

et al.: Penn Law Journal: An Rx to Heal Criminal Justice

PENN LAW JOURNAL

UNIVERSITY OF PENNSYLVANIA

FALL 2014 VOLUME 49, NUMBER 2



AN RX TO HEAL CRIMINAL JUSTICE

ALSO:
THE QUANTUM COMPUTER
COMES OF AGE
THE PUBLIC SERVICE SCHOOL
RIGHT ON THE MONEY

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PENN LAW JOURNAL

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Penn Law is synonymous with Public Service. On the 25th anniversary of the program, we remain at the top of our game with a slew of programs that provide endless opportunities for students and untold benefits for people in need.

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CORRECTIONS

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

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Wendell Pritchett
Interim Dean
and Presidential Professor

Every year we learn about more wrongful convictions amid a growing drumbeat to fix the flaws in our criminal justice system. Given the institutional inertia, the decentralized system and the scope of the problems, that is easier said than done.

Enter Penn. About a year ago we established the Quattrone Center for the Fair Administration of Justice with a transformational gift from The Frank and Denise Quattrone Foundation.

The Penn Law-led Center is designed to reduce error through an interdisciplinary, data-driven approach that brings together scholars from across the University. In doing so, we adopt a successful systems approach from the health care system and the aviation industry.

In this issue of the *Penn Law Journal*, we feature some of the principals of this pioneering Center, describe the systemic failures of the American system of justice and prescribe a way forward.

As a catalyst for long-term structural improvements, the Quattrone Center aims to investigate every aspect of the criminal justice system — from conducting a line-up to charging a jury to overseeing interrogations to ensuring scrupulous procedures in the collection of evidence.

Now entering its second year, the Center is already far along in its work. The national research and policy think tank is working with a number of jurisdictions to develop best practices in eyewitness identification, and is collaborating with several district attorneys, public defenders, and crime labs who want to correct past mistakes and prevent future ones with an objective, science-based approach. Recently, the National Institute of Justice selected the Quattrone Center and several agencies in Philadelphia, including the Philadelphia Police Department, District Attorney's Office and Court of Common Pleas, to participate in a pilot program that will apply its pioneering approach to reducing error in the criminal justice system.

In addition, the Center held its first symposium, featuring the vice chairman of the National Transportation Safety Board, who described the steps the aviation industry has taken to improve the safety of air travel.

The location of the Quattrone Center at the Law School is no accident. What better place to house the Center than a school with an established tradition that the pursuit of justice and the practice of public service is the responsibility of every lawyer?

On this, the 25th anniversary of the Public Service program, we take a moment (if not the whole school year) to celebrate. As the first major law school to earn the *Pro Bono Publico Award* from the ABA, we take pride in our many achievements: nearly 500,000 hours of student service since the program's inception in 1989; \$15 million in financial support to launch public service careers; an expanding network of 300 community partnerships; and a diversity of student-led projects that has grown from one to 27 over the years.

What a great time to be a member of the Penn Law community. We are doing important work, with a lot more to come. Thank you for your support!

Summers Describes the Slog Back to Economic Normalcy

LARRY SUMMERS traveled to Penn Law School to speak about policy and the aftermath of the financial crisis. His visit represented a homecoming for Summers, who grew up in the suburbs of Philadelphia and has deep ties to Penn. Both of his parents, Robert and Anita Summers, taught at Penn; one brother, John Summers L'84, graduated from Penn Law School and the other, Rick Summers M'84, is a graduate of Penn's medical school and runs the psychiatric residency program. Larry Summers' wife, Elisa New, is a former English professor at Penn.

Summers has served at the highest rungs of government and academia, having been Treasury Secretary under President Clinton, top economic advisor to President Obama, and president of Harvard University, where he is now the Charles W. Eliot University Professor.

He is considered one of the keenest economic minds in the country. In mid-September, Summers sat down for a discursive interview centered on domestic and global economics before delivering the Leon C. & June W. Holt Lecture in International Law.

YOUR BROTHER IS A LAWYER. WHAT ROLE DO LAWYERS PLAY IN THE BROADER ECONOMY?

Increasingly, as we move from an economy where the typical good is a car or a ton of steel to an economy that is based much more on ideas, the role of lawyers will become that much more important. What lawyers ultimately do is structure understanding. When people think about efficiency, they think about efficiency through a better machine; they don't think as often of efficiency as resulting in better institutions, be it the development of the Common Law corporation in the 19th Century or the modern venture capital firm in the very late 20th Century.

Institutional innovation, meaning innovation in the form and design of institutional and contractual arrangements, is fundamental to progress. And that's the work of lawyers, who work to get it right so institutions can succeed. That is lawyering at its best.



Feb. 26, 2009: Director of the National Economic Council Larry Summers, President Barack Obama, and the Presidential economic team leave the podium at the White House after speaking about his fiscal 2010 federal budget.

HOW WILL THE FORCES OF GLOBALISM AND TECHNOLOGY AFFECT THE LEGAL INDUSTRY?

Machines are going to be able to search vast quantities of documents less expensively and more accurately than legal associates ever could. Reframing existing agreements for new purposes is going to be much easier — is already much easier — with technology. There are skilled people in less developed countries able to look for precedents and do basic legal research for wages at a small fraction of the expected wage here. And the whole business is becoming more competitive. So I expect that the rewards in law will go much more to those who are able to attract business rather than to those who do the work. For better or worse, I see some transformation of legal practice towards the models of large accounting firms, with an increasingly commercial orientation, relatively hierarchical management structures, and somewhat less room for pro bono work and extracurricular activity of the type that was linked to great lawyers and great firms. I think these kind of pressures will all be felt in the years ahead.

WHAT ARE THE EMPLOYMENT PROSPECTS FOR RECENT COLLEGE GRADUATES IN THE SHORT AND LONG TERM?

They're not as good as they once were near term. That speaks to the importance of stimulating demand so as to stimulate growth. Over the medium term, for those who can define and find a niche, there will be very large opportunities in the United States.

DO YOU THINK THE REGULATORY RESPONSE HAS BEEN SUBSTANTIAL ENOUGH TO PREVENT FUTURE ECONOMIC CRISES?

I think it's always a mistake to judge regulation in terms of quantity rather than quality. If quantity of regulation were enough, we surely have enough new regulation being proposed, enough

rules being added to rule books, enough activities being looked at in new ways ... In terms of the quality of regulation, I am less sure. I think fundamentally the prevention of financial crisis depends upon institutions having adequate amounts of capital and liquidity... Whether we will or will not succeed in achieving those levels remains to be seen.

Because everybody is still very nervous and gun shy after the crisis I would be quite surprised if the economy went back into crisis in the near term. But do we have sufficient antidotes in place to make complacency impossible in the future? I'm not sure that we do and I'm not sure that we ever could. But I would hope for approaches that focus on the assumption that there is going to be ignorance and greed, and working to make the system safe under those circumstances, rather than trying to combat those forces.

WHAT DO YOU CONSIDER THE BIGGEST CURRENT THREAT TO GLOBAL ECONOMIC GROWTH, AND HOW DOES THAT TRACK WITH WHAT IS OCCURRING IN AMERICA?

One obvious threat is geopolitical uncertainty, whether it's in Russia and Ukraine, whether it's chaos in the Middle East, whether it's the strains associated with the rise of China. A second uncertainty surrounds the very serious challenges facing other parts of the industrialized world besides the United States. Abenomics (the name of the economic recovery program proposed by Japanese Prime Minister Shinzo Abe) has not yet proven successful. Japan in the second quarter saw 'growth' at almost negative 7 percent. And Europe is on the brink of deflation. In an increasingly integrated world that has to have consequences for us as well.

The New World of E-Discovery

A NEW SPECIALTY HAS DEVELOPED IN THE PRACTICE OF LAW in response to the avalanche of information generated by electronic communications.

Adjunct Professor David Kessler L'97, G'97 has been teaching an advanced seminar on E-Discovery at Penn Law the last four years. Kessler explains that E-Discovery is a vital tool in a digital age where lawyers have to sift through e-mail, servers, the Internet, the Cloud, smart phones and much more in order to provide all the relevant data parties require during the pre-trial period of civil litigation and government investigations.



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“Litigators and trial attorneys who understand the digital footprint and digital data are in a much better position not only to advocate for their clients, but to do so cost-effectively,” Kessler said.

“If you don't know the facts, you can't advocate,” added Kessler, who is co-head of E-Discovery and the Information Governance Practice in the New York office of Fulbright & Jaworski LLP. “In the digital world, facts are buried under a mountain of data.”

Kessler offered statistics delineating the galloping growth of data. Between 2003 and 2010, the world generated as much data every two months as it had from the dawn of civilization to that point. Last year, we created the same amount of data every two days.

In his seminar, he teaches students how to deal with that deluge. Specifically, Kessler teaches students how to conduct preservation, develop search terms, negotiate with opponents, and how to forensically examine a disc or hard drive.

“In this economy and in a very competitive legal world, that kind of advantage is a really important thing both for junior and senior lawyers,” Kessler said.

He conceded, however, that there are obstacles to E-Discovery in an integrated world. Some countries, like members of the European Union, he said, often have more stringent and holistic privacy laws than the United States, which can make it more difficult for American lawyers to conduct U.S. style discovery that crosses borders.



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PENN LAW PRIDE CATALYST FOR CHANGE CREATES SCHOLARSHIP TO LIFT AFRICA

“A Penn Law education is world-class and a facilitator to lots of other opportunities.”

DONALD DUKE GL'84

Over the last few years **DONALD DUKE GL'84** has put his shoulder to the wheel to develop a cable car transit network to unjam the traffic in Lagos, Nigeria, one of the most densely populated cities in the world with at least 17.5 million people, according to a recent census.

In that spirit, Duke is also trying to create a vehicle for the production of more western-trained lawyers who will return home to improve the administration of justice on a continent whose legal and education systems remain ill-equipped to address the chronic problem of low economic productivity, and the ravages of war and disease.

Duke said African leaders must step up to invest in education. Short of that, he is ready to do what he can.

Last April, Duke made a major gift to establish the Donald Duke LLM Scholarship Fund at Penn Law. The scholarship is reserved for African students to, in his words, “help bridge the (investment) gap.”

Duke is fully invested in the future of Nigeria, where he grew up in the period following the country's independence in 1960. As a member of a close knit upper middle class family, Duke remembers a feeling of optimism tempered by a bitter civil war and military rule, which ended in 1999.

In the years since, Duke has been a catalyst in the drive to develop an aerial transportation system to relieve the average daily commute of three hours in Lagos. Duke was similarly active as

governor of Cross River State in southeastern Nigeria, initiating a series of reforms to boost investment and promote business and tourism.

Duke credits his education at Penn Law as a catalyst as well for his achievements. “I loved my time at Penn. It was academically fulfilling and socially exposing,” he said. “It stands out as the crossroad of my life. My time at Penn brought clarity to my future and afforded me the courage to pursue my dreams.”

Duke said a dearth of opportunity for young people exists in Africa due to the weak regulatory structure, which inhibits investment, growth and development. There is also a lag in what he described as an emerging legal system that is behind the western world.

“The need for exposure and a cross-pollination of ideas and practice is urgently required for the benefit of the continent and the rest of the world,” Duke said.

He said that resources from all quarters, including his gift, will contribute to progress in Nigeria and the rest of Africa.

“A Penn Law education is world-class and a facilitator to lots of other opportunities,” Duke said.

There is no doubt that it was for him.

Q+A

The Untold Story of the Arab Spring



Contrary to popular opinion, **MARYAM JAMSHIDI L'07** sees an opportunity for flowers to bloom in the Middle East. Her optimism stems from close engagement with the region. She's been thinking and writing about the Middle East and North Africa for nearly 10 years.

Her exploration began during law school, when she worked as a legal intern at Al Haq, one of the leading Palestinian human rights organizations in the West Bank. Since graduation from Penn Law School, she has represented Mideast governments and state-owned companies in legal and diplomatic matters, served on the 2012 delegation to Egypt with the National Lawyers Guild examining the human and civil rights climate in the country, and written about post-conflict and transitional justice in the Middle East.

In 2010, Jamshidi launched Muftah.org, a digital magazine which offers a range of perspectives on issues affecting the Middle East and North Africa. She is the author of *The Future of the Arab Spring: Civic Entrepreneurship in Politics, Art, and Technology Startups*, which was published in September 2013.

Q: What inspired you to write the book?

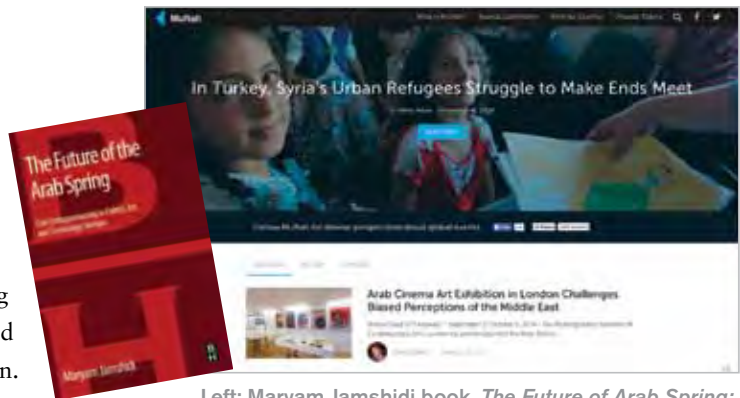
A: As someone who worked on and was long consumed by the region, the Arab revolutions, which began in December 2010, demonstrated what I always believed about the Middle East — namely, that regional countries were much more complex than Western foreign policy suggested.

As the revolutions progressed, I was coming across countless new organizations, movements, and even companies, which had a decidedly civic mission.

The emergence of these groups was unlike anything that had happened in the region over the intervening decades.

As I define it, civic entrepreneurship represents any citizen-driven effort to mobilize communities to respond to opportunities or crises in order to advance the collective good. No one was telling the story of these regional grassroots initiatives in a holistic way — while various organizations were receiving media attention, the coverage was piecemeal.

There was also little effort to understand why these groups were significant and what they revealed about the legacy of the Arab Spring. My book attempts to fill these gaps.



Left: Maryam Jamshidi book, *The Future of Arab Spring*; Right: a screenshot of Muftah.org.

Q: What makes you hopeful about the Middle East in the aftermath of the Arab Spring?

A: Over the last year-and-a-half or so, the euphoria that greeted the revolutions' early days has turned into disappointment and despair for many people inside and outside the region. This is understandable, given the political and economic crises that continue to grip Arab Spring countries.

At the same time, there are also reasons to be hopeful. Much of this hope lies in the grassroots, which has come alive over the last three-and-a-half years. Through countless initiatives, people in the region have joined together to address issues affecting local communities and countries in ways that are inclusive, innovative, and forward thinking.



The phenomenon is happening across the region in various sectors, including politics, art/culture, and technology. It includes organizations mobilizing against sexual harassment in Egypt, local citizen councils that are filling the vacuum left by the Syrian regime in cities liberated by the opposition, artistic collectives bringing beauty to the streets of Yemen, and Tunisian startups revolutionizing the green energy industry.

Through these and other groups, individuals have invested themselves in bettering their societies. They have refused to allow government officials to dictate the terms of political engagement, pushed cultural and social norms, and created a vibrant public arena. Recognizing the power of civic entrepreneurship, some regional governments, notably in Egypt, have pushed back and are cracking down against these groups. The success of these efforts poses one of the greatest threats to the Arab Spring's legacy and the future of many regional countries.

Q: What do people misunderstand about the region's recent events?

A: Massive, national-level political changes take time, and do not unfold according to a set playbook. Indeed, realizing meaningful systemic political and economic change happens not just at the top of national politics — it is also a product of grassroots transformations, which include altering individual expectations and perspectives, shifting cultural attitudes and tropes, and even changing how people do business. This is the sort of revolution that has been taking place in the region.

Because of a failure to appreciate these realities, many people have been blinded to the multi-faceted nature of events unfolding in the Middle East and North Africa.

Penn Law Launches New Program in Latin American & Latino Studies

IN RECOGNITION OF THE MOUNTING IMPORTANCE OF LATIN AMERICA as both a rapidly growing global legal market and the hub of much U.S. immigration debate, Penn Law has established a Certificate of Study in Latin American and Latino Studies.

In collaboration with Penn's Latin American and Latino Studies Program, the new certificate will enable Penn Law students to enrich their legal educations by gaining knowledge of the social, cultural, and political issues facing Latinos and Latin Americans, while also affording opportunities for students to develop greater fluency in the legal landscapes, history, and languages of the region. Students will be able to participate in the program at the start of the 2014–15 academic year.

“Today's law graduates face challenges that cross boundaries and borders, whether they work on issues of immigration, global transactional law, or the environment,” said Wendell Pritchett, Interim Dean of Penn Law. “The new Certificate in Latin American and Latino Studies is emblematic of our interdisciplinary approach to educating the next generation of lawyers, and our ongoing commitment to international legal training.”

Recent debates regarding Arizona's controversial immigration legislation, the DREAM Act, and the record numbers of unaccompanied children crossing into the United States from Central America have all underscored the fact that many of the most pressing legal issues of today require not just knowledge of the law, but an understanding of the history, language, and culture of Latinos and Latin Americans, as well.

In addition, the practice of law has become increasingly global. For example, 26 U.S. firms have offices in Latin America, and together those offices employ nearly 1,000 lawyers, according to ALM.

To earn the certificate, students must complete five courses in the area of Latin American and Latino Studies. Two of these courses are taken at Penn Law, and the remaining three courses are taken in Penn's Graduate School of Arts and Sciences. Course offerings within the Law School include Public International Law, International Business Transactions, Refugee Law, and International Trade Regulation. Non-law courses cover topics ranging from Latin American Political Economy to International Migration.

Students must also demonstrate proficiency in Spanish, French, Portuguese, or a less commonly taught language such as Yucatec Maya, Quechua, or Haitian Creole.





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For more information, contact:

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After Years of Work, Professor Robinson Sees Maldives Enact First Modern Penal Code Based on Islamic Law

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IN THE SUMMER OF 2004, the United Nations Development Programme (UNDP) enlisted Paul H. Robinson, the Colin S. Diver Professor of Law at Penn Law and Director of the Criminal Law Research Group, and a group of his students to draft a new penal code for the Maldives, a small island nation in the Indian Ocean, whose legal system has long been based on Islamic law.

That project took a giant step forward last month, when the Maldivian legislature, the People's Majlis, enacted the code, the first modern, comprehensive penal code in the world to incorporate the major tenets and principles of Islamic law. Following a one-year implementation period, the new criminal law will take force in the Maldives in 2015.

Robinson and his students completed the drafting work and submitted a final report in 2006. The years it has taken for the Maldivian legislature to debate and enact the code is not surprising, according to Robinson. He notes that criminal justice reform anywhere requires sustained effort.

"Criminal codes are an enormous task for a legislature," Robinson said. "They always take years. Our proposed draft actually identified for the lawmakers a series of issues on which we thought they needed to have a full debate, and our draft text provided alternative text language on these points and provided pro and con arguments, so they could see both sides of the issue."

For instance, existing Maldivian law, on which the drafters relied as a principal source of authority, deviated from strict interpretations of Islamic Shari'a by not punishing theft with amputation of the offender's hand, or apostasy with the death penalty.

Other conflicts with which the Maldivian lawmakers had to wrestle included disagreements over the age below which consensual intercourse should constitute a crime and how to treat

the situation in which persons of the opposite sex are found alone behind closed doors.

Robinson, who is one of the world's leading criminal law scholars, is known for his support of the idea that criminal law should embody the values of the community it governs. In drafting the Maldivian code, he and his students consulted with Maldivian judges, prosecutors, private defense lawyers, government officials, and ordinary citizens to determine community values.

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Professor Burke-White Leading Ambitious Global Policy Initiative at Penn

WILLIAM BURKE-WHITE, professor and deputy dean for International Programs at Penn Law School, has been named the inaugural Richard Perry Professor and director of the Perry World House.

