

Winter 2009

New York Law School Magazine, Vol. 29, No. 1

New York Law School

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New York Law School, "New York Law School Magazine, Vol. 29, No. 1" (2009). *New York Law School Alumni Magazine*. Book 10.
http://digitalcommons.nyls.edu/alum_mag/10

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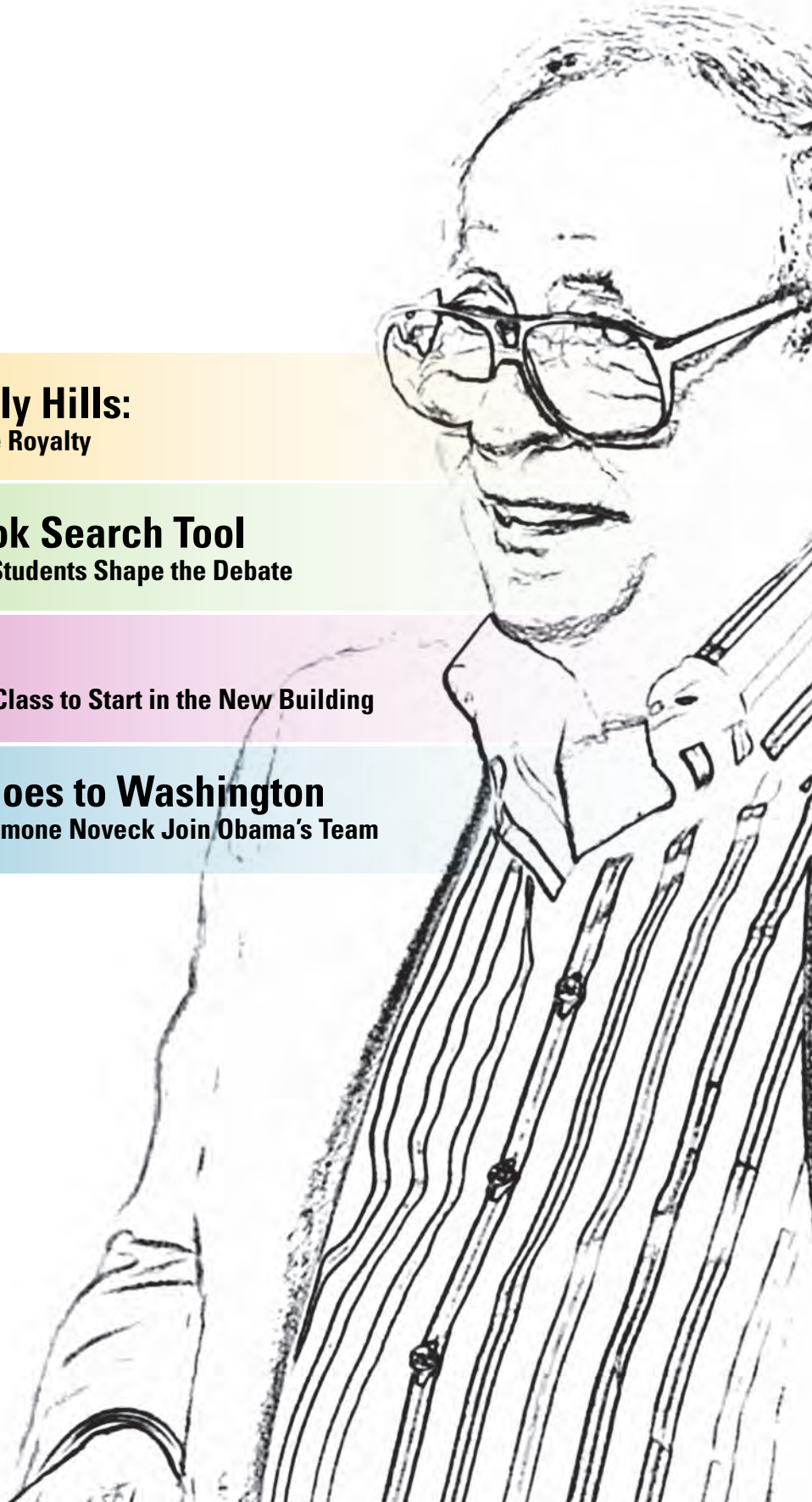
Magazine | Fall/Winter 2009

5 From the Bronx to Beverly Hills: Larry Field's ('63) Climb to Real Estate Royalty

9 The Fate of Google's Book Search Tool Professor James Grimmelmann and Students Shape the Debate

12 Meet the 1Ls! The Law School Welcomes the First Class to Start in the New Building

17 New York Law School Goes to Washington Professors Seth D. Harris and Beth Simone Noveck Join Obama's Team



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New York Law School Magazine (ISSN 0747-3141) is published twice a year by New York Law School. Editorial contributions as well as submissions of copy and photos to Class Notes are welcome. This publication accepts no responsibility for unsolicited manuscripts or photographs. All submissions are subject to editing and are used at the editor's discretion. Opinions expressed in this publication do not necessarily reflect official positions of the Law School.

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In This Issue

Features



5

From the Bronx to Beverly Hills:

Larry Field's ('63) Climb to Real Estate Royalty

9

The Fate of Google's Book Search Tool

Professor James Grimmelmann and Students Shape the Debate

12

Meet the 1Ls!

The Law School Welcomes the First Class to Start in the New Building

17

New York Law School Goes to Washington

Professors Seth D. Harris and Beth Simone Noveck Join Obama's Team

Departments



2

Dean's Message

From Richard A. Matasar

18

Breaking New Ground. Again.

New York Law School Celebrates a New Home

23

Campus Buzz

Updates on the School's academic centers and selected programs and events

31

Meet the Authors

Professor R.B. Bernstein
Hansen Alexander '98
Jeanine M. Elbaz '09

35

Faculty Highlights

Celebrating faculty appointments, promotions, and activities

53

Commencement 2009

Congratulations to the Class of 2009
Spotlight on Olga Tseytkin '09

64

Alumni Events

Stay current on alumni connections

70

Alumni At

New York Law School
Entrepreneurs Think Big

75

Class Notes

News from alumni and spotlight on Nicole Kacor '05

81

In Memoriam

Remembering alumni and friends

86

Heritage

Freedom's Journal, First African American-Published Newspaper
Sylvester C. Smith Jr. '18

Sean's message



Pathways

By Richard A. Matasar

Straight lines often seem like the fastest way to get from point A to point B. This almost always works in two dimensions, where we can use a straight edge to draw the line, but in life, the path from point A to point B is rarely direct. Instead, our journeys take us on interesting detours, on side trips to fascinating places, and on excursions to see sights that others have only talked about. We learn that the route to a successful and rewarding career is often indescribably complex—unique to the individual, hard to model, and impossible to duplicate. Yet in this magazine, we dwell on stories of individual journeys because in their individuality, there is much we can learn.

Who knew that soap sales would lead to a successful career as a real estate developer? Who knew that thinking about social networking or labor law would be a prescription for joining the Obama administration? Who knew that law school students could influence the Google Books debate? As this magazine's profiles demonstrate, the path to success is rarely foreordained. Rather, it is the product of small steps that build upon each other.

I speak often to students who are contemplating their legal careers. Some see themselves in conventional terms: doing well in school, taking a job in a big law firm, becoming a partner, and then retiring. Others foresee something less traditional—a stint in the armed services, a job in industry, becoming an entrepreneur, working in philanthropy, getting a graduate degree, etc. What I have come to understand, however, is that whether conventional or radically different, expectations change daily, and the most successful people recognize the need to be flexible risk takers. Simply put: being in the right place at the right time is rarely accidental. It is the product of seizing opportunities and willingly setting oneself apart from the mob.

Larry Field, the subject of our cover story, inspires me daily. From his humble beginnings, to taking his first sales job after answering a want ad, to becoming a sales superstar, to joining a business in which he had no expertise, to becoming a lawyer and then an entrepreneur of the highest order, his story reminds me that success comes by taking a voyage through opportunities that appear on the horizon. More importantly, his story tells us that maintaining humor, helping others, being generous, and reaching the heights can happen simultaneously. As Larry would say: "Not so bad!"

The articles on Professors Seth Harris and Beth Noveck, who are executing a vision of open government and citizen participation in the White House, and Professor James Grimmelman, who is working to build a fairer settlement in the Google Books dispute, remind us that law informs every aspect of our lives. The students working with them are the next great generation of explorers of the frontier of law and social policy. Who knows where their paths will lead?

Our pathways are illuminated by our imaginations. Enjoy the stories that follow; they shine brightly on the possibilities in front of us.

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5

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THE
BRONX
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9

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**NEW
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Join Obama's Team

From the Bronx to Beverly Hills: Larry Field's ('63) Climb to Real Estate Royalty

By Thomas Adcock



Typical of the understated Lawrence N. Field '63, a mensch and a tycoon, the New York Law School alumnus would sooner talk of two big failures in his life than of his staggering success as a California real estate entrepreneur.

Humility among Field's East Coast brethren is comparatively unknown. Or as Dean Richard A. Matasar says of Field, "He's no Donald Trump."

In telephone interviews from the modest Beverly Hills offices of NSB Associates—the acronym echoes Field's longtime response when asked the state of his business affairs, "Not so bad"—the anti-Trump recalled the low points he converted to lessons in personal honesty and fiduciary duty:

The year was 1942; the place was Birnbaum's candy store in Throgs Neck, the Bronx. Eleven-year-old Larry Field and his pal, Billy, scanned a rack of freshly arrived comic books, which in those days ran two for a nickel. Larry had a dime, given by his mother, Rose. Larry's pal hatched a larcenous plot.

"Billy said I could get four comics if I hid two in the middle and gave Birnbaum the dime," Field says. "So I did it. It was easy. But when I got home, my mother asked, 'How come you have four comic books?' I said, 'I don't know, maybe there was a mix-up.' She said, 'I don't think so,' and I had to confess.

"Then I had to deal with my father. I told him Billy made me do it. He said, 'You're my son, not Billy.' Then he said I had to give back two comic books. I thought, Oh, well—I'll just sneak them back on the rack."

The elder Field read the boy's mind, and laid down the law: "You have to tell Mr. Birnbaum what you did.

Why? Because when you tell him, you'll never steal again."

To this day, the 78-year-old Field carefully counts change received from store clerks for fear that he might be on the advantaged side of an arithmetic mistake.

The time: circa 1972, when interest rates on bank loans ranged up to 18 percent. The place: Los Angeles. The predicament: Field was \$4.5 million in debt and could not pay.

"So I had lunch with the bank president," says Field. "He told me the bank really needed the money, and all I could say was, 'I'll do my best.'"

Two weeks of sweaty nights passed. Then the mailman delivered a certified threat: the bank expected payment in 60 days, or else it would foreclose on the Fields' Beverly Hills house, which secured the loan. When the threat arrived, says Field, "I wasn't at home, but my wife was. You can imagine what happened when I did get home."

Several sleepless nights later, Field was rescued when a wealthy friend brokered a loan of \$2.5 million. It was enough to calm the worried bank president, and enough to buy time for Field to begin climbing out from the hole.

"Since then," he says, "I've been very careful not to become overextended and overleveraged."

And since 1983, when Field founded NSB, the firm has developed more than a billion dollars' worth of real estate in southern California, with a portfolio that includes more than 2.5 million square feet of commercial space on more than 4 million square feet of land. Small wonder that Field is frequently invited to speak to budding entrepreneurs.

In New York, he meets with students at the Lawrence N. Field Center at Baruch College's Zicklin School of Business. Field earned a bachelor's degree in business administration from Baruch in 1952. The Field Center was endowed in 1998.

"I tell the young people, it's okay if you don't make a big score right away," says Field. "It's okay to fail. In fact, you learn an awful lot from failing."



He also tells them of the value of kindness and charity and fortitude, all of which he learned from his father Eugene, a Hungarian immigrant who struggled through the Great Depression to eventually establish a 15-by-60-foot grocery store in Throgs Neck.

"That's when we became the Fields. The family name was Schonfeld, but that was too long for the sign over the store," Field says.

Although Eugene Field never earned more than \$6,000 in a year, his son remembers the blue box for the Jewish National Fund on the grocery counter—and how his father did his part in building the new state of Israel by collecting a daily donation of coins.

"He never spoke English very well," Field says of his father. "But you knew he had wisdom. If somebody was out of work, he'd say, 'Pay me a little something now, and the rest when you can.' He knew that poor people are very honest."

Dean Matasar, who has visited Field in California, describes tagging along with "the mayor of Beverly Hills" on the pleasant rounds he makes each day in his office neighborhood as "walking with a guy who is 100 percent comfortable with who he is." The dean adds, "You don't hear a cross word out of the man."

Suzanne Davidson, Vice President and Associate Dean of Development and Alumni Relations, has also visited Field in Beverly Hills. "Larry is beloved by everyone,"

she says. "He has breakfast almost every morning outside at the restaurant Porta Villa, where everyone who walks past knows him and greets him. He goes to the same gas station and the same clothing store, and they adore him."

Dean Davidson adds, "He is a major figure in philanthropy around the country, and a very successful fund-raiser for his institutions."

Those institutions include Field's two alma maters—New York Law School and Baruch College—and Ben-Gurion University of the Negev in Israel.

"My general belief about philanthropy is that it's good to start with those who helped you," he says. "New York Law School changed my life. It gave me more confidence. Even though I never practiced law, the knowledge I gained helped me a great deal in furthering my business in real estate."

He adds, "I like giving to higher education. People at that level are committed to doing something that will help them grow and be better citizens wherever they may be."

Field provides a gift to New York Law School each year, and suspects he'll provide more.

"They're after me," he says. "I don't mind."

Dean Matasar says, "Larry Field is an incredibly generous man."

Generosity explains, in part, why many staffers at NSB Associates have stuck with their jobs since the day they were hired.

"When things are good, bonuses are good," says Field. His secretary of decades, for instance, has been known to receive a six-figure check at the end of the year. Field explains, "It just comes from sharing the profit."

Sharing wealth has a circuitous yet profitable bearing on business, says Field: "I found that the more I gave, the more I got back. Not from the same people. But somehow, sometime, someplace, I got back twenty-fold—a hundred-fold."

Field started his business career in the 1950s, after a stint in the armed forces. In the midst of the Korean Conflict (1950–53), he had applied to the U.S. Navy Officer Candidate School, only to be rejected on account of

color blindness, which came as a surprise. Two days later, he was drafted into the U.S. Army as a grunt.

Upon honorable discharge, he answered a newspaper help-wanted ad stating: “National company wants college grads.”

Field recalls, “I called the number and a man asked me, ‘Can you drive?’ Also, ‘Can you leave tomorrow for Chicago?’ So I was on a plane the next day.”

What happened during the next several years is legend in the corridors of Lever House.

“I sold Dove soap,” says Field. “This was the first brand that excluded lye. It was more expensive. It was a very big deal.”

Field was one of 19 college men hired to work territories in the Midwest. Each was given a daily call list of stores, large and small. Field drew “little places like my father’s store,” he says. He knew just what to do.

“I’d walk in and tell the owner, ‘This is something you must have. Advertising starts up next week, and people will be coming in wanting Dove soap. You buy it from me at 15 cents a bar, 20 cents for the large size, and you retail for 25 cents and 30 cents.’”

Field was patient as proprietors inspected the soap, after which came the inevitable, “Naw, my customers won’t pay that much for soap.”

“I tell the owner, ‘I’ll wait,’” Field says. “The owner says, ‘What do you mean *wait*?’ I tell him, ‘It would be

a disservice to you if I left. People change their minds. So, I’ll wait.’”

The payoff for a determined salesman: “Within 10 minutes, the guy breaks down,” Field says.

In eight days, he peddled 500 cases of premium-priced Dove soap. His 18 colleagues—combined—sold 450 cases. Field was promptly promoted.

He soon traversed the nation, courtesy of a fat expense account. He sold soap like gangbusters, and developed a valuable tool of commerce: the art of listening. “Most people wait for when the other guy slows down talking, then they start talking,” says Field. “Listening is always best.”

By and by, life on the road took its toll. “It’s very tiring and very lonely,” says Field. “I’m not a drinker, and the guys at every bar I went into were drunks. Besides, what was I supposed to do on the weekends?”

The solution, especially in homogeneous places such as Alabama and Tennessee: find a drugstore with a Jewish pharmacist.

“I’d say, ‘Mr. Cohen, is there a synagogue in town?’ He gets all excited and runs to the phone to call up his wife, and pretty soon I’m having dinner at the house. They take care of me all weekend. Did you know I learned to water-ski in Tennessee?”

But even such generous hospitality lost its charm on young Field, who was birthing thoughts of how he



might make a million dollars—with no capital. The first step would be to quit Lever House.

Determined to get himself fired, Field lolled around, took a long and unapproved vacation in Mexico, filled in daily time cards with brazen “0” marks on his sales call tally, and otherwise invited the axe. But nothing happened.

“I went to my boss and asked, ‘You notice I haven’t been working?’” says Field, who by now had personally sold \$16 million worth of soap—1950s dollars. “My boss said to me, ‘Look, I’ve got a wife and kids. If you think I’m going to fire a guy who sold \$16 million of product, you’re nuts.’”



Left to right: Professors Marshall Tracht, Gerald Korngold, and Andrew R. Berman of the Law School’s Center for Real Estate Studies, with Larry Field at the School in October 2009.

So Field decided to resign. He was simply not cut out for life as an employee. Fate led him to connect with an old pal likewise stifled in the family real estate business. Accordingly, he and Field opened their own real estate agency on East 149th Street in the Bronx and sold walk-up buildings.

The partnership lasted for three amicable years, producing what Field terms “a couple of bucks.” He was now set up as an independent real estate developer. But as the decade of the 1950s yielded to the ’60s, Field says, “I felt I needed a trade.” Which led him to New York Law School, Class of 1963.

Fate struck again for Field during his second year in law school—one rainy day when he met Eris Perll. The two were among a group of students who had rented a summer getaway on Fire Island.

“I only had this one weekend,” says Field, “and I was determined to spend it on the beach. It was overcast with a light drizzle, but I asked everybody, ‘Who wants to go swimming?’ They probably thought, ‘Who’s the crazy nut?’”

Young Eris thought no such thing and went swimming in the rain.

Back in the city, “Eris and I started going hot and heavy, then one day she said she was going home to Los Angeles,” says Field. “I asked her if marriage would keep her in New York and she said, ‘Okay.’” Six months later, Eris Perll became Eris Field. And soon thereafter, her hometown became theirs.

The union produced two daughters. Eris Field died of cancer in early 2009.

Nowadays, Field devotes substantial time to his philanthropic interests, including membership on the advisory board at the Law School’s Center for Real Estate Studies.

“This is new for me; I’ve just accepted it,” says Field. “I expect that they’d like me to bring what [the Center] does to the attention of people around the country. We have a lot of lawyers in this country. We could use more of them trained in real estate.”

Professor Andrew R. Berman, Director of the Center for Real Estate Studies, is delighted to have Field on board, citing his valuable expertise and his unique way with people.

“Larry is very humble,” says Professor Berman. “He is warm, gracious, and easygoing, and he puts everyone at ease, from the waiter to the big executive.”

Field urges friends whose lives, like his, have turned out “not so bad,” to give more of themselves to others.

On the business front, Field is currently renovating a cluster of warehouses south of the Los Angeles International Airport. The Gehry Campus, as the project is known by local media, is named for its master designer and Field’s personal friend, world-renowned architect Frank Gehry.

Another of Field’s current projects consists of a manuscript that occupies a spot on his desk. Its title: *From the Bronx to Beverly Hills: Not So Bad.* **f**

The Fate of Google's Book Search Tool

Professor James Grimmelmann and Students Shape the Debate

By Andrea Juncos

A lawsuit against Google has the future of the publishing industry hanging in the balance. And students at New York Law School's Institute for Information Law & Policy are at the center of the debate.

to start selling electronic versions of the books it has scanned. It will pay copyright owners 63 percent of the revenue and pocket the rest. This includes profits from out-of-print and "orphaned" books, books with no identifiable rights holder.



Professor James Grimmelmann (center) with Institute for Information Law & Policy students Dominic Mauro 3L and Stephanie Figueroa 3L.

Led by Professor James Grimmelmann, an expert in intellectual property law, a team of students involved with the Institute's Public Interest Book Search Initiative is working to foster public discussion about the law and policy of digitizing books. Their project comes in direct response to the controversial settlement proposed in a class action lawsuit brought by authors and publishers against Google, which has been scanning millions of books from the collections of major libraries and making them searchable online. The Author's Guild and the Association of American Publishers filed the suit in 2005, accusing Google of "massive copyright infringement."

The settlement, reached in October 2008, calls for Google to compensate authors whose works were already scanned without permission and to create a "Book Rights Registry" to pay authors and publishers whose works will be scanned in the future—all to the tune of \$125 million. In exchange, Google will be authorized

The U.S. District Court for the Southern District of New York was scheduled to rule on the settlement in October 2009, but while this magazine was in production, the hearing was postponed indefinitely after the parties in the suit asked for time to revise the settlement to address key issues raised in the many objections submitted. In the meantime, Professor Grimmelmann and his team have been making sure the public is informed about this important, high-stakes case.

"The public needs a voice in this case," says Dominic Mauro 3L, a research assistant at the Institute. "We're aiming to generate discussion and provide a place for it. That's what people want."

The place he's referring to is the project's Web site, called the Public Index, which features an annotated version of the settlement with links to related legal documents and media articles, a glossary of relevant terms, and a tool that allows users to insert their own analyses and comments. Students also put together a timeline of all events related to the case, from Google's launch of the book search tool to the more recent antitrust investigation by the U.S. Department of Justice.

"There is a danger of the public getting the wrong information," says Stephanie Figueroa 3L, a fellow of the Institute. "We're explaining the law so people can follow the case and understand the complexities."

The Public Index also includes the Institute's *amicus curiae* brief to the court explaining the benefits and risks of the proposed settlement from a public-interest perspective. Filed in September, the brief incorporates suggestions from the public, who were given access to

edit and comment on it, Wikipedia-style. “This is a legal brief of the people, by the people, and for the people,” says Professor Grimmelmann, who calls the Public Index a “one-stop shop” for all things settlement.

Beyond the Public Index, followers of the case will have a chance to debate the issues in person. The Public Interest Book Search team has spent the summer organizing a conference to be held at the Law School in October 2009. The event, called “D Is for Digitize,” will convene scholars, attorneys, and other guests to examine the settlement through the lenses of civil procedure, the publishing industry, literary culture, information policy, copyright, and antitrust. “D Is for Digitize will bring together leading experts from all points of view for a full, respectful, and open dialogue,” says Professor Grimmelmann.

Professor Grimmelmann emerged as a leading expert on the case early on. When the settlement was announced in October 2008, he wrote a blog voicing his concerns—“just your typical 7,000-word blog,” he laughs. He’s been active in the blogosphere ever since, discussing various views on the settlement and trying to understand and explain how it works to others. His analysis is based on three years of research and thinking on the case, and draws on his extensive expertise in intellectual property law. In April 2009, he wrote an issue brief for the American Constitution Society for Law and Policy (see www.acslaw.org/node/13228) and published “How to Fix the Google Book Search Settlement” (*Journal of Internet Law*), which has become the most frequently cited and discussed analysis of the proposed settlement.



In it, Professor Grimmelmann suggests revisions to the proposed settlement that will help protect the public interest. He warns against the immense power Google will have if the Book Search project and the Books Rights Registry are left unchecked. “People should be concerned about the enormous market power in Google’s hands,” he says. “In this era of ‘too big to fail’ do we really want a company with this level of ability to set prices?”

These are the kinds of questions Professor Grimmelmann and his students are raising and addressing with their project. Ultimately, they believe a modified version of the settlement should be approved, because Google’s project will give the public access to rare literary treasures that have been buried in the basements of libraries for decades, even centuries. “This has never been done before, and in essence, it’s a good thing,” says Figueroa.

As students manage the site and plan the conference, they have been developing valuable knowledge and skills that they’ll use in the future. “Not only are the students diving in and figuring out how to do the work, they’re also figuring out how to work together as a team,” says Professor Grimmelmann. “They’re all working better and smarter as a group than they would on their own.”

Motivated by each other as well as Professor Grimmelmann, the students have taken initiative at every stage of the process. “Everyone has taken the ball and run—actually, sprinted,” says Figueroa. “It’s such an exciting project, and Professor Grimmelmann’s excitement is contagious.”

In Professor Grimmelmann, Mauro has found both a mentor and a role model. “A month into Professor Grimmelmann’s Internet Law course last year, I went to his office and said, ‘I want your job,’” Mauro says. Collaborating with Professor Grimmelmann on the Book Search Initiative has given him the direction he was seeking when he came to law school. “I always knew I liked teaching, but I’ve learned that you can interact with the real world as an academic,” he says.

“It’s illuminating to see that this is the scope of legal practice and to see what a legal education lets you do.”

Mauro recognizes the unique opportunity he and his fellow students have in being able to impact the landscape of this landmark case. “One day I will be able to say I was one of the people who helped facilitate the public discussion of this monumental lawsuit, and hopefully made the settlement better, fairer, and more accessible. That’s insane.”

For Figueroa, a self-proclaimed “IP nerd,” the experience has boosted her confidence on a personal and professional

level. “I’m not concerned about becoming a cookie-cutter attorney,” she says. “I know from working on this project that if you have the drive and the passion, you can shape the law. . . . We’re working toward the public good, and I believe our work is going to mean something.”

With this team on the front lines of the case, it’s clear the public will benefit from their efforts, regardless of the court’s decision.


For the latest news on the Google Book Search settlement, visit <http://thepublicindex.org>.

More Student Opportunities at the Institute for Information Law & Policy

Spring and summer 2009 brought a number of other noteworthy opportunities for students at the Institute for Information Law & Policy (IILP).

Ted Wills 3L was awarded the New York Bar Foundation’s Intellectual Property Law Fellowship. This summer fellowship, one of only three awarded, places students in charitable organizations to assist with their intellectual property needs. Wills worked with Panthera, a New York-based nonprofit organization whose mission is to conserve the world’s 36 species of wild cats. He landed the position after investigating the intellectual property needs of the organization and creating a proposal for addressing them. He spent the summer drafting and implementing policies for managing Panthera’s trademark and branding needs and issues involved in the sharing and dissemination of proprietary data and images. Wills says the fellowship provided an “opportunity to get terrific intellectual property experience while helping an organization that has such a worthwhile and noble mission.”

Also this summer, Joe Merante 3L, a student fellow of the Institute, was a legal intern with Creative Commons, a nonprofit organization that works to expand the range of creative works available for people to build upon and share legally. Merante researched accessibility policies of institutions that publish content believed to be in the public domain. His findings will shape the development of a new tool designed by Creative Commons that will allow users to tag works believed to be in the public domain with supporting information. When Merante’s appointment was announced, Professor Dan Hunter, Institute Director, said: “We’re excited that one of the IILP student research fellows will get to work with such a progressive, prestigious, and engaged organization. We’re delighted for Joe and the signal that this sends out about the quality of New York Law School students.”

