

et al.: Penn Law Journal: A Solution for Underwater States

PENN LAW JOURNAL

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SUMMER 2012 VOLUME 47, NUMBER 1

A SOLUTION FOR UNDERWATER STATES



ALSO:
LEO STRINE'S BALANCING ACT
THE MINI-MAJOR GENERAL

GOLKIN HALL'S SUPREME MOMENT

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As a full house at Irvine Auditorium looks on, Supreme Court Justice Sonia Sotomayor fields a question from the audience. Prompted by Penn Law Dean Michael A. Fitts, she talked about her journey to the highest court in the land. Justice Sotomayor came to Penn to participate in the dedication of Golkin Hall. Please go to P. 40 for more pictures from the weeklong celebration.

Cover Illustration: © Phil Foster

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BY DAVID A. SKEEL

Led by California, a handful of states are bleeding red ink while others wrestle with persistent deficits. And this is a major problem since states are required to balance their budgets. Penn Law Professor David A. Skeel suggests states follow corporate practice and declare bankruptcy. But first Congress has to pass a new chapter in bankruptcy law, which is exactly what he is calling on legislators to do.

Leo Strine’s Balancing Act 22

BY RICK SCHMITT

The Delaware Chancery Court rules the world of corporate law. Leo Strine L’88 runs the Delaware Chancery Court. That makes Strine a powerful figure in boardrooms across America. As Chancellor, Strine can make or break mergers, block buyouts, and award enormous sums to plaintiffs - and he does all of this with trademark humor.

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BY BILL WINE

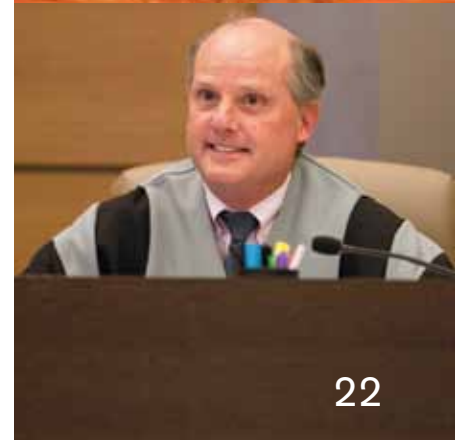
Peter Schlessel L’86 is living proof that your avocation can be your vocation. Peter is such a lover of movies that he and his wife try to take in a double feature (remember those?) every Saturday. It is good to know the market, especially when you are the chief executive of a successful movie studio.

A Supreme Moment 40

It was a blowout of epic proportions. The weeklong dedication of Golkin Hall featured a healthy dash of pomp and fun, with a Penn a cappella singing group, photo ops with The Goat, stirring tributes and good vibes all around. We saved the best for last: Supreme Court Justice Sonia Sotomayor, who filled Irvine Auditorium with eloquent words, met with students and helped cut the ribbon on a new era.

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CORRECTIONS

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

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A MESSAGE FROM THE DEAN



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

A FEW MONTHS AGO I attended an ABA conference in San Diego. On the trip I read about the \$9 billion budget hole facing California, which has the largest state economy in the United States and a much bigger gross domestic product than Greece. California also holds the dubious distinction of having the most serious deficit in the country and one that mirrors on a smaller scale the looming fiscal crisis hanging over the federal government.

Unfortunately, California is not alone. Up to 30 states have to figure out, if they haven't done so already, how to close significant shortfalls and balance their budgets, according to the Center on Budget and Policy Priorities.

Penn Law Professor David A. Skeel offers a way out for governors and legislators who no longer have the luxury of turning to the federal government for bailouts because the stimulus money that kept states afloat is nearly gone. He makes the case in this issue's cover story that we need a new state bankruptcy law.

David has the credentials and the skill to make that argument. In addition to being a scholar in the area of corporate law, he is a prolific author who brings life to arcane subjects. He explains that the law would give states filing for bankruptcy the power and permission to restructure debt by rewriting union contracts and possibly renegotiating existing pension benefits. To him, the benefits are clear. In his view, states are the new frontier in "too big to fail." A new state chapter in U.S. bankruptcy law, he argues, would reduce the federal obligation and save taxpayers money. David's piece is an interesting and thought-provoking read. I commend it to you.

Leo Strine I'88, the new chancellor of the Delaware Court of Chancery, does not have the power to enact state bankruptcy laws, but he does wield enormous influence in the area of corporate law, given the number of businesses that incorporate in Delaware. Leo, who is the subject of a long profile, takes very seriously his role as a fair arbiter of the law. He takes on executives, directors and shareholders, often with pointed commentary. Leo, a former student of mine, has built a national reputation as a thoughtful and powerful figure in corporate law. He may not be able to write bankruptcy laws, but he is shaping the corporate landscape.

And you, our wonderful alumni, are shaping the future of Penn Law School. As I hope everyone knows by now, we recently held a grand dedication of Golkin Hall. It is remarkable that we managed to raise millions of dollars for the new building during the worst economic downturn in generations. We were able to do so because so many alumni saw the need and lent support. The fruits of your efforts were seen in April, when we welcomed Justice Sonia Sotomayor to Penn Law School, capping off a weeklong celebration. It was my proudest moment as dean. Thank you.

Mike



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NEWS



Penn Law Tops List of Large Law Firm Placements

PENN LAW GRADUATES are big with big law firms. According to a recent report in the *National Law Journal*, nearly 57 percent of the Class of 2011 was hired by the nation's largest law firms. This places Penn Law School No. 1, ahead of Northwestern, Columbia, Harvard, and Stanford.

The top ten also included the University of California-Berkeley, University of Chicago, Duke, New York University, and the University of Virginia.

The *National Law Journal* also ranked Penn Law the best valued law school. The calculation is based on tuition prices and the percentage of students who get jobs at the top 250 law firms.

Three Recent Graduates Receive Prestigious Fellowships

RECENT PENN LAW SCHOOL GRADUATES Marsha Chien LPS'10, L'10, Jesse Krohn GED'08, L'11, and Kristin Bochicchio L'12 are the recipients of national fellowships which will support their work in public service.

Marsha Chien and Jesse Krohn are among the Class of 2012 Skadden Fellows, which are awarded each year by the Skadden Fellowship Foundation to graduating law students "who wish to devote their professional lives to the poor, the elderly, the homeless and the disabled, as well as those deprived of their civil or human rights," according to the Foundation.

Separately, Kristin Bochicchio has been named a 2012 Equal Justice Works Fellow, a two-year program in which fellows design unique projects that ... address domestic violence, homelessness, community economic development, immigration, civil rights, juvenile justice, employment rights, health care, consumer fraud, and environmental justice," according to the organization.



Marsha Chien

Marsha Chien will serve as a Skadden Fellow at the Legal Aid Society-Employment Law Center in San Francisco. Her project involves direct representation, community education and impact litigation for limited-English proficient workers barred from equal employ-

ment opportunities. Before law school, Chien was a Peace Corps volunteer in Guatemala. In law school, she was a Toll Public Interest Scholar.



Jesse Krohn

Jesse Krohn will serve as a Skadden Fellow at Philadelphia Legal Assistance. She will be providing direct representation to indigent teen parents on matters of child support and custody, protection from abuse, and access to public benefits, in order to enable them to

reach their educational and professional goals. Krohn participated in the Teach for America program in Philadelphia. Krohn was also a Toll Public Interest Scholar.



Kristin Bochicchio

Kristin Bochicchio L'12 will serve as the BP/Arnold & Porter Equal Justice Works Fellow at the Tahirih Justice Center in Houston, Texas. She will be providing representation and outreach to African and Middle Eastern women and girls fleeing gender-based violence.

While in law school, she worked as co-director of Penn Law's Students Against Gender-Based Exploitation pro bono project.

Politics Gets in Way of Sentencing Reform, Says Congressman

INCARCERATION RATES IN THE U.S. are the highest in the world, and sentences are the longest. And that's not changing any time soon.

The problem is we're running bankrupt trying to build and maintain prisons, instead of searching for alternatives, the Hon. William Sessions, former director of the FBI, said during the Penn Law Review symposium on sentencing in October.

"In the prison system, and in the financial and judicial systems, our methods of doing things are in extremis," Sessions said. "We make mistake after mistake."

Sessions referred to the mistake of implementing mandatory minimum sentences, which takes power away from judges and stems from the social pressure the legislature feels to be tough on crime — whether or not it makes sense in individual cases.

"In the prison system, and in the financial and judicial systems, our methods of doing things are in extremis," Sessions said. "We make mistake after mistake."

"The legislature writes the law and judges are bound by the law. But what the legislature is doing is temporary and transitory," he said.

So what's the key to long-term reform?

Sessions offered a simple-sounding solution: "Let's write the laws better."

Easier said than done. During a panel on the politics of sentencing, Sessions and other notable speakers pointed out that when it comes to incarceration, politics, not common sense, is winning out.

"I've been in the legislature a long time, and I've learned that in crime policy you have a choice: try to reduce crime or try to get elected, which means being tough on crime," said U.S. Rep. Bobby Scott (D-Va.), who serves on the Subcommittee on Crime, Terrorism and Homeland Security.

As of 2009, U.S. prison population rates were 743 per 100,000 people. Excessive incarceration is costly to taxpayers and takes resources from prevention or rehabilitation — and it winds up being counterproductive, Scott said: "You're injecting more social pathology into society, not curing anything."

Scott, who sponsored the Youth PROMISE Act, designed to provide resources to state and local governments for evidence-based strategies and programs to prevent juvenile crime, argued for a more cost-effective, evidence-based approach to reducing crime and reducing sentences.

Panelist Stewart Greenleaf, a Pennsylvania state senator, agreed, naming early childhood education as the single reform that could make the biggest difference.

Education for prisoners is a crucial component of reform, too. "When people are locked up for a certain number of years, they come out as dumb and untrained as when they went in. A better use of money would be to spend more on job training and education over a shorter period of time in jail," Scott said.

A judge could sentence someone to, say, three years instead of four, and put the money that would have been spent on that fourth year towards education, which would reduce the likeli-

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hood of the prisoner later re-entering the system.

“It’s good to be tough on crime,” Greenleaf added, “but it’s also smart to make sure taxpayer dollars are spent right. And to make sure there’s fairness.”

Secular-Islamic Split Augurs Growing Pains for Middle East Democracy

IN HIS KEYNOTE SPEECH during the Journal of International Law’s November symposium on democracy in the Middle East, Daniel Brumberg summed up the day’s theme when he expressed “mixed hopes for the region.”

The symposium, presented along with Penn Law’s International Human Rights Advocates, analyzed the recent uprisings in a handful of Arab countries following decades of oppressive rule.

What happened, Brumberg explained, is that the coercion and oppression from security and military forces combined with rampant corruption served to undermine the legitimacy of the states, leading to the emergence of opposing ideologies.

Now “it’s a struggle between old and new,” said Brumberg, who is a senior advisor at the Center for Conflict Analysis and Prevention at the U.S. Institute of Peace.

And while he did try for a note of tentative optimism, Brumberg also echoed the symposium’s other speakers by expressing more apprehension than confidence about the next phases in a post-revolutionary Middle East, especially given the “split between two agendas: secular and Islamist.”

Adnan Zulfiqar L’08, GR’11 picked up on that topic during his presentation. “The Middle East is full of surprises,” said Zul-

Communication Studies at Penn’s Annenberg School. “We saw the emergence of large-scale public protest against the government, about things that used to just be privately said.”

At the same time, large portions of the population are religious and expect laws to reflect their beliefs. Take Egypt, for example: Zulfiqar cited a poll that showed 82 percent of the population in favor of democracy and 74 percent of the population in favor of the strict application of Sharia law.

A new democracy “can’t afford to ignore Islam or Islamic law,” Zulfiqar cautioned, but reminded the symposium audience that in reality the two ideas aren’t mutually exclusive. “In countries run by secular military men,” he said, “the population associates secularism with an authoritarian state, while Islam becomes associated with democracy.”

Keynote speaker Khaled Abou El Fadl L’89, a professor at the UCLA School of Law who is one of the world’s leading authorities on Islamic Law and Islam, also focused on Egypt, describing the country’s military as an octopus with tentacles reaching into every aspect of the state. If the military has such a strong foothold, he questioned, “How much space is left for a democracy to work its way in?”

Abou El Fadl was among the Egyptian intellectuals the military agreed to meet with post-revolution, but too many issues were deemed “untouchable” for meaningful discourse, he said.

Still, he added, there is some call for optimism.

“In the midst of such a huge military bureaucracy, people continued to go to the streets and sacrifice their lives. It shows a sheer resolve,” Abou El Fadl said. “In my opinion, they earned the right to live in liberty.”

Jonathan Ellis L’10 to Clerk for Chief Justice Roberts

JONATHAN ELLIS L’10, who is currently ending a year’s service as a Bristow Fellow in the Office of the Solicitor General at the U.S. Department of Justice, will begin a year-long clerkship this July for Chief Justice John G. Roberts of the Supreme Court of the United States.

A standout student while at Penn Law, upon graduation Ellis won the Peter McCall prize, which is awarded each year to the member of the graduating class who has received the highest grades during their three years at the Law School.



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Ellis, whose interest in appellate work runs deep, sought during each year of his summer employment while in law school to work for appellate lawyers, and clerked after graduation for Judge A. Raymond Randolph on the U.S. Court of Appeals for the D.C. Circuit. He then applied to be a Bristol Fellow, which are awarded to law school graduates with excellent academic records, typically after completion of a one-year judicial clerkship, usually with a federal appellate-court judge.

Ellis looks forward to working with Chief Justice Roberts, “often the voice of the Court,” and to “witness a wide array of oral arguments, skills, approaches, and styles,” and to garner insights in “what moves the Court to decide the cases the way it does.”

As Ellis starts his clerkship in July, he follows another recent Penn Law alumnus to the U.S. Supreme Court, Christopher DiPompeo L’09, who is in the final months of his year-long clerkship with Chief Justice Roberts.

Experts Hedge on Potential Impact of Dodd-Frank Act

THE THEME OF the Journal of Business Law’s symposium on the Dodd-Frank Act this past November was “let’s wait and see.”

“There really hasn’t been any Dodd-Frank implementation yet, because the new rules of the road don’t exist yet,” explained keynote speaker Margaret Tahyar, a partner with Davis Polk’s Financial Institutions Group. “We’re really still at the drawing board.”

Symposium participants examined what’s been called the most significant regulatory reform since the Great Depression.

The 2,300-page Dodd-Frank Wall Street Reform and Consumer Protection Act was the government’s response to the economic meltdown and the public outcry that followed the financial bailouts. It created, among other new entities, a consumer protection agency that is designed to make sure consumers receive accurate, easy-to-understand information when shopping for mortgages and credit cards and provide protection from hidden fees and deceptive practices.

Dodd-Frank also sought to address problems in the real estate sector with its Mortgage Reform and Anti-Predatory Lending component.

Penn Law professor Cary Coglianesse opened the symposium with a forward-looking remark, inviting audience members to ask themselves how a conference organized around the issue of consumer protection five or ten years from now would assess whether Dodd-Frank was successful at curbing corporate abuses and what criteria should be used to evaluate its success.

Throughout the day, five keynote speakers and 12 panelists discussed the potential repercussions of the act, as well as the circumstances that led to its creation.

Professor David Reiss of Brooklyn Law School noted the “fundamentally irreconcilable worldviews” held by people evaluating the events leading to the subprime mortgage crisis. Reiss retold the classic tale of the emperor’s new clothes, with an emperor swindled by lenders who claimed to have invented a mortgage “so insubstantial it looks burdensome to anyone too stupid to appreciate its quality.” The kingdom thought the mortgage was too heavy, but no one was willing to speak up.

The moral of the story, Reiss said, is that the type of disclosure regulated by the new consumer protection agency at the Federal Reserve might be “insufficient to convey the complexity of certain transactions to many consumers” and the persistence of “muddled and conflicting views about consumer protection” will result in inefficient regulation.



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But, as Yair Listokin of Yale Law School added in a later panel, echoing Margaret Tahyar, there are no certainties. “We have no idea how the rule will play out in practice,” he said. “Right now it’s just a lot of guesses.”

Still, there was some optimism at the symposium. During her closing remarks, Suffolk University Law School professor Kathleen Engel touched on aspects of the act that had been discussed throughout the day, such as the new warning system designed to identify problems posed by large companies well before they threaten the stability of the economy.

Dodd-Frank is “part of the solution,” Engel said. “It curtails some of the risks of future crisis.”

New Deal Suggests Favorable Healthcare Ruling

THE AFFORDABLE CARE ACT is a political issue, not a constitutional one, University of Georgia Law professor Elizabeth Weeks Leonard told the audience at the Journal of Constitutional Law’s symposium in January.

The symposium explored whether constitutional law lessons from the New Deal can be applied to the Obama administration.

Leonard said this is not the Great Depression and “there is no similarly compelling nationwide crisis” to prompt sweeping government intervention such as the New Deal, said Leonard. There’s also no crisis about the scope of federal power like there was during the Roosevelt administration, she added.

Regardless, Leonard said, the much-maligned individual mandate of the Affordable Care Act, which requires everyone who can afford health insurance to buy coverage, is in fact constitutional. Objections to it are to the form, rather than the substance, of federal power.

She harkened to the Supreme Court’s ruling on the Social Security Act. She said the Court adopted a broad interpretation of the general welfare clause, which vaguely allows Congress to collect taxes and “provide for the common defense and general welfare of the United States” — bringing into question the acceptable scope of national spending power.

Apply that lesson to the new healthcare law, Leonard suggested. If taxing employers and paying out social security benefits was deemed constitutional, the individual mandate should be, too.

But the Obama administration is dealing with a Supreme Court “shaped by prior regimes” and not necessarily receptive to the president’s initiatives, said Mark Tushnet, a Harvard Law professor and former law clerk for Justice Thurgood Marshall.

The current court can blunt President Obama’s agenda much like the Four Horsemen resisted the New Deal, Tushnet said, referring to the four justices who opposed the legislative reforms of the New Deal and precipitated the Court-packing crisis of 1937.

“Judicial restraint or activism always look better when someone else is in power,” added Professor David Bernstein of George Mason University School of Law.

Like most of the day’s panelists, Bernstein named 1937 as the turning point in constitutional history. And for anyone looking for a lesson to carry over to today, here’s one, Bernstein said: Since 1937, the Supreme Court hasn’t struck down any congressional act as exceeding the mandate of taxing and spending power.



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A Birds-Eye View of Tiny Delaware's Huge Role in Corporate Law

THE SHAPING OF CORPORATE LAW is like the formation of the Grand Canyon, the Honorable William B. Chandler III said during Penn Law's Distinguished Jurist Lecture in October. It's slow and incremental, with a river of issues and players carving out the doctrine.

Chandler, who stepped down as Chancellor of the Delaware Court of Chancery last summer, played a pivotal role in that gradual development (of the law, not the canyon). He spent 22 years on the Chancery Court bench, as vice chancellor and then chancellor, and issued more than a thousand opinions.

The Chancery Court is America's business trial court, Penn Law professor and co-director of the school's Institute for Law and Economics Michael Wachter noted in his opening remarks, adding that Delaware corporate law is a model for the rest of the world and Chandler had far-reaching influence.

Chandler outlined the history of corporate law in Delaware, including the state's rise to prominence thanks to favorable laws.

The rise of Delaware corporations was "much like the uplift of the Colorado plateau," he said. "It put Delaware directly in the path of the river of corporate law issues.

"The river may cut through and shape the rock, but the rock contains and holds the river. So too with Delaware corporate law — the doctrine contains and holds issues and participants, even as they cut and form the doctrine."

Citing specific doctrine, Chandler talked about the creation of the shareholder rights plan dubbed the "poison pill," a strategy used by companies to protect themselves from hostile takeovers, and the derivative "pills" that stemmed from it over the years as the law evolved bit by bit. In a closely watched decision in last year's *Air Products & Chemicals, Inc. v. Airgas, Inc.*, for example, Chandler addressed the question of who gets to decide if a corporation is for sale by upholding Airgas' poison pill and



Honorable William B. Chandler III explains the prominence of Delaware courts.

effectively blocking a \$5.9 billion hostile bid from Air Products.

Throughout the lecture, sponsored by the Institute for Law and Economics, Chandler came back to the changeable, unpredictable nature of financial markets and the influence of the academic community in judicial decision-making, while stressing that the role of the court is to answer the specific question before it.

"A narrow ruling is preferable," he said, "though maybe less satisfying. But trying to construct broad doctrine in the abstract is dangerous."

The Delaware Court of Chancery is now led by Penn Law adjunct professor Leo Strine L'88.

The Tortoise and Hare Theory of Investments

WHEN IT COMES TO INVESTING, Paul Haaga, Jr., L'74, WG'74 takes the long view. During the Institute for Law and Economics' Law and Entrepreneurship Lecture in November, the chairman of the board of Capital Research and Management Company cautioned the audience to observe the volatile financial market with a critical eye, noting that with investing, "slow and steady wins the race."

Haaga, who is also chairman of fixed-income funds in the American Funds Group, led the Investment Company Institute, the mutual funds industry trade group, for a term.

He called the current financial environment "challenging." He explained that the market is cyclical — and that's where a long-term view comes in handy: "If you're investing for a long time, you see similar things happen. You read the same headlines many times over."

"Most bad things happen in the investment world when people are trying to get more out of investments than the invest-

ments are paying," Haaga added, citing the "government-plus" fund debacle from the 1980s as an example.

Haaga went on to dispel common investment myths, including the widely held belief that index funds guarantee better returns than active funds. "An index fund can never have less volatility than the market. An actively managed fund can," Haaga continued, adding that it's impossible for index funds to produce a higher dividend yield than the market, while actively managed funds potentially can.

Pointing to 2011 statistics about various funds, he explained that staying invested and staying diversified are the keys to investing success. "The really important thing...is that people remember their timeframes and objectives," said Haaga, who is chairman of the Penn Law Board of Overseers.

"Investors often chase performance. But it's important to disincentivize people to shoot the moon," Haaga said. "We want to keep it long term."



Paul Haaga, Jr., L'74, WG'74 counsels investors to take long view.

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Are Innocence Projects Distractions to Prison Reform?

LAW SCHOOL INNOCENCE PROJECTS are guilty of diverting resources without really preparing students for criminal law work, and potentially create lawyers uncomfortable defending “someone who actually did something wrong.”

So said Abbe Smith, director of the Criminal Defense and Prisoner Advocacy Clinic at Georgetown Law School, during a November debate sponsored by the Journal of Law and Social Change and the Toll Public Interest Center on the value of innocence projects. She faced off against her former student Tucker Carrington, director of the Mississippi Innocence Project at the University of Mississippi School of Law. Both are former public defenders.

The Innocence Project, which started as a legal clinic at Yeshiva University’s Cardozo School of Law and is now at law schools across the country, is a nonprofit group focused on exonerating wrongfully convicted people through DNA testing.

Sounds like an easy mission to back.

But there are downsides, said Smith, who questioned the value of innocence projects in an article in the *Journal of Law and Social Change*.

“A lawyer can’t be judge and jury, deciding who’s innocent — who’s more deserving of being defended — and then say ‘ok, we’ll defend them,’” argued Smith.

That mindset leads to the sense of “self-righteousness and arrogance” that tends to come with innocence projects, she said — though, to be sure, innocence practitioners haven’t cornered the market on arrogance in the legal world, Carrington chimed in with a laugh.

With more than two million Americans in prison, Smith said, overhauling the criminal justice system is a more pressing issue than exonerating the couple of hundred who have been wrongly convicted: “There are systemic problems. Sentences are too long, prisons are brutal. If we get the innocents out, does that mean we don’t have to think about that anymore? That we don’t have to think about the circumstances that lead people to prison anymore?”

But, if leveraged correctly, innocence projects — which tend to attract attention and sympathy — can spark farther-reaching change in the system, countered Carrington, who helped put



together a documentary, “Mississippi Innocence,” about two Mississippi men wrongfully convicted of murder. Carrington was part of the team that exonerated the men.

“Innocence cases have really captured a certain aspect of the public imagination, and that can lead to a broader conversation about systemic reform for the guilty and the innocent alike,” he said.

Carrington also questioned Smith’s concern that law students in innocence clinics, like the one he leads at Ole Miss, deal only with the wrongly imprisoned, and therefore aren’t prepared for real world lawyering. “They learn the same values as in a criminal defense clinic,” he said. “Our clients are real people who are as guilty as any other clients — until the DNA comes back and shows otherwise.”

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Former Student Gathers Ed Baker's Collected Works

WEST VIRGINIA UNIVERSITY'S COLLEGE OF LAW

is housing the collected works of C. Edwin Baker, a leading scholar in the fields of constitutional law, communications law and free speech and the Gallicchio Professor of Law and Communication at Penn Law until his death in late 2009. Baker was considered one of the country's foremost authorities on the First Amendment and mass media policy.



The collection, donated by his family, includes

Baker's personal papers and correspondence, course materials, and drafts of his published work, ranging from high school homework assignments to notes for his four books on freedom of speech, the impact of advertising and of the free market on the media, and media ownership. It also includes Baker's personal library of more than 500 books, many heavily marked up.

In addition, WVU College of Law and Baker's family have endowed an annual Baker Lecture for Liberty, Equality and Democracy.

Anne Marie Lofaso L'91, a professor and associate dean at WVU College of Law, was a student of Baker's at Penn Law, and played a role in bringing the collection to the West Virginia law school.

Award Winners Carry on Lerner's Work in Child Advocacy

TWO AWARDS AND A FUND

have been established in memory of Alan Lerner W'62, L'65, a practice professor at Penn Law, civil rights lawyer, and devoted advocate for children's welfare. Lerner, who served as the director of the Law School's Interdisciplinary Child Advocacy Clinic, which he established, and the faculty director of Penn's Field Center for Children's Policy, Practice and Research, died in 2010.

Tara Grigg Garlinghouse L'13 received the first Alan Lerner Fellowship in Child Welfare Policy, awarded by the Field Center. Garlinghouse, whose parents have taken in more than 80 foster children, studied the impact of teenage mothers on child development as an undergrad at Rice University. At Penn Law, she has volunteered with the school's Custody and Support Assistance Clinic and is the recipient of two earlier child welfare fellowships. She is also pursuing a master's in public policy from Harvard University.

Cindy Christian, a professor of pediatrics at Penn's Perelman School of Medicine, received the Field Center's Alan Lerner Child Advocacy Award. Christian holds the chair in child abuse prevention at the Children's Hospital of Philadelphia and is the first medical director of the Philadelphia Department of Human Services.

In addition, a fund in Lerner's name has been established at Penn Law to provide summer stipends to students working in child advocacy.

The Field Center for Children's Policy, Practice & Research is an interdisciplinary collaboration among the School of Social Policy & Practice, Penn Law School, the Perelman School of Medicine and the Children's Hospital of Philadelphia.



Tara Grigg Garlinghouse



Cindy Christian

Pundit Says History Not on Obama's Side in Re-election

MICHAEL BARONE DOESN'T LIKE to make predictions. In fact, the conservative political analyst, journalist and author prefers to have no idea what's going to happen next.

"Once something happens, you look back at history and see it as inevitable, and write about it as though it was inevitable," Barone said during an October talk about the state of American politics sponsored by Penn Law's Federalist Society. "Now is the opportunity to not know."

