

et al.: Penn Law Journal: The Hard Road to Reconciliation

# PENN LAW JOURNAL

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## The Hard Road to Reconciliation

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# PENN LAW JOURNAL

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BY JENNIFER BALDINO BONETT, MICHAEL CALLAHAN, EDWARD N. EISEN, SALLY FRIEDMAN, AISHA LABI, FREDDA SACHAROW, AND LARRY TEITELBAUM

In the lush lands of northern Uganda and the dusty precincts of Ghana's capital city bands of Penn Law students and their professors, Bill Burke-White and Sarah Paoletti, are working to enforce peace and document injustices. Meanwhile, Robert Toll, L'66, and his wife Jane are helping Israeli and Arab youths build fellowship. All of this in the name of reconciliation.

### **Bumper Crop** 36

BY AISHA MOHAMMED AND LARRY TEITELBAUM

It seems the students keep getting better year after year after year. Why should this year be any different? But it is. This year, students are even more gifted than their predecessors. Their grades are better, their LSATs higher. Get ready for the Class of 2011.

### **Life and Death and Law** 42

BY JENNIFER BALDINO BONNETT

As defining moments go, Dr. Stephen Raper had a big one. He participated in a gene experiment gone terribly wrong. But he's harvesting the experience into something positive as a student at Penn Law, where he's learning to apply the language of law to the practice of medicine.

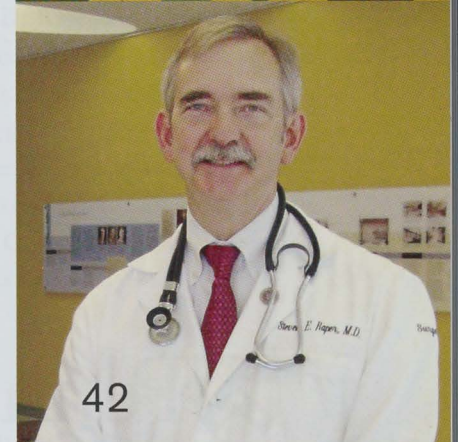
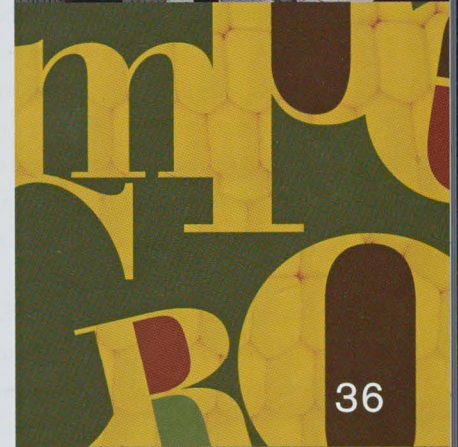
### **ILE Plumbs 'Central Nervous System' of Finance and Government** 56

BY MARK EYERLY

The brainpower. The sophistication. The inside baseball. No other university in the country can match Penn Law's Institute for Law and Economics for the breadth of its programs and insight into the nation's corporate workings. And it's still going strong after 28 years.

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## A MESSAGE FROM THE DEAN



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

**GOV. BILL RICHARDSON** was our commencement speaker this year. He's built a reputation as a diplomatic troubleshooter. Not one to flinch, he's negotiated face-to-face with some of the world's most autocratic leaders: Fidel Castro, Sadaam Hussein, and Hugo Chavez, to name a few.

At graduation he spoke of the need to sit down and make peace with enemies. He also talked about the imperative of holding accountable leaders who commit war crimes.

In short, he voiced the very things that inform two important projects at the core of this issue of the Penn Law Journal. Under the rubric of reconciliation we feature stories on two remarkable efforts in Africa. One is in Uganda, the other in Ghana.

First, Uganda. Penn Law's Bill Burke-White, a most impressive young scholar who, like Richardson, is drawn to world trouble spots, is leading a mission to maintain the fragile peace in northern Uganda. A group of students enrolled in his seminar on Transitional Justice accompanied him there. Their task was to help him draft a report with recommendations for an enduring resolution of the two-decade-long civil war between the government and a rebel group.

Another group of students traveled with Sarah Paoletti to a refugee camp in Ghana. Sarah, head of our Transnational Clinic, is a passionate defender of human rights. She led her students in what can only be described as a comprehensive oral history of the wages of the civil war in nearby Liberia. Students interviewed scores of victims. They compiled a record that will stand the test of time and provide a database of human rights violations and abuses to the Liberian Truth and Reconciliation Commission.

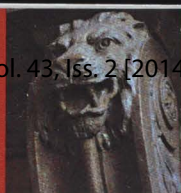
On their own, these are truly extraordinary achievements worth chronicling. But the package includes another fascinating story: we go inside the work of Seeds of Peace, a camp in Maine close to the heart of Bob Toll, L'66, and his wife Jane. In a stretch of woods counselors seek a clearing in relations between Israeli and Arab youths. They work to mediate years of conflict — one child at a time.

In his own way, Dr. Stephen Raper is seeking reconciliation as well. Dr. Raper, the subject of another piece, faced a defining moment in his career several years ago. He participated in a failed gene therapy trial at Penn. The death of a young adult caused him to reexamine his life. The experience also drove him through the doors of Penn Law, where he is pursuing a J.D., giving great thought to the inadequacy of informed consent and grappling with big questions around medicine, ethics, and law.

Reading the piece on Dr. Raper I was reminded that there are no easy answers to life and death questions, whether in medicine or war. The international crisis in Georgia, the resurgence of the Taliban, and the resignation of Pakistani President Musharaaf concentrate the mind.

*Mike*





# THE BRIEF

## LAW SCHOOL

### NEWS & EVENTS

#### *Leading Edge*

## Penn Law and Wharton Create Three-Year JD/MBA Degree

**PENN LAW** and the Wharton School are launching an accelerated three-year program leading to both the JD and MBA degrees.

“As the world becomes more complex, leaders must be able to integrate financial, legal, political and cultural issues like never before,” said Michael A. Fitts, dean of Penn Law School. “From corporate scandals and globalization to crises in the housing and credit markets, there is an obvious need for people with advanced training in the law to be highly skilled in business, and there is no better place anywhere to study business and finance than the Wharton School.

“This will become the leading way to educate tomorrow’s leaders on Wall Street,” he added.

Students in the new program will spend the first year in Law School and the following summer in four Law and Wharton courses designed specifically for the three-year JD/MBA. The second and third years will include a combination of Law and Wharton courses, including capstone courses in the third year and work experience in law, business, finance, or the public sector in the summer between the second and third years.

Penn’s three-year JD/MBA is the country’s first fully integrated three-year program offered by elite law and business schools. The new program will target potential applicants with typically two years of work experience, especially in finance, who are entrepreneurs or are planning careers in investment banking, private equity and related fields.

“We expect that all sorts of people with business experience will apply,” said Edward Rock, co-director of Penn’s

Institute for Law and Economics, the Saul A. Fox Distinguished Professor of Business Law, and an architect of the three-year program.

“Some will want to pursue corporate law and corporate finance and others are likely to go in different directions. All of them will be able to navigate and lead in the worlds of business and of law, because this is the best way to prepare tomorrow’s business lawyers.”

Applicants must be admitted by both schools in order to enroll in the three-year program. Students in the joint program will be required to meet the Law School’s mandate to perform 70 hours of supervised legal work in a pro-bono setting in order to graduate.

The new program solidifies Penn Law’s position as the leading cross-disciplinary law school in the country. Penn Law already offers 10 other three-year





joint degree programs that combine a law degree with master's degrees in bioethics, international studies, education and other disciplines. In total, Penn Law offers more than 30 joint- and dual-degree and certificate programs; one-half of its students take classes outside the Law School; and 70 percent of its faculty hold advanced degrees in fields other than law, including nearly one-half of the standing faculty holding a Ph.D.

The three-year JD/MBA program is expected to enroll about 20 students each year, beginning in September 2009.

"For a student interested in business law today, it is essential to learn corporate finance," said Professor

Rock. "In this combined program, students will be able

to complete a full MBA including, if they wish,

a major in finance, at the same time as

taking numerous advanced

courses in corporate law. The

graduates of the joint program will

be qualified to do just about anything: corporate

law; investment banking; private equity;

hedge funds; and more."

Paul S. Levy, a 1972 Penn Law graduate and a

former managing director at Drexel

Burnham Lambert, recalled that on his

first day at Drexel, he was asked to calculate

a bond's yield to maturity. He quietly called a

friend with an MBA to help him figure it out.

"A JD/MBA from Penn

Law and Wharton will help graduates do much more than calculate yields," said

Levy, now the senior managing director and

**"Leaders must be able to integrate financial, legal, political and cultural issues like never before," said Michael A. Fitts, dean of Penn Law School.**

founding partner of the New York-based investment firm JLL Partners, one of the leading private equity investment firms in the country. "Increasingly, lawyers are CEOs of major corporations, leading figures in private equity, investment bankers and so on. To prepare tomorrow's lawyers in ways that will enable them to move effortlessly into business and finance, it is clear that a variety of Wharton courses will serve as an invaluable supplement to the more traditional law courses."

## Former Indian Supreme Court Justice Defends Judicial Activism in Her Homeland

**JUST LIKE THE UNITED STATES**, there are government leaders in India who criticize judicial activism. Some judges even go so far as to proclaim that their colleagues "must not behave like emperors." But Ruma Pal will have none of it.

In a lecture last March, Pal, former justice of the Supreme Court of India, rejected the concepts of separation of powers and parliamentary superiority as relics of a colonial policy that are irrelevant today.

She said judicial activism "has been critical in protecting and preserving the fundamental rights and basic dignities" of Indian citizens.

Justice Pal, who served on the Supreme Court from 2000 to 2006, made this passionate defense of judicial activism as guest speaker for The Nand and Jeet Khemka Distinguished Lecture Series, co-sponsored by the Law School and the Center for Advanced Study of India.

Explaining her position, Justice Pal said separation of powers is a fluid concept which allows for the judiciary to step in when the executive and legislative branches fail to act. In particular, she said, the Constitution grants the Supreme Court the power





## THE BRIEF

### LAW SCHOOL NEWS & EVENTS

of judicial review, which includes the ability to enforce fundamental rights by issuing directives.

Nonetheless, the executive branch fears that this gives the judiciary too much power, and accounts for its criticism of judicial activism, said Justice Pal.

In 1975, the president acted on this fear and attempted to “entrench itself as the sovereign power” under the Constitution by declaring a state of emergency and suspending elections and civil liberties, said Justice Pal. This order effectively curtailed the power of judicial review.

High courts challenged the decree but the Supreme Court backed it. The order was lifted in 1977.

“This shameful instance of judicial deference to...the executive has remained a blot on the reputation of the Supreme Court as a protector of the citizen from executive excesses,” said Justice Pal.

As a corrective, the Supreme Court later established substantive due process by ruling that an individual could not be deprived of life or liberty arbitrarily. The establishment of due process, among other policies, has led critics to charge that the Indian judiciary second-guesses Parliament and rewrites the

Constitution. Justice Pal countered this criticism by asserting that concepts such as equality, undefined by the Framers, are like “empty vessels into which each generation pours its content by judicial interpretation.”

Justice Pal credited judiciary activism with keeping “democratic principles alive” by providing continuity during political instability, giving a voice to oppressed groups, and “acting as a buffer” to protect citizens against executive and legislative action and inaction.

More important, she said in a country rife with political, ethnic and linguistic divisions, the judiciary has promoted the “feeling of Indian-ness” because “nationhood is preserved by and operates within the framework of the Constitution.”

## Nation’s First Hispanic AG Reflects on Life and Career

**FORMER U.S. ATTORNEY GENERAL** Alberto Gonzalez, the first Hispanic to hold that office, came to LALSA’s La Gran Fiesta conference last April to talk about his heritage and unlikely rise to the country’s chief enforcement officer, but he spent much of the time defending the Bush administration’s anti-terrorism efforts.

Gonzalez, the keynote speaker, acknowledged that some people were unhappy with the president’s decisions to protect national security, but he maintained that 9/11 and the continuing threat of attacks from Al-Qaeda justified the controversial treatment of suspected terrorists.

Nonetheless, Gonzalez admitted that the federal government should have been more forthright about its surveillance activities. But, he said, the severity of the attacks made the government “very skittish about talking too much,” and this reticence “allowed American citizens to simply imagine the worst.”

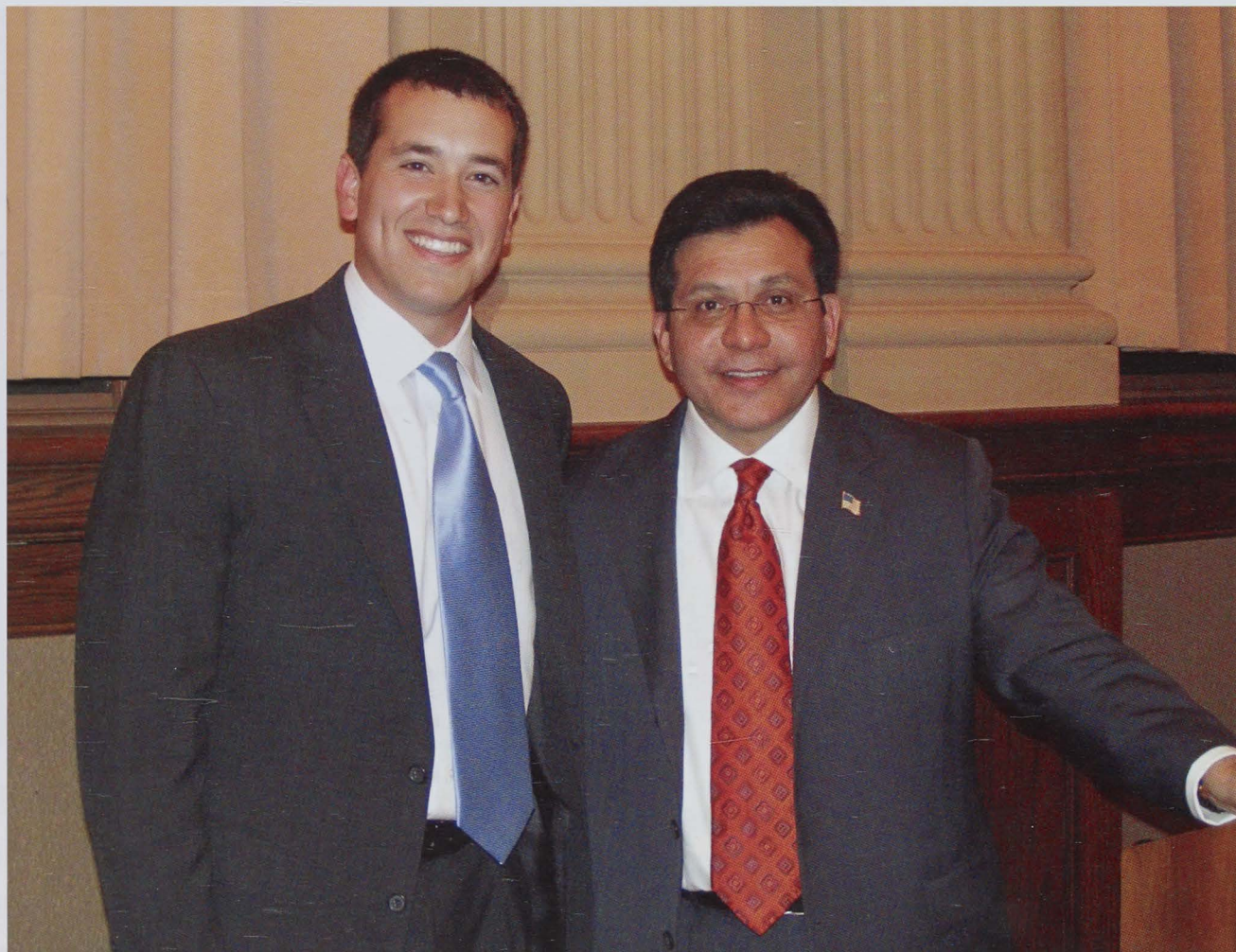
During his address, Gonzalez traced his path to the White House. The son of Mexican migrant workers, the Texan dreamed of attending Rice University, where he worked the concessions at football games. But the family could not afford to send him. Instead, he enrolled in the Air Force Academy and then went to Harvard Law School.

After earning his J.D., and making partner at a national law firm, Gonzalez turned to community service. Gov. Bush noticed his work and appointed him general counsel. After



Justice Ruma Pal





Former U.S. Attorney General Alberto Gonzalez with LALSA president Brian Salazar, L'08, before he speaks to the Latin American student group about his experience as the country's highest law enforcement officer.

serving as Texas Secretary of State and on the state Supreme Court, Gonzalez moved with Bush to the White House as general counsel.

In that role, he advised the president on judicial appointments. Gonzalez said he believes good judges leave policy-making to elected representatives. This way, if Americans disagree with enacted laws, they can vote their congressional representatives out of office, he said. Judges shouldn't use the Constitution to address every legal issue they encounter, Gonzalez said, because it only "protects a limited list of very sacred rights."

The 9/11 attacks shifted Gonzalez' focus from judiciary appointments to adopting a legal framework for the war on terror. Gonzalez said his biggest challenge was to define the limits of executive power in wartime.

Despite critics, Gonzalez said the administration's actions

have left the country safer, but not in the clear. Another attempted attack is inevitable, he said, because terrorists are persistent, patient and willing to make sacrifices.

As for how his six-year tenure as general counsel and attorney general will be remembered, Gonzalez remained convinced that he and the Bush administration will be vindicated.

"We know that the first drafts of history are often incomplete, inaccurate and they are eventually discarded," said Gonzalez. "I take comfort in the fact that I've always worked hard as my father did, stayed true to my values by doing my best, and having stepped into the arena, I've served my country."



## Licensing Woes (Sometimes) Unite Couple on Opposite Sides of Sports Programming

**IT'S NOT JUST ATHLETES** who compete. With billions of dollars at stake, the licensing wars between cable companies and sports leagues and organizations over sports programming can create conditions ripe for conflict, said Time Warner executive Melinda Witmer, L'87.

Witmer, recognized as one of the 10 most influential women in cable, is married to Bill Koenig, L'87, a top executive at the NBA. She negotiates sports contracts; he licenses NBA rights. So it was only a matter of time until their worlds collided.

During the Dean's Speakers Series last March, the power couple of sports programming explained that although they often find themselves on opposite sides of the negotiating table regarding licensing content, broader concerns like government regulation unite them from time to time.

Witmer expressed concern over new licensing deals in which games traditionally broadcast on major networks are migrated, in some cases, onto cable networks owned by sports franchises. Carrying these new networks on the terms they have demanded makes it difficult to manage costs, said Witmer, who is executive vice president and head of programming for the second largest cable operator in the United States.

The NFL Network, for example, has insisted that cable companies add the channel to one of its widely distributed tiers and require that all subscribers receive and pay a monthly fee per subscriber.

To avoid raising costs for a wide swath of subscribers, cable companies want to offer the channel on a sports tier, for which avid fans who wish to subscribe to receive the network would pay an additional fee. Time Warner has yet to reach an agreement and as a result, sports fans have missed live games, said Witmer.

Koenig, executive vice president of business affairs and general counsel for NBA Entertainment, said the league's network, NBA TV, was licensed without acrimony, and noted that leagues are beginning to look beyond the creation of domestic networks for future growth.

NBA telecasts are distributed in more than 200 countries. The broadcast of two games between Milwaukee and Houston

this past season reportedly drew 400 million Chinese viewers, leading Koenig to call the potential and opportunity in international sports programming "dizzying."

Although sport tiers are a touchy subject for the pair — a neighbor once witnessed them arguing over it as they walked their dog, and concluded that they were headed for divorce — they are united against intrusive government intervention.

Witmer criticized the FCC's efforts to regulate how cable companies distribute content, by mandating "a la carte programming." Under this rule, consumers would choose and only pay for individual channels they want to buy on a network-by-network basis, rather than receive them as part of the larger package of, say, 80 to 90 channels.

While the effort to cut costs to consumers is commendable, said Witmer, the underlying economics of cable networks rely heavily on broad distribution for fees and advertising. In an a la carte world, the consumer may pay nearly as much but receive a lot less.

Koenig agreed that a la carte programming would not be good for the NBA, either. He said it would prevent people from sampling games, a practice that wins the league new viewers.

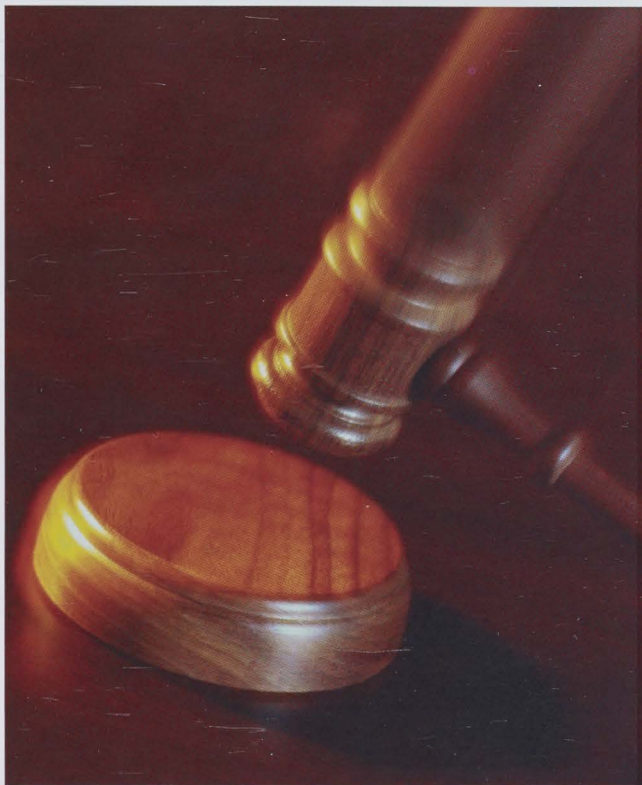
## Liberal Firebrand and Former Judge, Mikva Strikes the Gavel Against Judicial Activism

**AFTER SERVING FIFTEEN YEARS** as a federal judge, Abner Mikva, a fiery liberal Democrat and former legislator, concluded that judges have no business legislating from the bench — a view he shares, surprisingly, with President Bush.

On the other hand, Mikva, both admired and loathed by politicians of all stripes for his independent outlook, made controversial comments after Bush took the presidency after losing the popular vote: He said the Senate should not confirm any of his nominees to the Supreme Court.

The Chicago-steeped politician, who taught at Penn Law during the 1980s, returned last April to speak to the Penn Law Democrats. During his freewheeling lecture, he delivered observations drawn from his 40-year political and legal career. Mikva performed the rare feat of serving in all three branches of government: He was a member of Congress, chief judge on the U.S.





© Ken Glaser/Corbis

have since experienced a serious backlash because that minority lost the opportunity to “slug it out in the legislature,” said Mikva. He said opponents were aggrieved because they could not petition justices or voice effective protest as they could have with state legislatures.

Mikva, who Dean Michael A. Fitts referred to as “a walking violation of the separation of powers,” believes that separation works because “it allows branches to dominate as needed.” Mikva noted that the Supreme Court ascended in the 1950s and 1960s with decisions like *Brown v. Board of Education*, while the executive branch had more influence than he was “comfortable” with in the 1970s and 1980s. Today, he contended, the branches are in a stalemate.

Mikva’s years in public service have convinced him that public interest law “is an incredible instrument for doing good,” although it requires a lot of self-confidence. Lawyers, unlike politicians, don’t have a constituency to guide and support their decisions, he said. But, he told students, those who opt out of public service risk ending their career with a hollow sense of accomplishment.

## “Judges should restrain their enthusiasm for changing things, and should contemplate what is, rather than what should be.”

Court of Appeals for the District of Columbia Circuit, and chief counsel to President Clinton.

For Mikva, the roles of the legislature and the judiciary diverge. Representatives are “change artists” who do the people’s will, he said. They should effect new ideas, look ahead and build political coalitions to approve their measures. In contrast, he said, judges should restrain “their enthusiasm for changing things,” and should “contemplate what is, rather than what should be.”

When courts make new policies they interfere with the political process, he said. As an example, he cited *Roe v. Wade*, a decision he supported. As he recounted, in the 1970s, state legislatures had begun considering proposals to legalize abortion. Then the federal court stepped in and preempted the debate.

Although a majority of Americans support the high court decision, it angered a vocal minority who felt five or six unelected officials short-circuited the political process, Mikva said. We

## Ken Starr Says Roberts Unable to Unify Court

**CHIEF JUSTICE JOHN ROBERTS** joined the Supreme Court with the goal of bridging the divide over state/federal arguments and promoting unanimity of opinion. However, former independent counsel Ken Starr said in a lecture last April that his goal has not been realized because of an unexpected alliance between justices Kennedy and Alito, both of whom believe the federal government should have more power than the states.

During his talk sponsored by the Penn Law Federalist Society, Starr used a free speech case as an example.

In the case, a high school principal in Alaska suspended a student after he unfurled a banner across the street from the school that read “Bong Hits 4 Jesus.” The student sued the school board for violating his right to free speech. Starr represented the school board.

Writing for the majority, Justice Roberts argued that school officials could limit speech that promotes the use of illegal drugs. Even though justices Alito and Kennedy joined Roberts in his opinion, they “sounded a nationalist alarm,” said Starr. The justices, he said, expressed concern about the school board’s “breadth of discretion,” and worried that other school



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boards might abuse their authority and endanger students' free speech rights.

Starr said although unanimity remains elusive on the Court, Roberts tends to prevail in the split decisions. He said the justices usually take predictable positions, but Kennedy is often the centrist, or swing vote, and determines the outcome.

"This is, for now, the Kennedy Court," he said.



Sadie T.M. Alexander, ED'18, GR'21, L'27

### New Video Revisits Historic Life of Sadie Alexander

**A YEAR-AND-A-HALF** after establishing a civil rights chair in honor of Sadie T.M. Alexander, ED'18, GR'21, L'27, and her husband, Raymond, the Law School has produced a video in tribute to her life. The video will be streamed on our Web site, and DVDs will be available to alumni upon request. The video was produced and directed by three law students enrolled

in Professor Regina Austin's Visual Legal Advocacy seminar. The students are Haley Goldman, L'09, Melissa Mao, L'09, and B.B. Liu, who graduated in May. Credit for the concept goes to Austin and Law School Events Coordinator Ann Gavin, whose mother is a math teacher at the Sadie Tanner Mossell Alexander University of Pennsylvania Partnership School in West Philadelphia. The narrator is Melanie Breaux, L'07. Interviews with students at the school are interspersed with narrative of Sadie's momentous career. Sadie Alexander was the first African-American woman to graduate from Penn Law. To see the video, please go to [www.law.upenn.edu/academics/institutes/documentaries/studentactivities.html](http://www.law.upenn.edu/academics/institutes/documentaries/studentactivities.html).

### Penn Law Appoints Parker to Recruit International Students

**MATT PARKER, L'00**, has been appointed assistant dean for Graduate Programs. In this role, Parker will have full responsibility for admitting LL.M. and LL.C.M. classes and delivering services to those classes upon their matriculation.

Parker, who had been associate director of Graduate and International Programs since 2005, is the first of two appointments to succeed Adam Kolker, who resigned June 30 as assistant dean and executive director for International Programs. A second person will be recruited to assume leadership of international initiatives.

"Matt is the ideal person to help us recruit international law students at the highest level," said Penn Law Dean Michael A. Fitts. "He has been a key contributor to recent improvements around everything from recruiting, admissions and orientation to general programming and career counseling, and he already is exploring ways to expand the academic quality and geographical diversity of incoming students."

Before joining Penn Law, Parker served two years as a general litigation and labor and employment attorney at Ballard, Spahr, Andrews & Ingersoll, representing clients on matters such as bankruptcy, truth in lending, and breach of contract. He also was an associate with Latham & Watkins in Washington, D.C. and a clerk for U.S. District Court Judge Thomas N. O'Neill. Parker spent a year in rural China, where he taught English, before coming to Penn Law as a student in 1997.

In addition to his Penn Law J.D., which he earned *cum laude* while serving on the *Journal of International Economic Law*,





Professor of Law R. Polk Wagner (standing) moderates a panel discussion last March during the Penn Intellectual Property Group's inaugural symposium, titled "Copyright & the Internet: Solutions for a Digital World." Discussions centered on the entertainment industry's ability to respond to challenges posed by mass copyright infringement on the Internet, the use of filters and the role of government in protecting copyrighted works.

Parker is pursuing an Ed.D. in Penn's Graduate School of Education. He holds a bachelor's degree from Cornell University.

## Frumkin's Latest 'Merger': Penn Law Board of Overseers



**JOSEPH FRUMKIN, L'85**, a partner at Sullivan & Cromwell, has been appointed to the Board of Overseers.

A partner in the Mergers & Acquisitions Group since 1994, Frumkin has represented principals in many of the largest M&A transactions in history. He represented TXU in its acquisition by Kohlberg Kravis Roberts & Co. and the Texas Pacific Group and Cingular in its acquisition of AT&T Wireless, the two

largest ever U.S. cash acquisitions. In addition, he represented Endesa in its acquisition by Enel and Acciona, the largest ever European cash acquisition.

