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NEW YORK LAW SCHOOL

Magazine | Spring/Summer 2011



Advancing justice for a diverse society



Fostering integrity and professionalism



Embracing innovation

5
9
12

New York Law School Honors
Three Groundbreakers Who Exemplify Core Values

Future Ed 2:
Making Global Lawyers for the 21st Century

Building a Pipeline to Law School:
NYLS's Plans for a Charter High School for Law and Justice

NEW YORK LAW SCHOOL

Magazine | Spring/Summer 2011

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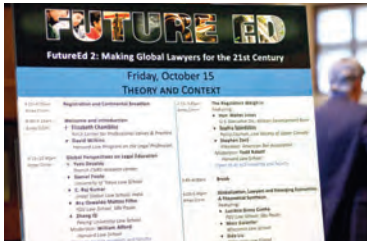
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Correction: In the Fall/Winter 2010 issue of *New York Law School Magazine*, the photo caption on page 88 mistakenly identifies the Heritage subject, Harper Sibley, Class of 1909, as being pictured with Arnold Palmer and Walter Troutman. It is actually Sibley's son, Harper Sibley Jr., pictured in the photo.

Dean's message





Core Values: The Soul of New York Law School

By Richard A. Matasar

A great law school is not the sum of its parts or even the combined hopes and dreams of its faculty, students, and graduates. Great schools seek to add value for others. They aspire to stand for something long-lasting, important, and inspirational—to have a soul.

New York Law School's soul is found in our core values:

- *Embracing Innovation* – We train students to find change comfortable, to respond to the emerging needs of our society, and to develop real-world skills that will be demanded of lawyers if they are to help their clients adapt to new challenges.
- *Fostering Integrity and Professionalism* – We seek to improve the legal profession by embracing ethics as a way of life, asking students to establish their own personal code of professional behavior and strive for continuous improvement in their performance.
- *Advancing Justice for a Diverse Society* – We instill in each student a search for justice and fairness in the legal system, through legal scholarship and an approach grounded in theory and practice that makes justice and improving our society paramount educational goals.

This issue of our magazine is devoted to New York Law School's core values in action.

We highlight our gala, which explicitly honors NYLS graduates and supporters who exemplify our core values: Steve Klosk '87, innovative CEO of a company bringing solutions to the pharmaceutical industry; Bruce Colbath '85, lawyer/mentor/teacher, who personifies professional practice; and Diane Abbey, philanthropist/teacher, who seeks to make the world a better place for children and families.

We provide an update on New York Law School's continued efforts to pioneer innovative approaches to legal education through our Future Ed partnership with Harvard Law School. We focus on the activities of our centers, institutes, projects, and scholarship, and profile alumni—all reflecting our deep commitment to professional growth and development. We preview the emerging New York Law School Charter School project, which seeks to make legal education available to a diverse group of aspiring students and imbue them with a quest for justice. In short, we show that our school practices what it preaches.

Over the years, this magazine has not explicitly labeled every activity of New York Law School with the core value it represents. Yet, every story implicitly has done so; our activities are enmeshed with those values. They shine through in everything we do, since our core values are our institutional soul!

New York Law School Honors Three Groundbreakers Who Exemplify Core Values



“We are in the business of learning law and taking action,” Dean Richard A. Matasar told the black-tie crowd. “What better way can we take action than to celebrate the individuals who have contributed so much to our society?”

Future Ed 2: Making Global Lawyers for the 21st Century



Professor Chambliss added, “The main goal of our conference is to actually come up with concrete steps that will have broad impact for change—steps that are implementable within a year. We’re already seeing our effect at the first level—networking. We’ve taken care to bring together [with law school deans and faculties] employers and clients. We’re no longer working in isolation from one another.”

Building a Pipeline to Law School: NYLS’s Plans for a Charter High School for Law and Justice



The idea for the project came two years ago in what Professor Marsico calls a “rare moment of clarity” inspired by his Education Law and Policy class. “All of a sudden, a clear picture came to my mind that this could be the answer to many of the issues and problems we were talking about in class—specifically, how to deliver high-quality education in an urban environment.”

New York Law School Honors Three Groundbreakers Who Exemplify Core Values

By Christine Pakkala

Embracing innovation. Fostering integrity and professionalism. Advancing justice for a diverse society. To honor three individuals who exemplify these core values of New York Law School, 500 alumni and friends gathered at the *Breaking New Ground. Again.* Gala Celebration on November 10, 2010. Diane Abbey, Founder of the Diane Abbey Law Center for Children and Families at the Law School; Bruce A. Colbath '85, Partner at Weil, Gotshal & Manges LLP; and Steven M. Klosk '87, President and CEO of Cambrex Corporation, were feted at Pier Sixty at Chelsea Piers in Manhattan and given "Groundbreaker Awards" for their extraordinary contributions to the Law School and society as a whole.

"We are in the business of learning law and taking action," Dean Richard A. Matasar told the black-tie crowd. "What better way can we take action than to celebrate the individuals who have contributed so much to our society?"

Steve Klosk was the first honoree, recognized for embracing innovation. Dean Matasar introduced him as someone "who has taken his knowledge and used it to expand the society we live in by creating new products, new ways of treating illness, and delivering medicine to individuals in extraordinary new ways."

Klosk heads Cambrex, a company that uses cutting-edge bioscience technology to provide products and services to support the development and manufacturing of small molecule therapeutics for the pharmaceutical industry.

"My experience at New York Law School more than 25 years ago set the stage for my unorthodox and circuitous route to my current role as CEO of Cambrex," Klosk said.

That route began in human resources and evolved to include legal and administrative responsibilities, a more involved role in mergers and acquisitions, and finally into operating roles with P&L responsibilities. Much of this evolution took place at Cambrex; Klosk joined the company in 1992 as Vice President, Administration, and has served as President and CEO since May 2008.



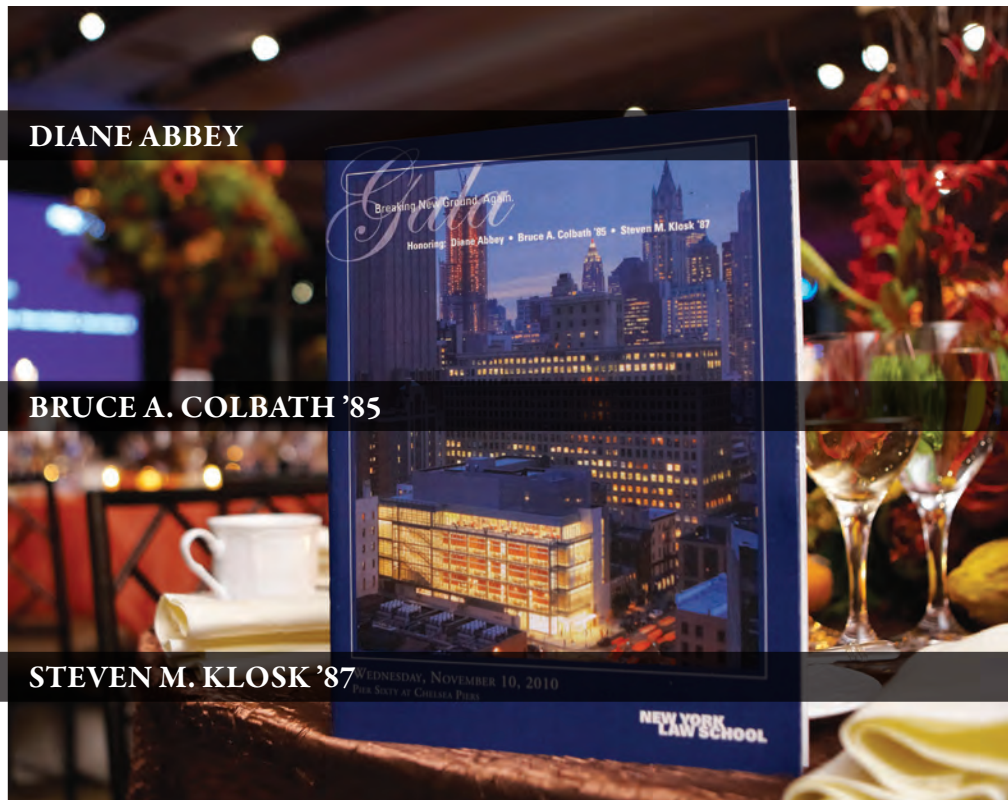
DIANE ABBEY



BRUCE A. COLBATH '85



STEVEN M. KLOSK '87 WEDNESDAY, NOVEMBER 10, 2010
Pier Sixty at Chelsea Piers



Those who watched Klosk's galloping career have not been surprised. "I've had the good fortune of watching him grow through sheer hard work and fearlessness and an ability to transform himself from a staffer to a leader of an 800- to 900-person company," Greg Sargen, Vice President and Chief Financial Officer of Cambrex, said.

Klosk said the skills he learned in law school have been key in his leadership role—especially the ability to innovate and embrace change. "Our challenge is to find ways to get these more effective, sometimes life-saving therapeutics to patients quicker and more cost effectively, and that is perhaps for us the most ultimate form of innovation."

Last year, Klosk said, the need to innovate in his business took on an even greater importance. "I lost a close friend to cancer, and I'm convinced that if he could have been prescribed the leading therapeutics then in clinical development, he would be with us today."

The second Gala honoree, Bruce Colbath, was described by friend Irving Scher, Senior Counsel at Greenberg Traurig, LLP, as a lawyer who uses "care and conciseness" in dealing with others. "He thinks before he talks," Scher said, "and that's very important in the practice of law."

Colbath modestly described an accomplished career that nevertheless began with some trepidation in law school. "The first night I was terrified in Contracts class, wondering what I had gotten myself into," he told the Gala audience. "And there is absolutely no way I would have ever envisioned being here 20-plus years later. . . . But it truly has been an exhilarating career, and I have enjoyed almost every moment of it."

Colbath is a partner in the litigation group at Weil, Gotshal & Manges LLP, where he specializes in antitrust law, advertising, and related consumer class-action litigation. He is also active in various bar activities, including the Antitrust Section of the American Bar Association.

Recognized for fostering integrity and professionalism, Colbath volunteers his time to the Law School as a mentor for a group of first-year students. "The young lawyer depends on the senior lawyer to lead the way," Dean Matasar said. "You cannot demand of others what you are not willing to give of yourself, and what we know of Bruce Colbath is that his standards are extraordinary for himself first and then for others."

Mentoring young lawyers is something in which Colbath takes "a personal pride," his wife, Carol O'Rourke, said in a video shown at the Gala. For an evening student who worked full time, law school wasn't easy, and Colbath didn't take his career for granted, she noted.

"I'm very grateful for where I am today, and I feel somewhat of an obligation to pay back to the profession in some way and



to try to imbue the younger associates with the same type of standards so that they'll become better lawyers," Colbath said.

In introducing the third honoree, Dean Matasar said he could think of no other person who exemplifies the value of advancing justice better than Diane Abbey. "I cannot emphasize enough her commitment to making the world a better place, first as a New York City public school teacher, then as a philanthropist involved in many organizations around the city," the dean said.

"In this complicated world, I can't imagine anything more important than helping children and families in trouble," Abbey said. "I hope that the [Abbey] Center will be an intensive training ground for law students in how to provide high quality legal services for those most in need."


Abbey's own children emphasized their mother's tendency to speak of those in need rather than her own accomplishments when they introduced her at the event. Jonathan Abbey, Managing Member of Adakin Capital, said, "Mom has pursued the causes she is passionate about without any expectation of recognition or the approval of others." Leslie Abbey, Executive Director of the Juvenile Justice Initiative at the Administration for Children's Services, said, "Kids and families and treating people fairly have always been a part of our household, and now I'm passing on [those values] to my children."

Pursuing justice for the underserved is the underlying goal of the Diane Abbey Law Center for Children and Families, which prepares students for the practice of family law and assists children and families in need in a variety of pro bono settings.

"The Center is not a structure of bricks and mortar," Abbey explained, "but a specialized legal learning center with its own programs, executive staff, students, and professors."

It's a crowning jewel in a career devoted to the welfare of children and families. Abbey has worked as an English and English as a Second Language teacher at Theodore Roosevelt High School in the Bronx and as an educator for Planned Parenthood. She also served on the capital campaign committee for New Alternatives for Children, an organization that provides a range of social services for disabled children and their families.

Dean Matasar said the three honorees represent a deep pool of talent and commitment at the Law School. "The Gala was a way of saying that we're as deeply committed to them as they have been to both the Law School and society."

The event, which included a silent auction, dinner, and dancing, also served as a fund-raiser for the School, garnering almost \$1 million to benefit scholarships as well as the Diane Abbey Law Center. According to Suzanne Davidson, Associate Dean and Vice President, Development and Alumni Relations, the event was "the most successful Gala we've had." 





Sala

Breaking New Ground. Again.

FUTURE ED?

MAKING GLOBAL LAWYERS FOR THE 21ST CENTURY

By Thomas Adcock

In October 2010, presenters at the second-phase gathering of “Future Ed”—a yearlong conference series, hosted by New York Law School and Harvard Law School, which debuted last spring at the NYLS campus—served a smorgasbord of ideas on changing the usual business of providing and pursuing juris doctor degrees.

And once more, sober acknowledgment was given to the trio of 800-pound gorillas standing between conference participants and their hopes: money, the worst national economy since the Depression-era 1930s, and strictures imposed by law campus regulators.

Dean Richard A. Matasar put it this way in his sometimes bluntly-worded address to 150 professors, practitioners, and corporate executives attending the two-day October session, this time at Harvard:

[Legal] education in the United States has become so expensive that its value is being questioned. . . . [S]imply put, does the return justify the cost? Responding to this [question] has been an exercise in teeth gnashing, woolgathering, utopian hopes, and unrelenting pessimism. Law schools have neither shown the willingness nor the ability to cut their operating costs significantly. The accreditation process still demands many inputs that contribute to rising law school costs. . . . The employment market is not expanding, and the number of higher-paying jobs is not rising.

The dean went on to explain that in response to these challenges, New York Law School is doing things differently. “We are working on both improving the education of every student and beginning changes that will halt the price growth and lead to a better value proposition in the years ahead.”

The conference co-organizers—Professors Elizabeth Chambliss of NYLS and David B. Wilkins of Harvard—said the bounty of practical initiatives now underway at individual campuses around the country offers promise of

consensus on some specific methods to alter the law school business model in response to the problems cited by Dean Matasar.

In an interview following the Cambridge session, Dean Matasar outlined three broad areas of necessary change that could define such a consensus among participants following the final Future Ed gathering, convened in New York on April 15–16, 2011:

- Accelerated two-year J.D. programs, integrated with undergraduate study focused on transition to law school—permissible under regulations by the American Bar Association. To this end, Dean Matasar has proposed an experimental program for New York Law School that would allow college juniors to enroll at the School. “Some elements of this program will be done in partnership with undergraduate schools,” he says, “while other proposals will . . . permit us to experiment with new forms of education that don’t currently comply with accreditation rules.” He expects these programs to be ripe within a year or so.
- Better preparation of American students for ever-increasing globalization of law and commerce—and greater involvement with the private bar to provide students with practical experience. With these goals in mind, NYLS launched a summer study abroad program in London in 2010, in collaboration with The College of Law of England and Wales, and is planning a similar partnership with the Faculty of Law at The Hebrew University in Jerusalem.
- Savings in campus operational costs—brought about, in part, by such technology as “Law Without Walls,” an interactive online instructional program in its first year of experiment at NYLS, Harvard Law, the University of Miami School of Law, Fordham University School of Law, Peking University Law School, and the Institute of Global Law at University College, London. In addition, says the dean, New York Law School’s faculty is “at the forefront of using new technology in games and video to teach law less expensively than current models.”



Professor Elizabeth Chambliss presents at Future Ed 2: Making Global Lawyers for the 21st Century.



Future Ed 2 was held at Harvard Law School in October 2010.

The worldwide recession that began in 2007, with its negative effects on the legal universe, has prodded both bar and academy ever more toward paradigm change, said Professor Chambliss.

“I think it’s increased the urgency among educators and employers,” she said. “They’re a somewhat conservative lot, and slow to change. The recession is giving us a bit of a goose.”

Professor Chambliss added, “The main goal of our conference is to actually come up with concrete steps that will have broad impact for change—steps that are implementable within a year. We’re already seeing our effect at the first level—networking. We’ve taken care to bring together [with law school deans and faculties] employers and clients. We’re no longer working in isolation from one another.”

As a demonstration of the new campus-profession partnership, New York Law School Professors Tanina Rostain and Howard S. Meyers—assisted by attorney Paul Lippe, CEO of the Web site Legal OnRamp, and New York Law School 3Ls Nicholas Spindler and Mariko Gaines—presented a conference paper on their experience making NYLS the first law school to take advantage of “Legal Grand Rounds,” a Web 2.0 platform in which student interns gain direct real-world experience.

In the form of a supervised “virtual clinic,” according to the team’s paper, students interact with corporate legal counsel to develop systems for proxy statements required by securities statutes under federal law:

Legal Grand Rounds offers in-house lawyers the opportunity to assess the benefits of incorporating students and recent law graduates directly into legal departments. Workflow is based on collaborative systems that have parallels in social networking technologies with which students have significant experience. . . . Students develop substantive expertise grounded in the legal needs of corporate clients. Equally important, they become familiar with the practice style of legal departments . . . [Students] receive

direct and instant feedback through ratings and comments from members. . . . Although still in its preliminary stages, the initial project involving [New York Law School] has been successful . . . Nine other law schools have expressed strong interest [and Legal OnRamp] is actively scaling up with clients and students.

A 25-year-old May 2011 graduate who wants to make his career in criminal law practice, Spindler said the Grand Rounds experience was as important to his future as his participation in the Law School’s Criminal Defense Clinic.

“The law schools need to make us more marketable,” said Spindler in an interview. Both of his practical experiences as a student, he added, afforded him the opportunity to “do what a lawyer does.”

Marketability, according to Professor Wilkins and his Harvard Law faculty colleague Cory Way, involves classroom work but extends well into the first years of legal practice. In their paper titled “Cradle to Grave Professional Development,” they urged conference participants to return to their campuses, law firms, and corporate offices and adopt a cooperative formula for practical education:

The approach we propose has four interlocking phases: 1) a mandatory course for all law students, modeled after Harvard Law School’s new “Problem Solving Workshop,” which both directly teaches students about different kinds of legal practice and involves both practitioners and clients in that process; 2) professional development in law firms patterned on the Professional Development Initiative at Goodwin Procter that builds on what students learn . . . formalizes success strategies in firms, and actively counsels young lawyers about outplacement and career development after they leave the firm; 3) client initiatives patterned on the Pfizer Legal Alliance, in which in-house and firm lawyers work collaboratively across traditional boundaries to teach [in-house]



Panelists discuss “Global Perspectives on Legal Education” at Future Ed 2. Left to right: Zhang Qi, C. Raj Kumar, Dan Foote, William Alford, and Yves Dezalay. Not pictured: Ary Oswaldo Mattos Filho.



Attendees at the Future Ed 2 conference.

lawyers . . . how to serve [client] interests more effectively while also promoting better training and mentoring for [law firm] associates . . . ; and 4) a comprehensive executive education designed to help lawyers at all levels to continue to develop . . . leadership skills.

The critical need for improvement in preparing students as well as young practitioners for transnational work was addressed by Professors Archana Sridhar and Jane Kidner of the University of Toronto Faculty of Law. Based on dialogue during Future Ed’s launch session in April last year, the two Canadians drew up a proposal for a post-J.D. “Global Professional Master of Laws” degree, a one-year evening-weekend program of lectures and seminars in international business law—including such matters as world trade law and trade regulation, comparative corporate governance, securities regulation, and competition law.

“While the aim of the program is to add value to the working lives of professionals,” wrote Professors Sridhar and Kidner, “students [will be offered] a new way of thinking . . . beyond the nuts and bolts of business law practice. Globalization and its real-life effects will be infused throughout the curriculum.”

Speaking to the need for increased practical training for students in pursuit of public interest law careers were Jocelyn Simonson, Supervising Attorney at The Bronx Defenders, and Nisha Agarwal, Director of the Health Justice Program at New York Lawyers for the Public Interest. In 2008, the two founded the Summer Theory Institute at Harvard Law, for the purpose of melding social theory—in hot-button areas such as race, feminism, labor, immigration, and prisoners’ rights—with calm, effective lawyering. In 2010, the Harvard Law program was replicated at the Earle Mack School of Law at Drexel University in Philadelphia, and at the City University of New York School of Law.

“We were really impressed by the tremendous amount of energy behind the thinking about change,” Professor Wilkins said of the Cambridge gathering. “Also, we had the immediate past president of the ABA [Carolyn B. Lamm] as well as the

incoming president [Stephen N. Zack] in attendance. As regulators, they were quite open to our ideas.”