Graduates of the Institute are also securing sought-after positions. In spring 2009, former student fellow Christopher Wong ’08 was named a visiting fellow at the Information Society Project (ISP) of Yale Law School and a postgraduate fellow at New York Law School’s Center for Patent Innovations (CPI). Forging a partnership between the two organizations, Wong is researching the impact of technology on law and society with the goal of improving democracy, human development, and social justice. At CPI, he is continuing the work he began as Project Manager of the Institute’s Peer-to-Patent project and leading research efforts on the new Open Patent project. “I’m extremely excited to pursue such progressive intellectual property research in such innovative environments as the CPI and ISP,” Wong says. 

Meet the 1Ls!

The Law School Welcomes the First Class to Start in the New Building

Compiled by William D. Perez, Assistant Dean for Admissions and Financial Aid

This fall, New York Law School welcomes the first class of 1Ls to start their legal careers in the School’s brand-new, state-of-the-art facility. This enthusiastic group of future lawyers is as passionate as it is diverse. Students come from all across the globe and bring a range of talents, interests, and ideas for putting their legal degrees to use.

New York Law School Magazine caught up with 11 of these impressive new students, and their stories are highlighted on the following pages. But first, here are some facts about the group as a whole:

The new class boasts **736 members**—569 full-time and 167 part-time—selected from a pool of 4,188 applicants.

Students come from **35 states and the District of Columbia**. The top five states represented are New York, New Jersey, Florida, California, and Pennsylvania, in that order.

Students also hail from **22 foreign countries**: Belarus, Brazil, Burkina Faso, Canada, the Dominican Republic, Ecuador, France, India, Israel, Jamaica, Kenya, Lebanon, Nigeria, the Philippines, Romania, Russia, the Slovak Republic, South Korea, Taiwan, Ukraine, the United Kingdom, and Uruguay.

Women outnumber men ever so slightly—**by one**.

Twenty-two percent identify themselves as people of color.

Their ages range from **19 to 57**, with the average age of 24 for full-time students and 28 for part-time students.

Sarah is the most popular name among women, and **Michael** is the most common name among men.

They received degrees from **276 colleges and universities**; 7 percent have earned at least one graduate degree.

A total of **90 students** are enrolled in the Law School’s graduate programs in financial services law, mental disability law studies, real estate, and taxation.





MEET THE 1LS!

Introducing the new class of 1Ls—the first to start their legal careers in the Law School’s brand-new building.



“I was drawn to New York Law School for its commitment to international law and public service. As a future lawyer, I wish to strengthen the voices of underprivileged and persecuted peoples of the world, and I am confident that New York Law School will help me do that.”

Alexandra Basha already has a head start on a career in international law and human rights. Raised in a multicultural home, she received her French baccalaureate from Lycée Rochambeau in suburban Washington, D.C., and her B.A. in international relations, with a focus on Middle Eastern and European studies, from American University. Basha spent the year between college and law school living and working in Paris and Brussels. In Paris she worked for Invisible Children, a nonprofit that helps children affected by war in Northern Uganda. In Brussels, Basha interned with the United Nations Regional Information Centre. She had previously interned with Jones Day’s Paris office. As an undergraduate, Basha worked with the Public Defender Service for the District of Columbia, where she focused on juveniles, and volunteered with Habitat for Humanity and Martha’s Table providing meals for the homeless. Basha has a very good idea of what law study and practice will be like; her mother is an international tax lawyer.



“The specifics of my post-law school career are unknown, although I sense I’m heading towards advocating for the disadvantaged and a possible return to government.”

Eduardo Blount has overcome many obstacles to get to law school. Growing up poor and often homeless in San Francisco’s tough Tenderloin district, Blount persevered by focusing on his education. With a B.A. in political science and a master’s degree in public administration, both from San Francisco State University, he has synthesized his life experiences and his education into a dedication to public service. Blount left a position with the Social Security Administration to expand his knowledge of governance and begin his law studies. He plans to pursue public interest law and involve himself with the Justice Action Center and the Law School’s Office of Public Interest and Community Service. In addition to winning several awards in college and with the Social Security Administration, Blount was most recently recognized by the California State University system for his research evaluating the efficacy of three-strike laws.





"I plan to go into immigration law, most likely as a defense attorney. As I shadowed Elihu Massel, an immigration lawyer, I discovered a human aspect to law that just hooked me. A law career became an opportunity to directly make a difference in people's lives."

Daniel Y. Chu comes to the Law School with an interest in immigration law. Raised in Scarsdale, New York, Chu currently lives in Harlem, where he is already involved in some community activism. He has a B.A. in American Sign Language from the University of Rochester, where he also earned a certificate in personnel management. He is the son of Korean immigrants, and is fluent in Korean and Spanish. Chu worked for three years as the manager of his family's restaurant business. In college, he served as Publicity Chair for the Campus Activities Board; co-founded Yosakoi, a Japanese cultural dance club; and was a community liaison for Pride Network, the campus LGBT organization. Chu is also a devotee of Ultimate Frisbee.



"I chose New York Law School for its reputation as having one of the oldest and most developed evening divisions in the city, for the quality of individuals who attend, and for the opportunities available to further my interests in intellectual property."

Andrew Cochran is a scientist who comes to the Law School armed with a B.S. in microbiology and an M.S. in biochemistry, both from The Ohio State University. By day, Cochran is a paralegal and legal assistant with the New York firm of Cooper & Dunham LLP, where he works in the area of patent law. He will remain with the firm as he attends school as an evening student. Discontented with lab research, Cochran, who originally thought "lawyers were required to be loud, disagreeable, argumentative, and dishonest," discovered patent and intellectual property law during a conversation with a graduate student at a summer job. He then entered his master's program with the intent of becoming an IP lawyer. Cochran is excited about the prospect of working with the Institute for Information Law & Policy, particularly with the Peer-to-Patent project and the Center for Patent Innovations.



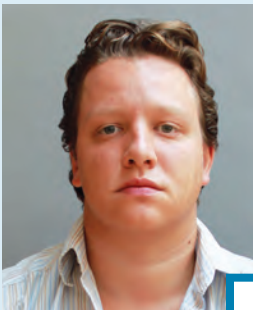
"I am incredibly excited not only to work with the professors at New York Law School, but to draw from their wealth of knowledge."

Robert Habermann is committed to international law and human rights and comes to the Law School with a great deal of experience in these areas. He left his position as Program Manager for Africa Aid, a San Francisco-based international aid organization, to pursue law study. Earlier, he spent five months working on relief aid in Ghana, West Africa, where he set up a human-rights newspaper for Liberian refugees and volunteered in an orphanage. At the beginning of Habermann's senior year at Tulane University, where he graduated with a degree in political science, his involvement in Habitat for Humanity took on an added dimension as Hurricane Katrina devastated his adopted city. Habermann was born in the Bronx and raised in Westchester County, New York. He is an athlete who played football and lacrosse. He has also spent the last few years working in finance and securities and holds Series 7 and Series 66 securities licenses.



"I chose New York Law School because of the diversity present in the student body, not just in terms of race and gender, but also in age and experience. Having attended universities and studied law in different countries, I have grown to appreciate a certain level of wisdom and intelligence that can only be acquired with time."

Angela C. Kaaiohelo is not your typical Southerner, although she grew up in Texas, Georgia, Alabama, Arkansas, and North Carolina. Kaaiohelo's father is native Hawaiian, and her mother is of Korean heritage. The family moved often as they attempted to establish and maintain their livelihood with "mom-and-pop store" businesses. For Kaaiohelo, law school is part of her quest to understand how she "fit[s] into different societies as both a minority and a woman." The appeal of a diverse student body in the most diverse city in the country brought her to New York Law School. After earning a B.A. in international relations from Boston University in 2006, she spent a year as a legal secretary in San Francisco before heading to the University of Hong Kong, where she received her M.A. in China development studies. Kaaiohelo spent the past year studying in a Bachelor of Laws program at the School of Oriental and African Studies in London. She is fluent in Korean and conversant in Mandarin and Spanish, and she practices two forms of martial arts.



Peter Kapitonov:

"I am excited about actually starting law school. I've been thinking about going into law for a long time—actually, since high school."

Natalia Kapitonova:

"In the future I would like to own my own law firm and work on real estate and international cases."

Peter Kapitonov and Carmen "Natalia" Kapitonova met each other as classmates in a constitutional law class at CUNY's John Jay College of Criminal Justice. Natalia originally "hated" Peter, because he was her only competition for the top grade in the class. But on the last day of class, the two started dating. Shortly thereafter, Peter, who had joined the U.S. Marine Corps after the 9/11 attacks, was deployed to Iraq. Natalia waited for him in New York, and the two were married six months after he returned. Now they'll be competing at New York Law School as the only married couple in the class. Peter was born in St. Petersburg, Russia, and Natalia in Lima, Peru. Peter moved to the United States at age 8, and Natalia arrived during high school. Since receiving his B.A., *magna cum laude*, in government in 2008, Peter has been a paralegal with Strategic Legal Services. Natalia, who was swim team captain in college, received her B.A. in government, *cum laude*, in 2008 and works as a real estate paralegal for a New York law firm and as International Projects Coordinator for the United Nations Association of the Dominican Republic. Peter looks forward to working with the Center for New York City Law and the Center for International Law. Natalia is also seeking to involve herself with the Center for International Law and aspires to attend the international legal program at the Hague Academy of International Law. She is also drawn to the Center for Real Estate Studies and hopes to earn an LL.M. in Real Estate from New York Law School.

MEET THE 1LS!



“New York Law School’s outstanding reputation in labor and employment law leads me to believe that I will obtain the legal skills necessary to advocate for those unable to defend themselves in the workplace.”

David Krisch is passionate about labor and employment law and earned a B.A. in labor/employment relations from Penn State University in 2009. His passion has been fueled by his experiences as a seasonal employee at a popular amusement and water park. He sees New York Law School and its Labor & Employment Law Program as a natural choice for his legal education and is excited about the courses he will be able to dive into. In college, Krisch was active in the Undergraduate Law Society, the Society of Labor Studies and Employment Relations, and the Theta Chi fraternity. Like many of his fellow Nittany Lions, he raised funds for charity as part of the school’s annual THON dance marathon. This past year, he won the award for outstanding academic achievement by a senior in Penn State’s Labor/Employment Relations department.



“I’ve wanted to move to New York City since I was a young girl, and I can’t express how blessed I am to experience my dream. But I’m nervous to be so far from some of the best aspects of my life—my family, my boyfriend, and my friends.”

Nicole Riley chose New York Law School for its Program in Law & Journalism and its Media Center. While completing her B.A. in journalism at Oklahoma State University, Riley held several editorial positions, including Managing Editor, with the campus newspaper. She is especially concerned with First Amendment issues, particularly open records and open meetings acts. Riley is alarmed that more journalists have been imprisoned since 9/11 than since the 1960s, and that media coverage of the wars in Iraq and Afghanistan is sparse. She is passionate about being an advocate for and defender of the First Amendment. Riley was also an active member of Oklahoma State’s choral groups and has been a swimming instructor for several years. She first visited New York as a college freshman, taking to the city immediately. She looks forward to making it her new home.



“There is a need for competent and active representation for immigrants, and I hope to learn the skills necessary to be an active lawyer for my clients.”

Jodi Ziesemer began her journey to New York Law School five years ago while working for a nonprofit law firm in Chicago that represents immigrants through the various stages of legalization and deportation proceedings. Ziesemer moved from advising immigrants on social services and public benefits to serving as a paralegal and, finally, as a Board of Immigration Appeals representative. But she wanted to do more. Ziesemer enrolled in Tufts University’s Fletcher School of Law and Diplomacy and completed a master’s degree in law and diplomacy with a focus on human rights and migration. Missing her work with immigrants, she began working for a small for-profit immigration law firm and found her interests expanding to where criminal and labor law intersect with immigration. Ziesemer believes that the Law School’s strong programs in immigration, criminal, and labor law will enable her to focus on an underserved niche of law practice. In 2002, she co-founded the Chicago Books to Women in Prison Project, an organization in which she is still active. **f**

New York Law School Goes to Washington

Professors Seth D. Harris and Beth Simone Noveck Join Obama's Team

By LaToya Jordan



When building his administration, President Barack Obama sought top experts to help him realize his platform for change in America. He found two of those experts—Professors Seth D. Harris and Beth Simone Noveck—among the faculty of New York Law School.

Professor Harris has been appointed Deputy Secretary of Labor for the U.S. Department of Labor, and Professor Noveck has been appointed head of the White House Open Government Initiative and Deputy Chief Technology Officer. Both professors are currently on a leave of absence from the Law School.

As Deputy Secretary of Labor, Professor Harris holds the second-highest position within the department, where he manages staff to ensure that the Obama administration's goals of commitment to open government, responsible stewardship of taxpayers' money, and citizen engagement are fulfilled.

"I am excited to be a part of the team that's working to help families get back on their feet," Professor Harris says. "We need to create more jobs for people." He is helping to execute the American Recovery and Reinvestment Act, which is intended to create or save millions of jobs. "That's a critically important goal, and the Department of Labor is working hard with our colleagues across the government to implement that landmark legislation. But we are also in the business of assuring that those jobs, and all jobs, are 'good jobs.'"

An expert in labor and employment law, Professor Harris is well positioned to move these goals forward. He previously served as the Chair of the Obama campaign's Labor, Employment, and Workplace Policy Committee and as Co-chair of its Disability Policy

Committee. He was also a member of the Obama-Biden Transition Project's Agency Review Working Group, responsible for the labor, education, and transportation agencies. Prior to joining New York Law School in 2000, Professor Harris worked closely with the White House and members of Congress during the Clinton Administration. At the Law School, he directs the Labor & Employment Law Program and organizes the annual Tony Coelho Lecture in Disability Employment Law & Policy.

Professor Noveck is bringing her own brand of expertise to the White House. As Deputy Chief Technology Officer, she leads the White House Open Government Initiative, which implements the administration's policy on innovation in government. On his first full day in office, President Obama issued an executive memorandum on Transparency and Open Government, calling for the creation of an "unprecedented level of openness in government" and the establishment of "a system of transparency, public participation, and collaboration."

"The administration is taking advantage of new technology to make government more transparent and decision making more participatory, tapping the intelligence and expertise of the American people," Professor Noveck says. "By modeling how to make decisions more openly in collaboration with the public, the hope is to proliferate many more opportunities for Americans to share their know-how and improve the quality of our democracy."

Professor Noveck has previously created systems of public participation in government. With students at the Law School, she developed the Peer-to-Patent project for the U.S. Patent and Trademark Office, opening the patent process to community input for the first time. She directed the School's Institute for Information Law & Policy and the Democracy Design Workshop, and is the author of *Wiki Government: How Technology Can Make Government Better, Democracy Stronger, and Citizens More Powerful* (Brookings Institution Press, June 2009).

New York Law School salutes Professors Harris and Noveck for their appointments and the work they are doing to benefit the entire nation. [f](#)

Breaking new ground. again.

19

NEW YORK LAW SCHOOL CELEBRATES A NEW HOME

“It’s a great building! The new building as a whole is beautiful, and I can’t wait to see it in its finished form. This is a real tribute to Dean Matasar, [Board of Trustees Chair] Arthur Abbey, and [Alumni Association President] John Reddy; to all alumni who have set a great example for this little secret called New York Law School; and of course to the outstanding faculty.”

Derryl Zimmerman '97



I think this building is magnificent; from an old building on Park Row to this. Everything was wonderful—the food, the library, the seminar rooms. I hope they'll do events like this all the time.

Hon. Lorraine S. Miller '68



New York Law School Celebrates a New Home

By LaToya Jordan

At New York Law School's Open House Celebration on Saturday, April 18, 2009, 1,300 guests got a sneak peek at the Law School's brand-new academic building prior to its official opening for the fall 2009 semester. On a perfect sunny day, groups of eager alumni, students, faculty, and staff toured the new glass-enclosed, 235,000-square-foot structure located at 185 West Broadway. Attendees explored the state-of-the-art classrooms, Mendik Library, and inviting public spaces, including the open-air terrace on the fifth floor—a favorite feature of many guests.

In addition to being entertained by live music on every floor, guests picked up treats from the penny candy bar in the library and souvenirs at stations throughout the building. They also sampled delicacies representing neighborhoods across New York City, including Little Italy, the Lower East Side, Chinatown, Spanish Harlem, and Coney Island. At the close of the festivities, Dean and President Richard A. Matasar, along with members of the Board of Trustees, led a champagne toast to the new building.

"No project at New York Law School has any purpose other than a single-minded devotion towards our students, and we would be remiss to say this building was about anything other than serving the current and future students of this Law School. . . . For the next 100 years it is 185 West Broadway, it is 57 and 47 Worth Street, and it is this generation and those to come after it who can join and know that this is their place," Dean Matasar said.

The Open House Celebration was the feature event of "New York Law School Week" in New York City, as proclaimed by Mayor Michael R. Bloomberg, as well as the centerpiece of Reunion 2009 for alumni from class years ending in "4" or "9." Reunion guests enjoyed a cocktail party with Dean Matasar; a walking tour of TriBeCa with urban planner Richard Landman '88; a discussion on civil liberties with Professor Nadine Strossen, former President of the American Civil Liberties Union; and an all-class gala and dinner dance to wrap up the weekend.

The wide open spaces and the sunlight make you feel like you are at a resort. I just came back from the new Mets stadium and I like this better. Citi Field aside, New York Law School is the new hot stadium. . . . This building was money well spent!

Steven Swidler '76



I love the terrace and the fact that we can see the world now through the glass windows.

José E. Nogueras,
Writing Program Administrator



My favorite part of this new building is the large classrooms. It will be a pleasure to teach where everyone can see each other, everyone can hear each other, and the acoustics are great. It's a dream come true. Plus, we'll have a close-up view of every snowstorm.

Professor Arthur S. Leonard

We've arrived! The amenities are really nice, and the classrooms are light-years away from what we had in the '70s.

Gary R. Mund '76





I'm very impressed by the classrooms; they are beautiful and have great acoustics. I'm also impressed with the chairs; in the other building we had fifth-grade-type chairs with desks attached.

Maria Krupicz 3L



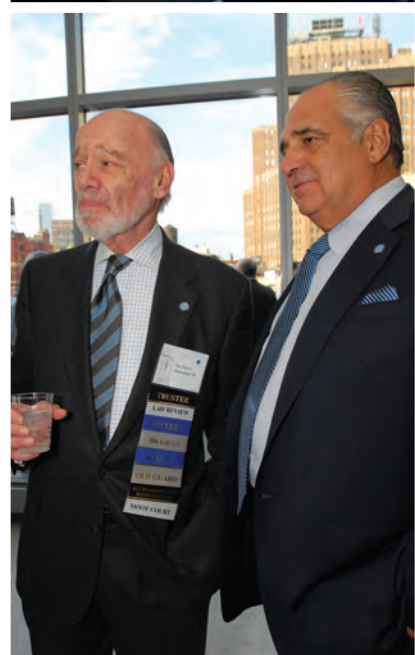
The building is bright, cheery, and very motivating. It seems like it will be fun for the students.

H. Helen Irie '95



This building is stunning, and I can't wait to teach here. It's such a difference from [Room] A900. It's going to be rejuvenating, students are going to love it, the chairs are great, and there is so much light and space. This building is like going from the 19th century to the 21st century.

Professor Ross Sandler,
Director of the Center for New York City Law





My favorite part of the building: taking the 1 train and seeing the School as soon as I walk out of the Franklin Street subway station—that captures everything about the School. As people walk out of the subway, they'll see a building that says 'Come to me.'

Ross Moskowitz '84, Member,
New York Law School Board of Trustees

- CENTER UPDATES**
- 24 • CHILDREN AND FAMILIES
 - 24 • BUSINESS LAW & POLICY
 - 25 • FINANCIAL SERVICES LAW
 - 25 • INTERNATIONAL LAW
 - 26 • NEW YORK CITY LAW
 - 26 • PROFESSIONAL VALUES AND PRACTICE
 - 27 • REAL ESTATE STUDIES
 - 27 • INFORMATION LAW & POLICY

SPOTLIGHT

- URBAN LAW CLINIC • 28
- JUSTICE ACTION CENTER • 29

The Moot Court Association Cleans Up!

Below is a snapshot of the many awards the School's Moot Court Association won in spring 2009.

American Bar Association National Appellate Advocacy Competition

Team I: Regional Finalists Melissa Coffey, Benjamin Marzolf, and coach Michelle Tonelli; Ninth Best Oralist (tied) Melissa Coffey; Team II: Octofinalists Ashley Emerson, Jeff Linehan, and coach Armando Acosta III, Ninth Best Oralist (tied) Jeff Linehan.

Cardozo Law School/BMI Entertainment & Communications Law Moot Court Competition

Quarterfinalists. Team Members: Jennifer Kay, Naomi Weinstein, and coach Kasi Carson.

Federal Bar Association Thurgood A. Marshall Memorial Moot Court Competition

Team I: Overall Second Place Team; Best Final Round Oralist Donald Mitchell. Team Members: Donald Mitchell, Joshua Hoffman, and coach Paul Colley. Team II: Octofinalists. Team Members: Clifford Merin, David Resnick, and coach Adam Love.

Hispanic Bar Association Annual National Moot Court Competition

Quarterfinalists and Best Petition Brief. Team Members: Veronica Cardenas, Michel Fernandez, and coach Kathleen Walters.

Lewis and Clark Law School Animal Law Moot Court Competition at Harvard Law School

Semifinalists and Honorable Mention for Best Appellant Brief. Team Members: Thien An Truong, Hannah Faddis, and coach Jean Chou.

Seton Hall University Law School John Jay Gibbons Criminal Procedure Moot Court Competition

Octofinalists and Best Petition Brief. Team Members: Jennifer Buddoff, Tom Boyle, and coaches Shane Humphries and Maryam Maleki.

University of California, Los Angeles Sexual Orientation Law Moot Court Competition

Quarterfinalists. Team Members: Katherine Salzman, Daniel Haier, and coach Michelle Tonelli.

University of North Carolina J. Braxton Craven Constitutional Moot Court Competition

Octofinalists. Team Members: Marta Izak, Erin MacKin, and coach Lev Ekster.

Introducing: The Diane Abbey Law Center for Children and Families



Left to right: Professor Carlin Meyer, Center Director; Sony Ortiz, Center Administrator; and student associates Victoria Rosner 2L and Bradley Powles 3L.

The Diane Abbey Law Center for Children and Families, New York Law School's newest academic center, prepares students to represent families in all aspects of family law. Through a comprehensive curriculum that includes a variety of pro bono and externship opportunities, students assist low-income children and families in need and collaborate with the many institutions with which those families interact. Graduating students will be prepared for the ethical practice of family law in a variety of settings, including government institutions, law firms and solo practice, and nonprofit entities.

The Center was endowed by New York Law School Board Chair Arthur N. Abbey '59 and his wife Diane. It is now recruiting students, who may join as members or affiliates. Stay tuned for more information about the Center's upcoming projects and events!

Center on Business Law & Policy



Top: Professor Faith Stevelman (left, pictured with Professor Howard S. Meyers) delivers opening remarks at the April 24, 2009, Center on Business Law & Policy symposium, "Fear, Fraud, and the Future of Financial Regulation."

Bottom: Professor Jeffrey J. Haas (far left) moderates a panel at the "Fear, Fraud, and the Future of Financial Regulation" symposium.

With new leadership in the White House and a host of new financial problems to address, many Americans want to know what regulations will be implemented to prevent another market meltdown. On April 24, 2009, the Center on Business Law & Policy and the *New York Law School Law Review* brought academics and practitioners together to discuss the challenges facing the regulation of financial markets. The daylong symposium, called "Fear, Fraud, and the Future of Financial Regulation," featured four panels of experts moderated by New York Law School professors.

Panelists included professors from law schools across the country and practitioners representing a range of corporations, law firms, and government agencies, such as the U.S. Securities and Exchange Commission (SEC) and the U.S. Commodity Futures Trading Commission (CFTC). They discussed several topics, including: securitization, derivatives, and the credit markets; financial regulations and disclosure; credit default swaps and the evolution of OTC regulations; the role of the SEC in risk management; and the controversies over bailouts and executive compensation.

Professors Faith Stevelman, Center Director, and Howard S. Meyers, Associate Director, took an active part in planning and running the event, which was a great success. One attendee wrote to Professor Stevelman saying the symposium was "the best" of several financial regulation conferences he had attended. Professor Stevelman says, "That's a credit to the Law School's great team of professors and students, perfect location for a meeting of finance professionals and regulators, and spirit of creativity and energy."

Scholarship from the event will be featured in an upcoming issue of the *Law Review*.

Center on Financial Services Law



Top: Featured guest speaker Walter Lukken (second from left), CFTC Commissioner, with (left to right) NYLS Professors Houman B. Shadab, Center Director Ronald H. Filler, and Howard S. Meyers.

Bottom: (left to right) Dean Richard A. Matasar, Professor Filler, and Commissioner Lukken.

The Center on Financial Services Law's inaugural event was held on March 3, 2009, when Walter Lukken, Commissioner of the U.S. Commodity Futures Trading Commission, came to the Law School to deliver a major regulatory policy speech. Commissioner Lukken spoke extensively about his days as Acting Chair of the CFTC in 2007 and 2008, how the Commission dealt with the financial crisis of 2008, and how the U.S. futures markets weathered this financial storm, which saw the insolvency of Lehman Brothers, a major global futures player.

More than 125 participants, including several industry and government officials, leading futures lawyers, and New York Law School faculty and students, attended the forum. This event was the first of many such forums planned for the future. Commissioner Lukken's speech can be heard in its entirety by going to the Center's Web site, www.nyls.edu/financecenter.

Launched in 2008–09, the Center on Financial Services Law is intended to establish New York Law School as one of the leading U.S. law schools specializing in this very complex and ever-changing area of the law. One goal of the Center is to establish a series of CLE programs covering all aspects of the global financial services industry and to offer these programs on an expedited basis as major events occur globally. In addition, the Center hopes to provide a forum to allow government and industry leaders to give policy speeches and to debate, analyze, and discuss current legal, regulatory, business, and economic issues facing the industry.

Center for International Law



Top: (left to right) Professor Sydney M. Cone III, Center Director, with Hon. Guido Calabresi, Senior Judge, U.S. Court of Appeals for the Second Circuit, at the 2009 Otto L. Walter Lecture.

Bottom: Judge Calabresi speaks about the use of foreign law by U.S. courts at the 2009 Otto L. Walter Lecture.

On April 22, 2009, the annual Otto L. Walter Lecture welcomed Hon. Guido Calabresi, Senior Judge, United States Court of Appeals for the Second Circuit, and Sterling Professor Emeritus of Law and Professorial Lecturer in Law at Yale Law School. In a presentation titled "Foreign Law and U.S. Courts: History, Federalism, and Other Thoughts," Judge Calabresi addressed the fragile structure of federalism and the value of examining and adopting foreign law.

Judge Calabresi said the United States has always been home to people with deep and different values, many of which are connected to geography. For example, during the Civil War, we battled the exercise of slavery, with opposing views coming from the North and South. And today, we debate the legality of capital punishment, abortion, and gay marriage, with differing views concentrated in specific regions.

Judge Calabresi explained that when we formulate national law, we look to each state, whose needs and wants can sometimes be more dissimilar to each other than to that of other countries. Therefore, he argued, "the idea that you can't look to law outside of yourself . . . is deeply inconsistent with the whole history and structure of this particular country."