Professor Burke-White, an expert on international law and global governance, has taught at Penn since 2005 and been a deputy dean of the Law School since 2011. From 2009–2011, he served on the Policy Planning Staff of U.S. Secretary of State Hillary Rodham Clinton, where he was the principal drafter of the *Quadrennial Diplomacy and Development Review*, Secretary Clinton's hallmark foreign policy and institutional reform initiative.

His research is situated at the intersection of international law and international relations, focusing on the structure of the international legal system, the implications of global power shifts on international law and institutions, human rights, and international investment law. He is a term member of the Council on Foreign Relations and has been a visiting professor at Harvard Law School; the Max Planck Institute for International and Comparative Law in Heidelberg, Germany; and the Moscow State Institute of International Relations, among other major institutions around the world.

As the inaugural director, Burke-White will lead the strategic visioning and implementation of the Perry World House's mission, working closely with faculty across the University engaged in international and transnational issues, as well as with partners around the world. In collaboration with Vice Provost for Global Initiatives Ezekiel Emanuel and the Penn Global team, he will make the Perry World House a central element of global initiatives at Penn, furthering the five-year Strategic Framework for Global Initiatives published in 2012.

When completed in 2016, the Perry World House will provide a hub for Penn's growing international activities, anchoring Penn's global resources on an interdisciplinary campus while creating cutting-edge strategic partnerships abroad. Established through a generous gift from University Trustee Richard C. Perry and his wife, Lisa Perry, the Perry World House will bring Penn's extraordinary intellectual resources to bear on the urgent global challenges of the 21st century, connecting Penn with scholars and policymakers from around the globe. It will catalyze and lead a range of new international activity, from visits by eminent scholars and fellowships for more junior researchers to interdisciplinary, transnational research projects and strategic policy outreach. The House itself will serve both as a physical gathering place for faculty and students across all of Penn's 12 Schools and an intellectual connecting point to enhance the flow of ideas between Penn and global thought leaders.



Bill Burke-White, an expert on international law and global governance, was named director of the Perry World House.



“Ernie has been not only at the center of our financial stability and growth but also the go-to person, personally and professionally, of the entire staff, someone who everyone trusted, who everyone understood had the best interests of the institution,”
SAYS FORMER DEAN MIKE FITTS.

Right on the Money

BY LARRY TEITELBAUM

AS CHIEF FINANCIAL OFFICER, **ERNIE GONSALVES** HAS SAVED THE LAW SCHOOL TIME AND TIME AGAIN. HE'S BEEN A JACK OF ALL TRADES FOR SO LONG THAT IT'S IMPOSSIBLE TO IMAGINE HOW THE SCHOOL WILL MANAGE WITHOUT HIM. BUT WE'RE ABOUT TO FIND OUT WHEN ERNIE RETIRES AT THE END OF THE YEAR.

Ernie Gonsalves C'72 had already been standing sentry on Law School finances for many years, managing the endowment and reviewing budgetary line items that cover every conceivable operating expense including public safety.

But nothing prepared him for the events of Memorial Day 2000.

The Law School was closed. No security guards were on duty, a rare occurrence. Burglars had every reason to believe that no one was home on the official start of summer.

Surprise!

Like so many weekends and holidays before (and since), Gonsalves arrived at work, on this occasion to review the books in anticipation of the end of the fiscal year. When he walked into the building, his internal radar went off. He noticed a chair in the reception area of the front office in the wrong position. A door that was normally closed was open.

Red Alert.

Gonsalves started walking around the building. He crossed a hallway on the Chestnut Street side in what is now Gittis Hall and came face to face with a wiry guy with bad intentions. Instinctively, Gonsalves confronted the intruder, who took off.

Gonsalves immediately thought better than to chase him, and returned to his office to call the police.

Within 15 minutes, the police arrived, as did the new dean, Mike Fitts. On patrol, the three of them discovered a broken window upstairs and stacks of equipment, computers and the like, piled up in doorways. Meanwhile, police had combed campus and apprehended the driver of a truck hauling stolen goods, so the Law School bounty never made it out the door.

The story became folklore, evidence of Gonsalves' diligence, work ethic, and dedication to the only place he has ever worked after graduating with a mathematics degree from Penn. “He's saved us over the years financially and he saved us literally,” said former Dean Mike Fitts, who relied on and confided in Gonsalves during his 14-year tenure.

“Ernie has been not only at the center of our financial stability and growth but also the go-to person, personally and professionally, of the entire staff, someone who everyone trusted, who everyone understood had the best interests of the institution.”

Indeed, the stalwart Gonsalves has shown up almost every day for 42 years, working longer and longer hours commensurate with his increased responsibilities. But the time has come for this guardian of all things Penn Law to retire at the end of the year.

“In an institution like this where your population changes constantly with the influx of students, it's always invigorating, always youthful, always energetic,” said Gonsalves, vice dean of business affairs. “It's hard to walk away from something like that. I never seriously thought about leaving.”

His official duties as business manager and former registrar don't even begin to scratch the surface of his impact. Gonsalves rides herd on an annual budget of \$60 million, manages a \$314 million endowment, administers the payroll for more than 200 employees, supervises three staff members and oversees corresponding business officers in Development & Alumni Affairs, the Biddle Library, the Gittis Center for Clinical Legal Studies, and the Institute for Law and Economics. Scholarships, financial aid, fellowships, travel reimbursements, and the work-study program all pass through him. And the job has gotten bigger and bigger since he was appointed to head the business office 30 years ago.

"There were departments that didn't exist. There was no such thing as the Public Interest Center (20 years ago)," Gonsalves notes. "There was no communications department. The Development office was probably a third of (its current) size. There was no graduate or international programs office. Since then, the amount of faculty, student and staff activity has grown exponentially."

It takes a lot of hours to keep all these balls in the air, and Gonsalves has become known for a legendary work ethic, leading Dean Fitts to call him "the hardest-working person I've ever seen in my entire life." (Which also explains how he put himself in position for a little-known part of his job — sleuth.)

No one, including Gonsalves, could have ever envisioned such a grinding CFO-level schedule in his future.

Not when in the early 1970s he was just another college kid looking for adventure. A friend asked him if he wanted to drive to California. Sounded like a good idea; he had nothing better to do. His work study job in the Registrar's office had ended.

After a month in Los Angeles, where he investigated graduate business schools, the phone rang. The registrar wanted to know if he was interested in a fulltime job. Well, yes. From there it has been a steady climb, from office clerk to assistant registrar to registrar to systems planning coordinator responsible for computerizing the Law School after first convincing the faculty that it would be beneficial to have two computers in the building rather than one, to head of the business office.

A native of the Boston area, Gonsalves' New England stoicism makes him an unlikely candidate to mix it up with students. But back in the day as registrar this Boston Red Sox diehard played centerfield on a law student softball team that won the University intramural championship and joined students at sprint car races. In doing so, he played a role similar to the one that Gary Clinton has made his own as dean of students.

Gonsalves hired Clinton, who worked with him as assistant

Palestra program,
January, 29, 1980.

registrar for three years in the late 1970s. He testified to Gonsalves' work ethic, noting that back then he worked for admissions, founded the IT department, ran a book store and much more with a small administrative staff.

"Ernie always liked strategy," Clinton said. "He liked manipulating data ... I think Ernie gets a lot of satisfaction from getting things right. There's a certain joy in avoiding problems and I think that defines Ernie."

Clinton continued, "I learned a lot from Ernie. I think I'm still here in no small part because Ernie set me up and was a good role model in how to deal with students and how to be compassionate."

The job is winding down for Gonsalves, who is contemplating the next phase of his life. After years of commitment and responsibility, he has no firm plans in retirement, which comforts him. He and his wife Betsy love Hawaii and can go whenever they want. He looks forward to spending more time with his newborn grandson. He can play golf more than once a week. He could teach or tutor in math. Or he could go to the Palestra to watch Quakers basketball, on which he's been hooked ever since 1969 when he watched Penn, a perennial power in the 1970s, defeat arch-rival Villanova at the buzzer. He's held season tickets ever since.

Who knows how many steals and buzzer beaters and flagrant fouls and double dribbles and courtside streamers he's witnessed.

How many smart decisions he's made, and money he's saved, and hours he's worked. How many new programs he's overseen, and scholarships he's supervised, and problems he's solved.

What is known, and forever documented, is how one day more than 14 years ago he thwarted a burglary because he came to work when he didn't have to, but did because he wanted to, at the only place he's ever wanted to work. And that will remain the legacy of Ernie Gonsalves.





AN RX TO HEAL THE CRIMINAL JUSTICE SYSTEM

BY FREDDA SACHAROW

THE QUATTRONE
CENTER FOR THE
FAIR ADMINISTRA-
TION OF JUSTICE
APPLIES AN IN-
TERDISCIPLINARY
SYSTEMS APPROACH
MODELED ON AVIA-
TION AND MEDICAL
REFORMS TO ELIMI-
NATE ERRORS IN
CRIMINAL JUSTICE.

In the early morning hours of Jan. 16, 1985, four policemen entered the New Orleans home of John Thompson's grandmother. As the horrified elderly woman watched — along with Thompson's girlfriend and their 3-year-old son — they handcuffed the 22-year-old African-American youth and hauled him into custody for the murder of a well-to-do New Orleans hotel executive.

The only problem was that Thompson had not committed the murder. For Thompson, it was the start of an 18-year odyssey in prison — 14 of them on Louisiana's death row — as he struggled to prove his innocence.

After a trial and 14 years of appeals, Thompson's final appeal was rejected by the U.S. Supreme Court in 1999. Weeks before his execution, private investigators found results of a blood-typing test that had been withheld by prosecutors. The blood test, along with other newly discovered evidence in possession of the New Orleans Police Department, ultimately led to Thompson's retrial and

acquittal on all charges.

Now think about how different the outcome could have been for Thompson and thousands of others like him if a systemic model had existed that is better equipped to handle complexity than the current case-by-case approach, which for all its good intentions, has the potential to go horribly, lethally wrong.

John Hollway '92, author of an acclaimed book on the Thompson case, has thought about it. Putting into practice what he learned from the case, Hollway is now leading a significant reform effort as the first executive director of the Penn Law-based Quattrone Center for the Fair Administration of Justice.

"You can think of it as a startup in the field of criminal justice reform, and every startup needs an audacious goal," Hollway says. "Our audacious goal is to create a criminal justice system that doesn't need an appellate system, because we get the right guy, in the right way, every time. If we do that, wrongful convictions will vanish."

That's the mission of the Quattrone Center, which has brought together Penn faculty from throughout the University, including Law, Criminology, Medicine, Wharton, Social Policy & Practice, Nursing, Engineering and more in the

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pioneering application of a “systems approach” used successfully to reduce errors in healthcare and aviation.

With a transformative \$15 million gift to the Law School from The Frank and Denise Quattrone Foundation, of which Frank Quattrone ’77 and his wife, Denise Foderaro SAMP ’78, are trustees, Hollway is overseeing the creation of a new national research and policy think tank whose goal is at once lofty and daunting: to be the catalyst for long-term structural improvements to the U.S. criminal justice system from top to bottom.

“The National Registry of Exonerations has identified almost 1,450 cases where innocent individuals have been incarcerated and had their convictions overturned, but no one really knows just how many innocent people are in prison, or how many people who actually commit crimes get away with them — and both are errors in the system,” says Hollway, who explores the Thompson case in *Killing Time: An 18-Year Odyssey from Death Row to Freedom*.

Although the cases that receive the most newspaper ink or air time frequently involve murder, the Quattrone Center is looking into the circumstances surrounding all types of crimes commit-

ted by all types of alleged perpetrators — and what goes wrong along the way.

“People tend to think that these wrongful convictions only happen to poor people or minorities,” Hollway says, “and many times that’s so. But Frank Quattrone’s case shows it can happen to anybody.”

Quattrone, a high-profile investment banker, took some of the most star-studded names in the tech world public during the dot.com boom, Netscape and Amazon among them. But when federal investigators looked into the activities of his employer, global bank Credit Suisse, Quattrone found himself accused of obstruction of justice due to an e-mail reply he had written endorsing a lawyer’s reminder to his team to follow the company’s document retention policy.

Quattrone and his family endured four years of highly publicized investigation and scrutiny, during which time he was forbidden from working in his chosen field, and he was convicted of obstruction of justice. His conviction was overturned on appeal and the case was reassigned to a different judge “in the interests of justice,” an unusual and telling step for an appeals court that needed to ensure that his case received an unbiased hearing. Ultimately, all charges were dropped, and a securities industry ban against Quattrone, imposed by regulators, rescinded. He has resumed his successful career in the banking field, but the experience left its scars.

“Frank and Denise and their family know firsthand that the criminal justice system doesn’t always make the right decisions for the right reasons,” Hollway says. “It says a lot about them that after

going through their ordeal, they didn’t remove themselves from the system. Instead, they looked around and thought, ‘How can we prevent what happened to us from happening to others?’ “

The day of Frank Quattrone’s conviction, the couple read a story in a local newspaper in California about a man who had been exonerated after 20 years in prison. The story showed that this was far from an isolated case, and it struck a chord with the Quattrones, who were compelled to conduct their own research, which educated them about the magnitude of the problem. It didn’t take long for the Quattrones to approach Penn with a proposal to create a data-driven, interdisciplinary center geared to a sweeping reform of the criminal justice system through the systemic prevention of unjust outcomes.

“The great thing about being here at Penn is not only do we have access to a host of world-renowned legal scholars, but in the four-block radius around the Law School, we have access to interdisciplinary researchers who are world-class across the board,” says Hollway, who graduated from the University in 1992 with a bachelor of arts in diplomatic history and East Asian studies before going on to the George Washington University Law School.

The ultimate goal of the Center, he says, is to create a set of guidelines covering best-practice procedures for conducting a line-up, charging a jury, overseeing custodial interrogations, ensuring a scrupulous chain of custody for evidence — all the dozens of steps up and down the criminal justice ladder — and then to collaborate with jurisdictions to embrace them.

The Center is already working with



JOHN HOLLWAY

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SAYS JOHN HOLLWAY C'92,
EXECUTIVE DIRECTOR, QUATTRONE CENTER FOR THE FAIR
ADMINISTRATION OF JUSTICE.

a number of jurisdictions to implement best practices in eyewitness identification, and has partnered with several district attorneys who want to correct past mistakes and prevent future ones using objective, scientifically proven tools of Root Cause Analysis that optimizes operational procedures to improve the reliability and safety of a system. And recently, the National Institute of Justice selected the Quattrone Center and several agencies in Philadelphia, including the Philadelphia Police Department, District Attorney's Office and Court of Common Pleas, to participate in a pilot program that will apply its pioneering approach to reducing error in the criminal justice system.

Stephanos Bibas, a professor of law and criminology at Penn and director of the Supreme Court Clinic at the Law School, is a faculty member with the Quattrone Center. A former federal prosecutor with the Southern District of New York, he has been up close and personal with the criminal justice system, and has seen firsthand both its strengths and its flaws.

“We place a lot of confidence on

eyewitness and informants' testimony, but no one has actually ever tested it systematically,” Bibas says. “I, like everyone else, assumed the system worked well. It was intuitive.”

But as the legal scholar points out, it is not infallible.

“Over the last decades, our confidence in the system has been shaken. It's still probably true that most of the people we arrest and convict are guilty, but it's troublesome how many aren't,” Bibas says. “Virtually everybody wants to get the right guy, but we have too much faith in our ability to look someone in the eye and tell whether he's telling the truth ... or not.”

He and others involved with the center believe criminal justice lags behind other fields by years, if not decades, in creating institutional guidelines for examining where things can go wrong.

As far back as the 1930s, the aviation industry created a pilots' checklist designed to minimize accidents, and over the years created standardized procedures for determining why a plane crash took place: studying black box recordings, combing through wreckage on the

ground, conducting detailed audits.

Medicine, too, has its hospital review boards and its comprehensive pre-surgery checklists aimed at guaranteeing that the orthopedist doesn't set your left wrist if the right one is broken.

These approaches have shown demonstrable results, Hollway says, pointing to statistics from the Federal Aviation Administration showing the accident rate per 100,000 flight miles declining from more than 33 in 1962 to approximately 7 or fewer from 1982 on after stringent self-regulating guidelines were put in place.

As Hollway explains, the National Transportation Safety Board deploys a team of interdisciplinary experts who study everything from the engineering of the plane to the design of the runway to the sleep records of the people involved to the certification of every mechanic who worked on the plane.

“When we convict the wrong person, or when we have the right person in custody and let them go, that's the criminal justice system's equivalent of a plane crash,” Hollway says. “We think we can greatly improve the 'safety' of the crimi-

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nal justice system if we approach our mistakes using these same principles.”

David Rudovsky, a member of a core group of Penn Law faculty members at the Center working to develop research programs and protocols, has witnessed the failures of the criminal justice system in his work as a civil rights attorney.

In a high-profile case that ended successfully earlier this year, Rudovsky worked with the Pennsylvania Innocence Project to help secure the release of two men falsely accused of the 1995 murder of a North Philadelphia restaurant and bar owner.

Eugene Gilyard and Lance Felder were 16 at the time of the killing; they insisted they were not guilty, that the police had used faulty identification procedures. But not until another inmate confessed to the crime in 2010 did they feel a sliver of hope for a reversal.

The Pennsylvania Innocence Project, a nonprofit working to exonerate people convicted of crimes they did not commit and to prevent innocent people from being convicted, took on their case. Lawyers for the project sent a letter to the Philadelphia District Attorney’s Office asking the prosecutor to re-investigate the case, and later petitioned for a new trial.

It would take another three years, but on Nov. 7, 2013, Gilyard and Felder walked out of prison, and on June 18 of this year, the prosecution dismissed all charges against the two men.

Rudovsky, a member of the Innocence Project’s board of directors, says that although DNA evidence was not a factor in their exoneration, the Gilyard/Felder case is representative in many ways of the kinds of errors to which the criminal justice system is vulnerable.

The major causes of wrongful convictions are mistaken identification testimony, false confessions, police and prosecutorial misconduct, including failure to disclose exculpatory evidence, unreliable forensics testimony, and ineffective defense counsel, Rudovsky says.

The Quattrone Center, he says, will study and investigate the causes of wrongful convictions using a “systems” model with the aim of implementing needed reforms in the criminal justice system.

John MacDonald, who has been studying the criminal justice system for almost two decades, believes one of the weakest links in the chain is the point between arrest and actual charges.

“I think this is an area where there’s lots of potential for error,” says MacDonald, chair of criminology and associate professor in Penn’s School of Arts and Sciences. “Much of that is because you basically have a low standard of evidence in charging someone, so people can get arrested falsely and charged on really flimsy evidence.”

MacDonald, who says his role at the center will predominantly involve research, expects to team up with Hollway

in the spring to teach a class on conviction integrity.

Although there is some overlap in the work of the Innocence Project and the Quattrone Center, Rudovsky and others on the Center’s team point out that the Center neither litigates nor advocates for clients as the Innocence Project does. Nor does the Center take on individual cases to review.

Rather, as it continues to ramp up, the new unit will bring to bear the unique resources of a major university with an ambitious agenda of research collaborations with criminal justice practitioners, and symposia.

For its first two-day conference last April, the center brought in keynote speaker Christopher Hart, vice chairman of the National Transportation Safety Board, who used case histories of transportation accidents around the world to stress the importance of finding the root causes of such mishaps and making systemic changes, rather than assigning blame.

In some regions of the country, change is already happening, Holloway says, and the center hopes to capitalize on these innovations to create models that other jurisdictions can use. In Dallas, for example, then-newly elected District Attorney Craig Watkins launched the city’s Conviction Integrity Unit in 2007 to root out and fix the wrongful convictions his predecessors had won.

“IT’S IMPORTANT TO HAVE AN
INTERDISCIPLINARY APPROACH ...
IF YOU’RE PRESENTED WITH ACADEMICS, ...

Former federal prosecutor Steven M. Cohen L'88 applauds the creation of these units — he calls them “first-generation second-look bureaus” — but cautions that reformers are likely to face pushback from the law enforcement establishment.

