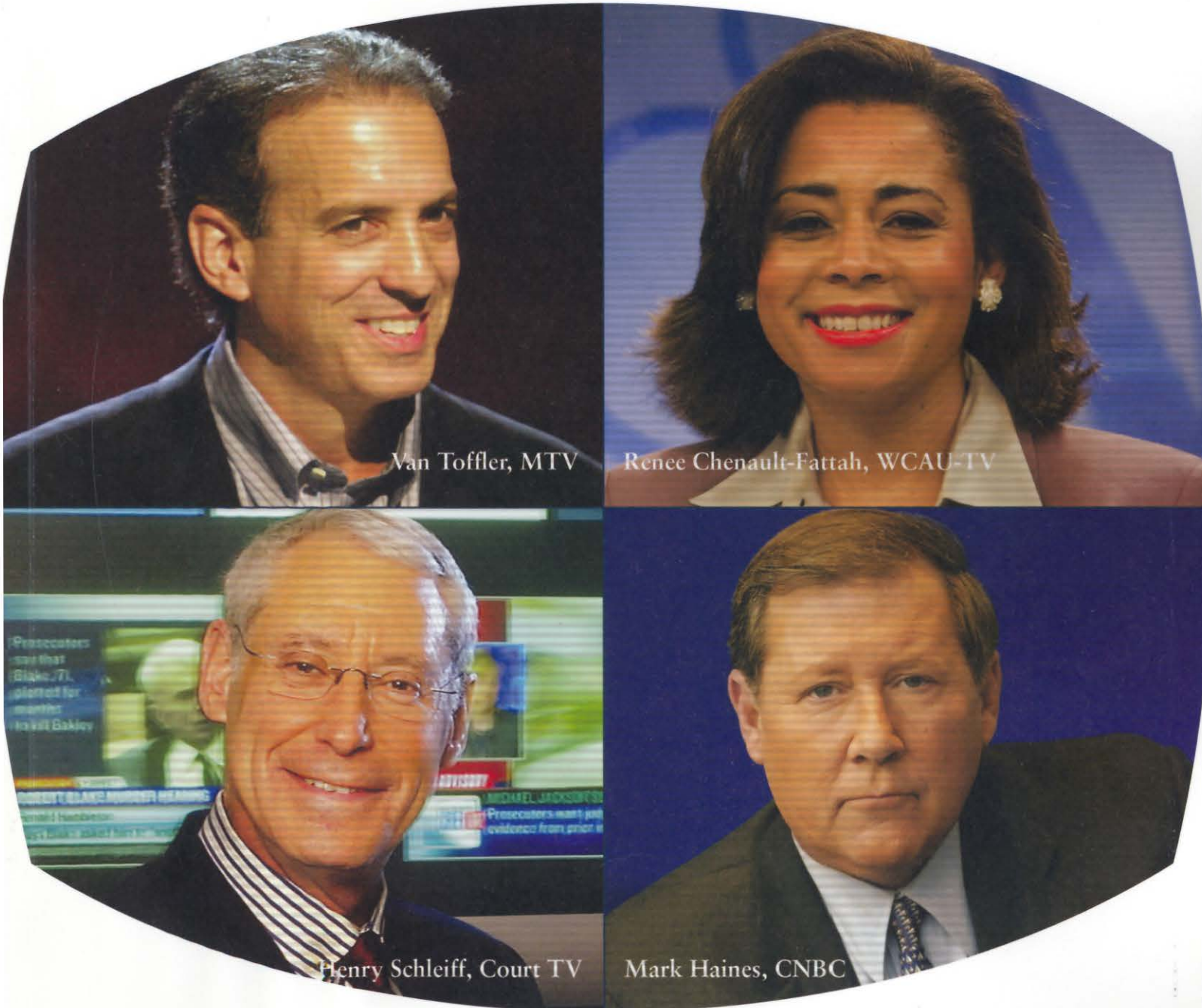


PENN LAW JOURNAL

UNIVERSITY OF PENNSYLVANIA

FALL 2005 VOLUME 40, NUMBER 2



Van Toffler, MTV

Renee Chenault-Fattah, WCAU-TV

Henry Schleiff, Court TV

Mark Haines, CNBC

Made for TV

Law School is One-Stop Shop for Clerkships [page 28](#) Adelman Put Hinckley Away [page 35](#)

At Reunion, Sadler Flashes Back 40 Years [page 42](#)

RESPONSE TO KATRINA

IN LIGHT OF the catastrophic damage caused by Hurricane Katrina, the Law School has temporarily adopted 13 area students who attend Tulane Law School. The students are at Penn Law as visiting guests for the fall semester in the hope that they can return to their home institutions in the spring without disruption of their legal education.

These students will continue to pay tuition and fees to their home schools and will not be asked to pay tuition to Penn Law. Also, the Law School is allowing faculty and staff interested in serving as volunteers in the affected region to take up to three weeks of paid leave. Finally, student groups have formed a committee, in conjunction with the Law School, to organize fund-raising efforts.

PENN LAW JOURNAL

FEATURES

Made for TV

18

BY LARRY TEITELBAUM, ROBERT STRAUSS, AND SALLY FRIEDMAN

Turn on the TV today and there's a mind-boggling array of choices on a growing number of channels. Sounds like the legal profession. Today, a legal degree opens the door to manifold opportunities. One such opportunity is television, home to a surprising number of attorneys, including Penn Law alums Henry Schleiff, Mark Haines, Renee Chenault-Fattah, Henry Hoberman, and Matthew Apfel. Television's hurly-burly immediacy steered them away from traditional law practice, providing a perfect forum to channel their skills.

Law School is One-Stop Shop for Clerkships

28

BY JENNIFER BALDINO BONETT

You conquered law school and aced the bar exam. Now you wonder what to do next. May we suggest clerking? Penn Law has been quietly ramping up its effort to place more students and alumni in positions with state and federal judges. Those who take the school up on that offer report that the benefits of clerking are priceless, and definitely worth the investment in time.

In Career-Defining Case, Adelman Put Hinckley Away

35

BY ROBERT PACK

Roger Adelman never sought the limelight. It found him. After nailing a congressman in the Abscam probe, this straight-talking prosecutor was assigned to bring to justice John Hinckley. That assignment brought him face-to-face with President Reagan and his inner ring of advisors. Oh, what tales he could tell, if only Adelman weren't so upright, professional and discreet. Come to think of it, that's what makes him a trusted Washington counselor today — he's never bigger than the case.

At Reunion, Sadler Flashes Back 40 Years

42

BY LARRY TEITELBAUM

Even Rip Van Winkle may not have recognized his neighbors after 40 years. But Blair Sadler managed quite well to put a name to the face when he returned to Reunion in May. He had a blast with former classmates. No longer does he have to wonder: Where are they now?

DEPARTMENTS

A Message from the Dean	3
The Brief	4
Graduation / Reunion	38
News from the Law School's Board of Overseers	45
Faculty News and Publications	46
Philanthropy	59
Alumni Briefs	62
In Memoriam	72
Case Closed	73





THE BRIEF

LAW SCHOOL

NEWS & EVENTS

Constitutional Scholar Cautions Against Bending the Constitution to Fight Terrorism

DO EXTRAORDINARY TIMES call for extraordinary measures? When it comes to circumventing the constitution in a time of war, Professor Kathleen Sullivan, head of the Stanford Center for Constitutional Law, argues that extraordinary times call for extraordinary restraint.

“The purpose of a written constitution is to set forth antecedent rules that prevent us from doing things we regret when we get scared or when we get popular animus or popular fear going,” Sullivan said in the **ROBERTS LECTURE** last February. She went on to compare our constitution to the ropes that bound Odysseus to his ship’s mast when he was tempted by the Sirens’ calls.

According to Sullivan, who was a Penn Law visiting professor and National Constitution Center scholar in the fall of 2004-2005, this ideal contrasts with the numerous cases in history where the Constitution was overridden by a wartime president: Lincoln’s suspension of the writ of habeas corpus, Truman’s seizure of the steel mills in the Korean War, and FDR’s internment of Japanese citizens in World War II.

Sullivan described the complex application of the constitution with regard to executive orders that overrule the rights of citizens, arguing that the document’s ambiguous role has allowed for it to be intermittently shelved in a state of war.

“Our constitution itself isn’t a fixed set of mechanical rules. It’s a set of broad guarantees that operate on a spectrum from very rule-of-law-like law at one end, to discretionary, policy judgment on the other,” she explained.



© Steve Winter/Getty Images

“A terrorism exception does not have the promise of being a very finite exception to the constitution. Any war waged by terrorism, if it is a war, is waged without delineation in time or space.”

Searching for a middle ground between a disposable constitution and an absolutely uncompromising one, Sullivan quoted Justice Robert Jackson’s opinion regarding Japanese internment: “Military expedience may be necessary, but should not be legally ratified, for once a judicial opinion rationalizes such an order...the principle then lies about like a loaded weapon, ready for the hand of any authority that can bring forth a plausible claim of urgent need.”

The Constitution’s de facto “emergency kill switch” may have been necessary in some past situations, but Sullivan

cautioned against circumventing the Constitution in the war on terror.

“A terrorism exception does not have the promise of being a very finite exception to the constitution,” she warned. “Any war waged by terrorism, if it is a war, is waged without delineation in time or space. And under those conditions an emergency linked to the concept of terrorism is inherently vast and potentially not confinable.”

Sullivan acknowledged that the constitution is to some degree at the discretion of the president, but criticized the current ad-

ministration’s use of military internment to expand that discretionary power, violating the rights of some American citizens.

“The constitution is not a thing, it’s a spectrum. It has a law part and a discretionary part, and the attempt by the Bush administration has obviously been to push as much as they can that’s ambiguous into the military part of the spectrum, a truly extravagant litigating posture which has taken place with respect to the mixed group of people called enemy combatants,” she said, noting with approval that the Supreme Court had rejected the administration’s position.



Constitutional scholar Kathleen Sullivan declaims during the Roberts Lecture.

THE BRIEF
LAW SCHOOL
NEWS & EVENTS

Sliding Scale of Ethics Menkel-Meadow Encourages Negotiators to Apply “Golden Rule” in Arbitration and Mediation

MEDIATION AND ARBITRATION expert Carrie Menkel-Meadow L'74 recognizes the gulf that exists in people's ethical behavior. So in this year's **SHILS LECTURE** she suggested an age-old formula for achieving just decisions in arbitration and mediation: Follow the “Golden Rule.”

Menkel-Meadow, the A.B. Chettle, Jr. Professor of Dispute Resolution and Civil Procedure at Georgetown University Law Center, said treating others the way you would want them to treat you is the one rule that transcends all religious and professional differences.



Shils Lecturer Carrie Menkel-Meadow, a founder of the Alternative Dispute Resolution movement, makes a point about ethics.

Her remarks were delivered at the 13th **SHILS LECTURE** in Arbitration and Alternative Dispute Resolution, and the first since its sponsor, Dr. Edward B. Shils, Penn Law alumnus and former chair of the Wharton School's management department, passed away last November.

During her lecture, titled “What's Fair in Love and War?: Ethics in Negotiation, Mediation and Arbitration,” Menkel-Meadow offered other reality checks, recommending that peo-

ple should also take stock of their actions during negotiations by considering the legacy they are leaving, or the impression they would make if their stories were captured on videotape or recounted in the newspaper.

A founder of the Alternative Dispute Resolution movement, Menkel-Meadow presented her research showing the variations in ethics among different groups, and how most people believe they are more ethical than others. For example, she said that 45 percent of first-year Harvard Business School students, responding to a survey, would quickly accept a seller's price for a vacation home even if it was offered well below market value. Twenty-nine percent, she reported, made a counter-offer at a lower price, while only 26 percent told the sellers that they had undervalued the house. An even higher percentage of corporate negotiators and law firm general counsels involved in arbitration — 74 percent — said they would low-ball the sellers, according to Menkel-Meadow, whose Georgetown law class — at

least 58 percent of them — also took advantage of the situation.

To prove her point that many people are not as candid or forthright as they could or should be, Menkel-Meadow administered the test to audience members. No surprise, the majority



responded that they too would take the best price possible.

Worse yet, said Menkel-Meadow, many people feel they are holier than thou, which breeds distrust. She bolstered her argument with these findings: When a group of people were asked if they were going to heaven after they die, close to 90 percent answered yes. Mother Theresa only got 80 percent.

“So we think we are better than the people we are dealing with, and because we think that other people aren't dealing fairly with us, we often change our behavior,” said Menkel-Meadow.

And the director of the Georgetown-Hewlett Fellowship Program in Conflict Resolution and Legal Problem Solving thinks that's important because cynicism, or the lack of altruism, sets the stage for bad-faith negotiations, with wider implications for peace and war.

Which is why she encouraged lawyers to choose “peace-making problem solving” over “adversarial war-mongering.”



James Clabby and Eleanor Roy hold Keedy Cup after winning the moot court competition last January. Roy also captured the Best Oralist award. TOP RIGHT: Judges Morris Arnold (left), Deborah Poritz, and Kermit Lipez hear arguments.

Moot Court Competitors Roy and Clabby Take Home Keedy Cup

THE WINNERS of this year's Edwin R. Keedy Cup managed to accomplish something that even real-world attorneys could not: upholding the Supreme Court case of *Stanford vs. Kentucky*. In the moot court competition last January, third-year students James Clabby and Eleanor Roy successfully defended the 1989 decision that maintained the constitutionality of executing 16- and 17-year-olds, in contradiction to the real world Supreme Court's recent decision to outlaw the practice.

The competition's four finalists, who also included Donna Page and Robert Potter, were chosen to compete from nearly one hundred students in a selection process that began in the spring of 2004. According to Anne Kringel, senior lecturer and faculty advisor for the national moot court team, "This year's competition was one of the best I've ever seen. It combined a stellar group of advocates and a bench that was active and well prepared. The teams were perfectly matched, and the judges said the decision was very difficult."

This year's judges were Morris S. Arnold of the US Court of Appeals Eighth Circuit, Kermit V. Lipez of the US Court of Appeals First Circuit, and Deborah Poritz L'77 of the New Jersey Supreme Court.

Roy and Clabby ultimately made the winning argument that the case was beyond the scope of the Supreme Court. "Our position was based on some of the same principles of the earlier decision, but also on the belief that outlawing the execution of sixteen or seventeen year olds by the Supreme Court is really a legislative act, and should be left up to each individual state to decide as opposed to the court itself," said Roy, who also took home the Best Oralist award.

The competition focuses on rhetorical skill as much as the substance of the arguments. Clabby attributes his and Roy's win to an intelligent, unhesitating argumentation style, the result of long hours of practice: "Eleanor and I focused our preparation on anticipating what questions the judges might ask, and then drilled repeatedly with those questions," he said.

Despite their success, the two winners took no time to rest on their laurels. Both spent the summer preparing for even tougher competitions: the Pennsylvania and New Jersey Bar exams.

THE BRIEF
LAW SCHOOL
NEWS & EVENTS

Morse Delves into Altered States As Defense in Serious Crimes

THE CASES were real, the circumstances surreal — or at least out of ordinary experience.

While sleepwalking, a woman dreams that a soldier is attacking her daughter, and in a defensive act starts swinging an axe



and kills her. A man shoots and kills his sister-in-law during a post-Vietnam flashback. Another man strangles an old friend after suffering a seizure.

The criminal justice system normally punishes people who commit murder.

But what happens when the accused is in an altered state of consciousness?

In a compelling lecture last February that was part of the Penn Humanities Forum on Sleep and Dreams, Professor Stephen J. Morse explained why such cases present a problem for criminal law — and for society.

Under criminal law, “we shouldn’t blame and punish people unless they deserve it or unless they are at fault,” said Morse, the Ferdinand Wakeman Hubbell Professor of Law and Professor of Psychology and Law in Psychiatry.

Therein lies the rub. How do you fix blame when someone is, say, sleepwalking and unaware of her actions?

“Everyone agrees that sufficiently altered consciousness should mitigate or excuse people from responsibility, blame and punishment, but which is the right moral and legal doctrinal approach?” asked Morse.

Morse said that there are two approaches in both philosophy and law. The first treats the behavior as not action at all and the defendant is acquitted because criminal liability requires action. The second holds that the behavior is action, but that the defendant should be excused because altered consciousness compromises rationality, which is the touchstone of responsibility.

The jury which heard the case of the woman who bludgeoned her daughter to death concluded, after hearing testimony from her physician, psychiatrist and psychologist, that the behavior was involuntary and unintentional. They acquitted her because she did not act.

Morse prefers the second approach, however, because goal-directed behavior is so “act-ish,” as he calls it. Treating altered consciousness as an excuse rather than as no action also gives the criminal justice system better justification to control a defendant who may be dangerous, even if the defendant was blameless.

Lesnick Explores Connections Between Law and Religion

IN HIS KEYNOTE ADDRESS at the Penn Journal of Constitutional Law’s Symposium on Law and Religion last February, Professor Howard Lesnick used a passage from the Gospel According to Luke to consider some of the ways in which differing approaches to religiously grounded obligations find parallels in our thinking about the law.

Lesnick, whose wide-ranging talk touched on many theological and legal theories in the Judeo-Christian tradition, was the opening speaker in a symposium that included, among many others, Penn professors Kermit Roosevelt and David Arthur Skeel as well as Marci Hamilton L’88 of the Cardozo School of Law.

Lesnick cited the “intra-religious dialogue” in Luke’s account of the lawyer who “stood up to test Jesus”, which includes the Parable of the Good Samaritan. The passage is “full of meaning,” Lesnick suggested, “for our understanding of religion, of law, of the relation between them, and of dialogue itself.”

“The spirit that is simply not interested in helping ‘sinners’ to become better people, which characterizes so many political initiatives today, is based on an understanding of the world that views the law as written on the hearts only of the elect, and the rest be damned,” said Lesnick, Penn’s Jefferson B. Fordham Professor of Law. “There is much in the religious tradition that manifests and legitimates such a view. There is, however, no less that reflects and supports a very different view.”

In the cited passage, the lawyer seeks to test Jesus’ doctrine of “love thy neighbor” by demanding a definition of terms: “Who is my neighbor?”

“The premise of this very lawyerly response was the idea that the law constrains us in our pursuit of self-interest, such that, when we hear of a rule that we must follow, our only obligation is to respect its boundaries,” said Lesnick.

Jesus’ response, Lesnick interprets, “sought to challenge the lawyer’s premise, that outside the scope of obligation I am free

to respond or not, to love or not, as I choose.” Lesnick argued that Jesus’ use of the Parable of the Good Samaritan evokes the lawyer’s latent capacity for empathy, demonstrating that “the awakening of empathy is a source of moral knowledge.”

“Keeping the law written in our hearts...entails acting as a co-creator of the law by which we are governed, giving it meaning in myriad applications by bringing to bear the qualities of moral imagination with which we are equipped,” he concluded.



© James Steinberg/TheSpot

Continuing Legacy of Slavery Focus of Civil Rights Town Meeting

MICHAEL WILLIAMS L'96 participated in a panel discussion last April that reflected on the past history and current progress of the civil rights movement, asking, “How far have we come?” The Lincoln Legacy Town Meeting, at the National Constitution Center, produced a lively dialogue on the legacy of the 13th, 14th and 15th amendments’ abolition of slavery.

Williams, deputy finance director and executive director of the Minority Business Enterprise Council for the City of Philadelphia, spoke about strategies for leveling the playing field for minority entrepreneurs in spite of contemporary discrimination. The other commentators, who included Earl Maltz of Rutgers Law School and Senator Harris Wofford, discussed a wide range of issues ranging from the epidemic incarceration rate of young black men to racially prejudiced drug laws. U.S. Third Circuit Judge Dolores Sloviter L'56 served as a moderator.

Williams saw the meeting as a chance to raise awareness for the continuing fight against racism in America. “No one can take away from the good that these amendments did, but the job isn’t completed, not only for society, but for the government itself, to eradicate all the vestiges of slavery,” he said.

European Market Regulation Topic at JIEL Symposium

THE JOURNAL OF International Economic Law (JIEL) held a symposium in February on “Regulating European Markets: Transnational Perspectives on Current Market Abuse Initiatives.” Authorities on international business participated in a roundtable discussion. They included: Visiting Professor Sean J. Griffith; Felicia Kung of the SEC; Andrea Corcoran, director of the Office of International Affairs of the Commodities Futures Trading Commission; and Crispin Waymouth, Internal Market Directorate General for the European Commission.

Last Call for La Gran Fiesta

IN MARCH, the Latin American Law Students Association (LALSA) held its annual event, La Gran Fiesta, for the last time. Next year the event will be renamed and redesigned to reflect its evolution from a social event to a scholarly conference.

The event was held in a symposium format this year, with talks presented by four speakers: Judge Juan Sanchez L'81 of the Eastern District of Pennsylvania, Judge Carlos Lucero of the 10th circuit, Justice Carlos Moreno of the California Supreme Court, and Nelson Diaz of Blank Rome in Philadelphia. Speakers focused on “Latinos in the Judiciary.”

Between speeches a cocktail reception provided attendees the opportunity to meet and speak with the judges, and the speeches were followed by a salsa band and dancing in the Great Hall.

THE BRIEF
LAW SCHOOL
NEWS & EVENTS

Congresswoman McKinney Considers Legacy of Malcolm X



U.S. REP. Cynthia McKinney (D-GA), a longtime advocate for the oppressed and disenfranchised, delivered the Malcolm X Human Rights Lecture in February. Her talk was titled “The Politics of Justice: Modern Social Change and the Legacy of Malcolm X.” McKinney, elected in 1993, was the

first African-American woman to represent Georgia in Congress. The United Law Students of Color Council sponsored the event.

Former National Urban League President Calls for a “Third Revolution” in the Civil Rights Movement



THE 50TH anniversary of Brown vs. the Board of Education offers a chance to reflect on the civil rights movement’s past victories. But for Hugh B. Price, a keynote speaker at the 17th Annual Sadie T.M. Alexander Memorial Conference last February, the anniversary also represents the need to jet-

tison strategies that are no longer effective and adopt new, more dynamic tactics.

“It is time to mount the third great transformational revolution in the annals of our people – the development revolution. The impetus behind this revolution is the realization and the reality that we black folk must increasingly take our

progress into our own hands.” he said, speaking at the annual conference commemorating Penn’s first black female graduate and the first black woman to practice law in Pennsylvania.

“Given the obstacles, distractions and indifference abroad in the land, it will take a development revolution to catapult those of our people who are still mired in poverty and hopelessness into the American mainstream,” said Price, co-chair of the Nonprofit and Philanthropy Practice Group of DLA Piper Rudnick Gray & Cary LLP and former president of the National Urban League.

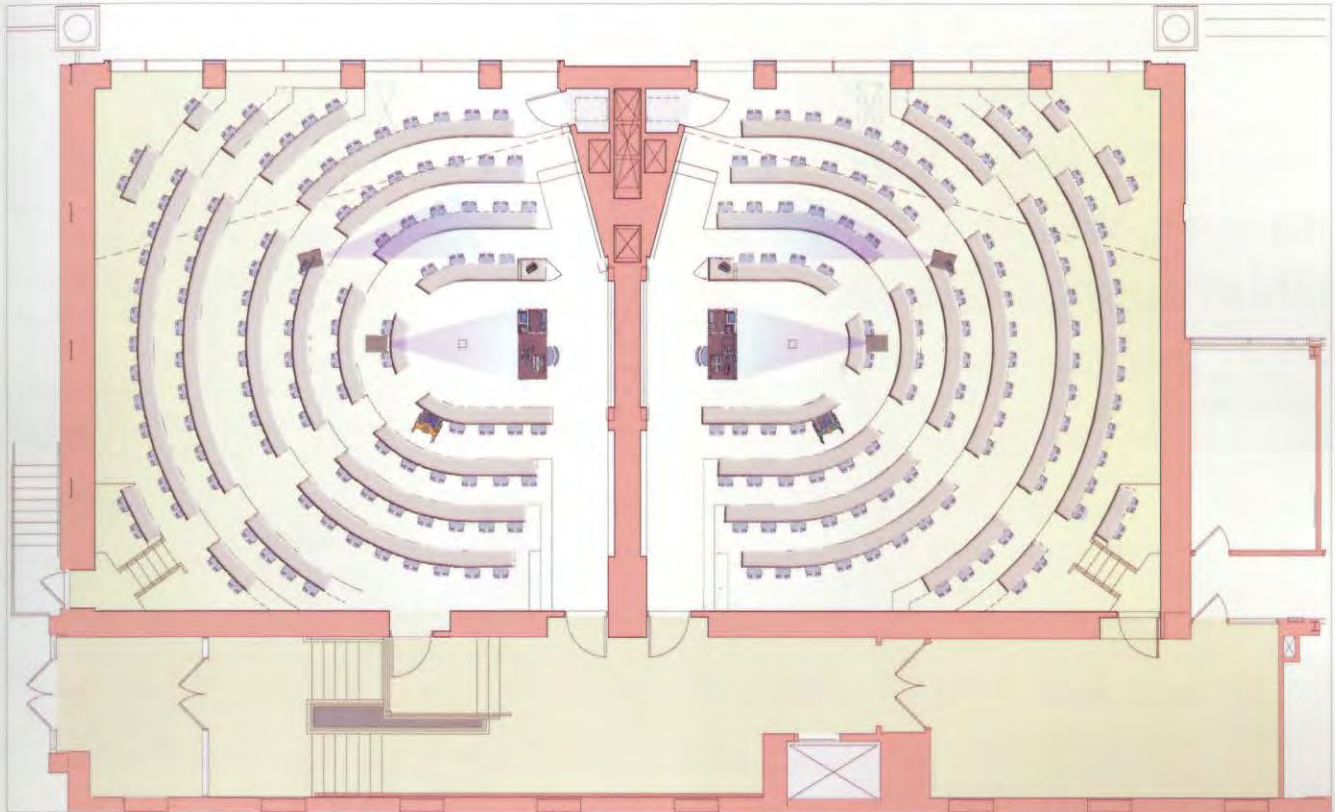
The talk was one of several at the day-long conference, which took as its topic “Cross Links: Coalition Building in the New Millenium.” Another keynote address was delivered by Nolan K. Atkinson, Jr., head of the Commercial Litigation Practice Group in the Philadelphia office of Duane Morris.

Price’s described his “development revolution” as the final stage of a journey which began with the “freedom revolution’s” emancipation from slavery and continued with the “equality revolution” of the civil rights movement. The development revolution would emphasize activism, industry, and education, with the end goal of “economic self-reliance and power.”

“If the economic mainstream is our ultimate destination, education is the staging ground for the development revolution in the 21st century,” he said. “Parent involvement is one key to children’s academic success. We don’t have time any longer not to have time.”

Aside from parents, Price also had specific messages for religious leaders, demanding that they take an active role in education, and popular artists, who so often squander an opportunity to deliver positive messages.

“Say what you will about artistic freedom, it isn’t cool to glorify ‘gangsta’ life and snooker young people into believing that’s a road to anywhere they want to end up. Instead of dragging impressionable young audiences down into depression and despair with anti-social lyrics, I urge rap musicians and entrepreneurs to enlist in the development revolution and help illuminate a way out.”



Rendering of new classroom.

Four Classrooms Get Modern Makeover

WHEN COMPLETED, the four classrooms being renovated in Gittis Hall will match in modernity and aesthetics the new faculty wing built two years ago. To improve interaction, the classrooms will have a horseshoe configuration. The technology will also be far superior, with multiple projectors in each room and wireless internet access available at every seat. The exterior will be renovated as well to resemble and tie into the faculty office facade and Tanenbaum Hall. Undergoing renovations are rooms 1 and 2 in the basement and 213 and 214 on the upper floor. Those rooms were constructed in 1961. Work will be completed by the spring semester. Paul Robinson, the Colin S. Diver Distinguished Professor of Law, served as chairman of the building committee. The renovation is being performed by Voith & Mactavish Architects.



This is one of the four classrooms being renovated. It was built in 1961.

“Black Hole” Of Federal Corporate Regulation Could Swallow Businesses, Warns Delaware Chief Justice Steele

MYRON T. STEELE, Chief Justice of the Delaware Supreme Court, may have used an astrophysics metaphor in his ILE Distinguished Jurist Lecture last March, but it didn't take a rocket scientist to decipher his feelings about the role of the federal government in corporate law.

“The larger the federal presence, the less scope to the states' radically different approaches and their influence in shaping corporate governance. Like black holes, the federal government's gravitational pull inevitably swallows everything in its path,” Steele said.

Steele described how the federal government's desire to protect shareholders in corporations has led to a “one-size-fits-all regulatory model” that is often less sensitive to a corporation's particular situation than the corresponding state laws would be. As early as the Securities Act of 1933 and the Exchange Act of 1934, the federal regulation of corporations has been creeping further and further into the domain of individual states' regulation.

