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SUFFOLK LAW

Suffolk University Law School Alumni Magazine • Spring 2004



**THE TIMES
THEY ARE
A-CHANGIN'**

DELIVERING
MUSIC IN THE
AGE OF DIGITAL
COPYRIGHT

CALENDAR 2004

UPCOMING EVENTS



ADVANCED LEGAL STUDIES

All courses are held at Sargent Hall unless otherwise noted. The following schedule is tentative. Contact ALS Director Carole Wagan for more information at 617.573.8627, als@suffolk.edu or visit www.law.suffolk.edu/als.

JUNE

Police Misconduct Litigation (ALS)

Golden Gate University Law School
Friday, June 4
San Francisco

Ethical Risks from the Use of Technology (ALS)

Friday, June 11
Suffolk University Law School

Alumni Evening at the Boston Pops

Friday, June 25
6pm
Symphony Hall

AUGUST

Annual Oxford Summer School: A Comparative Law CLE (ALS)

August 7-21
Oxford, England

Alumni Day at Fenway Park Red Sox vs. Chicago White Sox

Sunday, August 15
2:05pm

ALUMNI EVENTS

For more information, contact the Office of Alumni Relations at 617.305.1999 or visit www.law.suffolk.edu.

The Lion King

Sunday, August 29
6:30pm
The Boston Opera House

SEPTEMBER

Alumni Day at Fenway Park Red Sox vs. Anaheim Angels

Thursday, September 2
7:05pm

6th Annual 5K Road Race

Sunday, September 19
Charles River Basin

President's Reception Rhode Island

Date, location and time TBA

OCTOBER

Civil Liberties and the War on Terrorism (ALS)

Saturday, October 2
University of Southern California Law School
Los Angeles

An Unhurried View of Copyright in a Hurried World (ALS)

Friday, October 29
Suffolk University Law School

Have you moved?

Please send your change of address to:

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Alumni Relations
Suffolk University
120 Tremont Street
Boston, MA 02108
617.305.1999
fax: 617.573.8151
email: lawalumni@suffolk.edu

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Please send letters to the editor and class notes to:

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SUFFOLK LAW

Suffolk University Law School Alumni Magazine • Spring 2004



FEATURE

- 12** CHANGING TIMES:
THE MUSIC INDUSTRY'S DIGITAL COPYRIGHT DILEMMA
The move from analog to digital has changed a lot more than the way music is recorded. The recording industry is responding to the legal and marketing challenges posed by the new technologies...and copyright law is shaping the social policy debate.

DEPARTMENTS

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IN 2006, SUFFOLK UNIVERSITY LAW SCHOOL WILL CELEBRATE ITS CENTENNIAL

—a historical milestone in many ways. Founded by Gleason Archer in order to provide access to a legal education and career to many who were otherwise excluded because of discrimination or financial need, Suffolk Law School began with Archer tutoring six men in an apartment in Roxbury in 1906. During a 40-year period as dean and later president, Archer led the transformation of his very small law school to a university, with the establishment of the College of Arts and Sciences in 1934 and the Sawyer School of Management in 1937. Two early graduates of Suffolk Law School exemplify the founding commitment to making educational opportunities more accessible. **Thomas Vreeland Jones, '15**, the first African-American graduate, and **Harry Hom Dow, '29**, the first Asian-American lawyer admitted to practice in Massachusetts, are recognized on our back cover.

Of course, the rich diversity that defined Suffolk Law School's early years continues today. In this issue, we profile **Oliver Mitchell, '79**, chairman of Ford Motor Company's Dealer Policy Board; former state legislator **Cheryl Jacques, '87**, who now serves as president of the Human Rights Campaign; and **Thomas Ryan, '74**, the senior vice president and general counsel of PepsiCo Beverages & Foods. We are also pleased to highlight the accomplishments of the daughter and sons-in-law of Professor **Joseph Nolan, LL.D. '81 (Hon.)**: **Jacqueline Nolan-Haley, '75**, is a professor at Fordham University Law School; **James F. Haley, '75**, is a partner with Fish & Neave in New York City; and **Bruce Henry, '80**, is an attorney with Morrison, Mahoney & Miller in Boston.

When I meet deans and professors at other law schools, I am frequently asked, "Suffolk... isn't that where Joe Glannon teaches?" I am always proud to answer in the affirmative. Joe Glannon has distinguished himself in so many ways during his 25 years at the Law School, and is a frequently mentioned favorite of students and alumni alike. Joe's impressive reputation extends well beyond the Law School because of his very popular *Examples and Explanations* texts in both Civil Procedure and Torts, and *The Glannon Guide to Civil Procedure*. When I taught at Boston College Law School, I was often relieved to be able to refer students to Glannon's texts for enlightenment. This issue's faculty spotlight gives readers a glimpse into what makes Joe Glannon's style unique.

Our feature story written by Sara Romer, *The Times They Are A-Changin' – Delivering Music in the Age of Digital Copyright*, chronicles how copyright law is guiding the legal and social policy debate surrounding digital music downloading. With the switch from analog to digital, the music sounds much better and can reach anyone with a computer and Internet connection almost instantaneously. The innovative technologies that have made this possible are having a profound impact on the way the music business works. As for the future of the music recording industry and the songwriters themselves, some experts say that a big piece of the puzzle currently rests with the US Court of Appeals for the Ninth Circuit, set to rule later this year in *MGM Studios v. Grokster*. Our story examines this digital dilemma, and how ever-changing technologies are pushing the recording industry to reinvent itself.

Finally, we are pleased to announce the recipients of the Law School's first Fenton Fellowships. The three recipients are students who exemplify Distinguished Professor and former Dean John E. Fenton, Jr.'s passion for public service, and who will be working in government and other public interest legal positions upon graduation. The Fenton Fellowships provide an \$8,000 stipend that enables students with significant education debt to begin their careers in public service, thus continuing in the spirit of the tradition first envisioned by Gleason Archer in 1906.

I look forward to your joining me and members of the Law School community as we prepare to recognize and celebrate our Centennial.

Very truly yours,

Robert H. Smith
Dean and Professor of Law

First Fenton Fellowships Awarded



(L to R) Robin Morrell, JD '04; Distinguished Professor John E. Fenton, Jr.; Mary Lu Mendonca, JD '04; and Michael Walsh, JD '04.

This spring, Suffolk Law School awarded the first John E. Fenton, Jr. Public Service Fellowships to three students. The fellowships grew from a benefit tribute dinner for Fenton held in April 2003, honoring his 45-year legacy of teaching and leadership at the Law School. An endowment was established to support three \$8,000 fellowships to be awarded each spring to law students pursuing summer or post graduate employment with government and public interest employers. University Trustee Gerard F. Doherty, JD '60, co-chaired the tribute dinner with Associate Dean John

Deliso, JD '72, and served as chairman of the first Fenton Fellowship selection committee. Deliso, Socrates de la Cruz, JD '98, and Bernadette Feeley, JD '81, also served on the selection committee.

The Fenton Fellowships are the largest public service fellowships given by the Law School. Students selected as Fenton Fellows are expected to exemplify the judge's passion for public service.

The first three Fenton Fellows, selected from 80 applications, are all members of the class of 2004: Mary Lu Mendonca is an evening student who works full-time as a legal assistant for the American Civil Liberties Union of Massachusetts. During law school, she was active in the Suffolk ACLU chapter and the National Lawyers Guild. Robin Morrell is a day student who will begin work with the New Hampshire Public Defender's office in the fall. She currently works for the Rhode Island Public Defender's office, and has been very active in the Suffolk Public Interest

Law Group. Michael Walsh, an evening division student from Springfield, is the budget and policy director for State Senator Linda Melconian. He hopes to become an assistant district attorney in Hampden County.

"I'm impressed with the dedication to public service shown by each of these outstanding students," Fenton said. "And I'm thrilled the dinner played a role in assisting them." A reception to honor the first Fenton Fellows was held in May. For more information on the fellowships, see www.law.suffolk.edu/career/fellowships/Fenton.

Kirtley Named Spring 2004 Distinguished Visiting Professor



Prolific author, noted commentator and speaker Jane Kirtley joined Suffolk Law as the distinguished visiting professor for the spring semester. Professor Kirtley is the Silha Professor of Media Ethics and Law at the School of Journalism and Mass Communication at the University of Minnesota, serves as director of the Silha Center and is an affiliated faculty member at the University of Minnesota Law School. Previously, she served for 14 years as the executive director of the Reporters Committee for Freedom of the Press in Arlington, Virginia, and practiced

law with the law firm of Nixon, Hargrave, Devans and Doyle in Washington, DC.

Kirtley speaks frequently on First Amendment and Freedom of Information issues, both in the United States and abroad, composes articles for law reviews and media publications and writes the "First Amendment Watch" column for the *American Journalism Review*. While at Suffolk Law School, she taught courses in Information Privacy and Mass Communications Law.

Senator Edward Kennedy Speaks on the State of the Federal Judiciary



Massachusetts Senator Edward M. Kennedy, DPA '64 (Hon.), spoke at Suffolk University Law School in October. Addressing an audience of students and faculty members from Suffolk Law and other Boston-area law schools, Senator Kennedy spoke about the critical importance of the judicial selection process. Cases involving the right to privacy, a woman's right to choose, affirmative action and the death penalty have made federal courts "philosophical lightning rods," according to Kennedy. To hear the full text of his remarks, visit the Suffolk Law Web site at www.law.suffolk.edu/press/kennedy.cfm.

El Congresista Moakley: A Symposium and Exhibit on Congressman Joe Moakley and El Salvador



(Top) Congressman Jim McGovern.
(Bottom) President David L. Sargent, JD '54, ILLD '78 (Hon.), presented the John Joseph Moakley Humanitarian Award to Congressman Jim McGovern.

Last November, the John Joseph Moakley Archive and Institute at Suffolk University presented a symposium exploring the late congressman's efforts on behalf of the people of El Salvador, his role in promoting peace following a 12-year civil war in that country and lessons learned from US policy in El Salvador. Suffolk Law Professor Valerie Epps, Professor Sebastian Royo of the College of Arts and Sciences and Professor Ruth Bramson of the Sawyer School of Management moderated the discussions. Held at the Law School, the symposium was well attended by the Suffolk community and invited guests from Greater Boston.

The symposium coordinated with the opening of an exhibit, "*El Congresista: Joe Moakley en El Salvador*," which focused on the civil war and its impact on the Salvadoran people through photos and documents drawn from the Moakley Archive. A highlight of the symposium was the presentation of the first annual John Joseph Moakley Humanitarian

Award, given to Congressman Jim McGovern, who served as Moakley's top aide during the El Salvador investigation.

The program also included a screening of the documentary *Enemies of War* with filmmaker Esther Cassidy and panel discussions of Moakley's impact on Salvadoran people in El Salvador and the United States. Panelists included Congressman Jim McGovern; author Teresa Whitfield; former US Ambassador to El Salvador William Walker; Leonel Gomez, investigator for the Moakley Commission; Maureen O'Sullivan, former director of the National Immigration Project of the Lawyers Guild; James Woodward, former aide to Congressman Moakley; Dean Brackley, SJ, of the University of Central America; and members of the Jamaica Plain Committee on Central America, who triggered the congressman's interest in the plight of Salvadoran immigrants.

Annual Health Law and Policy Forum

The Health and Biomedical Law concentration presented its annual three-part Health Law and Policy Forum this spring. Co-sponsored with the American Health Lawyers Association, the forum brings together health professionals from the legal, medical, biotechnology and governmental spheres and builds upon the health concentration's strong health care and biomedical law curriculum.

Edward N. Beiser, professor emeritus of political science and former associate dean of medicine at Brown University, presented the opening lecture in February, titled "The Economics and Ethics of Informed Consent – Time to Admit Our Mistakes and Move On."

In March, Lori Andrews, distinguished professor of law and director of the

Chicago-Kent College of Law Institute for Science, Law and Technology, lectured on "The Body as Property – Gene Patents and Health Care Policy;" and Henry T. Greely, the C. Wendell and Edith M. Carlsmith Professor of Law at Stanford University, gave the final lecture on "Advances in Neuro-Science & the Future of Litigation" in April.

The Health and Biomedical Law Concentration, established at Suffolk Law in 1997, was the first health concentration at a law school in Massachusetts. Co-directed by Professors Barry Brown and Marc Rodwin, the concentration continues to expand its curriculum, student enrollment and distinguished faculty and is dedicated to serving Suffolk's diverse student body as well as the medical and legal communities.



(L to R) Professors Lori Andrews, Edward N. Beiser and Henry T. Greely.