*American Lawyer* magazine named him "Dealmaker of the Year" in 2004 for his work on the Cingular-AT&T Wireless transaction. His work has been recognized by numerous other publications. Frumkin is co-chair of Penn Law's Institute for Law and Economics.





Top Oracle executive Safra Catz, W'83, L'86, tells how the software and database giant climbed to the top of its industry.

## Sound Growth Strategy Key to Oracle's Success After Dot-Com Bust

**THE SOFTWARE AND DATABASE GIANT** Oracle not only survived the dot-com bust, but managed to prosper in its aftermath because the company stayed true to its strategic vision and did not buy the industry hype. So says Safra Catz, W'83, L'86, Oracle's president and chief financial officer.

In the Law and Entrepreneurship Lecture last March, Catz recounted the heady days of the tech bubble and the lessons she learned in driving the company's business model.

It was 1999. Dollars were pouring into Silicon Valley, and Catz had just been recruited by Oracle CEO and founder, Larry Ellison. Everyone — industry pundits, stock analysts and 22-year old CEOs of start-up companies — had caught the IT fever.

Everyone, that is, except Ellison, who predicted that a downturn was imminent.

In anticipation of the bust, he decided, in Oracular fashion, that his company's future lay in the consolidation of the software industry. Catz said Ellison believed that consolidation would lead to "very big returns."

The decision, which earned Ellison ridicule at the time, proved visionary: Oracle is now the industry leader in most markets, with the exception of applications software, in which it is running a close second to German competitor SAP AG.

When Catz joined the company, however, it was hardly ready to go on an acquisitions spree. Despite having quintupled in size since its incorporation, Oracle never managed to make more than 20 percent profit on annual earnings. It was clear that "we needed to clean up our act," said Catz.

By 2002, the duo had integrated Oracle's satellite offices, scattered in more than 100 countries, into a centralized, profitable and efficiently-run global operation. In the 40 plus takeovers



that Oracle has accomplished since then, Catz learned a number of lessons, and became a master negotiator.

Ellison, who Catz says not only thinks outside of the box, but “doesn’t see a box at all,” showed her that it is possible to successfully challenge convention.

When Oracle announced it would engage in the hostile takeover of PeopleSoft, “every single pundit was against us” because no software company had ever been able to do that, said Catz. Once again, Oracle proved everyone wrong.

In the course of her 18-month legal battle with PeopleSoft, which turned out in Oracle’s favor, Catz learned that tuning out the media, and disregarding advice from analysts and investment bankers — those not on the inside — were key to winning.

“The press is not your friend,” she said, which explains why she rarely grants interviews.

Catz also shared a number of negotiating tips, namely, approaching each transaction from a position of strength, being aggressive in demands, and being prepared to litigate.

The lessons Catz learned have served the company well. When Catz joined in 1999, Oracle had \$9 billion in revenue and 22 percent operating margins. It had 42,000 employees and approximately 100 offices. Today, Oracle has \$23 billion in revenue, has 43 percent operating margins, operates in 150 countries, has 80,000 employees and a market capitalization of more than \$110 billion.

The Institute for Law and Economics went on the road for a corporate roundtable in England last June. Participants gathered at the University of Oxford’s Said Business School to discuss private equity, hedge funds, and corporate governance. The first session focused on hedge fund activism in Europe and hedge funds in the enforcement of bondholders’ rights. Edward B. Rock, L’83, co-director of the ILE and Saul A. Fox Distinguished Professor of Business Law at Penn Law School, presented one of the papers. The second session featured a panel discussion titled “Doing Deals When the Sky is Falling.”



Todd Fisher of Kohlberg Kravis Roberts & Co. makes a point. Listening are Simon Walker (left), British Venture Capital Association; Joseph B. Frumkin, L’85 (upper left), Sullivan & Cromwell; and Jill Fisch, former Fordham University law professor who is now at Penn Law School.



## THE BRIEF

### PUBLIC SERVICE

# Students Honored for Their Public Service Work Around the World

**EMILY TORSTVEIT AND ELIZABETH LEONARD** spent spring break studying the flight of migrant workers over the Mexican border into the United States. In their work with Borderlinks, a nonprofit organization that exposes students to complex political, legal and economic border issues, they watched 15 workers make a desperate run as patrol guards changed shifts.

They also visited organizations that provide social services, spoke with U.S. border agents and observed federal court proceedings in which migrants were tried on charges of illegal entry.

Torstveit and Leonard described their experiences last April at the annual Public Service Awards Ceremony, in which 86

Penn Law students were recognized for completing 80 or more hours of public service — well beyond the mandatory requirement of 70 hours.

Joining them was Deul Ross, who spoke about Balsa's fact-finding mission in a Liberian refugee camp located in Accra, Ghana. Liberians are protesting, he explained, because the Ghanaian government has offered them a hundred dollars each to repatriate after years of mistreatment in the camps. As part of the project, Ross and eight other students met a former immigration officer in Ghana.

Keynote speaker Judge Darnell Jones of the Court of Common Pleas, emphasized the importance of *pro bono* work. As an example, he cited the project he is helping to reduce mortgage foreclosures in Philadelphia. The court is arranging free counseling sessions for homeowners undergoing foreclosure proceedings, as well as conciliation hearings between lenders and borrowers. The goal is to reach a modified loan agreement or some other arrangement that will allow borrowers to stay



Cathy Carr (standing), L'79, executive director of Community Legal Services in Philadelphia, and Nan Feyler, former executive director of the Nationalities Service Center, gather with students during a public service project on the Mexican-U.S. border. The students got an in-depth look at the complex issues involved in illegal immigration.



in their homes. The Court of Common Pleas, he said, was one avenue for lawyers to do public service.

To conclude the ceremony, Arlene Rivera-Finkelstein, director of the Toll Public Interest Center, honored Karina Yamada for her documentary on the Sugiarto family, a Christian Chinese family who escaped persecution in Indonesia and is undergoing immigration proceedings in the United States.

## Proposing to Fix the Juvenile Justice System with the Help of Troubled Teens

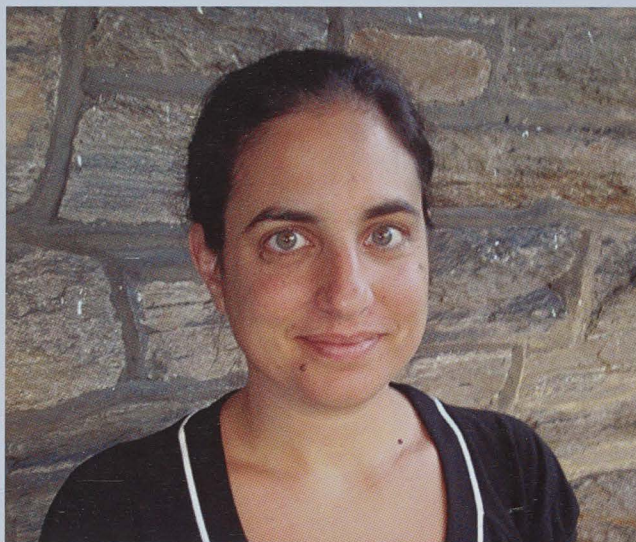
**JESSICA FEIERMAN, L'00**, believes teenagers behind bars often have the clearest vision of how the juvenile justice system is failing them. The problem is, they don't have the tools to fix it. Feierman is working to provide those tools.

To empower youths caught in the crosshairs of the system, Feierman is spearheading Juveniles for Justice (J4J) in collaboration with the Juvenile Law Center in Philadelphia, a national nonprofit public interest law firm that advances the rights and well-being of children in the child welfare and juvenile justice systems. J4J positions recently incarcerated youth to transform the juvenile justice system from the inside, one issue at a time, by connecting them to resources and strategic partnerships.

"People often write them off, but their ideas and energy give rise to constructive change and new opportunities," said Feierman, a staff attorney at the Juvenile Law Center who has been listening to incarcerated youths for over a decade and developing ways to base advocacy on their insights.

Feierman initiated J4J in response to the race and class discrimination she witnessed in the system. "The harsh punitive reaction is not good at promoting the well-being and re-entry of youth into society. More disturbingly, it is disproportionately confining youth of color," she said.

To ensure that the system benefits rather than hurts youth, Feierman is recruiting ten recently incarcerated teenagers from "reintegration centers"—facilities they go to after their release from detention centers. These youths are close to the experience of incarceration, but are freer to speak out than those in correctional facilities who may face retaliation from staff members if they complain about conditions, said Feierman.



Jessica Feierman, L'00

J4J members will set personal and community goals. She said they will also communicate with incarcerated teens and with other youths across the city in schools, student unions and art programs.

The youths will work with adult juvenile justice advocates in creating a network of juvenile justice advocates who will recognize the importance of youths in reform efforts.

One of the issues that might be addressed is the lack of engaging programs in detention centers. J4J could create art and videos to bring this and other issues to public attention, said Feierman.

Aiding them in their efforts will be partners like Mural Arts Project and allies in related fields like education. One of the main sources of support is the Case Foundation.

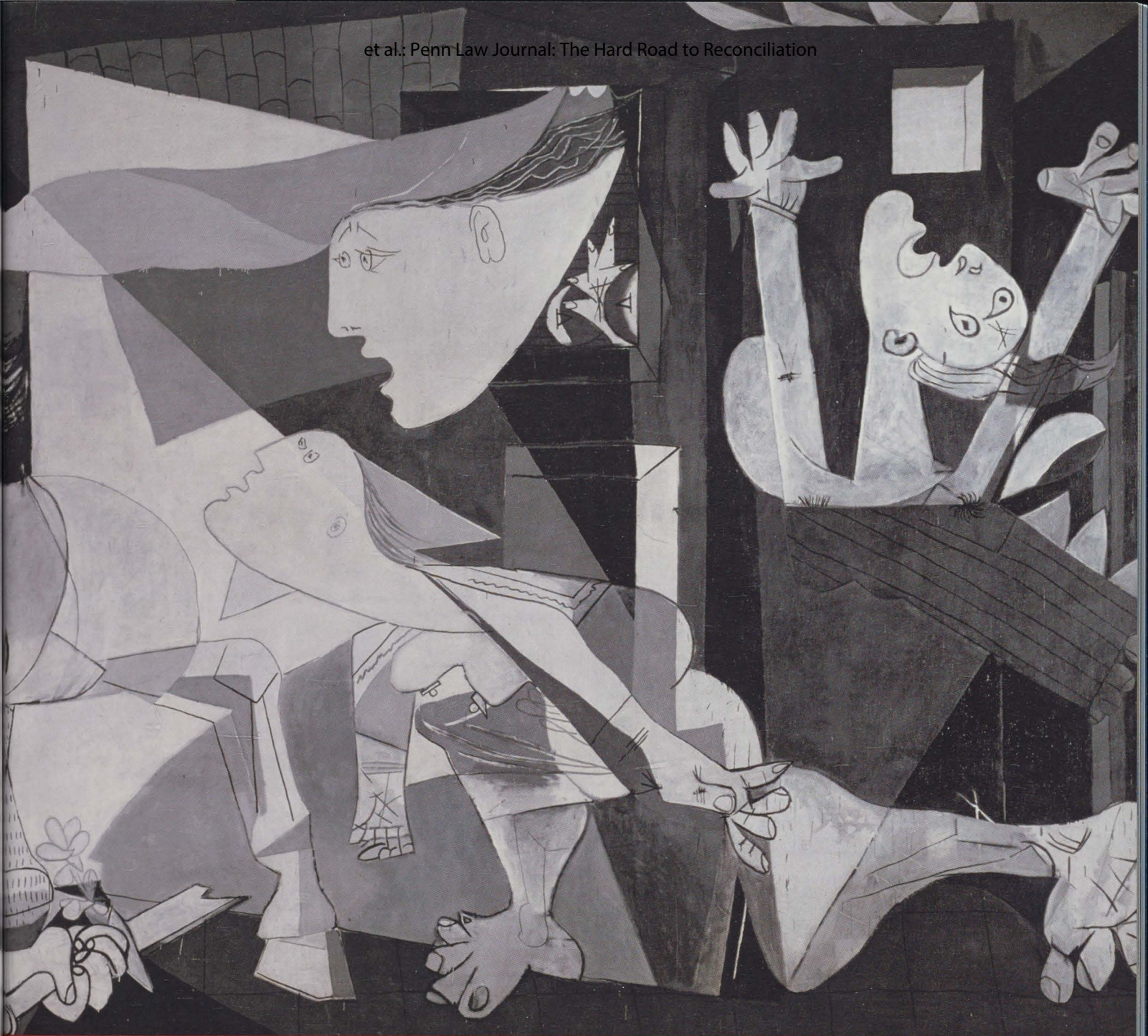
Feierman is grateful to the Class of 2000 for voting online and making J4J one of four recipients of the 'Make It Your Own Award' grant. The \$35,000 grant will be used in part to provide stipends to youths and alleviate some of their economic hardship.





# The Hard Road to RECONCILIATION

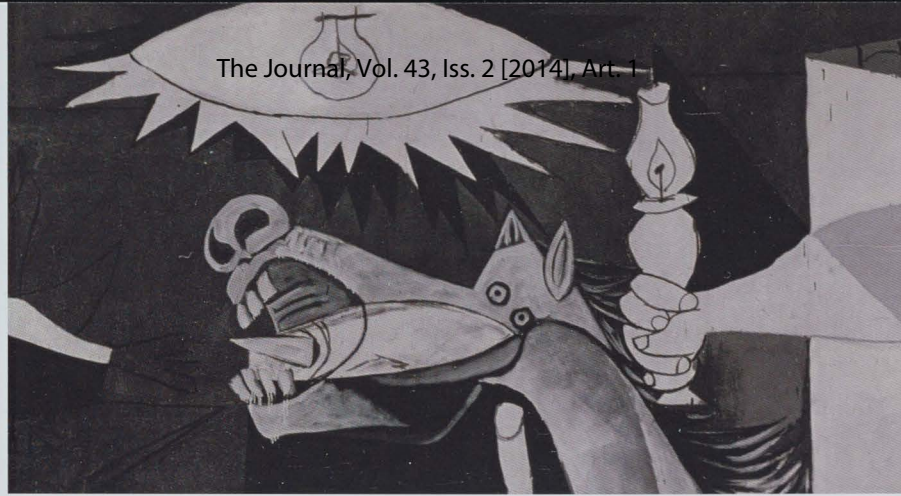




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**A CAMP DEDICATED TO HEALING MIDDLE EAST DIVISIONS TUCKED AWAY IN THE MAINE WOODS. A REGION OF UGANDA RAVAGED BY CIVIL WAR. A REFUGEE CENTER IN GHANA HOUSING VICTIMS OF HUMAN RIGHTS ABUSES IN LIBERIA. THESE ARE THE SITES OF COMPREHENSIVE EFFORTS TO MEDIATE CONFLICT AND BRING PEACE. IN EACH CASE, THERE'S A PENN LAW CONNECTION.**





# **WAGING PEACE IN AFRICA**

**HOW DO YOU MAKE PEOPLE  
WHOLE AGAIN IN LANDS  
MARRED BY VIOLENCE, RIVEN  
BY TRIBAL FACTIONS AND  
ILL-SERVED BY CORRUPT  
GOVERNMENTS? YOU START  
BY BEARING WITNESS.**



**THIS WAS NO SIGHTSEEING TRIP. LAST JANUARY, A TEAM OF PENN LAW STUDENTS ACCOMPANIED PROFESSOR BILL BURKE-WHITE TO ONE OF AFRICA'S TROUBLED REGIONS. THEY CAME FACE-TO-FACE WITH THE PRICE OF WAR – TORTURE, KIDNAPPING AND ENSLAVEMENT – AND RECEIVED AN EDUCATION THEY WILL NOT SOON FORGET.**

## **STUDENTS WORK ROUND THE CLOCK TO HEAL WOUNDS IN NORTHERN UGANDA**

By Michael Callahan

Bill Burke-White had been looking forward to his lunch with Mirjam Blaak. A faculty member at Penn since 2005, Burke-White was doing research at The Hague, where he had been a visiting scholar at the International Criminal Court in 2006, when Blaak, the Ugandan ambassador to The Netherlands, asked him to lunch. But once they settled in at her garden-side table, he surmised quickly — and, it turned out, correctly — that a breezy meal with an old colleague wasn't all that was on the menu on that warm August day in 2007.

Burke-White had been preparing for his upcoming fall seminar at Penn Law on Transitional Justice, a course that examines how governments deal with post-conflict justice and atrocities. The preliminary syllabus he'd drafted for the Fall 2007 term proposed to examine these issues in relation to conflicts in the Congo, Rwanda, and East Timor. But by the time the lunch check landed on the table, all that had changed.

For more than 20 years, the government of Uganda has been locked in a fierce civil war with a military rebel group calling itself the Lord's Resistance Army (LRA). The LRA believes its leader, Joseph Kony, has a direct pipeline to God, and has used that claim to justify the brutal pursuit of political violence in the northern part of the African nation. In the process, the LRA has been charged with numerous human rights violations in Uganda — including murder, kidnapping, and forcing children into being soldiers and sex slaves. Its leadership is under indictment by the International Criminal Court for war crimes and crimes against humanity.

As the meal progressed, Blaak updated Burke-White on the latest news: the government and the LRA had finally reached a tentative peace agreement. But now came the tricky part: Coming up with a way to make it stick. Blaak asked Burke-White, who had served as an adviser to the prosecutor of the International Criminal Court, if he would be willing to give it some thought, perhaps draft a report with suggestions. Thinking about his upcoming Penn seminar, Burke-White upped the ante: How about having his students involved, too?



Sarah Ashfaq, L'08, with women from the Gulu district in northern Uganda. Ashfaq and other Penn Law students interviewed a range of Ugandans during a diplomatic peace mission.



## WAGING PEACE IN AFRICA

Blaak loved the idea, and the wheels in Burke-White's head started turning. What would be ideal, he knew, would be to take his students to Uganda to do the field research, to have them see, in person, the complexity of the issues involved. He didn't want to issue a report that would end up tossed into some desk drawer, that was for sure. But he also saw a golden opportunity: to challenge his students, get them to tackle a pressing international issue and offer genuine, thought-provoking solutions to address it.

After he left Blaak, Burke-White zipped out an e-mail to the 14 enrollees in his fall class, laying out a new vision for the seminar. The bulk of the term, he told them, would now be devoted to the fragile Ugandan accord and crafting methodology to make it work. Students tried to digest the awesome task Blaak had entrusted to them — along with Burke-White's gentle warning that the new direction would require a more substantive time commitment. "I was a little apprehensive," admits Sarah Ashfaq, now a corporate lawyer in New York. "It was my last year, and I was thinking: 'How busy do I want to be? Do I have the knowledge to take on this project?'" Now, she can't imagine not having done it. "It was just so incredibly rewarding," she says. "We were all just so engaged. I wasn't sweating grades. It was just about getting the job done."

### Assessing the Wages of War

Despite the daunting task — how do you find a way to resolve more than two decades of war wounds? — the Penn Law students were excited, and determined, to make a difference. Erin Valentine, then a second-year Penn Law student, felt she had a pretty good idea what to expect once the Penn team hit the ground in Uganda: she was one of the most politically active students in the class. And as a director of the campus chapter of the International Human Rights Advocates, she considered herself well-versed in the plight of oppressed peoples around the globe.

But all the classes, marches, and petitions in the world can't prepare one for what life is really like in a scarred, war-plagued country like Uganda — and that includes the good along with the bad. When Burke-White Valentine and nine classmates ventured into northern Uganda, the site of the LRA's stronghold, they saw for themselves the effects of civil strife: suffering citizens, bad roads, poor housing conditions. But mostly they were stunned by the luminous allure of Uganda. Its capital city of Kampala was cosmopolitan, romantic in an almost European sense; Lake Victoria was something out of the pages of *National Geographic*. Ugandan roads out to more remote regions were winding and

*Continued on page 22...*

## FROM UGANDA TO ARGENTINA, Burke-White Catalogs the World's Ills and Presses for Solutions

By Larry Teitelbaum

**IT WAS GROTESQUE**, shocking and hardly the *National Geographic* ideal of foreign travel.

Bill Burke-White was with his mother, then a college professor, on an exciting trip to Tibet. She took him somewhere new every summer to broaden his understanding of other cultures.

On this trip, they visited a Buddhist monastery high in the mountains. As he watched the young monks chant "Free Tibet," Chinese police swarmed the area and dragged them to a waiting police van. And then a gruesome scene unfolded.

"I could hear as each of their fingers were snapped and broken," Burke-White recalls. "And it is that sound of broken bone that still echoes in my ears today when I think about what I want to do with my time."

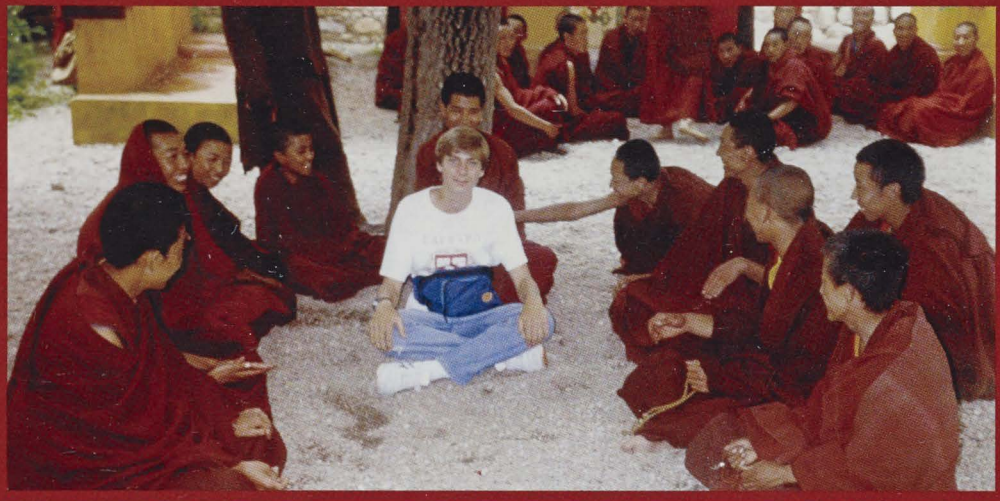
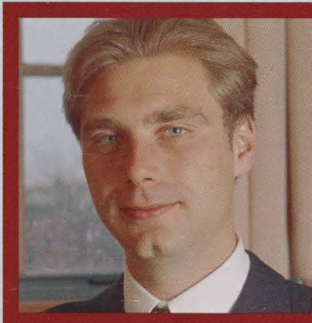
Burke-White was all of 13 years old when he witnessed the Chinese government's literal crackdown on religious and political freedom. And it set him on course. Today, the 31-year-old assistant professor, who joined the Penn Law faculty in 2005, travels the globe to monitor human rights, work with governments, and study the ways that international law affects state behavior.

His itinerary rivals a foreign diplomat's. During his lifetime, he's been to more than 90 countries, almost half the number in the world. His academic work has taken him to Argentina, the Democratic Republic of Congo, East Timor, Rwanda and Uganda, whose government commissioned him to mediate a conflict in the northern part of the country and make recommendations on how to resolve grievances resulting from two decades of civil war.

Burke-White decided to enlist his students in the project. He visited Uganda last January with a dozen students enrolled in a seminar called Transitional Justice. The students interviewed Ugandan victims, government officials, and aid workers, among others. He and his students presented an interim report last spring to the U.S. State Department and NGOs in Washington. They were scheduled to present the report to the Ugandan government this past August.

Africa holds particular interest for him. Its journey from colonialism to independence, pockmarked by atrocity, provides fertile ground for studying the influence of international law





Then 13 years old, Bill Burke-White sits surrounded by a group of Buddhist monks in Tibet. On this trip with his mother he got a glimpse of China's crackdown on religious freedom.

and tribunals in curbing violence and holding war criminals accountable.

"There's a huge amount of work that has to be done," says Burke-White. "The states of Africa have

been largely neglected from the international system and they tend to have very weak, and sometimes very bad, governments."

He mentioned Zimbabwe, where, he says, the regime is more interested in stashing money in Swiss bank accounts than in taking care of its citizens. And then there are the warlords.

Burke-White tells of his lunch meeting in 2003 with a rebel leader in the eastern Congo named Thomas Lubanga Dyilo, who faces charges of enlisting and conscripting hundreds of children to fight in the armed wing of his political party.

As they dined, Lubanga asked to see a copy of the Rome Statute of the International Criminal Court, as well as help in understanding what constituted crimes within its jurisdiction. "That was a moment when I realized, international law really is impacting the way a warlord in the Eastern Congo is thinking about his own conduct, and it may be deterring him from committing certain crimes."

Still, Burke-White says that international criminal tribunals have a "mixed record." He says the International Criminal Court tends to take a long time to bring people to justice and its performance raises questions about whether the expense is justified and whether it has the power to arrest the most serious criminals, such as the recently indicted president of Sudan.

In recent months, Burke-White has turned his attention to a new project. He will spend the spring semester in Germany on a fellowship. While there he will examine the rise of Russia and China and its impact on the international legal system.

Burke-White says norms of international law have long been set by America and its European allies, but that is changing as competing world powers, who are much less interested in good government and human rights, emerge.

**"There's a huge amount of work that has to be done. The states of Africa have been largely neglected from the international system and they tend to have very weak, and sometimes very bad, governments."**

He considers this shift important because while the West has not paid attention, Russia has entered into hundreds of treaties with developing countries, dangling the carrots of interest-free loans and oil. Russia's recent invasion of Georgia is perhaps the most glaring example of this new defiance of international law, says Burke-White. Meanwhile, China offers development aid in exchange for access to resources.

The world flocked to China over the summer to watch the Olympics, despite the country's policy toward and treatment of Tibetan monks. This is one trip Burke-White passed on.

Burke-White does not see a major breakthrough in Chinese policy in Tibet any time soon. But he notes that China signed the International Covenant on Civil and Political Rights, and he hopes that governments and NGOs remind China of its human rights obligations.



## WAGING PEACE IN AFRICA



Students on mission to Uganda outside The Amnesty Commission after meeting. They are (left to right): Sarah Ashfaq, L'08; Nkiruka Amalu, 3L; Colin McIntyre, G'L'08; Rachel Loftspring, L'08; and Rushmi Ramakrishna, 3L.

dusty, but also lush and tranquil. The country is, Valentine says, “one of the most beautiful places I’ve ever been.”

Trying to get a handle on the real situation on the ground, the students talked to the widest mix of people they could imagine: from cabinet ministers and officials to women who had been brutally raped, their children enslaved, at the hands of the LRA. Indeed, on the day she found herself in a rehabilitation center in northern Uganda, talking with people who had escaped kidnapping, torture, and enslavement as child soldiers at the hands of rebel forces, Valentine saw something she could have never found in her research documents: the price of war reflected in the flesh-and-blood human faces of the people forced to pay it.

“All they wanted was opportunity,” she recalls. “One woman wanted to start her own hair salon — that’s all she wanted, the chance to own her own salon. Another wanted a sewing machine. I was struck by how simple their wants were, which to them were a lot to ask for.” The students probed deeper and found a palpable hesitation among the Ugandan people, a feeling that while they still dared to hope their lives could be different, the spectre of fear still overshadows everything. “They looked at us and said, ‘How can you tell us that Kony won’t be president

one day? That he won’t rule this country and come back and finish us for coming out and telling our stories?’” Valentine recalls. “It was hard to convince them that the international community wouldn’t let that happen.”

But that didn’t stop the Penn contingent from trying. And, in a significant way, succeeding.

### The Rewards of Field Work – and the Compelling Stories that Result

Burke-White had approached dean Michael Fitts to try and raise the money he’d needed to take the students on the 10-day trip to Uganda. In the end, a generous alum provided the funding to make the trip possible (see next page). Students spent months beforehand researching the conflict, exploring the complicated history of African tribal politics and diving into statistics, compiling interviews, and reading and reading and reading everything and anything about the LRA. With the trip set for January 2008 (given the scope of the task, the seminar stretched into a second term), Burke-White’s goal came into focus, to “try and transform what are research reports and scholarly papers into a very real set of concepts, and understanding other people’s lives,” he says.



## COREY INVESTS IN THE WORK of Penn Law Students Seeking to Quell Violence in Northern Uganda

By Sally Friedman, ED'60

**IT WAS 1994.** South Africa had just thrown off the shackles of Apartheid. Suddenly, the country was fertile with possibility, like an untapped diamond mine. Into this land of opportunity stepped Richard Corey, L'74.