According to Steele, the Sarbanes-Oxley Act, passed in 2002 in response to troubling corporate financial and accounting scandals early in the decade, represents the most recent — and serious — encroachment of federal policy on state law. Since 2002, corporations have spent \$8 billion attempting to comply with the new restrictions.

Steele expressed concern that there would be further costs, not only in direct compliance expenditures, but in losses from restricted business practices. He sees Sarbanes-Oxley as a troubling harbinger of growing federal control.

“The fiduciary norms developed pursuant to state common-law techniques would be wiped out by plenary, one-size-fits-all agency rulemaking,” Steele said. “[This kind of regulation] resembles the doctor who prescribes a baby aspirin to all patients to prevent the onset of the apparently inevitable heart attack, without regard to individual physiology and medical history.”

We may be inching towards the black hole, according to Steele, but there is still hope of climbing out of the vortex. He cited the



Myron T. Steele, Chief Justice of the Delaware Supreme Court, thinks feds' regulation of corporations goes too far and encroaches on states rights.

success of statewide corporate regulations in Delaware as a model for more customized regulation. But if the country's corporations are to escape the ever-approaching tide of federal control, Steele warned, further examination of federal policy is needed:

“The benefits of a state-controlled governance process are revealed by the existing studies. To complete the regulatory picture, however, we need a sustained, empirical investigation into federalizing corporate governance. This inquiry would help Congress and the courts identify the true costs and benefits of federal regulation. It will not be an easy task.”



Saul Fox L'78, chief executive of Fox Paine & Company, gets animated during a presentation to Visiting Professor Sean Griffith's Mergers & Acquisitions class last spring. Fox described how his firm managed a complex transaction involving three insurance companies. Those companies merged to become United America Indemnity, Ltd., which is the 11th largest specialty property and casualty insurer in the world. He also helped the new company go public.

From Swashbuckling Raiders to Super-CEOs: Gatto Reflects on Twenty Years in M&A Law

LOOKING BACK on his twenty years in mergers and acquisitions law in an April lecture, Joseph Gatto L'84 sounded less like a longtime partner at Goldman Sachs than a nostalgic war veteran, fondly recalling the rough-and-ready era of his youth.

"[The mid 80's] was a great time to be a merger banker, with lots of hostile takeover activity going on, larger-than-life clients, bankers and lawyers, and a rapidly changing legal landscape," he said in his ILE LAW & ENTREPRENEURSHIP LECTURE.

Gatto, a Managing Director and chairman of Consumer Products Banking at Goldman, Sachs & Co., told the story of his participation in the successful prevention of Mesa Petroleum's hostile takeover of Unocal Corporation in an appeal to the Delaware Supreme Court in 1985. The higher court ruled that a Unocal exchange offer, rather than the Mesa bid, would enhance the security of the corporation.



Joseph Gatto L'84, managing director and chairman of Consumer Products Banking at Goldman, Sachs & Co., recounts his life and times as a dealmaker.

"At the time the decision was announced on May 17, 1985, I knew that I was hooked on M&A and this heady game of takeover defense," Gatto said.

Landmarks like the Unocal decision, however, marked the decline of what Gatto calls "the swashbuckling eighties," as new

THE BRIEF
INSTITUTE FOR
LAW & ECONOMICS

defense strategies made hostile takeovers less viable. By 1993, hostile deals composed only 5% of mergers, versus 36% just five years earlier.

Gatto went on to describe how the growing compensation for CEOs in the 1990s led to an enormous increase in mergers, only to flag again in the early years of the new millennium, when the stock market bubble deflated and the Enron and WorldCom scandals provoked massive reform.

"We, as a society, find ourselves in 2005 at a crossroads in terms of how American corporations should be governed and how such governance considerations should affect the market for corporate control," Gatto said.

Despite these reservations, Gatto, whose projects have included the merger of RJ Reynolds and Brown & Williamson, Seagram's sale of Tropicana to Pepsi, Cadbury's acquisition of Dr. Pepper/7-Up, and Kellogg's acquisition of Keebler, hinted that the winds of change are again stirring, and he pointed to Goldman Sachs' representation of Gillette in their \$57 billion acquisition by Procter & Gamble.

"As always," he assured, "the participants and pundits of the M&A world will be keeping busy."

From Cornfields to Control Contests, ILE Roundtable Discusses Wide-Ranging Issues

LAST APRIL'S Corporate Roundtable began with a presentation on fair-value determinations in Delaware appraisal law, featuring a paper by Penn's William B. Johnson Professor of Law and Economics Michael Wachter, along with Widener University Law School's Lawrence A. Hamermesh. For the purpose of their talk, Wachter and Hamermesh created a scenario in which a cornfield was slated for development.

Another presentation was given by Randall S. Thomas of Vanderbilt University Law School, and featured David M. Silk L'88 of Wachtell, Lipton, Rosen & Katz as a commentator. This second talk was followed by a panel discussion on "Hedge Funds, Private Equity, and Control Contests," moderated by the two co-directors of Penn Law's Institute for Law & Economics, Saul A. Fox Distinguished Professor of Business Law Edward Rock L'83 and Wachter, and featuring panelists Saul A. Fox L'78 of Fox Paine, LLC and Robert L. Friedman L'67 of The Blackstone Group.



Paul S. Levy L'72 (left) and Michael Biondi, L'83, WG'83 participate in off-the-record corporate roundtable on control contests and fair-value determinations. Biondi is chairman of investment banking at Lazard LLC; Levy, founding director and senior managing director of investment firm JLL Partners.

Economic Analyst Pans Rosy Projections in President's Social Security Plan

TOO COSTLY, too optimistic, and wholly unnecessary. That deconstruction of President Bush's plan to privatize Social Security comes from the co-director of the Center for Economic and Policy Research in Washington.

In a talk to students last March, Dean Baker, who was joined on the podium by U.S. Rep. Chaka Fattah (D-PA), said there is no reason to reform the system at this time.

"Social Security is not broke," said Baker, head of the nonpartisan think tank. "The program is pretty sound by any reasonable measure." In fact, he cautioned, privatization could well weaken Social Security, adding that it will spawn administrative costs of 5 cents on every dollar (compared to 0.6 cents of every dollar at present) and likely generate much less in returns to stock market investors than proponents of privatization contend.

The president's plan, Baker said, presumes economic growth well beyond the 1.9 percent annual rate projected by the Social Security Trustees. If the economy tanks, or maintains modest growth, as expected, "the whole bonanza disappears," said Baker, who called more optimistic projections a "complete fabrication."

Addressing the political dimension, Congressman Fattah said the timing is all wrong for such a bold undertaking. He said the country cannot afford a \$2 trillion makeover of Social Security at a time of record deficits and massive trade imbalances — especially without popular support for the president's proposal.

He said it would be a "fool's errand" to accept the president's assumptions and to "walk away from our commitment to seniors."



Death Penalty Opponents Hear Plea From Death Row Inmate

VICTOR SAFFORLD REMAINS on death row in an Illinois prison but no longer faces the death penalty due to a decision in 2003 by then-Governor George Ryan to commute all death sentences. But that didn't stop Penn Law students opposed to the death penalty from taking up Safforld's cause and pushing for a similar abolition in Pennsylvania.

Last March, during National Law Students Against the Death Penalty Week, students posed questions to Safforld, who called in from jail like a voice from beyond.

Safforld, in prison since 1990, continues to maintain his innocence in two murder cases, saying he confessed to the crimes — under an assumed name, Cortez Brown, thinking it would invalidate his confession — only after detectives beat him and threatened his family. He explained that he is trying to mobilize supporters to prevail upon Governor Rod Blagojevich to grant clemency and reduce his life sentence to 30 to 40 years.

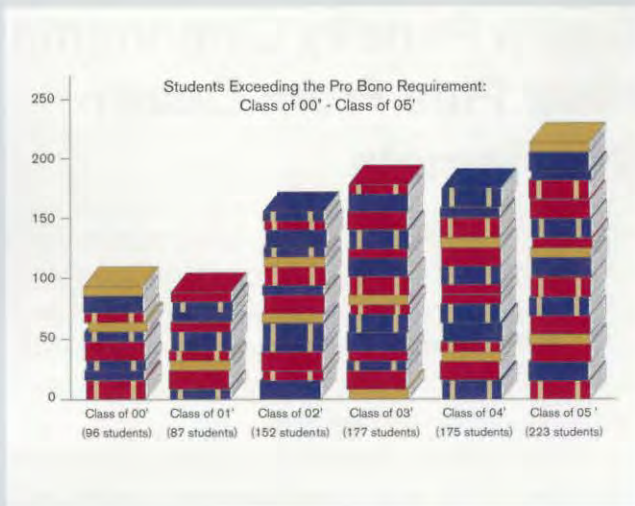
According to a document handed out at the event by the National Lawyers Guild, there were no eyewitnesses in either case, and at trial a man who saw one of the murders could not identify Safforld.

David Rudovsky, senior fellow at Penn Law and a prominent criminal and civil rights lawyer in Philadelphia, pointed to a spate of erroneous convictions as justification for overturning the death penalty. In the last 10 years, he noted, 155 people have been exonerated through post-conviction DNA testing. He also blamed coerced confessions, mistakes in eyewitness identifications, police misconduct, poor representation by defense lawyers, and racial discrimination as contributors to wrongful convictions.

Safforld, imprisoned for 15 years, believes he too has been falsely accused. "My whole effort (has been) in saving my life and getting my freedom back."

THE BRIEF

PUBLIC SERVICE



Pro Bono Placements At All Time High

DURING THE 2004-05 academic year, Public Service's pro bono project enjoyed a remarkably high level of student and employer participation. There were 980 field placements (a 38 percent increase over 2004) with 396 organizations nationally and internationally. In addition, the unusually large graduating class of 2005 clearly lived up to the ethic and ideals of public service. Indeed, 66 percent of the class exceeded the 70 hour pro bono requirement and collectively the class performed more than 30,000 hours of service, compared to 24,500 in the prior class. The program continues to support the growth of student-managed projects through which 263 Penn Law students received training from civil services lawyers. Students provided legal assistance to thousands of clients in a broad range of areas including domestic violence, immigration, human rights, and unemployment matters.

EJF Raises Nearly \$40,000

THE 15TH ANNUAL Equal Justice Foundation (EJF) Auction raised a record \$39,000 to support law students pursuing summer internships in the public sector. These proceeds, aided by generous law school support, funded more than 100 Penn Law students in public sector employment in the United States and abroad. In addition, for the seventh year the Sparer Fellowship Program funded eight students in their work at designated

civil legal services organizations in Pennsylvania. Sparer Fellows will perform academic research on a topic related to their summer internship during the fall 2005 semester.

Drug Policy Reform on Agenda at Sparer Symposium

THE 2005 EDWARD SPARER SYMPOSIUM brought together leading attorneys, policy analysts, and academics to explore a variety of themes related to drug policy reform. Participants discussed the impact of the war on drugs on communities of color and the role that race plays in drug convictions. Also addressed were how federal courts could do a better job imposing more equitable sentences than the current sentencing guidelines do. Penn Law Practice Professor Louis Rulli and Senior Fellow David Rudovsky participated in the program, co-sponsored by the Public Interest Scholars Class of 2006.

Area Public School Students Get Inside Look at Law School

A GROUP OF Philadelphia public school students received a crash course in the finer points of law school last February during Community Days. Area youths heard presentations by Associate Dean of Admissions Derek Meeker and Assistant Dean Susan Feathers, head of the Public Service program. In addition, they attended mock law school classes taught by assistant professors of law Wendell Pritchett and Catherine Struve. The aim of the program, initiated at the University in the mid-1990s, is to encourage inner-city youths to pursue higher education.

APALSA Takes Up Asian-American Activism at Conference

AT THE FOURTH ANNUAL conference of the Asian Pacific American Law Students Association (APALSA) last February panelists assessed the need for political activism among the Asian-American community and discussed strategies to create such a political movement.

Among the topics addressed were anti-Asian discrimination in current events, methods of translating professional success into political power for Asian Americans, and the history of Asian American activism. Daphne Kwok, executive director of the Asian Pacific American Institute for Congressional Studies, delivered the keynote address. She spoke about the lack of Asian Pacific American elected officials and offered tactics to boost their numbers.

2L Makes World Series of Poker Finals, Wins Cool Mil

WHAT'S THE MOST lucrative game for a lawyer? Litigation? M&A? For Bradley Kondracki 2L, it may be no-limit hold'em. Kondracki took eighth place in the World Series of Poker's main event in July, bringing home \$1.15 million.

Kondracki won the \$10,000 registration fee for the world-class event in an online tournament. The youngest to reach the final table of nine from an original group of over 5,600 competitors, even Kondracki was surprised to have performed so well. But the 24-year-old's luck was supplemented by hard-won experience: Kondracki took a year off before coming to Penn Law to play poker 50 hours a week. Even during his year as a 1L, between studying and attending classes, Kondracki says he fit in about 25 hours a week.

Poker and the law may vie for Kondracki's time, but they stem from a common interest: "Poker is kind of just like one big LSAT game, just a big system of logical relationships. Basically logical deduction is at the heart of being a good poker player, and I think it's at the heart of being a good lawyer, too," he said.

Kondracki recalled his parents' misgivings when he decided to put off his law career for a year to play poker full-



Wearing dark glasses, Bradley Kondracki 2L plots strategy at World Series of Poker in Las Vegas.

time. To their relief, Kondracki has no plans to leave law school, despite his sudden success as a professional gambler.

He plans on investing most of his winnings, as well as paying off old college loans and his entire law school tuition. But like any good businessman, Kondracki is putting a large fraction of his profits back into a successful venture. "Some of it's going into my poker bankroll to play other games and tournaments," he said. "I'll probably be playing a little bit less, but the money is still really good right now, so I have to make it while I can."

Penn Law Places Two Editors on Prestigious Harvard Journal

RAJ PARHEK 3L and **WILLIAM BURGESS L'05** were chosen for the National Symposium Editorial Board of the Harvard Journal of Law and Public Policy's fall issue. The issue will feature articles written by judges and legal scholars and presented at Harvard Law School's annual Student Symposium last February.

The board's twenty-seven editors are chosen from the nation's top law schools. Parhek, who was chosen to be one of four executive editors, also serves as an executive editor of Penn Law's Journal of International Law and Policy. Burgess, who graduated cum laude last spring, is clerking for Judge William Bryson on the U.S. Court of Appeals for the Federal Circuit.



MADE FOR TV

They Found a Channel for Their Ambitions

What is it about the television business that attracts lawyers? Maybe it's the chance to mug for the camera. Or the opportunity to open a window on the world. Or the promise of big money. Or maybe, just maybe, it's the grand lure of show business, with its deals, celebrity, and buzz. Whatever it is, legal training imparts cool analytical abilities that work well in a hot medium, as the five alumni whose profiles follow have discovered.

It's Not Business As Usual for Mark Haines on CNBC

BY ROBERT STRAUSS

Among the financial cognoscenti, Mark Haines is a cult figure, the sardonic, but well-informed host of "Squawk Box," CNBC's signature weekday morning show. While others may watch Katie Couric talk to families of escaping brides or Regis Philbin banter with the latest sitcom rage, those Wall Street in-the-knows are glued early mornings to Haines' wit-laced grilling of sometimes unwary CEOs.

When he was in his middle 30s, though, Haines was hungering for a career change. He had become an itinerant local TV news anchor, moving from WPRI in Providence to WABC in New York to KYW in Philadelphia. KYW's ratings were miserable and morale was lousy. It was the mid-1980s and Haines figured he had one good mid-life crisis move in him.

"I was burned out and fed up and I knew the place I was working wasn't good for my mental health," said Haines. "I always had it in the back of my mind that I wanted to apply to law school. I had done it in 1969 soon after graduating from college, but I didn't get in. I figured, 'This is the time'."

He told virtually no one at the station that he was taking the LSATs, on which he did well. By fall, he left what most would consider a glamorous and lucrative TV anchoring career for the grind of law school, starting at Rutgers-Camden before transferring to the University of Pennsylvania for his second year.

For Haines, law school was a treat, not a trial. "There were challenging and intelligent people there and I loved the learning," he said. "One reason it was easier for me is that I already had 20 years out in the world. This was a chance to kick back, to indulge my intellectual abilities."

Yet Haines never did end up practicing law. A month after his May 1989 graduation, Haines had lunch with an old friend from his New York TV days, Bob Davis, who was an executive with a new financial TV network NBC was starting in Fort Lee, New Jersey. The meal's dessert was a job offer at that new network, CNBC, and Haines took it.

"Squawk Box" is celebrating its 10th anniversary this year. When it started in 1995, no one knew that a stock market frenzy was about to begin. Back then, business news was generally dull and dry — accurate and intricate, but never fun. CNBC decided "Squawk Box" would be the pre-game show for the markets.

Haines and his unlikely sidekicks — former Tufts University English major, David Faber, and MIT scientist-turned-stock-broker, Joe Kernen — had lava lamps on anchor desks and played the "Star Trek" theme music whenever they did reports on Priceline.com, whose spokesman was former "Star Trek" star William Shatner.

Wackiness aside, they have been assiduous in getting things right: Faber and Kernen in their stock reporting and Haines, more often than not, catching those visiting CEOs on intricate details of their businesses. Haines has become TV business news' polymath — having to know about Nike one day, General Motors the next, and some obscure biotech company the next, as top executives hunger for the exposure "Squawk Box" gives them to an affluent audience of investors.



"The primary thing you get out of law school is to learn how to organize and think in a disciplined way and that is a great help in covering business news," said Haines. "Another great help is, as a lawyer, you are trained to be skeptical. When I started at CNBC, I was asking questions that no one had asked before simply because I didn't accept the Wall Street sacred cows."

"Squawk Box" flourished most in the years around the turn of the millennium, when the market frenzy made the show a must-watch for Wall Street types. The mere promotion of an interview Haines might have after a commercial might send a stock up or down several points in those minutes, traders betting on whether the interview would be positive or negative.

MADE FOR TV

"It was like being on a high every day, even though we knew it couldn't last," said Haines. Sometimes, though, Haines had to switch gears, back to his news-anchoring days. The World Trade Center disaster was a morning event and on his watch, as was the initial live footage of the tearing down of the Berlin Wall.

"Those were heady, if sometimes disastrous, days. I love being there in the morning," said Haines. "I just enjoy the role of getting everyone ready for the day. I find it meaningful within the context of television."

His wife, Cindy, whom he met while she was a news producer at KYW, also went back to school and is finishing her Ph.D. in psychology at Rutgers. They have two young children and live in suburban North Jersey.

"Any idea that I will retire will be met with a derisive snort from my wife," said Haines. "But then I have no intention of that. Every morning is something new and I am home early enough to take my son to lacrosse games. There is little to complain about."

ROBERT STRAUSS, FORMERLY A REPORTER FOR SPORTS ILLUSTRATED AND THE PHILADELPHIA DAILY NEWS, IS A FREELANCE WRITER WHOSE WORK REGULARLY APPEARS IN THE NEW YORK TIMES, WASHINGTON POST, AND LOS ANGELES TIMES. HE IS ALSO AN ADJUNCT INSTRUCTOR, TEACHING WRITING IN THE PENN ENGLISH DEPARTMENT.

Schleiff Breathed New Life into Court TV

BY LARRY TEITELBAUM

Seven years ago, Court TV was on its last legs. All but written off, it looked to have the prospects of a death row inmate with no pardon in sight, as abysmal ratings and advertisers' disinterest threatened to shutter the network and displace hundreds of employees.

At death's door, the network experienced a dramatic revival, and today it prospers and shows no signs of relapse. Just run the numbers, pull out the spread sheets, check the ratings. Here's what you will find: 85 million subscribers, four times the number in 1998; a network that ranks in the top 12 to 15, no small feat considering the multiplicity of choices; and a news operation that, when at the top of its game, as it was for two weeks in May, places second to the powerhouse Fox News Channel.



Whodunit?

The man who resuscitated Court TV is Henry Schleiff C'70, L'73, a broadcast veteran with a quarter-century of experience on the business and creative side. Count Matt Apfel L'90 among his fans. Apfel, a former producer at Court TV, remembers how Schleiff, in a heroic rescue effort, brought an immediate transfusion of energy and ideas to a sinking ship, reinventing and relentlessly promoting the network as he went. "I defy anyone to think of a better turnaround (in cable television). There's never been a place that came back from the dead like Court TV."

As befits a programming guru at HBO, Viacom and MCA, where he syndicated the *Cosby Show* and *Roseanne*, as Chairman and CEO over the last seven years Schleiff has created a recognizable brand at Court TV. Putting his stamp on a network that is literally as different as night and day,

"I'm really proud that Court TV has come to stand for something... We take a klieg light and shine that light on issues such as capital punishment, juvenile justice and advances in forensics."

Schleiff fills mornings and afternoons with live trial coverage (it is THE place for wall-to-wall coverage of Kobe Bryant, Scott Peterson, Robert Blake et al) and evenings with original movies, documentaries and syndicated shows.

And while Schleiff acknowledges that Court TV is primarily in the entertainment business, amid the trials and tribulations he takes great pains to present programming that also educates and enlightens. Court TV, for instance, works with schools on "Choices and Consequences," a show which preaches nonviolence and responsibility to youths. And on the 50th anniversary of the *Brown v. Board of Education* decision, Court TV sponsored a live webcast to commemorate the event and provide a teaching moment.

Speaking as three monitors in his office feature reports on the Michael Jackson trial, Schleiff, trim and always on point, explains how he uses the medium as a force for good. "I'm really proud that Court TV has come to stand for something. We really do focus on some of the injustices in our justice system ... We take a klieg light and shine that light on issues such as capital punishment, juvenile justice and advances in forensics."

Schleiff's road to the top of a major television network began, innocently enough, at a corporate law firm. From the moment he joined Davis Polk and Wardwell after law school, Schleiff entertained a career in television. A telltale sign of his interest resided in the copies of *Variety* he devoured in his office even though the firm did not have an entertainment group. (Schleiff jokes that colleagues thought the show business industry Bible was an esoteric legal journal.) When not flipping through *Variety*, Schleiff moonlighted as a writer for *Saturday Night Live*. And so it eventually dawned on Schleiff that the practice of law was not for him.

That's when he decided to apply his legal training to a field crawling with lawyers. "If you look around the entertainment industry you'll find any number of people who went to law school and practiced for some time," Schleiff says. "Law school taught me a way of thinking, a way of approaching a problem that is extremely helpful... I think many people would be surprised at how great a foundation legal training is for all aspects of the entertainment industry, certainly on the business side but ultimately even on the creative side."

A lawyer by instinct if not by trade, Schleiff is wont to mount his soapbox when the discussion turns to First Amendment rights and televised proceedings. He believes that Americans should see everything that goes on in court, then decide for themselves whether justice has been served. To that end, Schleiff has made cameras in the courtroom a personal crusade.

Back in 1999, Schleiff took a hardline position, forcing New York state to reverse its prohibition of cameras in the courtroom and allow the network to televise the trial of four white police officers accused of fatally shooting a Haitian immigrant. To this day, he thinks giving viewers the opportunity to watch jurors

sift through the evidence and reach an innocent verdict defused community tensions.

Yet here he is back at square one, lamenting the decision to bar cameras from the Michael Jackson trial. "The cameras may show the circus but they don't create it," intones Schleiff. "I think we do ourselves an injustice, frankly, when we can't give viewers an unfiltered view of what's going on (in court)."

Chenault-Fattah Finds Homelife An Anchor Amidst Busy Television Career

BY SALLY FRIEDMAN

Every weekday evening, facing the unrelenting eye of the TV camera, is a Penn Law graduate who tells hundreds of thousands of Delaware Valley residents about their world. Renee Chenault-Fattah, news anchor at WCAU-TV, the Philadelphia affiliate of NBC, is so familiar to area viewers that many think of her as family. And on camera as a broadcast journalist is exactly where Chenault Fattah wants to be after a detour from her original life plan.

A political science graduate of Johns Hopkins, Chenault-Fattah thought she knew where she was heading. "Ours was the only black family in Littleton, Colorado, and the civil rights



MADE FOR TV

movement was a defining time for us,” says Chenault-Fattah. “It seemed clear that the way you could make a difference in the lives of the disenfranchised was through law. So from the time I was a child, I wanted to be a lawyer.”

The choice of a law school wasn't quite so clear. “I had set my sights on Harvard. I still applied to Columbia, Berkeley and Penn, and I got in everywhere except Harvard, which wait-listed me. So foolishly, I turned down everyone else, waiting for Harvard to come to its senses...”

Harvard did no such thing, and at the last minute, humbled and clearly chastened by the experience, Chenault-Fattah came back to Penn Law as supplicant, and was fortunately admitted at the last minute. “It was,” she says, “one of the best things that's ever happened to me.”

At Penn Law School, Renee Chenault-Fattah recalls an exhilarating — and frightening — first year. “I'll never forget staying up all night reading and re-reading the assigned cases, only to get to class the next morning and feel like I'd never even cracked a book. For me, first year practically defined the word ‘intimidating.’”

But Chenault-Fattah dug in as a member of the Class of 1982, and found success and some personal heroes, too. Profes-

felt that maybe I could bring something more, like credibility and depth from my legal training.”

Luckily, Chenault-Fattah wasn't a wide-eyed kid dreaming of that legendary big break. “I did a lot of talking to people in the business for a couple of years, and when I finally took the leap, I knew it would be a long, hard grind.”

It was. The rookie actually got fired from her first job as the host and field producer for a minority affairs program in New Jersey. “I was a little too sure of myself, and clashed with my supervisors,” she admits. “Being fired certainly humbled me.”

After stints in Albany with an ABC station and a brief “dream job” with Fox doing a science/travel show, Chenault-Fattah landed in Philadelphia in 1991 at WCAU. She advanced from reporter to anchor in 1995.

Over the years, Chenault-Fattah has covered major stories, including the O.J. Simpson trial, which gave her the opportunity to provide important legal commentary. “Penn Law School was back in my world, and covering the trial was an opportunity given to me solely because of my background.”

Chenault-Fattah also covered the 1992 and 1996 presidential conventions, and would also return to her hometown of Littleton, Colorado to cover the tragic Columbine High School massacre.

“I value my experience and my degree from Penn because it taught me a way of thinking and analyzing that has definitely made me a better journalist, a better lawyer and a more fulfilled person.”

sors Regina Austin, Ralph Smith and Ralph Spritzer, who taught Torts, Corporations and Criminal Law respectively, were among them. “When I think of them, I realize how privileged I was to be in that universe.”

The sense of privilege initially continued when Chenault-Fattah became a summer associate at the New York firm of Hughes, Hubbard and Reed, and was then offered a position there. But after one year at the firm, the newly-minted lawyer realized that her heart just wasn't in commercial litigation. So she took a year off, and clerked for Judge Damon Keith of the Sixth Circuit, an experience she cherished.

But when Chenault-Fattah returned to Hughes, Hubbard and Reed, it was with the disturbing realization that she was on the wrong track. As she processed her feelings, she realized where she really wanted to be.

“TV just seemed so exciting to me, and when I looked around and saw former beauty queens anchoring TV news, I

Seven years ago, Renee Chenault-Fattah became the story herself when she made the decision to become a single mother and bear a child through donor insemination. She announced the decision to viewers early in her pregnancy, then brought them back into her life when she delivered her first child, Cameron, five weeks early.

Her marriage to Congressman Chaka Fattah, now serving in his sixth term in the U.S. House of Representatives, also could hardly escape public notice, and two years ago, daughter Chandler was born to one of Philadelphia's best-known power couples.

“Every day, between news broadcasts, I'm at home with my girls, doing what other moms are doing. It may not be glamorous, but it's absolutely where I want to be,” says Renee Chenault-Fattah.

Today, the Penn Law alumna has no regrets about her career path. “I practiced law for only three years, and I've been a

working journalist for almost 20. Yet if you ask me how I define myself, it would be as a lawyer," says Chenault-Fattah. "I value my experience and my degree from Penn because it taught me a way of thinking and analyzing that has definitely made me a better journalist, a better lawyer and a more fulfilled person."

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

Mild-Mannered Hoberman Takes No Prisoners When First Amendment Rights Are Threatened

BY LARRY TEITELBAUM

Let the pundits preen for the cameras and deliver sound bites on the sanctity of a free press. Henry Hoberman C'82, L'85 has no time for grandstanding. He's got serious work to do.

