

Spring 2004

## **In Brief, Spring 2004**

New York Law School

# IN BRIEF

## Embracing Innovation

Innovations in the Curriculum  
Spotlight on Institute for Information Law & Policy  
Alumni at Abbey Gardy, LLP  
Alumni at Sullivan & Cromwell  
Faculty Presentation Day 2004  
Wallace Stevens: Poet and Lawyer  
Newman and Patel Take *Padilla* Case to Supreme Court

# IN BRIEF

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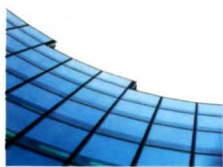
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# A Message from the Dean

Embracing Innovation | *By Richard A. Matasar*



*Our past guides us to be bold in the future.*

**CHANGE IS DIFFICULT. ROUTINE IS SIMPLE. EXPERIMENTATION IS COMPLICATED,** uncertain, and invites spectacular failure. Maintaining the course is easy, certain, and ensures mild success. Creation of new practices is uncomfortable and destabilizing; it forces us to question our beliefs. Adherence to tradition provides comfort and stability; it reinforces our cherished values. So it is no surprise that most law school curricula look the same today as they did twenty-five years ago, that schools teach with Socrates in mind, and that it takes most places years to change course titles (let alone courses).

But New York Law School is different. There is a fearlessness to our program, a desire to try new things, a hope that we will learn through experimentation, and the knowledge that our past guides us to be bold in the future. We embrace innovation. It is in our DNA.

As discussed in this issue of *In Brief*, embracing innovation is more than a slogan. The Law School is engaged in systematic remaking. We have new courses in the first year geared to giving students the critical skills they will need to become effective lawyers. By the second semester we have created specific opportunities for students—a comprehensive curriculum to reinforce critical thinking skills for those still struggling with basic legal reasoning; an honors program to push those at the top of the class to develop research strength in a field; a coherent, organized curriculum for the whole student body. We have volunteer public interest programs. We have programs in the areas of state and local government, civil rights and liberties, and international law. In short, the Law School is developing programs that give students flexible study options geared to their ambitions.

We highlight several of our students, faculty, and graduates for their pioneering work in varied fields—in particular, focusing on the connection between law, democracy, and technology. These stories are not merely about innovation for innovation's sake. They describe the organic creation of connectivity between the law school experience and the real-world needs of our clients. Here, change is driven by the need to respond to the emerging needs of our society. And, while it is always exciting to brag about the latest “cool” thing that we are doing, being “cool” is neither an end nor a means. It is a by-product of the necessity to help our students develop real-world skills that will be demanded of lawyers in the years to come.

New York Law School claims that we “Learn Law. Take Action.” The engine for the action is innovation. Feel it as you read.



# Innovations in the Curriculum

# When Jethro K. Lieberman became Associate Dean of Academic Affairs in summer 2000, one of the many projects he began to consider was the Law School's curriculum.

"WE NEEDED AN INITIATIVE THAT WOULD MAKE BETTER SENSE OF THE CURRICULUM—FOR US as well as the students," he says. Over the years the list of courses had grown to about three hundred, and no master plan existed for choosing which courses to offer and when, since not all could be offered every term or even every year. "I knew this had to be a faculty-wide effort, and I wanted the faculty to be much more involved in curriculum planning and designing than they'd ever been before," he says.

To achieve this, faculty members were designated "team leaders" for each of fifteen areas: commercial law, constitutional and public law, corporate law, criminal law, dispute resolution, family law, intellectual property, international and comparative law, labor and employment law, legal history and related fields, media law, real estate, tax, torts, and urban and local government. Curricular leaders have been charged with shaping the curriculum in their areas to make it possible for students to take a sequence of courses, from beginning to advanced. The curricular teams were also asked to recommend changes in their areas—for example, courses now obsolete that could be dropped; courses requiring updating or reshaping; courses that could be combined; new courses to cover major changes in the law. Over three years, nearly seventy courses have been dropped and some three dozen added, including many new clinics and advanced-level courses. The curricular groups have written a student guide to planning a yearly schedule, taking into account both the need for a generalist education and the benefit of concentration.

At the same time, larger curricular initiatives have developed from a series of strategic planning sessions that faculty and staff held during the 2000–01 academic year. From these planning discussions, a threefold division of the academic program has developed: the Comprehensive Curriculum Program (CCP), the John Marshall Harlan Scholars Program, and the individual plan which allows for responsible programming for students.



# Innovations in the Curriculum

## curriculum planning:

Faculty members were designated “team leaders” for each of fifteen areas. Curricular leaders have been charged with shaping the curriculum in their areas to make it possible for students to take a sequence of courses, from beginning to advanced.

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## the Comprehensive Curriculum Program (CCP):

Forty students with the lowest GPA at the end of their first term must take a course, Principles of Legal Analysis (PLA), designed to help develop basic skills in legal method. Students who rank in the bottom twenty-five percent at the end of the second semester must take the remainder of the CCP which includes basic courses that they tend to avoid. The CCP guides students as to the electives they may take. For students who rank in the bottom ten percent at the end of their first year, the CCP requires an extra semester before graduation. This semester is paid for by the school, and offers students other courses to help solidify what they have learned.

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Building on the work of a committee that a few years earlier began to analyze bar pass rates and correlate those with class rankings, a special faculty committee, led by Professor David Chang, spent two years devising a program, the Comprehensive Curriculum Program (CCP), for students who rank at the bottom of their class. The forty students with the lowest GPA in each section at the end of their first term must take a second-semester course called Principles of Legal Analysis (PLA), which was pioneered for three years in the late 1990s.

“PLA combines tough drilling in analysis with much feedback on written exercises,” says Lieberman. PLA is designed to help these students develop basic skills in legal method, to strengthen the foundation on which the rest of their law school education will be constructed.

Full-time students who rank in the bottom twenty-five percent of their section at the end of the second semester must take the remainder of the CCP, designed to provide students with a demanding and diverse series of courses that not only provides the breadth of knowledge that constitutes legal literacy, but also develops the analytical and other skills necessary to use that knowledge effectively. The CCP requires students to take a certain number of basic courses

that, statistically, they tend to avoid, including Corporations, Trusts and Estates, and Federal Income Taxation: Individual. Beyond this, the CCP guides students as to the electives they may take. For full-time students who rank in the bottom ten percent at the end of their first year, the CCP requires an extra semester before graduation. This semester is paid for by the school, and offers students other courses “that we hope will solidify what they’ve learned and yet drill more of the kinds of analysis that they have been failing to get up to that point,” says Lieberman.

During this same period, a number of faculty members, led by Dean Richard A. Matasar and Associate Dean Carol Buckler, collaborated to develop a new program, the John Marshall Harlan Scholars Program, for students whose grades put them in the top 15 percent of their class at the end of their first year. Students in this program affiliate with one of the school’s five research centers and become members of the *Law Review*. Harlan Scholars may take special courses required by their center or choose from a selection of recommended courses that permit them to focus in a chosen area of study. Completing their work as Harlan Scholars, these students also take on a “capstone” experience, which might grow out of work on a *Law Review* note, a job

## the John Marshall Harlan Scholars Program:

Students in this program affiliate with one of the school's five research centers and become members of the *Law Review*. Harlan Scholars may take special courses required by their center or choose from a selection of recommended courses that permit them to focus in a chosen area of study. Completing their work as Harlan Scholars, these students also take on a "capstone" experience, which might grow out of work on a *Law Review* note, a job placement, creation of a Web site, or some other scholarly or practical undertaking.

placement, creation of a Web site, or some other scholarly or practical undertaking. Buckler notes, "The program provides our highest-achieving students the unique opportunity to work closely with professors and student colleagues on scholarship and projects in a shared area of interest."

As for the 60 percent of the students in the middle ranks, Lieberman says, "Year by year we are trying to come to grips with a more rational sequencing and collection of courses in one of several different practice areas. This will make it easier for a student to concentrate in one of those areas and say, 'Here's the core course, and here are a couple of other courses that can take me in this or that direction.'" The goal is to help these students realize that they can gain specialized knowledge in their field by taking an extra course or two.

With the establishment of the Harlan Program, the CCP, and the general reinvigoration of the curriculum for all students, including the courses and programs detailed here, Lieberman says he is confident that "we really are creating a more sensible curriculum throughout. That's how I would measure progress." In the future, he and the faculty will continue to closely monitor the students to see how they are selecting courses. "We also want to find ways to talk to the students about how this new curriculum has

## ongoing refinement:

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—Associate Dean Jethro K. Lieberman

made a difference to them." He insists, however, that this is a process, and the school is just at the beginning of its curriculum innovation. "We're going to continue to refine it," he says. "It's an ongoing project and, like a house, it's never finished."

Throughout every level of New York Law School, innovations are being introduced to the curriculum as it is reshaped for the law students of the 21st century.

Professor Michael Perlin, an internationally recognized expert and award-winning author on mental disability law, praises Dean Matasar's role in the process: "He's genuinely open to new ideas. Not once did I hear him say, 'We never did it that way before.' I've dealt with other law schools that adhere to that philosophy, and I felt as if I were banging my head against the wall. It's such a pleasure to be here."

Perlin is excited by the recent movement to explore new advances in the curriculum throughout the Law School and adds, "I think we've really expanded our horizons and the way we think about teaching and learning, and the way we think about the role of the Law School. We're breaking down the borders around the school, and we're reaching out to the outside world in ways that I think are very important and very profound." ■

Experiential learning is an integral part of the  
New York Law School curriculum.

This approach is based on the premise that  
teaching legal doctrine, reasoning, and analysis  
is not enough; students must also be taught  
how to apply that expertise in context, both  
with real cases and simulated ones.

It's the guiding philosophy of the

## Lawyering Skills Center

directed by Professor Lawrence M. Grosberg.



“Many students indicated that this was the first time they had the chance to talk to another person from the vantage point of a lawyer... they were appreciative of the opportunity to test their skills,” says Grosberg.

BEGINNING WITH THE FIRST-YEAR COURSE CALLED LAWYERING, THE center provides students numerous opportunities to experience the day-to-day tasks that lawyers are asked to carry out, such as interviewing clients or witnesses. Other course opportunities include upper-class simulation courses, in which students perform extensive simulated exercises, often videotaped, and receive direct feedback from professors; externships, in which students work in carefully selected law offices and complete related assignments at the Law School; judicial externships, in which students are placed with state and federal judges and federal magistrates; and clinics, in which students work on real-life cases with practicing lawyers under close faculty supervision.

First-year students in the Lawyering course receive the benefit of a unique pedagogical innovation in this rich array of clinical and skills courses. For the Lawyering course, Grosberg and his Center colleagues have pioneered a teaching technique that borrows from one used in medical education for more than 30 years. In medical schools, the Standardized Patient (SP)—an actor or other layperson playing the part of a patient—is interviewed and examined by medical students, who then receive written feedback from the SP using an evaluation checklist prepared by the medical faculty. In Grosberg’s adaptation

of this technique, an actor playing the part of a witness or client—the Standardized Client (SC)—is interviewed or counseled by the student, who is then evaluated by the SC, first with respect to factual information obtained from the SC and, second, with respect to the effectiveness of the student’s communication with the SC.

The actors, trained by Grosberg and his colleagues, Professors Stephen Ellmann, Richard Marsico, and Richard Sherwin, each receive a detailed set of role-play instructions. Each actor is trained to portray the client or witness in a consistent, or standardized, fashion, and then to evaluate the student in a similar manner. Each of the actors assumes the same profile and goes into the exercise with the same set of facts. “There is a specific factual situation that the students have to grapple with,” says Grosberg. “In the interviewing situations, it’s the responsibility of the students to uncover the relevant facts, whether helpful or harmful to the student’s client. Ideally, they will apply the reasoning and analysis they have learned in their other first-year courses, as well as the skill techniques they are learning in Lawyering, to elicit specific information from the SC as effectively as possible.”

In a recent witness-interview exercise constructed around a contract case, the actors assumed the persona of the older sibling of a woman who was challenging the terms of a

# Grosberg sees the Lawyering course, with its SC [standardized client] exercises, as an opportunity to “make a dent in the armor surrounding the long tradition of what happens in the first year of law school.”

previously signed separation agreement with her husband. In their conversations with the “sibling,” the students sought to elicit the following details, among many others, from the SC:

- that he/she owns a successful real estate business;
- that he/she had been told by the younger sister that a custody battle would be “devastating” for her children;
- that he/she had learned that the younger sister had, as a result of threats made by her husband, signed the existing separation agreement without consulting a lawyer; and
- that the younger sister had lied to the older sibling about having spoken with an attorney prior to signing the separation agreement.

Following the exercise, the actors completed an evaluation checklist, indicating whether or not the students successfully obtained these details from them, and provided an assessment of the students’ communication skills. While these evaluations do not become part of the students’ course grades at present, there are plans for giving some credit toward the course grade for their work on the SC exercises, says Grosberg.

Over the past five years, the Lawyering course has evolved from a first-semester offering with a single SC exercise to a second-semester course that incorporates three SC exercises arising out of three case files in three different areas of law: torts, contracts, and real property. The shift to the second semester was based largely on

student feedback indicating that the course would be a more effective introduction to what lawyers do if it followed a full semester of coursework in legal reasoning and analysis.

Grosberg sees the Lawyering course, with its SC exercises, as an opportunity to “make a dent in the armor surrounding the long tradition of what happens in the first year of law school.” Students, he says, have traditionally received the message that what really counts in the first year is the grounding in doctrinal/legal reasoning and analysis they receive in courses such as contracts, torts, civil procedure, and property. “So, understandably,” he says, “any effort to teach basic interpersonal lawyering skills in the first year—or later, for that matter—is viewed by the students as a diversion from their main task. This is a distorted view of what competent lawyering entails. We hope to increase the use of the SC exercise by integrating it into other first-year courses, thus changing this long-standing tradition.” In addition, Grosberg reports, student response to the SC exercises, according to course evaluations completed by students, is “nearly all positive.”

“Many students indicated that this was the first time they had the chance to talk to another person from the vantage point of a lawyer,” he says. “They recognized that obtaining information from live human beings and giving legal advice was much more difficult than they imagined, and they were appreciative of the opportunity to test their skills.” ■



Grosberg and Colette

Foster-Franck '01.

Now an associate at  
Sidley Austin Brown & Wood,  
Foster-Franck was a student  
in Professor Grosberg's  
mediation clinic.

## Programs of the Lawyering Skills Center

Beginning with the first-year required course called Lawyering, every student is given the opportunity to apply her or his legal reasoning and analysis skills in the context of a simulated interview of a client, then in an interview of a witness, and finally in a session in which he or she counsels a client. This course is a groundbreaking and innovative way to introduce students to the tasks that lawyers are asked to perform. Building on the Lawyering course, the Lawyering Skills Center offers advanced simulation courses, an extensive Externship Program, and a rich array of clinics.

### Simulation Courses

Second and third-year students may take Negotiating, Counseling and Interviewing (NCI); Trial Advocacy; Advocacy of Criminal Cases and Alternative Dispute Resolution. In these upperclass courses, the students have the opportunity to perform extensive simulated exercises (often videotaped) and receive direct professorial feedback.

### Externships

The Externship Program enables second- and third-year students to earn two or four credits by working in carefully selected law offices and completing related assignments at the Law School. Students in the four-credit program also participate in a weekly seminar introducing them to legal practice issues through the use of readings, simulations, discussion, and video.

### Judicial Externships

Upperclass students can earn academic credit by working with judges and their law clerks. Here also, the classroom work includes readings, video and discussion. Students are placed with state and federal judges and federal magistrates in New York City and surrounding jurisdictions.

### Clinics

Under the direct supervision of full-time faculty (often working closely with practicing lawyers) upperclass students prepare through extensive simulated practice sessions before meeting clients, interviewing witnesses or appearing in court. Students may work on real cases in the clinics, which include the following:

- Discrimination Law Enforcement Clinic
- Criminal Law Clinic
- Elder Law Clinic
- Employment Law Clinic
- Mediation Clinic
- Poverty Law Clinic
- Securities Arbitration Clinic

One of the courses that has helped to innovate  
the curriculum and introduce new ideas  
about legal education for all students is the

# Applied Analysis course.





**Kris Franklin**  
Associate Professor of Law  
Director, Academic Skills  
Program



**Susan J. Abraham**  
Associate Professor of  
Applied Legal Analysis



**Elizabeth Rosen**  
Associate Professor of  
Applied Legal Analysis

“If you start looking at all the things that people say are useful for students who are struggling, you begin to see that many of them clearly apply to all students.”

—Kris Franklin

“THERE IS A BURGEONING MOVEMENT IN ACADEMIC SUPPORT THAT seeks to understand how adult professional students learn,” says Kris Franklin, associate professor of law and director of the Academic Skills Program. Franklin and her colleagues, Professors Susan Abraham and Elizabeth Rosen, sought to apply that movement to struggling New York Law School students and their studies in relation to learning the ambiguities of the law. Together, they developed the Applied Analysis course—and they found something interesting when they did. “If you start looking at all the things that people say are useful for students who are struggling,” says Franklin, “you begin to see that many of them clearly apply to all students.” Eventually, Franklin hopes these techniques will be applied school wide. “New York Law School is absolutely at the forefront of all of this. We’re the only people who are asking, ‘How do we take this and make this accessible to all of our students?’”

According to Franklin, the Applied Analysis course is a very sophisticated way of looking critically at the process of legal reasoning, so that students begin to understand where the boundaries exist between the law’s incredible focus on detail and precision and their overarching obligation to understand, in a very broad and conceptual way, how the various ideas and ambiguities in law fit together.

Franklin and her colleagues try to achieve this by using techniques that have been developed for work with individual students and small groups, and combining them with the more traditional techniques of large classroom teaching. “We do a lot of interactive work, a lot of student presentations, a lot of simulations, and a lot of group work.” This is because lawyers work more and more in groups, Franklin says, but also because students need to

bounce things off each other in order to work things through for themselves. “They do this more successfully when they have to talk about it rather than working individually in isolation,” she says.

Franklin mentions the Applied Analysis Web course as another means of achieving group participation: “We create room for discussion of related topics there, which is quite lively.” Students are required to turn in work, so everybody must participate. Students post what they have done in their groups on the Web site. “Otherwise,” explains Franklin, “the process can be so invisible. Professors can say to students, ‘You’re not analyzing enough, you’re not explaining your reasoning enough,’ but students don’t know what it looks like when someone does.” By looking at the work that other students have posted, they begin to see for themselves which work explains the ideas more successfully. “Students and teachers are then able to have a real dialogue about what’s successful in an argument and why it’s successful.”

The Applied Analysis course is in good company—and moving in the right direction, Franklin says. “We’re not the only people teaching what we’re teaching,” she says. “We’re quite explicitly teaching the same reasoning skills that are taught in Legal Writing, although we use very different methodology. We use every possible teaching technique we can imagine to get it across, hopefully overlapping enough so that every student has the possibility of learning it in some way.” As with any new course, Franklin admits it has had some growing pains. “But this year we have students who are able to say they’ve gotten something significant out of the course. That’s our goal, really.” ■

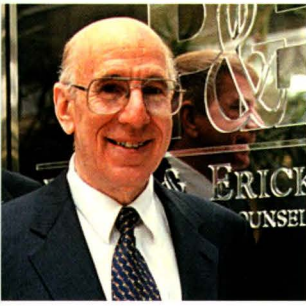


Medical Malpractice as a subset of the  
Liability Tort System creates certain  
challenges for attorneys representing doctors,  
hospitals, and patients. These issues are  
addressed in the innovative

# Medical Malpractice Torts

course taught by Steven E. Pegalis '65.





**Steven E. Pegalis '65**  
Adjunct Professor of Law

Because Pegalis admits to his own bias for the plaintiff (the area of his actual practice), he arranged for a renowned defense medical malpractice trial attorney to be present for additional input and to add balance.

#### MEDICAL MALPRACTICE AS A SUBSET OF THE LIABILITY TORT SYSTEM

creates certain challenges for attorneys representing doctors, hospitals, and patients. Each attorney must understand the substantive and procedural law, but in addition must be able to effectively represent a client in real-life situations that often interrelate very technical medical issues with real-life drama.

These issues are addressed in the innovative Medical Malpractice Torts course taught by Steven E. Pegalis '65. Pegalis, who in 1995 joined forces with Stephen E. Erickson '78 to form Pegalis & Erickson, one of New York's most successful medical malpractice firms, says the basic premise of the course is to give students an insight into the way these events really do occur and how the student should ultimately be prepared to function as a practicing attorney.

In this regard, students volunteer to participate in the recreation of a trial that actually did occur.

In one typical exercise, a student gave an opening statement on behalf of the injured plaintiff and another student gave an opening statement on behalf of the defendant hospital. An experienced trial judge was present and the exercise included a discussion of the substantive law, the procedural aspects, and the lawyering skills being used.

At a subsequent session, a doctor trained in high-risk obstetrics participated as an expert witness. One student questioned the doctor to make a prima facie case against the hospital. The other student cross-examined. Then the doctor played the role of defense expert and two other students conducted the direct and the cross-examination.

At the same session this doctor, who had previously served as the chairman of the Office of Professional Conduct of the State of New York, discussed with the students how that office functions to regulate and discipline

aberrant physicians. (Earlier in the semester two students had volunteered and reported on how OPMC works.)

Finally, two students gave closing arguments. Because Pegalis admits to his own bias for the plaintiff (the area of his actual practice), he arranged for a renowned defense medical malpractice trial attorney to be present for additional input and to add balance.

Separate and apart from this trial was another session in which a judge, who has been in charge of a medical malpractice calendar part and presided over many medical malpractice trials, heard arguments pro and con from six student volunteers on legal issues relating to medical malpractice cases that had actually been argued in the courts. The idea was that the judge would interrupt the students in a manner similar to what would occur in court during such legal arguments.

Pegalis also brought one of his former clients for a session. This client's child has a very serious disability and the case was successful. Again, three student volunteers participated. One functioned in the role of conducting an initial interview of the client; a second in the role of preparing the client for trial; and a third in the role of explaining to the client how a settlement works and how the funds might be used to benefit her handicapped child.

These are real cases that have affected real people. The legal rights and responsibilities of the parties are, of course, no small matter to them.

As for the student volunteers, Pegalis believes that there is no such thing as a poor performance; perhaps some are better than others, but it is all a learning experience. Afterward, the entire class participates in a discussion.

The course is designed, he said, "to help create ethical, effective, functioning attorneys who can advance the goal of the system, which is to achieve justice for the parties." ■

Two other courses at the forefront of  
innovation at New York Law School are  
**Advocacy of Criminal Cases**  
and the **Criminal Law Clinic.**





**Frank A. Bress**  
Professor of Law

**Mariana Hogan**  
Professor of Law  
Director, Externship Programs

“During the year, several students second-chaired trials that ended in acquittals. Students working on their own cases have successfully argued motions to dismiss misdemeanor cases.”

—Mariana Hogan

Professor Mariana Hogan met Professor Frank Bress at New York University in 1978 when she was a student in a criminal law clinic that he was teaching. Over the years, they kept in touch. When Bress became associate dean for clinical education at Pace University, he hired Hogan to teach a Child Support Enforcement Clinic there. Some years later, when Bress decided to return to teaching after a hiatus, Hogan was one of the first people he called. Today they are colleagues at New York Law School, working together to develop new ways of teaching criminal law. The pair developed two new interrelated classes, Advocacy of Criminal Cases (ACC) and the Criminal Law Clinic (CLC), both of which offer innovations for law school students in a variety of ways.

ACC, designed as a precursor to CLC, was first introduced in spring 2003. The course offers sixteen second- and third-year students the opportunity to engage in the simulated litigation of a criminal case. Students act as prosecutors and defense lawyers—from just after the arrest of the defendant, all the way through a jury trial. This includes trying the case in front of a jury, which is made up of pre-law students from local high schools. The course is innovative because not only do Bress and Hogan co-teach it, they also participate in roleplaying. Bress acts as supervising attorney for one litigation team of two

attorneys and two prosecutors, and Hogan functions as judge for the courtroom proceedings. They then switch roles with the other litigation team. While in character, Hogan and Bress engage the students in discussions about case theory, strategy, and technique, and teach the students evidence and courtroom techniques through their acts as judges.

Another innovation in the course is that the facts in each case are fluid. “In many simulation courses,” says Bress, “the students are given the entire fact pattern beforehand, and they conduct simulated litigation based upon the static set of facts. In ACC, the students learn about the facts through interviews and examination of witnesses, played by third-year students, and through formal discovery. There is a core set of facts to which we add or subtract, depending on how the students conduct the litigation. So they must develop the facts the way lawyers do, through discovery and fact investigation. If they ask for things that we haven’t anticipated, we create new facts and documents. The case unfolds differently for each litigation team, in response to the students’ lawyering choices.”

Bress and Hogan are excited by how much the course has been able to accomplish, even in its earliest stages. “It synthesizes much of the substantive criminal law, criminal procedure law, writing, research, oral advocacy, and

“In ACC, the students learn about the facts through interviews and examination of witnesses...So they must develop the facts the way lawyers do, through discovery and fact investigation,” says

## Professor Frank Bress.

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interviewing skills the students have been introduced to in other courses,” says Hogan. “That’s an awful lot of territory in one class.” Bress adds, “The students really enjoy the course. It’s time-intensive, but in contrast to much of the curriculum, it allows them to learn the law from a fact-based point of view as opposed to a doctrinal or theoretical point of view.”

The Criminal Law Clinic, a brand new course as of fall 2003, finds third-year students working with Legal Aid attorneys on serious felony matters. The students second-chair those attorneys on these matters and do research and fact investigation for them. They also handle misdemeanor cases under the supervision of those attorneys. The course was designed to be a hybrid between clinic courses, where faculty members are the attorneys of record and have case responsibility, and externship programs, where students go out to work with other lawyers.

“In CLC,” explains Bress, “the students are working one-on-one with Legal Aid lawyers, but Professor Hogan and I maintain an involvement in the cases. When students get an assignment from a lawyer to do research, they will bring the research issue back to us. We will help brainstorm the issue, look over their research, and review and edit their papers so that what they turn over to the Legal Aid lawyers is a better, near-final product. We tried to design the program in such a way that they get the best of the faculty-supervised model

without the necessity of the two of us being the attorneys of record and spending our days in court.”

Even though this is the course’s first year, and Bress acknowledges some “rough edges,” he believes the program is working very well. Hogan mentions the success students have already experienced. “During the year, several students second-chaired trials that ended in acquittals. Students working on their own cases have successfully argued motions to dismiss misdemeanor cases. Also, some students, through their fact investigation, have been able to achieve very good results in plea bargaining.”

The course has had other unforeseen successes. The appellate court that permits students to represent clients on misdemeanor cases under supervision of the attorney requires them to have thirty-five hours of specialized training. To satisfy this, Bress and Hogan created a two-week intensive “boot camp” program. “We gave them a crash course in criminal defense practice,” says Hogan. “The side effect of the boot camp, which was a surprise to both of us and the students, was that the students bonded as a group and, despite the intensity, enjoyed it. They felt they learned more in those two weeks than they had imagined possible.” The end result? “They have been working together and supporting one another on their cases in a way we hadn’t predicted. That’s quite extraordinary.” ■

**Institute for  
Information Law  
and Policy:  
the Law School's  
"Do" Tank**



→ When New York Law School decided to create a center for the study of law, technology, and civil liberties, the founders wanted to do more than analyze the ways in which new technologies affect the law. They wanted to create a center that could itself have an impact on the way that law is practiced and technology is designed in the real world.

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SOME INSTITUTIONS ORGANIZE THINK TANKS. IN 2003, NEW YORK LAW School launched a “Do Tank.” The Institute for Information Law and Policy, the Law School’s new home for the study of technology, intellectual property, and information law, aims to improve legal and social institutions in the information age. By working with legal code and software code, the Institute engages students and faculty in solving the cutting edge legal problems raised by new technologies, and in designing technology to promote justice and democracy.

The goals of the Institute express the core values of New York Law School, says Dean Richard A. Matasar. “We talk about being innovative: Here is living innovation. We value advancing justice, and the people at the Institute are working towards democratization. We value professionalism, and we are educating young lawyers who will see integrity as part of their jobs.”

Professor Beth Noveck, director of the Institute, adds, “We enhance our wide-ranging course offerings in the theory of intellectual property, technology, and information law with the practice of building new technologies and designing the legal policies and business strategies to support innovation and promote justice. At the Institute, students learn by doing. Sometimes it’s legal code we’re writing, sometimes it’s software code.”

Unique among law school programs, the Institute gives students a chance to design software, to create multi-media legal arguments, to become familiar with the most advanced technologies used in law practice, and to work intensively on research projects that feed their analysis to the parties engaged in real world controversies.

“Our work with the students takes account of the fact that law on a screen rather than on paper changes the nature of law,” says Noveck. Even in the emerging field of cyberlaw, this approach is unique. The teaching methods used by the Institute faculty, says Matasar, are “well ahead of the curve in anticipating the skill set that students will need to become innovative learners.” This means that in addition to

courses on cyberlaw, intellectual property, newsgathering and the law, or antitrust, the Institute curriculum includes “hands on” courses on “Visual Persuasion in the Law,” where students develop multimedia litigation strategies, and “Law, Technology & Democracy,” where students develop legal and technological strategies for enhancing governance.

The Institute’s curriculum embraces the hi-tech, visual, and media literacy of the younger generation, teaching the critical and analytic skills of the traditional law school curriculum in the context of a new technological era. As Professor Richard Sherwin, one of the Institute’s affiliated faculty members, points out, “Why not use the visual skills and gaming tools students come into class with? Why not tap that native intelligence?”

The Institute’s mandate to design new technologies and legal approaches that will best serve democratic values in the digital age translates into numerous ongoing projects pioneered by professors associated with the Institute (descriptions of selected projects begin on page 26 and faculty profiles begin on page 32). Noveck has founded the **Democracy Design Workshop**, where lawyers and technologists work together toward civic innovation and promoting e-democracy. One of the interdisciplinary workshops she is running is “The Cairns Project.” Cairns will be a Web-based knowledge management tool to connect organizations interested in improving their participatory and collaborative practices. Another is the “E-Rulemaking Project,” which focuses on designing government systems for citizen consultation. Sherwin, together with Adjunct Professor Christina Spiesel, is breaking new ground through the **Visual Persuasion Project** in understanding how visual media transform the litigation process, and Professor David Johnson, who has developed online systems for lawyers, is working on a number of innovative approaches for graphical, legal groupware. A computer engineer by training, Professor Rudolph J.R. Peritz is helping the government of Singapore to write its new antitrust laws,

From left:  
Professor Rudolph J.R. Peritz  
Professor Richard K. Sherwin  
Professor David Johnson  
Mr. Chun Li, Program Manager  
Professor Beth Simone Noveck  
Professor Cameron Stracher



Photo: David Land

while Professor Cameron Stracher concentrates on improving access to information for the press and public in the digital age.

Honor students in the Law School's **Harlan Scholars Program** affiliated with the Institute are required to produce, and defend before their peers, a project that takes on novel issues of analysis or design. Topics are developed in collaboration with the faculty—with an emphasis on one-on-one consultation between student and faculty as the project develops. During the third year “capstone” phase of the program, Institute students critique each other's work, develop strategies to publish their results to a broad audience, and learn about new technologies that can change law practice and social, economic, and civic organizations. (Student profiles begin on page 22.)

Some of the projects that are currently underway include the assembly of a “clickable statute” which translates a complex statutory regime into a computable diagram that allows users to input different fact patterns and see the resulting conclusions. Another is the analysis of the implications for courts and other legal institutions of the increased use of video, and other audio and visual technologies, inside and outside the courtroom. A third is the design of better means to give notice, receive consent and enter into contracts online while a fourth assesses new legislative approaches to the regulation of spyware and the protection of online privacy.

Students involved with the Institute participate in externships at law firms, technology and media companies, research institutes, industry and public interest organizations, and engage in challenging work-study projects during the summer. Some of the Institute's members travelled to Singapore in 2004 to develop an Internet course for New York Law School on global Internet law. Another group of students is developing guidelines for the treatment of intellectual property by museums when seeking to digitize their collections. Students also help organize and run the Institute's annual conference: **The State of Play:**

**Law, Games, and Virtual Worlds**, put on in November 2003. (See page 27.) The conference was so stimulating and successful that it will become a regular event at New York Law School. Lawyers, legal scholars and technologists will convene again on October 29-31, 2004 to explore the legal issues raised by the next frontier of cyberspace—virtual worlds—the three-dimensional, graphical, multiplayer technology of networked videogames. The State of Play and other scholarly happenings at the Institute will become the basis for some of the volumes published in the Institute's new book series, *Ex Machina: Law, Technology and Society*, published by NYU Press.

The Institute faculty also hosts weekly cross-disciplinary and cross-institutional meetings of lawyers, technologists, scholars, and entrepreneurs known as “**The Conspiracy.**” The Institute's location in New York City gives it special advantages in convening leading thinkers and doers. These discussions provide an opportunity for developing new ideas and collaborations.

The Institute has already become a “hot spot” for top scholars with the shared goal of using technology to promote democracy through brainstorming new forms of participation in government and creating a new generation of lawyers and legal scholars who will, according to Johnson, “infect their firms with a new way of thinking.” In addition, says Johnson, the work done by Institute members is already influencing policy. “Because our students are often among the first, if not the first, to analyze these issues,” says Johnson, “their work often has a direct impact on how policy will eventually be made.”

For more information about the Institute for Information Law & Policy, or to sign up for the mailing list, please visit

[WWW.NYLS.EDU/INFOLAW](http://WWW.NYLS.EDU/INFOLAW) ■

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*Shani Friedman '01, Amy Benfer, Amelia Jonakait, Edith Sachs, Jim Hellegaard, and Chun Li contributed to this Spotlight article. Photos of students by David Land; State of Play Conference and Professors Schoenfeld, Johnson, Noveck, and Spiess by Rick Kopstein.*



# the students

→ Students of the Institute for Information Law & Policy are working on projects and law review notes ranging from public policy to software development, including: *machinima*, e-democracy, e-rulemaking, advertising on the Net, and government access to private sector information.

## Claire Peter 3L

Advertising and the Net



The Internet has rapidly become a primary medium for advertising, with potential and reach heretofore unseen. Yet it appears that companies contemplating Internet advertising have little access to consistent legal guidance. That interests Claire Peter.

"There are no universally established rules that indicate when a company will be subject to the local laws of the countries it exposes itself to through Internet advertising," she says. Even if there were a clear standard, she notes, a company may not have the resources to learn about, much less comply with, the laws of each country.

In the summer of 2003, at the end of her first year of law school, Peter was invited to be a member of the *New York Law School Law Review* and the John Marshall Harlan Scholars Program, which allows participants to affiliate with one of the school's centers. Because of her background in marketing, she chose the Institute and decided to combine two courses affiliated with it, Intellectual Property and Antitrust, with research on Internet advertising.

"Advertising agencies and the companies they work for are looking for guidance," she said. "Practicing attorneys also need to help their clients assess the legal risks of advertising over the Internet. This is perhaps the first opportunity we have to evaluate content which is theoretically available to such a large number of people across so many cultural, demographic and legal borders." ■

## Etienne Dor 3L

On *Machinima*



It's a new form of moviemaking, called *machinima*, and Etienne Dor is hooked.

The *machinima* process is a highly cost- and time-efficient way of producing films that uses the technology of video games. Once created, *machinima* can be freely distributed online without viewers having a copy of the video game's source code.

Dor's exploration is on the cutting edge of online entertainment media and intellectual property law. "People who make *machinima*," he said, "use the copyrightable and patentable source code of video games to make their own mini-movies."

Dor's background in online gaming was well suited for much of the work he would soon undertake at the Institute, and the possibility of delving into the legal aspects of his field of interest greatly excited him.

This research has legal significance, he said, because *machinima* deals with a lot of the copyright laws and regulations currently in place. It also implicates, he added, more than just one area of intellectual property law. Another component of Dor's work will be dedicated to the creation and online dissemination of his own *machinima*.

"I'll have to learn how to make the virtual scenes, the characters and objects, and use gaming modifications made specifically to facilitate the moviemaking process in either the virtual world provided by the game itself or in the world I manage to create." ■

## Sara Marston 3L

Democracy Online



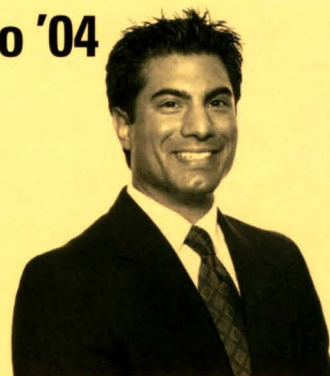
Sara Marston worked for several years, prior to entering law school, in technology-based marketing positions, which included marketing campaigns for Fortune 500 insurance companies. These experiences crystallized her interest in intellectual property law, and she enrolled at New York Law School. Then, in an effort to focus even further in her chosen field, she joined the Institute for Information Law and Policy as a research assistant.

At the institute, Marston has been working on the Cairns Project, a Web site designed to facilitate the international and local exchange of democratic best practices between elected officials, citizens, and leaders of nongovernmental and for-profit organizations. The project has gone through several phases of development, and the challenge for Marston has been constructing the site as a working tool so that individuals and organizations will be able to extract useful solutions to their problems, in spite of taxonomy variations and a host of environmental differences. "At this point," she says, "we have established that we will need to consult with experts on democratic practices, as well as technology specialists focused on modes of visual representation."

"The Institute was founded on the principle of convening technology, the law, and democratic values, and this project is a prime example of how we can make an impact on the world," Marston continued. "The Institute has established that there is both a widespread need and a global interest in this type of technology platform." This was confirmed last summer when members of the Institute traveled to Washington, D.C., to meet officials from the Environmental Protection Agency and the Department of Transportation to learn about the use of technology to enhance citizen participation in governance. "One official summed up the importance of better civic technology rather nicely when he said that the more public commentary they receive, the better regulations they are able to design," Marston said. ■

## Jeffrey Alfano '04

Future of Electronic Law



Jeffrey Alfano's interest in e-government and e-democracy originated in a course taught by Professor Beth Noveck, which eventually translated into a position at the Institute for Information Law and Policy. Alfano's initial research at the Institute focused on using Internet technology to facilitate the ability of individuals, corporations, nonprofit organizations, political groups, and special-interest groups to voice concerns and opinions regarding rules proposed by the federal government and its agencies. Alfano and Institute colleagues worked closely with representatives from the U.S. Department of Transportation and the Environmental Protection Agency to examine their online presence and how it facilitated administrative rulemaking. "The goal of all of this," says Alfano, "was to make the government's online system easier to navigate for the ordinary individual, while streamlining it for maximum efficiency for the expert user."

Alfano is currently conducting an independent research experiment with Professor David Johnson to create a "clickable" digital statute that will make law more accessible and intelligible to non-lawyers and help people better understand their rights and responsibilities. Existing statutory text will be distilled into graphical format, so that people can read it as pictures instead of words. The viewer will then be able to see the logical relationship between different statutory provisions as a pattern of icons. Alfano describes the development of digital statutes as an intricate process. "Congressional lawmakers did not draft statutes with the idea that they would be broken down into a graphical form," he says. In spite of the challenges, Alfano says the research is showing progress. "The prototype in development demonstrates the great potential that digital statutes would have on the legal and nonlegal communities." ■

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## → What Is Information Law? | Professor Richard Sherwin

The study of information law takes us across a broad range of topics associated with law's impact on, and its continuing adaptation to, the electronic production, manipulation, storage, and dissemination of information. The subject compels us to confront basic questions like: What do we mean by "information," and how do we strike a reasonable balance between protecting individual privacy and defending against unauthorized appropriations of information property? What impact are new information technologies having on the way lawyers communicate and argue inside the courtroom and in the court of public opinion? And how are new information media affecting institutions of self-governance and the evolving meaning of freedom, social justice, and democracy in highly networked information economies?

## Chun Li 3L

Building the "Do" Tank



The creation of the Institute for Information Law and Policy was a boon to the aspirations of Chun Li, an avid technology buff. Li was previously primed in the world of technology, having worked for Goldman Sachs and the U.S. Coast Guard.

Li applied to law school "taking a big turn in my career after eight years of doing tech full time." During orientation, an opportune conversation about his interests with Dean Matasar led him to Professor Beth Noveck, the director of the Institute.

Li began as a work-study student during his first semester, assisting Noveck with what he describes as the Institute's flagship project: the Cairns Project. It involves, he says, "designing an interactive database geared toward the global community so that they can contribute to it. It's a repository of the best practices that foster democratic principles." Li developed flowcharts and taxonomies for the prototype, which the Institute presented to the Rockefeller Brothers Fund. It ultimately received an \$80,000 grant for the project. Li said, "It was great to work through the entire life cycle of the project: from grant writing to development to presentation."

During his second semester, he continued his research with the Institute and shortly thereafter became its full-time program manager, responsible for overseeing and monitoring all of the Institute's projects.

"I have the technical know-how required to execute the faculty's vision of the projects," said Li. "I've transformed their theory into concrete prototypes. This process may involve building flowcharts and acting as a liaison between U.S. legal scholars and developers."

Additionally, Li participates in deciding on specific software packages to be used for classroom learning. For example, he implemented and supervised the integration of weblogs into a variety of Institute courses, including Copyright, Innovation & The Law, and Entertainment Law. Because he is both a student and a staff member, he said, "There is a unique representation during faculty functions that I sit in on. I represent the Law School and the Institute in the context of student functions."

Li helped oversee Noveck's groundbreaking "eRulemaking: Law, Policy, and Technology for Democratic Participation" project, which encourages citizens to be active participants in governmental processes. "The whole notion of electronic rulemaking is to improve the interplay between citizens and government by using technology to foster better participatory practices. If you have an online version of the comments and submission process and get it to be a more meaningful process, we can optimize citizen participation. It could

be as simple as a citizen submitting a comment and getting an e-mail response back acknowledging her input."

During the summer, Li and students from the Institute traveled to Washington, D.C., to meet with officials from the DOT and EPA. The two agencies had established an online portal, [www.regulations.gov](http://www.regulations.gov), for submitting comments for rules proposed by every federal agency. Students and fellows of the Institute discussed ways to improve and further digitize existing processes and systems. The exchange of ideas was so productive that later during the school year, teams in Noveck's Law, Technology, and Democracy class analyzed and deconstructed the Web site for their class project and made their presentations in a teleconference with the DOT and EPA officials. The officials ultimately implemented some of the ideas.

In the fall, Li, along with Professors Noveck and Sherwin, oversaw the Institute's first and very successful conference, *The State of Play: Law, Games, and Virtual Worlds*. He served as in-house liaison and supervised the student workers. Li is organizing the next conference, *The State of Play: Reloaded*. In the meantime, Li is engaged in an independent study project with Professor David Johnson, the focus of which is improving notice and consent for online users through graphical interfaces. ■

→ "I've transformed the faculty's theory into concrete prototypes. This process may involve building flowcharts and acting as a liaison between U.S. legal scholars and developers."

## Nicholas Langsford 3L

Law and New Media



Nicholas Langsford is finishing his second year at New York Law School, but he already has an impressive background in both media and law. He currently works as a legal intern at Debevoise & Plimpton under the tutelage of James Goodale, a partner recognized as one of the leading First Amendment and communications lawyers in the United States. Goodale, also the host and producer of *Digital Age*, a cable television program that covers the impact of the Internet, the computer, and other forms of digitalization on American life, offered the position of coproducer to Langsford due to his prior experience in television production in Hawaii and a recommendation from Professor Michael Botein, director of the Law School's Communications Media Center.

"I knew I wanted to do something in entertainment or media law," says Langsford of his *Digital Age* experience. "The person who has both legal knowledge and the ability to touch the public through media is very powerful. As the Internet develops over the next few decades, I see the role of lawyers in the media becoming increasingly powerful. I would love to be a part of that."

Although Langsford is currently on hiatus from producing *Digital Age*, and his internship at the law firm is drawing to a close, he isn't slowing down. In the meantime, he's become a work-study student at the Institute for Information Law and Policy.

At the Institute, Langsford and two other students, Chun Li and Lane Buschel, produced the video time capsule—interviews with the leading thinkers on virtual worlds and entertainment software—from the State of Play conference. They are responsible for the promotion of the next virtual worlds conference. In another Institute project, the trio will go to Singapore in June 2004 for a collaboration between the Institute and CAPTEL (the Centre for Asia Pacific Technology Law & Policy, at Nanyang Business School of Nanyang Technological University). CAPTEL is an interdisciplinary research center founded to explore the challenges of new technologies on the development of law and policy so as to promote development of the role of technology in Asia Pacific economies.

Professor Beth Noveck, director of the Institute, was aware of Langsford's interest in combining his television production experience and the Internet in an international capacity. She recommended Langsford to Professor Harry Tan, director of CAPTEL. Langsford is working with Professors Tan, Noveck, and Johnson to develop an Internet course for New York Law School on global Internet law and e-commerce law. Eventually the course will reach students from other institutions, law practitioners, and the general public. ■

## Lane Buschel 3L

e-Government, e-Rulemaking



Philadelphia native Lane Buschel arrived at New York Law School in the fall of 2002 after spending a number of post-college years managing strategic communications campaigns in the entertainment, media, and technology industries.

During his second semester of law school he became affiliated with the Institute and found the perfect niche to pursue his interest in law and technology.

Buschel's primary project for the Institute over the summer was helping produce the State of Play conference. He also participated in the Institute's project with the Department of Transportation and the Environmental Protection Agency focusing on compliance with the E-Government Act of 2002. This culminated for him in a collaborative proposal presented to government officials last fall as part of the Law, Technology & Democracy class.

As Buschel explains, "The DOT was one of the first federal agencies to put notices and comments online, allowing those who are interested to read and respond persuasively to proposed rulemakings. The DOT's docket management system was something of a test balloon for the federal government. Before this, average people didn't have the opportunity to participate in the process. Now anybody with Internet access can contribute."

Besides working on the conference again this academic year, Buschel is a research assistant to Professors Brian Murphy and Joel Schoenfeld, who are teaching Entertainment Law. He is also responsible for administering the Law School's Entertainment Law Weblog or "Blawg" (weblog and law), a password-protected online forum for students to discuss class-related topics. In addition, he is writing a paper for Professor Sherwin's Information Law class on the constraints proposed by law enforcement on voice over Internet protocol (VoIP).

Describing the paper's focus, he says, "The law continually tries to impose old, unworkable norms on advancing technology. Law enforcement wants the same privileges it has with telephones—i.e., wiretapping—applied to each new communications technology. However, this governmental interest does not take into account the fact that when these older laws they are relying upon were enacted, there were no widely available, cost-effective ways for individuals to protect earlier communications vehicles (mail, telephones, and e-mail). Who is to say that, given the choice, people wouldn't have opted for encryption protection then the way they are now? The government allows the encryption of financial information, but frowns on similar protections for personal information. I am fascinated with exploring these inconsistencies." ■

→ Faculty and students form an intellectual family at the Institute and are engaged in a wide range of research activities at the local, national, and international levels.

## Institute Projects

### Research Directions

- Professor David Johnson, **Graphical Groupware**: Visual and online tools for law, lawyering, and law teaching.
- Professor Beth Noveck, **Democracy Design Workshop**: A laboratory for civic innovation and technology design to enhance participation and engagement.
- Professor Rudolph J.R. Peritz, **Antitrust and Intellectual Property**: Law reform projects at the intersection between competition law and information.
- Professor Cameron Stracher, **Newsgathering and the Law**: Research and teaching on journalism, newsgathering, and access to information in the digital age.
- Professor Richard Sherwin, **Visual Persuasion in the Law**: Visual representations and persuasion in litigation.

### Currently Under Development by Faculty and Students

- Asian IP Law Database (with CAPTEL): Web-based inventory of Asian intellectual property and cyberlaw.
- Cairns: Open-source, Web-based knowledge management software to promote participatory practices.
- Clickable Statutes: Tool to diagram law visually and make it more accessible to the public.
- E-Rulemaking: Redesign of Web site for citizen participation in administrative rulemaking.
- Museums Online: Handbook on intellectual property and digitizing art collections.
- Visual Persuasion Web site: Online resource for the use of visual media in the legal process.

### Happenings

- Conferences
  - State of Play: Law, Games, and Virtual Worlds (fall 2004)
  - Next Wave Activism and Organizing (spring 2005)
  - Cupid in Cyberspace: Love and Intimacy in the Digital Age (spring 2005)
- The Conspiracy: Weekly design and discussion meetings for New York area professionals interested in technology and design.
- The Information Law Lecture Series: Renowned public speakers from industry, practice and academia discuss issues relating to intellectual property, technology, law, media and society.

## International Connections

In 2003, Professor Beth Noveck began collaboration with the Centre for Asia Pacific Technology Law & Policy (CAPTEL) at Nanyang Business School in Singapore as a member of the Centre's Advisory Board. In March of that year, sponsored by a grant from the Fulbright Senior Specialists Program, Noveck traveled to Singapore as a CAPTEL Visiting Professor to deliver the Fulbright Public Lecture and lay the foundation for ongoing collaboration.

In 2004, Professor Rudolph J.R. Peritz completed a report for the Republic of Singapore concerning the interaction of antitrust law and intellectual property rights. The report was commissioned to inform Singapore's drafting of an antitrust statute and culminated in a conference for Singapore government officials and lawyers.

As a result of these Asian collaborations, four New York Law School students travelled to Singapore this year to work on joint projects for the Institute and CAPTEL.

The Institute's international work extends further in Asia. Peritz has also accepted an invitation from the Korean Federal Trade Commission to join its international consulting group of antitrust scholars to advise them on their investigation of Microsoft. Professor David Johnson has traveled to Asia and throughout the world to lecture on cyberlaw and to work with the Internet Corporation for Assigned Names and Numbers (ICANN), the non-profit corporation with responsibility for Internet Protocol (IP) address space allocation. Institute students are assisting the Centre for Media and Communications Law at the University of Melbourne, Australia where Noveck will spend time during summer 2005.

In addition, Institute faculty work with a number of institutions in Europe. Professor Richard Sherwin is an annual contributor to the conference on international semiotics and law in Lyon, France. Peritz organizes a faculty exchange every year whereby he lectures to students in the U.K. and Professor Steven Anderman of the University of Essex brings a European perspective on intellectual property law issues to New York Law School students.

This year, the Institute welcomes a number of scholars who will visit New York Law School from abroad including, Professor Herbert Burkert from the University of St. Gallen, Professor Alfred Büllesbach, Chief of Data Protection for Daimler Chrysler, Professor Guy Pessach from the Hebrew University in Jerusalem as well as frequent American scholars and practitioners.

# Law on the Screen

Making Law and Legal Institutions More Visible

On October 31, 2004, the Institute will convene a workshop on "Law on the Screen," to explore the future of law, legal institutions, and law teaching in the world of visual, online technologies.

The "Law on the Screen" workshop will bring together lawyers, technologists and designers from around the world to consider the problem, in particular the impact on law teaching and how law teachers might more effectively use the screen in the classroom. The workshop will explore what it means to teach law with the aid of graphical tools, online games and virtual simulations, as reflected by new projects currently under development.

As with all of the Institute's projects described on these pages, the Law on the Screen Workshop is grounded upon fundamental theories regarding how visual technology might change society for the better:

- People work together in groups to create value and solve social and legal problems.
- Major advances in society result from technology rendering once invisible things visible.
- The interactive characteristic of computers enables the creation of organizations and systems that foster engagement and reduce alienation.

The **Law on the Screen Workshop** is part of the Institute's ongoing attempt to explore what it means to learn law and take action in a multimedia environment:

- Virtual worlds and simulations revolutionize the teaching about law and legal institutions to students and the public. (**Civic Cyberspace Project**)
- Solutions to complex, multi-party disputes can be found with the aid of visualized evolutionary algorithms (**Genetic Algorithm Project**)
- The interfaces currently used in virtual worlds offer new spaces for corporate organization, leading to creation of ad hoc knowledge assembly lines and enhanced economic opportunity. (**Visual Corporation Project**)
- Participation in all aspects of civil and economic society will be radically changed by the use of networked tools that enable asynchronous group decision-making (**Accountable Net Project**) and synchronous deliberation (**Unchat Project**)

These broad insights give rise to the work of the Institute and, it is hoped, to a more engaged society.

# The Curriculum

Students Focus Their Studies

The John Marshall Harlan Scholars Program at New York Law School is a rigorous academic honors program designed for students who have performed at the top of their law school class. It gives these students the opportunity to focus their law school studies, gaining depth and substantive expertise beyond a broad understanding of the law. The program also facilitates the development of relationships among students, their colleagues, and professors who are interested in the same areas of law.

Harlan Scholars are invited to participate in the *New York Law School Law Review* and to affiliate with one of the school's five academic research centers. In affiliating with a particular center, students are required to complete certain curricular requirements as prescribed by that center.

In consultation with a faculty mentor, the Institute's Harlan Scholars take a common set of core courses plus electives tailored to their professional and scholarly goals. The curriculum affords students maximum flexibility to develop substantive competence and discrete skill sets in the areas of their chosen academic concentration. In their final year, Harlan Scholars have a capstone experience that may consist of an honors paper, a digital video, a Web site, a CD, an advocacy project, or a workplace experience that focuses and integrates the student's substantive and practical knowledge in his or her chosen field of specialization.

## Core Courses (Required)

- Intellectual Property: Copyright, Patent and Trademark
- Information Law
- Cyberlaw
- Information Law Capstone

## Core Courses (Recommended)

- Antitrust Law
- Administrative Law
- Corporations

## Electives

- Art Law
- Broadcasting Regulation in European States
- Copyright, Innovation and the Internet
- Copyright and Literary Property
- Cybercrime and Cyberterror
- Entertainment Law
- Entertainment Law: Drafting
- European Telecommunications and Broadcasting
- Federal Regulation of Mass Media
- International Business Transactions
- Law, Technology and Democracy
- Media Law Workshop
- Newsgathering and the Law
- Patent Claim Drafting
- Patent Law
- Publishing Law
- Sports Law
- Telecommunications Regulation
- Trademark
- Unfair Competition Law
- Visual Persuasion in the Law

# State of Play: Law, Games, and Virtual Worlds

Designers, Gamers, and Legal Scholars Explore the Phenomenon of Massively Multiplayer Video Games

Fellows of the Yale Law School Information Society Project, a frequent collaborator with the Institute and co-sponsor of The State of Play. From left: Professor Jack M. Balkin, Director, Information Society Project (ISP) at Yale Law School; Shlomit Wagman, ISP Fellow; Professor Beth Simone Noveck, ISP Fellow & Director, NYLS Institute for Information Law & Policy; Nimrod Kozlovski, ISP Fellow & NYLS Adjunct Professor; James Grimmelman, ISP Fellow; Tal Zarsky, ISP Fellow; Ernest Miller, ISP Fellow; Eddam Katz, ISP Fellow & Executive Director.



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THERE'S NOTHING VIRTUAL ABOUT THE LEGAL ISSUES RAISED BY THE multibillion-dollar online videogame industry and virtual world online societies that now inhabit the frontier of computer technology and graphic design. Free speech, intellectual property, and governance go to the very heart of these worlds, which are rapidly becoming the largest entertainment industries and the most important new cultural phenomena impacting the law.

Leading thinkers and practitioners in their fields gathered in New York last November to wrestle with these and other areas of governance in the burgeoning online game space. The State of Play: Law, Games, and Virtual Worlds, the first conference to address the emerging law of videogames and virtual worlds, was sponsored by the Institute for Information Law and Policy at New York Law School and the Information Society Project at Yale Law School.

The three-day conference attracted more than 200 designers, computer scientists, entrepreneurs, government officials, and legal scholars.

"Technologists and lawyers explored the unfolding revolution of massively multiplayer games and virtual worlds and tried to understand the impact of these simulated societies from each other's perspective," said New York Law School Professor Beth Noveck, director of the Institute. These worlds, where players from around the world interact in real-time, offer a "playground for complex social interactions," Noveck said. As such, they represent an ideal space for learning more about the practices of law, culture, and democracy.

People who design games discovered that lawyers had been thinking about many of the same issues they confront in running a virtual world through the lens of contract, property, and free speech, said Jack M. Balkin, Knight Professor of Constitutional Law and First Amendment at Yale Law School and director of its Information Society Project. At the same time, he noted, the lawyers discovered that political and legal systems are developing in these virtual worlds and increasingly becoming blurred with the real world.

Themes discussed included:

- Do game players and their characters have legal rights?
- When the events of the gamespace affect rights in the real world, should courts and legislatures step in to regulate? Can players sue each other for crimes committed in the virtual world?
- How can virtual worlds be both places for play and creativity and spaces for property and commerce?
- Should game players be entitled to sell virtual goods via eBay? What happens if those goods are stolen in the game? To what extent should property rights in virtual assets be recognized by the law?
- Can virtual worlds be used to test legal rules online prior to their adoption? What is the future use of games by the legal profession?
- What are the implications of training tomorrow's armies and tomorrow's terrorists with videogames and simulations?
- What do virtual worlds teach us about the future of creativity, play, and fun?

The legal implications of virtual worlds came to the fore on the second day of the conference, when Philip Rosedale, CEO of Linden Lab, creator of online world Second Life, announced that Linden would recognize the ownership of in-world content, including characters, clothing, objects, and designs, by the subscribers who make it.

The State of Play conference provided an opportunity for those present to discuss the experience of inhabiting virtual worlds and videogames and to try, firsthand, such worlds as Second Life, There.com, and America's Army, as well as experimental game projects such as Myzel.org from Vienna, Austria, and LEGISIM, a political simulation game from the University of Washington. The conference also hosted a "Democracy Design Workshop," where game designers and senior officials from Washington exchanged ideas for better policy-making in the gamespace and by federal agencies.

Among the speakers who participated:

- Richard Bartle, creator of the first-ever virtual world, MUD (Multi-User Dungeon)
- Yochai Benkler, intellectual property expert; professor, Yale Law School

- Edward Castronova, economist of virtual worlds; professor, California State University
- Raph Koster, designer, chief creative officer, Sony Online Entertainment; creator, Star Wars Galaxies
- Michael Macedonia, chief technology officer for the U.S. Army Program Executive Office for Simulation, Training, and Instrumentation
- Clay Shirky, professor, NYU Interactive Telecom Program

The conference is the subject of continuing discussion among attendees at the Terra Nova Weblog, <http://terranova.blogs.com>. Postconference "buzz," including photos, press accounts, and summaries of panels, are available at <http://www.nyls.edu/games>. The conference will be the topic of an upcoming issue of the *New York Law School Law Review*, as well as a book titled *The State of Play*. Production of a DVD is in the works. ■

The 2004 conference, The State of Play: Reloaded, will be held October 29–31, 2004. For more information, please visit [WWW.NYLS.EDU/STATEOFPLAY](http://WWW.NYLS.EDU/STATEOFPLAY)



Richard Bartle, creator of the first-ever virtual world, MUD (Multi-User Dungeon).



From left: Philip Rosedale, founder & CEO; Cory Ondrejka, vice president of product development; Robin Harper, senior vice president of marketing and business development, all of Linden Lab.



Julian Dibbell, fellow, Stanford Law School Center for Internet and Society.



Susan Crawford, professor of law, Cardozo Law School.

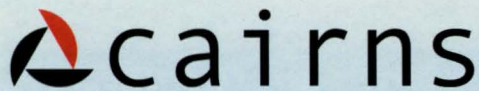


Raph Koster, chief creative officer, SONY Online Entertainment.



Daniel Egger, managing partner, Eno River Capital.





Developed by the Democracy Design Workshop with the support of the Rockefeller Brothers Fund and additional support provided by the Council of Europe and AmericaSpeaks. Cairns connects the community of practice committed to participatory problem solving and collaborative decision making.



### What It Is—An Introduction:

In the decade leading up to the Revolution, the colonies organized Committees of Correspondence to communicate their practices of self-governance and opposition to the British. These Committees enabled the colonies to benefit from each other's experience and fortified their resolve to pursue the revolutionary path. Through the exchange of ideas about successful ways of working, they coordinated decentralized efforts at resistance.

Even in the absence of immediate gain, hikers in the American West stop and take the time to contribute to the "cairn," a mound of rocks which marks the path for the next hiker to come along. Each hiker considers himself to be part of a community of practice and participates in showing the way to the next comer.

Like the Framers and the hikers, individuals and organizations in government, civic, corporate and cultural life engage in collaborative methods as a way to govern themselves and solve problems. These participative approaches generally adhere to one or more democratic principles, such as inclusion, equality and fairness, that impart legitimacy to decisions taken and transform participative practices into democratic ones.

Now with the spread of Internet-based communications technologies and distributed means of creative production, there is an explosion of such collaborative and participatory practices across all domains. The technology is enabling more inclusive, less hierarchical, more mutual ways of working and solving problems. There is an emerging consensus that the "peer production of governance" is not only more informed, legitimate and democratic but can be more productive and effective. The question is how best to take advantage of the technology available to make collaboration manageable and realize the potential of groups.

Yet there are several impediments to creating "Committees of Correspondence" for sharing best practices in "doing democracy." Those engaged in these activities do not have the resources to publicize their success. Though there is a great deal of innovation occurring, no one person or group can gather the knowledge. Even where stories are well-known, they are just that—unsystematic anecdotes that have yet to be translated into replicable models. This is hard to do because those familiar with participative practices in corporate life do not share the same vocabulary with those pursuing similar strategies in civic life. There is no repository for enabling participation through the exchange of best practices.

This is the genesis for the Cairns Project, which is designing innovative civic software to foster the exchange of best practices for participation and collaboration as an approach to governance and problem-solving across domains. Cairns is a visual tool on the Web to show how different groups work together.