That said, Barone welcomed the opportunity to evaluate the present. And what he sees is the rejection of a long-held assumption that people want big government during times of economic distress. Not so, proclaimed Barone, citing the unpopularity – and possible unconstitutionality – of President Obama's healthcare act and similar public disapproval of the economic stimulus.

Barone, best known as the principal author of *The Almanac of American Politics*, also touched on historic reactions to unpopular government policies, drawing parallels between the peace movement of the late 1960s and early 1970s, which reshaped the Democratic Party, and the Tea Party, which might do the same for the Republicans. Both movements signaled an "inrush of people into political activity," he said, and dealt with "real issues": peace, and the size of government.

Even though he does not like to make predictions, Barone surveyed the landscape and pointed to the House of Representatives as a barometer for the outcome of the next presidential election.

In the presidential elections in 2000, 2004 and 2008, the popular vote percentages for the two major parties were almost identical to the percentages in the House popular vote two years prior, he explained.

In the 2010 House election, the popular vote was 52 percent Republican to 45 percent Democrat — not a reassuring sign for Obama.

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Barone said, "Americans do want their presidents to succeed, and want to believe they are good people who are trying hard."

On the other hand, working in Obama's favor, Barone said, Americans do want their presidents to succeed, and want to believe they are good people who are trying hard.

But he contended that voters aren't necessarily logical. "Voters have conflicting opinions and they don't feel any need to resolve those conflicts," Barone said. "That's what they want their politicians to do."



THE BRIEF

INTERNATIONAL

A Talk with Pinochet's Prosecutor

JUDGE JUAN GUZMÁN would have to be included if there were a South American version of Profiles in Courage. The retired Chilean judge resisted political pressure and prosecuted General Augusto Pinochet on war crimes. Pinochet was indicted several times but escaped conviction. A former judge on the Santiago Appeals Court, Guzmán is now a professor of Procedural Law at the School of Law of the Catholic University of Santiago and also teaches Human Rights at the Universidad de Viña del Mar. In addition, he is the former director of the Center for Human Rights Studies at the School of Law at the Central University of Chile, where he was dean. Judge Guzman spent part of the fall semester at Penn Law School as a Bok International Visiting Professor. Here he talks about the significance of the case that brought him to prominence.



Chilean Judge Juan Guzman announces the indictment of former dictator Gen. Augusto Pinochet on human rights charges in Santiago, Chile, Dec. 13, 2004.

The case against Pinochet has been described as a watershed in judicial history. How so?

Nobody ever expected to have Pinochet prosecuted in his own country. He was the most powerful person in Chile for more than 17 years, first as commander in chief of the army, then as president of the military junta, and finally as president of the republic. The judiciary system collaborated with the dictator, rejecting more than 10,000 habeas corpus petitions, leading to hundreds of people being assassinated or kidnapped. Given that, it was good to see many appeals court judges file cases against Pinochet and officers responsible for crimes against humanity. Hundreds of officers were convicted and many are serving long terms in prison.

How frustrating was it that Pinochet escaped conviction on all charges?

It is common knowledge in our transition to democracy that there was an agreement that Pinochet should not be tried. Pinochet and his people were guaranteed full immunity. It is normal that judges have nothing to do with political agreements, therefore, in spite of all the difficulties, I investigated the case and indicted Pinochet for crimes attributed to him in the cases known as “Caravena de la Muerte” and “Operación Condor.” My decisions were appealed and both the Court of Appeals of Santiago and the Chilean Supreme Court overruled my indictments. I wrote numerous indictments against dozens of generals, colonels, and commanders, and these indictments were not overruled.

Did his prosecution nonetheless have an impact on Chile and in the court of world opinion?

His indictment had a great impact in Chile and all over the world. It is not often that a dictator is accused of having committed crimes in his own country. Pinochet had been commander in chief of the Army before becoming dictator. Hence, he continued to be very emblematic. The truth that was revealed through the investigations have helped our society to acknowledge today

all the crimes that were committed by Pinochet, the military junta, his government, and by certain groups in the armed forces.

What opinion did you form of Pinochet as a result of your encounters with him?

I interrogated him twice, in 2001 and 2004. The first time, it ratified my opinion of him: he was a cunning person, not very cultivated and with standard intelligence. He struck me as a person with good manners and a sense of humor. When I interrogated him in 2004, he was impatient, with less interest in making a good impression.

In terms of international law, what lessons can be learned from the case?

We now have various tribunals with jurisdictions over such crimes. We also know that amnesty and the statute of limitations do not apply to crimes against humanity and genocide.

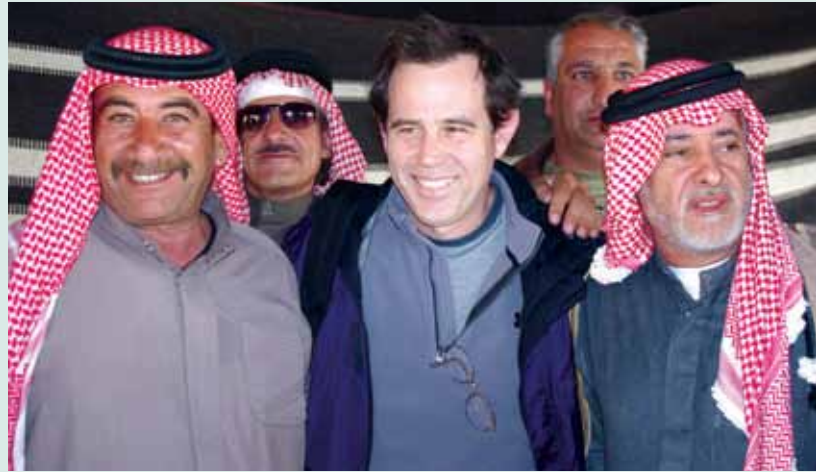
The Ambassador of Conflict

“I’M A CONFLICT JUNKIE,” confessed Stuart Jones L’86, now the American ambassador in Jordan. “I’m very interested in conflict situations.”

That is a good thing since Jones has been exposed to some of the world’s trouble spots during a long career in the diplomatic service. He’s been thrust into human rights struggles in El Salvador and Colombia, a dangerous civil war in the former Yugoslavia, a lethal situation in Somalia, two tours in Iraq, and an Egypt on the edge of revolution. All of these assignments have prepared him for his ambassadorship in Jordan, which has experienced unusual unrest amid the stirrings of the Arab Spring.

When the Arab Spring came to Jordan, the country of 7 million saw isolated, in some cases, large demonstrations. But Ambassador Jones said that King Abdullah II has long been a leader who listens to his people, so he immediately launched a national dialogue and encouraged reform. Thus Jordan has avoided the violence and upheaval that has affected Egypt and other countries in the region.

Ambassador Jones spoke in support as he touted the “shared goals and values” between Jordan and the United States. “The United States has a terrific partnership with Jordan,” he said. Much of what binds the two countries is their mutual interest in finding a resolution to the Israeli-Palestinian conflict. This past



U.S. Ambassador to Jordan Stuart Jones gathers with sheiks after meeting to discuss boosting tourism in the Dana Reserve, Jordan’s largest nature preserve.

January, the king met with President Obama to discuss ways to move the peace process forward.

The attraction to diplomatic work is literally in Ambassador Jones’ blood. His grandfather served in the Foreign Service. Spurred by his example, Jones traveled through Latin America after graduating from Penn Law School, and realized he wanted to do more than just travel.

Indeed, he is no position to write travelogues. His time as a diplomat has been fraught with peril. Drawn to conflict, Jones has spent considerable time in countries riven by turmoil. In Iraq, for instance, a roadside bomb hit the car he was traveling in. “Fortunately,” he said, “those were early days and the insurgents had not mastered armor piercing weapons.” Another time, Jones recalled, he was in Croatia with then-UN Ambassador to the United Nations, Madeleine Albright. The ambassador, who understood Serbo-Croatian, overheard some men nearby grumbling about the American delegation and suggested the team move a little faster back to their vans. In a matter of minutes a gang of young men started throwing rocks at the vehicles.

Jones said his law school training has been helpful, giving him an understanding of human rights issues and international law. Recently, he put that knowledge – and his experience – to use when he welcomed to the American embassy a group of Penn Law students participating in the Iraqi Refugee Assistance Project. The students were in Jordan to advise Iraqi refugees and train Jordanian volunteers at the University of Jordan. Ambassador Jones briefed the students on problems facing refugees in Syria, where the ongoing crisis has caused The UN Refugee Agency and the American embassy to reduce its presence.

“It was wonderful to see this people-to-people contact aimed at a humanitarian outcome,” said Jones. “I was really touched. I was also delighted that some of the students expressed interest in joining the Foreign Service.”

— WALTER CAMPBELL



PULLING THE PLUG ON STATE DEBT

WITH A NEW CHAPTER IN BANKRUPTCY LAW

BY DAVID A. SKEEL

Anyone who proposed even a decade ago that a state should be permitted to file for bankruptcy would have been dismissed as crazy. But times have changed. As California's budget travails and Illinois' startlingly underfunded state pensions have made clear, the states are the next frontier in "too big to fail." In the topsy-turvy world we now inhabit, letting states file for bankruptcy to shed some of their obligations could save American taxpayers a great deal of money.

The financial mess that spendthrift states have gotten themselves into was well known even before the battles over public employee contracts in Wisconsin and Ohio hit the headlines last year. In 2010 and 2011, the red ink was diluted by large doses of federal money from the controversial stimulus legislation. But that money will soon slow to a trickle, dropping from \$59 billion last year to a projected \$6 billion in 2012. There is little evidence that the most troubled states have gotten their runaway expenses under control. This means we can expect a major push for federal funds to prop up insolvent state governments unless

the economy picks up considerably or some miraculous alternative emerges to save the day. This is where bankruptcy comes in.

When the possibility is mentioned of creating a new chapter for states in U.S. bankruptcy law (Chapter 8, perhaps, which isn't currently taken), most people have two reactions. First, that bankruptcy might be a great solution for exploding state debt; and second, that it can't possibly be constitutional for Congress to enact such a law. Surprisingly enough, this reaction is exactly backwards. The constitutionality of bankruptcy-for-states is beyond serious dispute. The real question is whether the benefits would be large enough to justify congressional action. The short answer is yes. Although bankruptcy would be an imperfect solution to out-of-control state deficits, it's the best option we have, at least if we want to have any chance of avoiding massive federal bailouts of state governments.

Start with the issue of constitutionality. The main objection to bankruptcy for states is that it would interfere with state sovereignty – the Constitution's protections against federal meddling in state affairs. The best known such barrier is the Tenth

A VERSION OF THIS ARTICLE PREVIOUSLY APPEARED IN *THE WEEKLY STANDARD*.

PULLING THE PLUG ON STATE DEBT

Amendment, but the structure of the Constitution as a whole is designed to give the states a great deal of independence. This concern is easily addressed. So long as a state can't be thrown into bankruptcy against its will, and bankruptcy doesn't usurp state lawmaking powers, bankruptcy-for-states can easily be squared with the Constitution. But the solution also creates a second concern. If the bankruptcy framework treads gingerly on state prerogatives, as it must to be constitutional, it may be exceedingly difficult for a bankruptcy court to impose the aggressive measures a state needs to get its fiscal house in order.

Neither of these considerations – state sovereignty or the limited force of a bankruptcy framework that gives wide berth to governmental decision-makers – is hypothetical. We now have more than 70 years of experience with a special chapter of the

orderly and legal way” to assist “the people of these great urban centers that are now simply being crushed out of existence by taxes and by debts.” The New Deal Congress obliged by enacting the first municipal bankruptcy law shortly thereafter.

As with much New Deal legislation, the early history of municipal bankruptcy law was rocky. The Supreme Court struck down the original law in 1936, concluding that it would infringe on state authority, even if the state vigorously welcomed the law. (One reason for rejecting municipal bankruptcy, according to Justice James Clark McReynolds, whose opinion was and is widely criticized but who was perhaps prescient, was that state bankruptcy might be next.) But two years later, after the famous “switch in time” from its earlier pattern of striking down New Deal legislation, the High Court gave its blessing to a 1937 ver-

“ALTHOUGH BANKRUPTCY WOULD BE AN IMPERFECT SOLUTION TO OUT-OF-CONTROL STATE DEFICITS, IT’S THE BEST OPTION WE HAVE, AT LEAST IF WE WANT TO HAVE ANY CHANCE OF AVOIDING MASSIVE FEDERAL BAILOUTS OF STATE GOVERNMENTS,” WRITES DAVID A. SKEEL.

bankruptcy code – now called Chapter 9 – which permits cities and other municipal entities to file for bankruptcy. For decades, this chapter did not get a great deal of use. But since the successful 1994 filing for bankruptcy by Orange County, California, after the county's bets on derivatives contracts went bad, municipal bankruptcy has become increasingly common. Vallejo, California emerged from bankruptcy last year after primarily restructuring its collective bargaining agreements with its public employees; Jefferson County in Alabama (home of Birmingham) recently filed, and Harrisburg, Pennsylvania has tried to file. The experience of these municipal bankruptcies shows how bankruptcy-for-states might work, what its limitations are, and why we need it now.

Municipal bankruptcy dates back to the last epic financial crisis, the Great Depression of the 1930s. According to testimony in a 1934 congressional hearing, 2,019 cities and other governmental entities had defaulted on their debt at that time. Back then, the leading advocates of a bankruptcy option for local government were progressives, especially those whose cities were overwhelmed by debt.

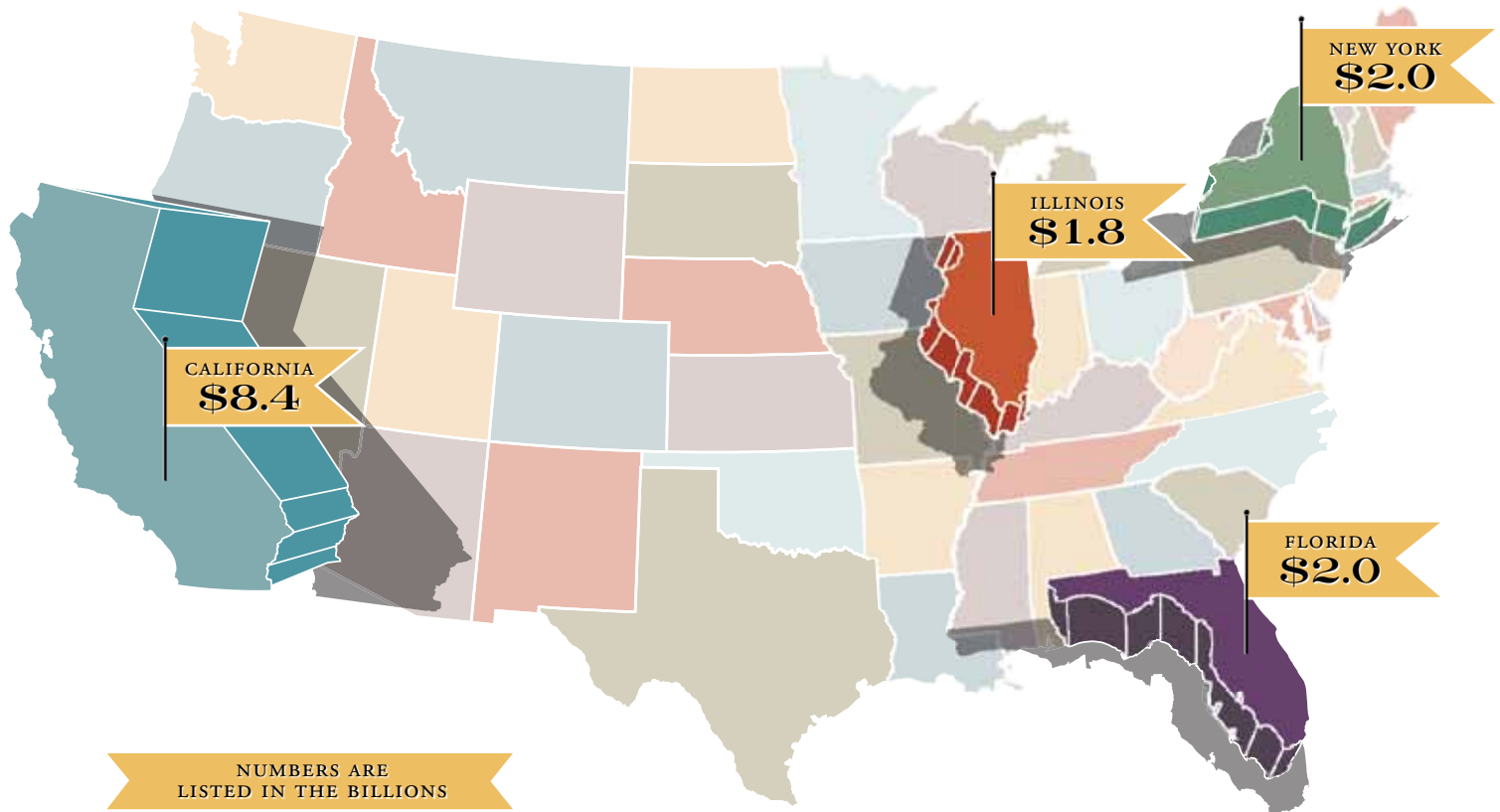
In 1933, Detroit Mayor and future Supreme Court Justice Frank Murphy assured Congress that bankruptcy would be “an

sion of the law. Congress' revisions to the municipal bankruptcy legislation were slight, but the Court was ready to uphold it. Because the law was “carefully drawn so as not to impinge upon the sovereignty of the State,” the Court concluded, and made sure that the state “retains control of its fiscal affairs,” it now passed constitutional muster.

Municipal bankruptcy differs in a few key respects from the law applying to nongovernmental entities. Unlike with corporations, a city's creditors are not permitted to throw the city into bankruptcy. A law that allowed for involuntary bankruptcy could not be reconciled with anyone's interpretation of state sovereign immunity. A city must therefore avail itself of bankruptcy voluntarily; no one else, no matter how irate, can trigger a bankruptcy filing. And when municipalities do file for bankruptcy, the court is strictly forbidden from meddling with the reins of government. The current law explicitly affirms state authority over a municipality that is in bankruptcy and prohibits the bankruptcy court from interfering with any of the municipality's political or governmental powers. A court cannot force a bankrupt city to raise taxes or cut expenses, for instance. Such protections have long since quieted concerns that municipal bankruptcy intrudes on the rights of the states, and they would

STATES WITH THE BIGGEST DEBT BURDENS

• FISCAL YEAR 2013 GAP PROJECTED •



Source: Center on Budget and Policy Priorities

similarly assure the constitutionality of a bankruptcy chapter for states.

One can imagine other constitutional concerns coming into play. If a municipal or state bankruptcy law allowed the court to ignore the property interests of creditors who had been promised specific state tax revenues or had been given other collateral, it might violate the Takings Clause of the Fifth Amendment. But the current chapter for municipal bankruptcy respects these entitlements (as does current corporate bankruptcy), and a chapter for states could easily be structured to do the same.

In the decades since the constitutionality of municipal bankruptcy was affirmed by the Supreme Court, the most serious obstacle in practice has been the rule that only insolvent municipalities can file for bankruptcy. Because a struggling city theoretically can raise taxes or slash programs, it often isn't clear if even the most bedraggled city needs to be in bankruptcy. In 1991, a court concluded that Bridgeport, Connecticut – which wasn't anyone's idea of a healthy city – had not demonstrated

that it was insolvent, and rejected Bridgeport's bankruptcy filing. To avoid this risk, without making bankruptcy too easy for states, Congress would do well to consider a somewhat softer entrance requirement if it enacts bankruptcy-for-states legislation. Current corporate bankruptcy does not require a showing of insolvency, and the 2010 financial reforms allow regulators to take over large banks that are "in default or in danger of default." Although these reforms are in other ways deeply flawed, the "in default or danger of default" standard would work well for states.

Given that a new bankruptcy chapter for states would clearly be constitutional, and the entrance hurdles could easily be adjusted, the ultimate question is whether its benefits would be great enough to justify the innovation. They would, although a bankruptcy chapter for states would not be nearly so smooth as an ordinary corporate reorganization. When a business files for bankruptcy, the threat to liquidate the company's assets – that is,

PULLING THE PLUG ON STATE DEBT

“SOME MIGHT ARGUE THAT A BANKRUPTCY OPTION IS NOT NECESSARY, BECAUSE NEARLY ALL OF THE STATES WILL BE ABLE TO MUDDLE THEIR WAY THROUGH THEIR FISCAL PREDICAMENT. THIS IS LIKE SAYING THERE’S NO NEED FOR A FIRE DEPARTMENT BECAUSE MOST HOMEOWNERS NEVER HAVE FIRES IN THEIR HOUSES AND IF ONE STARTS THEY CAN PROBABLY STOP IT IN TIME. THIS IS TRUE, BUT WE STILL NEED FIRE DEPARTMENTS FOR THE RARE CASE WHERE A FIRE BURNS OUT OF CONTROL.”

to simply sell everything in pieces and shut the business down – has the same effect on creditors that Samuel Johnson attributed to the hangman’s noose: It concentrates the mind wonderfully. Because creditors are likely to be worse off if the company is simply liquidated, they tend to be more flexible, and more willing to renegotiate what they are owed.

One can imagine something like a liquidation sale for cities and even states. Indeed, in the early 1990s, professors Michael McConnell and Randal Picker proposed that Congress amend the existing municipal bankruptcy chapter to allow just that. They argued that many of a city’s commercial, nongovernmental properties could be sold in a municipal bankruptcy, and the proceeds simply distributed to creditors. (They also suggested that municipal boundaries could be dissolved, with a bankrupt city being absorbed by the surrounding county.) Although states have taken small steps in this direction on their own – California had contracted to sell the San Francisco Civic Center and other public buildings for \$1.2 billion before Jerry Brown assumed office and nixed the sale – it seems unlikely that Congress would give bankruptcy judges the power to compel sales in bankruptcy. Nor could it do so with respect to any property that serves a public purpose. Liquidation simply isn’t a realistic option for a city or state. (The same limitation applies to nation-states like Greece and Italy, whose financial travails have reinvigorated debate about whether there should be a bankruptcy-like international framework for countries.)

With liquidation off the table, the effectiveness of state bankruptcy would depend a great deal on the state’s willingness to play hardball with its creditors. The principal candidates for restructuring in states like California or Illinois are the state’s bonds and its contracts with public employees. Ideally, bondholders would vote to approve a restructuring. But if they dug

in their heels and resisted proposals to restructure their debt, a bankruptcy chapter for states should allow (as municipal bankruptcy already does) for a proposal to be “crammed down” over their objections under certain circumstances. This eliminates the hold-out problem – the refusal of a minority of bondholders to agree to the terms of a restructuring – that can foil efforts to restructure outside of bankruptcy.

The bankruptcy law should give debtor states even more power to rewrite union contracts, if the court approves. Interestingly, it is easier to renegotiate a burdensome union contract in municipal bankruptcy than in a corporate bankruptcy. Vallejo used this power in the bankruptcy case it completed last year. It is possible that a state could even renegotiate existing pension benefits in bankruptcy, although this is less clear and less likely than the power to renegotiate an ongoing contract.

Whether states like California or Illinois would fully take advantage of such powers is of course open to question. In his reincarnation as a sensible politician who has left his Governor Moonbeam days behind, California Governor Jerry Brown has pushed for substantial budget cuts and tax increases. Illinois Governor Pat Quinn signed off on an 67 percent tax increase last year. But it is far from clear that either would be willing to call for the deeper, structural cuts that a successful bankruptcy restructuring would require, particularly to important constituencies like public employee unions.

But as Voltaire warned, we mustn’t make the perfect the enemy of the good. The risk that politicians won’t make as much use of their bankruptcy options as they should does not mean that bankruptcy is a bad idea. For all its limitations, it would give a resolute state a new, more effective tool for paring down the state’s debts. And many a governor might find alluring the possibility of shifting blame for a new frugality onto a bank-

ruptcy court that “made him do it” rather than take direct responsibility for tough choices.

This brings us back to the issue of federal bailouts. When taxpayer-funded bailouts are inserted into the equation, the case for a new bankruptcy chapter becomes overwhelming. With the stimulus money vanishing and the finances of the most troubled states still a wreck, the pressure for federal support could steadily rise throughout the year. As we learned in 2008 and 2009, it is impossible to stop a bailout once the government decides to go this route. The rescue of Bear Stearns in 2008 was achieved through a “lockup” of its sale to JP Morgan Chase that flagrantly violated corporate merger law. To bail out Chrysler and General Motors, the government used funds that were only authorized for “financial institutions,” and illegally commandeered the bankruptcy process to give the car companies a helping hand. There is, in short, no law that will stop the federal government from bailing out profligate state governments like those in California or Illinois if it chooses to do so.

The appeal of bankruptcy-for-states is that it would give the federal government a compelling reason to resist the bailout urge. President Obama has defended (and with the car companies, orchestrated) the bailouts of 2008 and 2009, but even he might resist bailing the state out if there were a credible, less costly, and more effective alternative. That’s what bankruptcy would offer.

Indeed, even those who still believe (quite mistakenly, in my view) that the 2008 bailouts were an unfortunate necessity for big financial institutions like Bear Stearns and AIG, and that bankruptcy wasn’t a realistic alternative, should agree on the superiority of bankruptcy for states. The case for bailing out financial institutions rested on a concern that their creditors would “run” if the bank defaulted, and that the big banks are so interconnected that the failure of one could have devastating spillover effects on the entire market.