He added, “I don’t know if we’ll develop a new model overall. That assumes we’ll get everybody aboard. But change will come, more likely from people with energy and ideas in the context of their own institutions. We can build out from there.”

As to the high cost of investing in a law degree—a topic from which presenters did not often stray, and one that pricked the ears of student attendees—Professor Chambliss said law schools are becoming “increasingly unaffordable” and that they share a challenge: to “keep it affordable, so that students are free to pursue practices outside the corporate market structure—so they don’t just have to take the highest-paying job.”

According to a current study posted on the ABA Web site, only 23 percent of American law school graduates in 2008 were hired out of school at the highest starting pay—generally \$160,000 at large corporate firms. Some 42 percent began careers at annual salaries of less than \$65,000¹.

“The combination of the rising cost of a legal education and the realities of the legal job market mean that going to law school may not pay off for a large number of law students,” the ABA study concluded.

Spindler knows all about it. “You graduate today with a \$150,000 debt and maybe a job at \$40,000 a year—or no job,” he said. “And maybe you have to move back home, if possible.”

He added, “But I left the conference feeling better that deans and professors and administrators aren’t blind to what’s going on, and that they’re trying to do something about it. I was so gratified that [Dean Matasar] gave a presentation wholly based on the fact that education costs are rising and that we need to do something to stop it.”

Stay tuned for coverage of the final Future Ed conference (April 15–16, 2011 at New York Law School) in the next issue of *New York Law School Magazine*, Fall/Winter 2011. **f**

¹ ABA Commission on the Impact of the Economic Crisis on the Profession and Legal Needs: *The Value Proposition of Attending Law School* (American Bar Association, 2009).

Building a Pipeline to Law School: NYLS's Plans for a Charter High School for Law and Justice

By Andrea Juncos



The road to a successful legal career is a long and challenging one, but where exactly does it begin? And at what age? A team of students at New York Law School wants to give kids as young as middle schoolers a clear pathway to the legal profession, especially underprivileged students who typically don't have access to such an opportunity. Led by Professor Richard D. Marsico, an expert in education law and policy and the President of the Mamaroneck (NY) Board of Education, students in his Education Law and Practice course are working on an application to open a charter high school in New York City focused on law and social justice. If approved, the school will provide students with a pipeline to law school—as well as one more option in a public school system that serves over one million children.

The idea for the project came two years ago in what Professor Marsico calls a “rare moment of clarity” inspired by his Education Law and Policy class. “All of a sudden, a clear picture came to my mind that this could be the answer to many of the issues and problems we were talking about in class—specifically, how to deliver high-quality education in an urban environment.”

The Law School's Justice Action Center (JAC), which Professor Marsico directs, runs a number of programs aimed at tackling educational inequities, and he was motivated in part by their success. For example, through the School's Street Law program, New York Law School students volunteer to teach local middle and high school students

about their legal rights. “We've had many middle and high school kids involved in Street Law who have come to New York Law School and said, ‘This is a wonderful school. I want to come here,’” he says. “So we thought, wouldn't it be great to create a path for them?”

Eric Henry '10, this year's JAC Graduate Fellow, was present for Professor Marsico's eureka moment, and was instantly sold on the idea. He believes strongly in the need for a school that encourages young people to go to law school, especially at this particular moment in New York City's educational history. “We need more institutions that push students to go to higher education and, more specifically, to go toward graduate school,” he says. “Lots of public schools and Catholic schools are closing; other schools are underachieving; and there is a lack of specialized schools focused on particular areas of education. We need to fill in those gaps.”

Morgan Marshall-Clark 2L echoes Henry's enthusiasm and emphasizes another issue that the high school will address—the need to bring civics education back to the public school curriculum. “Teaching about government and civic involvement has been kind of lost in the last 10 years, especially with No Child Left Behind,” she explains. “I think that's why we don't have as much civic engagement and why voter turnout is low. . . . [Our charter school] will help students understand their rights and their role in our system as well as grow up to be productive citizens of our country. And that's valuable whether or not they decide to go to law school.”

The decision to open a charter school was an easy one for Professor Marsico. He has seen firsthand the power of

grassroots community efforts throughout his career, which includes working as a staff attorney in the Civil Division of the Legal Aid Society in the Bronx. “When people create something, they have a stake in making sure it’s high quality and achieves its purpose and will continue to do so in the future,” he says.

The project is currently in the second year of a multi-year process that, if all goes according to plan, will see the high school open with its first class of ninth graders in fall 2013. The first year of the project was spent on background research, with a group of Professor Marsico’s students conducting a feasibility study to outline all aspects of opening a charter school—the laws involved, the application process, the politics, and the pros and cons. This year, students in his Education Law and Practice course have three areas of focus: developing the application to the New York State Education Department, due in January 2012; finding an education consultant to help with the application process; and raising seed money. Students have been working independently and in pairs on different parts of the application, meeting every two weeks with Professor Marsico to present their findings.

“Getting approved for a charter is very difficult,” says Kristin Perry 3L, who is working on the project as her JAC capstone. “A school has to have a really good hook to get approved.” She’s confident that their proposed high school has a unique and compelling hook, and that her team is up for the challenge. “[The State Education Department] intentionally has an extremely rigorous application process in order to get people that are really dedicated. It’s a lot of work . . . but we’re ready for it.”

Part of what will make the school unique is a rigorous curriculum that includes four years of English, social studies, science, math, and foreign language, as well as electives in political science, economics, and law. Through a combination of coursework and practical experience, students will develop the critical thinking and oral and written communication skills necessary for a successful legal career. All students will be offered the opportunity to take Advanced Placement exams in U.S. history, U.S. government, and economics. And the goal for graduation is 100 percent of students graduating with a Regents diploma,

which is the more prestigious of the two diplomas offered by the New York State Board of Regents (as opposed to the “local diploma”), awarded to students who pass all five required Regents exams.

These may sound like ambitious goals in a public school system where 63 percent of students graduate in four years, and only 45 percent with a Regents diploma, but that’s exactly the point¹. “You have to set the bar high,” says Professor Marsico. “If you don’t give kids high expectations, they won’t meet them. If our graduation rate is 95 percent that’s great, but I want it to be 100 percent because that’s what we’re here for.”

Professor Marsico envisions that the Law School will play a major role in the charter school’s success as a key partner. He would like his Education Law and Practice course to continue serving as pro bono counsel for the high school, allowing the school to defray that cost and the law students to gain hands-on experience in the process. Building on Street Law and other programs, he plans to have New York Law School students teach and mentor the high school students, and to connect them with summer internships and employment opportunities in the legal field. He also hopes to find space for the school nearby for convenient access, and to lease New York Law School’s facilities to host a summer law camp that trains students in trial and appellate advocacy.

Professor Marsico wants to involve New York Law School faculty as well—as both teachers and advisors. “I’ve always wanted to teach American history, so this could be my opportunity,” he says, explaining that charter schools are permitted to employ up to five teachers who are uncertified. He and his team would also like to establish partnerships with local universities that could serve as feeder schools for New York Law School, and potentially create joint degree programs in which students could get their undergraduate degrees in three years, followed by their law degrees in two years.

Similar to Professor Marsico’s course, the curriculum of the high school will be grounded in project-based learning. Marshall-Clark and classmate Sarah Mills-Dirlam 2L have conducted extensive research for their portion of the application and recommend that the high school use an “expeditionary learning” model similar to the one found at Outward Bound schools, where students work on self-directed, interdisciplinary projects in groups and in their communities. Rather than relying solely on tests, students will be assessed through cumulative products, public presentations, and portfolios. Marshall-Clark is an alum

¹ New York City Department of Education 2009 graduation data (released in 2010).

of an Outward Bound school herself and can attest to the model's success. "Taking a test is not the way you use the information you learn in real life," she says. "This model of assessment is much more in line with the types of work students are going to have to turn out in college and in a real job as a professional."

Henry is developing other sections of the application, including the school's calendar, disciplinary policies, and recruitment and admissions policies. He and his colleagues have received guidance from an organization called the New York Charter School Incubator (NYCSI), which advises planning teams throughout the process of applying for and establishing a charter school. NYCSI's services include providing templates and sample applications, and holding training sessions on how to secure funding, find space, and build a school team. The New York Law School team is looking for ways to raise funds to continue working with NYCSI going forward. In the meantime, its members are relying on their research skills and background experience to inform their process.

For Henry, that experience includes working in admissions as an undergraduate at SUNY Binghamton, where he helped recruit students of color for the university. While the admissions policies of charter schools are strictly based on a lottery system, with priority given to residents of the school's district, he plans to make every effort to ensure that students from underserved neighborhoods and schools know about the charter school for law and social justice and are encouraged to apply. He is determined to communicate with transparency and set clear expectations to make the experience of both prospective students and admitted students as engaging as possible. "We want to have open-house days, where students and parents can get acquainted with the school—meet the faculty, see the facilities, learn about the expectations for their child's education, the individual assessment guidelines, goals, and benchmarks for progress." It's also important to Henry and his team that special education students are included and integrated with general education students, since, as he puts it, "school is a microcosm of the world."

All of the students involved bring a great deal of passion to the project, and the process has been a true exercise in collaboration. Perry has been attending trainings held by the New York City Charter School Center, another organization that helps charter schools get started. She's also been researching information on grants and educational consultants, and developing memos on the relevant laws—all with the goal of sharing her findings with her colleagues. "We're all helping each other out," she says. "If I find a Web site that has a lot of helpful information I'll



send it to everybody, and when I go to trainings I get copies of the materials for everybody and share the information. Everyone's doing the same thing."

Although she'll be graduating this year, Perry welcomes the opportunity to help out in the future, and she's eager to see what will come of the proposal. "By doing this project, I feel like I'm doing something that might help people in the future, and that's important. To see this school actually open at some point would be awesome—to be able to say, I helped with that."

Professor Marsico is inspired by his students' commitment, both to the charter school project and to the Law School's volunteer programs aimed at improving education. "These are busy students with a lot on their plates, but they're so enthusiastic about working with younger people," he says. "Their willingness to give back is really so impressive."

That willingness will serve the team well as they navigate the long and complex process of opening a charter high school. Despite the challenges, Professor Marsico and his team remain focused on their mission and the significance of their work. "Education is the most important issue of our country," says Henry. "We have a collective responsibility to make the system better." Once he and his colleagues get their school up and running, they'll have the opportunity to do just that. **f**

Breaking new ground. again.

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Dr. Vincent A. Carbonell '00 Steps Forward to Support New York Law School

By Mona Houck '04



Dr. Vincent A. Carbonell '00 was eager to get the ball rolling on the Law School's new building, and his gifts to the *Breaking New Ground. Again.* capital campaign show that enthusiasm.

One led to the Dr. Vincent Carbonell Classroom in the new building, and another continues the Carbonell Fellowship in the Law & Policy of the Workplace, in honor of his father, Ricardo Carbonell, a longtime union activist and leader.

"I wanted to be the first to contribute to the campaign for the new building before we had our executive kickoff meeting," says Dr. Carbonell, a member of the School's Board of Trustees, referring to a brainstorming meeting on school projects a few years ago. "I thought that would be a great spark to ignite the group's motivation.

"People have a propensity to accomplish great things and help out," says Dr. Carbonell. "All it takes is one person to step forward first."

As a student, Dr. Carbonell didn't think much about the Law School's physical space. "I'm a little old-fashioned," he says. "When I attended in the original buildings, I didn't really care about the physical surroundings. I cared about the quality of our great teachers."

As a trustee, though, he sees the importance of the building's enhanced facilities and technological advances. "We're in an entirely different era now. The new student generation appreciates a high-tech environment with Wi-Fi throughout the building," he says. "Our students are digitally plugged in and informed." But it's not just about quick access to e-mail and the Web: "It is a critical part of us

being a leader in the legal instruction arena to be the digital leader in legal education."


The classroom is a fitting gift from a man who seems to be in constant search of knowledge. Dr. Carbonell had already started and run successful businesses before earning his law degree, and after finishing law school, he added a Ph.D. in business administration to his credentials. Now, while running United Reprographic Services, the business he founded in 1988, he still finds time to offer his legal services pro bono and brush up on any area of the law that comes up. "It's a lot of fun and very rewarding," he says. And he points to another benefit: "It drives the other side absolutely crazy when they realize that the hours and resources you are willing to commit are endless."

Dr. Carbonell says it is important for alumni to help ease the strain on current law students however they can. The fellowship he established helps two students involved in the Justice Action Center every year, and honors his father, whom he credits with inspiring him to give back. Ricardo Carbonell was a national labor leader, and his son got a firsthand look at his work. "When I was 5 years old, I used to go out on the picket line with him and hand out leaflets," Dr. Carbonell says.

"He was a union leader who helped tens of thousands of people. He had tremendous energy and responsibilities accompanied with a very modest salary," he continues. "He was driven by other forces to help people; I guess I inherited that."

That drive is something Dr. Carbonell hopes is contagious. He encourages other alumni to get involved, through mentoring, outreach programs, clinics, or any number of other ways.

"Even if they don't have the finances to help out," he says, "[alumni] can get involved and give of their time. They will learn a lot and make contacts, which can ultimately help in their own careers.

"When we all get involved as a team together, we all benefit," he says, "and New York Law School reaps the benefits of our efforts." 

All in the Family: The Alan '77 and Madeleine Clark Family Scholarship Fund

By Christine Pakkala



It makes perfect sense that Alan Clark's campaign gift to New York Law School is a family scholarship, namely the Alan '77 and Madeleine Clark Family Scholarship Fund. The Law School, after all, is a Clark family institution. Madeleine Clark worked to put her husband through the Law School, which became his beloved alma mater. It was also the school of choice for their two sons and nephew.

"They could have gone anywhere," Alan says of sons Brandon S. Clark '04 and Rory S. Clark '08 and nephew Harris Berkman '06. "They chose New York Law School because they knew that it afforded me a wonderful career by giving me a terrific education, one that was beyond a book education. They knew it would give them real tools to become lawyers."

Those tools helped Clark launch a thriving law practice, Alan W. Clark & Associates, LLC, when he was only 27. Now Madeleine Clark works with her husband as a paralegal and with Brandon, who is an associate. (Rory is an associate at Littman Krooks LLP; both sons graduated from New York Law School with honors.) Those tools also helped Clark win several multi-million dollar awards for plaintiffs in personal injury and medical malpractice lawsuits, including a \$2.5 million award in 1985 for the family of a severely handicapped man who received the wrong medication at a state institution.

Gaining real experience was something Clark, the first in his family to attend law school, valued even as a young law

student. "I've always been five steps ahead of myself, and as a law student I couldn't wait to be a practicing lawyer," he says. "At New York Law School, I encountered professors who knew how to give their students practical, real-world experience."


Professors like Alfred S. Julien, a trial attorney and Clark's first employer, taught his students about the meaty aspects of trial law and torts, including medical malpractice—a practice area that interested Clark greatly.

Because the Law School is only blocks from City Hall as well as the state and federal courts, it was easy to go from class to courtroom and witness real trials. However, Clark recalls a more unusual excursion in Professor E. Donald Shapiro's Law and Medicine course. It was to the city morgue. "By the time we got down the stairs to the morgue, I think I was the only one standing," he jokes.

Clark enjoyed the "commotion and hustle and bustle" of the TriBeCa neighborhood, despite a lack of culinary choices in 1974. "West of Broadway, there was nothing to eat, but east of Broadway, there was a guy who sold hot dogs, and we lined up for them."

The Law School was a much smaller place then, he recalls, with only two elevators to transport students to the library on the eighth floor. Students and teachers alike took to the stairs. "We got our exercise every day. But because it was a small school, there was also a nice camaraderie. We were a close-knit group."

Clark hopes that his scholarship will enable new generations of students to get a legal education and use it to make a positive contribution. As an attorney representing personal injury plaintiffs and prosecuting medical malpractice cases, Clark says his legal education helped him make the world a safer place.

"I believe that it is our role and our opportunity as lawyers to help people who have suffered—to help them balance and compensate for their harms and losses, and prosecute and hold accountable those wrongdoers responsible. And it's more than just an individual case. By helping them, we're helping society at large. And that's really what being a lawyer is all about." 

Steven E. Pegalis '65 Promotes Patient Safety and Helps Children and Families

By Mona Houck '04



Steven E. Pegalis '65 has spent much of his career fighting to help children and families, so it is no surprise that he is happy to help others do the same thing.

Pegalis, the Senior Partner at Pegalis & Erickson, LLC and a member of the New York Law School Board of Trustees, has made a contribution to the Law School's *Breaking New Ground. Again.* capital campaign to finance two projects at the Diane Abbey Law Center for Children and Families: a lecture series and a writing contest.

The Center was a logical choice for his gifts, Pegalis says, because its mission shares some of the same goals that drive his work at his medical malpractice firm. "The broad focus of the Abbey Center relates to what is best for children and families," he says. "Nothing can be more disruptive to a family than the serious injury or disability of a child or parent. Avoiding such injuries is my area of focus."

Pegalis says he has sought not only to help his own clients in the more than 1,000 cases he has handled but also to promote patient safety. From that focus came the central issue the Pegalis-Erickson Lecture Series will explore: "How does an appropriate respect for the accountability that the law requires promote patient safety?"

The first lecture in the series, held in March 2010, featured a physician who is a national expert on patient safety issues, and several of Pegalis's clients attended. He expects to continue involving his clients in these events. "Clients who have been injured as a result of unsafe care are invested with the idea of not wanting the same or similar harm to occur to


others," Pegalis says. "Therefore, we try to involve our clients in issues of patient safety."

The same theme carries over to the Damashek-Pegalis Writing Contest, which offers a \$3,000 first prize and \$1,000 second prize for papers on the subject of using the law to promote safety and improve health for children and families. Pegalis hopes the students who benefit from his gifts will gain "insight into what the issues are and what their role can be as legal professionals."

Even students who end up in careers that do not directly involve these kinds of issues can benefit from exposure to them in law school, he says. "I want our students to be informed citizens supportive of the idea that the legal profession, by requiring accountability, makes health care safer."

In addition to the Abbey Center projects and his role as a trustee, Pegalis is an adjunct professor at the Law School. He has also funded the Steven E. Pegalis '65 Scholarship for several years. But he hasn't always been so involved. For many years after graduation, he had little contact. But his devotion to his profession led him back to the School, he says.

"I strongly believe that lawyers do good for the public, and that we have a very noble profession. Any endeavor, such as being involved with the Law School, that promotes that concept, I'm for," he says. "Law schools educate and train attorneys on how to be ethical, effective legal advocates to benefit the public in so many different ways. Reconnection with the Law School was therefore something that appealed to me."

He encourages other graduates to make connections as well. "If other alumni cherish their own profession and wish to promote a high level of professionalism in the future, I can think of no better way to accomplish that goal than supporting the law school that previously created for each of the alumni the means for them to meet their professional goals." 

Linda J. Sosnowitz '73 Honors Her Parents and Celebrates Art

By Christine Pakkala

When Linda J. Sosnowitz '73, a trusts and estates partner at Stapper & Van Doren in Manhattan, applied to New York Law School, female law students were few and far between. But Sosnowitz's parents urged her to attend.

To thank them, Sosnowitz and her husband, A.J. Alexis Gelinas, recently gave the School a campaign gift, The Leroy and Hilda Sosnowitz Group Study Room. Housed in the School's new building at 185 West Broadway, the room offers students a comfortable, quiet place for collaboration, preparing them for the teamwork so integral to law practice. Sosnowitz fondly remembers her study group partners, and this new room provides the kind of space missing during her law school years.

"My father never thought, 'You're a girl, you can't do this,'" she says. "Both of my parents believed I could become a lawyer, and because of their belief in me, I did. That's why the plaque for the room says 'Because of Leroy and Hilda Sosnowitz,' rather than 'in memory of' them."

Gelinas, a tax partner at Sidley Austin LLP, says he's equally proud to honor Sosnowitz's parents, with whom he was close. "If not for them, I wouldn't have met Linda," he says. The two met at Brown & Wood LLP (now Sidley Austin) in 1976 while collaborating on a project. "She was two doors down from me, and we became friends."

Sosnowitz and Gelinas also connected the Law School with the Emilio Sanchez Foundation (of which Sosnowitz's colleague Erik J. Stapper is the sole trustee), which plans to donate a significant number of works of the late Cuban-born artist to the School. His New York urban scenes depict storefronts, garages, skyscrapers, and bridges. The gift also includes a painting of the World Trade Center. "The Law School's proximity to ground zero and its resilient recovery

from the 9/11 events made a compelling case for the gift," Sosnowitz notes.


"It's really wonderful to be involved in the gift to New York Law School of the beautiful, colorful, and lively pieces from the Emilio Sanchez Foundation," she adds. "I am sure the students will be delighted to have them, and they complement the new building so well."