Donahue Lecture Series Marks 23rd Year



(L to R) Attorney Charles Kingston, Professor Joanne Gabrynowicz and Professor William Allen.

This year's Donahue Lecture Series featured attorney Charles Kingston, Professor Joanne Gabrynowicz and Professor William Allen.

Kingston, a partner at Ernst & Young and lecturer at Columbia University Law School, presented "The Reasoning Behind Tax Law" in October.

In November, Professor Gabrynowicz presented "An Introduction to the Law of Outer Space." She is a faculty member

and director of the National Remote Sensing and Space Law Center at the University of Mississippi School of Law.

The series ended in February with Allen, who spoke on "Corporate Law in 2004." Allen is director of the Center for Law and Business and the Jack Nusbaum Professor of Law and Business at New York University School of Law.

The annual Donahue Lecture Series was established by the *Suffolk University Law*

Review as a lasting tribute to the Honorable Frank J. Donahue, JD '21. As in previous years, these lectures will become the basis for lead articles to be featured in upcoming issues of the *Suffolk University Law Review*.

Native American Law Students Conference



(L-R) Javier I. Kinney, NALSA chapter president; Jim Peters, Massachusetts Commission of Indian Affairs; Matthew Thomas, Chief Sachem, Narragansett Indian Tribe Assembly; Craig Francis, tribal attorney for the Passamaquoddy Tribe; James Sappier, EPA Region 1 Indian Program Manager; Victoria Wright, deputy executive director of the National Indian Gaming Association; and Beverly Wright, chairperson of the Wampanoag Tribe of Gayhead (Aquinnah) and Suffolk University trustee; Douglas Luckerman, Esq.; Professor Lorie Graham; Pamela Ellis, Esq.; Professor Kristen Carpenter; and Professor Allison M. Dussias, New England School of Law.

Suffolk Law School hosted a conference titled, "In the Tradition of Sovereignty: The Past, Present & Future of Tribal Settlement Acts in New England." The conference provided an educational forum for attorneys, students, and tribal leaders in New England to examine the issue of sovereignty and the current relationships between tribal, state, and federal governments.

Rappaport Forum Hosts "A City of Colors"

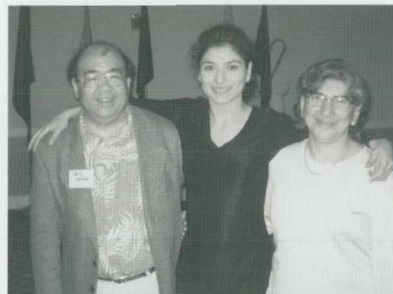
It is a much-reported fact that Boston has become a so-called "majority minority" city, meaning that people of color now constitute a statistical majority of the city's population. In November 2003, the Rappaport Forum examined the political and public policy implications of these demographic trends when it hosted "A City of Colors: Politics, Policy, and the Changing Faces of Boston."

The panel featured three speakers who play active and visible leadership roles in the civic life of the city: Charles Euchner (director, Rappaport Institute for Greater Boston, Kennedy School), Robert Lewis, Jr. (director, National Conference for

Community and Justice), and Lydia Lowe (director, Chinese Progressive Association).

The Rappaport Forum is a panel discussion series sponsored by the Rappaport Honors Program in Law and Public Policy, a highly selective fellowship program for law students in Boston who are committed to serving urban society. Rappaport Forum panels are organized and moderated by Professor David Yamada, director of the Rappaport Honors Program. The Rappaport Honors Program is funded by a generous grant from the Jerome Lyle Rappaport Charitable Foundation.

She's Come Undone



(L to R) Professor David Yamada (host and organizer), Kayhan Irani, and Tess Irani.

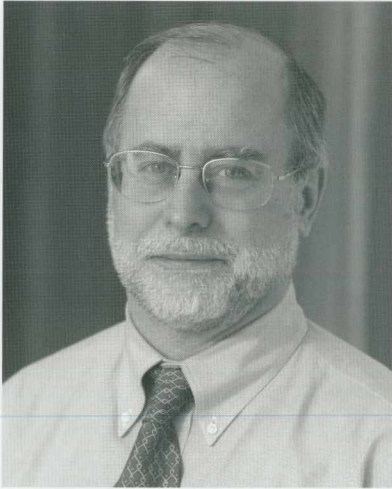
On February 28, the Law School hosted "We've Come Undone," a series of monologues about post-9/11 life in America's Arab, Muslim, and South Asian communities, written and performed by Kayhan Irani of New York City. Over 100 people attended the event.

Law School Sets Sights Abroad with CILS

Last May, the Law School signed a far-reaching agreement with the Center for International Legal Studies (CILS) that will give students exciting opportunities to gain practical experience abroad. By partnering with CILS, a nonprofit legal research and training institute in Salzburg, Austria, Suffolk Law students—and students from law schools across the nation—will be able to arrange legal internships worldwide. In turn, international students will be able to come to the United States to intern with law firms, corporations and government agencies through Suffolk.

"This will broaden students' horizons to the possibilities of international legal practice and expand the Law School's offerings for post-graduate education," said Professor Stephen Hicks, faculty director of the LLM program.

CILS promotes and disseminates legal knowledge through conferences, programs and seminars worldwide for the practicing international bar and through its sponsorship of publications. The Center funds an International Business Law Consortium and Fellowship program, has observer status for the UN Commission on International Trade Law meetings and is an accredited participant in the UN information technology summits in Vienna and Geneva.



A GUIDE TO GLANNON

"I had no idea I would end up as a law professor or writer," says Joseph W. Glannon, who has taught at Suffolk Law for 25 years. "It happened by accident. But it's a wonderful career."

"By accident" is an interesting choice of words for the author of a book about tort law.

Before teaching at Suffolk, Glannon earned three Harvard degrees (BA '68; MAT '71; JD '77), worked as a stage carpenter, was an assistant dean at Bates College, clerked for the Massachusetts Appeals Court and served as an assistant corporation counsel for the city of Boston.

Glannon came to Suffolk in 1979 as a legal writing instructor, joined the full-time faculty as an assistant professor in 1980 and directed the Legal Practice Skills program from 1980 to 1987. A full professor since 1986, he's also taught Civil Procedure, Conflict of Laws, Local Government Law and Torts. He calls his teaching style "modified Socratic, with lots of examples, interaction and discussion," and almost never lectures.

Professor Linda Simard says of her colleague, "When I started teaching at Suffolk, Joe was the person I would turn to for advice on my teaching or scholarship. On many occasions, I would stop by his office to say hello and we would wind up having a long discussion about an issue that came up in class, a new case or writing project. Joe cares deeply about Suffolk and participates actively in the life of the Law School."

In another serendipitous twist, Glannon's skill at teaching first-year students soon launched him as an author. "Though I was an English major," he says, "I had no inkling I could write until well after I had written my first book." He pitched *Civil Procedure: Examples & Explanations* (first published in 1987; now in its fourth edition) to Little, Brown and Company after reviewing his study notes for a course and thinking, "there might be a book in this." This started a 24-volume series of *Examples*

& Explanations books based on his format, including titles by Suffolk Law professors Steven Ferrey and Stephen McJohn. In 1995, Glannon published a second book in the series, *The Law of Torts* (now in its second edition).

Later, he had the idea for a series of study guides for first-year students, and in fall 2003 Aspen Publishers released *The Glannon Guide to Civil Procedure*. The publisher anticipates 15 Glannon Guides in the series, which uses multiple-choice questions as a teaching methodology and will be written by several authors.

Glannon attributes his books' success to clear explanations, emphasis on fundamentals and a supportive attitude toward the reader. "There's a lightness to the tone, a certain amount of humor that makes them more accessible to the students," he says. He begins each chapter of *The Glannon Guide to Civil Procedure* with a legal limerick.

One of hundreds of professors nationwide who have assigned his books, Associate Professor Ellen J. Dannin of California Western School of Law wrote to Glannon, "I thought you would be heartened to know in what high esteem my class holds you. Student after student became a Glannon fan as they worked their way through your problems and explanations."

"Joe has a truly remarkable ability of explaining complicated material in an accessible way," says Professor Andrew Perlman. "It's why thousands of law students use his books every year. Students usually give legal texts a very lukewarm review, but students are so effusive in their praise of Joe's books that I half expect to open them and find a Harlequin romance. As a teacher and author, Joe is as good as it gets." ●

by Steven Withrow

R. Lisle Baker spoke on "Using Insights from the Myers-Briggs Type Indicator as an Aid to Mediation with Some Comparison between a Sample of Lawyers, Judges and Mediators" to the Dispute Resolution Forum at the Program on Negotiation at Harvard Law School in October 2003.

Carter Bishop was elected chair-elect of the Association of American Law Schools new section on Agency, Partnership, LLCs & Unincorporated Business Organizations.

Rosanna Cavallaro's op-ed piece, "Why, legally, Geoghan is now 'innocent,'" appeared in the *Boston Globe* on August 29, 2003. Concerning the sexual abuse scandal within the Catholic Church, the article discussed the abatement of the conviction of Father Geoghan as a result of his murder in prison.



Sara Dillon's article, "A Farewell to Linkage: International Trade Law and Global Sustainability Indicators," was published in *Rutgers Law Review* 87 (2002).

Valerie Epps' article, "The Soldier's Obligation to Die when Ordered to Shoot Civilians or Face Death Himself," was published in *New England Law Review* 987 (2003). She also presented a paper as part of a panel on "Resolution of Claims to Self-Determination: The Expansion and Creation of Dispute Settlement Mechanisms" at the International Law Association's Annual Conference in New York in October 2003.

Clifford Elias authored *Federal Rules of Evidence Handbook* (Carolina Academic Press 2003) and co-authored *Medical Liability* (West 2d. ed. 2003), with Marcia M. Boumil and Diane Bissonette Moes.

Steven Ferrey spoke at the symposium on the Future of the Proposed Cape Cod Wind Project between Nantucket and Cape Cod in September 2003. His book, *Environmental Law: Examples and Explanations*, will be published in China.

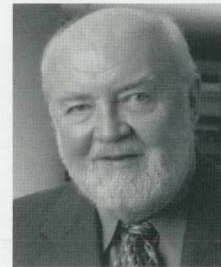
Joseph W. Glannon completed the first title in a new series, *The Glannon Guide to Civil Procedure: Learning Civil Procedure through Multiple-Choice Questions and Analysis*, which was published by Aspen Publishers.

Dwight Golann participated in a program in Rome, Italy, on barriers to negotiated settlements as part of the Fourth International Forum on Alternative Resolution of Global Economic Controversies held in July 2003.

Lorie Graham authored "Securing Economic Sovereignty through Agreement" as a guest columnist for *Indian Country Today* (September 10, 2003). She also served as moderator for the July 2003 presentation, "Native Americans: A Conversation on Indigenous and Civil Rights," sponsored by the Greater Boston Civil Rights Coalition and held at Suffolk Law.

Marc Greenbaum spoke on recent Supreme Judicial Court decisions concerning public sector labor and employment law at the Annual Workshop on Public Sector Labor Law in May 2003, sponsored by the Boston Bar Association at Harvard Law School. In June 2003, he organized and moderated a panel entitled "The Incredible Shrinking Workplace: Bankruptcy and ERISA Issues in Labor Arbitration" at the Annual Meeting of the National Academy of Arbitrators, held in San Juan, Puerto Rico.

Stephen Hicks and **Bernard Ortwein** joined members of the University of Lund, Sweden, and law faculty in Hanoi, Vietnam, in November to deliver a seminar on "Case Methods in Modern Legal Teaching" to a select group of teachers and judges from Hanoi Law University and the Law University in Ho Chi Minh City. Since 1998 the government of Sweden, through the University of Lund, has been engaged in a project titled "Strengthening Legal Education in Vietnam." This project is part of a larger Vietnamese objective to reform the country's legal system, move toward a market-oriented economy and become more active in international trade.



▲ **Charles Kindregan** co-wrote *Family Law and Practice With Forms, Vols. I-IV* (West 3rd ed. 2003) with Monroe Inker, a four-volume set that is part of the Massachusetts Practice Series.

Renée M. Landers was appointed to the Judicial Conduct Commission in May. She was the keynote speaker for the fall 2003 program of the Women's Law Section of the Maine State Bar Association and was appointed to the nominating committee of the Section on Administrative Law and Regulatory Practice of the American Bar Association. She also participated in a panel on the impact of recent statutory changes on the standard of review used by the Court of Appeals for Veterans Claims, which was sponsored by the Court of Appeals for Veterans Claims Bar Association and held in Washington, DC, in June 2003.