“Sociologists will tell you that once an institution has obtained a conviction, institutional bias is very strong to keep that conviction in place,” says Cohen who watched such a dynamic play out firsthand in the case of two men, David Lemus and Olmado Hidalgo, serving 25 years to life for the 1990 murder of a bouncer at the Palladium, an East Village nightclub in Manhattan.

“I stumbled on this case and I came to believe the wrong people were sitting in jail,” recalls Cohen, now a private practitioner with Zuckerman and Spaeder in New York. “The New York police detectives involved in the case agreed with me, members of my office agreed with me, but the Manhattan DA’s office, which obtained the conviction, had a hard time accepting that they had convicted two innocent men. Here were people who were completely honorable who couldn’t get out of the way of their own bias.”

It was Cohen, who later became secretary to New York Gov. Andrew Cuomo in addition to serving as the governor’s counselor and chief of staff in the Office of the New York Attorney General, who pushed to reopen the Palladium case after a member of a drug-and-extortion

gang confessed that he, and not the two men in jail, was responsible for the slaying.

Cohen spent years as a private lawyer seeking to overturn the convictions of Lemus and Hidalgo, ultimately winning the release of one man; the other was acquitted after a retrial.

He acknowledges that change won’t come easy, but believes the Quattrone Center can have a positive impact because of its diverse nature.

“Nothing new in life that is innovative is initially embraced, with the exception of the iPod,” Cohen says, only half-jokingly. “That’s why it’s important to have an interdisciplinary approach. If the recommendations come from a bar association that is perceived as being made of the defense bar, say, it’s far easier for the prosecutor’s office to be dismissive. But if you’re presented with academics, social scientists, former prosecutors who say collectively these are the best practices, that would be much easier to embrace.”

Similarly, John Hollway hopes to win buy-in from both practitioners and the judiciary partly because the center’s approach is not confrontational but collaborative.

“Until now,” the center’s executive director says, “the primary mechanism for redressing any mistakes has been litigation, so you don’t get prosecutors and defense attorneys working together. We’re saying to everybody, ‘Hey, we can help you do your job more efficiently.’

It’s a refreshing change from focusing on blame. “

FREDDA SACHAROW IS A FORMER EDITORIAL PAGE EDITOR AND A FREELANCE WRITER WHOSE WORK HAS APPEARED IN *THE NEW YORK TIMES*, *NJBIZ*, *THE JEWISH EXPONENT* AND VARIOUS PUBLICATIONS OF RUTGERS AND COLUMBIA UNIVERSITIES.



Christopher Hart, vice chairman of the National Transportation Safety Board, explains the aviation industry’s effort to improve the safety of air travel during a conference sponsored by the Quattrone Center for the Fair Administration of Justice.

↓ ONLINE EDITION

VISIT @
www.law.upenn.edu/institutes/quattronecenter/
 to watch John Hollway discuss the Quattrone Center’s systems approach.

... SOCIAL SCIENTISTS, FORMER PROSECUTORS WHO SAY
THESE ARE BEST PRACTICES, THAT WOULD BE MUCH
 EASIER TO EMBRACE,
 SAYS STEVEN M. COHEN L’88.

AN UNSHACKLED COMPUTER FOR A NEW AGE

HAIG FARRIS BETS ON A TECHNOLOGY
WITH 'MIND BOGGLING' BENEFITS
BY LARRY TEITELBAUM

NEARLY 70 YEARS AGO,

Penn's School of Engineering worked in secrecy to develop a new technology with the capability to solve complex mathematical problems at speeds never seen before. Engineers employed that speed and calculating power to test a proposed design for the hydrogen bomb. The world's first electronic computer, known as the ENIAC, was hailed as a revolutionary machine that would advance research and save money.

Several generations later, there is once again a Penn connection to a major breakthrough in computing. Only this time the action originates in Vancouver, Canada, where Penn Law alumnus Haig Farris L'63 was the founding investor in a company named D-Wave, which has

developed market-ready proprietary technology to build quantum computers.

Farris, president of Fractal Capital, and his fellow investors have a multimillion dollar stake in D-Wave, so he is heavily invested in its success. As one of the most influential venture capitalists in western Canada, Farris has listened to tons of pitches and reviewed sheaves of R&D proposals. But he's never been more excited than he is about the commercial potential and societal benefits of quantum computing.

It doesn't take him long to get cranked up about the technology. Farris says quantum computers are thousands of times faster than conventional computers, and are capable of providing solutions to complex problems in a matter of seconds, rather than years. The benefits are untold, he says, in an

era where data is increasing at rates unknown in human history.

"The calculating power is mind-boggling," says Farris, who explains that bit-based computers follow a step by step approach to problems while superconductor quantum computers, like our brains, can analyze enormous amounts of information simultaneously with applications in areas such as data security, spacecraft navigation and drug development that will prove infinitely important in years to come.

According to Farris, D-Wave's customers are using quantum computing to verify software that controls the operation of fighter planes at a much lower cost than present methods; can more quickly create encryption algorithms to protect data; and can model molecular structures to design drugs that correct individual genetic

deficiencies – all of which will lead to quantum leaps in many spheres of life.

Farris took something of a quantum leap in his own career. Out of law school he followed the path of his grandfather, Wallace Farris, who studied at Penn Law in the early 1900s, when it was located at Independence Hall. His grandfather went on to start what remains one of Vancouver’s most respected law firms, which the younger Farris joined upon graduation.

For five years, Farris dutifully practiced what he calls the art of “suing and defending.” All that changed when he represented oil and gas promoters and geologists at trial. A science novice, he had to bone up on geology in order to cross-examine a witness. He recalls how the subject fascinated him, made “the rocks come alive.” In due time, he left the practice of law to co-found a financial consulting firm and then, in what amounted to a start-up of his own, the first venture capital firm in British Columbia. Since then, he’s invested in more than 100 start-ups and early stage companies, including some hits and misses.

One of his fabled misses occurred early on. Back in the 1970s, Farris thought he had hit a vein of gold when he collaborated with an eccentric but

ingenious Ukrainian immigrant who had invented a rear projection screen with application for the emerging large screen home television industry and instant replay in sports.

Farris arranged for a demonstration of the technology during a football game in his hometown of Vancouver. On that day fans saw the world’s first instant replay flashed onto a 16 foot by 20 foot screen. Intrigued, consumer giant Hitachi asked Farris to scale up and mass produce the screens for use in the company’s prospective home television system.

During the production run, an employee dropped a screw into the roller that produced the screens, causing visible flaws in the middle of them. Farris turned to the original custom toolmaker for help, but he died before he could make repairs.

In the meantime, soaring interest rates cooled Hitachi’s ardor and the company changed plans. “They canceled the million dollar order,” laments Farris, who had invested up to a half million dollars in the project. “Poof, ten years of effort, patents and development up the (chimney) flue in a week. 3M bought the patents from the receiver and we investors drowned our sorrows in cheap wine.”

False starts and missed opportunities have haunted investors ever since King Ferdinand and Queen Isabella backed Columbus. Investors spend their lives searching for black swans — rare and unexpected breakthroughs, in the lingo of the business. Unfortunately, more often than not they find themselves on the business end of ugly ducklings, with only one in ten investments turning a profit, according to Farris. But with any luck, Farris and his fellow investors will be drinking champagne from a chalice if D-Wave turns out the way he envisions.

And there are signs that it could.

D-Wave developed rather organically. For nine years, in the 1990s, Farris taught a class in entrepreneurship at the University of British Columbia (UBC), his alma mater. The class catered to engineering, science and MBA students. Every semester Farris would assemble the students in teams and ask them to write a business plan for a new technology.

He took a shine to the scientists, in particular the physicists, whom Farris calls “superstars.” He’s long admired their ability to analyze reams of complex data and solve problems, which he considers the heart of business development. One of his superstars was Geordie Rose, an engineer and former member of the Canadian Olympic



Haig Farris L'63 and Ukrainian inventor Russ Bratkowski , creator of a rear projection screen.

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wrestling team studying for a PhD in theoretical physics. Rose had ambitions but no experience in business, so he enrolled in Farris' class in 1994.

Rose says he took the class on a whim. He approached it with skepticism, secure in the knowledge that business was for people who lacked the higher order thinking of physicists. He soon discovered that business was more complicated than he had imagined.

Farris remembers how Rose got up one day in class and made a crystal clear presentation on the principles behind physics. It made an impression on his classmates and on Farris. Several years later, Rose visited Farris' office to tell him about his work on a quantum transistor. Farris wrote him a \$4,000 check on the spot so he could buy a laptop computer and printer to write a business proposal.

That was the start of D-Wave, in 1999. Fifteen years later, Rose sits on the brink of something big — after seasons of striving and strife.

“D-Wave wouldn't exist without Haig,” Rose says. “Of all the people I've met in my life, I've never met anybody with such unflagging optimism and good cheer, and it's contagious.”

Rose recalls accompanying Haig on fund-raising calls in the early days. One angel investor looked at his watch the whole time and kicked them out of his office when he learned there were no plans for an IPO in the next 18 months. Rose was shaken, but not Farris, who plodded on. After 50 rejections, financing started to flow.

“When things get tough, some people fold or go negative, and that's never been the case with him,” says Rose. “He's kind of the oak tree that you can lean on.”

Perseverance pays. In the last few

years, D-Wave has really begun to take off. The company has been featured in *Scientific American* and on the cover of *Time*; the *MIT Technology Review* named D-Wave to its list of the 50 Smartest Companies, an echelon that includes Amazon, Google, IBM and Microsoft; and big-

name companies and institutions have started to vote with their purchases of quantum computers, which are the size of a big cabinet and cost between 12 and 15 million dollars apiece.

Buyers include partners Google and NASA, and Lockheed Martin and the University of Southern California, which is bidding to become an incubator of this new technology.

Lockheed employs the computers to verify the software used in F35 Navy fighter planes. As Farris explains, the software enables pilots to turn and fire missiles with accuracy. At \$20 million per plane, Lockheed needs to reduce this cost. He says quantum computers, with their speed advantage over classical computers, are poised to do just that.

Farris says Google has used the D-Wave computer to test and implement Google Glass, hi-tech eyewear which, for example, helps physicians retrieve medical records and moviegoers launch movie reviews from posters. It may even one day soon allow people to track the location of friends and family.

NASA is developing algorithms to assist the Kepler space telescope in its search for life on other planets.

At the moment, the future appears

Courtesy of D-Wave Systems Inc.



Quantum computers, which cost 12 to 15 million dollars, will not fit on desktops any time soon.

bright for quantum computing. Farris says he is working on deals with two major universities in the United States and one in the United Kingdom, none of which he is free to disclose yet; and technology, oil and gas and chemical companies are beginning to pay attention. There could also be a future collaboration between D-Wave and Zymeworks, a biotechnology company headed by another former student who is working at the frontier of personalized medicine developing drugs to correct genetic errors and target cancer and autoimmune diseases. Merck and Eli Lilly have invested millions in the Zymeworks' platform.

Farris thinks the break-out moment will come in a few years, adding, in an uncharacteristic note of caution, that progress could be delayed by a lack of mathematicians, physicists and computer scientists with the skills to program and use quantum computers.

All the same, he quickly pivots to a sunnier outlook. “You don't have to be a rocket scientist or do a market study to know that if somebody produces a computer that's a billion times faster than the fastest computer today, that it would be a valuable thing to do.”

A Student Group in the Tradition of Sadie Alexander Beats the Drum for Diversity

BY SOFIYA BALLIN

VERNON FRANCIS L'87 remembers the Black Law Student Association (BLSA) being a haven for him at a time when universities were still grappling with how to increase diversity on their campuses.

“Affinity organizations were sanctuaries — places where you felt you could be yourself and be with other people like yourself,” Francis said. “Now, an affinity group is less a sanctuary and more like another doorway to joining the law school community.”

That door started to crack open in the early 1970s, the rough starting point for BLSA. In 1970, there were a total of 14 black students — 11 men and 3 women. From the start, BLSA aimed to increase minority enrollment and create a network of support for students of color.

Today, BLSA, with 55 current members, is considered one of the most active, important and oldest student groups at Penn Law. BLSA students teach conflict resolution at a local elementary school and offer legal assistance to people in Africa. But the highlight of every year is the Sadie Tanner Mossell Alexander Conference, in honor of the first African-American woman to earn a law degree from Penn. The 2007 conference featured an historic announcement: the creation of the Raymond Pace & Sadie Tanner Mossell Alexander Professor of Civil Rights chair, held by Dorothy E. Roberts.

Anthony Gay L'94, a member of the Penn African-American Law Alumni Society at the time, remembers how faculty, students and alumni pulled together to make it happen. “It’s a very important chair because without adherence to the law and

recognition of civil rights there’s really no group in this country that can have the freedoms that we experience today and seek to protect,” Gay said.

Gay believes barriers have been broken but much work remains. “The reason we have the society that we have today, which is still imperfect, is because we continued to work to achieve and maintain the promise of the Constitution.”

According to the *American Lawyer*, only 3 percent of lawyers at the big law firms are African American, and only 1.9 percent have been named partner.

Regina Austin L'73 knows how that feels. She was one of three African-American women in her class at Penn. “If you go into a courtroom and none of the authority figures look like you, that’s a problem,” Austin said. “A diverse community of professionals is likely to be a more accountable, professional, considerate, critical and aware population of decision-makers and actors with power that a just society requires.”

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SAYS REGINA AUSTIN L'73.

Francis, a litigation partner at Dechert and adjunct professor at the Law School, agrees.

“A lot of what we do is apply our judgment to different factual situations and we try to get the best results for our clients,” Francis said. “The more perspectives you bring to bear on that process the better off your decisions are going to be. Diverse decision-makers are better decision-makers.”

While the Sadie Conference remains an annual showcase, BLSA has expanded well beyond that gathering. Project PEACE, for example, serves as a platform for the teaching of conflict resolution to students at Heston Elementary School. BLSA has also been instrumental in the Behind The Bench Initiative where judges offer their perspective about the judiciary to prospective attorneys.

The organization was especially active during the presidency of Rachel Pereira L’09, who helped establish the Pan-Africa Service Project, which has provided legal assistance to residents in Kenya, Ghana and St. Lucia. BLSA also started the Penn Law Outreach Program to help minority students interested in law school prepare for the LSAT exams and the law school admissions process.

“The intention is to really try to increase the minority population at Penn by increasing the number of candidates that apply,” Pereira said.

An increase Austin would welcome. Austin was the only African-American woman in her entering class to complete her degree and graduate from the Law School in 1973. Four years later, she became Penn Law’s first black female professor. Over the last 37 years of teaching and studying here, Austin has witnessed BLSA’s growth and impact on the Law School.

“BLSA has been steadfast and over the years I have admired the students who have participated in it and devoted their hearts and souls to it,” Austin said.

Austin believes the organization, like any other, is constantly readjusting to the changing times.

“Each group has to struggle with what the significance of the organization will be relative to the position of blacks and the bar and blacks in the community,” Austin said.

Much of BLSA’s history, including its origin, has been lost in the mists of time. Current president Brittney Denley 3L intends to correct that, as well as place even more emphasis on community outreach.

“The one thing that I think is certain is that we will be as proud of them (the students) tomorrow as we are of them today,” Francis said of BLSA. “What I hope we continue to get out of organizations like BLSA is that we’ll continue to view our history as something to celebrate and pass on.”



September 11, 2001, firefighters work near Ground Zero after the collapse of the Twin Towers in New York City.

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PENN LAW PRIDE

A SCHOLARSHIP FOR THOSE WHO PROTECT US

“I believe that people who have sacrificed their personal security to protect ours are deserving of our support.”

– CARL KLAPPER L’76

CARL KLAPPER L’76 is proud that both his father and son served their country and community. His father was a lieutenant in the Army Air Corps during World War II and his son, Matt Klapper C’05, served as a volunteer and then professional firefighter in Summit, N.J.

So when it came time to donate to Penn Law School, Klapper wanted to provide a distinctive service to the men and women who serve us.

He and his wife, Joanne Klein Klapper C’76, decided to establish The Klapper Endowed Scholarship, which gives preference to veterans, police officers, and firefighters.

“I have great admiration for these people,” Klapper said. “I believe that people who have sacrificed their personal security to protect ours are deserving of our support.”

His son is currently senior advisor to Sen. Cory Booker (D-NJ), but on 9/11 was among the first responders after the attacks on the World Trade Center. “Joanne and I are proud of our son and of his values, as well as his accomplishments,” Klapper said. “We felt the same way on 9/11 except on that day we were, like any parents would be, especially concerned about the risks he might be exposing himself to in performing his service.”

Klapper, who grew up in Fair Lawn, N.J., credits Penn Law for providing him with the knowledge and tools to help him co-found KLS Professional Advisors Group, LLC a wealth management company in New York.

“It (law school) prepared me for my relatively brief career as a lawyer but more importantly it taught me how to think rigorously,” Klapper said. “That has been a tremendous asset well beyond my years as a lawyer.”

Klapper has deep personal ties to Penn Law School. His daughter, Carrie Klapper C’10, L’14, who is joining Simpson Thacher as a litigation associate this fall, competed in the Keedy Cup finals. He’d like to give other students the same chance she had to excel – and continue a life of service.



Barely In His 30s, Towne Leads a National Geographic Life

BY SOFIYA BALLIN

HE'S STUDIED SWAHILI, LIVED IN KENYA, SCALED STORIED MOUNTAIN PEAKS, AND SERVED AS A CIA ANALYST IN IRAQ.

At age 32, Andrew Towne 3L has already embarked on enough adventures to write a page-turning bestseller.

Raised in North Dakota, the JD/MBA student has quite a story to tell — and he's only just beginning.

It all started when Towne was 16 and his high school German teacher encouraged him to study abroad for a year as an exchange student. In Germany, Towne became fascinated with foreign cultures and international relations, so in college he took up Swahili. A Boren Scholarship enabled Towne to spend his junior year at the University of Nairobi in Kenya, studying African languages and politics while living with a local host family.

On the bus each day, Towne passed Kibera — which at almost one million inhabitants was Africa's second largest slum. Seeing so many people packed into an area not much bigger than Penn's campus motivated Andrew to volunteer. After searching for an organization that served Kenyans in a culturally sensitive way, Towne volunteered for the Watoto wa Lwanga Project, providing education and basic healthcare to slum children and orphans. Towne worked in the classroom and in the office, helping the organization communicate its good work to donors.

Towne also developed a love for mountain climbing in East Africa, hiking up Mount Kenya and Mount Kilimanjaro — the two tallest mountains on the continent. Terrified of heights, "I like pushing my limits," Towne said, "because of the satisfaction that comes with conquering one's urge to give up." Towne lists Mount McKinley, the highest peak in North America at 20, 237

"We have world class opportunities,"
SAYS ANDREW TOWNE. **"We should take**
these opportunities to make world-
class change."

feet, as his favorite climb due to its remote location and barren terrain.

After college, Towne served as a CIA analyst in Iraq, where he came to understand the importance of the law in shaping intelligence policy. He applied early to Penn Law, because he was attracted to the students' work ethic and the vast opportunities available at the school.

Towne, who will graduate in 2015, is preparing for a private sector job with an international focus. "I want to better understand how foreign policy influences international business and vice versa," Towne says.

With a father who dropped out of medical school to pursue a PhD in music history and a mother who ran away from home as a teenager, only to become an Episcopal priest by age 50, Towne is a strong proponent of doing what you love and always serving others. His mother's humble beginnings — combined with her positive impact on the lives of hundreds of people before she died — particularly inspired Towne to be a force for good in society.

He hopes to do just that with the benefit of a Penn Law education. "We have world class opportunities," Towne says. "We should take these opportunities to make world-class change."