Sosnowitz says her own gift is also an expression of gratitude to the Law School for the education she received, both in classes and in her role as Editor in Chief of the *Law Review*. There, Sosnowitz learned to manage a business with a small budget, and one primarily staffed by men.

It was the "meaningful" way in which Professor Joseph Arenson taught trusts and estates law that focused her career. Sosnowitz recalls an "elegant, dapper man with a great sense of dignity," who emphasized that "estate planning was not about death but about life. It's what people want for the families who continue on when they're not around to tell them, and it would be our jobs to ensure that it happened."

Sosnowitz took those lessons to heart as both a lawyer and as an adjunct professor last year at the Law School. As a lawyer, she feels it's a privilege to work with people who share with her profound concerns regarding the management of their personal and estate affairs. "That process is an emotional one but ultimately positive, and at the end people have a sense that they're glad they went through it."

As a teacher, Sosnowitz expresses Professor Arenson's humane vision of the law. "I taught my students that you have to learn to practice in a very positive way, to use your common sense, and to engender a sense of trust with your clients."

Her advice for today's students is something her parents might have appreciated, too. "Take chances," she urges. "Push yourself as hard as you can." 



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Center on Business Law & Policy

On October 20, 2010, the Center on Business Law & Policy hosted a Master Class featuring former Securities and Exchange Commission enforcement attorney Ernest Badway, who spoke on “The Dodd-Frank Act: Is It Really a Complete Renovation or Just an ‘Initial Estimate’?”

The Dodd-Frank Wall Street Reform and Consumer Protection Act, signed into law in July 2010, was designed to improve accountability and transparency in the financial system in response to the recent recession. Badway explained the core elements of the Act and, drawing on his extensive experience and expertise, described it as a “work in progress” that will impact multiple industries and existing laws, and lead to the creation of new laws related to financial regulation. Professor Howard S. Meyers, the Center’s Associate Director, stressed the value of the event for students in attendance. “I’m happy that our students were able to gain insight into this landmark piece of financial regulation,” he said.

Badway is a partner at Fox Rothschild LLP, where he co-chairs both the Securities Industry Practice and White Collar Compliance & Defense Practice. He represents corporations, limited liability companies, partnerships, and financial institutions such as broker-dealers, investment advisors, private equity and hedge funds, banks, and insurance companies, among others. He also counsels and advises clients on a wide range of commercial, securities, intellectual property, employment, real estate, corporate, pharmaceutical, partnership dispute, contract and other business issues, as well as litigation.



Top: Left to right: Ernest Badway, Partner at Fox Rothschild LLP, and Professor Howard S. Meyers.

Bottom: Ernest Badway discusses the impact of the Dodd-Frank Act before members of the Center on Business Law & Policy.

Center on Financial Services Law

On August 23, 2010, New York Law School hosted a large delegation of deans and professors representing various law schools in China. All of the delegates were members of the China Securities Law Institute, a prestigious securities law organization in China.

During the one-day session, New York Law School Professors Ronald H. Filler and Jeffrey J. Haas spoke on the new Dodd-Frank Wall Street Reform and Consumer Protection Act and its major reforms involving derivatives, hedge funds, and credit-rating agencies. Senior representatives from major U.S. financial institutions also spoke to the delegation, followed by a visit to the trading floor of the New York Stock Exchange (NYSE), where the group witnessed firsthand the ringing of the closing bell that day. Senior leaders at the NYSE spoke to the delegates about its history and role as a major global exchange. That night, the Law School hosted a dinner in honor of the delegation.

In attendance from New York Law School were Associate Dean Carol A. Buckler and Professors Tai-Heng Cheng, Sidney M. Cone III, Ronald H. Filler, Jeffrey J. Haas, Howard S. Meyers, and Houman B. Shadab. The presentations and arrangements for the visit that day were made by the School’s Center on Financial Services Law. New York Law School hopes to establish a partnership with these law schools and provide an important educational opportunity for its J.D. and LL.M. students.



Top: Professor Ronald H. Filler addresses the impact of the new Dodd-Frank Act.

Bottom: The delegation from Chinese law schools together with New York Law School representatives.



Top: Left to right: Professor Mary Kaldor, Professor Ruti G. Teitel, and Lt. Col. Shannon Beebe at the October 14, 2010 C.V. Starr Lecture.



Bottom: Left to right: Professor Kaldor, Professor Teitel, and Lt. Col. Beebe discuss their views on the changing nature of conflict and its implications on law and human security.

Center for International Law

In a C.V. Starr Lecture on October 14, 2010, Lieutenant Colonel Shannon Beebe and Professor Mary Kaldor—co-authors of *The Ultimate Weapon Is No Weapon: Human Security and the New Rules of War and Peace* (PublicAffairs, 2010)—discussed how the changing nature of war in the 21st century demands new concepts, policies, and practices.

Professor Kaldor, of the London School of Economics, discussed the authors' concept of human security and stressed the need to shift from a security paradigm based on war to one based on law. She called for the implementation of global human security services she calls "engagement brigades."

"We should have, at a global level, something like the emergency forces we have at the domestic level," she said. Professor Kaldor also outlined principles for how to use these engagement brigades, where civilians and military personnel would act similarly to a law enforcement agency.

Drawing on his extensive experience in Africa with the U.S. Department of Defense, Lieutenant Colonel Beebe emphasized the need to focus on specific conditions threatening human security, rather than solely on state-based threats. "The challenge that we have today is understanding that security is not defense," he said, adding that efforts to resolve conflicts will be more successful if made before threats of violence become imminent. He concluded his remarks by challenging the audience to find a new language that "will allow us a more positive perpetual peace rather than a persistent conflict."

Center for New York City Law & Diane Abbey Law Center for Children and Families

At a City Law Breakfast on August 27, 2010, Hon. Judith S. Kaye, attorney and former Chief Judge for the State of New York, discussed the state of juvenile justice in the United States and the need for reform. The event was co-hosted by the Center for New York City Law and the Diane Abbey Law Center for Children and Families.

Kaye remarked that the United States, once a leader in juvenile justice, is almost third-world in its punitive approach to juvenile crime. She cited data demonstrating that incarceration is more likely to lead to recidivism than rehabilitation, and that the U.S. has failed to constructively use science concerning adolescent behavior and brain development. Further, she reported that almost a third of all students who are suspended multiple times before the spring of tenth grade decide to drop out, and most prisoners in state facilities are high school dropouts.

Commenting on the current interest in juvenile justice, Kaye urged audience members to "seize the moment" and consider more ways to end "the deadly cradle-to-prison, school-to-prison, placement-to-prison pipelines." She expressed particular enthusiasm for school-justice partnerships such as school-based youth courts "where offenders are heard and sentenced by their peers." She believes these courts provide the "right message from the right messenger" and could help guide adolescents toward a better path.



Top: Participants listen as Judith S. Kaye, former Chief Judge for the State of New York, addresses the topic of juvenile justice at the City Law Breakfast on August 27, 2010.

Bottom: Left to right: Arthur N. Abbey '59, Chair of the NYLS Board of Trustees, and Diane Abbey, Founder of the Diane Abbey Law Center for Children and Families, pose with speaker Judith S. Kaye alongside Professor Ross Sandler, Director of the Center for New York City Law, and Professor Carlin Meyer, Director of the Diane Abbey Law Center, at the City Law Breakfast.

Center for Real Estate Studies

On October 6, 2010, the Center for Real Estate Studies hosted its Fourth Annual Breakfast Forum on Sustainable Real Estate Development. The keynote speakers included David Bragdon, recently appointed as Director of NYC’s Office of Long-Term Planning and Sustainability; Fred Harris, Senior Vice President, AvalonBay Communities, Inc.; and E. Gail Suchman, Special Counsel at Stroock & Stroock & Lavan LLP. Professor Andrew R. Berman, the Center’s Founding Director, moderated this panel of distinguished speakers.

Bragdon gave an overview of the city’s comprehensive sustainability plan known as PlaNYC 2030. He also discussed his transition from his previous leadership role working on Portland, Oregon’s sustainability initiatives. Harris described AvalonBay Communities’ corporate commitment to sustainability and the business case for providing high quality housing at attractive price points. The last speaker, Suchman, gave an overview of current and pending legislation in other states that supports sustainable development through tax incentives and creative financing. She also highlighted the hotel and hospitality industry’s efforts to develop and manage sustainable properties.

The audience was a diverse mix of New York’s attorneys, developers, real estate professionals, representatives from the financial industry, professors, and students. With each successful Center breakfast, New York’s real estate community increasingly relies upon the Center for Real Estate Studies as a vital source for networking and information exchange.



Top: Left to right: Panelists E. Gail Suchman, Special Counsel to Stroock & Stroock & Lavan LLP; Fred Harris, Senior Vice President of AvalonBay Communities, Inc.; and David Bragdon, NYC’s Director of Long-Term Planning and Sustainable Development. Professor Andrew R. Berman, Center Director, is at the podium.

Bottom: Bragdon engages the audience at the Center’s Fourth Annual Breakfast Forum on Sustainable Real Estate Development in NYC.

Institute for Information Law & Policy

On September 24–25, 2010, the Institute for Information Law & Policy (IILP) convened Innovate/Activate, the Institute’s first “unconference” on intellectual property and activism. The event, co-sponsored by Google and the Yale Law School Information Society Project, brought together more than 100 activists, students, academics, and professionals from around the world to explore the ways that activism around intellectual property issues can be used to improve global welfare. The participant-driven unconference format emphasized collaboration and the open exchange of ideas.

New York Law School faculty members and students were an integral part of the success of Innovate/Activate. Christopher Wong ’08, organizer of the event and Postgraduate Fellow at the IILP, opened and closed the unconference. Two Institute projects were highlighted in presentations: The Public Index, represented by third-year students Drew Smith and Leanne Gabinelli, and Peer to Patent, represented by Center for Patent Innovations Assistant Director Andrea Casillas ’10. Professor Molly Land participated in the Articulate/Anticipate panel, where she focused on the mechanics of international intellectual property law, and Professor Dan Hunter moderated the “unkeynote” conversation and a panel on the use of visual media and activism. The event also included the premiere of *Caught in the Rye*, a New York Law School student-produced documentary about J.D. Salinger’s lawsuit against Fredrik Colting.

The unconference was a rousing success and helped push the IILP to the front lines of innovation in the field of intellectual property law.



Top: NYLS students past and present came together to make Innovate/Activate a success. Left to right: Dominic Mauro ’10, Marc Miller ’10, Leanne Gabinelli 3L, and Darren Shield 3L.

Bottom: IILP Postgraduate Fellow and Innovate/Activate Chair Christopher Wong ’08 delivers closing remarks.



Top: Gabriel Sayegh, State Director, New York, Drug Policy Alliance, presents a graph on the spectrum of drug prohibition.




Bottom: Sayegh and Dr. Paul Casadonte, Clinical Associate Prof. of Psychiatry, NYU School of Medicine; Director, Drug and Alcohol Treatment Programs, NY VA Medical Center, discuss the legalization of marijuana.

Justice Action Center

Should marijuana be legal? On November 10, 2010, Professor Eugene Cerruti moderated a panel discussion focused on the legalization of marijuana. The panel provided a medical overview of marijuana and its effects, and discussed the policy debates surrounding the drug. Speakers included Gabriel Sayegh, the New York State Director for Drug Policy Alliance, and Dr. Paul Casadonte, Clinical Associate Professor of Psychiatry at the New York University School of Medicine and Director of the Drug and Alcohol Treatment Programs at the New York Veterans Affairs Medical Center.

Dr. Casadonte discussed the history of marijuana, what it is, and the effects of tetrahydrocannabinol (THC), the potent component of marijuana. He concluded that although much more research needs to be done on the drug, it is most likely not as addictive as other drugs or cigarettes, and not nearly as harmful.

Sayegh focused on the policy of legalizing marijuana and how it should be done. He concluded that the current policy of “total abolition” is the most harmful and least effective. He noted that this kind of policy increases drug trafficking crime and allows for easier access, especially to minors. “If people want something bad enough,” Sayegh said, “they will find a way to get it,” and therefore total abolition is not the answer. He recommended that some form of intermediate legalization with governmental control in place would much better serve our society and bring about the least amount of harm. 

THE VOTES ARE IN!

New York Law School Announces Winners of Student Video Contest

New York Law School is proud to announce the winners of its first-ever “Learn law. Take action.” video contest. Students were invited to demonstrate how they are living the Law School’s motto and to capture it all on film. The contest, open to J.D. students enrolled in the fall 2010 semester, awarded three top prizes in the form of grants applied to tuition and fees charged for the 2010–11 academic year.

First place went to Seena Ghaznavi 3L, Evening Division, who took a comedic approach in describing his work with the School’s Institute for Information Law & Policy and the White House Office of Science & Technology Policy, and his efforts to create interactive study tools for professors and students.

Second place winner Jonathan Weinstein 3L, Day Division, showed how one of his classmates gets real-world experience through her participation in the Urban Law Clinic and an externship with the nearby New York City Housing Court.

And third place winner James French 3L, Day Division, interviewed four classmates about their participation in various projects and organizations at the School—Legal Information for Families Today (LIFT), the Sports Law Society, the Environmental Law Society, and the Domestic Violence Project.

Contestants submitted three-minute videos that were reviewed by a screening committee of faculty and administrators. Members of the New York Law School community selected the winners from a group of finalists through an open voting process.

To watch the winning videos, please visit www.nyls.edu/videocontest. 

Students Light Up the Blogosphere with *Legal As She Is Spoke*

New York Law School students are voicing their opinions about contemporary legal journalism via a new blog, *Legal As She Is Spoke* (LASIS). A project of the Law School's Program in Law and Journalism, the blog provides a public forum for discussing the accuracy and relevance of reporting on the law.

LASIS operates as a newsroom, with student reporters responsible for writing and managing the online publication. "We started LASIS less than one year ago, and it's already received lots of attention from journalists and attorneys alike," says Professor Michelle Zierler, Director of the Program in Law and Journalism. "Our students do everything: choose the stories, choose the photos, and handle all the technical aspects of maintaining the blog."

The blog is a product of the Law School's project-based learning approach, which provides students with opportunities to collaborate with their peers and professors on initiatives that combine real-world experience with traditional academics. And participating students are already reaping the benefits of their involvement.

"By writing for LASIS, I improved my research skills and became a better writer," says Trevor Timm '3L. "It's helped me do better on exams, and prospective employers are always impressed when I use my LASIS articles as writing samples. And having your piece cited by major media organizations gives a leg up in interviews."


Timm's article "WikiLeaks Has Committed No Crime" (November 2010) was picked up by numerous news outlets and bloggers, including *Mother Jones* and *Salon's* Glenn Greenwald, and even received international press coverage from the *Sri Lanka Guardian*. He gained a

following on Twitter, with many respected journalists from major news outlets following Timm's thoughts on WikiLeaks and quoting him as a legal expert. To keep this timely conversation going, Timm posted "A Follow-up on WikiLeaks and the Espionage Act" in December 2010.

Several other student bloggers have gained media attention. For example, Legal Blog Watch (part of Law.com) cited LASIS contributor Tara Krieger '2L for her piece "Ain't Misbehavin': Assessing the Right to Surveil Thy Neighbor" (December 2010). Krieger analyzed *The New York Times'* coverage of a Florida resident's use and public posting of video surveillance in catching a neighbor who littered on his property.

LASIS derives its name from a 19th-century Portuguese guide to the English language, titled *English as She Is Spoke*. Because the writer spoke no English, the phrase book translations are a source of unintended humor, as they are literal dictionary translations that in many cases are incoherent. LASIS contributors monitor the media to see what gets lost in translation by reporters who may not fully understand the law, and to comment on reports that could be misleading to the public.

The blog intends to put forth a clear and engaging explanation of the coverage of legal matters. "[Students] are enthusiastic about it, and it's wonderful to see them gain confidence as writers and reporters," says Professor Zierler. "We have big plans for the publication; this is only the beginning."

Join the conversation at www.lasisblog.com. 



The Mendik Library Plugs In to 1L Preferences

Who are today's NYLS students? Not demographically, academically, or politically, but digitally—who are they as users of 21st-century technology? For the past four years, the Mendik Library has explored this question with each entering class through surveys designed to elicit information about students' preferences among digital communication tools. Results of the "First Week Survey" are used to tailor library services to meet students' needs and to develop better ways to teach legal research to the current generation of law students. The accumulated data suggest some emerging trends—trends consistent with other reports about the ever-evolving generation of digital natives.

The trends the Library is beginning to identify relate to the diminishing use of e-mail and the increasing importance of social networking tools in more aspects of students' lives. Other points of interest include the apparently impending predominance of Apple computers over traditional PCs; the declining use of Microsoft's once dominant Internet Explorer browser, which appears to be steadily losing ground to Mozilla's Firefox as well as others; and the limited early adoption of e-books notwithstanding an escalating onslaught of e-book readers.

The Library's most recent survey, conducted in August 2010, asked nearly 640 students what form of electronic communication they use most often; what social networking site(s) they use and how often; whether they subscribe to or read blogs or RSS feeds; how often they listen to podcasts; what type of computer and which Web browser they use most often; and whether they have used e-books. The survey also asked which electronic devices students own (including Blackberries, iPhones, etc.), which search engine they use most often, and how often they use a different search engine. And, as always, students were asked about their favorite pizza topping. There's nothing that captures students' attention like free food!




Check Out the New Mendik Library Blogs!

www.mendikmatters.org
provides general info on library matters

www.mendiknew.org
links to monthly lists of new acquisitions

Among the more significant findings were the following:

- E-mail use continues to plummet when compared with text messaging as the preferred means of written electronic communication. The percentage of those favoring e-mail fell to 45 percent, down from 55 percent in 2009, 62 percent in 2008, and 67 percent in 2007. At the same time, the preference for text messaging rose to 43 percent, up from 35 percent in 2009, 31 percent in 2008, and 24 percent in 2007.
- Facebook continues to grow in dominance and importance. Not only did 89 percent name it as the social networking site they use most often, but frequency of use increased again this year, with 46 percent logging on more than once per day, compared to 39 percent in 2009 and 28 percent in 2008.
- The popularity of Macs compared to PCs continues a steady climb, rising to 48 percent from 38 percent in 2009 and 31 percent in 2008.
- Internet Explorer continues to lose popularity while both Safari and Google Chrome made big gains as browsers of choice. The latter two (31 percent and 12 percent respectively), along with Firefox (36 percent), are now the choice of nearly 80 percent.
- Use of e-books (via a computer or any other electronic device) showed an unexpected drop-off—42 percent compared to last year's 56 percent.
- Finally, after years of dominance as students' favorite pizza topping, pepperoni (22 percent) lost its crown to cheese (23 percent). Mushrooms repeated as a contender with 11 percent.

To see complete results of the First Week 2010 Survey, visit www.nyls.edu/library and navigate to "Library Information." 



Help New York Law School Students and Alumni Get Ahead

In today's economy, law students and graduates need all the help they can get to distinguish themselves from the competition. The Office of Career Services provides many opportunities for alumni to share their knowledge and expertise with students and other graduates. Below are some ways you can help students reap the benefits of being part of the New York Law School community.

- **Become a mentor.**
Offer valuable guidance to students interested in learning about your field.
- **Post a job or internship.**
Recruit current students or graduates to join your team.
- **Join our networking receptions.**
Meet students and other graduates at one of these fun and fast-paced events.

Alumni currently seeking a job have free access to our online job database. If you need log-in and password information for the job database, please contact us and we will be happy to assist you.

To find out more about these and other opportunities, please contact the Office of Career Services at career@nyls.edu or 212.431.2345.

Meet the authors



MARTIN TOLCHIN '51 EXPOSES POLITICAL FAVORITISM



RICHARD SUSSKIND ON *THE END OF LAWYERS*:

To Stay Relevant, Practice Innovation and Flexibility

Martin Tolchin '51 Exposes Political Favoritism

By LaToya Jordan



Forty years ago, Martin Tolchin '51 and his wife, Susan, published a book examining political patronage, the governmental practice of providing resources to individuals and organizations in exchange for political support. *To the Victor: Political Patronage from the Clubhouse to the White House* (Random House, 1971) has since been cited in five U.S. Supreme Court rulings, from 1976 to 2006, aimed at restricting political patronage.

In response to these court decisions and many new examples of patronage in practice, the Tolchins decided to revisit the topic with a follow-up book, *Pinstripe Patronage: Political Favoritism from the Clubhouse to the White House and Beyond* (Paradigm Publishers, 2010). The couple retraced their steps, returning to earlier sources and making new connections to find out how political patronage had changed since *To the Victor*. Both brought a wealth of experience to the project—Susan as a political science professor at George Mason University, and Martin as a seasoned political reporter who spent 40 years at *The New York Times*.