Kjell-Ake Modeer, a member of the law faculty at the University of Lund, Sweden, was a visitor in residence at Suffolk Law in October 2003. His visit was made in conjunction with his research for a forthcoming book on the 20th century titled *The Near Past: the Twentieth Century Legal Culture in Sweden, Germany and the US — a Comparative Legal History*.

Russell Murphy wrote an article, "The Abandoned Shipwreck Act of 1987 in the New Millennium: Incentives to High Tech Piracy?" which appeared in the *Ocean and Coastal Law Journal 1* (2003).

Marc Perlin co-authored, with John M. Connors, the *Handbook of Civil Procedure in the Massachusetts District Court* (Lawyers Weekly Publications 3rd ed. 2003).

Andrew Perlman authored "Toward a Unified Theory of Professional Regulation," which appeared in the *Florida Law Review 977* (2003).



Charles E. Rounds, Jr. was the ethics editor for *A Practical Guide to Estate Planning in Massachusetts, Vols. I and II* (Massachusetts Continuing Legal Education 2003) and authored *Fiduciary Liability of Trustees and Personal Representatives, Tax Management Portfolio 853* (BNA Pub. 2003).

Michael L. Rustad recently served on a debate panel with John Stossell of ABC's "20/20." The debate, "The Trouble with Lawyers," sponsored by the Donald and Paula Smith Family Foundation, was inspired by Stossell's new book, which features a chapter of the same name. Rustad also addressed the Annual Convention of the American Society for Trial Consultants in Reno, Nevada, on the future of tort damages and presented a paper on "The Judges New Robes and Cybertorts" at the AALS Conference on Tort Law in New York City. His book with adjunct professor Cyrus Daftary, *E-Business Legal Handbook*, was published by Aspen Publishers.

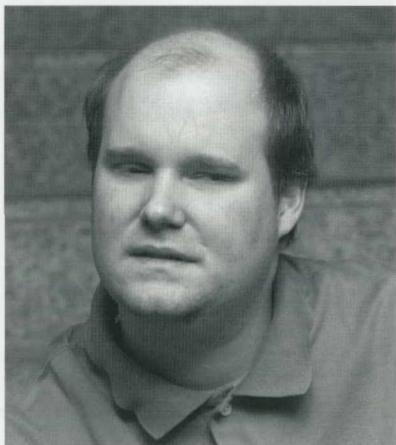
Miguel Schor presented "The Rule of Law and Democratic Consolidation in Latin America" at a meeting of the Latin American Studies Association held in Dallas, Texas.



Robert H. Smith wrote "The Librarian's Risk of Irrelevance (in the Eyes of the Law School Dean)," which was published in the *Law Library Journal 421* (2003).

Van-Hoa To, a lecturer in law at Hanoi Law School in Vietnam, was a visiting scholar for the fall 2003 semester. To is a PhD candidate at Lund University, Sweden, researching the independence of the judiciary in the United States for his thesis titled "Strengthening Legal Education in Vietnam." After his stay at Suffolk Law, he is a visiting scholar at the Max Planck Institute in Heidelberg, Germany.

David Yamada was selected for Lead Boston's Class of 2004, a leadership development program sponsored by the National Conference for Community and Justice. Yamada also was named to the Steering Committee of the City-Wide Dialogues on Boston's Racial and Ethnic Diversity, an initiative spearheaded by the Urban League of Eastern Massachusetts.



THE COMMON SENSE JONATHAN SIMEONE, JD '04

THIS SUFFOLK LAW STUDENT ONCE DREAMED OF BECOMING THE MANAGER OF A BASEBALL TEAM.

JONATHAN SIMEONE studied sports management at UMass/Amherst but opted to explore politics instead. "My college experience taught me more about life than it did about management," he says. "I met people from all different kinds of backgrounds, which, frankly, didn't happen when I grew up in Winchester. I learned that there was something more I could do with my life than work for a baseball team, that I could have more of an impact."

After college, Simeone interned for Senator Ron Wyden in Washington, DC. He began writing letters and answering phones but soon was given special projects, including trying to make the Capitol complex more accessible to people with disabilities. Simeone himself is visually impaired.

Seeking more insight into political activism and public-interest issues, Simeone moved back to the Boston area in 2000 to attend Suffolk Law, from which his father, Robert Simeone—a Boston criminal defense attorney—graduated in 1965.

Simeone also has been the president of the National Alliance of Blind Students and is the co-founder of the Massachusetts Alliance for Visually Impaired Students.

"People with disabilities haven't been a main player on the political stage. Our civil rights issues don't get the attention that certain other groups do," Simeone says. "But I feel I can educate other politicians and represent a group of people and issues that aren't normally talked about."

Simeone works closely with the University to meet his logistical and technological needs. Assistant Dean of Students Laura Ferrari, who has known Simeone since 2001, says, "Everything a sighted student uses, from textbooks to exams, needs to be in a format accessible to Jonathan. Thus, my office works to provide materials in a digital format."

"If I don't find a book on CD," says Simeone, "the only other options are to pay people to read to me or use opti-

cal character recognition packages and scan in the text. These things are all doable, but it's much more time-consuming to scan and read, and the software is only 85 percent accurate at best."

"This is a rights issue and we need to push for equality," says Simeone. "If I pay full price for a book, I should be able to read it just like everyone else in my class. That's why I push the publishers to get the books on disks. It's really about educating people. To me it seems to be common sense. But change is slow. Suffolk has been very receptive to finding solutions to the problems I face."

"My hope," Simeone says, "is that when I leave school I can do something so that in 10 or 15 years someone can come here and just go to school, get their books, and do their reading."

"I would say that there were few, if any, significant challenges in teaching Jonathan," says Professor Anthony Sandoe. "Probably my only classroom modification was to call on Jonathan by name. I did, and often. I regret that I did not have him in more of my courses."

Simeone plans to graduate in fall 2004 and intends to be involved in the upcoming presidential campaign. He also hopes to volunteer at the Democratic National Convention in Boston.

"What I would like people to learn from my life story is that we're just people who happen to have disabilities; we're not people made by our disabilities," Simeone says. "What we really want from people is a fair, honest opportunity to compete and be judged on our merits, on our skill level. Every effort to increase civil rights for anyone is an effort to increase civil rights for all of us." ●

by Steven Withrow



ALL IN THE FAMILY NOLAN FAMILY LEGACY

(L-R) Janice Nolan Henry, MED '79; Bruce Henry, JD '80; Margaret Nolan, MED '78; The Honorable Joseph R. Nolan, LL.D. '81 (Hon.); James F. Haley, Jr., JD '75; and Jacqueline Nolan-Haley, JD '75.

THE HONORABLE JOSEPH R. NOLAN was captivated by the law at an early age. It is a love that he passed on to his daughter, Jacqueline Nolan-Haley, JD '75, the oldest of what he calls his “seven jewels.”

During high school, he spent most of his afternoons in court—looking, listening and learning. He observed the talents of various attorneys, gaining valuable information on each visit.

“My heroes growing up were leading lawyers in Boston,” says Nolan. “I followed them all.”

Over the years, Nolan made a name for himself as one of the most knowledgeable and respected individuals in the profession. He practiced law for 20 years before becoming a judge, a title he held for 23 years. In 1995, he retired as associate justice of the Massachusetts Supreme Judicial Court, the only person ever to have served on all four tiers of the Massachusetts court system.

Since 1995, Nolan has been teaching at the Law School as a University Professor and couldn't be happier. For 25 years prior to his appointment he was a member of the adjunct faculty.

“I love teaching and seeing my students smile,” he notes. “Suffolk Law students are hardworking, bread-and-butter people, and I enjoy being around them.”

Joseph Nolan is a personable, intelligent and compassionate individual who cherishes his family. He and his wife, Margaret, MED '78, have been married 56 years and are blessed with seven children, 24 grandchildren and three great-grandchildren.

Their daughter Jacqueline, is a former assistant district attorney and current professor at Fordham University Law School in New York City. She has fond memories of her days at the Law School.

“Suffolk Law will always have a special place in my heart,” said Nolan-Haley. “I learned a lot at Suffolk from some wonderful professors, including my father, who has a reputation as one of the best. My dad is a kind man who has incredible integrity, loyalty and principles. He has always shared his experiences with me as a lawyer and a professor, because he and I have followed the same route.”

Nolan-Haley attended Suffolk Law in the evening, as did her husband, James F. Haley, Jr., JD '75, a partner with Fish & Neave in New York City. Jim Haley accomplished a Herculean feat nearly 30 years ago—graduating from Suffolk Law first in his class and receiving a PhD in organic chemistry from Brandeis University on back-to-back days.

Asked how he was able to balance such a demanding academic schedule, Haley chuckled, “My wife told me what to study.” Haley, who practices intellectual property law with an emphasis on pharmaceutical patents, enjoys his livelihood. “I love my job,” he says. “I can't see myself doing anything else.”

Bruce Henry, JD '80, an attorney with Morrison, Mahoney & Miller in Boston, and his wife, Janice Nolan Henry, MED '79, complete the Nolan family Suffolk legacy. After working as a high school English teacher for eight years, Bruce Henry decided to make the transition from classroom to courtroom.

“I married into a family of lawyers, and becoming a lawyer soon piqued my interest,” he says. “I went to Suffolk in the evening and was really impressed with the quality of education I received. My professors were excellent.”

One of those professors was, of course, his father-in-law, who says he'll continue to teach, motivate and share his love of the law with others for as long as he can.

“Why wouldn't I keep going?” he asks. “This is who I am and what I do.” ●

by Tony Ferullo



THE TIMES THEY ARE A-CHANGIN'

DELIVERING
MUSIC IN THE
AGE OF DIGITAL
COPYRIGHT

BY SARA ROMER

In August 2000, in a third-floor classroom in Sargent Hall, about 25 Suffolk Law students sat stunned as Sally Gaglini, JD '87, began her Entertainment Law class with a last-minute deviation from the syllabus.

Hot in everyone's hands was the decision from the US District Court for the Northern District of California in *A & M Records, Inc., et al v. Napster, Inc.* With Judge Marilyn Patel's striking decision, the music recording industry had just rocked the foundation of Napster, the ingenious online music sharing service that, by June 2002, would file for bankruptcy and subsequently dissolve as a result of the federal court's ruling.

For many of these students, an analysis of the court's decision meant more than an understanding of the rapidly evolving law affecting the digital music recording industry. It would also help them determine if they would continue to download hundreds of recordings to their own computers.

From those who were accustomed to "free" music on demand with a mouse click to those who were barely comfortable with an online CD purchase from Amazon.com, all heard the industry's clarion call to settle the score. Copyright protection was moving from its somewhat arcane past in the corporate boardroom and law school classroom to guide a music recording industry struggling to maintain profitability in the face of technology that could bring nearly every musical composition within reach in seconds, almost anywhere in the world.

FREE FOR ALL

In 1999, while the recording industry was busy fighting internal battles with its artists under contract, 18-year-old Shawn Fanning invented the Internet music sharing service known as Napster. The service claimed to offer garage bands and other new artists access to an audience more quickly and easily than traditional industry avenues. But Napster's crowning achievement was to allow anyone with access to a computer and the Internet the ability to copy virtually any recorded music for free. Quite simply, the music on any Napster subscriber's computer was instantly available to every other Napster subscriber. Suddenly, all of the music that could be purchased in CD form for \$16 to \$18 was available from the convenience of a PC, Mac or laptop at any time...for free.

But was it legal?

No. The United States Copyright Act, 17 U.S.C. §§ 101-1332 (2000), protects original works of authorship fixed in any tangible medium of expression, including music and sound recordings, from unauthorized reproduction.

The question really turns out to be one of social policy, pragmatics, and how the music recording industry can survive and even thrive in the digital age. "Though digitalization has certainly affected many industries—print, film, video gaming, etc.—the move from analog to digital has had the greatest impact within the music industry," says Boston entertainment lawyer Mark Fischer of Fish & Richardson, who is co-chair of his firm's media and entertainment practice and taught Advanced Copyright at Suffolk Law for many years.

"Songs are short and easily compressed and transmitted in digital form. And how many times do you think you've listened to your favorite song—500? The number of times you've picked up your favorite book is not even close. Not only can you multi-task while listening to music, but as a college student (the recording industry's prime consumer) you can take advantage of your school's huge bandwidth to get music whenever you want it." This confluence—including that the cost of recorded music is perceived by consumers as relatively high, as compared to the paperback book, for example—positions the music industry as the most hard-hit in the digital environment, Fischer explains, noting that videogames seem to be in a class by themselves.

Advancing the future of digital copyright

Suffolk Law faculty members are in the forefront of a variety of efforts to further the digital copyright debate.