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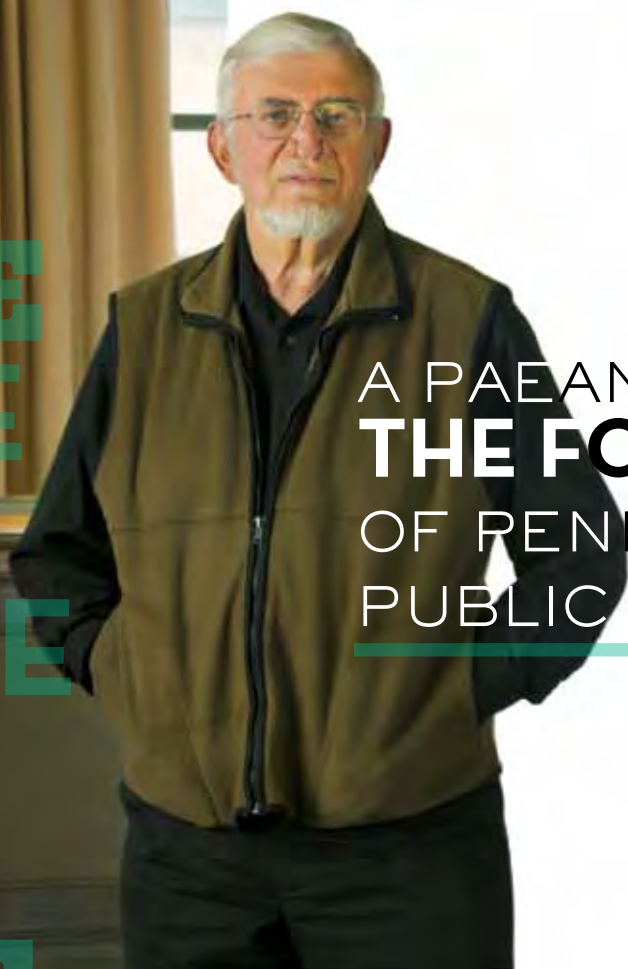
WE ARE
PUBLIC
SERVICE

“Our hope is that the next generation of lawyers will, more likely than those who have gone before, take it for granted that part of the opportunity of being a lawyer is the opportunity to spend part of one’s time doing unpaid service to others.” – Professor Howard Lesnick

Since 1989, when the faculty approved Lesnick’s vision for the Public Service Program, students have taken his words to heart, running with the pro bono graduation requirement and performing more than 500,000 hours of service.

On this 25TH anniversary of the program, which is recognized as a national model, we celebrate the valuable work of the 27 student-run pro bono groups; we pay tribute to the leaders who created a service ethos at the Law School that places us in the forefront of legal education; and we imagine all of the careers for the public good we will generate in the years ahead.

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A PAEAN TO **THE FOUNDER** OF PENN LAW'S PUBLIC SERVICE PROGRAM

BY DAVID RICHMAN L'69

BELIEVE ME when I say that it was humbling to

receive the first Howard Lesnick Award for public service. At the time, I likened it to receiving the “Michael Jordan Award” for basketball accomplishment: you’re honored by the association, but can’t help but feel unworthy by comparison. And so I did. (The subsequent recipients of the award — a genuinely distinguished lot, including newly minted federal judge Jerry McHugh L’79 and Larry Fox C’65, L’68 who began collecting merit badges when we were cub scout pack-mates, as he professes to recall — have only deepened my feelings of unworthiness.) In retrospect, my reference to Michael Jordan fell short of the mark. A truer, if obscurer comparison, would have been to James Naismith, who hung a peach basket from the balcony of a YMCA gym and originated the game of basketball. For if Howard Lesnick did not invent the concept of the law school public service program, his peach basket was quite refined for the time and has generated a movement in legal education that is played year-round, indoors and out (though mostly in).

The Public Service Program is, today, one of the Law School’s glories, and Howard Lesnick was the inspiration and force behind its creation. When he expounded on the concept in 1994, he said that he came to it as a teacher of professional respon-

sibility. He started, he said, from “the premise that the professional ideal is that a lawyer should devote some significant part of his or her practice to unpaid public service.” When he looked around him at the actual practice of law, he was distressed by the wide gap between the rhetorical commitment to the professional ideal and the reality. Mandatory pro bono service was the vehicle he chose for teaching students “what it means to be a responsible lawyer.” Model Rule of Professional Responsibility 6.1 may cast pro bono service in merely aspirational terms — something lawyers “should” do — but for Howard, aspiration and obligation have no light between them. That’s one way of identifying a moralist, which defines Howard’s ethical stance.

Howard has noted that it is personally fulfilling for a lawyer “to stand with those in trouble.” I can vouch for that and for the many other rewards of pro bono service. And yet, in the end, the personal satisfactions are beside the point. Countless alumni of the Public Service Program, having been imbued with the Lesnick ideal of professional responsibility, have interrupted their remunerative activities to stand with men and women in trouble and without the means to hire a lawyer. That is a fabulous legacy for a law professor, even more so, I daresay, than an award bearing one’s name. Dr. Naismith’s game flourishes and so, to his immense credit, does professor Lesnick’s.

DAVID RICHMAN IS OF COUNSEL IN THE PHILADELPHIA OFFICE OF PEPPER HAMILTON AND SENIOR MEMBER OF THE FIRM’S HEALTH EFFECTS LITIGATION, ENVIRONMENTAL, AND WHITE COLLAR AND CORPORATE INVESTIGATIONS PRACTICE GROUPS. HE HAS ALSO BEEN DEEPLY INVOLVED IN ADVOCATING FOR INMATES IN THE PHILADELPHIA PRISON SYSTEM, AND IS CO-FOUNDER AND PRESIDENT OF THE PENNSYLVANIA INNOCENCE PROJECT.

WE ARE PUBLIC SERVICE

PUBLIC SERVICE PROGENITORS

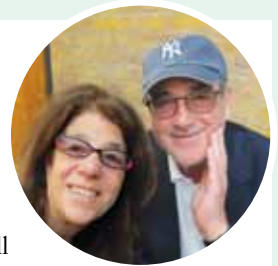
MICHAEL A. FITTS

Mike Fitts served as dean from 2000 to 2014. With a strategic vision to create community-wide engagement in the public sector, capitalizing on our pro bono program, Dean Fitts expanded opportunities for students and alumni. Due to the generosity of Bob and Jane Toll, Fitts was able to allocate significant resources to students seeking career opportunities in the public interest sector. Fitts grew the number of Toll Public Interest Scholars (who receive full 1L scholarships and 2/3 2L and 3L scholarships and have educational benefits including academic research with Penn Law faculty and the execution of a public interest symposium); and guaranteed funding to students seeking summer internships in the public sector. Each summer for the past several years, close to 200 students have received funding to pursue opportunities with the widest array of public interest placements across the country and around the world. Fitts also oversaw an increase in support for current students pursuing public interest and a doubling of TollRAP loan repayment grants for Penn Law graduates working in the public sector. TollRAP has supported more than 100 alumni in the last four years alone. In addition, Fitts approved the creation of our Post-Graduate Fellowship Program, which has launched numerous public interest careers.



ROBERT TOLL L'66 & JANE TOLL GED'66

Longtime supporters of education, Robert and Jane Toll made two major contributions to Penn Law that greatly expanded the programs of the Toll Public Interest Center and support for public service at Penn Law. As a result of their gift, the number of pro bono opportunities available for students more than doubled – increasing our community partnerships and establishing new opportunities for engagement with causes and concerns ranging from civil rights advocacy to support for survivors of domestic violence. The Tolls' generosity allowed the school to increase attorney supervision for students, expand the public interest scholars program, and create career-launching post graduate fellowship and catalyst grant programs that have since been augmented by other generous alumni. As law school debt has risen and made choosing public service that much harder for students, the Toll gift has made the pursuit of public interest careers financially viable by allowing Penn Law to guarantee that unpaid summer internships in the public sector could be funded, and by bolstering the loan repayment program so that all alumni working in public service can receive this financial support.



ROBERT H. MUNDHEIM

Mundheim served as dean from 1982 to 1989. During his tenure, he spearheaded the requirement that every second- and third-year law student devote a minimum of thirty-five hours a year to pro bono service. Mundheim felt strongly that students “must recognize that their exclusive privilege of practicing law creates the obligation to make their special skills available to all of society” and he believed that law schools were responsible for imparting this to students. He believed this could be achieved by offering financial assistance, innovative programming and forums for discussion of social problems such as the Edward V. Sparer Symposium.



ARLENE RIVERA FINKELSTEIN



Appointed assistant dean and executive director of TPIC in 2008, Arlene Rivera Finkelstein has overseen the development and growth of the internal and external pro bono opportunities offered by the Center, with student-initiated pro bono projects more than doubling from 12 in 2008 to 28 in 2014. Over the past several years, more students are engaged in more service, with an almost 25 percent rise in service in the past three years, and with now more than 90 percent of our graduating class exceeding the pro bono requirement.

She has also overseen significant new initiatives to further students' professional growth. These include an annual overnight retreat for students to focus their public interest work at Penn Law; expanded networking events for students and alumni (e.g., annual dinner in Washington, D.C. bringing together alumni in public sector positions and students interested in potential pro bono opportunities and careers); and the cultivation of a community-wide public service ethos by converting the Honorary Fellow graduation speaker to a week-long public interest celebration every spring, featuring a prominent Honorary Fellow In Residence and culminating in an annual public interest symposium and alumni dinner. She has also launched an array of new Penn Law postgraduate fellowships and Catalyst Grants to jump-start students' public interest careers and has instituted through which faculty, staff, and alumni actively engage with current students and alumni who are competing in the highly selective national postgraduate fellowship process.

SUSAN FEATHERS



Susan Feathers succeeded Bernstein-Baker in 1998. Under her leadership, the law school placed 600 students in law-related volunteer programs per year, representing as many as 1200 clients. Feathers' tenure as Assistant Dean of the program was marked by an evolution from a program whose focus was on administering the pro bono requirement to acting as a clearinghouse for all public interest-related activities at the law school. A number of milestones occurred on her watch: the Philadelphia Urban Law Student Experience (a collaboration between Penn Law and Temple Law) recognized the Street Law project as Program of the Year; Penn Law became the first law school to receive the American Bar Association *Pro Bono Publico Award*; the international human rights fellowships were established; and the Center received a transformative gift from the Tolls. In addition, there was a sizable increase in students' pro bono work during their first year of law school — from 23 percent in 1999 to 68 percent in 2006.

JUDITH BERNSTEIN-BAKER

Judith Bernstein-Baker served as the first public service director at Penn Law. Starting in 1990, Baker spent eight years building a program that became nationally recognized and acclaimed. In 1992, only three years after the program was instituted, almost 30 percent of the students finishing their work spent more than the required 70 hours on their placements, and some students dedicated as many as 100 and more hours to their clients. In describing her vision for the program, a vision she successfully brought to fruition, Bernstein-Baker noted: "the Program can serve as a catalyst. To the extent that the Public Service Program can spin off this kind of energetic service, while at the same time meeting our primary goal of preparing our students to fulfill their ethical obligations, we are really accomplishing something important."



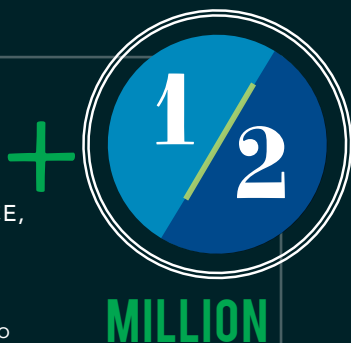
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WE ARE PUBLIC SERVICE

15 MILLION

OVER \$15 MILLION given to help launch hundreds of careers in the public sector. Providing financial support to students and alumni who demonstrate an avocation for service allows them to become lifelong advocates for countless underrepresented causes and communities.

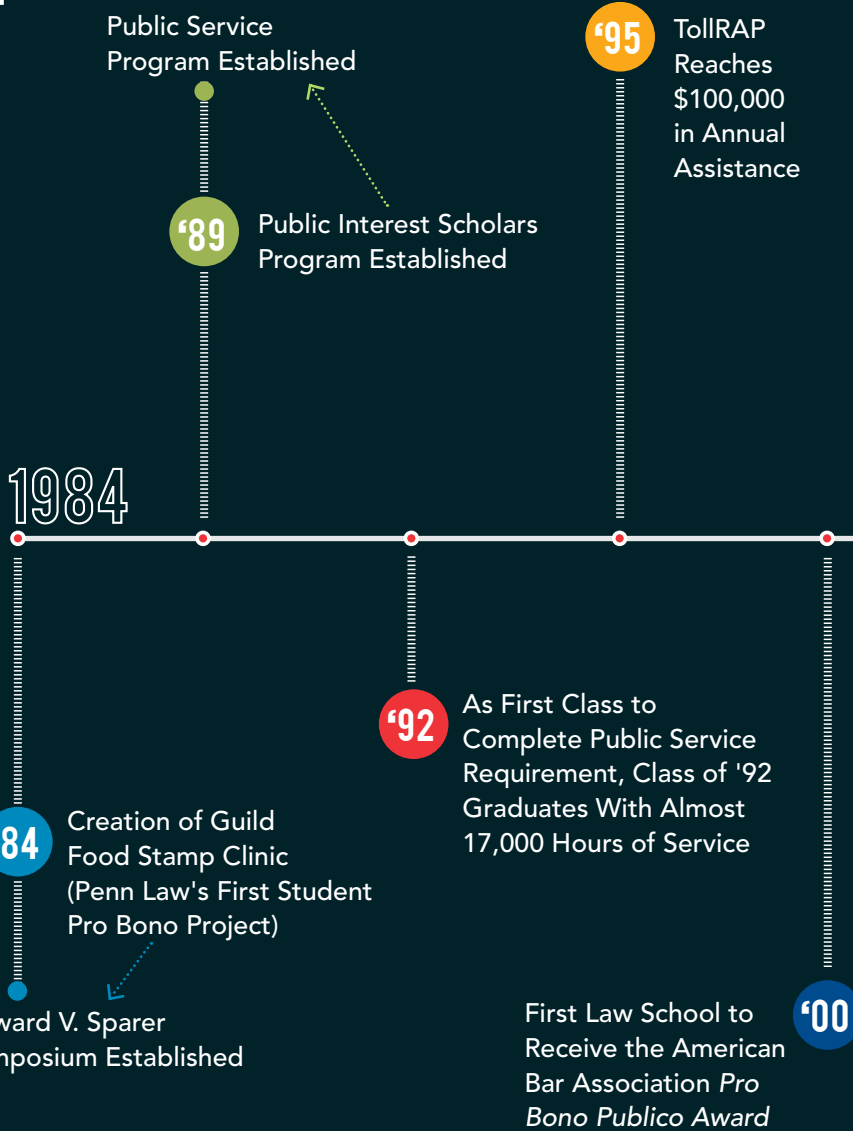
OVER HALF A MILLION HOURS OF STUDENT SERVICE, a significant portion of which have been dedicated to our 27 student-led pro bono projects. During the 2013–2014 school year, 119 student leaders dedicated over 8,000 hours to the management and coordination of these projects, resulting in robust and varied service opportunities for the entire Penn Law community.




MILLION

OVER **6,000**

OVER 6,000 STUDENT PARTICIPANTS have worked in every area of legal assistance, including placements in government, foundations, public schools, religious organizations, environmental groups, youth advocacy groups, civil rights organizations, women's rights groups, and immigrant and prisoner advocacy groups.



+90%

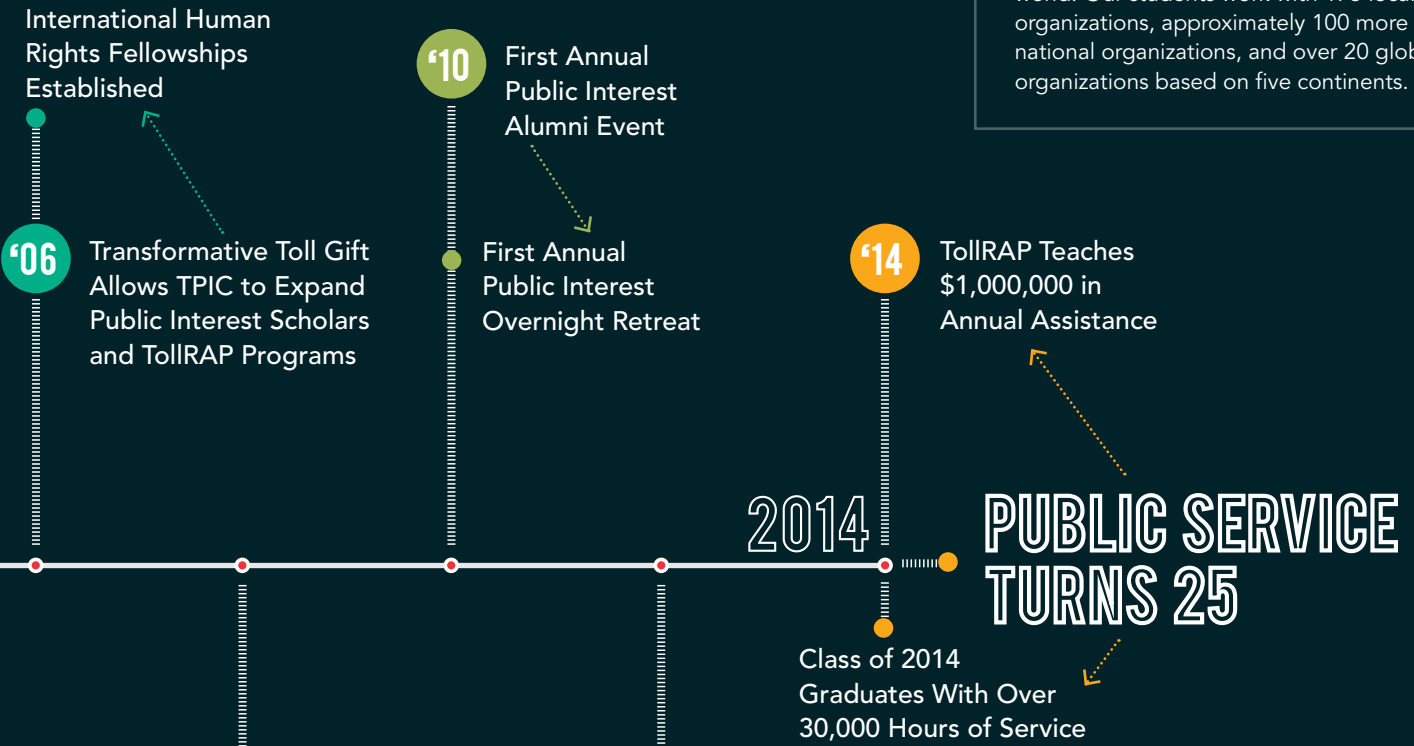


AN EVER-INCREASING NUMBER OF GRADUATES who exceed the 70-hour public service requirement: from 24% in 1992, to over 90% in 2014. Overwhelmingly, our students treat the hours they spend performing service work not as a requirement, but rather as a commitment, a testimony to the service-centered culture that has grown in the law school over the past 25 years.



WIDESPREAD COMMUNITY PARTNERSHIPS:

Over 300 community partners across the United States and around the world. Our students work with 173 local organizations, approximately 100 more national organizations, and over 20 global organizations based on five continents.



EXPANSIVE GROWTH OF STUDENT SERVICE INITIATIVES:

from 1 student-led pro bono project in 1989 (the pre-existing Guild Food Stamp Clinic), to 27 student-led projects in 2014. The advocacy programs that students have developed over the years address issues reflecting the diverse passions and entrepreneurial spirit of Penn Law students. Today, students have the opportunity to work on projects ranging from the law-related teaching of school children and the expungement of criminal records, to the filing of asylum petitions for Iraqi refugees and advocacy for animal rights.

WE ARE PUBLIC SERVICE

HELPING HANDS AT HOME & ABROAD

In 1989, the first year of the public service program, there was but one student-run group doing pro bono work. Twenty-five years and countless service hours later, there are 27. Below are just three examples of the work being done by our student groups and the impact they are having in the community, whether close to home or halfway around the world.

CIVIL RIGHTS LAW PROJECT

Through internships and extensive legal research projects, Civil Rights Law Project members support a diverse group of local and national nonprofit organizations dedicated to civil rights and social justice, including those that engage in direct services, impact litigation, and policy advocacy.