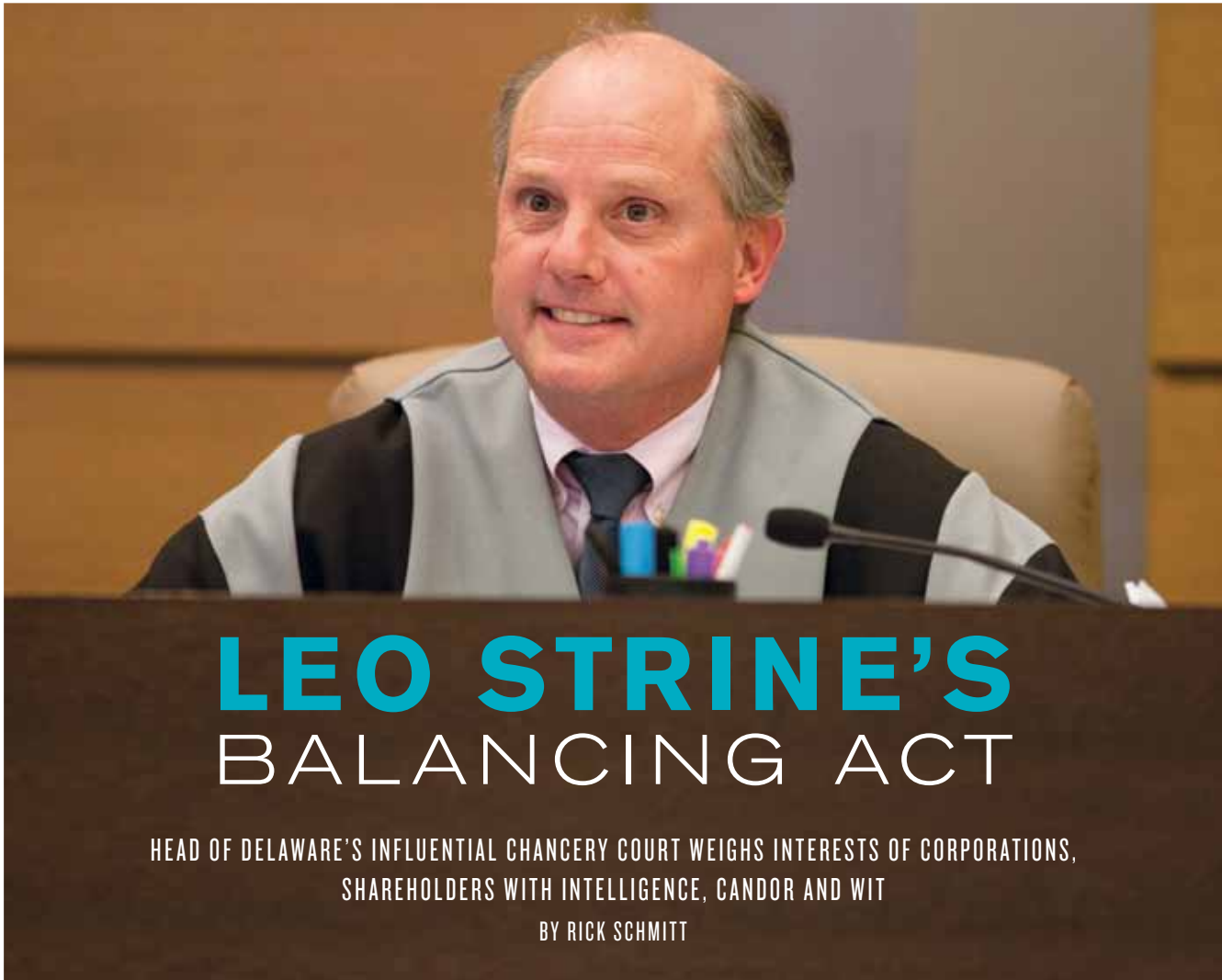
With states, none of these factors applies in anything like the same way. California’s most important creditors are its bondholders and its unionized public employees. The bond market wouldn’t be happy with a California bankruptcy, but bond prices already take account of the possibility of a default. And bondholders can’t pull their funding the way a bank’s short-term lenders or derivatives creditors can. As for California’s public employees, there is little reason to suspect they will be running anywhere.

Some might argue that a bankruptcy option is not necessary, because nearly all of the states will be able to muddle their way

through their fiscal predicament. This is like saying there’s no need for a fire department because most homeowners never have fires in their houses and if one starts they can probably stop it in time. This is true, but we still need fire departments for the rare case where a fire burns out of control.

Bankruptcy isn’t perfect, but it’s far superior to any of the alternatives currently on the table, such as federal bailouts or defaulting on some or all obligations. If Congress does its part by enacting a new bankruptcy chapter for states, a governor like Jerry Brown would be in a position to do his part by using it if a state’s financial woes spiraled out of control.

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LEO STRINE'S BALANCING ACT

HEAD OF DELAWARE'S INFLUENTIAL CHANCERY COURT WEIGHS INTERESTS OF CORPORATIONS,
SHAREHOLDERS WITH INTELLIGENCE, CANDOR AND WIT

BY RICK SCHMITT

WILMINGTON, DEL. — On a chilly December morning, a week before Christmas, Leo Strine L'88, the top judge on the Delaware Court of Chancery, is in a giving mood.

A group of lawyers that won a \$1.26 billion award in a dispute over the acquisition of a mining company has returned to court seeking a large fee for services rendered. At a hearing, the buyer's lawyer, Stephen Jenkins, derides the request as a potential windfall, and quickly finds himself on the defensive.

"Well, what's a windfall?" Strine asks. "A windfall is, someone else bought a (winning) Powerball ticket, and the wind blew it and it fell in someone's lap."

A windfall, the judge says, is when companies settle nuisance suits that yield a lot of money to shareholder lawyers and "bupkes, zero, nada, nothing" for their clients. Strine tells Jenkins that he and other defense lawyers "have shaped a world of windfalls."

"I just actually think there are a lot of actual people who would say 'if my lawyer hits a grand slam for me, I'm okay with him getting one or two of the runs,'" he says.

Indeed, by day's end, the plaintiffs' lawyers have scored. Strine grants them a fee of \$285 million, a stunning sum equal to about \$35,000 an hour, by far the largest in Delaware history. "I don't think there's anything about this that is a windfall," he concludes. "Nothing fell into the laps of the plaintiffs."

Back in chambers, during lunch, a conversation with a visitor turns to another passion. Strine is a huge music fan. Two posters of singer-songwriter James Taylor hang on the wall over his desk. A CD collection on his book shelf spans from the classics to the Ramones. He finds his groove writing judicial opinions to Coltrane.

"You want to hear a truly magical performance?" he asks, with a conspiratorial smile. He pops in a CD of singer Johnny "Bowtie" Barstow, an obscure artist who has a decidedly non-traditional take on the holiday classics. A hilarious, cringe-inducing version of "Joy to the World" soon fills the air.

The 48-year-old jurist has impressed people with his own kind of offbeat performance, and earned a reputation as one of the nation's leading figures in corporate law, a probing, thoughtful judge, with an unusually disarming and outspoken style.

Over the years, he has shaped the corporate legal landscape, calling out greedy executives and feckless directors, blocking management-led buyouts, and ordering reluctant merger partners to the altar. He has turned out scores of opinions, many precedent-setting, and more than two dozen law review articles. He has lectured on three continents, and taught at four law schools, including Harvard and Penn, where he has established a close association with his alma mater Penn Law School and its Institute for Law and Economics. He recently delivered the Distinguished Jurist lecture to a big audience that included a large contingent of Penn Law graduates who are considered some of the nation's most respected corporate lawyers. He also teaches a seminar on corporate law with Penn Law professor Michael Wachter, and the Chancery Court has hired many of their students as clerks.

Strine's writing is erudite, encyclopedic, and more often than not, highly entertaining, laced with personal asides and allusions to pop culture. Paris Hilton once showed up in a Strine opinion addressing the duties of corporate boards to shop their companies for the best price when faced with a takeover offer.

His courtroom, enlivened by his wit and in-your-face directness, makes for a good reality show. He pushes back hard when lawyers make arguments he sees as weak or file papers he sees as over-the-top. But he saves some of the most withering criticism for himself. The day of the big fee case, he took aim at the institution of marriage, college football bowl games, and his hair (or lack of it).

In short, to use a word in his own vocabulary, he is an important and interesting dude. Last June, he was named to the top position of Chancellor, succeeding William B. Chandler III, who had held the post since 1997, giving him an even bigger pulpit.

"Leo has a very creative and fertile mind," Chandler, now a partner in the Georgetown, Del., office of Wilson, Sonsini, Goodrich & Rosati, says in an interview. "He will be a fantastic leader."

That mind is now the custodian of a judicial system whose work product is the state's most significant export. A major-

ity of the Fortune 500 are incorporated in Delaware, and the Chancery Court is a major draw, because of its unusual focus on business cases, and track record of resolving disputes in a timely, principled way.

Cases are heard before judges rather than juries. And much of the work is done on the fly; the court is often asked to issue quick rulings because of a pending shareholder vote or other exigencies.

But its preeminence is also being tested. Delaware companies are increasingly being sued in other states, some recent studies indicate, and that threatens to dilute the influence of the court; if fewer companies start calling Delaware home, that could undermine the state's budget, which depends heavily on the taxes they

pay. Congress has also been invading the turf of Delaware and other states, enacting pro-shareholder and other corporate law measures, in response to scandals like the Enron mess.

Defending the home field, Strine has butted heads with judges in other states over the right to hear suits against Delaware firms, once issuing an order blocking a proposed buyout of the Topps trading card company after a New York judge had already asserted jurisdiction. He reasoned that the Topps merger was part of a newly emerging wave of going-private deals that was raising new and subtle issues that Delaware as the state of incorporation had a strong interest in addressing.

He has been the point man for the judiciary advising the governor and the state's congressional delegation on shaping federal reform measures. He has written that, by em-

powering shareholders as a check on managements, Congress has paradoxically sown the seeds of future crises, by fueling an already-intense drive for profits.

In the courtroom, if he plays against type of the cautious, inscrutable judge, that is a conscious strategy, so lawyers know where he stands on issues and have a fair shot at changing his mind. "I find interaction between intelligent human beings one of the best things about being a lawyer or a judge," he says. "Am I every one's cup of tea? I am sure I am not."



THERE WAS NO LEARNING CURVE," SAYS WILLIAM B. CHANDLER III. "HE HIT THE GROUND RUNNING. I GAVE HIM VERY SIGNIFICANT, HEAVY DUTY CORPORATE LAW CASES AND HE JUST KNOCKED THEM RIGHT OUT OF THE STADIUM.



LEO STRINE

In his office, beyond musical icons, there's a photo of Brooks Robinson, a childhood hero from Baltimore, where he was born to teenage parents, who understood the leavening effect of education. (Strine's brother, Michael, holds a Ph.D. in political science from Johns Hopkins, and is currently executive vice president and chief operating officer at the University of Virginia.)

The gallery includes a former boss, U.S. Sen. Tom Carper, who Strine first came to know as a student campaign organizer at the University of Delaware. When Carper became governor in 1993, Strine, by then working in the Wilmington office of Skadden, Arps, Slate, Meagher & Flom, with two judicial clerkships under his belt, gave up the corporate law firm life to become his legal adviser. The job included selling a skeptical legislature on his boss' reform-minded agenda.

"Leo was my spear carrier," Carper says in an interview. Carper nominated Strine to the Chancery Court in 1998, and after a politically charged debate, in which critics said he lacked experience and temperament, he was narrowly confirmed, a few days before his wife, Carrie, an occupational therapist, gave birth to the first of their two boys.

At 34, Strine was the brash new kid on the bench, in contrast to Chandler, the quintessential southern gentleman. But the men developed a mutual affection and a close working rapport. "Leo was someone who was very gracious, willing to roll up his sleeves and help," Chandler recalls.

"There was no learning curve," he adds. "He hit the ground running. I gave him very significant, heavy duty corporate law cases and he just knocked them right out of the stadium."

Strine first attracted attention in 2001, when he ordered up what was in effect a shotgun wedding between Tyson Foods Inc. and meatpacking company IBP Inc. Tyson tried to pull out of the \$3.2 billion deal saying that IBP had hidden adverse financial information. But Strine found that the information was part of the normal ebb and flow of the beef business, and ordered the chicken firm to the altar.

In 2004, he ruled that Conrad Black, the Canadian press baron, had breached his fiduciary and contractual duties "persistently and seriously" in connection with a proposed sale of Hollinger International Inc., the publishing firm Black then controlled.

Later, when Hollinger's board proposed selling the *Daily Telegraph*, the company's flagship asset, Strine threw out a lawsuit by Black seeking to block the sale.

"The Telegraph sale does not strike at International's heart or soul, if that corporation can be thought to have either one," he

wrote, adding that the legal test for determining whether the sale had to be put to a vote was the economic value of the newspaper "not how cool it would be" to be its publisher.

Strine sees corporate law as a kind of democracy in action, where at least in theory, there are checks and balances, such as boards getting their legitimacy from the election process. The challenge for the courts, he says, is to create ground rules that business people trust and to keep judges out of the middle of things as much as possible.

Lecturing at the Institute for Law and Economics in February, Strine decried a trend of judges who "make stuff up" to achieve "case specific justice" rather than sticking to existing standards of review or other principles.

But he also has not hesitated to speak up when he sees flaws in existing precedents. Strine has been highly suspicious of transactions initiated by controlling shareholders. But he has also been an advocate of deferring to the corporate decision-makers once certain safeguards are in place, such as where an independent board committee negotiates a deal or where it requires approval from a majority of minority shareholders.

The Delaware Supreme Court, which hears appeals from his court, has a different view, ruling in a 1994 case known as *Kahn v. Lynch* that all mergers with controlling stockholders were subject to judicial review.

Strine thinks that leads to a kind of legal extortion: plaintiffs' lawyers racing to the courthouse to attack buyouts with little or no proof of improper conduct, knowing that companies are incentivized to settle quickly to get on with their deals.

"Lynch has generated perverse incentives for both defense and plaintiffs' counsel," Strine opined in a 2005 shareholder suit attacking a buyout of Cox Communications Inc.

As part of a settlement, Cox had agreed to pay the plaintiffs' lawyers \$4.9 million in fees to go away. Calling the suits "hastily drafted throwaways," Strine said the lawyers had contributed little or nothing to final terms of the buyout, and in a move that jolted the plaintiffs' bar, cut the fee by more than two-thirds.

But he also thinks that lawyers should be amply rewarded where they take genuine risks and succeed, such as in the mining company flap.

That case involved allegations that Grupo Mexico forced a publicly held subsidiary, Southern Peru Copper Corp., to overpay for a third company, a Mexican mining firm that Grupo owned.

Strine found that the New York investment firm, Goldman Sachs, which advised Southern Peru, was effectively a tool of the parent, and that a special board committee set up to evaluate the



DELAWARE IS THE ONLY STATE WHERE BOTH SIDES COMPLAIN,” SAYS LEO STRINE. “THAT’S BECAUSE THIS IS A NEUTRAL FORUM WHERE THE ONLY CONSIDERATION IS DOING CORPORATE LAW FAIRLY AND WELL.



deal had conducted a tainted analysis. Southern Peru had issued stock to Grupo Mexico for the third company. Strine ordered that the parent return stock worth about a third of the purchase price plus interest – a total of nearly \$1.9 billion.

Plaintiffs’ lawyers requested a fee of 22.5 percent, or \$428 million, a percentage well within the range of other cases. The defense argued, however, the fee was excessive, noting in court papers that it was worth on an hourly basis what the median American household made in a year. Jenkins also argued that the fee should be reduced because the return of stock did not by itself increase the earnings or value of Southern Peru.

Strine discovered that Southern Peru’s board had been spending millions to buy back its stock in recent years. He said it was inconsistent for the company to argue that the buyback benefited the company but that the forced return of shares as part of the lawsuit did not.

“I’m not seeing the Emersonian non-foolish inconsistency. I just don’t have that level of genius to hold the incompatible ideas in the mind,” he said at the December hearing. “It’s clear when Southern Peru does it, it’s a proper fiduciary thing that’s good for the company and its stockholders, but if you get it through litigation, it’s not? I’m going to leave that to higher order brains to resolve.”

He trimmed the request to 15 percent of the judgment because the case had languished for years before the plaintiffs’ lawyers took any action. The company has appealed.

He is clearly proud of the court as an institution, collegial and hard-working, and feels a great responsibility to uphold its traditions. And it rankles him when people suggest the court does not give litigants a fair shake.

In November, at a conference on the future of the court at Columbia Law School in New York, a morning panel focused on the competition from other jurisdictions.

Northwestern law professor Bernard Black cited data showing a big drop in the percentage of corporate-law cases being filed in Delaware. He suggested that it reflected a feeling among plaintiffs’ attorneys that judges in the Chancery Court were becoming more critical of fee requests.

Another panelist, Stuart Grant, himself a successful Wilmington plaintiffs’ lawyer, said the exodus reflected a belief that it had become harder to get an expedited hearing in the court.

Strine, who had been sitting in the audience as Black and Grant spoke, seemed annoyed, people in the room say. At lunch, where he was the featured speaker, he prefaced his prepared remarks with an impromptu survey, asking a series of questions, including how many in the audience were then involved in expedited proceedings and how many had won fees of at least \$1 million in a single case.

Dozens of lawyers scrambled to their feet, in response to the questions. Strine continued to raise the bar, finally asking how many of the lawyers had won fees over \$20 million more than once.

Grant, the court critic, ended up being the last lawyer standing. The crowd laughed. Strine had made his point.

“When people suggest that somehow we are closed for business it has to be answered,” Strine says. A month later, he answered it emphatically in the Southern Peru case.

“Being in our job you have to get used to defense lawyers saying, ‘Oh, you are holding corporate directors to unrealistic standards. Nobody is going to want to serve as a director.’ Then you have the plaintiffs saying, ‘Oh, you are too hard on plaintiffs. You don’t give stockholders a fair chance,’” Strine says. “Delaware is the only state where both sides complain. That’s because this is a neutral forum where the only consideration is doing corporate law fairly and well.”

RICK SCHMITT HAS COVERED LEGAL AFFAIRS FOR THE *WALL STREET JOURNAL* AND THE *LOS ANGELES TIMES*. HE IS CURRENTLY A FREELANCE WRITER LIVING IN MARYLAND.

GUILLERMO DEL TORO PRESENTS **DON'T BE AFRAID OF THE DARK**

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BEAT THE ODDS
AND NEVER SAY NEVER
YOU FIND A CHAMPION
soul surfer
THE INSPIRING TRUE STORY OF
BETHANY HAMILTON

Directed by
ROBB

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Producer
NICHOLSON

Starring
UNDERWOOD

with
QUAID

**IN THE LANDS
OF BLOOD
AND FIRE**

THE
**MINI-MAJOR
GENERAL**

BY BILL WINE

RYAN GOSLING

DRIVE

BRUNO DIARDI
RUMDIARY
ABSOLUTELY NOTHING IN MODERATION

With the MAKERS OF
PARANORMAL ACTIVITY
SAWS

INSIDIOUS

SCHLESSEL FINDS RUNNING AN INDEPENDENT STUDIO JUST THE TICKET



IT'S THE CINEMA LANDSCAPE'S FAVORITE OXYMORON, HOLLYWOOD'S EQUIVALENT OF CRUEL KINDNESS, CIVIL WAR, AND JUMBO SHRIMP:

MINI-MAJOR.

THINK OF IT AS THE DESIGNER-DUDS DESIGNATION FOR A MOVIE STUDIO OF A SIZE BETWEEN A MAJOR STUDIO, SUCH AS ONE OF THE BIG SIX — PARAMOUNT, UNIVERSAL, WARNER BROTHERS, DISNEY, SONY, AND 20TH CENTURY FOX — AND OTHER SMALL, INDEPENDENT STUDIOS, SUCH AS MAGNOLIA, SAMUEL GOLDWYN, OR NEWMARKET.

It certainly describes FilmDistrict, the mini-major presided over by chief executive Peter Schlessel L'86, who was a “major” player as president of Columbia Pictures nearly a decade earlier. Schlessel has not only an encyclopedic recall of movie industry facts and figures, but a contagious enthusiasm for the cinematic branch of the business.

So how does running a mini-major differ from functioning in an executive capacity at a major studio?

“It’s way more fun, but so much scarier,” says Schlessel. “At a major studio, you can make mistakes and the machine will roll on. But at an independent company, you’re responsible to your investors in a much more personal way, as well as to your colleagues, who count on you to provide their livelihood and opportunities.”

In 2011, a record five mini-majors each accounted for over one percent of the domestic box office. FilmDistrict placed second on that list with \$166 million in revenues – impressive for a studio in its second year of existence.

Schlessel founded FilmDistrict in 2010 in partnership with Graham King and Tim Headington, serving as its CEO as well as president of the sister company, GK Films — with GK standing for Graham King. But it’s his all-encompassing FilmDistrict duties of buying and distribution of motion pictures – which

involve pre- and post-production rather than production itself — that occupy 95 percent of his time.

The studio’s early releases included the Ryan Gosling vehicle, *Drive*; The Rum Diary, starring Johnny Depp; Angelina Jolie’s directorial debut, *In the Land of Blood and Honey*; two horror thrillers, *Insidious* and *Don’t Be afraid of the Dark*; and the inspirational drama, *Soul Surfer*.

Coming attractions include the Jason Statham and Jennifer Lopez-starring action thriller, *Parker*, directed by Taylor Hackford; the science fiction thriller, *Lockout*; the Sundance Film Festival hit, *Safety Not Guaranteed*; the action thriller, *Red Dawn*; the soccer-themed comedy-drama starring Gerard Butler and Jessica Biel, *Playing the Field*; and the science fiction thriller, *Looper*, with Bruce Willis and Joseph Gordon-Levitt. The company also recently announced that a sequel was in the works to *Insidious*, the horror thriller with Patrick Wilson and Rose Byrne, which the *Hollywood Reporter* described as the most profitable movie of 2010.

Schlessel grew up in Long Island, N.Y., where he indulged his leisure-time passions of movies and sports before graduating from Union College in Schenectady, N.Y. He then attended Penn Law School, which provided him with a useful base for his future as a movie studio executive.

Who knew that his frequent weekend excursions to catch an art house flick at the Ritz Theater in Philadelphia would end up being career training?

“My basic law school education served as a valuable starting point,” he says. “My first job in the film business was negotiating approximately twenty-five film-acquisition rights deals a month. The training I received at Simpson, Thacher and Bartlett after law school also came in handy. Certainly being able to analyze problems, whether business or creative, is enhanced by a law school background.”

Schlessel began his film industry career at Sony Pictures Entertainment (SPE) in 1989, then spent 18 of his next 21 years at Sony, first as director of legal affairs for RCA/Columbia Home Video. Later he was promoted to vice president of business affairs, senior vice president of acquisitions and business affairs, and executive vice president of acquisitions and co-productions,

PETER SCHLESSEL

“CERTAINLY BEING ABLE TO ANALYZE PROBLEMS, WHETHER BUSINESS OR CREATIVE, IS ENHANCED BY A LAW SCHOOL BACKGROUND.”

a position that called on him to focus on forging deals to acquire already finished films.

In 1996, he co-founded the revamped Screen Gems, which was created to finance and produce mid-range-budget genre films.

During his tenure at SPE, Schlessel supervised over 1,500 third-party acquisitions and saw acquisition and co-production revenue grow tenfold.

So has his lifelong love of movies been diluted as a result of his involvement with the business side of movies?

“It’s been fantastic to have my vocation and avocation be the same,” says the avid moviegoer. “I love going to film festivals and seeing four or five movies a day. And my wife and I go to two movies every Saturday.”

In 2000, he became Columbia Pictures’ president of production, despite a decided lack of experience in that regard, and served in that capacity for three years, during which time Columbia’s box-office rank rose from eighth to first.

Then, in 2003, he was promoted to president of Columbia Pictures, beginning a tenure during which he was involved in such Columbia hits as Spider-Man, SWAT, Big Fish, Something’s Gotta Give, and Terminator 3: Rise of the Machines. He returned to Sony in 2007 as president of worldwide affairs, and in addition to his film duties, he was responsible for building two new office towers and working on the studio’s physical plant.

Then he left that heady position to become a consultant to several companies, including Dreamworks, Mandate Pictures, and Participant Media, which he helped create.

In 2010, Schlessel, with financial backing from Graham King and Tim Headington, created FilmDistrict as an independent movie studio devoted to distributing upwards of half-a-dozen wide-release titles a year, films with the potential to achieve a

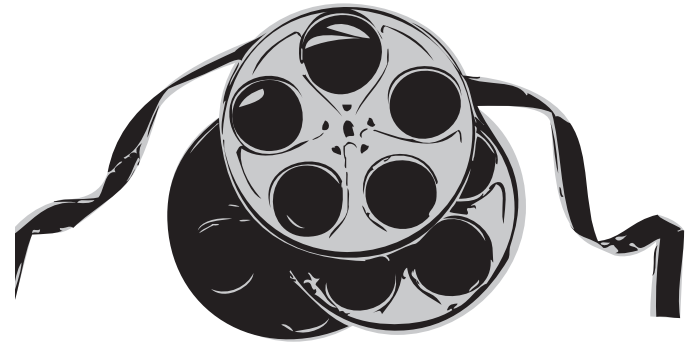
certain weight or value in the marketplace that offer involvement at the right price in pursuit of both artistic and commercial success.

The move caught the industry by surprise in that Schlessel had established a reputation as a shrewd dealmaker at Sony, where, as one wag put it, he was a “consigliere.”

His work yielded the superb South African science fiction thriller, District 9, which seemed a good bet given that executive producer Peter Jackson was coming off the Lord of the Rings trilogy. Sure enough, it became a hugely profitable, critically lauded sleeper hit and corralled Oscar nominations for Best Picture, Best Adapted Screenplay, Best Editing, and Best Visual Effects; and This Is It, the Michael Jackson documentary chronicling rehearsals and preparation for a concert series that was canceled because of Jackson’s death, that became nothing less than the highest grossing documentary/concert movie ever made.



Peter Schlessel and his wife Donna during the 2012 Film Independent Spirit Awards.



“IT’S ALWAYS A BALANCING ACT BETWEEN THE BUSINESS RISK/REWARD EQUATION, WHICH IS FUELED BY YOUR CREATIVE INSTINCT...,” EXPLAINS PETER SCHLESSEL

Schlessel loved working at a major studio and characterizes his exit as amicable, a result of his desire for more entrepreneurial opportunities and a greater involvement on the creative end.

Still, introducing a start-up distributor at a time, thanks to the collapsing economy, that the film industry was contracting, was certainly a swim against the tide. But swim they did.

“It’s always a balancing act between the business risk/reward equation,” explains Schlessel, “which is fueled by your creative instinct. But we keep in mind that experience informs instinct when evaluating whether a script or a finished movie will resonate with an audience and whether there is a value to the movie even if it does not meet your particular expectations.”

With FilmDistrict as a multi-faceted company that acquires, distributes, produces, and/or finances films, which of the four elements is of most personal interest to Schlessel?

“Personally, I love the creative side because that is a muscle I am still developing,” he admits. “Starting my career as a lawyer and then a business executive, I have found that working with filmmakers to achieve a satisfying product is the most rewarding aspect of the business. It is fun to draw on these past experiences when also overseeing distribution of our own movies.”

And of the movies Schlessel has worked on in one capacity or another, which does he think seem most likely to stand the test of time in the audience’s perception of them?

“I’ve been lucky enough to work on a few of them,” says Schlessel. “District 9, Spider-Man, and Insidious come to mind. But my personal favorite would have to be *The Wedding Planner*, with Jennifer Lopez and Matthew McConaughey, because I’ve watched it with my daughters over a hundred times.”

Over the years, Schlessel, now running FilmDistrict out of his office in Santa Monica, Calif. — where he also lives with his wife of over twenty years and their two teenaged daughters — has gained an understanding of the economics of the movie busi-

ness, an insider’s knowledge of just how to evaluate a movie’s ultimate worth after factoring in such elusive revenue streams as foreign rights, video sales and rentals, and television licensing.

But the economics of the movie business, like everything else, has changed mightily since he began in the late eighties.

“The change has been drastic,” says Schlessel. “To begin with, in 1989 even VHS was relatively new. But it allowed movies to have a large revenue stream outside the theatrical and television windows. VHS and then DVD, along with the proliferation of TV channels in the 1980s and 1990s, caused a large increase of revenues. Since 2007, DVD revenue has declined steadily and although Video On Demand and other digital revenues have risen, it’s a smaller overall revenue pie.

“With DVD revenues decreasing, digital revenues increasing, windows changing, and piracy seriously impacting overseas ancillary revenues, the landscape has changed significantly. And there’s been another big recent change in the business — the increased emphasis of studios on keeping talent costs as much under control as possible.”

And what’s on the GK Films wish list?

“Well, I would love to find another *Twilight* or *Hunger Games* or *Spider-Man*. But we have the movie version of the musical, *Jersey Boys*, which is on the runway, hoping to start production this year; and a not-yet-titled biopic about Freddie Mercury that will also start production this year. We’re excited about the potential of both of them.”