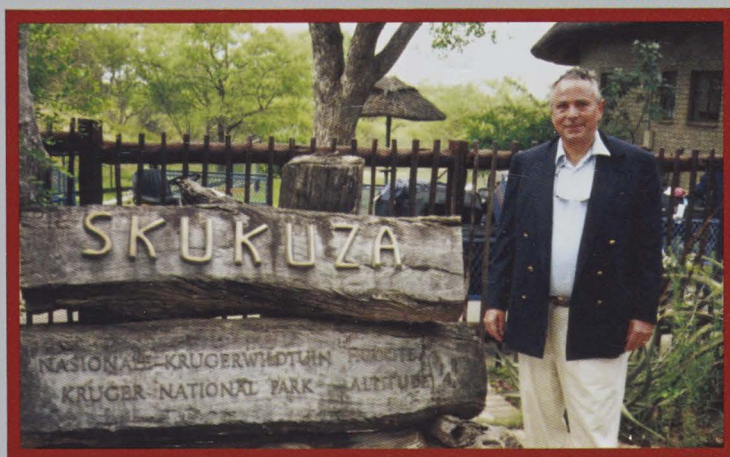
That same year, Corey had helped launch Zephyr Management, L.P, a global private equity and securities firm that specializes in investment funds in the developed and developing world.

As director of the South Africa Capital Growth Fund, Ltd. for more than a decade, Corey explored investment opportunities. But in the midst of that work he also came to understand the perils, as well as the promise, of Africa – the vestiges of colonialism, the horrors of war, the tribal rivalries, and the social ills.

All these years later, Corey's connection to Africa, and his deep concern about its future, drove him to make an investment of his own: he recently funded the travel of 12 Penn Law students to Uganda. The students went there with Assistant Professor Bill Burke-White to witness conditions in the ongoing civil war in the northern part of the country and to forge recommendations on a peace accord.

In hindsight, Corey traces his interest in foreign affairs to Penn, where he took classes at the Law School and the Wharton School. "I remember taking one law school class in international transactions and writing a paper for it, so I suppose I was always interested in global issues," says Corey. "But I don't think I saw the pattern back then."

But it was there.



Richard Corey, L'74, who helped fund students' trip to Uganda, stands outside Skukuza, the largest rest camp in South Africa's Kruger National Park.

Corey would go on to the legal department at T. Rowe Price as associate general counsel, then to investment banking with an emphasis on municipal finance for a large swath of his professional career, from 1977 to 1994. His activities included financing multifamily housing projects, retirement housing developments and assisted living projects through the issuance of tax-exempt bonds.

"Then it all became somewhat less interesting to me. I needed change," he said.

Corey found it as one of the six creators of Zephyr Management, L.P. With his African portfolio, he traveled widely on the continent. And he discovered that while Africa is a fascinating place, it is not easy to understand.

While he sees tremendous growth in some areas – his current focus is no longer South Africa – he also notes that there are pervasive problems throughout Africa.

Corey was definitely impressed by the work of the Penn Law students, and hopeful that the spread of justice on the African continent would further its sometimes fragile progress internationally.

"There is currently a rather bright future economically in many African countries," says Corey. "The rule of law, accountability and the need for best business practices is commonly accepted."

But social problems intervene. AIDS is surely one of them, and Corey has seen firsthand its devastating impact. "On one of my visits, I was taken to a center set up for children whose parents from just one company had died of AIDS. It was heartbreaking," remembers Corey. "There is no way to explain it – you just have to experience it."

The promising news is that there is a growing group of educated professionals in many African countries, according to Corey. "The number of companies and countries meeting international standards is growing rapidly," he says. "But this is not to say that

AIDS, war, famine and tribal, religious differences are not serious, or likely to end soon."

Richard Corey still believes that Africa "...has a wonderful soul, one that has survived colonialism and other plagues." And he sees the involvement of the Penn Law School students as another step forward.

"I certainly hope that what the students did, and the recommendations they made, will contribute to a lasting peace in Northern Uganda," says Corey. "These young scholars are among the best and the brightest upcoming legal minds, and I was delighted to help them try to make a difference in the world."

SALLY FRIEDMAN HAS BEEN A FREELANCE WRITER FOR THREE DECADES. HER WORK HAS APPEARED IN THE NEW YORK TIMES, PHILADELPHIA INQUIRER, NEWARK STAR-LEDGER AND OTHER MAJOR NEWSPAPERS AND MAGAZINES.



## WAGING PEACE IN AFRICA

In the end, ten students made the 20-hour trip along with Burke-White, flying from Washington, D.C. to Uganda for both a serious, weighty mission of diplomacy and the adventure of a lifetime. For 10 days, the students — broken up into small teams, each with a different focus, such as the treatment of women and girls, the domestic court system, and reparations for victims — met together for breakfast, then interviewed as many Ugandans as possible. “We got a wide spectrum of emotions,” Ashfaq recalls. “We encountered people who were very optimistic, and many who were not. But people were very receptive, especially when we told them who we were. They were thrilled we were there, that we were trying to help.”

A sightseeing trip this was not. After days spent canvassing, interviewing, and reporting, evenings meant wolfing down dinner, then downloading notes and fresh observations onto laptops, often late into the night. By the time they made it back to the U.S. the students were exhausted. But the real work had yet to be done — the drafting of what would eventually be a 61-page report titled *A Just Peace*, outlining a path to stitch Ugandan society back together.

For weeks this past spring, the group met to discuss and debate their findings, dealing with issues like the preeminence of tribal law in Africa, or how to attain meaningful but practically attainable justice for women and children. “We had to make hard choices,” Burke-White says, talking about the makeshift League of Nations that sprang up inside his class. “It wasn’t

easy. But if it had been easy, we probably would have done something wrong along the way.”

In the end, the report proposed the creation of a domestic trial system in Uganda, whole-scale reforms to Uganda’s Amnesty Act, and establishment of an independent “truth and reconciliation commission” to both rebuild Ugandan society and institute reparations.

The report is no panacea, something Burke-White and his students readily acknowledge. A class of law students, no matter how impassioned or creative, cannot single-handedly alter the course of decades-long civil strife. Even as the report was being sent to Ugandan officials in mid-May (a formal presentation was scheduled for August), setbacks on the ground made the prospect for peace seem even that much further away, creating “a real sense of sadness that the process was slipping sideways or backwards,” Burke-White says. But even if long-term peace for Uganda remains elusive, he says the project made a larger point. “Law students really can have a legal impact, and so can academics,” he says. “We presented a number of ideas the U.S. government had apparently not thought of or not grappled with, and they were really appreciative.” So was Ambassador Blaak. “I am very impressed with the quality of the report,” she expressed in a note to Burke-White, “and the way you have managed to handle very complex and difficult issues.”

In the end, it may have been Bill Burke-White’s students who came away most impressed — not with their own work, but with the inspiring resilience of the Ugandan people. “When people think of Uganda, I don’t want them to think of this poor, destroyed country,” Valentine says. “I want them to think about happy people who are trying to make the most of their lives and the things they have, and who don’t want people to feel sorry for them. Attention should be paid, so they can do what they need to do.” Because beyond the violence that intrudes on it far too often, Uganda, she says, “is a very happy place.”

MICHAEL CALLAHAN IS THE  
ARTICLES EDITOR AT  
PHILADELPHIA MAGAZINE.



Penn Law students meet with director of Gulu University and faculty members to discuss post-conflict transition and development of educational programs in northern Uganda.



# DIGGING FOR PAINFUL TRUTHS AND DOCUMENTING THE HORRORS OF CIVIL WAR

**STUDENTS IN THE TRANSNATIONAL LEGAL CLINIC HEARD STORY AFTER STORY AT A REFUGEE CAMP IN GHANA. THE TALES OF MURDER, PLUNDER, FEAR AND SEPARATION FROM HOME MADE FOR A SOUL-SEARING EXPERIENCE.**

By Aisha Labi, L'96

Last fall, five Penn Law students accompanied Sarah Paoletti, head of the Transnational Legal Clinic, to a refugee camp in Ghana, West Africa. They were there to take statements for the Liberian Truth and Reconciliation Commission. The students heard awful stories of brutality spilling from people displaced by the decade-long Liberian Civil War. They saw squalor, and desperation etched in the faces of refugees.

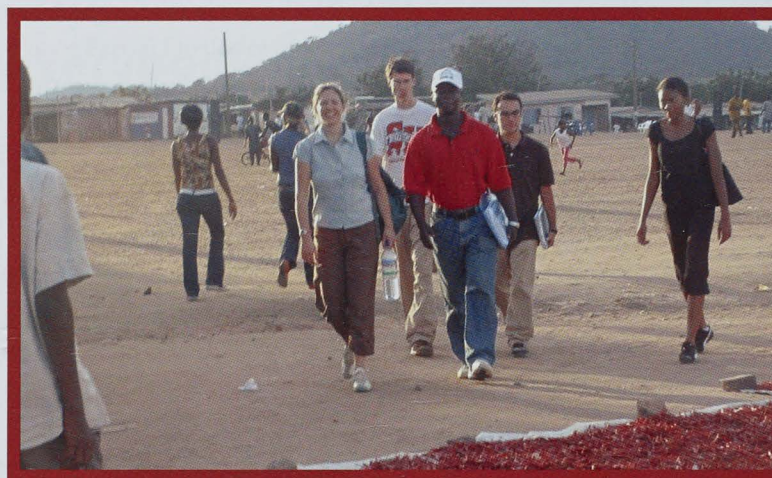
And, after a week in Ghana, they had to reconcile *themselves* to what they had seen.

“There was one woman who told me that she watched her husband murdered and that the rebels wouldn’t let her get away until she drank some of her husband’s blood in front of them,” recalls Robert Manzanares, L’08, who was a 3L at the time. “There’s not a reaction within my realm of experience that can even relate to what she went through.”

Erin M. Argueta, who was a 2L, interviewed some 50 people throughout the week, including many “women who had suffered horrible sexual violence and had never been treated, had never healed.”

As horrific as the refugees’ stories were, though, what left the students feeling truly powerless was witnessing the conditions in which the people they interviewed were still living. Tens of thousands of Liberians fled the war-ravaged nation during the 1990s, and the camp in Buduburam, about 30 miles west of Ghana’s capital, Accra, remains home to thousands of refugees, many of whom have been there for as long as 15 years. The United Nations Human Rights Commissioner stopped administering the facility last year and the Ghanaian government has signaled its intention to resettle its inhabitants and close the camp. Meanwhile, the refugees remain, preferring the inhospitable but familiar environs of Buduburam to what they fear might await them on their return to Liberia.

Argueta had served in the Peace Corps before law school and had experienced life in a rural community in El Salvador without electricity or running water. The comparison with the conditions the Liberian refugees endured at Buduburam was sobering. “I



Sarah Paoletti, head of Penn Law's Transnational Legal Clinic, walks through refugee camp in Ghana with students and Liberian statement-taker.

was in El Salvador about ten years after they had finished their war. People were traumatized, but the country had come a long way,” she says. “The most surprising and upsetting thing about going to Ghana was seeing refugees still in camps after 15 years, still suffering so greatly.”

There is no running water in most of the sprawling facility, which was built for far fewer than the estimated 35,000 people living there, and the refugees must pay for access to public latrines and other basic necessities, such as medical care and education. Their refugee status bars them legally from holding jobs, and with no source of income few can afford to pay for the few amenities the camp provides. Those who dare to breach the rules are often beaten in reprisal, and there is so little oversight that criminal activity is rampant.

Nkiruka Amalu, who is now a 3L, grew up in Nigeria and has lived and worked in other West African countries, but the trip to Buduburam was her first visit to a refugee camp. What set it apart from the overpopulated slums that are a feature of so many African metropolises, she says, was the level of insecurity with which the people there must cope. The refugees had all en-



## WAGING PEACE IN AFRICA

dured violence and hardship in Liberia, but to realize that their suffering continued in the supposed sanctuary of the refugee camp was a revelation. "People spoke of life in the camp being very, very hard," Amalu says.

### Gathering Testimony Proves an Enormous Task

During their week in Ghana the Penn students interviewed nearly 200 refugees, whose testimony about their own experiences and the human rights abuses they witnessed will form part of the basis of a report by the Liberian Truth and Reconciliation Commission. Anywhere from a third to half of Liberia's population of 3.5 million people was forced to leave the country as a result of war. A portion of them came to the United States. Many settled in the Twin Cities in Minnesota and in Philadelphia, home to the two largest Liberian refugee populations in America. Soon after it was established in 2005, the Commission recognized that including voices from the Liberian diaspora would be an important element of its work.

This past summer, when members of the Commission traveled from Liberia to conduct a week of public hearings in Minnesota, Paoletti helped prepare three witnesses from Philadelphia for their testimony. Now in her third year at Penn, Paoletti says that international human rights work was the reason she became a lawyer. She came to Penn to set up the transnational clinic, in which students work with clients on issues such as asylum and immigration law. "The goal is for students to engage in direct one-on-one client representation, and to also have exposure to broader human rights advocacy," Paoletti says. The clinic has become one of the law school's most popular, and each semester there is a waiting list for one of the eight slots.

The opportunity for the Ghana trip grew out of Paoletti's work with a Minnesota-based international human rights organization, Advocates for Human Rights. The group is coordinating the Commission's statement-taking efforts in the United States and had already conducted a week of statement-taking at Buduburam. Faced with overwhelming demand during that trip, when hundreds of refugees lined up each day in the blazing sun for a chance to tell their story, the group planned a follow-up and Paoletti was asked to put together a team. Five of her clinic students signed up and less than a month after the start of classes the group was on the ground in Ghana.

### Feelings of Impotence Shadows Students' Work

Alexandra Fellowes, L'08, was among those who made the trip. She recounts that she had a "tremendous feeling of impotence"

*Continued on page 28...*

## THE SECRET TO PAOLETTI'S SUCCESS AS A HUMAN RIGHTS ADVOCATE? Listen, and Listen Some More

By Jennifer Baldino Bonett

**THE REFUGEES BEGIN TO TALK**, in hushed tones. They share nightmarish tales of turmoil and trauma; wives raped and brothers beheaded; of being forced by war from home and native country. As Liberians tread their way delicately through their gruesome experiences during the Liberian Civil War, Sarah Paoletti listens. And then she meticulously chronicles their stories for the annals of law and the eyes of the world.

For her legal skill and sensitivity, the U.S.-based Advocates for Human Rights turned to Paoletti, a lecturer at Penn Law, to help create an independent, accurate record of these human rights violations for the Liberian Truth and Reconciliation Commission. She approaches the pro-bono task as a professional mission. She is doing her part on the hot, sandy roads of the Buduburam refugee camp outside Accra, Ghana, to ensure that the work of the TRC "has a real impact and is not just a report that goes on the shelf."

Just a decade into her law career, Paoletti is a force in international human rights, immigrant rights, and asylum law. Law schools and NGOs from around the country invite her to present and conduct training on human rights issues and consult on human rights cases. She has presented before committees of the United Nations and the Organization of American States on the rights of migrant workers. She has been involved in the application of international human rights norms to undocumented workers in the U.S., and she co-chaired the 2007 Annual International Human Rights Clinical Conference in Washington D.C.

Paoletti's interest in advocacy traces to her days at the Washington College of Law at American University, where she was active in the International Human Rights Clinic and the Pro Bono Committee, and edited the English version of the first InterAmerican Digest as a consultant to the law school's Center on Human Rights and Humanitarian Affairs. She later returned to her alma mater to teach in the International Human Rights Law Clinic.

Paoletti came to Penn Law in 2006, with an honor roll of fellowships and a national reputation as an advocate for





Sarah Paoletti, Head of the Transnational Legal Clinic

poor and disadvantaged populations, particularly migrant laborers through her work with Friends of Farmworkers, Inc. As founder and director of Penn Law's innovative Transnational Legal Clinic, Paoletti gives students experience in the increasingly important global aspects of law and the lawyer's role in settings that cross cultures, borders, languages and legal systems. Under Paoletti's guidance, students in the clinic represent clients in international and comparative legal matters, learning through real-world experiences like the TRC project.

Paoletti describes her work as "learning to lawyer across cultural differences." "It teaches you that people's lives are complicated and that people have very real and immediate needs," she says. "The challenges are in learning to understand and respect what those needs are and how to use the legal system to help your clients meet their objectives."

Whether counseling a farm worker facing housing violations or a refugee facing repatriation, says Paoletti, the transnational lawyer needs to be mindful of the individual at the center of "the

**"Even if they feel they don't have a story or are reluctant to talk, refugees eventually express a sense of relief," says Paoletti, "If you didn't have a story, you would still be living in Liberia... everybody's story is worth telling and everybody's story is worth hearing."**

bigger work, the bigger picture... You can extract lessons and you can extract theory from practice, but you have to be mindful that every situation is different."

Even for Paoletti, a career-long human rights advocate, the TRC project has been an awakening. "There are days when it's harder than others. There are hours when it's harder than others," she says. For the first time in her 10 years of advocacy, she had to work hard to keep her emotions in check. Before leaving for Ghana last fall, Paoletti and her students worked with a clinical psychologist specializing in post-traumatic stress to understand what their clients may be enduring and to help the testimony-taking team avoid "secondary trauma."

"This whole process has been the most humbling experience I have ever gone through," Paoletti says. She considers the one-of-a-kind project as a case study in how the law can heal.

"Even if they feel they don't have a story or are reluctant to talk, refugees eventually express a sense of relief," says Paoletti, who uses skills sharpened by working with migrant farmworkers and other underserved populations to elicit testimony. She speaks plainly to her Liberian interviewees: "If you didn't have a story, you would still be living in Liberia... everybody's story is worth telling and everybody's story is worth hearing."

She hopes that the testimonies of terror, sadness and loss will reach the right ears, will be recognized as a testament to the courage and strength of the victims, and will build a convincing case for change.

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.



## WAGING PEACE IN AFRICA



Sarah Paoletti (second from right), who led Penn Law's mission to Ghana, visits former slave castle with students. They are (left to right) Alexandra Fellowes, L'08; Nkiruka Amalu, 3L; Erin Argueta, 3L; Robert Manzanares, L'08; and Andy Barton, 3L.

as people told their stories. "It's like being shown the Grand Canyon and being given a shovel to fill it," she says.

Long lines of refugees formed from early in the morning every day that the group was in the camp, awaiting their turn to tell their stories. Part of the reason for the demand, says Paoletti, was the refugees' hope that the international community will step in to help them. With the United Nations no longer involved in running Buduburam, the Americans' presence at the camp was seen by many refugees as evidence of renewed international interest in their plight.

"When they came in, they saw Westerners and thought we were there to provide aid," says Manzanares, who was a 3L at the time. "We weren't prepared for the extent to which people have been abandoned by the international community and are in need of direct aid, and the frustration of not being able to meet those kinds of expectations."

The students spent anywhere from half an hour to two hours with each interviewee, taking six to 15 statements a day. They had trained for the logistics of doing so, but little prepared them for the emotional impact of hearing people describe to them, in often excruciating detail, the most painful and harrowing experiences of their lives. "A lot of us struggled with feeling like we were taking something from them, by asking them to tell their stories," says Argueta. Many men broke down in tears, apparently for the first time since their trauma, as they related their stories. Young people in their twenties spoke of seeing their entire families tortured and killed, and of how they felt their lives were being wasted

as they waited in the camp, missing out on education and work opportunities.

At the end of each person's testimony, Paoletti says, they asked for help to be resettled in a developed country. Although Liberia has been at peace for the past five years, unemployment hovers around 85 percent, there is little infrastructure, and the refugees feel unable to return to their homeland. "They fled, watching their houses being burned down and destroyed, and the horror that they endured during flight cannot be underestimated," says Paoletti. "They're very afraid of what will happen if they go back to Liberia. People aren't yet convinced that the war is truly over."

The Truth and Reconciliation Commission is not a prosecutorial body, Paoletti notes, and the scope of the recommendations it issues remains to be seen. "Different communities and different individuals feel differently about what accountability means, and the Liberian community is of different minds as to whether that means prosecution or putting other structures in place to make sure it doesn't happen again." When asked what they thought was at the root of the conflict that had torn apart their country and their lives, many refugees cited a lack of education. "We met a lot of really bright young people at the camp in their mid to late 20's who said, but for the war, I'd be a doctor or a lawyer," Paoletti says. "The war robbed them of their adolescence and their education."

AISHA LABI IS A FORMER STAFF WRITER FOR *TIME* MAGAZINE. SHE NOW COVERS EUROPE FOR *THE CHRONICLE OF HIGHER EDUCATION*. SHE WAS BORN IN THE WEST AFRICAN NATION OF SIERRA LEONE.



## GROUNDING IN LOVE FOR HIS NATIVE AFRICA, Imasogie Funds Students' Travel to Aid Liberian Refugees

By Edward N. Eisen

**THE SON OF A MINISTER**, Osagie Imasogie, GL'85, prefers to keep his good works hidden under a bushel, so to speak. But his name shows up in a lot of places, giving substance to a life dedicated to humanitarian causes.

So there was no hesitation when more than a year ago Penn Law came knocking, seeking support to send five students to a refugee camp in Ghana. Their mission: gather evidence to be used in the war crimes trial of former Liberian President, Charles Taylor.

"The civil war in Liberia was horrible," says Imasogie. "Many of the people required to give evidence against the ex-dictator's atrocities fled and now inhabit a large refugee camp in Ghana. Now Ghana is saying to the Liberian refugees, 'The war is over, go back home!'"

"But there's a problem," declares Imasogie. "There is no country to go back to. Liberia was significantly destroyed and has very high unemployment as it starts its painful reconstruction."

This project spoke to Imasogie because his life straddles two continents: America and Africa. Imasogie was born in Nigeria but has spent most of his life in America. Still, he retains much affection for the land of his birth, and remains interested in African affairs.

That interest led him to accept an appointment by President Bush to serve as an advisor to his ambitious five-year \$15 billion Emergency Plan for AIDS Relief (PEPFAR) to Africa – just as the plan was about to expire. In his role as a senior consultant, Imasogie fashioned a network of public/private partnerships to keep various PEPFAR-funded projects alive. Congress recently renewed the PEPFAR program with an additional \$48 billion.

Imasogie emigrated to the United States before he was seven years old. His family first moved to Louisville. He

learned the value of education early in life, and he impresses its importance on young people wherever he travels. Both parents earned postgraduate degrees. Imasogie's father is a professor of theology and philosophy. He authored a series of scholarly tomes and was a visiting professor at Vanderbilt University. His mother taught English literature. In addition to his Penn Law degree, Imasogie holds a postgraduate degree from the London School of Economics.

"The good Lord was very kind to us," recalls the man whose life commitment is all about equality, justice and giving back, both to the troubled continent of his birth and America, his adopted country. "I grew up very comfortably in the upper echelons of society," he recalls, speaking from his Philadelphia office where he serves as senior managing partner of Phoenix IP Ventures, an intellectual property-based Merchant Bank.

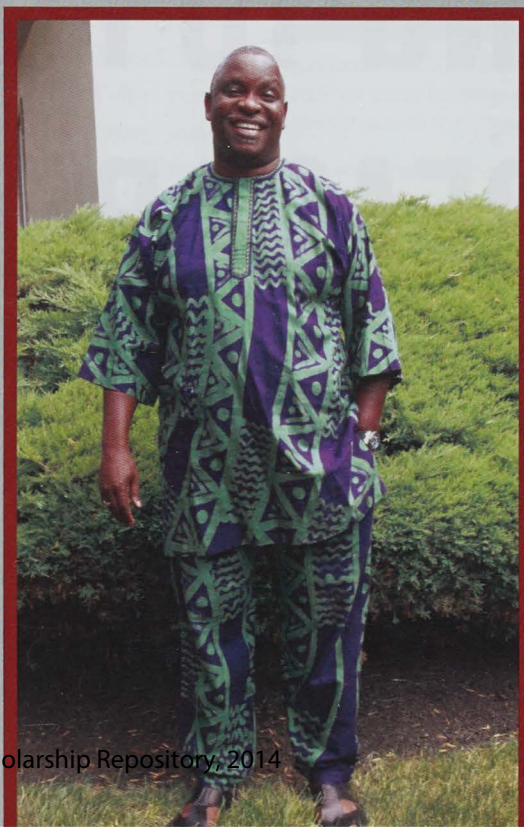
He hesitates to speak of his civic work. But his contributions speak for him. Imasogie and his wife, Losenge, established a scholarship at Penn Law for students of African lineage. His name is listed as a founding supporter of the Washington, D.C. monument dedicated to Martin Luther King. In Philadelphia, his name is inscribed as a donor at the National Constitution Center. He has been a longtime supporter of International House, serving six years as chairman of the board. Plus he is a member of the Board of Overseers at Penn Law School and the Wilson Council of the Woodrow Wilson International Center for Scholars.

Osagie, who is an adjunct professor at the Law School,

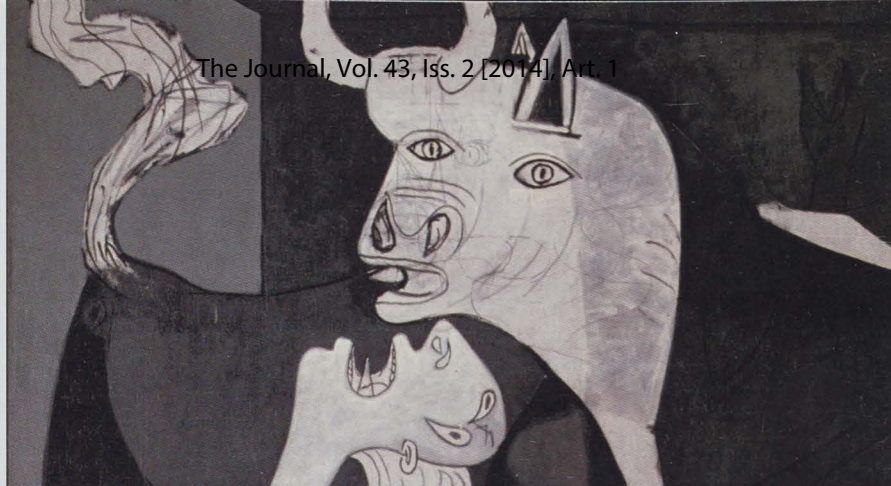
carries a passion for the law and a belief that there is no such thing as race, only the human race. "I believe that each one of us is a moral agent and that every single day in every form of interaction we make moral decisions. We should be conscious of the moral consequences of those decisions." The law, he says, should be used as a tool for social engineering and he believes that lawyers should be "ministers in the temple of justice."

More than a year ago, five Penn Law students acted on that impulse, with a little help from Osagie Imasogie.

EDWARD N. EISEN IS A JOURNALIST AND RETIRED STAFFER WITH THREE MAJOR METROPOLITAN NEWSPAPERS. HE NOW TEACHES MEMOIR WRITING.







**TWENTY YEARS AGO, AT CAMP DAVID, PRESIDENT CARTER BROKERED A PEACE AGREEMENT BETWEEN ISRAEL AND EGYPT. IN RECENT YEARS, AT ANOTHER CAMP, TO WHICH A WELL-KNOWN PENN LAW ALUMNUS DEVOTES MUCH ENERGY, YOUTHS EMBROILED IN REGIONAL CONFLICT ARE STRETCHING OUT THEIR HANDS TO ONE ANOTHER. CAN THEY SHOW OUR LEADERS THE WAY?**

# **TRYING TO FORGE MIDEAST PEACE ONE CAMPER AT A TIME**

**By Fredda Sacharow**



A groundbreaking camp in the wilds of Maine is chipping away at ancient animosities half a globe away.

Seeds of Peace embraces the notion that if you take children out of their natural habitat and encourage them to interact daily with “The Enemy,” they will grow into the next generation of peacemakers.

So if you ask Robert I. Toll, L’66, for one reason he has high hopes for this award-winning organization, he’ll rattle off 4,000 of them.

That’s the number of young adults from warring nations around the globe who have come together in the past decade and a half to learn the art of waging peace, and who have become friends in the process.

Toll leads a group of tightly knit friends and fellow Penn Law graduates who are lending support — morally, financially, philosophically — to the conflict-resolution program that won a 1997 UNESCO Peace Prize for its efforts to help participants transcend the realities of bombs, bloodshed and bombast that define their lives.

“I think we have an opportunity here we haven’t got anywhere else to make a difference,” says Toll, whose ties to the land on which Seeds of Peace rests date back to his own childhood days.

During an intense three weeks every June, 350 teenagers from Afghanistan, the United States, Egypt, India, Israel, Jordan, Pakistan and Palestinian lands take part in conflict-resolution activities at what could pass for any traditional American summer camp.

And indeed, that’s exactly how it started out.

Toll spent boyhood summers at Camp Powhattan in Otisfield, a 67-acre facility in the woods abutting Pleasant Lake in rural Maine. Although his role as chairman and chief executive officer of Toll Brothers, Inc., a builder of luxury homes, takes him far from that serene setting, the developer played a key role in bringing Seeds to life at its present location.

In 1993, a former newspaper editor named John Wallach — a son of Holocaust survivors — approached world leaders he had come to know while covering the Middle East for Hearst newspapers. Trust me with your children, Wallach implored, and I will work to create a generation that cherishes peaceful coexistence.