Iris Geik, JD '93, is a copyright and trademark attorney who teaches Copyright Law as a member of the adjunct faculty. Geik, who counsels both major recording industry and publishing clients, believes that many of the issues faced by the recording industry also will need to be confronted by text publishers. She's working with Professors Andrew Beckerman-Rodau and Michael Rustad, co-directors of the Intellectual Property Concentration, and adjunct faculty member Jerry Cohen to publish a Festschrift honoring noted Professor Benjamin Kaplan and his 1967 book, *An Unhurried View of Copyright*.

The updated version, *An Unhurried View of Copyright in a Hurried World*, will be published by Matthew Bender this year. Included will be a forward by Harvard Law Professor Arthur Miller, a chapter on the music industry by Mark Fischer, a chapter concerning digital text by Geik, together with contributions by other major scholars in the copyright field. A symposium at the Law School is planned for October in connection with publication of the Festschrift.

Walter McDonough, JD '93, also teaches Copyright Law as a member of the adjunct faculty, and is general counsel of the Future of Music Coalition—the music, technology and intellectual property law group planning two music law summits in 2004—one at George Washington University and a second at the Hastings College of Law.

THE BIG DARE

Whether or not you've ever downloaded a song may in great part be determined by when you were born. Did you grow up with technology or grow into it later? Baby boomers still fondly remember their vinyl LPs and, as a generation, adapted well to the space-saving and better-sounding CDs that eventually relegated their turntables to storage closets. "They're still a pretty tactile bunch who actually like to hold a CD in their hands," says Ike Williams, co-chair of Fish & Richardson's media and entertainment practice. "But for their own kids, buying a CD today is an anathema, and the industry hasn't responded all that well. Think about it...the unauthorized downloading of music is just a big dare to these kids from a bunch of older corporate types who want to decide how they're going to change kids' behavior. Wouldn't it be a whole lot more effective if kids heard from the recording artists themselves about how this Napster/Grokster/Whateverster pillaging was hurting the musicians they adored?"

Some anecdotal evidence suggests that Williams may be right. "I still buy lots of CDs," says one law student who asked to remain anonymous. "I download tons of stuff for free...but if it's an artist I really like, I want to support them and buy their stuff." Making the musical artist/consumer connection more tangible could go far toward increasing legitimate music downloading.

Songwriter and former ABC recording artist Henry "Cadillac Jack" Eaton, JD '94, of the Boston-based band Duke and the Drivers, offers one possible reason for why we're not hearing more from the musicians themselves. "Certainly, a lot of musicians are hurting from the loss of sales and royalties, and the bigger bands with major record deals are hurting the most. But for many lesser known or smaller bands, the opportunity to put their music on the Internet offers more positives than negatives," he says. "Those bands would rather risk the unauthorized use of their music for the greater benefit of reaching a larger audience, so they're posting music on their own Web sites, selling directly through independent labels and connecting to their fans that way," Eaton says.

Gagliani sees the industry's licensing challenges from several perspectives as she represents musicians, production companies and corporate interests such as advertising agencies and their sponsors. In an ironic twist, as she was attempting to close a client's licensing deal on the day before



Napster was scheduled to shut down its free service, Gaglini witnessed first-hand the frenetic downloading of hundreds of songs by music industry staffers. "The proliferation of the free music phenomenon just can't be viewed solely as youthful irreverence," she says. "Nor is piracy alone responsible for the dearth of problems facing the music recording industry. Industry leaders were veritable Rip Van Winkles who slept on an outdated business model until technology and the bearish economy finally woke them up," Gaglini says.

"Eventually the recording industry will figure out how to utilize the technology and remain profitable, too," predicts Eaton. "There will be an industry-wide market correction."

WAGGING THE INDUSTRY

Pointing to retail giants like Wal-Mart who are selling their own digital music files online, Gaglini describes what we're seeing as "the technology tail wagging the industry dog." And it's hardly the first time. Walter McDonough, JD '93, an entertainment, Internet and intellectual property attorney, teaches Copyright Law at Suffolk. He is also a founder and general counsel of the Future of Music Coalition, a not-for-profit collaboration between members of the music, technology, public policy and intellectual property law communities. He says that the history of copyright is full of examples of established industries running for cover...and later reinventing themselves. "The introduction of the printing press and proliferation of libraries housing multiple copies of books at one time had authors and publishers up in arms, yet the net result was that literacy rates exploded and books saturated the market," he says.

As another example, the availability of VCRs in the 1980s drove Universal Studios to challenge the presence of VCRs in the marketplace. The US Supreme Court in *Sony v. Universal* found that the home use of VCRs actually involved a "fair use" of otherwise protected material and that social policy favored the rights of the public over the

copyright holders. Key to the court's decision was the finding that the film companies had not shown that the uncontrolled private copying would reduce their incentive to produce motion pictures. The film companies' response? "An altered business model that actually relies on home video as one of the film industry's largest sources of revenue," observes McDonough. "History reflects that our copyright law changes and evolves as a reaction to the current technology. And record companies are now trying to define their rights in this uncertain world."

NEW COMPANIES ON THE LITIGATION BLOCK

Following Napster's demise, other companies like Grokster, Morpheus and KaZaA emerged. The new companies distributed software that enabled people to search and swap music and video files, but, unlike Napster, there was no central server to connect them. In April 2003, a federal court ruled in *MGM Studios v. Grokster* that this peer-to-peer file sharing did not constitute copyright infringement, determining that the manufacturers couldn't be held responsible for the use by purchasers who would subsequently steal copyrighted works. The *Grokster* decision sent the record industry reeling and is currently on appeal. The US Court of Appeals for the Ninth Circuit heard oral argument in February.

More than a few industry observers believe that *Grokster* should be reversed. Donald Passman, an entertainment lawyer with Gang, Tyre, Ramer & Brown in Los Angeles and author of *All You Need to Know About the Music Business*, is one of them. In the 2003 book he writes, "However you whack it up, the primary purpose of this software is to help people steal copyrighted works, as I seriously doubt there's a lot of folks swapping Shakespeare and *Mother Goose*. And the idea that someone can profit from this, and escape any responsibility, shouldn't fly... [T]he problem is that it will be impossible to make a living as a musician if this [*Grokster*] becomes the law."

"Industry leaders were veritable Rip Van Winkles who slept on an outdated business model until technology and the bearish economy finally woke them up."

Sally R. Gaglini, JD '87
Suffolk Law adjunct faculty member,
Entertainment Law

"The recording industry is still in the infancy of an evolution and will continue to morph itself into a new model, harnessed to a new profit center."

Professor Andrew Beckerman-Rodau,
co-director of the Intellectual Property
Concentration at Suffolk Law

Passman argues that history proves his point. He describes the 1789 French abolition of copyright in the spirit of freeing intellectual property for the people and the subsequent collapse of the publishing industry. Publishers lost any reason to invest money in what was available for free, so writers had no reason to spend the time or energy to write. Three years later, the copyright law was restored.

Fischer echoes a similar view. "If copyright doesn't succeed in protecting creative works, then artists will simply be less able to devote themselves to being professional musicians," he says. "The economic incentive system works, and we need to continue to culturally and economically enrich ourselves. We all really need to make the case for copyright."

But the Electronic Frontier Foundation (EFF), the San Francisco-based civil liberties group representing one of the defendants in *Grokster*, believes in a different system of economic incentives. Fred von Lohmann, senior intellectual property attorney with EFF, says that the way the recording industry is going about the digital dilemma is all wrong. He believes that the music industry's brightest economic future will come when it embraces peer-to-peer file sharing and other new technologies, rather than fighting to quash them. "The traditional business model will necessarily have to change, and it won't happen overnight. But history has repeatedly shown us that if you align your incentives with the new technologies, you'll end up richer at the end of the day."

EFF's proposal mirrors one successful model already in place—the blanket licensing mechanism that enables radio, Web casting and satellite transmission of music with fee proceeds benefiting the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music Incorporated (BMI), and the Society of European Stage Authors and Composers (SESAC) and their member recording artists. "Why can't regular people get the same deal that radio stations do?" von Lohmann argues. "The music

industry should collectively bundle all of the rights it holds and license downloaders for \$5 per month to access whatever they want, whenever they want, using whatever software and equipment they want. Copyright holders would be protected and well compensated, and consumers would have the benefit of an infinitely greater online music inventory, and new and creative ancillary products to deliver their music, too," he says.

THE BEAT GOES ON

In the meantime, the Recording Industry Association of America (RIAA) has responded to *Grokster* with a vengeance, attacking the very consumers it relies upon most for sales. The RIAA sued college students who had used the peer-to-peer file sharing software to amass thousands of songs for others to copy. Though the strategy was seen as unpopular, the industry believes it's been effective. Several of the lawsuits have resulted in settlements of up to \$17,000 per defendant, and RIAA statistics, pointing to Nielsen Soundscan tallies, indicate that they've had a positive effect in reducing the amount of illegal downloads.

And though recent recording industry actions have run into procedural roadblocks, the RIAA is staying the course. A December 2003 decision in *RIAA v. Verizon* protects Verizon and other Internet service providers from having to disclose the identities of their subscribers, a tactic the RIAA had originally relied upon. So in January, in its latest round of copyright infringement lawsuits against 532 illegal file sharers, the RIAA employed a "John Doe" process to sue defendants whose names are not yet known, but whose Internet Protocol (IP) addresses are. "Our campaign against illegal file sharers is not missing a beat," according to RIAA President Cary Sherman in a recent press release.

No one believes that litigation or the threat of litigation alone will solve the problems facing the recording industry. Nor will industry attempts to spoof (plant thousands of files online that play only a small portion of the song over and over again) or to specifically encrypt files be effective in the long run. Most experts agree that these actions can and will deter some illegal file sharing, but it seems unlikely that any industry going after its own consumers without giving something back will win big in the end.

Further confusing the music marketplace, the computer industry has entered the fray. With Apple Computer's

iTunes software, users have access to hundreds of thousands of songs for \$9.99 per album or \$.99 per single. A new Pepsi ad campaign unveiled during the Super Bowl even features some of the music downloaders sued by the RIAA to announce Pepsi's giveaway of free iTunes downloads—attempting to move a generation to Pepsi and iTunes in one fell swoop. Apple's iPod is the \$299 must-have hand-held computer among students that lets them listen to everything they've downloaded Walkman-style. And if von Lohmann and the EFF are correct, the future could unleash exciting new computer, MP3 player, and other innovative products that we can now only imagine.

THE ALBUM'S FUTURE

Will these new technologies further justify the purchase of only singles? "For some concept albums, there will always be a market for the works in their entirety," Fischer says. "Springsteen's *The Rising* speaks to the events of 9/11 throughout, for example. With other albums, listeners will easily choose just to buy the single they like." And though musicians are finding significant new revenue sources with the use of their music in film and commercials, they still want a recording contract, says Patricia Nelson, JD '99, who practices entertainment law with Williams and Fischer. "Record companies are still the major source for the development of bands, and the record deal is still their key," she says.

AN INDUSTRY REINVENTS ITSELF

Though expensive and time-consuming, McDonough believes that there will be more litigation to come, but that it will be combined with industry efforts to make the legitimate online services more appealing and to establish some form of compulsory licensing. Fischer also is optimistic that a multi-pronged approach that includes making piracy difficult and adding value to traditional industry products will work. "CDs aren't in and of themselves objects that are as desirable or appealing as LPs were, but if they include special inserts or packaging extras or enable purchasers special access to the artist's Web site, for example, consumers will be more willing to buy them," he says.

Others, like Passman, suggest the possibility of various taxes that could compensate artists and producers from

the sales of blank CDs and CD burners, or on Internet and cell phone services (where more music will be delivered in the future). None of these would be immediately popular with the computer or telecommunications industries, Passman admits, but could get us thinking about models that might work.

In his soon-to-be-published book, *Promises to Keep: Technology, Law and the Future of Entertainment*, Harvard Law Professor Terry Fisher, a nationally recognized expert on digital copyright, and director of the Berkman Center for Internet and Society, outlines one such model. A federally run alternative compensation system would enable creators to register their work with a government agency charged with tracking the uses of their works. Taxes on Internet devices and services would then proportionately compensate the creators. The blanket license proposal offered by the EFF is another.

"The recording industry is still in the infancy of an evolution and will continue to morph itself into a new model, harnessed to a new profit center," according to Professor Andrew Beckerman-Rodau, co-director of the Intellectual Property Concentration at Suffolk Law. It's hard to imagine exactly what will result. "After all," he says, "could you ever have guessed that people would actually pay for bottled water?"