In the last academic year, for example, CLRP worked on behalf of coal miners, conducting research on federal black lung law and survivor benefits for the Appalachian Research and Defense Fund. That research was cited in oral argument before the 6th Circuit. Students also helped Community Legal Services with research for a comprehensive report examining the disproportionate rate at which young women of color with criminal records experience barriers to employment. Finally, the CLRP complied information about voting requirements in key states. The NAACP Legal Defense Fund incorporated these findings into “know your rights” voter information cards for the 2014 mid-term elections.

IRAQI REFUGEE ASSISTANCE PROJECT (IRAP)

Penn Law’s IRAP aims to provide refuge in more ways than one. The Iraqi Refugee Assistance Project is a national initiative geared towards providing pro bono legal assistance for Iraqi refugees who are seeking resettlement. Students perform casework, policy work and community outreach.

During the 2013–’14 academic year, the Penn Law chapter’s advocacy led to three of their Iraqi clients being resettled to the United States. Additionally, eight students traveled to Iraqi Kurdistan in order to perform direct client service, interviewing Syrians and Iraqis who were escaping violence and persecution. Students worked with interpreters and staff from IRAP’s national office to gather information in anticipation of the U.S. opening the resettlement process for Syrians. Students also worked with local nonprofits partnered with the government and the United Nations High Commissioner for Refugees to provide services to refugees. This year, Penn Law IRAP will continue to perform direct client service in the U.S., working with attorneys and the National Office on Special Immigrant Visas and Requests for Reconsideration, and will also travel to Beirut to work with Syrian refugees.

PENN HOUSING RIGHTS PROJECT

The Penn Housing Rights Project pairs law students with attorneys at several Philadelphia firms to represent tenants who are involved in disputes with their landlords, often over wrongful evictions. First year members help attorneys prepare to represent tenants in the Philadelphia Municipal Court by conducting research and meeting with clients. Members usually attend hearings and often take part in settlement negotiations with landlords. Participants become certified to appear before the court in the spring of their 2L year and begin taking the lead role in representing their clients.

One recent case illustrates the important work being done by the Housing Rights Project. Students represented a man who faced eviction from his home. The client was on the brink of losing custody of his children because their welfare would be in jeopardy without adequate housing. For two years, their father had contended with rat infestation, holes in the wall, and spotty electricity due to faulty wiring. PHRP negotiated a settlement with his landlord where he agreed to pay back a small portion of the rent he had withheld after all of the repairs were made to the apartment. With PHRP’s help, the man kept his home and retained custody of his children.

WHAT WILL PUBLIC INTEREST LOOK LIKE OVER THE NEXT 25 YEARS?

ARLENE RIVERA FINKELSTEIN, ASSOCIATE DEAN FOR PUBLIC INTEREST PROGRAMS, spells out a vision for the future of public service at Penn Law that accounts for the influence of technology, the here-to-stay effect of globalization, the impact of new public service requirements, and the dilemma facing the public interest sector in a world where less funding is on a collision course with the need for more services.

TECHNOLOGY RULES

We have entered an age of high-tech advocacy. Millennials intuitively seek technological tools to help them engage in collaboration, outreach, and high volume work. The same holds true for nonprofit organizations, who are trying to figure out how to harness technology to serve increasing needs with fewer resources. As a first principle, students also believe in ensuring access to all, viewing it as a fundamental right regardless of economic status. Technology will remain a tool that gives grassroots organizing an expansive voice, while also being the means through which civil liberties are violated, and that will have to be monitored.

VANISHING BOUNDARIES

The world is big for the on demand generation. That means the notion of service has no geographic or temporal limits. Similarly, e-mail makes it possible for students to work anywhere and anytime. The result is service without clocks or borders. As a result, the Toll Public Interest Center will grow increasingly interconnected with advocates around the country and the world — and students will seek to engage where their presence is most needed.

PUBLIC SERVICE REQUIREMENTS IN FLUX

As of January, the New York Bar will require 50 hours of pro bono legal service as a prerequisite for taking the bar exam. This will be in addition to the Penn Law requirement of mandatory public service as a condition of graduation. Given that more than half of our students want to practice in New York, this new requirement presents a big challenge. And New York will not be the last state to sign on; California is in position to be the next state to follow New York's lead.

INNOVATION AND MORE INNOVATION

Lawyers will be charged with thinking of ways to provide services in an era of diminishing funding and increasing poverty. It will be a challenge as well for young would-be lawyers who are expressing more interest in nonprofit work but who also want to earn a good salary. Finding the right balance will require a great deal of innovation.

THE HUMAN CONNECTION CONTINUES TO MATTER

Computers, smartphones, and e-mail enable students to accomplish a lot with minimal face-to-face interaction. But the opportunity to meet one-on-one with clients, to appear in court, and to work directly with expert supervising attorneys will remain important. Students will continue to value these personal interactions. The look on a student's face after a client meeting remains one of extraordinary satisfaction. Putting the law to work to help another human being will always be a central priority with rich rewards.





A History Major Who Witnessed Major History

LAST SUMMER PROFESSOR FRANK GOODMAN

retired to emeritus status after 41 years on the Penn Law faculty. In a recent interview, the 81-year-old professor reminisced about a long and varied career during which he drafted Groucho Marx's will, argued cases in the Warren Court, and was tear-gassed in Berkeley.

Goodman grew up in San Antonio, Texas, an avid reader, a lover of classical music, a would-be poet, and a tournament tennis player. The first member of his family to attend college, he chose Harvard because two of his boyhood heroes — President Franklin D. Roosevelt and Justice Oliver Wendell Holmes — had gone there. At Harvard he majored in history during a time when the history department was, even more than usually, star-studded, graduating *summa cum laude*. With a Rhodes Scholarship, he went on to study philosophy at Oxford when Oxford was the international center of the Anglo-American philosophical world, again receiving his degree with highest honors. The next stop was Harvard Law School and then a clerkship with Judge William Hastie on the Third Circuit, the first African-American appointed to the federal appellate bench and one of President Kennedy's final candidates for the Supreme Court.

After clerking, Goodman practiced entertainment law in a small (eight lawyer) Beverly Hills firm with a glittering client list that included Gregory Peck, Marlon Brando, Jimmy Stewart, the Marx Brothers, Grace Kelly, Alfred Hitchcock, and many others. Its major

client, however, was MCA, the industry's largest talent agency and also its largest television production company, which was in the process of acquiring Universal Pictures (while complying with the government-imposed condition that it terminate its agency business and the all too obvious conflict of interest). MCA was headed by Lew Wasserman, the legendary mogul who had earlier, in Goodman's words, "liberated Hollywood's talent communities from the contractual servitude of the old studio system. Wasserman demanded much of his lawyers, and satisfying those demands was the firm's highest priority."

The glamour of Hollywood, however, was soon eclipsed by the "more powerful allure of 'Camelot'." Goodman moved back East to work in the Kennedy administration, joining Solicitor General Archibald Cox's eight-lawyer staff. "Cox was a ramrod-straight Boston aristocrat, a former Harvard professor, and a brilliant appellate advocate held in awe by nearly everyone, including Attorney General Robert Kennedy and, reportedly, several Justices of the Supreme Court," Goodman said. Then as now the Solicitor General's Office handled almost all



the government's Supreme Court litigation, either as a party or an amicus. Goodman's three years in the Office (1962-65) were among the most dynamic and progressive in the Court's history, laying the foundation for much of our current constitutional law in the fields of civil rights, criminal procedure, school prayer, legislative apportionment, freedom of speech, right of privacy, and others. While Goodman's own briefs and arguments rarely involved these hot-button constitutional issues (though he later taught all of them) — dealing instead with non-constitutional matters such as antitrust, administrative regulation, taxation, and criminal law — the opportunity to observe the process of constitutional history-making at close range strengthened his long-standing intention, and hastened his decision, to go into teaching.

In 1965, he accepted an invitation to join the faculty at Boalt Hall, the law school of the University of California at Berkeley. He applied, and was assigned, to teach the basic constitutional law class, along with courses in torts, poverty law, and trusts/estates. He also had another brush with history, albeit of a different sort. His seven years at Berkeley coincided with the tumultuous era of student demonstrations that shook the nation. Goodman's own relationship to these events was generally tangential, though he served on the University disciplinary committee that heard cases involving organized disruption of classrooms and administrative functions; and, on one occasion, while on the outskirts of a demonstration, he discovered that tear gas, inflicted by Governor Ronald Reagan's state troopers, really does burn.

In 1972, Goodman took a sabbatical year in Washington as research director of the Administrative Conference of the United States, a small agency that brought together lawyers, judges, and academics to study and recommend reforms of the federal administrative process. The Conference head was Antonin (later Justice) Scalia, with whom Goodman collaborated on an article and had "stimulating exchanges on matters of law and politics." The offices of the Conference overlooked the White House across the street during the Nixon Administration's struggle to survive the daily barrage of Watergate disclosures by the *Washington Post*. Was it Goodman's imagination that the faces of the bureaucrats who occupied the Executive Office Building looked ever more worried, more deeply lined, each day as they broke for lunch at 17th and Pennsylvania?

Goodman came to Penn in 1973. In his early days, he taught not only constitutional law-related subjects and Federal Courts

(as he still does), but also a wide gamut of other courses: sports law, environmental law, social justice, and general jurisprudence. "This couldn't happen nowadays," he said. "Our commitment to interdisciplinary teaching and research is no longer superficial, and all these cases are now in the hands of experts."

Goodman is amazed at the transformation of the School, especially in the last few years: "The tripling in the size of the faculty ('We used to have twenty-five or thirty and struggle to reach forty; now we have about 75.');

the prolific increase in their scholarly output; the immense recent growth in the scale and splendor of the physical plant; and the mind-boggling developments in technology, that enable classroom students instantaneously to identify and describe old cases mentioned by the instructor before he himself has come up with the name."

But amidst all this change, said Goodman, some things have remained constant. "The faculty continues to be a friendly and collegial group, free from the bitter ideological schisms that have plagued some other schools. The students are still happier and less stressed-out than those at other comparable schools. And our staffs — secretaries, librarians, and administrators — are as competent, caring, and dedicated as ever — a precious institutional asset."

On July 4, 1960, Professor Goodman married Joan Friendly, and their partnership is now in its 55th year. Unlike her husband, Joan had illustrious legal forbears: Her maternal grandfather, Horace Stern, was a beloved Chief Justice of the Pennsylvania Supreme Court; and her father, Henry J. Friendly, a renowned federal circuit judge, is often mentioned in the same breath with Learned Hand as one of America's judicial greats. Joan, however, chose psychology, rather than law, as her profession and practiced it in the Children's Hospitals of three different cities before becoming an academic. She has taught in Penn's Graduate School of Education for forty years, winning teaching awards, overseeing GSE's Teach for America program, and serving a term as the University's ombudsman. She, too, will retire in January.

— LARRY TEITELBAUM

Faculty Bookshelf



Does Regulation Kill Jobs?

(PENN PRESS)

Editors Cary Coglianese, Adam Finkel, and Christopher Carrigan

GOVERNMENT REGULATION HAS LONG BEEN A POLITICAL FLASHPOINT IN WASHINGTON, creating a partisan divide in which some argue that excessive laws stunt economic growth while others contend that tough regulations create jobs and protect the public good.

In a new book, *Does Regulation Kill Jobs?*, editors Cary Coglianese, Adam Finkel, and Christopher Carrigan gather new research and insights from legal scholars, economists, political scientists, and policy analysts to show that regulation is neither a prime job killer nor a key job creator. The challenge for policymakers is to look carefully at individual regulatory proposals to discern any job shifting they may cause and then to make regulatory decisions sensitive to anticipated employment effects. Drawing on their analyses, contributors recommend methods for obtaining better estimates of job impacts when evaluating regulatory institutions and processes to take better account of employment effects in policy decision-making.

Does Regulation Kill Jobs? (Penn Press) tackles this heated issue with exactly the kind of careful analysis policymakers need in order to make better policy decisions, providing insights that will benefit both politicians and citizens who seek economic growth as well as the protection of public health and safety, financial security, environmental sustainability, and other civic goals.

Cary Coglianese is Edward B. Shils Professor of Law and Professor of Political Science at Penn, as well as director of the Penn Program on Regulation, Adam Finkel is senior fellow and executive director of the Penn Program on Regulation, and Christopher Carrigan is formerly a regulation fellow with the Penn Program on Regulation, and is now an assistant professor at the Trachtenberg School of Public Policy and Public Administration at George Washington University.

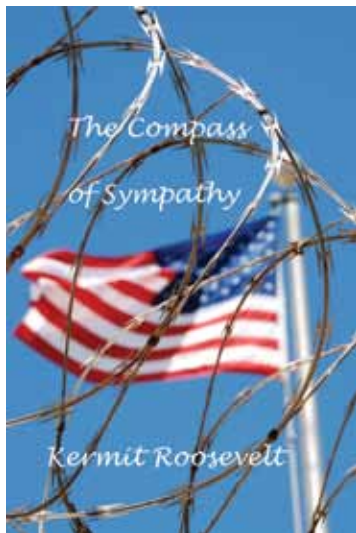


For more information about the book, visit:
www.doesregulationkilljobs.org

There are also related articles at the Penn Program on Regulation Reg blog:

<http://www.regblog.org/2014/03/does-regulation-kill-jobs.html>

Photo Credit: Army Sergeant Joseph Scozzari



The Compass of Sympathy

(REGAN ARTS, 2015)

By Kermit Roosevelt

WHAT WOULD YOU DO – WHO WOULD YOU SACRIFICE – TO PROTECT THE PEOPLE YOU LOVE? These are the questions that echo through *The Compass of Sympathy*.

The novel is set in World War II America, a nation faced with a deadly external threat and consumed with anxiety about an enemy within. Cash Harrison, a Philadelphia blue blood, wants to serve. When he fails his Army physical, a clerkship for Justice Hugo Black on the Supreme Court seems an alternate way to be of use. At the Court, American ideals are being tested in cases about the lives of captured Nazi saboteurs and the liberty of Japanese-Americans. But something else is going on, too, an increasingly strange and deadly plot whose outlines Cash can only glimpse. He can't guess what form his service will take in the end, or where it will lead him. From the mansions of Philadelphia to the marble chambers of the Supreme Court to the dusty barracks of detention camps, he chases the question of who counts in America.

Penn Law Expands Interdisciplinary Faculty with Five New Hires

THE LAW SCHOOL ADDED EXPERTISE IN KEY AREAS INCLUDING CONSTITUTIONAL LAW, CRIMINAL LAW, EDUCATION LAW AND POLICY, FOREIGN RELATIONS LAW, REGULATION, AND URBAN LAW.

Appointed to the New Standing Faculty were:



MITCHELL BERMAN was appointed the Leon Meltzer Professor of Law. Berman teaches and writes in diverse areas of legal theory, specializing in criminal law, constitutional law, and a new domain of scholarly inquiry he has dubbed “the jurisprudence of sport.” Before joining the Penn fac-

ulty he was the Richard Dale Endowed Chair in Law, Professor of Philosophy and co-director Law & Philosophy Program at the University of Texas, and has been visiting professor at the law schools of the University of Michigan and the University of Chicago.



JEAN GALBRAITH teaches and writes in public international law and U.S. foreign relations law. Her research focuses on the structure of international legal institutions, especially treaty regimes, and the connections between these institutions and U.S. domestic law. Prior to joining

the Penn faculty, Galbraith was an assistant professor of law at Rutgers-Camden. She has previously served as an associate legal officer for Judge Theodor Meron at the International Criminal Tribunal for the former Yugoslavia, an associate at Hanglely Aronchick Segal & Pudlin in Philadelphia, and a Sharswood Fellow in Law and International Affairs at Penn Law.



WENDELL PRITCHETT rejoined the Law School faculty as a Penn Presidential Term Professor. He is serving as the Law School’s Interim Dean during the 2014–15 academic year. Previously chancellor of Rutgers University-Camden, Pritchett is an award-winning urban historian, an

accomplished educational leader and administrator, and a distinguished legal teacher and scholar. He served as a Penn Law faculty member from 2001 to 2009 and earned a Ph.D. in history from Penn in 1997.

While at Penn Law Pritchett served as associate dean for academic affairs from 2006 to 2007. In 2008, he served as deputy chief of staff and director of policy for Philadelphia Mayor Michael A. Nutter, who appointed him to the School Reform Commission in 2011. In 2012, Pritchett was elected president of the Coalition of Urban and Metropolitan Universities, a national consortium of higher education institutions.

Appointed to the New Practice Faculty were:

BERNICE GRANT joined Penn Law as a clinical supervisor and lecturer for the Entrepreneurship Legal Clinic. Previously, she was the associate director of the Lawyering Program at NYU School of Law. She also worked as a corporate associate at Davis Polk & Wardwell LLP in New York for seven years, primarily on mergers and acquisitions and executive compensation matters, where she also maintained a pro bono practice, representing start-up entities and artists on employment and contractual matters. Grant’s scholarly interests include corporate governance and executive compensation.

TROY PAREDES, appointed for the 2014–16 academic years as Distinguished Policy Fellow and Lecturer, as part of the Law School’s Government Service Initiative. Paredes, currently senior strategy and policy advisor in the Financial Services Regulatory Practice of PwC, served as a commissioner at the U.S. Securities and Exchange Commission from 2008 to 2013. Prior to joining the SEC, Paredes was a tenured professor at Washington University School of Law in St. Louis where his teaching and research focused on corporate governance, securities regulation, administrative law, and behavioral economics. Before joining Washington University, Paredes practiced law at prominent national law firms.



ALUMNI BRIEFS

1940s

J. William Ditter, Jr. L'48 a senior judge on the U.S. District Court for the Eastern District of Pennsylvania, was honored with a luncheon by the other judges on the court in recognition of his 50th year on the bench.

1950s

Alexander A. DiSanti L'59 made remarks at the Delaware County Justinian Society about Guy G. deFuria L'28. Both men were co-honorees at the dinner held last December; Guy, who died in 1998, was honored posthumously.

1960s

Perla M. Kuhn GL'62 has joined the New York office of Fox Rothschild LLP as a partner. Perla has more than 30 years of intellectual property experience and regularly handles trademark, copyright, licensing, anti-counterfeiting, gray market and Internet issues.

Pasco L. Schiavo L'62 has had the administration building of Penn State Hazleton named for him. At a campus ceremony on April 24 with more than 250 people attending, the building officially became Pasco L. Schiavo Hall.

William H. Lamb L'65, chairman of Lamb McErlane PC and a former justice of the Supreme Court of Pennsylvania, is a recipient of The Legal Intelligencer's 2014 Lifetime Achievement Award. Lamb was cited for his work in helping to shape the law in Pennsylvania.

Richard H. Martin L'66 has joined the law firm of Litchfield Cavo, LLP in its principal office in Chicago.

Nolan Atkinson Jr. GL'69 received the A. Leon Higginbotham Jr. Lifetime Achievement Award at the Annual Pennsylvania Bar Association Minority Attorney Conference. Nolan, a partner in the Philadelphia office of Duane Morris LLP, is a member of the firm's trial practice group and is the firm's first chief diversity officer, a post he has held since 2007.

J. Freedley Hunsicker, Jr. L'69 has been selected for inclusion in *The Best Lawyers in America 2015®*. He practices in the Philadelphia office of Fisher & Phillips LLP.

Louis N. Marks L'69 has been appointed a shareholder in the corporate department of the Philadelphia office of Zarwin Baum DeVito Kaplan Schaeer Toddy P.C.

1970s

Steven Stone L'70 has been named to the board of the Hebrew Free Loan Society of Greater Philadelphia, a nonprofit provider of interest-free and cost-free loans up to \$15,000 for business purposes to the general public and up to \$7,500 for personal loans to members of the Jewish community in its nine-county service area. He practices at Stone Law Office in Upper Dublin, Pa.

John W. Carroll L'72, a partner with Pepper Hamilton LLP, was named 2015 Harrisburg Environmental Law Lawyer of the Year by *The Best Lawyers in America®*.

The Honorable Randy J. Holland L'72 has been selected to receive the American Inns of Court Lewis F. Powell, Jr. Award for Professionalism and Ethics. Randy, a justice on the Delaware Supreme Court, was the youngest person ever appointed to the Court. In 2011, he was reappointed to an unprecedented third 12-year term.