He proposed that if federalism is to survive in the United States, we must look to other federalist countries and learn from the problems they have faced and handled. He acknowledged that legal and political context is important in deciding whether to adopt foreign law, but insisted that the range of techniques we can borrow is vast.

Center for **New York City Law**



Top: (left to right) Chancellor Joel I. Klein of the NYC Department of Education with Deputy Chancellor Kathleen Grimm '80 and Dean Matasar following Klein's presentation at the April 3, 2009, City Law Breakfast.

Bottom: Professor Ross Sandler, Center Director, presents Chancellor Klein with Professor Annette Gordon-Reed's book *The Heminges of Monticello: An American Family* at the April City Law Breakfast.



At the City Law Breakfast on April 3, 2009, Joel I. Klein, Chancellor of the New York City Department of Education, gave a stimulating speech on "Education Reform: NYC and the Nation." Using statistics to describe the racial and ethnic achievement gaps in this country, especially in middle schools, Klein advocated for the inception of a strong and unified political will to make changes in the education system.

Klein began by asking his audience a simple question: "Is there anyone in this room . . . who would randomly allow me to assign your child to a public school in New York City?" Pointing out that no one has ever answered this question positively, Klein admitted that his job will not be done until parents think that every single school in the city is acceptable for their children to attend.

He argued that one of the biggest challenges facing America's educational system is the lack of equal education opportunities. "Fifty-five years after *Brown v. Board* and yet, today in America, our children—based on race, poverty, zip code—are not remotely getting an equal education opportunity," he said.

Klein spoke about repairing education in America through the New York City Department of Education's transformative vision, which emphasizes teacher quality, leadership and accountability, choice and competition, and the rewarding of academic excellence. He expressed optimism about Mayor Bloomberg and President Obama's education reform plans and urged parents to raise their standards, not just for their own children but for every child in the nation.

Center for **Professional Values and Practice**



Professor Frank M. Tuerkheimer

The Center for Professional Values and Practice explores the various roles attorneys play in American society. One of the most important of these roles is that of government watchdog. In the spring of 2009, the Center invited Professor Frank M. Tuerkheimer to the Law School to present a special four-part lecture on the Watergate scandal and the role lawyers played in that episode of American history. Professor Tuerkheimer narrated the essence of the Watergate story, based largely on the public record as well as his "insider" knowledge of the events as an associate special Watergate prosecutor.

The four lectures, held over a two-week period in March and April, covered the events leading up to the Watergate scandal, the subsequent cover-up, and later investigations of government officials. Professor Tuerkheimer highlighted the vital role of legislative committees in information-gathering and the appointment of an independent prosecutor. He also discussed the workings of the prosecution system and an independent judiciary, and the rarely invoked legislative impeachment process. Taken together, these lectures were essentially about abuse of power and the response to such abuse by the institutions of a healthy democracy, working independently but as part of a larger system of checks and balances.

Frank Tuerkheimer is the Habush-Bascom Professor of Law at the University of Wisconsin and Of Counsel to the Madison, Wisconsin, firm of Godfrey & Kahn S.C. The lecture series was simulcast at the University of Wisconsin Law School.

Center for Real Estate Studies



Top: Professor Andrew R. Berman, Center Director, addresses the panel at the March 2009 Breakfast Forum on “Real Estate Workouts in a Securitized World.”

Bottom: (left to right) William Campbell, Partner, Stroock & Stroock & Lavan LLP; Professor Berman, Center Director; Professor Marshall Tracht, Director of the Real Estate LL.M. Program; and Michael J. Bery, General Counsel and SVP, First American Title Insurance Company of New York.

On March 18, 2009, the Center for Real Estate Studies hosted a Breakfast Forum on “Real Estate Workouts in a Securitized World,” exploring the problems faced by borrowers and lenders in today’s economy. Nearly 200 participants attended the Forum, which is part of a regular series of events sponsored by the Center. Professor Andrew R. Berman, the Center’s Founding Director, moderated a panel of experts that included Michael J. Bery, General Counsel and Senior Vice President, First American Title Insurance Company of New York; William Campbell, Partner, Stroock & Stroock & Lavan LLP; and Professor Marshall Tracht, Director of the Law School’s LL.M. in Real Estate Program.

“The health of the financial system, and our economy overall, depends on the ability of mortgage holders, loan servicers, and borrowers to resolve defaulted loans efficiently,” said Professor Tracht. He addressed the fact that although workouts are more difficult to obtain today than in past economic downturns, lenders have since become more experienced in avoiding bankruptcy. He discussed recommendations for avoiding bankruptcy in the future: structural and contractual changes in the private sector and legislative changes and judicial decisions on the public side.

In his remarks, Campbell explored the issues that arise when senior subordinate loans go into default. He suggested investing in new capital to stabilize the capital structure and allowing property cash loans to be reinvested. Campbell also recommended using mezzanine loans rather than A/B notes. Finally, Bery emphasized the need for title insurance, based on his insider knowledge of mortgage foreclosures, bankruptcies, and mortgage modifications.

Institute for Information Law & Policy




Top: Professor Dan Hunter, Institute Director, discusses the emerging uses of virtual worlds, and the newest developments in gaming.

Bottom: The “When Governments Come Out to Play” panel discusses how the progress in virtual world technology has invited governments to branch out into the medium like never before.

The State of Play VI Conference was a great success for the Institute for Information Law & Policy, New York Law School, and the virtual worlds community. In conjunction with the Network Culture Project at the University of Southern California’s Annenberg School for Communication, and with support from the John D. and Catherine T. MacArthur Foundation, the conference focused on the startling rise of virtual worlds and multiplayer online games, and whether these worlds have reached a plateau in their development.

Hosted at the Law School from June 18 to 20, 2009, State of Play VI convened top experts, attorneys, and researchers to discuss the current state of virtual worlds and what is left to be discovered. State of Play’s first-ever Graduate Student Symposium featured some 30 students and eight professors discussing the development of virtual worlds research. Highlighting the remarkable quality of student work in this area, this pre-conference symposium examined opportunities for research and careers in the field.

The conference proper included 65 speakers who examined various legal, governance, and technical issues relating to online spaces. More than 180 attendees participated in engaging panel discussions and experienced virtual worlds firsthand in the interactive *machinima* lounge. A live Web stream simulcast attracted large numbers of people watching the conference in Second Life and in other public spaces on the Internet. The end result was a fantastic three days of exchanging ideas, sharing experiences, and anticipating the next State of Play conference. 

Spotlight on the Urban Law Clinic

Students Achieve Justice One Case at a Time

The Law School's Urban Law Clinic, led by Professor Deborah N. Archer, provides students with the opportunity to represent low-income clients with legal problems that are caused or worsened by urban poverty. During the spring 2009 semester, participating students secured several victories on behalf of their clients. Below are some of the highlights.

Charlene Barker 3L and Stephanie Torre '09 negotiated a \$110,000 settlement before Judge Debra Freeman of the Southern District of New York in an employment disability discrimination case. They represented a permanently disabled woman who alleged that she was wrongfully terminated by her employer, a major New York City law firm, after it refused to provide her with an accommodation as mandated by the Americans with Disabilities Act.

The client claimed that throughout her employment with the firm, she was continually subjected to harsh fumes and irritants from the firm's incessant use of propellant sprays. After being diagnosed with irritant-induced asthma, she notified her supervisors and requested an accommodation. Despite repeated requests, her employer failed to accommodate her disability. The client eventually developed nerve damage, thoracic and lumbar disc herniation, and lumbar radiculopathy. The final blow came when the firm terminated her employment.

Although the client and her employer were unable to resolve the case through mediation, Barker and Torre were able to secure a settlement package five and a half times larger than the employer's initial offer of \$19,500. The settlement agreement also ensures that she will receive all benefits she is entitled to under her former employer's pension package.


In another discrimination case, Clinic students Eric Henry 2L and Matthew Windman 3L successfully negotiated a large settlement in federal mediation for their client, who had worked as a dental assistant at a large hospital. After the client complained that he was being made a target of discrimination by his supervisors

and coworkers due to his ethnic, racial, and religious background, he was terminated without a legitimate justification.

Title VII of the Civil Rights Act of 1964 prohibits employers from taking retaliatory personnel actions against employees who have engaged in activity protected under Title VII, such as pursuing a complaint of employment discrimination. While it was undisputed that the dental assistant had complained to his superiors, Henry and Windman had to analyze the facts in order to prove that a causal connection existed between the client's complaint and his termination. Following several rounds of intense negotiation, they obtained a large settlement that included both back pay and compensatory damages.

In March, the Clinic celebrated another major victory when students Jessica Fisher 3L and Jeremy Wechsler 3L won an impartial hearing against the New York City Department of Education (DOE). The case involved an 8-year-old boy with speech, language, and central auditory processing disorders that impede his ability to comprehend and express information.

The DOE had placed the child in a regular education classroom without providing the requisite services to accommodate his disability. As a result, he was unable to perform and progress at a typical pace. He also developed severe anxiety, depression, and insomnia. The boy's psychiatrist contacted the Clinic and requested that its students represent him in the impartial hearing. The students asked that the DOE pay for the child to attend a private school specializing in speech and language impairments.

After three days of hearings and testimony from 10 witnesses, including four expert witnesses, the hearing officer ordered the DOE to pay for the child's tuition at a private school that the Clinic students identified, and provide transportation to and from the school each day. Thanks to Fisher and Wechsler and all of their hard work, the boy will finally receive the services he needs. 

Spotlight on the Justice Action Center

Promoting Social Justice from Classroom to Courtroom

Many lawyers dream of presenting their ideas to the highest court in the land. For a group of students at the Law School's Justice Action Center (JAC), that dream became a reality, thanks to the help and guidance of Professors Deborah N. Archer and Elise C. Boddie. Six students involved with JAC's Racial Justice Project filed an *amicus curiae* brief in a racial discrimination case heard by the Supreme Court in April 2009. They argued on behalf of the City of New Haven, Connecticut, defending its controversial decision to throw out the results of a promotion exam for firefighters on the basis that the exam violated Title VII of the Civil Rights Act of 1965.* The case received national attention, especially during the confirmation hearings of Supreme Court Justice Sonia Sotomayor, who was one of the judges who ruled in favor of New Haven in the original decision.

Led by Professors Archer and Boddie, both experts in civil rights and employment law, the students outlined the argument, researched supporting cases, and wrote several drafts of the brief. "They developed incredible skills," says Professor Archer, Director of the Racial Justice Project. "They were real partners in the process, from idea to finished product."

That collaboration is part of what made the project such a powerful learning experience. "Working with the professors was like working with partners at a top law firm," says Tanya Facey 3L. "They helped us with all the details of the brief—everything down to the specific color the cover had to be: hunter green."

The professors also made sure the students knew their audience. "We called the brief our 'love letter to Justice Kennedy,'" says Zachary Kerner '09, referring to Justice Anthony M. Kennedy, the probable swing vote in the case. "Professors Archer and Boddie helped us choose language he would find compelling so we could speak directly to him."

This hands-on experience emphasized to students the real-world implications of their efforts and brought their classroom knowledge to life. "In class, we look at prior cases and interpret them. Here, we're on the frontier of a new case," says Kerner.

"It took the classroom information to the umpteenth level," adds Charlene Barker 3L. "Law school trains you to think in a certain way, and we put that thinking into action."

The most exciting part for the students was seeing the oral argument live at the Supreme Court in Washington, D.C. "We were listening to all the arguments and realized we were more prepared than the others in the room," says Barker. "We knew the arguments inside and out."

Professor Archer recognizes that this opportunity is extremely rare. "Most lawyers never get to work on a brief that makes it to the Supreme Court," she says. "These students all had a hand in the brief and got to meet and work as partners with some of the best civil rights lawyers from the nation's top civil rights organizations."

Based on the students' next steps, it's clear that the experience fueled their passion for social justice. In July, Facey worked on researching and writing an article on wealth discrimination at the Summer Institute for Research on Race and Wealth at Howard University. And Barker and Kerner, both of whom aspire to be civil rights attorneys, continued to fight for social justice from their positions at law firms—Barker at Fried, Frank, Harris, Shriver & Jacobson LLP over the summer, and Kerner at Cahill Gordon & Reindel LLP full time. Barker will also continue as student fellow to the Racial Justice Project for the 2009–10 year.

** In June 2009, the Supreme Court found for the firefighters on the Title VII claim. *

Congratulations to the Center for New York City Law!

The Center for New York City Law was recognized by the Municipal Art Society of New York (MASNYC) with one of its 2009 Annual Awards at the MASNYC annual meeting celebrating "The Best of New York" in July 2009 at the Chelsea Art Museum. In the certificate of recognition, MASNYC salutes the Center for bestowing knowledge and power on the public by "revolutionizing access to New York City's arcane world of administrative agencies" through its Web site and "highly informative publications," *CityLaw* and *CityLand*.



To learn more about the Center for New York City Law or to subscribe to its publications, please visit www.nyls.edu/citylaw.

Center for
NEW YORK CITY LAW



NEW YORK CITY LAW
at New York Law School

Meet the authors



32 □ **PROFESSOR R.B. BERNSTEIN**
REVEALS THE REAL FOUNDING FATHERS



33 □ **HANSEN ALEXANDER '98**
PUTS A LIGHT-HEARTED TWIST ON THE LAW



34 □ **JEANINE M. ELBAZ '09:**
THE FIRST STUDENT AUTHOR FROM TRIBECA SQUARE PRESS



Professor R.B. Bernstein Reveals the Real Founding Fathers

By Andrea Juncos

What would our nation's Founding Fathers say if we asked them how to solve today's most pressing political problems? According to Distinguished Adjunct Professor R.B. Bernstein, an expert in constitutional history, it might be something along the lines of "Figure it out for yourselves!" In his latest book, *The Founding Fathers Reconsidered* (Oxford University Press, 2009), Professor Bernstein shows the nation's founders for who they really were: remarkable, imperfect human beings.

His 200-page overview examines who the Founding Fathers were, what they accomplished, and why they are important to us today. He outlines the challenges and questions they faced throughout the Revolutionary War, the development of the Constitution, and the creation of a new nation. Rather than all-knowing deities, Professor Bernstein compares the founders to Indiana Jones, because they were "making it up as they went along."

Squashing the theory of original intent, Professor Bernstein points to several instances where the Founding Fathers were "unpleasantly surprised by how the Constitution worked." Looking to them for advice on how to govern ourselves today, he says, is like holding on to the childhood notion that parents know everything. Eventually, we all have to grow up and take care of ourselves.

That's exactly what Professor Bernstein believes the Founding Fathers expected of us. He says the best way to honor them is to follow their example. "We are truest to them when we plumb the depths of whatever political creativity we can muster in solving our problems."

Professor Bernstein's book is both scholarly and accessible, a balance he constantly strives to maintain. "I'm trying my damndest to show that it can be done and should be done. There is a lot of bad information out there, but the general reader is hungry for good information, and that's what I'm trying to give."

Showing the human side of these leaders was easy, says Professor Bernstein, citing plenty of juicy material. He describes John Adams's insecurity, George Washington's temper, and Jefferson and Hamilton's constant battles. "They're just a fun bunch of guys," he laughs.

One of the most enjoyable parts of writing the book was tracking how the founders' reputations have changed



over time—both individually and as a group. "They're on a teeter totter," he says of their shifting popularity. "There are years when Jefferson's stock is down, and Hamilton's is up."

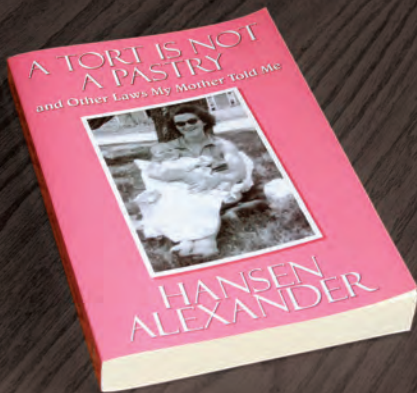
When he started writing, Professor Bernstein didn't have an ending in mind. But on Election Day 2008, when Barack Obama told Americans, "Our union can be perfected," the book's epilogue was born. It traces the theme of perfecting the union throughout American history, citing leading African American thinkers, and ends by linking to similar concepts in the Talmud. "This basically illuminates the relationship we should have with the Founding Fathers: to go beyond them and perfect what they did," Professor Bernstein says.

Professor Bernstein's fascination with the founding period began when he was in high school in the early 1970s. When he saw the Broadway musical *1776*, he was struck by its depiction of the Founding Fathers as real people with human frailties. At the same time, he watched what he describes as a "constitutional crisis" unfolding in the White House. "Richard Nixon was trying to feed the Constitution through a paper shredder, and I didn't like it," he says. Professor Bernstein found a hero in renowned historian Henry Steele Commager, whose criticism of Nixon in *The New York Times* left him "entranced." He followed Commager to Amherst College, where the brilliant historian became one of Professor Bernstein's most influential mentors.

Today, Professor Bernstein is earning his own followers, as a distinguished professor, historian, and author. His next project is a biography of John Adams, which, no doubt, will bring the real Adams to life—flaws and all. ■

Hansen Alexander '98 Puts a Light-Hearted Twist on the Law

By Christine Pakkala



Despite the fact that he has written four books and runs a successful solo practice in New York City, Hansen Alexander '98 refuses to take himself—or any notion that law books should be ponderous and opaque—seriously. Even the title of his new general interest law book, *A Tort Is Not a Pastry: And Other Laws My Mother Told Me* (PublishAmerica, 2009), invites the reader to relax and enjoy the ride. But the book, while entertaining, is a substantive read. Alexander describes it as an introduction to the history of American law and “what the law now is: a period of dramatic changes.” Alexander argues that American law was created by using common sense and compromise—in other words, “as my mother used to say, ‘You can’t have everything your way in life.’”

A Tort Is Not a Pastry is concerned with general principles of law in the United States. To illustrate them, Alexander draws from highbrow to lowbrow, from sources as varied as Elvis’s will to *Hamlet* and *Sex and the City*. He uses *Hamlet* to discuss the legal process of determining whether a murder has been committed. Because of the “detailed nature of the murder plans,” he says, Claudius, Hamlet’s uncle who has murdered his father, has no defense.

“I would advise Claudius to cut some kind of deal with D.A. Hans Christian Andersen, such as plead to manslaughter, a lesser charge,” Alexander writes tongue in cheek.

In targeting a general audience, Alexander says he wrote about law as though exceptions did not exist,

substituting the idea of variety for exception or minority rule. For example, in writing about state variations for grounds for divorce, he “informed the reader that in Tennessee, impotence is grounds for divorce. It’s a fact a reader will remember.”

To conduct research for the book, Alexander reread all the landmark cases in every field of law—a 10-year process that he calls “a review of my legal education.” During this process, Alexander learned that there were “important nuances between the full opinions and the edited versions we read in school.” His research also focused on “constantly changing” family law state statutes. He read widely on American law, but also covered books on Roman law, British common law, and Catholic canonical law.

Alexander turned to New York Law School professors for information and editorial advice. He interviewed Professors James F. Simon and Nadine Strossen about constitutional law. He also learned from his friend and professor, Annette Gordon-Reed, whose “logical analysis of law as an investigative tool” in *Thomas Jefferson and Sally Hemings: An American Controversy* (University of Virginia Press, 1997) influenced him. Professors Lenni B. Benson and Carlin Meyer also provided information on labor and employment and immigration law.

During his 10-year endeavor, one challenge Alexander faced was keeping abreast of the U.S. Supreme Court as it handed down decisions in landmark cases “in age discrimination, the Americans with Disabilities Act, and the historic gay rights case *Lawrence v. Texas*, which struck down all our sodomy laws.”

“At times I wished the Supreme Court would stop deciding cases so I could finish my book,” Alexander laughs. “But it refused to cooperate.” ■

Jeanine M. Elbaz '09: The First Student Author from TriBeCa Square Press

By LaToya Jordan

This year, the issue of same-sex marriage has frequently been in the headlines with the controversy over Proposition 8 in California and the legalization of marriage for same-sex couples in Iowa, Vermont, Maine, and New Hampshire. With all the differing state laws on marriage and related options, *Marriage and Its Alternatives*, by Jeanine M. Elbaz '09 (TriBeCa Square Press, 2009), is a valuable resource for anyone who wants to stay informed on this issue.

Marriage and Its Alternatives is the inaugural monograph of *Legal Backgrounders*, a new series by the Law School's budding publishing house, TriBeCa Square Press, and the Program in Law & Journalism (PLJ). Students who contribute to the series attend a course conducted by PLJ and modeled on independent study; they choose a newsworthy legal topic and write a 60 to 80-page manuscript on the subject from a non-advocacy point of view.

Elbaz has always been interested in family and matrimonial law and plans to work in the field in the future. She culled information from various sources, including government and nonprofit Web sites, to write her 70-page monograph. *Marriage and Its Alternatives* is a concise, comprehensive, non-editorial comparison of marriage in its traditional and common-law forms with the emerging alternatives, including civil unions and domestic partnerships. It also features a state-by-state comparison table at the back of the book.

"Considering the constant legal changes surrounding same-sex marriage and marriage alternatives, there were many edits that had to be made throughout the

process," Elbaz says. Originally scheduled to go to press on the day the Iowa Supreme Court announced its decision to legalize gay marriage, the monograph had to be updated to account for that development. The next time the monograph was set to go to press, the Vermont legislature overrode the governor's veto of a same-sex marriage law, so the book was again revised. Future revisions will appear in an online version that can be found at www.tribecasquarepress.com.

TriBeCa Square Press was officially launched in July 2008. Along with PLJ and the *New York Law School Law Review*, the press is housed within the Office of Academic Publishing, led by Vice President Jethro K. Lieberman, Publisher and Editorial Director of TriBeCa Square Press.

"Part of the educational mission of New York Law School is to talk about law and other intellectual topics, not just to our students, but to the world at large," Professor Lieberman says. "We can now fulfill this mission with TriBeCa Square Press through the use of the printed word, whether in hard-copy form or online."

Professor Lieberman joined the Law School's faculty in 1985 and has many years of experience in publishing, having served as Legal Affairs Editor of *BusinessWeek* and as general counsel of a New York book publishing company earlier in his career. He is the author, co-author, or editor of more than 25 books and has won the American Bar Association's top literary prize, the Silver Gavel, twice. One of his books appeared on a *Publishers Weekly* best-seller list.

In addition to *Marriage and Its Alternatives*, TriBeCa Square Press has published *How I Teach* by Professor Donald H. Zeigler; *Conflicts of Interest Under the New York City Charter*, 2008 and 2009 editions, produced by the School's Center for New York City Law; and *The Winners Are: Authors, Books, and the Prizes They Have Won*, a keepsake edition for the 2008 Annual Meeting of the Association of American Law Schools. Professor Lieberman says that in addition to providing an outlet for external writers and faculty authors, a major goal of the press will be to encourage students to publish. In the 2009–10 academic year, there will be three monographs published by students on yet-to-be-determined newsworthy legal issues. ■



faculty highlights

NEW YORK LAW SCHOOL WELCOMES NEW FACULTY
MEMBERS, ANNOUNCES PROMOTIONS AND NEW ROLES

36

KNOW YOUR FACULTY FUN FACTS

39

FULL-TIME FACULTY ACTIVITIES

40

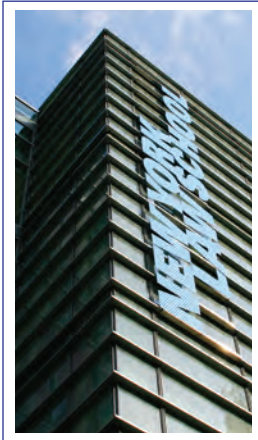
ADJUNCT FACULTY ACTIVITIES

50

New York Law School Welcomes New Faculty Members, Announces Promotions and New Roles

By LaToya Jordan

This year, New York Law School welcomes two new full-time faculty members—an expert in financial law and an expert in corporate law—to its renowned faculty of approximately 80 full-time professors. The Law School also celebrates the promotions of three faculty members: a 2009 Pulitzer Prize-winning author appointed to a named professorship, a real estate law expert promoted to full professor, and a newly-appointed dean who will guide students in the development of their professional portfolios. In addition, we celebrate the launch of our newest academic center and the family law expert who will serve as its director.



“We’re delighted to welcome our new faculty members to New York Law School,” says Stephen J. Ellmann, Associate Dean for Faculty Development and Collaborative Learning. “This is a great time for the Law School. We’re welcoming our new faculty and students to our brand-new, state-of-the-art academic building. We’re celebrating the successes of our existing faculty members. And we’re offering new programs, including advanced degree programs and innovative courses for the J.D., that raise the Law School’s profile for the best of reasons—because we’re providing a more valuable education for our students.”

PROMOTIONS



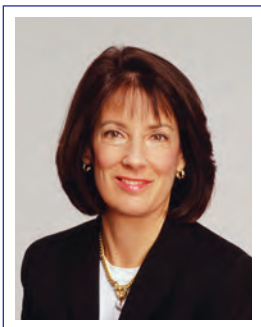
Andrew R. Berman, Professor of Law

Andrew R. Berman, Director of the Law School’s Center for Real Estate Studies (CRES), has been promoted to full professor. He is an expert on various aspects of real estate law, including real estate finance, sales and purchase contracts, real estate development, and commercial leasing. He teaches Property, Real Estate Transactions and Finance, and Sustainable Real Estate Development. In 2007, Professor Berman founded CRES, one of the nation’s leading academic research centers devoted to the study of both the private practice of real estate law and the public regulation of real estate. As Director, he has successfully expanded the School’s real estate law curriculum, created more opportunities for students interested in pursuing careers in real estate law, and developed a series of breakfast forums that bring leading practitioners in the field to the Law School. He has also partnered with the Dubai Real Estate Institute to develop executive education courses and graduate law programs and explore collaborative research initiatives. Prior to joining the Law School in 2002, Professor Berman spent nearly 15 years in private practice. He was a partner at Sidley Austin Brown & Wood LLP in its New York Real Estate Group, where he represented clients in all aspects of commercial real estate finance, including complex financing transactions such as mezzanine loans, preferred equity, and financings intended for securitization markets.



Annette Gordon-Reed, Wallace Stevens Professor of Law

Annette Gordon-Reed has been appointed the Wallace Stevens Professor of Law. The professorship honors the memory of a great American artist and 1903 New York Law School graduate, and acknowledges the arts and humanities as a force in the lives of many New York Law School lawyers and the greater New York legal community. Professor Gordon-Reed is recognized as one of the nation’s most distinguished presidential scholars. She recently won several prestigious awards for her latest book, *The Heminges of Monticello: An American Family* (W.W. Norton, 2008), which chronicles the multigenerational history of a slave family owned by Thomas Jefferson. She received the 2009 Pulitzer Prize in history—making her the first African American to win the prize in the history category—and the 2008 National Book Award in nonfiction. She also received the 2009 George Washington Book Prize, awarded annually to the “most important new book about America’s founding era”; the 2009 Anisfield-Wolf Book Award from the Cleveland Foundation, which recognizes books that address issues of race and culture; and a 2009 Guggenheim Fellowship for continued study in U.S. history from the John Simon Guggenheim Memorial Foundation. Professor Gordon-Reed is also the author of *Thomas Jefferson and Sally Hemings: An American Controversy* (University of Virginia Press, 1997), co-author of *Vernon Can Read!: A Memoir* (with Vernon E. Jordan Jr.) (Public Affairs, 2001), and editor of *Race on Trial: Law and Justice in American History* (Oxford University Press, 2002). Professor Gordon-Reed has taught at the Law School since 1992. She also teaches at Rutgers, The State University of New Jersey, where she was recently appointed Rutgers Board of Governors Professor of History.