His plea fell on powerful ears. Yitzhak Rabin, Yasser Arafat and Hosni Mubarak responded by sending a total of 45 teens, ranging from 13 to 16, to far-off Maine. An American presence rounded out that first summer’s class — campers who later that year would be privileged to witness the signing of the Declaration of Principles that became known as the Oslo Accords.

Considered a milestone in the Israeli-Palestinian conflict, the Accords offered a blueprint for future relations among the



Hundreds of Middle Eastern and South Asian teenagers come together every summer at Seeds of Peace for canoeing and fellowship with their “enemies.”

long-warring parties. Among other provisions, it called for the withdrawal of Israel’s forces from parts of the West Bank and Gaza Strip, and established the Palestinian Authority as the ruling body for territory under its control.

Rabin and President Bill Clinton posed for photos that September day holding T-shirts bearing the Seeds of Peace logo.

As the camp’s mission began resonating in the early 1990s, Toll sponsored children from Philadelphia to attend the program as part of the American delegation. In 1997, when the developer purchased the property, Wallach asked him to designate the camp the official site of Seeds of Peace. A long and mutually rewarding relationship was born.

“If you can get a significant number of intelligent young adults — teenagers — out of (their) environment to live together, sleep together, eat together, participate in sports with one another and



## TRYING TO FORGE MIDEAST PEACE



Camp leaders conduct flag raising ceremony at Seeds of Peace.



Campers from different cultures and countries embrace their differences.

then go to sessions to discuss your feelings, your thoughts, and then to share that anger with your enemy who's now your friend ... that's a tremendous opportunity," says Toll.

Camp directors stress a daily diet of respect, trust and communication, Associated Press reporter David Sharp noted in 2006.

A member of the Seeds of Peace board (along with his wife, Jane) and its Strategic Planning, Fundraising and Management committees, Toll recalls sessions that involved "hollering, crying, arguing in a good way and coming to understanding."

Toll Brothers organizes a clean-up day every May, sending more than 125 employees, friends and family members from throughout the Northeast to whip the property into shape.

Steve Adelson, C'66, L'69, a real estate attorney in Boston, sums up the achievement of Seeds of Peace in one succinct sentence: "The kids learn the enemy has a face."

Like Toll an alumnus of Camp Powhattan and a lakefront resident, Adelson can't remember if it was an Arab or an Israeli boy who once told him he was terrified to go to sleep the first night of camp because the bunks were "mixed."

"He was afraid the kid next to him would kill him," Adelson says.

To watch that fear evolve into trust is the best metric of the project's success, he says.

The Boston resident relishes his interaction with campers and staff. During one memorable Fourth of July, his family played host to a Pakistani camper unlucky enough to mark America's independence with a pesky case of chicken pox.

Adelson has a more personal attachment to Seeds of Peace: His daughter, Leslie Adelson Lewin, C'99, is the camp's director.

Over the years, Seeds graduates have landed in a multitude of highly placed positions. One is on the political policy team for King Abdullah of Jordan, another clerks for the Israeli Supreme Court.

The camp's twin goals of nurturing tolerance and fostering empathy have earned it broad-based acclaim.

In June, the U.S. Congress passed a resolution describing the initiative as "a widely recognized organization that has facilitated interaction among thousands of young people and young leaders and educators from all around the world."

Paul Shapiro, C'64, L'67, believes Seeds' strength lies in its careful choice of participants.

"What they have done is consistently recruited as campers some people whose education and community status is such that they are likely to be among the leadership group of each

*Continued on page 34...*



# FORBEARANCE

## DURING THREE SUMMERS IN MAINE, ARAB YOUTH FOUND COMMON GROUND WITH ISRAELIS

By Fredda Sacharow

**PICTURE HIM:** A 14-year-old boy from Amman, son of a Palestinian refugee father and a Jordanian mother. Filled with hatred of the Israeli military machine, aware only that his dad fled his homeland in 1948, never to return, as generations of wars ensued.

He's intense, he's resentful, but most of all that summer of 1996, Rami Qubain was ... intimidated.

"One hundred percent intimidated," Qubain says, a dozen years after a Maine camp first exposed him to "the enemy" in the next bunk, turning his thinking, and his life, completely around. He was a young teenager when the Jordanian government tapped him as its representative at Seeds of Peace. At that point, the camp was less than half a decade into spreading its vision of negotiation and reconciliation.

"At the beginning, I just thought it was a regular summer camp. I was so excited to come to the United States, I didn't really think of the component of the Arab-Israeli conflict," Qubain said in a recent interview. "I was going for fun in 1996, but this camp just turned me around."

When he learned the adventure would not be all paddling canoes and shooting hoops, Rami became a boy on a mission.

"I was going with ideas to tell the Israelis how they were occupying my land," said Qubain, admitting that until that June he had never been in the same room as an Israeli, let alone exchanged words. All that changed dramatically in the days following his arrival.

"The camp has many components, among them coexistence sessions. We do sports, we sleep in bunks with Palestinians, Jordanians, Israelis all mixed up. And we eat at tables all mixed up. So when we enter the gates of the camp, we are leaving our nationalities outside. Camp is a safe place where we can do that."

Qubain learned a profound lesson in that safe place: Young people from the Jewish state had the same fears, hopes, dreams and sports idols as he and his friends back home.

"I found them to be as normal as I am," he says looking back. "They eat breakfast, play soccer in the streets after school – they're as human as I am. I never saw that side of Israelis in my community. Sports gave us the opportunity to be me and another

Israeli on one team against another Israeli and a Palestinian on another team: Weird. It's not supposed to be like that."

But maybe it is supposed to be like that. Maybe two- and three-hour sessions devoted every day to confronting such issues as faith and human rights do break down enmities as ancient as the white Jerusalem stone.

"When we were talking about religion, I found that many of the Israelis had the same story as I had, that we were talking about the same time period but with two different perspectives on the story," Qubain says. "That made us realize that the past can sometimes be twisted, depending on where you're from, and that maybe not everything you've learned all your life is true." Qubain went back to Seeds of Peace the following three summers. Each time he returned home to Amman, he returned with a deeper understanding.

"Although I might disagree (with an Israeli peer), at least I can put myself in his shoes and see where his anger is coming from, and vice versa."

At 18, Rami came back to the United States to attend Manhattanville College in Purchase, N.Y., majoring in computer science and management. He later earned a master of science degree in leadership and strategic management.

Now 26, he is an admissions officer at the college. He continues to promote the Seeds mission, both on campus and beyond.

Qubain was instrumental in opening and leading a Seeds outpost in Amman, the first one outside the United States. Among other initiatives, he organized meetings with government officials, prepared presentations to potential donors and planned trips and bi-national meetings to foster regional ties.

Never far from Qubain's mind is the knowledge that he and his fellow Seeds are primed to step into powerful positions at home: in government, in education, in finance, and in law. "The fruits of camp are showing up now, when those young people are growing up and taking responsibilities in their own communities," he says.

The message they will bring is a powerful one, Qubain adds.

"We can talk about the past forever, but maybe we should start thinking about the future."



## TRYING TO FORGE MIDEAST PEACE



Sports teach the values of teamwork, respect, and leadership — concepts at the very foundation of the Seeds of Peace program.

conflicting country in the next generation,” said Shapiro, another of the Maine lakeside buddies.

“The mission of the camp is obviously a spectacular idea. The young people who go there are very, very impressive,” adds Shapiro.

The resident of Boca Raton, Fla., works with QCapital Strategies, a business that buys and aggregates life insurance policies for investment purposes.

Subject of a CBS’ “60 Minutes” segment, Seeds lists on its advisory board former presidents George H.W. Bush and Bill Clinton, Queen Noor of Jordan, Israeli President Shimon Peres and chief Palestinian negotiator Saeb Erekat.

Erekat’s daughter, Dalal, attended the camp in 1997. When flooding destroyed parts of his home town of Jericho later that year, 21 Israeli youngsters rushed to contact Dalal to make sure she was unharmed, *The Wall Street Journal* reported.

Despite its Eden-like setting and daily doses of softball and Frisbee, serious work goes on as campers grapple with very real differences.

Some participants have had friends or family members killed or jailed. Many harbor deeply rooted memories of the intifada, of the Israeli incursion into Lebanon, of border raids by Hezbollah. All are aware one Seeds participant later lost his life in the ongoing hostilities.

Professional facilitators force the youngsters to look into each others’ eyes across dining hall tables, to engage in dialogue driven as much by fact as by emotion.

Doug Frenkel, W’68, L’72, has practiced the art of negotiating throughout his academic career, preparing students at

the Gittis Center for Clinical Legal Studies to serve as neutral, third-party mediators.

“On some level,” Frenkel says, “what they’re doing at Seeds has a lot to do with what I teach.”

On another level, of course, stakes for the campers are far grimmer than those his students face when mediating a divorce or trying to forestall a lawsuit.

“My sense is that the goals here (at the camp) are to develop ... empathy for someone who up to that point has been perceived as being either unknown or hostile,” says Frenkel, who this past summer stepped down as director of Penn Law’s clinic but who continues to teach mediation at the school.

“The camp offers a safe environment. The kids see that the other person experiences the same conflict from a different vantage point,” he says. “The process begins to chip away at some of the deep-seated, inbred perceptions of hostility the kids came here with because of the politics and what they may have personally experienced.”

Like his friends and fellow homeowners along the lake, Frenkel is both optimistic and realistic about Seeds’ role in the outcome of conflicts that have raged over decades.

On the one hand, animosities have created generations of enemies who ingest hatred with their mothers’ milk. On the other hand ...

“I would guess — and I am guessing — that I might measure success on the short end by moments of what we might call transformation ... somebody all of a sudden developing an understanding of the other person,” says Frenkel. “Some people would say that’s an enormous success, when a young person begins to see the world as the other person sees it. Whether that has long-term implications involves some reinforcement and work, so the scab doesn’t form again.”

Bottom line for Frenkel? “That they at least agree to disagree, to coexist among differences — to replace words for rocks and guns and to learn you don’t have to agree with somebody else to survive next to him.”

That template speaks volumes to Bob Toll.

He has been to Israel three times, Egypt three times, and Jordan once. He believes the political landscape of these nations — of the entire region — could change as a result of the work and play that goes on for three weeks in Maine every summer.

For more information about the camp, go to [seedsofpeace.org](http://seedsofpeace.org).

FREDDA SACHAROW, A FREELANCE WRITER, IS A FORMER EDITORIAL PAGE EDITOR AT A NEW JERSEY DAILY. HER ARTICLES HAVE APPEARED IN *THE NEW YORK TIMES*, *NJBIZ* AND *ATTITUDES MAGAZINE*, AMONG OTHER PUBLICATIONS.



# TOLERANCE

## AT SEEDS OF PEACE, THIS ISRAELI NATIVE BROKE BREAD WITH PALESTINIANS AND 'LOST A LAYER OF ANGER'

By Fredda Sacharow

**SOMETIME DURING THE FIRST FEW DAYS** of camp, Karen Karniol-Tambour stopped screaming and started listening. She's been listening ever since.

She was 14 that summer of 1999, a kid from Netanya, Israel, whose grandparents had survived the Holocaust. Her Polish-born father was active in the Likud Party; Karniol-Tambour grew up hearing its right-wing slogans from her earliest days at the breakfast table.

"Schools, cabs, whatever – everything becomes politicized," she says of the incubator that nurtured the first decade and a half of her life.

She arrived at Seeds of Peace that June morning primed for battle. She knew next to nothing about Palestinians – "just that there were many who hated us so much they were willing to go into a public place and kill us.

"I pretty much spent the first week yelling," Karniol-Tambour says. "It was the first time I was face to face with people I was so angry with. I lost my voice – and I lost a layer of anger."

The seductive combination of swimming, canoeing, making up beds and chugging down bug-juice did its work gradually, turning the faceless enemies first into bunk-mates and then into fledgling friends.

"I started listening," Karniol-Tambour says, "and seeing that the person across the chair from you is exactly like you in many ways. Fears I had, they had, too. But it definitely took a few days to get that anger out."

The defining moment came about a week and a half into the camp session, during a confrontation with a Palestinian girl she remembers as Aruba.

"She was a lot like me, so I guess I saw myself in her," Karniol-Tambour says. "When she was yelling at me, I couldn't see her as anything but a Palestinian spokesperson. Then one day she burst into tears and told us how she had seen her uncle shot in front of her eyes when Israeli soldiers invaded her house. Once it wasn't political any more, I couldn't do anything but look at her as a friend who went through a very terrible experience."

Today an investment associate with a large institutional money manager in Connecticut, Karen says that like many camp alumni,

she originally had a tough time convincing friends and loved ones back home to give peace a chance.

Her father, Yoram, in particular, proved unreceptive to her message – until the day Karniol-Tambour dragged him by the hand to meet a new Jordanian friend of hers at a Seeds event.

The young man began relating that his own father had fought in three or four wars as a soldier in the Jordanian Army – and now here was the son interacting with new friends in Jerusalem. Israeli friends.

Yoram Tambour, an aeronautical engineer, Fulbright scholar and professor at the Technion, Israel's Institute of Technology, wiped tears from his eyes as he listened.

"When my friend finished talking, my dad said he probably fought against this guy's father in those wars – he never could have imagined seeing this man bringing his kid to Jerusalem and wanting peace," Karniol-Tambour says.

Years later, when Karen's little brother followed in her footsteps as a Seeds participant, Yoram Tambour was among his son's strongest supporters.

In 2006, Karniol-Tambour received a degree in international relations from the Woodrow Wilson School of Public and International Affairs at Princeton. At the university, she was active in the Global Issues Forum, a student organization dedicated to fostering awareness of current affairs.

Today her job involves doing research into how the economies of different nations interact. Tomorrow – well, she won't rule out a run for public office back home in Israel.

Karniol-Tambour says almost all her fellow campers have chosen career paths with an eye toward making a dent in the world's woes. Two of them serve as top aides to a pair of international figures: Tzipi Livni, Israeli foreign minister, and Abu Alaa, speaker of the Palestinian Legislative Council.

"That means when these two negotiators sit together, their aides have known each other for years," Karniol-Tambour says. "They don't come in there with lots of suspicions about each other." **PLJ**



# Bumper Crop

On August 28, 250 students crossed a threshold in more ways than one.

They strode into Silverman Hall, and into a stiff challenge. But no doubt they are up to it. For the Class of 2011 enters with the most accomplished academic record in Penn Law history, with median LSATs of 170, a median 3.8 GPA and a dedication to excellence exemplified by Dorje Glassman, Dianna Myles, and Paul Fattaruso.

**GEOGRAPHIC REPRESENTATION:** 32 states, D.C. and 12 foreign countries including Canada, China, Hungary, Indonesia, Israel, Mexico, Rwanda, South Korea, Taiwan, Trinidad & Tobago, United Kingdom and Venezuela. **CLASS AT A GLANCE:** 51% women, 33% students of color, 10% advanced degree



## Law School Represents New Chapter in Fattaruso's Life

BY LARRY TEITELBAUM

**P**aul Fattaruso writes poetry and fiction that is at once serious and playful, strange and familiar, aimed at providing his readers a fresh view of an old world. The point is, his work eludes easy description. Take his first novel. In 2004, at age 26, Fattaruso published *Travel in the Mouth of the Wolf*. The book features, among other things, a talking dinosaur, a supernaturally talented shortstop, psychic twins, and a lonely ex-president.

Given his penchant for creating fantastical worlds, the transition to law school must seem surreal. After all, the Bill of Rights is not written in iambic pentameter, nor do most contract law texts have Hemingway's ear for crisp dialogue. But Fattaruso recognizes a connection between literature and law.

From Homer to Shakespeare to Kafka, writers have consistently explored the ways in which law both shapes and is shaped by our beliefs and actions, he says. He adds that law and literature also share a devotion to precision and close attention to language. Further, he says, the search for truth threads both disciplines.

To further emphasize the two fields' connection, Fattaruso cites a quote from Percy Bysshe Shelly: "Poets are the unacknowledged legislators of the world." Fattaruso suggests that poetry and law are both interested in "the moral questions surrounding humans' relationship to the world and to one another."

It was his moral compass that ultimately pointed Fattaruso, who is contemplating the study of intellectual property and environmental law, to law school. After graduating *summa cum laude* from the University of Massachusetts

at Amherst in 1999, Fattaruso earned an MFA from the school, then a Ph.D. in English from the University of Denver. While preparing for his comprehensive exams, Fattaruso celebrated the birth of his son, Max, now two years old.

His son's arrival inspired Fattaruso's decision to enter law school and start a new chapter in his life. He started to think about how he could make change in the world and found the study of law the best route. He jokes, "The audience for poetry isn't what it was 100 or 200 years ago, and there are probably more immediate routes to social change."

The beekeeper takes her  
time with each  
bee,

the tininess of each bee,  
the thin wings,  
the

transparently thin wings,  
the wee stinger;  
she

touches the fur, her  
nerves are too  
coarse

to feel its furriness, she  
is not built to  
sense

the bee, really, and who  
might have carved

it, its thousand eyes, she  
cannot imagine  
the

chisel, let alone the fingers  
to hold it.

From *Village Carved from  
an Elephant's Tusk*.

Paul Fattaruso and his son, Max. A novelist and poet, Fattaruso is entering law school and writing a new chapter in his life.





## BUMPER CROP

Nonetheless, Fattaruso's work succeeds on pure literary merit. His first novel was praised by critics and has been translated into German. His second book, *Bicycle*, published in 2007, has been hailed as a "tiny masterpiece." His most recent collection of poems is called *Village Carved from an Elephant's Tusk*.

For the past eight years, during and after his graduate studies, Fattaruso has shared tools of the trade as a college instructor of composition, creative writing, and literature — an experience he hopes will serve him well in law. "Trying to persuade a group of skeptical college students of the modern-day relevance of Chekhov's plays might be a bit like trying to convince an unsympathetic jury," he quips.

But the jury is not out on one thing: Fattaruso plans to continue writing, although he concedes that the first year of law school could cause writer's block. Will he incorporate law into this work? After all, models exist for such convergence.

Several years ago, poet-novelist Brad Leithauser spoke at Penn Law on how he used his Harvard Law background and early law practice as grist for his writing mill. Noting that law is a rich subject for literature, and one that has not been mined enough, he encouraged more lawyers to write from experience.

Fattaruso likes that idea. He hopes the study and practice of law informs his writing and makes it more complex, layered and experiential. "I expect to maintain writing as a part of my life," says Fattaruso.

## Glassman Embraces Complexity of China, as he Girds for Career on Other Side of the World

BY AISHA MOHAMMED

**D**orje Glassman, visiting Tibet for the first time, was searching for the Tibet he thought he understood. Growing up in a Tibetan-Buddhist family, Glassman had come to assume that China was exploiting Tibet and that all Tibetans were naturally anti-Chinese. Tibetans, as far as he could see, had nothing to gain from Chinese rule. What Glassman found instead was a challenge.

Waiting for a bus to Mount Everest, Glassman saw an opportunity to commiserate with a Tibetan student about China's uninvited presence. The student's pro-China comments took him aback. If China had not annexed Tibet, the student claimed, he would never have been able to attend a University in Beijing.



Dorje Glassman shepherds a yak through the Tibetan countryside.

To Glassman, the Tibetan's words made about as much sense as Gandhi touting the use of guns. After a heated discussion he understood that Tibet's relationship with China had perhaps led to gains not readily apparent to a foreign eye.

This ability to embrace complexity will come in handy as he prepares to chisel out a future in Chinese law. Towards this end, Glassman, a Levy Scholar, has enrolled in Penn Law's JD/MA program offered through the Lauder Institute. As part of the Chinese track, Glassman will study Mandarin, spend his first summer in China, and earn an MA in international studies.

Glassman's study of Kung Fu ignited his interest in China at the age of 17. Several years later as a sophomore at Oberlin College, he became enchanted by Chinese calligraphy. In order to learn the art, however, he had to commit to a year of Chinese language classes. He quickly discovered that he had a "real affinity" for Mandarin, and spent the next year in Beijing, immersed in the language and culture.

After earning a dual degree in Environmental and East Asian Studies, Glassman returned to China to work as a project manager with a local nonprofit. He spent a year at Yunnan Mountain Heritage Foundation, a small organization that promotes eco-tourism and cultural preservation in the ethnically Tibetan areas of Northern Yunnan. In Yunnan, he initiated a Buy Local campaign, which was inspired by a similar campaign he had witnessed in Carrboro, N.C., while working as a carpenter during summer vacations in college. Glassman helped start a series of local markets for Tibetans to





Dorje Glassman hikes Mount Everest. A member of a Tibetan-Buddhist family, he has spent considerable time exploring the complexities of China's relationship with Tibet. Now, this Lévy Scholar is enrolled in Penn Law's JD/MA program through the Lauder Institute. He will study Mandarin and earn an MA in international studies.

## **“Beijing is one of the few places in the world where one can routinely find farmers selling apples from the back of decrepit carts drawn by gaunt horses parked next to the latest model Mercedes Benz,” explains Glassman.**

sell traditional crafts that still exist today.

In China, where slogans are as common as bicycles Glassman was particularly struck by one of ex-President Jiang Zemin's: Use law to govern the country. “Chinese today take it for granted that law should be the foundation of government, but it wasn't always this way. It has gradually become popular opinion,” says Glassman.

Glassman's interest in law, like his interest in China, began in his teens. His high school English teacher impressed him with the “exceptional clarity of thought and expression” he demonstrated when discussing Dostoyevsky and Melville. Glassman was lit with a desire to develop and use those skills. A legal education, he felt, would be the best way to do that.

Conversations with friends in China led him to contemplate the legal foundations of the country's pressing social and political issues. “The proper treatment of minorities, the displacement of communities because of development projects, all these issues boil down to the law,” says Glassman.

By Glassman's account, it is an exhilarating time to be a lawyer in China. Recent years have seen the emergence of a more accessible civil legal system. As the Chinese government attempts to deal with increasing levels of social unrest — incidents of social unrest rose from 8,700 in 1993 to 74,000 in 2004 — judges are reviewing cases in traveling courts, with plaintiffs represented both by non-barred legal workers as well as licensed attorneys. Low-income citizens are seeing avenues open up for legal recourse.

However, those connected to the most politically-sensitive issues, such as Tibetan independence, still face a dead-end. The government declined to renew the licenses of attorneys who represented the Tibetan activists arrested in the spring 2008 Lhasa uprising. But the non-renewal of licenses is rare, says Glassman.

Also excluded from the system are foreign attorneys, since Chinese civil courts are off-limits to them. Although Glassman hopes civil courtrooms will eventually open their doors to foreigners, passing the Chinese bar exams remains a distant dream.



## BUMPER CROP

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Dianna Myles practices hands-on teaching in her former middle school classroom in St. Louis. At Penn, she would like to take advantage of the institution's interdisciplinary strengths and pursue degrees in education and law.

### Myles Will Use Any Trick in the Books, Including *Harry Potter*, to Reform Inner City Schools

BY AISHA MOHAMMED

 ighth grade English teacher, Dianna Myles, has traded in her chalk for a 1L seat at Penn Law School. Coming to Penn fresh from an inner-city classroom, she is ready to influence students from another level: policy-making.

Drawn to Penn for its interdisciplinary approach, Myles hopes to pursue joint degrees in education and law — a combination that could prove powerful in her efforts to secure a promising future for America's disadvantaged children. Myles, a first-hand witness to how public education fails low-income students, wants to reform the education system. In particular, she wants to make the system more accountable and promote greater community involvement.

Approximately eight percent of attorneys pass the Chinese bar exams, and foreign attorneys are not permitted to sit for the exam. So Glassman, who hopes to work in China, plans to start his career by training with a commercial litigation firm.

Training in Beijing, however, comes with a bonus: grappling with the contradictions and complexities presented by China. Beijing, explains Glassman, is “one of the few places in the world where one can routinely find farmers selling apples from the back of decrepit carts drawn by gaunt horses parked next to the latest model Mercedes Benz.”



## **“Public education for low-income and African-American students is not up to standard because of the overemphasis on test scores at the expense of liberal arts and humanities,” says Myles.**

“Everyone has to be involved,” says Myles, a subscriber to the holistic approach pioneered by Geoffrey Canada, founder of the Harlem Children’s Zone. Canada’s credo is that low-income inner-city kids can learn just as well as affluent suburban kids if they have access to the same resources. To give them an even footing, he provides free social, medical and educational services and encourages parents to participate in their child’s education.

As a sophomore at Emory University, Myles had an opportunity to test that holistic approach. Noticing a disturbing trend in Atlanta public schools — the city was eliminating arts programs for low-income students — she set out to solve the problem by channeling funds and support from Emory’s theater department to inner-city middle school students.

Myles recruited volunteers from the college and founded Bringing up Leaders and Achievers through Student Theater (BLAST) — a children’s musical theatre. Working with 15 students, she organized a performance of “The Wiz,” the Broadway hit based on the Wizard of Oz that featured an African-American cast.

Her own high school education was solid, says Myles, which accounts for her desire to address educational disparities. Not only did she study visual arts and music, but she was also active on the debate team. Debating on topics as diverse as Russia, education, and privacy, she discovered a talent for marshaling critical evidence to debunk opposing arguments or create a new line of attack. The thrill of presenting winning arguments before a judge led to an interest in law.

“I particularly care about how children are protected by the law,” says Myles, who has also worked to raise awareness of the sexual exploitation of children. It is a major issue in Atlanta, she explained, with underage girls being prosecuted for prostitution. Racial stereotypes impact the way cases are handled, with Caucasian girls getting more sympathy from the community than African-American girls, according to Myles.

Disparities also exist in public education, she says, which is why she became invested in Teach for America, a movement that works to ensure every child has an equal chance in life.

“Public education for low-income and African-American students is not up to standard” because of the overemphasis on test

scores at the expense of liberal arts and humanities, says Myles. The singular focus on testing, she says, limits what teachers can do in the classroom.

Despite the constraints, Myles created a lively and engaging learning environment for her eighth graders in St. Louis. She used the *Harry Potter* books— her favorite series “hands down”— as the model for an incentive program that encouraged teamwork. Myles passed around a hat filled with questions, much like the “sorting hat” in *Harry Potter*. Students picked questions and were assigned to one of four houses depending on their answers. They earned points for their house by demonstrating good citizenship, participation, and exceptional work. At the end of the year, the house with the most points — Hufflepuff in this case— won dinner and a field trip.

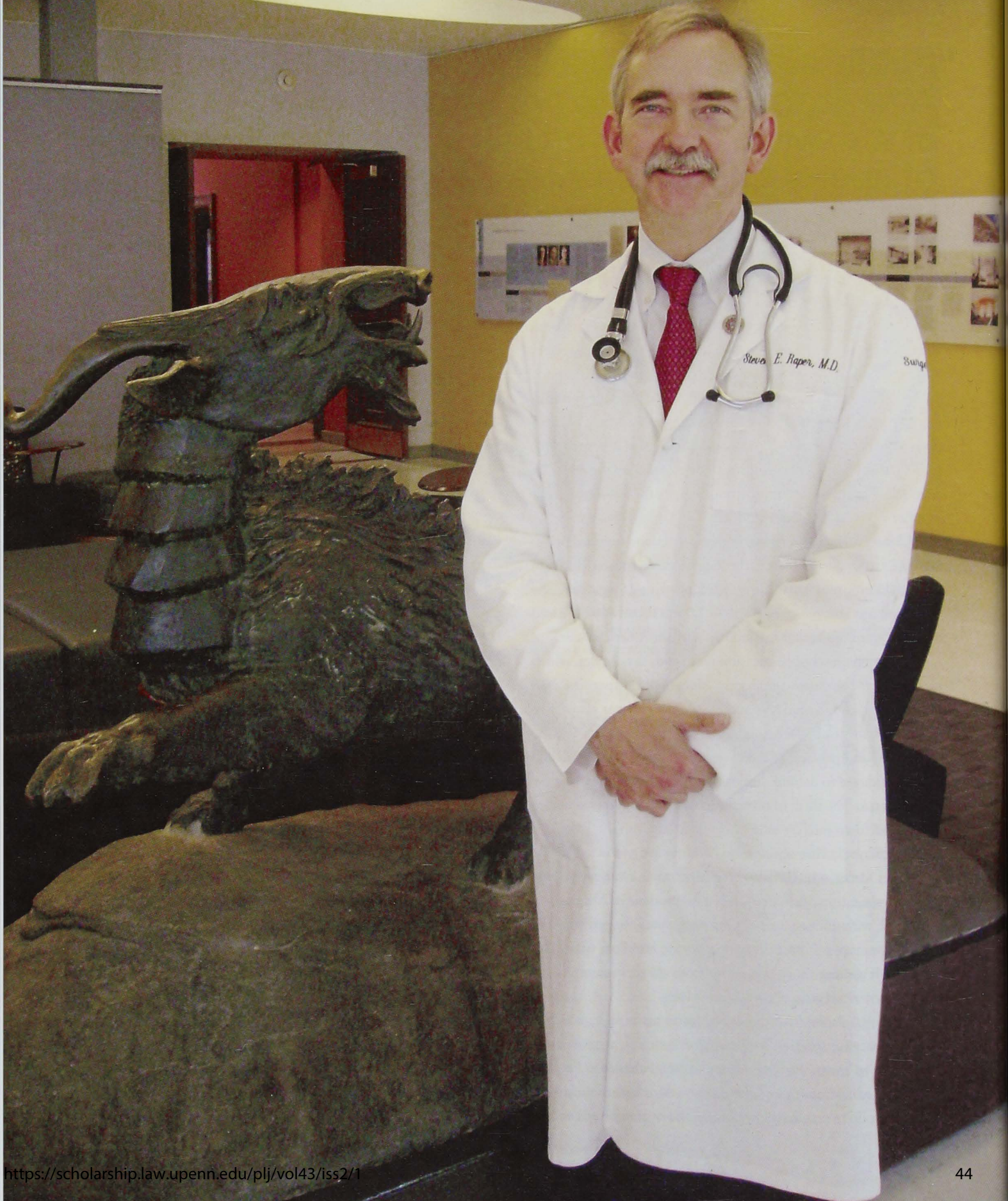
Bad education, Myles says, begins with low standards. School administrators blame student’s home environments for poor performance and teachers assume they can never learn. Ultimately, low expectations prevent teachers from creating innovative approaches.