H. Ronald Klasko L'74, founding partner of Klasko, Rulon, Stock & Seltzer, LLP, has been named to the the 2014 *International Who's Who Legal Corporate Immigration Attorneys* list and to the list of the 20 "Most Powerful Employment Lawyers – Immigration" by *Human Resource Executive* magazine.

Luis M. Artime L'76 has joined Alvarez Arrieta & Diaz-Silveira, LLP in South Florida. Luis has been practicing corporate transactional law for more than 30 years.

Nancy Bregstein Gordon L'76 has been elected president of CeaseFirePA. She is a founder of the group.

Michael P. Malloy L'76 is co-author of the 8th Edition of *Banking and Financial Institutions Law in a Nutshell*. He also published an article, "Core Principles for Effective Banking Supervision: New Concepts and Challenges" in *Selected Legal Issues in Economics 11-28*.

James J. Sandman L'76 received the 2014 Wiley A. Branton Award for his public service and advocacy of pro bono legal services. Jim is the president of the Legal Services Corporation in Washington, D.C. and chairman of the U.S. Civil

Rights Commission's District of Columbia State Advisory Committee.

Barry Kleban L'77 received the David T. Sykes Award from the Philadelphia Bankruptcy Bar. A partner practicing corporate restructuring and bankruptcy law at McElroy Deutsch Mulvaney & Carpenter, LLP, Barry recently served as president of the Eastern District of Pennsylvania Bankruptcy Conference and is currently president of the Consumer Bankruptcy Assistance Project.

Bernard Lee L'77, co-chair of Cozen O'Connor's Real Estate Department, is the 2014 recipient of the Philadelphia Chapter of the Foundation of the National Bar Association Women Lawyers Division's Renaissance Man Award. The WLD Foundation Renaissance Man Award recognizes Bernard's outstanding achievements in his practice, his demonstrated commitment to ensuring paths of success for diverse women in the law and his unwavering commitment to serve as a mentor to many within the firm and beyond.

H. Vincent McKnight, Jr. L'78 has been named partner in the Washington, D.C. office of Sanford Heisler, LLP. He will be co-chair of Sanford Heisler's National Whistleblower practice.

James E. Nevels L'78 has been elected a director of MeadWestvaco Corporation, a global leader in packaging and packaging solutions. He is chairman of The Swarthmore Group, an investment advisory firm based in Philadelphia.



Jill Bronson L'79 was named one of the "Women of the Year" by the *Legal Intelligencer*. Jill is a partner in Drinker Biddle & Reath LLP's Corporate and Securities Practice Group and is team leader of the Corporate Finance Team. She is also the regional partner in charge of the Philadelphia office.

Cathy Carr L'79 was named one of the "Women of the Year" by the *Legal Intelligencer*. Cathy is executive director of Community Legal Services, Inc.

Robert I. Friedman L'79 has been named a trustee of the Pennsylvania Academy of the Fine Arts. He is chair of the Private-Client Services Group at Cozen O'Connor.

Linda Galante L'79 was named one of the "Women of the Year" by the *Legal Intelligencer*. Linda is a partner at Stradley Ronon Stevens & Young, LLP. She concentrates her practice on banking and real estate law.

Dick Green L'79, WG'79, a partner with Thompson & Knight, has been recognized as the 2015 New York City Energy Law Lawyer of the Year by *The Best Lawyers in America*®.

Marcia J. Wexberg L'79, partner and chair of the Estate and Succession Planning practice group at Calfee, Halter & Griswold LLP, has been named the 2014 Greater Cleveland winner of the Athena Award. The award is given to women who have attained and embody the highest level of professional excellence in their business or profession, have devoted time and energy to improve the quality of life for others in the community and who actively assist women in realizing their leadership potential.



YOUNG CHESS MASTER READY TO MAKE HER NEXT MOVE

BY SOFIYA BALLIN

IN CHESS, STRATEGY IS EVERYTHING.

ALISA MELEKHINA L'14 has found the same rules apply to life and law.

The 23-year-old has represented the U.S. in eight consecutive world youth tournaments, three Pan-American tournaments, six national championships, the World Team Championships held in China where she received a gold medal and competed in the U.S. Women's Chess Championships six times.

Not only is Melekhina one of the top 10 female chess players in the country, she was one of the few students who entered law school fresh out of undergraduate school after receiving her B.A. in Philosophy *summa cum laude* from Drexel University in just two years. She recently joined the litigation department at Debevoise & Plimpton in New York.

She credits her parents for her work ethic.

Melekhina is the daughter of Ukrainian refugees who immigrated to Brooklyn, N.Y. after the downfall of the Soviet Union, when she was two months old. Her father, a successful dentist in their home country, took out hundreds of thousands in loans to get re-accredited. At times, they relied on government assistance to get by.

After her father received his DDS from NYU, they moved to Philadelphia.

He taught her to play chess at 5 years old. After experiencing first-hand the benefits of hard work and persistence, she took a liking to the meritocratic nature of the game.

"Ideally, the person who trains the hardest will outwit opponents," Melekhina says. "There's little that is up to chance."

At 8 years old, Melekhina beat adults twice her size and quadruple her age.

The logic and attention to detail that attracted her to chess and philosophy, she also found in law.

As a young chess player faced with media interviews, Melekhina was intrigued by intellectual property rights, the first amendment, privacy rights and defamation.

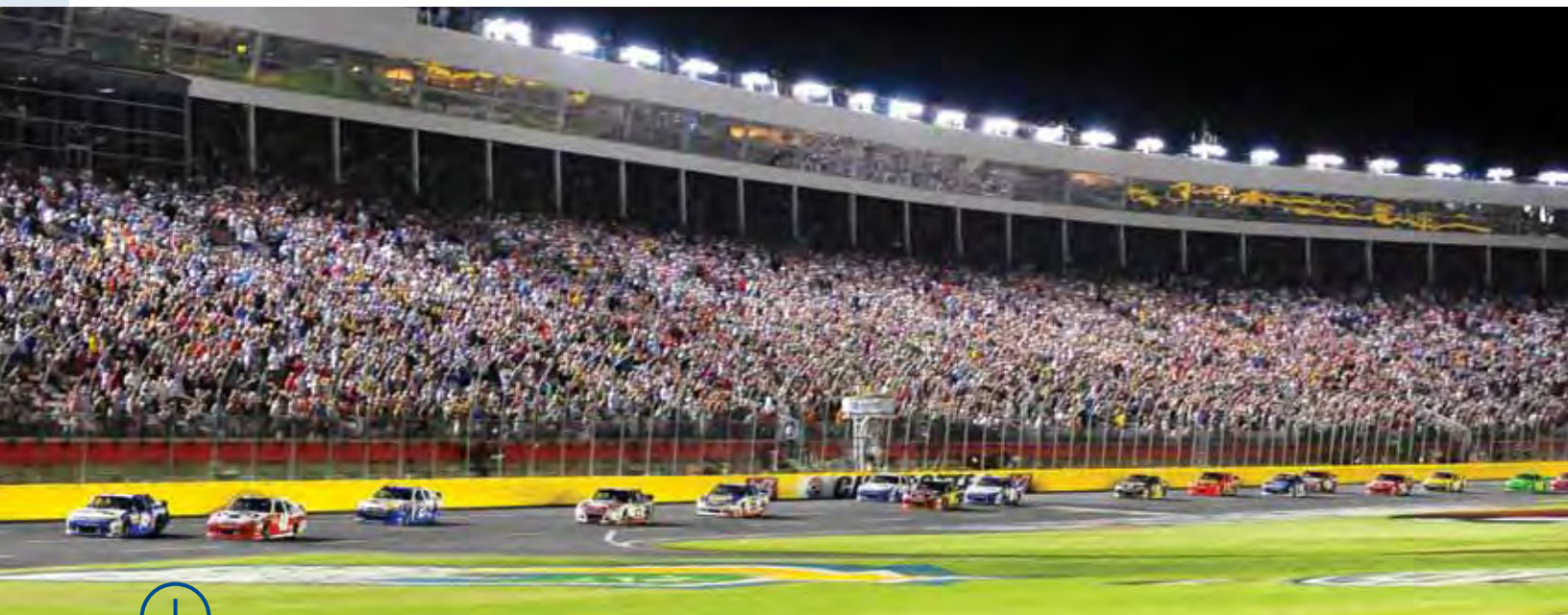
"One of the reasons I went to law school was to learn how to assert myself, know my rights, and learn how to navigate life without feeling encumbered," Melekhina says. "I wanted to be on top of the details in every transaction."

Around campus, she was known as the "chess girl." Some classmates wanted to see if they could beat the champion. "I realized from law school there's no escaping chess," Melekhina says.

She took advantage of Penn's cross-disciplinary program to earn a certificate in business from Wharton. Through Wharton's Business Plan Competition, Melekhina and a fellow female chess player launched Sublite.net, an online site that connects students looking to sublet summer or semester housing.

Like any chess player, she's always thinking of the most efficient and logical next move. Her long-term goal is to balance her law, business, and chess careers.

"Now I play chess to my strengths even if they are more risky because I want to stay true to myself," she says. "My goal is to come away with no regrets."



Charlotte Motorspeedway in Charlotte, NC.

IT TOOK A GUY IN WINE COUNTRY TO CREATE A SOUTHERN-FRIED MUSIC FESTIVAL

BY LARRY TEITELBAUM

Over Memorial Day weekend next year screams will replace the roar of engines as fans stream into Fort Worth for three days of rock, country, hip hop, and electronic dance music in a venue that is accustomed to hosting heavy metal.

This will be the first in a multi-year run of music festivals at NASCAR racetracks.

HOWARD MERGELKAMP L'93, the impresario, is not out to create a southern-fried Woodstock. He'd settle for good gate at a series of concerts that last longer than the iconic peace and love festival that flamed out after a year.

While it's true that Mergelkamp does not live for the squeal of wheels (he only saw his first race a few months ago), he does like a good business proposition.

And he sees an opening in an, ahem, nascent concert scene. He explains that NASCAR has reached a saturation point; people are staying home to watch the races. With attendance down, NASCAR venue owners are looking for other revenue streams. Meanwhile, in the digital age recording artists need an alternative source of income to replace the loss of album sales.

Mergelkamp, a managing partner at San Francisco-based venture capital firm Mosaik Partners, recognizes opportunity when he sees it.

In October, Mergelkamp and his team unveiled plans to hold three-day festivals at NASCAR racetracks in Charlotte, Atlanta, Sonoma, Calif., Texas, and Kentucky. The pre-Labor Day weekend festival in Kentucky will bookend summer 2015. His goal is to sell 35,000 tickets per day the first year and 50,000 in subsequent years.

The venture could be lucrative or a bust. There is a lot of competition for entertainment dollars. Music festivals have become a big

business. According to *Rolling Stone* magazine, there were more than 60 music festivals this past summer. And not all of them succeeded. Lollapalooza, a famous showcase for alternative rock, heavy metal and punk, went bankrupt before its revival in 2003; Coachella has been through several iterations to find the right date and duration for the festival. And in recent years several regional festivals have folded. A realist, Mergelkamp expects to lose a couple million dollars on his 15 to 18 million dollar investment the first year.

In many ways, Mergelkamp is an accidental concert promoter. His wife and business partner ran the concession at the Bottle Rock concert in Napa Valley two summers ago. When it ended up \$8 million in the red, they asked Mergelkamp to sift through the wreckage.

As a smart investor, he did long hours of due diligence. He and his business partner decided that Napa was not the right location, but that the Sonoma Raceway fit the bill. Certainly there have been one-off concerts before at NASCAR tracks. A stellar cast of country artists performed at the Texas Motor Speedway in June of 1997, followed one week later by the so-called Blockbuster Rock Fest. But Mergelkamp says no one has ever created a national brand for such concerts nor become partners with the racetrack owners until now. He says the beauty and economic efficiency of the arrangement is that it will not be necessary to start from scratch and build infrastructure – promoters won't have to lease toilets or provide parking, shuttle buses, security or campgrounds.

All he has to do is design and build four stages and book great acts.

"Depending on your taste, there should be some music you like playing constantly," says Mergelkamp, whose dream is to cut a deal with a rock group with a similar name to the popular music magazine.



1980s

Steven N. Cousins L'80, a partner at Armstrong Teasdale in St. Louis, has received a Brotherhood Sisterhood Award from the National Conference for Community and Justice of Metropolitan St. Louis. The award recognizes leadership in promoting diversity and inclusion in the St. Louis community. Steven was also recognized as a 2014 Inspiring St. Louisan by the St. Louis County Branch of the National Association for the Advancement of Colored People and was additionally included in *Best Lawyers in America*® for 2015.

Richard P. Daingerfield L'80 has been appointed to the board of directors of Peapack-Gladstone Financial Corporation PGC and Peapack-Gladstone Bank. He recently retired from Citizens Financial Group, Inc. in Boston, where he served as executive vice president and general counsel, leading a 50 person in-house legal team.

Charles Goldberg L'80 has been named general counsel of ExxonMobil's affiliate in Papua New Guinea. The company recently began sales from its \$19 billion LNG plant to customers in Japan, China, and Taiwan. Charles comes to PNG after a four-year assignment with ExxonMobil's affiliate in Lagos, Nigeria.

Michael R. Lastowski L'80, the managing partner of Duane Morris' Wilmington, Del. office, has been appointed to the board of the Association of Insolvency & Restructuring Advisors.

Amy C. Goldstein L'82, a shareholder at Mount Laurel, N.J.-based Capehart Scatchard, has been named first vice president of the New Jersey State Chapter of the American Academy of Matrimonial Lawyers.

Glen Cornblath L'83 and two colleagues formed Strategic Leasing Law Group, LLP. The Chicago firm focuses on commercial leasing and related matters across the country.

Joseph Ditre L'83, founding executive director of Augusta, Maine-based Consumers for Affordable Health Care and a health care advocate for more than 30 years, joined Families USA as the national consumer group's director of enterprise and innovation. He will work with stakeholders and advocates from across the country to ensure that the Affordable Care Act is implemented with health care consumers in mind.

Ronnie L. Bloom L'85 has been named executive director of the Stoneleigh Foundation, a Philadelphia nonprofit that seeks to improve the life outcomes of vulnerable and underserved youth. She served as program director and officer at the William Penn Foundation for 13 years.

Glenn Blumenfeld L'85, managing partner of Tactix Real Estate Advisors, was named the region's 2013 Broker of the Year by the *Philadelphia Business Journal* in the publication's first Heavy Hitters of Real Estate Awards. In 2014, Glenn was elected as the initial CEO of Exis, one of the world's largest tenant-only commercial real estate brokerage firms with offices in 13 countries and five continents.

Charles F. Gauvin L'85 has been appointed executive director of Maine Audubon. He previously served as president and CEO of Trout Unlimited, the nation's leading river and fish conservation organization and as chief development officer at the Carnegie Endowment for International Peace in Washington, D.C.

Osagie Imasogie GL'85 has been included in Strathmore's Who's Who Worldwide Edition for his outstanding contributions and achievements in the field of finance. He is the senior managing partner at Phoenix IP Ventures, which he co-founded.

Philip N. Kabler L'85 has joined Bogin, Munns & Munns PA. He taught at the University of Florida's Warrington College of Business Administration from 2007 to 2013 and continues to teach at the University of Florida's Levin College of Law.

Tracy Green Landauer L'85 has joined the tax and trusts and estates group in the New York office of Riker Danzig Scherer Hyland & Perretti LLP. Tracy counsels new and established private foundations and public charities on issues such as gaining tax-exempt status and compliance with fundraising and solicitation requirements.

Elliot Maza L'85 has been appointed director, CEO, CFO, president, secretary and treasurer of Relmada Therapeutics, Inc., previously known as Camp Nine, Inc. Elliot previously served as chief executive officer and chief financial officer of Biozone Pharmaceuticals.

James E. Odell L'85 has joined Blank Rome LLP's New York office as co-head of the Financial Services Industry team and as a partner in the Finance, Restructuring, and Bankruptcy group. James joins the firm from the Depository Trust & Clearing Corporation, where he was managing director.

F. Douglas Raymond III L'85, a partner at Drinker Biddle & Reath, has been elected treasurer at the Philadelphia History Museum.

Mark S. Fawer C'83, L'86 has been named a partner in the New York office of Arent Fox LLP. Mark advises operating and capital partners in the structuring and negotiations of sophisticated partnership, joint venture, and limited liability company operating agreements. **Michael Lewyn '86** is serving as a visiting professor at the University of Missouri-Kansas City School of Law. He is an associate professor of law at Touro College Jacob D. Fuchsberg Law Center.

Drew Bowden L'87, director, US Securities and Exchange Commission, Office of Compliance Inspections and Examinations, was a Discussion Leader at the October 1 meeting in New York City of the Hedge Fund General Counsel and Compliance Officer Summit.

Tanya Chutkan L'87 was confirmed as a judge on the U.S. District Court for the District of Columbia. She is the second African-American woman appointed to the court in 32 years and only the third to ever serve.

Brian D. Doerner L'87 has been elected president of the board of trustees of People's Light & Theatre. Brian is a partner at Ballard Spahr L.L.P., in Philadelphia, and practice leader of the firm's Life Sciences and Technology group.

Richard L. Gabriel L'87, a judge on the Colorado Court of Appeals, received the Denver Bar Association's Award of Merit.

ALUMNI BRIEFS

Bill Koenig L'87 has been promoted to president of Global Media Distribution for the National Basketball Association. For the past seven years, Koenig, who joined the NBA in 1990, served as the league's executive vice president of business affairs and general counsel.

Marc A. Landis L'87 was elected managing partner of Phillips Nizer in New York. He will be the first transactional lawyer to serve as the firm's managing partner and only the second managing partner.

Ernesto "Ernie" Lanza L'88 has joined the Washington office of Greenberg Traurig. He was deputy executive director at the Municipal Securities Rulemaking Board, which he served in various capacities after joining the board in 1997.

Lisa Sotto L'87, a partner at Hunton & Williams, spoke about cyber security and data privacy in 2014 and the impact data breaches will have on organizations, and best practices frameworks for investigating and reporting incidents.

Karen Knox Valihura L'88 was sworn in as a Delaware Supreme Court justice, becoming only the second woman in the court's history to serve in that position.

Leo E. Strine Jr. L'88 was confirmed by the Delaware Senate to serve as the eighth chief justice of Delaware's Supreme Court.

Laurence B. Appel L'89 has been appointed CEO and a member of the board of directors of Skeeter Nut Free (Skeeter), a snack food company that provides peanut and tree nut-free snacks. He was most recently the senior vice president of retail operations and COO at Winn-Dixie Stores where he was responsible for all of the chain's 480 stores.

Patricia Menendez-Cambo L'89, vice president and chair of the Global Practice at Greenberg Traurig, LLP, has been named the winner of the "Outstanding Contribution to Gender Diversity" award as part of the 2014 Chambers USA Women in Law Awards. The awards honor outstanding female in-house counsel and private practice lawyers who are committed to furthering the advancement of women in the field of law.

John F. Schultz L'89 was appointed to a three-year term on the Albright College Board of Trustees. He serves as executive vice president and general counsel for Hewlett-Packard Co.

Jennifer Evans Stacey L'89 was appointed to the newly created position of senior vice president, general counsel, human resources and secretary for Antares Pharma, Inc.

1990s

Yvonne Mokgoro GL'90, HON '09 has been elected chairwoman of the Council of the Sol Plaatje University. She is a former justice of the Constitutional Court of South Africa, appointed to the bench in 1994, and is a board member of the Centre for Human Rights at the University of the South African Law Reform Commission.

Kathryn Thomson L'90 was confirmed by the U.S. Senate to be the federal Transportation Department's general counsel. She was in private practice for 19 years with the Sidley Austin law firm in Washington, D.C., before joining the Obama administration.

Markus P. Cicka L'91 has joined the St. Louis office of Stinson Leonard Street LLP as a partner. Previously he served as Home State Health Plan of Centene Corporation's director of compliance and the first director of the Missouri Medicaid Audit and Compliance Unit for the State of Missouri.