Mariana Hogan, Associate Dean for Professional Development

Mariana Hogan has been named Associate Dean for Professional Development. In this role, she will oversee the Offices of Career Services, Public Interest and Community Service, and Student Life—with the mission of helping students develop professional portfolios that link their passions and interests to the job market. Professor Hogan will continue her 15-year tenure as Director of the Externship Program, which provides approximately 30 percent of second- and third-year law students with opportunities to intern with judges or lawyers in government, public interest organizations, corporations, and law firms. Professor Hogan joined the Law School in 1992 after a successful career in criminal law. She worked as a staff attorney in the Legal Aid Society’s Criminal Defense Division in the South Bronx and as a federal public defender in the Eastern District of New York. Professor Hogan continues her passion for criminal justice and trial advocacy at the Law School, where she helped develop the Criminal Law Clinic and teaches Trial Advocacy and Advocacy of Criminal Cases. Professor Hogan is an active member of the legal community, serving in a number of roles, including board member of the New York County Lawyers’ Association and faculty member for the National Institute for Trial Advocacy.

NEW FULL-TIME FACULTY APPOINTMENTS



Tamara C. Belinfanti, Associate Professor of Law

Tamara C. Belinfanti joins the Law School in the fall 2009 semester and will teach Contracts, Corporations, and a transactional skills course titled Closing the Deal. Her teaching and scholarly interests are primarily in the fields of corporate law and law and culture. Previously, Professor Belinfanti was a corporate attorney at Cleary Gottlieb Steen & Hamilton LLP. While at the law firm, she counseled domestic and international clients on U.S. securities and general corporate law matters; was co-editor of a securities law treatise, *U.S. Regulation of the International Securities and Derivatives Market* (Aspen, 2003); and participated in a law teaching pilot program in New York City public high schools. Professor Belinfanti's recent article on the proxy advisory industry is forthcoming in the *Stanford Journal of Law, Business & Finance*. She is a legal aid volunteer and a member of the New York bar.



Houman B. Shadab, Associate Professor of Law

Houman B. Shadab is a recognized expert in financial law and regulation. He joins the faculty in the fall 2009 semester and will teach Contracts, Corporations, and a seminar on the financial crisis and regulatory policy. Professor Shadab has written articles published or forthcoming in journals such as the *Berkeley Business Law Journal*, the *New York University Journal of Legislation and Public Policy*, and the *University of Pennsylvania Journal of Business Law*. He also authored a chapter on credit derivatives in *Lessons from the Financial Crisis: Insights and Analysis from Today's Leading Minds*, to be published by John Wiley & Sons in 2010. His research has been cited by the Delaware Court of Chancery and in a study on hedge funds commissioned by the European Parliament's Committee on Economic and Monetary Affairs. Professor Shadab recently testified before Congress on executive compensation and on the role of hedge funds in the financial crisis, and he has been quoted by or appeared on media outlets such as *The New York Times*, *NBC Nightly News*, and Bloomberg Television. Prior to joining New York Law School, Professor Shadab was a commercial and securities litigation attorney with Latham & Watkins LLP in Los Angeles and Ropes & Gray LLP in New York City, and a senior research fellow at George Mason University's Mercatus Center.

NEW ROLES



Carlin Meyer, Director, Diane Abbey Law Center for Children and Families

Carlin Meyer has taken on a new role as Director of the School's Diane Abbey Law Center for Children and Families. Professor Meyer is an activist, scholar, and teacher who champions progressive politics at New York Law School and within legal education in general. At the Law School, she teaches Contracts, Employment Law, Guardianship, Family Law, and Feminist Jurisprudence. Professor Meyer has served on the New York City Mayor's Commission on the Status of Women and was a consultant to its Sexual Harassment Task Force. She has taught and written on matters ranging from feminist jurisprudence to separation of powers under the U.S. Constitution, and is a frequent commentator on issues related to gender, families, and employment. She also serves as an arbitrator between New York City and its unions, and has written numerous decisions concerning jurisdiction, discipline, safety and health, and other matters. Before joining New York Law School, Professor Meyer was Bureau Chief for Labor in the New York State Attorney General's Office. **f**

KNOW YOUR FACULTY FUN FACTS

We all know New York Law School professors are accomplished academics. But what do they do for fun outside of work? What makes them tick? And what crazy adventures have they had in the past? Match the fun facts below with the professors listed in the box.

A. Susan J. Abraham	E. Lenni B. Benson	I. Deborah N. Archer	M. Howard S. Meyers
B. Richard D. Marsico	F. James Grimmelmann	J. Brandt Goldstein	N. Richard Chused
C. Kris Franklin	G. Cameron Stracher	K. Ronald H. Filler	O. Michael L. Perlin
D. David Schoenbrod	H. Faith Stevelman	L. Rebecca Roiphe	

1. This professor is a serious student of architecture.

2. This self-proclaimed "severe weather junkie" recently went on a storm-chasing "vacation" and witnessed a tornado land in LaGrange, Wyoming.

3. This professor is Vice President of the Mamaroneck, New York School Board.

4. Growing up in Connecticut, this professor's first summer job was picking tobacco.

5. This professor is a competitive 5k runner.

6. Twenty years ago, this professor appeared on the CBS news show *West 57th Street* playing cello and learning from a world-famous cellist.

7. This Bob Dylan expert wrote an essay "Oh Mercy: Blood on the Cusp" that will be featured in the first issue of *Montague Street*, a new journal devoted to criticism and commentary on the work of Bob Dylan.

8. This tool-toting professor has installed tile in five bathrooms.

9. This science fiction nut loves seeing alternative worlds in literature and TV as a way of exploring current issues of social justice and how our society treats outsiders or "aliens."

10. This equestrian is happiest on a thoroughbred and rides every week, even in winter.

11. This professor has sailed a boat made of wine corks down the Douro River in Portugal, and served as a consulting producer on the NBC Donald Trump show *The Apprentice*.

12. This professor picks and eats wild mushrooms, based on many years spent in the woods learning what's safe to eat.

13. This avid golfer recently got a hole in one.

14. This professor watches musicals (like *Annie* and *The Sound of Music*) with a 4-year-old daughter.

15. This techie plays drums and guitar in the video game "Rock Band," but can't be persuaded to sing.

GOOD LUCK!



[Deborah N. Archer]



[Richard C.E. Beck]



[Lenni B. Benson]



[Andrew R. Berman]

Full-Time Faculty Activities

Compiled by Denise Tong

The following items represent a sampling of the activities of our full-time faculty from the spring 2009 semester.

Deborah N. Archer

Appointments

Selected as a 2009 Aspen Ideas Festival Scholar (2009).

Elected to the Board of Directors of the national American Civil Liberties Union (2009).

Scholarly Presentations

Co-hosted “Challenging the School-to-Prison Pipeline,” a symposium sponsored by New York Law School’s Justice Action Center, the NEW YORK LAW SCHOOL LAW REVIEW, and the American Civil Liberties Union’s Racial Justice Program (April 2009).

Testimonies and Legal Consultation

Filed an *amicus curiae* brief in U.S. Supreme Court case *Ricci v. DeStefano*, with Professor Elise C. Boddie (March 2009).

Richard C.E. Beck

Publications

The Tax Treatment of Cancelled Interest and Penalties on Consumer Debt, 53 NEW YORK LAW SCHOOL LAW REVIEW 1025–1038 (2008–09).

Lenni B. Benson

Appointments

Named to the LexisNexis Law School Publishing Advisory Board, 2009–10 term (2009).

Chair, Association of American Law Schools (AALS) section on Immigration Law (2009).

Chair, Immigration and Naturalization Committee of the ABA Administrative Law and Regulatory Practice Section (2009).

Scholarly Presentations

Moderated “False Claims to U.S. Citizenship,” a panel on states and Real ID compliance at the American Immigration Lawyers Association’s 2009 Annual Conference, Las Vegas (June 2009).

Spoke at the 2009 Judicial Education Conference for the State of Connecticut Judicial Branch on the intersection of immigration law and the state courts, Hartford, Conn. (June 2009).

Moderated “Immigration Detention: Due Process Challenges and Prospects for Change,” a panel presented by the New York Lawyer Chapter of the American Constitution Society, New York (April 2009).

Moderated “Gender on the Frontiers: Confronting Intersectionalities,” a symposium at Columbia Law School, New York (April 2009).

Publications

IMMIGRATION LAW: PROBLEMS AND STRATEGIES (LexisNexis, forthcoming).

Media References and Appearances

Interviewed concerning state attempts to regulate immigration, BNA’s UNITED STATES LAW WEEK (March 2009).

Andrew R. Berman

Appointments

Promoted to full professor (2009).

Appointed to Responsible Property Investment Council of the Urban Land Institute (Spring 2009).

Scholarly Presentations

Organized “Third Annual Conference on Trends in New York City Land Use and Real Estate Development,” CLE conference sponsored by the Law School’s Center for Real Estate Studies, Center for New York City Law, and the New York City Law Department, New York Law School (April 2009).

Organized and moderated “Real Estate Workouts in a Securitized World,” breakfast forum sponsored by the Center for Real Estate Studies at New York Law School (March 2009).

Organized and moderated “Major Redevelopment Projects at the Department of City Planning: The Lawyer’s Perspective,” Master Class with David Karnovsky, General Counsel, NYC Department of City Planning, sponsored by the Center for Real Estate Studies at New York Law School (March 2009).

Presented “The Regulation and Financing of Green Buildings” during “Regulating for Sustainability I: Strategies in Policy and Regulation,” a panel at “ELEVATE 2009: Climate Change and the New Frontiers of Urban Development,” the University of Colorado Law School’s *Law Review* Symposium, Boulder, Colorado (February 2009).

Organized and moderated “How Did Donald Trump Build a 42–45 Story Condo-Hotel in SoHo?” Master Class with Richard Landman ’88, Adjunct Professor of Urban Planning at NYU’s Robert F. Wagner School of Public Service, sponsored by the Center for Real Estate Studies at New York Law School (February 2009).



[Robert Blecker]



[Elise C. Boddie]



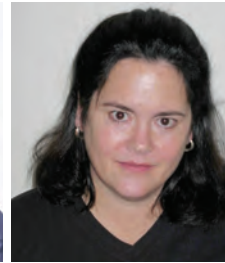
[Lloyd Bonfield]



[Michael Botein]



[James Brook]



[Elizabeth Chambliss]



[Tai-Heng Cheng]

Publications

'Once a Mortgage, Always a Mortgage'—The Use (and Misuse) of Mezzanine Loans and Preferred Equity Investments, 11 *Stanford Journal of Law, Business & Finance* 76 (2005) excerpted in REAL ESTATE TRANSFER, FINANCE, AND DEVELOPMENT (8th ed. West, 2009).

Risks and Realities of Mezzanine Loans, 72 *Missouri Law Review* 993 (2007) excerpted in REAL ESTATE TRANSACTIONS, FINANCE, AND DEVELOPMENT (6th ed. LexisNexis, 2009).

Projects

Invited to co-author the next edition of the casebook REAL ESTATE TRANSACTIONS, FINANCE, AND DEVELOPMENT (LexisNexis, forthcoming).

Robert Blecker

Media References and Appearances

'Blecker' Deftly Stands Alone on Both Sides of Death Penalty, THE WASHINGTON POST (March 2009).

Law Prof Learns from Inmate in 'Robert Blecker Wants Me Dead,' ABA JOURNAL (March 2009).

Hills and Valleys: *Mountain* Fails to Peak; *Blecker* Explores the Depths of Despair, WASHINGTON CITY PAPER (March 2009).

An Advocate of Killing Killers Learns from One, THE NEW YORK TIMES (March 2009).

New Lethal Injection Protocol Is Possible, OMAHA WORLD-TRIBUNE (February 2009).

Robert Blecker Wants Me Dead (2008): All About Robert Blecker, THE NEW YORK TIMES (February 2009).

Robert Blecker Wants Me Dead, THE NEW YORK POST (February 2009).

Film Documents Law Professor's Relationship with Death Row Inmate, NEW YORK LAW JOURNAL (February 2009).

Elise C. Boddie

Testimonies and Legal Consultation

Filed an *amicus curiae* brief in U.S. Supreme Court case *Ricci v. DeStefano*, with Professor Deborah N. Archer (March 2009).

Lloyd Bonfield

Appointments

Appointed Associate Director of New York Law School's Center for International Law (2009).

Michael Botein

Publications

Working on a book on U.S. Internet law (Kluwer Academic Publishers, forthcoming).

Federal Regulation of FIOS and Lightspeed: A Tale of Two Jurisdictional Dilemmas, 53 *NEW YORK LAW SCHOOL LAW REVIEW* 1041–1055 (2008–09).

Projects

Participated in the annual meeting of the European Audiovisual Observatory, Strasbourg, France (June 2009).

Participated in the annual meeting of the Rockwood Foundation, Colorado Springs, Colorado (February 2009).

James Brook

Publications

SALES AND LEASES: EXAMPLES & EXPLANATIONS. 5th ed. (Aspen Publishers, 2009).

Elizabeth Chambliss

Scholarly Presentations

Keynote speaker, first convocation on the topic of lawyer independence, the New York State Judicial Institute on Professionalism in the Law, Fordham Law School (June 2009).

Presenter and panelist, "New Sources of Managerial Authority in Large Law Firms" at the Law & Society Association's Annual Meeting, Denver, Colorado (May 2009).

Publications

New Sources of Managerial Authority in Large Law Firms, 22 *GEORGETOWN JOURNAL OF LEGAL ETHICS* 63 (2009).

Projects

Proposed two-year ethnographic study of large law firm culture approved for funding by the Law School Admissions Council (April 2009).

Tai-Heng Cheng

Appointments

Elected to The American Law Institute (March 2009).

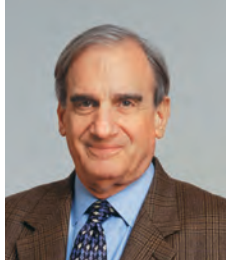
Joined the consultative group for The American Law Institute's project, Restatement Third, The U.S. Law of International Commercial Arbitration (May 2009).

Scholarly Presentations

Presented a revised version of the first chapter of his forthcoming book, AN INTERNATIONAL LAW PARADIGM (Oxford University Press), at Vanderbilt Law School, Nashville, Tenn. (April 2009).



[Richard Chused]



[Sydney M. Cone III]



[Diane L. Fahey]



[Ronald H. Filler]

Presented “The Idea of Law,” at a book discussion featuring the 2009 winner of the ASIL Certificate of Merit for Creative Scholarship, *THE HISTORICAL FOUNDATIONS OF WORLD ORDER: THE TOWER AND THE AVENA*, by Douglas M. Johnston, at the 2009 Annual Meeting of the American Society of International Law; the presentation will be published in the 2009 Proceedings of the American Society of International Law Annual Meeting (March 2009).

“The Global Regulation of Intellectual Property and Its Implications for Legal Theory,” Hong Kong University School of Law (February 2009).

Presented the first chapter of his forthcoming book, *AN INTERNATIONAL LAW PARADIGM* (Oxford University Press), at Temple University Beasley School of Law, Philadelphia (February 2009).

Publications

Shaping an Obama Doctrine of Preemptive Force, *TEMPLE LAW REVIEW* (forthcoming).

Precedent and Control in Investment Treaty Arbitration, 30 *FORDHAM INTERNATIONAL LAW JOURNAL* 1014 (2007), *revised and republished in INVESTMENT TREATY LAW III: CURRENT ISSUES* (A. Bjorklund & I. Laird, eds., British Institute of International and Comparative Law, 2009) (February 2009).

What’s Reasonable Depends on Who’s Asking, in *BALTIC YEARBOOK OF INTERNATIONAL LAW, VOLUME 8* (C. Laurin, ed., Brill, 2009).

Projects

As part of the five-member Awards Committee of the American Society of International Law (ASIL), selected one book out of 60 for ASIL’s preeminent award for scholarship (Spring 2009).

Coached New York Law School’s inaugural Vis Arbitration Moot team (Spring 2009).

Richard Chused

Publications

Javins v. First National Realty, chapter in *PROPERTY STORIES*, 2nd ed. (G. Korngold and A. Morriss, eds., Foundation Press 2009).

Sydney M. Cone III

Scholarly Presentations

Commented on the eligibility of graduates of foreign law schools to take the New York State Bar Examination when the foreign law schools are affiliated with U.S. law schools, at a meeting of the Association of the Bar of the City of New York’s International Legal Services Task Force (Spring 2009).

Presented on the U.S.-Colombia Free Trade Agreement (FTA) and imperialism in FTAs, at a meeting of the Association of the Bar of the City of New York’s International Trade Committee (February 2009).

Diane L. Fahey

Publications

Can Tax Policy Stop Human Trafficking? 40 *GEORGETOWN JOURNAL OF INTERNATIONAL LAW* 345 (2009).

Ronald H. Filler

Appointments

Member, ABA Section on Business Law’s Task Force on Financial Markets and Regulatory Reform, a group that is preparing a white paper on the regulation of OTC derivatives (2009).

Scholarly Presentations

Lecturer, moderator, and panelist at “Global Markets...What’s Next?” a seminar sponsored by RiskMathics Financial Innovation, Mexico City (June 2009).

Moderated three panels at the Futures Industry Association (FIA) Law and Compliance Division’s Conference on the Regulation of Futures, Derivatives and OTC Products, National Harbor, Maryland (May 2009).

Moderated “Standards of Market Manipulation—Past, Present, and Future” at “Fear, Fraud, and the Future of Financial Regulations,” a symposium sponsored by New York Law School’s Center on Business Law & Policy (April 2009).

Presented “The Current Global Financial Crisis” during “The Exchange Industry After Lehman,” a panel at the IOMA/IOCA Annual Conference, sponsored by the World Federation of Exchanges, Frankfurt, Germany (April 2009).

Moderator, “The Current Financial Crisis,” a panel at “Lessons Learned from Recent Financial Markets Events,” the U.S. Commodity Futures Trading Commission’s (CFTC) annual strategic planning session, Boca Raton, Florida (March 2009).



[Doni Gewirtzman]



[Brandt Goldstein]



[Annette Gordon-Reed]



[James Grimmelmann]

Presenter, “Current Financial Regulatory Issues,” at “Credit Crisis—Market Structure Issues,” the Winter Meeting of the ABA Committee on the Regulation of Futures and Derivative Instruments, San Juan, Puerto Rico (January 2009).

Publications

What Is Margin and How Is It (or Should It Be) Determined? 29 FUTURES & DERIVATIVES LAW REPORT (March 2009).

Who Has, or Who Should Have, Jurisdiction over CDS Clearing? 29 FUTURES & DERIVATIVES LAW REPORT (January 2009).

Projects

Attended annual strategic planning session of the FIA Board of Directors, Miami, Florida (January 2009).

Doni Gewirtzman

Publications

Our Founding Feelings: Emotion, Commitment, and Imagination in Constitutional Culture, 42 UNIVERSITY OF RICHMOND LAW REVIEW 623–683 (2009).

Brandt Goldstein

Publications

A DOCUMENTARY COMPANION TO STORMING THE COURT (Aspen Publishers, 2009) (with R. Citron & M. Land).

Obama’s Guantánamo Mistake: He’s Not Closing Gitmo the Right Way, THE HUFFINGTON POST (January 2009).

Media References and Appearances

Early Test of Obama View on Power Over Detainees, THE NEW YORK TIMES (January 2009).

Annette Gordon-Reed

Awards and Recognition

Received several awards for her book THE HEMINGSES OF MONTICELLO: AN AMERICAN FAMILY (W.W. Norton, 2008), including the 2009 George Washington Book Prize (May 2009), the 2009 Anisfield-Wolf Book Award (April 2009), and the 2009 Pulitzer Prize in History (April 2009).

Received the Guggenheim Memorial Foundation Fellowship (April 2009).

Appointments

Appointed Rutgers Board of Governors Professor of History at Rutgers, The State University of New Jersey (July 2009).

Appointed Wallace Stevens Professor of Law at New York Law School (May 2009).

Media References and Appearances

Only a Brief Pause for Rest, THE NEW YORK TIMES (June 2009).

Add Washington Book Prize to the ‘Hemingses’ Haul, THE WASHINGTON POST (May 2009).

Family Matters: Mr. Jefferson, Meet Sally Hemings. The Rest is History, THE MIAMI HERALD (May 2009).

Books that Explore Race in U.S. Lead Arts Pulitzers, THE WASHINGTON POST (April 2009).

The New Anisfield-Wolf Book Awards Go to Louise Erdrich, Nam Le and Annette Gordon-Reed, THE PLAIN DEALER (April 2009).

James Grimmelmann

Scholarly Presentations

Spoke at “Saving Facebook: Yale ISP Lunch Speaker Series with James Grimmelmann,” hosted by the Information Society Project, Yale Law School (April 2009).

Panelist, “The Problem of Perspective in Internet Trademark Law,” at “Trademark Law in a Global Economy,” sponsored by the Penn Intellectual Property Group, University of Pennsylvania Law School (April 2009).

Panelist, “Don’t Censor Search,” at “Intermediaries in the Information Society,” a Law & Information Society symposium, Fordham University School of Law (March 2009).

Presented “Google and the Zombie Army of Orphans” at “Google and the Future of Higher Education,” the Eighth Scholarly Communication Symposium, Georgetown University (February 2009).

Publications

How to Fix the Google Book Search Settlement, 12(10) JOURNAL OF INTERNET LAW 1 (April 2009).

The Google Book Search Settlement: Ends, Means, and the Future of Books, Issue Brief, THE AMERICAN CONSTITUTION SOCIETY FOR LAW AND POLICY (April 2009).

Virtual World Feudalism, 118 YALE LAW JOURNAL POCKET PART 126 (January 2009).

The Ethical Visions of Copyright Law, 77 FORDHAM LAW REVIEW 2005 (2009).

The Google Dilemma, 53 NEW YORK LAW SCHOOL LAW REVIEW 939 (2008–09).

Koans of Equity, 58 JOURNAL OF LEGAL EDUCATION 472 (2008).



[Lawrence M. Grosberg]



[Karen Gross]



[Seth D. Harris]



[Randolph N. Jonakait]



[Gerald Korngold]



[Molly Beutz Land]



[William P. LaPiana]

Lawrence M. Grosberg

Scholarly Presentations

Plenary speaker and workshop leader at “Legal Education in the Arab World: Current Status and Future Perspectives,” a conference co-sponsored by the ABA Rule of Law Initiative and Qatar University’s College of Law, Doha, Qatar (March 2009).

Karen Gross

Media References and Appearances

Q&A: Dr. Karen Gross, President, Southern Vermont College, VERMONT BUSINESS MAGAZINE (June 2009).

Seth D. Harris

Appointments

Named Deputy Secretary of the U.S. Department of Labor (Spring 2009).

Media References and Appearances

Obama Picks Have State Ties, TIMES UNION (June 2009).

Randolph N. Jonakait

Publications

The Rise of the American Adversary System, 14 WIDENER LAW REVIEW 323 (Summer 2009).

Originalism as the Defense Attorney’s Friend: Expanding Sixth Amendment Rights, 33 THE CHAMPION 38 (May 2009).

Media References and Appearances

Stereotypes Confound Jury Selection, THE BALTIMORE SUN (June 2009).

Gerald Korngold

Scholarly Presentations

Chaired “Globalizing Conservation Easements,” a workshop sponsored by the Lincoln Institute of Land Policy, Cambridge, Massachusetts (March 2009).

Publications

Sanborn v. McLean: A Strange Tale of Inquiry Notice and Implied Burdens, chapter in PROPERTY STORIES. 2nd ed. (G. Korngold and A. Morriss, eds., Foundation Press, 2009).

Legal and Policy Choices in the Aftermath of the Subprime and Mortgage Financing Crisis, 60 SOUTH CAROLINA LAW REVIEW 727 (2009).

REAL ESTATE TRANSACTIONS: CASES AND MATERIALS ON LAND TRANSFER, DEVELOPMENT AND FINANCE. 5th ed. (Foundation Press, 2009) (with P. Goldstein).

Statute, Form and Problem Supplement to REAL ESTATE TRANSACTIONS: CASES AND MATERIALS ON LAND TRANSFER, DEVELOPMENT AND FINANCE. 5th ed. (Foundation Press, 2009) (with P. Goldstein).

Private Conservation Easements: Balancing Private Initiative and the Public Interest, chapter in PROPERTY RIGHTS AND LAND POLICIES. (G. Ingram and Y. Hong, eds., Lincoln Institute of Land Policy, 2009).

Molly Beutz Land

Scholarly Presentations

Delivered “Human Rights, Copyright, and Culture,” the Clason Lecture, at Western New England College of Law (April 2009).

Commentator on “Labor Flexibility, Legal Reform and Economic Development” at the Vanderbilt International Legal Studies Program’s Spring 2009 Roundtable “The Law and Politics of International Cooperation,” Vanderbilt University Law School, Nashville, Tenn. (April 2009).

Moderated “Global Intellectual Property as a Matter of Life or Death,” the Center for International Law’s C.V. Starr Lecture with speaker Ruth Okediji, New York Law School (March 2009).

Publications

Choice of Forum in European Patent Litigation, LEXISNEXIS PATENT LAW CENTER (September 2009) (with N. Kennedy).

Networking Activism, HARVARD HUMAN RIGHTS JOURNAL (forthcoming).

Peer Producing Human Rights, 46 ALBERTA LAW REVIEW (2009).

A DOCUMENTARY COMPANION TO STORMING THE COURT (Aspen Publishers, 2009) (with R. Citron & B. Goldstein).

Protecting Rights Online, 34 YALE JOURNAL OF INTERNATIONAL LAW 1 (Winter 2009).

William P. LaPiana

Appointments

Appointed to the New York State Office of Court Administration’s Surrogate’s Court Advisory Committee (Spring 2009).

Scholarly Presentations

Featured speaker at the monthly Fiduciary Roundtable presented by U.S. Trust, Bank of America Private Wealth Management, New York (May 2009).



[Arthur S. Leonard]



[Jethro K. Lieberman]



[Kevin Noble Maillard]



[Richard D. Marsico]



[Richard A. Matasar]

Presented “Ethics in the Representation of Same-Sex Couples” at “Planning for Same-Sex and Unmarried Couples: Probate, Property, and Family Law,” a CLE program hosted by the Association of the Bar of the City of New York, New York (April 2009).

Arthur S. Leonard
Scholarly Presentations

Panelist, “*Hernandez v. Robles*: Three Years Later—How the World Has Changed,” the Forum on the Future of Same-Sex Relationships in New York, sponsored by the Association of the Bar of the City of New York’s Lesbian, Gay, Bisexual and Transgender Rights Committee and the Lesbian, Gay, Bisexual & Transgender Community Center, New York (May 2009).