By contrast, Myles set the bar high for her students and to her surprise she found they were jumping to reach it. Emulating her “tough” high school English teacher who pushed her to produce her best, Myles walked her students through the college admissions process.

She showed them how to research schools, put together an application, and write inquiry letters to admissions officers, because she believes it’s never too early to start thinking about college. “They were actually invested and cared about what happened,” says Myles. One student even brought a template for a resume to class and offered to make copies. Her only regret, after noting their enthusiasm, is that she wishes she’d done it throughout the year.

Although Myles will miss creating magic in her classroom, she looks forward to building the kind of advocacy skills she will need in her ongoing battle to conquer her personal Lord Voldemort: inequality in the schools. **PLJ**







# Life and Death and Law

A Surgeon's Journey  
to Penn Law

By Jennifer Baldino Bonett

<b>Name:</b>	Steven E. Raper, MD
<b>Age:</b>	54
<b>Address:</b>	University of Pennsylvania Health System
<b>Diagnosis:</b>	Deep interest in the intersection of medicine and law.
<b>Rx:</b>	Get a JD and call me after commencement.



## LIFE AND DEATH AND LAW

Although his twenty-something classmates might wonder why a highly respected surgeon would go back to school, Steven E. Raper, MD, wouldn't have it any other way. With case books stacked alongside his stethoscope and scalpel, Raper, a gastrointestinal surgeon at the University of Pennsylvania Health System, is studying for his JD at Penn Law.

It has been a full 25 years since Raper stepped into a classroom as a student. As associate professor of surgery at Penn's School of Medicine, he is more accustomed to being on the other side of the whiteboard. But as he observed health care issues increasingly intersect with law and government — in the form of managed care, skyrocketing malpractice insurance, and increasingly rigorous billing requirements — Raper wanted to understand the overlaps from the inside out.

Then, as happens in both medicine and law, one case presented a defining moment. Raper had a long and successful history in basic science research and its potential applications in gastrointestinal maladies. In the 1990s, he was among the researchers seeing great promise in the nascent science of gene therapy, the insertion of normal DNA into cells to correct a genetic defect. In 1999, Raper was a lead researcher in a human gene therapy study for ornithine transcarbamylase (OTC) deficiency, a rare genetic, metabolic disorder that, if unchecked, can lead to death.

After years of meeting the biomedical research standards in animal testing, Penn researchers were ready to test gene therapy for OTC deficiency in humans. Raper's experiment called for 18 adults to receive an infusion of the OTC gene. Jesse Gelsinger,

an 18-year-old with a form of OTC, arrived in Philadelphia from his native Tucson to volunteer. Touring the city and taking photographs that would later ring with poignancy, Jesse Gelsinger raised his arms in triumph, Rocky-style, on the steps of the Philadelphia Museum of Art.

On September 13, 1999, he became the youngest patient in a gene therapy clinical trial, and at age 18, he was old enough to give written consent to participate. (Gelsinger's father, who had custody of Jesse, publicly supported his son's decision.)

At 10:30 a.m., Steven Raper injected Jesse Gelsinger with the substance expected to bring healthy OTC gene to his liver. That night, Gelsinger became nauseous and registered a fever of 104.5 degrees, as had other patients in the trial. By morning, Gelsinger had developed jaundice, a potentially life-threatening sign of liver malfunction. Complications mounted and, just over 24 hours after his injection, Jesse Gelsinger was in a coma. Despite extraordinary measures by Raper and his colleagues, Gelsinger went into multiple-organ failure and brain death. With the decision to remove the ventilator that had been breathing for the young man, Gelsinger died on September 17.

At 2:30 p.m. Raper articulated the most difficult words in the physician's canon: He pronounced Jesse Gelsinger dead. At the same time, he made a promise: "Goodbye, Jesse," he said. "We'll figure this out." At a moving memorial service for Jesse Gelsinger in his native Arizona, Raper helped scatter his patient's ashes and read a poet's elegy.

Although the official cause of death was adult respiratory distress syndrome, Gelsinger was the first patient whose death was related directly to gene therapy. A hailstorm of criticism from the scientific community, the government and the public quickly surrounded Raper and his colleagues. And then Jesse Gelsinger's family filed a wrongful death suit against his doctors and Penn. The terms of the settlement, in 2000, were not released.

The experience deeply affected Steven Raper, a surgeon known by colleagues as sharp and compassionate, and he looked at his career through a new lens. In those dark days after Gelsinger's death, Raper spent countless hours with Penn attorneys. "I gained a more intimate knowledge of lawyers and what they do," he says. "I found them to be an incredibly bright group of people. Most doctors see lawyers in an adversarial role. The experience showed me the law profession in a new light."



Raper is particularly interested in informed consent, a legal contract between the physician and the patient. The physician is required to share with the patient all relevant facts, risks, and alternatives of surgery and other invasive tests or treatments. Questions about the accuracy of the informed consent between Penn physicians and Jesse Gelsing were a significant part of the wrongful death suit. Looking ahead, Raper sees informed consent as part of a legal curriculum that he hopes to introduce to medical education.

Bridging his surgical career at Penn Med with a legal education at Penn Law makes good sense to this physician, who fell in love with surgery as an operating room orderly in high school. Having performed operations for 35 years, Raper sought to entwine the physical and mental demands of surgery with the intellectual rigor of a legal education. He needed only to look across Penn's campus. Drawn to Penn Law by the excellence in reputation, rankings and geographical proximity to Penn Med, Raper finds himself enthralled. He puts it in physician's terms: "Medicine is the treatment of physical ills. Law is the treatment of moral ills."

Looking back three decades to medical school in the 1970s, he recalls his education as "a single-person exercise," he says. He is intrigued by the collaborative nature of contemporary legal education. Being quizzed by a senior physician as a freshly minted intern keeps new doctors on their toes. But that's a bit of a cakewalk compared to being on the spot in the heat of a Socratic smackdown. "In medicine, there is a right answer you're trying to get at," explains Raper. "In the law, the professor can always turn the answer around. The issue isn't you versus biology, but you versus human-made legislation."

Yet the surgeon remains steady. "If I want to make changes in the way medicine is taught and practiced, I need to understand law and policy," says Raper. (It

also means using his skilled surgeon's fingers to learn to keyboard class notes, 21st century-style, rather than write them longhand.)

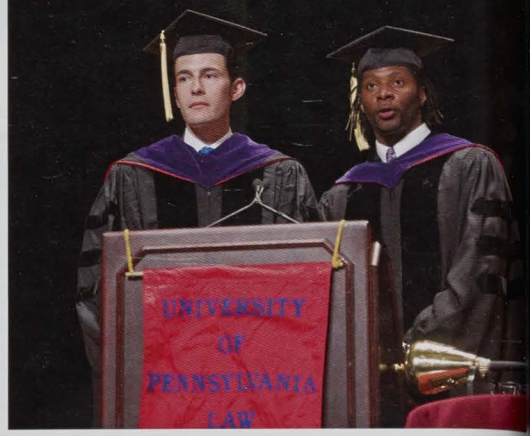
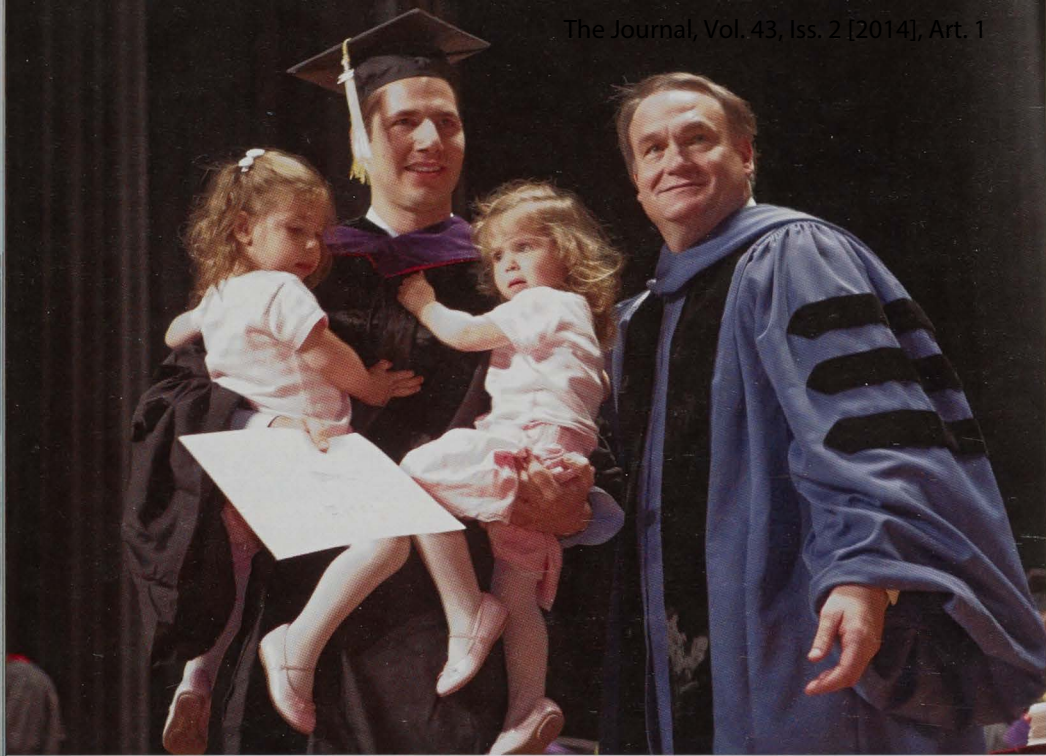
With confidence and reflection that come from years of life experience, Raper has already ticked off his roster criminal law, civil procedure, property, torts and contracts, and he expects to fulfill his electives with courses reflecting his cross-disciplinary interests. On tap for the spring are constitutional criminal procedure and an independent study project on Sixth Amendment issues, an interest arising from an appellate brief assignment in his legal writing class. He has become something of a Supreme Court devotee, tuning in to CNN and downloading decisions.

While the American Bar Association does not track the number of physician-lawyers in the U.S., in 2002, the American Medical Association estimated up to 6,000 MD/JDs in the country. With 12 schools on one campus, Penn sets a standard for such interdisciplinary opportunities, and enables students like Steven Raper to take his study of the smallest common denominator of our existence — genes — and expand it outward with the potential to intellectually engage and change our society. **PLJ**

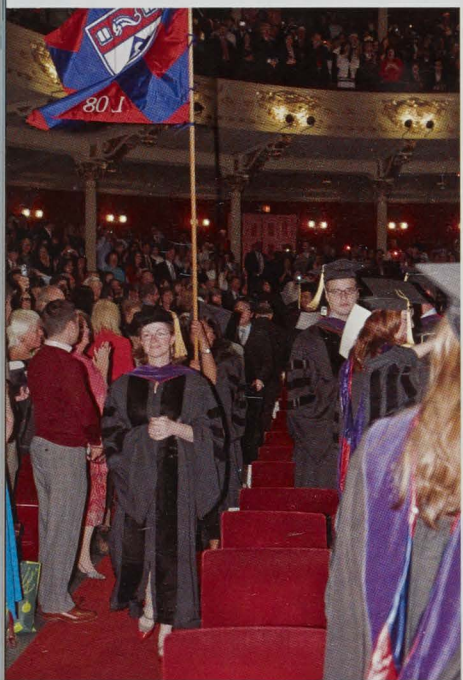
AWARD-WINNING JOURNALIST JENNIFER BALDINO BONETT WAS DIRECTOR OF EXTERNAL AFFAIRS FOR FORMER PENN PRESIDENT JUDITH RODIN. SHE IS NOW A FREELANCE WRITER AND EDITOR SPECIALIZING IN HIGHER EDUCATION.

**"In medicine, there is a right answer you're trying to get at," explains Raper. "In the law, the professor can always turn the answer around. The issue isn't you versus biology, but you versus human-made legislation."**

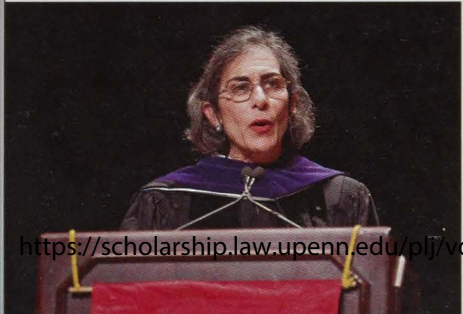




# GRADUATION



**HONORS:**  
Summa Cum Laude: 3  
Magna Cum Laude: 13  
Cum Laude: 55  
Order of the Coif: 25

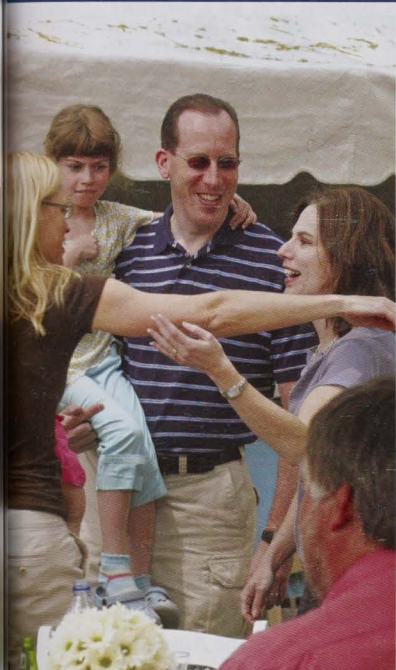






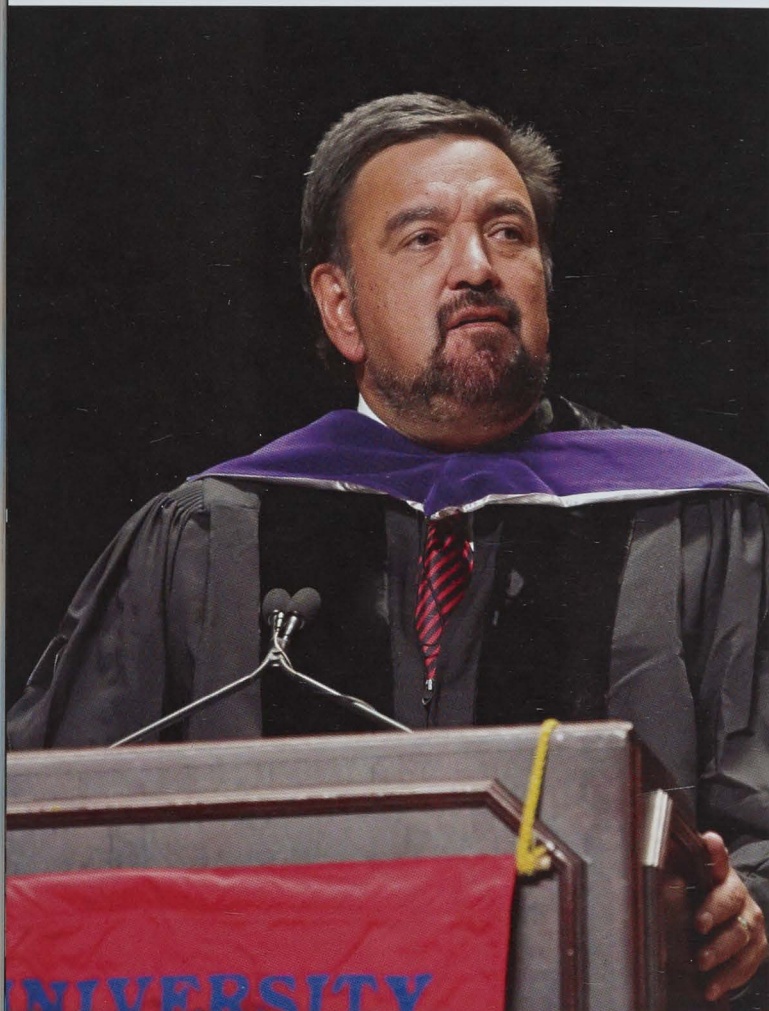
# REUNION

Reunion weekend. A time to see old friends and catch up on their lives; take in the sights of the city; hear the dean describe the state of the law school; and eat, drink, and be merry. Eleven classes – from 1953 to 2003 – returned on a balmy weekend in May to reminisce and celebrate. In the bargain, they sampled the tastes of South Philly, visited the National Constitution Center, attended the Frida Kahlo exhibit at the Philadelphia Museum of Art and saw the exquisite art collection at the Barnes Foundation. A good time was had by all.





## GRADUATION :: REUNION



At commencement, Gov. Bill Richardson (D-NM) tells graduates to go forth in the world with passion, reason, and courage.

### Gov. Richardson Exhorts Graduates to Serve the Public Good

**COMMENCEMENT SPEAKER** Gov. Bill Richardson (D-NM) drew on the wisdom of his hero, Robert F. Kennedy, and exhorted the 352 graduates to resist apathy and confront problems with passion, reason and courage.

In the May ceremony — which included 92 master's recipients and four Ph.D's — Richardson said graduates from the law school with the strongest commitment to public service in the country are in a good position to serve the community and the world.

Richardson told students to take inspiration from their professors and work on issues such as immigration prison over-

**“Every generation has its calling,” said Richardson. “And while there are as many callings as there are graduates in this room, I would just ask that you find a way to serve others. Because our nation, and our world, needs your help.”**

crowding. The governor, who earned a reputation as a global troubleshooter during his years in Congress and as a member of the Clinton administration, also encouraged graduates to use reason in the search for dialogue. “Talking to people is no guarantee of success, but refusing to talk to them is usually a precursor to failure,” said Richardson.

He also extolled the virtues of courage, which he said is needed to protect people in countries such as Myanmar and Darfur, whose governments have failed to do so. “Every generation has its calling,” said Richardson. “And while there are as many callings as there are graduates in this room, I would just ask that you find a “Every generation has its calling,” said Richardson. “And while there are as many callings as there are graduates in this room, I would just ask that you find a way to serve others. Because our nation, and our world, needs your help.” way to serve others. Because our nation, and our world, needs your help.”

Richardson left out one attribute that applies to the Class of 2008: distinction. As Dean Michael A. Fitts noted, the American Bar Association accreditation committee wrote, in its glowing report on Penn Law School, that the high quality of the student body stood out.

Along with earning an A+ from the ABA, graduates also set a new record for the class gift campaign, with 63 percent of the class donating more than \$68,000. Ten thousand dollars will be dedicated to the Summer Jackson Healy Memorial fund, which supports graduates' public interest work. The remainder will be used to build a student activity and meeting room.

Professor Amy Wax earned a distinction of her own: Students voted for her to receive the Harvey Levin Memorial Award for Teaching Excellence. To which she replied, with characteristic humor: “From you I expect great things. Above all, I expect that you will go forth and never ever use the word like.”





Panelists warn of domino effect in housing crisis. Penn Law dean Michael A. Fitts is pictured on the far left. The speakers are (left to right): Nick Demmo, L'96, who represented JP Morgan in its purchase of Bear Stearns; David Aufhauser, L'77, general counsel at UBS Investment Bank; Pam Johnson, L'83, former senior vice president at Fannie Mae; and Jay Clayton, L'93, a partner at Sullivan & Cromwell.

## Classes Without Quizzes

### Tracing the Roots of the Subprime Lending Crisis

**DURING A REUNION WEEKEND** panel discussion last May, a group of financial experts painted a grim picture of the cascading housing crisis and what it portends for the economy.

Pam Johnson, L'83, former senior vice president for Fannie Mae, said the high number of housing foreclosures created an inventory of four million unsold homes, which will further depress home prices. The total credit losses could reach \$400 billion.

Jay Clayton, L'93, a partner at Sullivan & Cromwell, said losses will extend beyond the residential housing market, rattling corporate real estate markets as well.

Johnson traced the roots of the crisis to lenders easy access to capital, securities “too complex to manage,” and risky loans to borrowers with low incomes. Rising home prices camouflaged the problem, she said, because homeowners believed they could refinance unfavorable loans at a later date. As prices peaked in 2006, then began to decline, refinancing became difficult, and loans started to default.

Low credit standards, Clayton said, led to the emergence of an “asset bubble” from 2005 to 2007. That, combined with new financing techniques — packaging loans and selling them off — blew up the bubble, and spread the risk outside of the traditional housing finance markets, he said. In addition, investors hedged the

risk posed by subprime-based securities by buying insurance. The problem, Clayton said, was that insurance was oversold: \$40 trillion were insured by \$600 trillion, which basically amounted to “trading one risk for another risk.”

David Aufhauser, L'77, general counsel at UBS Investment Bank, blamed the crisis on investors who made decisions based on bad information. Investors put their faith in a system which evaluates market risk through mathematical models. It turns out the assessments were inaccurate — they distorted the real risks involved — and left the market with less credit. And this spawned foreclosures, making losers of lenders, borrowers and the community, said Aufhauser.

One of the biggest losers was Bear Stearns. Nick Demmo, L'96, a partner at Wachtell

Lipton Rosen & Katz, who represented JP Morgan in its purchase of Bear Stearns, defended government intervention in preventing the investment house from going under.

He said the collapse of the company would have flooded the market with securities, and depressed values. This, in turn, would have affected other markets, such as municipal bonds, student loans and pension funds.

The “government would have been irresponsible if it had not taken action,” said Demmo. Clayton, who represented Bear Stearns, agreed with Demmo’s view.

## In Old Days, it Was Easier to Get into Law School But Harder to Get Out

**ROBERT G. HESS, L'48**, came home after World War II and pondered what to do with his life. Should he join the FBI or go to law school? One Friday he visited Penn Law. By Monday he was attending.

Here’s what happened.

Hess asked a woman in the administrative office what he had to do to get in. She told him to just show up for classes after the weekend. No application required. LSATs? Didn’t exist yet.

Hess recalled his easy path to law school, unthinkable today, at the inaugural Senior Partners luncheon, held at the start of



## REUNION



Dean Michael A. Fitts places special Penn Law pin on lapel of Burt Levy, C'33, L'36, at inaugural Senior Partners luncheon. Levy received the honor by being the oldest alumnus in attendance. Everyone at the luncheon received a pin.

Reunion weekend in May. Nearly 60 people attended the gathering, which was for alumni at least 50 years out of law school. There were 13 members from Hess' class.

"We were known as the 'bastard class' because we were the first class after the war," said Hess, a member of General Patton's army unit that waded ashore at Utah Beach five days after D-Day.

In the old days, the law school was not only easier to get into but easier to get around. One only had to navigate the current-day Silverman Hall. Burt Levy, C'33, L'36, said the school's administrative offices and two big classrooms were on the lower floor; upstairs were several smaller classrooms and the library. That was it.

"You ran across the professors in the hallway," Levy said. "You knew everybody."

Also unlike today, getting into law school did not mean you'd get out. Everyone graduates now, but Levy said of the couple hundred in his entering class, only 90 graduated. Levy graduated during the Great Depression. And so the Law School, he said, reserved diplomas for those with the best job prospects.

Until more recent times, those prospects were dim for women. Today, half the class are women. But Elizabeth "Libby" Carson, L'53, entered law school with only four other women, one of whom dropped out. "I didn't feel any phobia about it," said Carson, who earned a degree but chose to raise a family and serve the community through her work in nonprofits and philanthropy.

As now, the faculty was excellent. Merv Wilf, L'55, who was an adjunct professor at Penn Law for a number of years, said, "The best course I ever had was a seminar with Lou (Schwartz). I use Lou now, not then."

He said Schwartz had a charming way of pressing for answers without pressuring you, and he had a knack for disguising cases so students would not recognize them.

Hess said his favorite professor was Edwin Keedy, who was dean from 1941 to 1945. "He was sarcastic ... He just tickled my funny bone."

But law school was no joke. "In college I never studied but in law school, I found I had to study."

— LARRY TEITELBAUM



On the Friday night of Reunion weekend, the Law School presented its annual LAS awards to four worthy recipients. Pictured left to right are Doug Frenkel, W'68, L'72, Distinguished Service Award; Yvonne Mokgoro, GL'90, James Wilson Award; Osagie Imasogie, GL'85, Alumni Award of Merit; and Jennifer Pokempner, L'00, Young Alumni Award. Standing next to them are LAS president James Golden, L'80, and Penn Law dean Michael A. Fitts.





## FACULTY NEWS AND PUBLICATIONS

### FACULTY NEWS FLASH

Online auditions for leading legal minds:  
Criminal law meets “American Idol”

## Robinson Leads Effort to Reshape Presentation of Legal Scholarship

**MORE THAN 100** leading scholars are selecting and debating the fundamental questions of modern criminal law not at professional conferences or on cable-TV news, but directly with one another via the web.

It is a law professor’s version of “American Idol.” Receive enough votes and you can defend your ideas against criticism from the judges (other law professors); too few votes, and you get kicked off the stage.

But instead of a new recording contract, the result will be a definitive book from Oxford University Press and a radically new approach to legal scholarship.

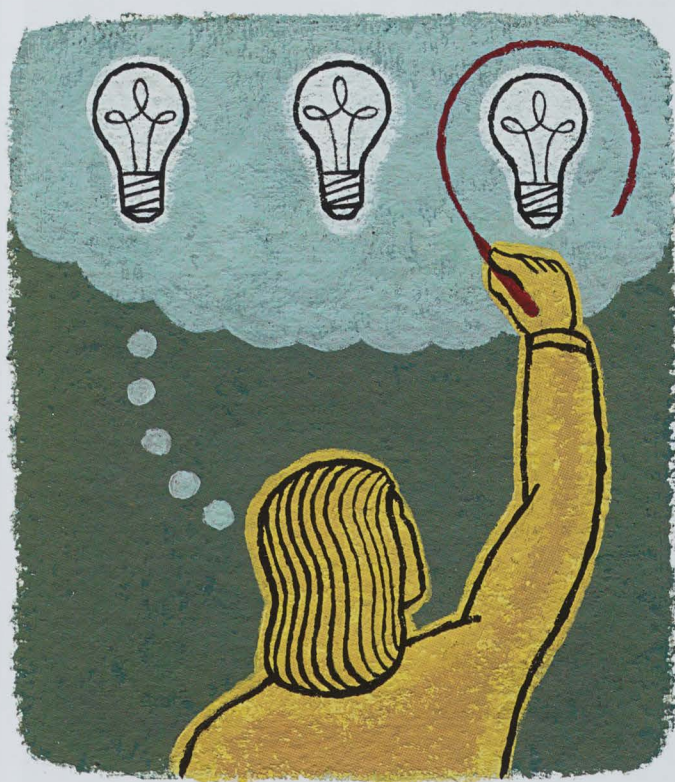
“Too often opposing advocates talk past each other,” says Paul H. Robinson, the lead editor of *Criminal Law Conversations* and the Colin S. Diver Professor at Penn Law School. “You could say that this brings peer-review to legal scholarship, but it’s more like peer-in-your-face.”

Almost all legal scholarship occurs in one of four ways: thoroughly researched and extensively documented papers are vetted by student editors at law reviews and journals; they are presented at student- or faculty-organized conferences that offer little if any time for give-and-take among presenters; they become chapters in books that can take as long as four years to produce; or they become books from a single author.

Here comes a fifth, more interactive, way. Robinson and co-editors Kimberly Ferzan, professor and associate dean at the

Rutgers School of Law — Camden, and Stephen Garvey, professor at Cornell University Law School, are guiding professors in a 10-month online effort that will result in publication of a book by Oxford University Press.

To date, 120 scholars have joined in the project, which was the subject of a lead story in *The Chronicle of Higher Education* last June. They are nominating several dozen scholarly works for discussion, based on the relevancy and compelling nature of the pieces. The author of a nominated work will produce a 4,000-word “core text” that summarizes his or her thesis, to which four to 10 scholars will then write 800-word criticisms, the length of a typical newspaper op-ed. The original author will



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THE FACULTY WERE IN THE MEDIA MORE THAN 400 TIMES FROM APRIL THROUGH EARLY AUGUST 2008. THE FOLLOWING IS A SAMPLING.