### What It Does and Will Do:

The Cairns Project captures descriptions of projects that solved common problems of collective action using participatory methods of decision-making.

By developing a conceptual mapping of these practices across domains and measuring the assets that enable them, the tool will capture and organize information about the best practices of groups, what made them successful, and what changed as a result.

As an open source project, the tool can be modified during the course of development to capture information about other activities.

In its completed form, the Web site will include the following features designed to build awareness of the site, keep it current, offer incentives to participate and improve research and practice:

- A Web-based interface and back-end database for universal accessibility;
- The ability to embed the tool within the Web sites of partner organizations to achieve maximum visibility and participation;
- An information architecture and visual display for optimal graphical presentation and organization of information; and,
- A simple-to-use template by which interested parties can upload information about their own organizations and projects and offer evaluations and analyses of other projects.

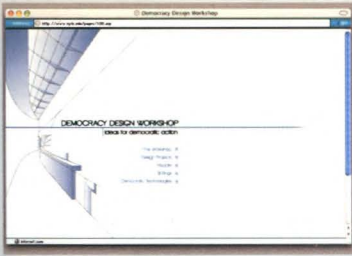
### Who Built It:

The Prototype: Several dozen democracy scholars and collaboration practitioners from around the world, coordinated by the Democracy Design Workshop (DDW), collaborated in the design of the first version of the Interactive Democracy Inventory software. The initiative was spearheaded by Professor Noveck working with Brook Manville, fellow of the DDW. The DDW consulted experts from Harvard Law School, Yale Law School, Oxford University, the Kennedy School of Government, Dialogue to Action Initiative, the Forum Foundation, AmericaSpeaks, and many others. Experts hailed from Canada, Germany, Luxembourg, Malaysia, Peru, Singapore, Switzerland, and all over the United States. This work was funded by the Democracy Design Workshop at New York Law School, the Council of Europe, and AmericaSpeaks; Covansys Software, Inc., provided all the development work, and Dorsai Academy, a nonprofit ISP, provided hosting and other technical services.

### The First Version:

Professors Dan O'Sullivan and Tom Igoe of the NYU Interactive Telecommunications Program are joining the project as technology partners and will collaborate on realizing the Cairns Project. The development of the software is funded by the Rockefeller Brothers Fund, the Council of Europe, and AmericaSpeaks. ■

For more information, please visit [WWW.NYLS.EDU/CAIRNS](http://WWW.NYLS.EDU/CAIRNS)



# The Democracy Design Workshop:

## Enabling Democracy in the Digital Age

### The Workshop's Mission

The Democracy Design Workshop strives to strengthen democratic practice and civic engagement in the digital age. It is a laboratory dedicated to fostering innovation and research in support of participative and deliberative capability in governmental, civic and business organizations. The Workshop aims to be a meetinghouse for thinkers and practitioners who, through research, education, network-building and the design of cutting-edge democratic tools, explore how to use two-way, Internet technology to strengthen democracy online and off. The Workshop addresses the growing need for strong theory and innovative practices in a world where interactive technology increasingly promises—but is not yet delivering—democratic solutions to contemporary challenges.

The Workshop's goal is to use technology to enable democracy understood, not as political ideology, but as a way of life where diverse citizens pursue self-governance through deliberative and informed participation and the exchange of reasoned ideas across domains.

In the knowledge age it has become commonplace to recognize that democratically-derived solutions are both more legitimate and more readily enforced. But democracy as the exercise of Washington or Brussels elites has become increasingly disconnected from people's everyday lives. Enter technology: advances in communications, information sharing and record keeping mean that participation once thought impracticable on a large scale is now possible. Yet throwing technology at the problem of political apathy and disengagement will not fix it nor will technology, by itself, propagate the social good of democratic practice. What we need—and what the Workshop aims to do—is to build democratic skills from the ground up. The Workshop's activities promote a culture of participation and deliberation in local endeavors that are relevant to people's lives, including municipal government, schools, community organizations, and the workplace, as well as in international and national governance. In this way, the Workshop aims to build on already existing associational ties at a local level and to maximize the exemplary impact of projects done on a larger scale.

The Workshop builds on the pioneering but discrete work of thinkers and organizations in political theory, deliberative practice, corporate knowledge management, technology design, and professional education by bringing together these fields of endeavor to strengthen the practice of democracy. The agenda for the Workshop is also intentionally "glocal." It enlists technology to "scale up" from the parochialism of local practice to create national and international networks and, at the same time, use technology to "tame" large-scale collaborative governance to the demands of deliberation.

### What the Workshop Aims to Do

The Workshop is both a think tank and a "do tank," committed to applying democratic theory to participative practice and the design of innovative tools and processes. The Workshop joins the worlds of thought and action in order to model the processes of participatory democracy and employ technology to enable, scale and replicate solutions.

It focuses on four project areas in pursuit of its mission:

- **Research:** Engage in pilot projects to map the field of democratic practice across culture and domains, identify model processes and replicable solutions. Representative projects include: building a global, interactive inventory of democratic practice (The Cairns Project).
- **Education:** Develop and disseminate new curricula. The aim is to move beyond "how a bill becomes a law" civics and to connect service learning requirements to a deeper understanding of how to do democracy. Representative projects include: disseminating the curriculum for the Law, Technology & Democracy course on the Web and as a course reader.
- **Networking, Informed Dialogue and Advising:** Develop directories, forums, and relationship-building events to connect fellow practitioners of participative democracy in different domains, and around common problems and solutions. Representative projects include bi-weekly New York meetings to connect those developing social software and civic innovation (The Conspiracy).
- **Innovation:** Convene interdisciplinary "Democracy Design Workshops" to develop know-how, tools and advisory services that can be offered and/or licensed to municipalities, civic organizations and educational institutions to enable democratic practice. Representative projects include: Designing a massively multiplayer civic fair (Civic Cyberspace).

The Democracy Design Workshop is a project of the New York Law School Institute for Information Law and Policy and is affiliated with the Yale Law School Information Society Project.

For more information about the Democracy Design Workshop and its projects, please visit [WWW.NYLS.EDU/DEMOCRACY](http://WWW.NYLS.EDU/DEMOCRACY)

## Beth Simone Noveck

Associate Professor of Law  
Director, Institute for Information Law and Policy  
Director, Democracy Design Workshop



Beth Simone Noveck, associate professor of law, is director of the Institute for Information Law and Policy. She also directs the Democracy Design Workshop, a first-of-its-kind interdisciplinary project dedicated to deepening democratic practice in the digital age. Professor Noveck is co-editor (together with Professor J.M. Balkin of Yale Law School) of the new book series, *Ex Machina: Law, Technology and Society* (NYU Press).

Professor Noveck teaches in the areas of e-government and e-democracy, intellectual property, innovation, and constitutional law. A founding fellow and project director of the Yale Law School Information Society Project, she concentrates her research and design on information and technology law and policy with a focus on the intersection between technology and civil liberties.

With the support of grants from the Rockefeller Brothers Fund, the Council of Europe, and AmericaSpeaks, Professor Noveck is currently at work on the "Cairns Project," an online interactive inventory of collaborative practices in politics, law, business, and civil society.

She is also the organizer of the first annual conference The State of Play: Law, Games and Virtual Worlds.

Professor Noveck is a founder of Bodies Electric LLC, developer of the Unchat software for real-time structured and democratic group deliberation in cyberspace. She is a member of the Legal Expert Network of the Institute for the Study of the Information Society and Technology (Insites) at the Carnegie Mellon Heinz School of Public Policy and Management, a member of the editorial board for *IIS: A Journal of Law and Policy for the Information Society*, and of the advisory board of the *International Journal for Communications Law and Policy (IJCLP)*. She is a member of the advisory board of the Nanyang Technical University Centre on Asia Pacific Technology Law and Policy (CAPTEL) in Singapore where she visited as a Fulbright Senior Specialist.

Previously she served as a lead expert on the Bertelsmann Foundation expert commission on Internet content regulation and was a United States delegate to the OECD E-Commerce Summit in Ottawa and the European Commission Conference on E-Government in Brussels. She has advised the European Commission Safer Internet Action Plan on self-regulatory approaches to hate speech on the Internet.

Formerly a telecommunications and information technology lawyer practicing in New York City, Professor Noveck graduated from Harvard University with a Bachelor and Master of Arts. She earned a J.D. from Yale Law School. After studying as a Rotary Foundation graduate fellow at Oxford University, she earned a doctorate at the University of Innsbruck with the support of a Fulbright.

### Courses

Constitutional Law II; Intellectual Property;  
Copyright, Innovation and the Law;  
Law, Technology and Democracy

### Announcing a New Book Series

## Ex Machina: Law, Technology, and Society

Professor Beth Simone Noveck, New York Law School  
Professor Jack Balkin, Yale Law School  
Editors

New York University Press announces a new series, *Ex Machina: Law, Technology, and Society*, an imprint of the Institute for Information Law & Policy at New York Law School and the Information Society Project at Yale Law School.

The *Ex Machina* series grapples with the interplay between technology and law. Its goal is not simply to study but to influence the development of new technologies as they begin to remake social and cultural life, and to define an intellectual debate that can change the future of technology and the legal, political, and cultural institutions that respond to it. The series aims to provide a critical outlet for assessing technological revolutions as they unfold by convening a dialogue among the lawyers, technologists, humanists, and social scientists engaged in building tomorrow's tools and institutions.

Planned *Ex Machina* projects focus on the legal ramifications of a number of cutting-edge technological developments. They include:

- The State of Play: Law, Games, and Virtual Worlds
- Digital Cops in the Virtual Environment
- Is Small Beautiful?: Nanotechnology, Bioethics and the Law
- Rights and Robots
- Recoding the State: The Law of E-Government and E-Democracy



**Paul S. Adler**  
Adjunct Professor of Copyright  
and Literary Property Law

**Paul S. Adler** has been in private practice for ten years. Before becoming a solo practitioner, Adler was a partner in the boutique copyright firm of Kurnit & Adler.

Prior to embarking on his career in the copyright field, Adler spent three years with the federal government as an attorney in the Appeals and Research Section of the Civil Rights Division of the Department of Justice, and then in the General Counsel's Office of the U.S. Commission on Civil Rights. He moved into copyright law when he joined the American Society of Composers, Authors and Publishers (ASCAP) in its Legal Department, where he served in a variety of management positions.

Adler is a frequent lecturer on copyright and the collective administration of rights before audiences in the United States and abroad. He was an adjunct professor at the Touro Law Center and St. John's University, where he taught Trademarks and Unfair Competition, as well as Copyright Law.

Adler graduated *magna cum laude* from Oberlin College and received his LL.B. from Columbia University. He received an LL.M. from New York University, where he was a Robert Marshall Graduate Fellow at the Arthur Garfield Hays Civil Liberties Center. He has also studied at the London School of Economics and Political Science.



**Judith Bresler '74**  
Adjunct Professor of Art Law

**Judith Bresler**, an attorney specializing in Art Law with the New York firm, Cowan, DeBaets, Abrahams & Sheppard, is an internationally recognized authority in her field. She is co-author of the award-winning treatise, *ART LAW: The Guide for Collectors, Investors, Dealers and Artists* (First and Second Edition), acclaimed as the "industry bible" by *Forbes* magazine.

Bresler represents auction houses, art galleries, artists, online art dealers, illustrators, conservators, collectors, appraisers and authors. She has been retained by other law firms for her expertise in the field. Before joining Cowan, DeBaets, Bresler served as vice president of business affairs at MGM/UA Home Entertainment Group, Inc., director of business and legal affairs at Swann Galleries, Inc., and general attorney at the American Broadcasting Companies, Inc.

In addition to her active law practice, Bresler has taught Art Law at both the University of Pennsylvania Law School and at New York Law School. She has served on the Board of Trustees of New York Law School, the Philadelphia Volunteer lawyers for the Arts, and is currently on the Board of Trustees' Council of Penn Women.

Bresler lectures and publishes extensively on all aspects of the art market, and is a two-time winner of New York Law School's Otto L. Walter Distinguished Writing Award—most recently for her article, *Begged, Borrowed or Stolen: Whose Art Is It Anyway? An Alternative Solution of Fine Art Licensing*.

She is a graduate of the University of Pennsylvania and earned her J.D. at New York Law School.



**Peter Canelias**  
Adjunct Professor of Patent Law

**Peter Canelias** is a solo practitioner with a law office in Manhattan. His firm concentrates in intellectual property and technology law and provides counseling, opinions, licensing, litigation and application work concerning patents, trademarks, copyrights, trade secrets, computers and software, publishing law, art law, and industrial design. He started his law firm in 1995 as an alternative to large-scale intellectual property firms; by design, the firm remains small, agile, and economically efficient.

Canelias is the author of the books *Patent Practice Handbook* and *Patent Practice Forms*, and is a contributor to the books *Art Law Handbook* and *Drafting Print and Online Publishing Agreements*.

Canelias graduated *summa cum laude* with a degree in Physics from the Massachusetts State College at Bridgewater, and did graduate work there in mathematical physics and quantum mechanics. He graduated *cum laude* from Boston College Law School. While at law school, he served as an executive editor of the *Boston College Law Review*. After completing his legal education, he served as a law clerk to the Honorable Pauline Newman, Circuit Judge, United States Court of Appeals for the Federal Circuit.

**Shawn J. Chen** (Adjunct Professor of Law, Cybercrime, Cyberterror and Digital Law Enforcement) is an assistant United States attorney in the District of Connecticut. He was associated with the law firm of Wachtell, Lipton, Rosen & Katz in Manhattan prior to joining the United States Attorney's Office. His current work as a federal prosecutor has focused primarily on the investigation and prosecution of white-collar criminals, especially those charged with computer-related crimes. In addition, as a computer and telecommunications coordinator ("CTC") for the District of Connecticut, Chen is responsible for advising and coordinating law enforcement efforts throughout the state targeted against cybercrime. He has successfully prosecuted a number of defendants for both computer intrusion and identity fraud.

After graduating from the Yale Law School in 1995, Chen clerked for the Honorable Jon O. Newman in Hartford, Connecticut, and later for the Honorable Louis F. Oberdorfer in Washington, D.C.

*Not pictured.*

**Rana Dershowitz** (Adjunct Professor of Sports Law) joins the New York Law School team in 2004. Dershowitz is currently the director of Legal and Business Affairs, a seven-lawyer legal department at Madison Square Garden, L.P. Her department handles all matters for Madison Square Garden, L.P., the corporate entity which owns and operates the Madison Square Garden venue, the Knicks (NBA), the Rangers (NHL), the Liberty (WNBA), the Madison Square Garden Network, and Fox Sports New York.

Previously, Dershowitz worked as an associate at Fried, Frank, Harris, Shriver & Jacobson in Manhattan. While employed at the firm, she was the recipient of the 1996 Fried, Frank Pro Bono Recognition Award and the 1999 Fried, Frank Pro Bono Award for Outstanding Commitment to Public Good. Dershowitz then accepted a position as associate at another Manhattan-based firm, Grubman Indursky & Schindler.

She graduated Phi Beta Kappa from Harvard University in 1992 with an A.B. in Anthropology. Subsequently, Professor Dershowitz earned a J.D., *cum laude*, from Harvard Law School in 1995. At Harvard Law School, she was the executive editor of the *Harvard Civil Rights-Civil Liberties Law Review*.

*Not pictured.*



**David Johnson**  
Visiting Professor of Law

**David Johnson** joined the Law School's faculty in spring 2004 as a visiting professor of law. He recently retired as a partner of Wilmer, Cutler & Pickering and is devoting substantial time to the development of new types of "graphical groupware" software products.

Johnson joined Wilmer, Cutler & Pickering in 1973, following a judicial clerkship, and became a partner in 1980. His practice focused primarily on the emerging area of electronic commerce, including counseling on issues relating to privacy, domain names and Internet governance issues, jurisdiction, copyright, taxation, electronic contracting, encryption, defamation, ISP and OSP liability, regulation, and other intellectual property matters.

Johnson helped to write the Electronic Communications Privacy Act, was involved in discussions leading to the Framework for Global Electronic Commerce, and has been active in the introduction of personal computers in law practice.

Johnson graduated from Yale College with a B.A. *summa cum laude* in 1967. He completed a year of postgraduate study at University College, Oxford in 1968, and earned a J.D. from Yale Law School in 1972. Following graduation from law school, Johnson clerked for a year for the Honorable Malcolm R. Wilkey of the United States Court of Appeals for the District of Columbia.

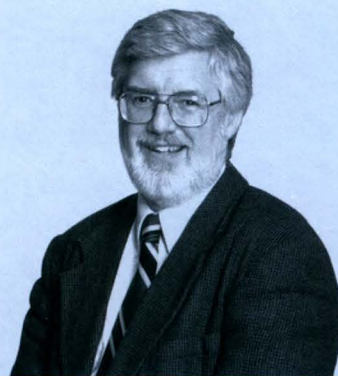
**Nimrod Kozlovski** (Adjunct Professor of Law, Cybercrime, Cyberterror and Digital Law Enforcement) is a resident fellow of the Information Society Project at Yale Law School and editor of the *International Journal of Communications Law and Policy* (IJCLP).

He is also the author of *The Computer and the Legal Process* (Israeli Bar Association Press, 2000) and numerous articles on the Internet and privacy law, computer search and seizure and electronic evidence.

Kozlovski was a lecturer in cyberlaw and e-commerce at Tel-Aviv University and the Tel-Aviv College of Management, where he also previously taught Torts, and Corporate Law as a teaching assistant.

After receiving his LL.B. and LL.M. degrees from Tel-Aviv University, he clerked for the Honorable Dr. Gavriel Kling, Israeli District Court, and the Honorable Dr. Michael Chesin of the Israeli Supreme Court. Following an LL.M. program at Yale Law School, class of 2002, he is currently a J.S.D. candidate at Yale and a fellow of the Information Society Project. Kozlovski also serves as a member of the Israeli governmental e-commerce committee, as an advisor to the legislative committee on e-signature and the Internet subcommittee, and as a cyberlaw lecturer in the Israeli institute for the training of judges.

*Not pictured.*



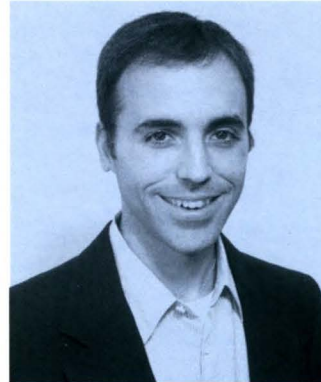
**William Mills**  
Professor of Legal Research  
Associate Librarian

**William Mills** is an associate librarian in the Mendik Library, where he is in charge of information services, which encompasses collection development, computer and other technological resources, the physical plant, stack maintenance, and the Library's access policies. He came to New York Law School in 1989 with extensive law library experience in both private-firm and academic settings.

Mills began his career at the law firm of Willkie Farr & Gallagher, where he managed the library, planned and coordinated a move into a new building, and oversaw the installation of LEXIS, the first computer legal research system. He then attended law school and moved into academia, first serving as the evening librarian at Seton Hall University School of Law, and then joining the founding faculty at CUNY Law School as public services librarian a year later.

In addition to his administrative duties at New York Law School, Mills teaches the Advanced Legal Research seminar. During the 2002–03 academic year, Mills served as acting codirector of the Library.

Mills holds a J.D. from Fordham University, and a master's degree in Library Science from Columbia University.

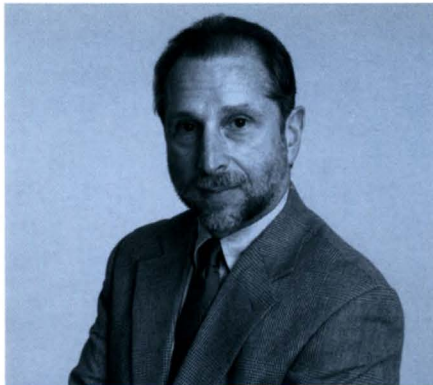


**Brian Murphy**  
Adjunct Professor of Entertainment Law

**Brian Murphy** is a partner at Frankfurt Kurnit Klein & Selz, PC, where he practices advertising, marketing, intellectual property, and entertainment law. Murphy has also served as production counsel on film and television projects. In addition, he has successfully defended film production companies, advertising agencies, magazine publishers, and advertisers against copyright, trademark, defamation, and right of publicity claims.

Murphy has been a member of the adjunct faculty of Fordham University Law School for the past four years, where he teaches the popular class Intellectual Property Drafting. He is a member of the Copyright & Literary Property Committee of the Association of the Bar of the City of New York and is a frequent speaker on advertising and intellectual property issues.

Murphy received his B.A. from the University of Pennsylvania *magna cum laude*, Phi Beta Kappa, in 1989, and his J.D. *cum laude* from New York University School of Law in 1992, where he was a notes and comments editor of the *New York University Law Review*. Following law school, Murphy clerked for the Honorable Leonard B. Sand, United States District Judge in the Southern District of New York.



**Rudolph J.R. Peritz**  
Professor of Law

**Rudolph J.R. Peritz** brings to the Institute a focus on the economic, legal, and historical relationships between competition policy and private property rights, particularly in high tech industries. Among his books and articles are *Competition Policy in America: History, Rhetoric, Law*, published by Oxford University Press, and *Antitrust in Global Context*, published by West and co-authored with Eleanor Fox and Lawrence Sullivan. He lectures annually in Europe, this year in London and Rome.

Peritz has recently completed a report for the Republic of Singapore concerning the interaction of antitrust law and intellectual property rights. The report is one of six that were commissioned from an international group of scholars from Australia, Europe, and Japan to inform Singapore's drafting of an antitrust statute. The project culminated in a conference for Singapore government officials and lawyers, and the reports will be published by Sweet & Maxwell (Asia) for use by other Southeast Asian governments involved in similar efforts.

Peritz has also accepted an invitation from the Korean Federal Trade Commission to join its international consulting group of antitrust scholars to advise them on their investigation of Microsoft.

Before joining New York Law School, Peritz was a computer systems engineer, a Langdell Fellow at Harvard Law School, and Assistant Attorney General, Antitrust Division, Office of the Attorney General of Texas.



**Joel Schoenfeld**  
Adjunct Professor of Entertainment Law

**Joel Schoenfeld** is recognized as one of the entertainment industry's leading experts on international intellectual property, competition, and privacy issues and was appointed one of twelve commissioners on the Industry Advisory Commission to the World Intellectual Property Organization. He is also a member of the Executive Board and Central Board of Directors of the IFPI, the international trade federation for the worldwide music business.

Since 1989, Schoenfeld has served as an officer, director, or both for more than eighty Bertelsmann-related companies in more than thirty-five countries. Prior to joining his first Bertelsmann company, Schoenfeld served for twelve years as general counsel and executive vice president at the Recording Industry Association of America, and served on its Board of Directors for the next ten years.

In 2002, Schoenfeld opened a consulting business, where his clients included MusicMatch, Touchtunes Digital Jukebox, the United States Copyright Office, Napster, Listen.com, and BMG Music, among others. In 2003, he joined Dimensional Associates, a company charged with investing in digital content delivery space by acquiring businesses that create music and other forms of entertainment and offer consumer download services for music and video files. Today, he is a partner and managing director of Dimensional Associates.



**Richard K. Sherwin**  
Professor of Law

**Richard K. Sherwin** is an expert on the use of visual representations and visual persuasion in litigation and litigants' public relations. He has written widely on the interrelationship between law and culture, including interdisciplinary works on law and rhetoric, discourse theory, political legitimacy, and the theoretical and practical dimensions of the relationship between law and film/television.

Sherwin is a former assistant district attorney for the county of New York. He served as an adjunct professor prior to becoming senior instructor and coordinator of the Lawyering Program at New York University Law School.

Sherwin published a well-received book, *When Law Goes Pop: The Vanishing Line Between Law and Popular Culture*, in 2000, on what happens when truth intermingles with fiction not only in the public's perception of the law but also in the advocate's strategies of legal persuasion.

Sherwin was awarded his B.A. *summa cum laude* from Brandeis University in 1975, and his J.D. from Boston College Law School in 1981 where he was the executive and cofounding editor of the *Boston College Third World Law Review*. He received an LL.M. degree in 1985 and a J.S.D. degree in 1989 from Columbia University Law School.



**Christina Spiesel**  
Adjunct Professor of Visual  
Persuasion in the Law

**Christina Spiesel** is an adjunct professor of law at both Quinnipiac University School of Law and New York Law School and teaches Visual Persuasion in the Law at both institutions. She is also a senior research scholar at the Yale Law School, where she developed and taught *Envisioning Law* in 1998. In addition, she is a faculty associate of Bard College's Institute for Writing and Thinking.

Spiesel is a visual artist and writer, and has published and presented her work in both text and image form, often in combination. A veteran of many solo and group exhibitions, she has been exhibiting her art since 1972. Her published writing in art history and criticism includes work on Leonardo Da Vinci, Artemisia Gentileschi, Manet, and DeKooning.

Spiesel received her B.A. *summa cum laude* from Shimer College in 1962, and her M.A. from the University of Chicago in 1965.



**Cameron Stracher**  
Professor of Legal Writing and  
Newsgathering & the Law  
Publisher, *New York Law School Law Review*

**Cameron Stracher** is a partner at Levine Sullivan Koch & Schulz in New York City where he specializes in media law. Following law school, Stracher worked at Covington & Burling in Washington, D.C., before moving to Iowa City, Iowa, where he received his M.F.A., taught legal writing at the University of Iowa College of Law, and was a founder of the law school's Writing Resource Center.

Upon his return to New York City, he worked at Friedman & Kaplan as a commercial litigator before becoming litigation counsel at CBS. He spent five years at CBS, where he specialized in First Amendment litigation and other legal issues facing the media.

Stracher is the author of *Double Billing: A Young Lawyer's Tale of Greed, Sex, Lies, And The Pursuit Of A Swivel Chair*, and his writing appears regularly in *The New York Times*, *The New York Times Magazine*, *The Wall Street Journal*, *The American Lawyer*, and many other publications. He is also the publisher of the *New York Law School Law Review*.

Stracher received his B.A. *magna cum laude* from Amherst College in 1983. He received his J.D. from Harvard University, where he was the winner of the Ames Moot Court Competition in 1987. He received an M.F.A. in English (fiction) from the University of Iowa.

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# Heritage

In 1991, New York Law School published a short history of the school in celebration of its first century. The small book, *New York Law School 1891-1991: A Heritage*, illuminates seminal moments. Now, as we approach our 115th anniversary, it beckons us to record the milestones of the past 15 years. And we are working on a worthy update to mark that anniversary. But we begin by celebrating a past that calls us to be bold in the future.

With the introduction of "Heritage," *In Brief* launches a celebration of the Law School's history by profiling illustrious alumni whose contributions in law and other fields continue to enrich our lives.

Here we salute Wallace Stevens, Class of 1903, one of the greatest American poets of the 20th century.



Salm

# Wallace Stevens: Poet and Lawyer, Class of 1903

By Elizabeth Rosen and Tom Donaghy

*The year 2004 marks the 125th anniversary of Wallace Stevens's birth, as well as the fiftieth anniversary of his Collected Poems.*

WALLACE STEVENS, A GRADUATE OF NEW YORK LAW SCHOOL, WAS ONE OF THE greatest poets of the twentieth century. A full-time attorney as well as a full-time poet, Stevens had, by the time of his death in 1955, practiced insurance law for over fifty years and had published seven volumes of poetry. He had also been elected to the National Institute of Arts and Letters, awarded the National Book Award (twice) and won the Pulitzer Prize for poetry. In 1949 he received the Bollingen Prize in Poetry from Yale University and in 1951 the Gold Medal of the Poetry Society of America.

Wallace Stevens was born on October 2, 1879, in Reading, Pennsylvania. His father was a prosperous country lawyer and his mother, a schoolteacher. Stevens began writing as a teenager, and his poems would soon be published during his undergraduate career. He attended Harvard University as a "special student," participating in a nondegree program where he studied art, literature, philosophy, and psychology. Once at Harvard, his poems were published in the *Harvard Advocate* and elsewhere. His early writing was encouraged by George Santayana, among other notable thinkers and artists of the day.

Stevens enjoyed his studies at Harvard, but his father, burdened by the expense of sending Stevens and his two brothers to school simultaneously, recommended that Stevens pursue something more pragmatic—like the law, because one could enter law school after three years of university study at that time. Stevens complied with his father's wishes and left Harvard, working for a short time as a reporter for the *New York Tribune* before enrolling at New York Law School in 1901.

The poet loved New York and referred to it as "this electric town which I adore." Sadly, New York Law School records from that time have since disappeared, so today little is known about his law studies and life at the school. What is known is that, after graduating in 1903, Stevens went to work as an associate with a large New York law firm. There he developed a specialty in analyzing insurance claims. Fluctuating economic conditions affected New York's law firms, however, and Stevens was forced to seek new positions at least twice during the years immediately after receiving his law degree.

Stevens married a young woman from Reading, Elsie Moll, in 1909. Even though their marriage proved to be a troubled one, Stevens was devoted to his wife and eager to find employment that would bring them security. Eventually, a colleague recommended Stevens for a job with the Hartford Mutual Insurance Company. He accepted the position and in 1916 they moved to Hartford, Connecticut.

During his years in Hartford, several things happened that profoundly shaped Stevens's life. First, his daughter Holly was born. She and her father became deeply attached and, as an adult, Holly took on the job of editing her father's papers and letters. It was also during

these years that Stevens became a company vice president and an internationally acclaimed poet.

As an active poet and an accomplished lawyer, Stevens was a rarity indeed. While some maintain that law was simply his way of earning his living, it is worth noting that even when he reached retirement age and had accumulated a comfortable sum, he kept his "day job." The fact is, Stevens saw great depth in the practice of both law and poetry. It can be inferred from some of his writing on insurance law that he also recognized distinct similarities between the two fields. He believed that practicing insurance law required, like poetry, great imagination—one had to imagine all manner of catastrophe to determine what a policy ought to replace, he wrote at one point. Also, language is the singular tool of both lawyers and poets, and Stevens's skill with words was apparent in both disciplines. It follows that as his poetry began to win national awards, he himself became a recognized expert in surety law.

Stevens kept both activities separate, however; few who knew him at work were aware that he was a poet until his accumulating awards began to reveal his double life. "It gives a man character as a poet to have this daily contact with a job," he told a newspaper reporter at one point when asked why he continued at the insurance company while his fame as a poet grew.

## The Snow Man (1921)

Wallace Stevens

One must have a mind of winter  
To regard the frost and the boughs  
Of the pine-trees crusted with snow;

And have been cold a long time  
To behold the junipers shagged with ice,  
The spruces rough in the distant glitter

Of the January sun; and not to think  
Of any misery in the sound of the wind,  
In the sound of a few leaves,

Which is the sound of the land  
Full of the same wind  
That is blowing in the same bare place

For the listener, who listens in the snow,  
And, nothing himself, beholds  
Nothing that is not there and the nothing that is.

"The Snow Man," "Of Modern Poetry," and "Auroras of Autumn (stanza I)" from *The Collected Poems of Wallace Stevens*, copyright 1954 by Wallace Stevens and renewed 1982 by Holly Stevens. Used by permission of Alfred A. Knopf, a division of Random House, Inc.

The Auroras of Autumn (1950)

Wallace Stevens

I

This is where the serpent lives, the bodiless.  
His head is air. Beneath his tip at night  
Eyes open and fix on us in every sky.

Or is this another wriggling out of the egg,  
Another image at the end of the cave,  
Another bodiless for the body's slough?

This is where the serpent lives. This is his nest,  
These fields, these hills, these tinted distances,  
And the pines above and along and beside the sea.

This is form gulping after formlessness,  
Skin flashing to wished-for disappearances  
And the serpent body flashing without the skin.

This is the height emerging and its base  
These lights may finally attain a pole  
In the midmost midnight and find the serpent there,

In another nest, the master of the maza  
Of body and air and forms and images,  
Relentlessly in possession of happiness.

This is his poison: that we should disbelieve  
Even that. His meditations in the ferns,  
When he moved so slightly to make sure of sun,

Made us no less as sure. We saw in his head,  
Black beaded on the rock, the flecked animal,  
The moving grass, the Indian in his glade.



Neither of Stevens's dual career paths proved to be easy. His work at the insurance company demanded much of his time. And his poetry initially met with resistance. In reviewing *Harmonium*, his first book, Percy Hutchinson of *The New York Times* wrote, "From one end of the book to the other there is not an idea that can vitally affect the mind, there is not a word that can arouse emotion."

While Stevens's work took some time to find its audience, it did amass ardent supporters. In any event, Stevens would not compromise. When his poems were derided as arcane, he explained: "The poem must resist the intelligence almost successfully."

The poet was forty-four years old when *Harmonium* was published, in 1923. By that time he had been writing for over twenty years and practicing law for almost as long. Today, *Harmonium* is regarded as one of the twentieth century's most dazzling collections of poetry. Experimental in its use of language, it continues to spark critical examination as one of the most challenging and original collections of modern poetry. Other volumes of Stevens's poems include *Ideas of Order and Owl's Clover* (1936), *The Man with the Blue Guitar* (1937), *Parts of a World* (1942), and *The Auroras of Autumn* (1950). *The Collected Poems of Wallace Stevens* appeared in 1954 to mark his seventy-fifth birthday.

Stevens's great preoccupation in his poetry is with philosophy and meaning. Deeply influenced by thinkers as diverse as Nietzsche, Schopenhauer, and William James, he tried to dramatize the divide between reality and imagination, perception and expression. He referred to poetry as a supremely serious fiction: "After one has abandoned belief in God, poetry is that essence which takes its place as life's redemption." His daily walks brought him in constant contact with the natural world, and its images form a primal part of his work. "It is a terrible poverty not to live in the physical world," he wrote.

It was during these walks that Stevens would compose his poems and consign them to his prodigious memory. Later, back at his office, he would transcribe them. It should be noted that Stevens also liked walking in New York City, to which he often traveled for business. He described walking in the city as "so unlike walking in Hartford. In Hartford, if you go out for a walk on a summer's evening, sooner or later you will hear someone say, 'There goes that man again.'"

Wallace Stevens continued to be industrious until the end of his life, implying that poetry was a kind of philosophy about proceeding: "It's the way of making one's experience, almost wholly inexplicable, acceptable." In *The Necessary Angel*, a book of his essays published in 1951, he said, "My final point, then, is that imagination is the power that enables us to perceive the normal in the abnormal, the opposite of chaos in chaos."

## Of Modern Poetry (1940)

Wallace Stevens

The poem of the mind in the act of finding  
What will suffice. It has not always had  
To find: the scene was set; it repeated what  
Was in the script.

Then the theatre was changed  
To something else. Its past was a souvenir.  
It has to be living, to learn the speech of the place.  
It has to face the men of the time and to meet  
The women of the time. It has to think about war  
And it has to find what will suffice. It has  
To construct a new stage. It has to be on that stage,  
And, like an insatiable actor, slowly and  
With meditation, speak words that in the ear,  
In the delicatest ear of the mind, repeat,  
Exactly, that which it wants to hear, at the sound  
Of which, an invisible audience listens,  
Not to the play, but to itself, expressed  
In an emotion as of two people, as of two  
Emotions becoming one. The actor is  
A metaphysician in the dark, twanging  
An instrument, twanging a wiry string that gives  
Sounds passing through sudden rightnesses, wholly  
Containing the mind, below which it cannot descend,  
Beyond which it has no will to rise.

It must  
Be the finding of a satisfaction, and may  
Be of a man skating, a woman dancing, a woman  
Combing. The poem of the act of the mind.

Stevens's poetry has had a remarkable influence. Some of the world's most famous literary critics have written about his work, including Helen Vendler, J. Hillis Miller, Harold Bloom, and, more recently, David Bromwich. Experts in the legal profession have also chimed in. The Stanford law professor Thomas Grey wrote a book on Stevens, titled *The Wallace Stevens Case: Law and the Practice of Poetry*, where he proposes that Stevens's poetry can have a remedial effect on lawyers in helping them to overcome "the habitual and institutional rigidities of binary thought." Stevens's work has also exerted a profound influence on poets as diverse as John Berryman, Ann Lauterbach, Langston Hughes, and John Ashbery. Today his poems continue to attract and challenge readers, as he perhaps suspected they would. As he wrote, "It can never be satisfied, the mind, never." ■

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Elizabeth Rosen is associate professor of applied legal analysis at New York Law School and a Wallace Stevens scholar. Tom Donaghy is a freelance writer living in New York City.



*The South Street Seaport*

Photo: Corbis.com

# Alumni Profiles

In keeping with this issue's theme of "Embracing Innovation," *In Brief* presents profiles of seven alumni who are innovators in their legal specialty—whether that be entertainment, telecommunications, high tech, or science and technology.

In addition, we continue our tradition of profiling alumni at the firms with features on Abbey Gardy, LLP and Sullivan & Cromwell.

Nancy Lee Berkowitz '97  
*President and Executive Producer*  
Berko Productions

B. Keith Fulton '98  
*Senior Telecommunications Policy Analyst*  
U.S. Department of Commerce

Jennifer Manner '91  
*Senior Counsel to Commissioner*  
*Kathleen Q. Abernathy*  
Federal Communications Commission

Sonia E. Miller '96  
*S.E. Miller Law Firm*  
Founder, Converging Technologies Bar Association

Kim Osorio '99  
*Editor in Chief*  
*The Source Magazine*

Charles E. Phillips '91  
*President*  
Oracle Corporation

Joel Schoenfeld '76  
*Partner and Managing Director*  
Dimensional Associates  
and  
*Adjunct Professor*  
New York Law School





# Nancy Lee Berkowitz '97

Independent Television and Film Producer and Executive

*Nancy Lee Berkowitz, a veteran of the international media industry, recalls that when other kids were reading picture books, she was looking at maps of the world. "When I was sixteen, I took a globe and put one hand on South Jersey, where I grew up, and the other hand on the opposite side, and said, 'That's where I'm going,'" she says, laughing. "It was Japan."*

## **SHE DID TRAVEL TO JAPAN. A YEAR OF COLLEGE IN KYOTO GAVE HER FLUENCY**

in the language, and at age twenty she began appearing on Japanese television. At twenty-five, she was cohosting a popular late-night talk show. "I like to say I was the Connie Chung of Japan. She was the first Asian talk show host in America, and I was the first Caucasian to do it in Japan."

When Japanese Public Television Network launched its own satellite and hired her to be its New York City-based entertainment reporter, Berkowitz began producing her own shows. She soon started her own production company, Highly Enterprises, Inc. It was the mid-1980s, and the Japanese economy was booming. She had twenty-seven employees. But the bubble burst in 1991 when the Japanese economy soured, and her business virtually dried up. "I decided to go to law school, basically to secure my future," explains Berkowitz, who received her B.A. from the University of Pennsylvania in 1980. "I had always wanted to run my own TV station, and at that time the networks were all run by lawyers. I figured there had to be something to it."

The choice of New York Law School seemed an obvious one.

"The school is known in the entertainment industry for its groundbreaking program in media and communications law. I met [Professor] Mike Botein even before I applied, and he was really welcoming. I was still running my company, and he wanted industry people like me in the program because of what we could add to it," she recalls.

Upon starting classes, Berkowitz found that she loved her courses, including those outside of media law. "Who would have thought I'd love Tax so much—it was the only A+ I got!"

She also became friendly with many of her fellow students who, like her, were often already professionals in their own fields.

"As a part-time student, I had the benefit of being mixed in among the day students; yet I could also take evening courses and generally balance my time and work around the demands of my business. And there were lots of other students who were also pursuing rigorous careers, who owned businesses, and needed that kind of flexibility. It was a great way to go through law school."

When Berkowitz's husband, Dr. Robert Giller, tragically died in a car accident just weeks before her graduation in 1997, the whole New York Law School community was "incredibly supportive. I'll never forget that," she says. (Berkowitz eventually established a scholarship, the Robert M. Giller Memorial Scholarship, at the Law School in his honor.)

After graduating fourth in her class, Berkowitz pursued her next professional challenge. It came just a few months after she received her law degree, when she was invited by Michael Armstrong, then chairman and chief executive officer of Hughes Electronics, to manage the establishment of DirecTV Japan. She spent the next year commuting between New York and Tokyo to set up the new satellite system, immediately putting her newly acquired law degree to good use. From 1998 to 2001, as president and chief operating officer for Global Japan, Inc., she oversaw the operation of two Japanese cable/satellite networks. In 2000 she was awarded Japan's prestigious "Cable Person of the Year" award, the second woman and the first non-Japanese to be so honored.

Today, Berkowitz has returned to her first love, producing television shows. Remarried, she and her husband, Oded Berkowitz,



are partners in Berko Productions, which produces a variety of television shows and feature films, primarily for the Japanese market—"the second largest TV market in the world," she points out.

To date, Berko Productions' best-known program is *New Yorkers*, an award-winning documentary series; the show, which ended a hugely successful ten-year run in mid-2003, gave Japanese viewers a weekly peek into the lives of "ordinary" New Yorkers, such as a struggling artist, a cheese sommelier, a private investigator, a rugby coach, a bike messenger, an animal rescue worker, and a furniture craftsman. Produced in New York by an all-Japanese staff, the show received Telly Awards, a prestigious media industry recognition, in 1996, 1997, 1998, 2001, and 2002, as well as numerous awards from the Japanese television industry.

The year 2003 also saw Berko Productions filming a seven-hour documentary, with a million-dollar budget, on New York's Metropolitan Museum of Art. "It was one of the most extensive, if not the most extensive, film projects involving an art museum to date, spanning more than six months of just filming daily inside the museum," Berkowitz says. The documentary aired in Japan over a period of four days in January, and will have subsequent airings on several channels owned by Japan's NHK network. It has already won a President's Award for NHK's Educational Television Division, qualifying it for Japan's version of the Emmy Awards.

Berkowitz, who is fluent in Mandarin and French in addition to Japanese, and has a working knowledge of Spanish and Hebrew, has recently taken her company in a new strategic direction, expanding beyond its historic focus on the Japanese viewing audience. In January 2004, Berko Productions entered the Chinese television market, launching a new celebrity interview series starring the leading female television personality in China. The company is also trying to gain a toehold in the feature film industry here in the United States; two

*Berkowitz, who is fluent in Mandarin and French in addition to Japanese, has recently taken her company in a new strategic direction. In January 2004, Berko Productions entered the Chinese television market.*

projects currently in development include a "winter thriller" and a teenage coming-of-age drama.

"Every day is different," Berkowitz says. "Monday, we might be coordinating a six-camera shoot at a Broadway play. Tuesday, we might be covering the opening of a new restaurant in the Time Warner complex. Another day, it's man-on-the-street-type interviews, or pitching concepts for new shows to major television networks."

Although she doesn't practice law, Berkowitz has no doubt that her law degree helps her in her endeavors every single day. "When I'm negotiating contracts and executive-producing programs, I can hold my own and understand the ramifications of everything that is taking place," she says. "Before law school, I often felt like I was in over my head and had to rely on lawyers a lot of the time."

Berkowitz, who joined the Board of Trustees of New York Law School two years ago, is excited about Dean Richard A. Matasar's new initiatives and about the Law School's future.

As she puts it: "This is a very special place, and I'm proud to be affiliated with it." ■

# Kim Osorio '99

Chronicler of Hip-Hop Culture | *By Joseph S. Miller '02*

**MEASURED BY ITS IMPACT ON AMERICA'S YOUTH, IN URBAN AND SUBURBAN** neighborhoods alike, the influence of hip-hop music and culture has rapidly approached that of rock and roll in the 1960s, and has generated the same level of intense controversy.

Despite its enormous commercial success—with artists like Jay-Z and Eminem dominating the charts in recent years—hip-hop is the voice of an oppressed community, said Kim Osorio. In 2002, Osorio became the first woman editor in chief of *The Source*, a magazine that has been chronicling the hip-hop world for the past fifteen years. To its more than nine million readers, *The Source* is to hip-hop what *Rolling Stone* is to rock and roll.

Osorio admits that she faces a special challenge in her new position. "It's the same challenge faced by every woman who works in a male-dominated industry," she said. "I try not to focus on that, because I don't want people to see me as the best woman for the job. I want them to see me as the best person for it."

As the magazine's top editor, Osorio is one of the most influential spokespersons for hip-hop culture. Never shying from the controversy, Osorio makes numerous media appearances, even facing the music's strongest critics on cable outlets such as CNN and Fox News.

"When people criticize hip-hop," said Osorio, "it is because they don't understand the culture. Some of the music may be deemed a little too explicit, but that's not representative of the whole. What the mainstream media fails to recognize is the positive aspects of the culture. At *The Source*, it's our job to speak for the culture, and be a voice for our community."

Osorio is sensitive to the widespread perception that hip-hop culture and its artists are detached from reality, uninterested in the social and political issues their communities face. She explained, "One of hip-hop's main goals is to unite people for a good cause. For example, hip-hop is being used now to get people to vote. Even presidential candidate John Kerry is talking about its influence on the community. He acknowledges not knowing very much about it, but he wants to understand it. That shows just how powerful it is."

While a student in the Evening Division at New York Law School, Osorio worked full time at a music software company, where she developed her contacts in the music industry. Like Osorio, many law school graduates have become very successful in fields other than law. But Osorio views New York Law School as the place that not only enriched her intellectually, but also gave her something practical to fall back on.

"I have met a lot of people in this business who have a legal background but who do not practice law," she said. "For me, law



Photo: Johnny Nunez/WireImage.com

school enhanced my writing skills. I'm sure others have picked up other valuable skills that can be applied to their professions, outside of law. We all know that law school doesn't really teach you the law as much as it teaches you how to apply it. It's education that benefits you in whatever career you decide to pursue.

"Eventually, I'd like to practice law," she continued. "Probably entertainment law, because I have so many connections now. Plus, I'd really like to represent the artists who I feel are getting the short end of the stick. The music industry can be a very shady one—and artists need to have the right people looking out for their best interests."

For now, she is fully committed to *The Source* and its mission.

"We are going to follow the issues most important to our community—from what is going on inside to what is happening across the world." ■

## B. Keith Fulton '98

Senior Telecommunications Policy Analyst, U.S. Department of Commerce

*In 1999, Fulton received a Technology Pioneer Award for leadership in public/private technology ventures from Congress, and a year later he was awarded a Computerworld Smithsonian Laureates Medal. His writings at the National Urban League have become a permanent part of the Smithsonian Institution's collection.*

HE DOESN'T WANT ANY GROUP LEFT ON THE WRONG SIDE OF THE "DIGITAL divide"—the invisible line that separates those who have access to the most modern communications technology from those who may not even have home telephone service. So he's focused his professional life on a commitment to that goal.

B. Keith Fulton was recently appointed a senior telecommunications policy analyst for the U.S. Department of Commerce. Fulton—or BK, as he likes to be called—is working with a team of analysts, scientists, and economists to write high-level technology and communications policy briefs for the president, the vice president, and the secretary of commerce.

At Commerce, Fulton is situated within the Office of Policy Analysis and Development at the National Telecommunications and Information Administration (NTIA).

His typical day might include preparing a briefing for Commerce Secretary Donald L. Evans on various communications issues and helping to draft responses from the secretary to queries from Congress or the White House. He might also take action to make sure that requested uses of ".us"—the nation's country code on the Internet—conform to government policy. That's in his role as the Contracting Officers Technical Representative (COTR) for the .us top-level domain (usTLD). He also has an important staff role as part of President Bush's task force examining IPv6, or Internet Protocol version 6—the "next-generation Internet," according to Fulton—which will address several key issues of concern with the current Internet protocol, including security, efficiency, peer-to-peer applications, and a possible shortage of Internet addresses for anticipated Internet growth and next-generation applications. Fulton is helping to develop a report of the task force's findings and recommendations, which will be presented to the president later this year.

Fulton also focuses on spectrum policy and analysis, including Wi-Fi®, WiMax, and ultrawideband (UWB), technologies that he

says "will change the way everybody lives, works, and plays." He is working with colleagues at Commerce to determine how much spectrum is required for certain types of technologies and partnering with the Federal Communications Commission (FCC) and other government agencies to identify spectra that might be used to accommodate these technologies.

Fulton established himself as a bright young star among the nation's media and technology elite during his previous tenure at AOL Time Warner, where, as vice president of the AOL Time Warner Foundation, he managed the company's global digital opportunity portfolio, and created partnerships within company divisions and with external partners in government, business, and the nonprofit world. Before that, at the National Urban League, he was founding director of its Technology Programs and Policy Department, becoming an outspoken advocate of national technology initiatives targeting underserved communities.

Fulton's professional path in public service began as an undergraduate at Virginia Polytechnic Institute and State University, where he earned a B.A. in urban affairs and planning, with two years of computer engineering and a minor in sociology. After earning a master's degree in management and policy analysis from the New School's Milano Graduate School of Management and Urban Policy, where he was a Sloan Fellow, and a professional certificate in management and policy analysis from Harvard's John F. Kennedy School of Government, he decided that a law degree would round out the knowledge base he had cultivated.

"I knew I wanted to attend a law school where I could have a real rapport with my professors, so I decided to write to the dean of New York Law School, to kind of test the waters," Fulton says, referring to Dean Emeritus Harry H. Wellington. "He answered, so I wrote to him again, figuring maybe the first letter was a fluke, but I received a second letter, and I was convinced that New York Law School was the place for me.

*“Being a lawyer has taught me to distinguish between shades of gray. That skill adds a lot for an analytical thinker like me who is expected to choose between ‘winners and losers’ in my line of work. My legal training has been the ‘secret sauce’ that helps my work to be among the very best.”*

—B. Keith Fulton '98



Photo Courtesy B. Keith Fulton

“New York Law School also had the oldest communications law program in the country and had more electives in communications law than Columbia. Professor Mike Botein had written the leading text for media law, and Al Hammond, the most prominent African-American professor in the field, was there. It was really the only place I considered going.”

Fulton says that the training he received at New York Law School, where he was named Outstanding Communications Law Student of the Year when he graduated in 1998, has been invaluable.

“Being a lawyer has taught me to distinguish between shades of gray,” he says. “That skill adds a lot for an analytical thinker like me who is expected to choose between ‘winners and losers’ in my line of work. My legal training has been the ‘secret sauce’ that helps my work to be among the very best.”

While a student in the Evening Division, Fulton worked full time at the National Urban League, where he spearheaded the development of the League’s Technology & Education Access Centers in cities around the country. He also gave congressional testimony on bridging the digital divide and garnered numerous awards recognizing his work and his writing. During his tenure, the National Urban League received one of the first Nonprofit Technology Leadership Awards from Microsoft, in 1997; the League’s grant was the largest of three such awards given that year. In 1999, Fulton received a Technology Pioneer Award for leadership in public/private technology ventures from Congress, and a year later he was awarded a Computerworld Smithsonian Laureates

Medal. His writings at the League have become a permanent part of the Smithsonian Institution’s collection. In recognition of his remarkable career, the Black Law Students Association at New York Law School honored Fulton at its annual Awards Dinner on April 23, 2004.

Fulton continued his mission to bring technological literacy to underserved communities when he joined AOL Time Warner in 2000 after serving as an advisor at AOL for several years. Under his leadership, innovative projects like the Education Technology Leadership Institute, which helps teachers gain skills to use technology effectively, and BenefitsCheckUp.org, the nations’ first one-stop online resource to help older Americans find federal and state benefits, gained momentum and helped millions.

“When the world’s largest media and Internet services company takes a leadership position to make sure that no one is left behind, you want to be a part of that,” says Fulton. “The AOL Time Warner Foundation used the power of media, communications, and information technology to serve the public interest and to strengthen society. I feel that what I did at the Foundation was important for our country.”

Fulton has continued his public service commitment at the Department of Commerce. He hopes that his efforts will result in ready access to advanced telecommunications technologies for all Americans, and in the creation of new opportunities for those technologies to be put to practical use both in the United States and abroad. ■

# Jennifer Manner '91

FCC Commissioner's Senior Counsel Combines High Tech and International Law

Photo: Judy Rolfe



*“When I review rulemaking documents, I’m looking at things from a policy-driven perspective. ‘I’m asking questions such as, ‘Is this legal?’ and, ‘Is this consistent with Commissioner Abernathy’s general philosophy?’ She is very pro-market and believes that private, market-based solutions are preferable to government mandates.”*

—Jennifer Manner '91

**JENNIFER MANNER, SENIOR COUNSELOR TO COMMISSIONER KATHLEEN Q. Abernathy** at the Federal Communications Commission (FCC), clearly remembers the class that first sparked her interest in telecommunications, the area in which she has specialized throughout most of her legal career.

“It was Professor Allen Hammond’s class in Communications Law, and it was my first look into the world of communications. He had a ‘real world’ perspective, and I found the issues fascinating, very cutting edge and high tech. I still do.”

Her fascination with communications has taken her to a senior advisory position with Abernathy, one of four commissioners (in addition to the chairman, Michael Powell) at the FCC, an independent U.S. government agency charged with regulating interstate and international communications by radio, television, wire, satellite, and cable. In this capacity, she focuses on four areas: international, new technologies, wireless, and consumer and government affairs. She uses her expertise in these areas to help write speeches or testimony for the commissioner to deliver when she testifies on Capitol Hill, and to review documents and draft orders that have been submitted to the commissioner by the staff of the FCC’s six operating bureaus.

“When I review rulemaking documents, I’m looking at things from a policy-driven perspective,” Manner says. “I’m asking questions such as, ‘Is this legal?’ and, ‘Is this consistent with Commissioner Abernathy’s general philosophy?’ She is very pro-market and believes that private, market-based solutions are preferable to government mandates.”

Manner’s FCC role affords her the opportunity to become involved in issues that have seized the attention of major players in the domestic and international telecommunications industry. For example, she has participated in negotiations to resolve a dispute between leading wireless services provider Nextel Communications and local public-safety officials over spectrum interference by Nextel in public-safety bands, such as those used by fire and police departments. “How do you fix that?” Manner asks. “Do you get Nextel to reband and change frequencies? If so, who pays?”

Manner also works on international telecommunications projects. Last July she attended the 2003 World Radio Communications Conference, a United Nations initiative that brought together representatives of 167 countries in Geneva. At this conference, international agreements were reached regarding the deployment of new Wi-Fi® services, and a treaty was signed giving the green light to a

provision of in-flight, satellite-based Internet services. According to Manner, the FCC is responsible for implementing portions of that treaty in the United States.

This is actually Manner's second tour of duty at the FCC. Her first, from 1992 to 1994, came after she received her LL.M. in international and comparative law at Georgetown University Law Center (GULC). She says the opportunities she was given during this period were unparalleled. "Within the first year, I was testifying before the New Hampshire legislature," she recalls. She also drafted notices of proposed rulemakings and other documents, served as the commission's representative of the U.S. Party with INTELSAT, and served as part of the initial task team to implement the Cable Television Act of 1992.

After leaving the FCC, Manner became an associate in the Communications Group at the law firm Akin Gump Strauss Hauer & Feld LLP. A few years later, she moved on to WorldCom Inc. (now MCI), first as associate counsel and focus group leader for foreign market entry and international wireless services, involved in getting regulatory authorization to go into new markets like Turkey and Egypt, and later as director, international alliances, where she also worked on WorldCom's entry into new markets.

Abernathy invited Manner to join her FCC staff in 2003. She first met Abernathy at GULC, when she took her course in International Telecommunications Regulation, a course Manner herself now teaches there as an adjunct professor. Manner also serves as a guest teacher at Georgetown University's School of Public Policy.

Manner credits teaching with providing the impetus for writing her first book, *Global Telecommunications Market Access* (Artech House, 2002). "Teaching forced me to crystallize my views, and I found I enjoyed writing," she says. Her second book, *Spectrum Wars: The Policy and Technology Debate*, came out in 2003, also from Artech House.

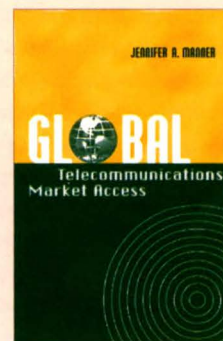
Manner is married to Eric Glasgow, Ph.D., a neurobiologist; they live in Maryland and Ohio, where Glasgow is a professor at the Northeastern Ohio Universities College of Medicine in Rootstown. ■

## **Global Telecommunications Market Access**

**By Jennifer A. Manner '91**  
Artech House Publishers 2002

*Global Telecommunications Market Access* offers the reader a solid understanding of the regulatory, economic, business, public policy, and other considerations associated with entry into global

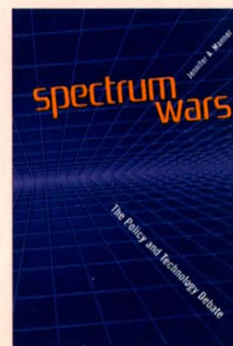
telecommunications markets from a commercial, governmental, and legal perspective. The primary focus of this book is on the global telecommunications regulatory environment and how it impacts market access strategies and implementation of these strategies.



## **Spectrum Wars: The Policy and Technology Debate**

**By Jennifer A. Manner '91**  
Artech House Publishers 2003

Companies seeking to stake a claim in the radiocommunications spectrum are competing for a limited resource of critical importance as more and more telecommunications companies turn to wireless services to sustain profitability, and in some cases even maintain viability. Jennifer Manner's latest book helps companies thoroughly understand the radiocommunications spectrum resource, how it is allocated, and the regulatory regime governing it.





# Sonia E. Miller '96

## Alumna Found New Technology-Oriented Bar Association

**SONIA E. MILLER IS A THIRD-CAREER LAW SCHOOL GRADUATE AND A** practicing attorney in New York and Washington, D.C. Miller's boutique firm, S.E. Miller Law Firm, concentrates on cutting-edge areas of law related to science and technology.

Last year, Miller founded the Converging Technologies Bar Association (CTBA), a unique new global organization open for membership to attorneys and non-attorneys alike. The CTBA was formed with a cross section of communities in mind—legal, scientific, medical, engineering, business, financial, government, and academic, among others—to address the legal and ethical uncertainties about a new frontier of scientific advancement so transformative that some would say the very definition of humanity is in question: Namely, the application of nanotechnology to medicine and computers and the cognitive sciences of psychology, cultural anthropology, linguistics, economics, sociology, neuroscience, artificial intelligence, and machine learning. This year, Miller became president of the CTBA.

In science and industry, nanotechnology work is done on the scale of a nanometer, or one-billionth of a meter—about a fifteen-thousandth the diameter of a human hair. Converging this technology with other technologies might very well lead to the eradication of Alzheimer's and Parkinson's disease, as well as eliminate environmental pollution, guarantee preventive health care, and advance molecular-cluster manufacturing for use across industries. As Miller wrote in the October 2003 issue of *Empire* magazine, something “as small as a button on your shirt—and as cheap—could

contain a computer more powerful than a desktop work station of today, connected to the ubiquitous Web and bringing you any information you want if you simply whisper your question.”

All this, of course, is astonishing, but Miller has also written about the flip side of this nanotechnology revolution. “Enhancement of fetus capabilities and designer baby options are strong concerns, where open dialogue is necessitated,” she says. “A definition of what it means to be a person and a human may be legally required. The question of who has access to, owns, controls, monitors, and stores your genomic-phenomic profile will need to be addressed.”

Such concerns prompt ethical debate, especially since they often deal with hot-button issues like stem cell research. Miller and the CTBA are hard at work cultivating focused discussions among professionals from multiple professions, and to this end she has put in place a CTBA initiative called “Dialogues on Science and Technology Convergence.” “I’m trying to create networks of dialogues of thought leaders from around the world,” she says, “to discuss the issues that are arising and how we go about addressing them.”

While the CTBA is a young organization, Miller has already succeeded in bringing in an impressive list of honorary and advisory Board members, including such luminaries as Mihail (Mike) C. Roco, architect of the National Nanotechnology Initiative; Hon. Phillip J. Bond, undersecretary for technology in the U.S. Department of Commerce; Jonathan L. Bing, member of the New York State Assembly for the 73rd District; Arthur L. Caplan, director



Sonia E. Miller '96, with her colleagues (from left) Gerry J. Elman and Drew Lehman, leaders of the Converging Technologies Bar Association.

Photo: Rick Kopstein

*“The law has yet to move into the information age, much less this age of convergence, as I call it. One of the goals of the CTBA is to bring the law forward, so that when issues are presented before the courts or legislatures, they will be clearly understood.”*

—Sonia E. Miller '96

of the Center for Bioethics at the University of Pennsylvania and a world-renowned bioethicist; Rodolfo R. Llinas, chairman and professor of the Department of Physiology and Neuroscience at New York University's School of Medicine; Donald R. Bone, corporate director of the Office of Science and Technology for Johnson & Johnson; James C. Spohrer, director of the Almaden Research Center at IBM; and Glenn Harlan Reynolds, the Beauchamp Brogan Distinguished Professor of Law at the University of Tennessee College of Law and a vocal commentator on the societal implications of nanotechnology.

In bringing these people together, the CTBA sees its first goal as educating them on how the law intersects with their own domains of expertise. Miller believes that in order to keep pace with the rapid advance of converging technologies, various professional communities must be given a place to freely come together, talk, collaborate, and learn about the issues with the goal of working collaboratively toward solutions. It is her hope that the CTBA will emerge as the global voice and leader for the rapidly growing converging technologies community.

Miller credits her ability to innovate and create such a groundbreaking and all-encompassing bar association to an entrepreneurial spirit she's had as far back as she can remember. Her degrees and experience in business and education, in addition to law, enable her to think across disciplines. Perhaps most crucially, Miller has always been fascinated by technology and science-related issues. She founded and chaired the Cyberspace Law Committee at the New York County Lawyers' Association, growing its membership to almost one hundred attorneys in just one year. With such a multidimensional background, Miller was ideally suited to conceive the CTBA.