And the movie beat goes on. Which is perhaps why Schlessel doesn’t see the economic distress of the last four years affecting the movie business as much as it has many other industries.

“All things considered,” he says by way of summing up, “it’s still a relatively inexpensive way to spend an evening.”

BILL WINE, AN ASSOCIATE PROFESSOR IN THE COMMUNICATION DEPARTMENT AT LASALLE UNIVERSITY, IS THE MOVIE CRITIC FOR KYW NEWSRADIO IN PHILADELPHIA.



FACULTY NEWS AND PUBLICATIONS

FACULTY NEWS FLASH

Austin Ushers In New Era of Practicing Law with Production Values

BY NICOLE GREENSTEIN C'14

FOR PROFESSOR REGINA AUSTIN L'73, the future of legal advocacy is no longer confined to just the written word. In today's age of digital technology and social media, Austin has been working with her students to bring clients and their causes to life on screens of every dimension.

Visual legal advocacy, or the art of making nonfiction films devoted to the advancement of social justice, has quickly grown as a new and important area of the law. Austin has become a leading scholar in this emerging field, as well as a champion of its cause at Penn. As the founder and director of the Penn Program on Documentaries and the Law, Austin created a program that intertwines legal education with the study of filmmaking as a tool of advocacy.

"I've used documentaries in my teaching for a long time, and once I got involved in teaching documentaries and the law, I

started looking for the ways in which real, practicing lawyers were using video," Austin said.

Soon she discovered that lawyers were making settlement brochures and clemency videos on behalf of capital defendants, and this sparked the idea for what would soon become the Penn Program's Visual Legal Advocacy Seminar.

"From there I decided there was a role for visual legal advocacy," she explained, "and that we could teach it here, and that we could make it here too."

This program is also one-of-a-kind among top law schools. Although Yale and Stanford offer documentary production as

extracurricular activities, Austin explained that at Penn students actually receive course credit for their work on public interest nonfiction short films.

Each year the students produce three to five videos revolving around issues of social justice. In just the past year, Austin's students have crafted documentaries on a wide range of topics — including employment discrimination against people with criminal records, gambling in the black community, conflict at a local high school between immigrant and native-born students, and the challenges faced by mothers in prison.

Third-year law student Noor Najeeb is working on a documentary about the difficul-



© Brian Stauffer/Theispost.com

“Lawyers have been creatures of the word — the written word,” Austin explained. “But we’re attempting to change that with the spoken word and with images and sound, and pushback is inevitable.”

ties low-income families face in raising children with disabilities. The experience has been eye opening and inspiring.

“Where some law classes are more theory-based and seem dissociated from the everyday reality that individuals face, Professor Austin’s class is an invigorating real-life and hands-on approach to legal education and advocacy,” she said.

Although most students’ videos are used to support public interest activities in the local community, Najeeb hopes that their documentary will be part of the national advocacy effort to defend children’s SSI benefits from cuts by Congress.

Though visual legal advocacy reach can extend beyond Philadelphia, most advocacy videos are used in local quasi-judicial settings such as administration hearings and pardon proceedings.

“In terms of the scholarship that I do, I’ve been looking at the use of videos in connection with sentencing in criminal cases,” Austin said. In order to study the way that visual legal advocacy plays a role in courtrooms, Austin has been examining visual victim impact statements and mitigation videos that are being offered by defendants to lighten a harsh sentence.

Although visual legal advocacy has played a role in both the community and the courtroom, Austin does admit that there are limits to visual legal advocacy. Some of these limits include issues such as cost and the skill level of potential legal practitioners of the art, but what Austin worries most about is whether the field will find receptive ground in the legal profession.

“Lawyers have been creatures of the word — the written word,” she explained. “But we’re attempting to change that with the spoken word and with images and sound, and pushback is inevitable.”

However, Austin feels confident that the benefits of visual legal advocacy certainly outweigh its limits.

With the changes in technology brought by the digital revolution, visual legal advocacy provides lawyers with a new, effective tool to make arguments on behalf of their clients. Austin added that visual advocacy is in some respects more efficient than the more traditional forms of argumentation, especially with regard to how easily efforts at persuasion may be shared.

With more outlets for dissemination in today’s digital era such as websites and blogs, Austin feels that visual legal advocacy can be accessible to many individuals who would otherwise be left in the dark. Popular documentaries such as *Supersize Me* and the KONY 2012 video are present-day examples of this, as both have had rapid, large-scale effects across the globe due to digital sharing.

“It’s democratizing to a certain extent,” Austin said. “The digital visual tools are accessible to a wide range of people, so ordinary people can tell their stories and expect to be heard.”

Austin’s students feel the same way about the role of visual legal advocacy in the digital age. “Media is all around us and is constantly being used as a tool of persuasion,” Najeeb said. “I think that video advocacy is a tool that every attorney should be familiar with.”

With regard to what the future will bring for visual legal advocacy, Austin sees the options as endless — but at the same time, also uncertain.

“It’s hard to say,” she confessed. “I’m learning so much every day, every week, every month.”

But Austin does know one thing for sure: in order for visual legal advocacy to continue to shape the legal sphere, her students will have to be the ones to carry on its legacy.

“You can only hope that young people will take up the ball and run with it,” she said, “because this is their future.”

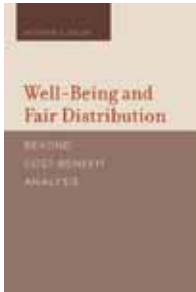
NICOLE GREENSTEIN IS A POLITICAL SCIENCE AND ENGLISH MAJOR IN PENN’S CLASS OF 2014. SHE WRITES FOR *THE DAILY PENNSYLVANIAN*.

Bookshelf

Well-Being and Fair Distribution: Beyond Cost-Benefit Analysis

(Oxford University Press)

WELL-BEING AND FAIR DISTRIBUTION provides a rigorous and comprehensive defense of the “social welfare



function” as a tool for evaluating governmental policies. In particular, it argues for a “prioritarian” social welfare function: one that gives greater priority to the well-being of worse off individuals. In doing so, the book draws on many literatures: in theoretical economics, applied economics, philosophy, and law.

Topics addressed include the following:

the nature of well-being and the possibility of interpersonal comparisons: the measurement of well-being via “utility” numbers; why a “prioritarian” social welfare function is more appealing than alternative forms (for example, a utilitarian function, which simply adds up utilities); whether fair distribution should be conceptualized on a lifetime or sublifetime basis; and social choice under uncertainty.

The book also compares the “social welfare function” to other, more familiar policy-evaluation methodologies – traditional cost-benefit analysis, inequality metrics, poverty metrics, and cost-effectiveness analysis. Only the “social welfare function” provides a unified, implementable, and normatively plausible methodology that respects the most basic welfarist principles (such as the Pareto principle) and is sensitive to distributive considerations.

The Machinery of Justice

(Oxford University Press)

TWO CENTURIES AGO, the American criminal justice was run primarily by laymen. Jury trials passed moral judgment on



crimes, vindicated victims and innocent defendants, and denounced the guilty. But over the last two centuries, lawyers have taken over the process, silencing victims and defendants and, in many cases, substituting a plea-bargaining system for the voice of the jury. The public sees little of how this assembly-line justice works, and victims and defendants

have largely lost their day in court. This lawyerized machinery

has purchased efficient, speedy processing of many cases at the price of sacrificing softer values, such as reforming defendants and healing wounded victims and relationships. In other words, the U.S. legal system has bought quantity at the price of quality, without recognizing either the trade-off or the great gulf separating lawyers’ and laymen’s incentives, interests, values, and powers.

In *The Machinery of Criminal Justice*, author Stephanos Bibas surveys these developments over the last two centuries, considers what we have lost in our quest for efficient punishment, and suggests ways to include victims, defendants, and the public once again.

Targeted Killings

Law and Morality in an Asymmetrical World

(Oxford University Press)

THE WAR ON TERROR is remaking conventional warfare.

The protracted battle against a non-state organization, the



demise of the confinement of hostilities to an identifiable battlefield, the extensive involvement of civilian combatants, and the development of new and more precise military technologies have all conspired to require a rethinking of the law and morality of war. Just theory, as traditionally articulated, seems ill-suited to justify many of the practices of the

war on terror. The raid against Osama Bin Laden’s Pakistani compound was the highest profile example of this strategy, but the issue raised by this technique cast a far broader net: every week the U.S. military and CIA launch remotely piloted drones to track suspected terrorists in hopes of launching a missile strike against them.

The legal and moral basis for the use of this technique is problematic. Is the U.S. government correct that nations attacked by terrorists have the right to respond in self-defense by targeting specific terrorists for summary killing? Is there a limit to who can legitimately be placed on the list? There is also widespread disagreement about whether suspected terrorists should be considered combatants subject to the risk of lawful killing under the laws of war or civilians protected by international humanitarian law.

This book addresses these issues. Featuring chapters by an unrivalled set of experts, it discusses all aspects of targeted killing, making it indispensable reading for anyone interested in the implications of this practice.

CRAFTING YOUR LEGACY

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FACULTY NEWS AND PUBLICATIONS

Roberts Appointed First Alexander Civil Rights Chair

DOROTHY ROBERTS, AN ACCLAIMED SCHOLAR

of race, gender, and the law, has been named the inaugural



Raymond
Pace and Sadie
Tanner Mossell
Alexander
Professor of Civil
Rights.

“The chair serves as a critical means by which we can educate the next generation of lawyers about civil rights law in America,” said Penn Law Dean Michael A. Fitts. “In addition, it will serve to contribute

within and outside the legal academy to the comprehensive study and discussion about ways we can combat discrimination in any form.”

Roberts comes to Penn as the fourteenth Penn Integrates Knowledge Professor. She will divide her time between the Law School and the Department of Sociology in the School of Arts and Sciences, where she will be the George A. Weiss University Professor of Law and Sociology.

The Penn Integrates Knowledge program was launched by President Gutmann in 2005 as a university-wide initiative to recruit exceptional faculty members whose research and teaching exemplify the integration of knowledge across disciplines, and who are jointly appointed between two schools at Penn.

Roberts has taught since 1998 at Northwestern University, where she is the Kirkland & Ellis Professor at the School of Law and professor of African-American Studies and Sociology. She earned a JD from Harvard Law School and a BA *magna cum laude* from Yale University.

Roberts’ path-breaking work in law and public policy focuses on urgent contemporary issues in health, bioethics, and social justice, especially as they impact the lives of women, children, and African-Americans. Her major books include *Fatal Invention: How Science, Politics, and Big Business Re-create Race in the Twenty-First Century* (New Press, 2011), *Shattered Bonds: The Color of Child Welfare* (Basic Books, 2002), and *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (Pantheon, 1992). She is the author of more than 80 scholarly articles and book chapters, as well as a co-editor of six books on such topics as constitutional law, First Amendment Law, and women and the law.

The Alexander chair was established in 1993 to honor the memory of Sadie Tanner Mossell Alexander ED’18, GR’21, L’27, the first African American in the United States to earn a Ph.D in economics and who became in 1927, the first African American woman to graduate from Penn Law. Her exceptional career included service to President Harry Truman as a member of his President’s Committee on Civil Rights, as well as an active role in the creation of the Philadelphia Commission on Human Rights, for which she was the first commissioner.

The initial gift came from the Alexander estate but has been abetted by the involvement of Sadie Alexander’s daughters, Dr. Rae Alexander-Minter GR’81, who played a pivotal role in fund-raising efforts, and Mary B. Cannaday. The chair has been co-funded by the Law School, Penn, and through a grant from the Pennsylvania Department of Education and a gift from the law firm Duane Morris. In addition, in 1994 Penn Law’s Black Law Students Association (BLSA) established a Sadie Tanner Mossell Alexander Committee and each year since has hosted an annual dinner and conference to support fundraising for the chair.

Randall Kennedy, a leading scholar of race relations law, held the Alexander chair as a visiting professor during the spring semester.

Kennedy, the Michael R. Klein Professor of Law at Harvard Law School, delivered a lecture on Supreme Court Justice Thurgood Marshall (see accompanying story), for whom he had clerked. He is the author of several notable books including *Persistence of the Color Line: Racial Politics and the Obama Presidency*; *Sellout: The Politics of Racial Betrayal*; and *Interracial Intimacies: Sex, Marriage, Identity and Adoption*. His book *Race, Crime and the Law* was the recipient of the Robert F. Kennedy Book Award in 1998.

Race Relations Scholar Says Thurgood Marshall's Reputation as "Mr. Civil Rights" is Ripe for Debate

RANDALL KENNEDY, who clerked for Justice Thurgood Marshall, assessed his legacy as "Mr. Civil Rights" in a far-ranging lecture last April.

Kennedy, a Harvard Law school professor who spent the spring semester as the Raymond Pace and Sadie Tanner Mossell Alexander Visiting Professor of Civil Rights, essentially argued that Marshall challenged racial discrimination in the appellate courts when he was the chief counsel for the NAACP out of personal experience.

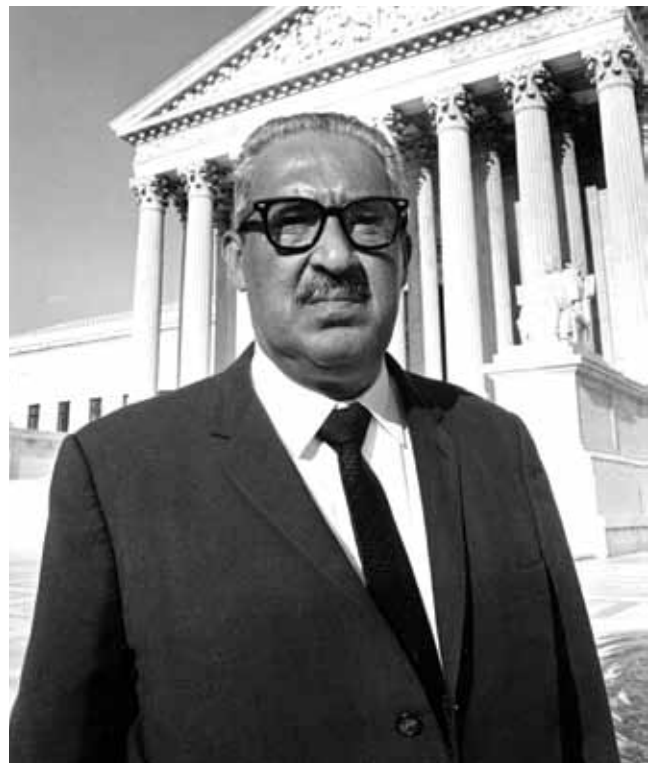
He cited *Murray v. Pearson*, in which an African-American, Donald Murray, was barred from attending the University of Maryland law school. The case hit home for Marshall, who had been denied entry himself, according to Kennedy. Marshall "wanted to attack the system of racial exclusion" that prevented him from enrolling at the school of his choice. He argued that the State of Maryland was supposed to provide separate but equal opportunities, and if there was not a black school that was equal to the white Law School, then a black student should be allowed to go to the white school. The U.S. Supreme Court handed Marshall his first victory in a big case.

Kennedy said Marshall's title as "Mr. Civil Rights" also derived from his defense of blacks in criminal cases and his work as an NAACP investigator in which he was sent to Detroit after the race riots of 1943 and to Korea where numerous black soldiers faced disciplinary actions that raised questions.

While Kennedy said he reveres Marshall, he thought it fair game for people to question some of his positions, such as when he declined to assist a black man named Wilfred Lynn who refused to serve in the military during World War II because he did not want to fight in a segregated army. Kennedy said Marshall also convinced the American Civil Liberties Union not to represent Lynn.

Kennedy also touched on Marshall's refusal to defend anyone who he believed was guilty, his cooperation with the U.S. government to persecute the Communist Party, and his decision to choose Jack Greenberg, a white man, as his successor at the NAACP.

Kennedy did not pass judgment on Marshall's controversial decisions, but he said believes in having debates about them. "I think Thurgood Marshall's career and stature can stand disagreement," he said. "We shouldn't engage in hagiography. We should engage in a critical examination of this great man's career."



Justice Thurgood Marshall outside the Supreme Court Building in Washington, September 1, 1967.

© AP Images

CLASS ACTION

Latino Student Group Emphasizes Strength in Numbers

By JENNY CHUNG '12, G'12

IN HIS ROUSING KEYNOTE ADDRESS, delivered at the close of the 17th Annual LALSA Conference, attorney and columnist Raul A. Reyes averred that the Latino constituency will have increased by 26 percent by election time, with a record 12.2 million Hispanic-Americans slated to vote.

No longer the “sleeping giant” overlooked by lawmakers of yore, Latinos are now assuming unprecedented political power. In spite of their mounting influence, however, Latinos remain underrepresented in the legal profession and at elite law schools nationwide. The Hispanic population rose by 43 percent over the last decade, but the proportion of Hispanic lawyers only grew from 3.4 percent to 3.7 percent.

Penn Law’s Latin American Law Students Association (LALSA) – which is changing its name this year to Latino Law Students Association—aims to address these concerns by offering mentorship, networking opportunities and general support to incoming law students of Hispanic origin.

According to Alumni Chair Pablo Rubinstein Ize 3L, LALSA was once known chiefly for its social events, but has evolved in recent years to unite its focus on fun with “stronger academic support, networking and mentoring components.” Correspondingly, La Gran Fiesta—LALSA’s much-anticipated annual celebration—was held for the last time as a social function in 2005, assuming thereafter its present form as a scholarly conference followed by festivities. The group’s core objectives now center on the retention and success of Latino law students, in conjunction with vigorous recruitment efforts to increase their numbers at Penn Law School. LALSA has also bolstered its alumni outreach programs in hopes of expanding its network.

Rubinstein Ize identified the “deficit of [Latino] representation” in the legal profession as one of the principal challenges LALSA confronts. He spoke to the need for fostering Latino involvement and leadership within the legal profession.

LALSA runs two mentorship programs, schedules routine socials, hosts educational and occupational panels, coordinates events in collaboration with other affinity groups and conducts outreach initiatives targeting prospective and admitted students.



LALSA students gather round Sonia Sotomayor, first Latino on the Supreme Court, after Golkin Hall dedication.

In addition to helping members achieve professional success, LALSA also aims to cultivate a “supportive environment” in which students can share private insecurities and doubts.

“Penn Law attracts some of the top students in the country, so [admitted] students should feel confident,” Rubinstein Ize explained. “But social pressure develops when you’re one of the few in a stigmatized or underrepresented group. LALSA creates a space for students who ... are unsure they should be here and start to second-guess.”

Daniel Mateo L’93, newly installed president of the Hispanic Bar Association of New Jersey, considers his involvement in LALSA while at Penn “an amazing experience.”

“I remember going into the LALSA office often during class breaks — there was always somebody else there,” he recalled. “It was a great opportunity to connect and debrief.”

Not only did the group offer “great networking opportunities,” Mateo said, “it always felt like a safe place where you could have an honest conversation about whatever was going on, law school-related or not.”

For Mateo, who had been raised in inner-city Camden, entering law school was nothing short of “daunting.” “I didn’t have any role models, didn’t know what to expect, and didn’t have any mentors,” he said. “While the Law School was certainly welcoming, I felt very out of place.”

Mateo credits LALSA with easing the transition by providing access to other students “who may have had, if not exactly the same upbringing, at least the same cultural background.”

“It made me feel more comfortable asking questions and seeking out mentors,” he said, adding that the guidance of a “good mentor” can be crucial to success in the legal field.

JENNY CHUNG GRADUATED FROM PENN THIS YEAR. WHILE IN SCHOOL, SHE WORKED AS A REPORTER FOR *THE DAILY PENNSYLVANIAN*.

Grupo de Estudiantes Latinos Destaca Fortaleza en la Unidad

EN SU ENTUSIASTA DISCURSO de clausura de la 17^a Conferencia Anual LALSA, el abogado y columnista Raúl A. Reyes afirmó que para cuando se realicen las elecciones el electorado latino se habrá incrementado en 26 por ciento, con un récord de 12,2 millones de hispanos estadounidenses programados para votar.

Los latinos están asumiendo un poder político sin precedentes y están dejando de ser el “gigante dormido” que los legisladores de antaño pasaban por alto. A pesar de su creciente influencia, sin embargo, su representación es todavía insuficiente en la profesión legal y en las escuelas de derecho de elite a nivel nacional. La población hispana se incrementó en un 43 por ciento durante la última década, pero la proporción de abogados hispanos sólo subió de 3,4 a 3,7 por ciento.

La Asociación de Estudiantes Latinoamericanos de Derecho de la Universidad de Pensilvania (LALSA)-que cambiará su nombre este año a Asociación de Estudiantes Latinos de Derecho — tiene como objetivo abordar estas preocupaciones, ofreciendo orientación, oportunidades de contacto y apoyo en general a los estudiantes de origen hispano que comienzan la carrera de Derecho.

De acuerdo al Presidente de los Ex-alumnos, Pablo Rubinstein Ize 3L, LALSA fue reconocida en algún momento por sus eventos sociales; sin embargo, en los últimos años ha evolucionado para unir a su énfasis en la diversión “un mayor apoyo académico y componentes de creación de redes y tutoría”. En consecuencia, La Gran Fiesta – la esperada celebración anual de LALSA — fue realizada por última vez como un evento social en 2005, asumiendo desde entonces su forma actual como una conferencia académica a la que prosiguen las celebraciones. Los objetivos fundamentales del grupo se centran ahora en la retención y el éxito de estudiantes de derecho de origen latino, junto a vigorosos esfuerzos de reclutamiento para incrementar su número en la Facultad de Derecho de la Universidad de Pensilvania. Asimismo, LALSA ha reforzado sus programas de extensión para ex-alumnos, con la esperanza de ampliar su red.

Rubinstein Ize identificó al “déficit de representación [latina]” en la profesión legal como uno de los principales desafíos que enfrenta LALSA. Se refirió a la necesidad de fomentar la participación y el liderazgo latinos al interior de la profesión jurídica.

LALSA ejecuta dos programas de tutoría, organiza actividades sociales de forma rutinaria, acoge paneles educativos y ocupacionales, coordina eventos en colaboración con grupos afines y lleva a cabo iniciativas de divulgación dirigidas a futuros estudiantes y a aquellos admitidos.

Además de colaborar a sus miembros para lograr éxito profesional, LALSA tiene también como objetivo cultivar un “entorno de apoyo” en el cual los estudiantes puedan compartir dudas e inseguridades particulares. “El programa de Derecho de la Universidad de Pensilvania atrae a algunos de los mejores estudiantes del país, por lo que [aquellos admitidos] deberían sentirse seguros”, explicó Rubinstein Ize. “Pero la presión social emerge cuando se es uno de los pocos, dentro de un grupo estigmatizado o de baja representación. LALSA crea un espacio para los estudiantes que... no están seguros de que deberían estar aquí y empiezan a dudar de sí mismos”.

Daniel Mateo, L’93, recientemente posesionado como presidente de la Asociación de Abogados Hispanos de Nueva Jersey, considera que su involucramiento en LALSA mientras estudiaba en la Universidad de Pensilvania fue “una experiencia increíble.”

“Recuerdo ir frecuentemente a la oficina de LALSA durante los recreos -siempre había alguien allí”, evocó. “Era una gran oportunidad para conectarse y comentar actividades”. El grupo no sólo ofrecía “grandes oportunidades para establecer redes”, dijo Mateo, “siempre se sentía como un lugar seguro donde uno podía tener una conversación honesta sobre lo que estaba pasando, sea en relación a la facultad o no.”

Para Mateo, criado en una zona marginal de la ciudad de Camden, entrar en la Facultad de Derecho era, cuando menos, “sobrecogedor”. “No tenía ningún modelo a seguir, no sabía qué esperar, y no tenía ningún mentor”, dijo. “A pesar de que la Facultad de Derecho sin duda me acogió, me sentí muy fuera de lugar.”

Mateo atribuye a LALSA una fácil transición al ofrecer acceso a otros estudiantes “que si bien podían tener una crianza diferente, por lo menos compartían la misma cultura.”

“Me hacía sentir más cómodo para hacer preguntas y buscar mentores”, dijo, y agregó que la guía de un “buen mentor” puede ser crucial para alcanzar el éxito en el ámbito jurídico.



BOLD AMBITIONS

The Campaign for Penn Law

Golkin Showers Students with Greatest Gift of All: Knowledge

BY LARRY TEITELBAUM

PERRY GOLKIN W'74, WG'74, L'78 stands before the Penn Law and Wharton class he teaches like an imperious CEO. He wants his board, played by students, to approve a \$25 million acquisition of a manufacturing company. He is driving a hard bargain, making the deal seem like a once-in-a-lifetime opportunity that is too good to pass up. He argues that it would open new markets and expand business — at minimal financial risk.

But the faux board raises questions: Is it wise for the company to assume the responsibility of running a manufacturing plant, with which it has no experience? What happens if there are product defects? As it turns out, concerns about product liability were a literal deal-breaker and the board voted no. To which Golkin reacted like a proud father, praising his business and law students for using prudent judgment and pushing back against a foolish idea and potential PR disaster.

This exercise occurred early in the spring semester, as Golkin warmed to the task of teaching Business Strategy and Corporate Law for the third year in a row. His class is extremely popular and interest always exceeds the number of available seats. For him, it is great fun to draw on and share his experience as a long-time partner at the famous private equity firm, Kohlberg Kravis Roberts & Co. He seems to thoroughly enjoy training a new crop of would-be Golkins how to operate in the world of high finance and business with skill and discretion, just as he has been



The Golkin family enjoys a moment together after the formal dedication of Golkin Hall. With Perry Golkin and his wife Donna are (from left to right) Dorie, an MBA candidate at Wharton; David, a teacher at a charter school; and Gregory, a 2006 graduate of the Wharton School.

doing for more than 25 years, riding his three degrees from Penn in business and law to the highest echelons of his profession.

“Perry Golkin has been a great success because he represents an uncommon combination of winning traits: he is exceptionally bright, creative and hard-working, and he is an honest and likeable person with whom everyone is comfortable working,” says Paul Levy L'72, former chairman of the Penn Law Board of Overseers, and founder and managing director of JLL Partners, a leading private equity firm in New York.

“You kind of expect him to have a masters-of-the-universe kind of personality,” adds Penn Law School Dean Michael A. Fitts, who goes on to describe Golkin as quiet and understated. He might have included determined.

Golkin has known what he's wanted for a long time. The

“I think of it as another step in the evolution of the Law School,” Perry Golkin said. “Penn Law is an unbelievably exciting place and it’s only going to get better.”

Brooklyn native dabbled in theater as a child, appearing in Broadway productions of *Luther* and *Here’s Love*. He and other members of his performing arts school were invited to appear on a well-known local television show in New York. The host asked Golkin, then nine, what he wanted to do when he grew up. Golkin answered that he wanted to be a lawyer.

In high school several years later, he also decided that he wanted to attend business school, in what was the first of several turning points in his life. His father, Louis, who became a sole practitioner, was stationed in Philadelphia during World War II and took advantage of his location by studying accounting at Wharton. He convinced his son to follow his lead and develop a specialty in business. Golkin had little knowledge of Wharton, but he took his father’s advice – and he thrived, earning dual degrees in accounting and economics, which became, along with his law degree, the foundation for his career.