Twelve years after he and others forced the public release of independent prosecutor Lawrence Walsh's full Iran-Contra Report, over vociferous objections from President Reagan and Oliver North, Hoberman's First Amendment antennae are up again. This time they have been activated in part by the jailing of New York Times reporter Judith Miller for refusing to disclose her confidential sources in the case of ousted CIA agent Valerie Plame.

This summer, as official Washington's temperature spiked over the controversy, Hoberman, ABC's lead litigator, boarded a train with network news president, David Westin, to lobby senators and congressman to support a federal shield law which would protect journalists.

"The outcome will have implications for journalists and the public for years to come," says Hoberman, senior vice president of litigation and employment practices for ABC, Inc., which includes all of ABC's television, radio and news operations. "Major news stories like Watergate and Enron were based largely on confidential sources. That kind of enterprise reporting may be on the endangered species list unless Congress creates a Federal Shield Law."

For Hoberman, this issue strikes home. Much is at stake for the journalism profession — which in recent years has experienced a consistent erosion of reporters' privilege in federal courts — but also for his network. Two ABC News correspondents — Pierre Thomas and Brian Ross — could face jail time for protecting their sources. Thomas, a Washington correspondent, has been held in contempt by a DC judge. He withheld the name of his source for reports he did, while at CNN, on Wen Ho Lee, a Chinese-American scientist suspected of spying for the Chinese government. Meanwhile, Ross, ABC's chief investigative correspondent, has refused to reveal his sources for reports on the government's anthrax investigations.

These threats have stirred great internal discussion within ABC, as news executives and the lawyers who advise them must now consider the chilling prospect that the broadcast of a story based partly on anonymous sources could put one of their journalists behind bars.

Involvement in big-time media cases is nothing new to Hoberman, who once aspired to become a journalist. He has been in the vanguard of First Amendment Law throughout a career that has taken him from Baker & Hostetler in Washington to ABC, in 1998. (He also served a valuable stint as a crime-busting Assistant U.S. Attorney for the District of Columbia.)

He seems, by disposition and family history, preternaturally wired to wage such battles. As a youth in northern New Jersey, Hoberman watched his grandfather, a Jersey City litigator whom he revered, work the courtroom. Even then, Hoberman loved a good argument, the colorful banter, and the inexorable



MADE FOR TV

logic that went into building a rock-solid case. “I remember the repartee between my grandfather and the judge and what a big impression that made on me,” says Hoberman.

Years later, none of this — the well-honed strategy, the high-minded principle, the thrill of take-no-prisoners victory — was

“It’s hard for me to imagine what this country would be like without the press being able to rely on information it obtains from sources other than official government mouthpieces.”

lost on Hoberman when, in the early 1980s, he entered Penn Law School, where he made quite an impression himself, and vice-versa.

Hoberman says he found the small class size, the collegial atmosphere and the close interaction with professors like Seth Kreimer, Ed Baker, Bob Gorman and Clyde Summers — “some of the most agile minds in academia,” in his words — both profitable and comfortable. It afforded him the opportunity to express himself — and express himself he did. “I was a pretty outspoken and active student representative,” says Hoberman, recalling his efforts to prohibit military recruiting on the Law School campus.

Today, it’s hard to envision Hoberman as a rabble-rouser. He appears too mild-mannered. But don’t be fooled by his Clark Kent-like demeanor. Beneath the placid persona lies a bulldog — persistent and tenacious.

After all, shrinking violets don’t win high-stakes First Amendment cases. While in private practice, he and his colleagues successfully defended *The New York Times* in a landmark case that protected opinion as free speech; *Esquire* magazine, in a libel suit brought by President Reagan’s national security advisor; bestselling author John Grisham, in a plagiarism suit filed by serial killer Ted Bundy’s lawyer; and Simon & Schuster, in a libel claim arising from the memoirs of former First Lady Barbara Bush.

But the granddaddy of them all was the courtroom victory that defines the early part of his career: the release of the Iran-Contra Report. The report detailed the independent prosecutor’s findings on the diversion of U.S. arms sales to support the Nicaraguan rebels. Reliving that dramatic legal coup, Hoberman says he and his colleagues took an unusual tack to pry the re-

port free over the strong objection of none other than President Reagan, who wanted to keep it secret: They filed a “Motion for Public Disclosure” in federal appeals court. It had never been done before because, simply put, no precedent existed for seeking access to such information. Funny thing is, it worked. Reflects Hoberman: “I look upon that as an historic event for the country, and I’m very proud to have played a small part in the process.”

Once again, Hoberman, working in the trenches with his ABC colleagues and others in the First Amendment community, has a chance to do something historic, profound and, most of all, edifying — not only for himself, but for a whole profession, as well as the nation.

“It’s hard for me to imagine what this country would be like without the press being able to rely on information it obtains from sources other than official government mouthpieces,” says Hoberman.

For that reason, he went to Washington during the summer, bringing the heat on Congress to pass a federal shield law — a law he sees as essential to a free press, American liberty, and the unfettered reporting that undergirds them.

Matthew Apfel Gets Real for a Living As Creator of Slice-of-Life TV Shows

BY LARRY TEITELBAUM

Matthew Apfel ’90 rides a crest of words. He talks fast and thinks even faster, racing ahead with segues, patter, and show biz shorthand, a mirror of his restlessness and self-admitted short attention span.

Has there ever been a better marriage between career and medium? Apfel is made for television. Specifically, he’s made for reality TV, which, in case you haven’t noticed, has become a prime time juggernaut and high profit center for the networks.

Apfel saunters into the New York conference room of True Entertainment, where, as director of development, he hatches ideas for television shows, which he calls “the coolest job in the world.” Dressed in an orange polo shirt and seersucker pants, he’s the picture of anti-corporate, comfortable casual — and it’s not even casual Friday.

Ask him what makes reality TV so compelling and a ratings winner and he replies, “train wreck.” “I am convinced that people love reality because they want to see (other) people totally make jackasses of themselves on camera, and they want to hate them and laugh at them. But at the same time, they want to root for them and see them come through.”

Right now, Apfel suffers from an overdose of reality. He’s on baby watch, his cell phone at the ready, with his wife (Jacqueline Reses W’92) due to give birth to their second daughter any day. He’s got one show, a top-secret network pilot, in the can and many



others — dating shows, ‘80s rock shows, docu-soaps, and who knows what else — in development. The show features an American family plunked down in the wilds of Ethiopia with a tribe. We get to see Mr. and Mrs. Smith and children eke out a living, observe all local customs and rituals, and come together as a family.

Apfel thinks the show (which he dubs “Extreme Makeover, Family Edition”) is poised to hit big. The show’s secret, he relates, is that “it’s not cheesy.” “It’s the way reality should be. It’s real, it’s funny, it’s not so staged.”

This projected success follows a true (True Entertainment, that is) success with the Gastineau Girls, billed as the “mother (and daughter) of all reality shows.” Featured on E!, Entertainment Network, Gastineau Girls tracks the everyday lives of 22-year-old Brittny and ?-year-old (she’ll never tell) Lisa, her mom, as they pursue fame and fortune.

Other than watching hours of TV growing up, Apfel cannot point to an “aha” moment that set him on his career path. All he knows for sure is that he found the practice of law unsatisfying. So, after a year as a litigator with a major Philadelphia law firm, he loaded up his car and moved to Beverly — actually Hollywood, where, like everyone else, he tried his hand at screenwriting. It didn’t work out.

Back east, Apfel broke into television in 1994. First stop, Court TV. As a production assistant and producer he learned how to run a control room, create and write shows. Notably, he produced the live coverage of the O.J. Simpson trial and helmed a block of programming called Teen Court TV. A couple years in he jumped ship, as the audience-starved cable network listed to port. (The shop has since been righted by Chairman and CEO Henry Schleiff C’70, L’73.)

His big break (and signature credit) came with “Who Wants to Be a Millionaire?” If not quite hitting the jackpot, Apfel made a name for himself as one of two head writers. He had sold a few jokes to “The Man Show.” Turns out the production company was staffing a new game show in New York, and talent scouts wanted someone with a sense of humor. Bingo! Boffo! Hitsville, USA.

One of his jobs was to write 10 to 15 questions a day. Often inspiration struck on the subway as he headed to work. Another task was to help assign dollar values to questions based on degree of difficulty. Along the way he discovered the value of his legal training. “The best trivia writers are lawyers,” he says. “It’s known, it’s proven, it’s a fact... They know how to frame the question in a succinct way, (so) there’s only one correct answer.”

Never has a Penn Law education been put to service in quite this way. (For the record, Apfel praises Penn Law for giving him more freedom than other law schools would have to think out of the box and envision alternative careers. He adds that law school stoked his curiosity and improved his writing skills.)

Surprisingly, Apfel, who scoots from project to project like a channel surfer changing stations, did not hang around to milk “Millionaire.” He quit the show at its height. “For me, the biggest high is to shoot the first episode. Then I don’t care anymore,” he says. “I like creating the concept, seeing it through, almost like an expectant father. And then, once the child is born, I like to move on.”

“I promised myself I’d never work at the same job for more than a year,” states Apfel. These days, he’s putting his restless nature to the test. He’s been at the same job for almost a year and a half. The question is: Can Matt Apfel find true happiness with True Entertainment? Only time will tell.

MADE FOR TV

Van Toffler Lets His "Inner 19-Year-Old" Loose as Creative Go-To Guy at MTV

BY LARRY TEITELBAUM

Van Toffler L'83 was raised in the 1960s, when it was terminally uncool to trust anyone over 30. Funny how things change. Today, this father of a nine-year-old daughter and 14-year-old son sits atop MTV, surrounded by legions of pierced twentysomethings, shaping the tastes of an entire generation weaned on rap and rock n' roll.

It helps, as he says half-facetiously, that his odometer is perpetually stuck two years shy of twenty-one. "My maturation process stopped at about 19. I think for me that was about as good as it gets, so I've never lost touch with my inner 19-year-old," says the president of MTV Networks Music/Films/Logo Group.

Call it irreversible adolescence. Shock rocker Alice Cooper made a bundle wailing about the perils of turning eighteen. So why shouldn't Van Toffler channel a 19-year-old in his quest to become, with apologies to Howard Stern, the *King of all Media*? You can just picture him agonizing over lost love on "The Real World," playing air guitar to the latest Green Day song in rotation, or trading barbs with Beavis.

Seeing the world through henna-colored glasses pays dividends. On Toffler's watch, MTV has acquired a profile — not to mention a portfolio — that Rolling Stone can only dream about.

When Toffler joined MTV in 1987, as a member of the business affairs team, the network was known for music and videos. That proved to be a successful formula. But in the ensuing years, as Van Toffler has risen to point man for the network (he was promoted to president in 2000), MTV has morphed into a worldwide multimedia giant, solidifying its position as Pied Piper to millions of youths.

The company, which has added original programming and movies to its dance card, continually generates buzz and grabs beaucoup market share, putting it in a league with internet darlings such as eBay and Yahoo! Which is to say, it is a permanent part of the cultural zeitgeist. And it doesn't hurt that the company prints money for parent Viacom. (According to Hoover's, MTV has been the number one rated cable network for 12 to 24 year olds for 30 consecutive quarters.)

All of which makes MTV, and the man who is its chief strategist, the envy of television executives, including Henry Schleiff C'70, L'73, no marketing slouch himself. "Van's influence on the industry has been enormous," says Schleiff, chairman and chief executive officer of Court TV. "Not only has he helped build MTV's brand but, even more importantly, he has provided the opportunity for so many young people and, especially, minorities to join and contribute to this industry."

The culture at MTV, whose holdings include VH1, Nickelodeon, and Comedy Central, is a far cry from button down, corporate America. Shades of Silicon Valley, hierarchy is a rumor. Young people work hard and play hard. A 9 to 5 mind-set is verboten. Eclectic music blares from speakers (even country music, which, Toffler laments, his teenage son takes a shine to).

Bigwigs may run the asylum, but college interns get wide berth to suggest ideas drawn from experience. For reference, see Tom Hanks in "Big" as a child dressed in corporate clothing contributing insights about toys.

Given his immersion in this environment, it's no wonder that Van Toffler understands youth culture, down to the anti-authoritarian strain that runs through it. "I'm not a rule-following person by nature," he says. "I think that you've got to promote an environment that takes risks and that basically listens to the rhythms and sounds of culture."

This free-flowing, ears-to-the-ground aesthetic appeals to Van Toffler, who began his post-law school career at Kaye, Scholer, Fierman, Hays, and Handler in New York. That it never clicked, no biggie. A failed musician, he longed to be around creative people, especially those who make music. After papering record labels with his resume, he finally landed a job with MTV, in 1987.

In a succession of jobs, he has established himself as a money player, as much of an asset as the talent he courts and the stars he creates. Shows that bear his imprint include "Beavis and Butthead," "The Osbournes," and "Punk'd". He helmed the "Unplugged" music franchise, now a genre unto itself, and produced the MTV Video Music Awards and MTV Movie Awards. Speaking of films, he's produced, among others, "The Longest Yard," "Varsity Blues," the Academy Award nominated "Election," and the box office smash "Napoleon Dynamite."

"Van has such a passion for music and MTV," notes Seth Levin L'91, vice president of business and legal affairs for TV Land and Nick at Nite, both MTV properties. "It's clear that Van loves what he does and when everyone's working so hard to achieve very ambitious business goals, that's amazing to see from the top."

Van Toffler's success stems from his ability to soak up culture. A keen observer, he reads everything and tracks trends in televi-



Van Toffler (far right), president of MTV Networks Music/Films/Logo Group, with Stephen Colbert and Jon Stewart of *The Daily Show*, comedian Chris Rock, and actress Halle Berry.

sion, film and new technology. “You really can’t miss a beat or be too far away from the street level of what’s happening out there,” says Toffler.

He made that point in a recent keynote address at a conference put on by Billboard, the venerable music publication. In his talk, Van Toffler said music lives on multiple platforms — TV video, ring tones, the Internet, and especially, broadband — with young people creating communities around these media.

“We are at an inflection point,” says Toffler, speaking from his New York office. “Basically, 20-year-olds today can get good quality video and audio entertainment when or how they want it via their computer, cell phone or MP3 player. And people who are in the content business need to acknowledge that and figure out a way to make this digital transformation.”

Rest assured, MTV is on the case. The network, he says, has a wireless division and a digital music service and plans

to make a big splash with new digital channels, including the just-launched MTV World, a narrowcasting venue that caters to Asian, Russian, Mexican and other hyphenated Americans.

With responsibility for new rollouts, in addition to his regular duties as head of the the music, TV, and film divisions, Toffler is like the entertainer who has to spin several plates on poles at once without letting any of them crash. Which raises the question of how long this mid-40s culture vulture can continue to lead MTV into the brave new world?

Frequent travel to LA and Europe, plus playing peacemaker when tiffs break out between hip hop artists, takes a lot out of you. But Van Toffler says he’s still got enough left for an encore.

“It’s taxing,” he says. “Some of the mayhem ages me. But I’ve never looked at it as a job. The fact that I get paid for doing something I love is really great ... When I stop loving it, I’ll probably stop working here.” **PLJ**



© Sean Kane/Thespot

Selling a 'Priceless' Experience

Law School Becomes One-Stop Shop for Clerkships

By Jennifer Baldino Bonett

Tai Lui Tan L'04 is having one of the best years of her life. She is fresh from a clerkship with Judge Diane P. Wood on the Seventh Circuit U.S. Court of Appeals.

The experience? Fabulous.

The judge? Brilliant.

The benefits of a clerkship? Priceless.

"I never imagined it could be this satisfying," said Tan, from Judge Woods' chambers in Chicago in April. "I really wish more people would think about clerking."

Dean Michael A. Fitts seconds the motion, and is leading an effort to bring out the inner law clerk in more students at Penn Law. With the guidance of a top-notch Clerkship Committee, Penn Law faculty and staff work closely with students — and alumni — to attain premier clerkships.

"Our goals are to find the best possible match for every law student and alum seeking a clerkship, and to encourage more of our extraordinary students and alumni to pursue this worthy path," says Fitts. "I benefited immensely from my own clerkship experience, and I know the professional and personal value that clerking holds for a lawyer." Fitts clerked for Judge A. Leon Hig-

ginbotham, Jr., on the Third Circuit U.S. Court of Appeals from 1979 to 1981.

Tai Lui Tan, one of three clerks to Judge Wood in 2004-05, says she came away from her experience a better lawyer — sharper in legal writing, research, reasoning, and judgment. As an appellate law clerk, Tan helped Judge Wood prepare to hear oral arguments and to draft proposed opinions.

"On this court, you have exposure to so many different areas of the law," says Tan. "You learn about something new almost every time a case comes before you. You are always trying to find the right answer."

Tan feels her clerkship offered her "greater substantive work that is deeper than that of a first-year associate in a large law firm." In addition, she says, "It gave me that extra year with this wonderful mentor to further develop my skills."

Many students envision impressive, high-paying associate positions after law school, but assistant professor Kermit Roosevelt, and his colleagues on Penn Law's Clerkship Committee, encourage them to delay that pursuit and see the unique, long-term profits of clerkships.

"We encourage students to think broadly," says Roosevelt, who chaired the committee in 2004-05. "We talk to students

about career goals and how a clerkship might fit into those and make them better lawyers.”

Roosevelt reminds students that clerks don't just review documents, they draft opinions; clerks aren't at the bottom of the pecking order, they work hand-in-hand with judges; clerks aren't buttonholed into a specific area of law, they work on a wide range of legal issues — often novel ones.

Roosevelt reports that his own clerkships (with U.S. Supreme Court Justice David H. Souter and Judge Stephen F. Williams in Washington, D.C.) gave him lasting relationships in the judiciary and with his fellow clerks and “substantive knowledge” about the law, legal procedure, and the internal workings of the courts. “I got an understanding of the judicial process, the ways in which judges communicate with each other and reach a decision that you really can't get any other way.”

Through presentations and meetings with individual students, Penn Law's Clerkship Committee shares the good word on clerkships. But the Committee doesn't stop there. Members actively advise applicants, assess their credentials, and work with them in every step of their application process.

Currently, about one-fifth of Penn Law's graduating classes take clerkships. Students place nationally, attaining the most sought-after clerk posts with the most respected judges. A considerable contingent clerks for judges in the highly respected trial, appellate and supreme courts of Pennsylvania, New Jersey, and Delaware.

Students can apply to as many judges as they wish. “There are great judges all over the country,” says Roosevelt. “What you get out of the clerkship depends primarily on the kind of relationship you form with your judge. It certainly doesn't depend on the prestige of the court.”

And clerkships are not the sole province of newly minted J.D.'s, notes Diane Downs, associate dean for Career Planning and Placement. “Some lawyers use clerkships after a year or more to transition from one position to another,” she says, noting her own career path. After earning her J.D. at Harvard Law, Downs clerked for the state courts of New York and Iowa and decided on law school administration.

At least 10 Penn Law alumni apply for and obtain clerkships each year. Judges appreciate the knowledge and experience that a more seasoned lawyer can bring to a clerkship, says Downs, a member of the National Association of Law Placement and its judicial clerkship committee.

However, for recent grads and alumni alike, “clerking may be a short-term financial sacrifice but, over a long career, that intellectual experience and those connections more than make

Clerkship Counseling

- Penn Law is the first school to offer an applicant packet service. Career Planning and Placement collates and sends applicants' resumes, transcripts, and writing samples with a cover letter from Dean Fitts and a faculty brochure. (All for just \$2 per application.) “Judges love this,” says Diane Downs, associate dean of Career Planning and Placement. “The reams of important material come to them well-organized and well-prepared.”
- Career Planning maintains databases of federal and state courts and judges for student use.
- As a member of the National Association of Law Placement, Downs sat on the advisory committee developing guidelines for on-line applications, a growing trend, to be piloted by the Administrative Office of the Courts in 2005-06. Career Planning will train interested students and alumni to use the on-line application system.
- Career Planning maintains a listserve for students to exchange information about interviews and decisions, and provides a daily spreadsheet of judges who have accepted Penn Law applicants (with names kept confidential).
- Penn Law helped develop new software for students to manage their own list of judges.
- Penn Law's librarians offer training in research so students can hit the ground running as clerks.

- J.B.B.

up for that shortfall,” says Assistant Professor Theodore Ruger. He adds that most firms offer seniority credit for years spent clerking, and sometimes financial bonuses as well.

Ruger, a member of the Clerkship Committee, held a clerkship with U.S. Supreme Court Justice Stephen Breyer and encourages students to consider geography and career goals as they apply: Where might they practice as lawyers? What type of law and what type of court appeal to them?

For Sigal Mandelker L'00, that court was the U.S. Supreme Court. “It was a once-in-a-lifetime opportunity to gain an insider's perspective into the nation's highest court,” says Mandelker, who clerked for Justice Clarence Thomas in 2001-02. “I loved it. Justice Thomas was an incredible mentor.”

Like most — if not all — U.S. Supreme Court clerks, Man-

Continued on page 32

PRICELESS EXPERIENCE

Curtis Reitz

Reitz Found Great Appeal in Clerking For His Hero, Chief Justice Warren

BY LARRY TEITELBAUM

ONE DAY, CURTIS REITZ would become known as a Socratic taskmaster, lord of the law, inspiring respect and fear in his Penn Law students. But on this particular day in September 1956, his first as a clerk to Chief Justice Earl Warren, Reitz was reduced to a cowering student himself.

Reitz was asked to evaluate twenty-five petitions for certiorari by week's end. The very first one he picked up, ostensibly an appeal, involved an academic accused of being a Communist sympathizer. The case puzzled Reitz. Was it a valid appeal, in which case the Supreme Court would be required to hear it? Or should it have been treated by default as a petition for certiorari, which the Court has discretion to grant or deny? The overwhelming majority of cert petitions are denied.

Nearly three days elapsed and still Reitz, paralyzed by indecision, could not figure out, no matter how hard he summoned his legal education and analytical ability, what to do.

Talk about a wicked Reitz of passage. "It was a frightening start," recalls Reitz, the longtime Algernon Sydney Biddle Professor of Law. "I was fresh out of law school. Here I am sitting in the Supreme Court and trying to fathom a rather difficult jurisdictional question and to teach myself a lot of law very rapidly. It got easier after that."

In an era of "Red" scares and typewriters, two years after the *Brown v. Board of Education* decision, Reitz spent a year observing and absorbing the actions of the historic Warren Court, which included Felix Frankfurter, William J. Brennan, Jr., John M. Harlan, William O. Douglas, and Hugo L. Black. Reitz worked like crazy, six days a week, into the night, at the office; and Sundays at home. Often he ate lunch with the other clerks, and chatted with the justices in the corridor, getting to know these larger-than-life jurists as people.

During that time, reviewing "certs" became utterly routine, yielding to the much harder work of preparing bench memos for cases that the Justices had decided to hear. For these, Reitz had to summarize each side's arguments and suggest areas which Chief Justice Warren might want to probe during questioning. Each case took up 20 to 30 pages and filled a three-ring binder. These bench memos conveniently served as the basis for opinions, 10 of which Reitz contributed to that year – on everything from McCarthy-era witch hunt cases to the Smith Act, which criminalized attempts to overthrow the government.



Coincidentally, Reitz ended up as a Supreme Court clerk through an underground act. Unbeknownst to Reitz, Penn Law Dean Jefferson Fordham had called Chief Justice Warren to recommend him for the job. Made sense. Reitz was a hard-working, high-achieving editor of the *Penn Law Review* – the only one in his class to graduate *summa cum laude* – and a personal favorite of Fordham, who had recently offered him a faculty position.

Truth is, Reitz welcomed Fordham's secret overture. Looking back, Reitz says he would have worked for free, although he received a tidy sum for those days – \$5,000, which was more than law firms were paying first-year associates.

To Reitz, one of three clerks that year, working for Warren was too good to be true. Not only was he the first Penn Law student to clerk for Warren, but he had long admired him from afar. He had followed Warren's dazzling career as governor of California and vice presidential candidate on the Dewey ticket, then studied the *Brown* decision in *Con Law*.

Before too long, Reitz came to know the great man. One time, he remembers, Warren walked into a room filled with strangers. Within half an hour he befriended everyone.

"He had enormous charm. He had this incredible smile, and his ability to understand people, I never quite figured out. He could comprehend and understand people almost instantly," says Reitz, who has a portrait and a sketch of Warren in his office.

However, Reitz had clipped praise for Warren the jurist. "He never said much about his legal thinking ... He certainly wasn't a theorist. But his instincts about what was right and what was wrong were just amazing."

"Amazing" describes the year Reitz spent apprenticing to Warren. Although the first few days were terrifying, Reitz quickly got his footing. That first case? Not an appeal. *Sweezy v. New Hampshire* was taken up by the Supreme Court and decided on May 17, 1957, which became known as "Red Monday."

Stephen B. Burbank

Text, Lies and Telephone Tapes

Last Chapter of Watergate Unfolded During Burbank's Year at Supreme Court

BY LARRY TEITELBAUM

WITH DEEP THROAT'S IDENTITY finally revealed, Stephen B. Burbank offers a revelation of his own: He proof-read the decision that led to President Nixon's resignation before it went public.

In 1974, as a clerk to Chief Justice Warren Burger, he reviewed *United States v. Nixon* for accuracy. The Court's decision, rendered on July 24 of that year, forced the president to relinquish White House tapes that implicated the administration in a cover-up of Watergate. And this, on Burbank's first day.

However tenuous Burbank's connection to the case (he did not work on it), his participation at the very end, he says, was "sobering." "It brought home to me the importance of the work that I might have to do."

Burbank, the David Berger Professor for the Administration of Justice, won't talk about the cases he worked on during the Supreme Court's 1974-75 term, but he did speak about his motivations to become a clerk and what the experience was like. He also assessed Burger's place in history.

Fresh off a clerkship with Justice Robert Braucher of the Supreme Judicial Court of Massachusetts, Burbank submitted applications to several justices with scant hope of being chosen, given how rare it is for U.S. Supreme Court justices to hire clerks from state courts.

"I was interested in doing it because I thought it would be a marvelous addition to my law school education," Burbank says. "It did not escape my attention that it might make getting a job thereafter easier, but that was not the primary reason." (Years ago, says Burbank, a Supreme Court clerkship paved the way for an academic career, but its cachet and importance have diminished somewhat with the greater number of advanced degrees, including Ph.D.'s., among faculty members today.)

One of four law clerks to Burger, Burbank handled cases exclusively. (Some clerks, he reveals, do outside work such as speech-writing.) As customary, his duties included evaluating petitions for certiorari, writing bench memos in which he clarified the issues of each case, and assisting the Chief Justice with opinions.

"I came away with a heightened appreciation of the importance of the Supreme Court and a heightened appreciation for the difficulty of the job of a Supreme Court justice," says Burbank.

"Working for Chief Justice Warren Burger was a joy," he con-



tinues. "He spent more time with his law clerks than I would have thought possible for somebody as busy as he was."

Watching Burger close up, Burbank gained respect for the man and the record he compiled. Burger, he says, came from a tradition of moderate Republicanism. "While he was a 'small c' conservative, he was not an ideologue," says Burbank. "I would not say that about some of the justices today."

Burbank also remembers him as gracious. "He was an unfailingly polite person, a gentleman of the old school, somebody who cared deeply about his family and his clerks and their families. Unlike many of his colleagues, the Chief Justice never said a bad word about his peers to his clerks." He remembers in particular how Burger, despite the sniping he endured from Justice William O. Douglas, personally supervised the construction of a ramp for him after he had become disabled.

"I think he's (Burger) had a bum rap from a lot of people, particularly the eastern elite," says Burbank. That said, Burbank is more measured about Burger's achievements as the Chief Justice. Although he says Burger won't go down as one of the great chief justices of all time, he will - or should be - remembered for improving the administrative operations of state and federal courts, including the U.S. Supreme Court. "He was a real innovator, and thank goodness, because the federal courts need the best of modern technology," says Burbank.

Like Burger's, Nixon's legacy is decidedly mixed. The same president who opened the door to China, proposed the Clean Air Act and created the Environmental Protection Agency prematurely ended his second term with a mournful wave on the White House lawn, a few weeks after Burbank read the decision.

"I imagine that most thoughtful Americans who lived through that period came to appreciate anew the genius of our system, which allowed us to resolve a constitutional crisis without force," Burbank reflects. "For me the experience also reinforced the importance of the notion that no American is above the law."

PRICELESS EXPERIENCE

Kermit Roosevelt

Clerking for Justice Souter Was Fine Fit for Roosevelt

BY MEG KAMMERUD, 2L

WITH THE PARTISAN DIVISIVENESS surrounding appointments to the Supreme Court today, Kermit Roosevelt's interview for a clerkship with Supreme Court Justice David Souter was surprisingly evenhanded. No litmus tests or leading questions. Souter only focused on Roosevelt's skill at legal analysis.