Her vision for the association began in the summer of 2002, when she read a report published by the National Science Foundation and the U.S. Department of Commerce titled “Converging Technologies for Improving Human Performance.”

Miller calls this report her “aha!” moment, because it added one more dimension to the convergence of nanotechnology, biotechnology, and information technology she was already realizing—that of cognitive science and neuroscience.

So when those two government organizations subsequently co-sponsored the 2003 Conference on the Convergence of Nanoscience, Biotechnology, Information Technology, and Cognitive Science (NBIC), Miller was there. She also couldn't help but notice that she was the only attorney present. Once again she found herself at the apex of a historic opportunity with a chance to engage her visionary and entrepreneurial spirit on cutting-edge issues.

Weeks after the conference, Miller traveled to Washington, D.C., and sat down with Mike Roco to present her well-thought-out plans, ideas, concepts, and visions for what would become the CTBA. “Mike decided he wanted to be honorary chair right then and there,” says Miller, “and the rest is history.” The Converging Technologies Bar Association was formed.

The mere existence of a bar association like the CTBA will have profound implications for the law. First, by including nonattorneys, such as ethicists, scientists, and engineers, Miller is effectively trailblazing a new model for a bar association. Second, it is concerned with a new area of law entirely, one that deals with multiple technological and scientific convergence. Attorneys will have the opportunity to craft new law, as well as revisit current laws, legislation, and policies. “The law has yet to move into the information age,” says Miller, “much less this age of convergence, as I call it. One of the goals of the CTBA is to bring the law forward, so that when issues are presented before the courts or legislatures, they will be clearly understood.”

The establishment of the CTBA is an enormous undertaking and quite separate from Miller's own practice. “I love being a practicing attorney. I work with companies to position them for these new technologies. Disruptive technologies always impact the workplace and how business is conducted and managed globally. I also have an IT legal-compliance audit division, where I put companies in compliance with laws and procedures that they might be unaware of, such as Sarbanes-Oxley, HIPAA, and Gramm-Leach-Bliley.” Miller also speaks all over the world on the subject of converging technologies, and advises and consults industry, government officials, policy makers, educators, the legal and judicial system, as well as nongovernment organizations. She has spoken before the National Science Foundation and the U.S. Department of Commerce, and has briefed the National Academies on the multiplicity of legal issues and implications raised by converging technologies. If asked, she is also happy to develop training workshops, programs, and conferences on these issues. She also finds time to write a column every two months for the *New York Law Journal*.

“I don't sleep much,” she admits, laughing. But her work with her law practice and the CTBA allows her to “take my credentials and interests, and what I like of being a businesswoman, an academic, and an attorney, and converge all of that. So you could say there's a lot of convergence going on in my life.” ■



# Charles E. Phillips '93

Top Executive at Software Industry Leader | *By Katie Orenstein*

*“Oracle’s decision to go after PeopleSoft was inevitable. . . It was clear to us that something was bound to happen, one way or other, because their customers were already coming over to us.”*

—Charles E. Phillips '93

CHARLES E. PHILLIPS CASUALLY MENTIONED IN A RECENT INTERVIEW THAT he had been rejected 125 times before getting his first job offer on Wall Street. Exactly 125? “I counted,” he said. “And I saved them.”

He finally got his first break by sitting outside the office of one reluctant interviewer at The Bank of New York for an entire day. “I told the guy, ‘Look, if you have ten minutes anytime, I’ll be there.’ Then I went to his office in the morning. I had a book with me, and I sat outside his door. At five o’clock he finally came out and let me in.”

It’s no wonder Phillips is where he is today: president of Oracle—the largest database software company in the world. He was named to *Black Enterprise’s* list of the Top 50 African Americans on Wall Street in October 2002, and has been ranked No. 1 in the enterprise software field by *Institutional Investor* every year since 1993. He’s received a slew of awards, sits on a variety of influential boards, has appeared on television and been featured in *Fortune*, *Computerworld*, *InformationWeek*, and *Optimize* magazines.

He was also recently elected a trustee of New York Law School.

Phillips has been in the news recently in connection with Oracle’s ongoing, high-profile bid to acquire rival database company PeopleSoft. The U.S. Department of Justice has blocked the plan with an antitrust lawsuit, so it has been unfolding on an unusual battleground: the ad pages of major newspapers.

Oracle’s decision to go after PeopleSoft was inevitable, Phillips said. “It was clear to us that something was bound to happen, one way or other, because their customers were already coming over to us,” he said. “PeopleSoft was shrinking every quarter for the last two and half years. It was a company that hadn’t achieved a critical mass. It didn’t have enough products to prosper over the long term. Once customers

sense that, they start looking for alternatives. We figured if customers are going to convert and go to someone else anyway, we’d rather they come to us instead of our competitors.”

To reach PeopleSoft’s customers quickly, Oracle took out full-page ads in *The Wall Street Journal* and the trade press reassuring them that Oracle would continue to support PeopleSoft products they had purchased.

PeopleSoft responded by calling its customers directly to warn them against the merger (Oracle’s takeover bid is unsolicited). But, Phillips said, a merger is in the best interest of PeopleSoft’s customers. Oracle has no plans to cancel PeopleSoft’s product—or even integrate it, he said. Instead, Oracle would maintain two separate tracks, giving former PeopleSoft customers the option to continue using their current software or, if they choose, “to jump onto the other track and switch to an equivalent Oracle product for free.”

“Right now it’s down to a single judge’s decision, and could go either way,” he says about the Justice Department suit.

Phillips’s current life at Oracle seems almost to have been preordained, when you consider his background. A self-proclaimed “military brat” and one of four boys, Phillips and his family followed his Air Force father from Little Rock, Arkansas, to Oklahoma to Madrid and finally to Georgia, never spending more than two or three years in a row in one spot.

Phillips was often the only minority in his school (“or for miles around”) and learned to be comfortable with different kinds of people. Growing up in so many different communities, he said, is why he’s comfortable working with so many different people today, and also why he was able to slip right into his bicoastal job at Oracle (he lives in New York but has offices on both coasts).

*Phillips's passion for technology has been a lifelong theme in his career. As a teenager in the 1970s, he built computers at home, picking up individual components at Heathkit stores—yesterday's RadioShacks—and assembling, programming, and sharing computers and software with friends.*

Phillips's passion for technology has also been a lifelong theme in his career. As a teenager in the 1970s, he built computers at home, picking up individual components at Heathkit stores—yesterday's RadioShacks—and assembling, programming, and sharing computers and software with friends. "We were an underground community, like a club, building computers and writing software and thinking, *We're gonna change the world.*"

In fact, they did. Computer hobbyists like Phillips jump-started the industry, proving there was a market for personal computers. It was in part because of the hobbyists that operating systems like DOS were available and eventually became the foundation of the IBM PC and Microsoft.

Phillips graduated with a major in computer science from the U.S. Air Force Academy in 1981 and joined the Marines, where he became an officer responsible for computer systems supporting artillery battalions. "I basically ran corporate systems," he says, "only it was for the Marine Corps." Later on, after he got his first break on Wall Street, he went to work analyzing technology companies for The Bank of New York and, in 1994, Morgan Stanley. His hands-on background and unorthodox style served him well. His most innovative decision, he says, was to change his approach to evaluating companies: he started looking to customers instead of numbers.

"When I first came to Wall Street, at least in the area of technology, most of the people who analyzed the industry were accountants, very good at the numbers. But I thought I'd be much more likely to figure out what was going on with a company if I talked to actual customers, and so I went out and took surveys and asked them what they planned to buy and why. I said, 'Anyone can build a spreadsheet with the numbers. If you need that, call that CPA over there,' but I

chose to focus on the customers and products because that was more valuable and more difficult to analyze. To me, it was key to figure out if the product solved a big, current need or was simply a nice-to-have feature. That drove my decisions on which companies to finance."

At Oracle, Phillips continues in that vein, sometimes putting himself in the customer's shoes, ordering Oracle products anonymously and trying them out as if he were a regular buyer. "That way I can see where the kinks are." His legal background, he said, has also been particularly useful to him, with all the mergers and acquisitions that the company has been involved in. "Most businessmen are intimidated by the law, and naturally conservative. Having a legal background gives me the confidence to be able to analyze each situation."

His favorite law professor? "Professor Michael Sinclair, in Contracts—he had a dry sense of humor. He was very knowledgeable, and unflappable."

What does Phillips do in his spare time? Along with being a trustee of New York Law School, he belongs to other organizations—he is a member of 100 Black Men of America, Inc.; Technet; the Board of the Joint Center for Political and Economic Studies; and the Rhythm and Blues Foundation—that reflect his interest in politics (his father is a southern councilman) and music (recently he was part owner of Diana's, a jazz club in New York City, and is on the lookout for another). In ten years he plans to have a "fourth career" in social service—numbers one through three being the military, Wall Street, and Oracle.

In the meantime, the characteristic that got Phillips his first job on Wall Street seems to be the same one that is working for him today. "It didn't matter how many people told me 'no,'" Phillips said of his first Wall Street job hunting experience. "I knew I just needed one guy to say yes and I'd have one shot to outwork the rest of the market. And I've been fortunate to benefit from luck, chance, timing, and serendipity—but I'll take those thankfully."

That's more or less the advice he has for anyone interested in following his footsteps. That, and passion. "If you're waking up at five in the morning thinking of ten ideas, you can't wait to get to work, and don't want to leave at ten at night because you didn't get everything done you wanted to do that day"—you're on the right track. "Find something you're good at, passionate about, something you really enjoy," he said. "Things seem to happen when that's the case; you'll get luckier than the next guy because you're at bat more often." ■

Katie Orenstein is a freelance writer living in New York City.

# Joel Schoenfeld '76

Digital Music Entrepreneur  
and Law Teacher

**JOEL SCHOENFELD DESCRIBES HIMSELF AS "ONCE A VERY POOR AND MAYBE** frustrated musician who found that I could still be around music a good part of my life by being on the 'suit' side of the business." Today he is a partner and managing director of Dimensional Associates, a company charged with investing in digital content delivery space by acquiring businesses that create music and other forms of entertainment and other consumer download services for music and video files.

Schoenfeld began his career in the music industry shortly after graduating from New York Law School in 1976, when he worked for the Recording Industry Association of America (RIAA) as executive vice president and general counsel. He remained at RIAA until 1989, when he moved to BMG Entertainment, one of the world's four largest record companies. There he held the positions of general counsel and worldwide head of legal and business affairs.

In 2000, Schoenfeld left BMG to establish his own consulting firm. He wanted to negotiate licenses for technology companies so that they could acquire content such as sound recordings, pictures, television, and games to use on their wireless devices. Schoenfeld consulted for just about every online music service and mobile phone company there is, as well as the World Intellectual Property Organization and the U.S. Copyright Office. He also began his association with Dimensional Associates.

"They were doing fun things," he says of his decision to join Dimensional full time in September 2003. "Delivering digital music is a new area and a brand-new market with a brand-new legitimacy, especially as some of the unauthorized peer-to-peer music services are being closed down." Schoenfeld points out that it's only in the last two years that the legitimate digital delivery market space has started to develop. "Because it's still in its early stages, a lot of people are trying different things and using different digital delivery models—and that's what makes working at Dimensional fun!"

Dimensional currently comprises three digital music services. One of those is eMusic, the first music download service on the Net and the largest independent music download service. Another Dimensional acquisition, The Orchard, is a company that aggregates digital music rights and then resells them, much the way a wholesaler in the physical world would sell to retailers. Dimensional's third acquisition is Digital Club Network (DCN), now called eMusicLive. "A fascinating idea that came out of the dot-com period," says Schoenfeld, "was to 'wire up' clubs that play a lot of edgy independent music so the music can be Webcast, simulcast, or simply recorded for later downloads. DCN put together a network of these clubs from across the United States and developed a catalog of thousands of masters of live concerts."



Photo: Rick Kopstein

Eventually Dimensional intends to acquire more companies and develop them in the same way they developed eMusic, The Orchard, and eMusicLive. Schoenfeld sees "a lot of work to grow the existing companies and then a lot of due diligence on other potential acquisitions. We have significant additional capital to deploy, so we'll be acquiring additional companies and doing the same with them—refining their operations and their business models, and clarifying the legality of their activities."

Schoenfeld says Dimensional's work goes to the heart of recent and accelerating challenges to IP law. Exploring the legal ramifications of digital delivery, he says, advances respect for the law, because after an initial period of unenforceable regulations, things are now being done in compliance with intellectual property laws, as well as with contracts and licenses, in a more careful and methodical way. "Digital peer-to-peer file sharing of music initially created some serious doubts about the ability of current IP law to cover its activity," he points out. "But copyright law still covers this kind of activity quite adequately." Schoenfeld also sees the recent developments in the field of digital music as the reason for the public's growing awareness of IP law and the lawyer's role. "It's heightened the general public's awareness of copyright and intellectual property laws more than anything in my memory. These lawyers are now very recognizable and it's now a significant field, where it hadn't been before."

Schoenfeld shared his knowledge of the legal changes associated with music copyright and peer-to-peer file sharing at a special presentation at the Law School in March, hosted by the Institute for Information Law and Policy. He expects to continue to impart this knowledge when he begins teaching entertainment law at New York Law School this summer. "I've always enjoyed working with students, and speaking with students," says Schoenfeld of his decision to begin teaching. "In each of the positions of my career I've set up internships, both with New York Law School and other law schools, and teaching entertainment law this summer seems to be a logical extension of that. Also, if I end up enjoying it, I want to explore the possibility of doing it more and more." ■



First row, from left: Arthur N. Abbey '59, Gina M. Tufaro '02, Nancy Kaboolian '89, Meagan Zapotocky '03, Paul O. Paradis '90.  
Second row, from left: Mark C. Gardy '84, Richard B. Margolies '01, Charles H. Dufresne Jr. '02.

**New York Law School Alumni at**  
**ABBAY GARDY, LLP**

Arthur N. Abbey '59  
Mark C. Gardy '84  
**Partners** Paul O. Paradis '90

Charles H. Dufresne Jr. '02  
Nancy Kaboolian '89  
Richard B. Margolies '01  
Gina M. Tufaro '02  
**Associates** Meagan Zapotocky '03



# Abbey Gardy, LLP

## Significant Settlement Recoveries

- In re BankAmerica Corporation Securities Litigation, MDL No. 1264 (E.D.) (\$490 million settlement)
- In re Waste Mgmt., Inc. Securities Litigation, No. 97-C-7709 (N.D. Ill.) (\$220 million settlement)
- In re Nextel Communications Securities Litigation, No. 94-4123 (D.N.J.) (HAA) (\$27 million settlement)
- In re Bausch & Lomb Inc. Securities Litigation, No. 94-CV-6270 (W.D.N.Y.) (\$42 million settlement)
- *Steiner v. Aurora Food, Inc., et al.*, No. C-00-602-COO (N.D. Cal.) (\$36 million settlement)
- In re Chambers Development Securities Litigation, 912 F. Supp. 822 (W.D. Pa. 1995) (\$95 million settlement)
- In re Wedtech Corp. Securities Litigation, 86 Civ. 8628 (LBS) (S.D.N.Y.) (\$77.5 million settlement)
- In re Westinghouse Securities Litigation, No. 91-354 (W.D. Pa.) (\$67.5 million settlement)
- *Demint v. NationsBank Corp.*, Nos. 94-995-CIV-T-23E, 94-2094-CIV-T-24, 1998 U.S. Dist. LEXIS 22602 (M.D. Fl. Mar. 24, 1998) (\$30 million settlement)
- In re Seagate Technology, Inc. Securities Litigation, Civil Action No. 17932-NC Delaware Court of Chancery 2001 (\$200 million increase in purchase price)
- In re Cyprus Amax Minerals Company Shareholder Litigation, C.A. No. 17383-NC Delaware Court of Chancery (\$900 million benefit)
- In re Triarc Corporation, Inc., 2001 WL 50207 Delaware Court of Chancery (Obtained \$5 million repayment to corporation from two top corporation executives and surrender of 750,000 stock options)
- In re Aqua Alliance, Inc. Securities Litigation, C.A. No. 17085-NC, Delaware Court of Chancery (\$28 million increase in purchase price)
- In re Travelers Property Casualty Corp. Securities Litigation, No. 17902-NC, Delaware Court of Chancery (\$25.7 million increase in purchase price)
- In re SFX Entertainment Inc. Securities Litigation, C.A. No. 17818-NC, Delaware Court of Chancery (\$34.5 million increase in purchase price)
- In re Waste Management, Inc. Shareholder Derivative Litigation, C.A. No. 17313, Delaware Court of Chancery (\$24.6 million benefit to the company)
- In re Morrison Knudson Corporation Derivative Litigation, C.A. No. 14032, Delaware Court of Chancery (Obtained highly acclaimed corporate governance changes, including agreement that the board be comprised of nonemployee directors, the appointment of seven new directors, and the surrender of significant retirement benefits by board members)
- Paramount Communications, Inc. Litigation, C.A. No. 13117, Delaware Court of Chancery (Obtained preliminary injunction preventing Viacom's acquisition of Paramount without bidding contest by other suitors; ultimately Paramount shareholders received an additional \$2 billion)
- *Carmody v. Toll Brothers, Inc.*, 1723 A.2d 1180 Delaware Court of Chancery, 1998 (challenge to "dead hand" poison pill)

*Abbey Gardy, LLP is a nationally recognized law firm that seeks to protect the interests of institutional and individual investors. Concentrating in the fields of securities fraud, mergers and acquisitions, corporate governance, consumer protection and antitrust law, the firm has successfully litigated cases involving some of the largest corporations in the world, and has earned an excellent reputation for legal representation in both state and federal courts. Located in a townhouse in the Murray Hill neighborhood of Manhattan, the firm is noted for its informal atmosphere and convivial spirit—which, the attorneys point out, help make it the success story that it is.*

**FOUNDED IN 1964 BY ARTHUR N. ABBEY '59, THE LAW FIRM ADDED GARDY**

to its name when Arthur Abbey invited fellow New York Law School alumnus Mark Gardy '84 to become a name partner in 1997. Gardy had been working for the firm since 1983, first as a law clerk while attending school, later becoming partner. Another of the firm's partners, Law School alumnus Paul Paradis '90, joined Abbey Gardy in 2001.

For a relatively small firm, Abbey Gardy has had tremendous success. Its attorneys are frequently appointed as lead or co-lead counsel in federal and state cases that often result in substantial recoveries. In the area of securities fraud alone, Abbey Gardy has recovered in excess of \$1 billion for investors who purchased a company's securities during a period when its stock price was allegedly inflated by fraud. Notably, the firm represented shareholders of Waste Management Inc. in a 1997 suit alleging that the company and its auditors, Arthur Andersen, had violated the federal securities laws by manipulating its financial statements through improper accounting. The defendants agreed to settle for \$220 million. At that time, the recovery represented the highest settlement of a securities fraud class action since the passage of the Private Securities Litigation Reform Act. Another notable recovery was in connection with an action against BankAmerica Corporation. In that action, Abbey Gardy recovered \$490 million from BankAmerica. More recently, the firm has been representing the state of New Jersey in an action alleging state statutory and common-law claims against Gemstar TV Guide International and was appointed co-lead counsel in the shareholder action against Adelphia Communications.

The firm's work in mergers and acquisitions has been just as prominent. Abbey Gardy has represented stockholders in a range of transactions including actions to enjoin company sales at unfair prices and/or on unfair terms; to force management to solicit and consider other offers; to require the disclosure of vital information to shareholders; to set aside the institution of a staggered board; and to protect the non voting and low-voting shareholders from acts of the controlling shareholders in a merger. The firm's success includes litigating an action on behalf of the shareholders of Seagate Technology LLC, challenging a complex leveraged buyout transaction. Plaintiffs alleged that the transaction as initially proposed was the product of an irremediably conflicted process that had led to an unfair price. Through Abbey Gardy's efforts the action was settled for a \$200 million increase in the purchase price. In another notable case, the firm represented the public shareholders of Paramount Communications in an action arising out of the contest between Viacom Inc. and QVC Network for control of Paramount. As a result of the litigation, the public shareholders of Paramount received \$80 per share, well in excess of the original \$69-per-share offer. In addition, the firm successfully litigated an action on behalf of the shareholders of Warner-Lambert. As a result of the firm's efforts, Warner's shareholders were enriched by \$20 billion through a superior merger.

In the area of corporate governance, Abbey Gardy also has extensive experience. The firm has helped remove barriers to permit maximization of shareholder value, gain access to information vital to its clients, and change the composition of corporate board or committee structure. A highly visible success in this area is its work

*For a relatively small firm, Abbey Gardy has had tremendous success. Its attorneys are frequently appointed as lead or co-lead counsel in federal and state cases that often result in substantial recoveries. In the area of securities fraud alone, Abbey Gardy has recovered in excess of \$1 billion for investors who purchased a company's securities during a period when its stock price was allegedly inflated by fraud.*

on behalf of a plaintiff in a shareholder derivative action asserting claims on behalf of Starwood Hotels for various directors' alleged usurpation of corporate opportunity. In response to a demand letter sent by Abbey Gardy's client, independent members of Starwood's Board of Directors investigated the alleged claims. The defendants ultimately agreed to settle all of the claims based upon substantial changes to the corporate governance structure at Starwood.

Finally, in the area of consumer protection and antitrust, Abbey Gardy has distinguished itself by recovering significant damages for businesses and individuals that have sustained losses due to unfair and/or fraudulent business practices. The firm filed a consumer protection case in 1997 seeking class-action status on behalf of certain Sears credit card account holders on a nationwide basis. The plaintiff alleged that Sears had breached the contractual terms of its credit relationships with certain Sears credit card account holders by improperly increasing their interest rates. After receiving substantial discovery from the defendants, Abbey Gardy and its co-counsel negotiated a settlement that was valued at over \$156 million. At that time, the class on whose behalf the case was brought was one of the largest consumer classes ever represented in a class action lawsuit. Another significant case had Abbey Gardy acting as co-lead counsel in a price-fixing class action on behalf of purchasers of shoes sold by Nine West Shoes and its affiliates. As a result of the firm's work, Nine West entered into an agreement with the attorneys general of all 50 states and all U.S. territories to settle the price-fixing claims for \$54 million, to be distributed to women's groups throughout the country.

There is no doubt that, as law firms go, Abbey Gardy, LLP is the little engine that could. Since its inception, the firm has had a commitment to hire associates from the school. In fact, eight of the firm's 17 attorneys are graduates of New York Law School, and all of them continue their connection to the school in one way or another. Mr. Abbey is chairman of the Board of Trustees, and his fellow alumni participate in the Alumni Mentor Program, Career Service Day, and serve as judges in the School's moot court competitions. ■

Editor's Note: Information about the firm has been culled from several sources, including materials provided by Abbey Gardy, LLP.  
Photos: Rick Kopstein

# Arthur N. Abbey '59

Senior Partner

"I LIKED THE INTELLECTUAL PURSUIT," SAYS ARTHUR ABBEY OF HIS decision to become a lawyer. "And I like it as much today as I did when I started more than forty years ago."

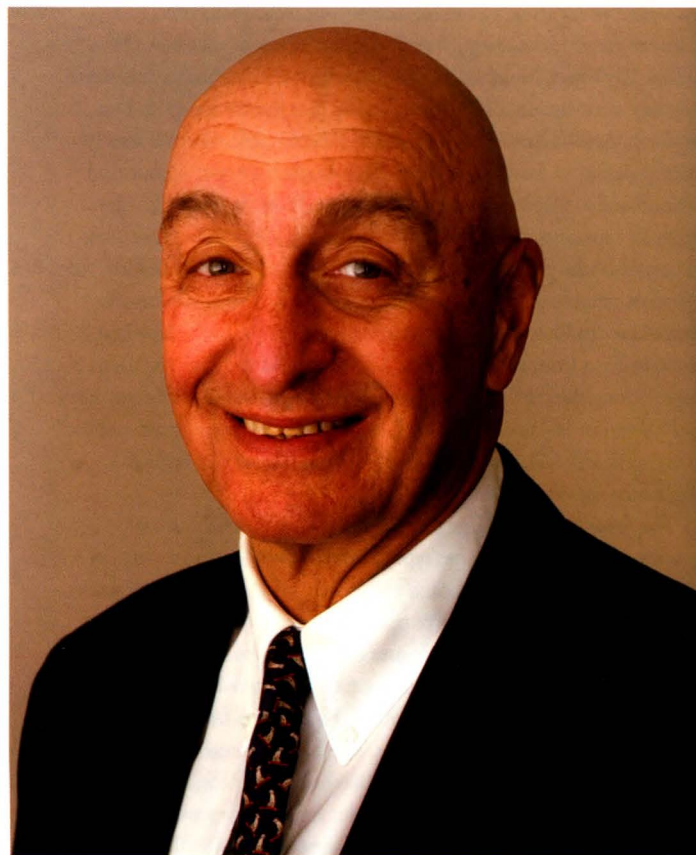
Abbey graduated from New York Law School in 1959 and went on to receive an M.B.A. in corporate finance from New York University's Graduate School of Business Administration in 1961. After working at two small firms, he decided to establish his own.

Abbey is proud of the firm's success over the years, which he attributes to several things. "We work hard and we try to put out a good product. We're firm but reasonable with our adversaries. That helps us resolve cases in ways beneficial to our clients." Abbey describes his function in this as "getting cases off the ground. I'm like a counselor to all the lawyers in all the cases," he explains. "Some cases, they don't need me as much; in others I play a bigger role."

Another factor in the firm's success, according to Abbey, is that since the beginning he has surrounded himself with as many New York Law School graduates as possible. "I'm partial to lawyers from the Law School. We've had good success with them." Abbey points out that the Law School alums at Abbey Gardy span from his generation to the present. "It's very satisfying to be able to say that."

As for his own days at the Law School, Abbey says that his time here gave him a "very, very good background, both substantially and practically. I had excellent teachers. And when I graduated, I felt like a lawyer, not just a student coming out of school." There were fewer than one hundred students in his graduating class, and Abbey marvels that today the school has well over a thousand, with a scope of education that is far bigger and more diverse than his. This growth is of tremendous interest to him because of his position as chairman of the school's Board of Trustees, a position he has held since 1999.

As chairman, Abbey says, his goal is to oversee a curriculum that strikes a balance between the basic, grounding principles of law and students' genuine interest in electives that will prepare them for a career in their specific field of interest. Achieving that balance is challenging in a world of competitive law schools with a tremendous breadth of curricula, he says. But it's his priority, and he works closely with the dean, the faculty, and the administration to accomplish it. "They come to all the Board



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Arthur N. Abbey '59 and partner Paul O. Paradis '90 with summer 2004 interns from New York Law School. First row, from left: Dmitry Tuchinsky 3L, Adam Brown 3L, Abbey, Harris Katz 3L, Paradis. Second row, from left: Etienne Dor 3L, Michael Barrett 2L, Daniel Jurgelewicz 3L.

meetings and report on everything going on with the students, and together we examine how the school is doing. I rely on them for their thoughts and ideas and, ultimately, solutions for making the curriculum even better.”

Abbey's investment in New York Law School doesn't begin and end with his chairmanship. He and his wife, Diane, have established three scholarship funds at the school. The Diane Abbey Public Service Fellowship supports student-employment/summer-intern opportunities in poverty law offices; the Arthur N. Abbey '59 Fellowship pays a summer stipend for one or more interns at the U.S. Attorney's office in the Southern and Eastern Districts of New York; and the Sidney and Mary Abbey Fellowship, named for his deceased parents, provides scholarships to deserving students. About this enormous commitment and show of support to New York Law School, Abbey says humbly, “I try to do anything I can to help.”

Abbey also finds time to lecture or serve as a panel member at seminars such as the Professional Liability Underwriting Society's International Conference, the Federal Bar Counsel Winter Bench &

Bar Conference's Roundtable on Law Ethics, and the Chubb Group Executive Protection Seminar on Litigation Issues, as well as countless PLI, bar association, and other legal seminars.

Abbey says his satisfying career has had many high points. “I've been blessed by having many good results in the courtroom,” he says. Decisions against such industry giants as Nextel Communications and BankAmerica Corporation have resulted in settlements for shareholders in the hundreds of millions of dollars. Still, it's not necessarily the high-profile cases that make Abbey happiest. “There have been cases we've settled for a lot of money, but they don't mean as much as the cases where we've gotten a particularly good decision.” There is, however, one career Everest that Abbey has yet to climb. He's argued cases in almost every court in the country—except for the United States Supreme Court. He acknowledges that it is rare that a civil litigation case would end up there, but is hopeful nonetheless that he might argue one that would be important enough for that court. “I'd be delighted if that happened—and it might! There's always a civil litigation case out there that needs resolution.” ■

# Mark C. Gardy '84

Partner

IN 1983, MARK GARDY WAS GOING TO NEW YORK LAW SCHOOL

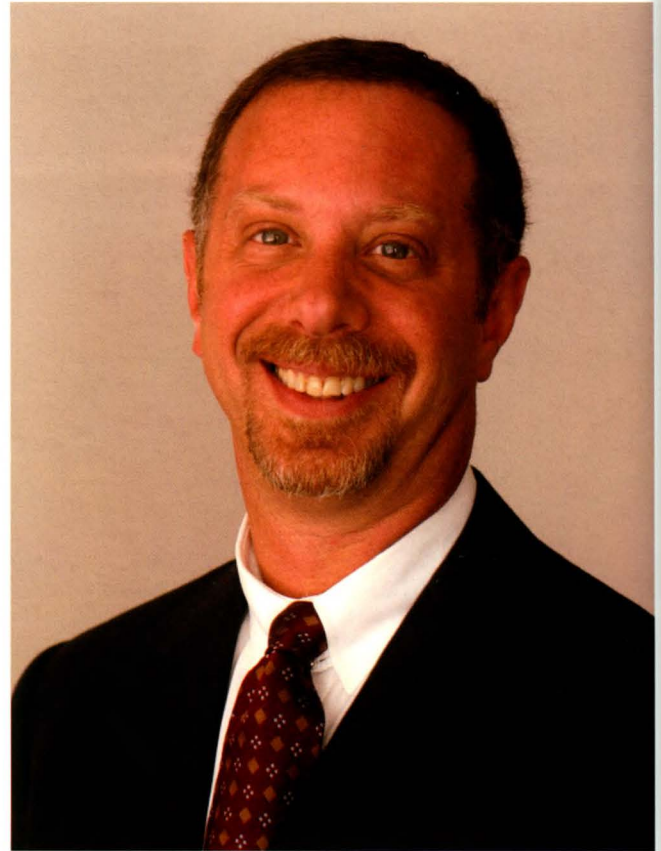
full time and learning how to be a father to his first child. "Life was hectic and I needed a job!" When a friend who worked for the Law Office of Arthur N. Abbey called to say a clerk position was available, Gardy jumped. The next 14 years saw Gardy's rise from law clerk to summer associate to associate to partner. In 1997 he was invited to become a name partner.

Gardy initially wanted to be in the music business. While at Rutgers University pursuing a B.A. in business, he worked for record companies and local bands. "I could tell that the people who ran the music business were lawyers, so I figured that was the way to work my way up." The fact that he ended up a partner at a prestigious firm specializing in securities class-action lawsuits makes him chuckle. "So I got a little sidetracked."

Gardy's function at the firm is new-case generation and client liaison. "Since greed never seems to take a day off, every day there's a new situation to be investigated. This means the work is not mundane or repetitious like that in some other law practices." Gardy points out that the firm has branched out in recent years to represent individuals with large losses as the result of securities fraud, which gives his work an added dimension. As for the high concentration of Law School alums at the firm, Gardy says, "There are so many it's a bit of a standing joke. But without question the result is an atmosphere of camaraderie. We have a lot of shared experiences, which is nice."

Gardy especially enjoys the high-profile cases he often handles. For his work as co-lead counsel in the Waste Management Inc. securities litigation, he obtained a recovery of \$220 million for shareholders. Another case had Gardy as co-lead counsel in the hostile battle between Viacom, Inc. and QVC for control of Paramount. As a result of his efforts, shareholders received an increase in value of approximately \$2 billion. "Arthur and I got to be on Court TV with that one, which was interesting and fun." Gardy is a frequent commentator on corporate governance and securities law issues on CNBC's *Squawk Box*. His musings on the subject also appear in numerous print publications, including *The New York Times* and *Forbes* magazine. Gardy, a parent of three, points out that his kids—and his mother—delight in his media presence.

Looking back, Gardy is grateful that his New York Law School education gave him a set of learning and thinking tools. He remembers Professor Arthur S. Leonard with particular fondness. "I thought he was entertaining and extremely bright." Another professor, George Dent, taught some of the actual cases that Gardy was working on when he was clerking. One thing Gardy may not



want to remember is the grade of his first law school paper. "I thought I'd done brilliantly, but when the paper came back I received either a D or an F!" He went on to graduate *cum laude*, so he can laugh now. "One of the greatest opportunities New York Law School presented me was the connection to Arthur Abbey and the firm. That was fortuitous and it changed my life." ■

# Paul O. Paradis '90

Partner

"I GREW UP AS A KID IN MAINE WITH NO IDEA that I would ever leave Maine—let alone practice law in New York City and work on litigation that involves some of the largest financial scandals in United States history," says Paul Paradis. While he admits to working "long, hard hours," he considers himself blessed. "I enjoy developing and conducting complex investigations. I also enjoy working with, supervising, and training a team of energetic and very capable associates."

Prior to coming to Abbey Gardy, Paradis was a partner at the firms Pomerantz, Haudek, Block and Grossman, and Wolf Popper LLP, both of which specialized in securities cases. During his time at these firms, he worked on a number of cases with Abbey Gardy attorneys. "We got to know each other, so when they invited me to be a partner in 2001, I knew their excellent work and I accepted."

Currently, Paradis is representing Conseco Annuity Assurance Company in a class action against Citigroup. Another current case involves a consumer class action against IBM for having designed, manufactured, and sold defective hard-disk drives to consumers. He is working with Abbey Gardy associate and Law School alumna Gina Tufaro on this case. The two have also worked on a case against Abbott Laboratories in which the company was assessed fines of more than \$800 million, a record-breaking amount. Paradis is also engaged in pro bono work for the firm. He was recently asked to handle a complex litigation that was nearly 10 years old involving foreign properties. "We'd spent hundreds of hours litigating this case prior to its being assigned to me, and I made the decision to waive our firm's fee so that the plaintiffs could get the full benefit of the recovery. Why? Because it was the right thing to do."

Paradis graduated from New York Law School in 1990. Although he was a night student, and worked full time during the day, he still had time to be a member of the *Law Review* and graduate *cum laude*. "My fondest memories are of professors like Dean Bill Bruce and David Chang, who constantly challenged us to think outside the box. Professor Park McGinty taught a memorable and challenging class in corporate finance. And always amusing was torts Professor [Joseph] Koffler—he made us laugh on many occasions."

Paradis stays involved with the Law School. Last summer, he worked with Mark Gardy to develop the first New York Law School summer intern program at Abbey Gardy. "We worked with four great summer interns and we were so pleased that Abbey Gardy became an extern placement for three other students during this school year." Paradis is also going to participate in Abbey Gardy's first-ever on-campus recruiting effort this spring. "We've been overwhelmed with the number of résumés we have received from a large pool of talented New York Law



School students. Narrowing that pool will not be an easy task." Paradis also participated as a Moot Court competition judge last fall at the Law School, where he met two students who are now employed as work-study students at Abbey Gardy.

He finds his efforts to develop and train young lawyers especially gratifying. "Lawyering is really about developing your reputation as a skilled, professional, and courteous advocate," he says. "This is something I try to impart to all the younger attorneys coming into the firm, and I think that Arthur Abbey is a model for all of us in that regard." Beyond being especially proud of his efforts to develop and train young lawyers, Paradis says he is "proudest of being the husband of a practicing child psychologist who endlessly juggles an amazing schedule and of being called Dad by a super 14-year-old daughter and a great 10-year-old-son." ■

## Associates

Associates, clockwise from top left:  
**Charles H. Dufresne Jr., Nancy Kaboolian,  
 Gina M. Tufaro, Meagan Zapotocky,  
 Richard B. Margolies**



### Charles H. Dufresne Jr. '02 Associate

"IT'S VERY COLLEGIAL TO WORK WITH SO MANY NEW YORK LAW SCHOOL alumni," says Charles Dufresne. "It gives us a common bond." After matriculating at Emory University, Dufresne graduated from the Law School in 2002 and shortly thereafter became an associate at Abbey Gardy, where he works closely with Mark Gardy on business development. Not coincidentally, he's receiving his M.B.A. from Fordham University's International Executive Program, where he expects to graduate *summa cum laude*. "A lot of lawyers represent businesses but don't know a lot about the businesses they are counseling. My degree from Fordham gives me a different perspective on my work here." A high point of Dufresne's time at New York Law School was his participation in the Corporate Legal Services for Distressed Small Business project, founded in the wake of 9/11. The project provided corporate legal services to immigrant-owned small businesses downtown. "That was an excellent experience," he says. Dufresne is still engaged with the Law School. Professor Anthony Fletcher, his mentor in securities law, remains a friend. "And I'm in contact with many of my classmates. Being a part of the alumni network was essentially how I became an associate at Abbey Gardy."

### Nancy Kaboolian '89 Associate

NANCY KABOOLIAN IS CELEBRATING HER 20TH YEAR AT ABBEY GARDY, where she started out as a paralegal. "It was 3 a.m., and I was in the middle of sorting exhibits to be filed with a motion for a preliminary injunction to stop some major merger from going through. I thought to myself, 'You are putting it so many long hours, you might as well get your law degree!'" Kaboolian went to New York Law School in the evenings and worked full time during the day at Abbey Gardy. "Fortunately," she says, "when I graduated, Arthur offered me a job as an associate." One of the things Kaboolian likes most about working at the firm is "the atmosphere and the people here—especially the New York Law School alumni." She points out that there have always been Law School alums at the firm, but recently more have been hired. "As a result, I've become more involved with the school again." Recently she participated in the mentoring program, and moot court judging. "The newer alumni have brought me back!"

### Richard B. Margolies '01 Associate

THE ASPECT OF SECURITIES CLASS ACTION LITIGATION THAT RICHARD Margolies most enjoys is its aggressiveness. "We really get to go up against some of the top firms in the securities field." Margolies spent two years in the world of finance before pursuing a law degree at New York Law School. Upon graduating in 2001, he immediately joined Abbey Gardy. "I worked as a summer clerk at Sullivan & Cromwell and someone in career services thought I'd be right for a position at Abbey Gardy. They sent over my résumé and several days later I was hired." Margolies relishes working with so many Law School alums at

Abbey Gardy. "There's a camaraderie because we have the same backgrounds. We're a very tight-knit group." He continues to maintain Law School connections by participating in career guidance seminars for second- and third-year students. "I had a great experience at school, and looking back, I truly believe that New York Law School gave me an A+ education."

### Gina M. Tufaro '02 Associate

"EVERYTHING I LEARNED AT NEW YORK LAW SCHOOL WAS 100 PERCENT transferable to my work in class actions here at Abbey Gardy," says Gina Tufaro. "I apply all of it every day in my job." Tufaro focuses on consumer fraud class actions at the firm, which she enjoys because of the tremendous challenges of the practice. At the Law School, where she graduated *magna cum laude* in 2002, Tufaro served as managing editor of the *New York Law School Journal of Human Rights*. This enabled her to focus on writing while pursuing her J.D., which was key to her experience, she says, and she's grateful to the school for this preparation. In fact, she says "working with so many alums at Abbey Gardy keeps me conscious of the fact that I should be giving back to the school." By participating in alumni and mentoring events, Tufaro is certainly doing so. "I think it's important for graduates working in the field to help Law School students understand the routes that will help lead them into the workforce."

### Meagan Zapotocky '03 Associate

LAW WAS THE LAST THING ON MEAGAN ZAPOTOCKY'S MIND WHEN SHE graduated with a degree in English from Eastern Illinois University. "I wanted to get into writing, but I got a job as a paralegal and found I liked it." That interest led to a desire to explore the law further—which meant law school. "You can only take the case so far as a paralegal!" At the Law School, Zapotocky became interested in pursuing a career in securities law. "I spoke with Dean Matasar, and he recommended Abbey Gardy." Zapotocky graduated *cum laude* in 2003 and immediately went to work at the firm. "Securities law is an extremely challenging field and I knew I wanted to be challenged," she says. "And because there are only eighteen attorneys at the firm, I get more responsibility than I would at a larger firm." Zapotocky was editor in chief of the *Law Review* while at the Law School and continues a relationship with the school by participating in the Mentor Program. "I'm still in touch with so many of the people I went to school with, as well as some professors. I had a great experience at New York Law School."

**Editor's Note:** As *In Brief* went to press we learned that Orin Kurtz '04 has joined the firm.



*A typical Tribeca facade.*

Photo: Corbis.com





From left, standing: Richard P. Mulcahy '02, Jennie Getsin '00, Amy St. Jude Wichowski '02, Sean D. Jensen '01, Associate Dean Barbara Leshinsky, Harold Y. Levy '01, Dean Richard Matasar. Sitting: Jacqueline E. Esposito '01, Associate Dean Carol Buckler, Jerry Carannante '03.

**New York Law School Alumni at**  
SULLIVAN & CROMWELL LLP

**Partner** John E. Estes '95

Jerry J. Carannante '03

Jacqueline E. Esposito '01

Jennie Getsin '00

Kenneth M. Gorsuch '00

Sean D. Jensen '00

Kimberly A. Lebron '01

Harold Y. Levy '01

Richard P. Mulcahy '02

Rosemarie D. Robinson '01

James J. Vieceli '98

**Associates** Amy St. Jude Wichowski '02

# Sullivan & Cromwell

## Timeline

1879

Domestic and international finance has always been at the heart of the firm's work. Prior to World War I, Sullivan & Cromwell represented European bankers and bond syndicates financing the development of America's railroads and industrial infrastructure. Notable during this period was Cromwell's work leading to the construction of the Panama Canal. As international capital flows diversified and increased, the firm responded by opening offices in Berlin and Buenos Aires. By 1928, Sullivan & Cromwell's facilities in Paris had been expanded into a full-service office. The firm developed close relationships with leading financial intermediaries on both sides of the Atlantic which continue to this day.

1929

The Great Depression and its aftermath reoriented much of Wall Street, and Sullivan & Cromwell was called on to assist clients in confronting a burst of government involvement in business affairs and a new wave of business-related litigation. During this period the firm developed its expertise in defending shareholder derivative litigation and antitrust actions, and was among the first law firms to develop expertise in the field of federal income tax law. A series of new federal statutes, beginning with the Securities Act of 1933, was enacted to regulate the investment industry, and Sullivan & Cromwell prepared the first major registration statement under the Securities Act. The firm's substantial involvement in, and important contributions to, securities offerings and securities regulation have continued since that time. During and after World War II, individual members of the firm, including partners such as John Foster Dulles and Arthur Dean, also played important roles in domestic politics and international affairs.

1969

During the past three decades Sullivan & Cromwell has grown gradually in response to the increasing volume and complexity of its clients' affairs, developing leading practices in areas such as mergers and acquisitions, banking regulation, real estate finance, and derivatives. The firm's work in cross-border capital flows has continued, including substantial involvement in foreign direct investment and project finance, the development of the Euro and other global capital markets, and the financial flows to Asia and Latin America. As the expansion of the scope and nature of the firm's practice required Sullivan & Cromwell to have lawyers in locations more convenient to clients, domestic branches were opened in Washington, D.C., in 1977, Los Angeles in 1984, and Palo Alto in 2000. Overseas, the Paris office, closed during World War II, was reopened in 1962, and offices were opened in London in 1972, Melbourne in 1983, Tokyo in 1987, Hong Kong in 1992, Frankfurt in 1995, Beijing in 1999, and Sydney in 2001.

2004

*From its earliest involvement in the formation of Edison General Electric Company in 1882 and United States Steel Corporation in 1901, to its present work with some of the world's premier companies, Sullivan & Cromwell has been closely involved in the affairs of America's greatest industrial, commercial, and financial enterprises.*

FOUNDED IN NEW YORK CITY BY ALGERNON SYDNEY SULLIVAN AND William Nelson Cromwell in 1879, Sullivan & Cromwell today has three additional domestic offices—in Washington, D.C., Los Angeles, and Palo Alto, California. The firm also has an international presence, with offices in Paris, London, Melbourne, Tokyo, Hong Kong, Frankfurt, Beijing, and Sydney. These offices span three continents and link the world's dominant financial centers. As a result, the firm conducts what many consider to be the strongest international practice of any premier U.S. firm.

Over the course of the last few decades, Sullivan & Cromwell has grown to approximately 700 lawyers, of whom 156 are partners. Of these, nine associates are graduates of New York Law School, as is one of the firm's partners. All of Sullivan & Cromwell's lawyers are involved in four primary practice groups: General Practice/Corporate, Litigation, Tax, and Estates and Personal. Legal services in these areas are provided to industrial and commercial clients, in industries as diverse as aviation, consumer electronics, mining, petroleum, software, telecommunications, and utilities. Services also include capital markets transactions as well as antitrust, intellectual property, and other areas of litigation. The firm also works with financial enterprises, including a number of the leading investment banks in the United States, Europe, Asia, and Latin America, as well as commercial banks, investment companies, insurance companies, governments, and governmental bodies. The firm also offers its services to educational, charitable, and cultural institutions; individuals; and estates and trusts.

Sullivan & Cromwell is proud of its pro bono practice as well. The firm consistently ranks among the leaders of large firms participating in pro bono and other public service activities. In the last eight years alone they have spent more than 30,000 hours per year on these endeavors and other public service matters. This work has yielded landmark cases, and leading advocacy on behalf of the poor. ■

Editor's Note: The information on the firm has been culled from materials provided by Sullivan & Cromwell.

# John E. Estes '95

Partner

WHEN ASKED ABOUT HIS DECISION TO BECOME A LAWYER, JOHN ESTES points squarely at New York Law School. "After the first couple of courses, I was hooked," he says. What followed was "an insatiable appetite to continue to study law and then face the challenges that this very exciting profession has to offer."

Estes has been at Sullivan & Cromwell for almost ten years. He began at the firm as a summer associate between his second and third years of law school, became a law clerk during his last year of study, and was hired as a full-time associate upon graduating in 1995. In January 2002 he was elected a partner. He is one of two Sullivan & Cromwell lawyers based in Australia, where he has spent about half his time since joining the firm.

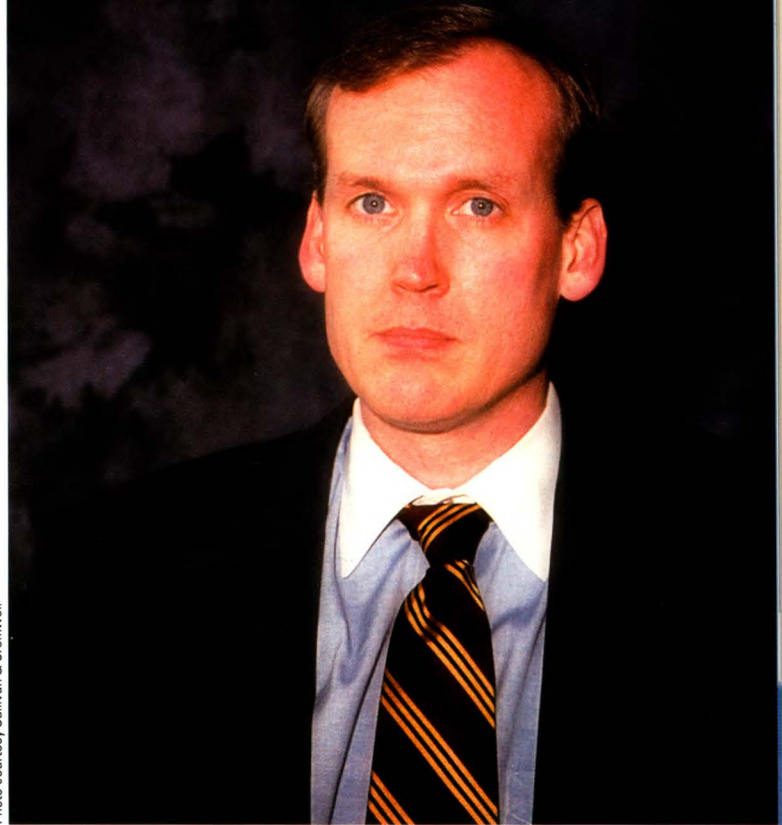
"I chose Sullivan & Cromwell because of its breadth of practice, the depth of its international presence, its prestige, and its reputation for merit-based advancement," he says. For the most part, Estes' practice has been focused on capital markets work involving non-U.S. issuers, joint venture, and project finance. He's also done a fair amount of initial public offering work, as well as a significant volume of debt offerings. Estes has played major roles in many of the firm's prominent matters, but perhaps his most notable work was on the privatization, initial public offering, and New York Stock Exchange listing of Telstra Corporation Limited, the major Australian telecom. This was the largest public offering out of Australia and one of the largest global initial public offerings ever, at approximately \$10 billion. He has also had major roles in the initial New York Stock Exchange listing of UBS, AG; the project financing of the Early Oil Project in the Caspian Sea, which involved a number of major international oil companies; and the \$14 billion global bond offering by Deutsche Telekom, which at the time was the largest public bond deal ever. More recently he has been involved in a number of significant merger transactions in Australia.

"What I like most about the practice at Sullivan & Cromwell is its diversity," he says, "and the novel issues and new, complex structures of the transactions that come across our desks." He also very much enjoys the opportunity to work with new clients in dramatically different industries—in particular, with clients looking to become public companies for the first time.

"You really have to have a deep understanding of these nascent companies in order to properly advise them. I also find this area of practice to be the most rewarding, as these new issuers are generally tremendously appreciative of the valuable service that is provided to them."

Estes' extraordinary career began at New York Law School, where he was an Evening Division student, working full time during the day

Photo courtesy Sullivan & Cromwell



*"I chose Sullivan & Cromwell because of its breadth of practice, the depth of its international presence, its prestige, and its reputation for merit-based advancement."*

—John E. Estes '95

at The JLS Group as an insurance and risk management consultant. "The Law School was invaluable," he says. "It prepared me well for the demanding schedule of Wall Street lawyers." Estes remembers distinctly that "all of us in the evening program were there because we had a strong desire to develop and move forward in our careers. This made for very serious-minded classes.

In spite of work commitments in Australia that make it hard for Estes to stay involved with the Law School as much as he would like, he did recently organize a luncheon at Sullivan & Cromwell with Dean Matasar and Law School alumni. He's also stayed in touch with the Moot Court Association and has volunteered as a judge in a few competitions. "I think the dean is doing a good job and I'm pleased to see the developments at the school, including the new clinics and the school's reach in the legal community," he says. "These are very important steps for the school to continue to enhance its reputation in the New York legal market." ■

Associates, clockwise from top left: **Jerry J. Carannante, Jacqueline E. Esposito, Jennie Getsin, Sean D. Jensen**  
 Not pictured: **Kenneth M. Gorsuch, Kimberly A. Lebron**



**Jerry J. Carannante '03**  
 Associate

JERRY CARANNANTE DECIDED TO BECOME A LAWYER BECAUSE OF “THE intellectual challenges and the truly complex nature of the law. No matter how good or experienced you are, there is always something new and quite complicated that you must resolve.” Carannante works in the Corporate Department of Sullivan & Cromwell, where he focuses primarily on mergers and acquisitions. He enjoys this work because of the extremely high profile clients, and the deals he and his colleagues handle for these clients. “Our work is reported in *The New York Times* and *The Wall Street Journal* on a daily basis—often on the front pages—and that’s very exciting.” Carannante joined Sullivan & Cromwell in 2003, after graduating from New York Law School. He maintains connections with the school by attending alumni events, and through the bond he shares with the alumni at the firm. “Since it’s such a large firm, it’s great to start out working with people you already know.”

**Jacqueline E. Esposito '01**  
 Associate

JACQUELINE ESPOSITO PRACTICES MOSTLY WHITE-COLLAR CRIMINAL defense and securities fraud litigation at the firm. Because of this work she finds herself “constantly challenged by groundbreaking legal questions and issues that have a tremendous effect on the securities industry.” She has also worked on a number of pro bono matters during her time at Sullivan & Cromwell. “Last year we saved the life of a death row inmate in Oklahoma. At the eleventh hour the prosecutor agreed to life without parole. It was a moment in my career I will never forget.” Esposito joined Sullivan & Cromwell in September 2001, after graduating the previous June from New York Law School. She enjoys the camaraderie of working with other New York Law School alums at the firm. “We have an understanding of one another that is very refreshing.” Of her time at the school, she says, “I was fortunate enough to enroll in courses that appealed to me, like those in civil rights. While the core classes are vital, it is important to broaden your horizons a bit. New York Law School gave me the opportunity to do that.” To this day, Esposito looks to the faculty and administration for advice. “I am always pleased with their commitment to the alumni.”

**Jennie Getsin '00**  
 Associate

JENNIE GETSIN SPECIALIZES IN BLUE-SKY LAW, OTHERWISE KNOWN AS STATES securities law, and NASD regulations at Sullivan & Cromwell. She has been an associate at the firm since 2000, when she graduated from New York Law School. “Going to law school was very intimidating for me,” she says, “but I loved being at New York Law School. The faculty exceeded all my expectations. They taught me to be proactive about my career and work hard to get what I want.” Of her fellow classmates, Getsin says, “The students were pleasant and down-to-earth. I’m proud and reassured in my belief that New York Law School students are just as talented—if not more so—than graduates from some of the best law schools in the country.”

**Kenneth M. Gorsuch '00**  
 Associate

KEN GORSUCH SPECIALIZES IN commercial real estate. “We have a diverse real estate practice, which allows me to do a wide variety of work in that area,” he says. Gorsuch had been in the United States Navy for six years before college, so he felt right at home at New York Law School among other students who were pursuing a second career. “I wasn’t the only one pushing 30! I realized that New York Law School was the right school for me.” Gorsuch graduated in 2000 and was hired by Sullivan & Cromwell in October of that year. Working at Sullivan & Cromwell with so many accomplished lawyers has made him realize something else about his time at the Law School. “The education I received there was no different from the one I would have received at Harvard or Yale.”

**Sean D. Jensen '00**  
 Associate

SEAN JENSEN WAS WORKING FOR A NEW YORK CITY GENERAL CONTRACTOR, Nab Construction Corporation, when he entered New York Law School as an evening student. “My initial goal was to supplement my engineering/project-management career with a law degree.” Jensen continued to work at Nab for the first three years of law school. In his final year at New York Law School, he was given the opportunity to work as a law clerk at Sullivan & Cromwell. After graduating, he became an associate at the firm, where he specializes in corporate finance involving securities offerings and ’34 Act filings. “My work gives me a sense of accomplishment when a deal closes or a filing is made. During a deal, especially when a large number of parties are involved, a significant amount of time and effort goes into creating the perfect work product. When everybody is happy at the end of the day, the sense of accomplishment can really be fulfilling.”

**Kimberly A. Lebron '01**  
 Associate

WHEN KIMBERLY LEBRON GRADUATED FROM NEW YORK LAW SCHOOL IN 2001, she gave the graduation speech. “I spoke about our responsibility as graduates to represent ourselves and our school with the utmost respect, integrity, and pride.” Lebron, an Evening Division student, remembers her Law School experience as “terrific, because the faculty and staff were really great at making sure the Evening Division students received the same high-quality education as the Day Division students.” She mentions that many of her former professors are still mentors. “Professors Chang, Benson, Morgan, and Rostain, to name just a few, always make themselves available when I am contemplating professional decisions.” At Sullivan & Cromwell, which she joined in September 2001, Lebron specializes in corporate finance and real estate law. She enjoys “working as part of team toward a common goal.” And she’s inspired to see so many alums at the firm. “It’s a healthy reminder of how much progress the school has made over the years.”

Associates, clockwise from top left: **Harold Levy, Richard P. Mulcahy, Rosemarie D. Robinson, Amy St. Jude Wichowski** Not pictured: **James J. Vieceli**



**Harold Levy '01**  
Associate

AFTER RECEIVING A B.A. IN JUDAIC STUDIES AND COMPARATIVE RELIGION from the University of Florida, Harold Levy decided he wanted a law career. "I wanted to obtain a professional degree that would benefit me in various professions." He graduated from New York Law School in 2001 and became an associate at Sullivan & Cromwell that fall. He specializes in real estate and corporate and finance, which he enjoys because "it's a constant challenge." In his spare time, Levy is an active member of the American Israel Public Affairs Committee (AIPAC). He's also done estate planning for indigent AIDS patients and represented indigent battered women in divorce, custody, visitation, and relocation trials. Levy said he "had a great experience at New York Law School. I found the subject matter interesting and I made very close friends that I still talk to on a daily basis."

**Richard P. Mulcahy '02**  
Associate

RICHARD MULCAHY WORKS IN THE GENERAL PRACTICE GROUP ON corporate finance transactions. He joined the firm in October 2002, having been a summer associate at Sullivan & Cromwell the year before. He finds the firm "an excellent place to learn. My colleagues here are extremely bright people." While attending law school, Mulcahy worked during the day as a senior claims analyst for Zurich Reinsurance North America Inc. He found that since so many of his Evening Division classmates also had full-time jobs, "the class was very mature and focused." Today Mulcahy is heartened by the presence of fellow alumni at the firm. "I think it says a lot about Sullivan & Cromwell."

**Rosemarie D. Robinson '01**  
Associate

ROSEMARIE ROBINSON JOINED SULLIVAN & CROMWELL IN SEPTEMBER 2001 after graduating from New York Law School. She specializes in corporate finance and mergers and acquisitions. She also volunteers in the firm's pro bono program, providing legal services to indigent inpatient and outpatient AIDS victims at New York Presbyterian Hospital's Center for Special Studies and its related Chelsea clinic. Robinson credits courses she took at New York Law School with creating the basis of her practice today. "The faculty gave me the fundamental knowledge of corporate law and the confidence to practice that area of law at Sullivan & Cromwell. In fact, I still have some of my law school outlines in my files and refer to them constantly."

**Amy St. Jude Wichowski '02**  
Associate

WHEN AMY WICHOWSKI graduated from New York Law School in 2002, she received the Trustees' Prize for the highest grade point average. "I had an absolutely wonderful experience at the Law School. The professors are a wealth of information and advice. I developed mentor relationships with many of them while I was there, and I still go to these individuals for advice." Wichowski joined Sullivan & Cromwell in October 2002 and works in the Estates and Personal Practice Group. She also does a considerable amount of pro bono work in the estate planning area for organizations such as the Elder Law Program, sponsored by the Association of the Bar of the City of New York, and New York Presbyterian Hospital. Wichowski maintains connections with the Law School by being involved in the mentoring program, the practice interview program run by the Office of Career Services, the moot court competitions, and the annual Spotlight on Women luncheons. She considers herself "lucky to have a good number of my Law School peers here at such a large and prestigious firm. We are all very supportive of one another."

**James J. Vieceli '98**  
Associate

AFTER WORKING WITH SULLIVAN & CROMWELL AS A SUMMER ASSOCIATE between his second and third years of law school, and clerking with the firm during his third year, James Vieceli joined Sullivan & Cromwell as an associate in 1998. He started out working in the firm's Los Angeles office, moved to its Palo Alto office when it opened in 2000, and for the past eighteen months he's been in the firm's London office. As a member of Sullivan & Cromwell's General Practice Group, Vieceli has experience in advising on securities offerings for U.S. and non-U.S. companies, private equity transactions, general corporate work, and mergers and acquisitions. "I enjoy working on challenging and complex transactions with people at the top of their profession and being part of a team that is committed to producing excellent results for its clients," Vieceli says. He looks back fondly on his time at New York Law School. "The courses I took were engaging and interesting. Most importantly, the professors were excellent and very approachable."

**Editor's Note:** As *In Brief* went to press we learned that Harold Levy '01 has left the firm.



*The Brooklyn Bridge at twilight.*

Photo: Corbis.com

# News Briefs



# Broad Student Center Provides Gallery Space to Exhibiting Artists

## THE SHEPARD AND RUTH K. BROAD STUDENT

Center is a crossroads of the Law School, where everyone—particularly students, but also faculty and staff—congregates at one time or another to eat, socialize, study, and conduct events. Many, however, are unaware that the student center serves another purpose—one that places the Law School squarely within the thriving art scene of Lower Manhattan. As an informal gallery space, the Broad Center is frequently the host of art exhibits featuring the work of noted artists in a variety of media, often staged by the Organization of Independent Artists (OIA), a TriBeCa-based, not-for-profit group that promotes and exhibits the work of unaffiliated artists. The Broad Center also stages its own art shows to commemorate special events and holidays and to showcase the work of artists among the Law School's own faculty, staff, students, and alumni.

On January 15, 2004, artists and art lovers braved frigid winter weather to attend an artists' reception for the OIA exhibit "Pattern into Pattern" in the center. It featured the work of four artists who use or make patterns from diverse materials, including paper, fabric, and wood—Laurene Krasny Brown, David Cummings, Barbara Ellmann, and Judith Landsman, who also curated the exhibit.

Geraldine Cosentino, director of OIA, expressed appreciation for the ongoing relationship between her organization and the Law School. "The school is always very receptive to the work done by our artists. We're very grateful."

(For those wondering whether artist Barbara Ellmann and Associate Dean for Faculty Development Stephen Ellmann are related—she is his cousin, and his association with the Law School was an incentive for her participation in the "Pattern into Pattern" exhibition.)