But Gaglini's greatest concern is still with the songwriters and the music we have yet to hear. "How will we really protect one of our leading exports (copyrighted works) and those who create them?" she asks. As we await the court's ruling in *Grokster* and observe the industry's ongoing attempts to reinvent itself, Fischer believes that this is the year we'll find out. Stay tuned.



ALUMNI LUNCHEON SERIES

Last fall, a luncheon series showcasing a diverse group of accomplished alumni was created.



On October 15, 2003, Sidney Rosenthal, JD '56, chairman of Meredith Management, and his son John Rosenthal, the company's president, spoke about their proposal to transform the current Kenmore Square and Fenway Park area into a new and vibrant neighborhood.



On November 14, 2003, sports enthusiasts were treated to "An Inside Look" into the world of sports law. Co-sponsored by the Macaronis Institute of Trial and Appellate Advocacy and the Office of Alumni Relations, the event featured panelists Tom Condon, JD '84, president, IMG Football; Jeffrey L. Kessler, partner, Dewey Ballantine, LLP; Robert Kraft, DCS '94 (Hon.), owner, New England Patriots; Kristen Kuliga, JD '94, principal, K Sports & Entertainment; and Gene Upshaw, executive director, NFL Players Association.

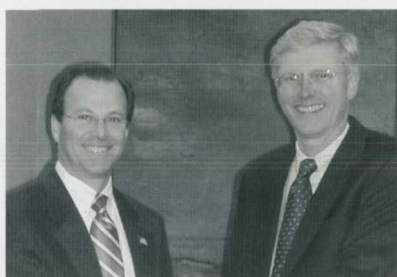
FLORIDA ALUMNI CONVENE



Brian Hanlon, JD '76; and Cara Morris, JD '91, president, South Florida Alumni Chapter.



Alumni and guests in West Palm Beach on March 14: (L to R) Arline Housman; Arthur Bobrick, JD '48; Edward Lydon, JD '50; and Ann Lydon.



Christopher Anderson, JD '85, president of the Massachusetts High Technology Council, Inc., with Dean Robert H. Smith. Anderson spoke on February 10 about the role the Council plays in new business and technology development in Massachusetts.



On March 25, John Ferguson, JD '96, shared personal stories of his family's experience in the NHL and the value of his Suffolk Law degree in his professional life. Pictured are Dean Robert H. Smith; Distinguished Professor John E. Fenton Jr.; Daniel Conley, JD '83, Suffolk County district attorney; Ferguson; and Associate Dean Bernard V. Keenan.



On April 1, the Hon. Timothy Hillman, JD '73, project executive for the Massachusetts Trial Court Information Project, spoke to a packed room of alumni and faculty about the statewide computerization of the Massachusetts case management and docket system. Shown here are Dean Robert H. Smith, Judge Hillman and Professor Karen Blum, JD '74.



(L to R) Alumni and guests in West Palm Beach on March 14: Sidney Rosenthal, JD '56 (host); Associate Dean John C. Deliso, JD '72; Director of Alumni Relations Diane Frankel Schoenfeld; Vice President for Advancement Kathryn Battillo; Marilyn Rosenthal (host); and Dean Robert H. Smith.



(L) In Miami on March 15: Michael Gale, JD '72; Barbara Cane, JD '80; and Eva Aba-Raya, JD '05.

(R) Alumni and guests in Naples on March 18.



(L to R) In Fort Lauderdale on March 16: Lindsey Burke, JD '04; Distinguished Professor John E. Fenton, Jr.; Russell Gaudreau, JD '68; Betty Gaudreau, and Dean of Students Beverly Coles-Roby, JD '85.



George Hess, JD '70; and Diane Hess (hosts).

Flaherty and Suttell Appointed to Rhode Island Supreme Court

In October 2003, nearly 200 alumni and friends gathered at the Westin Hotel in Providence, RI, to celebrate the appointments of Francis X. Flaherty, JD '75, and Paul Suttell, JD '76, to the Rhode Island Supreme Court.



(L to R) Associate Dean John C. Deliso, JD '72; President David J. Sargent, JD '54, ILLD '78 (Hon.); Hon. Francis X. Flaherty, JD '75; Hon. Maureen McKenna Goldberg, JD '78, ILLD '99 (Hon.); Hon. Paul Suttell, JD '76; and Dean Robert H. Smith.



(L to R) Joseph Shekarchi, JD '92; Hon. Haiganush Bedrosian, JD '71; Denise Aiken, JD '89; and Bernard Jacovny, JD '70.



(L to R) Jennifer Lynch Buckley, JD '98; Karen Lynch Bernard, JD '88; George Mason; Hon. Jeanne Lafazia, JD '80; and Hon. Francis X. Flaherty, JD '75.



(L to R) Hon. Debra DiSegna, JD '82; Hon. Frank Caprio, JD '65; and Sandra Lanni.



New Hampshire Alumni Gather

The New Hampshire alumni chapter held its annual dinner on February 11 at the Bedford Village Inn. Nearly 50 alumni and Law School faculty and administrators attended.

Above (L to R) Jennifer Parent, JD '95, president, NH Alumni Chapter; Roger Phillips, JD '69, vice president, NH Alumni Chapter; Hon. John Maher, JD '68; Joseph Gall, JD '76; Robert Sullivan, JD '77. Below (L to R) Hon. Richard Russman, JD '72; Jeanne Saffan-Grill, JD '03; Patricia McGrath, JD '97; and Susan Atlas, JD '92.



Annual Law Scholarship Dinner



Program speakers and benefactors, Charles T. O'Neill, JD '76; and Mary Ellen Neylon, Esq.



Benefactor Michael R. Cappiello, JD '49, with scholarship recipient Moira Fitzgerald, and Susan (Cappiello) Schlener, Esq.



President David J. Sargent, JD '54, ILLD '78 (Hon.), with student speaker, Suzanne C. Breselor.

The annual Law Scholarship Dinner was held on October 23, 2003 at David J. Sargent Hall, with the largest donor turnout to date. Nearly 120 attended, including trustees, benefactors and students. The goal of this event is to bring together donors and the students who receive their scholarships, giving them the opportunity to meet in person and get to know each other.

Dean Robert H. Smith opened the program and introduced this year's speakers, Charles T. O'Neill, JD '76, and Mary Ellen Neylon, Esq. O'Neill and Neylon are benefactors of the Charles T. O'Neill and Mary Ellen Neylon Scholarship Fund and are partners in the law firm of O'Neill & Neylon. This husband and wife duo spoke about how they met as students in the evening division. Their shared experience as working students contributed to the decision to establish a scholarship fund.

Suzanne C. Breselor, a second-year day student, spoke on behalf of the student recipients, expressing appreciation and gratitude for scholarship assistance. Breselor is a David J. Sargent Fellow and McLaughlin Moot Court Competition winner, and has secured an internship with the law firm of Monahan & Padellaso.

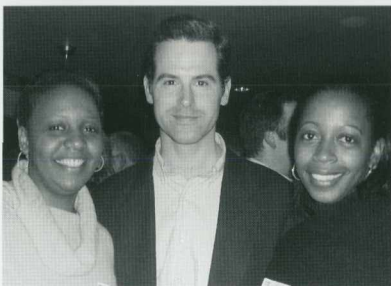
The event helped to remind our benefactors that their generosity and scholarships bring very real benefits to Suffolk Law School and its students.

Receptions with President David J. Sargent

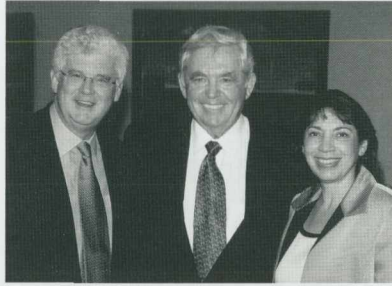
Fifty alumni and friends of Suffolk University Law School, the Sawyer School of Management and the College of Arts and Sciences gathered at The New York Historical Society for an evening with President David J. Sargent on October 28, 2003. The President's remarks to the group included current news from campus and stories about recent graduates. In addition, Sargent announced the launch of the Centennial Scholarship program, and the need to bolster the University's endowment on behalf of scholarship aid. Similar receptions were held in San Francisco and Los Angeles in March. Alumni interested in learning more about the Centennial Scholarship program should contact Ann Peterson at 617.305.1908.

Holiday Party at The Rack

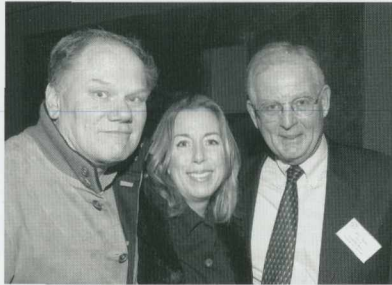
More than 100 recent graduates gathered at The Rack in Boston for the second annual holiday party on December 4, 2003.



(Top) Alumni Association Executive Board member Daniel Hogan, JD '94; and Dana Casali, JD '99, co-president, Greater Boston Alumni Chapter. (Bottom) Elizabeth Njendu, JD '03; Steve Connelly, JD '97; and Elissa Simpson, JD '02.



(Top) New York: Lewis L. Heller, JD '54; President David L. Sargent, JD '54, ILLD '78 (Hon.); and Margaret Heller.



(Bottom Left) San Francisco: Gregory Johnson; Sara G. Maurer, JD '80; and Associate Dean John C. Deliso, JD '72.



(Bottom Right) Los Angeles: Stanley W. Sokoloff, JD '66; Susan Sokoloff; Dean William J. O'Neill, Jr., JD '74, Sawyer School of Management; and Debra Carr, JD '81, president, Los Angeles alumni chapter.

TGIF Happy Hour



Don Angus, JD '04, SBA alumni liaison; Yamini Deshmukh, JD '01; and Jutta Duborg, JD '99.

On April 2, alumni, students and faculty shared good cheer and hors d'oeuvres at a TGIF Happy Hour sponsored by the Student Bar Association (SBA) and the Office of Alumni Relations.

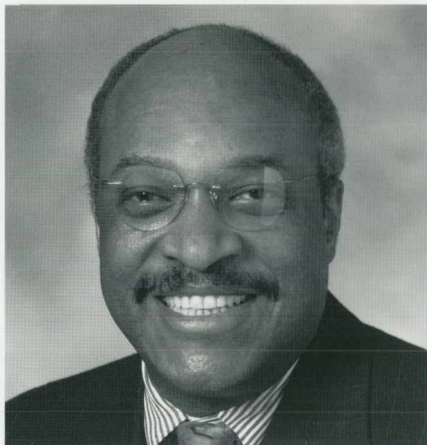
Reiber Appointed to Vermont Supreme Court



On April 21, alumni and guests gathered in Essex Junction, VT for a reception to honor the appointment of Paul L. Reiber III, JD '74, to the Vermont Supreme Court.



(L to R) Hon. Paul Reiber III, JD '74; James Wicks, JD '73; and Hon. Michael Kupersmith.



OLIVER MITCHELL, JD '79

THE RESOLUTION SOLUTION

CHAIRMAN, FORD DEALER POLICY BOARD
FORD MOTOR COMPANY

OLIVER MITCHELL HAS A PASSION for crafting solutions. Throughout his career in the public and private sectors, Mitchell has derived great satisfaction from helping clients come to a fair resolution.

As chairman of Ford's Dealer Policy Board, Mitchell has taken his passion to a new level—and has taken on a role of historic importance in the company.

Ford's first policy board chairman was Benson Ford, grandson of Henry Ford. Benson Ford held the post for 21 years. Mitchell is only the fifth chairman in the company's history, and its first African-American chairman.

"In 1956, Ford was in the vanguard of mediated resolution," says Mitchell. "Early on it realized the importance of our dealers and the opportunity for dealers to make peace with us in a private setting."

In the board's long history, it has been remarkably successful in resolving disputes outside of the courts. The board oversees about 75 disputes a year, and, Mitchell says, it's rare for them to go to litigation. When dealer disputes go to court or to state regulatory boards, they tend to become acrimonious public battles, distracting the dealers from the important job of selling cars, says Mitchell. "The policy board works," he says. "And keeps the dealers' eyes on the prize."

The policy board can facilitate or mediate a resolution or decide a case. The decision is binding on Ford Motor Company, but the dealer can accept or reject it. "We want our dealers to be happy," Mitchell says. "They are the public face of Ford Motor Company."

Mitchell, who was born in Springfield, Massachusetts, earned his undergraduate degree at Cornell. When it came time for law school, several schools pursued him, but when Suffolk Law offered him a full academic scholarship, his choice became clear.

As a student, Mitchell served on the *Law Review* and was active with the Black Law Students Association. Initially he thought he would become a traditional labor lawyer. However, it didn't take him long to realize it wasn't a good fit. "On my first job, there was a strike," he recalls. "They wanted me to cross a picket line, and I resisted. I lasted 15 months."