"Justice Souter, I can tell you, is not really concerned about clerks' political opinions or interpretive styles except that he does not like ideologies of any stripe," Roosevelt says.

There may not have been a filibuster to block his path to a clerkship, but for Roosevelt, who now teaches a first-year constitutional law course at Penn, a job with a Supreme Court Justice was a hard-won reward for years of work.

After graduating from Yale Law School, Roosevelt accepted a clerkship with D.C. Circuit Court Judge Steven Williams in 1998. He pursued work with Williams because of the judge's reputation as one of a handful of "feeder judges" to the Supreme Court.

"I count myself very lucky that I also got a judge who was a wonderful person and a pleasure to work with, because I was, to be honest, guided very heavily by the percentage of clerks the judge had placed with the Supreme Court when I was applying," says Roosevelt.

During his year with Williams, Roosevelt prepared nine individual applications for the Supreme Court justices, and soon the interviews began. Clarence Thomas' clerks grilled Roosevelt on his views of constitutional interpretation and his dedication to originalism. Antonin Scalia's clerks tested him with "tough substantive questions." But the justices Roosevelt interviewed with—including Scalia, Souter and William Rehnquist—were friendly and informal.

"It's possible to get along very well with someone whose ideology you don't necessarily share, but working for someone you like and respect and interact well with is an entirely different experience than working with someone who is insensitive or intimidating," Roosevelt says. "The personal relationship with the judge is the most important aspect of any clerkship in terms of whether you will enjoy it."

Roosevelt meshed with Souter. "Intellectually we saw things from very much the same perspective, and personally he is a warm and charming and likeable man," says Roosevelt.

Roosevelt began work at the court in July 1999, three months before the beginning of the 1999 term in October. He vividly remembers the fear of writing his first bench memo and the desire to present the correct legal interpretation. Unlike in appellate courts, where Roosevelt believes most cases have right answers, in the Supreme Court issues are muddled by



radically different circuit rulings and the issues arising from different styles of constitutional interpretation.

Souter requires his clerks to limit bench memos to two pages. Roosevelt says the requirement prevents overly zealous or nervous clerks from including excess information unhelpful to the justice. "By making us keep our bench memos to two pages, Justice Souter really made us distill the legal issues down to the essential ones," he says.

One of Roosevelt's biggest surprises was how little the justices seem to internalize contentious debates during particularly public and divisive cases. "The justices are a lot less emotionally invested in the cases, or at least, they have a more long-term perspective because they know that they will have to work with each other for many years. I think there is much less friction among the justices than there is among the clerks," he says.

He advises future clerks to avoid personalizing legal disagreements. "Supreme Court decision-making is, or should be, fundamentally a cooperative process, one where all participants share the goal of articulating the best interpretation of the law," Roosevelt says. "It's harder to see that in politically freighted cases than, say, tax cases, but it's still largely true."

The most highly publicized and divisive cases heard during Roosevelt's clerkship came later in the term. While these cases did cause some tension between different justices' clerks, since the clerks had already developed personal and professional relationships, the friction was limited.

Roosevelt looks back today on the most famous cases from his term from a unique perspective: that of a constitutional law professor. In his first year course, he now teaches several of the cases he worked on with Souter, including *U.S. v. Morrison*, a case about the scope of the federal commerce power. "I enjoy teaching cases I worked on because I feel that I have a deeper understanding about what the justices were thinking."

MEG KAMMERUD IS A FORMER REPORTER WITH THE COLUMBUS (GA.) LEDGER-ENQUIRER. IN THE SUMMER OF 2000, SHE WAS A NEWS WRITING AND REPORTING FELLOW AT THE POYNTER INSTITUTE IN ST. PETERSBURG, FLA.

Ted Ruger

In Fascinating (And Humbling) Year, Ruger Reviews Death Penalty Cases in Supreme Court

BY MEG KAMMERUD, 2L

JUST TWO YEARS OUT of law school, Assistant Professor Ted Ruger faced enormous responsibility, an almost unthinkable burden for a young lawyer, when he reviewed final death penalty appeals in 1997 as a clerk to U.S. Supreme Court Justice Stephen Breyer.

"Every year in one or two cases the execution is stayed, so it was crucial to review the papers with the utmost care," says Ruger. "On the other hand, the depressing component of it is that the vast majority of last minute appeals are denied, so that as you are leaving the court in the middle of the night, you know that elsewhere in the country an execution is moving forward."

Most Supreme Court clerks agree that reviewing last-minute death penalty appeals is the least pleasant, but arguably most important, aspect of their position. However, Ruger also wrote bench memos for Breyer explaining each case prior to its hearing and answering any legal questions that were not fully dealt with in the case briefs; helped the Justice draft opinions; and evaluated petitions for certiorari, requests that the Court hear a particular case.

"It was just a fascinating intellectual atmosphere where there was such a range of issues that were always closely debated," Ruger says. "You see that, in most of the cases [the justices] take, there has already been a legitimate difference of opinion and lots of good arguments on both sides, so you have a fascinating mix of issues combined with an interesting and smart group of people."

Ruger found that he had the greatest relative impact on the Court in his review of petitions for certiorari. More than 8,000 requests pour into the Court during every term. Clerks make the initial review and recommendation for each petition, so they have more influence over whether those cases move forward. But this level of influence was the exception, rather than the rule.

"I think that clerks' power is often overstated or overrated with respect to the argued cases," Ruger says. "This is a strong-minded group of nine justices. They have been together as a group for over ten years, the longest period in recent history that nine justices have been together, so they know their opinions."

Ruger declines to talk about the specifics of cases on which he worked closely with Breyer, due to the discretion required of every Supreme Court clerk both during and following his term. While clerks occasionally speak publicly about what goes on behind



closed doors in the Court, as in Edward Lazarus' book *Closed Chambers*, justices and other former clerks frown upon the practice. Since the late 1990s the Court has gone so far as to require clerks to sign confidentiality agreements. Ruger explained that the extreme discretion protects the integrity of the decision-making process and the decision-makers.

During the year that Ruger worked as a clerk, the Court heard relatively few extremely high-profile, front-page cases. As a result, Ruger and his fellow clerks avoided the competition and animosity known to arise during particularly contentious cases like *Bush v. Gore*. "Perhaps because we did not have... a huge political case, the clerks as an entire group, conservative and liberal, had a pretty good relationship both intellectually and socially," Ruger said. "I would often discuss the cases not just with my own co-clerks and not just with the clerks of the justices who tended to vote with Breyer, but across the whole spectrum." These discussions gave Ruger a more complete understanding of the complexities of legal interpretation.

But Ruger did not discuss the cases only with fellow clerks. Much of the value in his clerkship came from Breyer's tutelage, as the judge treated his chambers like the seminar rooms of his academic past. Breyer's four clerks divided the primary research responsibility for cases evenly among themselves, but later came together as a group with the justice to discuss the entire docket.

"All of the clerks would participate in open-ended discussion with him about all of the cases," Ruger said. "That contrasts with the way that many of the chambers are run, where clerks divide up the cases four ways and meet individually with the justice....As a consequence, I learned a lot about the range of issues before the Court and how [Breyer] thought about these legal issues."

PRICELESS EXPERIENCE

Continued from page 27

delker held a Court of Appeals clerkship before clerking with Justice Thomas. She clerked for Judge Edith Jones on the Fifth Circuit. As with Justice Thomas, clerking for Judge Jones provided an important opportunity to significantly enhance her legal skills. She has maintained close relationships with both judges and they have both helped guide her career. Having held several high-level attorney posts in the U.S. government, Mandelker is now a counselor to Michael Chertoff, the U.S. Secretary of Homeland Security.

Even so, she says, her U.S. Supreme Court clerkship will always be the pinnacle of her career. Mandelker and her three fellow clerks would join Justice Thomas in clerk conferences to discuss every case. "Everything you worked on ...was important. Even a case that might not appear as interesting on the surface was exciting because of its national impact."

Mandelker credits Penn Law for its well-managed clerkship program. "The staff in Career Planning and Placement are knowledgeable and well-organized," she says. "It's a great support for students and alumni. And it's never too late to apply for a clerkship. At the Supreme Court, all of my co-clerks held other legal jobs before clerking at the Court. I would encourage it at any stage of a lawyer's career."

Success in clerking takes many forms, agrees Professor of Law Catherine Struve, a past chair of Penn Law's Clerkship Committee. She commends her own clerkship with Judge Amalya L. Kearse, U.S. Court of Appeals, Second Circuit, as "tremendously valuable."

Clerkship Opportunities and Assistance for Alumni

Alumni seeking clerkships are part of a growing trend, says assistant professor Kermit Roosevelt, chair of the Clerkship Committee. "Now people are going to firms for one year more frequently," says Roosevelt. "In some cases, judges prefer that. In the same way that clerking makes you a better lawyer, having practical experience will probably make you a better clerk."

And Penn Law can help. "Penn Law is as eager to support alumni as current students," says Diane Downs, associate dean for career planning and placement. Interested alumni can contact Downs at 215.898.7493 or all-cpp@law.upenn.edu.

- J.B.B.

"We encourage students to spread applications around the country, to be flexible," says Struve. "The goal of a clerkship should be to learn from it." A future transactional lawyer would benefit from working on corporate law doctrine in the Delaware courts, while a future patent lawyer might seek a clerkship on the federal circuit court of appeals, she says.

Deciding whether and where to apply for clerkships begins even among 1Ls. Faculty and staff in Career Planning and Placement advise students to develop strong writing skills and begin accruing strong faculty references. Midway through the 2L year, clerking hopefuls should aim for a leadership position on their journal or seek out writing experiences. Explains Penn Law's clerkship expert Diane Downs: "On a journal, students read a lot more, cite a lot more, and do the kind of work that many judges seek." And journal leaders are elected by their peers, "a nice sign to judges," says Downs. Also in the 2L year, student groups bring in speakers to talk about clerkships.

Once a student or alum decides to apply for a clerkship, Penn Law is there. In spring of the 2L year, the Clerkship Committee holds a formal clerk application meeting to talk about types of clerkships, applications, recommendations, and the intimate assistance that Penn Law offers. (See sidebar.)

Applications arrive in judges' hands the day after Labor Day. Judges review applications during a "reading week" and begin interviewing the following Monday. "It's an intense time and judges usually make decisions pretty quickly," says Downs. "But the process goes on continuously until end of the academic year since new judges are appointed all the time."

What do judges look for? "Any judge who is looking at clerkship applications will have a clear idea of what kind of person they are looking for," says Struve. "Some judges place more emphasis on grades than others. All the judges that I know of care about research and writing, and some scrutinize the writing sample more than others. Uniformly, clerks need good judgment, an ability to manage tasks, and a willingness to work hard."

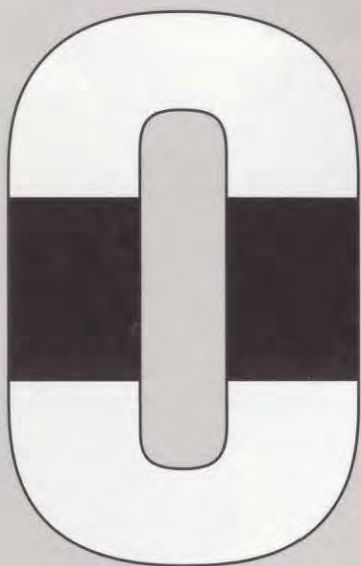
While clerking need not launch or define a legal career, faculty point out that it can be a valuable experience for anyone interested in the kind of training that only a clerkship can provide. "There are a variety of experiences out there," says Roosevelt, "and I really do tend to think there's something for just about everyone." **PLJ**

AWARD-WINNING JOURNALIST JENNIFER BALDINO BONETT, NOW A FREELANCE WRITER AND EDITOR SPECIALIZING IN HIGHER EDUCATION, SERVED AS DIRECTOR OF EXTERNAL AFFAIRS FOR FORMER PENN PRESIDENT JUDITH RODIN FROM 1996-2000.



» IN CAREER-DEFINING CASE,
ADELMAN
PUT HINCKLEY
AWAY FOR GOOD

BY ROBERT PACK, L'67



VER DINNER in Washington one evening in June 1994 Roger Adelman, L'66 declared that a Los Angeles celebrity then under investigation for the brutal stabbing murders of his ex-wife and her male friend would be best served if he hired a street-wise black L. A. lawyer by the name

of Johnnie Cochran. It was a name relatively unknown at the time, especially on the East Coast. The suspect did in fact retain Cochran, and the rest is literally history.

Small wonder that Roger Adelman should know the criminal law scene, not just in Washington or in the East, but nationwide. As the top prosecutor in the U.S. Attorney's office for the District of Columbia, where he worked from 1969 until 1987, Adelman had been selected to prosecute John Hinckley in 1981-82. A year or two earlier he had led the prosecution of Congressman Richard Kelly, a Florida Republican who had been videotaped accepting cash from undercover FBI agents in the scandal known as Abscam. Adelman recalls the latter case as perhaps the first where suspects had been caught on videotape, which tended to undercut Kelly's claim that he took the money as part of *his own* alleged investigation of the purported Arab wheeler-dealers. Kelly was convicted and served time in prison.

It's the Hinckley case for which Adelman is no doubt best-known. Chuck Ruff, a celebrated lawyer who was then the U.S. Attorney for D.C., chose Adelman after Reagan and several others were shot and wounded by Hinckley in March 1981, because Adelman had tried numerous murder cases, many of them involving insanity pleas, during the then 12 years he had been a prosecutor.

While preparing for that case Adelman, along with Ruff's successor as U. S. Attorney, Stanley Harris, spent about half an hour in the Oval Office going over the events with President Reagan (a potential witness) and his advisers, including Michael Deaver, Fred Fielding and James Baker. Adelman outlined how the trial would be conducted, and although the President was fascinated and wanted to hear all about the case, it was mutually agreed between Adelman and Harris on the one hand and the Reagan team on the other that the President would not testify. As Adelman puts it, "We had a videotape of him being shot," so there was no real need for Reagan to take the witness stand.

That case was unusual, says Adelman, in that he and the prosecutors who assisted him spent over a year on *U.S. v. Hinckley*, although ordinarily, even on complex murder cases, they would have been handling several matters simultaneously.

Adelman recalls "the phenomenon that the whole world was watching" the Hinckley trial. Unlike most lawyers, Adelman purposely avoided following any of the extensive media coverage of the case, although he went back and read much of it after the trial. He didn't want to be influenced by what the press was saying—difficult then and nearly impossible now with minute-by-minute news cycles that last 24 hours a day, every day of the year. Jurors found Hinckley not guilty by reason of insanity for his attack on President Reagan and the others; Hinckley has been confined at D.C.'s St. Elizabeth's Hospital ever since.

The route Adelman took to the most coveted prosecutorial assignments at the nation's seat of power occurred almost by de-



fault. After graduating from Dartmouth in 1963 he wasn't sure what he wanted to do, so he decided to go to law school "sort of by a process of elimination. I didn't have any knowledge of the law, I didn't know many lawyers, I just decided that I wanted to get a disciplined education." Born and raised in Norristown, and with the expectation that he would ultimately practice in Pennsylvania, he says Penn was the only law school he applied to.

Graduation from law school in 1966 was a bittersweet moment for Adelman and his family. His father, Lou, better known

as “Dixie” for his South Philly roots, had been a teenaged newsboy, hawking the four Philadelphia newspapers then in existence on 34th Street outside the law school during the 1920’s and ‘30’s. He was a genuine “Read all about it!” hustler, at a time when newspaper vendors competed for the best spots on the street and then still had to vie with numerous nearby rivals to sell individual papers to passersby. After graduation ceremonies in the courtyard, Lou Adelman told Roger that in spite of all his years *outside* the school, he had never before set foot *inside*. “They never let the newsboys in there,” is how father expressed it to son.

After law school Adelman spent 14 months in the Army, assigned for most of that time to the military’s language school in Monterey, California, where he learned Russian. Discharged in 1968, he was again rather at loose ends, working as a clerk (as opposed to an associate) in a Philadelphia firm and think-

»» **“I NEVER THOUGHT I’D BE A PROSECUTOR, BUT ONCE I GOT INTO IT, I JUST LOVED IT.”**

ing about returning to Norristown and hanging out his shingle. Then a college classmate who worked in the U.S. Attorney’s office in D.C. called and suggested he apply for a job there. Adelman thought it might be a good fit, since his model in law school had been Tony Amsterdam L’60, professor of criminal law and a man Adelman describes to this day as his “shining light.” Inspired by knowledge that Amsterdam himself had served in Washington’s U.S. Attorney’s office and written a book on criminal procedure based largely on D.C. cases after clerking for U. S. Supreme Court Justice Felix Frankfurter, Adelman interviewed for the job, was offered one and instantly signed on.

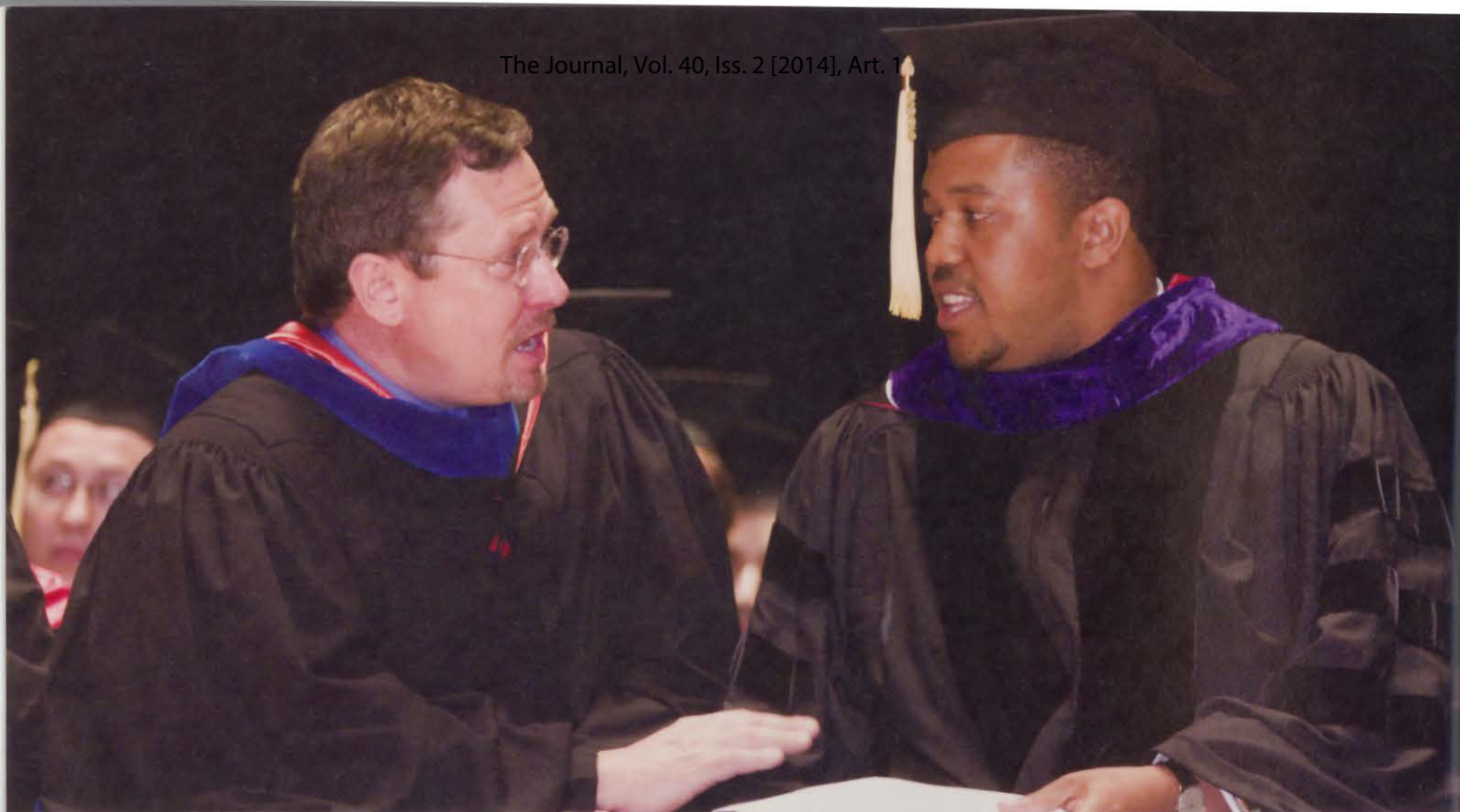
From having “no idea what I wanted to do about practicing law when I got out of law school” to a happenstance opportunity to be a prosecutor, Adelman had found his calling. “I never thought I’d be a prosecutor, but once I got into it, I just loved it.” After nearly 20 years as a federal prosecutor, longer than

most spend, Adelman joined the D. C. office of Pittsburgh-based Kirkpatrick & Lockhart in 1987. While Adelman was at the Kirkpatrick firm, he was appointed by Independent Counsel Kenneth Starr as Senior Counsel to direct the investigation of White House travel office firings (“Travelgate”), a post Adelman held for several months during 1996 until it turned out that his firm had a potential conflict of interest because clients it represented might have been involved in matters Starr’s office was probing. In 1997 Adelman became a sole practitioner, sharing office space with longtime friend, mentor and Washington legend Plato Cacheris. Since 2002, when Cacheris decided to move on to a partnership in a local firm, Adelman has been more or less on his own, although he does have an arrangement with the California-based plaintiff’s firm Lerach Coughlin, which now shares space with him and calls upon him frequently to serve as trial counsel in major cases.

In the tradition of Tony Amsterdam, Adelman spent nearly 25 years teaching evidence and trial practice as an adjunct professor at Georgetown University Law Center. He calls that one of the most rewarding experiences of his career, helping shape young lawyers and then seeing them go on to professional success, but has been unable to teach the last five years because his trial practice requires him to travel so much. Back in his Penn Law School days as a disciple of Amsterdam and others, did Adelman ever think he would one day be a professor himself? “No way! Farthest thing in my mind that I ever could have imagined.”

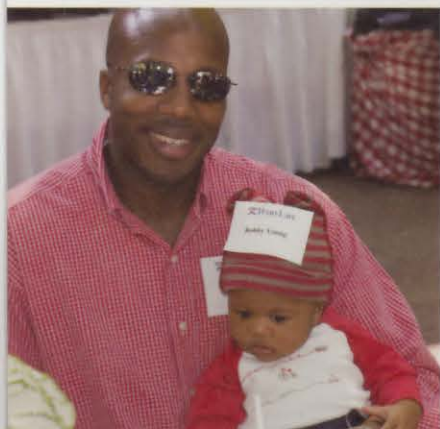
Where is one most likely to find Adelman these days? In his own office, which is where he spends 60 to 70 hours a week on the love of his life—his work. Never married, Adelman, who turns 65 next June, confesses to a charge that he is wedded to the law, “I plead guilty. (However), I’ve never considered it work.” **PLJ**

ROBERT PACK IS A WASHINGTON-BASED WRITER WHO WAS ADMITTED TO THE D.C. BAR IN 1968 BUT BECAME A JOURNALIST INSTEAD OF PRACTICING LAW. HE IS THE AUTHOR OF NUMEROUS BOOKS, INCLUDING *EDWARD BENNETT WILLIAMS FOR THE DEFENSE*.



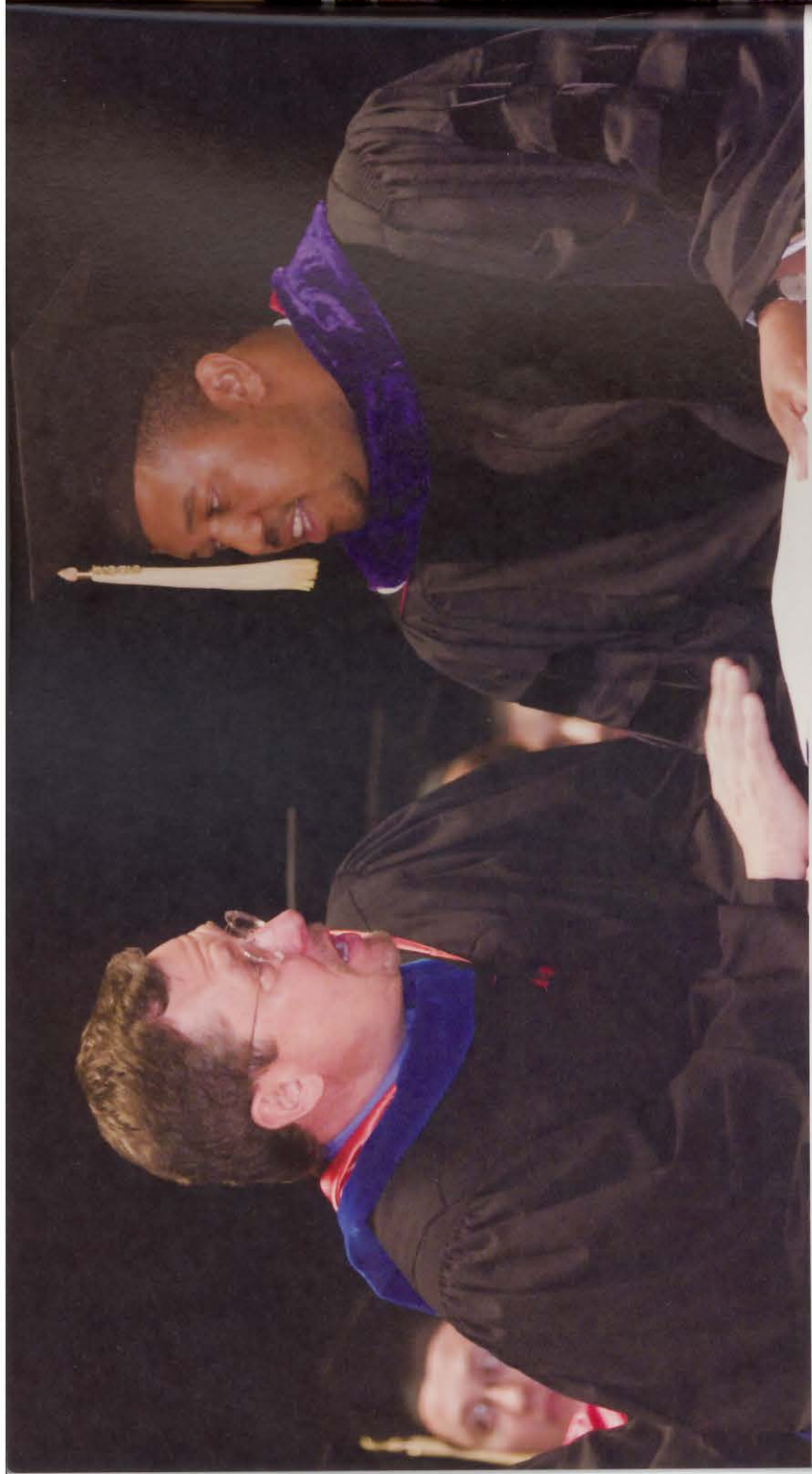
Gary Clinton, associate dean for student affairs, speaks with class president, Anthony Noble.

GRADUATION



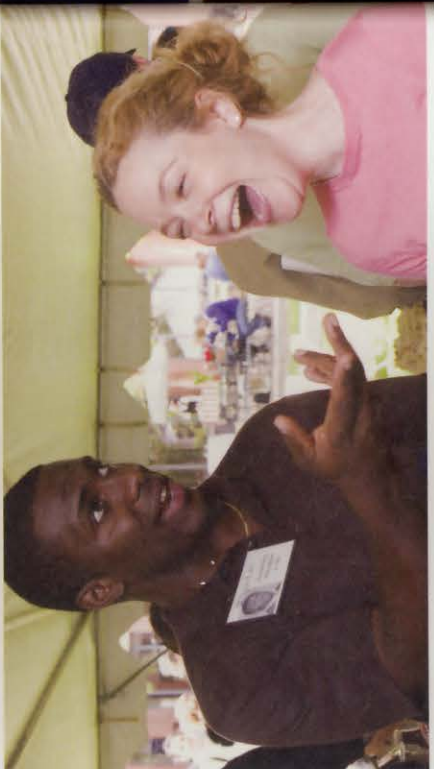
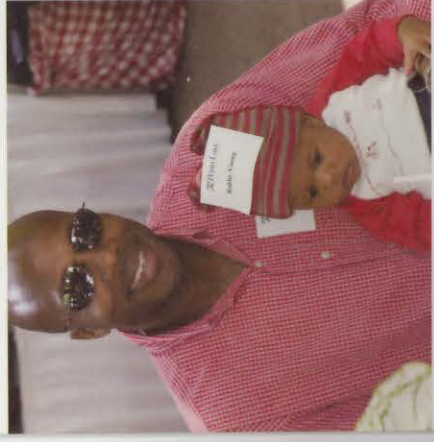
From a range of classes spanning the years 1940 to 2000, a few hundred alumni returned to the Law School in May to renew acquaintance, celebrate their careers, and have a grand old time at a festive luncheon and dinners around town.