During March and April, the center hosted another OIA exhibition featuring the work of twenty-five members of the St. John's University Department of Fine Arts. The OIA exhibit "Made in Brooklyn," which went up in late April, presented the work of seven contemporary Brooklyn-based artists: Diane A. Conlon, Evelyn Duffy, Louis Ebarb, Dorcas Gelabert, Thomas Kocsis, Robertta Louise, and Yeachin Tsai. Gelabert was also the curator of the exhibition, which ran through early June.

According to Robert Cook, accounting manager and the head of New York Law School's Art Committee, the school has had an



association with OIA for approximately seven to eight years. "The school had a previous relationship with an art gallery and exhibited its artists' works until the gallery went out of business," Cook said. "At that point, a member of the Art Committee, who was also an artist and knew about OIA, approached them and offered the Broad Center space as a venue for its artists to show their work," establishing the collaborative relationship that continues to this day.

As head of the Art Committee, Cook organizes an annual exhibition of the work of New York Law School artists—faculty, staff, students, alumni, and even relatives of members of the Law School community. Traditionally, this exhibit runs from July to early September. Cook is always looking for new artists to take part in the show; if you have an interest in participating, or would like more information about Broad Student Center art exhibits, contact Cook at 212.431.2321 or rcook@nyls.edu.

The Shepard and Ruth K. Broad Student Center, dedicated in 1993, was endowed by Shepard Broad '27 and his wife, Ruth K. Broad. One of the Law School's most distinguished alumni, Shepard Broad was a philanthropist and a humanitarian as well as a founder of Broad and Cassel, one of Florida's largest law firms. He passed away in 2002, and was posthumously awarded the President's Medal, the Law School's highest honor, in 2003. ■

—Edith Sachs

# ABA's Dennis Archer on Diversity in the Profession



Photo courtesy ABA

*“The legal profession can’t afford to lose the broad range of talent, perspective, and experience that people of diverse backgrounds can bring to it. We should cherish and celebrate diversity. It is something we win on. It allows us to understand how to compete.”*

—Dennis Wayne Archer

## CALLING ON LAW SCHOOLS TO ADDRESS THE SCARCITY OF LAWYERS OF COLOR

at all levels of the legal profession, ABA President Dennis Wayne Archer reminded an overflow Law School audience at the Wellington Conference Center on January 13 that persons of color today represent only 10 percent of the licensed lawyers in the United States.

Archer, an African American, is the first person of color to hold the American Bar Association’s top office. He was elected to that post in August 2003.

“The past is not pretty,” he said, recalling the somewhat turbulent historical relationship between the ABA and lawyers of color. Until 1943, lawyers applying for membership in the ABA had to list their ethnicity, he noted, and it was not until 1948 that the first lawyer of color joined their ranks. For years, many lawyers of color were prohibited from using the libraries at courthouses all over the country.

Archer took special note of the importance of the late United States Supreme Court Justice Thurgood Marshall. As an attorney, Marshall won twenty-nine of the thirty-two cases he argued before the United States Supreme Court, perhaps none more significant than *Brown v. Board of Education* in 1954, which Archer called “the seminal case that made the difference for me and so many others.”

Speaking on “Diversity in the Legal Profession,” he called for more aggressive minority recruiting in law schools, and increasing faculty diversity so that minority students do not feel isolated. He bolstered his

argument by pointing out that 10 percent of minority students accepted into law school never matriculate, and 20 percent of those who do enroll drop out without finishing.

“The legal profession can’t afford to lose the broad range of talent, perspective, and experience that people of diverse backgrounds can bring to it,” he said. “We should cherish and celebrate diversity. It is something we win on. It allows us to understand how to compete.”

Last October, Archer noted, the ABA hosted a summit in Washington, D.C., “Opening the Pipeline.” It focused on bringing more people of color into legal practice, into the judiciary, into the offices of corporate general counsels, and into the halls of leadership in the legal profession.

As promoters of the rule of law, lawyers have a special obligation to be leaders on this issue, he said. He cited the heavy debt faced by law graduates as another serious issue facing the profession.

Archer previously served as mayor of Detroit and as a Michigan Supreme Court justice. He served two four-year terms as mayor of Detroit from 1994 to 2001, and was president of the National League of Cities in 2001. After leaving the Detroit mayor’s office in 2001, Archer was elected chairman of Dickinson Wright PLLC, a two-hundred-person Detroit-based law firm with offices in Michigan and in Washington, D.C. He received his J.D. degree from Detroit College of Law in 1970 and later taught there as an associate professor. ■

# Community Forum on HIV/AIDS Education Hosted by Law School

THE FAILURE OF CITY SCHOOLS TO ADEQUATELY EDUCATE YOUNG PEOPLE about the dangers of HIV/AIDS is contributing to a “public health crisis” among young people here. That was the message given to more than two hundred attendees at a January 14 community forum on HIV/AIDS education in New York City’s public schools.

Sponsored by the New York AIDS Coalition’s Public School Task Force, the forum was hosted by the Law School’s Office of Public Affairs as part of its community outreach program.

Joe Pressley, executive director of the New York AIDS Coalition, opened the program with some sobering statistics: By current estimates, at least 50 percent of all new HIV infections nationwide are among people under the age of twenty-five. Three-quarters of HIV-positive youth are racial and ethnic minorities. Within New York City, there were 5,525 people ages 13–29 living with HIV/AIDS as of September 2002.

Robert Foxx, twenty-two, a program coordinator for Youth Organizers United, a youth-led and -run organization that informs and educates the public on sexual and reproductive health issues affecting young people, reported on a recent survey by the group. It found that knowledge of HIV/AIDS and how it is transmitted is woefully low among young people in New York City.

Scott Stringer, New York State assemblyman for the 67<sup>th</sup> Assembly District, echoed some of Foxx’s comments in noting the failure of public schools to live up to mandates for providing HIV/AIDS education.

“This doesn’t work for kids, this doesn’t work for parents, this doesn’t work for the city,” he said. “I’m hoping we can build that coalition to make change.”

A study of the city school system’s health programs for kindergarten through eighth grade conducted by Stringer’s office last year found that more than 60 percent of school districts are violating state or city rules regulating the way students learn about drug abuse, AIDS, and sex education. The study was based on two months of interviews with twenty-seven of the city’s thirty-two district health coordinators.

According to a story in *The New York Times* in June 2003, the study found that schools lack trained health teachers, teach using outdated textbooks and curricula, and in some cases do not even offer health classes. Stringer told the *Times* that the Department of Education needed to reassess its health programs and create a better oversight system, calling the current situation “disgraceful.” At the forum, Stringer announced that his office would hold a special hearing in Manhattan on February 5 to discuss the study as well as many of the issues raised at the forum.

Roger Platt, M.D., director of the Office of School Health, a joint initiative of New York City’s Department of Education and its Department of Health and Mental Hygiene, said public schools face

*By current estimates, at least 50 percent of all new HIV infections nationwide are among people under the age of twenty-five. Three-quarters of HIV-positive youth are racial and ethnic minorities. Within New York City, there were 5,525 people ages 13–29 living with HIV/AIDS as of September 2002.*

myriad challenges in providing HIV/AIDS education, not the least of which is an inadequate number of educators qualified to teach the curriculum. He said the city’s school health program, including HIV/AIDS education, is in the process of being revised and revamped.

While Platt said he expected the situation to improve in the coming year, others on the panel challenged him and the city to act more quickly and cooperatively to fix the problem.

Carla Goldstein, vice president for public affairs and director of the Othmer Institute at Planned Parenthood of New York City, said she and others who were involved in shaping HIV/AIDS education during the 1980s deserve some blame for the current situation for not pushing harder in the face of opposition from conservatives.

“We are facing a public health crisis here in New York City,” she said.

The members of the Public School Task Force include the office of Assemblyman Scott Stringer, Bailey House, the Gay Men’s Health Crisis, the Hispanic Federation, Inwood House, Love Heals, the New York AIDS Coalition, NYCLU, Planned Parenthood of New York City, the Sexuality Information and Education Council of the United States (SIECUS), YouthBASE, and Youth Organizers United. ■

—Jim Hellegaard



From left: Puerto Rican Bar Association President Dolly Caraballo; Justice Lucindo Suarez, Appellate Term, First Department; Brooklyn Criminal Court Judge Margarita Lopez Torres; Manhattan Supreme Court Justice Faviola A. Soto '78; and Jorge Sastoque 3L of LaLSA.

## Hon. Faviola A. Soto '78 Among Judges Honored by PRBA

### THREE TOP LATINO NEW YORK JUDGES WERE HONORED AT THIS YEAR'S

Three Kings Day celebration on January 7. It was hosted by the New York-based Puerto Rican Bar Association (PRBA) and the Law School's Latino Law Students Association.

The event recognized the Honorable Lucindo Suarez, presiding justice of the New York State Supreme Court, Appellate Term, First Judicial Department; the Honorable Faviola A. Soto '78, justice of the New York State Supreme Court, New York County; and the Honorable Margarita Lopez Torres, judge of the Criminal Court of the City of New York, Kings County branch.

Justice Soto, who is the first person of Dominican descent to serve on the bench in New York state, spoke fondly of her time as a student at New York Law School in the mid-1970s.

Three Kings Day (Día de los Reyes) is celebrated in the Latino community beginning on January 6, twelve days after Christmas. PRBA holds its annual judicial reception during the period of observance.

More than fifty people, including lawyers, judges, New York Law School alumni, and students, attended the event, held in the Law School's Stiefel Reading Room. ■

## Sgt. Edward Lora, Returned from Active Duty, Presents Flag to New York Law School

### ON OCTOBER 21, 2003, NEW YORK LAW SCHOOL HELD A WELCOME-BACK

reception for Edward Lora, stewardship associate in the Office of Institutional Advancement, who had recently returned from a six-month deployment in Iraq with the United States Marine Corps. During the reception, Lora presented Dean Matasar with an American flag that had flown over the Rumaylah oil fields in Iraq on April 16, 2003, as a special thank-you to Law School staff who supported him during his deployment. Lora, a reservist with Alpha Company, Sixth Communications Battalion, based in Amityville, New York, also presented a certificate signed by his commanding officer, Major Paul T. Wolfrom, attesting to the authenticity of the flag. ■





From left: John J.P. Howley '89, Professor Carlin Meyer, Lewis M. Steel '63.



Director of Student Life Sally Harding



Professor Mariana Hogan

Photos: Rick Kopstein

## Public Interest Auction Funds Fellowships

**THE NEW YORK LAW SCHOOL PUBLIC INTEREST COALITION (PIC) AND THE** Office of Public Interest and Community Service raised more than \$30,000 to support summer positions for students at the annual PIC Dinner and Auction on Thursday, March 25, in the Ernst Stiefel Reading Room.

More than one hundred people, including many alumni, attended this year's dinner honoring John J.P. Howley '89, partner, Kaye Scholer LLP; Lewis M. Steel '63, partner, Steel Bellman Ritz & Clark, PC; Professor Carlin Meyer; and the Summer 2003 Public Interest Fellows.

Speakers were selected who would be inspirational to students interested in public interest law, said Helena Prigal, who heads the Office of Public Interest and Community Service. Howley was honored for his pro bono work on death penalty cases, Steel for his career as one of the top civil rights lawyers in New York, and Professor Meyer for her work on behalf of social justice.

"We thought it showed a range of ways to have a career that's connected to the public interest," Prigal said.

Auction items—many donated by faculty—included Yankees and Knicks tickets, restaurant lunches and dinners, VIP passes to *The Late Show with David Letterman*, Bar/Bri discount certificates, tickets to Broadway shows, New York Philharmonic tickets, a pearl necklace and earring set, and dinner for six prepared by the chefs/firefighters of Engine Company 7—Ladder Company 1 on Duane Street.

Money raised through the live and silent auctions will support summer positions for students in public interest positions that would otherwise be unpaid. Several 2003 Public Interest Fellows who benefited from last year's auction were at the dinner, Prigal said.

"We showed the attendees who the beneficiaries are," she said. "So people were actually seeing the students the money goes to support." ■

# Trustees Update

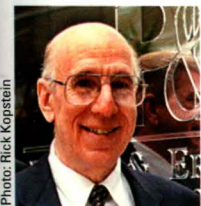


Photo: Rick Kopstein

## Steven E. Pegalis '65

Steven E. Pegalis '65 and his law partner Stephen E. Erickson '78 have now won what are reported to be three of the four largest medical malpractice verdicts ever awarded in New York State.

In January 2004, Pegalis won the reported largest verdict on Long Island when a civil jury in State Supreme Court in Riverhead awarded his client, Danielle Reden, age six, the sum of \$111.7 million.

The suit was successfully prosecuted against the three doctors who assumed the responsibility to manage the pregnancy of Danielle's mother, Elizabeth. Five days prior to Danielle's birth, her mother reported that her baby was not moving vigorously as had previously been a consistent daily observation. The testing showed that Danielle was not yet damaged. Had the doctors continued to test they would have learned that Danielle was deteriorating (rather than "healthy," as the doctors erroneously assumed).

Danielle could have been delivered prior to irreversible brain damage, which has left her dependent upon others for all activities of daily living.



Photo courtesy C. Phillips

## Charles E. Phillips Jr. '93

Charles E. Phillips Jr. '93 was promoted in January 2004 to the position of president of Oracle Corp., along with fellow former executive vice president Safra A. Catz. The announcement came after Lawrence J. Ellison stepped down as chairman but remained as

CEO, and CFO Jeff Henley succeeded Ellison as Board chairman as part of the company's executive realignment. Phillips also was named to Oracle's Board of Directors. He joined the Redwood Shores, California-based database and software company in May 2003, after a stellar career as a financial analyst commenting on trends and players in the software market. Prior to Oracle, he worked for Morgan Stanley Dean Witter and, as of 2000, had been ranked No. 1 financial analyst by *TheStreet.com* and *Institutional Investor* magazine for nine consecutive years. Prior to his career on Wall Street, Phillips served in the U.S. Marine Corps, attaining the rank of captain.

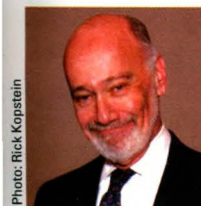


Photo: Rick Kopstein

## Hon. Ernst H. Rosenberger '58

Hon. Ernst H. Rosenberger '58, former associate justice of the New York State Supreme Court, Appellate Division, First Department, has joined the Litigation Group of Stroock & Stroock & Lavan LLP in Manhattan as of counsel. Before his

retirement in February 2004, Justice Rosenberger had served in the Appellate Division since his appointment by Governor Mario Cuomo in 1985. He had subsequently been reappointed by Governor George E. Pataki. He sat on more than 15,000 criminal and civil appeals from the highest trial courts of New York. Prior to being named to the Appellate Division, Justice Rosenberger served as a justice of the New York State Supreme Court from 1977 to 1985. Justice Rosenberger has been an adjunct professor at New York Law School since 1976, and currently teaches the Criminal Justice Seminar and Workshop.



Photo: Rick Kopstein

## Sybil Shainwald '76

Sybil Shainwald '76, New York Law School trustee, alumna, and advocate for women's health issues, was the leader of a master class for the Center for Professional Values and Practice on March 29, 2004. The Center's master classes are led by experienced

practitioners invited to teach students about the ethical issues that arise in their particular areas of practice. Shainwald shared her experience as one of the leading litigators in the field of mass tort and women's health issues.

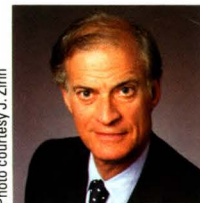


Photo courtesy J. Zirin

## James D. Zirin

James D. Zirin, partner, Sidley Austin Brown & Wood, LLP, and contributor to *The Times* of London, the *Los Angeles Times*, *Forbes*, and *The Washington Times*, has taken on a new role as cohost of the public television program *Digital Age*, now in its eighth year on PBS

Channel 25 in New York City. The program aims to cover the impact of the Internet, the computer, and other forms of digitalization on American life, particularly on the media. Zirin said he had been a guest on the program a number of times when the host, James Goodale, former vice-chairman of *The New York Times* and a good friend of Zirin's, asked him last year if he would take on the role of cohost. As of April 2004, Zirin has been co-host of six programs, discussing such topics as the Arab media organization Al Jazeera, the Japanese economy, West Point, technology and the media, the outsourcing of services to India and other countries, and the trial of Saddam Hussein. Fortuitously, Zirin has worked with two New York Law School students on the show, including second-year student Nicholas Langsford, a coproducer who also works as a legal intern at Debevoise & Plimpton, where Goodale is a partner, and third-year student Natalya Shmulevich, who has worked with Zirin on several tapings of the program. "It's been a fabulous experience," Zirin said. "I'm a trial lawyer and a lot of the skills that are involved—communication skills, questioning skills, analytical skills—are the skills of a lawyer." ■

# Volunteer Income Tax Assistance Program Grows

NEW YORK LAW SCHOOL STUDENTS OFFERED AN INVALUABLE COMMUNITY service during the 2004 tax season by providing free tax-return assistance to low-income families and individuals. This is the Law School's second year of participation in the Volunteer Income Tax Assistance (VITA) program, coordinated by the Office of Public Interest and Community Service. The program received a Certificate of Recognition from the ABA last year and was the subject of a *New York Law Journal* article in March 2004.

The clientele, attracted through word of mouth and ads placed in local newspapers, tripled this year, from 100 to 300. The program drew in a diverse array of ever-expanding clientele, including a number of the tax preparers' law student peers.

The number of certified student volunteers also increased, from seven to twenty-five, according to Helena Prigal, director of public interest and community service. To become an IRS-certified tax preparer, VITA program volunteers must undergo two Saturdays of training in such tasks as preparing state and federal tax returns, and pass a test.

For students eager to gain experience in tax law and client interaction, the program is a logical place to start. "Other clinics are taken for between two and six academic credits and require a commitment of more hours per week than VITA," said Ken Sussman 1L, a volunteer tax preparer. "To gain practical experience through volunteering without needing to allocate academic credit to the effort is, in my mind, a bonus. It is very difficult to get in all the classes one would like during three years at law school."

Tax preparers fill out all forms on a computer, using an IRS software program called TaxWise. They use client-provided paperwork to fill out the federal Form 1040, the New York State tax forms, and any other necessary forms. Once all information has been entered, TaxWise does the extensive calculations and completes the appropriate fields. The returns are usually e-filed, with a few exceptions. At the end of the session, clients are given a paper copy of all completed forms.

Student volunteers have found their work both challenging and gratifying. "Many of the tax returns we process are straightforward," said Sussman. "However, new twists come up regularly, so we are always learning. As law students participating in VITA, we also learn by seeing how public policy embodied in the tax code affects the lives of ordinary people."

Volunteer tax preparer Lauren Gelber 2L noted the importance of the program to all involved. "It benefits not only the client, who would not otherwise be able to afford to have a third party prepare his or her taxes, but it also benefits the law students, who gain

indispensable experience through interactions with clients," she said. "Law school prepares us to understand and use the law, but programs such as VITA teach us how to provide a service to and interact with a client in need."

Noting the overwhelmingly positive response from clients, Prigal said: "We've gotten some great thank-you notes. And clients keep trying to bring in flowers, or offering to take us to lunch. They are so incredibly grateful."

"The experience was terrific," said Matt Sadofsky 1L, a client. "The program offered a wonderful service to me. With their help, I was able to recoup a substantial refund from the government." ■

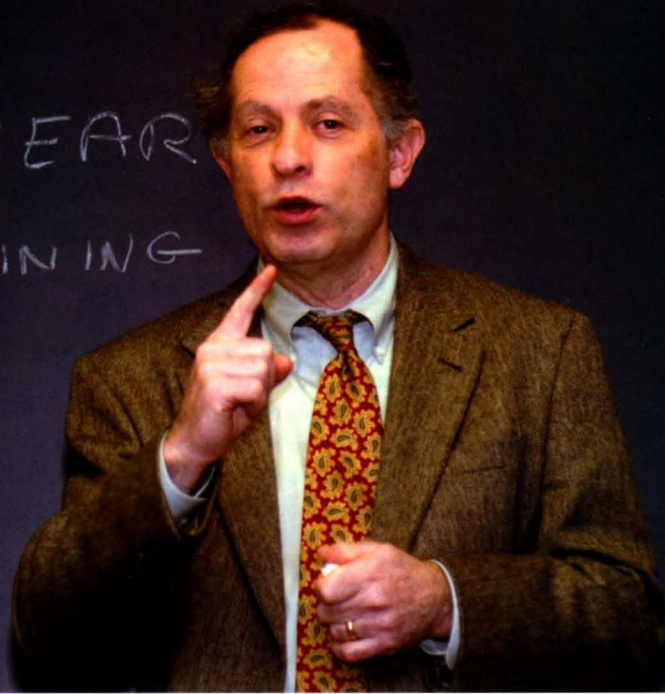
—Denise Tong



Gillian Kost 2L was one of many students to take advantage of the free service.

Photo: Rick Kopstein

FAIR HEAR  
TRAINING



Attorney Ian Feldman of the Brooklyn Legal Aid Society

## Justice Action Center Reaches Out to Social Justice Lawyering Community | *By Chris Kendall*

### About the Center

Established in 2002, the Justice Action Center brings together faculty, students, and practitioners in an ongoing inquiry into the efficacy of using law as an instrument of social justice. Over the past months, the Center has built on its curricular activities by engaging the questions of public-interest lawyering through community involvement and informal educational activities.

### Community Involvement

#### GI Rights Training

On January 27, the Justice Action Center and the National Lawyers Guild, New York City Chapter, cosponsored a special program designed to prepare volunteers to work with members of the armed services. The workshop, titled "Support Our Troops, Not the Pentagon: A GI Rights Primer," offered an introduction to military law counseling for lawyers, law students, and activists.

Jim Klimaski, a member of the National Lawyers Guild's Military Law Task Force, gave an overview of military law. Klimaski appears regularly before the courts and administrative boards of the various armed services, and has represented service members in court martial and discharge hearings in Washington, D.C. His presentation addressed issues arising in situations such as enlistment, discharge, and conscientious objection.

The audience also heard from Asif Ullah, a counselor for the GI Rights Hotline, operated in New York by the War Resisters League. The Hotline provides assistance to members of the military about discharges, grievance procedures, and civil rights, and assists clients who have gone AWOL. The presentation was moderated by Aaron David Frishberg, a disability rights lawyer in New York and a member of the Military Law Task Force for over twenty years.

#### Fair Hearing Training

On February 6, the Justice Action Center played host to the Brooklyn Legal Aid Society's Project FAIR training program. Project FAIR offers information, assistance, and referrals to individuals regarding fair hearing procedures and appellants' rights in the fair hearing process. Fair hearings are requested by individuals to challenge the Human Resources Administration, the city agency that



administers public assistance, food stamps, and Medicaid benefits. Approximately 96 percent of individuals appear without representation at or assistance in preparing for the fair hearing. Project FAIR seeks to remedy this imbalance.

Attorneys Ian Feldman, Les Helfman '77, and Susan Bahn, and paralegals Steffie Kinglake and Abdus-Salaam Wahid, all of Legal Aid, presented the training. They staged a mock hearing in order to provide participants with an understanding of the fair hearing process; Susan Bahn, used to advocating on behalf of indigent clients, found herself in the role of a less-than-sympathetic hearing officer. The mock hearing was part of a daylong training session that drew lawyers, law students, and other individuals in the New York City area.

### Educational Programs

The Justice Action Center rounded out its activities with an entertaining educational function, "Scenes from the Trials of Emma Goldman," on March 2. Emma Goldman, an anarchist of the late nineteenth and early twentieth centuries, was convicted of inciting a riot for her speech to starving workers in 1893, and was accused of inspiring the assassination of President McKinley in 1901. As a result of her provocative political views, the government sought the denaturalization of her estranged husband, thereby stripping Emma Goldman of her U.S. citizenship. The entire 1909 denaturalization proceeding was done without notice and via *in rem* jurisdiction. After serving a two-year sentence for distributing leaflets opposing conscription in 1917, she was deported in 1919. Her deportation was grounded upon her political beliefs.

Professor Lenni Benson compiled the material and wrote a play in which a law class debates the relevance of the deportation of anarchists

to post-9/11 immigration enforcement. The play included dramatic readings from the trial transcripts and contemporary news accounts. By examining the controversial enforcement of another era's immigration regime, the Center sought to provoke discussion on the current use of immigration law to further national security policy.

### Guiding Honors Students

One of the main roles of the Center is to help honors students deepen their educational experience and guide them in finding meaningful opportunities for internships, public-interest placements, and long-term employment. The Center's second-year students will be working in diverse legal settings during the summer of 2004. Some will take traditional large-firm summer associate positions or positions in government; several others will be completing public-policy summer placements through a program designed by Center faculty Seth Harris and Mariana Hogan. Placements this summer will include work for the United States Attorney's Office, Southern District of New York; the New York City Department of Education; and law firm Fried, Frank, Harris, Shriver & Jacobson. The Center's second-year students met several times with Center faculty to discuss their law review notes. The second-year students also welcomed some of the new first-year honor students, who will be affiliating with the Center in the fall.

During academic year 2004–2005 the first group of law students enrolled in the honors program will finish coursework and internships related to their field concentrations, including the individual design and implementation of their honors "capstone" projects. ■

*Chris Kendall is manager, Center for Professional Values and Practice.*



Professor Lenni Benson, center, with student participants in "Scenes from the Trials of Emma Goldman"

Photo: Thornton Studios

# Hevesi, Miller, and Markowitz Address CityLaw Breakfasts

THREE OF NEW YORK'S TOP CIVIC LEADERS BROUGHT INSIDER PERSPECTIVES to overflow audiences attending the spring 2004 semester CityLaw Breakfast Series.

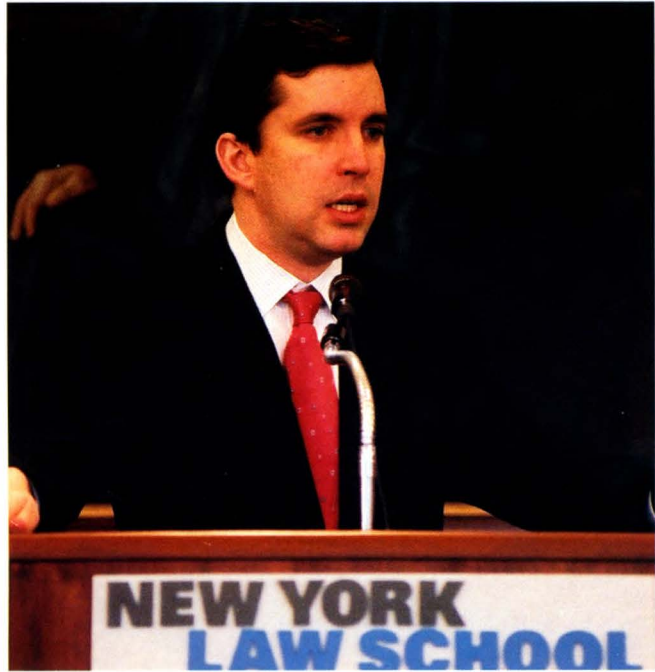
State Comptroller Alan G. Hevesi discussed the devastating cost of 1990s corporate corruption on the city and the state, City Council Speaker Gifford Miller outlined the council's strategy for bolstering the city's public schools, and Brooklyn Borough President Marty Markowitz detailed that borough's cultural and economic "renaissance."

This is the tenth year for the series, sponsored by the Center for New York City Law.

## HEVESI ON CORPORATE CORRUPTION

On January 23, Comptroller Hevesi focused on the devastating economic effects of corruption on the state and especially on the city. It is "an awful tale," he said, recounting the corporate scandals that eventually led to a loss of faith in capitalism. Elected the state's chief fiscal officer in 2002, he is responsible for governmental and financial oversight and pension fund management.

Hevesi recalled the New York of the 1990s and how the greatest economic boom in United States history led to huge financial



City Council Speaker Gifford Miller

Photo: Rick Kopstein

surpluses for the city, the state, and the country. As the boom wound down, the country faced the worst corporate scandals since the Depression, he said. Firm after firm reluctantly admitted to having falsified statements of profits and liabilities in an effort to keep their stock prices high.

The public's reaction to the revelations at WorldCom and Enron cost New York State billions of dollars in activities, cash taxes, and pension funds. And the effects of these scandals still linger in the minds of the public, he said.

"Our capitalist system works when there are hundreds of millions of Americans who invest in the market and participate in the market," he said. "That money circulates because they have faith that it's a fair, stable system. The job of government is not to interfere, but to set a level playing field. We have to restore that faith."

## MILLER ON THE SCHOOLS

On February 20, City Council Speaker Miller spoke about the council's initiatives with regard to the city's \$42 billion budget, especially in relation to education.



Photo: Rick Kopstein

State Comptroller Alan G. Hevesi

## CityLaw's Pizza & Politics Discussions Draw Prominent Attorneys and Policy Makers

The Center for New York City Law holds monthly "Pizza & Politics" lunches for the New York Law School community. These stimulating discussions provide a valuable opportunity for students to hear from prominent attorneys and policy makers about hot topics affecting New York City. Students enjoy free refreshments and pizza while getting a real taste for the city's most current political issues. Students can also freely direct questions to and discuss ideas with the speaker in a casual environment.

Most recently, Kevin Rampe, president of the Lower Manhattan Development Corporation, led a discussion in April 2004 on the redesign of the World Trade Center site and plans for the 9/11 memorial. In February 2004, Steve Banks, associate attorney-in-chief of the Legal Aid Society, discussed his coordination of special litigation, government and community relations, and interdivisional work in the Society's civil, criminal, and juvenile rights practice areas, as well as the Society's Homeless Rights Project.

During the fall 2003 semester, the Center welcomed Richard Babinez, senior attorney at Con Edison, who discussed litigation stemming from last year's blackout; Anthony Crowell, special counsel to Mayor Michael Bloomberg, who discussed the 2003 Charter Revision Commission proposal to establish a system of nonpartisan elections (which was later voted down); and New York City Councilmember David Yassky, who discussed development along the East River in Brooklyn.



Professor Ross Sandler and Brooklyn Borough President Markowitz.

Preserving and rehabilitating the city's public schools is the council's top priority, he said. Besides being a "moral responsibility of the city to its children," public education is "a good investment for the city of New York," he said, noting that a lack of confidence in the educational system is the primary reason people leave the city. This, in turn, hurts the city's tax base.

At present, Miller said, less than 3 percent of the city's schools are considered to be in a state of good repair. That, combined with rampant overcrowding and a lack of educational resources, "sends a message to every New Yorker that the city is not serious about education," he said.

Noting the council's estimated cost for school rehabilitation at \$12.9 billion, he said New York is "overtaxed and underserved" and cited a City Council Finance Division analysis estimating that the city sent \$6.5 billion more to Washington and \$3.5 billion more to Albany than was returned. Miller advocated aggressive action to get the city a fairer share of funds from both Albany and Washington and "create the possibility for real economic development."

### MARKOWITZ ON BROOKLYN'S "RENAISSANCE"

Brooklyn Borough President Markowitz discussed economic and cultural renewal on March 19.

The borough's current development plans include a cruise line industry, the East Coast's largest film production facility, Coney Island as a year-round entertainment mecca, a more competitive downtown business district, and a new NBA arena, among other projects, he said, calling it "a renaissance long overdue."

Markowitz said these developments will create more jobs for Brooklynites at all skill and economic levels; create new housing at all income levels; attract and increase business, including tourism; and improve the overall quality of life in the borough. He said the "Initiative for a Competitive Brooklyn" will also be launched to ensure that Brooklyn will be better equipped to help itself economically by identifying the most promising clusters of businesses and nourishing them to become future job producers.

The April 23 CityLaw Breakfast occurred after *In Brief's* deadline. At press time, the announced guest speaker was Amanda Burden, chair of the New York City Planning Commission and director of the Department of City Planning. Her topic: "Reshaping New York: Major Land Use Developments in NYC." ■

# Chief Prosecutor Discusses Challenges to ICC

The 2004 Otto L. Walter Lecture | *By Michael Rhee*

**THE CHIEF PROSECUTOR OF THE** International Criminal Court (ICC), Luis Moreno-Ocampo, delivered the 2004 Otto L. Walter Lecture on March 24 in the Wellington Conference Center. Moreno-Ocampo discussed challenges facing that newly established body. Over two hundred people attended the lecture, sponsored by the Center for International Law (CIL).

The world's first permanent international crimes tribunal, the ICC was established to try individuals accused of genocide, crimes against humanity, or war crimes. It was created by the Rome Statute of the International Criminal Court, which was ratified by ninety countries and came into force in July 2002. The ICC has a much wider jurisdiction than previous tribunals, which were formed on an ad hoc basis to deal with consequences of specific conflicts, such as those in Rwanda and the former Yugoslavia. It has jurisdiction over individuals from those countries ("states parties") that have ratified the Rome Statute for crimes committed anywhere, as well as individuals from any country for crimes committed in the territory of a state party.

Moreno-Ocampo discussed the formal and informal constraints faced by the ICC. For example, he said, because it may hear cases only in instances where states parties are unable or unwilling to do so, the ICC is, in some ways, a "court of last resort." Furthermore, he said, unlike his prosecutorial counterparts at the national level, his office must operate in collaboration with national and local investigative and police authorities, diplomats, NGOs, and other constituencies. The ICC recently announced that it would be taking on its very first case, which was referred to the world body by the president of Uganda, where rebel leaders are alleged to have used children as soldiers and sex slaves.

Moreno-Ocampo said he regarded the private sector as a "key player" in any future ICC investigations and prosecutions because he believes it offers "a unique mix of truly global perspective, creative



Professor Sydney M. Cone, III, left, with Luis Moreno-Ocampo, Chief Prosecutor of the International Criminal Court

dynamism, networking capabilities, and a long-term interest in stability and prosperity."

Moreno-Ocampo said he will also be drawing lessons from other international juridical organizations that have faced similar collaborative challenges, albeit in settings more traditionally associated with economic interests, such as the General Agreement on Tariffs and Trade and the World Trade Organization (WTO).

Professor Sydney M. Cone, III, director of CIL, stated that both of these world bodies had built up "a substantial body of history and jurisprudence" from which the ICC may draw lessons in adjudicating its own cases. He noted that, in particular, the ICC may draw valuable lessons from the WTO, which, he pointed out, "seems to have been successful in developing...the consensus that it needs in order to successfully handle difficult and seriously contested controversies in which substantial economic interests are at stake."

The Otto L. Walter Lecture, held annually in the spring semester, was named for the late Otto L. Walter '54, a distinguished Law School alumnus. ■

*Michael Rhee is manager, Center for International Law.*

# Weisberg Implicates Vichy Lawyers as WWII Genocide “Gatekeepers” | *By Michael Rhee*

THE FRENCH LEGAL PROFESSION PROMULGATED AND ENFORCED LAWS THAT persecuted Jews living in France during World War II under the Vichy regime, said Professor Richard Weisberg in a C.V. Starr Lecture on February 18.

Weisberg—the Walter Floersheimer Professor of Constitutional Law at the Benjamin N. Cardozo School of Law and the founding editor of Cardozo’s *Law and Literature* journal—said: “If you behave neutrally in the face of the grotesque, you are hurting many others.” More than 130 people attended the lecture, sponsored by the Center for International Law.

In the four years that the Vichy regime governed France during World War II, its legal establishment implemented almost two hundred laws, regulations, and decrees relating to the persecution of Jews on French soil, both in its own zone and in that occupied by the Germans, according to Weisberg. Some of these regulations, for example, established the definition of being Jewish, prohibited Jews from holding certain jobs and positions, and confiscated or liquidated property and other assets held by Jews. They also eventually allowed the deportation of over 75,000 Jews from France to concentration or extermination camps. The vast majority of these deportations occurred under the cover of French law.

Weisberg said that his extensive investigation of historical records showed that, to a great extent, responsibility for initiating and enforcing anti-Jewish legal measures in Vichy France actually lay with the judiciary and legal profession of France, including its magistrates, administrative agencies, courts, private legal practitioners, and professional associations.

“Whatever their political views and personal ambitions, whatever their country’s prior traditions, lawyers as a professional group were often the gatekeepers to the innovative project of genocide,” he said. “What happened [in France] had little to do with Germany, but much to do with the way these anti-Semitic laws had been received by the French legal community.” Weisberg’s research eventually culminated in a book called *Vichy Law and the Holocaust in France* (NYU Press, 1996).

“Even as the tide of the war turned against the Nazis, the legal profession in Vichy France did not modify their laws persecuting Jews living in France but, instead, continued to enforce them,” he said, noting that although these laws may seem “grotesque” today, they were “accepted as reality during the Vichy regime.”

Weisberg concluded by giving three lessons drawn from his studies of Vichy for lawyers facing similar dilemmas today. First, speak up early if you sense that certain actions violate your professional sense of



Photo: Rick Konstein

*“Even as the tide of the war turned against the Nazis, the legal profession in Vichy France did not modify their laws persecuting Jews living in France but, instead, continued to enforce them.”*

—Professor Richard Weisberg

right and wrong. Second, enlist support to protest against what you perceive to be wrongful conduct: “Don’t assume that no one feels your way. Most people will actually feel the way you do, but are fearful to speak up.” Third, don’t assume you’re powerless. “Lawyers in America, as they did in France, have considerable power. Even under the worst conditions, there were some protests that worked within Nazi Germany. They might have worked in France.” ■

*Michael Rhee is manager, Center for International Law.*

# Criminal Defense in the Age of Terrorism Is Focus of Special Issue of Law Review

THIS SPRING, THE CENTER FOR PROFESSIONAL VALUES AND PRACTICE sponsored a special issue of the *New York Law School Law Review* on criminal defense in the age of terrorism. With the Law School situated just blocks from the site of history's most devastating terrorist attack, this proved to be a natural topic for the first symposium issue from the Center, which is codirected by Professors Tanina Rostain and Donald H. Zeigler.

Criminal defense attorneys face formidable obstacles when representing accused terrorists, Rostain says. Since 9/11, the government has moved aggressively to investigate and detain people that it suspects may have a possible link to terrorist activity. In this environment, criminal defense attorneys have struggled to protect the constitutional rights of their clients.

The special issue opens with an introduction to the articles and the issues of the symposium by Professor Sadiq Reza, who has advised terror defendant Zacarias Moussaoui.

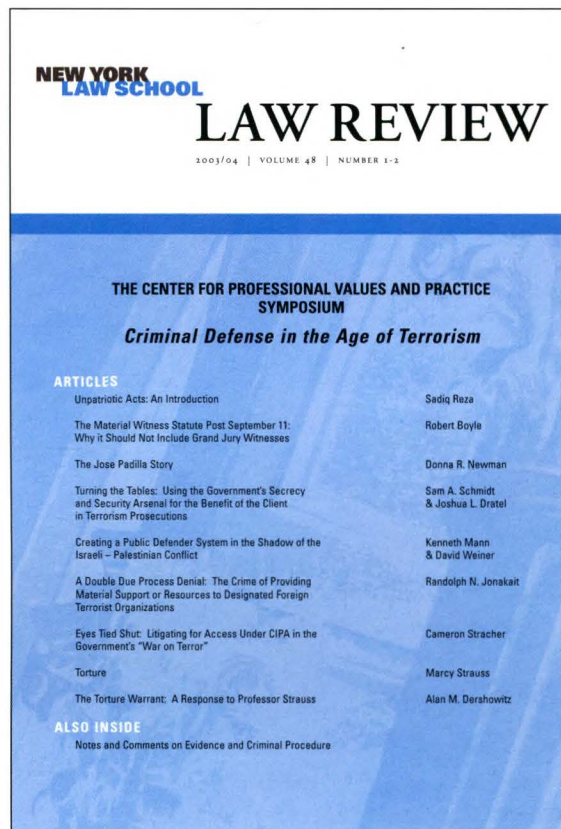
A number of articles were written by lawyers involved in defending accused terrorists. They include:

- Robert Boyle, counsel for Osama Awadallah, on the use and misuse of material-witness statutes to detain individuals in criminal and terror investigations;
- Donna R. Newman '86, counsel for José Padilla, on representing citizens who are designated "enemy combatants";
- Sam A. Schmidt and Joshua L. Dratel, counsel for Wadhi el-Hage, on the impediments and opportunities created by three procedural obstacles often used by the government in terrorism cases; and
- Kenneth Mann and David Weiner, counsel for accused terrorists in Israel, on defending terrorism cases.

Related perspectives are provided in articles by:

- Professor Randolph N. Jonakait, New York Law School, on due-process concerns in prosecutions for providing material support to foreign terrorist organizations;
- Professor Cameron Stracher, New York Law School, counsel for various news media in the Moussaoui prosecution, on the public's right of access under the First Amendment;
- Professor Marcy Strauss, Loyola Law School, on the use of torture in terrorism interrogations; and
- Professor Alan M. Dershowitz, Harvard Law School, responding to critics of his view that when torture is used, it should be subject to judicial warrant requirements.

The issue also features contributions from several New York Law School students, including:



- Betsy Fiedler 3L, on the use of computer-generated evidence in courtroom proceedings;
- Amy Garzon 3L, on the repeal of the knock-and-announce rule in *U.S. v. Langford*;
- Orit Tulchinsky 2L, on the admission of confessions obtained using police-fabricated evidence in *U.S. v. Patton*; and
- Scott Woller 3L, on the role of expert testimony regarding eyewitness identifications in New York.

"Criminal defense in the age of terrorism is a vital lawyering role," Rostain explains. "It is also at the heart of the ongoing debate about how to maintain a proper balance between security and freedom in the post-September 11 world. This symposium makes an important contribution to that debate." ■

—Jim Hellegaard

# The Media Law Alumni Association Wants You!

The Media Law Alumni Association (MLAA) is tracking down New York Law School graduates practicing or interested in the following areas of law:

**Telecommunications**

**Internet**

**Cable Television**

**Broadcasting (Television and Radio)**

**Copyright**

**Print**

**Entertainment**

**Art**

The goal of the MLAA is to bring together alumni for industry and social events, including activities at the school. MLAA's Fred Cederqvist '94 of AT&T and Professor Michael Botein, director of the Media Center, would like to hear from all alumni working in or interested in media law. If you want to be on the MLAA mailing list, please send your e-mail address, phone number, and mailing address to Professor Botein as indicated below.

**Address:**

The Media Center  
New York Law School  
57 Worth Street  
New York, NY 10013

**E-mail:**

[mbotein@nyls.edu](mailto:mbotein@nyls.edu)

**Fax:**

212.966.2053

(MLAA is not involved in fundraising or student job placement, and thus your information will not be used for these purposes.)

# Alumni Take *Padilla* Case to Supreme Court

## A Historic Legal Undertaking

DONNA R. NEWMAN '86 AND COCOUNSEL ANDREW G. PATEL '81, attorneys for José Padilla—the terror suspect and U.S. citizen who has been held without charge by the federal government in a Navy brig since June 2002—have seen their case reach the United States Supreme Court. On February 20, 2004, the court agreed to hear the government's appeal of a December 2003 decision by the United States Court of Appeals for the Second Circuit that Padilla was being improperly detained and must be released and turned over for possible criminal prosecution. Arguments before the Supreme Court took place on April 28, 2004—the final day of oral arguments in the current court term. At press time, a ruling had not yet been issued but was expected before the end of June.

*Rumsfeld v. Padilla* was argued before the court by Professor Jennifer Martinez of Stanford Law School. Professor Martinez, a former law clerk for Supreme Court Justice Stephen Breyer, is a specialist in international law and comparative law who taught a seminar on terrorism and civil liberties at Yale prior to joining the Stanford Law faculty. She is just one of many legal scholars and research and policy organizations that have provided assistance to Newman and Patel in the pursuit of Padilla's case.

In early March, Newman and Patel were finally allowed to meet with their client for the first time in nearly two years at the naval brig in Charleston, South Carolina. According to news reports, Newman said that the meeting could not be characterized as a conventional attorney-client discussion because of the restrictions imposed by government officials. Military officers were present at all times, the conversation was videotaped, and photocopies of the attorneys' notes were made and retained by government officials. As a result, Newman and Patel limited their visit with Padilla to bringing him up to date on the legal issues of the case they had pursued without his knowledge during his incarceration.

Newman and Patel have taken time from the intensive work required by this case to contribute personally to the Law School community's dialogue on their historic legal undertaking. At the invitation of Professor Michael Botein, they appeared at the February 10, 2004, Media Center Lecture by Pulitzer Prize-winning *New York Times* columnist Anthony Lewis, where they fielded questions from the audience about the progress of the Padilla case. A report on this event will appear in the next issue of *In Brief*.

Newman has also published an article in the Center for Professional Values and Practice Symposium issue of the *New York Law School Law Review*, "Criminal Defense in the Age of Terrorism."



Donna R. Newman '86 and cocounsel Andrew G. Patel '81.

Her article, "The José Padilla Story," is drawn primarily from briefs submitted to the United States District Court for the Southern District of New York and the United States Court of Appeals for the Second Circuit. It presents the four main points of Newman and Patel's argument; namely, that Padilla's military seizure and detention is beyond the president's power as commander-in-chief; that the president has engaged in unlawful executive lawmaking; that Padilla's detention is specifically prohibited by federal statute 18 U.S.C. § 4001(a); and that the recently enacted Joint Resolution by Congress in response to the 9/11 attacks does not authorize the seizure and detention of individuals such as Padilla. ■

—Edith Sachs





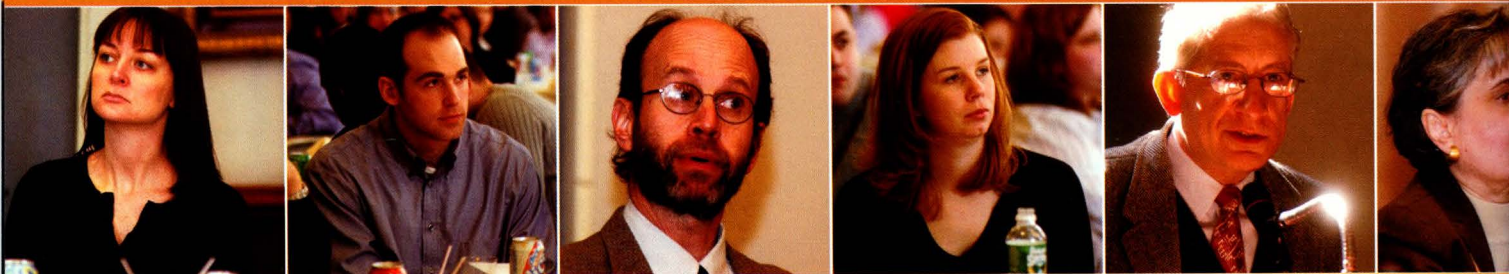
*The Shepard and Ruth K. Broad Student Center at New York Law School holds exhibitions by local artists in collaboration with the Organization of Independent Artists.*

# Faculty News

# Faculty Presentation Day | MARCH 3, 2004

"Our expectations for Faculty Presentation Day are to help us build our community between students and faculty. The idea that students can see their professors in a different light is very exciting, and that they can share with us our works in progress and our scholarship reinforces the fact that we are all colleagues in the same profession."

—Dean Richard A. Matasar



**F**aculty Presentation Day at New York Law School on March 3 was a tremendous success, drawing hundreds of students, staff, alumni, and faculty, as well as attendees from other area law schools, for a day of shared intellectual inquiry.

“Our expectations for Faculty Presentation Day are to help us build our community between students and faculty,” said Dean Richard A. Matasar. “The idea that students can see their professors in a different light is very exciting, and that they can share with us our works in progress and our scholarship reinforces the fact that we are all colleagues in the same profession.”

Faculty Presentation Day is a unique event for which classes are cancelled so students can engage professors in a conversation about the many legal topics that the faculty are writing and thinking about. This year’s program featured presentations by more than forty members of the faculty, who led discussions on contemporary legal issues, from gay rights and immigration law to legal education and the crisis in the mutual fund industry.

Professor Nadine Strossen, president of the ACLU, set the tone for the day as the breakfast speaker on the topic of “Scholarship and Citizenship After 9/11.” Lawyers have incredible opportunities, she said, to influence public policy and introduce new ideas into the national discussion through legal scholarship.

“The power of law, through scholarship, has effected tremendous change in areas including women’s reproductive freedom, the gay rights movement, and the campaign for racial justice,” she said.

A lunch panel on Sexuality and the Law proved to be particularly timely as news broke that New York State Attorney General Eliot Spitzer had released a statement that state laws do not authorize marriage licenses to be issued to same-sex couples and that officials in the state should not solemnize such wedding ceremonies.

Professor Arthur S. Leonard, a nationally known expert in gay rights and a panel participant, announced the news to a standing-room-only audience in the Stiefel Reading Room.

To conclude the lunchtime panel, all the speakers participated in a discussion about recent legal developments concerning same-sex marriage. Professor Leonard provided a historical introduction, Professor Stephen Newman discussed the proposed Federal Marriage Amendment, Professors Kris Franklin and Carlin Meyer presented further commentary, and a lively discussion involving comments from the audience and the panelists ensued.

The academic papers presented will be published in the *New York Law School Law Review*. The next Faculty Presentation Day is scheduled for the spring of 2006.



Photos: Rick Kopstein

# Faculty Presentation Day | Selected Abstracts

## Information Games

Beth Simone Noveck  
*Associate Professor of Law*



**NEW YORK STATE HAS JUST ANNOUNCED THAT IT** will move forward aggressively with putting court records online. In both the federal and state court systems around the country, digital technology will enable the submission and storage of legal documents electronically and the possibility of

accessing them via the Internet.

This development gives rise to concern among privacy advocates and among those concerned about maintaining open access to public records. It is unclear whether new technology will lead to inadequate access and excessive privacy or too much access and not enough privacy. Either way, the design of these large-scale IT projects demands the attention of “cyberlawyers,” those who can translate between the worlds of technology and law and who understand that value choices like privacy and access are embedded in the design of the code for an electronic courthouse system. The interfaces we build today will be the face of justice tomorrow. These are the screens through which people will view the law. Therefore, if we want to maximize these values, we must abjure the current approach, which focuses exclusively on discrete information—pieces of paper—and how to digitize them.

Instead, we should use visual, graphical, network technology to make access meaningful. If we plot the geography of justice by using visual maps, we can better understand the relationship between this legal information and the larger judicial process and see patterns that will transform information into knowledge. Visualization makes information more easily intelligible and helps transform law into an event that can become the subject of public discourse.

Furthermore, if we rethink the legal case itself as a visual map, we can separate out private information. Rather than repeating the same confidential facts in document after document, which then have to be redacted, a submission can simply link to that sensitive information. The “case as hypertext” can serve the value of privacy. Design solutions can help solve vexing legal problems. In every case where technology design is becoming part of the legal process, we must take seriously the impact of design on the law.

## The Accountable Net: Official Reports in the Digital Age

William R. Mills  
*Professor of Legal Research*



**THIS ESSAY CONSIDERED THE ROLE THAT** “officialness” currently plays, and should play, in the publication of primary law, particularly cases and statutes. In the American system of legal publication, print editions produced by the government, or under explicit governmental

authority, have been designated as official reports. In designating these reports as official, governments are thought to vouch for their integrity and the accuracy of the information therein.

A variety of factors, however, most notably governmental inefficiency, have long inhibited the research value of official reports, and parallel unofficial reports have become the editions of choice for most researchers. Nonetheless, many citation guides, such as the *Bluebook*, prefer official reports, and lawyers certainly feel more comfortable citing them. The result has been research inefficiency, with legal writers obliged to *pretend* to have consulted official reports, when in fact they read the law in unofficial sources.

In recent decades the unpopularity of official reports has not gone unnoticed by government, and many jurisdictions have discontinued their official reports. Meanwhile, the *Bluebook* has relaxed many of its rules mandating citation of official reports. And with the increasing dominance of computer-based legal research, the very concept of official reporting has become ever more disused.

Many government Web sites contain provisos disclaiming official endorsement of the text of the primary law posted there. Most other Web sites simply ignore the “official” question entirely. But for researchers, issues remain as to the accuracy and integrity of the information found in computer sources. Does the mere fact that computers are very good at rendering exact copies of text relieve the government of responsibilities of selecting a preferred medium for its primary law, and vouching for a true copy?

## The Teacher Who Advocated Pedophilia: *Melzer v. Board of Education*

Stephen Newman  
*Professor of Law*



**PETER MELZER, A PHYSICS TEACHER AT THE BRONX**

High School of Science, was fired because of his active involvement with the North American Man-Boy Love Association (NAMBLA). His NAMBLA activities became public knowledge through a local news report, causing an uproar at the school.

Melzer claimed his First Amendment rights were violated. To justify firing Melzer, the Board had to show that he would cause substantial disruption at the school or that he could no longer effectively perform his job. At trial, he admitted to being a pedophile, i.e., sexually attracted to boys up to the age of sixteen. He supported NAMBLA's credo that "the right to experience sexual pleasure is a gift enjoyable by everyone regardless of age or sex." He did not, however, have any record of having acted on his beliefs in his thirty years as a teacher.

Despite the lack of any reported incident, Melzer's firing was justified. His pedophilic beliefs, known to students, would inevitably affect the educational environment. The high school classroom is filled with students who are maturing sexually and are uniquely sensitive to sexual issues. Knowing a teacher's sexual preference for boys will inevitably frighten some students, anger others, and distract them all.

The students' discomfort stems not from the teacher's unconventional opinions about politics or lifestyle, which deserve First Amendment protection, but from a legitimate sense that they themselves are potentially the target of the teacher's sexual fantasies and desires. Students will not sign up for the physics club if they have to deal with the pedophilic physics teacher; many won't approach him with questions after class, or ever seek him out for one-on-one help or guidance.

There are some ideas that are fundamentally incompatible with certain jobs. The police officer who advocates white supremacy is one example. The teacher who advocates pedophilia is another.

## The Federal Marriage Amendment (FMA)

Stephen Newman  
*Professor of Law*

**ON FEBRUARY 24, 2004, PRESIDENT BUSH ASKED CONGRESS TO APPROVE AN** amendment to the U.S. Constitution to ban same-sex marriage.

Apart from its questionable wisdom, there are a number of grounds for objecting to this proposal. First is the notion that the Constitution should not be amended unnecessarily or hastily. That amendments should be rare is implicit in the Constitution itself, which makes the amending process an arduous one. While more than ten thousand amendments have been introduced in Congress, only thirty-three were approved and sent on to the states; twenty-seven of these were ratified. Amendments generally clarify the structure of government, or expand individual rights. The FMA would restrict rights, and bind future generations to a policy that may later become unpopular.

Family law is traditionally a matter for state control. This amendment would (i) substitute a federal rule for state decisions on gay marriage; (ii) interfere with the power of state courts to interpret the state's own statutes and constitution; and (iii) override democratic processes in the states.

The urgency President Bush expressed is built upon multiple contingencies that may never occur, including an unlikely ruling by the Supreme Court interpreting the "Full Faith and Credit" clause to allow one state to effectively force same-sex marriage on all the rest.

The proposal is also dangerously ambiguous. Its ban on conferral of the "legal incidents" of marriage can plausibly be interpreted to preclude states from adopting civil unions, which confer all the rights of marriage. Several conservatives active in the drafting of the FMA have said they did not intend to preclude civil unions, but they certainly did not make such an intention clear. The FMA may also prevent states from conferring on unmarried couples—heterosexual as well as same-sex—a wide range of legal rights and benefits enjoyed by married couples. Ironically, the confusing language of the FMA would have to be interpreted by judges, those people whom President Bush blames for creating the crisis in the first place.

## Retransmission Consent Obsoletes Compulsory Copyright

Michael Botein  
Professor of Law



### OVER THE LAST DECADE, BROADCASTER

programming rights holders have apparently chosen to use “retransmission consent” deals with cable operators, rather than seeking royalties under the compulsory copyright provisions of the 1976 Copyright Act’s Section 111.

Effective in 1993, the retransmission consent option allows broadcasters and rights holders to require cable operators to negotiate with them for permission to carry their signals, in lieu of Section 111 payments. Although retransmission consent agreements are not publicly available, broadcasters appear to have sought such arrangements quite eagerly.

Instead of competing for relatively small slices of the compulsory copyright pie, after 1993 broadcasters seem to have preferred to negotiate for their compensation. This did not result in any purely financial windfalls. Instead, to the extent that the results of these negotiations are public, they seem to reflect an increased reliance on a form of barter.

Shortly after the broadcasters shifted to retransmission consent, most of them ended up with industrywide agreements to create new cable networks—e.g., ABC Family, CNBC, Fox News Channel. The key to these transactions apparently was that the cable industry could give the rights holders something more valuable than relatively limited cash: national coverage of a cable-oriented audience.

This conclusion seems to be borne out by a steady decline in the amount of Section 111 copyright royalty fees. In terms of absolute dollars, these payments declined from \$185 million in 1993—the first effective year of retransmission content—to \$120 million in 2002, while gross basic cable revenues more than doubled. Even with stable percentage royalty rates, presumably the royalty fees should have increased to the \$300–\$400 million range, rather than decreased to a third of that.

The shift from copyright to consent is interesting. Broadcasters became free of royalty fees. Cable operators acquired ownership interests in new cable channels. And the public benefited from creation of new program sources. This might indicate that private negotiations can achieve results acceptable to all players—and apparently to the public—if the parties can identify items worth trading for. In effect, negotiation may lead to “win-win” situations in at least some situations.

Does this reasoning apply to other issues and media? It may be interesting to speculate how some form of negotiated resolution would apply to current problems in peer-to-peer trading of music.

## Unchecked Adversariness: Looking at *Brady v. Maryland* in the Light of International Human Rights Law

Eugene Cerruti  
Professor of Law



### THE DUE PROCESS DOCTRINE OF *BRADY V. MARYLAND*

purports to require American prosecutors to turn over to the criminal defendant any “exculpatory material” that may serve the defendant to challenge the very charges being pressed by the prosecutor. But it most certainly does not. Strictly

speaking, the *Brady* rule does not affirmatively require the prosecutor to turn over any exculpatory material to the defendant prior to trial. For the *Brady* rule as presently constructed by the Supreme Court has been carefully designed to be applied only retrospectively after a defendant has been convicted at trial. Therefore, regardless of how much or what sort of exculpatory material has been withheld by the prosecutor prior to trial, the only appellate issue addressed by the *Brady* rule is: Can the defendant demonstrate a reasonable probability that, but for the nondisclosure of the exculpatory material in this particular case, he would have been acquitted? And if the defendant cannot sustain this rather extraordinary outcome-determinative burden, then even the most deliberate and professionally unethical concealment by the prosecutor does not offend the due process clause.

How can the due process clause sanction such transparently unfair and unethical behavior on the part of American prosecutors? The answer lies in the Supreme Court’s extreme and enduring characterization of the exceptional qualities of the American adversarial system of criminal justice. This has led the Supreme Court to conclude that the ultimate test of the fairness of our adversarial system is whether the defendant has received a fair trial, regardless of whether the prosecutor as adversary has otherwise behaved fairly with regard to the disclosure of evidentiary material that might tend to exonerate his adversary, the accused.

Critics have long lamented the patent failure of the *Brady* rule to prescribe an appropriate standard of governmental fair play and accountability in its pursuit of a criminal conviction. And until quite recently, there was no counterpart to the *Brady* doctrine in the law of other adversarial systems with which to compare and critique the misguided exceptionalism of the doctrine. But within the past fifteen years, there has been the most extraordinary development of “*Brady*” rules in both foreign and international adversarial systems of criminal justice that far surpass our own.

The new rules came first to England and then to the international tribunals prosecuting war crimes in the former Yugoslavia and Rwanda. A “*Brady*” rule was then made a permanent feature of the new International Criminal Court. The upshot of these new rules is simply that there is now ample demonstration of the fact that a mature and effective adversarial system can sustain a rule of pretrial prosecutorial disclosure that requires fair and ethical behavior on the part of the state prosecutor in all aspects of criminal cases.

## The Impact of International Human Rights Developments on Lesbian and Gay Rights

Arthur S. Leonard  
*Professor of Law*



### DECISIONS BY INTERNATIONAL AND FOREIGN

courts on lesbian and gay rights issues could provide a useful resource for the United States Supreme Court in confronting those issues under American constitutional law. Based on how the Court had referred to decisions by the

European Court of Human Rights and other international developments in its decision in *Lawrence v. Texas* (2003), and in light of a speech by Justice Ruth Bader Ginsburg suggesting that U.S. courts would benefit by taking account of foreign developments in the field of human rights, three such areas can be highlighted: Canadian decisions on same-sex marriage, a European Court of Human Rights decision on military service by openly gay people, and a South African Constitutional Court decision on the requirement to recognize same-sex couples for purposes of immigration law.

## Law in the Age of Apology: The Many Claims for Reparations.

Paul Dubinsky  
*Associate Professor of Law*



### THE "AGE OF APOLOGY" IS DEFINED AS A CURRENT

period in which the moral wrongs of the distant past are open for legal discourse to an extent never seen before, and in which victims of those wrongs, or their heirs, seek compensation, an historical accounting, or both. Examples

include suits filed by Holocaust survivors against Swiss banks and suits by African American descendants of slaves against companies once involved in the slave trade. But in the Age of Apology, courts are being asked to do extraordinarily difficult things for which they were never designed, such as determine truth in the context of very complex historical events taking place elsewhere in the world, and fashion remedies in circumstances in which the harm inflicted transcends individuals and extends to whole "peoples." With respect to the first of these, a question arises as to whether we have turned to courts because we have lost confidence or interest in the judgments made by historians and scholars. With respect to the second, it may be suggested that class actions in the Age of Apology would test the limits of Rule 23 of the Federal Rules.