The independent-minded Mitchell served in Massachusetts as an assistant US attorney and first assistant district attorney for Hampden County. He practiced at several firms in the Boston area before joining Ford in 1998 as assistant general counsel.

For five years, Mitchell oversaw all of Ford's non-product litigation in the United States, dealing with everything from consumer to employment to environmental law, excepting personal injury. His team of 17 lawyers handled 3,000 lawsuits at any given time. Concurrently, Mitchell was Ford's chief labor and employment lawyer.

In the past year, Mitchell made the shift to chairman of the three-member Dealer Policy Board, where he oversees disputes with the 4,200 US-based Ford, Lincoln and Mercury dealers. He likens his role to that of a corporate judge, but with some differences.

"There is a substantial difference between traditional dispute resolution and what the policy board does," he says. "We are not construing or interpreting law, but rather looking at Ford Motor policy." The board also tries to build coalitions as it mediates.

The concept of resolving dealer disputes internally is distinctive to Ford. Other major automakers, including General Motors, Chrysler and most foreign car companies, do not have such mechanisms. Mitchell believes that the mediation process is so beneficial that he plans to propose an expansion of the board's oversight to Ford's subsidiaries.

Mitchell is driven by "traditional notions of fairness." At Ford, it seems he's found his niche. ●

By Tracey Palmer



CHERYL JACQUES, JD '87 IN PURSUIT OF JUSTICE FOR ALL

PRESIDENT
HUMAN RIGHTS CAMPAIGN

IN 1996, CHERYL JACQUES LED THE BATTLE on Beacon Hill for the toughest, most comprehensive gun control legislation in the nation. Following its passage, there was an 80 percent decline in accidental gun deaths and a 20 percent decline in the suicide rate statewide. The Massachusetts statute she spearheaded is now a national model.

And that's just one issue influenced by Jacques' passionate leadership. In her 11 years as a state senator, she is credited with more than 50 significant legislative wins—including issues ranging from victims' rights, children's rights, hate crimes, to consumer protection. More than a dozen groups have recognized her as legislator of the year during her tenure, and in 2003, she was named by *Boston Magazine* as one of the "Women Who Run This Town." So when the Human Rights Campaign (HRC), the largest national organization advocating gay and lesbian civil rights, sought Jacques—one of only five openly gay or lesbian state legislators in the United States—to lead its national fight for human rights for gay, lesbian, bisexual, and transgender (GLBT) individuals, it all made sense.

"I felt like it was the right thing for me to do at the right time," Jacques says of the opportunity to serve as HRC's president, the position she's held since January. "To be at the forefront of the gay marriage debate and help shape the outcome of this civil rights battle is the privilege of a lifetime."

With a federal marriage amendment to the US Constitution pending in Congress, and similar efforts under way in several states, including Massachusetts, Jacques believes there has never been a more serious threat to the gay community or to civil rights generally. "For the first time ever, the US Constitution, a document that has grown to protect such rights as equality for all citizens, a woman's right to vote, and freedom of speech, is at risk of moving in the

opposite direction to discriminate against gay Americans and attack our families," she says. "My goal is to make sure that the United States fulfills her promise for full fairness and equality for all of its citizens...including its GLBT citizens."

Jacques is an accomplished attorney as well as an effective legislator and human rights leader. She has served as of counsel to the Boston firm of Brody, Hardoon, Perkins & Kesten since 1995, as an assistant attorney general from 1991 to 1992 and as an assistant district attorney in Middlesex County specializing in child abuse cases from 1987 to 1991. She says that Suffolk Law gave her a solid legal education and exposure to a well-rounded, practical approach to getting the job done.

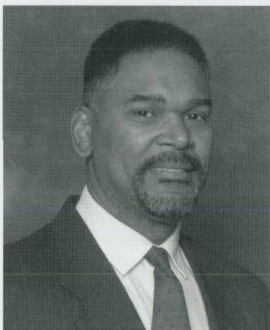
"Suffolk honed my public speaking skills, too," she says. "My work has been much more effective as a result of participating on the National Moot Court Team and the incredible training I received from moot court advisors like Professor Marc Greenbaum. It's proved invaluable."

As both a student and member of the adjunct faculty for seven years, Jacques appreciated the collegial atmosphere of the Law School. Teaching Legislation enabled Jacques to come full circle, she says, and she'd like to teach again.

Though Jacques now lives in the metropolitan Washington, DC area with her partner and their two-year-old twin sons, she's maintained her Massachusetts residency. As both a national advocate for human rights and Massachusetts resident, Jacques will be working to protect the civil rights of all citizens throughout the controversial constitutional amendment debate. ●

By Sara Romer

NEWSMAKER



Eddie Jenkins, JD '78, recently was appointed by Massachusetts Treasurer Timothy Cahill as the new chair of the Alcoholic Beverages Control Commission (ABCC). The ABCC is the agency charged with enforcement, oversight and regulation of the state's more than 22,000 liquor licenses. Cahill proclaimed that Jenkins' "extensive experience as a prosecutor, his training as an arbitrator and mediator, and his solid management style made him the clear choice." Jenkins was most recently a managing partner at the Law Offices of Eddie Jenkins & Associates, a former prosecutor with the Middlesex District Attorney's office and a former labor lawyer with the Department of Labor. Since 1986, he has been a member of the adjunct faculty at Suffolk University Law School.

1950

Class Correspondent

Joseph Meyer Cohen

home: 156 Lancaster Terrace
Brookline, MA 02446
phone: 617.739.5564

1963

Charles S. McGuire was named of counsel to the firm of Bond, Schoeneck & King.

1968

James J. Barry Jr., associate justice of the New Hampshire Superior Court, received the Lifetime Achievement Award from the Manchester Bar Association.

1969

Joan I. Farcus completed her term as president of the Greater Bridgeport Bar Association in 2003. She was the third woman to serve as president and was subsequently named a "Woman of Substance" by the *Connecticut Post* for her contributions to civic, nonprofit, and charitable organizations. ▼



1970

Stephen A. Kirkjian, senior assistant metropolitan editor of the *Boston Globe*, received the Yankee Quill Award from the New England Society of Newspaper Editors.

1972

Avrom J. Herbster recently co-authored *The Jewish Community of the North Shore* with **Alan S. Pierce**, '74. The book is part of Arcadia Publishing's Images of America series, and captures the vibrant history of Jewish immigration, entrepreneurship and community life north of Boston.

John F. Nicholls, president of Abare, Nicholls & Associates in Barre, VT, was appointed chairman of the Vermont Water Resources Board. ▼



1973

Class Correspondent

Richard Weiss

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15 Court Square, Suite 210
Boston, MA 02108
phone: 617.742.2900

David M. Gottesman was named chairman of the Greater Nashua Division of the New Hampshire Charitable Foundation.

Kevin E. Myles has been appointed senior vice president of the First Financial Trust.

Mark L. Smith has become a fellow of the American College of Trial Lawyers.

1974



June 11-13, 2004

Peter S. Johnson joined Bangor Savings Bank as commercial workout officer in the special assets group at the State Street branch in Bangor, ME.

Paul K. Leary, associate justice of Brookline District Court, received a Judicial Excellence Award at the Massachusetts Judges Conference.

Paul F. LoConto was appointed first justice of the Worcester District Court. Judge LoConto also serves as regional administrative judge for District Court Region IV, which includes the 11 district courts in Worcester County, as well in Framingham, Marlborough and Natick. He previously served as first justice of the Fitchburg District Court.

Donald Lynde was promoted to the rank of colonel in the US Army. He is the staff judge advocate for Fort McCoy in Sparta, WI. He would like to hear from Bruce MacDonald and Jim McGillen.

Alan S. Pierce recently co-authored *The Jewish Community of the North Shore* with **Avrom J. Herbster**, '72. The book is part of Arcadia Publishing's Images of America series, and captures the vibrant history of Jewish immigration, entrepreneurship and community life north of Boston.

1975

Class Correspondents

Richard Cuffe

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Lynn, MA 01901
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email: rcuffe@bradleymoorelaw.com

Paul Kelly

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11 Beacon Street, Suite 500
Boston, MA 02108
phone: 617.742.0208
fax: 617.742.2187

John H. Pearson, president and chief executive officer for Butler Bank, was elected to the board of directors of America's Community Bankers.

NEWSMAKER



Jeannette A. McCarthy, JD '83, became the first female mayor in the city of Waltham's 120-year history. After law school, she opened a private practice in Waltham, where she has been a lifelong resident. In her campaign for mayor, she pointed to her anti-establishment voting record and pledged to give Waltham leadership, halt overdevelopment and bring financial integrity to the city. She was sworn in on January 4.

Ricardo Correia, president of Centaur Consulting and chief operations officer for One Source Entertainment, has been inducted into the Fairhaven High School Hall of Fame.

Andrew W. Daniels was named a partner of Hinckley, Allen & Snyder LLP.

Paul Matera, senior vice president and chief public affairs officer at the Liberty Mutual Group, has been named chairman of The New England Council.

1979

REUNION June 11-13, 2004

Class Correspondent
Marcia McGair Ippolito
home: 42 Knowles Drive
Warwick, RI 02888
phone: 401.463.7468

Daniel J. Gilmore was named Citizen of the Year by the Franklin Rotary Club.

Marcia Reinke was appointed president of the Baltimore County League of Women Voters.

1976

Class Correspondent
Virginia Bonesteel
bus.: Van Wert & Zimmer, PC
One Militia Drive
Lexington, MA 02420
phone: 781.863.2951
email: vabvwz@world.std.com

Robin F. Goldsmith authored *Discovering REAL Business Requirements for Software Project Success*, soon to be published by Artech House Publishers.

Christopher S. Mosher was named vice president of development at Quincy Medical Center.

1977

Class Correspondent
Robert Turner
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Winchester, MA 01890
phone: 781.729.0557
email: FDXH31B@prodigy.com

Barbara Anthony, regional director of the Federal Trade Commission's Northeast regional office and member of the adjunct faculty at Suffolk Law, was named chair of the New York State Bar Association's Antitrust Law Section.

Emilio Favorito has been appointed planning and development director of Quincy 2000.

Gary R. Pannone, executive partner of the Providence, RI, office of Holland & Knight LLP, was named a leading business lawyer by Chambers USA—America's Leading Lawyers 2004-2005.

1978

Class Correspondents
Daniel Russo
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Nancy Tierney
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One Court Street, Suite 360
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Larry Wheatley
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Cotuit, MA 02635
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email: LarryWheatley@comcast.com

bus.: phone: 508.428.7575
fax: 508.437.7747

NEWSMAKER



Rosemary C. Scapicchio, JD '91, in private practice, was named one of the "Lawyers of the Year 2003" by *Massachusetts Lawyers Weekly*. Scapicchio was singled out for the honor because of her high-profile legal work on behalf of Shawn Drumgold, a man convicted in the killing of a 12-year-old girl caught in a gang shootout. Scapicchio took the case on appeal in 1991 and, after a long battle, succeeded in getting her client's conviction overturned. In the process, she uncovered police procedures fraught with errors, bribery and cover-ups. Convinced that her client is just one piece in a pattern of police and prosecutorial errors, she is pushing for the formation of a commission to investigate Drumgold's case and others like it.

1980

Class Correspondent

Edwin Wallace

home: 11 Herrick Street
Winchester, MA 01890
phone: 617.729.4941

Ward Graham is president of the New England Land Title Association.

Marian A. Kornilowicz, a partner with the law firm of Cohen, Seglias, Pallas, Greenhall & Furman, PC and chair of the firm's business practice group, was elected director of The Jagiellonian Society. The Society is an organization of attorneys and judges of Polish descent whose purpose is to promote the professional, cultural, educational and social interests of its members.



1981

Class Correspondent

Sheila Tracey

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Woburn, MA 01801-5250
phone: 781.933.0838
email: jmcelhiney94@comcast.net

Michael Frink, a member/partner of the Portland, ME, law firm Curtis Thaxter Stevens Broder and Micoeau LLC, was named to the board of trustees of The Lincoln Academy.

1982

Class Correspondent

Edward L. Wallack

bus.: Sapers & Wallack
101 Rogers Street
Cambridge, MA 02192
Phone: 617.225.2600
fax: 617.494.5485
e-mail: Ewallack@saper-wallack.com

1983

Class Correspondent

Philip Mulvey III

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Milton, MA 02186
phone: 617.698.4594
email: adamsmulvey@msn.com

Amelia F. Jestings published her first novel, *Commonwealth Trust* (www.1stBooks.com). It is a suspenseful story about a third-year law student who works for Boston's premier defense attorney and deals with the mob, the law and the basic foundations of trust. Jestings and her husband, **Bill Jestings** '83, live in Providence, RI, with their two children, Francesca and Alexander.