Gary Clinton, associate dean for student affairs, speaks with class president, Anthony Noble.

GRADUATION



From a range of classes spanning the years 1940 to 2000, a few hundred alumni returned to the Law School in May to renew acquaintance, celebrate their careers, and have a grand old time at a festive luncheon and dinners around town.



Reunion revelers enjoyed the company of former classmates and feasted on plentiful food.



REUNION



ABOVE: To kick off Reunion, Penn Law presented Law Alumni Society Awards to six honorees. Pictured left to right: Myer (Mike) Feldman L'38 (Alumni Award of Merit); Alberto Ibarquien L'74 (Alumni Award of Merit); Helen Pomerantz Pudlin CW'71, GED'71, L'74, (Alumni Award of Merit); Robert I. Toll L'66 (Distinguished Service Award); Dean Michael A. Fitts; Josephine S. Foo L'97 (Young Alumni Award); and Jesse H. Choper (James Wilson Award).

LEFT: Myer Feldman W'35, L'38, former advisor to presidents John F. Kennedy and Lyndon B. Johnson, sits in repose as he listens to Dean Michael A. Fitts describe his accomplishments prior to receiving the Alumni Award of Merit.

Reunion revelers enjoyed the company of former classmates and feasted on plentiful food.



REUNION



ABOVE: To kick off Reunion, Penn Law presented Law Alumni Society Awards to six honorees. Pictured left to right: Myer (Mike) Feldman L'38 (Alumni Award of Merit); Alberto Ibarquen L'74 (Alumni Award of Merit); Helen Pomerantz Pudlin CW'71, GED'71, L'74, (Alumni Award of Merit); Robert I. Toll L'66 (Distinguished Service Award); Dean Michael A. Fitts; Josephine S. Foo L'97 (Young Alumni Award); and Jesse H. Choper (James Wilson Award).

LEFT: Myer Feldman W'35, L'38, former advisor to presidents John F. Kennedy and Lyndon B. Johnson, sits in repose as he listens to Dean Michael A. Fitts describe his accomplishments prior to receiving the Alumni Award of Merit.



GRADUATION



A Call to Duty

9/11 Commission Member Tells Class of 2005 to Accept Challenges and Reject Pat Answers

THE CLASS OF 2005, the largest in Penn Law's history, got an equally big send-off last May during a commencement ceremony in which they were told to heed the lessons of 9/11 by challenging received wisdom.

Jamie S. Gorelick, a member of the 9/11 Commission, implored these future lawyers to develop a respect for facts, maintain their independence, and appreciate "the cleansing power of transparency;" just as she and her colleagues had done in investigating what led to the worst terrorist attacks ever on American soil.

She also advised students to resist the impulse to shrink from unpopular work, though it may subject them, as Commission members discovered, to criticism and vilification.

"It may indeed be safer ... to stay on the sidelines, to avoid the fray, but how satisfied will you be in the end?" asked Gorelick. "And how much worse will your country and your world be if you do not risk the fight? ... Great issues will be debated, great arguments won and lost, in your lifetimes. The resulting decisions will be much better if you have engaged."

Taking up the theme of responsibility, class president Anthony Noble said, "Today is the day we begin to own the problems of the world. In legal terms, we are now strictly liable for those problems."

Noble, an African-American who endured taunts and epithets in middle school, said he lives for the day when martyred civil rights leader Martin Luther King Jr's vision of true equality, blind to race, gender, religion, or sexual orientation, comes to pass.

"We have a dream that school funding will not be used as a legislative means to discriminate against children," he said. "We have a dream that, one day, majority opinions will not be the product of political agendas, but instead will be the product of that often cited, but rarely realized thing called justice. We also have a dream that all the potential in this room will be realized. And I'm sure it will be."

As flashbulbs popped, families cheered and students exulted, 314 members of the Class of 2005 walked down the red-carpeted aisles at the Academy of Music to receive their J.D. diplomas. Five students graduated cum laude; nine, magna cum laude; and



Matthew Brady exults in finishing law school.

66, cum laude. Joining them were 77 students who earned an LL.M. degree.

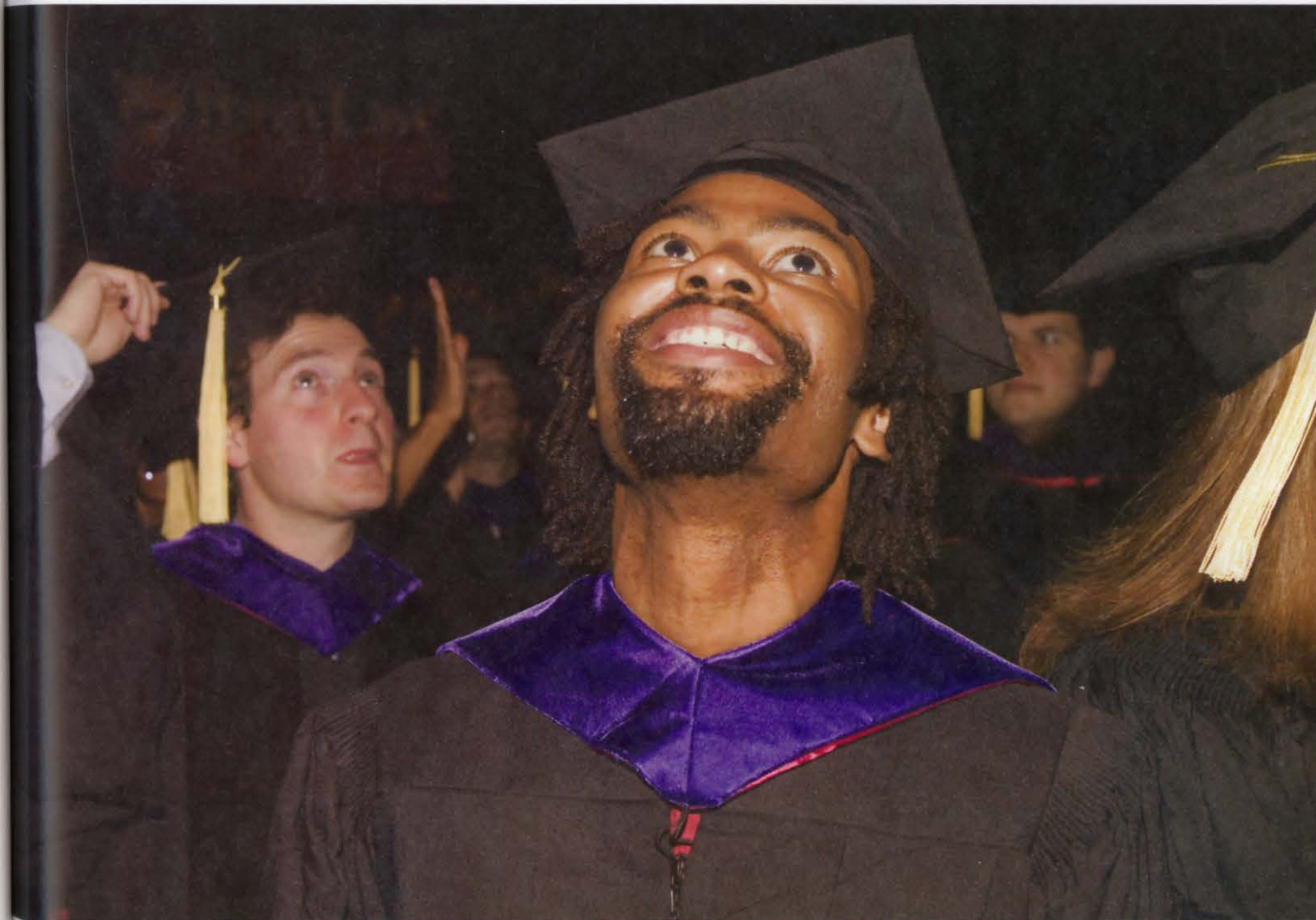
Representing the LL.M. program, Edward Cummings, of England, said he welcomed the exposure to America, and to his international classmates. "We have developed renewed understanding that the majority of people in other cultures are just like us," said Cummings, adding that this understanding will make them more tolerant of other "people's viewpoints and motivations."

An honorary fellowship was presented to Michael Ratner, president of the Center for Constitutional Rights, which filed

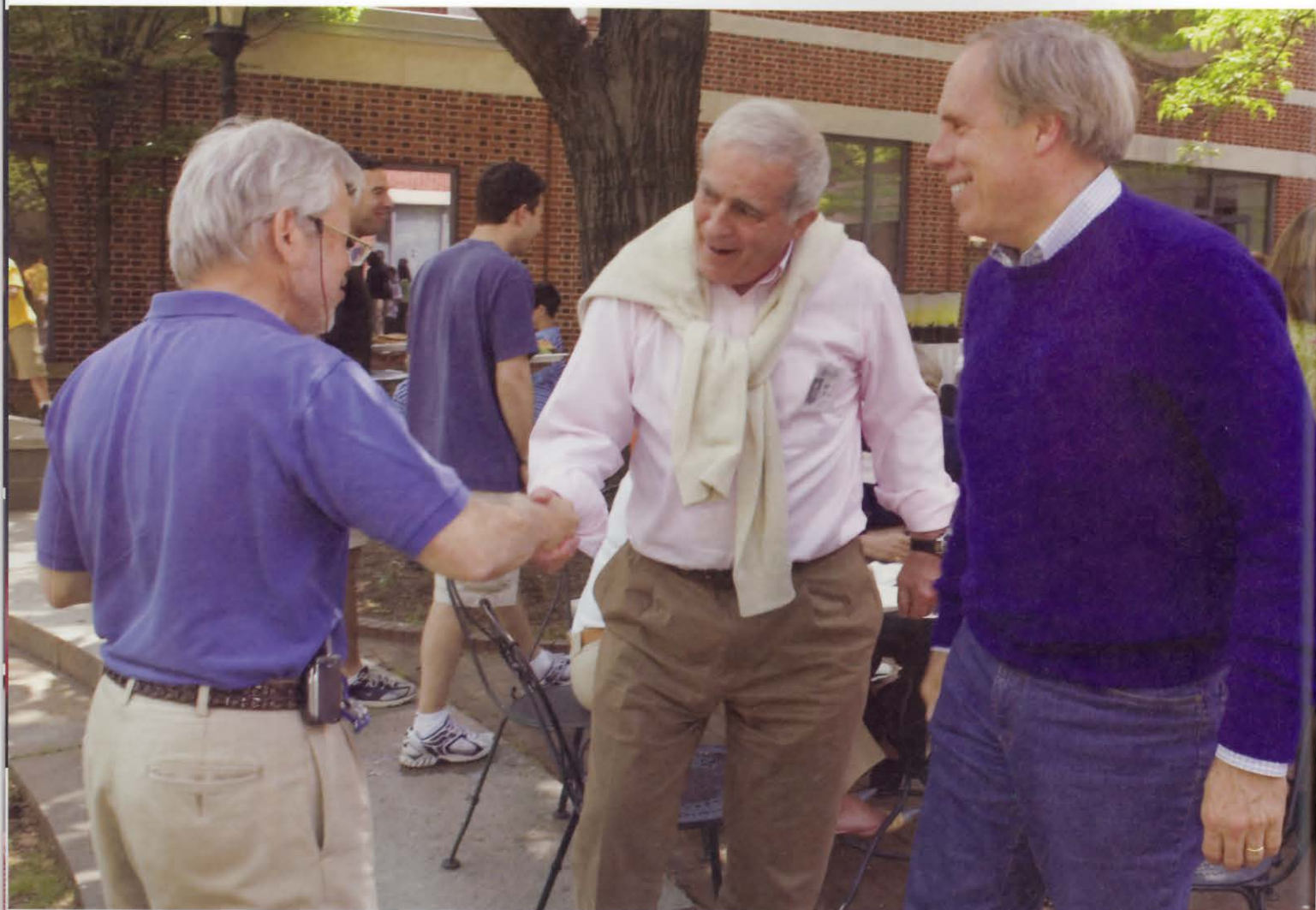
and won a lawsuit heard by the U.S. Supreme Court that challenged the government's right to detain suspected terrorists at Guantanamo without charges and a trial.

"Great issues will be debated, great arguments won and lost, in your lifetimes. The resulting decisions will be much better if you have engaged," said keynote speaker Jamie Gorelick.

Also during the ceremony, Bruce Mann, Leon Meltzer Professor of Law & Professor of History, received his second Harvey Levin Award for Teaching Excellence. This prompted him to quip, as he addressed the graduates, "I feel as if I should call on someone."



REUNION



Classmates Alan Lerner (left) and Robert Blank greet each other as Blair Sadler looks on.

On a beautiful day in May, more than 200 alumni streamed through the doors to participate in an annual ritual that is one half party and one half nostalgia. At Reunion Weekend this year, we tracked one alumnus, Blair Sadler, as the children's health advocate made his rounds.

At Reunion, Sadler Flashes Back 40 Years

WHEN BLAIR SADLER L'65 started law school, Kennedy was president, "The Goat" had recently arrived and student dorms stood on the site of Tanenbaum Hall. So you can imagine how excited and wistful Sadler felt upon returning for his 40th reunion in May.

That excitement lasted over the course of the weekend as Sadler, president & chief executive officer of Children's Hospital in San Diego for the past 25 years, marveled over the changes at the Law School and reunited with classmates, including Practice Professor of Law Alan Lerner and Robert Blank, a member of the Penn Law Board of Overseers and general partner at Whit-



Blair Sadler L'65 revisits courtyard where he relaxed between classes. Pictured with him is his wife, Georgia Robins Sadler NU'72, WG'73.



ney Communications, which owns and operates newspapers and cable television systems.

On the Friday night before the reunion, accompanied by their wives Sadler and Lerner, whom Sadler had not seen since graduation, chatted through dinner and into the night, discussing their mutual interest in children's health issues. And when they finally looked at their watches four hours had elapsed.

The next night, hours slipped by once again as the Class of 1965 caught up with each other. In a burst of spontaneity every alumni shared their stories, talking at length about their work, their families and the wonderful launching pad that a Penn Law education provided.

"Seeing not only the Law School but the entire university and how it's grown and developed was exciting," said the tanned Sadler, looking every bit the laid-back Californian in his tennis shoes, jeans and navy crewneck sweater. "I was amazed by how

much the school had changed and the tremendous improvement and upgrading of the learning and teaching facilities."

Particularly, Sadler says, he is impressed with the energy and vision of Dean Michael A. Fitts — especially his idea to create an interdisciplinary Institute of Law and Health Sciences. He believes the dean is onto something very special and is taking full advantage of the Law School's proximity to Penn's School of Medicine and the University's other highly regarded professional schools.

Sadler arrived at law school in 1962 virtually on one leg, as a result of breaking his left foot teaching tennis in Maine one week before classes began. He hobbled into the main hall on crutches. "Getting from class to class with those big heavy books was a bear," he recalled. Luckily, he lived in the dorms, which had just been

built. Those dorms were a haven in the sense that they were the only part of the building that was air-conditioned, and that was a real help when studying for finals, recalled Sadler.

If Sadler pines for the days of the long-gone dorms, he doesn't let on, seeing how they were razed to make way for Tanenbaum Hall, which he considers, along with the changes in curriculum and intellectual environment, a big improvement over his era.

An era in which, he said, faculty were less available than they are today, class participation was discounted and grades depended wholly on one five-hour test at the end of the term.

REUNION

Classes Without Quizzes

Lawyers Say Media Exert
Outsize Influence on Today's
High-Profile Cases

WHEN THE FIREFIGHTERS UNION in New York vacillated on distributing \$70 million to families who lost rescuers in the collapse of the World Trade Center, Randy Mastro L'81 exposed the union to the court of public opinion. He held a news conference. Within 48 hours the matter was settled.



Panelists present their views on influence of press during trials.

Mastro told this story during a panel discussion on “Fame and Justice” over Reunion weekend. The discussion — part of an annual program called “Classes Without Quizzes” — centered on the role of the media in trials and public affairs.

A master at media manipulation, Mastro, a partner at Gibson Dunn and Crutcher, said, “The press makes a difference and you have to use the press appropriately because the press wants to use you.”

Penn Law Senior Fellow David Rudovsky agreed that it is important to cultivate the media, which he discovered when he filed litigation to improve prison conditions and root out police misconduct in Philadelphia. Rudovsky, a founder of Kairys, Rudovsky, Epstein & Messing, which specializes in civil rights and civil liberties cases, said both efforts succeeded in part because

of the pressure the media exerted on government officials to enact changes. “We had a sympathetic press and the reporting on these issues helped to create a climate in which reform was possible,” said Rudovsky.

To shape coverage, Orin Snyder L'86, a partner at Gibson Dunn and Crutcher who has represented Bob Dylan, Mariah Carey, Julie Andrews and scores of other high-profile clients, said he often hires PR people at the outset of a case, before a trial even begins. A well-coordinated PR strategy can often play a key role in the overall litigation strategy and should be seen as another tool available to the trial lawyer, Snyder said.

Roger Adelman L'66 views the media, at best, as a necessary evil, if not an impediment, to his work in Washington. The man who prosecuted John Hinckley Jr., said the publicity surrounding trials in the capital of “high-visibility cases” and “second-guessing” is a distraction, so he never reads the paper while he is trying a case. Yet he accepts the intense coverage and new rules of the Information Age, explaining that “the publicity of the last 20 years is something we have to deal with instead of argue against.” In fact, he favors more televised trials.

Which puts him in the camp of Henry Scheiff L'73, chairman and chief executive officer of Court TV. “Sunshine is the best disinfectant,” argued Scheiff, who regularly crusades for allowing cameras in the courtroom.

He recalled one heralded instance in which his network convinced New York State (one of a handful of states that forbids cameras in court) to televise a trial involving four New York City detectives who shot a Haitian immigrant to death. The detectives said they mistook a wallet in his pocket for a gun. The jury acquitted them, rendering a verdict that people could understand, according to Scheiff, adding:

“There is nothing more valuable than seeing and hearing the testimony with your own eyes and ears.”



NEWS FROM THE LAW SCHOOL'S BOARD OF OVERSEERS

Scottoline and Johnson New Overseers

LISA SCOTTOLINE C' 77, L'81 is a New York Times best-selling author of crime fiction. She has written 12 thrillers, one



of which, *Final Appeal*, won the Edgar Award, the premier award given by the Mystery Writers of America. Her novel, *Everywhere That Mary Went*, also received an Edgar nomination.

Before becoming a full-time writer, Scottoline spent several years as a trial attorney at Dechert, Price & Rhoads. She has held clerkships with Chief Judge Dolores K. Sloviter of the United States Court of Appeals for the Third Circuit and with President Judge Edmund B. Spaeth, Jr. of the Pennsylvania Superior Court.

In 2004, Scottoline was named a "PW Innovator" by Publishers Weekly and a "Fun and Fearless Female" by Cosmopolitan Magazine. She is a contributing editor of "Justice" magazine, a new Conde Nast publication, and she plans to teach a course on "Justice and Fiction" at Penn Law School in the spring of 2006. In 1981, she received the Henry Loughlin Prize for Legal Ethics from Penn Law, where she was an associate editor of the University of Pennsylvania Law Review.

Scottoline serves on the board of directors of the Mystery Writers of America and the National Italian American Foundation.

PAMELA JOHNSON L'83 Pamela Johnson L'83 is senior vice president and single-family credit officer at Fannie Mae (FNM/NYSE).



She is responsible for all credit decisions in the Single Family Mortgage Business and for managing its \$2 trillion business. Johnson also oversees the risk management, quality control and default man-

agement departments and has responsibility for Fannie Mae's automated underwriting system, Desktop Underwriter™. In that capacity, she introduced new mortgage scoring models and mortgage loan products that are designed to meet the financing needs of low- and moderate-income homebuyers.

Previously, Johnson was vice president of Single-Family Risk Management. Before joining Fannie Mae as legal counsel in 1993, Johnson served as counsel for the Resolution Trust Corporation in the Securities and Finance section of the Legal Division. Earlier, she spent eight years in private practice, working for Orrick, Herrington & Sutcliffe in San Francisco and later Ballard, Spahr Andrews & Ingersoll in Washington. She specialized in municipal securities. During law school, Johnson was an editor of the University of Pennsylvania Law Review. She is married to Bruce Johnson, and they have three girls, Brandon, Sage and Kimberly. Pam and her family reside in Potomac, Maryland.



FACULTY NEWS

AND PUBLICATIONS

FACULTY NEWS FLASH

The Foreshadowing of a Major Literary Talent

Time Hails Roosevelt As a First Novelist to Watch, Comparing His Work to Bestselling Author Scott Turow

MARK CLAYTON, A PROTAGONIST in Kermit Roosevelt's new legal thriller, *In the Shadow of the Law*, finds himself in the unenviable position of a newly hired associate at a top corporate law firm. Drowning under a Sisyphean work load, he's forced to work nights and weekends. He gives up all remnants of a social life. He even eschews regular bathing, all in the hope of wringing out a few more billable hours.

It's hard to imagine where he would squeeze in the time to write a bestselling novel. Yet Roosevelt did just that, penning his first work of fiction during the two years he spent as an associate with Mayer Brown & Platt LLP before joining Penn Law's faculty as an assistant professor in 2002.

And although Roosevelt humbly calls *In the Shadow of the Law* "a sort of hobby," the novel has received extraordinary critical acclaim. *Time* included the book in a round-up of "Five Fantastic First Novels," saying that "Roosevelt writes about the law more passionately and entertainingly than anyone since Scott Turow." *Publisher's Weekly* calls it an "outstanding debut" that "transcends the legal thriller genre." *Library Journal* describes it as a "superior novel," and Alan Dershowitz's *New York Times* review lauds it as "an impressive first novel," recommending it "with real enthusiasm."

Roosevelt (the great-great-grandson of the first of the two



presidential Roosevelts) has long been a novelist in lawyer's clothing, in spite of a resume that includes a Supreme Court clerkship and a J.D. from Yale Law. He's been writing novel-length fiction since he was an undergraduate at Harvard, though he's struggled until now to find a publisher.

"Initially I wanted to write in the legal genre because I thought I'd have a better chance of getting published," he ad-



FACULTY APPEARED IN THE MEDIA CLOSE TO 1,000 TIMES FROM JUNE 2004 THROUGH MARCH 2005.

PRINT

mits. "But when I started going through the revisions after I began teaching, I realized this was an opportunity to say a lot of things I wasn't able to say in my teaching and my scholarship about the nature of the legal system, the different roles that people have in it and different choices that they make."

In the Shadow of the Law, whose ensemble cast deals with cases ranging from a pro bono death penalty case to a fatal industrial accident, has garnered praise for its thought-provoking examination of real contemporary issues in the law, digging far deeper than the beach novels that usually populate the legal fiction genre. "I set out more or less to write a basic legal thriller," Roosevelt says, in his characteristically self-effacing style. "But I found it hard to stick to the plot, because there were all these other interesting issues that came up."

"This was an opportunity to say a lot of things I wasn't able to say in my teaching and my scholarship about the nature of the legal system."

Aside from its fascination with the law's intricacies, the book has also been applauded for its clear-eyed depiction of the real-life decisions that corporate lawyers face. Centered around a D.C. corporate law firm headed by a ruthless and mercenary managing partner, the novel deals with the ethical as often as the technical issues of practicing law. Alan Dershowitz compliments its "gritty portrayal" of a "service industry that does little more than help the superrich get even richer."

But Roosevelt, who says that he enjoyed his time at Mayer Brown & Platt, is quick to point out that his message is not entirely cynical. He describes an e-mail he received from a young fan: "He told me that he'd always wanted to be a lawyer and people were always telling him that it was a terrible, soulless profession. But after reading the book he was more determined than ever, because he realized how important it was to have good ethical lawyers."

Although Roosevelt plans on writing more novels in the future, he's currently putting his fiction-writing career on the back-burner in order to focus on academic writing and teaching. But his next book, a scholarly work on Constitutional interpretation to be published by Yale University Press, will have a tough act to follow.

— ANDY GREENBERG

SETH KREIMER *The Guardian*, UK, March 18, "Experts: Congress Shaky on Schiavo Actions."

ERIC FELDMAN *The New York Times*, March 27, "Did Descartes Doom Terri Schiavo?"

DAVID RUDOVSKY *The Philadelphia Inquirer*, April 6, "A Risky Strategy in City Hall Trial: The Defense Called No Witnesses."

ERIC FELDMAN *The New York Times*, March 27, "Did Descartes Doom Terri Schiavo?"

ANITA ALLEN *Forbes*, April 14, "Are Companies Liable for ID Theft?"

STEPHEN BURBANK *Washington Post*, April 15, "For Restricted Free Agents, a Bullish Market."

DAVID SKEEL *The Economist*, April 15, "Morally Bankrupt?"

POLK WAGNER *The Philadelphia Inquirer*, April 17, "iPod in the Court!"

EDWIN BAKER *BusinessWeek*, May 5, "Former Prosecutor Accuses Chicago Tribune of Libel."

NATHANIEL PERSILY *Washington Post*, May 15, "You Can't Compete With Voters' Feet."

EDWARD ROCK & GEOFFREY C. HAZARD, JR. *Financial Times*, May 18, "Boards Are Doing it for Themselves."

DAVID SKEEL *The Weekly Standard*, May 28, "CEOs Behaving Badly: Another Cycle of Reform is the Cost of Doing Business."

THEODORE RUGER *Gannet News Service*, June 7, "Supreme Court Ruling May Be Clue to Views on Ore. Assisted Suicide Case."

KERMIT ROOSEVELT *Time*, June 20, "5 Fantastic First Novels."

BROADCAST

NATHANIEL PERSILY MSNBC, March 21, Terri Schiavo case

DAVID RUDOVSKY Fox News, March 24, Potential murder charge for elderly Pennsylvania woman

STEPHEN BURBANK CBS Radio, May 2, Military recruiting

DAVID SKEEL Morning Edition: National Public Radio, May 6, Personal bankruptcies on rise ahead of new laws

STEPHEN BURBANK CNN, May 16, "The Posse in the Pulpit."

FACULTY NEWS AND PUBLICATIONS

New Professor of International Law Seeks Justice in the Wake of War's Atrocities

RWANDA, THE FORMER Yugoslavia, Kuwait, East Timor, Cambodia, and the Congo: These are names that bring to mind some of the darkest moments in recent world history. But for new Assistant Professor of Law William Burke-White, who has worked in all of these areas, such war-torn societies represent a chance for healing and reconciliation through the power of international law.

Burke-White, who joined Penn Law's faculty this fall, is a prominent scholar in international and human rights law. He is co-author of a forthcoming book from Oxford University Press titled *International Law and International Relations*, and author of numerous law review articles and newspaper op-ed pieces.

His scholarly work is based on experience tracing war atrocities around the globe. He received his B.A. from Harvard in Russian and American History and Literature. Before going on to earn a J.D. from Harvard Law School and a Ph.D. in International Relations at Cambridge, Burke-White served as a law clerk in the Hague, conducting research for the war crime trials of rape camp commanders in Bosnia.

Burke-White went on to consult with the governments of Cambodia and East Timor in creating special war-crimes courts, to draft environmental claims for the Iraq-Kuwait UN Compensation Commission, and to advise Rwanda's leaders in writing a new constitution. While teaching at Princeton University's Woodrow Wilson School of Public and International Affairs as a lecturer in public and international affairs and acting as senior special assistant to the dean, he consulted with the Congolese government to reconstruct their judicial system after a devastating 10-year civil war that killed nearly 3 million people. Burke-White turned this work into an educational opportunity for 10 students, who traveled with him to the Congo to assess the problems of the nascent judiciary and report their findings to the US and Congolese governments.

"Involving students, researching and consulting together, is something I hope to continue at Penn," Burke-White says. "There's nothing more exciting than having your students engaged in a real-world research project that potentially affects the lives of millions of people."

New University Provost Looks Forward to Teaching at Penn Law School

RONALD DANIELS, the new provost of the University of Pennsylvania and well-regarded former dean of the University of Toronto's School of Law, has joined Penn Law's faculty, bringing a solid record of public policy scholarship in areas such as law and international development.

"The strength of the law school and the opportunity to one day return to the faculty as a full-time professor was one of the very considerable attractions of being appointed provost at Penn," said Daniels. "Penn's Law School is outstanding, and enjoying considerable momentum under the inspired leadership of Dean Mike Fitts."