They discovered that political patronage is “bigger and better than ever,” existing in every level of government, from school boards and city councils to the executive branch, the judiciary, and Congress. “We naively assumed that once the United States Supreme Court ruled, it would be the end of political patronage,” Martin says. “But in fact, very little has changed. If anything, it has gotten even more virulent.”

The authors attribute the evolution of political patronage to two factors: “the soaring cost of campaign expenditures and the soaring power and reach of government,” says Martin. “And ‘pinstripe’ because of an explosion of political favors to those who need it least: the rich and influential among us.”

They explain that today’s political patronage includes earmarks, the privatization of services formerly handled by the government, and billions of dollars in outsourcing. A chart included in *Pinstripe Patronage* illustrates

how companies, including former Vice President Dick Cheney’s Halliburton, that have given millions in campaign contributions have been rewarded with billion-dollar contracts in Iraq and Afghanistan.

The Tolchins describe political patronage as a “two-edged sword” because although it has helped build highways and hospitals, and establish health care reform and programs such as Social Security and Medicare, it is also prone to misuse. “Patronage is a tool like any other,” says Martin, “which, when used correctly, can bring great dividends. But the problem is that patronage is highly susceptible to waste, fraud, and abuse.” An example cited in the book is the mishandling of Hurricane Katrina by the Bush administration because of the unqualified political appointees who were at the helm of the Federal Emergency Management Administration (FEMA).

Ultimately, the authors conclude that political patronage is an important tool that must be used effectively for the public good, and that more needs to be done to remove politicians who misuse the practice. One way to remedy the misuse of political patronage is for voters to become more educated about backdoor dealings.

The Tolchins have been educating the newest crop of voters about political patronage during their book tour, which has included stops at colleges, universities, and law schools. Martin visited New York Law School on October 25, 2010, speaking to students about patronage and how his journalism and legal background helped in the writing of the book. He is currently a senior scholar with the Woodrow Wilson Center in Washington, D.C.

In addition to positive reviews from New York Law School students, *Publishers Weekly* and the *Library Journal* have recommended the book. It has also received praise from political leaders; former New York City Mayor Ed Koch said *Pinstripe Patronage* helps interested voters learn the difference between good patronage and bad patronage. ■



Richard Susskind on *The End of Lawyers:* To Stay Relevant, Practice Innovation and Flexibility

By Diana Barnes-Brown



Recent coverage by *The New York Times* and *The Wall Street Journal* has underscored the anxieties of today's lawyers. Many ask how existing and emerging lawyers can retool their skill sets to meet the demands of a changing global economy, an increasingly complex technological landscape, and the new economic and professional realities that result. At a Career Connections Spotlight event at New York Law School on September 29, 2010, lawyer, legal advisor, and author Richard Susskind discussed his latest book, *The End of Lawyers? Rethinking the Nature of Legal Services* (Oxford University Press, 2009). His presentation to students, faculty, and alumni was moderated by Law School trustee James D. Zirin, Senior Counsel at Sidley Austin LLP and host of *Digital Age*, and Dean Richard A. Matasar.

Far from delivering a series of doomsday predictions for the legal community, Susskind's talk took a thoughtful look at central issues that today's lawyers must address in order to remain professionally and economically relevant. He offered advice for "entrepreneurial lawyers" to improve their likelihood of finding rewarding career paths, even if those paths diverge widely from those of the past.

Susskind began his talk by sharing an anecdote about power tool manufacturer Black & Decker. There, he explained, trainers show incoming executives a photograph of a power drill, asking whether it is "what we sell." The new execs readily agree, knowing that Black & Decker is a leading manufacturer of power tools. Then the trainers show the executives a photo of a hole made by the drill, and explain that the hole—not the drill—is what the customers want.

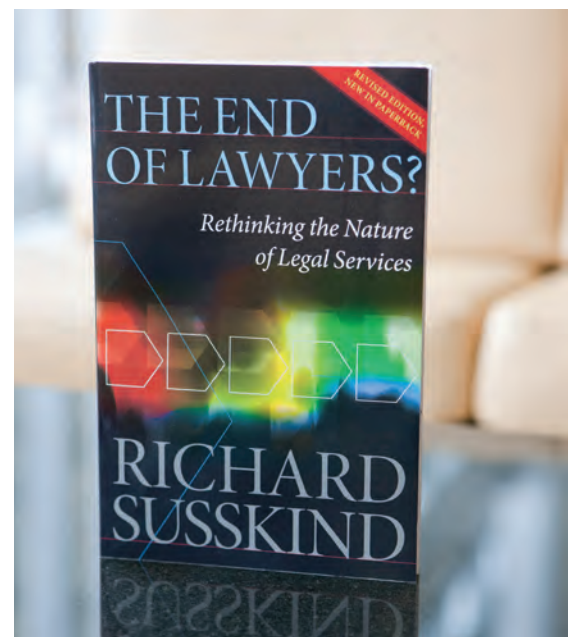
"When lawyers look ahead, we tend to be of a power-drill mentality," Susskind said. "We tend to think, what do we do today and how can we make that a bit cheaper, quicker, better? Not often enough do we take a step back and ask what value we really bring."

Susskind recommended that lawyers remain open to different ways of offering their specialized knowledge, such as practicing proactive needs anticipation, or placing "a fence at the top of the cliff rather than an ambulance at the bottom," as he put it. "I've yet to meet a chief executive who'd prefer a really nice big problem well resolved to not having one altogether," he quipped.

Another point Susskind addressed was the need for lawyers to be savvy in thinking about how to facilitate positive change through technology and new business practices. One example of this practice is using creative approaches to outsourcing legal work, as well as addressing legal work piecemeal, and making shrewd decisions about what types of work—such as project management or research—need not be done exclusively by lawyers. Susskind also advocated strategic use of the growing range of technological resources made available by advances in computing, communications, and the way we interact in online communities.

In response to concerns about the role of new methods and technologies in "cannibalizing" legal workloads, Susskind observed that in some situations there may be less work to be done, but that new kinds of work would fill the void. "The truth about cannibalization is that if there's going to be cannibalization, we want to be first at the feast," he remarked.

Susskind concluded his talk on an optimistic note. "The exciting thing for me is there are lots of new opportunities out there," he said. "It's not that you won't have work to do if you're now students, it's that the work will be very different." ¶



faculty highlights

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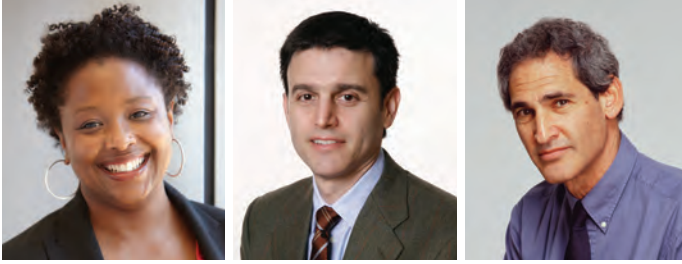
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44 Professor Arthur S. Leonard Honored on 30th Anniversary of *Lesbian/Gay Law Notes*

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from Faculty and Center for International Law

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[Deborah N. Archer]

[Andrew R. Berman]

[Robert Blecker]

Full-Time Faculty Activities

Compiled by Melissa Scalzo

The following items represent a sampling of the activities of our full-time faculty from the fall 2010 semester.

Deborah N. Archer

Scholarly Presentations

Moderator, “Has President Obama’s Election Made a Significant Difference in Race Relations?” at the Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (July 2010).

Projects

With the NYLS Racial Justice Project, the American Civil Liberties Union, and the ACLU of Rhode Island, continues to litigate the case *Boyer v. Jeremiah*, a class-action lawsuit challenging the practices of the Rhode Island Truancy Court. After a motion by Family Court judges to dismiss the ACLU’s lawsuit was denied in October 2010, the ACLU amended its complaint in the case in November 2010, adding four new school districts as defendants (2010–11).

Testimonies and Legal Consultation

With Professor Elise C. Boddie and the NYLS Racial Justice Project, filed an *amicus curiae* brief in the United States Court of Appeals for the Eleventh Circuit in the racial discrimination case of *John Hitbon v. Tyson Foods, Inc.* (2010).

Andrew R. Berman

Appointments

Re-appointed a member of the Urban Land Institute’s Responsible Property Investment Council (2011).

Scholarly Presentations

Moderator and panelist, “Building for New York’s Future,” Breakfast Forum with Joseph B. Rose, Partner, The Georgetown Company, sponsored by the Center for Real Estate Studies and the Center for New York City Law, New York Law School (November 2010).

Moderator, “Media ‘Spin’ and Its Effect on Real Estate Values,” Master Class with Alec Applebaum, journalist and “green” development expert, hosted by the Center for Real Estate Studies, New York Law School (November 2010).

Moderator, “Balancing Progress and Preservation—A Discussion with the Chief Counsel for NYC’s Landmarks Preservation Commission,” Master Class with Mark Silberman, hosted by the Center for Real Estate Studies, New York Law School (November 2010).

Moderator, “Taking Real Estate Auctions to the Web—An Inside Look at BidOnTheCity.com,” Master Class with Albert Feinstein, Managing Director and General Counsel, BidOnTheCity.com, hosted by the Center for Real Estate Studies, New York Law School (October 2010).

Moderator, Fourth Annual Conference on Trends in New York City Land Use and Real Estate Development, sponsored by the Center for Real Estate Studies, the Center for New York City Law, and the New York City Law Department, New York Law School (October 2010).

Moderator and panelist, Fourth Annual Breakfast Forum on Sustainable Real Estate Development, with David Bragdon, NYC’s Office of Long-Term Planning and Sustainability; Fred Harris, AvalonBay Communities, Inc.; and E. Gail Suchman, Stroock & Stroock & Lavan LLP, sponsored by the Center for Real Estate Studies, New York Law School (October 2010).

Moderator, “Buying Golf Courses: The Role of General Counsel for a Major Real Estate Developer,” Master Class with Joseph Giamboi, General Counsel for The Zucker Organization and NYLS Adjunct Professor, sponsored by the Center for

Real Estate Studies, New York Law School (September 2010).

Publications

TEACHER’S MANUAL TO REAL ESTATE TRANSACTIONS, FINANCE, AND DEVELOPMENT, SIXTH EDITION (LexisNexis, 2010) (with G. Lefcoe).

Robert Blecker

Scholarly Presentations

“Who Deserves to Die and Why,” presented at the Sixth Annual Symposium on Restorative Justice and the Death Penalty: What Does Justice Require, Utah Valley University, Orem, Utah (November 2010).

Publications

Drug Method Errs by Avoiding Pain, THE TENNESSEAN (online edition, November 27, 2010), <http://blogs.tennessean.com/opinion/2010/11/27/drug-method-errs-by-avoiding-pain/>.

Less than We Might: Meditations on Life in Prison Without Parole, 23 FEDERAL SENTENCING REPORTER 10 (October 2010).

Media References and Appearances

Latest Capital Punishment News, CBSNews.com (December 2010).

Symposium to Discuss Restorative Justice and Capital Punishment, (Provo, Utah) DAILY HERALD (November 2010).

Discovery Channel’s “Final Judgment” Deals Death Penalty Preview, NEW HAVEN REGISTER (October 2010).

Death Penalty Advocate Is a Challenge for the Defense, THE NEW YORK TIMES (September 2010).



[Elise C. Boddie]



[Michael Botein]



[Elizabeth Chambliss]



[Tai-Heng Cheng]



[Richard H. Chused]



[Ronald H. Filler]

Ex-warden Urges N.H. to Avoid Executions, PORTLAND PRESS HERALD; this Associated Press article also ran in THE BOSTON GLOBE, THE EAGLE-TRIBUNE, SALEM NEWS, and on WBZ NEWS ON TV 38 and WCAX-TV (August 2010).

Elise C. Boddie
Scholarly Presentations

Panelist, “The Future of Disparate Impact,” at the NAACP Legal Defense Fund’s 2010 Civil Rights Training Institute, Warrenton, Virginia (October 2010).

Publications

Racial Territoriality, 58 UCLA LAW REVIEW 401 (December 2010).

Media References and Appearances

Hype After Ricci Was Handed Down Fizzles as Opinion Proves to Have Limited Impact, BNA’s UNITED STATES LAW WEEK (November 2010).

Testimonies and Legal Consultation

With Professor Deborah N. Archer and the NYLS Racial Justice Project, filed an *amicus curiae* brief in the United States Court of Appeals for the Eleventh Circuit in the racial discrimination case of *John Hithon v. Tyson Foods, Inc.* (2010).

Michael Botein

Media References and Appearances

New U.S. Rules Will Police the Internet, BUSINESS WORLD (www.businessworld.ie) (December 2010).

Elizabeth Chambliss

Scholarly Presentations

Delivered welcome, introduction, and closing remarks, and moderated “Structural/Regulatory Proposals” panel at

“Future Ed 2: Making Global Lawyers for the 21st Century,” co-sponsored by New York Law School and Harvard Law School, Cambridge, Mass. (October 2010).

“Measuring Law Firm Culture,” presented at the International Legal Ethics Conference IV, Stanford Law School (July 2010).

Publications

Whose Ethics? The Benchmark Problem in Legal Ethics Research, in LAWYERS IN PRACTICE: ETHICAL DECISION MAKING IN CONTEXT (L. Levin & L. Mather, eds., University of Chicago Press, forthcoming).

Measuring Law Firm Culture, *chapter in STUDIES IN LAW, POLITICS, AND SOCIETY*, VOL. 52: LAW FIRMS, LEGAL CULTURE, AND LEGAL PRACTICE at 1–31 (A. Sarat, ed., Emerald Group, 2010).

Media References and Appearances

Consensus Emerging that Law School Model “Is Not Sustainable,” THE NATIONAL LAW JOURNAL (October 2010).

Tai-Heng Cheng

Media References and Appearances

Palestine Turns to UN in Battle for Statehood, AL JAZEERA ENGLISH (December 2010).

Richard H. Chused

Publications

CASES, MATERIALS AND PROBLEMS IN PROPERTY, THIRD EDITION (Matthew Bender, 2010).

Projects

Participant, Middle East Fulbright Program Peer Review Committee for the Council for International Exchange of Scholars, reviewing applications for grants in Lebanon, Syria, Jordan, and Israel (November 2010).

Ronald H. Filler

Awards and Recognition

Awarded the 2010 Quadrangle Award, for distinguished alumni, by the College of Liberal Arts & Sciences at the University of Illinois at Urbana-Champaign (October 2010).

Appointments

Appointed to the Regulatory Oversight Committee (ROC) of the NYSE Liffe U.S., the U.S. futures exchange of NYSE Euronext (2010).

Scholarly Presentations

Keynote speaker on credit risk management practices at the annual meeting of PJM, a major electricity and power member organization, Wilmington, Delaware (November 2010).

Panel moderator, U.S. Commodity Futures Trading Commission (CFTC) Roundtable for International Regulators, Chicago (October 2010).

Keynote speaker at the International Quality and Productivity Center’s (IQPC) Sixth Global Forum on Investing in Distressed Debt, New York (September 2010).

Keynote speaker at the “Emerging Markets Forum” on current events in the financial services industry, sponsored by Colombian financial firm Set-FX, Bogotá, Colombia (August 2010).



[Doni Gewirtzman]



[Marcey L. Grigsby '06]



[James Grimmelmann]

Publications

How Do the U.K. Client Money Rules Differ from the U.S. Customer Segregated Rules When the Custodian Firm Fails to Treat Customer Property Properly?, *THE FUTURES AND DERIVATIVES LAW REPORT* Vol. 30, No. 11 (December 2010).

Portfolio Margining—How Will Dodd-Frank Impact Its Utilization, *THE FUTURES AND DERIVATIVES LAW REPORT* Vol. 30, No. 10 (November 2010).

Projects

Served on numerous financial service industry committees relating to proposed CFTC and SEC rulemakings as required by the Dodd-Frank Act (2010).

Selected as a volunteer for the Financial Services Volunteer Corps, a nonprofit organization that helps build sound financial systems in developing countries; assignments include advising the Jordan Securities Commission (2010).

Doni Gewirtzman

Scholarly Presentations

Panel moderator, “Reform and the United States Senate,” with panelists Professor Sanford Levinson of the University of Texas Law School and Professor Mark Tushnet of Harvard Law School, sponsored by the NYLS Chapter of the American Constitution Society, New York Law School (November 2010).

Interviewed Piper Kerman, author of *ORANGE IS THE NEW BLACK: MY YEAR IN A WOMEN’S PRISON* (Spiegel & Grau, 2010), for the Law School’s Program in Law and Journalism, New York Law School (November 2010).

“On Percolation,” presented at the New Scholars Workshop at the Southeastern

Association of Law Schools Annual Meeting, Palm Beach, Florida (August 2010).

Publications

Reflections on Substance and Form in the Civil Rights Classroom, 54 *ST. LOUIS UNIVERSITY LAW JOURNAL* 783 (2010).

Marcey L. Grigsby '06

Scholarly Presentations

Introductory remarks, Exonerating the Innocent: Pre-Trial Innocence Procedures Symposium, co-sponsored by the *NEW YORK LAW SCHOOL LAW REVIEW* and the West Point Center for the Rule of Law, New York Law School (November 2010).

Projects

Established a partnership between the *NEW YORK LAW SCHOOL LAW REVIEW* and national nonprofit organization Ms. JD to conduct empirical research examining gender and racial diversity among the leadership and membership of law reviews at American Bar Association-accredited law schools (2010).

Media References and Appearances

Protecting the Innocent, Pretrial?, *THE BROOKLYN DAILY EAGLE* (November 2010).

James Grimmelmann

Scholarly Presentations

“First-Class Objects,” presented as part of the “Unmasking Online” panel at the Privacy and the Press: Scoops, Secrets, and Ethics in the New Media Landscape conference, University of Colorado Law School (December 2010).

“The Google Books Settlement: Standing Copyright on Its Head?” Evil Twin

Debate with Jonathan Band, University of Richmond School of Law (November 2010).

“First-Class Objects,” presented as part of the “Pro-Privacy Innovations to Promote Free Expression” panel at the Privacy and Innovation Symposium, Yale Law School (October 2010).

“Behavioral Patterns Emerging from Social Networking,” presented at the Effects of New Communication Technologies Upon Information conference, Milan, Italy (October 2010).

“Sealand and HavenCo: A New Interpretation,” presented as part of the Information Society Project speaker series, Yale Law School (October 2010).

“Sealand and HavenCo: A New Interpretation,” a panel presentation at the Bits Without Borders: Law, Communications, & Transnational Culture Flow in the Digital Age conference, Michigan State University College of Law (September 2010).

“A Bridge Too Far? Google Books and the Limits of Class-Action Law,” presented at the Information Technology and Society Fall 2010 Colloquium, New York University Law School (September 2010).

“Books, Computers, and the Law,” and “Social Network Privacy Dilemmas” at EDUCAUSE/Cornell Institute for Computer Policy and Law, Ithaca, New York (July 2010).

Publications

D Is for Digitize: An Introduction, 55 *NEW YORK LAW SCHOOL LAW REVIEW* 11 (2010).

Good Faith Scholarship (a review of J.M. Reagle Jr.’s *GOOD FAITH*



[David Johnson]



[Gerald Korngold]



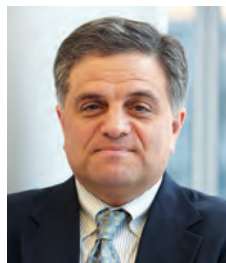
[Molly Land]



[William P. LaPiana]



[Arthur S. Leonard]



[Richard D. Marsico]

COLLABORATION: THE CULTURE OF WIKIPEDIA), JOTWELL: CYBERLAW (October 13, 2010), <http://cyber.jotwell.com/good-faith-scholarship/>.

Dr. Generative or: How I Learned to Stop Worrying and Love the iPhone (a review of J. Zittrain's THE FUTURE OF THE INTERNET—AND HOW TO STOP IT), 69 MARYLAND LAW REVIEW 910 (August 2010) (with P. Ohm).

David Johnson

Scholarly Presentations

“Law Learning by Building Software Applications” and “Law Practice Simulation” (with Professor Tanina Rostain) at “Future Ed 2: Making Global Lawyers for the 21st Century,” co-sponsored by New York Law School and Harvard Law School, Cambridge, Mass. (October 2010).

Gerald Korngold

Scholarly Presentations

“Real Estate Transactions and Finance in the United States,” presented to a group of visiting Chinese government officials hosted by the Lincoln Institute of Land Policy, Cambridge, Mass. (November 2010).

Publications

Globalizing Conservation Easements: Private Law Approaches for International Environmental Protection, WISCONSIN INTERNATIONAL LAW JOURNAL (forthcoming).