Wharton did more than burnish his academic credentials. Golkin met his future wife, Donna O’ Hara WG’77, on Penn’s campus. Donna, an undergraduate at Colgate University decided to take a semester at Penn. They got married between his second and third years of law school and went on to raise three children: Gregory, a 2006 graduate of Wharton who started a technology company in the educational field called ThinkBinder; Dorie, a Princeton graduate who is pursuing an MBA at Wharton; and David, who is teaching at a charter school in Harlem after earning his degree at Williams College.

Perry Golkin set the template for achievement by distinguishing himself in law school. His team won the Keedy Cup moot court competition. He also taught an accounting class to Wharton students while still in law school. This was his first taste of teaching. He had such command of the material that he ran Wharton’s sophomore accounting program and supervised 15 other instructors of the introductory accounting class when the professor charged with such duties went on sabbatical. “I really liked it,” Golkin said. “I took that job very seriously, so it worked out well.”

As did his career. Golkin started as a certified public account-

tant at Price Waterhouse, became a corporate lawyer at Simpson Thacher & Bartlett after law school, and finally settled in at KKR, where he was only the twelfth named partner at the legendary investment firm. He has been responsible for running the financial services practice and overseeing companies engaged in a number of other industries including manufacturing, coal mining, home building, chemical, and media.

The company went public in the summer of 2010 and quadrupled in size. The growth of both the company and his children, Golkin said, freed him to devote more time to Penn. It allowed him to serve as a trustee for both the University and Penn Medicine; as an overseer at the Law School, and as a board member of the Law School’s Institute for Law and Economics. But equally important, it provided Golkin the opportunity to teach again. “I wanted to teach because I actually know something to teach,” Golkin said. “I’ve got a lot of experience and I think there are a lot of lessons I picked up along the way.”

Golkin incorporates those lessons — gleaned from years of service on corporate boards — into his class. Employing his showmanship, Golkin carefully choreographs his class, but does so in a way that feels spontaneous. At the start of the spring semester, Golkin fills boards with stock quotes, invites students to contribute their thoughts on a column questioning the ethics of carried interest, and leads a discussion on mark-to-market accounting and the irrationality of markets.

Josh Abramson L’12, who was among the first students to earn a three-year joint JD/MBA degree, jumped at the chance to take Golkin’s class, which he described as a conversation rather than a lecture. Calling Golkin “incredibly approachable,” Abramson praised him for thoroughly exploring corporate issues and teaching students how to think through the ramifications of their decisions. He also was grateful for his spot in the class, which typically draws great interest and always has a waiting list.

Golkin teaches the class in Gittis Hall, one of the renovated spaces that are part of the grand remaking of Penn Law School. The centerpiece of that endeavor is Golkin Hall, a 40,000-square-foot building that completes a decade-plus renovation project and gives the Law School an open, light-filled space to support its educational program and its culture.

Golkin believes the building speaks to the renaissance occurring at the Law School.

“I think of it as another step in the evolution of the Law School,” Golkin said. “Penn Law is an unbelievably exciting place and it’s only going to get better.”



A SUPREME MOMENT

THE NEARLY WEEKLONG DEDICATION OF GOLKIN HALL

was many things: a moveable feast, joyous block party, and regal celebration. Music filled the air, from bagpipers to Mummers to the homegrown Indian a cappella group, Penn Masala. There was food at every turn, including a breakfast pastry shaped like a G. And there were acres of smiles. Abundance ruled. Students had a rollicking good time at a street fair; alumni toasted one another and the dean at a dinner celebrating the completion of a new building at the center of the Law School; faculty opined on the state of legal education and alumni reflected on the value of legal education in their careers during panel discussions. But the event to end all events occurred on the last day, when the Penn Law community welcomed Supreme Court Justice Sonia Sotomayor to Philadelphia for the ribbon-cutting and a face-to-face discussion with former law school classmate, Dean Michael A. Fitts. It was a day to remember.



ALUMNI BRIEFS

1950s



HON. HAROLD BERGER EE'48, L'51 participated with Dean Eduardo Glandt GCh'75 Gr'77 of Penn's School of Engineering and Applied Science in the presentation of the 2011 Berger Award to Dr. Steven Chu, U.S. Secretary of Energy and co-winner of the 1997 Nobel Prize for Physics. Harold, a former Philadelphia Common Pleas Court judge, is a senior partner and managing principal of Berger & Montague, PC. He is an overseer of the School of Engineering and Applied Science and chair of the Friends of the Biddle Law Library.

DAVID M. JORDAN L'59 has published a book, "FDR, Dewey, and the Election of

1944." David is also the author of "Roscoe Conkling of New York: Voice in the Senate," "Winfield Scott Hancock: A Soldier's Life," "Happiness Is Not My Companion: The Life of General G. K. Warren," and "Occasional Glory: A History of the Philadelphia Phillies."

1960s

FRANKLIN L. KURY L'61 published "Clean Politics, Clean Streams: A Legislative Autobiography and Reflections," about his election to the Pennsylvania House of Representatives, and later the Senate. Franklin served in the House and Senate from 1966 through 1980 as a leader in the enactment of governmental reform and environmental protection legislation.

HON. JACK K. MANDEL L'61 received Bank of America's 2011 Local Hero award for his work at the Nicholas Academic Centers, an after-school mentoring and tutoring program he established for inner-city high

school students in Santa Ana, Calif. Jack is a retired Orange County Superior Court judge.

PAUL AUERBACH W'58, G'59, L'62 has been elected to the board of governors of Gratz College, a trans-denominational Jewish college. Paul is an attorney in private practice and former president of the Mid-Atlantic region of the Zionist Organization of America.

JOHN A. HERDEG L'62 has been appointed a member of the trust-advisory board formed by WSFS Financial Corp. to advise and counsel Christiana Trust, a division of WSFS Bank. John is one of the organizers of Christiana Bank & Trust, where he was chairman of the board of directors from the company's formation until its sale. Herdeg is a lawyer with Herdeg, du Pont & Dalle Pазze LLP in Wilmington, Del.

DAVID H. MARION W'60, L'63 has joined Archer & Greiner PC as a partner in the firm's Philadelphia office. David is a past chancellor of the Philadelphia Bar Association whose courtroom experience includes



landmark victories in the U.S. Supreme Court, the Pennsylvania Supreme Court and the Third Circuit Court of Appeals.

ANDREW B. CANTOR L'64 was elected to the board of trustees at Montgomery County Community College as vice chair. He is retired from Wisler Pearlstine, LLP after 48 years of practice.

OSCAR GOODMAN L'64, who was mayor of Las Vegas for 12 years, is the namesake of Oscar's, a new steakhouse in Las Vegas's Plaza Hotel and Casino. The restaurant is a throwback to the early Mafia days of the city. Goodman is a former mob attorney.

JAMES GREENBERG L'64 was elected to the board of directors of the Chamber of Commerce Southern New

ALUMNI BRIEFS

Q+A

Delano's Got Pennsylvania Politics Wired

If you want to know the state of political play in Pennsylvania and across the nation, Jon Delano L'94 is your man. Delano is the longtime political editor of KDKA-TV in Pittsburgh, publisher of a well-regarded newsletter on policy and politics, and adjunct professor in the H. John Heinz College of Public Policy & Management at Carnegie Mellon University. A former congressional aide, Delano's visibility as a top political analyst and reputation for fairness enabled him to snag interviews with Barack Obama when he was a candidate and after he became President – in both instances he was the first television reporter in Pennsylvania to do so. With the election approaching, we asked him to opine on the President, the problems with our political system, and the Occupy Wall Street movement.



Jon Delano was the first television reporter in Pennsylvania to interview President Obama in the White House.

Q: Give me your impression of President Obama.

JD: From the very beginning I have been impressed with his intelligence. He's a smart guy, and he knows what he's talking about. He carefully considers his answers to questions.

Q: What are his chances for re-election?

JD: Can Obama win re-election? Yes. Is it a done deal? No. If the election were held today it would not be clear at all that Barack Obama can carry Pennsylvania against Mitt Romney. Pennsylvania is a must-win state for both candidates. The last Democrat to win without Pennsylvania was Harry Truman in 1948. Only two Republicans – George W. Bush and Richard Nixon – have been elected without winning Pennsylvania.

Q: There has been much commentary about the faults of our political system. How do you see it?

JD: I think one of the biggest problems with our political system is that so many Americans don't feel that they can make a difference. In the last election in Pennsylvania only 22 percent bothered to vote – 1.2 million of the 8 million registered voters. I don't think a democracy operates very well if the vast majority of the citizens are so disaffected and disconnected that they don't want to participate. What that does is it leaves control of the government in the hands of the very few.

Q: Isn't that why the Occupy Wall Street movement began? What do you make of it?

JD: (With) today's young people, there's a huge sense of hope-

lessness that's very tough to change. And voting for Barack Obama was not enough. You voted for Barack Obama for change and nothing really seemed to change. And that's because the political process is such that it takes more than one leader.

I certainly sympathize with the belief that one percent of Americans have a huge amount of power over the other 99 percent. Many folks can relate, and many of them are middle class folks.

Q: So how do we address their concerns and fix the political system?

JD: We need laws that make it easier, not more difficult, to participate. That includes voting. Right now, the trend has been against making it easier to vote – photo identification when there's no evidence of fraud, lengthy periods to register before an election rather than same day registration. Some states that had encouraged early voting are now discouraging that.

As long as you have a Supreme Court that equates money with free speech, you're not going to be able to limit money in politics. I do think that the Internet and social media, in particular, are a bit of an equalizer against the tremendous resources of moneyed interests. I do think we're going to see a whole lot more growth in the years to come in social media as a form of political action, encouraging people to get involved electorally and in response to specific legislation.

— LARRY TEITELBAUM

Jersey. He is a partner in Duane Morris LLP's Cherry Hill, N.J., office.

HENRY R. SILVERMAN

L'64 has been appointed director of Noranda Aluminum Holding Corp. Henry was a member of the executive committee, director and vice chairman of the board of directors of Apollo Global Management, LLC.

HON. HARVEY BARTLE

III L'65 published "Mortals With Tremendous Responsibilities," a history of the U.S. District Court for the Eastern District of Pennsylvania starting with its formation by Congress in 1789. He has been a judge on that court for 20 years, including five years as chief judge.

RICHARD D. ROGOVIN

L'65 has been elected chairman of the board of directors of the Edison Welding Institute of Columbus, Ohio. He will also serve as chairman of the manufacturing technology research organization's strategic growth committee. Richard is of counsel at Shumaker, Loop & Kendrick, LLP.

DAVID SAMSON L'65

received the Essex County Bar Association's 2011 Lifetime Achievement Award and was selected for inclusion in the 2012 edition of Best Lawyers in America. He is founder and senior member of Wolff & Samson PC. He is also chairman of The Port Authority of New York and New Jersey.



ARTHUR R. SPECTOR

W'62, L'65 has been appointed chairman of the board at the Rosenbach Museum and Library. Arthur is the managing director and one of the founders of Safeguard International Fund LP and former managing director of TL Ventures.

WILLIAM A. MOGEL L'66

has formed Mogel & Sweet, a boutique Washington, D.C., law firm specializing in energy law, government relations and trade associations.

ROBERT L. FRIEDMAN

L'67 has been appointed to the board of directors of YRC Worldwide Inc. He is senior managing director at The Blackstone Group, LP, in New York.



RONALD B. GLAZER L'67

was selected for inclusion in Best Lawyers in America 2011 in the field of real estate law. He is with the law firm of Kaplin Stewart in Blue Bell, Pa.

MEYER "SKIP" GRINBERG L'68

has recently been elected president of the board of directors of the Dick's Sporting Goods Pittsburgh Three Rivers Marathon. Last year's marathon helped raise \$1.5 million for 40 local charities. Skip also chairs a variety of volunteer projects in the Northern Galilee of Israel through Partnership-2Gether, and is assisting in developing business-to-business projects between companies from the U.S. and Israel.



MICHAEL L. LEVY L'69

has become a fellow of the American College of Trial Lawyers. Michael is the chief of computer crimes in the U.S. Attorney's Office for the Eastern District of Pennsylvania. He has served in the Department of Justice since 1980.

JOHN DEPODESTA L'69

has been appointed to the board of Sutron Corporation, a world-leading provider of hydrological, meteorological and oceanic monitoring products, systems, software and services. John was co-founder of Primus Telecommunications Group, Inc. and served as a director, executive vice president, chief legal

officer, chief corporate development officer and secretary from 1994 to 2010.



LOUIS N. MARKS W'66, L'69

has joined Archer & Greiner PC as a partner in the firm's Philadelphia office, focusing his practice on counseling businesses regarding corporate law, corporate finance, business planning and development, and related corporate matters.

ROBERT L. PRATTER

L'69 has been named counsel at Duane Morris. Previously, he was in the Office of the General Counsel of the Commonwealth of Pennsylvania.

DAVID RICHMAN L'69

received the Education Law Center Award from the Education Law Center of Pennsylvania. The award is given to an individual who has made an extraordinary contribution to the growth and development of the organization, as well as to the achievement of its mission of ensuring that all of Pennsylvania's children have access to a quality public education. David is a partner with Pepper Hamilton LLP and president of the Pennsylvania Innocence Project's board of directors.

ALUMNI BRIEFS

1970s



ROBERT R. KUGLER L'70

has been named to the board of directors of the American Cancer Society as national secretary. He has also been elected chairman of the board of directors of the American Cancer Society Cancer Action Network, the society's advocacy affiliate. Robert is vice president and partner of Archer & Greiner PC in Haddonfield, N.J.

ROBERT I. WHITELAW

L'70 has been elected president of the American Academy of Matrimonial Lawyers, Pennsylvania Chapter. He is managing partner at Obermayer, Rebmann, Maxwell & Hippel LLP.

WILLIAM C. BULLITT L'71

has been named to the board of managers of The Philadelphia Foundation as treasurer.

WARREN A. REINTZEL

L'71 was named vice president of the Phi Beta Kappa Association of the Delaware Valley. He is a retired senior vice president at the Glenmede Trust Co. and president of the board of

the Wanamaker Institute of Industries.



BERNARD B. KOŁODNER L'71

was appointed group chair of the American Bar Association Commercial Real Estate Transactions Group. He is head of the real estate department of the law firm Kleinbard Bell & Brecker LLP.

JOSEPH H. COOPER W

'69 L'72 is writing the "Pauses and Moments" column for *Psychology Today*. His initial subjects were on the fear of surgery and the courage to confront polyps. He teaches ethics and media law courses at Quinnipiac University.

MARC JONAS, C'69, L'72

recently served as moderator for a continuing legal education seminar on "Trends in Pennsylvania Land Use Law." Marc is a shareholder in the law firm of Eastburn and Gray, PC, located in Blue Bell and Doylestown, Pa.

DAVID L. POLLACK L'72

served as chair of the planning committee for the International Council of Shopping Centers' 41st annual U.S. Shopping Center Law Conference in Phoenix.

The conference drew over 1,100 attendees. David is also chair of ICSC's Bankruptcy Task Force. He practices in Ballard Spahr's Philadelphia office.

GORDON J. BEGGS C'70

L'73 has been appointed clinical professor of law emeritus at Cleveland State University, after teaching there for 20 years.

Gordon also served as founding president of Christian Legal Services of Cleveland, a church-based legal aid program for the poor, and president of Community ReEntry, a ministry to persons involved with the criminal justice system.

ROBERT T. BOWSHER

L'73 has been named to the 2012 edition of Louisiana Super Lawyers. Robert is in mergers and acquisitions at Breazeale, Sachse & Wilson, LLP in Baton Rouge.

KENNETH N. LAPTOOK

L'73 has been selected for inclusion in the 2012 edition of Best Lawyers in America. Kenneth, a member of Wolff & Samson PC, was recognized in the area of commercial litigation.

STEPHEN A. MADVA L'73

has been elected vice chairman of the Committee of Seventy, a nonpartisan organization advocating clean and effective government, fair elections, and a better-informed citizenry in the Philadelphia region. He is the managing partner of Montgomery, McCracken, Walker & Rhoads LLP.

CAROL A. MAGER L'73

was elected to the board of the Committee of Seventy, a nonpartisan organization advocating clean and effective government, fair elections, and a better-informed citizenry in the Philadelphia region. She is of counsel at Console Law Offices LLC.

EDWARD H. COMER L'74

has been appointed to the position of corporate secretary of Edison Electric Institute. Edward has been vice president and general counsel at EEI since 1998. He joined the company in 1981 as a staff attorney.



H. RONALD KLASKO L'74

addressed real estate lawyers at PBI's 15th Annual Real Estate Institute on how to help clients raise capital for U.S. projects through the USCIS' EB-5 Visa Program. Ron is the founding partner of the immigration law firm Klasko, Rulon, Stock & Seltzer, LLP.

MARILYN Z. KUTLER,

CW'71, L'74 was named a woman of distinction by the *Philadelphia Business Journal*. She is a partner at the law firm of Schnader Harrison Segal & Lewis.



JEAN A. MUSIKER L'74 has been recognized as a leader in the fields of employment and labor law by Best Lawyers in America 2012. Jean is a partner at the Boston-based civil litigation firm, Sugarman, Rogers, Barshak & Cohen, PC where she serves as chair of the firm's employment law group.

GREGORY A. SANDOMIRSKY L'74 has been named the Best Lawyers' Boston Public Finance Law Lawyer of the Year for 2012. Best Lawyers, which compiles annual listings of outstanding lawyers through a peer-review process, selects a single lawyer in each specialty in each community to honor as the Lawyer of the Year. Greg is a member of the public finance section at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC and managed the group for over 30 years from its inception in the late 1970s. He was also named a 2011 Massachusetts Super Lawyers in New England Super Lawyers.

MICHAEL GARDENER L'75 has been named a 2011 Massachusetts Super Lawyers in New England Super Lawyers Massachusetts Super Lawyers

are selected based upon ballots sent by Law & Politics to over 32,000 Massachusetts attorneys. Michael is an attorney at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC.

MICHAEL HIRSCHFELD L'75 was featured as an expert in a live video webcast, "International Joint Ventures & Other Outbound Strategies: Fall International Tax Update," presented by the American Law Institute-American Bar Association. He is a partner at Dechert LLP in New York.

ROBERT H. STROUSE L'75 was named to a three-year term at ACHIEVEability, a nonprofit organization in West Philadelphia that offers self-sufficiency programs for homeless and low-income single-parent families. Robert is president of Wind River Holdings LP.

TONI G. WOLFMAN L'75, executive in residence at Bentley University's Center for Women and Business, was named to the Boston Business Journal Power 50, an award designed to honor the region's 50 most influential businesspeople of 2011.

LUIS M. ARTIME L'76 has been appointed president and CEO of ASPIRA of Florida. ASPIRA is a national nonprofit organization dedicated to developing the educational and leadership capacity of Hispanic youth.

JOHN KEARNEY L'76 was named a trustee of the Association of the Federal Bar of New Jersey. John is a partner in the litigation department of Ballard Spahr.

MICHAEL P. MALLOY L'76 delivered a paper on the Euro Zone crisis, criticizing the slow response to the fiscal crisis in Greece and Ireland, at the 8th Annual International Law Conference held in Athens, Greece.

LAWRENCE V. STEIN L'76 has been named to the board of trustees of the Wistar Institute, an independent Philadelphia nonprofit biomedical research institute. He is counsel at Reed Smith LLP.

ANDREW URBAN L'76 has been named a 2011 Massachusetts Super Lawyers in New England Super Lawyers. Massachusetts Super Lawyers are selected based upon ballots sent by Law & Politics to over 32,000 Massachusetts attorneys. Andrew is an attorney at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, PC.



WILLIAM J. WADE L'76 has been elected president of Richards, Layton & Finger, PA, in

Wilmington, Del. Bill, also chair of the firm's litigation department, represents local and national clients in Delaware's state and federal courts with an emphasis on various areas of civil litigation, including intellectual property, healthcare and commercial law matters.

STEPHEN M. BANKER L'77 was elected vice president and general counsel of Park Electrochemical Corp. Previously, he was a senior partner at Skadden, Arps, Slate, Meagher & Flom in New York City.

ALBERT THEODORE POWERS L'77 has joined Vietnam Infrastructure Limited, the first publicly traded fund to focus on infrastructure assets in Vietnam, as a non-executive director of the company. He is chairman and chief executive officer of the Allied Pacific Group, a diversified investment and advisory group.

JAMES E. NEVELS L'78, WG'78 has been appointed chairman and deputy chairman of the Federal Reserve Bank of Philadelphia's board of directors. He is chairman and founder of The Swarthmore Group.

ALFRED W. PUTNAM, JR., L'78 was appointed to the board of the Greater Philadelphia Chamber of Commerce. He is chairman of Drinker, Biddle & Reath LLP.

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GREGORY J. WINSKY L'78 has joined Archer & Greiner, PC as of counsel in the firm's Haddonfield, N.J., office. Greg is a member of the corporate department, where he concentrates on business transactions with intellectual property dimensions. He spent 20 years as general counsel and executive vice president, business development, at Franklin Electronic Publishers Inc.

CATHERINE C. CARR L'79 has been appointed to the Pro Bono Task Force of the board of directors at Legal Services Corporation. The task force will help raise additional resources to assist low-income Americans facing foreclosure, domestic violence and other civil legal problems. She is executive director of Community Legal Services of Philadelphia.

LINDA A. GALANTE L'79 has been elected treasurer to the board of the Forum of Executive Women. She is a partner with Stradley, Ronon, Stevens & Young LLP.

RICHARD S. GREEN L'79, WG'79 was named partner in the New York office of the global law firm Thompson & Knight LLP. He is in the firm's corporate and securities practice group. He had been with Butzel Long PC in New York.

ROBERT C. SCHNEIDER L'79, WG'79 was selected for inclusion in the 2012 Top Rated Lawyers Guide to Health Care

Law. He was also elected corporate secretary of the University of Pennsylvania Club of Long Island. Robert is special counsel at Cuddy & Feder LLP.



DONNA NELSON HELLER WG'80, L'80 has been nominated by Gov. Dannel P. Molloy to serve as a judge on the Connecticut Superior Court. Donna is a senior member of Finn Dixon & Herling's commercial litigation group.



CHRISTINE F. LI L'80 was selected as a finalist for the Chambers USA "Women in Law" awards and was included in Chambers USA – America's Leading Lawyers for Business 2011. She also served as the conference moderator of the inaugural Community Association Law Summit hosted by the New Jersey Institute for Continuing Legal Education. Christine is a partner in the real estate department of Greenbaum, Rowe, Smith & Davis.

GARY E. TENNIS L'80 was nominated by Pennsylvania Gov. Tom Corbett to serve as secretary of the Department of Drug and Alcohol Programs. Gary is retired from his previous position as chief of the legislation unit in the Philadelphia District Attorney's Office.

JEFFREY A. SMITH L'81 has joined the New York office of Crowell & Moring LLP as a partner in the firm's environment and natural resources and corporate groups.



DAVID L. COHEN L'81 was awarded the 2011 Gold Medal Award from the Philadelphia Public Relations Association. He was also honored by the Jewish National Fund with the Tree of Life Award, a humanitarian distinction presented to individuals for their outstanding community involvement, their dedication to the cause of American-Israeli friendship, and their devotion to peace and the security of human life. David is executive vice president of Comcast Corporation. Previously, he was chairman of Ballard Spahr Andrews & Ingersoll, LLP, and served as chief of staff to Philadelphia Mayor Ed Rendell.



KYRA MCGRATH L'81 was honored by PathWays PA with a 2011 Trailblazer Award. The organization works to help low-income women, children and families in the Greater Philadelphia region achieve self-sufficiency. Kyra is executive vice president and chief operating officer of WHYY.

JAMES "JIM" S. EISENSTEIN WG'83, L'84 was elected to the board of directors of Nexamp, Inc., the largest independent solar power producer headquartered in New England. He is chairman and CEO of Grupo TorreSur, a mobile tower operator in Brazil.

ANDREA ("ANDI") HOLTZMAN DRUCKER L'82 has been appointed senior vice president, general counsel and corporate secretary at Insmad Incorporated, a biopharmaceutical company.

AMY C. GOLDSTEIN L'82 is head of the new family law practice group at Capehart Scatchar in Haddonfield, N.J.

SCOTT MEAD L'82 has begun to showcase his photography talents in a number of exhibitions, with his most recent

works being exhibited at the Royal Academy of Arts Summer Exhibition. Scott is an investment banker.

DAVID P. KING L'82 has joined the board of directors of Cardinal Health. David is chairman, president and CEO of Laboratory Corp. of America Holdings, an S&P 500 company headquartered in Burlington, N.C.



MICHAEL SASLAW L'82 was selected for inclusion in Best Lawyers in America 2012. Michael is an attorney at Weil, Gotshal & Manges LLP.



EVAN AIDMAN L'83 has published *Winning Personal Injury Cases*, a guide for lawyers new to the field of personal injury litigation. Evan is in private practice and is an adjunct professor at Peirce College.

LYNN R. AXELROTH L'83 was installed as the public director for the National Council of Architectural Registration Boards, Washington. Axelroth is a partner in the real estate department at Ballard Spahr and was the first managing partner of its Philadelphia office.

THOMAS J. SABATINO, JR. L'83 has been named executive vice president and general counsel for Walgreen Co. He has also been appointed to the board of directors of Unigene Laboratories, Inc., a leader in the design, delivery, manufacture and development of peptide-based therapeutics.



MARK N. SUPRENANT L'83 has joined Center City Philadelphia-based boutique law firm Deeb Blum Murphy Frishberg & Markovich as a partner. He was general counsel and corporate secretary at Wawa, Inc.

NATALIE WEXLER L'83 has published her second novel, *The Mother Daughter Show* (Fuze Publishing), a satire about mother-daughter relationships and private school culture inspired by her experience as a

parent at Sidwell Friends School in Washington, D.C.

KEITH B. BRAUN L'84 has been selected as one of the top attorneys in Florida for 2011. The distinction was noted in the Wall Street Journal. Keith is a partner of Comiter, Singer, Baseman & Braun, LLP.

JOHN L. OLSEN L'84 has joined the management team at WSFS Financial Corporation, the parent company of WSFS Bank, as senior vice president and general counsel.

STUART ROSEN L'84 has been promoted to senior vice president and general counsel by Broadcast Music, Inc., a performing rights organization. Stuart will oversee global operations of BMI's legal department. He was previously vice president, legal, at the organization.



RONALD SCHILLER L'84 has been made a naming partner at Hangley Aronchick Segal Pudlin & Schiller, a multi-practice litigation law firm in Philadelphia. Ron joined the firm in 2009 and chairs the insurance litigation practice group.



LISA C. GOODHEART L'85 is serving a term as president of the Boston Bar Association. She has also been selected for inclusion in the 2012 edition of Best Lawyers in America in the areas of environmental law and environmental litigation. Lisa serves as chair of the environmental law and real estate litigation groups at Sugarman, Rogers, Barshak & Cohen, PC.

SHARON M. DIETRICH L'85 was honored with the ACLU-PA Pioneer Award at the Bill of Rights Celebration held by the American Civil Liberties Union of Pennsylvania. She has been an attorney in Community Legal Services' employment unit since 1987. She became CLS' managing attorney for public benefits and employment in 1997.



TERRY GILLEN L'85 was a speaker at the Philadelphia Law Department's seminar on

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the Health Reform Act. She is director of federal affairs for the City of Philadelphia.