Presented “Updates in the Law Nationwide” at “Planning for Same-Sex and Unmarried Couples: Estate Planning, the New York Executive Order and Other Updates in the Law,” a CLE program sponsored by the Association of the Bar of the City of New York, New York (April 2009).

Publications

Cal Supreme Court May Split Decision, *GAY CITY NEWS* (March 6, 2009), one of numerous articles written between January 1, 2009 and June 30, 2009 as contributor to *GAY CITY NEWS*.

Media References and Appearances

Marriage: ‘Too Big to Fail,’ *THE ADVOCATE* (May 2009).

On a Matter of Marriage in New York, *THE NEW YORK TIMES’ City Room* blog (May 2009).

Interviewed by Sirius Radio on the effect, if any, of Justice Souter’s retirement on future Supreme Court consideration of LGBT issues (May 2009).

Same-Sex Marriage at a Tipping Point? Nation May Have Turned Corner After Vermont, Iowa and D.C. Developments, *WASHINGTON BLADE* (April 2009).

Man Found Entitled to Inherit Estate of His Same-Sex Partner, *NEW YORK LAW JOURNAL* (February 2009).

Jethro K. Lieberman
Publications

The Decennial Supplement, a cumulative one-volume supplement to his book *A PRACTICAL COMPANION TO THE CONSTITUTION* (University of California Press, 1999) (February 2009).

Kevin Noble Maillard
Scholarly Presentations

Delivered “The Paradox of Sovereignty: Race and Tribal Membership,” the Robert D. and Leslie-Kay Raven Lecture on Access to Justice, at “Beyond Law’s Divide: Effective Strategies for Redress in the 21st Century,” a symposium at UC Berkeley School of Law (March 2009).

Richard D. Marsico
Scholarly Presentations

Panelist, “CRA 2.0—High Impact CRA,” at the 2009 National Conference hosted by the National Community Reinvestment Coalition, Washington, D.C. (March 2009).

Publications

An Analysis of the Implementation and Impact of the 2004–2005 Amendments to the Community Reinvestment Act Regulations: The Continuing Importance of the CRA Examination Process, 53 *NEW YORK LAW SCHOOL LAW REVIEW* 271–292 (2008–09) (with J. Silver).

Racial Disparities in Subprime Home Mortgage Lending in New York City: Meaning and Implications, 53 *NEW YORK LAW SCHOOL REVIEW* 1011–1023 (2008–09) (with J. Yoo).

Introduction (Symposium Issue: The Community Reinvestment Act: Still Relevant at 30?), 53 *NEW YORK LAW SCHOOL LAW REVIEW* 193 (2008–09).

Richard A. Matasar
Scholarly Presentations

Presented “A Meditation on the Future of Legal Education: Producing Outcomes” during “Changes in Legal Education,” a panel at the Best Lawyers 25th Anniversary Event, Atlanta (April 2009).

Panelist, “Training Future Lawyers: All-Inclusive Approaches to Legal Education,” at “A Legal Education Prospectus: Law Schools & Emerging Frontiers in Curriculum, Lawyering, and Social Justice,” the *RUTGERS LAW REVIEW’S* Centennial Symposium, Rutgers School of Law–Newark (April 2009).

Panelist, “The Dean as Financial Manager,” at “A Joint Meeting of Law School Deans and Chief Justices,” the 38th Annual ABA Deans’ Workshop, Scottsdale, Arizona (January 2009).



[Carlin Meyer]



[Howard S. Meyers]



[Stephen A. Newman]



[Beth Simone Noveck]



[Rudolph J.R. Peritz]

Media References and Appearances

Academic Freedom Comes Under Fire at Law-School Clinics, *THE CHRONICLE OF HIGHER EDUCATION* (June 2009).

Cost of Law School Can Be Contained: Dean, *CHICAGO DAILY LAW BULLETIN* (May 2009).

'Best Lawyers' Panels Agree that Law Schools, Firms Need Retooling, *Law.com* (April 2009).

'Best Lawyers' Talk Law Schools and the Good Life In-House, *THE WALL STREET JOURNAL's Law Blog* (April 2009).

Most Innovative Law Schools, *PRELAW* (Winter 2009).

Carlin Meyer

Projects

Hosted a fund-raiser for Compassion and Choices, which supports autonomy and dignity in end-of-life decision making; continues to serve as a member of the organization's legal committee (May 2009).

Continues to serve as President of the Center for Inter-American Legal Education (2009).

Publications

Review of *WHY AREN'T MORE WOMEN IN SCIENCE? TOP RESEARCHERS DEBATE THE EVIDENCE* (S. Ceci and W. Williams, eds., American Psychological Association, 2006), *YALE JOURNAL OF LAW AND FEMINISM* (forthcoming).

Howard S. Meyers

Scholarly Presentations

Spoke about New York Law School's Securities Arbitration Clinic at a securities arbitration roundtable at Fordham Law School, New York (May 2009).

Moderated "The Changing Landscape of Financial Regulation: Improving Market Transparency," at "Fear, Fraud, and the Future of Financial Regulation," a symposium sponsored by New York Law School's Center on Business Law & Policy (April 2009).

Media References and Appearances

Broker Fiduciary Plan Favors Investors, *Roper Says*, *Bloomberg.com* (June 2009).

Stephen A. Newman

Publications

From John F. Kennedy's 1960 Campaign Speech to Christian Supremacy: Religion in Modern Presidential Politics, *53 NEW YORK LAW SCHOOL LAW REVIEW* 691-733 (2008-09).

Beth Simone Noveck

Appointments

Named head of the White House Open Government Initiative and Deputy Chief Technology Officer for the United States (Spring 2009).

Media References and Appearances

Obama Administration Launches IT Spending Tracker, *THE WALL STREET JOURNAL* (June 2009).

Ideas Online, Yes, but Some Not So Presidential, *THE NEW YORK TIMES* (June 2009).

Beth Noveck's Wiki Government (Book Review), *GOVERNMENT TECHNOLOGY* (June 2009).

White House Rolls Out Web Site, Initiatives to Boost Transparency, *THE WASHINGTON POST* (May 2009).

Government Wrestles with Social Media Records Retention Policies, *INFORMATIONWEEK* (May 2009).

Beth Noveck: Government Transparency Must Deliver Results, *GOVERNMENT TECHNOLOGY* (May 2009).

Peer-to-Patent: A System for Increasing Transparency, *BUSINESSWEEK* (March 2009).

The Other Big Transition: Change.gov Content Shifts to Whitehouse.gov at Noon, *THE NEW YORK OBSERVER* (January 2009).

Rudolph J.R. Peritz

Appointments

Elected to Executive Board, Academic Society for Competition Law (ASCOLA), Max Planck Institute, Munich, Germany (Spring 2009).

Scholarly Presentations

Co-organized and presented at ASCOLA's 2009 Annual Conference, "More Common Ground for International Competition Law?" at George Washington University Law School (June 2009).

Presented "The Fate of Monopolization" at a conference celebrating the decennial of *MERCATO, CONCORRENZA, REGOLE* (MCR), Milan, Italy (June 2009).

Presented comments during "Can Section 5 and Article 82 Converge?" a panel at the



[Michael L. Perlin]



[Rebecca Roiphe]



[Ross Sandler]

10th Annual Conference of the American Antitrust Institute, Washington, D.C. (June 2009).

Panelist, “Antitrust Epistemology,” at the 9th Annual Loyola Antitrust Colloquium, Loyola University Chicago School of Law, Chicago (May 2009).

Presented “Property Rights: The Dark Matter in Vertical Restraints Doctrine,” at the 2009 Federal Trade Commission (FTC) Workshop, “Resale Price Maintenance Under the Sherman Act and the Federal Trade Commission,” FTC Headquarters, Washington, D.C. (May 2009).

Lectured on competition policy and intellectual property at Queen Mary College, University of London, and the University of Essex; panelist at a colloquium on corporate responsibility and the human right to medical care at the University of Essex (March 2009).

Publications

INTELLECTUAL PROPERTY AND HUMAN RIGHTS: A COMPARATIVE PERSPECTIVE (Edward Elgar Publishing Ltd., forthcoming 2010) (Co-editor).

Thinking about Economic Progress: Arrow and Schumpeter in Time and Space, in TECHNOLOGY AND COMPETITION—TECHNOLOGIE ET CONCURRENCE: CONTRIBUTIONS IN HONOUR OF HANNS ULLRICH—MÉLANGES EN L’HONNEUR DE HANNS ULLRICH (J. Drexler, ed., Larquier, 2009).

Drug Makers’ Payments to Keep Generics Out of the Market: Why They’re Legal, Why They Shouldn’t Be, and What’s to Be Done (op-ed), published in FTC:WATCH (July 2009) and INTERNATIONAL REVIEW OF INTELLECTUAL PROPERTY AND COMPETITION LAW (June 2009).

Confidential Communiqué from Brussels—Antitrust in America: Fugitive on the Run, 62 SOUTHERN METHODIST LAW REVIEW 621 (2009).

**Michael L. Perlin
Scholarly Presentations**

Presented “The Impact of the New U.N. Convention on Global Human Rights Issues” to the staff of Human Rights Watch (June 2009).

Presented “Online Distance Education as a Tool of Change in Fusing International Human Rights, Mental Disability Law and Clinical Education” at the 2009 International Human Rights Clinicians Conference, UC Berkeley School of Law (March 2009).

Presented “Outlaws Inside?—The Potential Impact of the New U.N. Convention on the Rights of Persons with Disabilities for Persons Institutionalized Because of Mental and Psychosocial Disabilities, and Its Implications for the Future of International Human Rights Law,” at a seminar on the United Nations Convention on the Rights of Persons with Disabilities: Global and Local Views, hosted by the Permanent Mission of Finland to the United Nations, New York (March 2009).

Presented “‘And I See Through Your Brain’: Access to Experts, Competency to Consent, and the Impact of Antipsychotic Medications in Neuroimaging Cases in the Criminal Trial Process,” at “Neuroscience and the Courts: The Implications of Advances in Neurotechnology,” a conference at Stanford Law School (February 2009).

Presented “Is It the Dawn of a New Era? The Potential Impact of the New U.N. Convention on Domestic Mental Disability Law” to the Disability Rights Association of Tulane University Law School, New Orleans (February 2009).

Publications

“Where the Home in the Valley Meets the Damp Dirty Prison”: A Human Rights Perspective on Therapeutic Jurisprudence and the Role of Forensic Psychologists in Correctional Settings, 14 AGGRESSION & VIOLENT BEHAVIOR 256 (2009) (with A. Birgden).

“The Witness Who Saw/He Left Little Doubt”: A Comparative Consideration of Expert Testimony in Mental Disability Law Cases, 6 JOURNAL OF INVESTIGATIVE PSYCHOLOGY AND OFFENDER PROFILING 59–88 (2009) (with A. Birgden & K. Gledhill).

“His Brain Has Been Mismanaged with Great Skill”: How Will Jurors Respond to Neuroimaging Testimony in Insanity Defense Cases? 42 AKRON LAW REVIEW 885–914 (2009).

Projects

Spent two weeks in Israel teaching International Human Rights and Mental Disability Law in the University of Haifa’s Global Law Program as a Fulbright Senior Specialist; while there, made presentations and met with numerous faculty members about potential online partnerships with New York Law School (January 2009).

On behalf of the International Mental Disability Law Project of New York Law School’s Justice Action Center, joined as *amicus curiae* on a brief filed in the Supreme Court of Kentucky, in *Cochran v. Commonwealth*; also joined as *amicus curiae* on a brief in *Algodonero v. Mexico* in the Inter-American Court of Human Rights (2009).

**Rebecca Roiphe
Publications**

Regulating Discourtesy on the Bench: A Study in the Evolution of Judicial Independence, 64 NEW YORK UNIVERSITY ANNUAL SURVEY OF AMERICAN LAW 497 (2009) (with B. Green).

Lawyering at the Extremes: The Representation of Tom Mooney, 1916–1939, 77 FORDHAM LAW REVIEW 1731–1762 (2009).

**Ross Sandler
Publications**

Air Pollution: Building on the Successes, 17 NEW YORK UNIVERSITY ENVIRONMENTAL LAW JOURNAL 284 (2008) (with D. Schoenbrod & J. Schwartz).



[David Schoenbrod]



[Richard K. Sherwin]



[James F. Simon]



[Nadine Strossen]

Media References and Appearances

High Court Ruling Shapes Local Control: California Officials to Seek Relief from Court Oversight, *DAILY JOURNAL* (July 2009).

Citations

His book *DEMOCRACY BY DECREE: WHAT HAPPENS WHEN COURTS RUN GOVERNMENT* (Yale University Press, 2003) (with D. Schoenbrod) was cited in the majority opinion in *Horne v. Flores*, filed in the United States Supreme Court. Was among the co-authors of an *amicus curiae* brief urging the position adopted by the majority (with D. Schoenbrod) (2009).

David Schoenbrod

Scholarly Presentations

Panelist, “The Constitutional Legacy of the New Deal,” at “Brother, Can You Spare a Trillion? Lessons from the New Deal and Great Depression,” a conference at the Cato Institute, Washington, D.C. (June 2009).

Panelist, “The New Regulatory Climate: Greenhouse Gas Regulation in the Obama Administration,” a symposium co-hosted by New York University’s *ENVIRONMENTAL LAW JOURNAL* and Environmental Law Society (March 2009).

Publications

Air Pollution: Building on the Successes, *17NEWYORKUNIVERSITYENVIRONMENTAL LAW JOURNAL* 284 (2008) (with R. Sandler & J. Schwartz).

The Breaking the Logjam Project, *17 NEW YORK UNIVERSITY ENVIRONMENTAL LAW JOURNAL* 1 (2008) (with C. Herman, R. Stewart, & K. Wyman).

Unsettled Expectations: Reflections on Four Views of the Common Law and the Environment (Symposium Issue: Common Law Environmental Protection), *58 CASE WESTERN LAW REVIEW* 863 (2008).

Projects

Has discussed Breaking the Logjam, the environmental project cosponsored by New York Law School and NYU Law School, at numerous briefings on Capitol Hill, with the Council on Environmental Quality, the Environmental Protection Agency, and the Environmental Law Committee of the Association of the Bar of the City of New York; Yale University Press has also accepted for publication a book he will co-author about the project (Spring 2009).

Media References and Appearances

High Court Ruling Shapes Local Control: California Officials to Seek Relief from Court Oversight, *DAILY JOURNAL* (July 2009).

On Earth Day, Think Thoreau, *LOS ANGELES TIMES* (April 2009).

EPA Presses Obama to Regulate Warming Under Clean Air Act, *THE WASHINGTON POST* (March 2009).

Citations

His book *DEMOCRACY BY DECREE: WHAT HAPPENS WHEN COURTS RUN GOVERNMENT* (Yale University Press, 2003) (with R. Sandler) was cited in the majority opinion in *Horne v. Flores*, filed in the United States Supreme Court. Was among the co-authors of an *amicus curiae* brief urging the position adopted by the majority (with R. Sandler) (2009).

Referenced in Lydia Denworth’s *TOXIC TRUTH: A SCIENTIST, A DOCTOR, AND THE BATTLE OVER LEAD* (Beacon Press, 2009) for his work in the 1970s to get the Environmental Protection Agency to cut lead in gasoline (March 2009).

Richard K. Sherwin

Appointments

Member, Editorial Board, *INTERNATIONAL JOURNAL FOR THE SEMIOTICS OF LAW*, Springer Publishing (2009).

Board member, International Roundtables for the Semiotics of Law (2009).

Scholarly Presentations

Presented “Criminal Predators and What to Do About Them: Popular Imperatives from Screen-Based Reality” and “Therapeutic Jurisprudence as Screen-Based Reality” at the 31st Congress of the International Academy of Law and Mental Health, NYU Law School (June–July 2009).

Chair and panelist, “Law and Visuality: An Interdisciplinary Approach” at the 12th Annual Conference for the Association of the Study of Law, Culture and the Humanities, Suffolk University Law School, Boston (April 2009).

Publications

TREATISE ON LEGAL VISUAL SEMIOTICS (Springer, forthcoming) (with A. Wagner).

Imagining Law as Film: Representation without Reference? *Chapter 9 in LAW AND THE HUMANITIES: AN INTRODUCTION* (A. Sarat, M. Anderson, & C. Frank, eds., Cambridge University Press, 2009).

What Screen Do You Have in Mind? Contesting the Visual Context of Law and Film Studies, *in STUDIES IN LAW, POLITICS, AND SOCIETY* (A. Sarat, ed., Elsevier, 2009).

James F. Simon

Scholarly Presentations

Presented “Lincoln and Chief Justice Roger B. Taney,” as part of “President Abraham Lincoln, the Constitution and the Supreme Court,” the Supreme Court Historical Society’s 2009 Leon Silverman Lecture Series celebrating the bicentennial of Lincoln’s birth, U.S. Supreme Court, Washington, D.C. (April 2009).

Nadine Strossen

Scholarly Presentations

Panelist, “Matters of Conscience: When Moral Precepts Collide with Public Policy,” at the Center on Religion and Culture at Fordham University (April 2009).



[Ruti G. Teitel]



[Mark Webbink]

Delivered “Current Challenges to Free Speech,” the Horatio Ellsworth Kellar Distinguished Visitors Lecture, University of Minnesota Law School, Minneapolis (April 2009).

Presented a “Conversation on Constitutional Civil Liberties” as part of the Chapman Dialogues Distinguished Lecture Series, Chapman University School of Law, Orange, Calif. (March 2009).

Participated in “Should Pornography Be Regulated?”, a debate with Harvard Law School Professor Diane Rosenfeld, sponsored by the Federalist Society at Harvard Law School (March 2009).

Lectured to the Columbia Undergraduate Scholars Program as part of its “Transformative Dialogue” lecture series, Columbia University (February 2009).

Presented “The Supreme Court and the Obama Administration” as part of “Politics, Ethics & Citizenship,” the 2008–2009 Lecture Series at the Muhlenberg College Center for Ethics, Allentown, Penn. (February 2009).

Participated in “The Great Debate,” a discussion of First Amendment issues with Georgetown Law Professor Mari Matsuda, sponsored by the Pomona Student Union at Pomona College, Claremont, Calif. (February 2009).

Participated in a public policy debate with Kenneth Starr, Dean of Pepperdine University School of Law, at the National Religious Broadcasters 2009 Convention & Exposition, Nashville, Tenn. (February 2009).

Addressed the Presidential Youth Inaugural Conference, organized by Envision EMI; made two presentations discussing issues about the Supreme Court and constitutional law in the new administration, Washington, D.C. (January 2009).

Projects

Taught a pilot program for community college professors to encourage them to include First Amendment elements in their courses, jointly sponsored by the National Coalition Against Censorship and the ACLU, Hartford, Conn. (May 2009).

Ruti G. Teitel

Scholarly Presentations

Presented “Transitional Justice Globalized,” during “Stepping Back from Transitional Justice,” the opening plenary session at “Taking Stock of Transitional Justice,” an international conference sponsored by Oxford Transitional Justice Research at Oxford University (June 2009).

Panelist, “Transitional Justice in Israel: Paths to Reconciliation?” at Bar-Ilan University, Ramat Gan, Israel (June 2009).

Presented “Transitional Justice Genealogy,” a plenary lecture at “Civil Society and Reconciliation in Comparative Perspective,” an international conference at the London School of Economics (June 2009).

Lectured on “Transitions in Conflict” as part of the LL.M. in Human Rights Law program at the Transitional Justice Institute, University of Ulster, Belfast, Northern Ireland (May 2009).

Participated in “Prosecutions as Mechanisms of Accountability,” a roundtable discussion at “Accountability After Mass Atrocity: Latin American and African Examples in Comparative Perspective,” a conference sponsored by the Carnegie Endowment for International Peace, Washington, D.C. (May 2009).

Presented Chapter 4 of her forthcoming book HUMANITY’S LAW (Oxford University Press, 2009) at the International Law Colloquium at Temple University Beasley School of Law, Philadelphia (April 2009).

At the American Society of International Law (ASIL) 103rd Annual Meeting, participated in the Transitional Justice and Rule of Law Interest Group Meeting, and spoke on a panel titled “Changing Concepts of State Sovereignty,” Washington, D.C. (March 2009).

Spoke before Oxford University’s Transitional Justice Research Seminar and was a panelist on “The Hart-Fuller Debate 50 Years On,” hosted by the Jurisprudence Discussion Group, Oxford University (March 2009).

Panelist, “Ad Hoc Tribunals and the Globalization of Transitional Justice” at “Transitional Justice: War Crimes Tribunals and Establishing the Rule of Law in Post-Conflict Countries,” a symposium sponsored by the FORDHAM INTERNATIONAL LAW JOURNAL at Fordham Law School, New York (February 2009).

Presented “Humanity’s Law” on the “Justice, Conflict and Globalization” panel, and was the discussant for the “Transitional Justice: International Criminal Law and the International Criminal Court” panel at the 2009 International Studies Association Annual Convention, New York (February 2009).

Mark Webbink

Media References and Appearances

Trolls Square Off Against Tech in Patent Reform Fight, ARS TECHNICA (March 2009).

Adjunct Faculty Activities

Compiled by Denise Tong

The following items represent a sampling of the activities of our adjunct faculty from the spring 2009 semester.

R.B. Bernstein

Scholarly Presentations

Presented “‘Let Us Dare to Read, Think, Speak, and Write’: John Adams’s Uses of Reading as Political and Constitutional Armory” at “John Adams and Thomas Jefferson: Libraries, Leadership, and Legacy,” a conference co-sponsored by the Massachusetts Historical Society, the Boston Public Library, and the Robert H. Smith International Center for Jefferson Studies of the Thomas Jefferson Foundation, Boston (June 2009).

Faculty member, “The 21st Jefferson Symposium: Jefferson’s America, America’s Jefferson,” hosted by the University of Virginia’s School of Continuing and Professional Studies, Charlottesville, Virginia (June 2009).

Publications

THE FOUNDING FATHERS RECONSIDERED (Oxford University Press, 2009).

Judith Bresler ’74

Scholarly Presentations

As co-chair of the Alternative Dispute Resolution Committee of the New York State Bar Association’s Entertainment, Arts, and Sports Law Section, organized the MCLE program “Mediation by Freeze Frame,” hosted by Withers Bergman, LLP, New York (May 2009).

Panelist, “The Hidden Risks in Art Transactions” and “Copyright: Owner v. Artist” in the Breakfast and Conversation series at the Armory Show, New York (March 2009).

Panelist, discussing the plundering of Europe’s great works of art during World War II after a screening of the movie *The Rape of Europa*, sponsored by Friends of FAI (the U.S. wing of the Italian-based cultural heritage preservation group Fondo per l’Ambiente Italiano) and Withers Bergman LLP, New York (February 2009).

Lindsay A. Curcio

Scholarly Presentations

Discussion leader and panelist, “First Comes Love, Then Comes Marriage, Then Comes the N-400 Application” at the 2009 Annual American Immigration Lawyers Association (AILA) Conference, Las Vegas (June 2009).

Publications

“Greencard”: It’s Not Like the Movies—How to Really Prepare Your Client for Permanent Residence and Naturalization Interviews Based on Marriage, *chapter in* NAVIGATING THE

FUNDAMENTALS OF IMMIGRATION LAW 2009–10 Edition (AILA Publications, 2009) (with R. Mendoza, M. Saenz-Rodriguez, & J. Willmoth).

César de Castro ’00

Publications

Sorting Out the Law on Homicide Prosecutions Against Corporations, *NEW YORK LAW JOURNAL* (March 2009).

Lisa Fleischmann

Testimonies and Legal Consultation

Argued two habeas corpus cases before the U.S. Court of Appeals for the Second Circuit: *Garraway v. Goord* (April 2009) and *Henry v. Ricks* (June 2009).

Thomas D. Hughes ’85

Publications

Viewing the Role of General Counsel for a Property-Casualty Insurance Company in a Non-Mechanistic Universe, *chapter in* UNDERSTANDING THE LEGAL NEEDS OF INSURANCE COMPANIES: LEADING GENERAL COUNSEL ON MEETING COMPLIANCE AND REGULATORY STANDARDS, ADVISING ON CORPORATE DECISIONS, AND DEVELOPING LITIGATION DEFENSE STRATEGIES (INSIDE THE MINDS) (West, 2009) (with S. Bojczuk, S.L. Keller, D. Kennedy, & G. Kolander).

Testimonies and Legal Consultation

Briefed and orally argued an appeal in the Supreme Court, Appellate Division, First Department that resulted in the return of approximately \$3.4 million in damages to Greater New York Insurance Cos. Earlier, he successfully briefed and argued an appeal in the same case that resulted in the vacatur of an \$18.5 million verdict against Greater New York Insurance Cos. and a remand for a new damages trial (2009).

William Jannace ’92

Scholarly Presentations

Panelist, “Broker-Dealer Regulation—An Overview,” at “Fundamentals of Broker-Dealer Regulation 2009,” a program presented by the Practising Law Institute, New York (June 2009).

Faculty, SEC Capital Market Development, Enforcement, and Oversight Training Program; presented on various topics including “SRO and Broker-Dealer Regulation,” “Broker-Dealer Compliance and Supervision,” “Broker-Dealer Examinations and Enforcement,” “Market Oversight,” and “Corporate Governance,” Bucharest, Romania (June 2009).

Panelist, “U.S. Securities Regulation,” at a training program for the Ontario Securities Commission (June 2009).

Marc M. Lewis '95

Appointments

Senior Vice President of Tax, Diageo, Inc. (May 2009).

Appointed to Advisory Board, TRANSFER PRICING WEEK (March 2009).

Scholarly Presentations

Faculty member and speaker, Sixth Annual Conference Series on U.S. International Transfer Pricing 101, hosted by the Council for International Tax Education, Inc., New York (July 2009).

Oscar Michelen '85

Scholarly Presentations

Guest speaker, “Catch 22? The Case of *Vinluan v. Doyle*,” a forum presented by the Education Law Society at St. John’s University (March 2009).

Media References and Appearances

Lawyer Cannot Be Prosecuted for Giving Advice, Panel Finds, NEW YORK LAW JOURNAL (January 2009).

Testimonies and Legal Consultation

Successfully obtained a writ of prohibition to stop the prosecution by Suffolk County, New York, of 10 nurses and their lawyer; it was the first successful prohibition of a pending prosecution in many decades (January 2009).

Thomas H. Prol '01

Appointments

Re-elected to the Board of Trustees of the New Jersey State Bar Association (NJSBA); he is also Vice-Chair of the NJSBA Amicus Committee and a member of its Finance and Operations Committee and its Legislative Committee (May 2009).

Scholarly Presentations

Co-organizer, “EPA Enforcement and Regulatory Priorities in the Obama Administration,” a CLE program presented by the ABA Section of Litigation; moderator of program panel “Green Remediation and Climate Change,” New York Law School (March 2009).

Testimonies and Legal Consultation

Testified before the Sussex County (New Jersey) Board of Chosen Freeholders in support of the reinstatement of solid waste flow control in Sussex County; presented an analysis of the U.S.

Supreme Court’s April 30, 2007 holding in *United Haulers Association, Inc. v. Oneida-Herkimer Solid Waste Management Authority* (June 2009).

David Raskin '94

Testimonies and Legal Consultation

Serving as lead prosecutor for the United States Attorney’s Office for the Southern District of New York in *United States v. Ahmed Khalfan Ghailani*; Ghailani is charged with participating in Al Qaeda attacks on U.S. embassies in Tanzania and Kenya in 1998 (2009).