## The Accountable Net: Peer Production of Internet Governance

David R. Johnson  
*Visiting Professor of Law*



### AT THE RECENT WORLD SUMMIT ON THE

Information Society (WSIS) meeting, some countries called for the creation of an international government for the Internet. The Internet will become more orderly over time, but it does not need, nor will it easily yield to, more centralized authority—private or public. To the contrary, a new kind of online social order will emerge as the result of new technologies that now enable a more powerful form of decentralized decision-making.

Many new difficult online issues are caused by the ease with which antisocial individuals can take harmful action at a distance. The Internet also presents new opportunities for dealing with the problems it creates.

As long as ISPs, enterprises, and individuals use systems that require those who interact with them to authenticate themselves and/or provide acceptable reputational credentials—then everyone can decide when to trust someone (some source of messages) and when to filter someone else out of their online world altogether. Using such systems, we can collectively hold those with whom we interact online accountable for their antisocial actions (and for their failures to hold others accountable).

This approach reverses the presumption that we have had on the Internet so far. The old default was that you accepted communications from all parties until and unless you had some particular reason to reject (or discard) particular messages. New technologies will make it possible to adopt a new default: to connect only with (accept messages only from) those who have shown they are worthy of your trust. Because antisocial individuals cannot override these decisions by sheer electronic force, there is reason to expect that concerted action by responsible cybercitizens (and by the ISPs and enterprises to which they delegate power) will greatly improve most online neighborhoods.



# Faculty Presentation Day | The Full Program

## PANEL A: International Law

"Unchecked Adversariness: Looking at *Brady v. Maryland* in the Light of International Human Rights Law"

Eugene Cerruti, Professor of Law

"Law in the Age of Apology: The Many Claims for Reparations"

Paul R. Dubinsky, Associate Professor of Law

"Immigrants and Global Citizenship"

Frank W. Munger, Professor of Law

"Constructing Global Finance: The Role of Lawyers"

Mark Osiel, Visiting Professor of Law

Commentator: Ruti G. Teitel, Ernst C. Stiefel Professor of Comparative Law

## PANEL B: Information Law and Policy in the 21<sup>st</sup> Century

"The Accountable Net"

David R. Johnson, Distinguished Visiting Practitioner of Law;  
Adjunct Professor of Law

"Official Reports in the Digital Age"

William R. Mills, Professor of Legal Research;  
Associate Librarian for Information Services

"Information Games"

Beth Simone Noveck, Associate Professor of Law;  
Director, Institute for Information Law and Policy

"Information Economics"

Rudolph J.R. Peritz, Professor of Law

"Legal Mind/Digital World: Law's Adaptation to the Information Society"

Richard K. Sherwin, Professor of Law

## PANEL C: Issues in Law and Commerce I

Moderator: James Brook, Professor of Law

"Beyond the Mortgage: Financing the Real Estate Revolution"

Andrew R. Berman, Associate Professor of Law

"The Expanding Scope of Judicial Review of Arbitration Awards"

Aleta G. Estreicher, Professor of Law

"Publish or Perish: The Case for the Demise of New York's LLC 'Publication Requirement'"

Anthony Q. Fletcher, Associate Professor of Law

"The Crisis in the Mutual Fund Industry: Real or Imagined?"

Jeffrey J. Haas, Professor of Law

## PANEL D: Legal Education

"Integrating Theory and Practice in the Teaching of Legal Research"

Camille Broussard, Professor of Legal Research;  
Acting Director of Law Library

Karen Gross, Professor of Law

"Academic Support and Legal Pedagogy"

Susan J. Abraham, Associate Professor of Applied Legal Analysis  
Kris Franklin, Associate Professor of Law;  
Director, Academic Skills Program

Elizabeth Rosen, Associate Professor of Applied Legal Analysis

"The Rise and Fall of American Legal Education"

Richard A. Matasar, Dean and President; Professor of Law  
Commentator: Lawrence M. Grosberg, Professor of Law;  
Director, Lawyering Skills Center

Commentator: Michael L. Perlin, Professor of Law

## PANEL E: Sexuality and the Law

"The Impact of International Human Rights Developments on Lesbian and Gay Rights"

Arthur S. Leonard, Professor of Law

"The Teacher Who Advocated Pedophilia:  
*Melzer v. Board of Education*"

"The Federal Marriage Amendment (FMA)"

Stephen A. Newman, Professor of Law

Commentator: Kris Franklin, Associate Professor of Law;  
Director, Academic Skills Program

Commentator: Carlin Meyer, Professor of Law

## PANEL F: Law and the Humanities I

"Incommensurability: A Pythagorean Metaphor of Justice"

Robert Blecker, Professor of Law

"Innocence and *The Sopranos*"

Seth D. Harris, Associate Professor of Law;  
Director, Labor and Employment Law Program

"The Real Pragmatist: The Radical Philosophy of Wallace Stevens"

Elizabeth Rosen, Associate Professor of Applied Legal Analysis

**PANEL G: Issues in Law and Commerce II**

Moderator: Kenneth C. Kettering, Associate Professor of Law

**"The Cable Television Compulsory Copyright Law: Successful Private Resolution of Intellectual Property Rights"**

Michael Botein, Professor of Law; Director, Media Center

**"A Behavioral Approach to Corporate Law"**

Peter C. Kostant, Visiting Professor of Law

**"Democratizing Capital: The Role of the Community Reinvestment Act"**

Richard D. Marsico, Professor of Law; Codirector, Justice Action Center

**"Deconstructing Demsetz: Notes on the Relationship Between Historical, Anthropological and 'Law and Economics' Views of Property Theory"**

Howard P. Venable, Visiting Professor of Law

**PANEL H: Law and Tax**

**"Income Taxation of Incidental Receipts—A Comparative View"**

Richard C.E. Beck, Professor of Law; Codirector, Graduate Tax Program

**"Does a Commuter's Choice of Where to Reside Implicate the Dormant Commerce Clause?"**

Robert Firestone '90, Adjunct Professor of Law

**"Section 2036, Partnerships and Value: Fantasy and Reality in Tax Law"**

William P. LaPiana, Rita and Joseph Solomon Professor of Wills, Trusts, and Estates; Director of Estate Planning, Graduate Tax Program

**"Randolph Paul and Robert Montgomery, Tax Leaders in the Legal and Accounting Professions: Two Approaches to Tax"**

Tanina Rostain, Associate Professor of Law; Codirector, Center for Professional Values and Practice

**"Three Tax Law Leaders of the Progressive Era from New York Law School"**

Ann F. Thomas, Professor of Law; Codirector, Graduate Tax Program

**PANEL I: Law and the Humanities II**

**"Ethical Reflections on Scholarly Writing"**

Jethro K. Lieberman, Professor of Law; Associate Dean for Academic Affairs; Codirector, Writing Program

**"Suing Amy: Adventures in a Parallel Legal Universe"**

Cameron Stracher, Professor of Legal Writing; Publisher, *New York Law School Law Review*

Commentator: Susan Abraham, Associate Professor of Applied Legal Analysis

**PANEL J: The Impact of *Brown v. Board of Education***

Moderator: Denise C. Morgan, Professor of Law

**"Separate and Unequal, But Alien: A Commentary on *Brown's* Limits"**

Lenni B. Benson, Professor of Law; Codirector, Justice Action Center

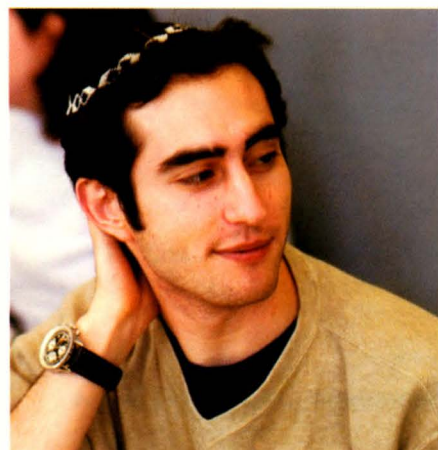
**"Judging *Brown*: On the Possibility that Justice Reed Concurred for the Good of the Country Despite Believing the Decision Was a Mistake"**

Stephen Ellmann, Professor of Law; Associate Dean for Faculty Development

**"The Effect of *Brown* on the Movement for Women's Legal Equality"**

Isabelle Katz Pinzler, Visiting Professor of Law  
 Commentator: Edward A. Purcell Jr., Joseph Solomon Distinguished Professor of Law

# Scenes from | Faculty Presentation Day



# Visiting Faculty, 2004–05



**Anita Bernstein**  
*Visiting Professor of Law*

ANITA BERNSTEIN WILL JOIN THE FACULTY OF NEW YORK LAW SCHOOL AS A visiting professor for the summer 2004 and fall 2004 semesters. She will teach seminars on marriage and feminist jurisprudence, and torts. Bernstein is the inaugural Sam Nunn Professor of Law at Emory University School of Law.

Before visiting at Emory during the 1999–2000 academic year, Bernstein was Norman & Edna Freehling Scholar and a professor of law at Chicago-Kent College of Law. She received the first Fulbright research award in European Union affairs given to a law professor, to study the effects of products liability reform in the European Union. While holding this research grant and living in Florence, Bernstein became interested in comparative sexual-harassment law. A resulting article won first prize in the Association of American Law Schools paper competition.

She has been a visitor at several other law schools, most recently at Cornell University during fall 2003 and the University of Iowa, where she was the Mason Ladd Distinguished Visiting Professor of Law in spring 2002. Prior to embarking on her academic career, Bernstein was law clerk to the Honorable Jack Weinstein of the Eastern District of New York, and practiced with Debevoise & Plimpton, where she worked in products liability litigation and mergers and acquisitions.

Bernstein, who writes primarily on tort law, also writes on feminist jurisprudence, professional responsibility, products liability, and occasionally on comparative law. She is a well-known CLE instructor, having presented ethics and professionalism programs at a number of major law firms. Bernstein is a member of the American Bar Association Committee on Professionalism initiative to study and improve the teaching of professional responsibility, an effort that focuses both on law students and licensed lawyers.

Bernstein received her bachelor's degree with honors from Queens College in 1981 and was inducted into Phi Beta Kappa. She was awarded her J.D. by Yale Law School in 1985.



**David Johnson**  
*Visiting Professor of Law*

DAVID JOHNSON WILL JOIN THE NEW YORK LAW SCHOOL FACULTY AS A distinguished visiting professor for the fall 2004 and spring 2005 semesters. He will teach Internet Law and work with students in the Institute for Information Law and Policy.

Johnson recently retired as a partner from Wilmer, Cutler & Pickering and is devoting substantial time to the development of new types of graphical groupware software products.

After graduating from law school, Johnson spent a year clerking for Judge Malcolm R. Wilkey of the United States Court of Appeals for the District of Columbia. He then joined Wilmer, Cutler & Pickering, in 1973, and became a partner in 1980. His practice focused primarily on the emerging area of electronic commerce, including counseling on issues relating to privacy, domain names and Internet governance issues, jurisdiction, copyright, taxation, electronic contracting, encryption, defamation, ISP and OSP liability, regulation, and other intellectual property matters.

Johnson has been a pioneer in his field, having helped to write the Electronic Communications Privacy Act. He was involved in discussions leading to the Framework for Global Electronic Commerce and has been active in the introduction of personal computers in law practice.

Johnson received his bachelor's degree *summa cum laude* from Yale College, in 1967, and his J.D. from Yale Law School in 1972. In addition, he completed a year of postgraduate study at University College, Oxford, in 1968.

Photo: Thornton Studios



**Lawrence C. Levine**  
*Visiting Professor of Law*

**LAWRENCE C. LEVINE WILL CONTINUE AS VISITING PROFESSOR OF LAW IN** the 2004–05 academic year. He joined the New York Law School faculty in the fall 2003 semester. Levine teaches Torts.

A professor of law at the University of the Pacific McGeorge School of Law, where he was recognized as Teacher of the Year in 2002, Levine has authored several books and articles on the subject of torts. He is a coeditor of *A Torts Anthology* and a coauthor of the treatise *Understanding Torts*. He has recently coauthored a torts casebook for Lexis Publishing Company.

Levine has been a frequent panelist, lecturer, and speaker on legal issues involving sexual orientation. He has served on the State Bar Committee on Sexual Orientation Discrimination as well as the Board of Directors of the AIDS Legal Referral Panel of Northern California and Sacramento Lawyers for the Equality of Gays and Lesbians. He was the director of the Minority Students Program at McGeorge from 1994 to 1996.

Levine clerked for the Honorable Eugene F. Lynch, United States District Court, Northern District of California, and was an associate with Morrison & Foerster in San Francisco for two years. He was an adjunct faculty member at the University of California, Hastings College of the Law before joining the McGeorge faculty in 1985.

Levine received his bachelor's degree in political science from Allegheny College in 1976 and his J.D. from Hastings College of the Law.

Photo: Edith Sachs



**Howard S. Meyers**  
*Visiting Clinical Professor*

**HOWARD S. MEYERS WILL JOIN THE FACULTY OF NEW YORK LAW SCHOOL AS A** visiting clinical professor for the fall 2004 and spring 2005 semesters. He will teach in the Securities Arbitration Clinic. Meyers is currently a partner at the law firm of Meyers & Heim LLP, where he represents clients in all aspects of complex securities and commercial litigation.

Meyers cofounded Meyers & Heim LLP with a former U.S. Securities and Exchange Commission colleague in 2000. He is also an arbitrator on behalf of the New York Stock Exchange and NASD Dispute Resolution. Previously, he served as litigation associate at Paul, Hastings, Janofsky & Walker LLP (1997–2000).

After law school, Meyers served as a staff attorney in the Northeast Regional Office of the Securities and Exchange Commission's Division of Enforcement, located in New York City. During his tenure with the SEC, he was responsible for investigating and litigating complex cases involving sales practice abuses committed by stockbrokers, fraudulent financing and Ponzi schemes, accounting fraud, and the sale of unregistered securities by various public companies.

Prior to graduating from law school, Meyers was a senior accountant at the international accounting firm of KPMG Peat Marwick. While at KPMG, he earned his certified public accountant license and was responsible for auditing the financial statements of several *Fortune* 500 companies and regional broker-dealers.

Among his publications are "Schedule D: Looking Behind the Numbers to Provide Better Client Service," published in *The Trusted Professional* (February 2003), and "Finder's Fee Agreements: Pitfalls and Considerations," published in the *New York Law Journal* (February 2000). He has also recently appeared as a guest commentator on CNBC and the BBC to discuss the SEC's investigation of WorldCom and its impact on the U.S. securities market, and on FOX News to discuss the Justice Department's indictment, trial, and conviction of Martha Stewart. He is quoted frequently in the financial press.

Meyers received his A.B. degree, Phi Beta Kappa, in business administration and accounting from Franklin and Marshall College in 1989. He graduated *cum laude* from the Temple University School of Law in 1994.



## Daniel M. Schneider

Visiting Professor of Law

DANIEL M. SCHNEIDER WILL JOIN THE NEW YORK LAW SCHOOL FACULTY AS A visiting professor in the spring 2005 semester. He will teach several courses in federal income tax.

Schneider's primary area of teaching interest and scholarship is taxation. A professor of law at Northern Illinois University College of Law, he joined that faculty in 1984 and teaches courses including federal income tax, foreign tax, elder law, and bankruptcy. He has also held visiting professorships at Washington University School of Law (1988, 2001), the University of Wisconsin Law School (1996), and Florida State University College of Law (2001), among others.

Prior to joining the law faculty at Northern Illinois University, Schneider served as an associate at Murphey, Young & Smith in Columbus, Ohio. He then joined LeBoeuf, Lamb, Greene & MacRae in New York City as an associate, practicing in the areas of corporate tax, individual tax, taxation of exempt organizations, estate planning, and foreign tax. After law school, Schneider served as a law clerk to the Honorable Joseph P. Kinneary of the Federal District Court of the Southern District of Ohio. He was also a research fellow at Yale Law School (1976–77).

Schneider has written two books, *Taxation of Dividends and Corporate Distributions*, published by Warren, Gorham & Lamont in 1995, and *Federal Income Taxation of Corporate Reorganizations*, published by Shepard's in 1988, as well as various articles about taxation. He is a member of the Illinois Bar and the American Law Institute.

Schneider received his A.B. from Washington University in 1970 and his J.D. from the University of Cincinnati College of Law, where he was a member of the *Law Review* and was a book review and research editor, in 1973. He was awarded his LL.M. in taxation from New York University School of Law in 1976.



Photo courtesy D. Yellen

## David N. Yellen

Visiting Professor of Law

DAVID N. YELLEN WILL JOIN THE FACULTY AT NEW YORK LAW SCHOOL AS A visiting professor for the spring 2005 semester, and will teach Criminal Law and Criminal Law and Procedure: Sentencing. Yellen is the former dean at Hofstra University School of Law, where he is the Max Schmertz Professor of Law.

Yellen has been a professor at Hofstra University School of Law since 1988 and was dean from 2001 to 2004. Prior to his tenure at Hofstra, he was staff counsel to the Judiciary Committee of the United States House of Representatives from 1987 to 1988. After law school, Yellen joined the Washington D.C.-based law firm of Schwalb, Donnenfeld, Bray & Silbert as an associate practicing in the areas of civil and criminal litigation at the trial and appellate levels. He also served as a law clerk to the Honorable Arlen C. Beam of the United States District Court for the District of Nebraska. In the spring of 2000, he was a visiting professor at Cornell Law School.

Yellen's main area of expertise is sentencing reform. He is coauthor of a leading treatise on federal sentencing law, and has written articles about sentencing that have appeared in such journals as the *Northwestern Law Review*, *Southern California Law Review*, and *Minnesota Law Review*. Yellen frequently lectures to federal judges about federal sentencing guidelines and has testified before the United States Sentencing Commission. He has been active in providing pro bono legal representation to indigent defendants, and has done so before the United States Supreme Court. He also serves as an adviser to the Families Against Mandatory Minimums Foundation.

Yellen has also written in the areas of juvenile justice and white-collar crime. He advised President Clinton's transition team on white-collar crime issues. He is also a frequent contributor to the *Federal Sentencing Reporter* and the *Business Crimes Bulletin*.

Yellen received his bachelor's degree from Princeton University in politics *magna cum laude* and his J.D. *cum laude* from Cornell Law School, where he was special project editor of the *Cornell Law Review* in 1984.

# Adjunct Professor Norman L. Reimer Is New NYCLA President

**NORMAN L. REIMER, A LEADING NEW YORK CITY CRIMINAL DEFENSE**

attorney and an adjunct professor at New York Law School, will be positioned at the center of many social-legal storms over the next year. On May 27, Reimer became president of the New York County Lawyers' Association (NYCLA), which is involved in initiatives on law-firm and corporate-counsel diversity, on New York's sentencing policies, and on the performance of the city's housing and criminal courts.

A partner in the firm Gould Fishbein Reimer and Gottfried, LLP, Reimer has been a NYCLA board member for the past seven years and has spearheaded the association's efforts to improve indigent defense in both criminal and family courts. He chaired the organization's Task Force on the Future of the Association, as well as its Criminal Justice Section. Reimer has been involved with NYCLA since 1992.

He said he finds his work with the association especially gratifying because "it offers me the opportunity to lead the profession's efforts to improve our system of justice, by enhancing its quality and availability." Founded in 1908 as the first major bar association in the country to admit members without regard to race, ethnicity, religion, or gender, NYCLA has, as its fundamental precept, the task of expanding access to justice.

As chair of its Task Force on Indigent Defense, Reimer introduced two initiatives that have significantly improved the quality of indigent defense work in New York City. He also played an instrumental role in the landmark *NYCLA v. New York* case.

"In the mid-1990s, the state of indigent defense was in complete crisis," he explained. In response, Reimer and NYCLA developed a proposal to set standards for all institutional providers. The proposal was adopted by the Appellate Division, First Department, which led to the establishment of the Indigent Defense Organization Oversight Committee, which implemented practice standards. Reimer and NYCLA then undertook an in-depth look at how New York City's poor acquired representation in Criminal and Family Court cases, focusing on the Assigned Counsel Plan.

"Attorneys' rates were fixed at twenty-five to forty dollars an hour. Quality counsel could not be provided at those rates," Reimer said. NYCLA and Reimer then went on a campaign to try and get those rates raised. For a time, their efforts yielded no result, but in 2000 they recruited the law firm Davis Polk & Wardwell to sue the State of New York, alleging systemic deficiencies resulting in ongoing constitutional violations. *NYCLA v. New York* upheld the third-party standing of a bar association to sue on behalf of indigent litigants and

resulted in a permanent injunction requiring the state to raise the compensation rates. In November 2003, New York State raised the rates for indigent defense lawyers, increasing the availability of quality counsel for New York City's poor. In acknowledgment of his work, Reimer received the Champion of Indigent Defense Award, presented by the National Association of Criminal Defense Lawyers, in 2003, and the Gideon Award, presented by the New York State Association of Criminal Defense Lawyers, in 2002.

During the time Reimer was working on *NYCLA v. New York*, he was also teaching Trial Advocacy at New York Law School. "I began teaching in 1990 because I enjoyed the skill of lawyering and wanted to be able to share it with other people." He said teaching a small class in the evenings is perfectly suited to his career demands. The proximity of the Law School to his offices facilitates his teaching, too. "If I've been in court during the day, I have time to go back to my office to make phone calls, see clients, and still be able to compose my thoughts before class. I can't think of a better situation."

Reimer also acts as a mentor attorney to students in the New York Law School Externship Program. Professor Mariana Hogan, director of the program, said, "Norman has been a wonderful resource to New York Law School, and students love to work in his office. I have never had anything but glowing evaluations of their experiences there." Hogan attributed this to the fact that Reimer and his associates are among the best attorneys in the city. "They're wonderful role models for our students because they are incredibly skilled and conscientious lawyers. As a result, the externs get exposed to an extraordinary array of criminal proceedings being litigated at the highest level. It's not surprising that they love the experience—who wouldn't value the opportunity to shadow top criminal defense lawyers as they work in the local, federal, and state courts?"

Reimer said this is possible because he and his partners have a philosophy about the externs. "We don't see them as here to work for us. We see the externship program as an opportunity to introduce students to the work we do. Whenever we have a chance, we let them come to a trial, sit at the table with us, and sit in when we interview clients and witnesses. They are seeing—many of them for the first time—what it is really like to represent people."

Students also realize the myriad connections that NYCLA shares with the Law School, said Reimer. "Almost seven hundred New York Law School alums are members," he said. "The executive director of our foundation, Marilyn Flood, is an alum, as is our immediate past president, Michael Miller. In addition to Professor Hogan, our current or past board members who teach at the school include Lucas

## Homelessness, Sentencing Guidelines, Diversity Top New Bar Association Chief's Agenda

Ferrara, Dan Finkelstein, Martin Minkowitz, and David Samuels. Judge Gerald Lebovits, who teaches at the law school, is also active with NYCLA. He participates in many of its programs and we're planning more projects with him in the future. Having the Law School virtually in NYCLA's backyard makes for a natural connection in so many ways."

Reimer so relishes the unique and vital relationship that he and NYCLA share with New York Law School that one of his mandates as president is to further strengthen ties between the bar association and law schools in general. "At present, about three thousand five hundred of our members have been practicing for ten years or less, and about two hundred and fifty of those are law students." Because of this, Reimer sees NYCLA as a younger-person's bar association. "One of the best vehicles for getting a person integrated into the profession is through a bar association. I also think it's invaluable for a bar association to cultivate the participation of young people. The state of the law and how we practice law in the last ten to twenty years have changed so much. Bar associations need young people who understand those changes."

As president, Reimer is excited to meet and build on those changes. "We're doing a complete self-analysis so that we can develop a whole new plan for NYCLA as we approach two incredibly important anniversaries. Next year is the seventy-fifth anniversary of the bar building on Vesey Street, a landmark gem that we call our 'Home of Law.' And in 2008 we will celebrate our hundred-year anniversary. We're looking to gear up and re-energize as we move forward."

An important part of that plan is a series of key initiatives that Reimer hopes to put in place as president. He will continue the work of NYCLA's Task Force on Diversity, a recent initiative that asks law firms and corporate counsel to sign a statement affirming their commitment to advancing opportunities for women and minorities, while also asking them to agree to periodic reports on their success in this area. A task force, based on a major study of the Criminal Court in New York, will make recommendations on how to make that court more user-friendly for both victims and defendants. NYCLA's Justice Center is also convening a conference in the fall on the New York City Housing Court. "It's the thirtieth anniversary of one of the most troubled courts in the city, maybe even the country," Reimer said. "We're hitting an all-time high in homelessness, and we want to examine and make recommendations on ways of implementing reforms that would minimize this growing problem."



Photo: Rick Kopstein

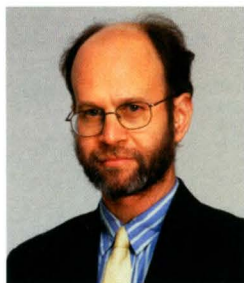
Another task force, which Reimer anticipates will be chaired by New York Law School Professor Frank Bress, will look at sentencing policies and how they affect the population. "The United States has the highest prison population in the world, with some of the most draconian sentencing policies, and I don't think anyone has taken a look in a long time at how those policies work and what their effects on society are." Reimer continued, "To what extent do we even care about rehabilitation at this point? To what extent are we funding programs that help bring people out of the cycle of crime? To what extent are we relying on prison in nonviolent cases—and in doing so actually creating more harm to society than good?"

Reimer has been interested in criminal defense law his entire life. "I grew up wanting to be a criminal defense lawyer. Long before Court TV, I watched *Perry Mason* and *The Defenders* and said, 'This is what I have to do!'" He pursued his J.D. at New York University, where he had "some fantastic instructors—including Frank Bress." Another mentor was Frank Gould, a renowned defense lawyer, who invited Reimer to join his firm upon graduation from law school. Reimer soon became a partner, and today the seven-person firm specializes in criminal defense, immigration, and civil rights litigation.

Reimer's professional life—the demands of his law practice, NYCLA, and New York Law School—is challenged further by the pro bono aspect of much of his work. However, he strikes everyone he works with as serene—even cheerful. "I don't make as much money as some lawyers I know," Reimer admitted, grinning broadly, "but I don't think they're having as much fun as I am." ■



# Faculty Highlights



**Stephen J. Ellmann**  
*Professor of Law  
Associate Dean for  
Faculty Development  
Chair, Clinical Theory Workshops  
Cochair, South Africa  
Reading Group*

IN A LAW SCHOOL TEEMING WITH SCHOLARS AND SUCCESSFUL practitioners, stimulating conversations occur just about everywhere—in the hallway, at the lunch table, over a morning cup of coffee. This collegial engagement, evident on a daily basis at New York Law School, has risen to another level in recent years, thanks to a series of stimulating workshops, scholarly luncheons, discussion groups, and colloquia spearheaded by the faculty. The series will be profiled in the next issue of *In Brief*.

Overseeing this effort is just part of what Professor Stephen J. Ellmann does as associate dean of faculty development.

“These activities give us a chance to rev ourselves up,” Ellmann said. “Not only do we bring in colleagues from other schools, but we also tell the outside world what we’re up to.”

Ellmann personally chairs the Clinical Theory Workshop, co-chairs the South Africa Reading Group, leads the Faculty Scholarship Luncheons, and organizes the recently launched First Thursday Series. Several other faculty members also lead discussion groups. Professor Ruti Teitel leads the Comparative Law and Politics Discussion Group, Professors Tanina Rostain and Frank Munger chair the Law and Society Colloquium, and the Law School’s various centers sponsor numerous such events.

The First Thursday Series, launched last fall, is an outgrowth of the popular Faculty Scholarship Luncheons, which focus on scholarship and tend to be “fairly serious occasions,” Ellmann said. Attendees do considerable reading in advance, and presenters devote much preparation to their talks.

In contrast, the First Thursday discussions are meant to be occasions where people talk about “interesting things with a sometimes modest connection to law,” Ellmann said. Recently, Professor Isabelle Katz Pinzler presented a report she had done as an advocate on the Supreme Court’s federalism decisions and what might be done to challenge them. Professor Donald Zeigler showed a video of and led a discussion on the Reverend Dr. Martin Luther King Jr.’s “I Have a Dream” speech.

“It’s not the sort of thing that we necessarily write scholarly articles about, but it is an occasion to talk law in a more relaxed way,” Ellmann said.

These activities are the most visible part of Ellmann’s responsibilities. But his top priority remains working with junior faculty, something he also encourages other members of the faculty to do.



**Karen Gross**  
*Professor of Law  
Director, Economic  
Literacy Consortium  
President, Coalition for Consumer  
Bankruptcy Debtor Education*

BEFORE SHE WAS A LAWYER OR A LAW PROFESSOR, PROFESSOR KAREN GROSS was a part-time high school teacher in Philadelphia. Now one of the nation’s foremost experts on bankruptcy law and consumer finance, she takes time to help the New York City schools.

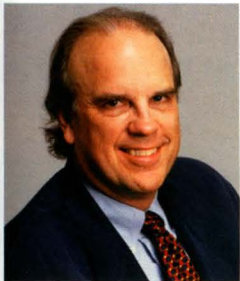
Gross recently took part in a program that trains high school teachers to teach financial literacy. Once the teachers learn the substance as well as the psychological dimensions of money, she says, they can more effectively teach this material to their students. Financial literacy is part of the economics curriculum mandated by New York State for twelfth grade, she notes. The program is run by a nonprofit group known as WISE (Working in Support of Education).

As a nation, “we are not financially literate,” Gross says, noting that the problem cuts across all age groups, all genders, and all education levels. So, the effort to improve financial literacy must occur in many settings and at many levels—in schools, homes, community groups—at “teachable moments,” such as when a person emerges from bankruptcy, she says.

Most financial literacy is undergirded by the law, Gross says. Thus, her legal expertise, paired with her experience in pedagogy and teacher training, has proven invaluable.

“If a high schooler can learn this material, it accomplishes several things,” she says. “It makes the student a wiser and more thoughtful participant in our credit-based society. And that student may communicate the information within his or her family and community. So, teaching has a significant ripple effect, making the effort all the more valuable.”

*As a nation, “we are not financially literate,” Gross said, noting that the problem cuts across all age groups, all genders, and all education levels.*



**Randolph N. Jonakait**  
Professor of Law

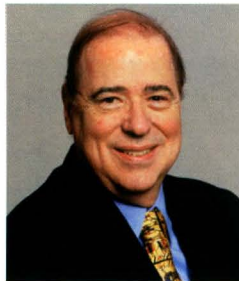
PROFESSOR RANDOLPH N. JONAKAIT'S BOOK, *THE AMERICAN JURY SYSTEM* (Yale University Press, 2003), was reviewed favorably in the *Harvard Law Review* and other places, and he became a sought-after commentator on the topic. When jury selection began in the trial of lifestyle maven Martha Stewart, *The Washington Post*, *CBS Evening News*, and other media heavies came calling.

But Jonakait has moved on. Although his interest in the jury system continues, he turned his focus to the issue of terrorism about a year ago. He is now writing two articles on a new statute making it a crime to provide material support or resources to a foreign terrorist organization. "We're at the beginning of the use of this statute," he said. "There have been a handful of prosecutions, but everyone expects a whole lot more." He is also writing an article on enemy combatants as he waits for the United States Supreme Court to decide questions relating to the issue.

The "providing material support to terrorists" statute raises a host of legal questions, from what powers can be delegated to the secretary of state to due-process issues and various First Amendment considerations that the courts are exploring right now.

"From a legal standpoint, terrorism is obviously going to be an important topic for years to come," he said. "Many of the issues have not been thought through yet."

*"From a legal standpoint, terrorism is obviously going to be an important topic for years to come."*



**Edward A. Purcell Jr.**  
*Joseph Solomon Distinguished*  
Professor of Law

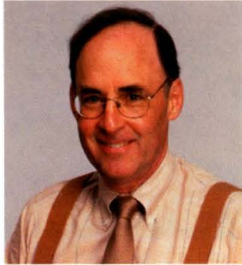
PROFESSOR EDWARD A. PURCELL, JR., ONE OF THE NATION'S FOREMOST authorities on the history of the United States Supreme Court and the federal judicial system, has marked another milestone in his scholarly career. In January 2004, he received the Order of the Coif Triennial Book Award from the Association of American Law Schools (AALS) for his book *Brandeis and the Progressive Constitution: Erie, the Judicial Power, and the Politics of the Federal Courts in Twentieth-Century America* (Yale University Press, 2000).

One of the profession's highest honors, the award has been given only to a very select group of legal scholars, including G. Edward White, Gerald Gunther, Robert Ellickson, Ronald Dworkin, Guido Calabresi, Lawrence Tribe, James Willard Hurst, John Rawls, Grant Gilmore, Brainerd Currie, and John Hart Ely. The award was presented at the AALS Annual Meeting in Atlanta.

"One of the most gratifying things about the award is the roll of past winners. It's an extremely impressive list," Purcell said.

Supreme Court Justice Louis D. Brandeis's opinion in the 1938 landmark case *Erie Railroad Co. v. Tompkins* resulted in a significant relocation of power from federal to state courts. Purcell's book examines how the *Erie* case provides a window on the legal, political, and ideological battles over the federal courts in the twentieth century. It also offers an in-depth study of Brandeis's constitutional jurisprudence and evolving legal views. The book was previously awarded an American Bar Association Silver Gavel Certificate of Merit, as well as the Triennial Griswold Prize from the Supreme Court Historical Society in 2001.

The Order of the Coif Triennial Book Award recognizes works published during the designated three-year period that evidence creative talent of the highest order. Purcell shared this honor with Professor Charles W. McCurdy, of the University of Virginia, for his book *The Anti-Rent Era in New York Law and Politics, 1839-1865*. In October, the American Society for Legal History is scheduled to present a special program at its annual convention on the books of both Purcell and McCurdy.



## David Schoenbrod

Professor of Law

**AS A STAFF ATTORNEY FOR THE NATURAL RESOURCES DEFENSE COUNCIL** (NRDC) during the 1970s, he led the charge to get lead out of gasoline, dramatically reducing the amount of the brain-damaging contaminant in the air. Today, New York Law School Professor David Schoenbrod continues to draw on that experience. This spring, he finished his latest book, *Political Pollution: How Environmentalism Got Lost in Washington and the Way to Bring It Home*, to be published by Yale University Press.

Based on Schoenbrod's experience as an environmental advocate and observer of the environmental scene over the past thirty-five years, the book takes on "legislators who hide behind bureaucracies and needlessly centralize power." Regulation, Schoenbrod said, is inevitably political because, no matter who makes the rules, they reflect "tugging and hauling between conflicting interests in society."

The system that Congress established for making environmental regulation, said Schoenbrod, is political in the sense that "legislators shaped it to make themselves look good rather than serve the interests of their constituents." The result, he says, is "political pollution."

"It dirties not only the air and water, but also democracy, liberty, justice, and our joy in doing creative work," said Schoenbrod, who hopes this book attracts the interest of general readers to show them "why we need to make changes."

"Under the current system," he said, "government makes up rules that affect us without our being able to hold officials accountable for them. Writing more than a half century ago, the spiritual father of modern environmentalism, Aldo Leopold, called for 'conservation...to grow from the bottom up, instead of from the top down, as is now the case.' That was right then and it's right now."

Schoenbrod considers the book part of a trilogy on legislators "shirking responsibility and centralizing power by establishing ersatz rights." Previous volumes are *Power Without Responsibility: How Congress Abuses the People Through Delegation* (Yale University Press, 1993) and, with New York Law School Professor Ross Sandler, *Democracy by Decree: What Happens When Courts Run Government* (Yale University Press, 2003).

# Faculty Activities



**From left:**  
Lenni B. Benson  
Andrew R. Berman  
Robert Blecker  
Michael H. Botein

## Lenni B. Benson

### SCHOLARLY PRESENTATIONS

"The Rule of Law Requires Men and Women: A Lesson from the Palmer Raids of 1919," Pace University Law School, *Pace International Law Review Symposium* (October 2003)

### MEDIA REFERENCES AND APPEARANCES

"Rangel Plans Effort to Give Diallo Family Permanent Status," *The New York Sun* (January 2004)

## Andrew R. Berman

### SCHOLARLY PRESENTATIONS

"Real Estate Finance—What You Need to Know," CLE seminar, Association of the Bar of the City of New York (December 2003)

"New York Real Estate Law and Landlord/Tenant Practice," CLE seminar, New York Law School (November 2003)

## Robert Blecker

### SCHOLARLY PRESENTATIONS

"The Myth of Race Discrimination in the Death Penalty," Tuesday Scholarship Lunch Series, New York Law School (February 2004)

"The Case for the Death Penalty," debate with Judge John Gibbons, sponsored by New Jersey League of Women Voters (November 2003)

"Juveniles and the Death Penalty," Cornell Law School (November 2003)

### MEDIA REFERENCES AND APPEARANCES

"Study Revises Texas' Standing as a Death Penalty Leader," *The New York Times* (February 2004)

"Blacks Underrepresented on Death Row," United Press International (February 2004)

"High Court Agrees to Consider Legality of Juvenile Executions," *The Baltimore Sun* (January 2004)

"U.S. Supreme Court Will Decide Whether the Death Penalty Should Be an Option for People Under 18," *The Abrams Report*, MSNBC (January 2004)

"Will the U.S. Outlaw the Death Penalty for Juveniles?" BBC Radio, *The World Today* (January 2004)

"Court to Rule on Death Penalty," *Boston Globe* (January 2004)

"Killer's Lawyers Seek to Raise Standard of Proof for Death Penalty," *The New York Times* (January 2004)

"Speak Your Piece," WSNR Radio (January 2004)

"Should Juveniles Face Execution?" *The Grand Rapids Press* (January 2004)

"The Death Penalty Today," WCCO (CBS, Minneapolis) (January 2004)

"Fewer Minors Being Sentenced to Death," *Christian Science Monitor* (December 2003)

"NY Court Is Called Anti-Death," *Newsday* (New York) (December 2003)

"Penalty for Young Sniper Could Spur Change in Law," *The New York Times* and other publications including *Chicago Daily Law Bulletin* (December 2003)

"Martin Backs Bill for Death Penalty Study in Committee," *Hanover Eagle and Regional Weekly News* and *Morris News Bee* (December 2003)

"A Conversation with—Laurence Steinberg: Are Young Killers Evil, or Works in Progress?" *The New York Times* (November 2003)

"League Presents Public Forum on Death Penalty," *Madison Independent Press* (November 2003)

"Former Attorney General Reno to Speak at CU Forum," *The Ithaca Journal* (November 2003)

"How Bad Is Bad?" *Chicago Sun-Times* (October 2003)

## Michael H. Botein

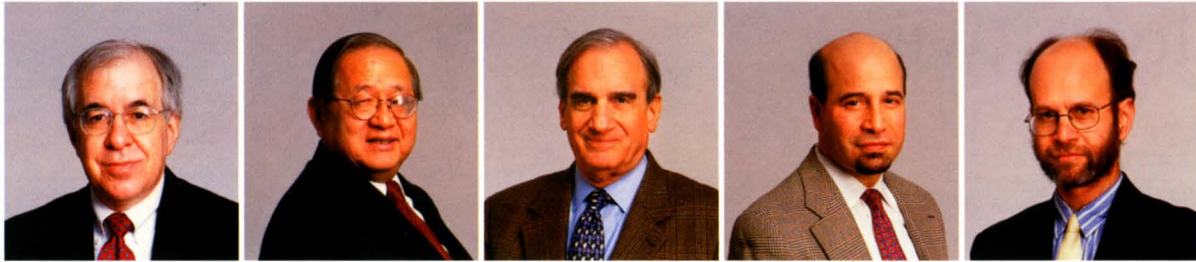
### APPOINTMENTS

Visiting Professor at the Faculté de Droit, Université de Poitiers, France, lecturing on U.S. media law and policy (October 2003)

Visiting Professor, Universidad Sergio Arboleda, Bogotá, Colombia, lecturing on U.S. telecommunications policy (December 2003)

### SCHOLARLY PRESENTATIONS

Lecture on "El Desarrollo de la Banda Ancha en los Estados Unidos de Norte America," CINTEL, 27th Annual Audicom Conference, Cartagena, Colombia (October 2003)



**From left:**  
James Brook  
Lung-chu Chen  
Sydney M. Cone, III  
Paul R. Dubinsky  
Stephen J. Ellmann

**PUBLICATIONS**

*Regulación de los Medios Masivos de Comunicación*, Universidad Sergio Arboleda (December 2003)

**James Brook**

**PUBLICATIONS**

*Payment Systems: Examples and Explanations*, Second Edition, Aspen Publishing (February 2004)

**Lung-chu Chen**

**MEDIA REFERENCES AND APPEARANCES**

"China's Booming Economy Lures Many Taiwanese," Knight Ridder/Tribune News Service (November 2003)

"China Hopes Greater Economic Ties with Taiwan Help Curb Independence Moves," Knight Ridder/Tribune News Service (November 2003)

**Sydney M. Cone III**

**SCHOLARLY PRESENTATIONS**

Presented lecture, at the invitation of the chief prosecutor, at the International Criminal Court in The Hague, recounting the development of the institutional GATT into the World Trade Organization (January 2004)

Moderated Center for International Law C.V. Starr Lecture by Professor Richard H. Weisberg of Cardozo School of Law on "The Legal Profession in Vichy, with Some Lessons for Lawyers in France and the United States" (February 2004)

**PUBLICATIONS**

Published paper, solicited by and written for *Law & Social Inquiry*, analyzing the current status of proposals concerning multidisciplinary practice (November 2003)

**Paul R. Dubinsky**

**APPOINTMENTS**

Named to the steering committee of Beyond Borders, a judicial education program sponsored by the National Association of Women Judges; The Board of that body includes Supreme Court Justices Breyer, Ginsberg, and O'Connor (Fall 2003)

Named to a new committee of the American Society of Comparative Law charged with assisting other scholars in pursuing comparative aspects of their field (January 2004)

**Stephen J. Ellmann**

**SCHOLARLY PRESENTATIONS**

Spoke to human rights intern law students at Columbia Law School about the dilemmas of public-interest practice, based on a book chapter he published in 1998 on "Cause Lawyering in the Third World" in *Cause Lawyering: Political Commitments and Professional Responsibilities*, by A. Sarat and J. Scheingold, Oxford University Press, 1998 (January 2004)

Taught a continuing legal education class to lawyers at the New York City Corporation Counsel based on "Truth and Consequences," an article he published in 2000 on whether, and how, lawyers should seek the truth from their clients (December 2003)

Presented paper, "The Right to Counsel as a Socioeconomic Right," at the Tuesday Scholarship Lunch Series, New York Law School (November 2003)

Chaired the first South Africa Reading Group videoconference, linking New York Law School with scholars in London, at the University of Maryland, and at the University of the Witwatersrand in Johannesburg (November 2003)

Presented to a law class at the University of Cape Town, South Africa, on the ethics of lawyers' disobeying the law, in light of the life of Bram Fischer, a prominent and greatly admired South African anti-apartheid lawyer who apparently

violated the law and legal ethics for the sake of the anti-apartheid struggle (October 2003)

**PUBLICATIONS**

"Legal Interviewing and Counseling: An Introduction," with Robert Dinerstein, Isabelle Gunning, and Ann Shalleck, *Clinical Law Review* (part of a symposium on "The 25th Anniversary of Gary Bellow's & Bea Moulton's *The Lawyering Process*") (Fall 2003)

**Aleta Estreicher**

**SCHOLARLY PRESENTATIONS**

"Using and Authoring CALI Lessons—A Valuable Part of Law School Pedagogy," with Deb Quentel, Center for Computer-Assisted Legal Instruction (CALI), Tuesday Scholarship Lunch Series, New York Law School (November 2003)

**Kris Franklin**

**APPOINTMENTS**

Elected to the board of the AALS section on academic support (January 2004)

**SCHOLARLY PRESENTATIONS**

"The Crisis of Confidence," Roger Williams University (February 2004)

Organized and hosted, along with Susan Abraham, Brenda Holzinger, and Elizabeth Rosen, the first New York-area colloquium on academic support and legal pedagogy (December 2003)

"Legal Authority in *Lawrence v. Texas*," Tuesday Scholarship Lunch Series, New York Law School (October 2003)

**Annette Gordon-Reed**

**AWARDS AND RECOGNITION**

Selected to participate as a fellow in one of the Aspen Institute's Executive Seminars (February 2004)



**From left:**  
Aleta Estreicher  
Kris Franklin  
Annette Gordon-Reed  
Lawrence M. Grosberg  
Karen Gross

#### SCHOLARLY PRESENTATIONS

Moderated panel, "Black Society Behind Bars: Drug Laws and Incarceration in American Society," Black Law Students Association's Northeast Regional Conference, Brooklyn Law School (February 2004)

Spoke at commemoration of the 50th anniversary of *Brown v. Board of Education*, Purdue University (February 2004)

Participated in two panels at the American Historical Association's convention in Washington, D.C.; panel on "History and Biography" was broadcast live on C-SPAN (January 2004)

Spoke on the essays in *Race on Trial: Law and Justice in American History* before the American Bar Association's Division for Public Education in Philadelphia to commemorate *Brown v. Board of Education* (January 2004)

Participated in a conference at Columbia University School of Journalism to discuss teaching journalists how to analyze and evaluate evidence (November 2003)

#### PUBLICATIONS

"Thurmond Story Tells Harsh Truths," syndicated article found in sources including the *Sun-Reporter* (San Francisco), *Richmond Voice* (VA), *Cincinnati Herald* (OH), *Daily Challenge* (Brooklyn, NY), and *City News* (Newark, NJ) (January 2004)

Reviewed *Negro President: Jefferson and the Slave Power*, in *The American Lawyer* (January 2004)

Commentary for the online publication *WomensEnews.org* on Strom Thurmond and his daughter Essie Mae Washington-Williams (December 2003)

#### MEDIA REFERENCES AND APPEARANCES

Discussed the life and times of Strom Thurmond, his black daughter, Essie Mae Washington-Williams, Thomas Jefferson, and Sally Hemings, CNBC's *Capitol Report* (December 2003)

#### Lawrence M. Grosberg

##### SCHOLARLY PRESENTATIONS

"Standardized Clients at New York Law School," Tuesday Scholarship Lunch Series, New York Law School (February 2004)

"Testing Using a Simulated Client Methodology," Georgia State University Law School Symposium, "Rethinking the Licensing of New Attorneys: An Exploration of Alternatives to the Bar Exam" (January 2004)

##### PUBLICATIONS

"Law School Debt and the Practice of Law," *The Record*, report of the Committee on Legal Education and Admission to the Bar of the Association of the Bar of the City of New York, Lawrence M. Grosberg, Chair (Fall 2003)

##### MEDIA REFERENCES AND APPEARANCES

"College of Law Holds Symposium on Bar Exam Alternatives," *Signal Online*, Georgia State University student newspaper (February 2004)

#### Karen Gross

##### SCHOLARLY PRESENTATIONS

"Electronic Court Files and Their Risks—Now and into the Future," conference on Privacy and Public Access to Court Records, The College of William and Mary (February 2004)

"Reflecting on Twenty-Five Years Under the Code: Lessons Learned for Bankruptcy Practitioners and Scholars," keynote speaker at the inaugural dinner for the launch of the Canadian Insolvency Foundation, University of British Columbia, Vancouver, Canada (February 2004)

"Financial Literacy Education: The Results of an Empirical Study," Association of American Law Schools (AALS) Annual Meeting, Debtor/Creditor Section, Atlanta (January 2004)

Teacher Training Program, Coalition for Consumer Bankruptcy Debtor Education, New York Law School and Fordham Law School (December 2003)

Provided expert testimony on "Avoiding Holiday Hazards," hearing before the New York City Consumer Affairs Committee (December 2003)

"Financial Literacy and Financial Products: Lessons Learned," conference on "Building Assets, Building Credit," Harvard University, Cambridge, Massachusetts (November 2003)

"Teaching Financial Literacy in the New York City Schools: Strategies for Teachers," WISE (Working in Support of Education), New York (November 2003)

##### PUBLICATIONS

"High and Low SES Debtors: The Use of Psychological Measures to Determine Differences," with Richard L. Wiener, Susan Block-Lieb, and Corinne Baron-Donovan, Joint Center for Housing Studies, Harvard University, *Working Paper Series* published online at [www.jchs.harvard.edu](http://www.jchs.harvard.edu) (February 2004)

"Establishing Financial Literacy Programmes: Complex Issues on the Platter," chapter 17 of book, *Consumer Bankruptcy in Global Perspective* (Hart Publishing) (December 2003)

##### MEDIA REFERENCES AND APPEARANCES

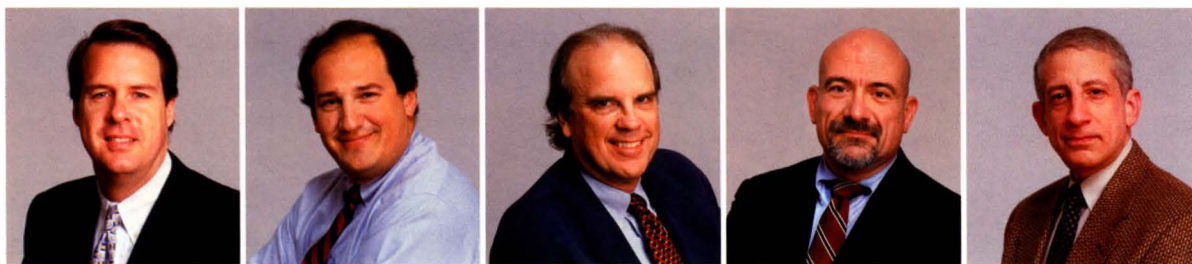
"The 'Payoff Balance' Trap: Watch for Slippery Lingo When You Pay Off a Card," *Bankrate.com* (February 2004)

"Identity Crisis," *UPN 9 News* (WWOR-TV), New York (February 2004)

"DMC Needs Well-Planned, Private Turnaround to Save It," *The Detroit News* (February 2004)

"Insolvency Foundation to Be Launched," *Lawyers Weekly* (January 2004)

Interview with *The New York Times* for upcoming feature on bankruptcy and credit cards (February 2004)



**From left:**  
 Jeffrey J. Haas  
 Seth D. Harris  
 Randolph N. Jonakait  
 William P. LaPiana  
 Arthur S. Leonard

**Jeffrey J. Haas**

**PUBLICATIONS**

*Corporate Finance in a Nutshell* (Thomson West, 2004) (January 2004)

**MEDIA REFERENCES AND APPEARANCES**

"States Begin to Grapple With Differing Variable Annuity Definitions," *Securities Week* (December 2003)

"New Mutual Fund Bill Could Lead to Brain Drain," *Securities Week* (December 2003)

"Fund Scandal in New Territory," *The Washington Post* (November 2003)

"Quattrone to Stand Trial a Second Time," *The Washington Post* and *Newsbytes* (November 2003)

"Banker's Case Ends in Mistrial," *The Washington Post* (October 2003)

**Seth D. Harris**

**PUBLICATIONS**

"Re-thinking the Economics of Discrimination: *U.S. Airways v. Barnett*, the ADA, and the Application of Internal Labor Market Theory," *Iowa Law Review* (October 2003)

**MEDIA REFERENCES AND APPEARANCES**

"Money Meets Politics in Bush Administration's Overtime Changes," *The Charlotte Observer* (December 2003)

"Younger Workers Out of Luck; Supreme Court Rules Rewarding Older Workers Isn't Discrimination," *Orlando Sentinel* (February 2004)

"OT Meets Politics," *High Point Enterprise* (December 2003)

**Randolph Jonakait**

**SCHOLARLY PRESENTATIONS**

"Jury Size and Unanimity," annual convention of the Fully Informed Jury Association (November 2003)

"The Prime Determinant of a Jury's Verdict," for a CLE program hosted by the Fully Informed Jury Association (November 2003)

**PUBLICATIONS**

"*People v. Molineux* and Other Crime Evidence: One Hundred Years and Counting," *American Journal of Criminal Law* (November 2003)

**MEDIA REFERENCES AND APPEARANCES**

"Prosecutors Finish Presenting Their Case in the Martha Stewart Stock Fraud Trial," *CBS Evening News* (February 2004)

"Prosecution Witness in Martha Stewart Case Backs Off Testimony," *The Saturday Early Show*, CBS (February 2004)

"Lifestyles Provide Riches for the Prosecution," *The Washington Post* (February 2004)

"Media Barred From Stewart Jury Selection," *The Washington Post* (January 2004)

"Martha Stewart Jury Selection," *The Flipside*, CNNfn (January 2004)

**TESTIMONIES AND LEGAL CONSULTATION**

Testified about various possible jury reforms before the New York State Commission on the Jury (July 2003)

**William P. LaPiana**

**SCHOLARLY PRESENTATIONS**

"Property Law and Estate Planning: Overlooked Basics," 18th Annual Law Seminar sponsored by the Archdiocese of New York (February 2004)

Meeting, National Conference of Commissioners on Uniform State Laws Drafting Committee, for the Revised Uniform Durable Power of Attorney Act (February 2004)

**PUBLICATIONS**

Contributed research to and drafts of the first two chapters of the recently published 125th anniversary history of the New York State Bar Association, *Of*

*Practical Benefit: New York State Bar Association, 1876-2001*, by Deborah S. Gardner and Christine G. McKay

**MEDIA REFERENCES AND APPEARANCES**

Quoted in an article on state estate taxes, *Bloomberg Wealth Manager* (February 2004)

"A Murder Mystery, a Money Mess," *BusinessWeek* (October 2003)

**Arthur S. Leonard**

**SCHOLARLY PRESENTATIONS**

Spoke at a meeting of the Special Committee to Study Issues Affecting Same-Sex Couples of the New York State Bar Association, on the legal and policy issues raised by various alternatives for the law in dealing with same-sex couples, and historical perspective of litigation over this issue (December 2003)

Spoke on the AIDS epidemic at Stonewall Law/amfAR Banquet, New York Law School (November 2003)

**SERVICE**

As New York Law School's representative to the Association of American Law Schools House of Representatives, attended the 2004 Annual Meeting in Atlanta, including a special forum on the Solomon Amendment litigation (January 2004)

**PUBLICATIONS**

Essay, "Legal Challenges After Lawrence," *Gay & Lesbian Review* (November-December 2003)

Numerous articles published in *Gay City News*: "Seventeen-Year Sodomy Sentence: Kansas Appeals Court Says Romeo and Juliet Law Does Not Protect Gay Sex"; "Court Orders Marriage, Not Civil Unions: Original Pro-Marriage Majority Says 'Separate Seldom, If Ever, Equal'"; "X-Rated Cop's Speech Rights Upheld: San Diego Investigators Solicited Masturbation Scene to Make Their Case"; "Washington Affirms Lesbian 'Divorce'";



**From left:**  
 Jethro K. Lieberman  
 Joseph Marino  
 Richard A. Matasar  
 Denise C. Morgan  
 Frank Munger

"Municipal Power over Contracts Curbed"; "Federal Court Blazes New Trail: Judge Says Wyoming Prison Violated Due Process Rights of Intersexual Woman" (February 2004)

"Embracing a Nation's Complications: Beth Simchat Torah's Travels to Israel Spotlight Progress Amidst Persistent Tensions/The Legal and Political Frontier"; "No Wedding License for Trans Groom: Ohio Court Rules That State's DOMA Prevents Former Woman from Marrying Woman"; "Firing of Religious Homophobe Stands: Federal Appellate Court Upholds Sound Business Sense of Promoting Workplace Diversity"; "No Jail Time for Coming Out"; "European Court Advances Trans Marriage Rights"; "Needle-Stick Victim Can Sue City: Manhattan Judge Rules Trauma Can Continue Even After Negative Sero-Status Confirmed"; "Judge Approves Partner Name Change: First Ruling in NY State Courts on Partners' Right to Adopt Each Other's Surnames"; "DEA Entrapment Thrown Out: Gay Man Dodges Bullet in Florida Bar Drug Selling Case"; "Florida Adoption Ban Upheld: Federal Appeals Court Rejects Challenge to Adoption Policy Dating From Anita Bryant Hysteria" (January 2004)

"Prisoner's Trans Suit Upheld"; "Shepard Vigil Lawsuit Bounced"; "Australia OK's Out Refugees"; "Censoring Anti-Gay Message Barred"; "HIV Disclosure Rules Upheld"; "Pedophilia Conviction Upheld" (December 2003)

"Maine High Court OKs Lesbian Moms: Sperm Donors Don't Need Notification When Partner Gains Guardianship"; "Transgender Woman Gets Name Change: Courts Still Stumble Over What Constitutes a Person's Gender"; "Lower Court Won't Trailblaze: Finding No 'Fundamental Right,' Judge Points to Legislative Solution"; "First Round Victory in Nebraska: Federal Court Green-Lights Legal Challenge to State's Anti-Gay Amendment"; "Recruiters Win First Round: Federal Court Refuses Preliminary Injunction Against Solomon Amendment"; "Lesbian Sex Stirs Divorce

Controversy: New Hampshire High Court Wrestles With Outmoded Adultery Language in Statute"; "Mass. High Court Orders Same-Sex Marriage"; "N. Dakota Lesbian Mom Wins Custody Fight: Supreme Court Rules That Two Girls Are Living Normally in a Gay Household"; "Anti-Lesbian High School Teacher Fired"; "Gay Chinese Men Seek U.S. Asylum" (November 2003)

"Queens Gender Bias Suit Advances: Hispanic AIDS Forum Says Its Landlord Bounced Them Over Bathroom Issue"; "What's Good for the Goose: Homophobe Gathering Barred Under Precedent Blocking Gays from Boston's St. Pat's"; "Rare Employee Benefits Win: Federal Court Upholds Claim Against Chevron of Man Living with AIDS"; "Lesbian Harasser Costs San Francisco: \$75,000 Award to Woman Harassed at Housing Authority Upheld" (October 2003)

**MEDIA REFERENCES AND APPEARANCES**

"Gay Marriage Ruling Creates Host of Complex Legal Wrinkles," and "Ban on Gay Marriage Unconstitutional, Mass. High Court Rules," Knight Ridder newswires (November 2003)

"Court's Gay Marriage Ruling to Raise Thicket of Questions," *Pittsburgh Post-Gazette* (November 2003)

"Court Endorses Gay Marriage," *Milwaukee Journal Sentinel* (November 2003)

"A Queer Thing Happened on the Way to a Lawsuit," Letter to the Editor, *New York Law Journal* (November 2003)

**Jethro K. Lieberman**

**PUBLICATIONS**

Two articles, "Hearing" and "Right to Know," for the forthcoming multivolume *Encyclopedia of Civil Liberties*, to be published this year by M.E. Sharpe Publishers

*A Practical Companion to the Constitution*, fifth annual supplement (December 2003)

**Joseph Marino**

**SCHOLARLY PRESENTATIONS**

Pre-Bar Exam Essay Writing Lectures, on methodologies and approaches on bar exam essay writing, at New York Law School, Fordham Law School, and Nova Law School (February 2004)

State Specific Bar Exam Writing Lectures, at the University of Miami, and Town Hall in New York (January-February 2004)

Series of lectures for New York Bar Exam retakers (December 2003-February 2004)

"Changes in New York Practice," panel discussion presentation, Association of the Bar of the City of New York (January 2004)

Chaired "Bridge the Gap" CLE Weekend for newly admitted attorneys, sponsored by the New York Criminal & Civil Courts Bar Association (December 2003)

Bar Exam Strategy Session, Legal Aid Society, New York (December 2003)

First Year Law School Essay Writing, series of lectures on how to write a law school essay, at 1500 Broadway, for all New York City area law schools, as well as Boston University, Seton Hall Law School, University of Maryland (Baltimore), Catholic University Law School (Washington, D.C.), Albany Law School, Syracuse Law School, and University at Buffalo Law School, SUNY (November 2003)

**MEDIA REFERENCES AND APPEARANCES**

"Failing the Bar Exam Can Ruin Holiday Cheer," *New York Law Journal* (January 2004)

**Richard A. Matasar**

**SCHOLARLY PRESENTATIONS**

Presentation, Skills and Methods Committee, Supreme Court of New Jersey, Trenton (November 2003)





**From left:**  
 Stephen A. Newman  
 Beth Simone Noveck  
 Rudolph J.R. Peritz  
 Michael L. Perlin  
 Edward A. Purcell Jr.