HENRY HOBERMAN C'82, L'85 has been appointed to oversee global legal affairs and intellectual property protection for the Motion Picture Association of America. Since 2008, Henry has served as the executive VP, general counsel and secretary of RHI Entertainment, Inc.

OSAGIE O. IMASOGIE GL'85 has been reappointed to the board of Ben Franklin Technology Partners of Southeastern Pennsylvania, a state-funded nonprofit agency that has invested in technology firms for more than 25 years. He is senior managing partner at Phoenix IP Ventures.

NATHALIE JOANNES L'85 has been appointed executive vice president, general counsel, at Ipsen, a global pharmaceutical company. Nathalie was senior vice president and chief European counsel at Genzyme B.V.

JAYME L. SOPHIR L'85 was promoted to deputy associate general counsel in the Division of Advice at the National Labor Relations Board.

SAFRA CATZ W'83, L'86, the president and chief financial officer of the Oracle Corporation, has been selected number 40 on the Forbes World's 100 Most Powerful Women list.

BARBARA MIRIAM SCHELLENBERG L'86 has become a principal of the law firm of Cohen and Wolf, PC. She has been with Cohen and Wolf since 1999, and will continue practicing as a principal in the firm's appellate, land use and zoning, and litigation groups.

HON. PATTY SHWARTZ L'86 has been nominated for the U.S. Court of Appeals for the Third Circuit by President Obama. Patty has served as a magistrate judge on the U.S. District Court for the District of New Jersey since 2003, and teaches as an adjunct professor at Fordham University School of Law.

LAURENCE M. SMITH L'86 has been selected for inclusion in the 2012 edition of Best Lawyers in America. Laurence is a member of Wolff & Samson PC. He was recognized by Best Lawyers in the area of banking and finance law.

ANDREW J. BOWDEN L'87 has been appointed an associate director to lead the National Investment Adviser/Investment Company Examination Program in the Securities and Exchange Commission's Office of Compliance Inspections and Examinations.

BRUCE E. REINHART L'87 has joined the West Palm Beach and Miami offices of McDonald Hopkins LLC as a member in the business advisory

and advocacy law firm's white collar crime, antitrust, and securities litigation practice. He is a former federal prosecutor.

JANICE REPKA L'87 has released her second children's book, *The Clueless Guide to Being a Genius*. Her first book, *The Stupendous Dodgeball Fiasco*, was a Junior Library Guild selection and Nebraska Golden Sower Award Honor Book.

STEVEN M. COHEN L'88 joined Zuckerman Spaeder to lead its New York office. Steven is former secretary to Gov. Andrew Cuomo. He was a partner at Cooley Godward Kronish and an assistant U.S. attorney in the Southern District of New York, where he was chief of the violent gangs unit.

ROBERT C. MEIER L'88 was appointed head of equity sales and trading for Dahlman Rose & Company, LLC, an investment bank specializing in natural resources, transportation, and other industries in the global supply chain.



FREDERICK K. HATT L'89 was elected president of the Berks County Bar Association for 2012. Fred was instrumental

in the association becoming the first in Pennsylvania to create a bar-sponsored mediation program.

STEPHEN J. JONES L'89 was appointed the China president of Air Products. He is a member of the company's corporate executive committee, and will retain his current role as senior vice president and general manager of Global Tonnage Gases, Equipment and Energy.

ANCELA R. NASTASI, L'89 has joined the international law firm of Fulbright & Jaworski LLP as partner and head of the New York office's bankruptcy and insolvency practice group.

RICHARD PANITCH L'89 became a partner with Marks & Klein, LLP in Red Bank, N.J. He leads the firm's employment law and personal injury litigation practice.

FERNANDO SANTIAGO L'89 opened Santiago Burger Annechino LLP in New York.



JOHN M. FLOEGEL L'90 was named managing director of Blitzer, Clancy & Company, a boutique middle market investment banking firm.

KIM JONG-AN GL'90 was nominated as the director for international trademarks promo-

tion in the brands and designs sector of the World Intellectual Property Organization, an agency of the United Nations. Previously, he was a trademark examiner of the Intellectual Property Tribunal of Korea.

JOHN E. PAGE L'90 has been named president-elect of the National Bar Association. John is vice president, general counsel and corporate secretary of Golden State Foods, a privately held \$5-billion food processing and distribution company.

STEVEN ANDREW REED L'90 has joined Morgan Lewis & Bockius as a partner in the litigation department. He was deputy general counsel at pharmaceutical company Cephalon Inc.

SU SUN BAI L'91 was named a managing director at Morgan Stanley in New York.

HON. MARGO KITSY BRODIE L'91 was confirmed by the U.S. Senate to serve as a judge on the U.S. District Court for the Eastern District of New York. She was an assistant U.S. attorney in the Eastern District of New York, in charge of the office's general crimes unit. Margo, a native of Antigua, is the nation's only sitting federal judge of Caribbean descent.

RUDOLPH CONTRERAS L'91 has been confirmed by the U.S. Senate to serve on the U.S. District Court for the District of Columbia. Rudolph is chief of

the civil division in the Office of the U.S. Attorney for the District of Columbia.

AARON R. KRAUSS L'91 has been appointed a board member at Philabundance, a nonprofit organization that provides emergency food and services to residents throughout the Philadelphia region. He is a partner at Cozen O'Connor.

SUZANNE SERIANNI MAYES L'91 has been elected to the board of the law firm Cozen O'Connor. She is co-chair of the public and project finance practice group. Suzanne has also been elected chair of the membership committee of the Forum of Executive Women and was named to the board of Business Leaders Organized for Catholic Schools, a Philadelphia nonprofit fund-raising group.

PATRICIA PROCTOR L'91 has been named founding director of the Simon Perry Center for Constitutional Democracy at Marshall University.

MARTIN ARIAS L'92 was appointed treasurer and head of mergers and acquisitions of Coca Cola FEMSA, the largest non-alcoholic beverage company in Latin America. Martin lives in Mexico with his wife and two daughters.

NICOLE D. GALLI C'89 L'92 has been named a Top Women Lawyer in the Northeast by Arrive Magazine, Amtrak's onboard magazine for business



and leisure travelers. Nicole is a partner with the intellectual property law firm Feldman Gale.

ERIC J. MARANDETT L'92 was named to the 2011 Top Massachusetts Super Lawyers list for attaining the highest level of recognition and professional achievement in the state. He is an attorney at Choate, Hall & Stewart LLP.

CHAD MEYER L'92 sold his financial services technology company, BridgePortfolio.com, Inc., to a larger financial services company, Insignis. He works for Insignis as vice president, new business development, and also runs a film company, 4 Features Film, which recently completed its first feature film.



JESSICA SMITH L'92 was promoted to full professor at the UNC School of Government in North Carolina. Jessica specializes in criminal law and

teaches trial and appellate judges, prosecutors, defenders, magistrates and others involved in the criminal justice system. She wrote the state's main treatise on criminal substantive law, North Carolina Crimes: A Guidebook on the Elements of Crime, and has authored many chapters in the North Carolina Superior Court Judges' Benchbook.

LISA WASHINGTON L'92, WG'98 has been elected to the board of JEVS Human Services. She is vice president, chief legal officer, and secretary of Atlas Energy Inc.

ANDREA KAYNE KAUFMAN L'93 joined the board of directors of OCD Chicago. OCD works to increase public awareness of and provide resources to sufferers of Obsessive Compulsive Disorder. Andrea is the author of Oxford Messed Up, a book about obsessive-compulsive disorder, and chair of the department of leadership, language and curriculum at DePaul University College of Education.

DANIEL MATEO L'93 has been president of the New Jersey Hispanic Bar Association. He is a partner at Reed Smith.

JOHN A. NATHANSON L'93 was elected to the partnership at global law firm Shearman and Sterling LLP. He works in the litigation practice area in the New York office, focusing on representing investment banks, hedge funds, and other financial

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institutions on civil and criminal enforcement matters. Prior to joining the firm in 2009, John served as both a state and a federal prosecutor.

ERIC ROTHSCHILD L'93

has been elected chair of the Public Interest Law Center of Philadelphia. He is a partner at Pepper Hamilton LLP and a member of the firm's health effects litigation and commercial litigation practice groups.

VEENITA B. BLEZNAK

L'94 has joined General Counsel Legal Advisors, LLC as a principal.

SANJAY KAMLANI L'94

is co-founder and co-CEO of Pangea3, a legal outsourcing company. The company was recently sold to Thomson Reuters, owners of West Legal Publishing, for an estimated \$35 million.



DANIEL KAUFMAN L'94

has been named the acting deputy director of the Federal Trade Commission's Bureau of Consumer Protection. Daniel joined the FTC in 1998 and has served as an attorney advisor to former FTC chair Deborah Majoras and as chief of staff of the Bureau of Consumer Protection.

JENNIFER L. KROMAN

L'94 returned to Cleary, Gottlieb, Steen & Hamilton, LLP as the director of pro bono practice. Previously, Jennifer had a decade-long career at Cleary Gottlieb and was elected to partner in 2003. She served on the board of directors of the National Center for Law and Economic Justice from 2003 to 2010 and the New York Lawyers for Public Interest from 2004 to 2006, and was the co-director of the Uncontested Divorce Project at Sanctuary for Families.

DAVID PERLA C'91 L'94

is co-founder and co-CEO of Pangea3, a legal outsourcing company. The company was recently sold to Thomson Reuters, owners of West Legal Publishing, for an estimated \$35 million.

PHILIPPE DESPRES

L'95 has joined Winston & Strawn's Paris office as a partner. He is a labor and employment attorney.

WILLIAM J. GREEN L'95

has joined Duane Morris as special counsel and will represent emerging growth companies and those who invest in them. Bill also serves on the Philadelphia City Council.

GALIT KIERKUT C'91

L'95 joined Sills Cummis & Gross in Newark, N.J., as a member of the employment and labor practice group. In June, she was installed as president-elect of the New Jersey Women Lawyers Association, and she



joined the board of the Penn Club of Metro New Jersey. She also serves on the executive board of the labor and employment law section of the New Jersey State Bar Association.

JOSH KAMIN L'95

has been appointed as a fellow of the American College of Real Estate Lawyers. Josh is a partner in the capital transactions and real estate group of King & Spalding.

FRANCIS XAVIER TANNEY

L'95 has been appointed vice president of strategic alliances by the Entrepreneurs Forum of Greater Philadelphia. He is a shareholder at Buchanan, Ingersoll, & Rooney PC.

ERIC MCCARTHY L'96

has joined Seneca One, a Maryland-based company that pays cash for structured settlements and annuities, as general counsel and executive vice president. Previously he was general counsel at Honeywell Technology Solutions, Inc. Eric was also a partner in the global antitrust and competition practice with Latham & Watkins LLP.

JOEL W. MILLAR L'96 was promoted to special counsel at WilmerHale.

SCOTT K. MILSTEN L'96

was appointed senior vice president-general counsel and corporate secretary at Schiff Nutrition International Inc., a company that develops, manufactures, markets and distributes vitamins, nutritional supplements and nutrition bars globally. He was senior vice president, general counsel and corporate secretary at Celera Corporation.

KEVIN S. BOYLE SR. L'97

has been named chief financial officer by RecoverCare, a leading distributor of wound care, bariatric and safe patient-handling equipment to healthcare facilities nationwide. Prior to joining RecoverCare, Kevin was CFO for SPT Inc., a marine transportation and services company.

RICHARD E. CONSTABLE, III, G'97,

L'97 has been appointed acting commissioner for the New Jersey Department of Community Affairs. Richard was deputy commissioner at the New Jersey Department of Labor and Workforce Development.

KELLY DARR L'97

has been appointed legal director of the Disability Rights Network of Pennsylvania. She was a staff attorney at the organization.

PRISCILLA J. ("SALLY")

MATTISON L'97 participated in the entertainment law panel held as part of Lebanon Valley College's "(R)evolution Music Industry Conference VII." She

also made a presentation, "The Artist's Team in the U.S.," as part of the International Association of Entertainment Lawyers session on "Building Your Artist's Brand as a Business" at the 46th annual MIDEM conference in France. She is of counsel to Bernard M. Resnick, Esq., PC.

HOPE NI L'98 has been elected to the board of directors of ChinaCast Education, a post-secondary education and e-learning services provider in China. Hope is the chair and chief executive officer of Inspire Capital, an investment and business advisory company.

LORI MARINO L'99 sold her company Medco Health Solutions to competitor Express Scripts for \$30 billion in July. Medco is a leading pharmacy benefit manager, with the nation's largest mail-order-pharmacy operations.

CATHERINE MOLNAR L'99 joined the board of directors of Silicon Valley Community Foundation, which provides individual and corporate donors ways to give and awards grants from its own unrestricted funds to Bay Area nonprofits. She is executive director for CHS Management LLC of San Francisco.

MIGUEL E. RODRIGUEZ CAS'94, L'99 joined the White House Office of Legislative Affairs as a special assistant to the president. He had been serving as a deputy assistant

secretary at the U.S. Department of State.

JANA LONDON L'99 was appointed vice chair of social media for the Defense Research Institute's E-Discovery committee. DRI is an international organization of attorneys defending the interests of business and individuals in civil litigation. Jana is of counsel at Stradley Ronon Stevens & Young, LLP.

FABIANA LÓPEZ LEÓN GL'99 has been appointed head of the legal department for Shell Argentina. She has spent much of her career working for the Shell Group in Argentina and the United Kingdom. Shell is a global group of energy and petrochemical companies.

DAVID R. SINGER C'96, L'99 has joined Jenner & Block as a partner in the Los Angeles office. David's primary focus is entertainment and media litigation.



ANDREW MORTON L'00 has joined Handler Thayer LLP as a partner and chair of the Sports & Entertainment Law group.

SEGUNDO PINTO GL'00 has been elected by his peers as the best Argentinian lawyer under 40 during 2011. He was featured in Apertura Magazine.

JOSEPH FRIEDMAN L'01 was promoted to the partnership at Akin Gump Strauss Hauer & Feld LLP. He is a member of the firm's real estate practice.

DAVID R. GOLDER L'01 has been promoted to partner at Jackson Lewis, where he specializes in employment wage and hour class and collective actions. He is co-author of *Labor and Employment Law: Compliance and Litigation*, 3rd Edition (Thomson-West).

RICHARD HERNANDEZ L'01 has been elected partner at McCarter & English LLP. He is in the firm's Newark, N.J., office.

D. ALICIA HICKOK L'01 has been elected to the board of trustees of the Mendelssohn Club of Philadelphia, a nonprofit performing arts group. She is a partner in the commercial litigation practice group at Drinker, Biddle & Reath LLP.



TODD C. LONGSWORTH L'01 was named "Outstanding In-house Counsel of the Year" by the Delaware Valley Chapter of the Association of Corporate Counsel at its Corporate Counsel Excellence Awards Dinner held on Nov. 17. He is associate

general counsel at Teva Pharmaceutical Industries Ltd., a global pharmaceutical company.

JESSICA T. LIFSHITZ L'01 has been elected by McDonald Hopkins to the firm's membership. She is based in the West Palm Beach office.

JAMES NICOLL L'01 was promoted to special counsel at Schulte Roth & Zabel LLP. He is in the business transactions group in the firm's New York office.

TODD J. GRISET L'02 has been named partner at Preti Flaherty. He practices in the firm's energy and climate strategy groups in Augusta, Maine.



JANNIE K. LAU L'02 has been selected by *The Legal Intelligencer* as one of its "2011 Lawyers on the Fast Track," a group of 27 Pennsylvania attorneys identified as future leaders of the state's legal community. She is deputy general counsel at InterDigital, Inc., a publicly traded wireless technology company headquartered in King of Prussia.

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SIMON DAVID MITCHELL G'99, L'02, GR'08 has been named a faculty fellow for the Supreme Court of Missouri. Simon, an associate professor at the University of Missouri-Columbia School of Law, plans to spend a year analyzing reentry programs in Missouri to help prison offenders on release have a more favorable chance of succeeding, and assist the state in its efforts to reduce prison populations.

ANDREW J. SOSSEN C'98, L'02 has been promoted to chief operating officer at Starwood Property Trust.

GONZALO SOTO GL'02 co-founded Wiener Soto Caparós, a law firm in Buenos Aires that specializes in mergers and acquisitions and cross-border investment. The firm, which brings together U.S. and Argentine attorneys, offers services throughout Latin America. Gonzalo focuses on the consumer product industry, representing the region's largest Coca-Cola bottler and the licensees of such international brands as Heineken and Budweiser.

JASON ABEL L'03 joined Allen & Overy as an associate in the firm's new Washington, D.C., office. Jason served as counsel to Sen. Chuck Schumer (D-NY) and as chief counsel on the Senate Rules Committee.

THOMAS DOUGLAS L'03 has been made a shareholder and director of Murray, Plumb

& Murray in Portland, Maine. He was included in New England Super Lawyers magazine as part of the top 5 percent of outstanding lawyers in New England and named a "New England Rising Star" in business litigation.

JOHN T. GOULD GM'03, L'03 was elected partner at Arnold & Porter LLP. He is a member of the FDA and health-care group in the Washington, D.C., office.



HILLARY H. HOLMES L'03 was elected partner at Baker Botts LLP in Houston, Texas. She is in the corporate department with a practice focused on capital markets, public company work and mergers and acquisitions in the energy industry. Hillary is also active in pro bono service to nonprofits in Texas.

MARIE MATHEWS L'03 has joined Wolff & Samson's litigation group in West Orange, N.J. Prior to joining Wolff & Samson, Marie was an associate at Weil, Gotshal & Manges LLP in New York.

CHAD RUBIN L'03 was promoted to partner at Duane

Morris LLP. He is in the corporate practice group in the firm's Philadelphia office.



SARA C. TEMES L'03 has been elected partner at Bond, Schoeneck & King. She is in the firm's Syracuse office.

GREGORY B. DAVID G'04, L'04 has been named to the board of directors of the Boys & Girls Clubs of Philadelphia. He is an assistant U.S. attorney in the U.S. Attorney's Office, Eastern District of Pennsylvania.

JENNIFER SALTZ L'04 is a founding member of the Traveling Plate, ARC Broward Culinary Institute's underground dinner club. The institute uses food as a tool to transform lives for adults with disabilities and other life challenges. Proceeds from each dinner will be used to fund scholarships for its culinary arts post-secondary certificate program. Jennifer is a shareholder at Stearns Weaver Miller in the labor and employment department.

GUANGQIN WEI L'04 has been promoted to special counsel at Fried, Frank, Harris, Shriver & Jacobson LLP. He

works in the Hong Kong office and concentrates his practice on corporate finance and securities law.

JASON M. BOBBY L'05 has joined Janney Montgomery Scott as vice president in the technology and media investment-banking group, based in Philadelphia.

SARAH A. ("SHARI") SHAPIRO L'05 spoke on a panel during a live teleconference and webinar on green building ordinances, ongoing cases involving the preemption of local green building codes under federal law, and other challenges and pitfalls with green building ordinance initiatives. She is an associate at Cozen O'Connor.

KAREN M. STEEL L'05 was honored at the Sanctuary for Families Above & Beyond Pro Bono Achievement Awards & Benefit in New York City for handling a complicated child abuse and neglect appeal. Karen is an associate at Schindler Cohen & Hochman LLP.

EMILIANO BERTI GL'06 has joined GE Power Conversion in Paris as senior counsel Commercial Europe. He was senior counsel for Europe and CIS at GE Oil & Gas in Florence, Italy.

FRANCESCO BORTONE GL'06 has joined GE Oil & Gas as senior counsel for Global Services. He is based in

Florence, Italy. Francesco was an associate in the corporate department of Cleary Gottlieb in Milan.

MATTHEW S. CANNO W'01, L'06 has been named to the board of directors of the Philadelphia Animal Welfare Society. He is partner and director of acquisitions of Iron Stone Strategic Capital Partners.

PIETRO FONTANA GL'06 has joined GE Oil & Gas as senior counsel for the Global Supply Chain for EMEA & Asia. Pietro is based in Florence, Italy. He was an associate at Sidley Austin LLP in New York.

LEE JARIT L'06 received the Frank Wheat Memorial Award for pro bono service from Gibson, Dunn & Crutcher LLP for his work spearheading the firm's involvement in the Holocaust Survivors Justice Network and The Name Change Project.

DYLAN J. STEINBERG L'06 has been named to the board of Philadelphia VIP, a nonprofit legal services agency that promotes equal justice for the poor by providing civil legal services. He is an associate in the litigation department at Hangle, Aronchick, Segal & Pudlin PC.

ERIC BIENENFELD L'07 has become a legal recruiter with Yorkson Legal in New York. He had been an attorney with Kasowitz Benson Torres & Friedman.

KARYN BRUDNICKI L'07, GR'07 has accepted a position as assistant general counsel for the Executive Office of Health and Human Services in Boston. She continues to serve as president for Community Boating, Inc.

GREGORY COOPER L'07 will be a dean at Oxbridge Summer Programs at Cambridge University this summer. Greg teaches U.S. History and U.S. Government at the Ransom Everglades School in Miami.

DIANA ELKIND C'03, L'07 has joined the New York State Attorney General's Office as an assistant attorney general. She had been a litigation associate at Cravath, Swaine & Moore.

PHIL CARABALLO-GARRISON L'07 is serving as a law clerk to Judge Norma Shapiro L'51 of the Eastern District of Pennsylvania. She had been an attorney with Proskauer Rose.

ALEXANDER SANFORD L'07 has accepted a position as a trust officer in the West Conshohocken, Pa., office of U.S. Trust (Bank of America Private Wealth Management). He had been an attorney with Cozen O'Connor.

MICHAEL SCALERA L'07 joined Schnader Harrison Segal & Lewis LLP in Philadelphia. Prior to joining Schnader, he served as a law clerk to the Hon. R. Barclay Surrick in the U.S.

District Court for the Eastern District of Pennsylvania.

KAREN TANI L'07, G'07, GR'11 has been named an assistant professor of law at the University of California, Berkeley. She teaches Torts, Legal History, and social welfare law.

AMIT UPADHYAY L'07 will be starting a new job at the U.S. State Department as special adviser to the U.S. Representative to the United Nations for Management and Reform. (See FYI)

ZHUHAO WANG LLM'07 joined Locke Lord Bissell & Liddell LLP as an international associate in the firm's Dallas office.

REBECCA GERALYN BOUDWIN LPS'08 has been named to the board of directors of Developmental Enterprises Corp. She is director of development of the College of Arts & Sciences at Drexel University.



SILVIA DIAZ L'08 has joined the law firm Wisler Pearlstine of Blue Bell, Pa., as an education law associate. She was an associate in the business litigation

group of Goodwin Procter, one of the country's largest law firms, where she defended corporate clients in all aspects of complex commercial litigation.

WILLIAM CONROY L'08 was promoted to partner at Englander Fischer in St. Petersburg, Fla.



PRESTON D. SATCHELL L'08 has joined Rawle & Henderson's Philadelphia office as an associate. Preston will concentrate his practice in the area of commercial litigation. He was with the Cherry Hill, N.J., firm of Flaster/Greenberg PC.

JOHN VASSALOTTI LPS'08 joined Stradley Ronon Stevens & Young's litigation practice group as an associate in the Philadelphia office.

PANAGIOTIS MADAMOPOULOS GL'09 has been named a World Economic Forum Global Shaper for his work at the Magister Artium Group boosting the extraversion level of Greek agricultural companies and attracting foreign investment. He has also been appointed by the WEF to the 30-member delegation representing the Global Shapers

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Initiative at the WEF Annual Meeting at Davos.

ALEJANDRO BILLINGHURST GL'10 has been named in-house counsel at BASF Argentina. BASF is the world's leading chemical company, serving customers and partners in almost every country in the world. Alejandro will be responsible for providing legal counsel to different units in BASF Argentina.

MARSHA CHIEN L'10, LPS'10 will be starting a new job in September as a Skadden Fellow with the Legal Aid Society-Employment Law Center in San Francisco. She will be working with immigrants facing workplace discrimination. Marsha is finishing a clerkship at the Western District of Washington.

MATTHEW R. CUSHING L'10 is clerking for Judge Douglas P. Woodlock of the District of Massachusetts. He will be joining Boies, Schiller & Flexner LLP next year. Last fall, Matthew finished his clerkship for Judge Andrew J. Kleinfeld of the Ninth Circuit Court of Appeals, who is located in Fairbanks, Alaska.

JAMIE EDWARDS L'10 joined McGuireWoods LLP as an associate in the firm's complex commercial litigation department in Pittsburgh. Jamie previously served as a law clerk for the Hon. Catherine Fitzpatrick, presiding judge of the Family Court, in Trenton, N.J.

ANTONIO ARIAS ETCHEBARNE GL'10

has joined Simpson Thacher & Bartlett as an international associate. Based in Sao Paulo, Brazil, Antonio focuses his practice on capital markets and mergers and acquisitions transactions in the Latin American market.

ALYSE FIORI L'10 has joined the litigation department in the New York office of Proskauer Rose. During her deferral period, she argued cases on behalf of municipal clients for the New York City Law Department's Appeals Division and worked in the Intellectual Property division of the National Basketball Association. (See FYI)

CHRISTOPHER HAGENBUCH C'05, W'05, L'10

joined the New York office of White & Case after a one-year fellowship as an assistant district attorney in the Lancaster County, Pennsylvania district attorney's office.

BIJUN HUANG GL'08, L'10

has become an associate at the Hong Kong office of the law firm Herbert Smith, which is based in the United Kingdom. She focuses on capital market practice. Bijun hopes to relocate to the firm's Beijing office later this year to reunite with her husband, Fred Fang. (See FYI)

ANGELISE MARCIGLIANO L'10 has joined Nossaman, LLP as an associate.

CRAIG MARTIN GRL'10

joined Washburn University School of Law as an associate professor.

NICKY RHO L'10

has joined the law firm of Rottenstreich & Ettinger in New York. She is focused on matrimonial and divorce law but also handles commercial litigation cases. Previously she clerked for now-retired Judge Saralee Evans of the New York County Supreme Court.

JUSTIN RODRIGUEZ

L'10 is serving as a law clerk to Judge Thomas L. Ambro of the U.S. Court of Appeals for the Third Circuit. He will return to Wachtell, Lipton, Rosen & Katz in the fall.

SARAH A. WOLKINSON

L'10 joined Brownstein Hyatt Farber Schreck as an associate in the white collar criminal defense and investigations group.

MICHAEL JW RINGELHEIM L'11

joined Carlton Fields's Miami office as an associate. She practices in the firm's corporate, securities and tax practice group.

CHRISTINA M. KABA

C'02, L'11 joined Stradley Ronon Stevens & Young's business practice group as an associate in the Philadelphia office.



DAVID H. FISKE L'68

retired from the Federal Communications Commission, where he spent 16 years in the Office of Media Relations.

JOHN SCHMIDT L'85

and his wife, Julie, welcomed a daughter, Leah Elizabeth, on Dec. 28. John practices with Schmidt & Copeland, LLC in Columbia, S.C. The firm serves a variety of businesses in state and local government contracting matters. Julie is a volunteer/trainer for Young Life, a ministry to teenagers.



DANIEL GUSENOFF

L'98 and his wife, Alyssa, are excited to announce the birth of Alexander Charles Gusenoff on Sept. 10. Dan, Alyssa, big brother Zack, and Alex live in Newton, Mass.