Hon. Rosalyn H. Richter

Appointments

Appointed Associate Justice of the New York State Supreme Court, Appellate Division, First Department, by Governor David Paterson; she and Elizabeth Garry, appointed to the Third Department the same day, became the first openly LGBT people to be appointed to a New York appellate court (March 2009).

Mitchell H. Rubinstein

Publications

Duty of Fair Representation Jurisprudential Reform: The Need to Adjudicate Disputes in Internal Union Review Tribunals and the Forgotten Remedy of Re-Arbitration, 42 UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM 517 (Spring 2009).

Obama’s Big Deal; The 2009 Federal Stimulus; Labor and Employment Law at the Crossroads, 33 RUTGERS LAW RECORD 1 (March 2009).

A Lawyer’s Worst Nightmare; The Story of a Lawyer and His Nurse Clients Who Were Both Criminally Charged Because the Nurses Resigned En Mass, 103 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 317 (2009).

David G. Samuels

Scholarly Presentations

Presenter, “Underwater Endowments: Swimming with UMIFA, cy-pres, and UPMIFA,” at the Philanthropic Planning Group of Greater New York’s 17th Annual Planned Giving Day, New York (May 2009).

Publications

Counseling Charities Experiencing the Effects of the Recession, NEW YORK LAW JOURNAL (April 2009).

Court ‘Veto’ Power Oversees Property Sales by Religious Firms, NEW YORK LAW JOURNAL (January 2009).

Harry Sandick

Publications

Divided Supreme Court Extends Reach of Confrontation Clause, *NEW YORK LAW JOURNAL* (July 2009) (with J. Mendelsohn).

“Representation Prior to Indictment,” *chapter in DEFENDING FEDERAL CRIMINAL CASES: ATTACKING THE GOVERNMENT’S PROOF* (D. Parker, ed., Law Journal Press, 2009) (with B. Santangelo).

Lawrence P. Schnapf ’84

Scholarly Presentations

Presented “Regulating Greenwashing: Is a Greater Role for Government Necessary?” at “Greenwashing: The Realities of Promoting Green Business Practices in the Corporate World,” a conference presented by the Zicklin School of Business at Baruch College-City University of New York (April 2009).

Moderator, “Lessons Learned from Building Green,” and “Green Building Laws and Investment Opportunities,” at “Green Building: New Requirements and Incentives,” a seminar presented by Schulte Roth & Zabel LLP, New York (January 2009).

Presented “Deal Flow to Foreclosure, Environmental Issues in Bankruptcy, Wall Street to Main Street in a Downturned Market,” and moderated “Pre- and Post-Environmental Due Diligence for Bank Workouts/Foreclosures, Regulatory Agency Changes,” at the Environmental Bankers Association winter meeting, Charlotte, North Carolina (January 2009).

Christina Olsen Spiesel

Scholarly Presentations

Presented “Outward and Visible Signs and the Desire for Predictability” during “Imagery in the Courtroom: New Ways of Seeing Evidence,” a panel of the 31st Congress of the International Academy of Law and Mental Health, NYU Law School (June 2009).

Presented “What Lies Beneath” during “Courts and Technology,” a panel at “Disputes, Technology and Law: Expanding the Boundaries of Online Dispute Resolution,” the 2009 International Forum on Online Dispute Resolution, University of Haifa, Israel (June 2009).

Chaired “Cinema in the Streets” and “Roundtable: Out of the Ashes, 9-11,” panels at the Association for the Study of Law, Culture, and the Humanities’ 12th Annual Conference, Suffolk University Law School, Boston (April 2009).

Lawton W. Squires ’83

Publications

Fred, the Breeding Bull, and Its Effect on Dog Attack Cases under New York State Domestic Animal Liability Law, *THE DEFENDANT* (forthcoming 2009).

K.A. Taipale

Scholarly Presentations

Delivered “Deconstructing Cyberpower,” a lecture at the U.S. Naval War College, Newport, Rhode Island (April 2009).

Presented “The Impact of the Information Revolution” at “America’s Security Role in a Changing World: Global Strategic Assessment 2009,” hosted by the Institute for National Strategic Studies at the National Defense University, Washington, D.C. (April 2009).

Publications

Power to the Edge: New Threats, New Responses, *chapter in AMERICA’S SECURITY ROLE IN A CHANGING WORLD: GLOBAL STRATEGIC ASSESSMENT 2009* (P. Cronin, ed., National Defense University Press, 2009).

Barry R. Temkin

Awards and Recognition

Received the 2009 Otto L. Walter Distinguished Writing Award for his article Deception in Undercover Investigations: Conduct-Based vs. Status-Based Ethical Analysis, 32 *SEATTLE UNIVERSITY LAW REVIEW* 123 (Fall 2008) (May 2009).

Appointments

Of Counsel, Mound Cotton Wollan & Greengrass (June 2009).

Publications

Coverage Conflicts for Retained Insurance Defense Counsel, *NEW YORK LAW JOURNAL* (July 2009).

Alan Vinegrad

Scholarly Presentations

Presented “The European Convention on Human Rights,” Academy of the General Procuracy of St. Petersburg, Russia (June 2009).


Presented “Concluding the Investigation: Disclosures to Third Parties,” during “Internal Investigations 2009: How to Protect Your Clients or Company,” a program presented by the Practising Law Institute, New York (June 2009).

Publications

Deflating the Prison Balloon with Alternatives, Prevention, *NEW YORK LAW JOURNAL* (April 2009).

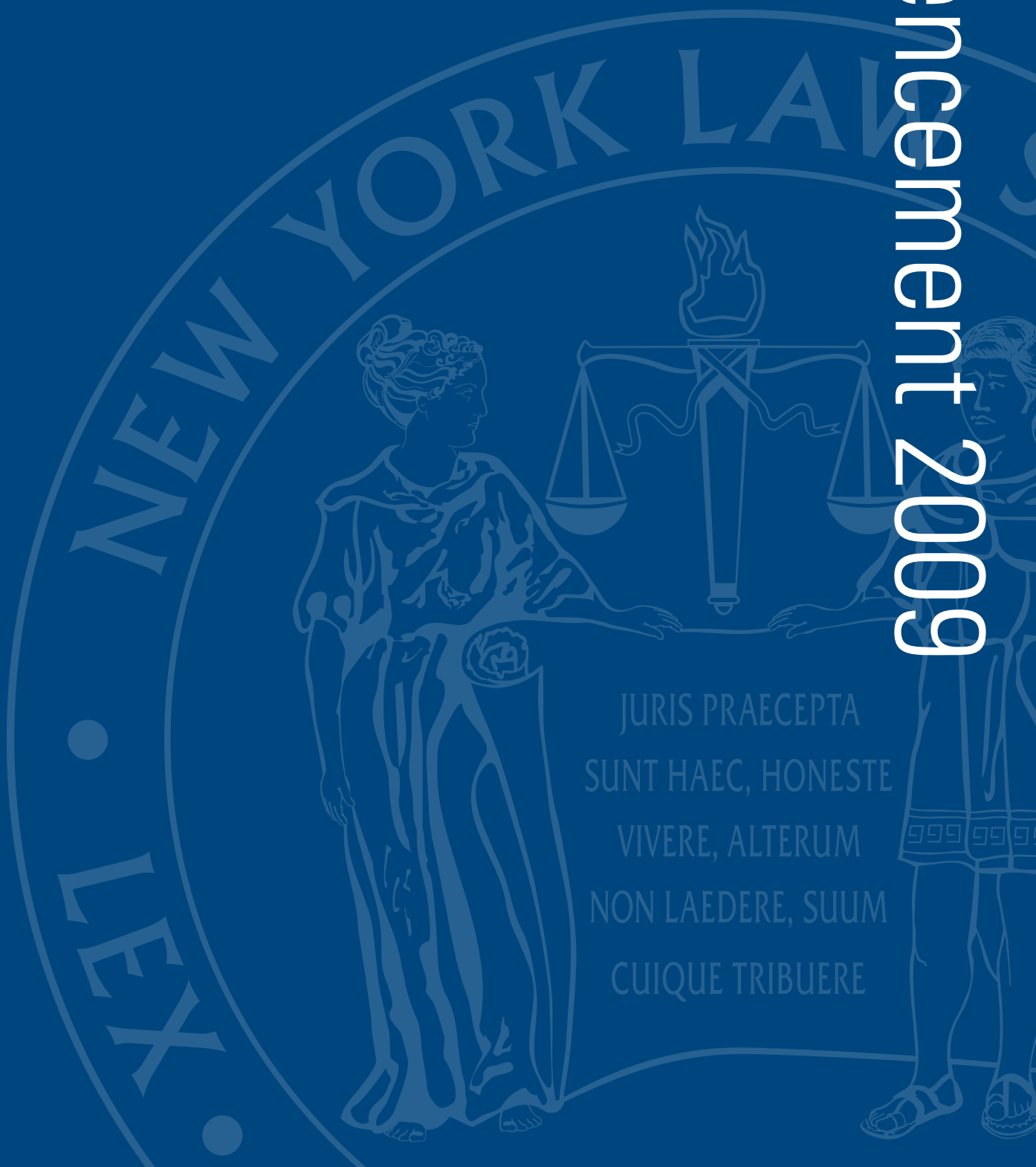
Lis Wiehl

Publications

Her first novel, *FACE OF BETRAYAL* (Thomas Nelson, 2009) (with A. Henry), was on the *NEW YORK TIMES* Best-Seller List for four weeks (April 2009). 



Commencement 2009



JURIS PRAECEPTA
SUNT HAEC, HONESTE
VIVERE, ALTERUM
NON LAEDERE, SUUM
CUIQUE TRIBUERE



Commencement 2009

54





New York Law School Recognizes Zygmunt Wilf '74, Gregory H. Williams, and Faculty and Students at 117th Commencement

By LaToya Jordan

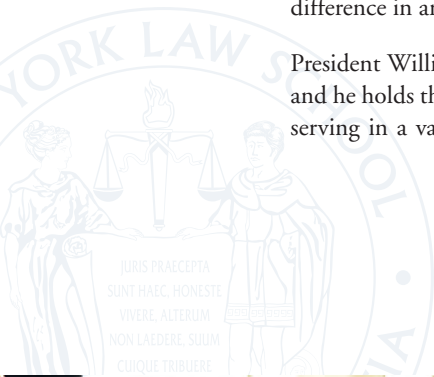
As parents, significant others, family, and friends of the Class of 2009 walked into Avery Fisher Hall at Lincoln Center on May 15, 2009 for New York Law School's 117th commencement, they were greeted by a video of members of the graduating class thanking them for their outstanding support during their law school careers.

The "shout out" video was a small gesture of gratitude on behalf of the 483 students who graduated, including 470 J.D. candidates, 12 candidates for the LL.M. in Taxation, and one candidate for the M.A. in Mental Disability Law Studies.

Commencement speaker Gregory H. Williams, President of the City College of New York (CCNY), received the honorary degree of Doctor of Laws. In his remarks, he stressed the importance of first-rate legal assistance for all people, describing the lack of legal help available to his poor black family when he was growing up in the South. He told the story of how at the age of 10, he discovered his father was a black man passing for white. He documented his experience in his award-winning and best-selling memoir, *Life on the Color Line: The True Story of a White Boy Who Discovered He Was Black* (Dutton, 1995). As a result of his autobiography, President Williams has been featured on numerous national television programs, including *Oprah*, *Dateline NBC with Tom Brokaw*, and *Larry King Live*. In 1995, the book was selected as "Book of the Year" by the *Los Angeles Times*.

President Williams told the graduates: "The day you graduate from law school is an excellent day to remember why you wanted to become a lawyer in the first place. I believe that the vast majority of you were motivated by the opportunity to serve your communities, and no matter what kind of law you practice...you will have that opportunity. At the end of the day, you will judge your own success against that first inspiration, the ideal that compelled you to work as hard as you have worked to get here today and to get wherever you're going tomorrow. As you graduate today, I urge you to always remember that each and every one of you has the ability to make a difference in another person's life, and I urge you to never shrink from that opportunity."

President Williams has earned five degrees, including a J.D. and Ph.D. from the George Washington University, and he holds three honorary doctorates. He has been a university administrator for more than 30 years, previously serving in a variety of posts at the George Washington University, the University of Iowa, and the Ohio State



University. Immediately prior to becoming the 11th president of CCNY, he was Dean of the Law School and Carter C. Kissell Professor of Law at the Ohio State University. *

The President's Medal of Honor was awarded to Zygmunt Wilf '74, an attorney at the Wilf Law Firm, President of the Garden Homes Real Estate Developers, and Principal Owner of the Minnesota Vikings Football Club. The award, which acknowledges the Law School's most outstanding and accomplished alumni and its most generous benefactors, was presented by fellow alumnus Arthur N. Abbey '59, Chairman of the New York Law School Board of Trustees.

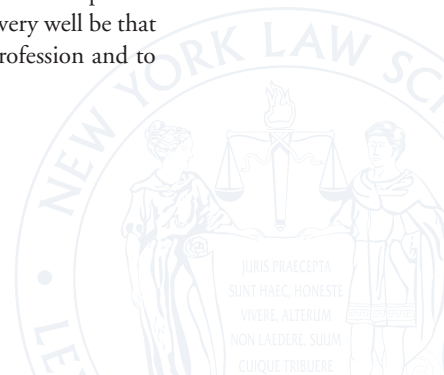
Wilf earned a B.A. in economics from Fairleigh Dickinson University in 1971. He is a member of the executive committee of Albert Einstein College of Medicine and a member of the board of trustees of Yeshiva University. He serves on the New York Law School Center for Real Estate Studies Advisory Board and is a trustee of the Wilf Family Foundation.

The commencement ceremony also featured awards given to faculty and students, as well as remarks delivered by student representatives of both the Day and Evening Divisions. (For a full list of award recipients, see pages 59–61.) Student remarks were delivered by Zachary A. Kerner of the Day Division and Pierre Ciric of the Evening Division.

Kerner said, "Graduation is a day to celebrate; we've completed three years of rigorous legal training. In minutes we'll be alumni of New York Law School, an institution with a rising profile and a brand new building. And despite the financial insecurity swirling around us, we are entering a profession that occupies a special place in American society."

Ciric told his fellow graduates, "It is this evening class that has shown a very special skill in these uncertain times in the face of managing family life, a job, commuting, and the school schedule. It is this evening class that has proven where there is a will there is a way. Amongst all the skills we have learned as future lawyers, it may very well be that show of resilience and resolve that will be the critical talent we will bring to enhance the legal profession and to ensure that it truly remains a vibrant part of the American dream."

* As of November 1, 2009, Williams became President of the University of Cincinnati.





Commencement 2009

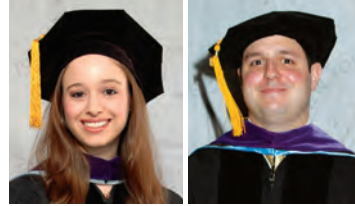
58



COMMENCEMENT AWARDS

TRUSTEES' PRIZE FOR THE HIGHEST CUMULATIVE GRADE POINT AVERAGE

The Trustees' Prize for the Highest Cumulative Grade Point Average was awarded to Erin Rose Olshever (Day Division) and Thomas J. Bassolino (Evening Division).



Left to right:
Erin Rose Olshever
Thomas J. Bassolino

DEAN'S AWARD FOR STUDENT LEADERSHIP

The Dean's Award for Student Leadership was awarded to Michelle Paula Tonelli and Kristopher Thomas Ferranti.



Left to right:
Michelle Paula Tonelli
Kristopher Thomas Ferranti

ALFRED L. ROSE AWARD FOR EXCELLENCE

The Alfred L. Rose Award for Excellence was awarded to Zachary A. Kerner (Day Division) and Carmine J. Guiga (Evening Division).



Left to right:
Zachary A. Kerner
Carmine J. Guiga

CLASS OF 2009 TEACHING AWARD

The Class of 2009 Teaching Award was given to Professor Donald H. Zeigler.

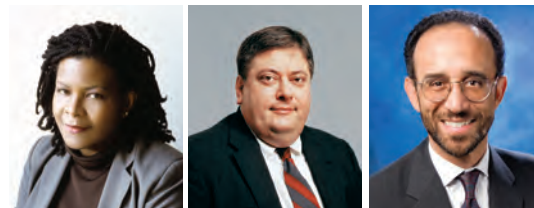


Professor Donald H. Zeigler

OTTO L. WALTER DISTINGUISHED WRITING AWARDS

FACULTY AWARDS

Professor Annette Gordon-Reed for the book, *The Heminges of Monticello: An American Family*, published by W.W. Norton in 2008; Professor Kenneth C. Kettering for the article, "Securitization and Its Discontents: The Dynamics of Financial Product Development," published by the *Cardozo Law Review*; and Adjunct Professor Barry R. Temkin for the article, "Deception in Undercover Investigations: Conduct-Based vs. Status-Based Ethical Analysis," published by the *Seattle University Law Review*.



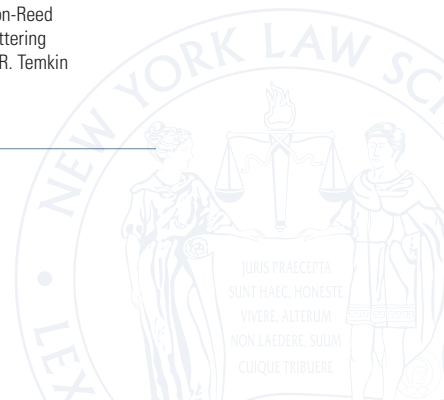
Faculty Awards:
Left to right:
Professor Annette Gordon-Reed
Professor Kenneth C. Kettering
Adjunct Professor Barry R. Temkin

STUDENT AWARDS

Robert S. Trisotto (Day Division) for the article, "Seceding in the 21st Century: A Paradigm for the Ages."



Student Awards:
Robert S. Trisotto



ADDITIONAL COMMENCEMENT AWARDS

**PROFESSOR JOSEPH T. ARENSON AWARD FOR EXCELLENCE
IN WILLS AND DECEDENTS' ESTATES**

Carrie L. Adams (Day Division)
Lisa Lalezarian Cohen (Evening Division)

**AMERICAN LAW INSTITUTE-AMERICAN BAR ASSOCIATION
(ALI-ABA) CONTINUING PROFESSIONAL EDUCATION
SCHOLARSHIP AND LEADERSHIP AWARD**

Maryam Bahareh Biazar

**CHIEF JUSTICE ROSE E. BIRD AWARD FOR MOTIVATION
IN PURSUING PUBLIC INTEREST LAW**

Natalie Paige DiDonna

CENTER FOR NEW YORK CITY LAW FELLOWSHIP

Bradley Marshall McCormick
Matthew Aaron Windman

**PROFESSOR LUNG-CHU CHEN AWARD
FOR EXCELLENCE IN THE FIELD OF HUMAN RIGHTS**

Michelle Paula Tonelli

**HELEN AND ANDREW DOKAS MEMORIAL AWARD
FOR EXCELLENT ACHIEVEMENT**

Natalia Krauchuk

**PROFESSOR STEPHEN J. ELLMANN
CLINICAL LEGAL EDUCATION PRIZE**

Jessica Fisher

**ELSBERG PRIZE FOR PROFICIENCY IN THE LAW
OF CONTRACTS—EVENING DIVISION**

Todd Andrew Fishlin

**FACULTY AWARD FOR OUTSTANDING SERVICE TO
THE *NEW YORK LAW SCHOOL LAW REVIEW***

Kristopher Thomas Ferranti

DANIEL FINKELSTEIN WRITING AWARD

Kristopher Thomas Ferranti

**ALEXANDER D. FORGER AWARD FOR
DISTINGUISHED SERVICE TO THE PROFESSION**

Jessica Fisher

**SYLVIA D. GARLAND AWARD FOR EXCELLENCE IN SUBJECTS
RELATING TO CIVIL LITIGATION**

Marcella M. Monica

**HARRY A. GOTIMER ADMIRALTY AWARD FOR OUTSTANDING
WORK IN THE FIELD OF ADMIRALTY LAW**

Laura Veronica Block

**MILTON S. GOULD AWARD FOR PROFICIENCY
IN THE LAW OF CONTRACTS—DAY DIVISION**

Robert S. Trisotto

**ANTHONY E. JANNACE AWARD
FOR OUTSTANDING ACHIEVEMENT**

Alicia Jean Surdyk

**PROFESSOR ALBERT KALTER AWARD
FOR EXCELLENCE IN TAX LAW**

Marcella M. Monica

**PROFESSOR JAMES P. KIBBEY MEMORIAL AWARD
FOR EXCELLENCE IN COMMERCIAL LAW**

Anthony Louis Kohtio

**D. GEORGE LEVINE MEMORIAL AWARD FOR THE HIGHEST
GRADE IN THE LAW OF REAL PROPERTY**

Gregory Fine (Day Division)
Shane J. Humphries (Evening Division)

**MEDIA CENTER AWARD FOR
OUTSTANDING PERFORMANCE**

Carmine J. Guiga

**ABRAHAM "AVI" MUND PRIZE FOR EXCELLENCE
IN INFORMATION TECHNOLOGY AND THE LAW**

Alexander Malychev

NATIONAL ASSOCIATION OF WOMEN LAWYERS AWARD

Carol A. Bahan

***NEW YORK LAW SCHOOL LAW REVIEW* AWARD
FOR BEST NOTE**

Ryan Christopher Steinman

***NEW YORK LAW SCHOOL LAW REVIEW* AWARD FOR
OUTSTANDING EDITORIAL CONTRIBUTION**

Anthony Bruno

**NEW YORK LAW SCHOOL MOOT COURT ASSOCIATION BEST
ADVOCATE AWARD**

Jean L. Chou

**NEW YORK LAW SCHOOL MOOT COURT AWARD
FOR SERVING WITH DISTINCTION**

Gillian Ilana Kremen Kotlen

Adam N. Love

Maryam Maleki

Tiffany Rex

**NEW YORK LAW SCHOOL
NATIONAL MOOT COURT TEAM**

Jean L. Chou

Paul H. Colley

Shane J. Humphries

Christopher Shea O'Donnell

Michelle Paula Tonelli

ORDER OF BARRISTERS

Jean L. Chou

Paul H. Colley

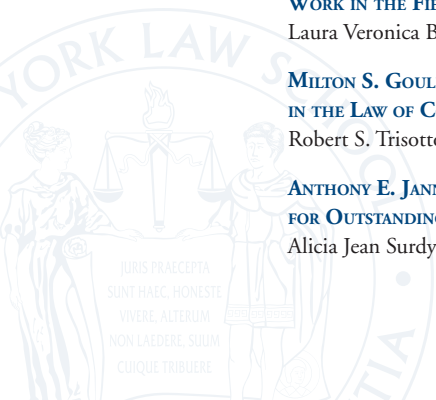
Lev Ekster

Shane J. Humphries

Gillian Ilana Kremen Kotlen

Cary London

Adam N. Love



Maryam Maleki
Christopher Shea O'Donnell
Michelle Paula Tonelli

**PROFESSOR ROBERT R. ROSENTHAL AWARD
FOR EXCELLENCE IN NEW YORK PRACTICE**
Erin Rose Olshever

**JOSEPH SOLOMON AWARD FOR
EXCELLENT CHARACTER AND FITNESS**
Robert S. Trisotto

**ERNST C. STIEFEL WRITING AWARD FOR EXCELLENCE IN
COMPARATIVE, COMMON, AND CIVIL LAW**
Zachary A. Kerner

**MURRAY STOCKMAN MEMORIAL AWARD FOR THE HIGHEST
AVERAGE IN THE LAW OF EVIDENCE—DAY DIVISION**
Matthew Aaron Windman

**LOUIS SUSMAN MEMORIAL AWARD FOR EXCELLENCE
IN THE STUDY OF THE LAW OF EVIDENCE—
EVENING DIVISION**
Sarah Khan

**WOODROW WILSON AWARD FOR PROFICIENCY
IN CONSTITUTIONAL LAW**
Jamie Kuebler (Day Division)
Bethany Leah Ow (Evening Division)

**NEW YORK LAW SCHOOL
ALUMNI ASSOCIATION AWARDS**
**DR. MAX REICH AWARD FOR EXCELLENCE
IN CIVIL TRIAL ADVOCACY**
Christopher S. O'Donnell (Day Division)
Sarah Khan (Evening Division)

**PROFESSOR IVAN SOUBBOTITCH AWARD FOR
EXCELLENCE IN POVERTY LAW AND CIVIL RIGHTS**
Anthony F. Bruno

Olga Tseytkin '09: The View from the Top

By Edith Sachs



Seventeen years ago, Olga Tseytkin '09, then in her early 20s, immigrated to the United States from Russia. Today, she's a *summa cum laude* graduate of New York Law School, having fulfilled a dream that carried her through the grueling hard work and sacrifices that accompanied her studies in the Evening Division.

Before attending law school, Tseytkin worked in the financial industry as a software developer and project manager. But she had always hankered to go to law school, and when she saw more and more work in her field being outsourced overseas, she decided it was time to take the plunge.

"I wish I had done it earlier," says Tseytkin. "There was an initial shock when I started law school. I had been out of undergraduate school for 15 years, and when I was there, I majored in mathematics."

But she adjusted quickly, and soon began to enjoy her studies. "I rarely missed classes. I often sat in the first row, and actively participated in class discussions and tried to absorb everything I could."

Tseytkin continued working full time during her first year. Starting in her second year, she began working part time for a solo practitioner. Her law school career was highlighted by such accomplishments as two summer internships in the Tax Division at the Department of Justice in Washington, D.C.; selection for the *Law Review*; a summer associate position at Cleary Gottlieb Steen & Hamilton LLP; and serving as a research assistant for Professor William P. LaPiana. This past summer, she was an intern in New York County Surrogate's Court, working directly under Hon. Kristin Booth Glen, the New York County Surrogate. In mid-September, Tseytkin began working full time at Cleary Gottlieb.

Tseytkin's other great accomplishment is her 16-year-old daughter Rebecca, whom she has raised as a single parent and who has been her mother's strongest supporter in her quest for a law degree.



HONORARY DEGREE, DOCTOR OF LAWS • COMMENCEMENT SPEAKER



Gregory H. Williams

President, The City College of New York

Gregory H. Williams is the 11th president of the City College of New York (CCNY), the flagship college of the City University of New York and one of the oldest public universities in the United States, established in 1847.* City College includes among its graduates nine Nobel Prize winners, former Secretary of State Colin Powell, Dr. Jonas Salk, and the founder of Intel Corp., Andrew Grove.

Since his arrival in August 2001, President Williams’s leadership has brought the College increased national recognition. Enrollment has grown by nearly 50 percent—including an increase in new freshmen, under new, more rigorous admissions standards, with the largest incoming honors class in the College’s history. CCNY now boasts a student body of more than 15,000. According to *U.S. News and World Report*, the College is one of the most diverse campuses in the nation. It is also in the top tier among its peer institutions, ranked on such factors as academic reputation and faculty. Under President Williams’s leadership, the State of New York is investing nearly a billion dollars in new science facilities and a new home for the CCNY School of Architecture, and beginning in the fall of 2009, the College will issue doctoral degrees in engineering and science. President Williams is also leading the first capital campaign in the College’s history, and has already raised nearly \$310,000,000.