1984



Class Correspondent

Mario Iglesias

bus.: Adams, Gallinar & Iglesias
Colonial Bank Centre, Suite 9
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Miami, FL 33131
phone: 305.416.6830
email: miglesias@agimlaw.com

Paul Gaetano was named supervisory assistant state's attorney at the Superior Court in Derby, CT.

Michaelene O'Neill McCann has retired as assistant district attorney and chief of victim witness services for the Essex County District Attorney's Office.

The Rev. Nicholas A. Sannella received the St. Luke Award from Holy Family Hospital in Methuen. Fr. Sannella, newly ordained in May 2003, was a vascular surgeon for 23 years before pursuing the priesthood. He is a parish priest at Most Blessed Sacrament in Wakefield.

1985

Class Correspondent

Michael Callahan

home: 247 Humphrey Street
Marblehead, MA 01945

bus.: NSTAR Service Co.
Prudential Tower
800 Boylston Street
Boston, MA 02199
phone: 617.424.3801
fax: 617.424.2733
email: michael_callahan@NSTARonline.com

David A. Pace is senior vice president and general counsel for Reebok International Ltd.

Elizabeth Toulan, campaign coordinator of the Family Economic Initiative of Greater Boston Legal Services, was honored by Wellspring for her work helping poor families.

1986

Class Correspondents

Mark Barnett

home: 158 Norman Road
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phone: 508.584.7164

Donald Pinto

bus.: Rackemann, Sawyer & Brewster
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phone: 617.951.1118
email: drp@rackemann.com

Doug Sears

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email: dwsear@mediaone.net

Joe Wadland

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email: jwadland@wadacklaw.com

NEWSMAKER



Photo by Ron Powell

Henry "Cadillac Jack" Eaton, JD '94, is picking up where he and fellow Duke and the Drivers band members left off. In the 1970s, the band honed its skills playing nearly every college and roadhouse throughout New England. It went on to sign with ABC Records, where it recorded two albums featuring the singles "What You Got" and "Check Your Bucket." The band opened for the likes of Aerosmith, B.B. King, J. Geils, ZZ Top and the Eagles. A Boston trial attorney, Eaton provides the driving rhythm force for the band at night. A new live album full of soul, blues, and rock 'n' roll was released last year.

See www.dukeandthedriver.com for more on Cadillac Jack and the Dukedom.

Elsbeth Cypher, associate justice of the Massachusetts Appeals Court, received the Alumni Achievement Award from Emerson College for her outstanding accomplishments in the field of law.

Brian M. Dingman, partner and chair of the intellectual property department at Mirick O'Connell was part of the firm's team that recently won a permanent injunction in a national patent infringement suit brought by Brine, Inc. of Milford against STX of Baltimore, MD.

Paul M. Novak was appointed president of the Homebuilders Association of Massachusetts.

Anthony K. Stankiewicz was elected president of the Massachusetts Bar Foundation. ▼



1987

Class Correspondents

Mark Darling

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2 Center Plaza
Boston, MA 02108
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email: m5kids@cybercom.net

Michael F. Walsh

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1200 East Street
Westwood, MA 02090
phone: 781.251.0100
fax: 781.251.2266
e-mail: mfwalsh@hotmail.com

James W. Barry was elected a Holliston selectman.

Jo Ann Rooney is president of Spalding University in Louisville, KY.

1988

Class Correspondent

Karen Lynch Bernard

home: 42 Drum Rock Avenue
Warwick, RI 02886
phone: 401.739.6585

N. Neil Connolly is a visiting professor in the School of Business at Mount Ida College in Newton.

Denise Leydon Harvey has joined the Salem law firm of Stern, Keilty & Wall, LLC, as an associate.

Elizabeth W. Morse, a partner with Tashjian, Simsarian & Wickstrom in Worcester, is president-elect of the Worcester County Bar Association.

1989



June 11-13, 2004

Class Correspondents

Meaghan Barrett

home: 21 Loew Circle
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Chad Kindregan III

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101 Arch Street
Boston, MA 02110
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e-mail: ckindregan@lgllp.com

Laila Maalouf

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phone: 617.689.0000
fax: 617.984.1885

Timothy McCrystal

bus.: Ropes & Gray
One International Place
Boston, MA 02110
phone: 617.951.7000
email: tmcrcryst@ropesgray.com

Mary Ellen Welch Rogers has joined Goulston & Storrs as a member in the asset-backed-lending practice within its commercial group.

1990

Class Correspondent

Joel R. Davidson

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PO Box 14
Wollaston, MA 02170
phone: 617.773.9092
fax: 617.770.0930
email: JDavid3537@aol.com

Roger Achille was elected a Mansfield selectman.

Alan J. Klevan and **Bryna Klevan**, '91, husband and wife for 15 years, formed a law practice in Wellesley known as Klevan & Klevan. Alan Klevan concentrates on personal injury law; Bryna Klevan focuses on domestic relations and mediation.

Douglas R. Lotane has opened a law office in Portland, ME.

Gregory P. Noone, an international law specialist at the US Institute of Peace in Washington, DC, has received the Institute's Special Act Award for his work in Afghanistan this year with the Afghan Ministry of Justice and the Constitutional Drafting Commission.

1991

Class Correspondent

Gary Merken

home: 791 Robinhood Road
Rosemont, PA 19010
phone: 610.581.4119
email: gary.merken@ey.com

Julie Ann Brogan, program administrator of human rights at Harvard Law School, has married Christopher Uhrich. They live in Lincoln.

Brian D. Burns, Otsego County (New York) judge, was appointed acting supreme court justice for the state of New York.

Arthur J. Carakatsane was named chairperson of the Massachusetts Bar Association's 2004 Mock Trial Committee.

Bryna Klevan (see **Alan J. Klevan**, '90)

Christine G. Narcisse, an attorney with McGuire & McGuire of Worcester, has been named the first woman president of the Southborough Rotary Club.

Doreen Zankowski, a partner in the construction law practice group of Hinckley, Allen & Snyder LLP, was appointed to the board of trustees at Regis College.

1992

Class Correspondent

Jeff Padwa

home: 25 Margrave Avenue
Providence, RI 02906-5167
phone: 401.273.8330

Elizabeth Lockett Stewart Dana, director of business development and legal affairs at NeoGenesis Pharmaceuticals, Inc., has married Traver Clinton Smith Jr. They live in Cambridge.

David M. Losier was named partner in the Boston office of Burns & Levinson LLP. He is the member of the firm's business litigation and white collar criminal defense groups.▼



Christina M. Murray was named partner in the Boston office of Burns & Levinson LLP. She is a member of the firm's real estate, finance, and corporate groups.▼



Lawrence (Lonnie) P. Murray was named partner in the Boston office of Burns & Levinson LLP. He is a member of the firm's business litigation, labor, employment, employee benefits, automotive dealers, and white collar criminal defense groups.▼



Stephen M. Pugsley was promoted to lieutenant in the Massachusetts State Police.

John Rogers, a state representative and chairman of the Massachusetts House Ways and Means Committee, has joined the firm of Rudolph Friedman LLP.

Anastasios T. Savvaides has become a member of Casper & Detoledo LLC.

1993

Class Correspondent

Eileen McAnney

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West Roxbury, MA 02132
phone: 617.323.1880

1994

REUNION June 11-13, 2004

Class Correspondent

Judy Crowley

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275 Turnpike Street, Suite 101
Canton, MA 02021
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fax: 781.401.9966
email: jcc@dc-m.com

Joshua Koskoff has been named a partner at Koskoff, Koskoff & Bieder.

Charles R. McIntyre is general counsel for the Massachusetts State Lottery Commission.

Michael G. Scott and his wife, **Maria M. Scott**, '95, have opened a law office in Lakeville.

Patricia (Wicks) Siegel has married Steven R. Siegel.

Thomas M. Sullivan has joined Lowrie, Lando and Anastasi LLP as a partner.

1995

Class Correspondent

Gary Murad

home: 75 Cambridge Parkway, Apt. E110
Cambridge, MA 02142
phone: 617.621.0119

Kristen A. Bullwinkel, a partner with Wilson and Orcutt, PC, has married **William A. Schneider**, '97, a partner with Morrison, Mahoney and Miller, LLP.

Jennifer M. Norton has become associated with Conn Kavanaugh Rosenthal Peisch & Ford, LLP.

Maria M. Scott (See **Michael G. Scott**, '94)

1996

Class Correspondents

Jennifer Hoopis D'Ambra

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33 College Hill Road, Bldg. 5B
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fax: 401.823.6265
email: hoopis@aol.com

Michael Lartigue

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phone: 617.926.6824
email: mj196@hotmail.com

Ray Lyons

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email: attylyons@aol.com

Michael Palladino

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10 Tremont Street, 4th fl.
Boston, MA 02108
phone: 617.367.8901
fax: 617.367.1434
email: palladino@donahue.umassp.edu

Heather Ryan Girolamo was named vice president of Ryan Financial Advisors of Andover.

Jeannine R. McNaught, BS '93, has married **David M. Reardon**, BS '93, JD '99. They are living in the Washington, DC area, where David is an inspector in the US Postal Inspection Service. The couple met in 1989 at Suffolk University while students in the Archer Fellows Honors Program.

Robert Mulligan, ILLD (Hon.), superior court justice, was appointed chief justice for administration and management of the trial court.

Michael Pierce has passed the National Association of Securities Dealers Series 24 General Securities Principal examination. He is a certified financial planner at Allen/Van Alstine Financial Group.

Robert A. Skrivaneck was named a partner at Lowrie, Lando & Anastasi LLP, an intellectual property law firm in Cambridge.



Tamara Smith, an attorney at Taylor, Duane, Barton & Gilman LLP in Boston, has married Paul Holtslag. They live in Charlestown.

1997

Class Correspondents

Dylan Carson

bus.: Dylan M. Carson
Kaye Scholer, LLP
The McPherson Building
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Washington, DC 20005-2327
phone: 202.682.3664
fax: 202.414.0338
email: dcarson@kayescholer.com

Stephanie Lyons

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Cambridge, MA 02138
phone: 617.234.1914
e-mail: stephlyons@comcast.com

bus.: Cornell & Gollub
75 Federal Street
Boston, MA 02110
phone: 617.482.8100
fax: 617.482.3917
email: slyons@cornellgollub.com

Thomas J. DiSanto owner/president of Gallo/Thomas Insurance, Inc. in Greenwich, RI, has married **Amy Spagnole**, '99, an associate at Hinckley, Allen & Snyder LLP.

Liza D. Hanley, a sole practitioner focusing on civil, family, probate and criminal matters, was nominated by Governor Mitt Romney to serve as clerk magistrate of the Edgartown District Court.

David Lucas has married Melissa A. Ward.

Peter Miniati has joined the trust and investment services division of The Washington Trust Company as vice president and trust officer.

William A. Schneider (see **Bullwinkel**, '95)

Stephanie Lyons married **Peter M. Sullivan**.

Merton Thompson joined Burns & Levinson LLP as an associate in the Intellectual Property group and Life Sciences group.

1998

Class Correspondents

Paul Cronin

home: 2 Reed Lane
Bedford, MA 01730
phone: 781.542.2290

Peter Fiore

home: 58 Mott Street
Arlington, MA 02474
phone: 781.646.6009

Jamie Murphy

home: 17 Ruggiano Circle
Weymouth, MA 02188
phone: 617.725.8095

Nathanael E. Wright

home: 79 Hampstead Road
Jamaica Plain, MA 02130
email: Legis70@yahoo.com

Patrick O. McAleer has joined the litigation practice group of Looney & Grossman LLP.

Kathleen Sullivan was elected to the board of governors of the New Hampshire Trial Lawyers Association.

1999



June 11-13, 2004

Class Correspondents

J.R. Craven

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Marc Diller

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Thamir Kaddouri, Jr.

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Helen Litsas

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David M. Reardon, BS '93
(see **McNaught**, '96)

Amy Spagnole (see **DiSanto**, '97).

John R. Van Amsterdam was elected a shareholder of Wolf, Greenfield & Sacks, PC.

2000

Class Correspondents

Susan M. Bourque

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Kristin Cole

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Jennifer Genzale

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Heather Dauler is a legislative advocate for the California Alternative Payment Program Association in Sacramento, CA. She received her LLM from The University of the Pacific, McGeorge School of Law in 2003.

Jennifer Gugliotti has married Tim Geanakos. They live in Arlington.