**PRINT**



**STEPHEN MORSE**, *Washington Post*, March 2, "Experts Study Neuroscience Use in Courts"

**CHRISTOPHER YOO**, *Congressional Quarterly*, March 11, "Net Neutrality and Free Speech"

**TOBIAS WOLFF**, *Philadelphia Inquirer*, March 31, "Phila's gay Democrats emerge as a voting force"

**JACQUES DELISLE**, *Christian Science Monitor*, April 9, "Olympic Torch rallying China's critics"

**STEPHANOS BIBAS**, *Los Angeles Times*, April 12, "Jury to Decide Fate of Child Killer"

**SALLY GORDON**, *Washington Post*, April 27, "An Unusual Prosecution of a Way of Life"

**REGINA AUSTIN**, *The Wall Street Journal*, April 30, "The Wright Side of the Brain"

**KERMIT ROOSEVELT**, *Chicago Tribune*, June 29, "Roberts' record on high court defies '05 pledges of centrism"

**ANITA ALLEN**, *The Oprah Magazine*, July 1, "Now What Do I Do?"

**BROADCAST**

**MICHAEL KNOLL**, *CNN Money*, Sept. 6, 2007, "Managers' taxes: Big concerns could table hike."

**WILLIAM BURKE-WHITE**, *National Public Radio: Radio Times*, Sept. 18, 2007, Interview about international relations.

**ANITA ALLEN**, *BBC*, Nov. 28, 2007 "Unraveling race relations in the US."

reply to the critiques, with these "conversations" making up the published book.

All nominations, critiques and responses are managed through the Criminal Law Conversations website at Penn Law. [[www.law.upenn.edu/phr/conversations/status/](http://www.law.upenn.edu/phr/conversations/status/)] Any full-time law professor anywhere in the world can join the website, nominate their own work or the work of others, and volunteer to comment on works that have been nominated.

Any visitor to the site can monitor the nominations, the essays and the responses. Leading topics under consideration include whether it can be proper for African-American jurors to acquit black defendants for racial reasons, whether the insanity and entrapment defenses should be abolished, and whether it's ever appropriate to jail a blameless person in order to prevent a crime.

"We are looking for well written, accessible arguments about enduring ideas that will have an audience beyond criminal law scholars and will remain interesting to readers for a decade to come," said Rutgers-Camden's Ferzan.

"We are doing this in light-speed for our business," added Cornell's Garvey. "Scholars already are excited by the give-and-take, and the papers and critiques will make these issues more accessible to students and others."

Nominations that do not generate sufficient interest from other scholars on the Web site are dropped to inactive status. This has ruffled the feathers of some legal scholars who prefer the more traditional approach.

"Some professors who publish regularly in law reviews and appear at conferences may see tepid interest in commenting on their work from other scholars," said Penn Law's Robinson. "This project is an ultimate marketplace of ideas. We can't make people comment on arguments that they don't find engaging."

The flip side, and what will make the project successful, is that scholars whose works do generate interest find it hard to say "no" to writing a summary of their argument when many colleagues are volunteering to, well, take them on.

"It's human nature to be flattered when others think your thoughts are important, even if they disagree with you," Robinson said. "This effort is going to shape the future of legal scholarship."

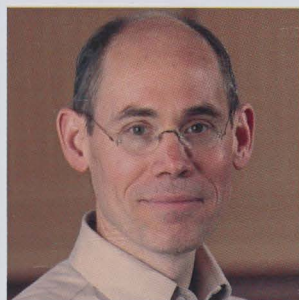
Oxford University Press is considering applying this model to other areas of the law and other fields of scholarship, he added.



## New Faculty Strengthen Cross-Disciplinary Program

**PENN LAW** has strengthened its leading role in cross-disciplinary legal education by adding to its teaching ranks scholars in economics, history, psychology and law.

### Professors of Law



**TOM BAKER**, one of the nation's preeminent scholars in insurance law, comes from the University of Connecticut School of Law. In his research, Baker explores insurance, risk, and responsibility in a wide variety of settings, using methods and perspectives drawn from

economics, sociology, and history, as well as law. His work on moral hazard — whether and when it makes sense to insulate people or institutions from the consequences of bad decisions — has been described as “profound.” His most recent project examines the relationship between directors’ and officer’s liability insurance, corporate governance, and securities litigation. Before becoming a law professor, Baker clerked for Judge Juan Torruella of the U.S. Court of Appeals for the First Circuit, practiced with Covington & Burling in Washington, D.C., and served as an associate counsel for the Independent Counsel investigating the Iran-Contra affair.



**JILL FISCH**, a nationally known business law scholar, held the T.J. Maloney Chair in Business Law and served as the founding director of the Fordham Corporate Law Center. Her work focuses on the intersection of business and law, including the role of regulation

and litigation in addressing limitations in the disciplinary power of the capital markets. Her articles have appeared in a variety of leading law reviews including the *Harvard Law Review*, the *Yale Law Journal*, the *Columbia Law Review* and the *Cornell Law Review*. Prior to entering academia, Fisch worked for the U.S. Department of Justice Criminal Division and practiced law with Clearly, Gottlieb, Steen and Hamilton in New York.



**JONATHAN KLICK** is an up-and-coming star in empirical law and economics. His scholarship focuses on identifying causal effects of laws and regulations on individual behavior using cutting-edge econometric tools. Subjects of inquiry include the health behaviors

of diabetics, the effect of police on crime, addiction as rational choice and how liability exposure affects the labor market for physicians. His work has been published in numerous peer-reviewed economics journals. He comes to the Law School from Florida State University. Klick served as a research fellow for the U.S. Department of Defense, the Council of Economic Advisors and the Bureau of Economic Analysis.

### Assistant Professor of Law, Business, and Public Policy



**DAVID ABRAMS** is an empirical economist whose work brings to bear modern econometric techniques on a variety of topics in law and economics. Recent research includes investigations into attorney performance, judicial bail setting, the deterrent effect

of incarceration, and the impact of race in criminal sentencing. Abrams comes from the University of Chicago, where he was the Olin Fellow in Law and Economics and Lecturer in Law. He received the 2007 Coase Prize for outstanding paper in Law and Economics.

### Clinical Supervisor and Lecturer

**YOLANDA VAZQUEZ** comes from Villanova University Law School, where she was a Reuschlein Clinical Teaching Fellow in the Farmworker Legal Aid Clinic. Her research focuses on the intersection of immigration and criminal law in the criminal court system. Following law school, Vazquez practiced in the area of criminal law as a public defender for the Cook County Public Defender’s Office in Chicago and the Public Defender Service for the District of Columbia.



## FACULTY NEWS AND PUBLICATIONS

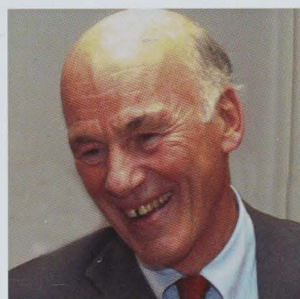
### Wax Receives Harvey Levin Award



**PROFESSOR AMY WAX** won this year's Harvey Levin Memorial Award for Teaching Excellence. The graduating class selects the winner every year. Wax is the Robert Mundheim Professor of Law. Among the courses she teaches are Civil Procedure,

Social Welfare Law & Policy, Law and Economics of Work and Family. Wax's work addresses issues in social welfare law and policy as well as the relationship of the family, the workplace, and labor markets. She brings to bear on her subjects her training in biomedical sciences and appellate practice as well as an interest in economic analysis. Students lauded Wax for her clarity, interesting interpretation of the material, and broad knowledge. Wax joined the Penn Law faculty in 2001.

### Mundheim to Chair ABA Ethics Committee



**FORMER PENN LAW DEAN** Robert H. Mundheim has been appointed chair of the American Bar Association's Standing Committee on Ethics and Professional Responsibility. The committee plays a central role in defining the professional responsibilities

of lawyers in the United States.

Mundheim is of counsel to Shearman & Sterling.

Rohan S. Weerasinghe, a senior partner at Shearman, said Mundheim was the "perfect choice for the role."

"Along with his considerable talents as a counselor, Bob has been actively involved in professional ethics as a teacher and a writer and serves as a member of the firm's Conflicts and Ethics Committee," said Weerasinghe.

Mundheim was dean of Penn Law School from 1982 to 1989. During his tenure, Mundheim helped develop the Center on Professionalism at the Law School and initiated an innovative intensive two-week course for teaching professional responsibility issues to first-year students. He also led the effort to establish the first mandatory public service program at a major law school.

Mundheim has been honored with the prestigious Francis Rawle Award from the ALI-ABA Committee on Continuing Professional Education.

### Philadelphia Human Rights Commission Taps Austin and Chang-Muy



Regina Austin

**MAYOR MICHAEL NUTTER** has appointed two Penn Law faculty members, Regina Austin and Fernando Chang-Muy, to the Philadelphia Commission on Human Relations. The commission was created in 1951 to mediate community disputes and enforce civil rights laws.

Regina Austin, the William A. Schnader Professor of Law, is a leading authority on economic discrimination and minority legal feminism. Her work on the overlapping burdens of race, gender and class oppression is widely recognized for its insight and creativity.

Fernando Chang-Muy, the Thomas A. O'Boyle Lecturer in Law, is an immigration and AIDS policy expert. He teaches Refugee Law and Policy. He brings more than two decades of experience in human rights work, including service with the Office of the UN High Commissioner for Refugees and the World Health Organization. He also was founding director of the Liberty Center for Survivors of Torture and co-chair of the Philadelphia Bar Association's International Human Rights Committee.



## Bulletin Board

### An Update on Faculty Activities

Professor of Law and Philosophy **William Ewald** has received a Templeton Foundation grant for a project on the role of conceptions of the infinite in nineteenth and twentieth century foundations of mathematical logic.

Professor of Law **Eric Feldman** is contributing a chapter to a book titled *Fault Lines: Tort Law as Cultural Practice* (Michael McCann & David Engel, eds.) (Stanford University Press, 2009). Feldman's subject is *Suing Doctors in Japan: Structure, Culture, & The Rise of Malpractice Litigation*.

Professor of Law and Philosophy **Claire Finkelstein** spent the spring semester as a fellow at the American Academy of Berlin, where she completed a draft of her book, *Hobbesian Legal Theory*.

Practice Professor of Law **Douglas Frenkel's** multimedia book, *The Practice of Mediation: A Video-Integrated Text*, was released in July (Aspen Law and Business). Co-authored by James H. Stark, the book's theory and analysis are integrated with three DVD case studies. It is the first law school text to use this interactive form of instruction.

**Sarah Barringer Gordon**, the Arlin M. Adams Professor of Constitutional Law and Professor of History, is working on a book about religion and litigation in the twentieth century. The book will be published by Harvard University Press.

Professor of Law **Kristin Madison** is working on an empirical project tracking the diffusion of health care quality reporting regulations across the United States.

**Stephen Perry**, the John J. O'Brien Professor of Law & Professor of Philosophy and director of the Institute for Law and Philosophy, delivered a plenary address last July at the Biennial Conference on the Law of Obligations. The conference was held in Singapore. Perry spoke on the topic of "The Role of Duty of Care in a Rights-Based Theory of Tort Law."

Professor of Law **Wendell Pritchett** has a new book, *Robert Clifton Weaver and the American City: The Life and Times of an Urban Reformer* (University of Chicago Press). He examines the life of the first African-American cabinet secretary and the first head of the Department of Housing and Urban Development.

Colin S. Diver Professor of Law **Paul Robinson** has been hired as the consultant to the Irish government to codify Irish criminal law.

Professor of Law **Catherine Struve** is at work on a new edition of Volume 16A of the Federal Practice and Procedure treatise. The volume is slated for publication in early 2009.

Professor of Law **R. Polk Wagner** published a book titled *Patent Law: Concepts and Insights* (Foundation Press). The co-author is Craig Nard.

Assistant Professor of Law **William Burke-White** will spend the 2009 spring semester as a visiting scholar in Germany studying the rise of Russia and China and their impact on the international legal system. He will split time between the Max Planck Institute for Public International Law and the Hertie School of Governance. The project is funded by the Alexander von Humboldt Foundation, a nonprofit organization established by the Federal Republic of Germany for the promotion of international research.

Professor of Law **Tobias Wolff** is contributing a piece called *The Solomon Amendment Litigation and Other Consequences of Dale to The Boy Scouts, Gay Rights, and the Freedom to Associate* (with Andrew Koppelman) (Yale University Press, forthcoming)

Professor of Law and Communication **Christopher S. Yoo** published a book in July titled *The Unitary Executive: Presidential Power from Washington to Bush*, co-authored with Steven G. Calabresi (Yale University Press). Last April, Yoo organized a major conference on "The Breakup of AT&T: A Twenty-Five Year Retrospective," which brought together leading scholars on telecommunications and antitrust law including keynote speaker Judge Richard Posner of the U.S. Court of Appeals for the Seventh Circuit.





## BOLD AMBITIONS

The ferment of ideas. The application of critical thinking. Penn Law is in the forefront of cross-disciplinary legal education. Here we see issues from many angles, and integrate knowledge from disparate fields. No one does that better than the Institute for Law and Economics, which gathers experts who bring new thinking to an array of subjects.

The ILE is a model, one that Penn Law wants to clone through the Bold Ambitions campaign. We aim to establish new institutes. Think Law and Health Sciences, Law and the Constitution, and Law and the Global Community. These will reinforce Penn Law's reputation as a place of intellectual vigor and academic scholarship.

### Institute for Law and Economics Plumbs 'Central Nervous System' of Finance and Government

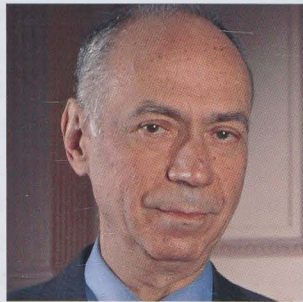
BY MARK EYERLY

**HOW IS THE UPHEAVAL** in credit markets affecting private equity deals? Should regulations regarding corporate governance be revised? Just how do controversial deals come together?

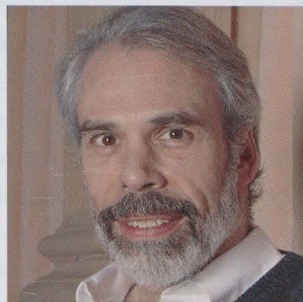
"The answers to these questions affect where we work, what's happening to our retirement funds," says Edward B. Rock, L'83, Penn Law professor and co-director of the Institute for Law and Economics at the University of Pennsylvania. "We bring together judges, regulators, investment bankers, dealmakers, private equity leaders, hedge fund managers, lawyers, and academics for closed-door conversations about issues at the cutting edge of law and business.

"Our participants work in the central nervous system of finance and government, and their decisions are not a matter of millions of dollars, but trillions of dollars," he adds. "Like poker, once money rests on the outcome, things become really interesting."





Michael L. Wachter, ILE co-director and the William B. Johnson Professor of Law and Economics



Edward B. Rock, L'83, Penn Law professor and co-director of the Institute for Law and Economics

Founded in 1980 as a general center for law and economics, ILE now devotes most of its biannual off-the-record roundtables to corporate finance or corporate law. About 50 people — invitation only, please — attend each program. “Our Board and sponsors are our program,” says Michael L. Wachter, ILE co-director and the William B. Johnson Professor of Law and Economics at Penn Law School. “By assembling leading figures in law and business and building our programs around their expertise, we have created a unique forum for discussing critical issues.”

“I don’t know if there’s any other forum like it, anywhere,” says Robert L. Friedman, L’67, senior managing director and chief legal officer at The Blackstone Group, and ILE chair from 2001 to 2007. “Busy M&A lawyers and investment bankers don’t ride Amtrak to Philadelphia just for the heck of it; they need to get some value out of it, and they keep coming back.”

The morning typically is devoted to presentations of academic research; the afternoon, a panel showcasing practitioners. The robust and confidential discussions mean that people can say what they think without worrying about how it might look in *The Wall Street Journal*.

“It’s remarkable how ILE has grown from something local into a national leader,” says Delaware Supreme Court Justice Jack B. Jacobs. He describes ILE as “a resource helpful to us, not for a specific case but in terms of our ability to think through and be educated on developing areas.”

“When leading financial experts tell you the world is ‘X’ and the law presumes that the world is ‘Y,’ that’s a good argument for changing the law,” says ILE co-director Rock, who also is the Saul A. Fox Distinguished Professor of Business Law. “What we do is simple but it can get complicated.”

ILE’s Board of Advisors includes top executives and lawyers from companies such as Goldman, Sachs & Co., Lehman Broth-

## “It’s remarkable how ILE has grown from something local into a national leader,” says Delaware Supreme Court Justice Jack B. Jacobs.

ers, KKR, DuPont, Unisys Corp., and General Electric Co., as well as many major law firms. Its new chairmen are Joseph Frumkin, L’85, a leading M&A partner at Sullivan & Cromwell, and Charles “Casey” Cogut, L’73, global head of the M&A Practice Group at Simpson Thacher & Bartlett LLP.

The Institute is a joint research center of the Law School, Wharton, and the Department of Economics in the School of Arts and Sciences.

“Penn is uniquely qualified to bring together this kind of program,” says Wachter. “Who else has on one campus some of the world’s best law, finance and business scholars?”

The ILE leadership team gets even stronger this fall with the addition of a third co-director, Professor Jill E. Fisch, who is joining the Law School faculty from the Fordham Corporate Law Center.

In addition to the roundtables, ILE maintains an active program calendar. Chancery Court programs are a component of a Penn Law course on corporate law and finance co-taught by Leo E. Strine, Jr., L’89, vice chancellor of the Delaware Chancery Court, and Wachter. Deal Day taps the expertise of ILE’s board to examine complex transactions in-depth, and two public lecture series — Law and Entrepreneurship and Distinguished Jurist — present lawyers who have led noteworthy careers as corporate executives and entrepreneurs, or as members of the judiciary. ILE also co-sponsors an annual two-day academic conference on Law and Finance, in conjunction with Wharton and New York University.

ILE is supported by a diverse group of corporations, law firms, foundations, and individuals who are excited about the topics they explore and the people they meet under the auspices of the Institute.

“For me as an academic, the ILE programs are essential,” Rock says. “I couldn’t produce the scholarship I do without having access to these people.”

For more details, visit ILE’s website at [www.law.upenn.edu/academics/institutes/ile/](http://www.law.upenn.edu/academics/institutes/ile/).

MARK EYERLY IS ASSOCIATE DEAN FOR COMMUNICATIONS AT PENN LAW SCHOOL.





Charles A. Heimbold, Jr., L'60

## Heimbold Chair in International Law

**WHILE IN LAW SCHOOL**, Charles A. Heimbold, Jr., L'60, spent one summer at The Hague Academy of International Law. For that, he can thank a professor who encouraged him to apply.

He also remembers a class on comparative law that he took with a visiting professor from Paris. This professor discussed the differences between French and U.S. law. Heimbold found the class quite stimulating, and much different from his other classes.

All these years later, Heimbold wants current students to benefit from the study of international law in the way that he did. With that in mind, Charles Heimbold and his wife Monika have made a major gift to establish the Heimbold Chair in International Law.

Heimbold explained that “a law school of Penn’s caliber should have such a chair.” He said it is particularly important, given the school’s focus on international law, the growing number of international students at the school, and the global interests of the faculty.

The study of international law, he said, is even more important today, when there are more legal issues associated with international treaties and organizations. He also said that maintaining peace depends on the enforcement of international law.

Heimbold speaks from experience. From 2001 to 2004, he served as U.S. ambassador to Sweden (his wife, whom he met at The Hague, is from Sweden). His service started three days after the terrorist attacks on America.

Before his diplomatic assignment, Heimbold was chairman and CEO of Bristol-Myers Squibb Co, deputy chairman of the Board of Directors of the Federal Reserve Bank of New York and a member of the Board of Directors of ExxonMobil Corp. An emeritus member of Penn Law’s Board of Overseers, he was chairman for much of the 1990s.

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**ALAN L. BELLER, L'76**, made a significant gift to establish the Alan L. Beller Term Scholarship Fund and to support the Law Annual Giving Fund. Beller, a partner at Cleary, Gottlieb, Steen and Hamilton, specializes in securities, corporate governance and corporate matters. He has also served as director of the Division of Corporation Finance of the U.S. Securities and Exchange Commission, and is a member of the Board of Overseers for Penn Law.

**STANLEY J. BERNSTEIN, L'68**, has made a generous gift to support the Stanley J. Bernstein Loan Assistance Fund. The fund will provide loans or grants each year to one or more graduating students or young alumni who are eligible for participation in the loan assistance program known as TollRAP. TollRAP supports people who wish to pursue public-service jobs by helping to relieve their debt. Bernstein is Chairman and CEO of the Biltrite Corp., a manufacturer of thermoplastic and elastomeric products founded by his family in 1908.



**PATRICIA MARIA MENENDEZ-CAMBO, L'89**, made a generous gift to establish the Miami Regional Endowed Scholarship Fund, which will provide financial support to students from the Miami, Fla. area. The National Law Journal named Menendez-Cambo, chair of Greenberg Traurig's Global Practice Group, as one of the 50 most influential women lawyers in 2007. She is a member of the Penn Law Board of Overseers.

**GILBERT F. CASELLAS, L'77**, made a significant contribution in support of the Latino Project Scholarship Fund, which was established in 1986. Casellas is vice president of Corporate Responsibility for Dell, Inc., where he oversees the company's global diversity, sustainability and corporate philanthropy functions. Previously he was chairman of the U.S. Equal Employment Opportunity Commission, general counsel of the U.S. Department of the Air Force, and co-chairman of the U.S. Census Monitoring Board. He is a member Penn's Board of Trustees.

**NATALIE WEXLER, L'83**, and **JAMES A. FELDMAN, C'72**, have made a significant gift in honor of the late Myer "Mike" Feldman, W'35, L'38. The gift will be used to create the Myer "Mike" Feldman Endowed Scholarship Fund. In addition to providing financial support to Penn Law students, the gift will support the Myer "Mike" Feldman Endowed Teaching Fund, which will enable Penn Law faculty to teach in the arts and sciences. Myer "Mike" Feldman served in a number of prominent government positions during his career, including deputy special counsel to President John F. Kennedy and counsel to President Lyndon B. Johnson. He was special counsel and executive assistant to the chairman of the Securities and Exchange Commission and counsel to the Senate's Banking and Currency Committee. Feldman was also counsel to the joint Senate Foreign Relations Committee and Armed Services Committee to investigate the firing of General MacArthur by President Truman. Additionally, Feldman had been involved with the Special Olympics since its inception in 1960, serving as a board member and chair of the executive committee. In 1965, Mr. Feldman became a founding partner of the Washington, D.C. law firm of Ginsburg & Feldman, which later became Ginsburg, Feldman and Bress. In honor of his mother, he established the Rebecca Feldman Scholarship Fund in 2004. He received the Alumni Award of Merit in 2005.

**ROBERT L. FRIEDMAN, L'67**, has made a major gift to establish the Institute for Law and Economics Scholars Program. The program will award at least one need-based scholarship to

a student enrolled in the JD/MBA program. Friedman is senior managing director and chief legal officer of The Blackstone Group L.P. He served as chair of the Board of Advisors for ILE from 2001 to 2007.

**BERNARD J. KORMAN, W'52, L'55**, made a substantial gift to establish the Bernard J. Korman Endowed Scholarship Fund. Korman is chairman of the board at Omega Healthcare Investors, Inc.

**SETH P. PLATTUS, L'86**, and **LINDA M. PLATTUS, W'85**, have made a significant gift to establish the Seth and Linda Plattus Endowed Graduate Scholarship. The scholarships will provide financial support to law students based on merit or financial need. Mr. Plattus is senior managing director, chief administrative officer, and co-general counsel at Cerberus Capital Management, L.P. He is also a director and member of the Compensation Committee at Teleglobe International Holdings Ltd. He has served twice as chair of the Reunion Committee for the Class of 1986.

**MORRIS M. SHUSTER, ESQ., W'51, L'54**, and **LORNA T. SHUSTER** have made a major gift to create the Shuster Practice Professorship. Mr. Shuster serves as of counsel at Chimicles & Tikellis LLP and teaches Trial Advocacy at Penn Law. He is also a member of the advisory committee for the Public Service Program at Penn Law.

**DAVID M. SILK, L'88**, has made a generous gift to establish the David M. Silk Scholarship Fund. The fund will award scholarships to law students based on merit and financial need. Mr. Silk is a partner at Wachtell, Lipton, Rosen & Katz, where he focuses on mergers and acquisitions, and other corporate matters. He has lectured frequently on transnational topics and has served as an adjunct faculty member at Penn Law, teaching a course on mergers and acquisitions.



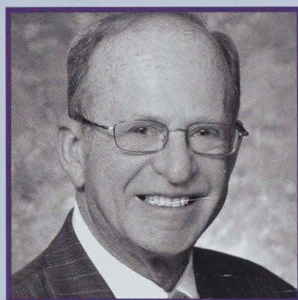
# ALUMNI BRIEFS

## 1950s

**PAUL E. BOMZE, L'59**, has been appointed managing partner emeritus at Kleinbard, Bell & Brecker LLP. He will continue to practice full-time, specializing in estates, employee benefits and tax matters. Paul has been with the firm for 43 years.

**LOUIS M. TARASI, JR., L'59**, president and founding member of Pittsburgh-based law firm Tarasi & Tarasi, P.C., was selected by LawDragon as an outstanding "Plaintiff Lawyer of America." There are only 3,000 lawyers selected each year nationwide. Louis is also a life member of the Million Dollar Advocates Forum and was recently certified as a member of the Multi-Million Dollar Advocates Forum, the most prestigious group of trial lawyers in the U.S. Fewer than one percent of U.S. lawyers are recognized by this organization.

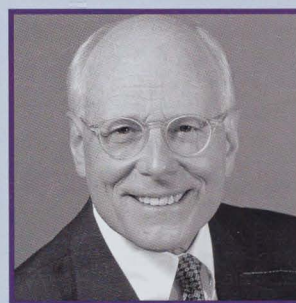
## 1960s



**H. ROBERT FIEBACH, W'61, L'64**, recently lectured on the "Tripartite Relationship between Lawyer and Insured" for the 2008 Legal Malpractice and Risk Conference. A member of Cozen O'Connor's Philadelphia office, Robert concentrates on business litigation. He also serves on the board of directors for the Defender Association of Philadelphia and the Public Interest Law Center of Philadelphia.

**BRUCE ONORATO, L'64**, traveled to Phnom Penh, Cambodia, where he was a keynote speaker on petroleum legislation at an UNDP-sponsored conference on "Fueling Poverty Reduction with Oil and Gas Revenues."

A retired legal adviser on energy for the World Bank, Bruce continues to consult on occasion and teaches an international petroleum legal-training course twice a year in London.



**PAUL C. HEINTZ, L'65**, was named a "Super Lawyer" by *Pennsylvania Super Lawyers* magazine. A partner with Obermayer Rebmann Maxwell & Hippel LLP, Paul has more than 30 years of experience in estate planning, estate and trust administration, Orphans' Court litigation, and fiduciary and tax law.

**NORMAN PEARLSTINE, L'67**, was appointed chief content officer, a newly created position, at Bloomberg, LP. Norm will be responsible for locating growth opportunities for the company's news service and television, radio, magazine and

online products. Prior to joining Bloomberg, Norman was a senior adviser at Carlyle Group, one of the world's largest private-equity firms with more than \$81.1 billion under management. Norman also served as editor in chief at *Time* magazine and as managing editor at *The Wall Street Journal*.

**DENNIS R. SUPLEE, L'67**, is president-elect of the International Academy of Trial Lawyers. He was elected by the board of directors. The Academy promotes reforms in the law, improves the administration of justice and elevates the standards of integrity, honor and courtesy in the legal profession. Dennis served as chairman of Schnader Harrison Segal & Lewis LLP from 1992 to 1998.

**JAMES REDEKER, L'68**, was named one of the "50 Most Powerful Employment Attorneys" in the nation in the March 2 issue of *Human Resources Executive*. A member of the executive committee at WolfBlock LLP, James is also chair of the firm's Employment Services Practice Group.



# 1970s

**RALPH B. LEVY, L'70,** received the American Jewish Committee's 2008 Judge Learned Hand Award, the highest honor bestowed by the AJC on members of the legal profession. A partner at King & Spalding, Ralph focuses his practice on alternate dispute resolution assignments. Additionally, Ralph has served on the board and executive committee of the AJC, as well as the Jewish Federation of Greater Atlanta and other local Jewish agencies.



**ROBERT I. WHITELAW, L'70,** a managing partner at Obermayer Rebmann Maxwell & Hippel LLP, was named a "Super Lawyer" by *Pennsylvania Super Lawyers* magazine. He has been selected to the list for five consecutive years. Robert has been co-chair of the firm's Litigation Department since 1983. He focuses his practice on marriage and family law, and is a fellow with the American Academy of Matrimonial Lawyers.

**JOEL N. JACOBSON, C'68, L'71,** was re-elected chair of the Chatham Township, N.J. planning board in March. Joel is a shareholder with Norris, McLaughlin & Marcus, PA, and specializes in financial institutions law.