Molly Land

Scholarly Presentations

Panel chair, “The Limits of International Adjudication,” at International Law Weekend, the 89th Annual Meeting of the

American Branch of the International Law Association, Fordham University School of Law (October 2010).

William P. LaPiana

Scholarly Presentations

“Disclaimers,” presented at the New York State Bar Association’s (NYSBA) Eighth Annual Sophisticated Trusts and Estates Institute, co-sponsored by the NYSBA Trusts and Estates Law Section and the New York Bankers Association, New York (November 2010).

Presented three lectures on 19th-century United States legal history under the auspices of the “Curso de Pós-Graduação em Direito” at the Universidade Federal de Santa Catarina, Florianópolis, Brazil (November 2010).

Taught in the Community Outreach Program sponsored by the Real Property Trusts and Estates Law Section of the American Bar Association; subjects were the New York elective share and disclaimers (November 2010).

Moderator, three roundtable discussions on “Planning for Same-Sex Couples” at “2010: An Estate Odyssey,” the fall meeting of the New York State Bar Association’s Trusts and Estates Law Section, Rochester, New York (October 2010).

Publications

DRAFTING NEW YORK WILLS AND RELATED DOCUMENTS, FOURTH EDITION (LexisNexis, 2010) (with I.M. Bloom).

Arthur S. Leonard

Media References and Appearances

Which Was It, FPL? Was Regulator Booted or Did He Quit?, SUN SENTINEL (December 2010).

Interviewed regarding the federal court ruling declaring California’s Proposition 8 unconstitutional by various media outlets including GAY USA, THE MICHELANGELO SIGNORILE SHOW on Sirius Radio, and KCBS-AM Radio (August 2010).

The Best Way for Proposition 8 to Lose, SLATE (August 2010), www.slate.com/id/2263943/.

YOUNG, EDUCATED, AND UNPAID, a mini-documentary produced by Jett Wells, featured on THE HUFFINGTON POST (July 2010), www.huffingtonpost.com/jett-wells/young-educated-and-unpaid_b_654771.html.

Richard D. Marsico

Appointments

Elected President of the Mamaroneck Union Free School District Board of Education, Mamaroneck, New York (2010–11).

Publications

HMDA at 35, SHELTERFORCE, a magazine published by the National Housing Institute (Fall 2010). The article is based on his previous article, Looking Back and Looking Ahead as the Home Mortgage Disclosure Act Turns Thirty-Five: The Role of Public Disclosure of Lending Data in a Time of Financial Crisis, 29 REVIEW OF BANKING AND FINANCIAL LAW 205 (2009).

Book review of M.A. Rebell’s COURTS AND KIDS: PURSUING EDUCATIONAL EQUITY THROUGH THE STATE COURTS, TEACHERS COLLEGE RECORD (July 7, 2010), www.tcrecord.org/content.asp?contentid=16060.



[Richard A. Matasar]

[Howard S. Meyers]

[Beth Simone Noveck]

[Michael L. Perlin]

Projects

Launched HMDAnalysis, an interactive Web site that helps users understand home mortgage lending data and the Home Mortgage Disclosure Act (July 2010).

Testimonies and Legal Consultation

Testified before an interagency panel on Community Reinvestment Act reform at the Federal Deposit Insurance Corporation (FDIC) headquarters, Arlington, Virginia (July 2010).

Richard A. Matasar

Scholarly Presentations

“Academic Credit, Faculty Resistance, and the Need to Develop Responsible Professionals,” presented at the Financial Literacy Forum at the 2010 Access Group Graduate and Professional Financial Aid Conference, Huntington Beach, California (November 2010).

“Proposal for Accelerating Acquisition of a Law Degree,” presented at “Future Ed 2: Making Global Lawyers for the 21st Century,” co-sponsored by New York Law School and Harvard Law School, Cambridge, Mass. (October 2010).

Welcome remarks and panelist, “Future Directions in Clinical Legal Scholarship” at the Clinical Theory Workshop 25th Anniversary Conference: Twenty-Five Years of Clinical Scholarship: What Have We Learned, and What Should We Work on Next?, New York Law School (October 2010).

Panelist, “The Status of Legal Writing Faculty in the Academy,” at the Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (August 2010).

Publications

Does the Current Economic Model of Legal Education Work for Law Schools, Law Firms (or Anyone Else)? *NEW YORK STATE BAR ASSOCIATION JOURNAL* (October 2010).

Media References and Appearances

Hispanic Judges Hold Gala, *NEW YORK LAW JOURNAL* (October 2010).

Howard S. Meyers

Scholarly Presentations

“Legal OnRamp: Grand Rounds—Proxy Ramp Demonstration Project,” at “Future Ed 2: Making Global Lawyers for the 21st Century,” co-sponsored by New York Law School and Harvard Law School, Cambridge, Mass. (October 2010) (with Professor Tanina Rostain, Nicholas Spindler 3L, Mariko Gaines 3L, and Paul Lippe of Legal OnRamp).

Beth Simone Noveck

Scholarly Presentations

One-on-one interview at the Digital Summit, hosted by Interactive One, LLC and the Council of Urban Professionals, New York (July 2010).

Michael L. Perlin

Scholarly Presentations

“The Need for a Regional Disability Rights Tribunal in Asia: What Can We Learn from the Inter-American Experience?” presented at the International Conference on Disability Rights Tribunal for Asia and the Pacific (DRTAP), sponsored by the Asia-Pacific Development Center on Disability, Bangkok, Thailand (October 2010).

“The Convention on the Rights of Persons with Disabilities, the Disability Rights Tribunal for Asia and the Pacific, and

the Future of Online Legal Education in Chinese Law Schools as a Means of Training Lawyers to Represent Persons with Disabilities,” presented at the Second International Symposium on Protection of Rights of Persons with Disabilities, Renmin University of China, Beijing (October 2010).

Publications

INTERNATIONAL HUMAN RIGHTS AND MENTAL DISABILITY LAW: A VOICE FOR THE VOICELESS (Oxford University Press, forthcoming).

“Too Stubborn to Ever Be Governed by Enforced Insanity”: Some Therapeutic Jurisprudence Dilemmas in the Representation of Criminal Defendants in Incompetency and Insanity Cases, 33 *INTERNATIONAL JOURNAL OF LAW AND PSYCHIATRY* 475 (November/December 2010).

Reviews of Bob Dylan’s concerts at Monmouth University and Terminal Five in New York, <http://boblinks.com> (November 2010).

“Good and Bad, I Defined These Terms, Quite Clear No Doubt Somehow”: Neuroimaging and Competency to Be Executed after *Panetti*, 28 *BEHAVIORAL SCIENCES & THE LAW* 671 (September/October 2010).

Unasked (and Unanswered) Questions About the Role of Neuroimaging in the Criminal Trial Process, 28 *AMERICAN JOURNAL OF FORENSIC PSYCHOLOGY* 5 (2010) (with V. McClain).

“With Faces Hidden While the Walls Were Tightening”: Applying International Human Rights Standards to Forensic Psychology, 7 *U.S.-CHINA LAW REVIEW* 1 (2010).



[Michael Roffer '83]



[Rebecca Roiphe]



[Tanina Rostain]



[David Schoenbrod]



[Houman B. Shadab]



[Richard K. Sherwin]



[Faith Stelman]

Projects

Represented New York Law School at law days and admission fairs at the University of California, Los Angeles (UCLA), University of Washington, University of Minnesota, and at the Los Angeles Law School Forum (September 2010).

Hosted a delegation from Renmin University of China School of Law as part of ongoing efforts to create an online partnership with the university (August 2010) (with Adjunct Professor Heather Ellis Cucolo).

Michael Roffer '83

Appointments

Adjunct Professor, St. John's University Graduate School of Arts and Sciences, Division of Library and Information Science, teaching in the Law Library Concentration Program (2010).

Member, Electronic Legal Information Access & Citation Committee, American Association of Law Libraries (2010–12).

Rebecca Roiphe

Scholarly Presentations

Panelist, "Current Ethical Issues in Complex Litigations," at "Bet the Company" Litigation 2010: Best Practices for Complex Cases, a Web program presented by the Practising Law Institute, New York (November 2010).

Tanina Rostain

Scholarly Presentations

"Law Practice Simulation" (with Professor David Johnson) and "Legal OnRamp: Grand Rounds—Proxy Ramp Demonstration Project" (with Professor Howard S. Meyers, Nicholas Spindler 3L, Mariko Gaines 3L, and Paul Lippe of

Legal OnRamp) at "Future Ed 2: Making Global Lawyers for the 21st Century," co-sponsored by New York Law School and Harvard Law School, Cambridge, Mass. (October 2010).

David Schoenbrod

Scholarly Presentations

Panelist, "The Law, Practicality, and Politics of the REINS Act" at "Who Is Accountable for Federal Regulations?," a conference co-sponsored by the American Enterprise Institute for Public Policy Research and The George Washington University, Washington, D.C. (December 2010).

Panelist, "Are Our Environmental Laws Compatible with Sustainability?," at the 20th Meeting of the Committee on Science, Technology, and Law, The National Academies, Washington, D.C. (October 2010).

Keynote speaker, Eighth Annual Ardour Capital Energy Technology Conference, Fordham University Graduate School of Business (September 2010).

Publications

The Clean Air Act Is in No Shape to Be Celebrated, *THE HUFFINGTON POST* (September 3, 2010), www.huffingtonpost.com/david-schoenbrod/the-clean-air-act-is-in-n_b_704631.html.

Media References and Appearances

Book review by JoAnne L. Dunc of *BREAKING THE LOGJAM: ENVIRONMENTAL PROTECTION THAT WILL WORK* (Yale University Press, 2010), *25 NATURAL RESOURCES & ENVIRONMENT* 62 (Fall 2010).

Despite State Concerns, SIP Reform Panel Will Not Address GHG Controls, *InsideEPA.com Environmental NewsStand* (September 2010).

No Regulation Without Representation, *THE AMERICAN SPECTATOR* (September 2010).

Houman B. Shadab

Scholarly Presentations

"Coping with Complexity: The Evolving Regulation of Complex Financial Instruments and Its Impact on Global Markets," presented at the Middle East Investments Summit 2010, Dubai, United Arab Emirates (October 2010).

Richard K. Sherwin

Scholarly Presentations

"Legimatrix: Visualizing Law in the Age of the Digital New-baroque," presented at the "Law and the Image" international conference, organized by the National Library of Sweden and the University of Gothenburg, Stockholm, Sweden (September 2010).

Publications

Letter to the editor (in response to "Building on Faith," op-ed by Feisal Abdul Rauf), *THE NEW YORK TIMES*, September 8, 2010, at A30.

Faith Stelman

Scholarly Presentations

Panelist, "Banking the Unbanked: Possibilities and Pitfalls in Making the Financial Services Industry Work for Low-Income Communities," at the Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (August 2010).



[Nadine Strossen]



[Ruti G. Teitel]



[Ann F. Thomas]



[Marshall Tracht]



[Mark Webbink]

Publications

The Academic, Legal and Policy Evolution of CSR, 6 THE CSR JOURNAL 9 (August 2010).

Nadine Strossen

Awards and Recognition

The American Civil Liberties Union announced the endowment of the Nadine Strossen Fellowship, which will be awarded each year to a third-year law student or recent law school graduate who will hold a two-year position with the ACLU's National Legal Department. The first Nadine Strossen Fellow will begin working in September 2011 with the ACLU's National Security Project. The ACLU states: "The Fellowship was established in recognition of Nadine Strossen's outstanding leadership as ACLU President for over 18 years, and in appreciation of her new role as Co-chair of Leading Freedom Forward: The ACLU Campaign for the Future. . . . As the first woman to lead the ACLU, Nadine Strossen has been an important trailblazer for the ACLU and civil liberties. Year after year, she has tirelessly crisscrossed the country to appear at thousands of speaking engagements. Nadine has made special efforts to speak in places where civil liberties are less appreciated and more threatened, engaged diverse audiences, discussed civil liberties issues with people who disagree with the ACLU, and increased youth involvement in the organization." (September 2010)

Scholarly Presentations

Panelist, "Left Behind? Conservative Ideology and Diversity," at the "Provost's Conversations on Diversity, Democracy, and Higher Education," University of Maryland (November 2010).

Spoke at several events during a nationwide conference in New York City commemorating the 90th anniversary of the founding of the American Civil Liberties Union (ACLU) in 1920, including a gala celebration at Ellis Island (September 2010).

Presentation to the Equal Justice Alliance addressing the Supreme Court's current freedom of speech jurisprudence in general, with special focus on the Court's then-recent decision in *U.S. v. Stevens*, invalidating as overbroad a law that

criminalized certain depictions of animal cruelty (July 2010).

Publications

United States v. Stevens: Restricting Two Major Rationales for Content-Based Speech Restrictions, 2009–2010 CATO SUPREME COURT REVIEW 67–104 (2010).

Media References and Appearances

Lamentable Speech, THE NEW YORK TIMES (October 2010). This lead editorial supported First Amendment protection for the controversial statements of the homophobic Westboro Baptist Church, in a case that had been argued before the U.S. Supreme Court on October 6, 2010.

Ruti G. Teitel

Scholarly Presentations

Commentator on Larry May's paper "Proportionality in the Fog of War" at "The Enduring Legacy of JUST AND UNJUST WARS—35 Years Later," a conference hosted by the Tikvah Center for Law & Jewish Civilization, the Jean Monnet Center for International and Regional Economic Law & Justice, the EUROPEAN JOURNAL OF INTERNATIONAL LAW, and the Institute for International Law and Justice, New York University School of Law (November 2010).

"Humanity's Law—Peacemaking and Punishment: The Humanity-Law Framework and the Turn to International Criminal Justice," presented at the University of Southern California Gould School of Law Faculty Workshop, Los Angeles (November 2010).

"Transitional Justice and the Transformation of Constitutionalism," presented at the Constitutional Law & Theory Colloquium, Cornell University Law School (October 2010).

Panelist, "Debate over Amnesty in International Law," at the "Amnesty in the Age of Accountability: Brazil in Comparative and International Perspective" conference, University of Oxford, United Kingdom (October 2010).

Publications

Justice Delayed, but Not Denied, PROJECT SYNDICATE (Op Ed), December 30, 2010, www.project-syndicate.org/commentary/

reitel6/English. This piece was also published in other publications, including THE GUATEMALA TIMES, THE KOREA TIMES, and THE NEW DAWN NEWSPAPER (December 2010).

Kosovo Ruling Not an Outright Victory for Secession, TORONTO STAR (Op Ed), July 30, 2010, at A19. This piece was also published in other publications, including DIE WELT, THE JORDAN TIMES, PROJECT SYNDICATE, and TAIPEI TIMES (July 2010) (with R. Howse).

Ann F. Thomas

Media References and Appearances

Following Perry, We Dive Into Income Tax History, POLITIFACT (December 2010).

Marshall Tracht

Media References and Appearances

Bankruptcies Soar Despite Stiffer Laws, Higher Costs, CHICAGO SUN-TIMES (September 2010).

Mark Webbink

Scholarly Presentations

"Patent Practice Opportunity and ILL Job Panel," presented to the Duke Intellectual Property and Cyberlaw Society, as part of the recruitment effort for Peer to Patent, Duke University School of Law (November 2010).

Organizer and presenter, "Peer Review Prior Art Roundtable," an international symposium co-sponsored by New York Law School and Queensland University of Technology, hosted by the World Intellectual Property Organization, Geneva, Switzerland (October 2010).

Projects

Launched the second Peer to Patent pilot project in conjunction with the U.S. Patent and Trademark Office (USPTO). The pilot expands the number of permitted applications from 400 to 1000 and has added biotechnology, telecommunications, and speech recognition to the list of eligible subject matter. Funded by the USPTO, IBM, Microsoft, Red Hat, General Electric, Hewlett-Packard, Open Invention Network, and Article One Partners, the pilot will accept applications through September 30, 2011 (October 2010). **f**

Adjunct Faculty Activities

Compiled by Melissa Scalzo

The following items represent a sampling of the activities of our adjunct faculty from the fall 2010 semester.

Marc S. Bekerman

Scholarly Presentations

Co-coordinated and spoke at “An Introduction to Estate Administration,” a seven-week course sponsored by the American Bar Association (ABA) Section of Real Property, Trust and Estate Law, and numerous minority bar associations, New York (Fall 2010).

“The Intersection of IRD, the Separate Share Rule and Making Charitable Bequests—Be Sure to Look All Ways Before Crossing,” presented at the 2010 Joint Fall CLE Meeting of the ABA Section of Taxation and Section of Real Property, Trust and Estate Law, Trust and Estate Division, Toronto (September 2010).

“Ethics in Fiduciary Issues” and “An Overview of Income and Transfer Taxes for Estate Planners,” presented at the Skills Training for Estate Planners program, sponsored by the ABA Section of Real Property, Trust and Estate Law, New York Law School (July 2010).

Steven Bennett

Scholarly Presentations

Panelist, “The Rapidly Evolving Role of Social Media in Discovery and Litigation,” at the Second Annual “Litigation Summit: The Business of Litigation” hosted by American Lawyer Media’s THE AMERICAN LAWYER, THE NATIONAL LAW JOURNAL, and CORPORATE COUNSEL, New York (October 2010).

Publications

E-mailing from Work Could Cost You Legal Protection, INTERNET EVOLUTION (August 4, 2010).

R.B. Bernstein

Media References and Appearances

Why Some Republicans Want to “Restore” the 13th Amendment, NEWSWEEK (July 2010).

Judith Bresler '74

Scholarly Presentations

Keynote panelist, “Expert Opinions and Liabilities,” at the Appraisers Association of America’s (AAA) annual Art Law Day 2010, New York University School of Law (November 2010).

Spoke about art law and her art law practice to AccessCircles, a global network designed to enrich the health, wellness, financial expertise, and life balance of women, New York (September 2010).

Publications

As part of the Appraisers Association of America Advisory Committee, helped compile and contributed to THE EXPERT’S GUIDE TO COLLECTING (Appraisers Association of America, December 2010).

Berwin Cohen '99

Projects

Completed executive production of *1/20*, the first feature film to examine the campaign and inauguration of President Barack Obama. Produced with an international team representing several countries, the film presents a Hegelian perspective on how this moment in American popular history affected its iconic characters. *1/20* won an Award of Merit from Indiefest 2010, and is currently under consideration in other film festivals (August 2010).

Lindsay A. Curcio

Scholarly Presentations

Co-presented “Milestone Ages for Children in Immigration Law” at the 2010 American Immigration Lawyers Association (AILA) Annual Conference on Immigration Law, National Harbor, Maryland (July 2010).

Publications

Immigration Law and Children: Important Ages to Assess Eligibility for Immigration Benefits, in IMMIGRATION PRACTICE POINTERS, 2010–11, the practice handbook for the 2010 AILA Annual Conference (2010) (with M. Goldman and L. Holman).

Child: How Do We Define Thee? An Age-Old Question Under the INA, 1 VOICE: AN IMMIGRATION DIALOGUE, AILA, at 18, September 2010 (with M. Goldman and L. Holman).

AILA FALL CONFERENCE HANDBOOK (September 2010) (Co-editor, with E. Curray).

Projects

Acted in a recreation of an episode of a radio play from 1949: *Sam Spade and the Flopsy, Mopsy and Cottontail Caper*, at the 2010 Friends of Old-Time Radio Convention with the Chicago Those Were the Days Players, Newark, New Jersey (October 2010).

Mark F. DeWan

Appointments

Promoted to Deputy Chief Counsel to the New York State Grievance Committee for the Second, Eleventh, and Thirteenth Judicial Districts, which prosecutes professional misconduct committed by lawyers whose offices are in Brooklyn, Queens, or Staten Island (September 2010).

James Hagy

Appointments

Appointed as Transnational Affiliated Professor at Peking University School of Transnational Law, Shenzhen, China, where his international real estate transactions seminar and a practicum in U.S. real estate transactional practice will be offered annually starting in 2011 (2010).

Projects

Launched and directs a new initiative at the New York Law School Center for Real Estate Studies (CRES) known as The Rooftops Project. The project focuses on the role of real estate—owned, leased, or hosted physical space—occupied by not-for-profit organizations in pursuit of their charitable purposes. More than 200 organizations participated in a national survey as a first step; a report with results and commentary was published by CRES in December 2010 (Fall 2010).

William Jannace '92

Scholarly Presentations

Conducted technical assistance training program, “Offerings and Reporting: Regulation Markets Through Disclosure,” the Third Joint Seminar held by the Capital Markets Board of Turkey and the U.S. Securities and Exchange Commission (SEC); lectures included “Capital Markets,” “Corporate Governance,” and “Dual and Cross Listings.” Istanbul, Turkey (September 2010).