Suzanne S. Mayes L'91, chair of the Public and Project Finance Group at Cozen O'Connor, has been appointed to the board of the Philadelphia Industrial Development Corp., a public-private economic development partnership for energizing business growth and development in Philadelphia.

Andrew Merken L'92, a Corporate, Venture Capital, Mergers & Acquisitions and Securities partner at Burns & Levinson LLP in Boston, was appointed co-chair of the Business Transactions Section of the Boston Bar Association.

Christopher Smith C'87, L'92 was appointed to the board of the North Carolina Chamber. Chris, who leads Smith Anderson's business litigation team, is the immediate past president of the North Carolina Association of Defense Attorneys.

Christina Swarns L'93 has been appointed director of litigation of the NAACP Legal Defense and Educational Fund, Inc. For the past year Christina has served as LDF's interim litigation director and since 2003 she has directed LDF's Criminal Justice Practice Group.

Jeffrey Paul Wallack L'93, a partner in the Commercial Litigation and Construction Law departments at Wisler Pearlstine L.L.P., was elected vice president of the Upper Dublin Education Foundation, a nonprofit community organization.

Hope R. D'Oyley-Gay L'94 was named to the board of Philadelphia VIP, a public-interest legal organization providing representation to clients of limited means on various civil matters, including landlord/tenant issues, mortgages and immigration. She is an assistant general counsel to GlaxoSmithKline.

David Perla L'94 joined Bloomberg BNA Legal as president. David, who co-founded Pangea3, the globally known legal process outsourcing provider, most recently served as chairman and CEO of Matterhorn Transactions, the Web-based legal and financial information services provider, and as co-founder and managing director of 1991 Ventures.

Dionne Lomax L'95 has joined the Washington, D.C. office of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. Formerly a partner at Vinson & Elkins, she is a member of the American Bar Association, Antitrust Section, Health Care Committee, and serves on the boards of several philanthropic organizations, including The Legal Aid Society of the District of Columbia and Dress for Success Washington, D.C.

Daniel Boockvar C'93, L'96 has been named chief executive officer of New York Cruise Lines, the parent company of Circle Line Sightseeing Cruises. He previously was chief customer officer / COO of Girl Scouts of the USA.

Israel I. Sanchez L'96 has rejoined Greenberg Traurig as shareholder in the Miami office. Sanchez was most recently of counsel at the Miami office of Hughes Hubbard & Reed LLP. Israel focuses his practice in the areas of aviation and aircraft finance, equipment leasing, structured finance, and mergers and acquisitions.



PENN LAW JOURNAL

iPAD EDITION

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Joseph Drayton L'97 was selected as one of only four attorneys in New York to be recognized by the New York City Bar Association with a 2014 Diversity & Inclusion Champion Award. The award recognizes the critical role that the recipients have played in initiating and sustaining change to promote diversity within their organizations and the New York legal community. He is a member of Cooley LLP's Intellectual Property Litigation Practice Group in the firm's New York office.

Elizabeth Preate Havey L'97 was confirmed by the Pennsylvania Senate to serve on the Pennsylvania Economic Development Financing Authority. Elizabeth joined Dilworth Paxson LLP in August 2012 as of counsel for the public finance group.

Jonathan Bradley Leiken L'97 has joined Diebold, Incorporated as senior vice president, chief legal officer and secretary. He will oversee the company's global legal practices and corporate compliance programs.

Lisa L. B. Matson L'97 has been hired as general counsel at Penn Capital Management Co. Inc. in Philadelphia. She had been senior counsel in the Funds Management Group at Lincoln Financial Group.

Priscilla J. ("Sally") Mattison L'97, of counsel to Bernard M. Resnick, Esq., P.C., participated in a Continuing Legal Education panel entitled "Entertainment Everywhere: Licensing and Lawyering in the New Media Age" hosted by the Kilgore Society at Penn Law.

Joanna J. Cline L'98, a partner with Pepper Hamilton L.L.P., has been named secretary of Community Learning Center, a Philadelphia adult literacy and GED agency.

Elizabeth S. Fenton L'98, a shareholder in the Philadelphia office of Chamberlain, Hrdlicka, White, Williams & Aughtry, has been named a finalist for "Attorney of the Year" in the 2014 Philadelphia SmartCEO Power Player awards.

Samidh Guha L'98 has joined as a partner in Jones Day's New York office as a partner in the Securities Litigation & SEC Enforcement Practice. He arrives from the New York office of Akin Gump where he was a partner in its Litigation Department.

Howard J. Lager L'98 has joined the Los Angeles firm of Freeman Freeman & Smiley LLP as a partner in its Business Transactions and Tax, Tax Planning, Advice and Controversy, and Estate Planning practices.

Edwin M. O'Connor L'98 has joined the New York office of Goodwin Procter LLP as a partner in its Technology & Life Sciences Group. He was previously a vice president in the Investment Banking Division of Goldman, Sachs & Co.

Jed M. Silversmith L'99 has been named of counsel in the White-Collar Defense and Investigations group in Blank Rome's Philadelphia office. He joins the firm from the Southern Criminal Enforcement Section of the U.S. Department of Justice's Tax Division, where he served as a trial attorney prosecuting criminal tax cases in federal courts throughout the United States.

2000s

Jennifer Pokempner L'00, supervising attorney at the Juvenile Law Center in Philadelphia, has been presented with the 2014 Child Advocate of the Year Award by the Pennsylvania Bar Association.

Philadelphia partner Alicia Hickok L'01, a partner in the Philadelphia office of Drinker Biddle Reath LLP, was appointed to the Law School Alumni Board of Managers at Penn.

Andrew C. Goldberg L'02 has joined Debevoise & Plimpton LLP as counsel in its New York office. He is a member of the Private Equity Funds and Investment Management groups.

Kenneth L. Racowski, L'02, of counsel at Wilson Elser, has been elected to the board of the Public Interest Law Center of Philadelphia.

David M. Alber L'03, a partner at Cozen O'Connor, has been named to the board of the Welcoming Center for New Pennsylvanians.

Pang Lee L'03 has joined Cooley LLP's Shanghai office as a partner in its Global Private Investment Funds group. Prior to joining Cooley, Pang was counsel in the Asset Management group of Shearman & Sterling's Hong Kong office.

ALUMNI BRIEFS



DREW SHOALS L'12 HAD A DECISION TO MAKE AND FAST: continue his job as an associate at Shearman Sterling or join a marquee rock band.

Which option do you think he took?

Drum roll, please. Meet the new drummer of the Grammy Award-winning Train.

In the ultimate understatement, the 31-year-old Shoals says, "It's something I would have regretted not doing."

This musical interlude came about after Shoals got a recruitment call from the lead singer of the band in April. It all happened like that. Shoals found himself in a recording studio in Los Angeles three days after his last day at the firm. And four months after that, in August, he was in London performing at a sold-out concert.

Train's recently-released seventh album, *Bulletproof Picasso*, ought to be called *Vertigo* in honor of Shoals.

Shoals grew up in Portland, Ore., a freewheeling town with a creative culture. A lawyer by training, Shoals shares a musical heritage with his family, which had the makings of a band from the time he was a young child – his sister played the sax, his mother and grandfather the piano. His interest in music continued during college. An African-American Studies major, he spent half of his junior year in Botswana. While there, he toured with afro-beat artist Ndingo Johwa and other performers throughout Africa.

That experience propelled him to pursue a professional career as a drummer, and, in turn, led him to tour back home with an eclectic blend of talent including roots-American artist and banjo virtuoso Tony Furtado, blues and R&B singer-songwriter Curtis Salgado, and pop dance group Nu Shooz. Shoals also released a jazz album, *The Greatest Haven't Been Born Yet*, under an independent label, Diatic Records.

Shoals had planned to go to law school – an idea that solidified after Barack Obama was elected president. "He had a background as a lawyer; he was a biracial American; he came from a small city (in Hawaii); and was committed to social justice," says Shoals, who is biracial. "I related to him."

Before law school, Shoals moved to New York to work as a court advocate for The Fortune Society, a nonprofit organization whose mission is to help prisoners develop the skills to become productive members of society. Accepted to Penn Law, he quickly made the most of the opportunity. He joined the Frederick Douglass moot court team, was the pro-bono community service chair for the Black Law Students Association, the editor-in-chief of the *University of Pennsylvania Journal of International Law*, and was heavily involved with a student pro bono program called Project Peace, through which law students taught conflict management and peer mediation skills to students at a West Philadelphia elementary school. During his 3L year, he formed an indie rock-jazz instrumental band Duo Denim. Oh, and he met his fiancée, Nicole DeCuir C'11.

Shoals, who had been with Shearman and Sterling for close to a year, admits that he surprised himself by going back to music full-time. He's still not sure whether drum sticks or case files are in his future. For now, he's enjoying his newfound celebrity, relishing the opportunity to perform on Jimmy Kimmel Live, to play at legendary venues like the Red Rocks Amphitheater outside Denver, and to act in a music video – all the perks of being a member of a popular band whose single, "Hey, Soul Sister," became something of a sing-along anthem five years ago.

Pat Monahan, Train's lead singer, jokingly introduces him as 'Drew Shoals, Esquire.' As someone who likes to march to the beat of his own drum, he doesn't mind one bit.

"I'm fortunate that I love both practicing law and playing music," Shoals says. "I'm excited to see where my career leads in the future."



Robert (Bob) Gayda L'04 has been promoted to counsel in the New York office of Chadbourne & Parke. He joined the firm in 2004 and focuses his practice primarily on bankruptcy and financial restructuring.

Anuj Gupta L'03 has been named to the board of the Welcoming Center for New Pennsylvanians. He is vice chair of Mount Airy USA.

Katherine A. Heptig L'04 has been elected to the board of trustees of the Cradle of Aviation Museum. Katherine is a corporate associate who concentrates on tax law at Farrell Fritz.

Alexander R. Cochran L'05 has been named a partner in the New York office of Debevoise & Plimpton LLP. He is a member of the Corporate Department and the Financial Institutions group.

Nishant K Singh GL'05 joined Indus Law in Mumbai as a partner in its corporate practice.

Robert N. Potter L'05, an associate with Kilpatrick Townsend & Stockton, was honored by the New York State Bar Association as a 2013 Empire State Counsel. The counsel program recognizes lawyers who donate 50 hours or more of pro bono services in a calendar year.

Jessica M. Anthony L'06 has been elected compliance officer for Women's Therapy Center, a Philadelphia-based nonprofit organization providing affordable counseling and psychotherapy services with a feminist orientation. Jessica is an associate in the Commercial Litigation Practice Group at Ballard Spahr L.L.P.

Jason S. Rubinstein L'06 was named a 2014 Washington, D.C. Rising Star in the category of Insurance Coverage by *Super Lawyers* magazine. He is an associate with Gilbert LLP.

Matthew Satchwell L'06, a trial attorney who focuses on patent litigation, was promoted to partner in DLA Piper's Chicago office.

Sheila Bapat L'07 conducted a seven-city book tour to promote *Part of the Family? Nannies, Housekeepers, Caregivers and the Battle for Domestic Workers' Right*, which chronicles the current domestic workers' movement. The book is being used in classrooms at Barnard, Cal State Long Beach, and the University of San Francisco. Sheila wrote about women's employment issues for Penn Law's *Journal of Labor and Employment Law*.

Mark Bross L'07 is opening his own law firm. The firm will help individuals and small businesses resolve complex legal problems at a fair and reasonable price. The firm will focus on the following practice areas: commercial litigation & disputes, privacy & data security, white collar defense, employment litigation, and general practice.

George Gerstein L'07 joined Groom Law Group in Washington, D.C., where he focuses on the fiduciary and prohibited transaction rules under ERISA with respect to the investment of defined benefit and defined contribution plans' assets.

Anne Laughlin L'07 began a new job as counsel in the Commercial Law department of The Dow Chemical Company. She and her husband, Nate, also welcomed a son, Caden, in December 2013.

Jon Philips L'07 and Anjali Wagle Philips L'07 welcomed their second son, Rajan, in September. He and his big brother, Kiran, are both doing great, and the couple is enjoying every second with the two of them.

Marc Weinroth L'07 accepted an in-house position as assistant general counsel at the University of Miami after nearly seven years practicing commercial litigation at Weil, Gotshal & Manges. Marc handles the university's day-to-day portfolio of athletics and NCAA-related legal issues, and is also responsible for managing a wide range of other subject matters including intellectual property, real estate, gifts/advancement, health care, technology transfer, treasury, and student affairs.

Misha Isaak L'08, an associate in Perkins Coie's Portland, Ore. office, has been named by the LGBT Bar Association in the class of 2014 Best LGBT Lawyers Under 40.

Jennifer Ying L'10, an associate at Morris, Nichols, Arsht & Tunnell LLP in Wilmington, Del., has been named to Lawyers of Color's Second Annual Hot List, which recognizes early- to mid-career minority attorneys working as in-house counsel, government attorneys, and law firm associates and partners. Jennifer is an associate with the firm's Intellectual Property Litigation group.

Emiliano Berti LL.M. '06 has joined NOKIA in Rome as head of Legal & Compliance for the Region South and East Europe Networks. Emiliano was previously senior counsel at GE Power Conversion in Paris.

Rachel Zuraw L'09 was named an associate in the San Francisco office of Hanson Bridgett LLP. She joined the Healthcare Litigation Practice group.

Daniel P. Thiel L'11 has been hired as a litigation associate by Hangley Aronchick Segal Pudlin & Schiller in Philadelphia.

Joshua S. Weinberg L'11, an attorney in the real estate department of Honigman Miller Schwartz and Cohn LLP, has been appointed to the NEXTGen Detroit board. The organization, which is a part of the Jewish Federation of Metropolitan Detroit, attracts and engages the next generation of Jewish Detroiters through innovative programs and initiatives. Weinberg focuses his practice on commercial real estate transactions, including acquisitions, sales, financing and leasing matters.

Andrew Chon L'12 has joined the Dallas office of Weil, Gotshal & Manges LLP as an associate.

Alexander Gibson L'12 has joined the Louisville, Ky. office of Stites & Harbison, PLLC in the Torts & Insurance Practice Service group.

Dan Wilson L'14 joined the law firm of Morrison Foerster in San Francisco.



Harry Reicher, leading human rights scholar, dies at age 66

HARRY REICHER, Adjunct Professor of Law at Penn Law School and one of Australia’s leading international law and taxation experts, died on October 27. He was 66.

He appeared as a barrister on many occasions in the High Court of Australia and in the courts of England and the United States, and was involved in landmark cases of international human rights, international environmental law, and Australian tax and corporate law.

For the past 19 years, Reicher taught at Penn Law. His was especially known for his courses on Law and the Holocaust and International Human Rights. In 2003, he received the Law School’s inaugural adjunct teaching award.

“Harry was a beloved colleague and teacher for many years,” said Wendell Pritchett, Interim Dean of Penn Law and Presidential Professor. “He will be deeply missed by the entire Penn Law community.”

He also taught for many years at Monash University in Melbourne, Australia, the University of Melbourne Law School, and law schools in the United States.

Reicher’s scholarship has appeared in the *Columbia Journal of Transnational Law*, and recent work has appeared in *Penn Medicine* and as a chapter in *The Law in Nazi Germany: Ideology, Opportunism, and the Perversion of Justice* (Berghahn, 2013).

Born in Prague, in the former Czechoslovakia, Reicher earned his undergraduate degrees in economics and law from Monash University. He also held LL.M. degrees from the University of Melbourne and Harvard Law School.

WALTER Y. ANTHONY JR. W’43, L’48, Philadelphia-area lawyer and active churchgoer, died on October 10 at age 91.

RONALD D. ANTON GL’60, a longtime educator who taught at the University of Buffalo, Niagara University and Niagara County Community College, died on April 1 at the age of 81.

Mr. Anton earned his J.D. at the University of Buffalo and an LL.M. at both Penn Law School and Yale Law School.

The courses he taught at the various institutions included Local Government Law, Agency Law, Civil Rights Law, and Real Estate Law.

Outside of academia Mr. Anton consulted for the New York State Joint Legislative Commission on revision of corporation laws and served as a legal advisor to the Greater Buffalo Development Corporation.

From 1995 to 2004, he worked — legally and diplomatically — to promote human rights and religious freedom as Representative to the United Nations for Agudath Israel World Organization, an international NGO with consultative status to the U.N. During his tenure, he worked to protect and preserve Jewish cemeteries in Eastern Europe and to protect Jewish schools threatened with closure.

He also served as Director of International Affairs for Agudath Israel World Organization, working on Holocaust-era restitution, reparations, and compensation, along with the related litigation.

In 2004, he was appointed by President George W. Bush to the United States Holocaust Memorial Council, which oversees the U.S. Holocaust Memorial Museum, and he served until 2008. He also served on the museum’s Academic Committee and Committee on Conscience.

In April 2014, Reicher was named the recipient of the inaugural Rutman Teaching Fellowship from the USC Shoah Foundation-The Institute for Visual History and Education. He spent a week at the USC Shoah Foundation examining the Visual History Archive as research for his Law and the Holocaust course at Penn Law.

“He was truly passionate about teaching our students and his work on Law and the Holocaust was important to our collective understanding of the global human rights movement,” said William Burke-White, Richard Perry Professor and Inaugural Director of the Perry World House. “We have lost a special friend to Penn and a champion of human rights.”

He was also host of three television series: *The Law for You*, *Christ Contemporaries*, and *Inside City Hall*.

In addition, he was active in civic affairs, serving as former president of the Niagara Falls Association, the Niagara Republican Club, the Order of DeMolay, the North Niagara Kiwanis Club, Niagara County Legal Aid Society, the Fellowship Foundation and Bootstrap Niagara.

Mr. Anton, who was predeceased by his wife Suzanne, is survived by son Ron and two grandchildren.

HARRIS C. ARNOLD JR., L’58, who served as legal counsel of State Colleges of Pennsylvania, died on May 3 at the age of 81. He lived in Lancaster, Pa.

Mr. Arnold served in the U.S. Army after graduating from law school. After his service he joined the law firm of Arnold, Byer and Homsher.

He was an elder member of Highland Presbyterian Church where he sang in the choir for 31 years. Mr. Arnold served on numerous boards including Vision Corps, Planned Parenthood, Alcoholics Anonymous, Pennsylvania College of Art and Design, and Blue Ridge Medical Center in Virginia.

He loved being outdoors and enjoyed hiking, swimming and classical music. He is survived by his wife Julia Merriwether “Judy” Arnold, stepsons Edward George Granger IV, David Andrew, and Duncan Merriwether, sister Ellen, and brothers John and William.

ROBERT BOHORAD L’66, PAR ‘94 of Naples, Fla. died on June 12 at age 75. Bohorad spent his law career at Lipkin, Marshall, Bohorad & Thornburg, a firm in Pottsville, Pa., founded by his father. The practice specialized in estates and trusts, elder law and corporate and business law.

He relocated to Florida when he retired several years ago. He was a member and officer of Oheb Zedek Synagogue.

He enjoyed traveling, playing golf and spending time with his four grandchildren. Besides his grandchildren, he is survived by wife Judith, sons James and Robert, sister Judith and nieces and a nephew.

F. EMMETT FITZPATRICK L’55, a prominent defense attorney and former Philadelphia district attorney, died on September 2 at age 84.

A prosecutor early in his career, Mr. Fitzpatrick later drew headlines for his defense of organized crime figures entangled in the federal Racketeer Influenced and Corrupt Organizations Act (RICO). In one of his first RICO cases, he won acquittal of the late Teamsters boss Frank Sheeran on racketeering and related charges.

According to the *Philadelphia Inquirer*, he also played a critical role in freeing the late Raymond “Long John” Martorano, a made member of the mob, on the grounds of prosecutorial misconduct and double jeopardy. He won acquittals as well for mobsters Gaeton Lucibello and Luigi “Gino” Tripodi in the 1990s, and was a lead attorney in the cases and appeals involving mob boss Joseph “Skinny Joey” Merlino.

He served as an assistant district attorney from 1956 through 1962, and as first assistant D.A. from 1962 to 1966. Mr. Fitzpatrick defeated Republican District Attorney Arlen Specter in 1973, then lost a primary to Ed Rendell four years later.