**PUBLICATIONS**

Featured in *Shakespeare, Einstein, and the Bottom Line: The Market of Higher Education* (Harvard University Press, 2003)

**MEDIA REFERENCES AND APPEARANCES**

"Law School Sticker Shock," *National Jurist* (January 2004)

"To Some, Santa Has a New Name: Spitzer," *The Wall Street Journal* (December 2003)

"School Comes to Wall St.," *New York Daily News* (October 2003)

**CITATIONS**

His 1983 *California Law Review* article, "Rediscovering 'One Constitutional Case': Procedural Rules and the Rejection of the Gibbs Test for Supplemental Jurisdiction," was cited in a Second U.S. Circuit Court of Appeals decision in *Jones v. Ford Motor Credit Company*, in which the court clarified supplemental jurisdiction requirement for permissive counterclaims (February 2004)

**Denise C. Morgan**

**SCHOLARLY PRESENTATIONS**

"Urban Equity: Considerations of Race and the Road Towards Equitable Allocation of Municipal Services," symposium organized by the *Fordham Urban Law Journal* (February 2004)

**Frank Munger**

**AWARDS AND RECOGNITION**

His book, *Rights of Inclusion: Law and Identity in the Life Stories of American Disabilities* (University of Chicago Press 2003, with David M. Engel of SUNY Buffalo), was one of twelve books selected to receive the 19th Annual Gustavus Myers Outstanding Book Award, presented by the Gustavus Myers Center for the Study of Bigotry and Human Rights at Simmons College, Boston (December 2003)

**Stephen A. Newman**

**SCHOLARLY PRESENTATIONS**

"The Teacher Who Advocated Pedophilia," Tuesday Scholarship Lunch Series, New York Law School (November 2003)

**Beth Simone Noveck**

**SCHOLARLY PRESENTATIONS**

"Privacy and Access to Court Records," conference, The College of William and Mary, presented paper on "The Geography of Electronic Justice" (February 2004)

"Civic Innovation and Democratic Design," tutorial at Hawaii International Conference on Systems Sciences (January 2004)

"State of Play: Law, Games, and Virtual Worlds," organized conference at New York Law School, and presented paper on "Democracy: The Videogame" (November 2003)

"Electronic Rulemaking and Citizen Participation," Faculty Scholarship Lunch Series, New York Law School (October 2003)

**MEDIA REFERENCES AND APPEARANCES**

"E-Gov's New Gear," *Governing Magazine*, March 2004 issue (February 2004)

"Lawmakers Game the System," *Wired News* (February 2004)

"Game Show," *The American Lawyer* (January 2004)

"Realities of a Virtual Economy," *Financial Times* (December 2003)

"Laying Down the Virtual Law," *Wired News* (November 2003)

"The Future of Massively Multiplayer Gaming," *GameSpy* (November 2003)

**Rudolph J.R. Peritz**

**PUBLICATIONS**

Casebook, *Antitrust in Global Context* (West Publishing), coauthored with Eleanor Fox and Lawrence Sullivan (February 2004)

**Michael L. Perlin**

**SCHOLARLY PRESENTATIONS**

Presented lecture to audience of Greek lawyers, psychiatrists, and judges on the relationship between American mental disability law and international human rights law, Athens, Greece (February 2004)

Presented keynote address, "Annie Hall Goes to Court: The Inadequacy of Counsel in Mental Disability Cases," and ran workshop, "Deconstructing Sanism and Pretextuality," at mental disability law conference at Gonzaga Law School, Spokane, Washington (February 2004)

Taught class on topic of recent developments in the law of the right of incompetent criminal defendants to refuse treatment, University of Minnesota, Minneapolis (February 2004)

"'She Breaks Just Like a Little Girl': Neonaticide, the Insanity Defense, and the Irrelevance of 'Ordinary Common Sense'," Tuesday Scholarship Lunch Series, New York Law School (February 2004)

Presented workshop, "Criminal Law and Mental Disability," for the American Academy of Forensic Psychology, Las Vegas (January 2004)

Presented lecture to the Corporation Counsel of New York City on "Kendra's Law," New York's assisted outpatient commitment law (November 2003)

Participated in conference on "Restorative Justice," Hamline Law School (October–November 2003)

Presentations on Internet-based mental disability law course with deans and faculty at Gonzaga Law School, Southwestern Law School, Southern University Law Center, Oklahoma City University



**From left:**  
Sadiq Reza  
Tanina Rostain  
Ross Sandler  
David S. Schoenbrod

Law School, Oklahoma State University, and Langston University (October–November 2003)

Participated in admissions recruitment events at the University of Minnesota, Ohio State University, University of California at Irvine, University of Southern California, UCLA, and at the Houston Law School Fair (October–November 2003)

#### PUBLICATIONS

Preface, "International Perspectives," in *Involuntary Detention and Therapeutic Jurisprudence: International Perspectives on Civil Commitment* (Kate Diesfeld & Ian Freckleton, eds.; Ashgate Publishing 2003)

"Therapeutic Jurisprudence and Outpatient Commitment: Kendra's Law as Case Study," *Psychology, Public Policy & Law* (2003)

"Life Is in Mirrors, Death Disappears': Giving Life to Atkins," *New Mexico Law Review* (December 2003)

"She Breaks Just Like a Little Girl': Neonaticide, the Insanity Defense, and the Irrelevance of 'Ordinary Common Sense'," *William and Mary Journal of Women and the Law* (December 2003)

#### MEDIA REFERENCES AND APPEARANCES

Quoted on the incidence of insanity defense pleas and success rates of the plea, *Trenton Times* (December 2003)

"Malvo Faces Long Odds in Winning Insanity Defense," *Houston Chronicle* (November 2003).

"Odds Tough with Insanity Defense," *Pittsburgh Post-Gazette* (November 2003)

"By Reason of Insanity': Why Defense Faces Big Risk in Malvo Case," *Seattle Times* (November 2003)

"Disorders in the Court," *The Baltimore Sun*, *Houston Chronicle*, *Pittsburgh Post-Gazette*, and the *Seattle Times* (November 2003)

"Report Says Many Inmates in Isolation Are Mentally Ill," *The New York Times* (October 2003)

#### CITATIONS

Treatise cited by the Ninth Circuit in *U.S. v. Williams*, — F.3d —, 2004 WL 112639, Ninth Cir.(Or.), January 26, 2004, a case vacating that part of a criminal sentence which had required the defendant, as part of postincarceration supervision, to "take such psychotropic and other medications prescribed for him by physicians treating his mental illness" (January 2004)

#### Edward A. Purcell Jr.

##### AWARDS AND RECOGNITION

Selected to receive the Order of the Coif Triennial Book Award from the Association of American Law Schools for his book, *Brandeis and the Progressive Constitution: Erie, the Judicial Power, and the Politics of the Federal Courts in Twentieth-Century America* (Yale University Press, 2000) (November 2003)

##### SCHOLARLY PRESENTATIONS

"Progressive Lawyering: An Historical Perspective," speech given at the Northeastern University Conference on Progressive Lawyering, Boston (November 2003)

#### Sadiq Reza

##### APPOINTMENTS

Visiting Researcher, Islamic Legal Studies Program, Harvard Law School, where he will research and write about criminal procedure in Islamic law and in countries of the contemporary Muslim world (Fall 2004)

##### SCHOLARLY PRESENTATIONS

"Islamic Criminal Procedure," panelist and member of planning committee, workshop on Islamic law, Association of American Law Schools (AALS) Annual Meeting, Atlanta (January 2004)

"Better Lawyers, Better Muslims," keynote address, Fordham Law School Muslim Law Students Association Annual Dinner (November 2003)

#### Tanina Rostain

##### SCHOLARLY PRESENTATIONS

Presented "The Players and the Code" at Georgetown Law School (October 2003)

##### MEDIA REFERENCES AND APPEARANCES

"Attorney's Tax Shelter Tactics Brew Storm of Suits," *Fulton County Daily Report* (December 2003)

"Helter Shelter," *The American Lawyer* (December 2003)

#### Ross Sandler

##### SCHOLARLY PRESENTATIONS

Panelist, "Institutional Reform Litigation: What Is the Role for the Court, Executive, and Legislative," in program based on *Democracy by Decree*, coauthored with David Schoenbrod, sponsored by the Federal Bar Council (November 2003)

##### MEDIA REFERENCES AND APPEARANCES

"New York City OTB Eyes Relationship with Racing Assn.," *The New York Sun* (January 2004)

"City May Have to Pay AWOL Ferry Captain," *New York Daily News* (November 2003)

#### David S. Schoenbrod

##### SCHOLARLY PRESENTATIONS

Spoke at New York University School of Law on lawmaking in the administrative state (March 2004)

Spoke at Resources for the Future on "The Just Way to a Better Environment" (February 2004)

##### MEDIA REFERENCES AND APPEARANCES

"Experts: Litigation Now Managing Classrooms," *Education Daily* (November 2003)



**From left:**  
Richard K. Sherwin  
James F. Simon  
Cameron Stracher  
Ruti G. Teitel

**From left:**  
Howard Venable  
Donald Zeigler

**Richard K. Sherwin**

**SCHOLARLY PRESENTATIONS**

Moderated panel on "Society and Games" as part of "The State of Play: Law, Games, and Virtual Worlds" conference, New York Law School, which he also helped to organize (November 2003)

**MEDIA REFERENCES AND APPEARANCES**

"Sins of the Sims," *St. Petersburg Times* (January 2004)

"Online Games to Generate Real—and Academic—Riches," *New Scientist* and *Yahoo! News* (January 2004)

**James F. Simon**

**SCHOLARLY PRESENTATIONS**

Keynote address at conference on Thomas Jefferson, Louisiana State University, Shreveport (October 2003)

Speech on Thomas Jefferson and John Marshall, National Constitution Center, Philadelphia (October 2003)

**Cameron Stracher**

**PUBLICATIONS**

"Measuring Up," book review of *Barman: Ping-Pong, Pathos & Passing the Bar* by Alex Wellen, *Corporate Counsel* (November 2003)

**Ruti G. Teitel**

**SCHOLARLY PRESENTATIONS**

Presented lecture, "Transitional Justice Genealogy," at "Senses of Right and Wrong: Judicial Settlements, Truth Commissions, International Tribunals, and the Politics of Popular Justice in the Aftermath of Collective Violence," two-day researcher training workshop held at the Danish Institute for International Studies, Copenhagen (December 2003)

Panel discussion on *September 11 in History: A Watershed Moment?* (Duke University Press, 2003), hosted by Labyrinth Books (November 2003)

Presented a talk at Cornell Law School at a panel on accountability and justice in postwar Iraq, sponsored by the law school; spoke about some of the dilemmas of transitional justice raised in the current political context (October 2003)

Spoke on a panel at a conference at Columbia University, entitled "Rethinking State and Popular Sovereignty," convened at the International Affairs Building (October 2003)

**PUBLICATIONS**

"Through the Veil Darkly," *Findlaw Legal News* and *AlterNet* (February 2004)

Chapter, "Transitional Historical Justice," published in *Justice in Time—Responding to Historical Injustice*, (Lucas Meyer, ed., Nomos Verlagsgesellschaft, 2004) (January 2004)

**Howard Venable**

**SCHOLARLY PRESENTATIONS**

"Deconstructing Demsetz: Notes on the Relationship Between Historical, Anthropological, and 'Law and Economics' Views of Property Theory," Tuesday Scholarship Lunch Series, New York Law School (January 2004)

**Donald Zeigler**

**PUBLICATIONS**

"Harmonizing Rules 609 and 608(b) of the Federal Rules of Evidence," *Utah Law Review* (February 2004)



From left: National Council of Jewish Women Washington Institute Chairwomen Harriet Rothenberg, Phyllis Snyder, and Linda Slucker congratulate Nadine Strossen (second from right), recipient of the Woman Who Dared Award, for her leadership in defense of civil liberties.

## Nadine Strossen Receives Woman Who Dared Award

**NEW YORK LAW SCHOOL PROFESSOR AND ACLU PRESIDENT NADINE** Strossen received the highest award of the National Council of Jewish Women (NCJW) on March 7, 2004, for her leadership in defense of civil liberties.

In presenting the council's Woman Who Dared Award, NCJW Vice President Penny Pensak said the award is presented every three years to women who embody the courageous spirit that has been the hallmark of the council, which has been at the forefront of social change for over a century.

The most recent prior recipient was Supreme Court Justice Ruth Bader Ginsburg, in 2001. Other recipients include Dr. Dorothy Height, a central figure in the civil rights movement, and Sarah Weddington, the attorney who successfully argued the landmark United States Supreme Court case *Roe v. Wade*.

The presentation was made at the organization's triennial public policy conference in Washington, D.C. Pensak noted that Strossen is frequently called upon to comment in the national media on legal

issues pertaining to civil liberties: "We need her voice now, when the Constitution, a vehicle that was constructed to expand and protect our civil liberties, is in jeopardy of becoming the means by which our liberties may be contracted."

As the award was presented during the Jewish holiday of Purim, Pensak made reference to Queen Esther, the Jewish wife of the Persian king Ahasuerus (Xerxes I), who with her cousin Mordecai persuaded the king to retract an order for the general annihilation of Jews throughout the empire. Queen Esther triumphed, and saved her people, because she knew when it was time to speak out and courageously and strategically use her influence, Pensak said.

"Let us take as our role model Nadine Strossen, our modern-day Esther, an outspoken champion of civil rights and civil liberties," Pensak said in the award presentation. "And let us heed her words: 'These are, indeed, trying times for civil liberties. America has a choice to make. We can either follow our fears or be led by our values.'" ■



## Faculty Activities, *continued*

*Professor Nadine Strossen has served as president of the ACLU since 1991, the first woman to head the nation's largest and oldest civil liberties organization. In this capacity, Strossen is our nation's most prominent spokesperson on civil liberties. She makes more than 200 public presentations per year before diverse audiences, including on college and university campuses throughout the country and in many foreign countries. In addition, Strossen comments frequently on legal issues in the national media, having appeared on virtually every national news program. On these pages, In Brief gives you a snapshot of her many activities in academic year 2003–04.*

### SCHOLARLY PRESENTATIONS

Delivered the Institute of National Affairs Annual Lecture on "Is the Bill of Rights in Jeopardy?" at Iowa State University, Ames, Iowa (February 2004)

Spoke at "Showcase" presentation at annual convention of the National Association of Campus Activities (NACA) on "Preserving Civil Liberties and National Security," Cincinnati, Ohio (February 2004).

Panel discussion at community forum, televised on Wisconsin Public Television, debating USA PATRIOT Act and other post-9/11 measures with former Congressman Bob Barr, Milwaukee, Wisconsin (January 2004)

Delivered Annual Amnesty International Lecture, Truman State University, Kirksville, Missouri (January 2004)

Spoke at "President's Summit" plenary event, New York State Bar Association annual meeting on "Security vs. Privacy," New York (January 2004)

Spoke at breakfast forum with former Congressman Bob Barr on "Conservatives Against Government Overreaching, Post-9/11," Milwaukee, Wisconsin (January 2004)

Spoke at the United Nations to commemorate Human Rights Day, panel on "Human Rights and the Rule of Law," sponsored by the UN's International NGO Committee on Human Rights, New York (December 2003)

Spoke at State Public Interest Research Groups' (PIRGs) nationwide annual training conference, panel on "The Patriot Act and Civil Liberties After September 11," Denver, Colorado (December 2003)

Spoke at National Defense University, Industrial College of the Armed Forces, special midcareer leadership training program for top officers of the armed services and civilian government officials, on "Civil Liberties and National Security," Washington, D.C. (December 2003)

Spoke at reception sponsored by the *New Yorker* magazine for public figures, photographers, and others involved in ACLU's new print advertising campaign, New York (December 2003)

Presented "Talk Back" after performance of *The Exonerated*, New York (November 2003)

Debated Pat Buchanan on civil liberties issues at St. Olaf College, Northfield, Minnesota (November 2003)

Delivered keynote address at Annual Conference, Ohio Library Council, Cleveland, Ohio (November 2003)

Taught joint criminal justice/political science class, Boise State University, Idaho (November 2003)

Delivered keynote address, Homeland Security Conference at Boise State University, Idaho (November 2003)

Delivered capstone address at conference, "In the Aftermath of September 11: Defending Civil Liberties in the Nation's Capital," at University of the District of Columbia, David A. Clarke School of Law, Washington, D.C. (November 2003)

Participated in "Liberty and Security: Hard Choices in the Face of Terrorism," a Fred Friendly Seminar, Riverdale, New York (November 2003)

Delivered keynote luncheon address, Cato Institute's City Seminar on "Personal Liberty and National Security: The Stakes for Business," New York (November 2003)

Delivered William James Lecture, Washington College, on "Protecting Civil Liberties and National Security After 9/11: How to Strike a Balance," Chestertown, Maryland (November 2003)

Spoke at Georgetown Law School, sponsored by the American Constitution Society, Washington, D.C. (November 2003)

Visiting lecturer at Dartmouth College; addressed student groups and seminar on civil liberties taught by

journalist David Shipler, Hanover, New Hampshire (October 2003)

Delivered public lecture at The Rockefeller Center at Dartmouth College, part of the 20th Anniversary Celebration Series, "Protecting Civil Liberties and National Security After 9/11: How to Strike a Balance," Hanover, New Hampshire (October 2003)

Moderated program on "Perspectives on the Threat to Reproductive Freedom," sponsored by American Constitution Society, New York Law School (October 2003)

Participated in two debates to celebrate the 25th Anniversary of Regent University, "Has the Supreme Court Overstepped Its Constitutional Authority?" and "Clash of the Titans," carried by C-SPAN, Virginia Beach, Virginia (October 2003)

Delivered keynote address at 103rd Annual Conference, the Missouri Association of Social Welfare, Branson, Missouri (October 2003)

Introduced Professor Herman Schwartz, Washington College of Law, American University, in program sponsored by the Alliance for Justice and the American Constitution Society on "Judicial Activism on the Right," New York Law School (October 2003)

Delivered Daniel W. Kops Freedom of the Press Lecture, "Our Imperiled Freedoms: The Collateral Damage of 9/11," at Cornell University, Ithaca, New York (October 2003)

Delivered keystone lecture, "Soundings" program, Castleton State College, Castleton, Vermont (October 2003)

### PUBLICATIONS

"The Expert's Eye," *National Law Journal* (October 2003)

"Suspected Terrorists One and All: Reclaiming Basic Civil Liberties in the Total Information Awareness Age," *Seattle Journal for Social Justice* (2003)

#### **MEDIA REFERENCES AND APPEARANCES**

Interviewed journalist Anthony Lewis for *The Media Reporter* (February 2004)

"Rights: Campaign Opens for Guantanamo Detainees' Rights," *Inter Press Service* (January 2004)

Moderated Gun Control debate sponsored by the Justice Action Center, which aired on WNYC-TV in New York (January 2004)

Appeared on *Close Up* on C-SPAN with Georgetown University Law Professor Viet Dinh and an audience of high school students to discuss civil liberties concerns with USA PATRIOT Act, Washington, D.C. (January 2004)

Numerous media interviews on the Guantanamo Human Rights Commission, including BBC radio, BBC TV, Sky TV, and CNN (both international and domestic) (January 2004)

Spoke at press conference at Houses of Parliament to announce launch of transnational Guantanamo Human Rights Commission, with Vanessa and Corin Redgrave and attorneys and relatives of British and French prisoners, London, England (January 2004)

Debated Justice Department spokesman Mark Corallo on CNN's *Lou Dobbs* program on President Bush's State of the Union Address comments against "sunsetting" provisions in the USA PATRIOT Act (January 2004)

Meeting with editorial board, *Milwaukee Journal-Sentinel* newspaper, on post-9/11 civil liberties issues and bipartisan bills to correct excesses on USA PATRIOT Act (January 2004)

Spoke at opening of "Artists Against the Patriot Act" exhibit, Milwaukee (January 2004)

Interviewed on "Speak Your Piece!" radio program on WSNR Radio on "Has Secularism Gone Mad? Separation of Church and State?" (December 2003)

Debated on CNN's *Lou Dobbs* about "First Amendment Establishment Clause Issues

Surrounding Public Schools' Celebrations of Christmas" (December 2003)

Interviewed on *Thom Hartmann Show*, IE Radio Network, on "The Justice Department's Expansion of Powers, Post-9/11," (December 2003)

Interviewed for CNN story about suppression and chilling of dissent since 9/11 (December 2003)

"ACLU's Nadine Strossen Continues Fight for Liberty," *University Wire* (November 2003)

Testified before the U.S. Senate Judiciary Committee hearing on "America after 9/11: Freedom Preserved or Freedom Lost?" covered by C-SPAN, Washington, D.C. (November 2003)

Appeared in a debate at Boston University, "Are Civil Liberties Compromised by War on Terrorism?" which aired on C-SPAN (November 2003)

Debated on National Public Radio's *Tavis Smiley Show* about religious displays sponsored by local governments (November 2003)

Participated in "The Great Debate," sponsored by Boston University's College of Communications, "Are We Sacrificing Civil Liberties to the War Against Terrorism?" which aired on C-SPAN, Boston, Massachusetts (November 2003)

"The Constitution and Terrorism," sponsored by the *Fred Friendly Seminar Program*, PBS (November 2003)

Filmed interview for documentary about "the sex industry," The Discovery Channel (November 2003)

Interviewed on Canadian Broadcasting Radio, "The Current," about chills on free speech in the United States, post-9/11 (November 2003)

Interviewed on MSNBC's *News with Brian Williams* about decision of Alabama judicial ethics body to remove Chief Justice Roy Moore from office (November 2003)

—Jim Hellegaard and Amelia Jonakait

## Adjunct Faculty Activities

### **Richard Bernstein**

#### **MEDIA REFERENCES AND APPEARANCES**

"R.B. Bernstein: A Brooklyn Heights Author Who Refused to Take Sides," *Brooklyn Daily Eagle & Daily Bulletin* (January 2004)

"Local Author Elated Over Jefferson Review," *Brooklyn Heights Press & Cobble Hill News* (December 2003)

### **Judith Bresler '74**

#### **APPOINTMENTS**

Inducted into the Trustees' Council of Penn Women at the University of Pennsylvania, in Philadelphia, Pennsylvania (November 2003)

### **Peter Johnson**

#### **SCHOLARLY PRESENTATIONS**

Lecture series on U.S. telecommunications issues, Faculty of Law, University of Poitiers, France (October 2003)

### **Hon. Gerald Lebovits**

#### **PUBLICATIONS**

"Free at Last from Obscurity," *New York State Bar Association Journal* (November 2003)

### **Daniel Master**

#### **MEDIA REFERENCES AND APPEARANCES**

"Key BP Aide Leaving to Work for D.A.," *Staten Island Advance* (December 2003)

"Molinari Responds, Sharply, to Barbs from Dems' Leader," *Staten Island Advance* (November 2003)

### **Richard Siegler**

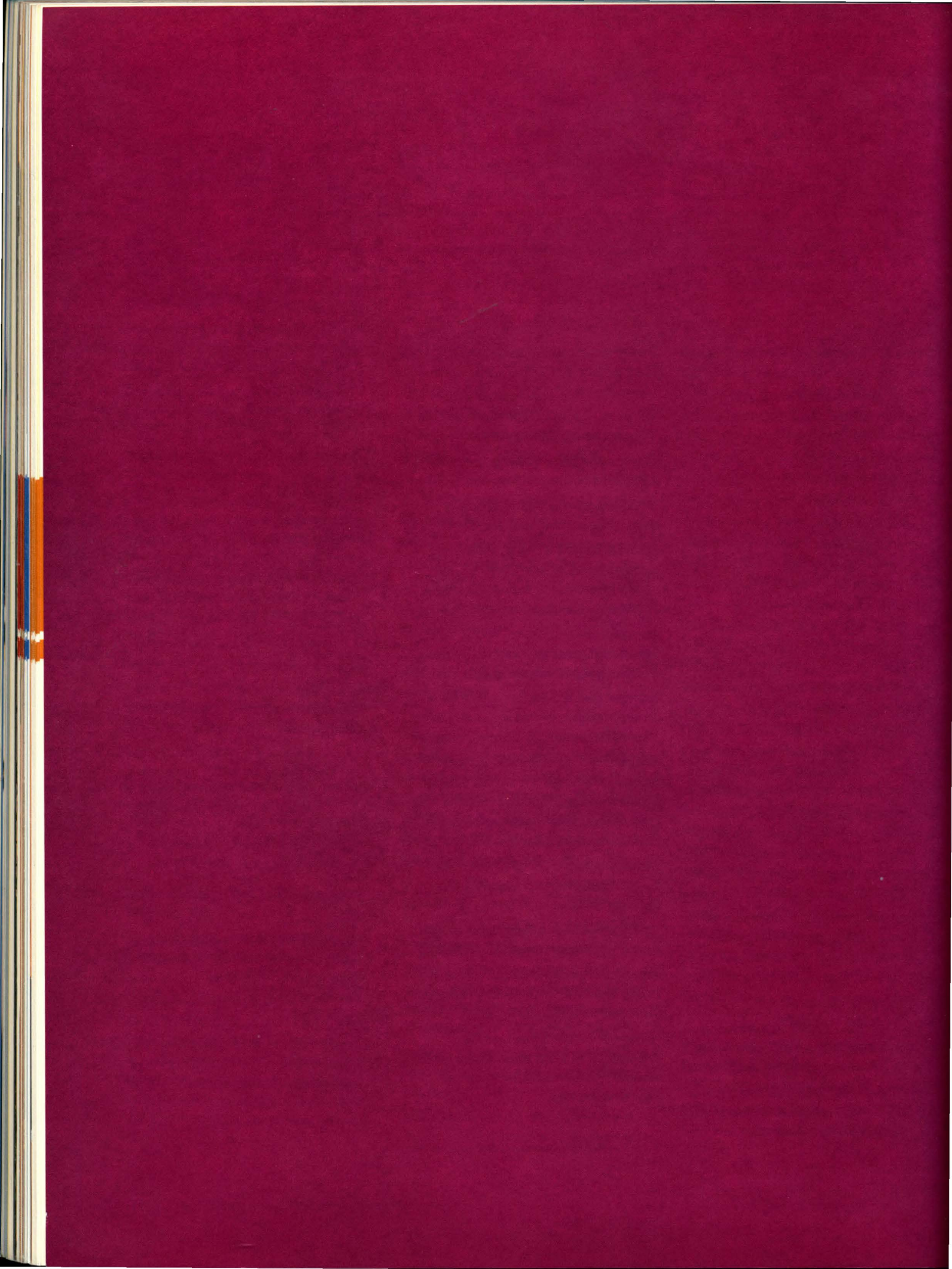
#### **PUBLICATIONS**

"Death of a Shareholder," with Eva Talel, in the "Cooperatives and Condominiums" column, *New York Law Journal* (January 2004)

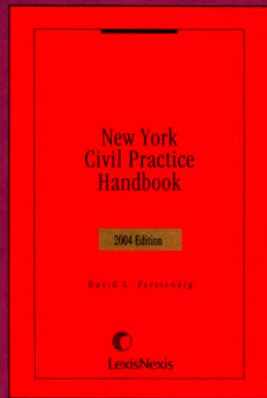
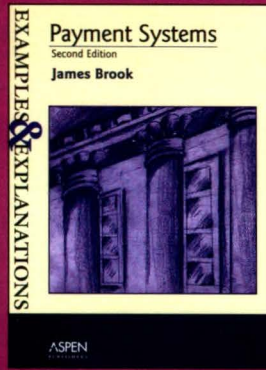
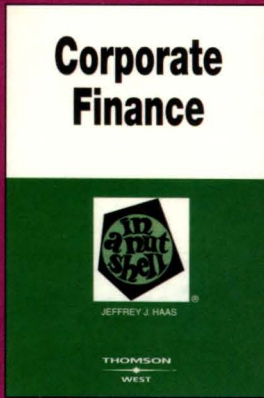
"Case Notes: Access, but No Key," *Habitat* (January 2004)

"Case Notes: The Window Guard Satellite Dish," *Habitat* (December 2003)

"Applying Sarbanes-Oxley," with Eva Talel, in the "Cooperatives and Condominiums" column, *New York Law Journal* (November 2003)

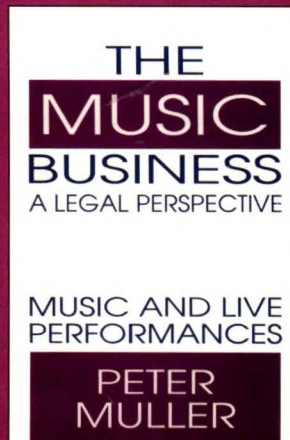
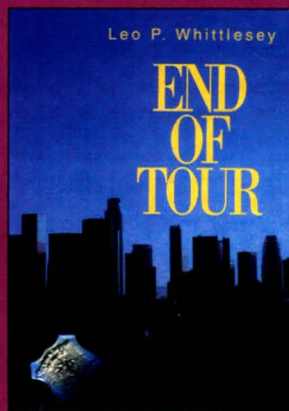
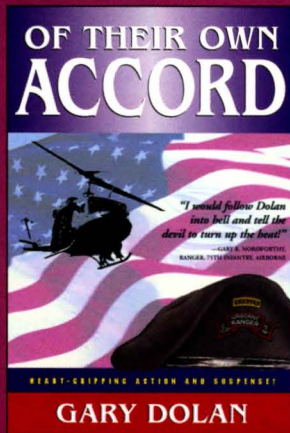


*By Faculty*



In Print

*By Alumni*





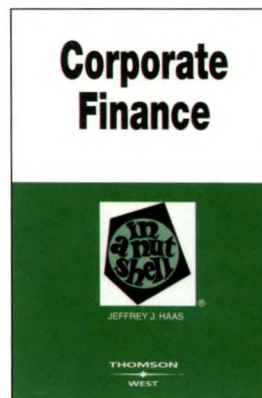
# Books by Faculty

## Corporate Finance in a Nutshell®

By Jeffrey J. Haas

West, 2004

This compact law school study aid is the perfect companion for law students and practitioners, providing a concise yet systematic overview of corporate finance from both a business and a legal perspective. This up-to-date and comprehensive guide covers the entire field of corporate finance—from accounting and valuation concepts to the legal and financial underpinnings of debt securities, preferred and common stock, derivative instruments, and business combinations. It also provides sample valuation problems, answers, and explanations. Written in “plain English,” it’s a particularly useful reference for readers, with or without any business background.

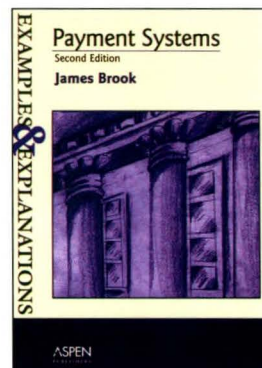


## Payment Systems: Examples and Explanations

By James Brook

Aspen Publishers, Inc., 2004 (Second Edition)

*Payment Systems: Examples & Explanations* not only provides students with the underlying principles of payment systems, but also demonstrates how they apply to particular fact situations. Students can begin to practice the basic legal precepts and operative rules required of them. Special features include an accessible narrative style that speaks directly to students, and coverage tracing the standard topics in most payment systems courses. Multiple examples help students build their confidence as they build their knowledge, and plenty of visual aids illustrate the textual descriptions to reinforce understanding.

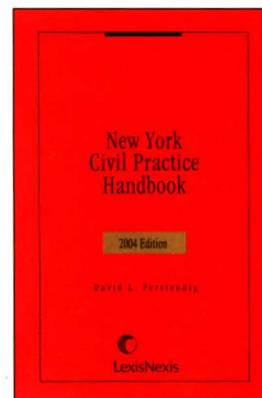


## New York Civil Practice Handbook

By David L. Ferstendig

Matthew Bender, 2004

Adjunct Professor David L. Ferstendig’s *New York Civil Practice Handbook* is a concise one-volume publication explaining how to prepare and process a civil matter in New York State. It takes a task-oriented approach to each topic, incorporating requirements of the CPLR, related statutes, case law, and court rules. Whether in the office, a courtroom, or at home, this portable manual provides quick, reliable answers from a respected author; valuable “practice notes” throughout the discussion; citations to seminal cases; cross-references to targeted, detailed discussion in respected, authoritative treatises (e.g., Weinstein, Korn & Miller); cross-references to useful forms from Bender’s Forms for the Civil Practice; time-saving checklists at the end of each chapter to capture the essential “to-dos”; and numerous charts summarizing important statutes of limitations and litigation deadlines.



# Law Review Articles by Faculty

A selection of articles recently published by members of the faculty.

## Adjunct Professor Judith Bresler '74

"Begg'd, Borrowed or Stolen: Whose Art Is It, Anyway? An Alternative Solution of Fine Art Licensing," 50 *Journal of the Copyright Society of the USA* 15 (2003).

## Associate Dean Stephen J. Ellmann (coauthor)

"Legal Interviewing and Counseling: An Introduction," 10 *Clinical Law Review* 281 (2003).

## Professor Seth D. Harris

"Re-Thinking the Economics of Discrimination: *U.S. Airways v. Barnett*, the ADA, and the Application of Internal Labor Market Theory," 89 *Iowa Law Review* 123 (2003).

## Professor Peter Kostant (coauthor)

"An Experimental Test of Fairness Under Agency and Profit-Maximization Constraints (With Notes on Implications for Corporate Governance)," 71 *George Washington Law Review* 983 (2003).

## Professor Stephen A. Newman

"Grandparent Visitation Claims: Assessing the Multiple Harms of Litigation to Families and Children," 13 *The Boston University Public Interest Law Journal* 21 (2003).

## Professor Michael L. Perlin

"Life Is in Mirrors, Death Disappears': Giving Life to Atkins," 33 *New Mexico Law Review* 315 (2003).

"Therapeutic Jurisprudence and Outpatient Commitment Law: Kendra's Law as Case Study," 9 *Psychology, Public Policy, and Law* 183 (2003).

"She Breaks Just Like a Little Girl': Neonaticide, the Insanity Defense, and the Irrelevance of 'Ordinary Common Sense,'" 10 *William and Mary Journal of Women and the Law* 1 (2003).

## Professor Nadine Strossen

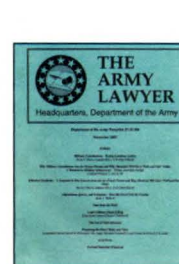
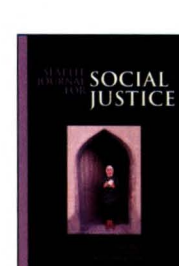
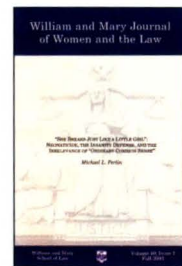
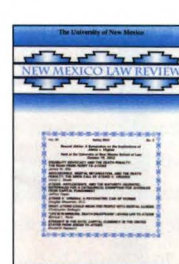
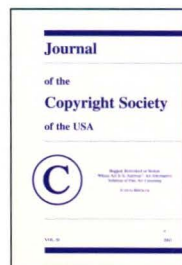
"Suspected Terrorists One and All: Reclaiming Basic Civil Liberties in the Total Information Awareness Age," 2 *Seattle Journal for Social Justice* 15 (2003).

## Professor Donald H. Zeigler

"Harmonizing Rules 609 and 608(b) of the Federal Rules of Evidence," 2003 *Utah Law Review* 635 (2003).

## Adjunct Professor Hon. Evan J. Wallach

"Afghanistan, Quirin, and Uchiyama: Does the Sauce Suit the Gander?" 2003 *Army Lawyer* 18 (2003).



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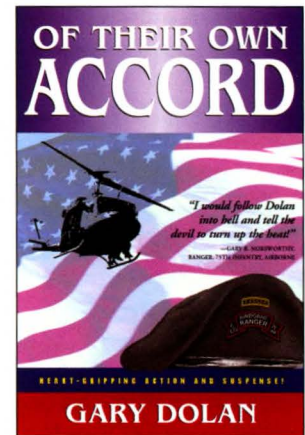
# Books by Alumni

## **Of Their Own Accord: A Lieutenant's One-Year Journey in Vietnam with an Elite Ranger Unit**

**By Gary Dolan '77**

The Writers Collective, 2004

Based on real incidents, this quintessential Vietnam War novel details the role played by small teams of Army Rangers as they conduct raids on the ground while being directed and supported by their officers in the air. It tracks the experiences of a young West Point graduate who volunteers for a Ranger unit in-country, learns his trade, takes care of his men, accomplishes his missions, and deals with a macho posturing, cowardly martinet of a company commander. The young officer's thoughts and emotions while coping with life-and-death challenges share the foreground with his longings for the young wife he left behind in the United States.

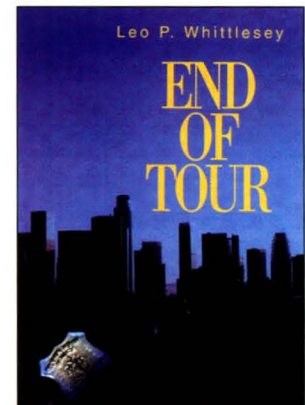


## **End of Tour**

**By Leo Whittlesey '99**

iUniverse, Inc., 2003

Whittlesey's first novel, *End of Tour*, is the suspense-filled tale of a mob kid turned cop who has to fight and investigate his way out from under a murder rap. Frank Horan, born into the mob, worked and struggled to become a police officer. But greed, guilt, betrayal, murder and corruption came together to tear the shield from Frank's chest and to leave him wanted for multiple homicides. Frank is forced to search desperately for clues, from his past and present, in an attempt to extricate himself from the morass that his life has become at the hands of gangsters, cops, and his own poor judgment.

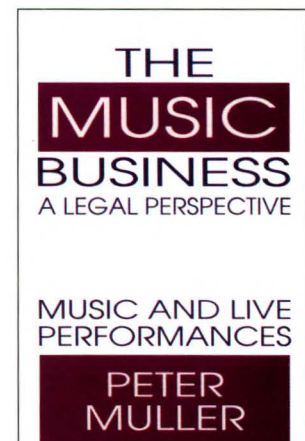


## **The Music Business—A Legal Perspective**

**By Peter Muller '84**

Quorum Books, 1994

Peter Muller's work is designed to provide a comprehensive introduction to the major agreements prevalent in the recording and music entertainment industry today. Muller begins with the basics of the personal management and agency agreement and then examines the types of agreements a successful music figure or group would encounter. Some of the agreements considered include recording and performance rights, film, commercial, tour and tour merchandising, foreign license, production, advertising, and personal appearances. Examples of the agreement forms currently being used are provided in an appendix.



# Law Review Articles by Alumni

A selection of law review articles recently published by alumni.

## Paul Bennett Marrow '69

"Crafting a Remedy for the Naughtiness of Procedural Unconscionability," 34 *Cumberland Law Review* 11 (2003).

## Robert G. Clyne '88

"Terrorism and Port/Cargo Security: Developments and Implications for Marine Cargo Recoveries," 77 *Tulane Law Review* 1183 (2003).

## Gerard Britton '90

"Discount Medical Plans and the Consumer: Health Care in a Regulatory Blindspot," 16 *Loyola Consumer Law Review* 97 (2004).

## Thomas W. Donovan '03

"Suriname-Guyana Maritime and Territorial Disputes: A Legal and Historical Analysis," 13 *Florida State University Journal of Transnational Law and Policy* 41 (2003).

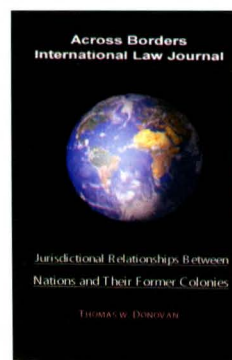
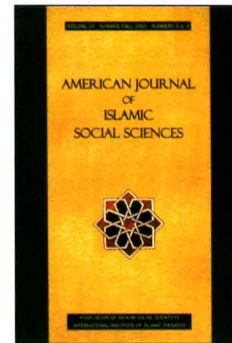
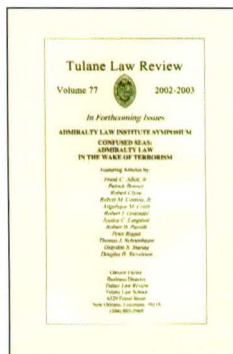
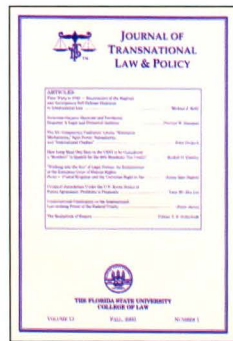
"Jurisdictional Relationships Between Nations and Their Former Colonies," 1 *Across Borders International Law Journal* 5 [www.across-borders.com](http://www.across-borders.com) (2003).

## Necva B. Kazimov '03

"Egypt's Reservations to the United Nations Convention on the Elimination of Discrimination Against Women and Women's Rights in Egypt," 20 *American Journal of Islamic Social Sciences* 1 (2003).

## Claire B. Steinberger '03

"Persistence and Change in the Life of the Law: Can Therapeutic Jurisprudence Make a Difference?" 27 *Law & Psychology Review* 55 (2003).



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# Save These Dates!

## NEW YORK LAW SCHOOL ALUMNI ASSOCIATION

### CLE PROGRAMS 2004–05

*The Alumni Association is proud  
to present the following CLE programs:*

#### **Matrimonial Practice**

October 6, 2004  
6 p.m. – 9 p.m.

Prenuptial agreements, separation agreements, custody, maintenance, division of marital property, taxes.

#### **Real Estate Transactions (Residential/Commercial)**

November 16, 2004  
6 p.m. – 9 p.m.

From negotiations to closing: brokers, mortgage financing, title company, inspections, contracts, lease terms, etc.

#### **Wills, Estate Planning, and Surrogate Practice**

February 8, 2005  
6 p.m. – 9 p.m.

Wills, estate planning, surrogate court proceedings, accounting, tax filings, and distribution.

#### **Forms of Doing Business in New York**

April 5, 2005  
6 p.m. – 9 p.m.

S and C corporations, LLC, LLP, filings, structure, and taxation.

CONTINUING LEGAL EDUCATION COMMITTEE  
Adjunct Professor Zuhayr Moghrabi '67, Chair  
Hon. Mary Cerbone '59, Vice Chair

# Student News

# The Robert F. Wagner National Labor and Employment Law Moot Court Competition

March 11–14, 2004

CARRYING ON ONE OF NEW YORK LAW SCHOOL'S STRONGEST TRADITIONS, the Moot Court Association held its 28<sup>th</sup> annual Robert F. Wagner National Labor and Employment Law Moot Court Competition March 11–14, 2004. In a final round described by spectators as “tremendous,” the team from Pepperdine University was declared the overall winner, besting the team from Southern Methodist University.

The final round was judged by a distinguished bench led by the Honorable John M. Walker Jr., chief judge, United States Court of Appeals for the Second Circuit.

“All the participants were fantastic,” Judge Walker said. “They were extremely well prepared, extremely responsive, and all made excellent arguments. We had to pick a winning team and we did, but all of them can take satisfaction in the work they’ve done. It was really an outstanding competition.”

The oral rounds began on March 11 and culminated in a grand final round on March 14, with the two best teams arguing before a bench that also included the Honorable Maria Echaveste, White House deputy chief of staff to President Clinton, and former wage and hour administrator, U.S. Department of Labor; the Honorable Wilma Liebman, member, National Labor Relations Board; the Honorable Richard A. Matasar, dean and president, New York Law School; and the Honorable Howard Radzely, solicitor of labor, U.S. Department of Labor.

“We had a wonderful time hosting the competitors and meeting all of the judges,” said Aimee Scillieri 3L, who cochaired this year’s competition with fellow New York Law School student Susan Eylward 3L. “It was three fun yet challenging days for all of us. It was a rigorous and demanding competition, but all of the schools were very excited to be here.”

One hundred law students from 38 law schools representing every region of the country competed in the written and oral phases of the competition, arguing a moot case arising under the Family and Medical Leave Act of 1993. In the fictitious case, authored by New York Law School students Ryan Milun 3L and Lauren Rudick 3L, the movie character Matilda Jeffries, from the motion picture *Zoolander*, files an employment discrimination suit against her former employer, Ballstein, Inc., alleging she was improperly fired while on her approved FMLA leave.

Frank R. Schirripa '02 was chairman of the Moot Court Association while a student at New York Law School and has served as a preliminary round judge at the Wagner competition and at last fall’s Charles W. Froessel Intramural Moot Court Competition. He said he and his fellow judges were impressed with the quality of this year’s competition. Schirripa, a second-year associate with Schoengold & Sporn, PC in New York, said the Wagner competition is nationally

*“All the participants were fantastic. . . They were extremely well prepared, extremely responsive, and all made excellent arguments. We had to pick a winning team and we did, but all of them can take satisfaction in the work they’ve done. It was really an outstanding competition.”*

—Hon. John M. Walker Jr.

recognized as a leading competition in national labor and employment law.

“It’s one of the best academic experiences that a student can take part in and apply in the practice of law afterward,” he said. “The appellate arguments, the writing, the rigor of the association—it brings students together. They work closely with their professors, and with the other schools. It’s a great competition.”

The Pepperdine University team consisted of Land Murphy and Wendy Coats, who also won the award for Best Final Round Oral Advocate. The SMU team consisted of Elizabeth Bedell and Roshanak Khosravi. Writing awards were presented to Stetson University for the Best Brief for the Petitioner and to Brooklyn Law School for the Best Brief for the Respondent. The award for Best Preliminary Round Oral Advocate went to Margaret McGrath of John Marshall Law School. Stetson University and Brooklyn Law School were semifinalists in the competition.

Founded at New York Law School, the Wagner Moot Court Competition is run entirely by students who author the fact pattern and the bench brief, score the written part of the competition, and organize the extensive series of oral rounds judged by distinguished practitioners and members of the bench. The competition is named in honor of distinguished Law School alumnus U.S. Senator Robert F. Wagner, who graduated in 1900.

—Story by Jim Hellegaard; Photos by Rick Kopstein



## New York Law School Moot Court Association | 2004–2005 Executive Board

Michael Suarez ..... Chair  
 Maureen Peknic ..... Vice-Chair

Michael Brooks ..... Executive Editor  
 Christopher Heer ..... Executive Editor  
 Vanessa Hickey ..... Executive Editor  
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 Jacob Turner ..... Media & Information Technology Editor

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 Amy Gould  
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Lilian Lee  
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 Robert Windsor

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 Megan Whitney ..... Co-Author  
 Andrew Hodes ..... Co-Author

### Wagner Competition

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 Peter Lagregor ..... Co-Author  
 Lisa Dudzinski ..... Co-Author

### Administration

Hon. Gerald Lebovits ..... Faculty Advisor  
 Brenda Holzinger ..... Director of Academic Affairs  
 Arthur S. Leonard ..... Wagner Faculty Advisor  
 Sally Harding ..... Coordinator of Co-Curricular Programs





Photos: Rick Kopstein

## New York Law School Moot Court Association | 2003–2004 Executive Board

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### Froessel Competition

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 Michael Soffer ..... Co-Author  
 Colleen Buckley ..... Co-Chair  
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### Members

Michael Brooks  
 Stephanie Burke  
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Hon. Gerald Lebovitz ..... Faculty Advisor  
 Sally Harding ..... Director of Student Life  
 Seth Harris ..... Wagner Faculty Advisor

### Alumni Advisors

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 Daniel Parisi '03 ..... Alifya Vasi '02

### Wagner Competition

Ryan Milun ..... Co-Author  
 Lauren Ruddick ..... Co-Author  
 Susan Eylward ..... Co-Chair  
 Aimee Scillieri ..... Co-Chair



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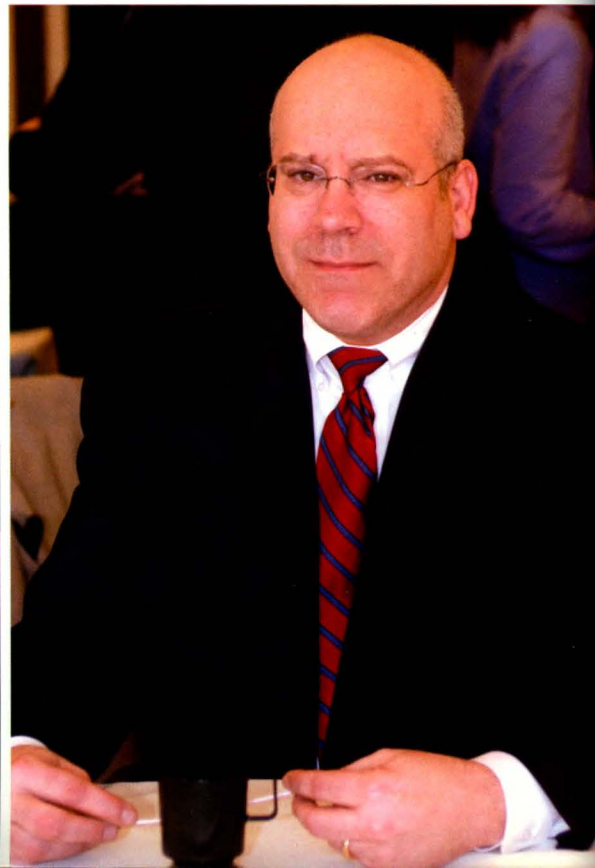
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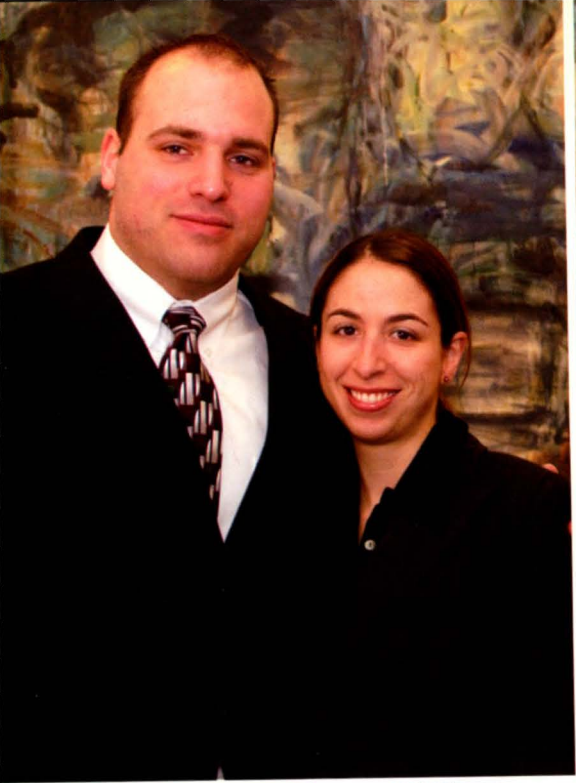


## Final Round

1. From left: Roshanak Khosraui, SMU; Christopher Yapchanyk 3L, Moot Court President; Susan Eylward 3L and Aimee Scillieri 3L, Wagner Competition Co-Chairs; and Aleta Turner, SMU.
2. Wagner Competition final round judges, from left: Dean Matasar; Hon. Wilma Liebman, member, National Labor Relations Board; Hon. John M. Walker Jr., chief judge, United States Court of Appeals for the Second Circuit; Hon. Maria Echaveste, White House deputy chief of staff to President Clinton and former wage and hour administrator, U.S. Department of Labor; and Hon. Howard Radzely, solicitor of labor, U.S. Department of Labor.
3. From left: Christopher Yapchanyk 3L, Susan Eylward 3L, Aimee Scillieri 3L, and Land Murphy, Pepperdine University School of Law.
4. Below: Aleta Turner, SMU

Judges' Breakfast







**NEW YORK  
LAW SCHOOL**

The Alumni Organizing Committee\*  
The Labor & Employment Law Program  
and  
The Moot Court Association  
*Cordially invite you to attend*

**THE JACKSON LEWIS BRUNCH**  
*in honor of the*

**FINAL ROUND JUSTICES**  
28th Annual Robert F. Wagner  
National Labor & Employment Law Moot Court Competition

✦  
**The Honorable Maria Echaveste**  
*White House Deputy Chief of Staff to President Clinton  
Former Wage & Hour Administrator, U.S. Department of Labor*

**The Honorable Wilma Liebman**  
*Member, National Labor Relations Board*

**The Honorable Richard A. Matasar**  
*Dean and President, New York Law School*

**The Honorable Howard Radzely**  
*Solicitor of Labor, U.S. Department of Labor*

✦  
**The Honorable Nadine Strossen**  
*Professor of Law, New York Law School  
President, American Civil Liberties Union*

**SUNDAY, MARCH 14, 2004**  
12:00 noon to 1:30 p.m.

*You are also invited to attend the Final Round Argument  
at 2:00 p.m. in the Siefel Reading Room*

Harry H. Wellington Conference Center  
New York Law School  
57 Worth Street, New York, NY

*Directions to the Law School at [www.nyls.edu](http://www.nyls.edu)*  
**This event is made possible by the generous support of Jackson Lewis LLP**  
[www.jacksonlewis.com](http://www.jacksonlewis.com)

\* Please see over for members

**Alumni Organizing Committee 2004**  
\* indicates Co-Chairs

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Daniel Curtin '01\*

Alfred T. DeMaria '62

David M. Fish '96

Neil M. Frank '63

Professor Seth Harris

James Hays '90\*

Russell J. McEwan '95

Carolyn Richmond '94\*

Joshua D. Sanders '03

Lee Squitieri '83

Lisa Trocchio '02\*

The Honorable Nicholas Tsoucalas '51

A. Michael Weber '72

Saul Zabl '95

# Stonewall Law Raises \$5,125 for amfAR

NEW YORK LAW SCHOOL'S STONEWALL LAW STUDENTS ASSOCIATION presented a check for \$5,125 to Andrew Greene, senior major gifts officer for the American Foundation for AIDS Research (amfAR), at the association's first HIV/AIDS Fundraiser Banquet and Raffle, held November 19, 2003, at the Law School.

The students raised the money by selling \$2 raffle tickets for gift basket items including a DVD/MP3 player and DVD movie assortment, bath products, gift certificates, CDs, candles, books, wine, gourmet food products, Hanukkah gift items, sports apparel, and much more. Greene was a guest speaker at the event, along with New York Law School Professor Arthur S. Leonard, who spoke about how the AIDS epidemic has particular significance to the Law School.

Leonard said that when he joined the faculty in fall 1982, there were four gay men on the faculty and one gay assistant dean. Today, Leonard noted, he is the only survivor from that group, as the other four died from AIDS. Later in the 1980s, he said, the Law School lost several alumni, including a city judge and a student commencement speaker who died shortly after his graduation. Beginning in the mid-1990s, he said, new medications sharply reduced the mortality of HIV infection among those who had access to these medications and could tolerate their side effects.

"But the virus keeps evolving, and new medications are needed to keep people alive, including those I know in the New York Law School family who are surviving with HIV infection now," Leonard said. "So it seems especially appropriate that members of our community would join together to raise funds for AIDS research targeted through amfAR."

Greene said the money raised by the students was impressive and "a great expression of concern and caring for an important cause."



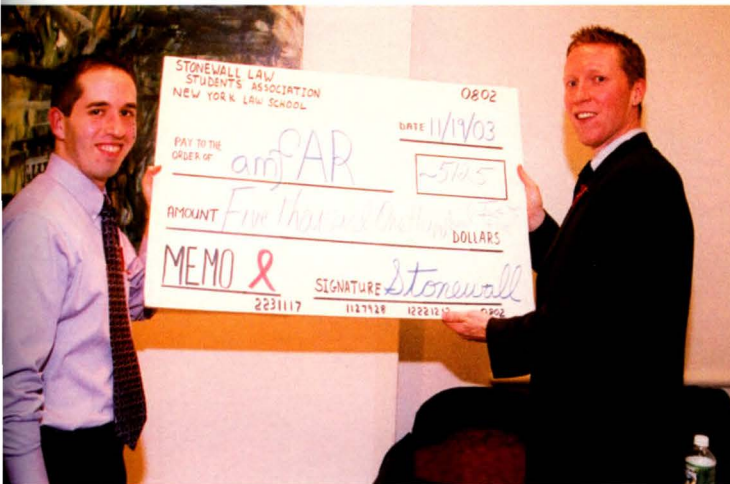
From left: Summer Lee 3L, Brian Kaszuba 3L, and Julia Pershan.

# SBA Donates \$500 to TriBeCa Organization

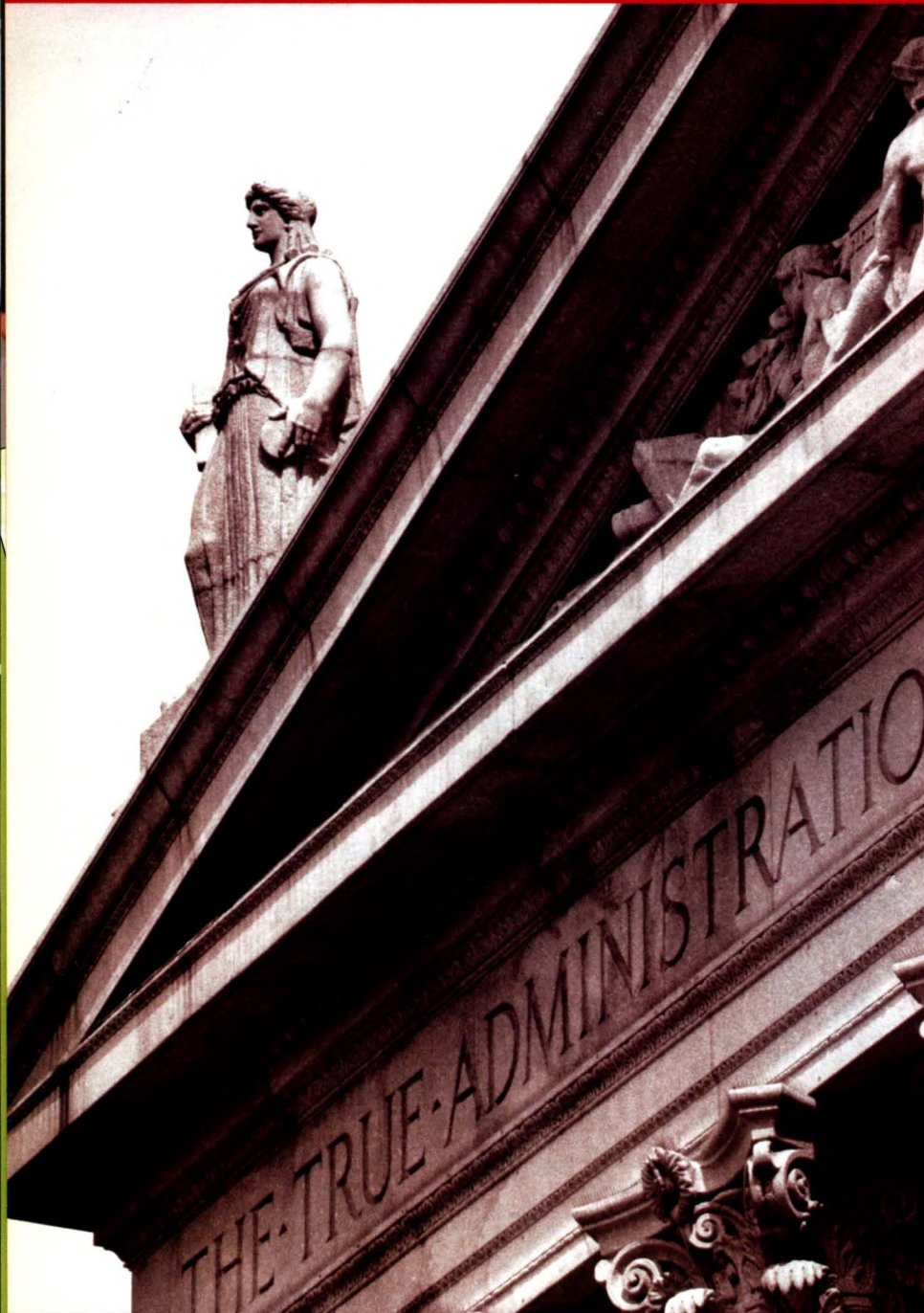
BRIAN J. KASZUBA 3L, PRESIDENT OF THE STUDENT BAR ASSOCIATION, and SBA Vice President Summer Lee 3L presented a check for \$500 to Julia Pershan, chair of the TriBeCa Organization in October 2003, on behalf of the student body of New York Law School. In remembrance of the September 11 tragedy, the SBA held a donation drive and asked students to "forgo the price of a cup of coffee for one day, and give that money to those who need it," Lee said.

"New York Law School applauds the work that the TriBeCa Organization has done on behalf of the community, and especially for the small business owners and local residents who are still suffering from the aftermath of September 11," said Kaszuba.

"We thank New York Law School and its student body for their gracious donation and look forward to our continued partnership in helping rebuild TriBeCa," Pershan said.



From left: Adam Blumenreich 3L and Andrew Greene



*New York Supreme Court*

Alumni News



# A Message from the Alumni Association President

Lawrence H. Silverman '77

Photo: Rick Kopstein



alumni news

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**OVER THE PAST THREE DECADES, EACH GENERATION OF STUDENTS AT NEW YORK LAW SCHOOL HAS** witnessed evolutionary changes of one kind or another—new buildings, endowed chairs, world-class faculty, the Mendik Library, clinical programs, scholarly journals. For a short while, the events of September 11 slowed that momentum. But today there's renewed energy at the school. More important, there's vision. You can feel it; you can see it, as you move through the halls—even as you turn these pages.

The driving force behind this vision is Dean Richard A. Matasar—"Rick," as he politely requests of everyone. Under his leadership, our law school has been charting a new course. Rick and the faculty are implementing truly innovative academic programs designed to help each student achieve his or her maximum potential. They are daring to do things differently, not for the sake of being different, but because the old measures of success are no longer acceptable.

The other good news is our Board of Trustees. For the first time in our history, the majority of them are alums, headed by Chairman Arthur Abbey '59. Each is a leader in his or her field. They, with Rick, share a vision of New York Law School as a world-class educational institution, with a challenging and innovative curriculum and facilities and resources to match. As president of the Alumni Association, I sit on that board. I have no doubt that its vision will be realized. Our mission, as the Alumni Association, must be to support that vision by every possible means.

The primary goal of the Alumni Association is to strengthen the relationships of alumni with each other and with the students for the betterment of the Law School. We accomplish this through numerous programs and activities.

The Alumni Mentor Committee is our critical link with the student body. Its mission is to help students find their way through law school and into the legal profession by providing them with valuable advice and insights. The goodwill it creates makes the transition from student to fully participating alum a natural one.

The new Association-sponsored online directory provides alums with the means to keep in touch with one another. Alumni can register free through the New York Law School Web site, [www.nyls.edu](http://www.nyls.edu).