JOHN PIETRAS L'99 AND LESLEY FOXHALL PIETRAS L'99

are excited to announce the arrival of Margaret Clare. Margot was born at 10:27 p.m. on Jan. 3. She weighed 6 lb. 3 oz. and measured 19.75 inches. She joins big

sister, Catherine. John is senior counsel at Entergy Services, Inc. and Lesley is counsel in the New Orleans office of Liskow & Lewis, where she practices in the areas of environmental and natural resources law.

JOANNA (GRIFFIN) SACHS L'99 and husband Eric welcomed Clara into the world on Feb. 3. Clara joins sisters Lisa, 8, and Katie, 6. Joanna is very busy keeping up with her children, and is also running a thriving children's party entertainment business. They would love to hear from old friends.

IRENE BARBERENA L'01 married Mark Meissner at The Willard Intercontinental Hotel in Washington, D.C. Irene is a corporate attorney at Crowell & Moring LLP and Mark is a senior managing director at SNR Denton, a strategic communications and public affairs firm. They honeymooned in Italy.



TODD C. LONGSWORTH L'01 AND JANNIE K. LAU L'02 are thrilled to announce the birth of their daughter, Ridley Lau Longworth, on Aug. 24. Ridley joins her big brother, 4-year-old Tobin.

GREGORY DUFFY L'04 AND CATHERINE LACHANCE-DUFFY C'03 EAS'03 are thrilled to announce the birth of their daughter, Alice Elizabeth, on Sept. 8, 12:04 a.m., at Pennsylvania Hospital in Philadelphia. She weighed 7 lbs. 11 oz. and measured 20½ inches in length.

CARLOS MONTOYA L'04 AND BETH MCMANUS L'04 welcomed a son, Kiernan Joseph, born Dec. 5.

DANIEL SLAWE C'98 EAS'98 L'05 AND MEREDITH RUBIN SLAWE L'05 are proud to announce the birth of their daughter, Dorothy Ruth Slawe, on Sept. 17. Dottie joined her big brother Billy. Dan is general counsel and chief operating officer of Evolution Marketing Research, LLC, a healthcare marketing-research company in Blue Bell, Pa. Meredith is an associate in the commercial litigation group of Drinker Biddle & Reath LLP in Philadelphia and is a member of the University of Pennsylvania Law School American Inns of Court.

HALEY GOLDMAN L'09 married **JAMES HEYER W'05** on Dec. 3 at The Pierre in New York. They had met at the wedding of Charlotte Levy L'09 and David Gudis M'08 in June 2010.

SYED HAIDER AZHAR LLM '07 and his wife, Sheh-rbano, are thrilled to announce the birth of their first child, Syed

Zaviyar Haider Azhar, born Aug. 31.



KRISTIE BLUNT L'07 is getting married in June to Brent Welder. Kristie is working for Schlichter, Bogard & Denton, a St. Louis-based law firm. Brent works for Kristie's father's firm, Blunt & Slocomb.

MELANIE BREAUX L'07 and her husband, Justin, welcomed a beautiful baby girl on Jan. 12. Her name is Kayla Simone and she has brought so much joy to the family.

SAMANTHA HILL C'04, L'07 AND BEN BRUTLAG L'07 are expecting their first child in June. Ben is with Cravath, Swaine & Moore and "Sam" is with O'Melveny & Myers.

MEG PIRNIE KAMMERUD L'07 and her husband, Eric, welcomed a daughter, Cora Frances, into the world in March. Meg is an attorney with Quinn Emanuel Erquhart & Sullivan in San Francisco.

BRAD KONDRACKI L'07 AND JONIE ING L'07 got engaged in November and are planning a fall wedding.

DEAN KRISHNA L'07 and his wife, Reena, are happy to announce the birth of their second child, Asha. She was born on Oct. 28.

JASON KRUPPER L'07 and his wife, Judy, welcomed their first child on Jan. 31. Her name is Sophie. Jason is a real estate office in the Los Angeles office of Skadden Arps.

BRAD LEWIS and his wife, Amy, welcomed their second child, Molly, last year. She joins her brother, Elliot. Brad is an attorney at Winston & Strawn.

CRAIG LINDER L'07 and his wife, Michelle, welcomed a baby girl, Maya Julia, into the world in March. Craig is working for Dow Jones & Co.

JEN JANEIRA NAGLE L'07 and her husband, James, welcomed their first child, Sydney Madison, on July 11, 2011. She was born in Newton, Mass. The family lives in Boston.

JORDAN HOLLENDER O'REGAN L'07 gave birth to her second child, Oliver, in January. Jordan is an attorney-adviser with the Commodity Futures Trading Commission.

JUSTIN PAULS L'07 got engaged to Kat Kunz, whom he met while doing a clerkship for a judge on Fifth Circuit in San Antonio. The couple plan to get married in March 2012. Justin and his fiancée were clerking for different judges. Justin is a

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bankruptcy associate at Weil, Gotshal & Manges in Houston.

AMIT UPADHYAY L'07 was married to Smita Patel in Florida last December. A number of fellow alumni attended including Chris Beals, Niall O'Donnell, Frank Martinez, Corey Fulton, Greg Chuebon, and Paige Fleming. Amit will be starting a new job as special adviser to the U.S. Representative to the United Nations for Management and Reform.

ANJALI WAGLE PHILLIPS C'02, L'07 and her husband, **JON PHILLIPS C'02, L'07**, welcomed a baby boy, Kiran Mills, last August. The couple are enjoying every moment with him.

ALEXANDER SANFORD L'07 and his wife, Alaine, had their first child, Violet, last year.

KARTHIK JAYASHANKAR GL'08 married Nandini Lall on March 11. He met Nandini while on a motorcycle trip in India. Narthik works for New Delhi-based CPA Global, a legal services outsourcing company. He is the interim lead lawyer for a team that provides legal services to multinational mining company. His wife is a conservationist and farmer.

JIMMY CREEGAN L'10 will be getting married to Amanda Kannapel in the coming months. Jimmy is a judge advocate and first lieutenant in the U.S. Army Judge Advocate General's

Corps. He will soon receive a promotion to captain and will be moving to Fort Knox, Kentucky. His fiancée is an attorney whom he met through Tommy Forr L'10.

ALYSE FIORI L'10 will get married in July to her grade school sweetheart, Kevin Stach. Alyse works in the litigation department at Proskauer Rose's New York office.

RACHEL FLIPSE L'10 married Brian Healy in Philadelphia last September. Many Penn Law alumni attended the wedding. Rachel is a litigation associate at Gibson, Dunn & Crutcher in San Francisco. Her husband is also a lawyer.

CATHERINE GOERSS-MURPHY L'10 has been named to the board of directors of the Literacy Council of Norristown (Pa.). A full-time mom, she is also doing part-time work through the Montgomery Child Advocacy Project representing children whose parents were involved in volatile domestic situations.

BIJUN HUANG L'10 recently got married to Fred Fang. Bijun is an associate in the Hong Kong office of the law firm Herbert Smith, which is based in the United Kingdom. She focuses on capital market practice. Bijun hopes to relocate to the Beijing office later this year so she can reunite with her husband.

LINDSAY JANOWITZ C'07 L'10 married **MATTHEW LEVINE C'07** on Aug. 27 at the Four Seasons in Washington, D.C. They had met freshman year in the Quad. Lindsay and Matthew honeymooned in Hawaii and then returned to Philadelphia. She is an attorney in Philadelphia, practicing construction litigation, and he is an attorney in South Jersey, practicing commercial litigation.

SCOTT NATURMAN L'10 married Hatsune Igarashi in Japan on Dec. 7, 2011. Scott met Hatsune while studying at Waseda Law School in Tokyo. There will also be a ceremony in the United States.

DAVID WILLIAMS L'10 got engaged to Hong Truong. Dave is a plaintiff's attorney at Kline & Specter in Philadelphia. He focuses on personal injury and qui tam (federal False Claims Act) litigation.

MATTHEW ROTHMAN L'12 is engaged to Jamie Gold. He will be an associate at Dechert LLP in Philadelphia. Jamie works for the American Cancer Society.

This is your space to announce personal milestones. We are interested in engagements, weddings, births, retirements or anything else you'd like to share. Job-related news will continue to run in the main section of alumni notes. Please send information to Iteitelb@law.upenn.edu.



IN MEMORIAM

Penn Law Mourns Passing of Lou Pollak, Former Dean, Judge and Civil Rights Advocate

LOUIS H. POLLAK, who served as dean of the University of Pennsylvania Law School from 1975 to 1978 before being ap-



The Honorable Louis H. Pollak was co-author of the brief in *Brown v. Board of Education*

dean of Penn Law School. “Throughout his career he was a distinguished constitutional law scholar and public citizen, having served as the co-author of the brief in *Brown v. Board of Education*. Despite all the public accolades, Lou Pollak was simply a

appointed to the federal bench, died May 8th at his home in Philadelphia after a long battle with heart disease. He was 89.

Judge Pollak, who served on the U.S. District Court for the Eastern District of Pennsylvania, was widely regarded as one of the leading members of the judiciary in the country.

“It is with great sadness that we mourn Louis Pollak,” said Michael A. Fitts,

beloved figure, deeply kind and thoughtful, adored by his clerks, students and colleagues.”

“All who had the privilege of spending any time with Lou Pollak were better for the experience,” said Stephen Burbank, David Berger Professor for the Administration of Justice. “A giant of the law in the twentieth century, he cast a shadow of learning, wisdom and love.”

Judge Pollak was born in New York City in 1922, the son of a prominent civil rights lawyer. He graduated *magna cum laude* from Harvard College in 1943 and served in the U.S. Army during World War II, before entering Yale Law School, where he graduated in 1948 and was editor of the Law Review.

From the beginning of his career, Judge Pollak had a passionate concern for the cause of civil rights. He began his legal career by clerking for U.S. Supreme Court Justice Wiley B. Rutledge and joined a group of volunteer lawyers assisting Thurgood Marshall, then-director counsel of the N.A.A.C.P. Legal Defense Fund. Judge Pollak played a key role in planning and drafting briefs for *Brown v. Board of Education*. He remained active with the Legal Defense Fund as a board member and vice president until becoming a judge in 1978.

Pollak’s participation in the successful *Brown* case was one of his signal achievements. “The wider implications of *Brown* can be seen across the entire spectrum of the Supreme Court’s jurisprudence for the quarter century following the decision,” he wrote in a 1992 *Fordham Law Review* article describing the case’s legacy.

After completing his clerkship, Judge Pollak worked from 1949 to 1951 as an associate at the New York law firm of Paul, Weiss, Rifkind, Wharton & Garrison. He then served in the U.S. State Department as a special assistant to Ambassador-at-Large Philip C. Jessup and later took the position of assistant counsel for the Amalgamated Clothing Workers of America.

IN MEMORIAM

In 1955 Judge Pollak joined the Yale Law School faculty, where he remained until 1974, serving as dean from 1965 to 1970. In 1974, he moved to Penn Law, becoming dean the following year. During his tenure as dean, the Law School appointed its first African-American faculty member.

Upon being appointed to the federal bench by President Jimmy Carter in 1978, Judge Pollak retired from the full-time Penn Law faculty. But he continued to teach a seminar at the Law School as an adjunct professor until his death.

“The last time he taught at the Law School he received one of our teaching prizes,” said Dean Fitts. “Several weeks ago Penn Law named our new alumni public service award at the Law School after him. It is a perfect tribute to his career — and the man.”

Judge Pollak is survived by his wife, the former Katherine Weiss, whom he wed in 1952; five daughters; six granddaughters, and two grandsons.

A memorial service for Judge Pollak will be planned by the Law School.

— STEPHEN FRANK

Watergate Prosecutor Henry S. Ruth dies at 80

HENRY S. RUTH L'55, who served as special prosecutor in the Watergate case after President Nixon resigned from office, died on March 16 in Tucson. He was 80.

Mr. Ruth served as the chief deputy to both the first special prosecutor, Archibald Cox, and his successor, Leon Jaworski.

He rose to prominence by holding his ground and keeping the prosecutors' office operating after President Nixon dismissed Cox for refusing to drop his plan to subpoena tapes of the president's conversations in the Oval Office.

Following the departure of Jaworski, Mr. Ruth served nearly a year as special prosecutor, during which he questioned the president about the actions of his aides as well as the 18 ½ minutes missing from the tapes.

The case concerned the possible involvement of Nixon and his aides in covering up the June 1972 break-in at the Democratic national headquarters in the Watergate apartment complex in Washington by burglars who turned out to have ties to Nixon's re-election campaign.

© AP Images



Henry S. Ruth shown talking to newsmen in Washington following his appointment to succeed Leon Jaworski as the special Watergate prosecutor in October 1974.

President Nixon resigned on August 8, 1974. The next month, President Gerald Ford issued a pardon. Jaworski stepped down two months later and Mr. Ruth replaced him. Mr. Ruth quickly challenged restrictions in the pardon deal that limited his access to the tapes. He won access but was unable to determine who was responsible for erasing portions of the tapes.

A Philadelphia native, Ruth came to the Watergate case with broad experience in criminal law. He was an Army intelligence officer and practiced law in Philadelphia before joining the U.S. Justice Department's organized crime section in 1961 under Attorney General Robert F. Kennedy. (His group was meeting with the attorney general, and had just adjourned for lunch, on the day that President Kennedy was assassinated.) In 1964, he was sent to Mississippi to enforce provisions of the newly passed Civil Rights Act.

In the late 1960s and early 1970s, he served on commissions examining organized crime, taught at Penn Law School for two years, and held a top legal position in the administration of New York Mayor John Lindsay.

After Watergate, Mr. Ruth was general counsel of the United Mine Workers Health and Retirement Funds and a partner at the former Washington firm of Shea & Gardner, where he handled legal cases for President Jimmy Carter's former chief of staff, Hamilton Jordan, and the president's brother, Billy Carter.

Mr. Ruth later practiced in Philadelphia and, in 1987, testified against the Supreme Court nomination of Robert Bork, who had fired Cox. He moved to Tucson in 1988 and was associated with the Washington law firm of Crowell & Moring until 2004.

In an interview that appeared in the *Penn Law Journal* three years ago, Mr. Ruth reflected on the lessons of Watergate. “The prosecutor’s office during the Clinton years showed that Watergate had been forgotten. Kenneth Starr, I believe, destroyed the credibility in the special prosecutor concept. He had eight or nine people chronicling the sexual activities of the president in a way that he didn’t have to. I think he tried to influence the impeachment of Clinton in a way that the special prosecutor should not.”

Mr. Ruth is survived by his second wife, Deborah Mathieu; three daughters from his first marriage, Diana, Tenley and Laura; and three grandsons.

STEVEN A. ARBITTIER C’60, L’63, a lawyer with more than 45 years of experience litigating, arbitrating, and mediating complex construction and commercial disputes, died on May 14. He was 72. After graduating from law school, Mr. Arbittier joined Wolf, Block, Schorr & Solis-Cohen in Philadelphia. He was chairman of Wolf Block’s litigation department when he left to become a partner at Ballard Spahr in 1995. He had been senior counsel at Ballard Spahr since 2007. Mr. Arbittier had been a member of the American Arbitration Association since 1967. His recent arbitrations involved disputes over licensing of computer software; the discovery of high levels of methane gas during construction of a California school; the laying of fiber-optic cable along railroad rights-of-way; and the construction of cogeneration facilities. He was the author of *Pennsylvania Mechanics’ Liens* and *Pennsylvania Construction Law* and co-wrote 12 editions of the *Philadelphia Court of Common Pleas Civil Practice Manual*. In his youth, Mr. Arbittier sang and played bass with dance bands at resorts in the Catskills and at the Jersey Shore, and while in college he performed with Penn’s Mask and Wig Club on the Ed Sullivan Show. At Penn Law School, he was editor of the Law Review. He is survived by wife Helen; daughters Lauren Davis, Meredith Shatoff, Jennifer Williams, and Elizabeth; sons Robert and Douglas; two brothers; and 12 grandchildren.

LEIGH BAUER L’62, who practiced law in Philadelphia for nearly five decades, died June 22. Mr. Bauer had been a partner at Diamond, Polsky and Bauer. He also taught legal studies to undergraduate and graduate students at the Wharton School. He is survived by wife Delores; son Stephen; daughter Beth Montanari; stepson Leonard Parks Jr; a sister; six grandchildren; and his former wife, Lyn.

WILLIAM H. BAYER L’49, a distinguished trial litigator who served as regional counsel for large American corporations including American Express and Gulf & Western Industries, died on Sept. 24. The Lehigh, Pa., resident was 89. He remained an active attorney until his death. Mr. Bayer enlisted in the U.S. Air Force to serve in World War II, subsequently training as a pilot and becoming the captain of one of America’s B-24 heavy bombers, “The Liberator.” Mr. Bayer enjoyed the outdoors and loved cold weather. Both of which explain why he was an avid skier well into his 70s. He is survived by wife Marion; daughters Patricia of Tannersville, Pa., Barbara A. McCullion of Lehigh, Pa., and Beth of Boyertown, Pa.; sons J. Gregg Bayer of Anna Maria Island, Fla., and Stephen of Tamaqua, Pa.; ten grandchildren; and sister Angela Rooney of Washington, D.C. He was preceded in death by son David and sister Joan Severin.

W. THOMAS BERRIMAN L’55, a retired partner with the former Wolf Block law firm in Philadelphia, died on Jan. 10 at the age of 81. Mr. Berriman founded a King of Prussia, Pa., law firm named Berriman & Schwartz in the 1970s. The firm, which was acquired by Wolf Block in 1985, had pioneered the health law field in the Philadelphia area. Berriman’s firm serviced 300 health-care providers and medical professional groups. Berriman had experience in the health care field, having been president of Mental Health Clinics Inc. in Norristown, Pa., and vice president and general counsel of American Medicorp Inc., in Bala Cynwyd, Pa. In 1988, he and three other Wolf Block partners opened an office for the Center City firm in the Great Valley Corporate Center near Malvern, Pa. In 1989, he was elected president of the newly formed Great Valley Regional Chamber of Commerce. In 1993, he was named secretary of the Chester Valley Transportation Management Association, a group of private and public officials seeking to improve transit in Chester County. He is survived by daughters Sarah, Ann, and Susan Bova; son Thomas; six grandchildren; and his former wife, Nancy.

IN MEMORIAM

ANDREW BRAND W'63, L'66, who practiced law for 44 years at Suisman, Shapiro in New London, Conn., died on August 11. He was 69. He had been a law clerk to the Honorable William Hastie of the U.S. Court of Appeals for the Third Circuit. He is survived by wife Nancy; sons Michael of Miami, Fla., and Benjamin of Los Angeles, Calif.; daughter Meredith Wade of Bethesda, Md.; brother Gilbert of Glendale, Calif; and six grandchildren.

LAWRENCE R. "BUD" BROWN, JR. L'56, a retired Philadelphia lawyer and insurance company executive, died on July 15. He was 83. Mr. Brown worked for Provident Mutual Life Insurance Co. for 35 years, during which he rose to senior vice president and corporate counsel. After retirement, he served as deputy director of the Pennsylvania Life and Health Insurance Guaranty Association until 2002. He worked as a lawyer for Duane, Morris & Hecksher in Philadelphia until 1958. In 202, Mr. Brown and his wife moved to Hilton Head, S.C. In addition to his wife, Mr. Brown is survived by son Lawrence R. 3rd; daughter Carolyn; and seven grandchildren.

THE HONORABLE JOHN H. BRYDON L'58, a Common Pleas judge in Butler County (Pa.) for 23 years and former district attorney in the county, died May 28, 2011. He was 81. Judge Brydon practiced law in Slippery Rock, Pa., before becoming district attorney and a judge. He served in the U.S. Army from 1954 to 1956. Judge Brydon served two terms on the Slippery Rock Board of School Directors. He was instrumental in initiating the boy's football program at Slippery Rock High School. Judge Brydon enjoyed hunting, fishing, and golfing. At the time of his death, Judge Brydon lived in West Melbourne, Fla. He is survived by wife Norma; daughters Karin of Hagerstown, Md., and Yvonne of West Melbourne; son Harold of Butler, Pa.; brother George of Slippery Rock, Pa.; and four grandchildren.

MELVYN L. CANTOR L'67, a longtime and prominent litigator with Simpson Thacher, died May 14, 2011 at the age of 68. Mr. Cantor joined Simpson Thacher as a litigation associate a year after graduating from law school. He became a partner in 1974. During a 29-year career with the law firm, he became a member of the Policy Committee and was head of the banking litigation practice, representing clients such as Manufacturers Hanover Trust Company and its successor institutions, Chemical Bank and Chase Manhattan. He was the bank's go-to litiga-

tor on its most important matters, including the Hunt family lender-liability litigation and the Best Products case. Mr. Cantor was an accomplished mergers and acquisition litigator as well. He represented Paramount in the famous Paramount-Time Warner case. He also played significant roles in the RJ/Nabisco leveraged-buyout litigation, the fight for Conoco between Seagram and DuPont, and the Brascan/Edper creeping tender offer litigation. He retired from his law practice in 1997 but continued his involvement in the legal world as a lecturer in law at the Columbia University School of Law. A Boston native, Mr. Cantor spent most of his adult life in Greenwich, Conn. He was a passionate cyclist and rode in the 87-mile first leg of the Pan Mass Challenge in 2003. Through a program in the Greenwich elementary schools, Mr. Cantor became a mentor to three young boys and remained involved with them, now young men in their early 20s, until his death. He is survived by wife Kathryn; sons Matthew and Douglas; daughter Joanna; brother Richard; and two grandchildren.

ARNOLD B. COHEN L'63, a professor at Villanova School of Law for 41 years who was an innovator in the use of computer technology in the classroom, died August 23. The Valley Forge, Pa., resident was 72. Mr. Cohen specialized in bankruptcy, secured lending, and e-commerce. In 1997, a law textbook he authored on bankruptcy was published as an electronic casebook employing hypertext technology, which enabled students and other users to link to cases, statutes, forms, and other relevant materials early in the Internet era. He also prepared a series of simulated legal discussions and interactive problems available on the Internet. After graduating from Penn Law School, where he was editor of the law review and was elected to the Order of the Coif, he clerked for a federal judge in Philadelphia for a year and then taught at the University of California School of Law for a year. He was with the firm of Mesirov, Gelman, Jaffe & Levin in Philadelphia before joining the Villanova faculty in 1970. He is survived by wife Rona; daughters Julie Norris, Jessica Dudley, and Alison Rosenzweig; and eight grandchildren.

EDWARD J. COOKE W'47, L'50, a retired attorney, died on June 21. He is survived by wife Adele; daughters Michele C. Jordan of Pound Ridge, NY, and Suzanne C. Pettit of Berwyn, Pa.; son Edward J. Cooke III of Cork, Ireland; and six grandchildren.

ROBERT A. DETWEILER W'35, L'38, a retired attorney who lived in Swarthmore, Pa., died on April 22. He was 97. Mr. Detweiler was a member of the football and track teams at Penn, where he also coached track. He was a prominent track and field official for more than fifty years. In that capacity, he served as president of the Middle Atlantic A.A.U., and chairman of the National A.A.U. Track & Field Committee. A participant in Master's Track & Field, he broke the world record in his age group for the 35-pound weight throw in 1983, 1984 and 1989. His performance in the super weight throw earned him the All-American title. He remained an active lawyer until his eighties. His passions were Renaissance art, music, and drawing sports figures. His wife, Margaret, predeceased him. He is survived by daughters Marion of Dresher, Pa., Georgia Dulude of Wellesley, Mass., and Janice Bolen of New Washington, Oh.; son Mark of Keesling, Va.; and four grandchildren.

GEORGE J. FELTOVICH L'59, a real estate lawyer in Oceanside, Calif., died on April 21. He was 79. Mr. Feltoovich enjoyed sailing, swimming, golfing and walking on the beach. He is survived by his wife, the former Leslie Inglis; sons Darryl of Oceanside and Brian of Park City, Utah; sister Carol of Hermitage, Pa., and two granddaughters.

EUGENE C. FISH W'31, L'34, a business executive and philanthropist who helped spearhead the campaign to build the Kimmel Center for the Performing Arts in Philadelphia, died Feb. 5 at the age of 101. An amateur pianist and aficionado of classical music, Mr. Fish had become involved in the planning for the concert hall because his wife, Marjorie Scheuerle Fish, served on the women's committee of the Philadelphia Orchestra. Mr. Fish attended a meeting in 1998 during which a proposal to create a regional performing arts center and new home for the orchestra was presented. It received his enthusiastic endorsement. Mr. Fish began his career as an attorney for the Commonwealth of Pennsylvania. By the 1940s, Mr. Fish, a certified

public accountant as well as lawyer, was a managing partner with the law firm of Romelka, Fish & Scheckter in Philadelphia, and managing partner of the accounting firm of Deetz, Derenzi & Anton, also in Philadelphia. He was chairman and president of Peerless Industries Inc., a holding company, and chairman of the EAFCO Inc., an iron foundry in Boyertown, Pa. Mr. Fish continued to work in his accounting firm until his early 90s and was commuting to law office until he was 95. He loved ballroom dancing and baseball, and he was a fan of the Philadelphia Phillies. In addition to his wife, Mr. Fish is survived by sons Robert and Alan; daughter Shirley Kirchner; a sister; three grandchildren; and four great-grandchildren.

C. GILPIN GIBBON L'52, a lawyer, banker, and civic activist, died on August 19 at his home in Chadds Ford, Pa. He was 87. Mr. Gibbon became a partner with the firm of Whitney, Thornton, Gibbon & Monteith after graduating from Penn Law School. In the mid-1970s, he established a solo law practice in Bryn Mawr, specializing in trusts and estates. For many years, he taught at Temple University School of Law. While living in Gladwyne, Pa., in the 1960s, Mr. Gibbon served on the Lower Merion Township Commission. He was involved with the planning and completion of Flat Rock Park on the Schuylkill River. He was founding director and secretary of the National Bank of the Main Line, now part of M&T Bank. Mr. Gibbon was also former corporate secretary and general counsel for Southco Inc. He graduated from Yale University, where he played on the basketball team. Mr. Gibbon, who served in the Navy during World War II, was an accomplished pianist and played tennis and golf into his 70s. He once shot a hole-in-one. Mr. Gibbon is survived by his wife Ona; daughters Anne Judge and Martha Bianchi; stepson Thomas Bottomley; nine grandchildren; and two great-grandchildren. He is predeceased by his former wife, Jane.

ARNOLD GINSBURG C'36, L39, a lawyer in Philadelphia and a leader in the Jewish community, died June 24. He was 94. In the mid-1950s, Mr. Ginsburg established a solo practice in Philadelphia, specializing in corporate law. In the 1960s, he was counsel and served on the board of the Philadelphia Transportation Co. During his career, he appeared before the U.S. Supreme Court four times, and was still practicing law into his 90s. Mr. Ginsburg served several terms as president of the Young Men's and Young Women's Hebrew Association in Philadelphia. His parents, Nettie and Morris Ginsburg, were founders of the as-

IN MEMORIAM

sociation in 1925. He held offices in other Jewish organizations, including the Jewish Federation of Greater Philadelphia and the Jewish Community Relations Council. He was a founder of the Philadelphia Forum on Jewish Affairs. In addition, he was active with the Zionist Organization of America locally and nationally, and as a young man was known as “Firebrand Ginsburg” for speaking in support of Israel. “Arnold Ginsburg was one of the most devoted, eloquent, and brilliant American Zionist leaders. He was one of the great American pro-Israel advocates of the 20th century,” said Mort Klein, president of the Zionist Organization of America. Besides his passion of Judaism, Mr. Ginsburg loves Philadelphia and baseball. In 1929, when he was 13, he was cheering in Shibe Park when the Philadelphia Athletics won the World Series. Twenty-five years later, he was an attorney for a group of local investors who tried to buy the team to prevent it from moving to Kansas City.