Born and raised in Philadelphia, after graduating in 1955, Fitzpatrick began his career as an assistant district attorney and went on to become the first assistant D.A. in 1962 before being elected district attorney in 1974.

Fitzpatrick taught advanced trial techniques at Widener University School of Law and was a legal commentator in the media, including 6ABC’s “Inside Story.” He was also self-educated in carpentry, painting, plumbing, electricity and finishing. Fitzpatrick used these skills to renovate his own homes.

He is survived by son James Michael Fitzpatrick; daughter Paula J. Fitzpatrick; brother James Michael Fitzpatrick; and his granddaughter.

FRANK E. GREENBERG W’55, L’60, a mainstay at the Penn Relays who gained international acclaim as a track and field official, died on June 29. He was 81.

An attorney at Slifkin & Greenberg in Philadelphia, he served as president of USA Track and Field, the first non-coach to hold that position. He was a past president of the Athletics Congress, a member of the U.S. Olympic International Competition Committee, and vice chair of the International Doping Commission for the International Association of Athletics Federations.

In 1997, as vice chair of the doping commission, he worked to bring about a reduction in the penalty for athletes who violated international doping standards, reducing the suspension from four years to two. He also spent a number of years as an official at the Penn Relays. In addition, Mr. Greenberg cofounded the Philadelphia Official Council, which advocated for more diverse representatives, including blacks and women, in the ranks of officiating.

In 1999, he was inducted into the Jewish Sports Hall of Fame. Mr. Greenberg earned numerous other honors including the Robert Giegengack Award, the top honor presented by USA Track and Field; the Jesse Owens Award from the Mid-Atlantic Athletic Association; and the Herman J. Mancini Award, which honors an active official of the Penn Relays for continued meritorious service.

Surviving Mr. Greenberg are sons Jeff and Scott; three grandchildren; and a sister.

EDWARD MONROE HARRIS JR. L’49, former vice president, secretary and general counsel at Pitney Bowes, died on May 8 at age 90.

A World War II veteran who served in the Pacific theater, Mr. Harris was an attorney with Sullivan & Cromwell before joining Pitney-Bowes.

IN MEMORIAM

Active in the community, Mr. Harris served as chairman of the Darien (Conn.) Board of Education, director and president of the Stamford Museum and Nature Center, and director of the Connecticut Humanities Council, the Edward W. Hazen Foundation, and the Connecticut Business and Industry Association. He was also an elder of the Noroton Presbyterian Church.

Mr. Harris enjoyed traveling, sports, gardening, history, theater and skiing. During his retirement he authored a book titled *The Bridge Between the Middle Ages and the Modern Era*.

He was predeceased by his wife of 57 years, Marion Stevens Harris. Harris is survived by his daughter Marion; sons Edward M. Harris III and Peter D. Harris; five grandchildren, and one great-grandchild.

HENRY MERRITT IRWIN L'51, who practiced law in Philadelphia for 45 years, died on July 10. He was 88.

A staff sergeant during World War II, Mr. Irwin flew B-24s in Italy. Later in life, he became a trusted legal advisor and board member of Harrisons & Crosfield America, Inc. as well as a number of subsidiaries of its parent company, Harrisons & Crosfield PLC.

Among his community involvements, Irwin was former chairman of the Whitemarsh Township Zoning Board and was a member of the Philadelphia Club, Philadelphia Cricket Club, Sunnybrook Golf Club and the Dedham Country and Polo Club.

Irwin also served on the vestry of The Church of St. Martin-in-the-Fields and was a trustee of Germantown Academy in Fort Washington, Pa.

He enjoyed birdwatching, gardening and croquet. He is survived by his wife, Chauncy L. Irwin and four children: Alice, William, Edith and Katherine. He is also survived by nine grandchildren.

JOHN JEFFERS L'64, a managing partner at Weston Hurd LLP in Cleveland, died on April 11 at the age of 78. A captain in the U.S. Marine Corps, Jeffers served on City Council in Hudson, Ohio for nine years. He is survived by wife Kathleen; sons Michael, Thomas, James, and John; stepchildren Thomas, Brandon and Ashley; and five grandchildren.

ROBERT L. KENDALL JR. L'55, who successfully advocated for the ordination of women into the priesthood of the Episcopal Church, died on August 20. He was 83.

Mr. Kendall, a founding and managing partner of the Atlanta office of Schnader, Harrison, Segal & Lewis, represented Su-

zanne Hiatt, who went on to become one of the first 11 women ordained into the priesthood, eventually forcing the Episcopal church to accept women in the role.

He also drew attention for his representation of the United Parcel Service, which successfully challenged the U.S. Postal Service's practice of changing rates and classifications for mail handling. When Mr. Kendall retired in 1996, UPS presented him with an award for 40 years of service.

Mr. Kendall served on the executive committee of Schnader, Harrison, Segal & Lewis. He was a founding and managing partner of the firm's Atlanta office. He focused on federal antitrust, government regulation of business, and product liability.

He taught antitrust law at Penn and Temple University.

Among his many community involvements, Mr. Kendall served for 27 years on the board of directors of what is now the Mann Center for the Performing Arts and on the board of the Settlement Music School for 30 years.

Mr. Kendall is survived by his wife of 59 years, Patricia; daughters Linda, Cynthia and Janet; seven grandchildren, one great-granddaughter; and a brother.

STEPHEN KRAMER L'72, chief of staff and special counsel to the commissioner of the New York Department of Buildings, died on August 8. He was 66.

Born in Washington, D.C., Mr. Kramer dedicated his life to public service. After graduating from law school, he began working for George McGovern's presidential campaign.

He then joined the New York City Corporation Counsel where he was involved in environmental litigation and other important policy issues, becoming chief of the general litigation division.

New York Mayor Ed Koch appointed Mr. Kramer to fill an open seat on the bench as judge of the Civil Court. During this time, he worked at Proskauer Rose LLC before establishing a private practice dealing with New York City agencies. His last position was for the New York Department of Buildings.

Mr. Kramer became known for mentoring young colleagues, many of whom went on to prominent careers in city government and in public service.

A transplanted New Yorker, Mr. Kramer became devoted to the life of the city, often riding his bicycle with his wife, Bonnie, through all five boroughs, frequently visiting the Brooklyn Botanical Gardens, Central Park and many museums and attending theater and musical events.

In addition to his wife and children Jacob, Sarah and Alex, Mr. Kramer is survived by his sisters Ruth Kramer Ziony and Edie Kramer Wilairat.

BRIAN G. LENHARD, L'04, a gifted computer programmer who transitioned into a legal career, died on March 13 at the age of 44.

Mr. Lenhard's career had two acts. He founded Grayson Consulting and Lightning Bolt Software then earned a law degree and became a litigator. Out of law school he clerked for the Honorable Vice Chancellor Stephen P. Lamb of the Delaware Court of Chancery before joining the Wilmington, Del., office of Skadden Arps, where, in addition to his regular practice, did pro bono work representing the underprivileged and underrepresented and aiding in adoption services and children's literacy programs. He and his wife, Melissa, founded Lenhard Clark Legal Services.

He enjoyed playing with his dogs, reading, traveling, chess, hiking, camping, skiing and sailing.

Mr. Lenhard is survived by his wife; son Nicholas; daughter Caroline; parents Walter and Susan Lenhard; brother Walter; and nieces Kate and Abby.

ALICE BELEW LONSDORF, a former assistant dean for alumni affairs at Penn Law School and a tireless civic leader, died on April 10 at the age of 89.

From 1980 to 1986, Mrs. Lonsdorf served as the assistant dean for alumni affairs. She moved to Pennsylvania from Texas with her husband, Richard G. Lonsdorf M'46, a emeritus professor of psychiatry and law at Penn Law School.

Mrs. Lonsdorf was best known for civic accomplishments, all done as a volunteer. In 1972, she was a founding member and chairman of the Friends of Independence National Historic Park, a group that started tours and purchased furniture to fill the historic buildings in the park. In 1977, Mrs. Lonsdorf accepted the U.S. Department of Interior Conservation Service Award in recognition of the group's work.

She also served as president of the Junior League of Philadelphia, was named a Distinguished Daughter of Pennsylvania by Gov. Dick Thornburgh in 1980, and was a member and leader of the Women's Committee of the Philadelphia Museum of Art.

In addition, she was a founding member of Friends of Chamounix Mansion International Hostel, which was built as a country home in 1802.

In 1979, she became founding chairman of Philadelphia Open House, an annual fund-raiser sponsored by the Friends of Independence National Historical Park. And she was a member and president of the Cosmopolitan Club of Philadelphia; a member of the board of directors for the Greater Philadelphia Cultural Alliance in the 1970s, and on the executive committee

of the Penn's Landing Corp. in the 1980s.

She is survived by her husband of 64 years, Richard; sons George, David and Robert; four grandchildren; and two great-grandchildren.

THE HONORABLE JAMES A. MOUNTS JR., L'58, a retired military judge, died on May 23. He was 82.

During his distinguished 33-year career, Colonel Mounts was a member of the Joint Services Legal Team that authored and passed into law the amendment to the U.S. Military Justice Act, voluntarily served as a judge advocate attached to the 4th Infantry Division during the Vietnam War, headed the U.S. Army Claims Service, and was appointed judge to the U.S. Army Court of Military Review.

He was an adjunct professor at the University of Maryland and other universities where he taught business law and law enforcement classes for more than 30 years. Colonel Mounts was a lifelong member of the United Methodist Church in Maryland where he chaired the building committee and taught Sunday school classes.

He is survived by his wife Marjorie A. Mounts; his son James A. Mounts III; his daughter, Victoria A. Downes; and four grandchildren. He is also survived by his sister Nancy Starr.

DAVID HALL NELSON, W'47, L'49, a tax lawyer at Chapman and Cutler, died at age 89 at his Lake Shore Drive home in Chicago.

Mr. Nelson retired from the firm after 31 years of service.

A World War II veteran who served in the Pacific, Mr. Nelson joined the Internal Revenue Service after the war, serving as senior trial attorney and special assistant to the regional counsel.

During his years with the IRS Nelson worked with and befriended a number of colleagues who would go on to become important figures including Jerry Reinsdorf, chairman of the Chicago Bulls and the Chicago White Sox. Mr. Nelson had a hand in developing the tax practice at Chapman and Cutler, where he hired and became a mentor to Reinsdorf.

Mr. Nelson and his wife, Mary Jane, were proponents of the arts. They sponsored "house concerts" at their home and showcased young musicians. Mr. Nelson played the piano for years.

He had an active civic life as well, serving as president of the Flossmoor Public Library, member of the Planning and Zoning Commission and chairman of the Zoning Board of Appeals. He was also and was on the board of directors of the Constitutional Rights Foundation of Chicago.

He is survived by his daughter Andrea Murphy; son David Lloyd; granddaughters Morgan Murphy and Amanda Blake;

IN MEMORIAM

brother Robert; and sister Muriel Hinkle.

HENRY R. NOLTE JR. L' 49, former chief legal counsel at Ford Motor Co. and a central figure in the firing of company president Lee Iacocca died on June 30 at age 90.

Mr. Nolte served three CEOs from 1974 to 1989. Considered a close confidant of former CEO Henry Ford II, he was a fierce defender of the automaker and the industry. He played a leading role in the legal cases surrounding the Ford Pinto, which had undergone scrutiny for the design of its fuel tank.

He left Ford to become chairman of Miller Canfield, a law firm in Michigan.

He served as a director of Charter One Bank and on the boards of the Detroit Symphony Orchestra, the Cranbrook Education Community, Gulfstream Golf Club, and the Ocean Club of Florida.

Mr. Nolte enjoyed watercolor painting, bird shooting in England, Denmark and Spain, tennis, golf with his children, and spending family holidays in Florida.

He is survived by his wife of 63 years, Frances, and four children: son Henry and daughters Gwynne, Jennifer, Suzanne. He is also survived by eight grandchildren.

WILLIAM G. O'NEILL L'50, former managing partner of Obermayer Rebmann Maxwell & Hippel who helped found one of the first continuing care retirement communities in Philadelphia, died on July 29 at the age of 88.

Mr. O'Neill started his career as a trial lawyer in the New York office of the Internal Revenue Service, where he spent 10 years becoming joining Obermayer, where he formed the tax department and served as its head for 32 years. He became one of the leading attorneys in Philadelphia working with professional corporations.

Mr. O'Neil served twice as managing partner of Obermayer and was also the longtime chairman.

While working at the firm he saw a need for a new type of community that would cater to the growing number of wealthy seniors on the Main Line. In the mid-1980s he helped establish Waverly Heights, a pioneering facility in the continuing care industry. He served as general counsel for many years and as chairman of the board of directors from 1991 to 1999.

After his departure from Obermayer in 1992, Mr. O'Neill formed O'Neill, Bragg & Staffin in Plymouth Meeting, Pa. He retired in 2006.

Mr. O'Neill died in Waverly Heights, the continuing care facility he helped create.

He is survived by his wife Eugenia; sons William; Timothy and Thomas; daughter Ellen, six grandchildren; and a sister. Pennsylvania, Penn State, Temple the served twice as Managing Partner long-time chairman of the firm as well.

ELISA M. PUGLIESE L'78, whose parents were also graduates of Penn Law School, died unexpectedly on July 21. She was 60. Ms. Pugliese specialized in bankruptcy law at Cullen and Dykman LLP. She is survived by her mother, Ida Rosa Pugliese L'43; father Peter F. Pugliese L'40; and her sister, Maria A. Pugliese M'74.

HANLEY RUBINSOHN C'35, L'38, who ran his eponymous travel agency until two years ago, died on Dec. 28. He was 100 years old.

Mr. Rubinsohn quite the practice of law to indulge his true love: travel. While still a lawyer, in 1955 he purchased Bartlett Travel, which had been in business since 1880. The lure of far-flung destinations proved irresistible, so he turned his attention full-time to running travel agencies.

Mr. Rubinsohn lead an illustrious life. According to the Jewish Exponent, Mr. Rubinsohn met and spoke with Al Capone and Indian Prime Minister Indira Gandhi; and was the patriarch of a Philadelphia family that includes six great-grandchildren, all of whom were in attendance at his 100th birthday party.

At this centennial party, Mr. Rubinsohn, who was one of the longest-tenured practicing travel agents in the world, received special commendations from federal, state and local officials, including a letter signed by President Barack Obama and First Lady Michelle Obama.

Mr. Rubinsohn was a longtime board member of the Jewish Chaplaincy, a precursor to the Jewish Federation of Greater Philadelphia. He served as president in the 1970s. The chaplaincy trained and sent chaplains to hospitals and nursing homes throughout the Philadelphia area.

His commitment to the community included leading Yom Kippur services at prisons such as Eastern State Penitentiary and Graterford Prison.

In addition to his great-granchildren, Mr. Rubinsohn is survived by daughter Amy; sons Bill and John; and three grandchildren.

ERIC P. SALONEN L'81, an international trade lawyer, died on Feb. 26 at age 55. He had been partner with Stewart and Stewart, a law firm in Washington, D.C.

Before joining Stewart and Stewart in 1998, Mr. Salonen served as attorney-advisor to Commissioner Janet A. Nuzum

and Chairman Marcia E. Miller of the U.S. International Trade Commission. Mr. Salonen wrote and co-wrote articles on U.S. trade remedy laws and co-chaired an international trade committee of the American Bar Association.

Survivors include his wife of 23 years, Lisa Bobbie Schreiber Hughes, and two stepsisters.

ARTHUR E. SCHRAMM L'68, an attorney and longtime senior executive with shopping center owner and developer Westfield Group, died March at his home in Los Angeles at the age of 72.

Mr. Schramm established law firms in Philadelphia prior to joining Westfield. He joined the company in 1977 and helped shepherd more than three decades of strategic growth.

While his business successes were significant, Mr. Schramm also contributed to his community. He was especially committed to the battle against Multiple Sclerosis, serving on the Southern California chapter of the National MS Society Board. He recently was involved in the founding of the Tom Sherak MS Hope Foundation in Los Angeles. In addition, he served on the board of the Make A Wish Foundation.

Survivors include his wife, Britta; children Kimberle and Katrina Schramm-Dorsey; son-in-law Riccardo Conti; and six grandchildren.

HERBERT F. SCHWARTZ G'64, L'64, one of the leading intellectual property trial lawyers of his generation, a trailblazer in the development of intellectual property law, and a mentor and colleague to hundreds of lawyers and law students, died on July 15. He was 78.

After receiving his degree in electrical engineering from MIT in 1957, Mr. Schwartz received an M.A. in business and an L.L.B. from the University of Pennsylvania, where he was an editor of the Law Review.

He was a partner at Ropes & Gray and its predecessor Fish & Neave from 1971 until his retirement in 2007. Mr. Schwartz served as managing partner of Fish & Neave from 1985 until 1991. He served as lead trial counsel in many cases for such prominent companies as Polaroid, Purdue Pharma, AstraZeneca, Digital Equipment and Motorola.

His landmark victory for Polaroid against Eastman Kodak preserved Polaroid's exclusive position in instant photography.

In addition to his litigation accomplishments, Mr. Schwartz worked outside the courtroom to advance the law, having served as a professor at both Penn and NYU law schools and as a 25-year member of the American Law Institute.

He was the principal author of Patent Law and Practice, an

oft-cited treatise originally prepared for use by federal judges.

Mr. Schwartz also was a renowned sailor, having won many major regattas, such as the Swan American trophy, the New York Yacht Club Sesquicentennial and the Marblehead to Halifax race.

Mr. Schwartz had deep family ties to Penn. His daughter, Wendy Schwartz C'86, L'90, graduated from the College of Arts and Sciences and Penn Law School; Ms. Schwartz' husband, Neil Radisch ENG'86, graduated from the School of Engineering, and Mr. Schwartz' first wife, Gail Schwartz GED'87, graduated from the Graduate School of Education.

Mr. Schwartz is survived by his wife Nan Chequer; children Wendy, Karen, and Peter; stepchildren Elizabeth, Anne and Laura; and eight grandchildren.

WILLIAM WHITFIELD STANTON L'48, a world traveler and photographer and former in-house counsel for the Hamilton Watch Company, died on August 18 at age 94.

Mr. Stainton's interest in photography led him all over the world, with memorable expeditions to Africa. He honed his skills by studying with renowned photographers.

In addition to his work with Hamilton, Mr. Stainton later became a law partner with the current mayor of Lancaster, Pa., Rick Gray.

Mr. Stainton is a founding member of St. Thomas Episcopal Church. In retirement he became the official photographer for the Philadelphia Zoo.

He is survived by his children, Leslie Anne, William, Mary Easton; son-in-law Steven M. Whiting; and grandchildren Jeremy and Julia Whiting.

PAUL JULIEN SUDE, L'58, an attorney with the Internal Revenue Service, died on March 31 at the age of 80. He worked in the Philadelphia and Washington, D.C. offices for 38 years, after beginning his career as an attorney in Seattle.

After retirement in 2001, Mr. Sude was a volunteer who taught English as a Second Language. A member of the Main Line Reform Temple, he participated in a weekly Torah session. He was passionate about birding, photography, and Chinese cooking. Mr. Sude searched for wild mushrooms, raised African Violets, quibbled over punctuation, and loved learning unusual words.

He is survived by his wife, Kay Barnkopf Sude; daughters Leslie and Laura; and four granddaughters, who he often referred to as "cherry blossoms" based on the A.E. Housman poem, *Loveliest of Trees*.

CASE CLOSED



Hi-Rise Newsprint

WHAT'S A SCHOOL TO DO when 118 LLM students from different cultures and corners of the world arrive at its doorstep? The Law School answered that question with a team building exercise that was part of a five-week summer program before the start of school. Students were split into groups, handed tape and newspaper and asked to build towers. Fun ensued. This is a far cry from the days when, at the turn of the 20th Century, international students landed on our shores to less fanfare. Today, students are introduced to the U.S. legal system and taught legal research and writing in preparation for the fall semester. They also tour Philadelphia, visit the Philadelphia Museum of Art, and attend a banquet in Chinatown. Collegial, indeed.



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