As the dean of Toronto's School of Law for the last 10 years, Daniels doubled the size of the faculty, instituted pro bono programs that were adopted at all Canadian law schools and by Canada's legal profession, and developed new programs in international and comparative law.

Daniels' scholarly work focuses on corporate and securities law, regulation and government reform, and the role of law in international development — an area in which he is working on a new book with former University of Toronto colleague Michael Trebilcock. Notable articles and books include *Rethinking the Welfare State: The Prospects for Government by Voucher* (with Michael Trebilcock, Routledge); *Corporate Decision-Making in Canada* (with Randall Morck, University of Calgary Corporate Press); "Special Issue on the Corporate Stakeholder Debate: The Classical Theory and its Critics," *University of Toronto Law Journal*; and "The Role of Debt in Interactive Corporate Governance" (with George Triantis), *University of California Law Review*.

Currently, Daniels is studying the correlation between the state of a country's legal system and its economic prospects. "There is growing empirical support for the claim that the crucial factor separating successful from unsuccessful countries is the quality of laws and legal institutions that obtains in each....Yet, asserting that law and legal institutions matter is a lot easier than figuring out how to promote the creation of robust legal institutions in a host of different societal environments," said Daniels.

SYLLABUS

A PERIODIC LOOK AT NEW COURSES

New Course on the FDA Will Tackle Controversial Regulatory Issues

ASSISTANT PROFESSOR Ted Ruger usually teaches Constitutional History and Law. But in the new course he's designing for this fall, Ruger and his students will be studying a field of the law where history is written not in textbooks, but in the week's headlines.

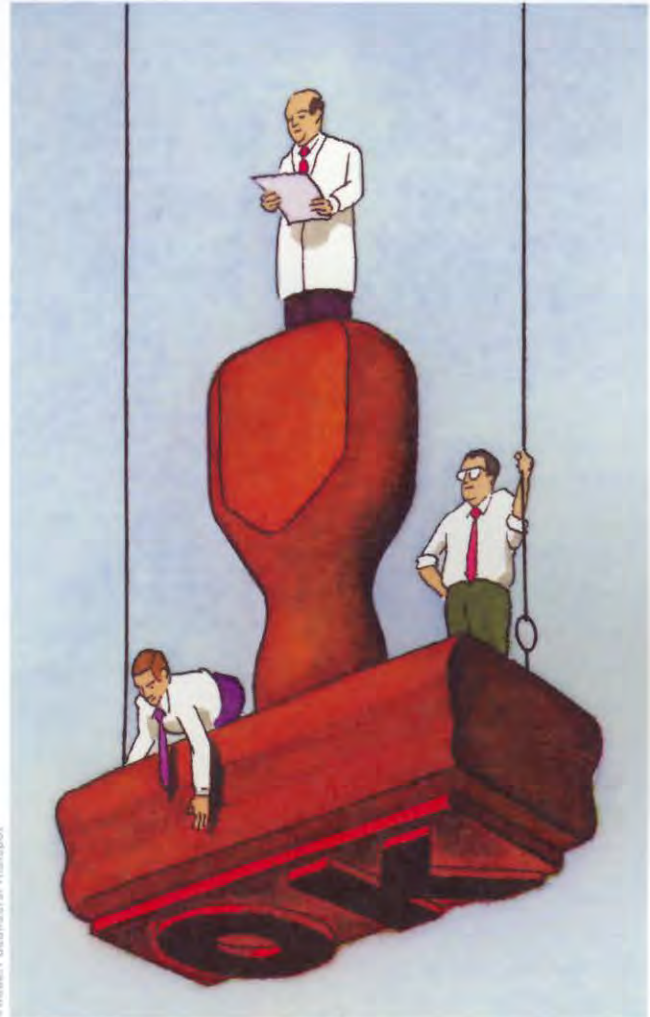
"What's exciting about this new course on the Food and Drug Administration is that the issues being debated in the here and now have real policy implications," Ruger says. Those issues include the cost of prescription drugs, the safety of unregulated vitamins and supplements, fee-based drug approval expediting,

"I hope we'll have real debate from a wide range of perspectives."

and, after recent deaths related to VIOXX and other NSAID pain-relievers, concerns about the approval of unsafe drugs.

According to Ruger, who received his J.D. from Harvard and joined the faculty last summer after three years at Washington University School of Law in St. Louis, the FDA's approval process for new drugs is in a state of constant flux. "Ten years ago, an unusual alliance of industry and patient groups was formed to critique the FDA for being too slow to approve drugs, and thereby depriving patients of good medications. In response to that, the FDA dramatically sped up its approval process, and in the past year, the FDA has been criticized for being too quick to approve drugs, too hasty to dismiss safety concerns, and too much aligned with the interests of the pharmaceutical industry," Ruger says.

An equally troubling issue, Ruger explains, is the quickly vanishing role of tort lawsuits as a post-approval regulatory measure. "In very recent years, the Bush administration has dramatically changed the FDA's position on that issue, so that it now takes a hard-line "complete preemption" position, arguing



©Robert Saunders/ThisSpot

that any state lawsuit over a medical device or drug undermines its basic position of authority," he says.

This doctrine of "preemption" has its share of detractors, Ruger included. "Because the FDA's approval and post-marketing competency is now under question, it's a poor time to dispense with this alternative regime of state tort law," he argues.

But Ruger has no plans of squelching classroom debate with his own politics: "I'll certainly share my views with the students, but I'll also require them to make up their own minds and share those views with the class. I hope we'll have real debate from a wide range of perspectives."

FACULTY NEWS AND PUBLICATIONS



MATTHEW ADLER

PROFESSOR OF LAW

During the spring of 2005, Adler presented his paper "Popular Constitutionalism and the Rule of Recognition: Whose Practices Ground U.S. Law?" to a faculty workshop at the Rutgers-Camden Law School, and to a panel on judicial legitimacy at the 22nd World Congress of Philosophy of Law and Social Philosophy in Granada, Spain. He presented "Fear Assessment: Cost-Benefit Analysis and the Pricing of Fear and Anxiety" to the Workshop on Economics and Psychology at the NYU Center for Experimental Social Science. And he presented "Against 'Individual Risk'" to a symposium on Risk and the Law held at Penn.

PUBLICATIONS

"Against 'Individual Risk': A Sympathetic Critique of Risk Assessment," 153 *U. Penn. L. Rev.* 1121 (2005).



REGINA AUSTIN

WILLIAM A. SCHNADER
PROFESSOR OF LAW

Austin organized a Documentaries & the Law Workshop that was held at Fordham Law School. The Workshop was the precursor to the effort to establish a Documentaries & the Law Project here at Penn which will be devoted to (1) promoting the use and analysis of documentaries in the legal academy; (2) exploring the role of lawyering in the creative process of documentary filmmaking; (3) critically examining the myriad forms of legal advocacy on films; and (4) developing model techniques for instructing law students and practicing attorneys in the fundamentals of nonfiction film production.

PUBLICATIONS

"The Shame of It All: Stigma and the Political Disenfranchisement of Formerly Convicted and Incarcerated Persons," 36 *Columbia Human Rights Law Review* 173 (2004)

"Of Predatory Lending and the Democratization of Credit: Preserving the Social Safety Net of Informality in Small-loan Transactions," 53

American University Law Review 1217 (2004).



STEPHEN B. BURBANK

DAVID BERGER PROFES-
SOR FOR THE ADMINIS-
TRATION OF JUSTICE

Burbank gave the keynote address at a University of Arkansas symposium on judicial independence honoring the late Richard Arnold in April 2005. Also in that month he was one of six panelists in a three hour ALI/ABA video program on the Class Action Fairness Act of 2005. In June Burbank discussed his empirical work on summary judgment as part of a panel at the Law and Society meetings in Las Vegas and he presented a paper on judicial independence to Illinois state court judges in Champaign-Urbana. Burbank has also been appointed chair of the Selection Committee for the Berlin Prize Fellowships of the American Academy in Berlin.

PUBLICATIONS

"The Politics of the Federal Judiciary: Tiered Appellate Decision-

making," *Judicature* (July/August 2005).

"Judicial Accountability to the Past, Present and Future: Precedent, Politics, and Power" (forthcoming, *University of Arkansas at Little Rock L. Rev.*)



WILLIAM W. BURKE-WHITE

ASSISTANT PROFESSOR
OF LAW

At the Hague Joint Conference on International Law in the Netherlands in July 2005, he gave a presentation titled "The Interplay Between National, Regional and International Courts." In April, he gave a talk at the American Society of International Law Annual Meeting titled, "Double-Edged Tribunals: The Political Effects of International Legal Institutions." In May he gave a talk at the Center for Middle East Studies in Tehran titled "The Nuclear Dilemma and US Foreign Policy."

Burke-White has also lectured Iranian clerics in a human rights training in Qom, Iran and advised and served as expert witness for

the Government of Argentina in ongoing sovereign debt litigation and arbitration.

PUBLICATIONS

"The Future of International Law is Domestic" (with Anne-Marie Slaughter), *Netherlands Yearbook of International Law* (2005)

"Complementarity in Practice: the International Criminal Court as Part of a System of Multi-Level Global Governance in the Democratic Republic of Congo," 18 *Leiden Journal of International Law* 1-35 (2005).



HOWARD F. CHANG
PROFESSOR OF LAW

Chang presented his paper "Cultural Communities in a Global Labor Market: Immigration Restrictions as Residential Segregation" at a conference on "Fairness and the Political Economy of Globalization" at Tulane University in April 2005 and at the annual meeting of the American Law and Economics Association at New York University in May 2005. He also presented his paper with Hilary Sigman, "Implications of Globalization and Trade for Water Quality in Transboundary

Rivers," at a conference on globalization and trade sponsored by the International Food Policy Research Institute and the Tropical Agricultural Research and Higher Education Center in Turrialba, Costa Rica, in April 2005.

In addition, Chang presented his paper "Environmental Trade Measures, the Shrimp-Turtle Rulings, and the Ordinary Meaning of the Text of the GATT" at a symposium on international law at Chapman University School of Law in February 2005.

PUBLICATIONS

"Immigration Restrictions as Employment Discrimination," in *Cross-Border Human Resources, Labor and Employment Issues: Proceedings of the New York University 54th Annual Conference on Labor 95* (Andrew P. Morriss & Samuel Estreicher eds., Kluwer Law International, 2005).

"Bargaining and the Division of Value in Corporate Reorganization," 8 *Journal of Law, Economics, and Organization* 253 (1992) (with Lucian A. Bebchuk), excerpted in Barry E. Adler, *Foundations of Bankruptcy Law* 203 (Foundation Press, 2005).

"Environmental Trade Measures, the Shrimp-Turtle Rulings, and the Ordinary Meaning of the Text of the GATT," 8 *Chapman Law Review* (forthcoming 2005).

"Immigration and the Workplace: Immigration Restrictions as Employment Discrimination," 78 *Chicago-Kent Law Review* 291 (2003), reprinted in 24 *Immigration and Nationality Law Review* 445 (2003).



JACQUES DELISLE
PROFESSOR OF LAW

DeLisle gave a presentation titled: "China, International Institutions and International Law: Toward Multilateralism?" at the 2005 Trilateral US-China-Japan Conference in Kanazawa, Japan. At the Columbia Law School / Asia Foundation Conference in Honor of Stanley Lubman, he presented a talk titled "Legal Transplants and Economic Reform in China: Evolution and 'Auditioning,' not Revolution or Chaos--A Comment on Assessments of Recent Developments." At the University of Illinois Conference on Asia in a Globalizing World, he presented on "China and the WTO: The Law and Politics of Access, Openness, Reform, Status, and Challenges of the Post-Accession Era." He also gave another presentation, titled "China's Anti-Secession Law, Taiwan's Constitutional Revision and Referenda, and the U.S.'s Taiwan Relations Act: Using

Domestic Law to Address International Status."

PUBLICATIONS

Party Politics and Foreign Policy in East Asia: A Conference Report (Foreign Policy Research Institute, 2005)

Introduction (co-author) in *China Under the Fourth Generation Leadership* (forthcoming 2005)



WILLIAM EWALD
PROFESSOR OF LAW
AND PHILOSOPHY

Ewald spent the spring semester teaching at the Institut d'Etudes Politiques (Sciences-Po) and Paris-1 (Sorbonne) in Paris, as part of the new joint degree program that Penn has just established with those institutions. This summer he is finishing his book on the foundations of American law which is based on a class he teaches in Penn Law's LL.M. program. In addition, he is completing the second volume of his edition of the unpublished manuscripts of the mathematician David Hilbert.

FACULTY NEWS AND PUBLICATIONS



ERIC FELDMAN

ASSISTANT PROFESSOR
OF LAW

Feldman has been conducting research at the Tokyo Central Wholesale Market on the interaction of legal rules and social norms, with particular emphasis on how disputes over the quality of auctioned tuna are resolved. In June, he presented a working paper on that research at the Annual Meeting of the Law and Society Association in Las Vegas.

In addition, he has been examining and writing about the relationship between legal change and culture through a study of Japan's rapidly evolving regulation of smoking since 2000, and analyzing the Japanese debate over medical malpractice and its implications for our understanding of Japanese tort law and society. Feldman spent much of 2004 and 2005 in Tokyo as a guest of Waseda University's Graduate School of Law, and was also a visiting professor at the University of Trento in Italy.

He gave a guest lecture on HIV/AIDS and the Law in a class on AIDS and Bioethics at the University of Pennsylvania, served as an interviewer for the Fulbright program in Tokyo screening Japanese law professors and students interested in studying in the US, and was awarded a Conference Travel Grant by the University of Pennsylvania's Center for East Asian Studies.

PUBLICATIONS

"The Tuna Court: Law and Norms in the World's Premier Fish Market," (forthcoming, *California Law Review*)



DOUGLAS FRENKEL

PRACTICE PROFESSOR
OF LAW AND CLINICAL
DIRECTOR

Frenkel serves as a volunteer ethics advisor to the National Disability Rights Network, a consortium of legal and social service agencies for the disabled. He spoke on "International Clinical Collaborations" at a conference at Catholic University in October 2004, and was a panelist on "Mediating Family Business Disputes,"

a joint program of the Litigation and Dispute Resolution sections at the AALS meeting in January.



SARAH BARRINGER GORDON

PROFESSOR OF LAW
AND HISTORY

Gordon was a visiting professor in 2004-2005 at the University College of London. She also gave a presentation at the Religion Newswriters Association in September of 2004 entitled "The State of Play: Religion, Law and the Constitution." In addition, Gordon gave a presentation titled "The Almighty and the Dollar: Catholics, Protestants, and School Funding at Mid-Century" at a number of institutions including Princeton University, William and Mary Law School, University of North Carolina Law School, and the New York University Legal History Colloquium.

PUBLICATIONS

"Religion and Law, 1790-1920," in *Cambridge History of American Law*, eds. Michael Grossberg & Christopher L. Tomlins (forthcoming, Cambridge University Press)



ROBERT GORMAN

KENNETH W. GEMMILL
PROFESSOR OF LAW,
EMERITUS

Professor Emeritus Gorman has published, along with Matthew Finkin of the University of Illinois College of Law, a second edition of his treatise, *Basic Text on Labor Law: Unionization and Collective Bargaining* (West Pub. Co.). In the summer of 2005, he is publishing annual supplements to his casebooks on *Labor Law* (with Prof. Finkin) and *Copyright* (with Prof. Jane Ginsburg of Columbia Law School), both with Foundation Press. He is planning to publish new editions of both casebooks during the coming academic year. Gorman's article on the jurisprudence of the World Bank Administrative Tribunal -- an international employment court on which he has served for 25 years -- is in the current issue of the *Comparative Labor Law and Policy Journal*. He is also completing a revised edition of his monograph titled "Copyright Law,"

to be published later this year by the Federal Judicial Center.



GEOFFREY HAZARD, JR.

TRUSTEE PROFESSOR OF LAW

Hazard gave lectures at Kansas and UDMercy and participated in CLE programs in Los Angeles and San Francisco. He has been elected to an advisory committee of the National Association of Corporate Directors.



JASON JOHNSTON

ROBERT G. FULLER, JR. PROFESSOR OF LAW AND DIRECTOR, PROGRAM ON LAW AND THE ENVIRONMENT

Since the spring of 2004 (his last update) Johnston has

presented his paper "Signaling Social Responsibility: The Law and Economics of Market Incentives for Corporate Environmental Performance" at the American Law and Economics Association Annual Meetings at Northwestern University, and at the Vanderbilt University Law and Economics Workshop. His forthcoming book chapter, "Tradable Pollution Permits and the Regulatory Game" has been presented to the University of Arizona, Agricultural and Resource Economics Department Colloquium, and to the University of Chicago Law and Economics Workshop.

He presented the forthcoming law review article, "The Return of Bargain: An Economic Theory of Standard Form Contracts and the Negotiation of Business Relationships" at the Penn Law Faculty Retreat and to the University of Arizona Law School Faculty Colloquium. Johnston delivered a presentation entitled "Regulatory Structure and Market Incentives for Clean Technologies: On Optimal Grandfathering" at the 2005 Temple University Law School conference on Environmental Regulation and Intellectual Property. The forthcoming article "The Rule of Capture and the Dynamics of Natural Resource and Environmen-

tal Regulation," was written for and presented at the spring, 2005 Lewis & Clark College, Northwestern University Law School conference "The Rule of Capture and its Consequences."

Johnston's 2004-2005 Seminar on Law and the Environment brought in six speakers on topics related to Regulatory Centralization and Decentralization. He served on the program committee and organized the Administrative and Environmental Law panel for the 2005 American Law and Economics Annual Meeting at NYU Law School, and he continues as an instructor in the Brookings/AEI Judicial Education Program.

PUBLICATIONS

"The Promise and Limits of Voluntary Management-Based Regulatory Reform: An Analysis of EPA's Strategic Goals Program, in *Leveraging the Private Sector*, Coglianese and Nash, eds. (forthcoming, Resources for the Future Press, 2005).

"Tradable Pollution Permits and The Regulatory Game," in *Moving to Markets in Environmental Regulation: Lessons from Twenty Years of Experience*, Freeman and Kolstad, eds. (forthcoming, Oxford University Press, 2005).

"The Return of Bargain: An Economic Theory of Standard Form Contracts and the Negotiation of Business Relationships," *Mich. L. Rev.* (forthcoming, 2006).



MICHAEL KNOLL

ASSOCIATE DEAN, EARLE HEPBURN PROFESSOR OF LAW & PROFESSOR OF REAL ESTATE

Michael Knoll gave a presentation on harmonization of income taxes in the European Union at the annual meeting of the Penn Law European Society in Luxembourg in June.



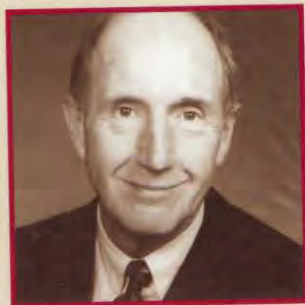
SETH KREIMER

KENNETH W. GEMMILL PROFESSOR OF LAW PUBLICATIONS

"Truth Machines and Consequences: The Light and Dark Sides of 'Accuracy' in Criminal Justice" 60 *N.Y.U. Ann. Surv. Am. L.* 655 (2005)

"Torture Lite, Full-Bodied Torture, and the Insulation of Legal Conscience," *Journal of National Security Law & Policy* (forthcoming 2005)

FACULTY NEWS AND PUBLICATIONS



FRIEDRICH KUBLER
PROFESSOR OF LAW

In June, Kubler lectured for a CLE program on the reform of legal capital in Germany and Europe. From June 28 to July 4 he taught at the Salzburg Seminar on Enlargement and Integration of the European Union.

PUBLICATIONS

Mitbestimmungsfeindlicher Missbrauch der Societas Europaea? in: Damm/Heermann/Veil (eds.), *Festschrift für Thomas Raiser* (2005) 247 ff.

Die Transformation des Europäischen Gesellschaftsrechts, in: Gaitanides/Kadelbach/Iglesias (eds.), *Europa und seine Verfassung* (2005) 559 ff.

Demokratische Justiz? in: Kiesow/Ogorek/Simitis (eds.), *Summa* (2005) 349 ff.

ALAN M. LERNER
PRACTICE PROFESSOR OF LAW

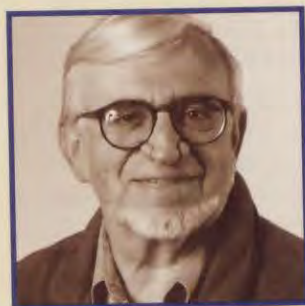
In July 2005, Professor Lerner attended the Second Annual Conference of the International Consortium on Legal Education, held at Yeditepe University, Istanbul, Turkey. Lerner was a panelist on the panel



HOWARD LESNICK
JEFFERSON B. FORDHAM
PROFESSOR OF LAW

Lesnick gave the keynote address at the Penn Journal of Constitutional Law's Symposium on Law and

discussion of the nature of clinical legal education and its importance in the global environment. His paper, "Why the Silk Road to Globalized Legal Education Runs Through the Limbic System" was distributed to the participants. In addition, Professor Lerner led the participants in an exercise designed to demonstrate the importance of deeply held, but pre-conscious, values on legal decision-making and the difficulty of overcoming those value-based decisions in negotiation.



Religion in February. He became a member of the Advisory Board of the newly formed Center for Multifaith Education of Auburn Theological Seminary in New York City.

PUBLICATIONS

"The Consciousness of Religion and Consciousness of Law: Some Implications for Dialogue" *U. Pa. J. Const. L.* (2005)

Moral Education: a Teacher-Centered Approach (with J.F. Goodman) (Longman 2004)



KRISTIN MADISON
ASSISTANT PROFESSOR OF LAW

Madison gave a talk titled "Liability for Failed Negotiations: When Is a Contract to Bargain Breached?" at the Association of American Law Schools' conference on the boundaries of contract law.

PUBLICATIONS

"The Residency Match: Competitive Restraints in an Imperfect World," *42 Hous. L. Rev.* (forthcoming 2005). "ERISA & Liability for Medical Information Provision," *84 N.C. L. Rev.* (forthcoming 2006).



BRUCE H. MANN
LEON MELTZER PROFESSOR OF LAW AND PROFESSOR OF HISTORY

In April 2005 Mann presented a paper on "The Transformation of Law and Economy in Early America" to a faculty workshop at Harvard Law School. In May he received the Harvey Levin Memorial Award for Excellence in Teaching from the graduating class.



CHARLES W. MOONEY, JR.

CHARLES A. HEIMBOLD JR. PROFESSOR OF LAW

Mooney completed his duties as chair of the University of Pennsylvania Faculty Senate in May 2005 and assumed his position as past chair. During academic year 2005-06 he will serve as a

member of the University's Committee on Academic Planning and Budget and Capital Council.

In June 2005 Mooney was a panelist and a moderator at the Association of American Law Schools Conference on Commercial Law in Montreal. He also participated in a panel discussion in Washington, D.C. on the New Uniform Commercial Code and delivered a series of lectures in Japan to the Kyoto University Faculty of Law.

PUBLICATIONS

Security Interests in Personal Property (Foundation Press, 4th ed. forthcoming 2006).

Commercial Law (Foundation Press, 6th ed. forthcoming 2006).



STEPHEN J. MORSE

FERDINAND WAKEMAN HUBBELL PROFESSOR OF LAW; PROFESSOR OF PSYCHOLOGY AND LAW IN PSYCHIATRY

Morse gave a presentation on "The Moral and Legal Implications of Neuroscience" as a Consultant to the President's Council on Bioethics in Washington D.C. last September. The next

month he gave a presentation at the annual meeting of the American Academy of Psychiatry and Law in Scottsdale, Arizona, on "The Relevance of Psychoanalysis to Law."

In November 2004 Morse presented on "Moral and Legal Implications of Brain Science" at the Department of Psychiatry at Penn's School of Medicine's. At the Penn Humanities Forum in February 2005, Morse gave a talk titled "To Sleep, Perchance to Kill." In March he gave a presentation on "Juvenile Responsibility and the New Brain Science" at a conference on "The Mind of a Child" at Ohio State Law School.

In April, Morse presented a paper titled "Genetics, Addiction and Criminal Responsibility" at a Conference at Duke University on the "Impact of Behavioral Genetics on Criminal Law." He also presented a paper titled "Thoroughly Modern: Sir James Fitzjames Stephen on Criminal Responsibility" at Boston University's Editorial Institute's symposium to inaugurate a selected edition of Fitzjames Stephen's work. The inauguration was held at Boston University.

PUBLICATIONS

"The Jurisprudence of Crazyness," F. Parisi and V.L. Smith, Eds., *The Law and Economics of Irrational Behavior* 225-267 (Stanford U. Press, 2005).

"Reason, Results and Criminal Responsibility," 2004 *Illinois Law Review* 363-444

Essay Review of Susan Bandes, Ed., *The Passions of Law* 114 Ethics 601-604 (2004)

"New Neuroscience, Old Problems," B. Garland, Ed. *Neuroscience and the Law: Brain Mind and the Scales of Justice* 157-198 (Dana Press, 2004)

"Legal and Moral Responsibility and the New Neuroscience," J. Illes Ed., *Neuroethics in the 21st Century: Defining the Issues in Theory, Practice and Policy* (Oxford University Press, 2005, forthcoming)



STEPHEN R. PERRY

JOHN J. O'BRIEN PROFESSOR OF LAW & PROFESSOR OF PHILOSOPHY; DIRECTOR, INSTITUTE FOR LAW AND PHILOSOPHY

In January 2005 Perry presented a lecture on "Law and Obligation" at the University of Notre Dame Law School. In March he participated in a symposium on "Risk and the Law" at Penn Law. Also in March, he presented a paper on "Associate Obligations and the Obligation to Obey the Law" at the Oxford Jurisprudence Discussion Group at Oxford University.

In May and June, Perry was a visiting fellow at the European University Institute

in Florence, Italy, and in June he was a speaker at a conference on "The Theory of the Norm" held at the University of Louvain in Brussels.

PUBLICATIONS

"Associate Obligations and the Obligation to Obey the Law" *Exploring Law's Empire* Scott Hershowitz, ed. (Oxford University Press, forthcoming 2005).



NATHANIEL PERSILY

PROFESSOR OF LAW

Persily presented papers at the Russell Sage Foundation, the Campaign Legal Center, and Yale and University of Southern California Law Schools on redistricting, the initiative process, and the reauthorization of the Voting Rights Act. He also presented two papers at the Annual Meeting of the American Political Science Association in Washington, DC: one on the initiative process and another on public opinion and gay marriage. In addition, he appeared on MSNBC and participated in a panel discussion at Penn Law concerning the Terry Schiavo case.

FACULTY NEWS AND PUBLICATIONS

This past spring Persily was awarded the Robert A. Gorman Award for excellence in teaching and the faculty voted to grant him tenure.

PUBLICATIONS

"When Judges Carve Democracies: A Primer on Court-Drawn Redistricting Plans," *George Washington University Law Review* (forthcoming 2005).

"Regulating Democracy through Democracy: The Use of Direct Legislation in Election Law Reform" *Southern California Law Review* (forthcoming 2005) (with Melissa Cully Anderson).

"The Law of American Party Finance" in Keith Ewing & Samuel Issacharoff *Party Funding and Campaign Financing in Comparative Perspective* (Hart, forthcoming 2006).

"Forty Years in the Political Thicket: Evaluating Judicial Oversight of Redistricting Since Reynolds v. Sims" in Thomas Mann & Bruce E. Cain eds., *Party Lines: Competition, Partisanship, and Congressional Redistricting* (Brookings Institution Press, forthcoming 2006).



EDWARD B. ROCK

SAUL A. FOX DISTINGUISHED PROFESSOR OF BUSINESS LAW, CO-DIRECTOR, INSTITUTE OF LAW AND ECONOMICS

During Spring 2005, Rock presented papers at the

Indian Institute of Management, Bangalore, India, at the Indian School of Business in Hyderabad, at the UCLA-Sloan Foundation Conference on the Means and Ends of Corporations, at the Kloster Irsee conference on "Interacting with a Corporate Actor" organized by the Max Planck Institute for Research on Collective Goods and at Bar Ilan University in Tel Aviv.



PAUL H. ROBINSON

COLIN S. DIVER DISTINGUISHED PROFESSOR OF LAW

In January of 2005, Robinson gave the Provost's Lecture at University of Pennsylvania, and in April he gave the annual Albert M. Greenfield Lecture on Human Relations at the University of Pennsylvania Department of Criminology.

Robinson continues to serve as director of the Maldives Criminal Justice Reform Project, sponsored by the United Nations.

PUBLICATIONS

Law Without Justice: Why Criminal Law Doesn't Give People What They Deserve (with

Michael Cahill) (Oxford University Press, forthcoming 2005)



KERMIT ROOSEVELT

ASSISTANT PROFESSOR OF LAW

PUBLICATIONS

In the Shadow of the Law, a novel (Farrar, Straus, and Giroux).