Rebekka Monahan has married **Kirkland Curley**, '01. They practice law together at Curley & Curley in Wakefield.

Michael O'Neil has joined Baynes Electric Supply as an outside sales manager.

Jeffrey C. O'Shaughnessy, assistant vice president of product development for Hartford Steam Boiler, has married Dawn L. Tessier.

Michelle Sadova, MBA '03, is the founder and chief executive officer for Dissention Records in Boston.

Ryan Sullivan, an associate at Stern and Montana LLP in New York City, has married Brenna Yakacki. They live in Danbury, CT.

2001

Class Correspondents

Wendy I. Provoda

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Donald Wyse

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Nahant, MA 01908
phone: 781.581.0683
email: wysedd@yahoo.com

Gayann B. Crowe has joined McConnaughay, Duffy, Coonrod, Pope & Weaver, PA as an associate.

Kirkland Curley (see **Monahan**, '00).

Joseph Quinn is an attorney with Little, Madeiros, Kinder, Bulman & Whitney, PC in Providence, RI, where he focuses on construction litigation. He was previously an associate with Corwin & Corwin in Boston.

Jamie H. Rose was named an associate with Wolf, Greenfield & Sacks, PC.

Alanna Caffrey Rosenberg married Jasper Rosenberg. They live in Medford.

David L. Tamarin has married **Jessica Natale**, '02.

2002

Annette L. Baker has opened a law office in the Cummings Center in Beverly.

Mary C. Cavanagh has married Walter P. Dunn III. They live in Belmont.

Charles Clark, an attorney for Cohen Law Offices in North Andover, has married **Jennifer McGovern**, '03. They live in Malden.

Jesse Dole, an attorney with Campbell, Campbell, Edwards and Conroy of Charlestown, has married Kristen O'Connor. They live in Lynn.

Tami Dristiliaris opened a law office in Dracut. She wants to communicate with any classmates who have started their own practices (www.nurselawyers.com).

Katherine Duggan has joined the law office of Michael J. Duggan in North Attleboro.

Kristen Nadeau has married Kirk Shillington. They live in Littleton, CO.

Jessica Natale (see **Tamarin**, '01)

Adrienne Perruzzi has married Dennis E. Okun, Jr. They live in East Falmouth.

Kathleen Scarpato has married **J. Joseph Galieta**, '03.

2003

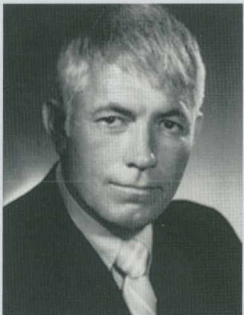
Robert J. Brown Jr. was named an assistant district attorney in Norfolk County. He is working at Quincy District Court.

Jennifer McGovern (see **Clark**, '02).

Maryanne Trevisan is an associate at Wolf, Greenfield & Sacks, PC. Previously, she was a technology specialist at the firm.

J. Joseph Galieta (see **Scarpato**, '02).

HONORING THE MEMORY OF

**John M. Corcoran, DCS '82 (Hon.)**

John M. Corcoran of Milton, a major real estate developer, philanthropist and longtime Suffolk University trustee, died on October 22, 2003, after a brief illness. He was 80.

Corcoran was born and raised in Dorchester, the son of Irish immigrants. In 1942, he enlisted in the Army, where he served as a paratrooper. He was one of the first 15 Americans to land at Normandy Beach in the D-Day invasion. Corcoran was later wounded and received the Purple Heart, as well as the Bronze Star for valor. After his honorable discharge, he attended Boston College, graduating in 1948.

In 1951, he founded John M. Corcoran & Company, which grew to become one of the largest real estate development firms in New England.

Corcoran strongly believed that education was a means to a better life, and dedicated both his time and financial resources to many educational efforts. He was an ardent supporter of Boston's inner city parochial schools. In addition to serving on the University's Board of Trustees, Corcoran was a trustee of Boston College.

At Suffolk, Corcoran chaired the Building Committee responsible for overseeing the construction of Sargent Hall. In addition, his gifts to the University established a scholarship in the Corcoran family name. His experience and commitment to the University's growth and development were invaluable.

"John's many years of service as a trustee, his philanthropic spirit and outstanding work as chairman of the Building Committee made a lasting mark on the University. He will be greatly missed," said President David J. Sargent.

Active and influential in a variety of community concerns, Corcoran was also an avid skier.

The husband of the late Mary Lovett, Corcoran is survived by two sons, John and Thomas, both of Milton; five sisters, Mary of Dorchester, Theresa, S.C., of Quincy, and Claire Carten, Bernadette Richards and Frances Richter, all of Milton; two brothers, Leo and Joseph, both of Milton; five grandchildren; and many nieces and nephews, including Leo, JD '84, of Braintree.



Veronica Albanese, JD '94

Veronica Albanese, an attorney with the law firm of Schneider, Kleinick, Weitz & Danashek in New York City, died June 28, 2003, after a courageous battle with breast cancer. She was 34.

Albanese was a member of the New York State Bar Association, the New York State Trial Lawyers Association and the Association of Trial Lawyers of America.

Gerard D. Downing, JD '79

Gerard Downing, district attorney for Berkshire County, died of a heart attack on December 16, 2003. He was 52.

Downing was an assistant district attorney from 1983 to 1990, when he was elected district attorney. He served as president of the Massachusetts District Attorneys Association, and was active in youth sports with the Catholic Youth Center.

He is survived by his wife, Pamela, and four children.

Barbara F. Hughes, JD '62

Barbara F. (Connolly) Hughes of Milton and West Harwich died on October 12, 2003 after a brief illness. She was 70.

Hughes was in private practice for the last 13 years, and served as a Suffolk County bar advocate. She was a member of the Massachusetts Bar Association and Massachusetts Association of Criminal Defense Lawyers.

She received her bachelor's degree from Emmanuel College and a master's degree in education from Boston University. Hughes taught in the Boston public schools and served as counsel for the schools in special education appeals. Hughes was one of only two women in her graduating class at Suffolk Law School.

She is survived by her husband, John M. Hughes; two sons, John M. of New York and David A. Hughes of Milton; and her sister, Patricia Annino of Winchester.

Paul A. Weber, JD '73

Paul Weber, an attorney who was dedicated to helping others with problems of substance abuse, died on January 16 after a three-year battle with kidney cancer. He was 58.

Weber was born and raised in Lynn and worked as a public defender in Essex County before entering private practice. When faced with problems of alcoholism, Weber turned to Lawyers Concerned for Lawyers (LCL). He subsequently went on to work with LCL, serving as vice president for five years, and as a volunteer assisting other lawyers with addiction problems for 12 years.

Weber moved to Maine in 1992 and spent much of his time doing pro bono work in Maine and Massachusetts.

He is survived by his three daughters; Meghan of Swampscott, Gretchen of Cambridge, and Amanda of Salem; two sisters, Aileen Corbett of Lynn and Catherine Bartok of Kennebunk, Maine; and his former wife, Elizabeth Weber-Consolos of Lynn.

Peter J. Lembo, JD '37

William Breden, JD '39

Charles K. Williams, JD '39

Francis K. Monarski, JD '50

Barbara F. Hughes, JD '62

Arthur Demers, JD '63

Gerald Roque, JD '68

Lawrence J. Costantini, Sr., JD '70

Anthony F. Pennacchia, JD '70

John J. Ferrara, JD '71

Stephen B. Yaras, JD '71

Robert Pulcini, BA '68, JD '73

Paul A. Weber, JD '73

Maurice J. Nolan, JD '74

Frederick W. Heehre III, JD '77

Gerard D. Downing, JD '79

John Corcoran, DCS '82 (Hon.)

Martha Gloden, JD '91

Veronica Albanese, JD '94

Valerie Joan Anderson, JD '95

Editor's Note: The Suffolk University Law School community was saddened to learn of the recent death of Gleason Archer, Jr., the son of the Law School's founder. A tribute will appear in the next issue of *Suffolk Law*.



IN THE SPIRIT OF GIVING BACK

**MARGARET AND THOMAS J. RYAN, JD '74,
ESTABLISH A CENTENNIAL SCHOLARSHIP**

Tom Ryan started kindergarten at the elementary school a few blocks from his childhood home in Waltham. Early on his first day, he became bored and decided to return home. His mother, understandably dismayed by her son's early departure, marched young Tom back to school. Reluctantly, he walked toward the building.

"Remember," he said to his mother at the door, "this school thing is your idea."

Now, looking back, Tom admits the "school thing" was a pretty good idea after all. Dividing his time between Chicago and Bradenton, Florida, he is currently senior vice president, general counsel and secretary for PepsiCo Beverages & Foods (the well-known Quaker Oats, Tropicana and Gatorade groups). He holds a BA from St. Lawrence University, his JD from Suffolk University Law School, and an LLM from New York University Law School. Ryan also attended Harvard Business School.

"I absolutely loved law school," says Ryan. "I had always been a good student, but at Suffolk, I just bloomed." Among his more memorable professors, Ryan counts Brian Callahan, Alan Brody, John Fenton, Herbert Lemelman and Catherine Judge.

"I enjoyed courses with each of them for different reasons," he says, noting the common thread uniting them all was the practical experience they brought to the classroom. "I chose

Suffolk Law because I wanted that unique insight and training in the law," he explains. "I got that and more. The logic training alone was invaluable. It's served me well in the business world."

Ryan built his career in the food industry, first as assistant counsel at the Maxwell House Coffee division of General Foods, then as counsel for GF brands such as Gaines Pet Foods and Birds Eye. He went on to serve 12 years as vice president and general counsel at Oscar Mayer Foods before joining Tropicana Products, Inc., in 1997.

At PepsiCo Beverages and Foods Headquarters in Chicago, he deals with higher-level legal issues that confront the beverage giant. "It's a wonderful company," he notes. "I oversee a talented department, handling a myriad of issues and subject matters including contracts, negotiations and deals, FTC and FDA regulatory issues, environmental matters, marketing and government affairs."

Over the years, Ryan has been very active in community affairs. He is currently chairman of the board of the Council of Better Business Bureaus, chair of the steering committee of the Minority Counsel Program of the American Bar Association, a member of the board of directors of America's Second Harvest (the national food bankers), and of the board of the Chicago Shakespeare Theatre. Ryan has also served on the ABA's Commission on Racial and Ethnic Diversity and has chaired its annual

fundraiser. In 2003, Ryan and his department were named "Employer of the Year" by the Minority Corporate Counsel Association.

The Ryans have been generous supporters of the Law School Annual Fund for 25 years. Seven years ago Ryan and his wife Meg established the Mary M. Ryan Scholarship Fund in honor of Tom's mother. The Ryans recently decided to enhance the scholarship with an additional gift of \$50,000, thus recognizing the named fund as a Centennial Scholarship. Created to honor the University's centennial in 2006, the Centennial Scholarship Program aims to recognize 100 donors who establish or enhance endowed scholarships with minimum gifts of \$50,000 to meet the pressing need for increased financial assistance at Suffolk University and Suffolk Law School.

As the Ryans see it, their philanthropic motivation is a simple one. "I received a Dean's scholarship in my second year. That financial assistance enabled me to finish law school. We know our family has been successful and wonderfully blessed, in part because someone before me supported a scholarship fund. We believe if you benefit from such a kindness, you have the responsibility to give back. And this is our way of passing it on."

"Suffolk Law School is ready for the future and I am proud to be a graduate. Meg and I are very pleased to be able to support Suffolk in such an important and meaningful way." ●

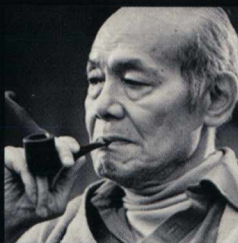
By Maura King Scully

A CENTURY OF OPPORTUNITY 1906-2006

From its inception, Gleason Archer made clear that Suffolk University Law School was a school of opportunity. His vision attracted some of the brightest minds of the era who were barred from other institutions because of discrimination.



Thomas Vreeland Jones (1874-1934) worked as a building superintendent by day and attended law school at night. He earned his degree in 1915, becoming the school's first African-American graduate and an active member of Boston's legal community. This portrait was unveiled by The Black American Law Students Association in 1991 in honor of the scholarship established in his name.



The son of Chinese immigrants, **Harry Hom Dow** (1904-1985) graduated from Suffolk Law in 1929 and became the first Asian-American admitted to the Massachusetts Bar. After 20 years with the United States Immigration and Naturalization Service, he opened private law offices in Boston and New York, specializing in immigration law. Suffolk established an assistance fund in his name to help Asian-Americans gain access to the legal system.



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