Taught course on Capital Markets, Clearance/Settlement, Regulation of Exchanges, Insider Trading, and Broker-Dealer Compliance and Inspections, the Taiwan Stock Exchange Corporation, Taipei, Taiwan (August 2010).

Taught course on Broker-Dealer Capital Markets and Compliance, the New York Institute of Finance, Beijing (2010).

Publications

Along with the SEC, worked with the Jordan Securities Commission (JSC), the Amman Stock Exchange (ASE), and the Securities Depository Center (SDC) to jointly produce the BROKER-DEALER INSPECTION MANUAL, a capital markets risk-based inspection manual, Amman, Jordan (June 2010).

Michael Kliegman

Scholarly Presentations

“Contingent Liabilities in Mergers and Acquisitions Transactions,” at the BNA/CITE Ninth Annual Conference on Taxation of Mergers and Acquisitions, Chicago (October 2010).

Panel chair, “FDIC Assisted Deals: Managing Legal Issues for Acquirers and Owners of Troubled Banks,” at the 2010 Annual Meeting of the American Bar Association, San Francisco (August 2010).

Jay Kogan

Scholarly Presentations

Keynote speaker, Fall 2010 Meeting of the Entertainment and Sports Law and Intellectual Property Sections of the Tennessee Bar Association, Nashville, Tennessee (November 2010).

Paula Konikoff

Appointments

Appointed Vice-Chair of the Appraisal Institute’s Appraisal Standards Committee (2010).

Scholarly Presentations

Panelist, “An Interpretation of USPAP Guidelines,” at the Appraisers Association of America’s (AAA) annual Art Law Day 2010, New York University School of Law (November 2010).

Publications

The Appraiser’s View of the Lease, *Chapter 29B* in NEGOTIATING AND DRAFTING OFFICE LEASES (J.B. Wood and A.M. Di Sciullo, eds., Law Journal Press, 2010).

Kathryn LaFortune

Awards and Recognition

Honored by the Tulsa Ministerial Alliance for her work on the “Save Our Kids” project, which aims to provide a safe place for inner-city children in Tulsa, Oklahoma (2010).

Appointments

Appointed as an associate research professor in the psychology department at the University of Tulsa (2010).

Appointed to Oklahoma’s Women’s Incarceration Summit Judicial Committee (2010).

Lawrence Lederman

Publications

Deconstructing *Lyondell*: Reconstructing *Revlon*, 55 NEW YORK LAW SCHOOL LAW REVIEW 639 (2010).

Projects

Exhibit of five landscape photographs at The Four Seasons Restaurant in Manhattan; all five photographs were sold, and proceeds went to the benefit of the New York Botanical Garden (Fall 2010).

Oscar Michelen '85

Media References and Appearances

His Web site about digital image copyright issues, www.extortionletterinfo.com, was referenced in several print and electronic media outlets, including “The Stock Photo Industry’s Massive Copyright Campaign,” PLAGIARISM TODAY (July 2010) and “Might Makes Copyright,” STITCHES magazine (January 2011).

He and his law blog, www.courtroomstrategy.com, were quoted/referenced in several online media outlets, including “Does Rick Scott Invoking the Fifth Amendment Imply Guilt?” *POLITIFACT* (October 2010); “How to Gain Experience by Working for Free,” *NO SHORTAGE OF WORK* (October 2010); and “Judge Allows Discovery of Deleted Facebook Information,” *LAW LIBRARIAN BLOG* (September 2010).

Received extensive media coverage in print, TV, and radio for representing David Johnson, aide to former New York Governor David Paterson, including “Governor’s Aide Released After Assault Charge,” *WABC-TV Eyewitness News*, August 2010 (via the Associated Press), New York (2010).

Testimonies and Legal Consultation

Represented David Johnson, aide to former New York Governor David Paterson, in Bronx Criminal Court (2010).

Steven E. Pegalis ’65

Scholarly Presentations

Speaker, “An Overview of Expert Testimony—New York State Courts and Federal Courts,” at “Expert Testimony—What You Need to Know in New York,” a CLE program presented by the New York State Bar Association, New York (October 2010).

“Pregnancy: Anatomy, Physiology, and Issues Arising in Medical Malpractice Cases,” presented at the New York State Judicial Institute’s Medicine for Judges 2010 event, White Plains, New York (October 2010).

Publications

A Difficult and Challenging Role for Healthcare Risk Managers: Motivating Safer Care, *THE RISK MANAGEMENT QUARTERLY*, Association for Healthcare Risk Management of New York, Inc., Fall 2010, at 9 (with P.A. Gluck, M.D.).

Perspective: Who Is Supervising the Supervisors?, *NEW YORK LAW JOURNAL, PERSONAL INJURY QUARTERLY* (September 7, 2010).

Neurologic Birth Injury: Protecting the Legal Rights of the Child, 31 *THE JOURNAL OF LEGAL MEDICINE* 249–286 (July–September 2010) (with R.L. Conason).

Russell J. Pinilis

Appointments

Appointed a partner at Kramer Levin Naftalis & Frankel LLP’s New York office (September 2010).

Thomas H. Prol ’01

Awards and Recognition

The New Jersey State Bar Association (NJSBA) recognized his contributions to the NJSBA’s *amicus curiae* briefs before the New Jersey Supreme Court in *Stengart v. Loving Care, Inc.*, 201 NJ 300 (2010) and *Lewis v. Harris*, 202 NJ 340 (2010).

Selected for inclusion in *NEW JERSEY SUPER LAWYERS: RISING STARS 2011*, to be published in April in *NEW JERSEY MONTHLY* and in *NEW JERSEY SUPER LAWYERS* magazine (2010).

Appointments

Joined Cleary Giacobbe Alfieri Jacobs, LLC in Florham Park, New Jersey, as a partner concentrating in environmental and public entity law (November 2010).

Testimonies and Legal Consultation

Argued successfully on behalf of a client before the New Jersey Superior Court, Appellate Division in *Claremont Corporation 2, et. al. v. United Water, et al.*, wherein a unanimous panel upheld the trial judge’s decision to dismiss the litigation and, under the Doctrine of Primary Jurisdiction, refer the parties to the New Jersey Board of Public Utilities as the proper forum for adjudication of the plaintiffs’ claims (2010).

Sherry Ramsey

Publications

Protecting Domestic Violence Victims by Protecting Their Pets, *JUVENILE & FAMILY JUSTICE TODAY*, National Council of Juvenile and Family Court Judges, Spring 2010, at 16 (with M. Randour, N. Blaney, and M. Gupta).

Enforcing State Animal Cruelty Laws: Interpreting the Laws to Obtain Successful Prosecutions, 2 *LEX CANIS*, Association of Prosecuting Attorneys, Part 1 (Spring 2010 issue, at 2) and Part 2 (Summer 2010 Issue, at 2).

Projects

As Director of Animal Cruelty Prosecutions for the Humane Society of the United States, conducted training seminars for many prosecutors and judges on prosecuting animal cruelty cases, as well as JAG attorneys on the same topic using the Code of Military Justice (2010).

Together with the Association of Prosecuting Attorneys, met with Assistant Attorney General Laurie O. Robinson, Office of Justice Programs. U.S. Department of Justice, to come up with ways to provide additional training on animal cruelty (2010).

Margaret Reuter

Appointments

Appointed Vice Chair of the Sections on Law Student and Lawyer Professional Development, National Association for Law Placement (NALP) (2010).

Scholarly Presentations

Panelist, “Do Lawyering Skills Courses Deliver Better Graduates?” at the Professional Development Institute 2010, co-sponsored by NALP and the American Law Institute | American Bar Association (ALI-ABA) in collaboration with the Professional Development Consortium, Washington, D.C. (December 2010).

Publications

Experiential Learning: Your Course Selection Can Advance Your Career Interests, 1 *BLOOMBERG LAW REPORTS* 8 (September 2010).

Projects

Created NALP Task Force on Experiential Learning to survey associates nationwide about the value of law school experiential courses in their practice. The NALP Foundation for Law Career Research and Education executed the survey in fall 2010 and the report will be released in 2011 (2010).

Michael P. Ryan

Appointments

Joined Cullen and Dykman LLP in Manhattan as a partner in the Trusts and Estates Department, after retiring as Chief Clerk of the Nassau County Surrogate's Court (January 2011).

Lawrence P. Schnapf '84

Awards and Recognition

Selected for inclusion in NEW YORK SUPER LAWYERS 2010—METRO EDITION, published in the NEW YORK TIMES MAGAZINE, WESTCHESTER MAGAZINE, and in NEW YORK SUPER LAWYERS—METRO EDITION magazine (September 2010).

Publications

Playing Poker with Pollution: Why It Is Time to Change the CERCLA Reporting Obligations, 25 NATURAL RESOURCES & ENVIRONMENT, ABA Section of Environment, Energy, and Resources, Winter 2011, at 8.

How the CERCLA Notification Requirements Facilitate the Creation of Brownfields and What EPA Can Do to Address This Problem, 11 SUSTAINABLE DEVELOPMENT LAW & POLICY 19 (Fall 2010).

Media References and Appearances

Ruling on Prospective Purchaser Defense Throws into Doubt Liability Protection, 25 BNA TOXICS LAW REPORTER 1357 (December 2010).

Philip C. Segal '73

Scholarly Presentations

"International Parental Kidnapping: An Investigative, Legal, and Psychological Understanding," presented at a national training program for law enforcement partners, lawyers, and social services groups, hosted by the FBI New York Office's Victims Assistance Program, New York (November 2010).

Richard J. Sobelsohn

Scholarly Presentations

"Standard of Care for Those Providing Services in the Green Building World," presented at the U.S. Green Building Council's Greenbuild International Conference & Expo, Chicago (November 2010).

Publications

The Real Estate Owner's Perspective: Opportunities and Risks, *Chapter 10* in LEGAL HANDBOOK FOR ARCHITECTS, ENGINEERS & CONTRACTORS at 211–304 (A. Dib, ed., West Thomson, October 2010).

Green Lease Issues for Commercial Tenants Set to Grow, REAL ESTATE WEEKLY (September 15, 2010).

Peter J. Strauss

Awards and Recognition

Selected for inclusion in NEW YORK SUPER LAWYERS 2010—METRO EDITION in elder law, published in the NEW YORK TIMES MAGAZINE, WESTCHESTER MAGAZINE, and in NEW YORK SUPER LAWYERS—METRO EDITION magazine (September 2010).

His elder law practice group at Epstein Becker & Green, P.C. was rated "first tier" for the New York metropolitan area in U.S. NEWS & WORLD REPORT and BEST LAWYERS' inaugural "Best Law Firms" rankings (Fall 2010).

Publications

Appointing a Guardian in America: How Do We Get There?, 22 NAELA NEWS, National Academy of Elder Law Attorneys, Issue 6, at 12 (December 2010).

Media References and Appearances

Featured Member Peter J. Strauss: Visionary, Architect, Guiding Light, NAELA NEWS (December 2010).

For Planners, There's Peril in Overlooking Client Illnesses, AMERICAN BANKER (December 2010).

Difficult Talks in Trying Times, ON WALL STREET (November 2010).

Jack Williams

Awards and Recognition

Received the Annual Service Award from the American Bankruptcy Institute (ABI), presented to an ABI member who has made significant contributions over the past year (July 2010).

Eric Zohn '92

Scholarly Presentations

Panelist, "Whose Life Is It Anyway? - Life Stories in Media," at the New York State Bar Association's Entertainment, Arts, and Sports Law Section Annual Meeting, New York (January 2011). **f**

New York Law School Welcomes Back Professor Beth Simone Noveck from the Executive Office of the President



New York Law School is pleased to welcome back Professor Beth Simone Noveck, who returns to the Law School for the spring 2011 semester after serving as the nation's first Deputy Chief Technology Officer and leading the Obama administration's Open Government Initiative since January 2009.

As a result of the administration's open government efforts, today every executive branch department and major agency has an open government plan that outlines specific and innovative commitments to create more effective government. Also, hundreds of thousands of collections of government information are now freely available to the public on the Web, and citizens have burgeoning opportunities to use new platforms to participate in their democracy.


The John D. and Catherine T. MacArthur Foundation has awarded Professor Noveck a grant to apply her expertise to developing a multi-year interdisciplinary research agenda to gauge the impact of digital networks on institutions and determine how we can use such technology to strengthen democratic culture.

"The Foundation's interest in public sector innovation as a potential longer-term area for focused investment is

testament to Beth's success—through her research, writing, and public service—at putting the topic of 21st-century democracy on the national agenda," said Dean Richard A. Matasar. "We are delighted to have her back."

An expert on the impact of network technology on legal and political institutions, Professor Noveck has been with New York Law School since 2002. Together with students at the Law School's Institute for Information Law & Policy, she designed and built the U.S. government's first expert network, www.peertopatent.org. She is currently working with colleagues both inside and outside of government on the design for "IOPedia," a platform for mashing up and visualizing public corporate accountability data and tracking the evolution of organizations.

"I am proud to have helped fulfill the president's historic commitment to promoting an open and innovative government—one that uses openness and collaboration as core elements of governance and policy making," Professor Noveck said. "I look forward to working with students and the wider open government community to continue my research and advocacy to promote the adoption of public sector innovations."

In 2010, Professor Noveck was named one of the "100 Most Creative People in Business" by *Fast Company* magazine and one of the "Top 5 Game Changers" by Politico. She is the author of *Wiki Government: How Technology Can Make Government Better, Democracy Stronger, and Citizens More Powerful* (Brookings Institution Press, 2009), which will appear this year in Arabic, Chinese, and in an audio edition, and is co-editor of *The State of Play: Law, Games, and Virtual Worlds* (NYU Press, 2006). She tweets at @bethnoveck. 



Professor Arthur S. Leonard Honored on 30th Anniversary of *Lesbian/Gay Law Notes*

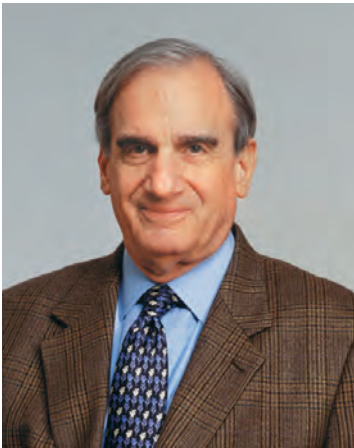


On November 3, 2010, New York Law School honored Professor Arthur S. Leonard on the 30th anniversary of the publication of *Lesbian/Gay Law Notes*, a monthly newsletter that chronicles developments in LGBT law. Professor Leonard established the newsletter as the official publication of the Lesbian and Gay Law Association Foundation of Greater New York (LeGal), which he founded in 1978 as New York’s first organization of lesbian and gay lawyers. LeGal co-hosted the anniversary celebration.

Professor Leonard declared the event “a wonderful occasion,” where many readers indicated that “*Law Notes* was important in helping them to grasp the broad range of issues that were being litigated on gay rights.” The only publication of its kind in the country, *Law Notes* is extensively cited as a key resource for understanding the legal issues that confront the LGBT community.

Reflecting on the evolution of the newsletter, founded during the emergence of the AIDS epidemic, Professor Leonard said, “The pages of *Law Notes* during the early years were filled with accounts of losses, [but] these days there is a more encouraging balance.” Among the many cases covered by the publication, two pivotal 14th Amendment Supreme Court victories stand out in his memory: *Romer v. Evans* (1996) and *Lawrence v. Texas* (2003). These, he said, “have transformed the LGBT community from ‘strangers to the law’ to important players in the ongoing development of U.S. constitutional law.” Professor Leonard continues to write and edit the majority of each issue, reporting on similar landmark decisions. **f**

Professor Sydney M. Cone III Retires from Faculty and Center for International Law



After 15 years of service to New York Law School, Professor Sydney (Terry) M. Cone III has transitioned to Emeritus C.V. Starr Professor of Law and Emeritus Director of the Center for International Law. Professor Cone joined the faculty in 1996 as the School’s first C.V. Starr Professor of Law (endowed by The Starr Foundation) and the founding director of the Center for International Law.

Professor Cone was instrumental in broadening the Law School’s work in international law. “There was no single place to help guide the study and practice of international law,” he said. “In creating the Center, I hoped to bring my experience and perspective to the Law School in this area.” That experience includes nearly 40 years (the majority as partner) at Cleary Gottlieb Steen & Hamilton LLP, where he was resident in the firm’s New York, Washington, D.C., Paris, and Brussels offices, and helped open its offices in Frankfurt and Moscow.

Along with teaching courses in international business transactions, finance, and economic law, Professor Cone helped to develop the School’s international law honors program and International Associates Program. Under his direction, the Center began to publish its award-winning newsletter, *The International Review*, on global legal topics.

Professor Cone also created the C.V. Starr and Otto L. Walter Lectures, which continue to bridge the theory and practice of law. “Lecturers including Anne-Marie Slaughter [the Dean of Princeton’s Woodrow Wilson School] and Eric Kandel [a Nobel laureate] have provided the faculty and students with invaluable insights,” he noted. **f**

alumni events

We are pleased to present a snapshot of some of the many alumni events that took place throughout the fall 2010 semester.

August 18, 2010: First-Year Students' Pizza Social

Dean Richard A. Matasar and the New York Law School Alumni Association hosted the School's annual pizza and ice cream welcome reception for first-year students at the Law School on August 18, 2010. This event provided an opportunity for the alumni in attendance to connect with incoming students, to let them know about the network of alumni who support New York Law School, and to inform them about the terrific programming offered by the Office of Development and Alumni Relations.



September 16, 2010: Spotlight on Real Estate

On September 16, 2010, the Law School welcomed four successful alumni specializing in real estate to share insights about their careers with students and alumni. Featured speakers included Terri L. Adler '96, Co-founder, Duval & Stachenfeld LLP; Thomas J. Cannon III '01, President, Flag Wharf Inc.; Ross F. Moskowitz '84, Partner, Stroock & Stroock & Lavan LLP and New York Law School Trustee; and Lino A. Solis '96, Of Counsel, Arent Fox LLP.



October 7, 2010: Hispanic Judges Awards Dinner

The Association of Judges of Hispanic Heritage, Inc. (AJHH), Dean Matasar, and the New York Law School Latino/a Law Students Association hosted the 25th Anniversary Gala Hispanic Heritage Awards Dinner on October 7, 2010. Hon. Ariel E. Belen, New York State Supreme Court, Appellate Division, Second Department, received the Hon. John Carro Award for Judicial Excellence. New York Law School and Cesar A. Perales, Founder of the Puerto Rican Legal Defense and Education Fund, received the Hon. Frank Torres Award for Commitment to Diversity. Nine AJHH founding members also received special recognition: Judges John Carro, Carmen Beauchamp Ciparick, Nicholas Figueroa, Raul Figueroa, Luis Gonzalez, Cesar Quinones, Jaime Rios, Frank Torres, and Joseph Torres.




October 14, 2010: Mentoring Breakfast

On October 14, 2010, the Offices of Career Services and Alumni Relations held a Mentoring Breakfast to kick off a new pilot initiative at New York Law School that matches students with an alumnus/a for a one-year mentorship. Guest speakers Fred Wistow '77 and Alesha Brown 2L spoke to the mentors and mentees in attendance about their successful mentoring relationship. To find out more about becoming a mentor, please contact Tara Regist-Tomlinson, Assistant Vice President of Alumni Relations, at 212.431.2808 or tara.regist-tomlinson@nyls.edu.



October 18, 2010: Dean's Council Dinner

On October 18, 2010, Dean Matasar hosted a private Dean's Council Dinner and panel discussion titled "The State of the Financial World" featuring Robert J. Raymond '94, Partner, Cleary Gottlieb Steen & Hamilton LLP; Gideon Rothschild '80, Partner, Moses & Singer LLP; and New York Law School Trustees Armando T. Belly, General Counsel, Soros Fund Management LLC; Michael A. Costa '81, Head of Corporate Tax of the Americas, Deutsche Bank; and Marc Lasry '84, Chairman and CEO, Avenue Capital Group. The panel was moderated by Professor Ronald H. Filler, Director, Center on Financial Services Law. The Dean's Council is New York Law School's leadership group for alumni and friends who contribute \$5,000 a year or more to the Law School. To find out more about becoming a member of the Dean's Council, please contact Suzanne Davidson, Associate Dean and Vice President for Development and Alumni Relations, at 212.431.2818 or suzanne.davidson@nyls.edu. 



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MARKS & KLEIN, LLP

For most of us, franchises are part of the wallpaper of our lives. We take them for granted—McDonald's, Burger King, Dunkin' Donuts, Wendy's, Subway. But the franchising business is dynamic and can often be volatile, creating opportunities for both great success and spectacular failure. There's a lot of potential for attorneys who are smart, determined, creative, strong client advocates, and unfazed by hard work.