President Williams has earned five degrees, including the J.D. and a Ph.D. from the George Washington University, and he holds three honorary doctorates. He has been a university administrator for more than 30 years, previously serving in a variety of posts at the George Washington University, the University of Iowa, and the Ohio State University. Immediately prior to becoming President of the City College of New York, he was Dean of the Law School and Carter C. Kissell Professor of Law at the Ohio State University. Early in his career President Williams was a deputy sheriff, and he later worked as an aide to a United States senator.

President Williams has published three books and a number of articles and book reviews for *The New York Times*, *The Los Angeles Times*, and *The Washington Post*. He is best known for his award-winning and best-selling memoir, *Life on the Color Line: The True Story of a White Boy Who Discovered He Was Black*. As a result of his autobiography, he has been featured on a number of national programs including *Oprah*, *Dateline NBC with Tom Brokaw*, *Larry King Live*, ABC’s *Nightline with Ted Koppel*, and *Fresh Air with Terry Gross* on National Public Radio.

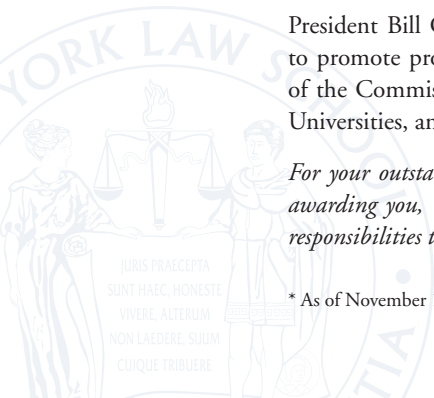
In 1995, *Life on the Color Line* was selected as “Book of the Year” by *The Los Angeles Times*. In 1996, the Gustavus Myers Center for the Study of Human Rights in North America named *Life on the Color Line* an “Outstanding Book on the Subject of Human Rights.” It is often required reading for entering students at U.S. colleges and universities.

President Williams received the “Governor’s Tribute to African American Leaders of Excellence in State Service” from Governor George Pataki in 2004 for his significant contributions to the people of New York. In 1999, he was named the first recipient of the National Bar Association’s A. Leon Higginbotham Jr. Award for Outstanding Contributions to the Preservation of Human and Civil Rights. Also in 1999, he was selected as “Dean of the Year” by the National Association of Public Interest Law (now Equal Justice Works). In 2006, he received the Austrian Cross of Honor in Science and Art, First Class.

President Bill Clinton invited President Williams to the White House in 1998 as part of his “Call to Action” to promote pro bono work and diversity in the legal profession. Currently, President Williams serves as Chair of the Commission on Access, Diversity and Excellence (CADE) of the Association of Public and Land-Grant Universities, and he is a past president of the Association of American Law Schools.

For your outstanding accomplishments and influence in the field of law, New York Law School takes great pride in awarding you, Gregory H. Williams, the degree of doctor of laws, honoris causa, with all the rights, privileges, and responsibilities thereunto appertaining.

* As of November 1, 2009, Williams became President of the University of Cincinnati.



PRESIDENT’S MEDAL OF HONOR RECIPIENT



Zygmunt Wilf '74

**Member of the Advisory Board, Center for Real Estate Studies,
New York Law School**

Attorney, Wilf Law Firm

President, Garden Homes Real Estate Developers

Principal Owner, Minnesota Vikings Football Club, LLC.

Zygi Wilf '74 is an attorney at the Wilf Law Firm and President of Garden Homes Real Estate Developers, based in Short Hills, New Jersey. In 2005, he became the principal owner of the Minnesota Vikings Football Club, NFC North Division Champions for the 2008–09 season.

He earned a B.A. in Economics from Fairleigh Dickinson University in 1971, and graduated from New York Law School in 1974. Zygi is a member of the executive committee of the Albert Einstein College of Medicine and a member of the board of trustees of Yeshiva University. He serves on the Center for Real Estate Studies Advisory Board of New York Law School. He is also a trustee of the Wilf Family Foundation. Throughout his life, Zygi and his family have consistently focused on philanthropy. He has been a generous supporter of many institutions, across a broad spectrum of heartfelt causes both at home and across the world.

The son of Joseph and Elizabeth Wilf, Zygi emigrated with his parents from Europe to the United States in the early 1950s and settled in New Jersey.

Zygi and his wife, Audrey, have four children.

New York Law School honors Zygmunt Wilf for his inspiring leadership, his generosity and dedication to those in need, and his superb and innovative skills in law and business. 



alumni events

We are pleased to present a snapshot of some of the many alumni events that took place throughout the spring 2009 semester.

January 29, 2009: New York State Bar Reception

On January 29, 2009, Dean Richard A. Matasar and the New York Law School Alumni Association hosted a reception for alumni and friends at the New York Marriott Marquis during the 2009 New York State Bar Association’s annual meeting. Special congratulations were extended to the Class of 2008 for its outstanding performance on the July 2008 New York bar exam. First-time takers achieved a record pass rate for New York Law School of 94.1 percent. More than 100 alumni and friends were in attendance.



April 29, 2009: Sidney Shainwald Public Interest Lecture

On April 29, 2009, Dean Richard A. Matasar welcomed guests to the 2009 Sidney Shainwald Public Interest Lecture by commenting on the appropriateness of a public interest lecture being held at New York Law School. The desire to help others, which the dean often refers to as part of the “DNA” of the Law School, was the same impetus that inspired Sidney Shainwald in his life and career, and is the founding principle of the Shainwald Lecture.

The Honorable Jack B. Weinstein, U.S. District Court, Eastern District of New York, was the keynote speaker for this year’s lecture and spoke passionately about equality and the law. The lecture was established by Sybil Shainwald ’76 in honor of her husband, an impassioned advocate for social justice.



April 22, 2009: Alumni Association Board Meeting

The Alumni Association Board Meeting on April 22, 2009 was no ordinary board meeting. Ten first-year students attended and received the Eric Yee Alumni Community Honorary Award for writing outstanding profiles of alumni attorneys. As part of the Professional Development curriculum, every 1L student conducted informational interviews with three attorneys over the course of their first semester. Students then wrote a profile on one of the attorneys. All student pieces were read by a panel of faculty, staff, and alumni, and the top 25 profiles were selected as finalists. The authors of the top 10 profiles received an award named for Eric Yee '95, Chair of the Alumni Association's Mentoring Committee and a fervent advocate of students getting to know the network of alumni who want to give a helping hand.




April 30, 2009: The Class of 2009 Cocktail Party

This year's graduation party, held on April 30, 2009, was the first to be held in the Law School's brand-new building at 185 West Broadway. More than 400 students and their guests gathered in the Events Center for a night of festivities, which included a DJ and an endless array of hors d'oeuvres. The party was open to all members of the graduating class and their guests, free of charge.



May 4, 2009: U.S. Supreme Court Induction and Luncheon

Thirty-three New York Law School alumni were admitted to practice before the U.S. Supreme Court in an induction ceremony held on May 4, 2009 in Washington, D.C. To qualify for admission to the bar of the Supreme Court, applicants must be admitted to practice in the highest court of a state, commonwealth, territory, possession, or the District of Columbia for at least three years immediately before applying. Other qualifications include demonstrating good moral and professional character and submitting two letters of recommendation from members of the bar of the Supreme Court.

Following the induction ceremony, the Law School hosted a luncheon for approximately 60 alumni and friends at the International Spy Museum's Zola restaurant. If you are interested in being placed on New York Law School's waiting list for the next group induction to the U.S. Supreme Court in May 2010, please contact Jimena Buitrago at 212.431.2189 or jimena.buitrago@nyls.edu. 



For more information about these and other alumni events, visit www.nyls.edu/alumni.



ALUMNI WEEKEND 2010

IT'S NOT JUST FOR REUNIONS ANYMORE.

ANNOUNCING THE FIRST-EVER
NEW YORK LAW SCHOOL ALL-ALUMNI WEEKEND,
INCLUDING REUNION CELEBRATIONS
FOR CLASSES ENDING IN "O" AND "5."

MARK YOUR CALENDARS NOW FOR
APRIL 23-25, 2010.

FOR MORE INFORMATION, CALL THE OFFICE OF DEVELOPMENT AND ALUMNI RELATIONS
AT 212.431.2800 OR E-MAIL ALUMNI@NYLS.EDU.

SCREENWRITING FOR LAWYERS

WORKSHOP LED BY LAURIE H. HUTZLER '79

SUNDAY, APRIL 25, 2009

NEW YORK LAW SCHOOL

Every lawyer has dozens of great stories. A legal practice deals with human nature at its best and worst and involves situations of tremendous conflict and deep emotion. Emotional conflict is the bedrock of all great films, television shows, and novels. You have the stories. You have the basic writing skills. This one-day workshop will help you take what you already know and apply it to a new form.

You will learn how to turn your own experience and personal feelings into powerful fictional stories. This is not autobiographical or memoir writing; it's learning how to transform your own knowledge and understanding into entertaining fictional narratives populated by a cast of memorable characters only you can create.

Whether you are writing a novel or a screenplay, long form or short form for the Internet, your work must be compelling and "cinematic." A great script or a best-selling novel unfolds like a movie in the reader's mind. This workshop will help you make your story flow like a film in your readers' imagination.

About the Workshop Leader

After her admission to the bar in New York, Laurie H. Hutzler '79 successfully made the transition from lawyer to screenwriter. She was a staff writer and story consultant on the NBC series *The Black Donnellys*, and has worked as a consultant with Academy Award winner Paul Haggis on his recent films: *In the Valley of Elah* and *Quantum of Solace* (James Bond), and on two Academy Award-winning foreign films: *The Counterfeiters* and *Tsotsi*. Hutzler is currently a consultant for FremantleMedia's Worldwide Drama Division, working on long-running television series in the UK, Europe, and Australia. She taught screenwriting in the M.F.A. program at the UCLA School of Theater, Film, and Television for 10 years.

alumni at

New York Law School
Entrepreneurs
Think

BIG

New York Law School **Entrepreneurs Think Big**

By Christine Pakkala

In today's economy, what once seemed safe—the guaranteed stability of a big firm—is no longer necessarily so. Look no further than the recent demise of four major law firms: Heller Ehrman LLP, Thacher Proffitt & Wood LLP, Thelen LLP, and WolfBlock LLP, which sent approximately 1,800 lawyers into a dismal marketplace.¹

So it makes sense that the wildly risky move of launching your own business might now seem just a bit more appealing. The seven Law School graduates highlighted below have done just that: taken a risk on a business venture, and met with remarkable success.

Two have capitalized on a trend—New Yorkers' craving for gourmet cupcakes. One is a restaurateur and a lawyer. Another has launched her own law firm, catering to a select clientele of artists and musicians. While each has a unique entrepreneurial spin, they all work long hours. They all feel passion for what they do. They all knew—even in law school—that their interests included, but were not limited to, the law. They wanted to do something in business and something creative, whether that was creating innovative pharmaceuticals, award-winning movies, international video game deals, the perfect Italian restaurant, or key lime cupcakes. Taking a leap, they all landed successfully.

¹ "After the Fall," *The National Law Journal*, August 10, 2009.



Mia Bauer '96: The Secret Weapon behind Crumbs Bakery's Success

When Crumbs Bake Shop founder Mia Bauer '96 walks into a meeting with her husband and business partner Jason Bauer, people assume that he has brought along his baker. It infuriated Mia until she saw the advantage.

"I'm our secret weapon," she says. "They have no idea I have a law degree. It's a huge advantage to have that critical layer of thinking—to analyze what is being said—and discuss it later with my husband."

The Bauers launched the first Crumbs in Manhattan in 2003, "just before the cupcake craze." Previously, Mia had worked as a lobbyist and had gone to law school to sharpen her political skills. But she and Jason decided to go into business together instead, inspired by her love of baking and his entrepreneurial spirit.

"We complement each other. I'm more about having a sweet little neighborhood place. He's more 'Let's take over the world.' I put him in check, and he pushes me."

At the outset, they had no clear business model, only a notion to bring back the "wide-eyed excitement" children feel at having a delicious, home-made cupcake. The Bauers partnered with an investor, enabling them to double the size of their business in two years, to 26 locations on both coasts.

But, Bauer cautions, you won't see a Crumbs Bake Shop off I-95 anytime soon. They plan to expand to premium locations in small towns with a strong sense of community. Maintaining community ties—by providing customers with the best possible product and donating to local organizations—is hugely important to the Bauers.

"We want to give back to the community. We don't care what that does to the bottom line."



**Anthony
Capetola '70:
Eighty Hours a
Week, One Hour
at a Time**

When restaurateur, wine connoisseur, and attorney Anthony Capetola '70 imagines the perfect meal, the setting is Italy, the food is authentic Italian cuisine, and the wine is Sassicaia. The guest list is drawn from Capetola's compelling career path, which has included managing boxers, breeding champion horses, prosecuting cases, practicing family law, and opening five award-winning restaurants in three regions.

"It would have to be a big table," he laughs, and would include football coaches who told the boy from a rough Jersey City neighborhood that he could make something of himself.

Capetola attended college on a football scholarship, but a knee injury persuaded him to attend law school instead of joining the NFL.

"I left law school with the ability to do business deals, and within a few years, I was buying real estate," he recalls. After a stint as a Nassau County assistant district attorney, Capetola started a family law practice in 1976. In 1995, he opened The Carlton at Eisenhower Park in East Meadow, New York. The Temple Bar and Grill in Atlantic City and Olio! in Las Vegas followed.

Today, Capetola has trimmed his holdings to The Carlton, selling the other restaurants at a profit, just before the economic downturn. Entrepreneurs, he notes, have to excel at aborting plans as well as enacting them. "We had to change the model of the ship to stay in business. When I started, you could get financing on your signature. That's no longer the case."



**Lev
Ekster '09:
How Sweet It Is**

Last spring, while studying for finals and preparing for life after law school, Lev Ekster '09 became aware of two unpleasant facts. Jobs in the legal profession had become harder to find, and tasty late-night study snacks even harder.

Ekster decided to do something about it. In June, he launched CupcakeStop, a mobile cupcake business (think Mr. Softee) that parks in locations around Manhattan. He regularly offers six flavors, with red velvet always a sellout. Four flavors—psychedelic tie-dye, cappuccino, and strawberry shortcake, for example—change daily. Unsold cupcakes are donated to City Harvest.

Now Ekster finds himself tracked by 7,800 followers on Twitter who use the Internet service to scout the location of his truck. Day-to-day operations include handling a landslide of media attention and managing crises. Once, a frantic phone call from his baker at 4:00 a.m. sent him to a 24-hour Pathmark to find baking powder. Their food distributor had delivered baking soda instead.

Ekster is also engaged in long-range planning. Just a few months into his venture, he is supplying cupcakes to weddings and bar mitzvahs and fielding franchise inquiries. He's also planning to expand to a retail storefront as well as a retail space inside Limelight Marketplace, a new four-floor center in the old Limelight building in Chelsea.

Logging only a few hours of sleep each night is one of the trade-offs, but it's part of "living the life of an entrepreneur," Ekster says. "I love it. And right now the sky is the limit."

Quinn Heraty '00:
**Cool Clients,
Good Works**

Quinn Heraty '00 has a very hip client list. Roller derby leagues, graffiti artists, filmmakers, publishers, musicians, and photographers are just a small sample of the clients she advises on legal issues relating to small business ownership—from drafting contracts to dealing with intellectual property issues.

“I’ve always had an entrepreneurial streak,” the Chicago native says. “I’ve always been attracted to business issues. When I was a kid, I studied a book about money and business.”

That business sense is flavored by a desire to help artists, musicians, and others who would not normally have access to legal advice. Like institutions that provide micro-loans to small businesses, Heraty operates on the theory that “few businesses need a lot of help, but a lot of businesses need a little help.”

Before her law career, Heraty managed bands, explored film and video production, and later worked in a media company’s strategic planning department. Exposure to business development inspired her to apply to law school.

Many of Heraty’s clients—designer Todd James, writer Ego Trip, and publisher Testify Books, for example—collaborate with each other. And these collaborations are good for Heraty’s business. She says the arts community knows her not through advertising but through word of mouth.

One of the great things about owning her own firm is getting to choose her own clients, and she’s never in short supply of them, even in a down economy. “If you are honest and direct, you will not want for clients.”



Steven Klosk '87:
Green Profits

“Dad never worked for anyone,” Steven Klosk '87 says of his father. The elder Klosk’s small law practice financed a variety of successful ventures, from Mr. Pips Fish & Chips to Salt of the Earth. That entrepreneurial example inspired the younger Klosk, who is now CEO of Cambrex Corporation, a company that produces chemicals for customers bringing new therapeutics and generic drugs to market.

Klosk’s start as CEO at Cambrex coincided with the collapse of the markets. “We went into '08 knowing it would be a very tough year, but while most people were contracting, we were growing.”

At Cambrex, there was a hiring freeze, but no layoffs. Instead, Klosk created teams to reduce other controllable costs: redundancy in sourcing, maintenance, cost of quality, “scaling up” factories (producers of large-scale chemicals), and reducing waste.

“It was really exciting to learn that the lowest-cost chemical process for one of our key products was the greenest,” he says. “We had been generating \$15 million in waste, and we’ve reduced that by \$1.5 million, and we plan to keep attacking that number.”

Exciting, too, are the results of Klosk’s proactive approach: in 30 days, the company saved \$700,000—\$2.5 million to date—and in one of the grimmest economic years, Cambrex increased its profit by double digits compared to the prior year.

Of his success, Klosk says, “You can be a good lawyer and a good businessman. But it’s not enough to know the facts. You have to be able to understand how you deliver the best value—with the facts at hand.”



**Arnold
Kopelson '59:
And the Winner Is . . .**

One day he would produce 29 motion pictures and win a best-picture Academy Award for *Platoon*. But in 1945, producer Arnold Kopelson '59 was a 10-year-old Brooklyn boy who loved the movies. He spent every Saturday afternoon at the Claridge Theatre watching thrillers like Hitchcock's *Spellbound*.

"In those days the theater played exciting serials," Kopelson recalls. "There was always a cliffhanger to get you to return the following week." It was those cliffhangers that sparked his interest in producing his own thrillers, like *The Fugitive*, *Seven*, and *Don't Say a Word*.

In law school, however, Kopelson's focus was solely on law, particularly corporate law; "Professor [Milton] Silverman made the subject come alive." After clerking at Cravath, Swaine & Moore during law school, Kopelson joined a law firm that served as counsel to Chemical Bank and other financial institutions lending money to the movie industry. He was assigned to these accounts and developed a specialty in motion picture financing. From there, it was a short leap to starting his own film production company with Anne Feinberg, who would later become his wife.

Kopelson says his background as a lawyer benefits him every day as a producer. "I am ahead of the others I am dealing with, as I understand the ramifications of negotiation and contract law," he says. "I am also able to guide my own attorneys and not just sit back being led around by them. Being a lawyer gets you to think on your feet and make quick decisions."




**Sean
Malatesta '95:
Game Time**

Growing up in Michigan, Sean Malatesta '95 spent many a winter day playing video games. Many would consider it a fun pastime, but for Malatesta, it was also great preparation for his career. Malatesta is CEO of IG FUN LLC, a unit of Indiagames Ltd., a mobile and online game company. Based in Los Angeles, Malatesta manages the business in the Americas and Europe, raising capital for and creating partnerships with mobile carriers, handset makers, and rights holders.

"It used to be easier," he says of deal-making in a down economy. But for Malatesta—who was selected by Ernst & Young as an "Entrepreneur of the Year" finalist in 2000—it's part of business. "Like any negotiating, you try to anticipate what the other side will ask or is looking for."

Working in an international environment has its challenges, Malatesta says, as there are cultural and language differences. But he says he handles it with professionalism, knowing that he is "an international ambassador not only for the company, but for this country."

Law school was "the springboard to law and business" for Malatesta, and the place where he says he learned how to think. "I see law as math with words, solving equations with words, logic, and argument. It's harder to do with words than numbers. In the future, I believe, those that can think—and not regurgitate—can succeed in this new economy." 

1891	1922	1953	1984
1892	1923	1954	1985
1893	1924	1955	1986
1894	1925	1956	1987
1895	1926	1957	1988
1896	1927	1958	1989
1897	1928	1959	1990
1898	1929	1960	1991
1899	1930	1961	1992
1900	1931	1962	1993
1901	1932	1963	1994
1902	1933	1964	1995
1903	Send us your news!	1965	1996
1904	<i>New York Law School Magazine</i> would like to hear	1966	1997
1905	from you! Please let us know about your professional	1967	1998
1906	accomplishments, personal milestones, and/or any	1968	1999
1907	other news you would like to share with the New	1969	2000
1908	York Law School community. Send us your news via	1970	2001
1909	e-mail to magazine@nyls.edu or via the Web at	1971	2002
1910	www.nyls.edu/magazine.	1972	2003



1916	1947	1978	2009
1917	1948	1979	2010
1918	1949	1980	.
1919	1950	1981	.
1920	1951	1982	
1921	1952	1983	

Class Notes

Compiled by Denise Tong

1967

Manny Gerstein received the Edward Schoifet Family Law Award from the Family Law Section of the Middlesex County (New Jersey) Bar Association (MCBA) in January 2009. The award is presented annually to an outstanding family law practitioner who has been practicing for 15 years or more. Gerstein is a partner at Gerstein & Richman, LLC in Edison, New Jersey. (MCBAlaw.com)

Joseph O'Neill is a member of O'Neill & Coant, PC in Vineland, New Jersey. His practice focuses on medical malpractice, products liability, negligence, employment law, criminal law, business litigation, workers' compensation, and appellate practice. (TheDailyJournal.com)

1970

Rabbi Dr. Jacob Haberman received an honorary doctorate degree from Yeshiva University on May 14, 2009 in recognition of his leadership and philanthropic values. He is the founder of Haberman & Haberman, a real estate ownership and management company. (Yeshiva University)

1972

Hon. John Walsh was reappointed to the Criminal Court of the City of New York by Mayor Michael R. Bloomberg in January 2009. He is also an acting New York State Supreme Court justice in Kings County. (NYC.gov)

1976

John D. McMahon is Executive Vice President of Con Edison, Inc. He manages regulatory services and energy efficiency programs as well as the general counsel's

office. He was previously the President and CEO of Con Edison's subsidiary, Orange and Rockland Utilities, Inc. (*The Queens Gazette*)

Marianne Spraggins presented the program "Don't Get Caught Up in the Student Debt Rip-Off" during Financial Literacy Week at Bennett College for Women in Greensboro, North Carolina, in February 2009. She is President of BHP Institutional Strategies, a consulting firm that advises new and emerging companies on business development, marketing strategy, and capital raising in the institutional investor marketplace. (Bennett College)

1979



Despina C. Marsella has had two legal thrillers published by Dell under the name Celeste Marsella. *Defenseless* (2008) and *Perfectly Criminal* (2009) are both set in Providence, Rhode Island.

Michael J. Stanton was selected for inclusion in the Family Law section of *New Jersey Super Lawyers 2009*. He has been listed in the section every year since 2005. Stanton is a member of Norris McLaughlin & Marcus, PA in Somerville, New Jersey, where he practices matrimonial law and alternative dispute resolution. (Norris McLaughlin & Marcus)

1981

E. Christopher Johnson Jr. joined the faculty of the Thomas M. Cooley Law School in Lansing, Michigan, in January 2009, to lead the school's new Corporate Law and Finance LL.M. program. He previously served as Vice President and

General Counsel at General Motors. In May, Johnson was the keynote speaker at a symposium on the ethics of the economic bailout at Augustana College in Rock Island, Illinois. (Augustana College)

Michael Rozman is the Chief Deputy District Attorney of Dauphin County, Pennsylvania, and is a certified criminal trial advocate. (PennLive.com)

1982

Barbara Champoux joined the New York office of Crowell & Moring LLP in April 2009 as a partner in the financial services group. (Crowell & Moring)

Edith Mazier, who has long written under the name E.E. Mazier, published her first book, *The Complete Guide to Investing in Duplexes, Triplexes, Fourplexes, and Mobile Homes*, (Atlantic Publishing Co., 2009), which draws on her experiences as a real estate attorney and investor. Mazier's professional writing career has included roles as a reporter, editor, short story author, and playwright. She resides with her husband in New Jersey and contributes articles about real estate investing and other topics to Suite101.com.

1983

Frank Krotschinsky was named Director of the Department of Handicapped Services in Suffolk County, New York, in May 2009. He was previously an assistant county attorney. (Suffolk County Government)

1984

Hon. Marc Whiten was appointed to the Criminal Court of the City of New York by Mayor Michael R. Bloomberg in January 2009. (NYC.gov)

1985



Nicholas Pellitta received the Chairman's Award for Excellence from the Hunterdon County (New Jersey) Chamber of Commerce

(HCCC) in January 2009. The award recognizes outstanding service to the HCCC. He was also appointed to the Board of Directors of the Raritan Valley Community College Foundation in May 2009. He is a member of Norris McLaughlin & Marcus, PA in Bridgewater, New Jersey, where he specializes in litigation. (Norris McLaughlin & Marcus)

1986

Blanche Lark Christerson was a speaker at the "2009 Estate Planning Update," a two-part seminar presented by the State Bar of Wisconsin in June 2009. She is a managing director at Deutsche Bank Private Wealth Management in Manhattan. (State Bar of Wisconsin)

1987

Joshua Dicker was appointed Vice President of Getty Realty Corp. in Jericho, New York, in February 2009. In addition to his new role, he continues to serve as General Counsel and Corporate Secretary. (Getty Realty Corp.)

1988

Christopher Benbow and his wife Nancy received the 2009 Friends of the College of Staten Island (CSI) Award for their many years of support of CSI. Benbow serves as Court Attorney in the chambers of Hon. Marcy L. Kahn, New York State Supreme Court, New York County, Criminal Term. (CSI)

Scott Cagan was recognized in *Florida Trend* magazine's July 2009 "Legal Elite" issue, which honors attorneys who have been voted by their peers as legal leaders in the state. Cagan was recognized for his work in commercial litigation. He is an attorney at GrayRobinson in Fort Lauderdale, Florida, where his practice focuses on litigation, employment and labor, and real estate. (GrayRobinson)

Guy R. Vitacco Jr. was installed as President of the Queens County (New York) Bar Association in June 2009. He is a partner with the Law Offices of Vitacco & Vitacco in Elmhurst, New York. (Vitacco & Vitacco)

1989

Mark J. Epstein is a partner at Pazer, Epstein & Jaffe, PC, a personal injury law firm with offices in Manhattan and Huntington, New York. In spring 2009, Epstein was appointed by Governor David A. Paterson to the Permanent Citizens Advisory Committee to the Metropolitan Transportation Authority (MTA) and the Long Island Rail Road Commuter's Council. He was also recently appointed to the Suffolk County (New York) Human Rights Commission.

1990

James P. Seery Jr. joined Sidley Austin LLP's Manhattan office in April 2009 as a partner in the firm's corporate reorganization and bankruptcy practice. He was previously Managing Director of Barclays Capital. (Sidley Austin)

1991

Gary E. Ireland received the NAACP's 2009 Foot Soldiers in the Sands Award in July 2009. The award recognizes Ireland's outstanding aid to the NAACP membership

and the general public. He owns a practice in Manhattan, where he concentrates in several areas with a special focus on environmental law.

