority on the death penalty. Mr. White served on the University of Pittsburgh's law faculty, where he published three books on capital punishment including "The Death Penalty in the Nineties: An Examination of the Modern System of Capital Punishment" and a number of essays and articles on evidence and criminal procedure. He joined the University of Pittsburgh faculty in 1968. The University appointed Mr. White in 2005 to the Bessie McKee Walthour Endowed Chair. After graduation from Penn Law, the Philadelphia native worked at the White and Williams law firm, founded by his grandfather. He left the firm to work for the Philadelphia District Attorney. Mr. White is survived by his wife Linda Timmons White; sons Henry, Robin and Ryan; daughter Kathryn Hawkins; brothers William and Alexander; and three grandchildren.

CASE CLOSED



Are You Ready for Some Flag Football?

With the Philadelphia skyline framing their pass rush, two members of Penn Law's Flag Football League bring the heat on the quarterback. More than 100 students participated in Flag Football, which features seven players, rather than the customary eleven, on each side. To make a tackle, defenders have to pull out one of two flags (more like streamers) attached to a belt worn by the offensive player. There are no corporate sponsors or skyboxes – we're not sure about excessive celebrations in the end zone. This year's champion was Posse Comitatus, who outlasted Different Shades of Brown, 26-21, at Franklin Field on a blustery, rainy day in December.



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