**MARK POLLAK, L'71, GCP'72,** was recognized as a leading real estate attorney in the 2008 edition of *Chambers USA, America's Leading Lawyers for Business*. A partner at Ballard Spahr Andrews & Ingersoll, LLP, Mark focuses on the public financing of complex real estate projects and sports stadiums.



**LAURENCE Z. SHIEKMAN, W'68, L'71,** was named co-chair of Pepper Hamilton LLP's Litigation and Dispute Resolution Department. Larry concentrates on antitrust, intellectual property, securities and general commercial matters. Active in firm leadership, he chairs Pepper Hamilton's Finance Committee and is a past member of the firm's executive committee and a past chairman of the firm's Commercial Litigation Practice Group. He is also a lecturer at Penn Law.

**ROBERT C. HELM, W'64, L'72,** was elected chairman of the Free Library of Philadelphia's board of trustees. He is chair of the Litigation Department at Dechert L.L.P.

**PETER B. KRAUSER, L'72,** was appointed chief judge of the Maryland Court of Special Appeals by Gov. Martin O'Malley in December 2007. Peter has been a member of the Court of Special Appeals since 2000. Before his appointment to the bench, Peter served as an appellate attorney with the Criminal Division of the U.S. Department of Justice, and as an attorney in private practice.

**SHERRIE R. SAVETT, L'73,** chair of Berger & Montague's Securities Litigation department, was one of 25 Women of the Year honored by *The Legal Intelligencer and Pennsylvania Law Weekly* in their annual Women in the Profession supplement. The publication cited her role in securing a \$65 million settlement for Philadelphia's Pensions and Retirement Board over alleged stock option backdating with KLA-Tencor Corp., and a \$93 million judgment against CIGNA for not disclosing significant problems in an overhaul of its computer systems, which caused a 45-percent drop in the stock price when the news went public.

**TONY CHING, L'75,** joined as of counsel to the Environmental Practice Group at

Dykema. Tony focuses on litigation and regulatory work related to major environmental legislation. He is a former Los Angeles County public commissioner and treasurer of the State Bar Litigation Section.

**JEFFREY COOPER, L'75,** was appointed vice president for Government and Community Affairs at Penn. As vice president, Jeffrey will direct the University's relations with the state, local and federal governments as well as non-governmental groups at the community and national levels. Most recently, Jeffrey served as chief counsel for the Pennsylvania State System of Higher Education and executive deputy general in Gov. Rendell's administration.



**JEFFREY B. ROTWITT, C'72, L'75, WG'75,** was named a "Super Lawyer" by *Pennsylvania Super Lawyers* magazine. Jeff, a partner at Obermayer Rebmann Maxwell & Hippel LLP, has been practicing corporate and real estate law for more than 30 years. He has been an adjunct professor at Penn Law, teaching a course in entrepreneurship.



## ALUMNI BRIEFS

**SANDRA STROKOFF, L'75**, wrote and published the second edition of the Legislative *Drafter's Desk Reference* in 2007. The book is a comprehensive text on legislative and regulatory drafting and analysis. Sandra works in the Office of the Legislative Counsel at the U.S. House of Representatives. As senior counsel, she is responsible for drafting legislation on issues involving intellectual property, international trade, international relations, lobbying, ethics, and matters affecting the jurisdiction and administration of federal courts.

**SHERYL L. AUERBACH, L'76**, was selected as a "Super Lawyer" in the 2008 *Corporate Counsel* Edition. Sheryl is of counsel to Dilworth Paxson's Litigation Department. She focuses her practice upon complex and unique litigation including healthcare issues, real estate transactions, banking litigation and other commercial matters. She has an extensive background with respect to Pennsylvania State court practice and has represented the Barnes Foundation and the School District of Philadelphia in precedent-setting litigation.

**JOHN B. KEARNEY, L'76**, a partner in the Litigation Department at Ballard Spahr Andrews & Ingersoll, LLP has assumed a position as adjunct professor at Rutgers University School of Law. In the spring, John taught Pre-Trial Advocacy.



John is a member of Ballard's Product Liability and Mass Tort Group, Environmental Group, Insurance Group and Business Litigation Group. His practice focuses on complex civil litigation with a special emphasis on products liability, toxic tort, environmental and commercial litigation as well as alternative dispute resolution, including arbitration and mediation. In July, John was named chair of the New Jersey State Bar Association's Product Liability and Toxic Tort Section.

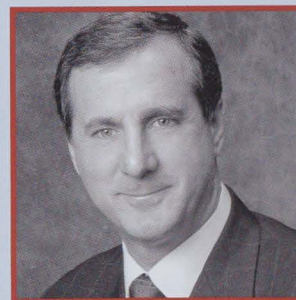
**GALEN D. KIRKLAND, L'76**, was confirmed as New York State's Commissioner of the Division of Human Rights. He had served as assistant attorney general at the Civil Rights Bureau of the state Office of the Attorney General (OAG). Galen came to OAG after serving as executive director of Advocates for Children of New York, where he oversaw educational advocacy programs.

**JAMES SANDMAN, L'76**, has been named by Legal Times one of "The 90 Greatest Washington Lawyers of the Last 30 Years." He received the commendation for his work as managing partner of Arnold

& Porter, as president of the District of Columbia Bar, and as general counsel of the District of Columbia Public Schools.

**BARRY D. KLEBAN, L'77**, was ranked the top attorney in Pennsylvania for Bankruptcy and Restructuring in the Chambers & Partners 2008 USA Rankings guide. Barry is a member in the Business Division of Eckert Seamans Cherin and Mellott, LLC, in Philadelphia.

**HELENE WHITE, L'78**, was nominated for the 6th Circuit Court of Appeals. Helene has been a judge on the Michigan Court of Appeals since 1993. She has spent virtually her entire career in the judiciary, moving up from the Common Pleas Court in Detroit to the Wayne County Circuit Court to the state court of appeals.



**LAWRENCE COHAN, L'79**, a shareholder of Anapol Schwartz, was named a Pennsylvania Super Lawyer in the 2008 edition of *Pennsylvania Super Lawyers*. Lawrence chairs the firm's Toxic Tort Litigation Department and serves as managing partner and senior trial counsel for the Cherry Hill, N.J. office. Specializing in toxic

torts and medical malpractice, Lawrence has forged new law in both the trial and appellate court levels in Pennsylvania, New Jersey and Washington, D.C. Lawrence has also lobbied on behalf of children injured by lead poisoning with the Pennsylvania Legislature.

**PATRICIA IGOE, L'79**, a partner at Nixon Peabody LLP, was recognized as a leading lawyer by the 2008 edition of *Chambers USA: America's Leading Lawyers for Business*. Patricia primarily practices in the areas of commercial lending, business, and real estate, with a concentration in representing lenders in precious metal consignment and other financing of the jewelry and electronic industries, precious metals refineries, and other commercial uses of precious metals.

**MARCIA WEXBERG, L'79**, of Calfee, Halter and Griswold has been named Distinguished Estate Planner of the Year for 2008 by the Estate Planning Council of Cleveland. As a partner, member of the executive committee and chair of Calfee's Estate and Succession Planning Group, Marcia's experience includes corporate control transfers, lifetime and charitable gift planning, post-mortem tax plans and probate court litigation.



# 1980s

**KENNETH GELBURD, L'80**, organized and moderated a panel titled "Environmental Ethics and Post-Kyoto Action" at Tulane Law School's annual Environmental Conference on Environmental Conference on Law, Science and the Public Interest. Ken is Assistant Southeast Regional Counsel of the Pennsylvania Department of Environmental Protection.

**MATTHEW DINEEN, L'81**, recently joined White and Williams LLP as counsel in the firm's New York office. He has practiced in the areas of insurance coverage, mass torts, and intellectual property for 25 years.

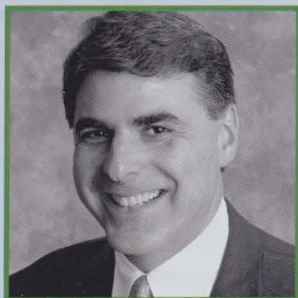


**KEVIN COLE, L'83**, was one of eight new honorees welcomed onto the Athens (Penna.) Area School District Wall of Honor. The Wall recognizes Athens High School alumni who have forged unique paths to success. A member of the Athens Class of 1975, Cole was named dean of the San Diego School of Law in 2006.

**JOHN W. CAFFRY, L'84**, was recently appointed to the board of directors of the Legal Aid Society of Northeastern New York. He has also been appointed co-chair of the Committee on Adirondacks, Catskills, Forest Preserve and Natural Resource Management of the Environmental Law Section of the New York State Bar Association. John practices environmental and land use law at Caffry & Flower, in Glen Falls, N.Y.



**RAFAEL L. PEREZ, L'84**, was named office managing partner of Cozen O'Connor's Newark and Trenton, N.J. offices. Perez is chair of the firm's diversity committee and a co-head of the Public and Project Finance Group. He also serves as chair of the board of trustees of New Jersey City University.



**HENRY S. HOBERMAN, C'82, L'85**, has been appointed executive vice president and general counsel of RHI Enter-

tainment in New York. Previously he was senior vice president of ABC, Inc., having been with The Walt Disney Company/ABC, Inc., for 10 years.

**JONATHAN A. SEGAL, C'82, L'85**, was named co-chair of the Employment Services Practice Group at WolfBlock LLP. Jonathan is also managing principal of the WolfInstitute, the training and educational arm of the Employment Services Group, and serves on the firm's executive committee. He concentrates his practice in preventive counseling, training and policy development for some of the nation's largest employers. He also represents employers before government agencies such as the Equal Employment Opportunity Commission and the Department of Labor.

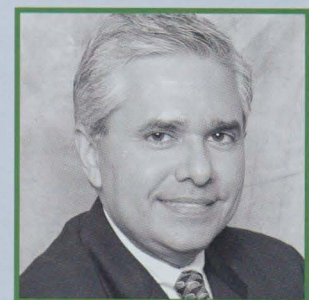
**LAWRENCE A. SPECTOR, W'80, WG'81, L'84**, a noted venture capital and corporate attorney, has joined Lowenstein Sandler's Tech Group in New York. Prior to joining Lowenstein Sandler, Lawrence was a partner in Fulbright & Jaworski's N.Y. office. Lawrence represents private and public companies, venture capital and private equity funds and other investors.

**JOHN ROTHCHILD, L'86**, was appointed associate dean of Wayne State University Law School. John joined the Wayne Law faculty in 2001. He teaches courses in electronic commerce law, copyright law, international intellectual property law, consti-

tutional law, ancient Greek and Roman law, and privacy law. He also co-authored "Internet Commerce," a law school casebook, which has been adopted by numerous law schools.

**RICHARD L. GABRIEL, L'87**, was appointed a judge to the Colorado Court of Appeals. Richard had been a partner at Holme Roberts & Owen LLP in Denver since 1994. He chaired the Intellectual Property Practice Group and also served as Knowledge Management partner. In 2007, *Law Week Colorado* named him Intellectual Property Lawyer of the Year.

**FERRIER R. STILLMAN, L'87**, was named one of Maryland's Top 100 Women in 2008. Ferrier, a partner at Tydings & Rosenberg LLP, serves as co-chair of the Family Law Department and the Health Care Industry Group. She was instrumental in spearheading the first reform of the Maryland regulations on assisted living facilities, which became the blueprint for legislation.



**OSVALDO F. TORRES, L'87**, was named a partner in the Miami office of Adorno & Yoss, the nation's largest certified minority-owned law firm. Osvaldo has



## ALUMNI BRIEFS

more than 20 years of experience in corporate, commercial and entertainment law. Most recently, Torres was principal owner with Weston Law Associates.

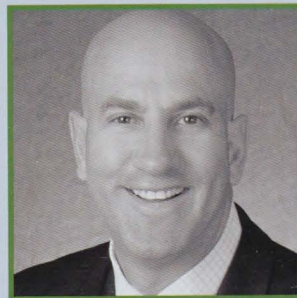
**ABBE F. FLETMAN, L'88**, a shareholder at Flaster Greenberg PC, was selected one of "25 Women of the Year" by the editors of *The Legal Intelligencer* and *Pennsylvania Law Weekly*. Abbe was recognized for her leadership in advancing the status of women in the profession and for her work successfully trying numerous cases in 2007. Representative cases include defending the generic sugar-substitute manufacturers Heartland Sweeteners against Splenda marketer McNeil Pharmaceuticals before the 3rd U.S. Circuit Court of Appeals and leading the plaintiff's trial team in a Title IX case in which the court preliminarily enjoined Slippery Rock University from eliminating two women's varsity athletics teams.

**CRAIG F. TURET, L'88**, was appointed to the board of the Southeastern Pennsylvania division of the March of Dimes. Craig has been a member with Spector Gadon & Rosen since 2004. As a member of the Commercial, Real Estate and Products Liability Litigation practice areas, Craig handles a broad range of business-related litigation, including business torts, financial institution litigation, real estate litigation and complex contractual disputes.

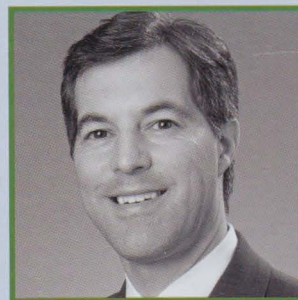
**JILL R. WHITELAW, C'85, L'88**, joined the Investment Management Group at Montgomery, McCracken, Walker & Rhoads, LLP, as of counsel. Jill provides legal advice to registered investment advisers, investment companies, hedge funds, private equity funds, broker-dealers and other service providers. Most recently, Jill was a director with Merrill Lynch & Co. She brings to Montgomery extensive legal and financial experience gained from a number of positions at New York Life Investment Management LLC, PNC Financial Services Group, and Ballard Spahr Andrews & Ingersoll.



**BERNARD J. KELLEY, L'89**, has been recognized for excellence in the Corporate/M&A: Alternative Entities category in the 2008 edition of *Chambers USA - America's Leading Lawyers for Business*. He is a director at Richards, Layton & Finger in Wilmington, Del. A member of the Business Department, his practice focuses on a wide variety of transactional matters involving alternative entities such as Delaware limited liability companies, limited partnerships, general partnerships and statutory trusts.



**HOWARD S. KROOKS, L'89**, was included in the *Super Lawyers South Florida* 2008 Edition. A partner at Elder Law Associates PA, Howard works to protect the rights of the state's most vulnerable citizens. He is a member of the Joint Public Policy Task Force of the Florida Bar Association and the Academy of Florida Elder Law Attorneys. Howard also serves as of counsel to Littman Krooks LLP in New York.



**CHARLES S. MARION, C'86, W'86, L'89**, was elected vice president and president-elect of the board of directors of Delaware Valley Habit for Humanity. He will start his term as president on July 1, 2009. Charles, a partner at Pepper Hamilton LLP, focuses on complex commercial litigation, products liability, intellectual property litigation and franchise litigation.



**J. DENNY SHUPE, L'89**, has been appointed to serve on the board of trustees for the USS New Jersey, which is berthed along the Camden waterfront. Among the most notable warships in the Navy's history, it has been awarded 19 battle or campaign stars, more than any other surviving U.S. battleship. Denny is chair of the Litigation Department at Schnader Harrison Segal & Lewis LLP, where he focuses on aviation law, as well as commercial and product liability. Denny was a command pilot for 23 years in the active and reserve forces of the U.S. Air Force.



**MATTHEW B. APFEL, L'90**, launched WeMix, a social-networking site for aspiring musicians and music fans, with



## Q+A

# Hamilton Urges Lawmakers to Remove Statute of Limitations in Child Sexual Abuse Cases



### DESPITE MEASURES

like sex offender registries and pedophile-free zones, child abuse remains a pervasive problem in America: twenty percent of boys and twenty-five percent of girls are victims of sexual abuse, with only ten percent reporting the incidents to authorities.

Marci Hamilton, L'88, says the social costs of abuse are enormous. Victims pay through drug and alcohol addiction, mental illness, troubled personal relationships and suicide. The costs are not borne by the victims alone, they also extend to families, communities and ultimately the economy. For example, Hamilton says the cost of sexual violence in Minnesota in 2005 reached nearly \$8 billion.

In her new book, *Justice Denied: What America Must Do to Protect Its Children*, Hamilton proposes a zero-cost solution: eliminating the statute of limitations for child abuse cases. In most states, survivors have seven to ten years after they turn 18 to bring perpetrators to court. The short time frame effectively shuts them out of courtrooms, since studies show that most survivors do not come forward until they are well into their forties. Removing the statute would allow victims to go to court when they are ready, resulting in more convictions, fewer victims, and consequently lower costs in the long-term, says Hamilton, a professor at Benjamin N. Cardozo School of Law at Yeshiva University.

A mother of two teenagers and a leading constitutional law scholar, Hamilton has both a personal and professional interest in protecting children's rights. She has served as a first amendment and constitutional law advisor for victims in clergy abuse cases involving religious institutions such as the Portland Archdiocese, Spokane Diocese and the San Diego Diocese. Her first book, *God vs. the Gavel*, described the special protections religions receive from laws that normally protect children. Earlier in her career, Hamilton clerked for former Justice Sandra Day O'Connor.

Here Hamilton discusses the impacts of eliminating the statute of limitations and the coming civil rights movement for children.

**Q:** What has been the response of policy-makers to your solution?

**A:** The "window" legislation (which eliminates the statute of limitations retroactively for a set period of time) was passed in California in 2003 and Delaware in 2007. It is pending in New York, Pennsylvania, Washington D.C. and Wisconsin. States have also eliminated the statutes of limitations going forward, including Alaska, Delaware, and Maine. The book was an effort to make this a 50-state policy instead of one employed by select states.

**Q:** What can churches do to address and prevent abuse?

**A:** When there are allegations, they need to go to the authorities. Predators always have more than one victim. But one of the reasons I wrote the book was to shift the focus away from religion to other areas. Abuse in the family is the least identified and its victims the least vindicated.

**Q:** If the statute of limitations is eliminated, would it be possible to apply the procedure retroactively and reopen cases? What would be the impact of victims coming forward after all these years?

**A:** Courts in California and Delaware have held that it is constitutional to lift the statute of limitations retroactively so that victims can go to court even if the statute of limitations already expired. The biggest impact so far is that the California lawsuits identified 300 predators who had never before been identified.

**Q:** What would a children's rights movement entail beyond the statute of limitations?

**A:** Increasing protection for children. Currently there is a culture of adult preferential treatment. The benefit of the doubt is given to adults, including predators, at the expense of children's rights. There would be a shift in the balance of power. The Texas authorities' response to charges of child sex abuse within the Fundamental Church of Jesus Christ of Latter-Day Saints indicates that we're getting more serious about protecting children.

**Q:** What do you plan to do next?

**A:** I'm returning to my focus on the separation of church and state, by doing a study on former Justice Sandra Day O'Connor's jurisprudence on church and state with reference to the cases addressing public displays of nativity scenes. I'm focusing on Justice O'Connor because she has been a real advocate of separation, and reaffirmed the position that government may not endorse religion.

— AISHA MOHAMMED



## ALUMNI BRIEFS

co-founder Ludacris. Aspiring musicians are provided with an array of social-networking tools to promote themselves on and off the site. Each month, the artist with the most votes is given the opportunity to record a song with a star, in the hopes of securing a record deal. Matthew is a reality TV show producer and the former head writer of "Who Wants to Be a Millionaire."

**STEPHANIE S. ABRUTYN, L'91**, was selected among the 2008 Women to Watch by Jewish Women International. She was honored for her exceptional work in media law. Ten women receive the award every year. Stephanie is vice president and senior counsel at Home Box Office, Inc.

**TOM BARBER, L'92**, was appointed to the 13th Judicial Circuit Court by Florida Gov. Charlie Crist. Since 2004, Tom has served as a county court judge in the 13th Judicial Circuit. Tom previously practiced law with Carlton Fields from 2000 to 2004 and 1992 to 1997, with the State Attorney's Office from 1997 to 1999, and the Office of Statewide Prosecution from 1999 to 2000. He is an adjunct faculty member at the Stetson College of Law.

**JENNIFER BRANDT, L'94**, a family law attorney with Cozen O'Connor, appeared on *The O'Reilly Factor* to discuss the Paul McCartney-Heather Mills divorce. Brandt posited

the pros and cons of letting the judge make the final decision in the matter as opposed to the parties reaching an amicable agreement. Jennifer's practice focuses on family law litigation, and she also assists clients in adoptions and in family matters concerning incapacitated persons. Additionally, Jennifer serves as a family law expert on numerous media programs.

**JONATHAN FRIEDLAND, L'94**, joined Levenfeld Pearlstein LLC as head of the Restructuring & Insolvency Service Group. Jonathan had been a partner at Schiff Hardin LLP. He is co-authoring two books that will be published next year.

**DEAN KELLER, L'94**, was appointed executive vice president and chief financial officer of nuclear power firm Enxus Energy Corp. Dean comes to Enxus from Citigroup Global Markets, Inc., where he was managing director of investment banking and co-head of the North American Power Group.

**DEAN E. GRABELLE, L'95**, has been named general counsel of Aker Philadelphia Shipyard, a leading U.S. commercial shipyard that builds ocean-going merchant vessels. Prior to joining Aker, Dean was a member of the Corporate and Securities Group at Drinker Biddle & Reath in Philadelphia.

**ROBERT KHEDOURI, W'92, L'95**, completed the sale to SanDisk Corp. of Music-

Gremlin, Inc., a start-up company he founded in 2003 that develops advanced technology for digital content distribution. The acquisition was closed in early June. Following the closing, Robert joined SanDisk as vice president of services. Prior to founding MusicGremlin, Robert was a consultant at McKinsey & Company. Robert is living in New York City and would love to hear from classmates. He can be reached at [rkhedouri@musicgremlin.com](mailto:rkhedouri@musicgremlin.com).

**STEVEN J. PUDELL, L'95**, has been promoted to managing shareholder in the Newark, N.J. office of Anderson Kill & Olick, P.C. He practices in the area of insurance recovery.

**RUSSELL C. SILBERGLIED, L'95**, of Richards, Layton & Finger was named chair-elect of the Lex Mundi Insolvency, Bankruptcy and Restructuring Practice Group. His two-year term as chair will begin in October. Lex Mundi, an association of independent law firms, brings together more than 20,000 prominent lawyers practicing in 160 elite law firms around the world. A member of Richards, Layton's Restructuring and Bankruptcy Group, Russell divides his practice between bankruptcy litigation and bankruptcy reorganization work. He has served as first chair in high-stakes bankruptcy trials and has successfully represented numerous major entities in a variety of bankruptcy proceed-

ings. *Turnaround and Workouts* named Russell one of the nation's "Outstanding Young Restructuring Lawyers."

**JACK R. GARFINKLE, L'96**, a partner with Pepper Hamilton LLP, addressed the impact of state laws on limited liability companies at a continuing legal education seminar conducted by the National Business Institute. Jack concentrates his practice in mergers and acquisition, securities offerings, venture capital and general corporate representation.

**PREM MALALI, L'96**, joined the New York office of Nixon Peabody LLP as a project finance partner focused on the energy sector. Most recently, Prem practiced with Edwards Angell Palmer & Dodge LLP. For the past 12 years, he has focused on the development, construction, financing and transfer of energy assets and developed an extensive network comprised of project developers, lenders, financial institutions and equity investors.



**PETER J. BOBER, L'97**, was elected mayor of Hollywood, Fla. on January 29, 2008, defeating a 20-year incumbent. He is the youngest elected

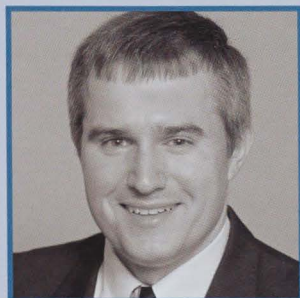


mayor in the city's history. Prior to being elected mayor, Peter, who practices employment law with Bober & Bober, P.A., served two four-year terms as a Hollywood City Commissioner.

**CLAUDIA JOHNSON, L'97**, has moved back to the East Coast and now lives in Connecticut. She joined Pro Bono Net in April as court collaboration circuit rider, a new position. She was most recently part of the management team at Bay Area Legal Aid in Oakland, where she implemented and managed the Legal Advice Line (LAL). Last June, Claudia reunited with her former supervisor Cathy Carr, L'79, executive director of Community Legal Services, to collaborate on a Legal Services Corp. review of the largest civil legal aid program in the United States. In March, Claudia participated in the Equal Justice Conference in Minnesota, which focused on Pro Bono, Innovation, Technology and new Delivery Service models. As part of the planning committee and chair of the Delivery Innovations Track, she oversaw 18 sessions. In July, Claudia presented on the topic of "legal hotlines" for the South East Project Directors meeting.

**SEBASTIAN SAL, GL'97**, has been named a partner at Sal & Morchio in Buenos Aires. He leads the Commercial and White Collar Crime departments.

**STEPHEN M. LUKES, JR., C'95, L'98**, was elected director at Richards, Layton

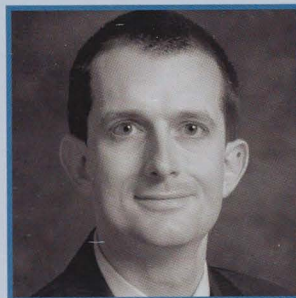


& Finger in Wilmington, Del. Lukes practices in the firm's Business Department and focuses on matters of Delaware law relating to Delaware limited liability companies and limited partnerships, in connection with structured financing, investment fund, private equity and joint venture transactions.



**SUSAN M. ROACH, L'98**, was named counsel in Drinker Biddle & Reath LLP's Philadelphia office. She focuses her practice on consumer class actions in federal and state courts, and is well-versed in the settlement rules under the Class Action Fairness Act of 2005.

**CLIFFORD H. RUPRECHT, L'98**, was elected to the American Law Institute. A partner at Pierce Atwood LLP, he focuses his practice on complex and general litigation in both the state and federal courts at the trial and appellate levels.



**MATTHEW M. MCDONALD, L'99**, was named a partner in Drinker Biddle & Reath LLP's Philadelphia office. Matthew represents public and private companies in securities offerings, mergers and acquisitions, PIPE transactions, divestitures and general corporate matters.

**MARC SEGAL, L'99**, was named a partner in Synnestvedt & Lechner LLP. A member of the firm since 2005, Marc focuses on intellectual property law, including patent prosecution, litigation and licensing. Marc also has technical expertise in the biological sciences. Prior to S&L, Marc worked as a litigation associate at Dechert LLP, where he was a member of the Intellectual Property Litigation Practice Group.



**BRET J. DANOW, L'00**, was elected partner at Katten Muchin Rosenman LLP. He concentrates his practice in intellectual property law.

**ANDREW MORTON, L'00**, began a new career as general

counsel and director of government relations for the D.C. office of Newdea, Inc., a Denver-based software company. Newdea specializes in software designed to support the management, measurement and reporting of charitable activities. Andrew spent the past eight years engaged with the nonprofit sector, first through various pro bono projects at Latham & Watkins and then as executive director of FilmAid International.

**CLINT L. NARVER, L'00**, has become an associate with the Portland litigation firm Markowitz, Herbold, Glade & Mehlhaf. His practice will focus on complex commercial litigation, with an emphasis on professional liability defense, securities law and white collar criminal defense. After serving as judicial law clerk to Judge Alfred T. Goodwin on the Ninth Circuit Court of Appeals, he spent five years with Williams & Connolly LLP in Washington, D.C. Clint has represented clients in regulatory proceedings before the SEC, FDIC and Office of the Comptroller of the Currency, and in Congressional investigations before committees of the U.S. Senate and House of Representatives.

**ERIC L. SCHERLING, L'01**, has been named a member of Cozen O'Connor. Eric joined the firm's Philadelphia office in 2003, and practices with the Bankruptcy, Insolvency & Restructuring Practice Group.



## ALUMNI BRIEFS

His practice focuses on both litigation and transactional aspects of commercial bankruptcy cases.

**VIJAY KAPOOR, L'02,** and **JONATHAN PYLE, L'02,** have formed a management and advisory services firm in Philadelphia called the Kapoor Company ([www.kapoorco.com](http://www.kapoorco.com)). The company specializes in management and workforce consulting. Prior to founding the company, Kapoor served three years with the Rendell administration in Harrisburg. Pyle worked for Montgomery, Cracken, Walker and Rhoads, LLP and Burke Pyle, LLC in Philadelphia.

**WENDY AKBAR KEMP, L'02,** joined Quarles & Brady LLP's Commercial Litigation Practice in Phoenix. Wendy specializes in intellectual property litigation and has represented major medical device manufacturers, leading pharmaceutical drug manufacturers and semiconductor technology companies in large commercial disputes.

**JANNIE K. LAU, L'02,** has joined InterDigital, Inc., a wireless technology company headquartered in King of Prussia, Penna., as associate general counsel. She serves as the company's chief securities lawyer. Prior to joining InterDigital, she was counsel at IKON Office Solutions, Inc., in Malvern, Penna.