Our committees have been working hard to keep us connected. Our Recent Graduates Committee keeps its members' calendars filled with professional and social events. They're still talking about our December holiday feast in Little Italy, attended by well over one hundred alums. In February, our CLE Committee held a 4-credit ethics program that drew a full house. In March, 50 alums traveled to Washington, D.C., many with their families, to be admitted to the United States Supreme Court. And at a judicial reception in April, we honored seven distinguished alumni for their service to the bench. There was warmth, humor, and joy as we met with them and they with each other.

By nurturing our family, we enjoy the benefits of learning from and networking with each other. At the same time, there's the satisfaction that comes with helping the next generation. Every alum should consider the rewards of assuming a leadership role on one of the Association's committees and eventually becoming a director on our board. There has never been a better time for us to renew our commitment to New York Law School.

# Alumni Association Annual Meeting

December 11, 2003



Photos this page: Joe Vericker/PhotoBureau, Inc.

From left: Vice President Peachetta deFreitas '93, President Lawrence H. Silverman '77, and Vice President Michael T. Hourihan '81.



Treasurer John J. Reddy Jr. '79



Paul R. Porretta '95 and Linda A. Russo '00



From left: Hon. Seymour Fier '52, Michael Gaschler '89, Adjunct Professor Zuhayr A. Moghrabi '67, Secretary Steven B. Shapiro '84, and Past President David W. Shipper '82.

## The 2004 Alumni Association Board

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- Steven B. Shapiro '84  
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| Martin L. Baron '52       | Kathleen Grimm '80            |
| Martin A. Danoff '60      | Frank Irizarry '78            |
| Telesforo Del Valle '82   | Hon. Francis T. Murphy '52    |
| Stanley B. Doyle Jr. '49  | Basil F. O'Connor '75         |
| Bernard M. Eiber '51      | Hon. Ernst H. Rosenberger '58 |
| Hon. Richard M. Flynn '57 | David W. Shipper '82          |
| Sylvia D. Garland '60     | Hon. Eli Wager '54            |

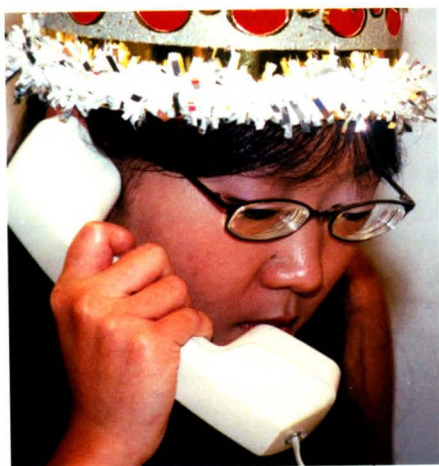
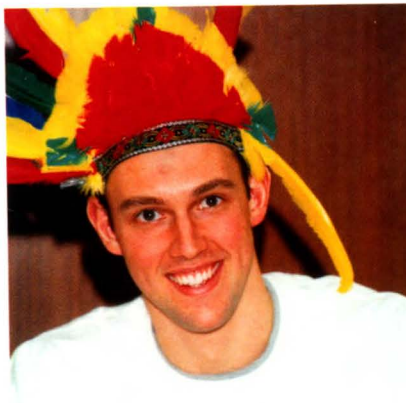
### DIRECTORS

- |                                  |                              |
|----------------------------------|------------------------------|
| Valerie F. Armstrong-Barrows '97 | Harris Gordon Miller '82     |
| Opal C. Bailey '88               | Prof. Zuhayr A. Moghrabi '67 |
| Charles M. Balistreri '77        | Jason A. Oshins '91          |
| Danielle Butler '00              | Scott J. Pashman '00         |
| Hon. Manuel P. Cofresi '86       | Kira L. Polner '00           |
| Hon. Seymour Fier '52            | Paul L. Porretta '95         |
| Michael Gaschler '89             | Geraldine E. Rodriguez '99   |
| Bruce M. Gaylord '74             | Linda A. Russo '00           |
| Steven S. Greenberg '71          | Sherwood Allen Salvan '69    |
| Edward Held '66                  | Gurpreet M. Singh '95        |
| William Jannace '92              | Linda J. Sosnowitz '73       |
| Murray T. Koven '38              | Guy R. Vitacco Jr. '88       |
| Denise Mortner Kranz '85         | Guy R. Vitacco Sr. '57       |
| Dr. Ben Q. Limb '84              | Martin Wendel '78            |
| Hon. Richard M. Meyers '58       | Eric M. Yee '95              |

# Annual Fund Phonathon

October 27–November 7, 2003 | February 23–27, 2004

**LAW SCHOOL STUDENTS SOLICITED PLEDGES** from alumni totaling almost \$90,000 during the spring 2003 and fall 2004 phonathons. Students who raised the most money received prizes including DVDs, American Express gift checks, BAR/BRI bar review course discount certificates, and New York Law School sweatshirts. The weeklong drives are conducted by the Office of Institutional Advancement.



Photos this page: Thornton Studios

# Alumni Mentor Program Events

October 9, 2003 | February 11, 2004 | March 5, 2004



Linda Sosnowitz '73 and Hon. Manuel Cofresi '86, leaders of the "networking" prep session.



From left: Lynnore Thames '04, Eric Yee '95, and Gerry Wendrovsky '88.

Photos: PhotoBureau, Inc.

AT EACH OF THE THREE ALUMNI MENTOR PROGRAM EVENTS HELD DURING the 2003–04 academic year, New York Law School students and alumni formed connections with the mutual objective of launching the students toward exciting internship and job opportunities.

At the Spring Mentor Event on February 11, Alumni Association President Larry Silverman '77 addressed the assembled group, telling the students, "[The alumni] are here because we want to reach out to students and do something to help you launch your careers. We remember how hard it was for us to get started."

Prior to each reception, students took part in a one-hour prep session in which they learned about the concept of networking and received tips for doing it successfully. The sessions were led by two Alumni Association directors: Hon. Manuel Cofresi '86, administrative law judge, Office of Hearings and Appeals, Social Security Administration, and Linda J. Sosnowitz '73, partner, Stapper & Van Doren.

During the receptions, the students made use of their newly acquired networking tips as they mingled with alumni, who stood in different parts of the room according to their area of specialty. Among the practice areas represented were entertainment, intellectual property, corporate, tax, securities, family, government, and criminal law.

In addition to the February 11 program, mentor events were held on October 9, 2003, and March 5, 2004, all in the Wellington Conference Center. The third event was tailored to the schedules of evening students, but all students were welcome. The programs were sponsored jointly by the Offices of Institutional Advancement and Career Services.

For more information about the Alumni Mentor Program, contact Meg Reuter, assistant dean for career planning, in the Office of Career Services at 212.431.2345, or visit the New York Law School Web site at [www.nyls.edu](http://www.nyls.edu) and click on Career Services.



At right: Jacqueline E. Esposito '01



Second from right: Eric Yee '95

# Law School Honors Alumni Judges

April 21, 2004



alumni news

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Photo: Joe Vericker/PhotoBureau, Inc.

New York Law School honored six of its alumni judges at a Judicial Reception on Wednesday, April 21, at the Law School. The event included a special tribute to the Honorable Ernst Rosenberger '58, former associate justice of the New York State Supreme Court, Appellate Division, First Department, who joined the Litigation Group of Stroock & Stroock & Lavan LLP in March as of counsel. His tribute was presented by the Honorable Alfred D. Lerner '51, associate justice, New York State Supreme Court, Appellate Division, First Department. Justice Rosenberger has been an adjunct professor at New York Law School since 1976, and currently teaches the school's Criminal Justice Seminar and Workshop. More than one hundred alumni from New York Law School currently serve in the judiciary. Pictured here, from left: the Honorable Douglas McKeon '75, the Honorable Joan B. Carey '66, the Honorable Joseph G. Golia '65, Justice Lerner, Justice Rosenberger, the Honorable Nicholas Tsoucalas '51, the Honorable Gabriel M. Krausman '59, and the Honorable William F. Mastro '77.

Full coverage of this event and profiles of the honored judges will appear in the next issue of *In Brief*, which will include a special feature on Law School alumni in the judiciary.

# Alumni Admitted to United States Supreme Court Practice

March 7–8, 2004



*“This is really an exciting moment to become part of the Supreme Court and its jurisprudence, and to consider the role we play, and the justices play, in moving this country forward.”*

—Dean Richard A. Matasar

**ON THE CRISP, COOL MONDAY MORNING OF MARCH 8, 2004,** forty-six New York Law School alumni stood inside the hallowed halls of the United States Supreme Court in Washington, D.C., before Chief Justice William H. Rehnquist and Associate Justices Sandra Day O’Connor, David Souter, Clarence Thomas, and Ruth Bader Ginsburg.

Steven B. Shapiro ’84 made the motion, and a few moments later, with dozens of friends, family, and colleagues looking on, all were admitted to the Bar of the United States Supreme Court.

The brief ceremony was the culmination of an effort led by Shapiro, secretary of the New York Law School Alumni Association, along with the Law School’s Office for Institutional Advancement. The previous night, many of them had gathered for a cocktail reception at Washington’s Marriott Metro Center. At the reception, Alumni Association President Lawrence H. Silverman ’77, who was among those admitted, introduced Dean Richard A. Matasar, whom he said has “really taken this school to a new level, and I think we’re going to go beyond that.”

In addition to updating everyone on recent and upcoming events at the Law School, Dean Matasar told the gathering: "This is really an exciting moment to become part of the Supreme Court and its jurisprudence, and to consider the role we play, and the justices play, in moving this country forward."

Garnering the unofficial prize for traveling the farthest for the event was Kirill A. Stein '95, who lives in Moscow, Russia. Born in Kiev, Stein moved to the United States with his family in 1979. He has been living in Moscow since 1997, and works for Alfa Bank, where he is director and deputy head of corporate finance. Stein, who travels to New York three to four times a year to visit his parents in Queens, was excited at the prospect of perhaps being "the only guy in Moscow admitted to the United States Supreme Court."

"I'm excited to see the Court and the justices," Stein said the night before the ceremony. "I think this is a unique experience."

For more information on being admitted to the Bar of the United States Supreme Court, go to: <http://www.supremecourtus.gov/bar/baradmissions.html>. ■

—Story by Jim Hellegaard; Photos by Judy Rolfe



Kirill A. Stein '95



### Alumni admitted to practice before the United States Supreme Court:

Valerie F. Armstrong-Barrows '97

Ryan Asher '98

Genevieve R. Bishop '99

Lynell Canagata-Jeffrey '86

Neil A. Capobianco '89

J. Roberto Cardenas '94

Patricia Cody '96

Michael H. Cooper '83

John D. Delmar '78

Brendan Eccleston '87

Susan J. Flynn-Hollander '85

Marvin L. Frank '91

Janeen H. Gaffney '92

Alyssa J. Held-Honig '94

James Hennessey '89

Michael T. Hourihan '81

Tamra D. Katcher '99

Norine F. Krasnogor '85

John B. Lamb '99

Tim O'Neal Lorah '96

Gerald A. Marks '69

Maurice W. McLaughlin '95

Gary R. Mund '76

Basil F. O'Connor '75

Niloufar Pajoochi '96

Carmen J. Pino '72

Paul L. Porretta '95

Howard Protter '80

Denise L. Quarles '89

Sherry L. Ramsey '98

Stewart Reifler '92

Lisa J. Savitt '81

David W. Shipper '82

Richard F. Shurtz '82

Lawrence H. Silverman '77

Edward I. Speer '68

Carl L. Steccato '86

Kirill A. Stein '95

Vincent J. Tabone '99

Gordon C. Taylor '98

Farnoush H. Tooma '98

Helen Ullrich '96

Leonard C. Walczyk '89

Fred Wistow '77

Eric M. Yee '95

Helena A. Yuhas '78

Scenes from Supreme Court Bar Admission Breakfast and Reception, March 7–8, 2004



From left: Niloufar Pajohi '96, Sherry L. Ramsey '98, and Farnoush H. Tooma '98.



Center: Gerald Marks '69, with wife Wendy Marks and their granddaughter.



From left: Eric M. Yee '95, Basil F. O'Connor '75, Valerie F. Armstrong-Barrows '97, David W. Shipper '92, and Alumni Association Vice President Michael T. Hourihan '81.



From left: Genevieve R. Bishop '99, Tamra D. Katcher '99, and Amy Tenney '00.



From left: Jeremy Hollander 2L, Jordan Hollander, and Susan Flynn-Hollander '85.



# Spotlight on Wall Street

November 18, 2003

**THE LAW SCHOOLS THIRD ANNUAL SPOTLIGHT ON** Wall Street luncheon, featuring five alumni employed by prestigious financial and investment organizations, was held on November 18, 2003. Each speaker offered advice on how to build careers in the financial industry. The event was sponsored by the Office of Institutional Advancement.

**James B. Bragg '73**  
*Head of European Equity Sales*  
Credit Lyonnais

**Mark N. Jacobs '71**  
*Executive Vice President,  
General Counsel, and Secretary*  
The Dreyfus Corporation

**Diane J. Montague '83**  
*Managing Director and Portfolio Manager*  
Neuberger Berman

**Maribel A. O'Brien '03**  
*Managing Director of Client Support,  
Corporate Client Group*  
Nasdaq Stock Market, Inc.

**Keith L. Schnaars '96**  
*Director, Concentrated Stock Strategies  
Group and Private Wealth Management*  
Merrill Lynch & Co., Inc.



From left: Keith L. Schnaars '96, Maribel O'Brien '03, James B. Bragg '73, Mark N. Jacobs '71, Diane J. Montague '83.

# Spotlight on Evening Division

February 5, 2004

**THIS YEAR'S THIRD ANNUAL SPOTLIGHT ON EVENING** Division event, on February 5, featured a group of five New York Law School alumni—all products of the Evening Division—who shared stories from their successful and varied careers and discussed their professional goals and accomplishments. The event is tailored to Evening Division students, many of whom are obtaining law degrees in order to start second careers or to advance their current careers—as did the alumni who addressed them.

## Marvin L. Frank '91

*Managing Partner*

Rabin, Murray & Frank LLP

## Genevieve R. Bishop '99

*Senior Counsel*

Philip Morris USA

## James W. Devor '85

*Sole Practitioner*

Law Offices of James W. Devor

## Daniel T. Mullin '92

*Senior Director, Security & Facility Management*

Major League Baseball

## Ricki J. Schweizer '86

*Assistant General Counsel*

The Interpublic Group of Companies, Inc.

*Vice President and Associate General Counsel*

Footo Cone & Belding Worldwide



From left: Daniel T. Mullin '92, Ricki J. Schweizer '86, Marvin L. Frank '91, Genevieve Bishop '99, and James W. Devor '85.



Clockwise from top left: Carol Buckler, associate dean for professional development; Meg Reuter, assistant dean for career planning; Barbara Leshinsky, associate dean for institutional advancement; and Marvin L. Frank '91.

# Spotlight on Women

March 11, 2004

**THE TWELFTH ANNUAL SPOTLIGHT ON WOMEN LUNCHEON** confirmed the enduring popularity of this event as five accomplished Law School alumnae shared the stories of their climb up the career ladder with an appreciative audience.

The event opened with a brief address by Abigail Schiller 2L, president of the student organization Legal Association of Women, who unveiled a timeline she described as “a celebration of sixty-nine years of women at New York Law School.” She expressed her hopes that alumnae will continue to supply new milestones—past and present—so that the timeline can be updated periodically. (To contribute material, contact Schiller at [aschiller.s@nyls.edu](mailto:aschiller.s@nyls.edu).)

**Susan J. Flynn-Hollander '85**  
*General Counsel*  
Bayonne Medical Center

**Vivienne Gilbert '77**  
*Partner*  
Gilbert & Gilbert LLC  
*Vice President*  
JPMorgan Chase

**Louise S. Horowitz '81**  
*Sole Practitioner*  
Law Offices of Louise S. Horowitz

**Ann E. Schofield '97**  
*Partner, Trial and Intellectual  
Property Department*  
McDermott, Will & Emery

**Cynthia Wolpert '89**  
*Managing Attorney,*  
*Criminal Appeals Bureau*  
The Legal Aid Society



From left: Cynthia Wolpert '89, Ann E. Schofield '97, Susan J. Flynn-Hollander '85, Vivienne Gilbert '77, and Louise S. Horowitz '81.

# Spotlight on Real Estate Law

April 1, 2004



Thomas Charbonneau '82



Marcia Helbling '89

**A COMMON THEME EXPRESSED BY THE ALUMNI SPEAKERS AT THE FIRST** annual Spotlight on Real Estate luncheon on April 1, 2004, was a high degree of satisfaction with their choice of legal specialty.

The event, presented by the Office of Institutional Advancement, began with a short introduction by Jace McColley 4L, president and founder of New York Law School's Real Estate Law Association. McColley welcomed the new event as a way to "introduce opportunities in real estate law to the student body." He reported that interest in the field has increased among students and that more elective classes in real estate law have become available at the school in recent years.

**Lawrence M. Gerson '73**  
*Senior Counsel*  
Empire State Development Corporation

**Marcia S. Helbling '89**  
*Senior Associate*  
Stroock & Stroock & Lavan LLP

**David Ledy '74**  
*Chief Operating Officer*  
U.S. Realty Advisors

**David A. Wind '91**  
*President and Chief Executive Officer*  
Guaranteed Home Mortgage Company, Inc.  
*Of Counsel*  
Valente & Klein PC  
*Partner*  
Guaranteed Title Agency, Inc.

**Thomas E. Charbonneau '82**  
*Counsel*  
Chadbourne & Parke LLP



From left: David Ledy '74, Marcia Helbling '89, Thomas Charbonneau '82, Lawrence M. Gerson '73, and David Wind '91.

Photos: PhotoBureau, Inc.

# Receptions

Harlan Fellows | Holiday Party | New Jersey Alumni | Florida Alumni

## A SERIES OF GATHERINGS SPONSORED BY THE OFFICE OF INSTITUTIONAL

Advancement during the fall 2003 and spring 2004 semesters gave alumni the opportunity to socialize while renewing ties with the school. The Harlan Fellows Reception, held on October 15, and the annual Alumni Holiday Party, which took place on December 3, are pictured on these pages. Additional events, not pictured, included a reception for New Jersey alumni at Newark's New Jersey Performing Arts Center on November 18, and two events for Florida alumni in February, comprising a dinner in Fort Lauderdale and a leap-year brunch in Boca Raton.

## HARLAN FELLOWS RECEPTION—OCTOBER 15, 2003

This event, hosted by Dean Matasar and his wife, Sharon, at their Manhattan home, recognizes major contributors to the Law School.



From left: Senior Director of Development Diana Leo, David A. Wind '91, and Associate Dean for Professional Development Carol Buckler.



From left: Alice Sandler, Professor Ross Sandler, Hon. Nicholas Tsoucalas '51.



From left: Diana Leo, senior director of development; Susan Danoff; Barbara Leshinsky, associate dean for institutional advancement; and Laurie Dorf, director, alumni affairs and special events.



Dean Richard A. Matasar, left, with Frances Salten '75.

Photos these pages: Joe Venicker/PhotoBureau, Inc.

# Have **You** Registered Yet?

**Register now for the alumni  
online directory sponsored by the  
New York Law School  
Alumni Association.**

Just send your e-mail address to  
[alumniold@nyls.edu](mailto:alumniold@nyls.edu)  
and we will send you your individual security  
identification number. It's that easy!

**[www.nyls.edu/alumnidirectory](http://www.nyls.edu/alumnidirectory)**

ALUMNI HOLIDAY PARTY—DECEMBER 3, 2003

More than one hundred alumni and friends attended this festive holiday celebration at the Il Cortile restaurant on legendary Mulberry Street in Manhattan's Little Italy.



From left: Daniel Parisi III '03, Jisha Vachachira '03, Alifya Vasi '03.



Valerie Wong '04 and husband Raymond Wong '87.



Felix Ortiz and Geraldine Rodriguez '89.



From left: Alumni Association President Lawrence H. Silverman '77, Il Cortile executive chef Michael DeGeorgio, Edward Held '66, and Dean Matasar.



George Fletcher and Valerie Armstrong-Barrows '97.



From left: Richard Margolies '01, Nancy Kaboolian '89, Mark C. Gardy '84, Michelle Z. Hall '03, Gina Tufaro '02, and Paul Paradis '90.

Photos: PhotoBureau, Inc.

Photos these pages: PhotoBureau, Inc.



Photos: PhotoBureau, Inc.



# Alumni Breakfast Event: Best Business Practices

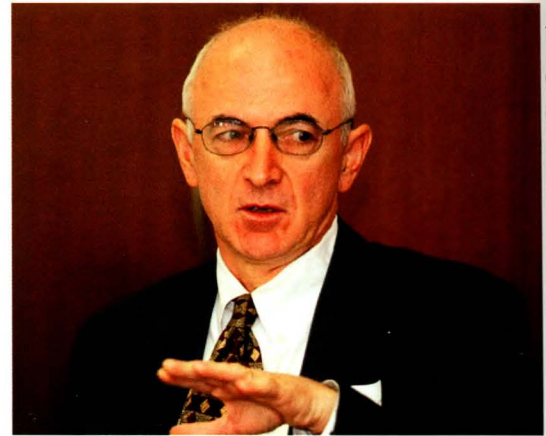
October 28, 2004

A GROUP OF ALUMNI WHO RUN THEIR OWN FIRMS SHARED BEST PRACTICES WITH guests at a Law School-hosted breakfast on October 28, 2003.

Topics included computer software and technology; taking personal responsibility for successful business operations and client issues; hiring staff; trying new strategies, tools, and systems; and the overall day-to-day management of a law firm.

Alumni discussion leaders were: Ryan Asher '98, of Asher & Associates, PC; Alyssa Held '94, managing attorney, Held, Held & Held; and James A. O'Malley '85, of James A. O'Malley, PC. Each is a principal in a law firm they own either partly or wholly.

A sample piece of advice offered by Asher: "Don't delegate things that you are personally answerable for at the end of the day. You, and not your support staff, are responsible to your clients."



James A. O'Malley '85



Ryan Asher '98



From left: Ryan Asher '98, Alyssa Held '94, and Caroline Lee 2L.



Clockwise from top left: Ryan Asher '98, Alyssa Held '94, Caroline Lee 2L, James A. O'Malley '85, Delia Herrin, Jeffrey Stern 1L, Assistant Director of Research Steven Marcus, Juliana Li 3L, and Ojediji Olugbodi '00.

# Midyear Graduates Reception

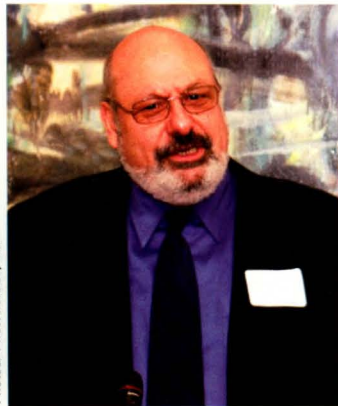
March 16, 2004



Kevin Cunnane '04



Susan Fraunhofer '04



Alan Kaldawi '04

AT A RECEPTION FOR SEPTEMBER AND FEBRUARY GRADUATES HELD AT THE LAW SCHOOL ON MARCH 16, 2004, THE overriding theme expressed by the new alumni was gratitude... to the Law School for the legal education they had acquired; to family, friends, and faculty for supporting and encouraging them; and for just simply being “done.”

Melvyn Hoffman, who started law school midcareer, commented that his status as an older student made law school “that much more interesting” and said his fellow students made him feel welcome. Ryan Puttick, who switched from the Day Division to the Evening Division after his first year, gave credit to the many different people he met in the evening program: “All these students from different walks of life, with different jobs, commuting to the school from all over the place—even as far away as Pennsylvania—made for a wonderful experience.”

Kevin Cunnane, a New York City firefighter, became emotional as he remembered living through 9/11 while attending the Law School. “It made me realize that, as lawyers, we will have a tremendous responsibility to society, and we should all work together to make sure that what we lived through doesn’t happen again.”

Natalie Jean-Baptiste confessed to some apprehension about facing the “real world” and said she would miss Law School friends and professors, citing the Copyright Law Seminar as a course she had particularly enjoyed. Like most of the other midyear graduates, Jean-Baptiste had already taken the bar exam and was anxiously awaiting the results.

Susan Fraunhofer called her New York Law School experience “one of the best of my entire life,” echoing Puttick in her praise of the Evening Division and the support offered by fellow students and faculty. Fraunhofer, who has worked for Goldman, Sachs & Co. for five years, transferred to the company’s compliance group after starting law school, and credits her legal education for easing her transition into that area of the company.

Nicholas Muto, who has combined a law degree with a Ph.D. in molecular biology, hopes to find a professional niche that will enable him to combine those two disciplines. He commented that his law school experience made him aware of certain types of knowledge that he wished were more accessible to the general population: “I don’t want to say that everyone should go to law school, but the things I learned here are things that everyone should know—how legal institutions work, how the criminal justice system works, what the Constitution says. So in that respect, I think that going to law school was a really important thing for me to do.” ■



Graduates of the Class of 2004, from left: Susan Fraunhofer, Melvyn W. Hoffman, Alejandro Filippa, Alan Kaldawi, Carrie D'Amelio, Kevin Cunnane, Natalie Jean-Baptiste, Ryan A. Puttick, Nicholas Muto.

# CLE Programs

November 20, 2003 | February 11, 2004

**TWO CLE PROGRAMS—ONE FOCUSED ON BUYING RESIDENTIAL REAL ESTATE** and another on legal ethics—were offered in the fall '03 and spring '04 semesters by the Alumni Association to help Law School graduates fulfill state CLE requirements. Both programs were moderated by Zuhayr A. Moghrabi '67, an adjunct professor at the Law School and a member of the Alumni Association's Board of Directors.

On November 20, 2003, the Alumni Association's Recent Graduates Program presented "How to Buy Residential Real Estate," which focused on the process of buying co-ops and condos in New York City. Four real estate specialists—three alumni and one special guest—made presentations on the various stages of the process, from helping clients decide whether they should buy in a particular building to preparing for the closing. Panelists were: Bruce Cholst '77, partner, Rosen & Livingston; Marcia Helbling '89, associate, Stroock & Stroock & Lavan; Bradley D. Shaw '91, solo practitioner; and Anita Carter, associate broker, Coldwell Banker Hunt Kennedy.

The second CLE program, an "Ethics 2004" seminar held on February 11, 2004, examined the subject in several contexts: the

New York Code of Professional Responsibility, civil litigation—federal-state issues, and corporate practice. Attendees also received an update on the Sarbanes-Oxley Act from Kevin J. O'Connor, United States attorney for the District of Connecticut. The special guest speaker, the Honorable Ernst H. Rosenberger '58, discussed "Ethics: Perspectives from the Bench," in which he reminded the audience to avoid conflicts of interest and to uphold the requirement for civility among lawyers.

Moghrabi chairs the Alumni Association's CLE Program Committee, established in the summer of 2003. He sees the CLE program as a way of creating "a sense of community" between alumni and the school, providing top-notch speakers who can help them in their careers.

Currently, New York State attorneys must earn twenty-four CLE credit hours, including four in ethics, every two years. In the 2004–05 academic year, the CLE Program Committee plans to offer two programs each in the fall and spring semesters. ■



From left: Anita Carter, Bruce Cholst '77, Adjunct Professor Zuhayr A. Moghrabi '67, Marcia Helbling '89, Bradley D. Shaw '91.



Speakers at the Ethics 2004 seminar, from left: Matthew Renert, Grievance Committee for the Ninth Judicial District; Charles L. Rosenzweig, Rand Rosenzweig Smith Radley Gordon & Burstein LLP; John G. Nicolich, LeBoeuf, Lamb, Greene & MacRae, LLP; Hon. Ernst H. Rosenberger '58; Adjunct Professor Zuhayr A. Moghrabi '67; Kevin J. O'Connor; Robert A. Burstein '76, The University at Albany Lawyers Association; and Lawrence H. Silverman '77, New York Law School Alumni Association.

# Recent Graduates Program

The New York Law School Alumni Association's Recent Graduates Program offers receptions, networking opportunities, workshops, and recreational events to alumni from the five most recent graduating classes.

## KNICKS GAME—FEBRUARY 20, 2004

Recent grads took in a home game at Madison Square Garden.

## TIME-OUT THURSDAY—OCTOBER 16, 2003

An informal, after-work gathering for young alums at Coco Pazzo Teatro in Manhattan's Theater District.

## THEATER OUTING—OCTOBER 24, 2003

Alumni participants in the Recent Graduates Program took in an Off Broadway performance of *Fame on 42nd Street* at Manhattan's Little Shubert Theater.

## WINE TASTING—MARCH 18, 2004

Recent grads sampled a variety of vintages at Manhattan's Divine Bar West.

## COOKING DEMONSTRATION—JUNE 3, 2004

At Dish, on the Lower East Side, alumni assisted in preparing a meal while learning about different cuts of meat and organic vegetables.



Photo: Rick Kopstein



## The Recent Graduates Committee

### Program Coordinator

Inez P. Gonzalez

*Associate Director of Alumni Affairs and Special Events*

### Chair

Yvette Y. Chang '95

### Class of 1999

Suzanne A. Ascher, Heather D. Wiltshire-Clement

### Class of 2000

Kira L. Polner, Andrea Risoli, Linda A. Russo

### Class of 2001

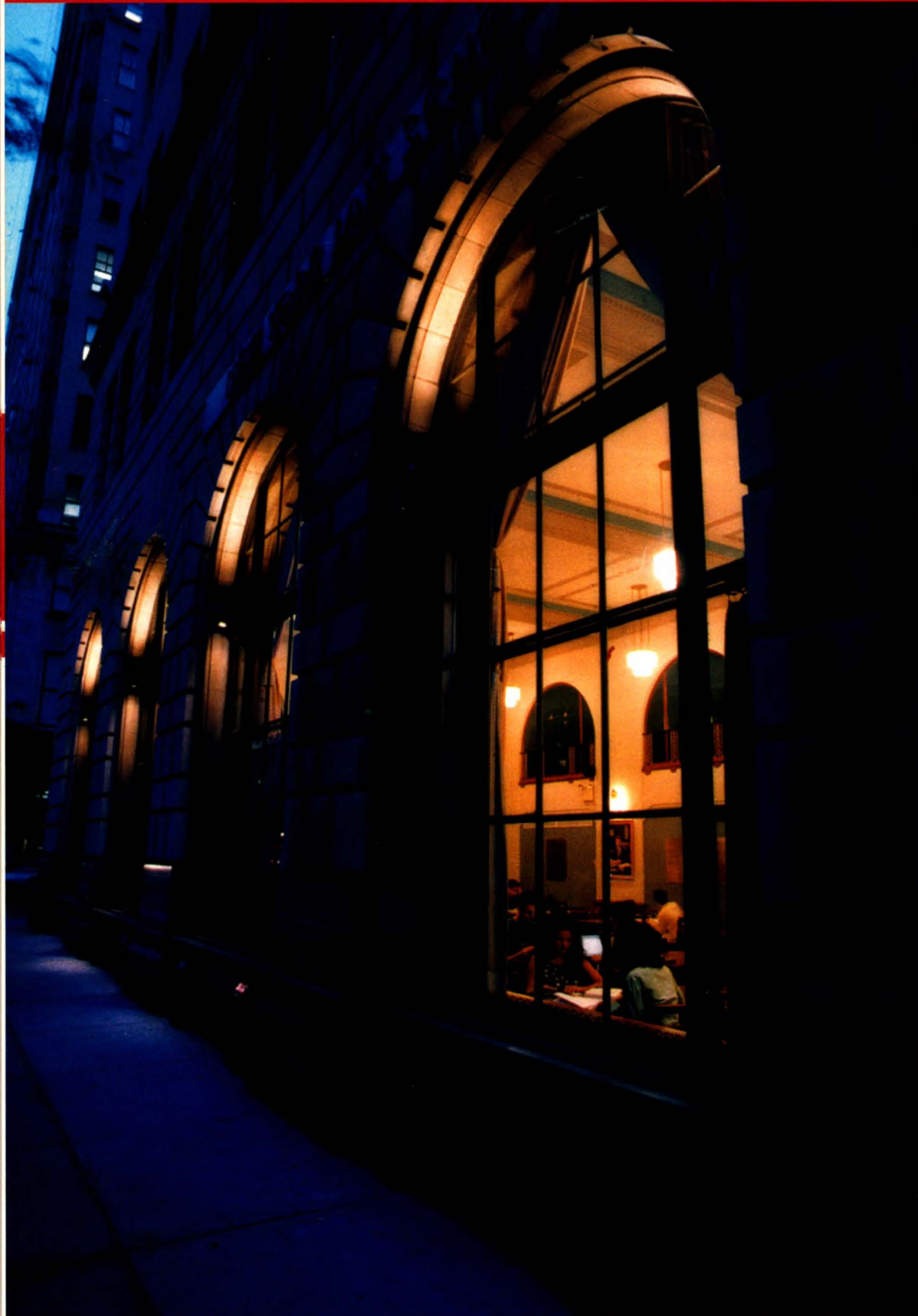
Daniel J. Curtin Jr., Shani R. Friedman, Edward F. Westfield Jr.

### Class of 2002

Joseph S. Miller, Agnieszka Twarog, Alifya H. Vasi

### Class of 2003

Neena Dutta, Stacie L. Karp, Daniel J. Parisi, Jisha Vachachira

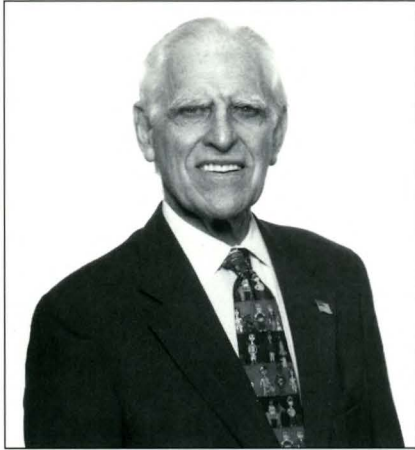


*A view of the Law School's  
Stiefel Reading Room from  
Church Street.*

## Class Notes

### Send us your news!

The *In Brief* staff regularly pursues news items about our alumni through daily scanning of print and online news media and legal industry publications. References to the source publication for those news items are found at the end of each class note; if no source is indicated, the item was submitted by the alum. We would, of course, prefer to hear directly from you! So please do take a moment to let us know about your professional accomplishments and personal milestones, or other news you would like to share with your colleagues in the New York Law School community. Send us your news via the Web at [www.nyls.edu/inbrief](http://www.nyls.edu/inbrief).



**Hon. Frederic S. Berman '51** was honored for his forty-five years as an adjunct professor at New York Law School at the school's Adjunct Faculty Luncheon last spring. No longer trying cases, he continues to serve in the Criminal Court of the City of New York as a judicial hearing officer, conducting hearings and presiding over the calendar of quality-of-life cases. He also serves as a referee for the Appellate Division, First Department, on attorney disciplinary matters, and as an arbitrator for the National Association of Securities Dealers, Inc. (NASD) on financial and security disputes.

Judge Berman writes that he recently became class president of his Columbia College Class of 1949 and is planning his 55th class reunion in June 2004. His son, **Anthony Berman '91**, is a partner with Idell, Berman & Seitel in San Francisco, practicing entertainment and intellectual property law.

## 1940

**Philip J. Fruitstone** writes, "Back in Florida after a summer in North Carolina mountains. Just celebrated my eighty-eighth birthday and still going strong."

## 1950

**Jack Rosenberg** is the current executive vice president and former president of B'nai B'rith Rockland Irving Siegel Unit 5450, in Spring Valley, New York. He served as a village trustee of Suffern, New York, from 1994 to 2003 and was elected four times as a trustee in Spring Valley from 1979 to 1986. He is also the former president of two condominium developments. (*The Journal News*)

## 1952

**Hon. Seymour Fier** writes, "What a pleasure it is to be a participant in New York Law School activities." He is a director of the school's Alumni Association.

## 1956

**J. Stanley Shaw** was profiled in the *Long Island Business News* article "74-Year-Old Garden City Attorney Still Going Strong" in November 2003. According to the article, Shaw was recently named chairman of the Real Estate Advisory Committee of New York State's Common Retirement Fund by state Comptroller Alan Hevesi. Shaw is a partner with Shaw, Licitra, Esernio, Schwartz & Pfluger, PC in Garden City, New York. (*Long Island Business News*)

## 1957

**Hon. Norman C. Ryp** was profiled in the *New York Sun* article "Of Rebecca West and Rypisms," in August 2003. According to the article, Judge Ryp is a judicial hearing officer in Westchester, Nassau, Suffolk, Rockland, Orange, and Bronx Counties in New York. He was previously elected judge of the Civil Court of the City of New York three times and has also served as an acting justice of the New York State Supreme Court. (*New York Sun*)

**Guy R. Vitacco Sr.**, a partner with Vitacco & Vitacco in Queens, New York, was the subject of a profile in *Newsday* in September

2003. He is the past president and current chair of the Queens County Bar Association Speakers' Bureau and a member of the Judiciary Committee of the Association of the Bar of the City of New York. He started his law firm 45 years ago and was joined by his son, **Guy R. Vitacco Jr. '88**, 15 years ago. Both Vitaccos are directors of the New York Law School Alumni Association. (*Newsday*)

## 1958

**Frederick D. Williams** was profiled in the *Lakes Region Suburban Weekly* (Windham, Maine) in October 2003. According to the article, Williams, an attorney in Windham for 34 years and a significant figure in state, county, and local politics, is planning to relocate to a "warmer climate" where he intends to continue as a university instructor. He was a professor of law at Saint Joseph's College for 15 years. (*Lakes Region Suburban Weekly*)

## 1962

**Howard S. Kass** is the president and senior litigation partner at Kass & Jones, PC in Carle Place, New York, specializing in personal injury defense litigation. He is an arbitrator and a mediator for the American Arbitration Association. (*New York Law Journal*)

## 1966

**Richard De La Roche** was recently elected mayor of Mount Olive, New Jersey. The election of De La Roche, a Democrat, was a surprise upset in largely Republican Morris County. He has never previously held elected office, but has represented boards of education and townships throughout his legal career. In Union City, New Jersey, he previously served as secretary to the board of education, personnel director, code enforcement officer, and hearing officer for the police and fire departments. (*Daily Record*)

## 1967

**Joseph D. O'Neill** has been named one of the ten leaders in personal injury and trial law in central and southern New Jersey by Digital Press International, a news service in Fort Lee, New Jersey. O'Neill was selected



**James M. Conboy '55**, a partner at Carter Conboy Case Blackmore Maloney and Laird, PC, in Albany, New York, received the 2004 Attorney Professionalism Award from the New York State Bar Association. The award was given by the NYSBA's Committee on Attorney Professionalism and was presented in January 2004 during the state bar's 127th annual meeting in Manhattan.

The award is "designed to recognize attorneys who display the highest standards of professionalism, including: dedication to the service of clients, commitment to promoting respect for the legal system in the pursuit of justice and the public good, outstanding ethical conduct, competence, good judgment, integrity, and civility," according to the NYSBA.

Conboy was nominated by the Albany County Bar Association. More than twenty support letters were received from clients, judges, and colleagues, portraying him as "universally respected, an exemplar of ethical conduct, an outstanding attorney, strong mentor, and a man of honor and civility." A noted Albany-area trial attorney wrote: "Jim has no weaknesses. He is, in my judgment, the most respected lawyer in the upstate legal community." A federal judge commented: "He epitomizes, at every turn, integrity, mastery of his craft...an honorable commitment to his clients...and most of all, an all-consuming respect for the law and humankind." (New York State Bar Association)

*From left: James M. Altman, chair of the Committee on Attorney Professionalism; NYSBA President A. Thomas Levin; Conboy; Linda S. Lyons, association marketing manager for award corporate sponsor LexisNexis; and NYSBA President-elect Kenneth Standard.*

for this honor from a group of more than 175 lawyers. He is the senior partner at O'Neill and Coant in Vineland, New Jersey.

## 1968

**Frank J. Dupignac Jr.** is a member of the general practice law firm Hiering, Dupignac, Stanzone & Dunn, PC in Toms River, New Jersey. In August 2003, Dupignac was honored as the "Humanitarian of the Year" by the Ocean County College Foundation, of which he is an executive committee member. (*Ocean County Observer*)

**William V. Grady** has been the district attorney of Dutchess County, New York, for the past 20 years. (*In Brief*)

## 1969

**Paul Bennett Marrow** is of counsel to the firm of Banks Shapiro Gettinger Waldinger & Brennan, LLP in Mount Kisco, New York. His article "Does the Doctrine of Contractual Unconscionability Have a Role in Executive Compensation Cases?" was published in September 2003 by the *Journal* of the New York State Bar Association. (*New York State Bar Journal*)

**Rita McIntyre** sends her regards to her old classmates and friends.

## 1970

**Kenneth P. Zebrowski** has been elected to the Fifth Legislative District in Rockland County, New York, for the sixth time. Zebrowski is a practicing trial attorney in Rockland County and has been involved with numerous civic and governmental organizations. (*The Journal News*)

## 1972

**Marshall L. Gates** is a solo practitioner in Succasunna, New Jersey, where he concentrates in the areas of personal injury, criminal defense, employment law, workers compensation, driving while intoxicated, traffic violations, and civil litigation. He served on the Township Council of Roxbury, New Jersey, for over a decade. (*Daily Record*)

## 1973

**Carlo Manganillo** is the mayor of Plandome Manor, New York, and the senior managing partner of Lazarowitz & Manganillo in Brooklyn, New York. Manganillo's firm specializes in real estate and litigation. Prior to his election as mayor of Plandome Manor in 1999, he served as a village trustee for five years. He has also served on the Nassau County Village Officials' Association, cochairing its Small Villages Committee. (*Manhasset Press*)

**Jay Rappaport** is a partner at Aaronson, Rappaport, Feinstein & Deutsch, LLP in Manhattan. The firm specializes in medical malpractice defense, health-care law, professional liability defense, personal injury law, and insurance defense litigation. (*NYLJ*)

**Richard A. Russell** has been named one of the ten leaders in matrimonial and divorce law in southern New Jersey for 2004-05 by Digital Press International, a news service in Fort Lee, New Jersey. Russell is the managing partner at Richard A. Russell, Esquire, PC in Ocean City, New Jersey. He is a fellow of the American Academy of Matrimonial Lawyers. (*Ocean City Sentinel*)

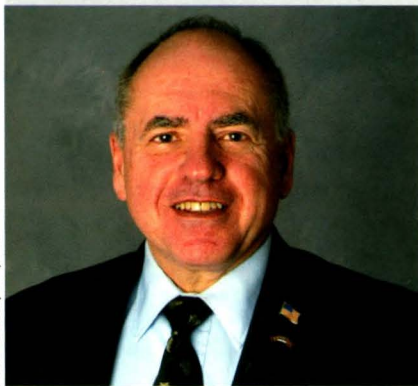
## 1974

**Judith Bresler** is of counsel at Cowan, DeBaets, Abrahams & Sheppard LLP in Manhattan. Her article "Begged, Borrowed, or Stolen: Whose Art Is It, Anyway? An Alternative Solution of Fine Art Licensing" was published in the 50th anniversary issue of the *Journal* of the Copyright Society of the U.S.A., and was also reprinted in December 2003 in the Fall/Winter 2003 issue of the *Entertainment, Arts, and Sports Law Journal* of the New York State Bar Association. Bresler, an adjunct faculty member at New York Law School, was inducted into the Trustees' Council of Penn Women at the University of Pennsylvania, in Philadelphia, in November 2003.

## 1975

**Gloria Bletter** writes that she is organizing a "People's Tribunal" on the United States/Great Britain invasion of Iraq. She is a member of the Victims' Rights Working Group of the





**Gary Dolan '77** has published *Of Their Own Accord*, a novel about a year in the life of an Airborne Ranger platoon leader during the height of the Vietnam War. Dolan based the book on his own tour of duty as an Airborne Ranger with the U.S. Army in 1970. The book's Web site is <http://oftheirownaccord.com>. Dolan would be pleased to provide autographed copies to fellow alumni who submit orders for the book.

Dolan also writes that he has opened a law office in Garden City, New York. His practice is limited to the area of real estate.

**Hon. Martin M. Solomon** has been elected a justice of the New York State Supreme Court, Second Judicial District. He was previously a judge in the Civil Court of the City of New York, Kings County Branch. (*NYLJ*)

## 1976

**Robert A. Burstein** is a partner in the firm Rand Rosenzweig Smith Radley Gordon & Burstein LLP in Manhattan. (*NYLJ*)

**Philip J. Michaels** recently coauthored two articles: "Qualified Personal Residence Trusts Offer Helpful Planning Options for Potentially Large Estates," published in the November/December 2003 *New York State Bar Journal*, and "How, Why, and When to Transfer the Situs of a Trust," published in the January 2004 issue of *Estate Planning* magazine. Michaels is a partner in the Manhattan office of Fulbright & Jaworski LLP, specializing in estate and tax planning. He is also an adjunct professor at New York Law School, teaching estate administration. (*New York State Bar Journal*)

**Robert W. Wien** has joined Boca Raton, Florida-based vFinance, Inc. as executive vice president and head of investment banking.

## 1977

**Gregory J. Cannata** is a solo practitioner in Manhattan. (*NYLJ*)

**Carol McEwen Daly** writes that her husband, Hon. Thomas R. Daly, is a judge in the City Court of Yonkers, New York. Daly adds that she has two daughters: Mary, 18, is a student at St. John's University, and Margaret, 16, is a high school junior at The Ursuline School.

**Joseph Di Donato** was elected to a four-year term as mayor of West Milford Township in New York. Di Donato was previously chairperson of the West Milford Zoning Board of Adjustment for four years, and a member for ten. (*Greenwood Lake and West Milford News*)

**Charles R. Getty Jr.** has opened his own practice in Rome, New York, specializing in real estate, family law/divorces, trusts and

estates, collections, and bankruptcies. Getty is a former partner of McMahon & Grow. He has served as a city assistant corporation counsel and city attorney. (*Daily Sentinel*)

**Timothy Stalker** has been named partner, and head of the Reinsurance Department, at Margolis Edelstein in Philadelphia, Pennsylvania, where he handles reinsurance contracts, negotiations, arbitrations, commutations, and collections. Stalker has worked in the insurance and reinsurance industry since 1977, most recently at Liberty Mutual, where he served as vice president of claims and legal. (*Legal Intelligencer*)

**Hon. Douglas S. Wong** is an acting New York State Supreme Court justice in the Eleventh Judicial District. He is also a judge of the Criminal Court of the City of New York, Queens County Branch. (*NYLJ*)

## 1978

**Elizabeth Pollina Donlon** has an estate planning, Surrogate's Court, and guardianship practice in Garden City, New York. Her article "Dividing Real Property Can Lead to Differences Among Competing Interests" was published in the *New York State Bar Journal* in November 2003. (*New York State Bar Journal*)

**Scott Weiner** is the founding director of the Center for Energy, Economic & Environmental Policy and a senior policy fellow at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University in New Brunswick, New Jersey. He is a member of the Board of Directors of the Center for Sustainable Development in the Americas and serves as chairman of the Business Council for Sustainable Energy. Weiner has held a number of appointed public offices, including those of chief counsel to former New Jersey Governor James Florio, commissioner of the New Jersey Department of Environmental Protection and Energy, and president of the New Jersey Board of Public Utilities. (*NJ Biz*)

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**Hon. Gregory Lasak '77** was sworn in as a New York State Supreme Court justice for the Eleventh Judicial District in December 2003. Previously, Judge Lasak was executive assistant district attorney in the Queens District Attorney's office, where he began his career in 1978. He supervised the investigations of over 3,000 homicides and the prosecution of 500 to 1,000 of these cases, including the Howard Beach racial attack in 1986, the 1995 slaying of six people in College Point, and the massacre of five people at a Wendy's in Flushing in 2000. His ascension to the bench received coverage in many New York newspapers, including *The New York Times*, *Newsday*, and the *Queens (New York) Courier*. (*The New York Times*)

labor and employment counsel to the Human Resources Services Department. Before rejoining CBIA in 2002, Soycher was a solo practitioner. (*Farmington Valley Post*)

**Edward F. Westfield** has relocated his law offices in Manhattan. He practices in both the federal and state courts in New York, and in regulatory and arbitral forums, handling motions and other pretrial proceedings, trials, and appeals. His son, **Edward F. Westfield Jr. '01**, is associated with the firm.

### 1981

**Hon. Tyrone Butler** was appointed the first chief administrative law judge of the District of Columbia's Office of Administrative Hearings by Washington, D.C., Mayor Anthony Williams in June 2003, and confirmed by the District Council in August 2003. Also in August 2003, he was elected chair of the American Bar Association's National Conference of the Administrative Law Judiciary. He is currently serving his second year as a member of the ABA House of Delegates as one of the elected New York State Bar Association House members. He is also president-elect of the National Association of Administrative Law Judges.

**Linda D. Calder** has joined the law firm of Roe, Wallace, Esteve, Taroff & Taitz, LLP in Patchogue, New York. She was previously with the law firm of Robert C. Crimmins Esq. in Riverhead, New York. (*Long Island Advance*)

**Henry Cornell** has been named chairman of Citizens for New York City, a nonprofit organization that focuses on mobilizing New Yorkers, through self-help and civic action, to improve their neighborhoods. Cornell is a managing director at Goldman, Sachs & Co. in Manhattan. He is a trustee at the Whitney Museum of American Art, the Asian Art Museum of San Francisco, New York City's Asia Society, where he is also treasurer, and the Japan Society, and is a member of the Council on Foreign Relations. (*Our Town*)

### 1979

**Laurie Hutzler** is an award-winning screenwriter and playwright. She currently teaches at UCLA in both the M.F.A. and professional programs in screenwriting, and recently conducted a ten-week Thriller Writing Workshop there.

**Catherine Lomuscio** was recently elected president of the Association of Assistant District Attorneys of Queens County, New York. She serves on the Board of Managers of the Queens County Bar Association, which she represents in the House of Delegates of the American Bar Association.

### 1980

**James P. Flanagan** has been elected a district court judge in the Sixth District in Suffolk County, New York. ([www.co.suffolk.ny.us](http://www.co.suffolk.ny.us))

**Hon. Arthur M. Schack** was elected in November 2003 to the New York State Supreme Court, Second Judicial District, Kings and Richmond Counties. Justice Schack, a former judge of the Civil Court of the City of New York, is now presiding in a Trial Part in the Civil Term, Kings County.

**Kenneth P. Silverman** is senior managing partner at Silverman Perlstein & Acampora LLP, practicing primarily in the areas of insolvency, creditors' rights, and bankruptcy. He is an adjunct professor of law at St. John's University School of Law in its LL.M. in Bankruptcy program. Silverman writes that since 1988, he has served as a member of the panel of United States interim bankruptcy trustees for both the Southern and Eastern Districts of New York and, since 1994, has served as a member of the Register of Mediators for the U.S. Bankruptcy Court, Southern District of New York. He is a published author and a recognized lecturer on insolvency and insolvency/matrimonial-related issues.

**Mark D. Soycher** has been promoted to counsel and director of human resources services for the Connecticut Business & Industry Association (CBIA) in Hartford, Connecticut. He worked for CBIA from 1983 to 1990 and returned again in 2002 as



**Jonah Triebwasser '79** was recently honored by the Environmental Law Section of the New York State Bar Association at the bar's annual meeting in New York City. Triebwasser was recognized for his long service on the state bar's Continuing Legal Education Committee and for serving on the faculty of many state bar continuing legal education programs. He is the deputy regional attorney of the Region 3 office of the New York State Department of Environmental Conservation, in New Paltz, and is also a member of the adjunct faculty of Marist College.

*From left: Joel Sachs, dinner chairman; Triebwasser; and James Periconi, Environmental Law Section chair.*

**Michael Costa** is a partner at Ernst & Young and managing director of Ernst & Young Corporate Finance LLC.

**Norman J. Radow** is president of The Radco Companies, a real estate development and management company in Atlanta. (*Atlanta Business Chronicle*)

## 1982

**Anthony Bisignano** is a partner at Bosco Bisignano & Mascolo in Staten Island, New York. Bisignano has appeared in many media stories, including "City Seeks to Limit Liability for Ferry Crash in U.S. Court," in the *New York Law Journal*, and "Hometown Lawyer for Victims of Ferry Crash," in *The New York Times*, for his role in representing numerous claimants in the October 15, 2003, Staten Island Ferry crash. (*NYLJ*)

**Hon. Laurie Lau Cairns** is a housing judge of the Civil Court of the City of New York. (*NYLJ*)

**Linda J. Stanch** is a solo practitioner in Manhattan, practicing in the areas of labor and employment law, wrongful discharge, sexual discrimination, and age discrimination. Stanch is a former deputy assistant chief of the New York City Law Department. ([www.ljstanch.com](http://www.ljstanch.com))

**Nelson F. Brinckerhoff** has a private practice in North Kingstown, Rhode Island. (*West Bay*)

## 1983

**Ronald C. Burke** is a partner and senior trial attorney at the firm Brand, Brand & Burke in Manhattan. (*NYLJ*)

**Mitchell D. Kessler** writes that he is preparing to celebrate his tenth year as a solo practitioner in the field of personal injury.

**Theresa A. Szeliga** is the director of ethics and business conduct for Boeing Commercial Airplanes, a division of The Boeing Company, headquartered in Renton, Washington.

## 1984

**Haydn J. Brill** has formed Brill & Associates, PC, a full-service law firm concentrating in insurance defense matters, with offices in New York and New Jersey.

**Thomas A. Carr** was elected Seattle city attorney in 2002, and writes that he is "honored to serve as the legal adviser to Seattle." Carr manages a Law Department of 155 employees, including 80 lawyers.

**Lynne Costantini**, vice president of programming for Time Warner Cable, was profiled in *Multichannel News*, a major industry trade publication, in January 2004. The article states that Costantini played a key role in the creation of Sorpresa!, a new Spanish-language children's network, filling a niche in programming that had not previously been pursued by the television industry. (*Multichannel News*)

**Donald W. Dickson** has been inducted by the Supreme Court of Texas into the Pro Bono College of the State Bar of Texas, in recognition of his "outstanding contributions to the delivery of legal services to low-income Texans." Dickson is the resident associate in the Austin, Texas, office of Parker & Parks, LLP, where he serves as general counsel of the Texas State Troopers Association.

**Alene Egol** is the transactional real estate attorney for Florida Power & Light Company in the Law Department of its corporate offices in Juno Beach, Florida. She represents the company in its purchases and sales of land and negotiates its easements, leases, licenses, and rights of way in the state of Florida. Egol writes that she and her husband moved to Delray Beach, Florida, in July 2000.

**Virginia D. Kolodny** is a law assistant at the Civil Court of the City of New York. (*NYLJ*)

**Rosemary Palladino** is a principal court attorney for the New York State Supreme Court, Appellate Division, First Department, and is a former commissioner

of New York City's Board of Standards and Appeals. (*Staten Island Advance*)

**Philip H. Sider** is the chief operating officer at Searchspace Corporation, a leading provider of anti-money laundering, fraud management, compliance, operational risk, and opportunity management software products. Based in Manhattan, he is responsible for Searchspace operations in North America. ([www.searchspace.com](http://www.searchspace.com))

**Neal S. Spector** is a trial attorney in Mineola, New York, where he focuses on civil and criminal litigation. (*Newsday*)

**Larry Wolinsky** is a partner at Jacobowitz & Gubits, LLP and is chairman of the firm's Environmental/Land Use Team and a member of its Municipal Team. He is a member of the American Planning Association and the American Institute of Certified Planners. (*Daily Freeman*)

**1985**

**Susan J. Flynn-Hollander** has been appointed general counsel for Bayonne Medical Center in Bayonne, New Jersey.

**Hon. John Kelly** has been elected family court judge of Suffolk County, New York. He had been a Suffolk County district court judge since January 2001. He had a private practice from 1986 to 2000, serving on Family Court and Supreme Court law guardian panels. He is also a lecturer at the Suffolk County Academy of Law and an adjunct professor of history at Long Island University. (*Newsday*)

**Michael McMahon** was reelected to the New York City Council representing District 49, North Staten Island. (*Staten Island Advance*)

**Hon. Larry S. Schachner**, housing court judge, was elected civil court judge for District 1 in the Bronx, New York. (*NYLJ*)

**Jeffrey Toback** has been elected to a third term in the Nassau County Legislature, Seventh District. A former Republican, he crossed party lines in 1998 to become a



Photo courtesy Ronald G. Hiatt '81

**Ronald G. Hiatt '81** (photo, left) has been elected to the county legislature of Sullivan County, New York. Hiatt was formerly the Sullivan County Legislature's managing attorney for social services. He is a former U.S. Air Force lieutenant colonel and pilot. He was a founding member of Sullivan County Court Appointed Special Advocates (CASA) and has also been involved with the Alternatives to Incarceration Program and the Sullivan County Child Care Council, Inc. (*Sullivan County Democrat*)



Photo courtesy Mark Garscia '84

**Mark Garscia '84** is a partner at Christie, Parker & Hale, LLP in Pasadena, California, where he practices in the areas of domestic and foreign intellectual property counseling, enforcement, and licensing. Garscia sent in this photo of himself with four classmates taken in Tuscany, Italy, in August 2003.

*From left: Fred Haller '84, Garscia, Debona Jacques '85, Mark Gyrog '84, and Karen Kelly '84.*



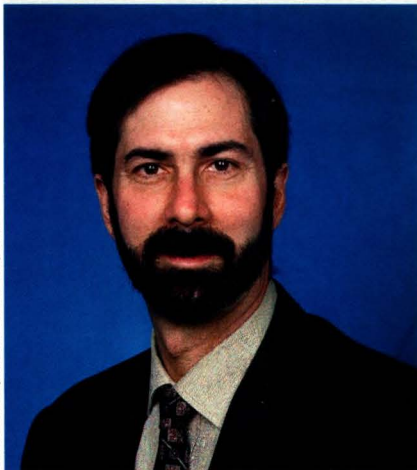
Photo courtesy Law and Mediation Offices of Teresa Ombres

**Teresa Ombres '81** was named to the *Queens (New York) Courier* newspaper's list of the Top Ten Queens Women in Business in February 2004. Ombres is a solo practitioner in Queens, specializing in divorce and family law and serving as a mediator for divorcing couples. She also practices collaborative law, in which the divorcing couple and their lawyers meet in a four-way session after signing an agreement that the case will not be brought to court; if one client does decide to bring the case to court in spite of the agreement, both clients are required to obtain new counsel.

Ombres is a founding member of the New York chapter of the Association of Family and Conciliation Courts and of the New York Collaborative Law Group. She serves on several committees involving family law, including the Board of Directors of the Family and Divorce Mediation Council of Greater New York. (*Queens Courier*)

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**David Schwartz '82** has been named senior vice president and director of the International Wealth Management Group at Union Planters Corporation, which is among the twenty-five largest bank holding companies based in the United States. Schwartz will be responsible for managing a team of international financial advisers who develop and service the bank's international high-net-worth clients. Prior to joining Union Planters, Schwartz was senior vice president and deputy manager at the Miami agency of Banque Sudameris, an international bank based in Paris with operations in Europe and Latin America. (Union Planters Corporation)

Democrat. He is chair of the legislature's Judiciary and Health and Social Services Committees and a member of the Rules, Public Works, and Planning, Development & the Environment Committees. He is a practicing attorney in Hewlett, New York. (*Newsday*)

### 1986

**Maura Busch** is currently one of two attorneys at Local 74 Legal Services Fund in Long Island City, New York. She provides legal services to union members and refers legal matters in several areas, including civil litigation and family court.

**Marc Dobin** is a partner at Dobin & Jenks, LLP in Jupiter, Florida, focusing almost exclusively on securities matters. Dobin writes that he and his law partner, Debra Jenks, obtained a securities arbitration award of more than \$5.4 million against Securities America, Inc., a subsidiary of American Express, and that the award is believed to be one of the largest ever in Florida.

**Mara Beth Levin**, who was of counsel to Herrick, Feinstein LLP on a part-time basis for more than a decade, was recently named as the firm's first part-time partner. She is a member of the Employment Practices Group in the firm's Manhattan office.

### 1987

**Peter B. Croly** is an attorney with the Law Offices of Alvin M. Bernstone in Manhattan. (*NYLJ*)

**Bruce Czachor** is comanaging partner of the Silicon Valley office of Shearman & Sterling LLP, based in Menlo Park, California. He represents companies and investment banks in a broad range of industries, including software, e-commerce, biotechnology, telecommunications, cable, entertainment, energy, forest products, oil and gas, and mining. ([www.shearman.com](http://www.shearman.com))

**Alison Marie Igoe** practices immigration litigation with the United States Department of Justice, Civil Division. Igoe writes that she recently adopted a child from India. Her daughter, Nirali, arrived in

April 2003 and was 28 months old as of January 2004.

**Herbert Lazar** is a partner with Herzfeld & Ruben, PC in Manhattan and Livingston, New Jersey. The firm specializes in insurance law, appellate practice, and commercial litigation.