Marks & Klein, LLP

By Edie Sachs

For most of us, franchises are part of the wallpaper of our lives. We take them for granted—McDonald’s, Burger King, Dunkin’ Donuts, Wendy’s, Subway. But the franchising business is dynamic and can often be volatile, creating opportunities for both great success and spectacular failure. There’s a lot of potential for attorneys who are smart, determined, creative, strong client advocates, and unfazed by hard work.

Fortunately for the law firm of Marks & Klein, LLP, all these attributes are abundantly present in the two New York Law School alumni who are its principals, Gerald A. “Jerry” Marks ’69 and Justin M. Klein ’03.

Marks & Klein, based in Red Bank, New Jersey, is a small firm with a big footprint in the specialized practice area of franchise matters. “We have litigated against and have clients within most of the major franchise systems out there,” says Klein, proceeding to list some of them: Quizno’s, Snap-on Tools, McDonald’s, Subway, 7-Eleven, Cold Stone Creamery, Friendly’s, Pizza Hut, Weichert Realtors, Dunkin’ Donuts, and various gas station franchises. The firm, which now consists of eight lawyers, has amassed hundreds of millions of dollars in judgments and class-action settlements. It maintains a second, part-time office on Wall Street in Manhattan and just expanded into the Midwest with a third office in Chicago.

Despite their 30-year age difference, Marks and Klein have a harmonious partnership that has greatly benefited the business. They share core characteristics including an ironclad work ethic, drive and determination to succeed, emphasis on a team environment, and a real enjoyment of their work. “With that as the baseline, everything else falls into place,” says Klein. “Jerry is extremely liberal in his decision making, such as in what types of cases we should take. I’m much more conservative and cautious. We complement each other very well; we fill in each other’s gaps.”

A Debt of Gratitude Gerald A. “Jerry” Marks ’69

Jerry Marks is the senior partner of Marks & Klein, LLP. It would be hard to find a more cheerful, more satisfied attorney, or a bigger booster for New York Law School.

He has carved out a niche for himself as a specialist in franchise-related matters, starting with a single case about 20 years ago where he represented a franchisee of Snap-on Tools with a grievance against the franchisor.

“It turned out to be symptomatic of larger problems within that particular franchise,” says Marks. Soon other Snap-on Tools franchisees were coming to him, first from New Jersey, then from New York. Before long, franchisees from all across the country were asking him to represent them.

“Today I represent more dealers for Snap-on Tools and its competitors, such as Mac and Matco, than any other attorney in the United States,” he says. Over the years, Marks & Klein has sued Snap-on Tools on behalf of failed franchise owners more than 1,000 times, according to *NJBIZ* magazine. In 2006, the firm completed a three-

and-a-half-year class-action suit against the franchise that culminated in a \$125 million settlement.

Marks currently teaches an undergraduate course in franchising at Monmouth University in Long Branch, New Jersey. It’s not his first teaching stint; in the early 1970s, he was an adjunct professor at New York Law School, teaching legal research and writing while clerking in the Appellate Division, Second Department.



The clerkship inspired him to practice law; however, he found himself relegated mostly to transactional work in real estate, zoning, and planning. It was a bit of a letdown: “The only time I’d spend in a courtroom would be on zoning matters. Only when I started franchising work was I finally able to enjoy litigation. I had no one to teach me—essentially it was on-the-job training. But it was very, very satisfying.”

According to Marks, the ability to fall back on his own resources is a skill that he attributes directly to New York Law School. “The School turns out warriors,” he says. “I feel that my education equipped me to compete with other lawyers from schools that don’t really dwell on a lot of practical

aspects. NYLS taught me how to acquire things for myself instead of waiting for someone to give them to me.”

Marks, who describes himself as “partially dyslexic,” feels a debt of gratitude to the Law School for giving him the opportunity to study law. “I always scored poorly on IQ tests and college boards,” he says. “I just wasn’t equipped to take the LSAT, and I scored below the threshold for admittance to law school.”

After being rejected by New York Law School, he summoned up the courage to request a meeting with then-Dean Daniel Gutman. “I told him, ‘I’m not stupid, but I just can’t take these tests.’ He said, ‘I know you’re not stupid. If you take the test again and get the minimum qualifying score, we’ll admit you.’” Marks did take the LSAT again, got the required score, and threw himself into his studies. In the second half of his first year, he ranked near the top of his class and was invited to join the *Law Review*.

Marks says he has pleasant memories of all his professors. He has particular praise for Professors Milton Silverman and the legendary Joseph Koffler, who taught Introduction to Torts. He also tells an amusing story about Professor Franklin Setaro, who required students to take his exams with a fountain pen. “He had his standards, shall we say, and just did not like ballpoint pens,” recalls Marks. “For years afterwards, I used a fountain pen because of him.”

**Franchising’s “Legal Eagle”
Justin M. Klein ‘03**

The story of how Justin Klein originally came to work with Jerry Marks is somewhat hard to pin down. “It seems to have taken on a life of its own,” Klein chuckles. Did they meet at an alumni event at New York Law School? Or did Klein respond to a job posting via the Career Services Office? Each seems to recall the story slightly differently. But the bottom line is that the two made an alumni connection, and both Marks and Klein are very happy with the end result.

Marks refers to Klein as a “remarkable individual” and recalls that when he first saw Klein’s résumé, he thought, “That’s someone I want to meet.” For his part, Klein welcomed the opportunity to escape the New York City law firm where he had been working and join Marks’s practice, where he could enjoy greater freedom and follow his entrepreneurial instincts.

“I wasn’t particularly thrilled with life as a first-year associate,” says Klein. “I was doing very basic stuff—document review,

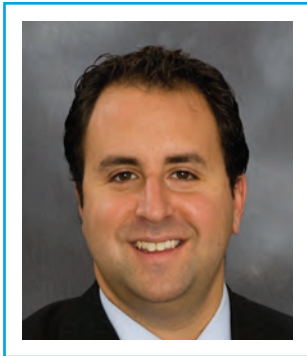
the occasional court appearance; nothing exciting. I started asking myself, did I make a big mistake? Should I quit and write a book about my law school experiences? Start my own business? I had all these crazy ideas.”

Then he met Marks, who was essentially working solo and needed help with a large case. They talked for several months, and Klein came to realize that working with Marks would be “a real viable option.” So when Marks made him an offer, he took a big pay cut and moved to New Jersey.

He did so with the full support of his wife, who was pregnant at the time. “We had lived a block away from the World Trade Center when 9/11 happened, while I was in law school,” he says. “We were unable to return to our apartment for several months. We never thought we’d leave the city, but an experience like that changes your mentality. So when my wife got pregnant, things like a house and a driveway and a backyard suddenly became very important.

“Joining Jerry required some sacrifices, but my wife was super supportive of my ability to recognize the opportunity there and turn it into a winning proposition.” Today, the Kleins and their three children live about 20 minutes away from Marks and Klein’s Red Bank offices.

For the last five years, Klein has been recognized by *Franchise Times*, a leading industry publication, as a “legal eagle,” one of the top franchise lawyers in the country. “Jerry and I have accrued over \$330 million in settlements relating to various franchise matters,” Klein says. “I was the lead counsel in a class action against Quizno’s Corporation, which we settled for \$206 million, and in another one against Snap-on Tools, which we settled for \$125 million.”



Klein lectures frequently on franchise matters for various groups including the New Jersey Economic Development Authority’s Entrepreneurial Training Institute. “I’ve spoken to all types of groups, from high school students to senior citizens and to CEOs and CFOs,” he says.

Klein entered law school thinking that he was going to become Jerry Maguire: “[I figured] ‘Hey, I’ll be a sports agent, get front-row seats to Knicks games, hang out with athletes, nurture my passion as a sports fan through law somehow.’ But I learned in my civil procedure class, my constitutional law class, my criminal law class, that it doesn’t work like that—you can’t just walk in and declare what you’re going to be. Once I assimilated that, I was open to whatever law school was going to bring to me.” **a**

There is still time to make a gift to the Annual Fund.



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Class Notes

Compiled by Melissa Scalzo

1959



Arthur N. Abbey was honored at the 10th anniversary celebration event of the Kathryn A. McDonald Education Advocacy Project on April 6, 2011, presented by the Legal Aid Society and its Juvenile Rights Practice in Manhattan. He was recognized for being one of the project's most generous supporters over the years. Abbey is the Senior and Founding Partner of the law firm Abbey, Spanier, Rodd & Abrams, LLP in Manhattan and is Chair of New York Law School's Board of Trustees. (The Legal Aid Society)

1967

Joseph D. O'Neill was inducted into the International Academy of Trial Lawyers during a ceremony in Phoenix, Arizona, in April 2010, and is one of only 10 members from New Jersey. He has also been selected for inclusion in the 2011 edition of *Best Lawyers*. Other recent honors include being named in *New Jersey Super Lawyers 2011*, in *South Jersey Magazine's* "Awesome Attorneys," and in the Million Dollar Advocates Forum, and being listed among the Top 100 Trial Lawyers in New Jersey by the American Trial Lawyers Association. O'Neill is a member of O'Neill & Coant, P.C. in Vineland, New Jersey.

1969

Martin Greenberg wrote an article about Albany, New York, Police Chief Steven Krokoff titled "Krokoff's Moment," published in the *Albany Times Union* on August 1, 2010. Greenberg is an assistant professor of criminal justice at the College of Saint Rose in Albany, and the Director of Education and Research for the New

York State Association of Auxiliary Police in Massapequa, New York. (*Times Union*)

1971

Howard Turman was featured in several media outlets, including *The New York Times*, in August 2010 for his representation of Steven Slater, the JetBlue flight attendant who exited a plane down an emergency inflatable slide after a dispute with a passenger. Turman is an attorney with the Legal Aid Society in Kew Gardens, New York. (*The New York Times*)

1972

Paul Gottlieb joined McCormick & O'Brien, LLP in Manhattan as a partner in fall 2010. He concentrates on trust and estate planning and estate administration. (McCormick & O'Brien)

1974

José Rey was honored at the Third Annual Kings of Queens Awards & Networking Event presented by American Airlines and hosted by *The Queens Courier* and *Queens Business* in October 2010, recognizing influential Queens businessmen whose achievements and contributions to the community have helped the city grow. He is an attorney in Jackson Heights, New York. (*The Queens Courier*)

1975

Matthew F. Dyer was appointed to the Maine Gambling Control Board by Governor John E. Baldacci in 2010. He is a general partner at Dyer & Gustafson in Augusta, Maine. (Maine.gov)

Hon. Douglas E. McKeon was appointed Administrative Judge for Civil Matters in the 12th Judicial District of the New York State Supreme Court in November 2010. (New York State Unified Court System)

James S. Scherling and **Mark S. Tepper** continue to practice in Livingston, New Jersey, with Tepper, Scherling & Berliner, LLC, the firm they founded in 1984. Scherling and Tepper specialize in personal injury and worker's compensation matters, and have achieved numerous significant recoveries for their clients. They write that they always look forward to hearing from New York Law School classmates.

1976

Joel Schoenfeld joined Mitchell Silberberg & Knupp LLP as a partner in August 2010. Based in the firm's Manhattan office, he focuses his practice on international intellectual property issues, including global licensing, applications licensing, privacy and data protection, U.S. and E.U. antitrust and competition issues, digital rights, and other transactional matters. (Mitchell Silberberg & Knupp)

1978

Hon. Roy O. Chernus was elected a judge of the Superior Court of California, Marin County in 2010. His term began in 2011.

1979



Hon. Jonah Triebwasser has been reelected to a four-year term as Village of Red Hook (NY) Justice.

1980



Karen Artz Ash was selected for inclusion in *New York Super Lawyers 2010—Metro Edition* in the intellectual property category.

She is a partner and National Co-chair of the Intellectual Property Practice at Katten Muchin Rosenman LLP in Manhattan.

Luise Barrack was promoted to Managing Partner at Rosenberg & Estis, P.C., a boutique real estate firm in Manhattan, in June 2010. She handles commercial leasehold and insurance disputes, along with partnership and not-for-profit corporation law.

Bruce Colfin recently opened Bruce Colfin Law, P.C., THE FIRM®, in Manhattan, where he provides trademark, copyright, contract, and litigation services for a range of businesses. Colfin is also an associate professor at Five Towns College in Dix Hills, New York. He teaches Music Business Contracts and Music Publishing and Copyrights.

Amirali Y. Haidri was recently certified as a civil trial attorney by the Supreme Court of the State of New Jersey. He was also inducted as a master of the Richard J. Hughes American Inn of Court in Union County, New Jersey.

1982

Robert O'Neill, a federal prosecutor, was appointed the United States Attorney for the Middle District of Florida in October 2010. The district has 35 counties and a population of almost 11 million. (*St. Petersburg Times*)

1984

Michael Arcuri joined the firm of Hancock Estabrook, LLP in Syracuse, New York, as Of Counsel in early 2011. A former United States Representative for New York's 24th Congressional District, Arcuri focuses his practice on litigation, government affairs, and corporate law.

Hon. Michelle Schauer was elected a Family Court judge for Westchester County, New York, in November 2010.

Joseph A. Vallo was appointed to the Board of Directors of the National Lesbian, Gay, Bisexual, and Transgender (LGBT) Bar Association in July 2010. He is Of Counsel at Greenberg Traurig, LLP, practicing in both the Manhattan and White Plains, New York, offices, focusing his practice on securities arbitration and mediation and securities litigation. (*Greenberg Traurig*)

1985

Sharon O'Leary joined Fallbrook Technologies Inc. as Chief Legal Officer in fall 2010. Fallbrook Technologies is a research and development company manufacturing advanced transmission systems. Based in the company's San Diego headquarters, O'Leary leads Fallbrook's legal and human resources functions. (*Fallbrook Technologies*)



Nicholas Pellitta participated in a three-day program called "Deposition Skills Program: Taking Effective Depositions," hosted by the Institute for Professional Education at Rutgers School of Law in Newark, New Jersey, in October 2010. Pellitta lectured law students on intensive deposition advocacy. He is a member of Norris McLaughlin & Marcus, P.A. in Bridgewater, New Jersey, where he specializes in litigation. (*Norris McLaughlin & Marcus*)

1986



Holly Gregory was named among the National Association of Corporate Directors' "2010 Directorship 100" in September 2010. The

list comprises leading corporate directors, CEOs, practitioners, policy makers, and regulators recognized as the most influential people in the boardroom and corporate governance arena. The only female legal practitioner to make the list, Gregory is a corporate partner at Weil, Gotshal & Manges LLP in Manhattan and a member of the NYLS Board of Trustees. (*Weil, Gotshal & Manges*)

Caryn Siebert was named one of the top 25 "Women to Watch" in the insurance industry by *Business Insurance* magazine in December 2010. She is President and CEO of Carl Warren & Company in Santa Ana, California. (*Business Insurance*)

1988

Scott Cagan was named on *Florida Trend's* "Legal Elite" list for 2010, recognizing the top tier of attorneys practicing in Florida as chosen by their colleagues. He is a commercial litigator at GrayRobinson, P.A. in Fort Lauderdale, Florida. (*Florida Trend*)

Rachel Jakobovitz is Assistant General Counsel for the Tennessee Department of Environment and Conservation in Nashville. Previously, she held a similar position with the state of Pennsylvania and was an environmental insurance attorney for approximately 20 years.

1989



Jo Ann Brighton, American College of Bankruptcy Fellow, has been asked to lead the International Bankruptcy and Insolvency Group at

K&L Gates LLP, along with United Kingdom partner Tony Griffiths. Brighton is a partner with K&L Gates and is resident in the firm's Charlotte, North Carolina and Manhattan offices. Brighton writes that she was honored to be asked and is excited to take on the challenge. She says two of the themes that K&L wishes to emphasize in the bankruptcy, insolvency, and restructuring practice going forward are: 1) the opportunity to become a leader in the representation of secured lenders and other financial institutions, and 2) the expansion of K&L's international and cross-border footprint in the insolvency arena.

Jaime Steve serves as Director of Government Relations for San Francisco-based wind energy developer Pattern Energy. Prior to this post, he served for more than 10 years as Legislative Director for the American Wind Energy Association. During that time, he was recognized as one of the "50 Best Business Lobbyists" in Washington, D.C., by *The Hill* newspaper.

1990

James Capezuto was named the Associate Regional Director for Examinations in the U.S. Securities and Exchange Commission's (SEC) New York Regional Office in October 2010. He previously served as Senior Attorney Advisor within the investment management examination program of the same office. (SEC)

James Hays joined the New York office of Sheppard, Mullin, Richter & Hampton LLP in 2010 as a partner in the firm's Labor and Employment Practice Group. (Sheppard, Mullin, Richter & Hampton)

Laura Parelo spoke at a BNA Tax & Accounting webinar in July 2010 on "Form 990—Lessons Learned from the IRS Redesign and Compliance Challenges that Tax-Exempt Organizations Continue to Face." Parelo is a managing director in the Exempt Organizations Tax Services group of PricewaterhouseCoopers LLP in Manhattan. (BNA)

1992

Stewart Reifler spoke at several conferences in 2010 about the impact of financial reform on executive compensation. These include the Practising Law Institute's "Compensation Committee in the Spotlight" conference in June in Manhattan, and the Equilar 2010 Executive Compensation Summit, also in June, in Washington, D.C. Reifler is a shareholder with Vedder Price P.C. and head of the firm's Executive Compensation practice in Manhattan. (*Minuteman News Center*)

Craig Walsey joined the newly launched U.S. office of TBG Digital, Inc. in San Francisco as Vice President of U.S. Business Development in October 2010. (TBG Digital)

1993

Adam Bergonzi joined National Public Finance Guarantee Corporation as Managing Director and Chief Risk Officer in fall 2010. Based in the Armonk, New York, office, he is responsible for the company's risk management activities and its insured portfolio management function. (National Public Finance Guarantee Corporation)

Hon. James T. McClymonds was a guest speaker for Professor David Schoenbrod's Environmental Law & Policy class at New York Law School on December 1, 2010. He is the Chief Administrative Law Judge for the New York State Department of Environmental Conservation in Albany, New York.

1994

Reed Podell published the article, "When First We Practice to Deceive: Misrepresentations, Mistakes, and Omissions in the Insurance Application" in the summer 2010 issue of *Torts, Insurance & Compensation Law Section Journal*, a publication of the New York State Bar Association. He is a partner at Smith & Laqueria, LLP in Manhattan.

1997

Deborah Gonzalez joined the Athens, Georgia, law firm of Timmons, Warnes & Anderson, LLP as Of Counsel in October 2010. She heads the firm's new intellectual property practice area, focusing on copyrights, trademarks, music, art, and entertainment. (*Athens Banner-Herald*)

1998

Stephen Bonfa was promoted to Supervisor of the Background Investigations Unit for the New York City Department of Buildings in 2010.

1999

Frank J. Riccio II was appointed Vice Chairman of the State of Connecticut Judicial Branch Statewide Grievance Committee by the judges of the Connecticut Superior Court in July 2010. He also recently and successfully concluded representation of Major League Baseball player José Offerman, who had been arrested for felony assault upon another baseball player during a minor league baseball game in Bridgeport, Connecticut. Riccio is a member of the Law Offices of Frank J. Riccio, and practices along with his father, **Frank J. Riccio '60**, in Bridgeport.

Robin Wakefield, a captain in the U.S. Army Reserve Judge Advocate General's (JAG) Corps, began a yearlong mobilization with the 10th Mountain Division at Fort Drum, New York, in

September 2010. She was featured in the *New York Law Journal* in an article titled “Lawyer Marches Off to Active JAG Duty for Third Time” on September 20, 2010. Wakefield is an attorney with the New York City Law Department. (*New York Law Journal*)

2000

Marc Bender recently joined Merlin Securities, an international brokerage services and technology firm, as a partner in its Manhattan office.

Parul Desai joined Consumers Union as Communications Policy Counsel in 2010. Working out of the organization’s Washington, D.C., office, she manages its advocacy efforts concerning cable, wireless, telephone, and Internet policy. Previously, Desai served as Vice President for Media Access Project (MAP). (*The Hill*)

Alex R. Malino has been named a partner at Barry, McTiernan & Moore and is based in the firm’s Manhattan office.

Elizabeth Montesano has been named a member of Sullivan Papain Block McGrath & Cannavo, P.C. She practices in the firm’s Manhattan office and specializes in the representation of plaintiffs in medical malpractice actions.

2001

Guy Bell was promoted to partner at Cozen O’Connor in 2010. Based in the New York Downtown office, he is a member of the firm’s global insurance group and focuses his practice on subrogation and recovery. (*The National Law Journal*)

Margaret “Maggie” Hankamp is serving in the Peace Corps in Ukraine, where she is working on community development. Since July 2010, she has been living in a southern town called Bar, and she will be there through 2012. In addition to learning Ukrainian and Russian, Hankamp

has taught classes in résumé writing and interview skills, English, and yoga, and has succeeded in making connections between a school in Florida and a nearby village school. She writes that she would love to hear from fellow graduates; e-mail magazine@nyls.edu for her contact info.