Jennifer Manner is the Senior Vice President for Government Affairs at the Entertainment Software Association (ESA) in Washington, D.C. She manages the Association's federal and state government relations team. (ESA)

1992

Hon. Dominic R. Massaro was appointed a New York State Supreme Court justice, First Judicial District, by Governor David A. Paterson in June 2009. Massaro is an acting justice in the Supreme Court, Bronx County, and also serves as a judge on the New York State Court of Claims. (NYC.gov)

1993

Charles E. Phillips Jr., President of Oracle Corporation, was named to President Obama's 16-member Economic Recovery Advisory Board in February 2009. The Board offers independent advice to the president and his economic team. (WhiteHouse.gov)

Paul Schiavone was appointed Global Head of Mergers and Acquisitions for Global Corporate at the Zurich Financial Services Group in June 2009. He continues to serve as Zurich's Global Corporate Chief Underwriting Officer of Directors & Officers Liability and Employment Practices Liability Insurance for countries outside North America. Schiavone is based in the United Kingdom. (Zurich Financial Services Group)

1994

Debra Bampton is Vice President of Legal Affairs at Somerset Medical Center

in Somerville, New Jersey. She serves as the Center's internal legal counsel. (*Courier News*)

Joseph Kennedy is the Vice President, General Counsel, and Secretary at Transcept Pharmaceuticals, Inc., a specialty pharmaceutical company focused on the development and commercialization of proprietary products that meet therapeutic needs in neuroscience. (Transcept Pharmaceuticals)

Carolyn Richmond was named in "Forty Under 40: New York's Rising Stars," an annual feature in *Crain's New York Business*, in April 2009. She is a partner at Fox Rothschild LLP in Manhattan and co-chair of the firm's hospitality practice. (*Crain's New York Business*)

1995

Scott Zeller was appointed in June 2009 to the Board of Directors of the Rockingham Economic Development Corporation (REDC), a nonprofit regional economic development corporation serving 30 communities in southeastern New Hampshire. Zeller is a co-founder and Vice President of Corporate Affairs for Portsmouth, New Hampshire-based Exavera Technologies, which focuses on building advanced networks that enable the identification, location, and tracking of people and assets. (SeacoastOnline.com)

1996

David Rosenwasser was named Vice President of the Americas for GulfMark Offshore, Inc. in February 2009. The company manages a modern fleet of offshore support vessels. The Americas segment includes the U.S. Gulf of Mexico, Trinidad, Mexico, and Brazil. He first joined GulfMark in 2001 as Director of Business Development. (GulfMark)

Hajime "Jim" Sakaguchi is the General Manager of the Oceania, Middle East & Southwest Asia Marketing Division at Toyota Motor Corporation, based in Japan. He was profiled in the July 7, 2009 edition of the *Times of Oman* regarding his business trip to Muscat, Oman. (*Times of Oman*)

1997

Joshua Brinen is the Founder and Principal of Brinen & Associates, a planning and transaction boutique law firm based in Manhattan. The firm works domestically and internationally with businesses and individuals in Canada, the Caribbean, Latin America, Europe, and the Pacific Rim. In 2009, the firm was appointed as outside general counsel by Aquagold International, a Canadian spring water products distributor. (Aquagold International)

Hon. Mary M. Cheng was sworn in as a judge of the New York Immigration Court in April 2009. She was previously an assistant chief counsel for Immigration and Customs Enforcement, Department of Homeland Security, in New York. (*Executive Office for Immigration Review*)



Marie Landsman joined Meyer, Suozzi, English & Klein, PC in May 2009 as an associate in the firm's Garden City, New York, office.

She specializes in real estate law. (Meyer, Suozzi, English & Klein)

Kenneth Mitchell was elected to the New York City Council, representing District 49, in February 2009. He was previously Chief of Staff and General Counsel to former Councilman (now Congressman) **Michael McMahon '85**. Mitchell was profiled in the March 19, 2009 edition of the *Staten Island Advance* about his new role. (*Staten Island Advance*)

1998

Ingrid Green Jones is a founding member of Walker, Green, Wilson & Butler, LLC, a full-service corporate law firm based in Manhattan. The firm is 100 percent women- and minority-owned.

1999

Frank J. Riccio II is a criminal defense lawyer in Bridgeport, Connecticut, practicing in both state and federal courts. He works alongside his father, **Frank J. Riccio '68**. The younger Riccio has tried 35 state and federal criminal trials to a conclusion. He also successfully defended former Major League Baseball player Jose Offerman in criminal charges brought in Connecticut state court and is currently defending him in a federal civil lawsuit resulting from the same incident.

2001

Bradley Schreiber published an op-ed, "A Drug War Inside the Government," in the June 16, 2009 edition of *The New York Times*. He is President of Homeland Security Solutions, LLC, a government relations company based in Chevy Chase, Maryland.

Preethi Sekharan was named a 2009 Rising Star by *Florida SuperLawyers* magazine and was also elected Vice President of the Martin County (Florida) Bar Association. She is an attorney at Page, Mrachek, Fitzgerald & Rose, PA in the firm's Stuart, Florida, office, where her practice focuses on commercial, business, and intellectual property disputes. Sekharan was previously an attorney with Amster Rothstein & Eberstein LLP in Manhattan.

2002

Brenda Cooke co-authored "Cooperation, Privilege, and Internal Investigations"

(with Steven M. Witzel), an article published in the March 9, 2009 edition of *The National Law Journal*. She is a litigation associate at Fried, Frank, Harris, Shriver & Jacobson LLP in Manhattan.

Richard Windram was named by Verizon as Director of Government and External Affairs Programs in New York City in May 2009. He is responsible for public policy development and advocacy initiatives with New York City governmental agencies, elected officials, and other city organizations. (Verizon; *Network Weekly News*)

2003

Dawn Aponte was appointed Vice President, Football Administration for the Cleveland Browns. She oversees management of the salary cap and player contract negotiations. (Cleveland.com)

Steven Lastres published "Knowledge Management in a Changing World" in the March/April 2009 issue of *Law Librarians in the New Millennium*. He is Director of Library and Knowledge Management at Debevoise & Plimpton LLP in Manhattan.

Charles R. Walsh is an assistant United States attorney for the District of Puerto Rico. He was appointed on October 15, 2007, and is currently assigned to the White Collar Crimes Unit.

2004

Amanda Nelson is an associate in the general litigation department at Cozen O'Connor in Manhattan. Her practice focus includes complex zoning and regulatory issues and loft law matters. (Cozen O'Connor)

John Tatulli is a partner at Tucci & Tatulli, PC in Long Branch, New Jersey. He was featured in the Jersey Shore newspaper *The Coaster* on January 15, 2009 in an

article about his invitation to attend the presidential inauguration ceremony. Tatulli had worked on Vice President Joe Biden's earlier presidential campaign. (*The Coaster*)

2005

Caroline Jasmine ("C.J.") Vranca received the Rising Star Counsel of the Year Award from the Association of Media and Entertainment Counsel in January 2009. In February, she was promoted to Vice President of Business and Legal Affairs at Yari Film Group, LLC in Los Angeles.

Mollie O'Rourke and New York Law School student Alana Sliwinski 2L co-authored "2008 Federal and State Legislative Roundup Affecting the Lives of Women and Girls," an article published in the January/February 2009 issue of the *New York County Lawyer*. O'Rourke is an associate at Cadwalader, Wickersham & Taft LLP in Manhattan and the Co-chair of the New York County Lawyers' Association's Women's Rights Committee. (*The New York County Lawyer*)

2006

Robert J. Coyle provides an update of his activities since graduation: He was appointed Vice President of the Town of Southampton (New York) Municipal Housing Authority and Vice President of the nonprofit arm of the Southampton Community Development Corporation. He was also elected Judicial Delegate and Committeeman. Most recently, he received the nomination to run for Suffolk County Legislator for the Second Legislative District.

Carra Greenberg is the Co-director and Producer for Prop 8 Films, a nonprofit organization that produces socially conscious documentaries. She is working on *Proposition 8: The Heart of the Matter*,

a documentary about the November 2008 passage of Proposition 8 in California, which eliminated the right of same-sex couples to marry in that state.

Anthony Lee Pacchia, a Bloomberg Law legal analyst, regularly discusses regulation and securities law on the company's podcasts, which are available on Bloomberg.com, Bloomberg Terminal, and iTunes.

2008

Ken Biberaj is the Vice President and spokesman for the RTR Funding Group, which owns and operates the Russian Tea Room in Manhattan. He and his wife Valerie were profiled in the "Vows" column in *The New York Times* on April 3, 2009. The article traces the course of their relationship over the years, from their first meeting in 2004 to their wedding in March 2009. (*The New York Times*)

Mark Lesniak is an attorney with Leibowitz and Associates, PA in Miami, Florida. In April 2009, the firm successfully represented Mexican radio broadcaster Grupo Radio Centro in its agreement with Emmis Communications to assume responsibility for the marketing and programming of Los Angeles radio station KMVN-FM. (*Daily Business Review*)

Jason Summerfield's article, "The Corruption Defense in Investment Disputes: A Discussion of the Imbalance between International Discourse and Arbitral Decisions," was published in the March 2009 issue of the peer review journal *Transnational Dispute Management*.

James Vinocur won first prize in New York Law School's Nathan Burkan Memorial Competition, which is sponsored by the American Society of Composers, Authors, and Publishers (ASCAP). His winning essay was titled "Smile! The Legal Consequences of Using Snapshots of Avatars within Virtual Worlds." (ASCAP)



Nicole Kacor '05: In Pursuit of Justice, Chicago Style

By Edith Sachs



Nicole Kacor '05 doesn't need to watch *Law & Order*, *CSI*, or any of those cop/lawyer TV shows. She's living that life every day in Chicago, her native city, where she is an assistant state's attorney in the Cook County State's Attorney's Office.

Currently assigned to the Criminal Prosecutions Bureau, Municipal Division, Kacor can usually be found in court, in the preliminary hearing room. She presents cases to the Cook County Grand Jury and tries to obtain indictments in very serious felony cases, including murder, home invasion, reckless homicide, sexual assault, and armed robbery. In about two and a half years, she has prepared and tried more than 200 criminal matters.

Kacor recently returned to the preliminary hearing room after spending about eight months assigned to the Felony Review Unit, which brought her much closer to actual crime scenes.

"I would be paged and would have to report to the police station where the officers would already have a suspect in custody," Kacor explains. "My job was to gather and review evidence; interview and obtain statements from suspects, victims, and witnesses; and determine what, if any, felony charges the state was going to file."

While assigned to the Felony Review Unit, Kacor took the opportunity to view her first autopsy. It wasn't an experience she will soon forget, and she's not anxious to repeat it. "It was an indescribable environment, with dead bodies all around the room awaiting examination. It's amazing how quickly you become desensitized to the concepts of life and death," she says. "You have to remind yourself that these were people who were walking around yesterday just like you and me."

Despite her daily encounters with the darker side of life, Kacor doesn't sound like one of the brooding, conflicted criminal prosecutors from the TV shows. She sounds genuinely happy to be doing her job. In part, this is because she's carrying on a family tradition of law enforcement; her mother is a Chicago police officer. She also has an aunt and uncle who are lawyers.

"I can't remember a time when I wasn't interested in being a lawyer, and I always assumed I'd be in criminal law," she says. "I interned in the State's Attorney's Office in the gang unit right after I took the bar exam, and I enjoyed it. I liked being on the 'good side.' I got a kick out of the idea that my mom might arrest someone, and then I'd be the one to put them in jail."

Her law school experiences also gave Kacor a big push down her current career path. She loved her Trial Advocacy course and speaks highly of Professors Eugene Cerruti and Randolph N. Jonakait, with whom she took Criminal Law and Criminal Procedure. She also raves about Professor Nadine Strossen, her Constitutional Law teacher. Kacor went with Professor Strossen and other students to the U.S. Supreme Court to hear oral arguments in the landmark case *Roper v. Simmons*.

In her free time, Kacor can often be found back in court—a volleyball court, that is. The former University of Michigan full-scholarship varsity volleyball player founded her own kids' volleyball school, Club Kace, LLC, in 2005.

Although she chose to return to Chicago, Kacor considers her law school years in New York to be "the best experience of my life thus far."

"I truly loved and cherished my time at New York Law School. I feel that I received an excellent education that prepared me for both the bar exam and the larger legal world. The memories and relationships that I took away from law school are things I will treasure forever." 

IN MEMORIAM

STAFF

Christopher A. Spooner • March 27, 2009

ALUMNI

Class of 1942

Hon. James Warren Kelly • August 6, 2008

Class of 1950

Hon. Edward J. Amann Jr. • July 15, 2009

Class of 1951

Hon. Alfred D. Lerner • August 3, 2009

Maurice Rosenstock • August 10, 2009

Class of 1953

Jerome V. Giovinazzo • June 7, 2009

Class of 1966

James A. Galdieri • May 16, 2009

Class of 1968

Michael B. Masius • February 4, 2009

Class of 1972

Carmen J. Pino • March 28, 2009

Class of 1973

William L. Flock • April 8, 2009

Class of 1981

James J. Malley • March 27, 2009

Class of 1987

Robert W. Abrams • April 13, 2009

Class of 2008

John L. Boutsikakis • May 27, 2009

Rebecca Quatinetz • August 3, 2009

f Staff

Christopher A. Spooner

The New York Law School community mourns the loss of Christopher A. Spooner, long-time Senior Security Coordinator with the Security and Safety Department at the Law School. Spooner died on March 27, 2009 after a long illness. He was 64.

Spooner was born in the Republic of Trinidad and Tobago. He attended Presentation College, a Roman Catholic secondary school in San Fernando, as well as Saint Louise Commercial School. From 1963 to 1982, he served in the Trinidad and Tobago Defense Force, where he attained the rank of sergeant. After this service, he attended several professional security training programs at the Police Training College and was subsequently appointed Assistant Superintendent of Police with the Airport Authority of Trinidad and Tobago.

Spooner immigrated to the United States in 1990, arriving in Brooklyn. He was employed by several hospitality and retail companies as a security supervisor and store detective before becoming a part-time member of the Law School security staff in November 1992. In April 1993, he was appointed Senior Security Coordinator.

“Chris was a great resource to me in helping to maintain a safe and secure environment for all our students, faculty, and staff,” says George Hayes, Assistant Vice President, Security and Safety. “To say that we miss him is an understatement.”

Kevin Hauss, Assistant Vice President, Human Resources, adds: “While Chris did much more as one of our security supervisors, he would also greet us with a pleasant smile and a ‘Good morning,’ from the 47 Worth Street security desk.” **f**



Left to right: Dean Richard A. Matasar with Christopher A. Spooner at the Law School’s Staff Recognition Luncheon in 2008.



i Alumni

Hon. Edward J. Amann Jr. '50

Hon. Edward J. Amann Jr. '50, former New York State assemblyman and Supreme Court justice, died on July 15, 2009 at age 83.

Born in Manhattan, Judge Amann moved with his family to Staten Island as an infant and lived there the rest of his life. He went to Curtis High School, where he maintained high grades while participating in extracurricular activities and working part time. Upon graduation, Judge Amann joined the Navy and served as a Seabee during World War II.

When he returned, Judge Amann earned his bachelor's degree at Wagner College. With dreams of attending law school, he accepted a construction job digging the Brooklyn Battery Tunnel to cover the cost of tuition. He graduated from New York Law School in 1950 and embarked on a 22-year career in private practice focused on civil negligence cases.

Judge Amann was elected to the state assembly at age 27, making him one of the youngest people to serve in that body. In this role, he contributed to the creation of New York's minimum wage law, a tax relief plan for older homeowners, and an adolescent court on Staten Island. He also advocated for laws to protect mentally disabled youth. He was a board member of Staten Island Aid for Retarded Children and counsel to United Cerebral Palsy in Staten Island. Judge Amann served a total of 21 years as an assemblyman.

In 1973, Judge Amann was appointed to the state Court of Claims, where he served three consecutive terms. He was appointed an acting justice of the New York State Supreme Court in 1993 and subsequently received full appointment as a justice. He retired from the bench in 1995 at age 70.

During the Vietnam War, Judge Amann served as a major in the Army Reserve, acting as a judicial advocate at Staten Island's Fort Wadsworth. He was a member of the American Legion, Veterans of Foreign Wars, Knights of Columbus, Elks Lodge, and the Richmond County Bar Association.

He is survived by his sister, three children, and a grandson.

Jerome V. Giovinazzo '53

Jerome V. Giovinazzo '53, a World War II veteran, former New York Police Department (NYPD) detective, and trial defense attorney, died at his home in Staten Island on June 7, 2009. He was 84.

Giovinazzo was born in Calabria, Italy, and moved to Mariners Harbor, Staten Island, when he was 6. After graduating from Port Richmond High School, he joined the U.S. Army during World War II, where he participated in the Battle of the Bulge in Belgium as a member of the 563rd Anti-Aircraft Division.

After his military service, Giovinazzo joined the NYPD as an officer and was later promoted to detective. He went to school while he worked, graduating from Wagner College and then New York Law School. After law school, Giovinazzo served in the NYPD's Legal Bureau and the Confidential Squad.

In 1964, Giovinazzo opened a private law office in Staten Island, where he made a name for himself as a skilled defense attorney. In 1988, he was court-appointed to represent Andre Rand, one of Staten Island's most notorious criminals who was convicted for the 1987 kidnapping of a 12-year-old girl.

Giovinazzo was a charter member of the Staten Island Trial Lawyers Association. He was also a member of the Richmond County Bar Association, the Mike Cicero Association, Sons of Italy, and the Italian Club.

Giovinazzo is survived by his wife, four children, a sister, and 11 grandchildren.

Hon. Alfred D. Lerner '51

Hon. Alfred D. Lerner '51, World War II veteran, judge, and attorney, died on August 3, 2009 at age 80.

Judge Lerner was born and raised in Jamaica, Queens. At age 17, during World War II, he enlisted in the U.S. Army. A lifelong pilot, he later served as a colonel in the Civil Air Patrol. Judge Lerner earned his undergraduate degree from the City University of New York-Hunter College and his law degree from New York Law School in 1951—the same year he was admitted to the New York bar.

Judge Lerner began his career as a trial lawyer working with an older attorney. At an alumni breakfast at the Law School in 2007, he told guests: “The day after I was admitted, [the attorney] threw a file at me and sent me into a trial in the Bronx.”



Left to right: Hon. Alfred D. Lerner '51 with New York Law School Board Chair Arthur N. Abbey '59.

Judge Lerner eventually gravitated into politics and was elected to the New York State Assembly in 1957 as a Republican in a largely Democratic district. He stayed in the legislature for almost 15 years, representing three different Queens districts. During this time, he held various positions including Ranking Member of the Judiciary Committee and the Committee on the City of New York, member of the Rules Committee, Vice Chair of the Joint Legislative Committee on Interstate Cooperation, and Chair of both the Standing Committee on Insurance and the Select Committee on Child Abuse.

In 1971, Judge Lerner left Albany to serve as a trial justice in Queens County, where he also served as the Administrative Judge of Civil and Criminal Terms and as an Associate Justice of the Appellate Term. He presided over commercial, tort, and matrimonial cases, as well as criminal matters. Judge Lerner also taught as an adjunct professor at St. John's University from 1979 to 1983.

Judge Lerner served for 32 years on the bench in various capacities, including Presiding Justice of the Appellate Division, First Department; Associate Justice of the Appellate Division, Second Department; and Associate Justice of the Appellate Division, First Department. In June 2005, former Governor George Pataki appointed Judge Lerner Chair of the New York State Commission of Investigation.

After his retirement in 2004, Judge Lerner acted as Counsel to Phillips Nizer LLP, where his practice focused on appellate matters and on work with the firm's Alternative Dispute Resolution practice.

Of his class at New York Law School, Judge Lerner said: “We had a group of heroes in our class. We had people who flew missions over Germany, people who fought on Iwo Jima, two or three who fought in the Battle of the Bulge. We had one person who was on a destroyer sunk in the Battle of Leyte. We had some really great people.”

Throughout his life, Judge Lerner remained committed to New York Law School and to giving veterans the same opportunities he had. He set up the “Hon. Alfred D. Lerner Scholarship” for New York Law School students who are U.S. military veterans. Donations are still being made.

Judge Lerner is survived by his wife, three children, and a brother. **FI**



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.
- **Have lunch with a group of students.**
Return to the Law School to host students through the Lunch with a Lawyer program.
- **Participate in a career panel.**
Share your experiences and career insights with students and other members of your field.
- **Join our speed 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.



87

Freedom's Journal

First African American-Published Newspaper
Had Roots in Lower Manhattan



88

Sylvester C. Smith Jr. '18

Former ABA President and President of
New York Law School

Freedom's Journal First African American-Published Newspaper Had Roots in Lower Manhattan

By Edith Sachs


For several years, New York Law School has been looking forward eagerly to the opening of its new academic building. But looking back at the history of the School's current site and structures can be pretty interesting, too. Evidence suggests that the School's location is linked with an important name in African American history: *Freedom's Journal*, the first newspaper in the United States published by and for African Americans. A number of sources* state that *Freedom's Journal* was launched at 236 Church Street, an address which today is encompassed by the School's building at 57 Worth Street.

In the early 19th century, New York City became a settling place for free Northern blacks. Many were concentrated in the Manhattan neighborhood immediately surrounding the Law School's current location. But they represented a tiny minority in the city at that time, and racism and intolerance made life a daily struggle. Controversy raged over black citizens' rights and status in an overwhelmingly white society. Against this backdrop, *Freedom's Journal* was created. Its founders were Samuel E. Cornish, a Presbyterian minister who had been born free in Delaware, and John Brown Russwurm, a college-educated, Jamaican-born son of a white merchant and a black slave.

Making its debut in 1827, the same year slavery was officially abolished in New York State, *Freedom's Journal* provided a voice and a forum for African Americans. As Cornish and Russwurm declared on the front page of the very first issue, "We wish to plead our own cause. Too long have others spoken for us. Too long has the public been deceived by misrepresentations, in things which concern us dearly . . ."

With ambitions to reach a national audience, the editors sought to publish a newspaper of record for the black community. Its pages contained current events; editorials; and birth, death, and wedding announcements. It provided regional, national, and international news, and content that served to both entertain and educate. The newspaper broadened readers' knowledge of the world with articles on such countries as Haiti and Sierra Leone. To highlight and encourage black achievement, it featured biographies of renowned black figures such as Paul Cuffee, a Bostonian who owned a trading ship staffed by free black people; Toussaint L'Ouverture, a leader of the Haitian revolution; and poet Phyllis Wheatley.

But the larger purpose of *Freedom's Journal* was to enable African Americans to take an active part in the debates over slavery, abolition, and "colonization," a concept conceived by mostly white pro-emigration activists who advocated the "repatriation" of free black people to Africa. Initially opposed to colonization efforts, *Freedom's Journal* denounced slavery, spoke out against lynchings, and advocated for black people's political rights, including the right to vote. Cornish and Russwurm published articles that shed light on the harsh realities of slavery with the hope that they would undermine pro-slavery arguments. Moreover, readers found articles on how the American legal and political systems helped to perpetuate slavery.

Six months after the newspaper's debut, Cornish resigned under what are generally believed to be amicable circumstances, and Russwurm assumed sole editorship of the paper. During the following year, however, his personal attitudes toward the colonization movement began to shift. In February 1829, he published an editorial declaring the newspaper's support for the movement. The reaction of most of the paper's readership was harsh; and Russwurm, who had already made a decision to emigrate to Liberia, shut *Freedom's Journal* down after publishing its last issue on March 28, 1829. 

* Information Sources:

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MAAP—Mapping the African American Past, a Web project of Columbia University's Center for New Media Teaching and Learning, at <http://maap.columbia.edu/image/view/731.html>.

New York Songlines—Virtual Walking Tours of Manhattan's Streets, at www.nysonglines.com/church.htm.

See also:

Bacon, Jacqueline. *Freedom's Journal: The First African American Newspaper* (Lexington Books, 2007).

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Vaughn, Stephen L. *Encyclopedia of American Journalism* (Routledge/Taylor & Francis Group, 2008).

Sylvester C. Smith Jr. '18

Former ABA President and President of New York Law School

By Edith Sachs

When Sylvester C. Smith Jr. '18 became President of New York Law School in 1964 (in those days, the titles of Dean and President were separate), he was just adding one more honor to an already long and illustrious list. The previous year, he had concluded a one-year term as President of the American Bar Association (ABA). He was the Chairman of the New Jersey Highway Authority and a past president of the New Jersey State Bar Association. He had already received honorary Doctor of Laws degrees from Lafayette College (1951), Marietta College (1962), New York Law School (1962), and Seton Hall University (1963). A memorial resolution passed in January 1982 by the ABA following Smith's death stated, "His contributions to the legal profession, both within the organized Bar and in all phases of that profession, have probably never been surpassed by any single individual lawyer."

Smith was born in Phillipsburg, New Jersey, in 1894. He graduated from Lafayette College, just across the Delaware River in Easton, Pennsylvania, and served in the Navy in World War I. After law school, he practiced law in Phillipsburg for a few years before being elected Prosecutor of Warren County, New Jersey, in 1921.


In 1938, he joined the Prudential Insurance Company of America as Associate General Counsel. He would spend the rest of his career with Prudential; he was promoted to General Counsel in 1948, and retired from the company in 1963.

Presumably, Smith didn't spend much time behind his desk at Prudential during his last year with the company; he had been named President of the American Bar Association in 1962. It was an eventful time to be serving as the highest representative of the organized Bar in America. President John F. Kennedy summoned Smith and prominent officers of other bar associations to a White House conference in June 1963 to discuss actions the legal community could take to confront and eradicate racial discrimination. Eight months earlier, Smith had spoken out in an ABA press release regarding the James Meredith case and the resulting violence at the University of Mississippi:

... It is proper to say that the Department of Justice through the Attorney General and his staff were justified in intervening in the proceedings. The solemn legal duty of the executive branch of the federal government to uphold and seek enforcement of the orders of the federal courts was inescapable. . . . the American Bar Association and its House of Delegates have consistently upheld the principle that ours is a government of laws and not of men. We have maintained that lawyers as officers of the court and ministers of justice have a duty to sustain and defend the courts.

Smith was President of New York Law School for 11 years, from 1964 to 1975. It is probably not a coincidence that the Law School received permanent accreditation from the American Bar Association in 1964; according to alumnus Alan M. Grosman '65, who was close to Smith, Smith was instrumental in helping the School obtain this accreditation.

"Sylvester Smith was proud to be a graduate of New York Law School, and he wanted to serve as a modernizing influence on the administration," says Grosman. "The School had really struggled in the years following World War II. Smith graduated during a time of great prestige for the School earlier in the 20th century, and he wanted to see it regain its former position and reputation in legal academia."

Smith died in November 1981 at age 87. At the time of his death, he was Of Counsel for the law firm of Carpenter, Bennett & Morrissey in Newark, New Jersey. 

Grateful acknowledgement is made to Deborah Weixl of the American Bar Association's Division for Media Relations and Communications Services and her colleagues for their assistance with this article.

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