**POORVI CHOTHANI, L'03,** has established LawQuest, a full service law firm in Mumbai, India.

She is president of the American Alumni Association and the editor-in-chief of *South Asia Business Law: Legal Views and News* (the latest initiative of the North American South Asian Bar Association, which provides a vital link between South Asian lawyers across North America).

**JOSHUA S. HORENSTEIN, L'03,** has joined Flaster/Greenberg, Attorneys at Law as an associate and member of the Business & Corporate, Taxation and Mergers & Acquisitions practice groups in the firm's Cherry Hill, N.J. office. He will concentrate in business transactions with special emphasis in mergers and acquisitions.

**WALDO MCMILLAN, L'04,** joined Bryan Cave Strategies LLC as vice president and counsel. Bryan Cave provides government relations and strategic counsel to corporations, trade associations and nonprofit organizations. Most recently, Waldo led the legal affairs and public policy efforts of One Economy Corporation, as it's first-ever vice president and general counsel. At One Economy, he authored a policy paper titled "A National Blueprint for Technology and the Public Good." He also served as counsel for business affairs and strategic outreach to Senate Majority Leader Harry Reid.



**KYLE A. ARMSTRONG, L'08,** has joined Brownstein Hyatt Farber Schreck as an associate in the firm's Albuquerque office. As a member of Brownstein's Corporate and Business Group, Kyle works in the areas of corporate finance, public finance and general business transactions. Before attending Penn Law, Kyle worked in the office of Sen. Jeff Bingaman (D-NM).

### Alumni Clubs: Beyond Meet and Greet

**A YEAR** into the effort to energize alumni outreach, Penn Law now boasts 10 alumni clubs, with three more in the offing. But the newest feature is something dubbed the "traveling classroom."

Under this initiative, faculty go on the road and give scholarly lectures to alumni. Some of the talks may qualify for CLE credits. Recently, Professor Stephen Burbank visited the South Florida Club to talk about judicial independence and accountability.

Terri Doud, L'97, senior staff attorney for Bacardi, U.S.A., praised the Burbank event. "So much of my practice today, for better or worse, is very business-oriented and even nuts and bolts from a legal perspective," she said. "It was a wonderful opportunity to engage in a higher intellectual playing field and consider issues that I do not necessarily encounter in my regular day."

This fall, there will be new clubs forming in Boston and Washington, D.C. and one for entrepreneurs, the latter signaling a new effort to organize clubs around specific interests.

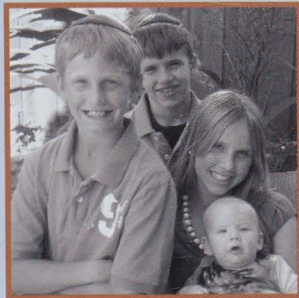
Following Burbank's lead, on Oct. 7 Professor Kermit Roosevelt will kick-off the Washington, D.C. club's inaugural event with a presentation titled, "The Future of the Supreme Court: How Nov. 4 Will Determine Its Direction."

On Nov. 11, the new Penn Law Entrepreneurship and Business Network will co-host a joint panel with the Wharton Entrepreneurship Network on legal and insurance issues in entrepreneurship.

There will also be alumni events this fall in Los Angeles, San Francisco, Wilmington, New York, and Hong Kong.

For more information about events or to establish a club in your area, please contact Nancy Rasmussen at [nrasmuss@law.upenn.edu](mailto:nrasmuss@law.upenn.edu).





**KEITH WASSERSTROM, W'89, L92,** and his wife **JESSICA, EAS'90, W'90,** had a baby boy, Ethan, on January 17. They met at Penn where they were cheerleading partners, and have three other children, Megan (13), Jonah (12) and Seth (8). Keith runs Agile Reporting, Inc., ([www.agilecreditreport.com](http://www.agilecreditreport.com)). He also consults and places medical labs in doctors' offices.

**CHARLOTTE LACROIX, L'97,** held her annual crayfish festival in White House, N.J., on June 14. Class of 1997 members Bob Daisey, Juan Martinez, Beth Miller Sasfai, and Claudia Johnson got together to enjoy the day outside. They had a

chance to meet each other's children and spent the day "pulling tails."

**DANIEL R. GARODNICK, L'00,** married Zoe L. Segal-Reichlin on May 11 at the Atlantica in Westhampton Beach, N.Y. Dan, a New York City Councilman, represents District 4 on the east side of Manhattan and is the chairman of the Land Use Subcommittee on Planning, Dispositions and Concessions. Zoe, an associate at the Manhattan law firm Cleary Gottlieb Steen & Hamilton, is also an adjunct professor at Georgetown University. She teaches negotiation.

**BRETT KING GROSSMAN, L'02,** and Marc Grossman are thrilled to announce the birth of their son, Kyle Ethan, on January 23. Brett, Marc and Kyle live in Port Washington, N.Y. Brett is an attorney at Wilkie Farr & Gallagher LLP specializing in residential real estate transactions



and Marc is a vice president and underwriting manager in the CIT Group's New York Commercial Services Department.

**STEPHANIE SARAH PREVOST, L'03,** married Brian James Kellogg on January 26. Stephanie and Brian live in Watertown, Mass., where Stephanie serves as vice president at Lehman Brothers/Capital Crossing in Boston and Brian is director of operations for Boston Beer Co., which makes Sam Adams.

**LINDSAY STIEBER, L'03,** married Lee Charles Milstein on January 12 at Capitale in New York. They live in San Diego, where Lindsay is the manager of

global recruiting at Latham Watkins LLP and Lee is an in-house lawyer for DivX, a new-media and technology company.

**ALISON B. FRANKLIN, L'06,** married **SHANE M. MILAM, L'06,** on May 11 at the Firestone Baars Chapel at Stephens College in Columbia, Mo. The couple lives in New York. Alison specializes in securities at Greenberg Traurig and Shane focuses on tax law at Dewey & LeBoeuf.

**MATTHEW S. BLANK, C'03, L'08, WG'08,** married **LINDSAY J. PIO, GED'07,** on May 3 at Congregation Rodef Shalom in Philadelphia. The couple will be living and working in New York, with Lindsay teaching at the Little Red School House and Elisabeth Irwin High School, and Matthew working in the real estate unit of Morgan Stanley. Matthew's father, Robert S. Blank, L'65, is a member of the Penn Law Board of Overseers and a trustee of Penn.

This is your chance to announce personal milestones. 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 [Iteitelb@law.upenn.edu](mailto:Iteitelb@law.upenn.edu) or to [alumnijournal@law.upenn.edu](mailto:alumnijournal@law.upenn.edu).





# IN MEMORIAM

**AUGUSTUS S. BALLARD, SR., C'44, L'48**, of Philadelphia died on February 9. Mr. Ballard practiced corporate law with Pepper Hamilton for 47 years, and served as chair of the firm from 1972 to 1984 and co-chair from 1984 to 1986. He retired as an active partner in 1989 and served as counsel through 1995. He was involved in a high-profile case in the 1940s, when he was co-counsel in the defense of Harry Gold, a Philadelphia chemist who passed secrets to convicted spies Julius and Ethel Rosenberg. Gold was sentenced to 30 years in prison, but Mr. Ballard continued to work tirelessly for his release, which he secured in 1966. He also served as president of the Mental Health Association of Southeastern Pennsylvania from 1964 to 1967. Mr. Ballard was an avid reader, lifelong sailor and a master bridge player. He is survived by his wife, Anne; four children, Augustus, Arthur, Wainwright and Peggy; and four grandsons, two granddaughters, and one great-granddaughter.

**JOHN BISHOP VI, L'36**, of Gladwyne, Pa., died on June 27. His son Robert said that although Mr. Bishop was an excellent lawyer, he was a dairy farmer at heart. Mr. Bishop practiced with Dechert LLP in Philadelphia from 1936 until his retirement in 1976. He led the fiduciary department for many years and once served as managing partner. As a farmer, he was one of the most respected herdsman of Jersey cows in the country. He lived at Ogston, the family's 1000-acre dairy farm in Burlington County where he learned dairy farming from his father. A director of the American Jersey Cattle Association from 1970 to 1978, he was named a master breeder by the association in 1979. The National Dairy Shrine honored him in 1987 as its distinguished cattle breeder. After retiring from law, he worked full time on the farm, which has been in the family since 1796. The herd and half of the farm were sold in his later years, as it became increasingly difficult to make a profit. Mr. Bishop was predeceased by his wife, Daisy; his son, John; and his sister, Alice. He is survived by four children, eleven grandchildren and nine great-grandchildren.

**RICHARD R. BLOCK, L'62**, of Philadelphia died on March 17. Mr. Block was a partner at Meltzer and Schiffrin and then with Beitch & Block, where he specialized in family law. In 1990, he left private practice to serve as the director of community relations for the District Attorney's Office. Quoted in the *Philadelphia Inquirer*, his son Jeffrey said that Mr. Block "was proud of his accomplishments as an assistant district attorney and for being appointed by Gov. Rendell to the Worker's Compensation Appeal Board." In addition, the governor appointed him the legal profession's representative on the Pennsylvania Commission on Child Support, and the chief justice of the Pennsylvania Supreme Court appointed Mr. Block to the Disciplinary Board Hearing Committee. He also served as an arbitrator in the state bar's Lawyer Dispute Resolution program. Along with his distinguished legal career, he enjoyed politics and ran for U.S. Congress and for Common Pleas Court Judge. Mr. Block then served as election-day chairman to re-elect Sen. Arlen Specter (R-PA) and was campaign chairman for Joan Specter in her successful re-election bid to Philadelphia City Council. Throughout his life, he was involved in many civic causes, including serving on the board of directors of Jewish Family Service and as a vice president of American Jewish Congress. Described as having a zest for life by family and friends, Mr. Block was an avid fan of the Philadelphia Phillies and horse racing. He was a fixture at the Bean on South Street, always drove a convertible, and remained a huge fan of cutting-edge live music. Mr. Block is survived by his son, Jeffrey; daughter-in-law, Kristin; and dearest friend, Rose.

**THE HONORABLE JAMES E. BUCKINGHAM, L'48**, of Brattleboro, Vt., died on May 13. Mr. Buckingham was a retired judge who had served on the York County (Penna.) Court of Common Pleas. He spent 35 years on the bench. Judge Buckingham served in the Army during World War II and Korea. After working as an attorney until 1961, Judge Buckingham was elected judge. One of his notable cases occurred in 1981 when the anti-war Berrigan brothers and the Plowshare Eight came before him for resentencing. Judge Buckingham dismissed their sentence after listening to the defendants convictions about the dangers of nuclear weapons. The judge was an avid



golfer, a humorous storyteller, and a devoted reader of Agatha Christie mysteries. Surviving include his wife of 66 years, Nancy; sister, Mary Buckingham Shoemaker of York, Penna.; daughters Lois Trezise of Northfield, Mass., and Jane Buckingham of Brattleboro, Vt.; grandchildren Tully Watson of San Diego, and Gavin Watso, Julian Trezise and Cara Trezise, all of Brattleboro.

**WILLIAM EASTBURN, L'59**, of Doylestown, Pa., died on March 7. A distinguished trial lawyer, Mr. Eastburn was also renowned for his humanitarian and philanthropic activities. His personal mantra, "Take a negative and turn it into a positive," was evident in all his endeavors. Mr. Eastburn's legal career began at Eastburn and Gray, where he established a pattern of delving into a new field, expanding the client base and mentoring younger attorneys to carry on the work. His concern for the well-being of others manifested at a young age; as a lifeguard at 25, he saved the lives of four people during a hurricane in 1958. Some years later, as the drug culture of the 1960s seeped into Bucks County, Mr. Eastburn witnessed drug addiction destroying the lives of youth in his hometown. He channeled his concern into the creation of a rehabilitation program for teens in 1970, which evolved into TODAY, a program which has helped more than 20,000 youth to date. Later in the 1990s, while attending a Catholic ceremony in Rome, Mr. Eastburn met a Native American bishop who told him that 17 Navajo men had perished the previous winter because of a lack of blankets. Moved by the tragedy, Mr. Eastburn and his wife founded Americans for Native Americans, which works to improve the quality of life for Native Americans. Another organization was created in the aftermath of a personal tragedy. The mentally unstable daughter of a colleague shot Mr. Eastburn in the parking lot of his Doylestown office, narrowly missing his heart. After recovering, Mr. Eastburn founded Voice of Reason, an organization committed to reducing gun violence. He also served as chairman on two Bucks County violence prevention commissions. Distressed by the devastation wrought by Hurricane Katrina, Mr. Eastburn founded the Bucks-Mont Katrina Relief fund, a coalition of agencies who have raised and invested more than two million dollars to rebuild two severely damaged towns in Mississippi. He envisioned the project as a model for healthy and vibrant communities across the states to come together and rebuild hurting communities. At Penn Law, Mr. Eastburn chaired the five year reunion committee twice. Mr. Eastburn is survived by his wife, Connie; daughters, Page, Holly and Brooke; sons, William and Christopher; his mother, Nancy; a sister, Gail; and 12 grandchildren.

**STANLEY E. GEVER, W'47, L'49**, of Philadelphia, Pa., died on February 2. Mr. Gever practiced civil and criminal law for more than 50 years, until his retirement in 2006. He was also an arbitrator for the American Arbitration Association and Philadelphia Common Pleas

Court. He was the deputy sheriff for Philadelphia from 1972 to 1976. During World War II, he served in U.S. Naval Intelligence, including at Pearl Harbor.

**M. STUART GOLDIN, C'43, L'49, PAR'76**, of Philadelphia, Pa., and San Diego, Ca., died on March 26. His colleagues at Cozen O'Connor described him as a formidable advocate in the courtroom. Mr. Goldin, a World War II veteran, fought in the Battle of the Bulge. After earning his J.D., Mr. Goldin went into practice with his father, with whom he wrote numerous articles on the law, including a foundational textbook, *Law of Insurance in Pennsylvania*. Mr. Goldin was then a partner with Isenberg, Goldin and Blumberg in Philadelphia, until the firm merged with Cozen O'Connor in 1984. In 1987, Mr. Goldin headed west with a Cozen O'Connor partner to open the firm's San Diego office. Upon retiring 12 years later, Mr. Goldin took up a former passion, the flute, which he had studied as a teenager with William Kincaid, a Philadelphia Orchestra flautist. Mr. Goldin was a one-time member of Temple Shalom in Broomall, and enjoyed classical music, opera and theater. He is survived by his wife, Pearl; a son, Owen; daughters, Cynthia and Nancy; a sister; and seven grandchildren.

**ROBERT I. GOLDMAN, L'51**, of Cape Elizabeth, Me., died on July 30, 2007. He was an attorney for the Maine State Labor Relations Board for 10 years, until his retirement in the 1980s. During World War II he served in the U.S. Army.

**THE HON. MARTIN L. HAINES, L'43**, of Moorestown, N.J., died on April 27. Mr. Haines was a former New Jersey Superior Court Judge. Joseph Pinto, president of the county bar association, described Mr. Haines as a "fearless attorney and fearless judge" in the *Philadelphia Inquirer*. Considered a champion of the disenfranchised, he said in an oral history, that it was his duty as a jurist to speak out against wrongs. In 1966, he challenged the practice of assigning lawyers to defend destitute clients without pay, which he said denied the poor effective legal representation. His arguments prompted the legislature to create the state Office of the Public Defender. Prior to attending law school, Mr. Haines served as a Navy lieutenant and survived the sinking of two ships. After graduating from Penn Law, he worked alongside his father and then started his own practice with two partners. Mr. Haines served 12 years as a Superior Court judge, including eight years in the top judicial post as an assignment judge. In those years, he published 164 decisions on a wide range of issues, especially civil rights. Mr. Haines was a strong proponent of mediation, and set the court on a course of developing alternate means of resolving cases. He played a central role in establishing a child-custody mediation program and an early-settlement divorce program. Upon



## IN MEMORIAM

retiring, Mr. Haines focused on writing, contributing to various legal publications and writing columns for the *Burlington County Times*. He is survived by his wife, Berne; four stepchildren, Robin, Barry, Kim and Janice; six grandchildren; and two great-grandchildren.

**LEONARD HELFENSTEIN, W'32, L'35**, of Silver Spring, Md., died on June 13. Mr. Helfenstein spent more than 35 years in government service. After graduating from Penn Law, he was appointed a Gowen Memorial Research Fellow at the Law School from 1935 to 1937. Following that, he worked as a law clerk to the chief justice of the Pennsylvania Supreme Court and to a judge of the Common Pleas Court in Philadelphia from 1937 to 1940. In 1943, he joined the staff of the U.S. Securities and Exchange Commission as an attorney-advisor, and became the director of its Office of Opinions and Review in 1951. He held that position until retirement in 1973. Mr. Helfenstein is survived by his wife, Martha; his daughters, Carolyn and Myrna; grand-children, Amy, Julia and Paul; and great-grandchildren, Sophie, Kate and Jake.

**WILLIAM T. MARSH, L'59**, of Bonita Springs, Fla., died on April 1, 2007. He was the first vice president and general counsel of Sprang & Company of Butler, Pa., a position he held for 30 years, until retiring in 1998. An active member of the community, he was a Little League coach, Indian Guides leader and Scoutmaster, Borough Council of Fox Chapel Borough and president of his Bonita Bay Homeowners Association. His two most notable service projects include serving as pro bono general and trial counsel for the medical staff of Butler Community Hospital System as part of an effort to redirect the system and better serve the community; and establishing Foxwall EMS, which after 30 years still provides paramedic and emergency medical services to the Boroughs of Fox County and Aspinwall. Mr. Marsh is survived by his wife, Mary; three children, William, Margaret and Robert; and a sister, Barbara.

**GEORGE MCCLELLAND, C'39, L'46**, of Seminole, Fla., died on February 16. Mr. McClelland practiced trust law in Princeton, N.J., until he retired in 1982. Known as "Bry," he served in the U.S. Army Air Force, Eighth Air Force, 96th Bomb Group, during World War II. He is survived by his daughter and two grandchildren.

**JAMES MONTEITH, L'61**, of Mount Airy, Pa., died on April 27. A respected lawyer, he was also a civic leader, environmentalist, and sportsman. Mr. Monteith began his career at Thornton, Gibbon & Monteith, before moving on to become a partner at Dilworth Paxson, where he specialized in trusts and estates. Fly fishing and baseball were his favorite pastimes, and he coached his daughter's Little League baseball team. He was also a past president of Trout Unlimited and the

Philadelphia Anglers Club, and a member of the Henryville Flyfishers. His concern for streams made him a passionate environmentalist, and during his last years, his wife said he was on a personal campaign to eliminate plastic water bottles. Mr. Monteith served as chairman of the development committee of the board of directors of Germantown Hospital for more than 20 years, and oversaw a major reconstruction project in 1981. Other civic involvements included serving on the boards of Family Service of Philadelphia and West Mount Airy Neighbors. He is survived by his wife, Mary; daughter, Anne; grandson, Samuel; sister, Ann; nieces Mary and Grace; nephews Edward and William; and their children and grandchildren.

**MARTIN B. PITKOW, W'56, L'59**, of Philadelphia, Pa., died on May 27. He is survived by his sons, Martin, Daniel and James.

**RICHARD A. SANDMAN, C'84, L'02**, of New York, NY., died on April 30. Mr. Sandman was an immigration lawyer and a Penn Law Sparer Public Interest Fellow. His strong commitment to social justice was evident in his work as a community organizer and peace educator, as a social worker, and as a legal intern for the Human Rights Commission in Washington, D.C. and the Federal Trade Commission in New York. After graduating from Penn Law, Mr. Sandman worked in New York City for Kronish, Lieb, Weiner & Hellman as a litigation associate. He then returned to public interest in 2004 as a staff attorney for El Centro Hispano-Americano, providing immigrant legal services to Latino low-income families. In 2005, Mr. Sandman opened up his own immigration law practice in New York City and Plainfield, N.J. He is survived by his father and mother, The Rev. J. Robert Sandman and Olgha Sandman; and his siblings, Robert, Linda and Rodney.

**MURRAY L. SCHWARTZ, WG'47, L'49** of Pacific Palisades, Calif., died on February 15. A distinguished criminal law and legal ethics scholar, his work has shaped the teaching of professional responsibility in law schools around the country. Mr. Schwartz began his career as a chemist and served as a commanding officer of a submarine chaser in the U.S. Navy during World War II. After attending Wharton and Penn Law, he clerked for U.S. Supreme Court Justice Fred M. Vinson. He later served in the U.S. Office of the Solicitor General from 1952 to 1954 and then practiced law until he began teaching at UCLA in 1958. He had an illustrious career as a faculty member – he won UCLA's Ritter Award for Excellence in Teaching – prior to serving as dean of the UCLA School of Law from 1969 to 1975. He retired from UCLA in 1991. Penn Law awarded him the Distinguished Alumnus Award. Mr. Schwartz is survived by his wife, Audrey; children, Deborah, Jonathan and Daniel; and five grandchildren.



**DAVID F. SEXTON, L'72**, of Greenwich Conn., died on September 26, 2007. He was a prominent New York investment banker. Mr. Sexton started his career at Sullivan & Cromwell, before moving on to First Boston Corp. There, he eventually became head of Asian investment banking, and served as managing director and president of First Boston International. He also supervised First Boston's global "yankee bond" business, leading issues for Japanese, European and Australia/New Zealand sovereign borrowers. In 1990, Mr. Sexton joined Yamaichi International, Inc. as a senior executive vice president and director. He would later become its vice chairman. At the time of his death, he was serving as global alliance representative for North America of IBS Securities Co., Ltd., a Tokyo-based investment bank, and as senior advisor to Milbank Roy & Co. in New York. Mr. Sexton was also a member of the board of directors and the executive committee of the National Association of Japan-America Societies in Washington, D.C. As an adjunct professor at Fordham University Law School, he taught securities and investment banking law. During 1966 to 1969 he served as an ensign in the U.S. Naval Reserve, and rose to the rank of lieutenant. He enjoyed sailing and upland bird hunting. Mr. Sexton is survived by his wife, three children, a brother and a grandson.

**THE HON. ALBERT R. SUBERS, W'51, L'54, PAR'79**, of Lower Gwynedd, Pa., died on May 27. Mr. Subers was a civil trial lawyer for 25 years. From 1970 to 1983, he served as the city solicitor of Upper Gwynedd and authority solicitor of Lower Salford Township Authority, North Penn Water Authority, and Upper Gwynedd-Towamencin Authority. From 1983 to 1999, he served as a judge on the Montgomery County Court of Common Pleas, and then as a senior judge to the end of 2005. After retiring from the bench, he continued to serve as a civil settlement master with the Montgomery County Court. Mr. Subers, active in his community, belonged to several organizations including the Church of the Messiah Vestry, the Philadelphia Cricket Club Board of Governors, the Desmond J. McTighe Chapter of the American Inns Court and the Society of the War of 1812. He is survived by his wife, Emmaneta; daughters, Ruth, Emily, Janet, Elizabeth and Julie; nine grandchildren; a sister, Mary; and two stepsons.

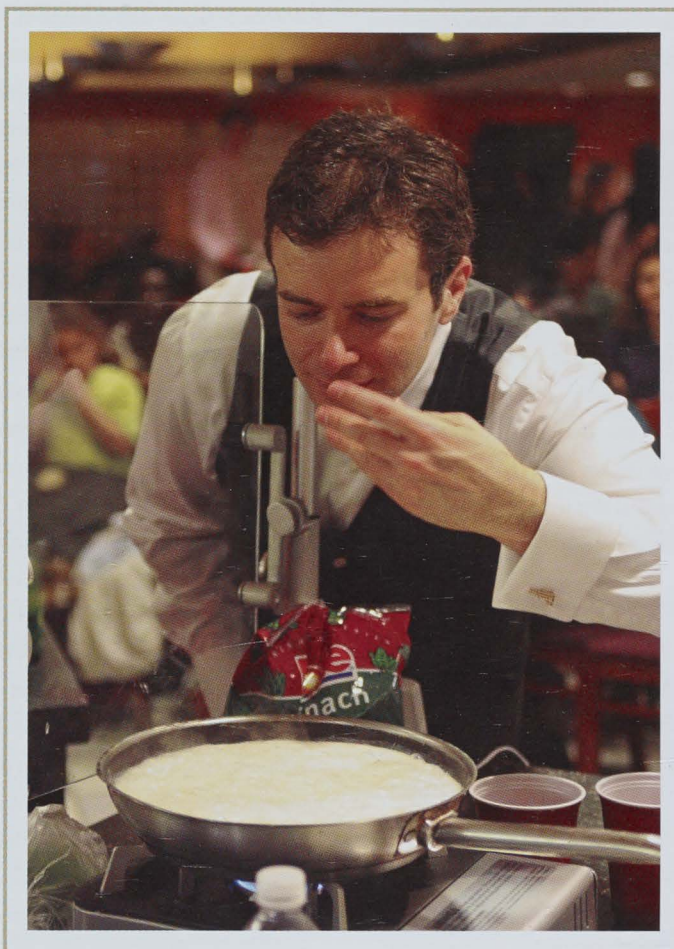
**ROBERT, "CHIP" VINCENT, JR., L'70**, originally from Dedham, Ma., died on October 11, 2007. Mr. Vincent was embarked upon a career in law when he joined an excavation of the 300 B.C. Greek shipwreck off Kyrenia, Cyprus, during his first summer in school. When a Cypriot torpedo boat accidentally hit and swamped the excavation barge, his expertise in international sea law won the dig a settlement from the Cyprus government. After practicing for six months in Massachusetts, he decided that the law, which he described as "a jealous mistress that covets your every waking hour," was not for

him. He stayed in Cyprus for seven field seasons with the preservation team that helped reassemble the Kyrenia ship's hull. There he met his British Kenyan-born bride Frances Beckford Bevan. They married during turbulent times in the aftermath of the Cyprus/Turkish 1974 war. For seven years, he produced extraordinary photography in Afghanistan's Baluchistan region during seasonal surveys with the Smithsonian before Russia invaded. In what the locals call the "desert of death and hell" he discovered a Zoroastrian fire temple, which now bears his name: "Quala Vincent". He went on to participate in more than 30 other field seasons in England, Israel, Kenya, Iraq, Syria, Turkey, southern Cyprus, Gythion and Kommos in Greece. In another 7-year campaign Mr. Vincent worked with an international team to set up the infrastructure for the coastal province of Musandum for the Sultanate of Oman. During that time he established an ethnographic museum, and promoted and wrote a chapter for the publication of a seminal book on the architecture, history and ethnology of the region. In 1988 Mr. Vincent returned to underwater archaeology as the executive director and then president of the Institute of Nautical Archaeology at Texas A&M. For five years he oversaw projects in the Caribbean, Kenya and Turkey. In 1994 the drive for another challenge led him to accept his last great project. For 14 years as project director and cultural heritage manager for the American Research Center in Egypt, he fundraised and administered U.S. cultural funds to preserve and conserve historical monuments and sites in Egypt. With Cairo as his base, he directed more than 50 different preservation projects ranging from pre-Pharonic monuments to 18th century Cairo neighborhoods, along with training programs in conservation and conservation laboratories. In his last months, he finished editing "Preserving Egypt's Cultural Heritage," which described these achievements. Mr. Vincent described his own work as a combination of being a choreographer who kept a myriad of elements in motion, a traffic cop who sometimes merely confirmed the flow and a cheerleader who provided encouragement for everyone. Knowing that he might not survive his one and a half-year struggle with leukemia, Mr. Vincent wrote in a summary of his life how grateful he was to live overseas "on the edge where adventure was just a four-wheel-drive away." He is survived by wife Fran and daughters Susannah and Sarah.

**ROBERT H. YAROSCHUK, W'52, L'58** of Doylestown, Pa., died on February 24. An entrepreneur and an attorney, Mr. Yaroschuk maintained an independent law practice since his graduation in 1958. He swam competitively for the Philadelphia YMCA in his youth and was a member of the swim team at Penn. During the Korean War, he served in an Army infantry division in Korea. Until 2004, he sold arts and antiques through shops in Lambertville and Frenchtown, N.J. Mr. Yaroschuk is survived by his wife, Patricia; four children, a sister, and nine grandchildren.



## CASE CLOSED



### Tart Reform

Professor Tobias Wolff savors the aroma of a rich, fragrant sauce during Penn Law's version of the Iron Chef competition. Two teams cooked, stirred, whirred and blended in hopes of capturing the crown for the best dishes. The teams: Penn Law professor Jacques deLisle and Temple law professor Jonathan Lipson; Penn Law professor Eric Feldman and Anne Kringle, senior lecturer and legal writing director at Penn Law. They had an hour and 15 minutes to prepare a three-course meal and make judges swoon. Lipson and deLisle won for their coconut-themed meal. The appetizer was fish, assorted vegetables and a dash of coconut; the main course was a Thai chicken curry featuring mushrooms and coconut milk; dessert was coconut-chocolate chip cookies topped with coconut maroon and garnished with chocolate sauce and multicolored mini-marshmallows. Wolff, donning a velvet vest, served as master of ceremonies.









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