"Constitutional Calcification," in the *Virginia Law Review* (forthcoming 2005).

"Resolving Renvoi: The Bewitchment of our Intelligence by Means of Language," 80 *Notre Dame L. Rev.* 1821 (2005)

"Guantanamo and the Conflict of Laws: Rasul and Beyond," 153 *U. Pa. L. Rev.* 2017 (2005).



DAVID RUDOVSKY

SENIOR FELLOW

Rudovsky was appointed to the Pennsylvania Assessment Team of the ABA Death Penalty Moratorium Project.

PUBLICATIONS

"The Law of Search, Seizure and Arrest in Pennsylvania," (3rd edition)

Book Review of "Thinking About Crime," by Michael Tonry, *Judicature*, (2005)



LOUIS S. RULLI

PRACTICE PROFESSOR OF LAW

In March 2005, Rulli was a faculty presenter at the Sparer Conference devoted to Drug Policy Reform. He spoke on the collateral consequences of current drug policy with regard to civil forfeiture and public housing evictions. Also in March, Rulli served as the planner and facilitator of the statewide retreat of the Pennsylvania IOLTA Board where he discussed the history and status of constitutional challenges to IOLTA.

In June, Rulli was the keynote speaker at the annual Summer Associates Day in Philadelphia held at the Philadelphia Bar Education Center. Later that month Rulli delivered congratulatory remarks at the 30th anniversary celebration of the

Education Law Center held at Montgomery, McCracken, Walker & Rhoads.

PUBLICATIONS

"Unfinished Business: The Fading Promise of ADA Enforcement in the Federal Courts Under Title I and its Impact on the Poor," (co-authored with Jason Leckerman, '01), 8 *J. Gender, Race & Just.* 595 (2005).



CHRIS SANCHIRICO

PROFESSOR OF LAW,
BUSINESS & PUBLIC
POLICY

PUBLICATIONS

"Detection Avoidance" (unpublished manuscript, University of Pennsylvania Law School, July 2005)

"Harnessing Adversarial Process: Proof Burdens, Affirmative Defenses, and the Complementarity Principle" (U. PA., Inst. L. & Econ. Res. Paper Series, No. 05-01, 2005)

"Evidence, Procedure, and the Upside of Cognitive Error," 57 *Stanford Law Review* 291 (2004)

"Evidence Tampering," 53 *Duke L. J.* 1215 (2004)

"Should Plaintiffs Win What Defendants Lose? Litigation Stakes, Litigation Effort, and the Benefits of Decoupling," 33 *J. Legal Stud.* 323 (with A. Choi) (2004)

"Collusion and Price Rigidity," 71 *Rev. Econ. Stud.* 317 (with S.

Athey & K. Bagwell) (2004)

"General and Specific Legal Rules," in *J. Inst. & Theor. Econ.* (with P. Mahoney) (2004)

"Big Field, Small Potatoes: An Empirical Assessment of EPA's Self-Audit Policy," 23 *J. Pol'y Analysis & Mgmt.* 415 (with A. Pfaff) (2004)

"Evidence Arbitrage: The Fabrication of Evidence and the Verifiability of Contract Performance" (U. Pa., Inst. L. & Econ. Res. Paper Series, No. 04-10, 2004) (with G. Triantis)

"Norms, Repeated Games, and the Role of Law," 91 *Cal. L. Rev.* 1281 (with P. Mahoney) (2003)



DINA SCHLOSSBERG

PRACTICE ASSOCIATE
PROFESSOR OF LAW

In February 2005, Schlossberg presented to a group of entrepreneurs on "Legal Issues Involved in Starting A Company," sponsored by the Philadelphia Development Partnership and held at the office of the Small Business Administration in Philadelphia. In March, she presented the talk again at a conference sponsored by the Chester Micro-Enterprise Partnership in Chester, PA. In April she gave a talk on "Nonprofit

and Tax Exempt 501(c) (3) Organizations" at an event sponsored by the University of Pennsylvania Center for Community Partnerships. She also facilitated a large group discussion entitled "Expanding our Impact," and served on the conference planning committee of the Fourth Annual Conference of Law School Small Business/Transactional Law Clinic Educators in Kansas City, Missouri, Schlossberg also served as a visiting faculty member in the Temple University School of Law Summer Rome Program. She taught a course called "Introduction to International Business Law."



DAVID ARTHUR SKEEL

S. SAMUEL ARSHT
PROFESSOR OF
CORPORATE LAW

In February 2005, Skeel presented a paper with co-author Bill Stuntz titled *Christianity and the (Modest) Rule of Law* at the Penn Journal of Constitutional Law Symposium on Law and Religion. In March he

was a commentator on an article by Lucian Bebchuk at a *Finance Dinner* hosted by the Institute of Law and Economics and Wharton School of Business.

At the Good Governance Conference in Amsterdam last April, Skeel gave a presentation titled *Icarus in the Boardroom*. Also in April, he participated in a panel discussion on *Business Ethics* at the Chartered Property/Casualty Underwriters Breakfast in Philadelphia. In May, he moderated a lunch panel on *Claims Trading* at the Wharton Conference on *Financial Distress, Bankruptcy and Corporate Restructuring*. Later in May he gave a talk titled *Faith, Morals and Law* with Harvard Law professor Bill Stuntz at Fordham Law School. He also attended the University of Delaware Roundtable on *Poison Pills* and participated in a panel discussion organized by Charles Elson at the University of Delaware, John L. Weinberg Center for Corporate Governance.

At the New School Panel on Corporate Corruption in June, Skeel's book, *Icarus in the Boardroom*, was the focus of a panel discussion, and he was the lead speaker. At the NASD Conference on the Sarbanes-Oxley Act later that month, he gave a talk on the background and key provi-

FACULTY NEWS AND PUBLICATIONS

sions of the recent corporate responsibility reforms.

PUBLICATIONS

The Racial Dimensions of Credit and Bankruptcy, 61 Wash & Lee L. Rev. 1695 (2005).

Redesigning the Lender of Last Resort, 6 Chicago Journal of International Law 177 (2005).



CATHERINE T. STRUVE

PROFESSOR OF LAW

Struve is serving as co-reporter for the Third Circuit Task Force on Model Jury Instructions in Civil Cases. She is also a member of the Pennsylvania Bar Association's Plain English Committee, which is considering proposed revisions to model jury instructions for civil claims under Pennsylvania law. Struve's work on medical malpractice litigation reforms

was discussed at length in a chapter of the March 2005 Report of the Advisory Committee on Medical Professional Liability to the Pennsylvania Joint State Government Commission.

PUBLICATIONS

"Expertise and the Legal Process", *Medical Malpractice and the U.S. Healthcare System: New Century, Different Issues* (William M. Sage & Rogan Kersh eds., Cambridge Univ. Press, forthcoming 2005).

"The FDA and the Tort System: Postmarketing Surveillance, Compensation, and the Role of Litigation," 5 *Yale J. Health Policy, L. & Ethics* xxx (forthcoming summer 2005).

MICHAEL L. WACHTER

WILLIAM B. JOHNSON PROFESSOR OF LAW AND ECONOMICS, CO-DIRECTOR, INST. FOR LAW AND ECONOMICS

PUBLICATIONS

"Theories of the Employment Relationship: Choosing between Norms and Contracts," *Theoretical Perspectives on Work and the Employment Relationship*, B.E. Kaufman, ed., Cornell University Press, 2004



"Corporate Policy and the Coherence of Delaware Takeover Law," 152 *University of Pennsylvania Law Review* 523 (December 2003) (with Richard Kihlstrom)



R. POLK WAGNER PROFESSOR OF LAW

Wagner has created The Claim Construction Project (www.claimconstruction.com), a database-driven set of web-based resources relating to the jurisprudence of patent litigation.

In October 2004 he presented a paper titled "Measuring Decision Making

at the Federal Circuit" at the American Intellectual Property Law Association Annual Meeting. That month he also gave a talk titled "Patent Portfolios" at the University of California, Berkeley. In February 2005, Wagner gave a presentation at the Association of Corporate Patent Counsel's Winter Meeting in Miami, Florida. The talk was titled "Is the Federal Circuit Succeeding? An Empirical Assessment of Judicial Performance." In April he presented a talk titled "The Perfect Storm: Intellectual Property and Public Values" at Fordham Law School's Information Society Conference in New York.

PUBLICATIONS

"On Software Regulation," 78 *S. Cal L. Rev.* 457 (2005)

"Of Patents and Path Dependency: A Comment on Burk & Lemley," 18 *Berkeley Tech. L. J.* 1341 (2004)

"Amicus Brief of Patent Law Professors, in *Phillips v. AWH Corp.* No. 03-1269 (Fed. Cir. 2004) (en. banc.)

"Exactly Backwards: Exceptionalism and the Federal Circuit," 54 *Case W. L. Rev.* 749 (2004)

A new section on the Law School website now highlights faculty research.

To view ongoing and published research, go to the faculty section and click on research, or type www.law.upenn.edu/cf/faculty/research into your browser. Viewers can sort by faculty name or topic.

PHILANTHROPY

TRACY ANBINDER BARON L'95 and her husband Robert A. Baron have established the Anbinder Baron Endowed Public Interest Scholarship. The scholarship will award financial support to Penn Law students who demonstrate commitment to public service.

Ms. Baron is a Resource Attorney in the Knowledge Management Department of Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York, where she oversees the Litigation Department's knowledge management initiatives by identifying and organizing the department's key knowledge, expertise and intellectual assets into electronically accessible form. Prior to this position, she was an associate in the Litigation Department at Paul, Weiss for seven years. Ms. Baron is a Trustee of the Anbinder Family Foundation.

Robert Baron is a Vice President of the First Marblehead Corporation and serves on the Board of Directors of Groundwork Yonkers, a local non-profit environmental and community development organization.

ROBERT L. FRIEDMAN L'67, a senior managing director of The Blackstone Group, has made a leadership gift to



the Institute of Law and Economics and to Annual Giving. Friedman, Blackstone's chief administrative officer and chief legal officer, is an expert in mergers and acquisitions and private equity matters. Previously, Friedman was a partner at Simpson Thacher & Bartlett

for 25 years. He was a senior member of the firm's mergers and acquisitions practice.

Friedman serves as director of Axis Capital Holdings Limited, Houghton Mifflin Holdings, Inc., Northwest Airlines, Inc., and TRW Automotive Holdings Corporation. He also serves as chairman of the board of advisors of the Institute of Law and Economics at Penn Law School, as a member of the board of visitors of Columbia College, and as a trustee of Chess-in-the-Schools and New Alternatives for Children, two charitable organizations with programs for disadvantaged youth in New York City.

JOSEPH FRUMKIN L'85 has made a large gift to Penn Law's general endowment. Frumkin is a partner in Sullivan



& Cromwell's Mergers & Acquisitions Group. He joined Sullivan & Cromwell in 1985 and has been a partner since 1994. He has also been an M&A investment banker and, prior to law school, an aide to the late U.S. Senator John Heinz. At Sullivan & Cromwell, Frumkin has represented

purchasers and sellers in dozens of negotiated and hostile transactions, incumbent boards in proxy contests, and special committees and investment banking firms on a wide variety of business combination transactions. He has also handled corporate and securities matters including registered public offerings, private placements, utility holding company, investment company and served as an investment advisor.

PHILANTHROPY

STEPHEN M. GOODMAN W'62 L'65 has made a substantial gift to support scholarships and Annual Giving at Penn Law.



Goodman is a partner at Morgan Lewis, LLP, where he co-chairs the Global Technology Practice. Goodman represents emerging growth companies in the technology and life sciences sectors. He has counseled start-up companies including CDnow, VerticalNet, ICG Commerce, Zany

Brainy, Excellerx, and AAnet.com.

Goodman was editor-in-chief of the *University of Pennsylvania Law Review* and graduated magna cum laude. He served as a law clerk first to David L. Bazelon, Chief Judge of the US Court of Appeals for the DC Circuit, and later for Supreme Court Justice William J. Brennan Jr. Goodman went on to become an adjunct professor at several law schools including Penn Law. Before joining Morgan Lewis, he was a senior partner at Wolf Block, Schorr & Solis-Cohen. Goodman was listed three years in *Chambers USA: America's Leading Lawyers for Business*.

THE STANLEY AND NANCY GROSSMAN FAMILY FOUNDATION has made a major gift to the Penn Law Public Interest



Loan Repayment Assistance Program. The Grossman family has had a long relationship with the University of Pennsylvania. Judd Grossman is a graduate of the Law School's

class of 2004, and the College in 2000. He is currently clerking for Judge Jerome B. Simandle, U.S. District Judge for the District of New Jersey. Jillian Grossman Hirsch is a 1997 graduate of the College, and is an attorney in the Boston office of Day, Berry & Howard LLP. Nancy Jacobs Grossman is a 1967 graduate of the College for Women, and is Director of Student Life at the Fashion Institute of Technology in New York. Nancy's father, the late Justice Nathan L. Jacobs of the New Jersey Supreme Court, was a graduate of Wharton in 1925. Stanley M. Grossman is the senior partner of Pomerantz Haudek Block Grossman & Gross LLP, one of the premier law firms in the areas of corporate and securities class action litigation. He is currently a director of the Appleseed Foundation and the Lincoln Center Institute for the Arts and Education. In 1999, he was appointed

A WINNING GIFT FOR YOU AND PENN LAW!

It has never been easier to provide for the financial security of you and your loved ones while also supporting Penn Law and its future.

Your gift of appreciated stock or cash can provide you with:

- **Payments for life, a portion of which may be tax-free**
- **Guaranteed, fixed income at a high rate (up to 9.5% depending upon your age)**
- **A current income tax deduction for a portion of your gift**
- **Security in the knowledge you are supporting Penn Law**

For more information contact the Penn Law Office of Gift Planning at 800.223.8236.

by the Association of the Bar of the City of New York to chair a special Blue Ribbon Commission on the future of the City University of New York.

The Grossman Family Foundation gift will be used to help retire law school debt of Penn graduates who pursue public interest careers committed to bringing justice to low income individuals, families and communities.

RICHARD C. PEPPERMAN II L'90 has given generously to the Law School's general endowment. Pepperman is a deputy



managing partner of Sullivan and Cromwell's litigation group and a partner at the firm since January 1999. Pepperman clerked for Judge Edwards R. Becker of the U.S. Court of Appeals for the Third Circuit and later Chief Justice William H. Rehnquist of the U.S. Supreme Court,

working as a litigation associate at Sullivan Cromwell between the two clerkships.

Pepperman has represented high-profile clients in antitrust, intellectual property and security cases brought by the Federal Trade Commission and the U.S. Department of Justice. Among those clients are Cablevision Systems Corporation, Bankers Trust Company, Morgan Stanley & Co., MBNA America Bank, N.A., and the Microsoft Corporation, whom he served as a trial lawyer, from 1998 to 2002, in a famous antitrust action brought the federal government.

LAWRENCE J. ROTHENBERG L'65 has generously contributed to Penn Law in support of scholarship aid and Annual Giving. Rothenberg has been with Proskauer Rose LLP since 1965, handling the planning and administration of large and famous estates including those of Leonard Bernstein, George Balanchine, and most recently, Keith Haring. He also represents several charitable institutions in connection with trust and estate matters, including Mt. Sinai Medical Center, and serves as counsel to several large private foundations.

Active in the community, Rothenberg serves on the board of the Make-A-Wish Foundation of Metro New York, and recently



served as chairperson of the Professional Advisors Council of Lincoln Center for the Performing Arts. He graduated cum laude from the Law School, where he was an editor of the *University of Pennsylvania Law Review* and a member of the Order of the Coif.

KEN WILLIG GR'75, L'80 and his wife, **ROSETTE WILLIG GR' 78**, have made a large gift to Annual Giving.



Willig is the joint global practice group leader of the commercial group of DLA Piper Rudnick Gray Cary, the second largest law firm in the

world. He focuses his practices in international and domestic structured and project finance. In addition to his work for developers and other project participants in independent power, telecommunications, water, wastewater and other projects, Willig has extensive experience with the acquisition of equity interests and the placement of debt. He has also acted as a government advisor to various privatization programs. At Penn Law, Willig taught an administrative law seminar and was an editor of the *Law Review*. He has remained an active alumnus and currently serves on the Advisory Board of the *Journal of International Economic Law*.

ALUMNI BRIEFS

Q+A

BARRON'S NAMES TOLL A BARON OF THE HOUSING INDUSTRY AND TOP CEO

Luxury home builder Robert Toll is a maverick, an iconoclast, and a cautious optimist with an uncanny knack for exceeding expectations. He rides and bucks, when necessary, market trends. In the process he's captured the triple crown of building awards – leading the only publicly traded home building company to do so – and rewarded shareholders with extraordinary returns on investment. How's a rise in earnings per share over the past 15 years from 8 cents to \$2.50+?

But last March Toll, chairman and chief executive officer of Toll Brothers, Inc., capped his career with an honor to end all honors: Barron's named him one of the top 30 CEOs in the world, alongside Warren Buffett, Steve Jobs and Jeffrey Immelt.

Barron's crowned Toll the "undisputed king of high-end housing" and praised him for his perseverance and independent streak. "Two years ago, many investors were urging him to buy back stock. Toll resisted, deciding, correctly, that the company could earn better returns buying land and building homes."

Toll, who started the company in 1967, is now the nation's largest builder of luxury homes, with stakes in twenty states. He likes nothing more than to build 3,000 to 4,000 square foot castles with custom kitchens, marble foyers, vaulted ceilings, spacious master suites, and pools on wooded lots and in gated communities that go for half a million and up. He is also building urban high rise towers on the Hudson River; luxury condos in downtown Philadelphia; 3,000 home country club communities with Arnold Palmer Championship golf courses and active-adult



lifestyle communities for affluent retirees and pre-retirees.

At 64, Toll remains in control of the company he built. These days, however, he often conducts business far from his Horscham, Pennsylvania headquarters – which leaves ample time for other pursuits, such as checking up on the conflict resolution camp, "Seeds of Peace," he purchased for children from other cultures. On this day he spoke to us from his lakeside getaway in Maine, down the road from the camp.

Q: What's it like to be considered one of the top CEOs in the world?

A: Everybody was pumped in the office. It's mostly a reflection on them and not on me. (However), it's nice to be recognized. Like Rodney Dangerfield, as an industry home building companies don't get a lot of respect from the financial markets. Traditionally, homebuilding companies sell at 1/2 to 1/3 of what the multiple should be.

Q: Do you believe that the housing market will continue to be hot?

A: I don't see any reason for it not to continue to be a good market. The doomsayers are predicting that there will be an implosion that will come from the recognition that the market is just floating on air and not sustainable and that it's going to wreak havoc on the



As another luxury home goes up, Robert Toll, chairman and chief executive officer of Toll Brothers, Inc., is on site to survey its progress.

economy. I think that's a lot of bull. I think housing price escalation will continue. It won't be as fast as it's been in some markets but it's not going to be as slow as it was. The creation of wealth has been phenomenal. Families making \$100,000 or more have grown six times faster than the general population. The population has grown by 80 million in the last 30 years. (Yet) we're building fewer homes on average this decade than we did in the 1970s. So with this tremendous growth in population, tremendous growth in wealth and slackening supply, you get a great imbalance, and when supply dwindles and demand grows what gives is price.

Q: What does buying an expensive house signify to people?

A: Good times and satisfaction, a confirmation to themselves of what they've accomplished. It's the same as any luxury good. What does it mean to somebody who buys a piece of jewelry or a piece of silverware or a fancy car? You don't need any of this. It's just self-recognition.

Q: Is the eastern corridor running out of room to build?

A: No. All you have to do is take a trip in the densest state in the nation: New Jersey. Just take I-80 and I-78 – highways that cut across northern and central New Jersey. As soon as you go twenty minutes you'll see nothing but farms.

Q: What's your idea of a dream home?

A: I like the old style. I grew up in the suburbs of Philadelphia and I like a Pennsylvania farmhouse.

- LARRY TEITELBAUM

Tai Terry L'80 Becomes New LAS President

IT'S ONE of Tai Terry's mantras: The more successful an alum's career, the more he or she owes to the alma mater that made such success possible. This belief in reciprocity might explain why Terry's own career has been matched with her sustained commitment to Penn Law. Terry's new appointment as president of the Law Alumni Society reflects her longstanding dedication to repaying the school that has made it possible for her to become a corporate transactions lawyer.

And Terry certainly has successes to repay. As an assistant general counsel of Time Warner Inc. in New York, she has been involved in many areas of Time Warner's legal practice, including mergers with Turner and AOL. Currently, she concentrates on information technology and corporate finance transactions and has helped to finance films such as "Eyes Wide Shut," the Batman movies and the Harry Potter series.

As part of her IT practice, Terry was appointed by the Secretary of Commerce and the United States Trade Representative to the Department of Commerce's Advisory Committee on Electronic Commerce for Trade Policy Matters.

Terry began her career in M&A and corporate finance transactions at Shearman & Sterling LLP, before serving several years as a vice president and division counsel of Citigroup.

Terry is quick to point out that her education at Penn Law, and in turn her lifelong success as a lawyer, was made possible by a generous law school scholarship. Her sense of gratitude has been one of her motives in working to give back to the school.

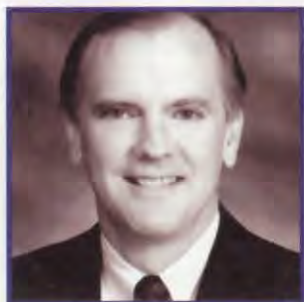
One of her tactics for repaying that debt has been working to reintegrate well-connected alumni like herself into the school's activities. "The stronger the alumni network, the better off the law school is and the students are, not only in terms of their job searches, but also in terms of networking and general support once they've graduated, and as they continue in their careers," she said.

To that end, Terry has long been involved with the school's development — as an alumni fundraiser, a reunion co-chair, and formerly as first vice president of the Law Alumni Society.

She also serves as a trustee of the Spence School, a private K-12 girls' school in New York City and on the board of directors of the Parent-Child Home Program, a national literacy and parenting program benefiting educationally challenged, low income families.

"Because of my interest in the not-for-profit sector, I hope that we [the LAS] can explore ways to better assist students who are interested in careers in the not-for-profit or public sectors," she said.

ALUMNI BRIEFS



JAMES J. SANDMAN, L'76 has been elected president of the 81,000-member District of Columbia Bar, one of the largest such groups in the country. Sandman, managing partner of Arnold & Porter LLP for the last 10 years, will serve for one year as president-elect before assuming the title of president. As president of the Bar, which was created by the District of Columbia Court of Appeals, Sandman will serve as chair of the board of governors and oversee all standing and special committees. Previously, Sandman served as a member of the Bar's board of governors, and has been the chair of the Multijurisdictional Practice and Screening Committees. He has also been a member of the board of directors and secretary of the Neighborhood Legal Services Program.

In addition, Sandman serves on the board of the Whitman-Walker Clinic and co-chairs the clinic's annual fundraiser for its pro bono legal services program. He is a member of the Georgetown University Law Center's Law Firm Pro Bono Project Advisory Committee and serves on the boards of the NALP Foundation, the Washington Performing Arts Society, and Wilkes University, as well on the University of Pennsylvania Law School's Board of Overseers.

Sandman handles product liability cases at Arnold & Porter.

1960s



FREDERICK COHEN

L'60, a leading matrimonial lawyer, was selected to serve on the faculty on three Pennsylvania Bar Institute programs this spring: "Arbitration of Family Law Cases," "Establishing Earning Capacity with Expert CPAs," and "PA Divorce Code – Yesterday, Today and Tomorrow." Cohen works for Obermayer, Rebmann, Maxwell & Hippel LLP.

ANDREW B. CANTOR

L'64, a municipal law attorney at Wisler Pearlstone Talone Craig



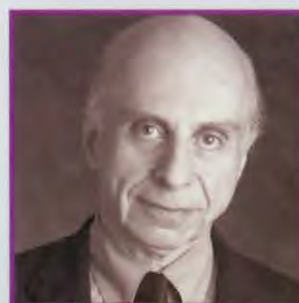
Garrity & Potash LLP, was recently awarded the Montgomery Bar Association Henry Stuckart Miller Public Service Award. The annual award is given in appreciation of an attorney's devotion and service to the Montgomery County community. Cantor is a 20-year member of the Montgomery Hospital Board of Directors, and has served on the Montgomery County Community College Board of Trustees since 1998. In addition to municipal law, he concentrates his practice in assessment appeals and litigation.

ROBERT FIEBACH L'64

has been elected to the Public Interest Law Center of Philadelphia's board of directors, where he will be engaged in provid-



ing pro bono litigation assistance. Fiebach concentrates his practice in business litigation at Cozen O'Connor's Philadelphia office, and is chair of four of the firm's practice groups.



ALAN REISCHE L'65, a

director of the law firm Sheehan Phinney Bass & Green PA, was recently re-elected Vice Chair of the New Hampshire Workforce Opportunity Council, Inc., and a member of its Executive Com-

mittee. He has been a member of the Council since its formation in 1997. Reische's practice is focused on transactional matters: business acquisitions and mergers; planning for next-generation internal ownership transfers; and debt and equity financings from institutional and non-institutional sources.

CASWELL O. HOBBS

L'66 has received the Federal Trade Commission's Miles W. Kirkpatrick Award for his outstanding contributions to the Commission in the public and private sectors. Hobbs held various positions within the FTC from 1967 to 1973. He was the attorney advisor and assistant to former FTC Chairman Miles W. Kirkpatrick and was the director of the Office of Policy Planning and Evaluation. Hobbs is now principal in the management and regulatory consulting firm of Potomac River Associates in Washington, D.C.

STEPHANIE W. NAIDOFF L'66 was named to the board of directors of Innovation Philadelphia, a nonprofit economic development organization. Naidoff is the Director of Commerce for the City of Philadelphia.

STEPHEN J. CABOT L'67 has started a consulting firm called The Cabot Institute for Labor Relations in Plymouth Meeting, Pennsylvania. Cabot was previously co-chairman of Saul Ewing LLP in Philadelphia.

WILLIAM V. STRAUSS, L'67, president of the Greater Cincinnati law firm Strauss & Troy, has been elected to the board of trustees of Downtown Cincinnati, Inc. DCI is a private, nonprofit organization that is dedicated to the revitalization of Cincinnati's city center.

LAWRENCE FOX L'68 was selected to receive the American Bar Association's 2005 *Pro Bono Publico* award. The national award recognizes individuals who have made extraordinary contributions to the delivery of legal services for those who cannot afford representation. The award is widely recognized as the highest honor for lifetime achievement in pro bono service. Fox has served as chair of the American Bar Association Death Penalty Representation Project, chairman of the ABA Standing Committee on Ethics and Professional Responsibility in 1996-97, and chair of the Section of Litigation.

EARL FRANKLIN L'68 was awarded the Bracebridge H. Young Distinguished Service Award, the highest honor of the Society of Corporate Secretaries & Governance Professionals. Only 14 others have received the award in the Society's 59 year history. The award reflects Franklin's 16 years of service to the Society, serving on a number of panels, committees, the board of directors and as the Society's national secretary. He also served as president of the Society's Ohio chapter.

MURRAY GREENBERG C'65, L'68 has been appointed County Attorney for Miami-Dade County. For the past 25 years he has served as first assistant county attorney. Additionally, he is on the adjunct faculty at the Law Schools of the University of Miami, Florida International University, and St. Thomas University, teaching Election Law, State and Local Government, and State and Local Taxation.



ANDREW J. SCHWARTZMAN C'68, L'71 has been named by *Scientific American* magazine as one of the "Scientific American 50" of 2004, the magazine's prestigious list recognizing outstanding acts of leadership in science

and technology. Schwartzman is the CEO and President of Media Access Project, a nonprofit, public interest telecommunications law firm. With Media Access Project, Schwartzman fought the FCC's proposal to scale back restrictions on the market share limits by a single corporation in broadcast and print media.

SANDRA SHERMAN L'71 has left her position as professor of British Literature at the University of Arkansas to become an account executive at Ripp Media in New York. Sherman will handle public relations for major national and international law firms.

DAAN BRAVEMAN L'72 has been appointed president of Nazareth College, a non-sectarian liberal arts college in Rochester, N.Y. He had formerly served eight years as dean of Syracuse University College of Law.

ROBERT C. HEIM W'64, L'72, a partner with Dechert LLP, was appointed to the board of directors of the Free Library of Philadelphia. Heim is chair of the Litigation Department and a member of the Commercial Litigation group at Dechert. His practice involves a broad range of class action and other complex litigation and includes antitrust/competition, securities, mass torts and product liability. Heim was recently awarded the Burton Award for Achievement in Legal Writing for his article

entitled "Killer Class Actions Your Company Can Win," originally published in *Executive Counsel* magazine in July.