Bradley Schreiber joined the Applied Science Center for Homeland Security Research Foundation’s new Washington, D.C., office in August 2010 as Vice President of Washington Operations. A former senior advisor at the U.S. Department of Homeland Security, Schreiber is responsible for coordinating the foundation’s interactions with the Department of Homeland Security, the Department of Defense, the intelligence community, the private sector, educational institutions, and Congress.

2002

Ninowtzka Mier published an autobiographical story in a book called *Counting the Years: Real-Life Stories about Waiting for Loved Ones to Return Home from Prison* (Resilience Multimedia, 2010), a collection of works about the prison system and its impact on families. The book and other publications on this issue can be found at www.thinkoutsidethecell.org. Mier is an associate with Robinson & Pecaro, P.A. in Davie, Florida, where she specializes in tort and immigration law.

Eric Shimanoff was elected as a partner with the firm Cowan Liebowitz & Latman, P.C. in Manhattan in January 2011. He will continue with his litigation and dispute resolution practice, focusing on trademark, copyright, and other intellectual property matters.

2003

Michelle Almeida joined Iseman, Cunningham, Riester & Hyde, LLP as an associate attorney in August 2010.

Based in the firm’s Poughkeepsie, New York, office, she focuses on business and corporate law, commercial real estate, health care, and liquor licensing. (Iseman, Cunningham, Riester & Hyde)

Dawn DiFortuna-Aponte was featured in the *National Football Post*’s article “The Women of the NFL” in July 2010, detailing her experience working for the National Football League. She is the Senior Vice President of Football Operations for the Miami Dolphins in Miami Gardens, Florida. (*National Football Post*)

Jamie Nobles is running a new criminal law office and sharing office space with two other attorneys in the Times Square Building in Rochester, New York. All three are former Monroe County, New York, assistant district attorneys. (*New York Daily Record*)

2004

Harlan Hollander was promoted to Director of Brokerage Services in the East Rutherford, New Jersey, office of Cushman & Wakefield, Inc. in fall 2010. (Cushman & Wakefield)

Daniel J. Margolis co-authored the article “Notice and Take-Down: The Shield of the DMCA [Digital Millennium Copyright Act]” with **Alexander Malyshev ‘09**, published in *The Metropolitan Corporate Counsel* in September 2010. Margolis is an associate with Garvey Schubert Barer in Washington, D.C.

Anthony Staltari was appointed to the new School Board Directory of Marist High School in Bayonne, New Jersey, for a three-year term beginning in 2010. He graduated from Marist in 1996. (Marist High School)

Michael A. Stein gave a presentation titled “The Other Side of Reality: Fantasy Sports Dispute Resolution” at New York Law School in October 2010, sponsored by

the Institute for Information Law & Policy. Stein is the founder of Fantasy Judgment, a fantasy sports dispute resolution business. He is also a complex-claims director for Chartis Insurance in Brooklyn, New York.

2005

Paul S. Foreman writes that he is celebrating his third year as a founding partner of Pompelio, Foreman & Gray, L.L.C. (PFG) in Whippany, New Jersey. The firm specializes in personal injury, victims' rights, and business litigation, and has recently extended its practice to include nursing home litigation. Foreman has successfully litigated several matters to their conclusion since he opened the doors of PFG. The firm comprises three partners, an associate, and a staff of four. PFG also lends many pro bono hours to the New Jersey Crime Victims' Law Center, founded by PFG partner Richard D. Pompelio more than 20 years ago.

Jeffrey Mullen and his company, Dynamics Inc., have earned several awards and a great deal of media attention for their next-generation interactive payment cards, which use programmable magnetic stripes to communicate information. The company's "Card 2.0" was named the 2011 International Consumer Electronics Show (CES) "Best of Innovations" winner for personal electronics, and in September 2010, won the DEMOgod and \$1 million People's Choice Awards at DEMO Fall 2010, a technology launchpad conference co-produced by VentureBeat and IDG. Mullen is the founder and CEO of Dynamics Inc., which is headquartered in Pittsburgh. (Dynamics Inc.)

2007

Jessica Campbell has joined the Federal Communications Commission in Washington, D.C., as an attorney advisor.

Jennifer Izen and **Kevin Rubinstein** were married on September 5, 2010 at the Rockleigh Country Club in Rockleigh, New Jersey. Izen is a manager of business affairs in the Manhattan office of MediaVest Worldwide, a unit of Publicis Groupe, a French advertising and marketing company. Rubinstein is an associate with Simpson Thacher & Bartlett LLP in Manhattan.

Capt. Shawn Tabankin became the new Commander of the New York Army National Guard Soldiers of Company C, 2nd Battalion, 108th Infantry Regiment at the change of command ceremony held in December 2010 in Gloversville, New York. (*Gloversville News*)

2008

Johanna Miller recently authored a public policy report on student suspensions in New York City. The report, titled *Education Interrupted: The Growing Use of Suspensions in New York City's Public Schools*, was published by the New York Civil Liberties Union (NYCLU) and the Student Safety Coalition in 2011. It is the first report of its kind and shows startling racial discrepancies in the public school suspension system. Miller is Public Policy Counsel for the NYCLU in Manhattan.

2009

Edward Braunstein was elected to the New York State Assembly in November 2010. He represents the 26th Assembly District in northeast Queens.

Alexander Malyshev co-authored the article "Notice and Take-Down: The Shield of the DMCA [Digital Millennium Copyright Act]" with **Daniel J. Margolis '04**, published in *The Metropolitan Corporate Counsel* in September 2010. Malyshev is an associate with Stern & Kilcullen, LLC in Roseland, New Jersey.


Barbara Vazquez was hired by Bronx County District Attorney Robert T. Johnson in October 2010 as an assistant district attorney. (*New York Law Journal*)

2010

The following members of the Class of 2010 were hired as assistant district attorneys by Bronx County District Attorney Robert T. Johnson in October 2010: **Erik Aho**, **Thomas Boyle**, **Justin Daly**, **Masateru Marubashi**, and **Benjamin Marzolf**. (*New York Law Journal*)

Yevgeniya "Jane" Grinberg was hired as an assistant district attorney by Richmond County (Staten Island) District Attorney Daniel Donovan in December 2010. She has been assigned to the Criminal Court Bureau in Stapleton Criminal Court. Fluent in Russian, Grinberg was hired to help the growing Russian community in the borough. (*Staten Island Advance*)

Three students, including two from the Class of 2010, from last year's project-based learning course The Constitution and Intelligence Agencies, taught by Professor Stephen J. Ellmann, had their papers published in the September 2010 issue of the *Vienna Journal on International Constitutional Law (JCL-Journal)*. **Adam Jason** wrote "Wartime Detention Based on Secret Evidence: A Question of Executive Authority and Constitutional Liberty," and **Jamie Kleidman** wrote "The Constitutionality of the Predator Drone Program." **Jenna Norys '10** wrote "The New Faces of U.S. Armed Forces: The Constitution and Private Military Firms."

Paul Marrone was named Assembly Chief of Staff in 2010 for New York State Assemblywoman Nicole Malliotakis, who represents the 60th Assembly District comprising Staten Island and part of Brooklyn. (*Staten Island Advance*) 

Jeffrey D. Knowles '75

The Road to an Award-Winning Advertising and Marketing Practice

By James Hellegaard

In May of 1990, Jeffrey D. Knowles '75 heard a couple of simple questions that would immediately send his legal career in a new direction.

Knowles was in Washington, D.C., to represent Synchronal, the largest producer of infomercials in the United States, at Congressional hearings on the fledgling infomercial industry. The Federal Trade Commission and the U.S. Postal Service, along with members of Congress, thought the infomercial, created to look like a traditional television show, was a format that was deceptive to viewers who were unaccustomed to seeing commercials lasting more than 30 seconds.

Just six years earlier, the Federal Communications Commission had allowed for the birth of the infomercial industry when it reversed what was known as the Commercialization Decision, which limited the number of minutes of advertising that could be shown in any given hour of television.

Synchronal was asked to testify at the hearings, but because the company was then under investigation by the Federal Trade Commission, it declined. But its executives asked Knowles if he would represent another company called Guthy-Renker Corporation.

With all the major television news networks covering the hearings, then-Rep. Norman Sisisky (D-Va.) asked Knowles's client, Greg Renker, "Are there standards for the direct-response television industry that members must adhere to?" He also asked whether there was a trade association representing the industry. Renker's answer to both questions was no.

"I was sitting in the row immediately behind my client as he was testifying, and a light bulb went off in my head," Knowles recalled from his office at Venable LLP, the Washington, D.C., law firm he joined as an equity partner in 1984. He now heads the firm's Advertising, Marketing, and New Media Practice Group and manages its Government Division. "So I walked out of that hearing and pulled together the nine founding members of what became the National Infomercial Marketing Association."


Knowles raised \$200,000 to get the trade association off the ground and began running it from his law office. He also incorporated the association, wrote its bylaws, and created advertising standards for the industry. Twenty-one years later, the Electronic Retailing Association, as it is now known, has some 500 members internationally, including Google, Amazon, QVC, Home Shopping Network, Guthy-Renker, and many other large national television and Internet marketers.



"That hearing really changed the direction of my career entirely," Knowles said. "I took a leap of faith and made the decision to jettison the rest of my legal practice, including clients and practice areas I had developed over the previous 15 years, and to focus my career exclusively on advertising and direct marketing."

Knowles began to build the advertising practice at Venable into what is now the largest such practice in the country. The firm has more than 70 lawyers involved in that area, generating a significant amount of the firm's revenue from advertising and marketing issues, including regulatory, transactional, intellectual property, and litigation. In June 2010, Venable's Advertising and Marketing Practice was recognized by leading legal directory publisher Chambers with its annual Award for Excellence in the Advertising and Marketing Category, as the top firm in the U.S. in that area of law.

Today, more dollars are spent on infomercials and direct marketing than all other traditional advertising channels combined. Bill Guthy and Greg Renker have built Guthy-Renker into the largest infomercial company in the world, each becoming billionaires in the process. Knowles, who is also a trustee of New York Law School, has worked with a lengthy list of celebrities on infomercials and other direct marketing campaigns, including Suzanne Somers, Jane Fonda, Cher, Farrah Fawcett, Cindy Crawford, Fran Tarkenton, Tony Robbins, Jack LaLanne, and Katy Perry.

"I was like a guy on a surfboard," Knowles said. "I just caught that wave at the right time and have been riding it ever since." 

ALUMNI

Class of 1938
Abner H. Isaacs
December 28, 2010

Class of 1952
Arthur J. McGee
July 23, 2010

Class of 1963
Ernest F. Harnden Jr.
July 19, 2010

Class of 1969
R. Carl Palmer Jr.
September 26, 2010

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Class of 1981
Louise S. Horowitz
January 14, 2011

Class of 1994
Ed Sieban
July 3, 2010

FACULTY, ADMINISTRATION, AND TRUSTEES

Arthur Borden
Adjunct Professor of Law, Emeritus
July 23, 2010

John M. Regan Jr.
Trustee Emeritus, New York Law School Board of Trustees
January 10, 2011

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E. Donald Shapiro
Dean Emeritus and Joseph Solomon Distinguished Professor of Law
December 27, 2010

E. Donald Shapiro

Dean Emeritus and Joseph Solomon Distinguished Professor of Law

The New York Law School community mourns the passing of E. Donald Shapiro, Dean Emeritus and Joseph Solomon Distinguished Professor of Law.

Dean Shapiro made significant contributions to the field of legal medicine throughout his long and illustrious career in private practice, as a professor of law, and as a law school dean. He was one of the pioneers in health law who transformed the field into an important and academically respectable part of legal education. From his landmark casebook to his cutting-edge scholarly articles, Dean Shapiro contributed greatly to the improvement of the legal profession's response to medical science challenges, specifically in the areas of DNA, pharmaceuticals, and bioethics.

Born in 1931 in York, Pennsylvania, Dean Shapiro graduated from Dickinson College in 1953 and went on to attend Harvard Law School, from which he graduated in 1956. He joined the faculty at Boston University School of Law, where he co-authored *Law, Medicine, and Forensic Science* (with William J. Curran), his influential casebook on law and medicine. In 1960, he joined the University of Michigan, where he served as Associate Dean for Continuing Legal Education at the law school as well as Professor of Social Welfare at the school of social work. He later became the President and Director of the Practising Law Institute in New York City.

From 1973 to 1983, he served as President, Dean, and Professor of Law at New York Law School, leading the School through difficult economic times. He was named the Joseph Solomon Distinguished Professor of Law in 1983, serving in that role until 2000 when he was also named Dean Emeritus. Dean Shapiro is credited with helping to build an outstanding faculty, ushering in a more modern approach to legal education, and taking the first steps leading to the Law School's establishment of a campus, including its new academic building, in TriBeCa. His love of the institution was felt long after his departure as dean.

"Don loved New York Law School and expressed to me on many occasions his


tremendous pride in our school," says Dean Richard A. Matasar. "He consistently offered his support to me, asked about his faculty friends often, and constantly sought out information on the many graduates of the school he taught and led for so long. He will be warmly remembered by our graduates and missed by us all."

A lifelong teacher, Dean Shapiro taught at several other institutions, including Oxford University, where he served as a visiting fellow and supernumerary fellow of St. Cross College. While at Oxford, he delivered the Sacks Memorial Lecture and presented the keynote address to the Royal College of Medicine. He was also a visiting professor at Hebrew University of Jerusalem, Bar-Han University (Israel), Harvard Medical School, The University of Buckingham School of Law (England), California Western School of Law, and New York University.

In recognition of his scholarship in legal medicine, Dean Shapiro received honorary degrees from the following institutions: New York Law School (LL.D. 1973), Dickinson College (LL.D. 1975), York College of Pennsylvania (H.L.D. 1980), Oxford University (M.A. 1986), and California Western School of Law (LL.D. 2010). He served on several corporate and nonprofit boards,

including Frequency Electronics, Inc. and Loral Space and Communications, Ltd. Among his many honors and awards, Dean Shapiro received the Lifetime Honorary Membership Award from the New York Law School Alumni Association in 2001, and the Law School's Smith Distinguished Scholarship Award in 1982.

New York Law School is grateful for Dean Shapiro's leadership as a dean and professor, for his dedication to his family, and for his many accomplishments. We extend our condolences to his wife, Merle, and his children and grandchildren.

Editor's Note: On April 29, 2011, Dean Matasar and Merle Shapiro hosted an event for the New York Law School community celebrating the life of Dean Shapiro at the Law School. 



Dr. Louise S. Horowitz '81 died at her home in Shelter Island, New York, on January 14, 2011. She was 78. Dr. Horowitz graduated from New York City's Fieldston High School in 1950 and from Barnard College in 1954. She married David Horowitz in 1951. While raising three children, she studied philosophy at Columbia University, earning a Ph.D. in 1969. Dr. Horowitz taught courses in philosophy and art for several years at Long Island University's Brooklyn campus, where she also served as the Women's Liberation Club advisor. After a divorce in 1972, she met Alton Johnson, with whom she lived until he died in 2001. Dr. Horowitz left teaching in 1977 to study at New York Law School, graduating *cum laude* in 1981. She practiced law until shortly before her death, focusing on civil and commercial litigation in state and federal courts. Dr. Horowitz was passionate about art, music, and theater, as well as public service; she was a board member of the New York Public Library (1978–84) and the Metropolitan Center for Mental Health, of which she served as president from 1984 to 2010. New York Law School extends condolences to her brother, her three children, and her grandchildren.

R. Carl Palmer Jr. '69 passed away on September 26, 2010 at his home on Martha's Vineyard. He was 69. Palmer was raised in Shaker Heights, Ohio, where he met his wife, Mary, at Euclid High School. He graduated from Dartmouth College in 1962, and went on to receive his M.B.A. from Dartmouth's Tuck School of Business in 1963 and his J.D. from New York Law School in 1969. Palmer had a long career in banking, which began with his first position at Chemical Bank in New York. In the years following, he developed a passion for community banking, which led him and his family to many different locations, including Summit, New Jersey, and Coral Gables, Naples, and Boca Raton, Florida. Most recently, Palmer was the Chairman and CEO of Pointe Bank in Boca Raton. The Law School extends condolences to his wife, Mary, his four children, and his eight grandchildren.

Ed Sieban '94, the Mayor of East Rockaway, New York, died suddenly on July 3, 2010. He was 49 years old. Sieban grew up in Floral Park, New York, and attended Chaminade High School in Mineola. He received his undergraduate degree from St. John's University in 1982 and his law degree from New York Law School in 1994. Sieban became Mayor of the Village of East Rockaway in 2007 after serving as a village trustee for eight years. He was also Chief of Staff and Counsel to the Hempstead Town Board's Republican majority. Among his accomplishments as mayor, Sieban drafted the local law that extended the protection of Megan's Law to the Village of East Rockaway. For the last eight years, he was also an adjunct professor of law at St. John's University. Sieban was an active member of many community organizations, including St. Raymond of Penyafort Roman Catholic Church, the Msgr. Walsh/St. Raymond's Council of the Knights of Columbus, the East Rockaway Kiwanis Club, the National Eagle Scout Association, and the East Rockaway Chamber of Commerce. The Law School extends condolences to his wife, Thea, his father, brother, sister, and four children. **F**

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William M. Kunstler:
Controversial Attorney Taught at
New York Law School from 1949 to 1961



William M. Kunstler: Controversial Attorney Taught at New York Law School from 1949 to 1961

By Edie Sachs

William M. Kunstler, the radical civil rights lawyer who died in 1995, is well remembered both inside and outside the legal profession for his representation of deeply unpopular people and causes. He is not well remembered, however, for his earlier career in academia, except within select enclaves such as the New York Law School community. As a professor at New York Law School from 1949 to 1961, Kunstler was highly regarded by his students, many of whom still speak well of him today.

Kunstler, who graduated from Columbia Law School in 1948, went into private practice with his brother Michael immediately after passing the bar. His workload mainly consisted of routine legal matters: negligence cases, matrimonial work, and trusts and estates. But Kunstler, who always had tremendous energy and craving for intellectual stimulation, complained to a friend at the time that he was “profoundly bored.” In the years before the civil rights movement fired his radicalism, he alleviated his boredom in part through teaching.

At New York Law School, he taught common law pleading, creditors’ rights, conflicts, and trusts and estates, rising in status from instructor to associate professor. A half-century later, Kunstler is still remembered by former students whose lives he impacted.

“I have very fond memories of Bill,” says Alan Salke ’60, a former Hollywood film producer and current chairman of the Novo Media investment fund. “He was a wonderful speaker. I recall him standing in front of his desk, at the front of the classroom, playing with his Phi Beta Kappa ring and talking about his [undergraduate] years at Yale.

“I remember his lecture about *In re Dorrance’s Estate* as it related to conflicts of law,” Salke continues. “It was a great lecture, and I still recall all of the issues in that case. Bill thought the result of the case was a travesty, because you cannot be a resident of two states at the same time.”

Kunstler’s flair for drama and theatrics, a hallmark of his later years as a trial lawyer, must have been evident during his time at the Law School. He always enjoyed being in front of audiences, large or small, and this probably contributed to his popularity with students. His faculty colleagues were apparently aware of his theatrical tendencies; one fellow professor affectionately nicknamed him “Broadway Bill.”

Among Kunstler’s faculty colleagues was his Columbia Law classmate Roy Cohn, the attorney and advisor to red-baiting Senator Joseph McCarthy. Surprisingly for a future radical lawyer, Kunstler drafted a will for the senator, having been recommended by Cohn. But when Cohn and McCarthy escalated their anti-Communist crusade during the 1950s, the relationship between Kunstler and Cohn deteriorated. An apocryphal story recounts that Kunstler would deliberately antagonize Cohn by locking him out of the men’s room during the break between Evening Division classes.

The account of Kunstler’s career from the 1960s onward is well known. He began doing legal work for the ACLU and the NAACP and immersed himself in civil rights litigation. Later, he cemented his reputation as a spotlight-loving advocate for unpopular clients including Colin Ferguson, the Long Island Rail Road shooter, and El Sayyid Nosair, who was charged with the 1990 murder of Rabbi Meir Kahane.

Kunstler still somehow found time for teaching, primarily as a lecturer in law at the New School for Social Research for brief stints from the 1960s to the 1980s. But New York Law School claimed him for a final curtain call in the fall of 1992, when he returned as visiting Martin Professor of Law to co-teach a constitutional litigation seminar with longtime associate Arthur Kinoy. [▶](#)



William Kunstler (center) with Percy Sutton (left) on stage at the Apollo Theater (1995).

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