BERNARD GLASSMAN W’58, L’61, a former chair of the Estate and Tax department at Blank Rome in Philadelphia, died on August 18. He was 74. Mr. Glassman joined Blank Rome in 1975 and became a partner four years later. He led the audit and budget committee for many years, and chaired the billing committee. He also played an integral role in one of Blank Rome’s first major mergers. After retiring in 2009, Mr. Glassman stayed on as special counsel. Before joining Blank Rome, he was a partner with the firm of Lodge & Goldman in Philadelphia for 13 years. He was also a Pennsylvania special assistant attorney general. He was past chairman of the probate and trust law section of the Philadelphia Bar Association; a fellow of the American College of Trust and Estate Counsel; and a member of the Philadelphia Estate Planning Council. In addition, Mr. Glassman served on the boards of the Jewish Community Centers of Greater Philadelphia, the Federation of Jewish Agencies of Greater Philadelphia, Boys Town of Jerusalem, and the Philadelphia Jewish Sports Hall of Fame. He loved Philadelphia sports, especially the Phillies and the Eagles. Mr. Glassman is survived by his wife Sylvia; daughters Hara Salkovitz and Lynn Hochberg; son Todd; a sister; and six grandchildren.

JAMES GORDON HANSEN L’64, a tax lawyer who spent 40 years in private practice and once started his own firm, died on Feb. 7. He was 72. After graduation from law school he served as a law clerk to David T. Lewis, chief judge of the U.S. Court of Appeals for the Tenth Circuit. Mr. Gordon started his legal career in Los Angeles with Irell & Manella in 1965. He joined Prince Yeates & Geldzahler, in Salt Lake City, in 1967. He formed Hansen Jones Maycock and Leta in 1983, and joined Parsons Behle & Latimer as a partner in 1992. He retired from Holm Roberts & Owen in 2006. His hobbies included skiing, golf, tennis, hiking, buying fast cars, and building and remodeling homes. He is survived by wife Cinda; sons James and Charles; daughter Calley Firth; two grandsons; sisters Sharon Katona and Claire Stevenson; and brother Spent. He was preceded in death by his son Peter.

JOHN F. “JACK” HEINZ L’50, a business writing executive who became a distinguished corporate speechwriter, died on Oct. 24. In 1951, Mr. Heinz joined the publications department of Bethlehem Steel. A decade later, he assumed executive speechwriting responsibilities, and was the author of regular column on speechwriting and a book on writing effective business speeches. Following his retirement from Bethlehem Steel in 1983 Mr. Heinz became a vice president at the public relations firm of Hill and Knowlton. He subsequently joined Inland Steel in Chicago as communications manager. He is survived by wife Patricia; sons Frank of Redmond, Wash., Steven of State College, Pa., and Tony of Philadelphia, Pa.; daughter Kristina of San Diego, Calif.; ten grandchildren and two great-grandchildren.

ROBERT KLOTHE L’74 of Bethesda, Md., died in December at the age of 61. Mr. Klothe was an attorney with the U.S. Department of Transportation. He volunteered regularly at a homeless shelter named Shepherd’s Table. He is survived by wife Nancy, son Daniel, and daughter Allison.

ALISON KNOX L'74, a retired lawyer in Philadelphia, died on Dec. 12. She was 78. Ms. Knox taught philosophy at Columbia University, Bryn Mawr College and Brooklyn College before attending and graduating from Penn Law School, after which she became an associate at Montgomery, McCracken, Walker and Rhoads, LLP. She established her own practice in 1984 concentrating on bankruptcy and intellectual property litigation. Ms. Knox is survived by her sister Ellen Knox Roston, brother John; and six nephews and nieces.

EDWARD P. LITTLE JR. L'53 a retired lawyer and former district attorney of Susquehanna County (Pa.), died April 25, 2011. A Navy veteran of World War II, he practiced law as a fifth generation lawyer in Montrose, Pa., for more than 57 years. He was district attorney of Susquehanna County from 1968 to 1980. He was predeceased by his wife, Lucille. He is survived by daughter Lucinda Vermette of Montrose, Pa.; two grandchildren; and two nieces.

FREDERICA KOLLER LOMBARD L'64, a longtime dean of Wayne State University Law School and the first female faculty member there, died on June 17. The first member of her family to attend college, Mrs. Lombard spent 41 years at Wayne State. She began teaching there in 1966. At the time, she was one of the few female law professors in the nation. Her husband, Arthur, joined the law school faculty the same year. They married in 1968 and for several decades were the longest married couple in American legal education. In the 1970s, Mrs. Lombard was a founding member of Wayne State's Commission on the Status of Women which made strides correcting gender inequities on campus. On the national level, she worked closely with another young law professor, Ruth Bader Ginsburg, now a U.S. Supreme Court justice, to establish accreditation standards which prohibit law schools and firms interviewing on campus from discriminating against women. She played a significant role in litigation which ordered the nation's major university retirement plan, TIAA-CREF, to abandon its practice of paying female retirees lower monthly benefits than men because women generally live longer. In 1992, Mrs. Lombard was appointed associate dean of the Wayne State Law School. She held the position for an unprecedented 13 years. In 2003-2004 she served as interim dean of the law school. She had a major role in the expansion of the law school building in the early 2000s. Upon her retire-

ment, at the urging of the student body, a major scholarship program was renamed the Lombard Scholarship Fund. In December 2005, Mrs. Lombard underwent the first reported bone marrow transplant for a rare and fatal form of non-Hodgkin's lymphoma at the Dana-Farber Cancer Institute at Harvard. The transplant was successful and she will forever be known there as "Patient One." Mrs. Lombard is survived by her husband, Wayne County Circuit Judge Arthur Lombard; daughter Lisa; son David and his wife, Ramona Uritescu-Lombard; and grandson Alexander.

LOUIS E. LEVY L'53, an attorney in private practice who specialized in zoning, tax and estate law, died on March 10, 2011. He served in the Army and was stationed in France as a legal assistant clerk during 1955. He served as legal advisor for Collab, a collaboration of design professionals supporting the modern and contemporary design collections at the Philadelphia Museum of Art. Among his community activities, he served as a trustee for White-Williams Scholars and on the board of directors for the Cliveden and Upsala historic homes that were significant in the revolutionary battle of Germantown, in Philadelphia. He is survived by son David; daughters Stacy and Erica; and sisters Joan Levy Coale and Carole Levy Franklin.

LAWRENCE MCBRIDE JR. L'49, a third generation lawyer who was a partner in the McBride and McBride Law Firm, died April 25, 2011. The resident of Grove City, Pa., was 87. Mr. McBride enlisted in the Army Air Corp in 1942 and became a commissioned officer on June 6, 1944, D-Day. He served on air bases in the U.S. and on Guam and in the Philippines. He held the rank of 1st Lieutenant. After graduating from Penn Law School, he joined his father in forming McBride and McBride. He was the 1982 recipient of the Grove City Community Service Award. He is survived by his wife, the former Madeleine Coulter; sons Randolph of Fairfax, Va., Barry of Denver, Co., and Milford L. McBride III of Hermitage, Pa.; daughters Marta J. McBride Galicki of Kuala Lumpur, Malaysia, and Brenda K. McBride of Slippery Rock, Pa.

IN MEMORIAM

J. GRANT MCCABE III L' 50 of Media, Pa., died on Dec. 14. He was 88. Mr. McCabe practiced law at Rawle & Henderson for more than 40 years. He served as a managing partner, and was chairman for 10 years. In 1979, when the firm's fortunes were declining, McCabe flew to Tokyo and persuaded a major client to stay with Rawle. That gave th. firm the boost it needed to merge with Hudson, Wilf & Kronfeld under the name Rawle & Henderson. It expanded its offerings from maritime law to general litigation, business, and commercial cases. Mr. McCabe grew up on the Main Line in the Philadelphia area. He served in the Navy during World War II and the Korean War, retiring as a lieutenant commander. Mr. McCabe put considerable energy into community work. He was active with the Presbyterian Church of America and served on its law committee. He was also on the board of Springton Lake Village, the retirement community where he lived for eight years until his death, as well as a Lower Merion Township commissioner from 1966 to 1972. He is survived by his wife Alberta; stepdaughter Janice H. Murdoch; sons Joseph Grant IV, Randall, Anderson, and Franklin; daughter Sheridan Vastine; stepchildren Henry Hauptfuhrer IV and Linda B. Hauptfuhrer; six grandchildren; six ste-grandchildren; and a sister.

CLINTON MILLER L'40, a former senior patent counsel for a chemical and munitions manufacturing company named Hercules, Inc., died June 29. He was 97. He worked for Hercules for 37 years. Mr. Miller was a member and president of the Wilmington (Del.) Jaycees. He served on the vestries of St. Andrew's and Trinity Episcopal churches in Wilmington. Mr. Miller was active in Delaware politics. In retirement he served for eight years on the Governor's Council on Aging. He helped create and promulgate legislation benefiting the elderly and counseled seniors as part of the ElderInfo program. He was predeceased by his wife Elizabeth and sister, Eloise McLaughlin. He is survived by his children and their spouses, Dr. Clinton F. and Laurel Miller of Portsmouth, NH and Penelope E. Miller and Victor Sitty of Mystic, Conn. He is also survived by a daughter-in-law, Adele E. Wick, of Greenland, NH and four grandchildren.

ELAINE NEWMAN MORANZ GCP'70, L'80, who specialized in commercial real estate law, died on Oct. 27. The resident of Newtown Square, Pa., was 65. Mrs. Moranaz had been a partner in the Philadelphia law firm of Rothschild, O' Brien & Frankel since 1987. She and her husband, Joel, along with another partner bought and renovated the Cornerstore Bar & Grille in Ketchum, Idaho. Built in 1884, the restaurant is on the National Register of Historic Places. Mrs. Moranaz dealt with the numerous federal preservation regulations required to complete work on the building. Mrs. Moranaz worked for the Philadelphia Planning Department for two years and then for the Delaware County Planning Department, where she was executive director from 1976 to 1977. After earning her law degree, Mrs. Moranaz joined the law firm of Meltzer & Schiffrin, which later merged with Fox, Rothschild. An accomplished tennis player since childhood, she later took up golf. Mrs. Moranaz is survived by her husband; a brother; a sister; and eight nieces and nephews.

WILLIAM B. MOYER L'61, who practiced criminal and civil law for more than 30 years as a partner at Power, Bowen and Valimont in Doylestown, Pa., died June 10, 2011. He was 77. Mr. Moyer served as an officer in the U.S. Navy, beginning in June of 1956 as an ensign and later as a lieutenant in the U.S. Naval Reserve from 1960 to 1964. During part of his time with the Navy, he also served with the National Security Agency in Washington, D.C. He later ran for the Pennsylvania State Senate and for the U.S. Congress. In the community, he served on the Bucks County Government Study Commission and was a member of the board of trustees at Bucks County Community College from 1985 to 1994, serving as chairman of the board from 1989 to 1991. Mr. Moyer was predeceased by his wife, Nancy. He is survived by sons William of South Carolina, Stephen of Newtown, Pa., and Edward of Perkasie, Pa.; daughter Eva Moyer Rohrmiller of Furlong, Pa.; two brothers; two sisters; 11 grandchildren; and Sandy Teal Trainer, with whom he had a committed relationship for eight years.

JAMES PAUL L'51, a former professor at Penn Law School and dean of Rutgers Law School in Newark, N.J., died Sept. 13 at the age of 85. Mr. Paul taught at Penn from 1954 to 1965. While teaching at Penn Law, Mr. Paul made several trips as an Eisenhower Fellow and on behalf of the Peace Corps to universities in Ethiopia and other African nations. In 1963, he accepted an invitation from Haile Selassie University, now Addis Ababa University, to oversee the creation of a law school – the first law school in the country. He moved his family to Addis Ababa and spent the next six years raising money, building the law school, and hiring faculty, while serving as law school dean and professor of law. He left the school to become dean of Rutgers University Law School-Newark from 1970 to 1975 and remained on the law school faculty until retiring in 1996. He stayed involved in Ethiopia. Following the overthrow of an oppressive military regime, Mr. Paul served as a consultant from 1974 to 1987 to the Ethiopian Constitutional Commission and worked closely with the commission's chairman to draft the constitutional bill of rights. In 2001, Mr. Paul was appointed to the Eritrea-Ethiopia Claims Commission at the Hague. The commission was mandated by the peace treaty between Eritrea and Ethiopia in 2000 to hear and rule on claims of alleged violations of the Geneva Conventions during the two-year war between the countries. John R. Crook, an international lawyer and member of the commission, described Mr. Paul as the “conscience” of the commission. “He was determined that the commission should do whatever it could to address the needs of the many thousands of vulnerable people in both countries whose lives and livelihoods were ruined by the war.” Mr. Paul helped establish a fund, administered jointly by Ethiopia and the United States, to support programs aimed at strengthening protections of human rights guaranteed under Ethiopia's constitution. In 2009, Addis Ababa University named its law library after Mr. Paul. During World War II, Mr. Paul served in the Navy in the Pacific. After his discharge, he earned a bachelor's degree in 1948 from Princeton University and a law degree in 1951 from the University of Pennsylvania Law School, where he was editor-in-chief of the Law Review. Mr. Paul clerked for Supreme Court Chief Justice Fred Vinson before teaching on the faculties of the University of North Carolina Law School and Penn Law School. He wrote several books on international law, federal censorship policies, and local government. Mr. Paul is survived by his wife Peggy; son Nicholas; daughters Martha and Adelaide; a brother; a sister; seven grandchildren; and two great-granddaughters.

ARTHUR M. PETERS JR. C'50, L'53, an FBI agent who later became a self-employed lawyer, died Sept. 4 at the age of 83. Mr. Peters graduated from the FBI Academy in 1954 and served as a special agent for four years in San Diego, New York, and Washington, D.C. The Danville, Pa., native returned home to practice law on his own and then as a partner in the law firm of Peters and Tripoli. He enjoyed flying his own airplane, cruising on his yacht, “The Barrister's Berth,” skiing and searching for arrowheads. His wife, E. Georgene “Georgie,” preceded him in death. He is survived by cousin Margaret Weirick of Northumberland, Pa.; brother-in-law Robert E. Bull of Nescopeck, Pa.; and numerous nieces and nephews.

DAVID V. RANDALL L'61, a partner in the Ballard Spahr law firm who was chairman of the watchdog Committee of Seventy and a local democratic leader, died Oct. 15. He was 86. Before attending Penn Law School, Mr. Randall was treasurer of the successful primary and general election campaigns of Pennsylvania Gov. George Leader, who named him his executive secretary. After graduation, joined what is now Ballard Spahr and became a tax law partner. At one time, *Philadelphia* magazine ranked him as one of the top 100 lawyers in the city. From 1972 to 1995, he was a lawyer for Temple University. In 1968, Mr. Randall was elected Democratic leader of the Ninth Ward in the Chestnut Hill and Mount Airy sections of Philadelphia. In addition to serving as chairman of the Committee of Seventy, which serves as a government watchdog, he was a vice president of the West Mount Airy Neighbors, a member of the tax-advisory board of the Philadelphia Chamber of Commerce, and a member of the Citizens Committee on Public Education in Philadelphia. In 1963, he was elected to the board of directors of the Junto Adult School. Mr. Randall self-published a series of mystery novels, a history of the anthracite coal industry, a history of the NFL, and a genealogy of the Randall family, as well as a travelogue describing his fishing trip to Mongolia. He is survived by his daughter Meg; son David; a granddaughter; a stepgrandson; and a great-grandson. His first wife, Helen, died in 2006. His second wife, Natalie, died in 1999. He was also preceded in death by a son, Kirk.

IN MEMORIAM

DAVID RAPAPORT L'69, a shareholder at Boston-based Davis, Malm & D'Agostine, PC. who shaped employment laws in Massachusetts by winning cases such as one that set a precedent protecting the rights of Americans with disabilities, died on Jan. 13. He was 67. Mr. Rapaport taught trial practice at the Harvard Law School Trial Advocacy Workshop and was a frequent lecturer on employment law and trial practice. Before joining Davis Malm, he was the senior partner of Rapaport and Rapaport, headed the litigation departments at two smaller Boston law firms, served as a prosecutor in New York City under Robert M. Morgenthau, and was a litigator at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo. He was also a law clerk for the Honorable Levin H. Campbell on the United States District Court for the District of Massachusetts, and the United States Court of Appeals for the First Circuit.

JONATHAN ROWE L'71, a longtime political aide to U.S. Sen. Byron Dorgan (D-North Dakota) and a former member of Ralph Nader's "Raiders," died on March 20. He was 65. In addition to serving on the staffs of the U.S. House of Representatives and the Washington, D.C., city council, Mr. Rowe carved out a career as a writer. He had been a contributing editor to *The Washington Monthly* and *YES!* magazines and a staff writer for *The Christian Science Monitor*. He also contributed articles to *Harper's*, *The Atlantic Monthly*, *Reader's Digest*, and *The Columbia Journalism Review*. Mr. Rowe participated in civic affairs in West Marin, Calif., where he had lived for 15 years. He was a new member of the board of directors of the Marin Media Institute, which owns *The Point Reyes Light*. He was also known as the host of KWMR's America Offline program. In addition, he co-founded the Tomales Bay Institute and its successor, the West Marin Commons project in Point Reyes Station. He is survived by wife Mary Jean Espulgar-Rowe and son Joshua.

DOUGLAS D. ROYAL L'50 died on March 26, 2011. He was 86. He was predeceased by his wife Bette. He is survived by his brother, John, of Brockport, NY; daughters Jan L. Morris of Limerick, Pa., and Susan of Fredonia, NY; and three grandchildren.

JOSEPH DANIEL SCARPELLO L' 41, who ran some of Philadelphia's largest playgrounds and recreation centers as a leader of the city's Recreation Department, died Dec. 21. A city official for 30 years, he started annual summer trips for city youth to Dorney Park in Allentown, Pa. During World War II, he was an officer and naval aviator aboard the cruiser San Jacinto in the Sea of Japan from April 1945 until the end of the war. One of his duties was flying dirigibles. His unit's heroics earned him a presidential citation, with the right to wear a bronze star and ribbon bar. "Operating continuously in the most forward areas, the USS San Jacinto and her forward air groups struck crushing blows toward annihilating Japanese fighting power," read a commendation signed in 1946 by then naval secretary James Forrestal. Mr. Scarpello was a district supervisor with Philadelphia's Department of Recreation for 30 years ending in 1978. On retiring, Mayor Frank Rizzo praised him as "a credit to the city." Mr. Scarpello also studied piano at the Granoff School of Music in Philadelphia. He led the Townsmen, a five-piece band that played in the area from 1950 to 1958. In later years, Mr. Scarpello played the piano to entertain seniors at recreation and community centers and nursing homes. At 85, he recorded a CD of his greatest piano hits titled *No Ordinary Joe*. He is survived by his wife Mary Ann; sons Joseph, Jeremy, John, Jude, Jason, and Joshua; a daughter, Janine Scarpello DiGioacchino; and a sister, Evelyn Ventresca. Also surviving him are 18 grandchildren.

BERNARD SEGAL L'59, a distinguished law professor and attorney who defended Vietnam protestors and the Freedom Riders challenging segregation in the South, died in August at the age of 81. Mr. Segal founded and directed the litigation program of the law school at Golden Gate University, where he spent 39 years training future lawyers. The school plans to rename the program in his honor. Born in Philadelphia, Mr. Segal worked as a public defender and private criminal defense lawyer in his hometown for 12 years after graduating from Penn Law School. During this time, he served as a volunteer attorney for the American Civil Liberties Union in Mississippi. His most prominent client was Jeffrey MacDonald, an Army doctor and former Green Beret charged with murdering his pregnant wife and their two young daughters on a North Carolina military base in 1970. MacDonald claimed four intruders had attacked

his family. Mr. Segal represented him in the military investigation, which ended without charges, and represented him again a federal prosecution, which ended in MacDonald's conviction and life sentence in 1979. The case reached the Supreme Court and became the subject of the book and movie "Fatal Vision.. Mr. Segal continued practicing law until 10 years ago and was teaching classes until his health declined about a year ago. He is survived by his children, Amy of Richmond, Calif., Beth of New York City, and Eric of Gainesville, Fla.; and two grandchildren.

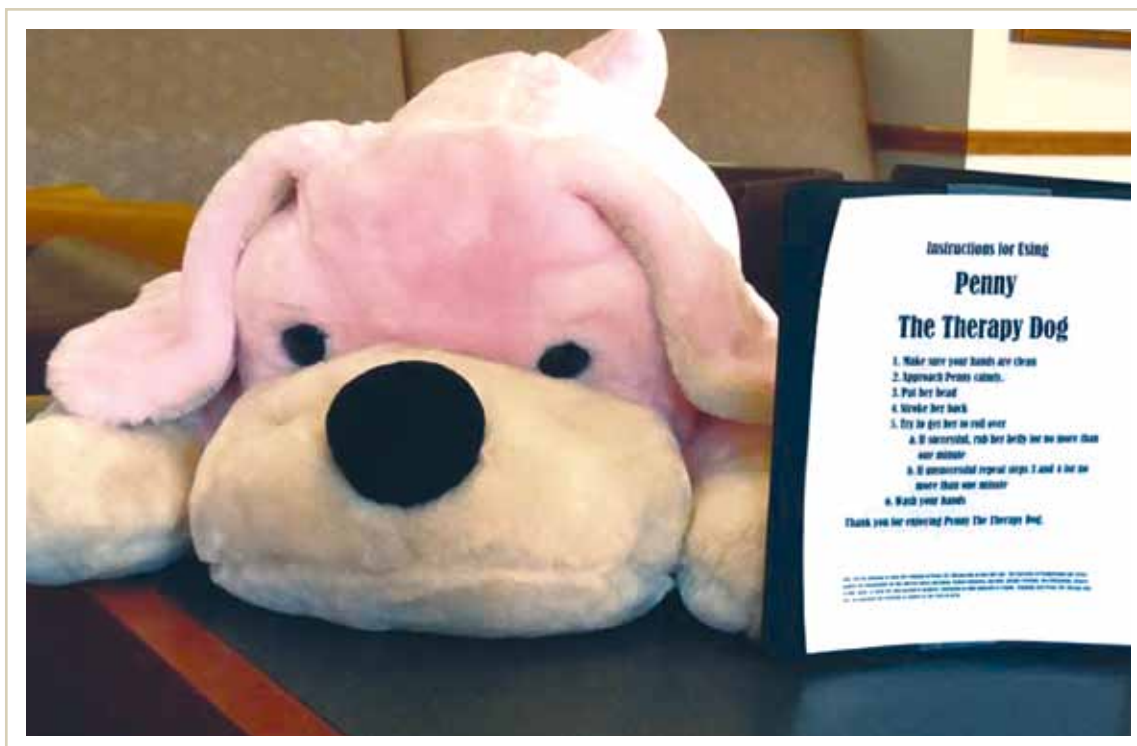
JOHN O. SHIRK L'68, a member of the board of directors of Eastern Insurance Holdings, Inc., died on Nov. 8. He was 68. Mr. Shirk's distinguished career began more than 40 years ago with Barley Snyder Attorneys at Law, where he was named a partner in 1973 and acted as managing partner from 1983 to 1993. He had extensive experience in mergers and acquisitions, as well as corporate finance, planning and structuring, real estate development and contract disputes. Mr. Shirk was a past president of the Board of United Way of Lancaster County, in Pennsylvania, the Economic Development Company of Lancaster County, the EDC Finance Corporation of Lancaster County, and the Lancaster General Hospital Foundation. He served on numerous boards including the Lancaster Chamber of Commerce & Industry, Lancaster General Hospital, Lancaster General College of Nursing & Health Services, Pennsylvania College of Art & Design, Lancaster Newspapers Inc., Fulton Financial Corp., Pennfield Corp., the Horst Group, Eastern Insurance Holdings, Inc., Educators Mutual Life Insurance Co., and Irex Corp. Mr. Shirk is survived by his wife Mary Ann and two children, Michael and Caroline.

COL. STANLEY C. VASS L'59, of Leesburg, Va., died April 20, 2011. Col. Vass graduated at the top of his class from Army War College. He served in Germany for two years before moving to the Army Reserves. Col. Vass worked for the U.S. Department of Energy until his retirement in 1993. He is survived by wife Wilma; sons Gregory and Jeff of Greensboro, N.C.; brother Walter of Hollister, Fla.; and grandsons Bennett and Spencer of Greensboro.

MIRIAM G. WALLACH L'73, New York City resident and retired counsel at Shearman & Sterling, died April 11. She was 62. Born in Romania, Mrs. Wallach lived in Belgium until she was four years old. She practiced law for many years in New York City, principally at Shearman & Sterling. Mrs. Wallach loved reading great literature, eating and cooking gourmet food, and traveling with her family. She is survived by husband Eric; daughters Katie and Emily; son Peter; a granddaughter and two nieces.

ELKINS WETHERILL C'42, L'48, former head of the Philadelphia Stock Exchange and chairman of the Delaware Valley Regional Planning Commission, died August 11. He was 91. Mr. Wetherill interrupted his studies at Penn to serve with the First Troop Philadelphia Calvary unit during World War II. Mr. Wetherill was active in regional and state politics. He was a solicitor for Pennsylvania's lieutenant governor from 1951 to 1955, after which he was one of the founding members of the Norristown, Pa., law firm, Henderson, Wetherill, O'Hey & Horsey, where he remained a partner until 1998. In addition, Mr. Wetherill was Montgomery County treasurer, head of the Montgomery County commissioners, and chairman of the Pennsylvania Securities Commission. He subsequently served three terms as chairman of the Delaware Valley Regional Planning Commission. Active in land preservation, Mr. Wetherill had a lifelong love of equine sports ranging from fox hunting to 3-Day Eventing. He was a competitive rider and owner of many successful horses that competed in the U.S. and Europe. He is survived by his second wife, Ethel; sons Elkins Jr. and Stephen; daughter Alexandra W. Gerry; stepsons Edwin B. Nalle, Horace D. Nalle, and Alexander B. Nalle; stepdaughters Ellen N. Hass and Lucy N. Weed; seven grandchildren; four great-grandchildren; and 14 step-grandchildren.

CASE CLOSED



Test Pet

Before the winter break, the Law School provided a little canine company to help students weather exams. It is now well-known that dogs exert a calming influence, whether in nursing homes or law schools. So enter Penny The Therapy Dog, a well-coiffed stuffed pooch who yielded to strokes and pats and pets. The furry friend came with instructions. If only real dogs did. It also came with disclaimers, such as ones that offered Penn Law indemnity against allergic reactions or the transfer of pink, white, or black dye onto persons or property.



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