KENNETH E. AARON W 70, L'73 has been reappointed to his fifth three-year term as a member of the Lower Merion Zoning Hearing Board, which hears applications for variances, special exceptions and appeals. Aaron was also a featured speaker at a seminar in May entitled "Solving Real Estate Title Problems in Delaware," which focused on title issues in bankruptcy. He is a partner at Weir & Partners LLP, focusing on creditors' rights and bankruptcy

STEPHEN MADVA L'73 was named to the board of directors of the World Affairs Council of Philadelphia. Madva is chairman and partner at Montgomery, McCracken, Walker and Rhoads LLP.

JOSEPH E. MURPHY L'73 was recently honored at the first annual International Compliance Professionals Black Tie Awards Dinner. Murphy is the vice chairman of Integrity Interactive, a company that provides web-based solutions to help corporations ensure their employees act ethically and legally and comply with company policy. His law practice, Joseph E. Murphy, P.C., is based in Haddonfield, New Jersey.

ALUMNI BRIEFS

MICHAEL BROWNE L'74

has been named to the board of directors of the Insurance Federation of Pennsylvania, Inc. Browne is President and CEO of Harleysville Group Inc. and Harleysville Mutual.

IAN COMISKY W'71, L'74

participated last June in a seminar sponsored by the Defense Research Institute entitled "What Now? Sentencing Issues for Corporate American Post-Booker." Comisky discussed the implications of the Supreme Court's Sixth Amendment sentencing decision, *United States v. Booker*. Comisky is a partner at Blank Rome, where, for the past 25 years, he has concentrated his practice in the areas of white collar criminal defense, tax litigation and complex corporate and commercial litigation.

CARRIE MENKEL-MEADOW L'74

has been elected to the newly established A.B. Chettle, Jr. Chair in Dispute Resolution and Civil Procedure at Georgetown Law School. Menkel-Meadows is also the director of the Hewlett-Georgetown Program in Conflict Resolution and Legal Problem Solving and chair of the Center for Public Resources- Georgetown Commission on Ethics and Standards in Alternative Dispute Resolution. In April, she delivered the 13th Edward Shils lecture at Penn Law School on "What's Fair in Love and War: Ethics for Negotiators, Mediators and Arbitrators." She

also just published a new text, *Dispute Resolution: Beyond the Adversarial Model*. (Aspen, 2005)

JEAN A. MUSIKER L'74

has been elected a Fellow of The College of Labor and Employment Lawyers. She chairs the Employment Law Group at Sugarman Rogers Barshak & Cohen. Musiker practices employment law, ranging from discrimination and wrongful death to employee benefit matters. In addition, she was named in *Boston Magazine* as one of the "Top 50 Female Massachusetts Super Lawyers."

MARK A. KADZIELSKI L'76

was named to the American Health Lawyers Association's inaugural class of Fellows, an honor awarded to only 4 lawyers in California and 40 attorneys nationwide. Fellows, who must practice law for at least 15 years to be considered, are recognized for their extensive professional and leadership contributions. Kadzielski is partner-in-charge of Fulbright & Jaworski, LLP. Kadzielski's practice focuses on the representation of hospitals, medical staffs, managed care enterprises, institutional and individual health care providers. Previously, he was selected as a Southern California "Super Lawyer" in *Health Law* for 2004 and 2005.

CURTIS E.A. KARNOW L'77

has been appointed by California Governor Arnold Schwarzenegger to a judgeship in San Francisco City and County Superior Court.

Karnow was formerly a partner at the San Francisco office of Sonnenschein Nath & Rosenthal LLP, where he specialized in intellectual property litigation and technology law, including information technology issues and complex commercial, anti-trust and class-action litigation. He represented Yahoo! Inc., Charles Schwab Corporation, Cisco Systems, as well as Sun Microsystems in their landmark anti-trust case against Microsoft, which resulted in one of the largest antitrust recoveries in history.

ROBERT D. LANE, JR. L'77

has been appointed president of the Philadelphia Bar Foundation, the charitable arm of the Philadelphia Bar Association. Lane is a senior partner in the Real Estate Practice Group and former Real Estate Practice Group Leader at Morgan, Lewis & Bockius LLP. Lane has served as president of Central Philadelphia Development Corporation's Board of Directors since 2001.

DR. ANDRZEJ M. SWIATKOWSKI L'77

has been elected vice president of the Committee of Social Rights of the Council of Europe in Strasbourg.

FREDERICK D. AUGENSTERN L'78 was named co-chair of the Clean Air Committee of the Environmental



Law Section of the Boston Bar Association. Augensterm has been assistant attorney general in Massachusetts' Environmental Protection Division for 16 years. During that time he has focused on air pollution and energy issues, including representing the state in federal New Source Review enforcement and regulatory challenge cases, in multimedia cases with a clean air component, and in energy facilities siting cases.

RICHARD C. BENNETT L'78

was re-elected treasurer of the board of directors for the Burn Foundation. Bennett is a partner in Cozen O'Connor's Insurance Litigation Group. He specializes in first and third party insurance coverage matters and state appellate practice work.

ROBERT A. BUTKIN L'78

has been named dean of Tulsa Law School. Butkin had previously served as the assistant attorney general of Oklahoma and most recently as state treasurer. Butkin is also a co-founder and manager of Butkin Oil Company in Duncan, Oklahoma. He serves on the board of the Jasmine Moran Children's Museum and Leadership Oklahoma.

DAVID A. FARMELO L'78

was elected chairman of the National School Boards Association Council of School Attorneys, an organization devoted to improving the practice of public school advocacy. As Chair of COSA, Farmelo will also serve as an ex officio member of the NSBA's board of directors. Farmelo is a partner at Hodgson Russ LLP, where he concentrates his practice in education law, public and private sector labor relations, and employment law.

LARRY SCHALL L'78

has been appointed president of Oglethorpe University, a liberal arts college in Atlanta. Dr. Schall previously served as vice president for administration at Swarthmore College as well as co-director of the Executive Doctorate Program in Higher Education Management at the University of Pennsylvania.



NIKI T. INGRAM L'79, of the regional defense litigation law firm Marshall, Dennehey, Warner, Coleman & Goggin was recently identified in *Pennsylvania Super Lawyers Magazine* as one of the top 50 female attorneys in Pennsylvania. Ingram

is a shareholder in MDWC&G's Philadelphia office and was recently appointed vice-chair of the firm's Workers' Compensation Department. She concentrates her practice in workers' compensation defense and has written and lectured extensively on topics in this area of the law.



BARBARA MISHKIN L'79

has been elected as a Fellow of the American College of Consumer Financial Services Lawyers, a professional association of lawyers dedicated to the improvement and enhancement of the skill and practice of law and ethics. In addition, Mishkin is a partner in the Philadelphia office of Reed Smith. She provides consumer credit compliance advice on federal and state laws and regulation to banks, thrifts, mortgage bankers and finance companies.

ROBERT C. SCHNEIDER WG'79, L'79

organized and chaired the panel discussion "European Private Equity: A Transatlantic Perspective" at the New York office of Debevoise & Plimpton, LLP. Participants from over 100 companies and alumni from the leading business schools attended. Schneider is

of counsel at Cuddy & Fedder, LLP.



KELLY TILLERY L'79

has joined Pepper Hamilton's Intellectual Property Practice as a partner. Tillery is a prominent authority on intellectual property and anti-counterfeiting, and also has extensive experience in commercial litigation. Tillery previously practiced with Leonard, Tillery & Sciolla, LLP, a firm he co-founded in 1982, and in which he was a senior partner and chair of its Intellectual Property and E-Commerce Group.



STEVEN N. COUSINS

L'80 was recognized by the *St. Louis Business Journal* as one of the St. Louis area's "Influ-

entials" This marks Cousins's second time receiving the award, which is given to those business and civic leaders who serve as agents of change in the St. Louis region. Cousins was also recognized as "Most Influential Minority Business Leader". Cousins is a member of Armstrong Teasdale LLP's executive committee, as well as founder and practice group leader of that firm's financial restructuring, reorganization and bankruptcy practice. He serves on the boards of the St. Louis Children's Hospital, the St. Louis Art Museum, and The Private Bank, and is also co-chair of the St. Louis Public Schools Foundation.



A. RICHARD FELDMAN

L'80, a named shareholder of Bazelon Less and Feldman, PC, was recently elected a vice president of CADE – Helping Children Make Smart Decisions, a Philadelphia-based nonprofit organization. For 25 years, Feldman has focused his practice on complex financial institution litigation, class action defense, and litigating disputes involving companies in the insurance and financial service industries.

ALUMNI BRIEFS

LARRY P. LAUBACH L'80

was named chair of the Corporate Law Practice Group at Cozen O'Connor. He focuses his practice on corporate and business transactions involving publicly and privately held corporations, including mergers and acquisitions, venture capital financing, and technology licensing.

DAVID GITLIN L'81 was elected president of the Philadelphia-area chapter of the American-Israel Chamber of Commerce. Last November Gitlin organized a conference at Wolf, Block, Schorr & Solis-Cohen LLP, where he is a partner, for the purpose of bringing together local investors with representatives of 23 Israeli technology companies.

JAY LEVIN C'77, L'81 has joined Reed Smith LLP as counsel in the international law firm's Insurance Recovery Practice Group. Levin serves as a vice-chair of the TTIPS Property Insurance Law Committee.

HUGH MCKAY L'81 has been elected to the presidency of the Cleveland Bar Association for the 2005-2006 year. McKay is partner-in-charge of the Cleveland office of Porter, Wright, Morris & Arthur LLP, where his practice focuses on complex commercial litigation.

KAREN PUSHAW L'81 was conferred an honorary doctorate of humane letters by LaSalle University in Philadelphia during the school's May commencement ceremonies. The degree



was awarded in recognition of 14 years of full-time ministry at St. Francis Inn in the Kensington section of Philadelphia. Karen left her practice of law, primarily in transactional securities and complex corporate matters, to become a full-time staff person at the Inn, a Franciscan soup kitchen and outreach mission serving 300-400 people a day. She also serves as legal counsel to the Franciscan Volunteer Ministry, the San Damiano Foundation and the Franciscan Mystery Players.

RALPH A. FINIZIO L'82 has joined Pepper Hamilton LLP. His practice emphasizes construction-related claims and directors and officers litigation. He serves on the Allegheny County Bar Association Judiciary Committees; the Pennsylvania Bar Association Judicial Selection and Administration Committee; and the American Bar Association Forum on the Construction Industry.

EVAN AIDMAN L'83, a sole practitioner, has published the Third Edition of a legal self-help book titled *Winning Your Personal Injury Claim*. Aidman's book is directed both at pro se plaintiff and litigants interested

in monitoring their lawyer's performance. Originally published in 1997, the book has sold over 9,000 copies.

SCOTT HARGADON L'83

has joined the international law firm Bryan Cave LLP as a partner. Hargadon's practice concentrates on lease and sublease transactions as well as land use and development projects.

CAROL E. MATTEY L'83, G'83

has been named a director in regulatory counseling at Deloitte & Touche LLP. She will provide legal services to clients in the technology, media, and telecommunications industries.

MICHELE TUCK-

PONDER L'83 has been selected to serve as CEO of Girl Scouts of Delaware-Raritan, Inc. Tuck-Ponder is the former mayor of Princeton Township and has also served as legislative assistant to U.S. Senator Frank Lautenberg and assistant director of the Division on Civil Rights and the Division on Women for the State of New Jersey.

MATTHEW J. COMISKY

L'84, a partner at Blank Rome LLP, was sworn in as president of the Lower Merion Township Board of Commissioners. Before his appointment, he served as vice president for a year. At Blank Rome, Comisky concentrates his practice on all aspects of real estate development and finance including the acquisition, financing, construction and leasing of real estate property.



J. BRADFORD MCILVAIN

L'84 was recently a speaker in a program titled "Exposure and Insurance Solutions for Directors and Officers Liability." McIlvain is a partner with Dilworth, Paxson LLP, where his practice is concentrated in litigation and environmental law.

JOHN S. SUMMERS L'84

has been elected secretary of the Philadelphia Bar Foundation. Summers practices litigation as a partner at Hangley Aronchick Segal & Pudlin.



ORIN S. SNYDER L'86

has joined Gibson, Dunn & Crutcher LLP as a partner in the firm's New York office. He represents major corporations and individuals in entertainment, media, intellectual property and other commercial litigation, and handles white-collar criminal matters as well as internal corporate investigations.

BRIAN DOERNER L'87

has been promoted to chairman of the business and finance department at Ballard Spahr Andrews & Ingersoll LLP. Doerner will oversee over 100 business and finance attorneys nationwide.

MARK A. SERENI L'87

was appointed solicitor for the Delaware County 160th Legislative District Executive Committee. He is a solicitor for several local governmental agencies and serves as local counsel and UM/UIM arbitrator in Delaware County. Sereni is a partner at DiOrio & Sereni, LLP, concentrating on civil litigation and serious personal injury, insurance bad faith, and employment and business disputes. Sereni is also president of the Delaware County Trial Lawyers Association.

FERRIER STILLMAN

L'87 has been rated A/V by Martindale Hubbell. The A/V rating is accorded to lawyers who possess the highest skills and ethics. Also, Stillman recently presented seminars on Maryland Family Law to groups of fellow lawyers and to the Maryland Psychological Association and the Maryland Society of Clinical Social Workers.

MARCI HAMILTON L'88

has a new book, *God vs. the Gavel: Religion and the Rule of Law* (Cambridge 2005). Her book tour included a signing at the Penn Bookstore in Septem-

ber. She also appeared on *The Daily Show with Jon Stewart* to promote the book, which has become an Amazon bestseller.

Hamilton is the Paul R. Verkuil Chair of Public Law at the Cardozo School of Law, and is an internationally recognized constitutional expert on church/state relations.

ABBE FAY FLETMAN L'88

has been named to the board of directors of the Free Library of Philadelphia. Fletman is a partner in the Intellectual Property and Information Technology and Business Litigation Practice Groups at Wolf Block Schorr & Solis-Cohen.

PATRICIA MENENDEZ-CAMBO L'89

was named one of the 40 most accomplished and influential lawyers in America under 40 by the *National Law Journal*. Her achievements include facilitating two \$1 billion deals for the Spanish telecommunications corporation Telefonía S.A. She currently advises multinational corporations for Greenberg Traurig, LLP.

JOHN F. SCHULTZ L'89

has joined Morgan Lewis as a partner in its litigation department. Schultz specializes in complex commercial litigation, representing Fortune 50 global technology companies in consumer class action lawsuits and pharmaceutical device companies. He has also been recognized as an authority on ERISA matters.



JOHN E. PAGE L'90 has become general counsel and corporate secretary of Golden State Foods Corporation, a multibillion dollar global food processor and distributor in Irvine, California. Page is a member of the board of governors of the National Bar Association and of the board of directors of the Education Law Center in Newark, New Jersey.

PAUL SACHS L'90 is leaving his position as City Judge in Steamboat Springs to begin his own practice. He plans to build his practice around real estate, conservation, and water and environmental issues. Sachs had been City Judge for 13 years.

GEORGE GORDON L'91 was named one of the 40 most accomplished and influential lawyers in America under 40 by the *National Law Journal*. Gordon has held two positions in the American Bar Association's Section of Antitrust Law and chaired the Federal Circuit Task Force on the section's Intellectual Property Committee. He is co-chair of the IP Committee.

AARON KRAUSS L'91 was named one of Philadelphia's "40 Business Leaders Under 40" by the *Philadelphia Business Journal*. Krauss is a partner in Cozen O'Connor's commercial



litigation practice group, and also serves as the treasurer of Philabundance, an anti-hunger nonprofit organization.



STACY K. WOOD L'91, of the law firm Parker Poe Adams & Bernstein has been named to the Charlotte Business Journal's list of the top 40 lawyers under 40 years old. Wood has been practicing at Parker Poe since 1994 in the firm's employment practice group. Wood also serves on the Board of Directors for Charlotte Run for Peace as well as for INROADS/Charlotte, Inc, and assists as a volunteer attorney for the Children's Law Center.

TOM BARBER L'92 has been appointed to the criminal division of the Hillsborough County Court in Tampa, Florida by Governor Jeb Bush. He was a prosecutor with the Hillsborough State Attorney's Office and with the Florida Attorney

ALUMNI BRIEFS

General's Office of Statewide Prosecution.

NICHOLAS M.

CENTRELLA L'92, a shareholder at Conrad O'Brien Gellman & Rohn, PC, has been elected president of the Philadelphia Association of Defense Counsel (PADC). The PADC, with a membership of 300 civil defense attorneys in Philadelphia and surrounding counties, is dedicated to improving the judicial system through attorney education and communication with judges and the plaintiff's bar about the judicial process. Centrella is a litigator in both civil and criminal actions, including business torts, RICO actions, healthcare, medical malpractice, products liability, professional liability, white collar criminal defense and internal corporate investigations.



CATHI SNYDER L'92 will oversee a new service at Cozen O'Connor. As director of client liaison, Snyder will manage specific cases, identifying and resolving complicated issues clients might face during legal processes. In addition, she will conduct "satisfaction" interviews with clients and field questions when the assigned attorney is

unavailable. Snyder has been with the firm for 11 years.



JENNIFER A. BRANDT

L'94, an attorney at Cozen O'Connor, has made two appearances on "It's Your Call with Lynn Doyle," a current events talk show. Brandt discussed the competing rights of adoptive vs. biological parents for child custody, and the propriety and legality of breastfeeding in public. Brandt represents parties in divorce, custody and support matters at Cozen O'Connor.



FRANCES GAUTHIER

L'94 has joined the Wilmington, Delaware office of Stradley Ronon Stevens & Young, LLP. As a member of the firm's business department, Gauthier represents private and public companies in corporate and commercial matters including corporate governance, alternative entity law, mergers and acquisitions, and corporate

restructurings. She serves on the executive committee of the Delaware State Bar Association and is special advisor to the Association's Multicultural Judges and Lawyers Section.

KARA H. GOODCHILD

L'94 has been elected partner in the Philadelphia office of Saul Ewing LLP. She practices in the Litigation Department, handling a broad range of complex litigation, with an emphasis on reinsurance disputes and antitrust matters.



PATRICIA M. BALOYRA

L'95 was named partner at Tew Cardenas, LLP office in Miami. Baloyra's practice concentrates on land use and government law. In addition, Baloyra has handled complex commercial litigation in cases involving breach of contract, Civil RICO and the Employment Retirement Income Security Act.

DANIEL I. GOLDBERG

L'95 has become partner in the Corporate and Securities Practice Group of DLA Piper Rudnick Gray Cary LLP's branch in New York. Goldberg represents public and private companies and financial institution in connection with securities offerings, mergers

and acquisitions, and general corporate matters.



WILLIAM J. GREEN L'95

has joined Pepper Hamilton LLP as of counsel in the Philadelphia office. His experience includes managing legal and business issues related to venture financings, private equity, securities offerings, mergers and acquisitions, governance, compliance, intellectual property and litigation.

MICHAEL MANKES L'95,

a partner at Littler Mendelson, PC, has transferred from the firm's San Francisco branch to Littler Mendelson's new Boston office. His practice includes employment and labor law, litigation, counseling and training, and he represents employers on workplace matters.



MICHAEL ROSENBERG

L'95 has been elected a partner

in the Business Litigation Practice Group at Wolf, Block, Schorr and Solis-Cohen LLP. Rosenberg has extensive experience in mediating, arbitrating and litigating business and commercial disputes.

MICHAEL EDWARD BAUGHMAN L'96 has been named partner in the Media Law and the Financial Services and Securities Litigation Groups at Dechert, LLP. Baughman focuses his practice on First Amendment matters, including litigation of defamation and invasion of privacy cases and litigation seeking access to court proceeding and public records. He has also litigated numerous cases involving the federal securities laws and other corporate governance issues.

JAMES A. KELLER L'96 has been elected partner in the Philadelphia office of Saul Ewing LLP. Keller practices in the Litigation Department, handling ERISA claims, white collar criminal matters, reinsurance disputes, and the defense of major premises liability actions. He also advises higher education institutions on liability issues.

KEVIN COFSKY W'92, GPU' 97, L'97 has been promoted to managing director in the Restructuring Advisory Group of Evercore Partners, an investment bank with a corporate advisory practice, a private

equity group, a venture capital group and a financial restructuring practice.

PRISCILLA J. "SALLY" MATTISON L'97, an associate with the firm Bernard M. Resnick Esq., P.C., recently provided legal services for the film "Rock School." "Rock School" is a feature-length documentary about the Paul Green School of Rock in Philadelphia. Mattison received a music coordinator credit for her work on the film.

BETH MILLER SASFAI L'97 has been promoted to assistant general counsel of Verizon New Jersey Inc.

CHRISTIAN A. SZAUTNER L'97 has become a partner at Ballard Spahr Andrews & Ingersoll LLP. Szautner is a member of the firm's Business and Financial Department and is actively involved in the Investment Management and Securities Groups. His practice is concentrated in the investment management area, in which he represents open and closed-end registered investment companies and unit investment trusts, investment advisors, and other investment company service providers, and private investment funds. He also regularly counsels investment company directors with regard to compliance and governance matters.

MARYELLEN FEEHERY ENG'93 L'98 was recently

elected president of the Entrepreneurs Forum of Greater Philadelphia. An attorney in the IP department of the international law firm of Reed Smith LLP, Feehery began her one-year term with the Forum in July. Prior to her election, Feehery served the organization as vice president of technology.

BEATRICE M. SCHAFFRATH L'98 has recently relocated from the Hong Kong office of Baker & McKenzie to its Beijing office. Schaffrath specializes in Mergers & Acquisitions, Cross-border Counseling, General Commercial, and Project Finance.

MIGUEL RODRIGUEZ L'99 was hired by U.S. Senator Hilary Rodham Clinton to serve as counsel in her Washington, D.C. Senate office. Rodriguez previously held a similar position in the office of Senator Jon S. Corzine of New Jersey.



ANDREW FERGUSON L'00 has co-authored *Youth Justice in America*, a textbook on teaching constitutional criminal law to high school students. The book seeks to engage and empower young people about their constitutional rights and responsibili-

ties. He is a public defender in Washington, D.C.



ANTONIO GIDI GRL'01 has recently joined the faculty of the University of Houston Law Center as assistant professor of law. He teaches Civil Procedure, International Litigation, International Arbitration, Class Actions, and Comparative Law.

VICTORIA LOPEZ L'01, an Equal Justice Works member, was honored at the first Fellow Reunion and Leadership Conference for the accomplishment of her two-year fellowship at the Florence Immigrant and Refugee Rights Project in Florence, Arizona. Her work addressed the issue of immigrant women being detained in private prisons in Arizona. Equal Justice Works is a national organization working to give underserved populations access to the justice system by placing talented law graduates at nonprofit organizations where they provide critical legal services.

ALUMNI BRIEFS



STARTING THIS ISSUE, we expand our alumni notes with personal news of marriages, engagements, births, retirements, and so on.

ALAN SHAKIN L'73 received a masters degree in social work from Catholic University in Washington. He went to school at night, completing the degree while working full-time. In July 2004, Shakin retired from the U.S. Consumer Product Safety Commission, where he was assistant general counsel in the Enforcement Division. He is now a social worker with the Jewish

Social Service Agency in Rockville, Maryland.



On New Years' Day, **KEVIN S. BOYLE L'97** married Elizabeth Pelayo. The ceremony was held at the Ritz-Carlton Hotel in St.

Thomas, U.S. Virgin Islands. The couple reside in Palm City, Florida.

DANIEL LEE W'98, L'00 and **RANDY LEE C'97, L'01** had a baby girl, Lily Sophia, on February 10. They also have a three-year-old son, Andrew.

JANNIE LAU L'02 and **TODD LONGSWORTH L'01** announce their engagement. They will be married June 3, 2006 at the University of Pennsylvania Museum of Archaeology. They met in Professor David Skeel's Commercial Credit II class in 2001. Jannie is a



corporate associate at Ropes & Gray; Todd is a corporate associate at Wilmer Cutler Pickering Hall and Dorr. Both firms are in Boston.

Get Involved!

We invite your participation in the 2005-06 Alumni Network.

Help is needed in the following areas:

- Public Service Program
- Legal Writing Moot Court Events
- Alumni Admissions Network
- Career Planning Network
- Clinical Programs Simulations

To volunteer, please visit us on the web at:

www.law.upenn.edu/cf/alumni/alumninetwork/volunteer/



IN MEMORIAM

Theodore K. Warner Jr. C'31, L'34

THEODORE K. WARNER JR., a former railroad executive in whose name a professorship was created at the Law School, died last February. He was 95.

Mr. Warner was vice president of the Pennsylvania Railroad and later president of the Canada Southern Railroad until his retirement in 1970. In retirement, Warner was named president of the Independence Foundation, a Philadelphia-based private foundation which supports nurse-managed primary healthcare, culture and the arts, and public interest legal services. In honor of Mr. Warner's service to the organization, the Foundation endowed the Theodore K. Warner Jr. Professorship in Business Law at Penn Law School in 1998.

He spent 30 years with the Pennsylvania Railroad (later Penn Central), rising to the position of vice president of accounting and taxes. Mr. Warner also served as of counsel at Duane Morris & Heckscher, before becoming counsel to Harper & Driver.

Surviving Mr. Warner are his wife Lynn Howell; son Peter; daughter Betsy Ann Warner Bulcher; three grandchildren; and four great-grandchildren.

Sir Ronald Wilson GL'57

SIR RONALD WILSON GL'57, a former High Court Judge in Australia, died in July at the age of 82.

A fighter pilot in Britain's Royal Air Force during World War II, Mr. Wilson is perhaps best known for the work he did on human rights as president of Australia's Human Rights and Equal Opportunity Commission. In that capacity he led an investigation into the forced removal of Aboriginal children

from their families. His subsequent report, issued in 1998, called for a period of national reconciliation and an apology from the government.

Mr. Wilson served on the High Court from 1979 to 1989. Previously, he was Queen's Counsel for Western Australia, the youngest person to hold that position, then Solicitor-General for that region. He was also president of the Assembly of the Uniting Church in Australia from 1988 to 1991. Mr. Wilson is survived by his wife Lady Leila Wilson and five children.

IN MEMORIAM

Percy R. Russell L'14

Henry T. Reath L'48

Bryant H. Williams L'27

John H. Honywill L'50

John H. Bertolet L'31

John C. Garner L'53

Richard V. Zug L'32

Ellis H. McKay L'53

Herbert G. Marvin C'29 L'33

William B. Scatchard, Jr. L'53

Louis I. Parris L'33

Thomas J. Calnan, Jr. L'55

John P. Lippincott L'34

Louis C. Johanson C'51 L'56

Louis Posnak L'34

Sir Ronald Wilson GL'57

Victor L. Singer L'34

Abe H. Frumkin L'59

Theodore K. Warner C'31 L'34

Anthony G. Bateman L'65

George Guarneri L'39

Vincent A. Carbonar L'65

Sherman D. Lavinson L'39

Paul Trickett Willis L'66

F.F. Troncelliti L'39

Ned Kase C'91, G'95, L'95

Morton E. Braude C'37 L'40

John Christian Decker L'40

Robert J. Peel C'39 L'42

Joe B. Griffith, Jr. L'43

Benjamin Coates L'46

Charles Sabin W'42 L'47

In the spring 2005 issue, we incorrectly included Lawrence Rothenberg L'65 on the In Memoriam list. Rothenberg attended his 40th Reunion in May and is in good health. We apologize for the error.

CASE CLOSED



Class of 2026

Four-year-old Molly Cutler's options are wide open. At Reunion weekend, Molly decided to put off thoughts of law school until she finishes her cotton candy. Molly accompanied her father, Adam Cutler L'95, and his wife, Caroline. Also in tow was infant sister, Noa. Adam is an associate with Manko, Gold, Katcher & Fox.

INTELLECTUAL PROPERTY

We have a chair with your name on it — literally. You can “own” a piece of Penn Law School in one of the four new classrooms in Gittis Hall. A seat, complete with plaque, can be dedicated with a tax-deductible contribution of \$3,000. It’s a smart choice to make.

For information, please contact:

Lucy Gorski (215) 898-1513 lgorski@law.upenn.edu



3400 Chestnut Street
Philadelphia, PA 19104-6204
www.law.upenn.edu/alumni

NON-PROFIT ORG.
U.S. POSTAGE
PAID
PERMIT NO. 2563
PHILADELPHIA, PA