**Maureen T. O'Rourke** has been elected one of three police commissioners of Port Washington, New York. She is a deputy county attorney at the Office of the Nassau County Attorney and an active member of the New York State Bar Association, Real Property Section, and the Nassau County Bar Association. (*Port Washington News*)

### 1988

**Elizabeth A. Coley** is general counsel for Cramer Rosenthal McGlynn, LLC in Manhattan. She was recently appointed to the Board of Directors of CRM U.S. Value Fund, Ltd. (Company News Feed)

**Bradford P. Egan** is the senior vice president/commercial and consumer lending of Plymouth Savings Bank, based in Middleborough, Massachusetts. He serves as the senior lender overseeing the commercial and consumer lending divisions. He also serves on the senior management team, focusing on business development in southeastern Massachusetts. (*Standard Times*)

**Andrew A. Fraser** is a partner at Laddey, Clark & Ryan in Sparta, New Jersey, focusing on personal injury, commercial, civil, criminal trial, and workers compensation matters. He is a township prosecutor in Sparta, Hampton, Stillwater, and Ogdensburg, New Jersey. Fraser has been certified as a civil trial attorney by the Superior Court of New Jersey. (*New Jersey Lawyer*)

**Georgia Gounaris** writes that she and her husband, Jim Gounaris, are proud to announce the birth of daughter Katerina. She joins big sister Elianna and brothers Billy and Nikos.

**Robert A. Stern** is a cofounding partner of the firm Stern & Montana, LLP in Manhattan, where his practice areas include insurance and commercial fraud law, insurance defense litigation, white-collar criminal law, litigation, and construction law. His article "Take the Money and Run: The Fraud Crisis in New York's No-Fault System" was published in the *New York State Bar Journal* in October 2003. He has authored many previous articles on insurance fraud and has lectured before national and international organizations on insurance fraud issues. (*New York State Bar Journal*)

**David Sternlieb** is a trial lawyer at Shapiro & Sternlieb, LLC in Manalapan, New Jersey. The firm concentrates on representing victims suffering substantial injuries due to medical malpractice, serious accidents, negligent security, and sexual harassment. Sternlieb writes that the September 15, 2003, edition of the *New Jersey Law Journal* featured a verdict obtained by his firm in U.S. District Court, Newark, as one of the Top 20 Personal Injury Awards of the Year.

**Eric Witw** is counsel to the U.S. Senate Select Committee on Ethics in Washington, D.C. Previously, he was a trial attorney with the Tax Division of the U.S. Department of Justice.

## 1989

**Paula Cialella**, recently appointed solicitor of New Castle, Pennsylvania, was profiled in the *New Castle News* in February 2004 in the article "Solicitor 'Excited,' 'Ready to Go.'"

**John Codd** is corporate counsel for Heller Industrial Parks, Inc. in Edison, New Jersey. Heller Industrial Parks is an owner and developer of 14.5 million square feet of warehouse space throughout the United States. Codd was reappointed to a second term on the Zoning Board of Adjustment of Morristown, New Jersey, and was elected chair of that board in January 2004.

**Robert A. Fishkin** has merged his law firm with the firm of Heller, Jacobs & Kamlet,

LLP in Garden City, New York, and is of counsel to the firm. He continues to specialize in automobile, trucking, and common-carrier liability with an emphasis on fraud and SIU matters.

**Frank Gobes** is an associate in the Trusts and Estates Department at Ruskin Moscou Faltischek, PC in Uniondale, New York, specializing in trust and estate litigation, administration, taxation, and drafting. (*Long Island Business News*)

**Richard Organisciak** has been appointed superintendent of schools in Deer Park, New York. He previously served as superintendent of alternative schools and programs for the New York City Department of Education. (*Newsday*)

## 1990

**James R. Hays** is a partner at Kelley Drye & Warren LLP in Manhattan, where his practice focuses on management labor and employment law. (*New Canaan Adviser*)

**Kevin Lee** is an assistant professor at Ave Maria School of Law in Ann Arbor, Michigan, teaching contracts and business associations.

**John Morrison** has been elected counsel at Shearman & Sterling LLP. He is in the firm's Executive Compensation & Employee Benefits group in Manhattan.

**Darlene Prescott** is a legal officer for the Codification Division in the U.N. Office of Legal Affairs, in New York. Prescott writes that she represented the Office of Legal Affairs at the annual Global Legal Information Network (GLIN) directors' meeting in Washington, D.C., in September 2003. GLIN is a database of international laws, regulations, and selected legal writings and is administered by the Law Library of Congress.

**Peter Ventrice** is a partner with the firm Brause, Brause & Ventrice, LLC in Metuchen, New Jersey, concentrating in family law, criminal defense, and civil litigation.



Photo courtesy Pullman & Comley, LLC

**Timothy Ronan '84** has joined Pullman & Comley, LLC in Stamford, Connecticut. Ronan specializes in complex commercial litigation and alternative dispute resolution, and has represented businesses and individuals in corporate governance, shareholder, partnership, merger and acquisition, and employment disputes. He also has extensive experience in matters involving product liability litigation, insurance coverage disputes, and contested land use and real estate matters. Ronan has also prosecuted numerous cybersquatting and cybersmearing claims and has written articles and lectured on this subject. (*Wilton Bulletin*)

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Photo: Rick Kopstein

**Deborah Notkin '87**, a partner with Barst & Mukamal LLP in New York, was named president-elect of the American Immigration Lawyers Association (AILA) at AILA's annual meeting in June. Notkin has served on AILA's Board of Governors since 1997 and has been a member of its Executive Committee since 2000, having previously served as treasurer, second vice president, and first vice president. She is also a former chairperson of AILA's New York chapter. (*In Brief*)

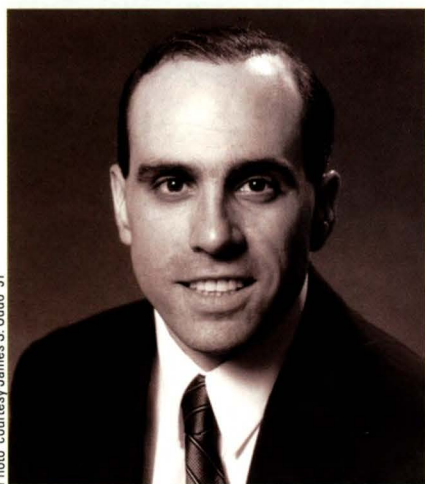


Photo courtesy James S. Oddo '91

**James S. Oddo '91** has been reelected to the New York City Council, District 50, representing mid-Staten Island and Bensonhurst and Bath Beach, Brooklyn. He is the Council's minority leader. (*Staten Island Advance*)



Photo courtesy Kennedy Covington Lobdell & Hickman, LLP

**Jo Ann Jawidzik Brighton '89** has relocated to Charlotte, North Carolina, where she has taken a position as special counsel in the Debt Finance Department of Kennedy Covington Lobdell & Hickman, LLP. Brighton is a frequent writer for the American Bankruptcy Institute *Journal*; she recently published "But I Have an Order! Practical Tips to Assist in the Enforcement of Bankruptcy Court Orders" in its February 2004 issue and "Is It a Capital Contribution or a Loan? Update: Recharacterization—Practical Pointers in an Evolving Arena" in its December 2003/January 2004 issue. She also writes for the *ABI Law Review* and *Commercial Law Journal*, and has been appointed to the advisory board for the *St. John's Law Review*, which publishes the *ABI Law Review* at St. John's University.

Additionally, she consulted on, and was cited in, a law review article by Professor David A. Skeel of the University of Pennsylvania Law School: "Avoiding Moral Bankruptcy," 44 *Boston College Law Review* 1181, 1181, 1192 n.49 (2003). She is a frequent speaker at American Bankruptcy Institute conferences and for other bankruptcy and workout organizations.

## 1991

**Marylee Jenkins** has been named partner in the Manhattan office of Arent Fox Kintner Plotkin & Kahn, PLLC and is a member of its Intellectual Property Group. Jenkins specializes in intellectual property matters involving computers and the Internet, including patent, copyright, and trademark prosecution, litigation, and transactions. (*NYLJ*)

**Mary Ellen Tully** is a partner with the firm Booker, Rabinowitz, Trenk, Lubetkin, Tully, DiPasquale & Webster, PC in West Orange, New Jersey, where she handles general civil, commercial, and bankruptcy matters in federal, bankruptcy, and state courts. She is the treasurer of the New Jersey State Bar Foundation and recently completed a two-year term as president of the Essex County Women Lawyers Association. (*New Jersey Lawyer*)

## 1992

**Bradley S. Braut** is the senior counsel of the Early Intervention Unit at the New York City Law Department in Manhattan.

**Danielle George**, an associate at The Jacob D. Fuchsberg Law Firm in Manhattan, was profiled in the article "No Chaser: Are All Personal Injury Lawyers the Same?" published in the September 2003 issue of *Jungle Law*. She practices in the areas of medical malpractice, litigation, and negligence. ([www.fuchsberg.com](http://www.fuchsberg.com))

**Ben A. Indek** is a partner in the Manhattan office of Morgan, Lewis & Bockius LLP in its litigation practice. His areas of focus are broker-dealers and securities litigation. He is a coauthor of a regular column, "Securities Litigation and Enforcement," appearing in the *New York Law Journal*. (*NYLJ*)

**Janice K. Lunde** is associate general counsel with New York–Presbyterian Hospital in Manhattan. She was formerly a partner at Heidell, Pittoni, Murphy & Bach, LLP.

**Daniel Mullin** is the senior director for security and facility management at Major League Baseball in Manhattan. He retired as

a deputy chief after twenty-three years with the New York City Police Department.

**Irene Parrino** was recently reelected as water commissioner in Albertson, New York, a position she has held since February 2000. She has also been a solo practitioner for the past eight years, representing clients in a broad range of civil matters. Parrino currently serves as vice president of the Albertson Square Civic Association. She is a former administrative law judge for MTA New York City Transit and the New York City Department of Finance. (*Williston Times*)

## 1993

**Peggy Barbanel** is in private practice in Brooklyn, New York, concentrating on guardianship proceedings. She frequently appears on panels for the New York County Lawyers' Association and the Brooklyn Bar Association, and has been part of the faculty of the Association of the Bar of the City of New York's training seminar on Article 81 of the New York State mental health law. Barbanel also was recently installed as an administrative law judge for New York City's Taxi and Limousine Commission, and in October 2003 she was appointed as a court examiner by the presiding justice of the Appellate Division, Second Department.

**Jeffrey Gaier** is managing partner of Financial Access Network, LLC in Tenafly, New Jersey, a firm specializing in estate and insurance planning. The firm has four offices, including its newest office in Boynton Beach, Florida.

**I. Bryce Moses** is a partner at Eisenberg, Margolis, Friedman & Moses in Manhattan. Moses is a trial attorney specializing in personal injury and medical malpractice law. (*NYLJ*)

## 1994

**Scott F. Brown** is an associate at Edmonds & Company, PC in Manhattan. He practices in the areas of business law, advertising law, corporate, copyrights, and trademarks. (*The New York Times*)

**Alan Field** is a loan officer for Meeecorp Capital Markets, a private commercial real estate lender in Fort Lee, New Jersey. Field writes that he and wife, Sharon, had twin girls, Emma and Adina, on November 8, 2002, and are also the parents of big sister Leah, born October 27, 1998.

**Erin K. Hurley** is an associate at The Jacob D. Fuchsberg Law Firm in Manhattan, where she handles complex personal injury cases. She has been a guest lecturer in graduate level courses at New York-area universities and at national conferences on the subjects of toxic tort litigation and lead paint poisoning. ([www.fuchsberg.com](http://www.fuchsberg.com))

**Ian S. Marx** has joined the firm of Greenberg Traurig LLP as of counsel in its Morristown, New Jersey, office. (*Greenberg Traurig*)

**Eric M. O'Meara** was named a partner at Richards Spears Kibbe & Orbe LLP. He has focused his practice on the areas of structured finance, restructurings of distressed companies, and other commercial transactions.

**Susan Henner Smith** writes to announce the birth of her son, Caleb Geoffrey, on January 19, 2004. Smith is married to Troy Smith. She is a solo practitioner in Manhattan and White Plains, New York, specializing in immigration and naturalization.

**Amianna Stovall** is a partner in the Litigation Department at Dreier LLP in Manhattan. She practices in the area of commercial litigation, with particular expertise in securities law. (*NYLJ*)

## 1995

**Sandra Gogerty** has been appointed supervisor of special education for the school district of Berkeley Heights, New Jersey. Previously, she served as the Union County supervisor of child study for the New Jersey Department of Education. (*Dispatch*)

**Duane M. Morikawa** is vice president and counsel at ORIX USA Corporation, a subsidiary of Japanese-owned ORIX Corporation, a leading financial services



Photo courtesy Wilentz, Goldman & Spitzer PA

**Darren M. Gelber '92**, a partner at Wilentz, Goldman & Spitzer PA in Woodbridge, New Jersey, has been elected to the Board of Trustees of the Middlesex County Bar Association. He will serve in that capacity through the end of May 2007.

Gelber concentrates his practice in the areas of criminal and civil rights law, representing clients in all phases of criminal proceedings, including those charged with serious offenses in state and federal courts, under investigation by law enforcement authorities, or subpoenaed to appear before a state or federal grand jury.

Gelber has appeared on Court TV as a guest commentator, most recently on the program *Trial Heat*, where he commented on the *State v. Jayson Williams* case regarding trial techniques and evidence issues.

His other professional memberships include the Monmouth County (New Jersey) Bar Association, the Criminal Practice Committee of the New Jersey Bar Association, and the Board of Trustees of the Association of Criminal Defense Lawyers of New Jersey. (Wilentz, Goldman & Spitzer PA)





## Gerianne Abriano '93

*Bureau Chief, Kings County District Attorney's Office  
Brooklyn, New York*

### FOR THE LAST THREE YEARS, I HAVE BEEN

working at the Red Hook Community Justice Center, an innovative, multi-

jurisdictional problem-solving court that handles criminal, housing, and family court matters in Red Hook, Brooklyn. It was created in partnership with the Kings County District Attorney's Office, the Center for Court Innovation, and the New York State Unified Court System's Office of Court Administration.

District Attorney Charles Hynes recommended Red Hook as the site for this courthouse for two primary reasons. First, in 1992, elementary school principal Patrick Daly was senselessly killed in the Red Hook Housing Development. He was caught in the crossfire of rival drug gangs while looking for a student who had run out of school after a fight. D.A. Hynes successfully prosecuted his killers and, in the process, developed a special place in his heart for the people of Red Hook. Second, Red Hook endures extreme geographic isolation; it is surrounded by water on three sides and by the elevated Gowanus highway on the fourth.

The District Attorney's Office prosecutes all the misdemeanor cases arising in our catchment area, which encompasses three police precincts and over 200,000 people. As a problem-solving court, we focus on outcomes rather than process, and to that end we do a careful analysis of each case before we determine how to proceed. Some cases are adjudicated in a traditional prosecutorial manner, but most cases result in sentences that incorporate the myriad services available at the Justice Center. Our sentences frequently include intensive drug treatment, mediation, anger management, high school equivalency classes, youth groups, vehicular programs, 'John School,' and more. Additionally, we often require offenders to perform community service as a means of giving back to the community they harmed. The District Attorney's Office believes that for nonviolent offenders, education, prevention, and rehabilitation are effective crime-fighting strategies.

In addition to their courtroom responsibilities, the prosecutors are active community participants. We attend community meetings and police precinct council meetings, and we participate in community events. We have established strong partnerships with community, city, and government agencies. Our community involvement, coupled with our strong partnerships, brings us closer to achieving our goal of making the community a safer, stronger, and healthier place.

This entry was submitted by Gerianne Abriano '93 and is reprinted here in its entirety.

provider, with operations in more than twenty global markets. Based in Manhattan, Morikawa is involved in a variety of matters including transaction work, employment law, and intellectual property.

**Margaret A. Peckham Clark** was appointed as rector of the Trinity Episcopal Church in Roslyn, New York. She is the nineteenth rector of Trinity Church and the first woman to hold the post since the church's founding in 1862. Previously, Clark was the assistant rector at All Angels' Episcopal Church in Manhattan. (*The Roslyn News*)

**Jeffrey I. Weiner** is a trial attorney with Friedman, Levy & Goldfarb, PC in Manhattan. He practices in all areas of personal injury law, with a concentration in labor law and construction-related accidents. (*NYLJ*)

## 1996

**Sharon-Frances Moore** has been appointed executive director of The TriBeCa Organization, Inc., whose mission is the revitalization and economic redevelopment of Manhattan's TriBeCa neighborhood. (TriBeCa Organization newsletter)

**Antanas Razgaitis** is an associate with the Law Offices of Joseph E. Bachelder in Manhattan. He serves as the firm's senior financial analyst and controller. (Bloomberg News)

**Thomas Reilly** is an assistant district attorney in the Richmond County District Attorney's Office in Staten Island, New York. (*Staten Island Advance*)

**Ellen D. Stern** is an associate at the firm of Neil R. Lubarsky and Associates in White Plains, New York, concentrating in wills, trusts, estates, elder law, and securities arbitration.

## 1997

**Jonathan Damashek** is a partner at Hecht, Kleeger, Pintel & Damashek, in Manhattan. The firm concentrates on plaintiffs' personal injury work. Previously, Damashek was associated with the firm of Schneider, Kleinick, Weitz & Damashek, where his father, New York Law School Trustee Philip M. Damashek, is a partner. (*NYLJ*)

**Arthur D. Ettinger** is an associate at Cohen Lans LLP in Manhattan, practicing in the areas of matrimonial law and civil litigation. ([www.cllp.com](http://www.cllp.com))

**Gary Gershik** became a partner at Cooper & Dunham LLP as of January 1, 2004.

**Karen Glass (Rebish)** writes that she and her husband, David, welcomed their first child, Jeremy Silver, on July 31, 2003. Prior to becoming a full-time mom, Glass was in-house counsel for Metropolitan Life Insurance Company.

**William Hauptman** is an associate in the litigation practice group of Shearman & Sterling LLP in Manhattan. (www.shearman.com)

**Catherine Kuffner** is an account representative with Thomson West (Westlaw) in the Portland, Oregon, area. Previously, Kuffner served three years with the Navy JAG Corps, stationed in Whidbey Island, Washington. Kuffner writes that she and her husband, Michael, have two children, Vanessa, age four, and Jack, age two.

**Eileen McKenna** is a court attorney with the New York State Supreme Court, Kings County, specializing in election law. McKenna was recognized in November 2003 as an Employee of the Month of the court. (*Brooklyn Record*)

**Andrea Barton Reeves** is a senior associate at Wolf, Horowitz, Etlinger & Case, LLC, in Hartford, Connecticut, where she practices in the areas of insurance defense, civil litigation, and professional liability. She is president of the George W. Crawford Black Bar Association, a Connecticut-based association of African-American attorneys. In 2003 she was named one of the year's "40 Under Forty" by the *Hartford Business Journal*. She sits on the Board of Directors of the Village for Families and Children, Inc., and is also on the regional council of Lawyers for Children America, a national organization through which attorneys represent children, pro bono, who are in the custody of the state child welfare agency, the Department of Children and Families. Barton Reeves writes that she and her husband, Mark, recently finalized the adoption of their son, Parker, who is now two and a half.

## 1998

**Stephen Bonfa** has become an associate with the firm Lally & Lally LLP in Mineola, New York, after completing four years with the District Attorney's Office in Orange County, New York.

**Brian Epstein** is an associate with Gold, Rosenblatt, and Goldstein in the Bronx, New York. Epstein writes to announce the birth of Ethan Scott Epstein on May 31, 2003. Ethan is the first child for Epstein and his wife, Lisa.

**Gary Giannantonio** writes that he was married on May 2, 2003, and currently lives in Ridgefield, New Jersey. He is an associate with Kalebic, McDonnell & Miller, PC in Hackensack, New Jersey.

**Scott Jalowayski** has moved to Morrison & Foerster LLP's Hong Kong office following three and a half years with the firm's Tokyo office. His practice focuses on cross-border M&A, joint ventures, and strategic alliances and restructurings. Jalowayski writes that he and his wife, Nina (who put him through law school), have two children, Sebastian and Isabella, ages three and one.

**Ronald G. Lieberman** is an associate with the law firm Adinolfi & Spevak, PA in Haddonfield, New Jersey. He specializes in family law. (www.adinolfiandspevak.com)

**Reka S. Ludanyi** has joined the firm of Moots, Pellegrini, Mannion, Martindale & Dratch, PC in New Milford, Connecticut, as an associate. She practices in the areas of criminal law, family law, and personal injury litigation. Previously, she was an assistant public defender in the Office of the Chief Public Defender of the state of Connecticut. (*New Milford Times*)

**Christopher Nelson** is counsel in the Regulatory Affairs Department for Philip Morris International Management S.A. in Lausanne, Switzerland, handling regulatory issues for the company's Central European region and serving as the primary lawyer for its R&D departments. Nelson writes that his family includes two-year-old Connor

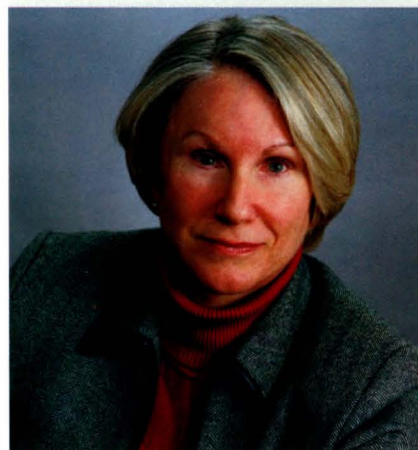


Photo courtesy Elenora Benz '93

**Elenora Benz '93** was chosen as Woman Business Owner of the Year for 2003 by the Sussex-Warren Chapter of the New Jersey Association of Women Business Owners. In addition, the Sussex County Chamber of Commerce presented her with its Community Service Award in recognition of her "Earth Angels" project, which brings holiday cheer to homebound senior citizens in Sussex County, New Jersey. She currently serves as secretary to the Senior Quality of Life Foundation, Inc., a 501(c)(3) charitable organization dedicated to bringing a better quality of life to senior citizens in Sussex County; as copresident of the Blainstown (New Jersey) Business Association; and as a trustee of the Northern New Jersey Estate Planning Council. She is also a member of the New Jersey State Bar Association's newly formed Animal Law Committee. Benz is a solo practitioner in Newton, New Jersey, specializing in wills and trusts, estate planning, business succession planning, probate, estate administration, and life planning.



Photo: Rick Kopstein

**Reed Podell '94**, a senior associate at Smith & Laqueria, LLP in Manhattan, obtained the first reported decision in the country in *Majlinger v. Cassino Contracting Corp.* (Sup Ct Richmond County 2003) holding that the U.S. Supreme Court's decision in *Hoffman Plastic Compounds, Inc. v. NLRB*, which interpreted the Immigration Reform and Control Act of 1986, precluded awarding unearned lost wage damages to undocumented aliens in tort actions. Podell's article "*Hoffman Plastic Compounds v. NLRB: Have Undocumented Aliens Lost the Right to Recover Unearned Lost Wages as Damages in Personal Injury Actions?*" was published in the summer 2003 issue of the New York State Bar Association's *Torts, Insurance, and Compensation Law Section Journal*.

Podell has also obtained two other reported decisions signaling a change or expansion in New York law. In *NYAT Operating Corp v. Jackson, Lewis, Schnitzler & Krupman* (Sup Ct NY County 2002), the court held that a single act of misconduct can support treble damages against an attorney, where lying under oath is alleged. And in *Gonzalez v. 17 Murray Street Corp.* (Sup Ct NY County 2001), the court held that a party in litigation may be bound by the findings of the New York State Workers' Compensation Board even though the requirements of collateral estoppel are not satisfied.



Photo courtesy Renew Data

**Daniel L. Junk '97** has been appointed regional manager in charge of Northeast sales at the new office of Renew Data Corporation (RenewData) in Manhattan. Junk will lead RenewData's expansion into the legal and corporate market in the Northeast. He is the former director of sales for nMatrix Inc., a New York City-based software developer for the legal market, and the former CEO of eData Corporation, an electronic evidence-processing company. RenewData is a leader in the electronic evidence market, providing services and software to aid corporations in assessing their legal position and liability risk to lawsuits or investigations. RenewData specializes in quick, cost-effective production, consolidation, storage, and retrieval of active and archived e-mail, attachments, and user files, or "enterprise user information" (EUI). (Renew Data Corporation)

**Isabel Truyol** and a partner have opened their own law firm, Law Offices of Susan Esterhay and Isabel Truyol, with two locations in Manhattan. It is a general practice firm, with a primary focus on immigration law.

## 1999

**Jack Lamb**, owner of the noted Manhattan sushi restaurant Jewel Bako, has opened a new restaurant, Jack's Luxury Oyster Bar, in the East Village. The new restaurant received a positive review in the *New York Times's* "Diner's Journal" in October 2003. (*The New York Times*)

**Lori Lewis** is an associate with Niedweske Barber, PC, a labor and employment law firm in Morristown, New Jersey. Lewis writes that she and husband, Matt, celebrated their fourth wedding anniversary in September 2003 and live in Morris County, New Jersey.

**Elura Nanos** is the president of Morange, LLC, an educational company that holds workshops for law students throughout New York and New Jersey. Nanos founded the company with **Michele Sileo '99** in 2002. She writes, "We teach workshops to help law students through school; we have created our own LSAT, GMAT, GRE, and SAT programs; and we've been implementing some prelaw programs at various colleges. Things are going wonderfully, and we're really enjoying helping New York Law School's new students."

**Marc Pepe** has been promoted to contracts manager in the Corporate Employee Financial Services division of UBS Financial Services Inc. in Secaucus, New Jersey.

**Peter T. Sallata** is a contract analyst in the Corporate Editorial Department at Condé Nast Publications. He handles freelance contracts, rights purchase agreements, and copyright and trademark infringement cases.

**Bryan T. Schwartz** is an associate with Wilson, Elser, Moskowitz, Edelman & Dicker LLP in Manhattan, concentrating in insurance defense litigation.

**Ann Marie Sinisi** is a partner at the Law Offices of John S. Pereira in Manhattan.

**Leo Whittlesey's** first novel, *End of Tour*, described by Whittlesey as a "suspense-filled mystery," was published by iUniverse, Inc. in November 2003.

## 2000

**Danielle J. Butler** is an associate in the Maritime and Shipping Department at Holland & Knight LLP in Miami, Florida. Her emphasis is on litigation and transactional matters. She also practices general litigation and governmental regulation and litigation in the explosives and fireworks areas. A licensed pyrotechnician, Butler has been active in her family's business, Fireworks by Grucci, which has produced major firework programs in the United States and internationally since 1850. She is active in coordinating New York Law School alumni events in the Florida region.

**Susan Charters** is an associate with Martin Clearwater & Bell LLP in Manhattan.

**Stephen J. Dallas** is an associate in the Litigation Department of Weil, Gotshal & Manges LLP in Manhattan. (*Albany Times Union*)

**Michael D'Angelo** writes to announce the birth of his son, Corey Michael, on February 7, 2004. D'Angelo is an associate with Landman Corsi Ballaine & Ford, PC in Manhattan.

**Joseph A. Fisher III** is an associate with Leventhal & Slaughter, PA in Orlando, Florida.

**Pamela Foster** recently became the assistant corporate secretary of the Rockefeller Foundation in Manhattan. Previously, as an associate with Cleary, Gottlieb, Steen & Hamilton, she was honored in November 2003 by Sanctuary for Families for her

work as pro bono counsel for a victim of domestic violence.

**Kenneth M. Gorsuch** is an associate at Sullivan & Cromwell LLP in Manhattan, where he practices commercial real estate. (*Chatham Courier*)

**Jill Gruben** is an associate with Martin, Shudt, Wallace, DiLorenzo & Johnson in Troy, New York. She is a member of the New York State Bar Association committees on employee benefits and government employee labor relations law. She is also a board member of the Capital District Women's Bar Association. Gruben writes that she married Michael Rubinstein, a senior principal consultant with Keane, Inc., in August 2003.

**William King**, an assistant district attorney with the Queens District Attorney's Office, has received the office's Hal Miller Weinstein Memorial Award, given annually to honor the memory of former Assistant District Attorney Hal Miller Weinstein. According to the *Queens Tribune*, Queens District Attorney Richard Brown said that King received the award in recognition of his "professionalism...as well as his deep commitment to the office."

King joined the district attorney's office in 2002. A former New York City firefighter, he also previously spent several years in Japan teaching English and working for a telecommunications company. He is currently assigned to the district attorney's Criminal Court/Intake Bureau, which deals with all the misdemeanor crimes for the county, according to King. (*Newsday*)

## 2001

**Christopher DeCresce** is an associate in Cleary, Gottlieb, Steen & Hamilton's London office. He specializes in corporate transactions, particularly securities offerings and mergers and acquisitions. He was based in the firm's Manhattan office from 2001 to 2003.

**Andra Feiner** is general counsel for Lucille Roberts, Inc. in Manhattan. She was



Photo courtesy Kaplin Stewart

**Scott C. Butler '96** is a partner in the firm Kaplin Stewart Meloff Reiter & Stein, PC, with offices in Blue Bell and Philadelphia, Pennsylvania, and Haddonfield, New Jersey. He is a member of the firm's Real Estate and Business Transactions and Corporate Law and Business Planning Departments. He specializes in real estate transactional work, including retail and office leasing, limited-partnership and limited-liability company agreements, acquisition and sales agreements, brokerage and management agreements, and construction and permanent loan financing. (Kaplin Stewart)

previously associate counsel for Modell's Sporting Goods.

**Songeeta Guha** is practicing immigration law at Neil A. Weinrib & Associates in Manhattan. (*The Herald-Sun*)

**Margaret Hankamp** was profiled in the *Poughkeepsie Journal* in August 2003 in the article "Retired Librarian Not About to Sit Back; Law Career Next." According to the article, Hankamp, who worked for sixteen years as a middle-school librarian, is keeping busy with volunteer projects while looking for a position doing contract legal work for authors and publishers. (*Poughkeepsie Journal*)

**Paul Hotaling**, an associate with Proskauer Rose LLP in Manhattan, was honored in November 2003 at an awards ceremony hosted by Sanctuary for Families for his work as pro bono counsel for victims of domestic violence. (*NYLJ*)

**Jennifer A. McKenna** is an associate at Hanna, Brophy, MacLean, McALeer & Jensen, LLP in Oakland, California. (*West County Times*)

**Eleanor P. Vale** is a solo practitioner in Manhattan. Her firm specializes in the fields of product liability, mass torts, personal injury, securities fraud, shareholder's derivative suits, and commercial real estate.

## 2002

**Andrew Baffi** is an associate at Sayegh, Cervone & Mackay, PC in Wappingers Falls, New York. He heads the firm's Trusts & Estates Department and also handles asset protection, tax and financial planning as they relate to estate planning. His Web page is [www.AndrewLBaffi.com](http://www.AndrewLBaffi.com).

**Nicholas H. Kappas** is an associate at Kelley Drye & Warren LLP in Manhattan. He previously served as a clerk to Hon. Joan Azrack, magistrate judge, U.S. District Court for the Eastern District of New York. (*NYLJ*)

**Kristy A. Kulina** is an associate in the Environmental Department at Hoagland, Longo, Moran, Dunst & Doukas, LLP in New Brunswick, New Jersey. (*New Jersey Law Journal*)

**Jessica-Deanna Lupo** is an assistant district attorney in the office of Bronx District Attorney Robert T. Johnson. (*NYLJ*)

**S. Diane Neal** has joined the Washington, D.C., office of Hall, Estill, Hardwick, Gable, Golden & Nelson, PC, specializing in energy law.

**Lori Quinn** is an associate at Donovan Parry McDermott & Radzik in Manhattan, practicing admiralty law, insurance law, and transportation law. Quinn writes that she and her husband, Brian, are pleased to announce the birth of their daughter, Sarah Mikayla Quinn, on July 16, 2002.

**Louis J. Russo III** has opened his own practice in the Bronx, where he handles a variety of civil and criminal matters. (*NYLJ*)

**Rovshan Sharifov** has been the assistant district attorney in Nassau County, New York, since summer 2002.

**Katrina Tuy De Los Reyes** is an assistant prosecutor in the Domestic Violence Unit at the Hudson County Prosecutor's Office in Jersey City, New Jersey. According to the *Filipino Reporter* newspaper, she is the first Filipina-American to serve as an assistant prosecutor in this office.

## 2003

**Justin Blitz** is an associate with the medical malpractice and personal injury litigation firm of Shandell, Blitz, Blitz & Bookson, LLP in Manhattan.

**Phillip Gigante** is vice president of BBT Logistics, an inland transportation service, in Newark, New Jersey. (*Greenwood Lake and West Milford News*)



Photo David Land

**Richard Evangelista '02** has joined the New York Law School administration as assistant director of academic affairs. Previously, Evangelista spent twenty years with the New York City Police Department in various roles, most recently as managing attorney of the department's Legislative Affairs Unit. In his two decades with the Police Department, he attained the rank of sergeant and spent the last six years in the department's Legal Bureau. His work there included document review under the Freedom of Information Law, preparing position papers and appearing in employment discrimination actions as an agent for the department, preparing motion papers for civil forfeiture actions, and drafting legislative proposals for the department to present to city and state legislatures.

In his announcement of Evangelista's appointment, Associate Dean Jethro Lieberman, head of academic affairs, commented, "Richard is a dedicated alum who told us in his interview that he has such a high opinion of the school that he just had to work here. His spirit and enthusiasm will, I'm sure, be readily communicated to our students, for whom he will serve as the point of primary intake in the Office of Academic Affairs."



**Edward Maggio '02** recently graduated from Oxford University in Great Britain with a Master of Science degree in criminology and criminal justice. He is currently employed as a public defender at the Legal Aid Society of Suffolk County, New York, and became an adjunct professor in the Department of Sociology at Dowling College in February 2004.



**Eric J. Shimanoff '02**, an associate in the Litigation Department at Kramer Levin Naftalis & Frankel LLP in Manhattan, was quoted in the *New York Law Journal* in March 2004 in the article "Two Teams of Lawyers Fight for Gay Marriage." According to the article, Shimanoff is a member of a Kramer Levin legal team acting as cocounsel with Lambda Legal Defense and Education Fund in the Manhattan Supreme Court case *Hernandez v. Robles*. The *Law Journal* identified the case as a direct constitutional challenge to New York State's Domestic Relations Law. The article stated that Shimanoff has done pro bono work in the cause of gay rights ever since he was a summer associate at Kramer Levin. (*NYLJ*)

**David J. Haines** is an advertising executive with *The Barry Z Show*, a New York-based entertainment newsmagazine show airing on cable television.

**Travis W. Hunter** is an assistant district attorney in the office of District Attorney Richard A. Brown in Queens County, New York. (*NYLJ*)

**Megan MacMullin** is an attorney with Fitzgibbons & Goovaerts, PA in Franklin, New Jersey. MacMullin's special interest lies in the area of disability and educational law. She was recently appointed to the Board of Trustees of SCARC, Inc. (formerly the Sussex County Association for Retarded Citizens), the largest and most comprehensive nonprofit organization in Sussex County, New Jersey, serving people with developmental disabilities and their families. MacMullin has substantial experience working with the developmentally disabled, chiefly with the Child Study Team of Vernon Township, New Jersey. She holds a master's degree in education and counseling from The College of Saint Rose. (*New Jersey Sunday Herald*)

**Sarah Griesemer Pflug** writes that she and **Chaun Pflug '03** were married on December 13, 2003, in Charleston, South Carolina, where they currently reside.

**Desha A. Slight** is an associate with the firm LeBoeuf, Lamb, Greene & MacRae, LLP in Manhattan. (*Scarsdale Record-Review*)

**Christi Wilson** is a roving clerk for the Montana Supreme Court. As one of two roving clerks, Wilson clerks for three justices. Her position, unique to Montana's Supreme Court, was created by Montana's legislature. It provides for two extra clerks to help justices with their high caseloads due to the absence of an appellate court in the state. Wilson encourages New York Law School students interested in clerking, and willing to move, to consider applying to this court.

# HAVE YOU HEARD FROM...

...any of the alumni listed below?

The Alumni Office would like to update its contact information for the alumni listed below. If you recognize any of your friends or contacts among these "lost" alumni, please let us know so that we can reconnect with them and be able to send them the magazine, invitations to events, and information from the Alumni Association.

Please write to the alumni office by e-mail to [alumni@nyls.edu](mailto:alumni@nyls.edu), or call us at 212.431.2800.

Also, don't forget to register for the Alumni Online Directory if you haven't done so already. Through the Online Directory, you can update your home and business contact information and also search for fellow alumni.

For the Alumni Online Directory, please visit: [www.nyls.edu/alumniolddirectory](http://www.nyls.edu/alumniolddirectory).

## 1950

Leonarda N. Accurso  
Sol Buchman  
Sophronia V. Burton  
Donald E. Byrne  
Sebastian Cacaci  
Melvin Cagan  
Louis A. Caputo  
William H. Clancy  
Paul W. Clare  
Jerome M. Cohen  
Stanley Q. Cohen  
Richard E. Curcio  
John R. Curti  
Perry Cutler  
Andrew J. Dailey  
James J. Daly  
Clifford A. Davis  
Vincent J. De Rosa  
Edwin H. Dembicer  
Victor J. Di Fiore  
Theodore Di Franco  
Lionel S. Dimin  
John R. Donovan  
Thomas P. Dougherty  
Fred Dubitsky  
James J. Duggan  
Edward J. Dwyer  
Thomas J. Egan

David Feldman  
Edward S. Finn  
John J. Fox  
William M. Ganey  
Carman Giaccone  
Ralph Gianfrate  
Alda A. Giannecchini  
Theodore F. Gilligan  
Mortimer Gleicher  
Raymond B. Gleicher  
Jack Gooberman  
Frank P. Gormley  
Anthony P. Greco  
Joseph M. Grillo  
Richard A. Henning  
Irving R. Horowitz  
Mario G. Ianniello  
Robert S. Joachim  
James J. Johnston  
John E. Joyce  
Anthony J. Kennedy  
Edward A. Kiley  
Mayme G. Kingsland  
Lester G. Knopping  
Sidney Kohn  
Donald K. Kroner  
Ernest Langley  
Thomas A. Lenane  
Eldridge Leonard

Jacques L. Leroy  
Harvey Letter  
Thomas E. Logan  
Edward T. Longo  
John S. Longo  
William M. Malloy  
Seymour Manning  
William C. Martin  
Salvatore Marturano  
James T. McQuade  
Jerome Meckler  
Arthur S. Mooney  
Harold J. Morrissey  
Joseph Nachay  
John J. Nead  
Thomas O'Connell  
Louis V. Pietrantonio  
Clarice Potter  
James L. Quinlan  
Salvatore J. Ragone  
Aldric B. Reid  
Francis L. Rich  
Rochester H. Rogers  
Howard Rosenstone  
Walter J. Roth  
Austin W. Ruch  
Melvin Seligman  
Richard S. Sherman  
Carol H. Shore

Nathan Slawotsky  
William M. Sloane  
Dutee L. Smith  
George W. Smith  
Robert Sugerman  
Robert P. Tamarin  
Emanuel Tannenbaum  
Robert Tesori  
Robert P. Tobias  
Joseph P. Torraca  
Laura Valdes  
Elizabeth F. Walsh  
John H. Ward  
Bernard Weiselberg  
Allan Weiss  
Donald P. Whittemore  
James S. Winston  
Daniel D. Wolchok  
Arthur E. Young

## 1951

Heather Akselrod  
Stanley Alder  
Alice L. Ashley  
Herbert B. Auerbach  
Adeline M. Ballatore  
John J. Barrett  
Mortimer Berl  
James H. Brady

# have you heard from...

Harold S. Braun  
Robert L. Burnham  
Joseph A. Cain  
Ernest M. Catellier  
Russell H. Chadwick  
Steven S. Cohen  
Muriel S. Coman  
Constantine G. Comninel  
John J. Connolly  
Harold Cooper  
Ned Cooper  
Melvin B. Cooperman  
Thomas G. Corvan  
Lewis R. Daitz  
Joseph I. Dec  
Vincent F. Devierno  
Edward F. Donovan  
John F. Dyer  
Michael Ebert  
Frank J. Erickson  
Harold Falk  
Leon M. Forman  
Max Galatz  
Stanley H. Galef  
Alfred L. Garaude  
Leon J. Garr  
Irving A. Garson  
Boris Gershenhorn  
David J. Glinert  
Philip Goodman  
Warren Gordon  
Marjorie Greeley  
Nils A. Hagstrom  
Mortimer F. Harman  
Abraham L. Heiss  
Robert G. Jochimson  
Theodore H. Joffe  
George M. Kaplan  
Harold Kaye  
James J. Kerin  
Bernard Klingshoffer  
Frank D. Koppelman  
William J. Kuntz  
Francis J. La Greca  
William F. Lee  
Victor H. Leidel  
Charles J. Levine  
Fred Linden  
Robert Lisooley  
Marie L. Loridan  
Jack Martin  
Joseph J. Martin  
Joseph F. McCaffrey  
John A. McDonald

John P. McGuire  
William J. McNamara  
Robert G. Mellor  
Ferdinand C. Menna  
Charles Miele  
Morris Mizrahi  
Herbert Molin  
Morton A. Morton  
Maxwell J. Moss  
Ralph Munoz  
Vincent Murphy  
George T. Nicholson  
Roland J. Niles  
Sydney H. Noel  
Joseph S. Nolan  
John Nugent  
John O'Brien  
Jerome C. O'Hanlon  
John C. Oberst  
Vincent P. Padula  
Joseph F. Palumbo  
Raymond A. Phillips  
Carl A. Picco  
Louis Picone  
Jack I. Posner  
Howard A. Pratt  
Edward J. Quinn  
Leo Realberg  
William L. Reese  
Leonardo Resta  
Robert N. Rosen  
Leonard E. Rosenthal  
Arthur L. Roundtrea  
George E. Roush  
John J. Rubino  
Martin V. Rush  
Raymond J. Saddler  
Willie Salesky  
Leonard H. Schlosser  
Gerald Seltzer  
William G. Servis  
Lawrence L. Shapiro  
Burton Shaps  
Arthur L. Sidereas  
William T. Slifkin  
Gerald Spatz  
Harold A. Steinberg  
M. M. Stern  
James W. Stewart  
Abraham D. Sturisky  
James H. Thomas  
Charles P. Tirella  
Eugene Victor  
Jeffrey J. Wallach

David Weicholz  
Joseph Weiner  
Jacob M. Weissman  
Julian L. Weller  
Gerard M. White  
Saul Wilchins  
Alfred Winter  
Bernard H. Wohl  
Albert J. Zemlock

## 1952

Remo A. Allio  
Walter J. Alprin  
Rudolph Amado  
Anthony J. Barbagallo  
Samuel F. Berlanti  
J. M. Brandt  
Anthony J. Cardinale  
Melvin C. Cohen  
Sol J. Cohen  
Thomas F. Connelly  
John C. Cooper  
Sara K. Cordover  
Archibald H. Crittenden  
Emory H. Crockett  
Benjamin A. Cuba  
Anthony S. Cusmano  
Leo Darzy  
John C. Dixon  
Joseph Einbinder  
Melvin C. Ellenbogen  
Sidney E. Farber  
Jack Feingold  
Albert H. Fertels  
Leon Fingerman  
James J. Fleming  
Harold L. Flint  
Eugene A. Formickella  
Michael M. Frasca  
Salvatore Frascinella  
Leonard Freedman  
Robert H. Fuller  
Leonard Fusfield  
Yale Garber  
Henry V. Geoghan  
Joseph B. Gilberg  
Paul R. Gould  
Wilson G. Graves  
Matthew Greenwald  
Sanford A. Haber  
Bernard Kane  
Solomon D. Kaplan  
William G. King  
George Lerner

Nathan Lerner  
A. J. Leydton  
Lawrence Loucatos  
Robert B. MacKler  
John D. Mee  
Irving J. Miller  
John I. Nolan  
Morris Norflus  
George W. Nottage  
Alfred Olonoff  
J. A. Ornstein  
Rocco D. Pappa  
Charles L. Parkin  
Arthur J. Plotkin  
George Prisant  
Charles E. Quigley  
Thomas J. Quinn  
Thomas H. Reid  
Stephen Roach  
J. A. Robbins  
Leonard Rosenfeld  
Joseph D. Rudinsky  
Irving Saltzman  
Arthur Schechter  
Stanley Schnapp  
Victor M. Schneider  
George Shamulka  
Robert A. Sherman  
Donald L. Soviero  
John B. Sponsler  
Arthur J. Spring  
Jack Starkman  
Philip D. Stiller  
Isidore M. Towbis  
Sanders Turner  
Victor Vergara  
Stanley S. Wasserman  
Edward A. Weiss  
Hugh R. Williams  
Richard B. Worth  
Harvey Zimmerman  
Gilbert J. Zivin

## 1953

Morton Avrach  
George C. Balint  
Edward Benskie  
Burton J. Bloom  
Doris L. Bosworth  
John H. Boxill  
Robert E. Broderick  
Robert S. Clarke  
James M. Condon  
Mary S. Condon



Ruth P. Dower  
 David H. Fagen  
 Samuel Frank  
 Abraham Freyre-Montero  
 Simon Gold  
 Maurice Goldenthal  
 Elliot Herskowitz  
 Donald H. Holley  
 William W. Jacobs  
 Paul F. Johnston  
 Lawrence F. Klepper  
 Julius Lerner  
 James MacDevitt  
 Gertrude M. Malloy  
 Jerome M. Marder  
 Morton Marks  
 Seymour Mintzer  
 Daniel J. Molik  
 George P. Moore  
 Myron Moscovitz  
 Bennett L. Newman  
 Arthur W. Noble  
 Arthur J. Rouse  
 Emanuel Scavone  
 Max W. Schachter  
 Harry Scheiman  
 William A. Scott  
 Murray Silver  
 Sidney Sitver  
 Murray J. Smith  
 Leo A. Spiegelman  
 Walter E. Stephens  
 Frank L. Thompson  
 Irving Uberall  
 Joseph M. Wahrhaftig

**1954**

Isidore Abramoff  
 Dudley M. Amoss  
 Joseph F. App  
 Morris Benedict  
 Albert Berger  
 Henry Berne  
 Hyman Blumenstock  
 Irving Bookman  
 William R. Carroll  
 Arthur M. Cohen  
 Frederic R. Cohen  
 Leonard L. Cohen  
 Gene A. Condon  
 Richard W. Constable  
 Frederick M. Dell  
 James F. Donahoe

Harry J. Ekelund  
 Isaac Ergas  
 Lester D. Fahn  
 William Forman  
 John A. Gelchion  
 Melvin H. Gold  
 Harold Goldman  
 Walter L. Herman  
 Lawrence E. Josephson  
 Irving J. Klein  
 Donald Lapasta  
 Anthony C. Leone  
 Peter A. Leonello  
 Lawrence J. Lief  
 Arthur Lindan  
 Anthony J. Maloney  
 Charles L. Maxey  
 James J. McDonald  
 Irving Miller  
 Joseph J. Nitzburg  
 Herbert C. Perlman  
 P. C. Powell  
 Joseph P. Rooney  
 Henry A. Schloemer  
 Bernard Simon  
 Dominick Sorrentino  
 Milton R. Spielman  
 Melvin Stepman  
 Louis Sweet  
 Beverly A. Wecker  
 James A. Winston  
 Chester J. Zawolik

**1955**

Howard F. Beck  
 Julius C. Biervliet  
 Lionel E. Bolin  
 Anne T. Bowler  
 Bernard B. Brassler  
 Harold Brodsky  
 Thomas L. Browne  
 Patricia Clark  
 William N. Dunstan  
 Emil Freund  
 Anton Gasparik  
 Carolyn B. Ghani  
 Lawrence Glicker  
 Edward J. Hand  
 Joseph Harrison  
 William P. Kennedy  
 Bruce C. Lederer  
 Murray Lewinter  
 William J. McCleary

Alexander Murray  
 George Neal  
 Andrew J. Radko  
 Marianne E. Renner  
 Richard L. Roach  
 William Salley  
 Irwin Seidman  
 Sidney Silverberg  
 John H. Singer  
 Stuart Wadler  
 Morris A. Wandler  
 Samuel Weinberg  
 S. J. Weiss  
 Sidney J. Zimmerman

**1956**

Charles F. Alario  
 Stephen Alikes  
 Vincent Anello  
 Phillip F. Arrien  
 Felix G. Beckford  
 Albert G. Bottiere  
 James J. Brady  
 John F. Brosnan  
 Tibor E. Dedaniel  
 Dorothy S. Elfenbein  
 Antonios J. Filou  
 Margaret Freundlich  
 Hugh J. Gavigan  
 Luis E. Guillen  
 D. Benard Hoenig  
 Maurice Joseph  
 Robert S. Kaufman  
 Donald Lanza  
 Dominick A. Lombardi  
 Joseph L. London  
 Frank A. Madden  
 Marvin Malin  
 Joseph M. Mangino  
 John Middlemiss  
 Andrew O'Brien  
 James S. O'Rourke  
 Arthur B. Patrizio  
 Joseph R. Petrocelli  
 John Piznak  
 Richard J. Prentiss  
 Neil Schaeffer  
 Lawrence P. Sheinberg  
 Charles G. Stiles  
 Arthur Taffet  
 Thomas J. Taglianetti  
 Jack Tamen  
 Laszlo Varga

John Vega  
 Donald V. Warren  
 Robert L. Weiner  
 Jack B. West

**1957**

Aaron M. Africk  
 Anthony Agapito  
 John Appleyard  
 Halton Axtell  
 Thomas M. Barnwell  
 Frank Brafman  
 Ascher T. Brand  
 William T. Cahill  
 Dominick Ciucci  
 Frank A. Coleman  
 Thomas P. Daubner  
 Robert W. Dressler  
 James J. Eisenbud  
 Arthur E. Featherstone  
 Russell P. Franklin  
 Arnold M. Gelman  
 John Gentile  
 Leslie H. Goldenthal  
 Roger A. Hanafin  
 John W. Hasson  
 Raymond A. Hess  
 Louis D. Hirsh  
 Julius C. Hoffmann  
 William J. Holden  
 Moses Kantowitz  
 Harvey B. Kaufman  
 Eugene Kerno  
 Melvin Kimmel  
 William F. Klein  
 Roberto Lebron  
 Thomas Leddy  
 Robert Lester  
 Allan Lituchy  
 Gordon P. MacDougall  
 Stanley H. Marcus  
 John Meskers  
 Fred Pitkof  
 Harry R. Pollak  
 Evarard S. Prager  
 Ellen D. Reddington  
 Gerald J. Resnick  
 Adrian W. Salinger  
 Allan H. Schottin  
 James M. Scott  
 Everett P. Sherwood  
 Herbert C. Silberman  
 Lawrence A. Sternberg

# have you heard from...

James J. Tubridy  
Arthur Weissman  
Harold B. Wexler  
Arthur E. Whelan  
Michael Woodman

## 1958

Harold D. Alberts  
Charlotte M. Baker  
Arthur Barnett  
Barry S. Brown  
Peter A. Canevari  
Henry J. Capobianco  
Willard R. Carter  
Gabriel M. Cherazi  
Morris I. Chernofsky  
Walter T. Coleman  
Henry D. Crowley  
Edmund P. D'Elia  
Daniel H. Davis  
Vincent R. Derosa  
James Dowsey  
Richard R. Eco  
Michael E. Edmonds  
Vincent E. Finn  
Laurence R. Franklyn  
Grete Gluck  
Mark J. Gold  
Howard B. Goldstein  
Jeffrey M. Hagen  
Michael H. Hart  
Elaine Heilbronn  
Bernard F. Kaplan  
Joseph J. Kazanchy  
Rudolph M. Klenosky  
Joel Koenig  
Burton Laden  
George Lax  
Adrian C. Lincoln  
Robert W. Madison  
Ruth R. Mandell  
Albert Marston  
Peter J. McQuillan  
Monroe Messinger  
James M. O'Connell  
Gabriel T. Pap  
Emanuel H. Pavsner  
Donald Perrella  
Anthony R. Perrotta  
Eugene A. Plotnick  
Douchan Pouritch  
Joseph J. Regan  
Ruben Rivera-Ramos

Leonard J. Robbins  
Henry W. Safarik  
William G. Sanko  
Leonard Scholnick  
Max T. Schwartz  
Kurt Seinfeld  
Sherwin I. Shapiro  
Victor Shorr  
Joseph F. Sorahan  
Carl Spitznagel  
Charles P. Sullivan  
Donald Warren  
Martin J. Zaretsky  
Meyer A. Zimmerman

## 1959

Stephen R. Ahrens  
Nicholas A. Arena  
Charmion J. Berkeley  
Norman Bernstein  
James E. Berwick  
Elliott A. Cohen  
Bertram Corin  
Sheldon Cowen  
George Daien  
John V. Delaney  
Nicholas Dipompa  
Roy S. Dragotta  
Donell H. Edgerton  
Saul Eisenberg  
John G. Ennis  
David E. Flatow  
Roger N. Fortier  
Michael Freiberg  
Gerald Friedland  
Angus Gallagher  
Peter M. Gareri  
Mario Garone  
Morton A. Goldberg  
Sydney J. Gordon  
Norman Greenberg  
David A. Guttentag  
Thomas J. Henesy  
Henry L. Hergenhan  
Walter C. Hewitt  
Denis M. Hurley  
J. G. Ivler  
Harvey Kaufman  
Leon S. Kaufman  
Martin J. Kelly  
Bernard Kostitzky  
Donald Lawrence  
Arnold H. Lederman

Robert E. Lees  
Paul Lewis  
Bruce Lippe  
Robert E. Lipton  
Allan Mayer  
W. H. Mayer  
Barney Meckler  
Anthony Meglio  
Anthony N. Mendez  
Forrest J. Mervine  
John P. Michaels  
Donald Milne  
Martin J. Milston  
Russell F. Moore  
Martin A. Nochimson  
John J. O'Brien  
John Osterndorf  
Francis Pan  
Philip E. Parker  
Robert Prach  
John J. Raia  
Joseph S. Reynolds  
Thomas A. Robinson  
William G. Schwefel  
Robert I. Shulman  
Gerald H. Siegel  
Irwin M. Silbowitz  
Harry Silverman  
Irwin B. Silverman  
Sheldon M. Smith  
Allan M. Streichler  
Robert L. Trachtenberg  
William T. Tracy  
Jerome R. Weiner  
James L. White  
John J. Witkowski

## 1960

Julius A. Altman  
Charles Armbruster  
Jerome M. Becker  
Matthew Bergen  
Samuel Berger  
Lassalle Best  
Joel H. Beyer  
Robert W. Blake  
Herman Blitz  
Fred P. Cincotti  
Thomas N. Colesanti  
Stuart D. Copperman  
Arthur S. Davis  
Helen Dempsey  
Francis H. Downing

E. D. Drake  
Walter L. Dukes  
Peter L. Durk  
William W. Dwyer  
Daniel D. Einhorn  
E. O. Elder  
Joseph M. Erazo  
Robert I. Esposito  
Seymour Fang  
Barry L. Feinstein  
Charles A. Feinstein  
Harvey Felton  
Nicolas D. Figueroa  
Robert C. Flanagan  
Thomas P. Flynn  
Harvey B. Friedlander  
Francis P. Garofalo  
Lester W. Geller  
Richard M. Glazer  
Donald I. Goldman  
Herbert E. Gordon  
Gabriel M. Greco  
Stanley J. Greenfield  
Henry M. Hahn  
Clifton E. Hall  
Howard T. Hammond  
Paul W. Hemminger  
Milton J. Isman  
Paul Jarschauer  
John P. Joyce  
Norman I. Kameron  
Arthur W. Kirby  
Robert S. Klein  
Allen J. Kozupsky  
Bernard Linden  
Demetrio F. Losego  
Bernard Marlowe  
Robert Marx  
Arthur H. Maslansky  
John McBride  
Thomas L. McDonald  
John L. McGinty  
George G. McManus  
Bernard North  
John J. O'Connell  
Joseph A. O'Connor  
Eugene W. O'Gorman  
John J. O'Keefe  
Alan Oboler  
Louis L. Padula  
Donald Peshkin  
Joel H. Resnick  
Dante J. Robustelli

Joseph A. Rosenzweig  
 William R. Rubin  
 Alan E. Salke  
 Francine D. San Antonio  
 Alfred B. Saraisky  
 Marvin R. Shapiro  
 Timothy J. Sheehan  
 Kenneth S. Sheperd  
 H. B. Shultz  
 Donald B. Singer  
 Warren F. Smith  
 Harvey E. Soicher  
 Harvey D. Sommer  
 Edward L. Steckler  
 Charles E. Steinberg  
 Samuel Tapper  
 Leon Tarr  
 John J. Teare  
 John E. Terzis  
 George H. Turen  
 Aaron G. Windheim  
 Chester H. Zager

**1961**

Stanley P. Amelkin  
 John W. Andrews  
 Alfred L. Baker  
 Solomon J. Bilkis  
 Joseph Chervin  
 Anthony R. Coppola  
 John M. Cronin  
 Hyman Dechter  
 Marvin Diamond  
 Stephen A. Downes  
 Frank Driscoll  
 Edmund J. Dwyer  
 Howard W. Efland  
 Donald M. Epstein  
 Daniel K. Ettinger  
 Gerald Fink  
 Richard H. Gassner  
 Harold W. Goble  
 Howard R. Goldberg  
 Marvin Gordon  
 Herbert R. Gritmon  
 Harry Hoffer  
 Howard J. Horowitz  
 Sidney N. Jacobs  
 William P. Kardaras  
 Joseph D. Long  
 Edwin K. Lucas  
 Elias Martinez  
 Jack W. McCloskey

David Ort  
 Cornelius Pope  
 John J. Proios  
 John J. Riordan  
 Joseph S. Rizza  
 Armstead Robinson  
 Arthur D. Ross  
 John D. Salling  
 Francis X. Shortt  
 Ronald E. Singer  
 Gerard Trippe  
 Thomas F. Twomey  
 Isadore Vogel  
 Diane T. Ward  
 Joseph Warde  
 Matthew J. Warmund  
 Yvette M. Wright  
 Arnold Yablin  
 Cornell R. Young  
 Alan Zelinger

**1962**

Seymour Abend  
 Murray Appleman  
 Stephen G. Barbone  
 Robert E. Barrett  
 Herbert H. Bell  
 Muriel G. Bell  
 Paul M. Bell  
 Alan A. Bergstein  
 Sidney V. Berman  
 Marshall Blumenfeld  
 Walter H. Brickett  
 Marvin Brockman  
 Eugene J. Caruso  
 Beverly W. Cheatham  
 John A. Connolly  
 Ira S. Cooper  
 Bernard F. Crowe  
 George F. Donnelly  
 Jerald Fiedelholz  
 Preston N. Friemann  
 Pauline L. Gold  
 Bertram Goldstein  
 Raymond Gorab  
 Harold K. Grune  
 Richard E. Gruskin  
 David Halberstam  
 Anne B. Hamilton  
 Ralph Henig  
 Kathleen A. Higgins  
 John N. Iannuzzi  
 Howard Jacobowitz

Gerald Kaiser  
 G. H. Kapralos  
 Richard H. Kreitman  
 Nathan Kurtz  
 Frank H. Lee  
 Lee Long  
 Frank Lopez  
 Melford R. Lord  
 James W. MacIsaac  
 Samuel G. Marx  
 Marvin McKeller  
 John A. McNichol  
 Paul Morabito  
 Bernard Nozick  
 Brendan J. O'Connell  
 George Pinsley  
 Jaroslav Profous  
 Jeffery C. Richards  
 Peter J. Rumore  
 Robert G. Ryan  
 Edwin Samalin  
 Robert Samuels  
 Tomson S. Sheh  
 Austin B. Sholes  
 Howard Silverstein  
 Leonard J. Solomon  
 Jan F. Syryste  
 Alfred J. Tamburro  
 Peterson O. Terreforte  
 Gerald H. Toback  
 Bernard D. Wilson  
 Louis Young

**1963**

Donald A. Altman  
 Roger H. Bohrer  
 Bernard Clyne  
 Robert Cody  
 Frederic Cohn  
 Enid Daly  
 Michael A. Deluca  
 Anthony G. Difalco  
 Myron A. Domskey  
 Alexander Donnan  
 Robert Farrell  
 Henry G. Fury  
 Erma K. Garrett  
 Margaret S. Gerstle  
 Thelma M. Gregory  
 Saul Jecies  
 I. H. Jerng  
 Thomas W. Joyce  
 Leon W. Katz

John A. Kelly  
 Matthew C. King  
 Louis Littman  
 Salvatore Longo  
 Jerome P. Mandel  
 Richard T. Monahan  
 Eugene J. Murphy  
 Edward J. O'Neill  
 Leonard E. Poryles  
 Robert E. Pratt  
 Victor M. Racko  
 Francis J. Reilly  
 John L. Roncone  
 Seymour Roy  
 Arnold Sutin  
 Eugene Trotta  
 Eugene P. Weisbrod  
 Arthur Zuckerman

**1964**

Howard Berger  
 Irene B. Borys  
 Harold L. Braunstein  
 Joseph Brenner  
 Michael Catalano  
 Peter A. Cerreta  
 Jack M. Decicco  
 Dennis H. Dreier  
 Robert Florsheim  
 Allan S. Fox  
 Stanley M. Glasser  
 Abraham Goldes  
 Vincent G. Gregorio  
 Martin R. Johnson  
 Joel P. Kastein  
 George J. Ketterer  
 Arthur B. Konow  
 Liang Kuan  
 Charles A. Kuffner  
 Victor S. Lacagnina  
 Dino Lafiandra  
 Stephen M. Litt  
 Peter Lugo  
 Peter A. Marasco  
 William F. McCabe  
 Raymond J. Messina  
 Edward S. Patterson  
 Walter G. Perry  
 Harold Rosenberg  
 V. M. Rossi  
 Robert E. Rudner  
 Donald P. Rudolph  
 Adnan Saka

# have you heard from...

Alberta Severino  
Steven D. Slepian  
Ira P. Sloane  
George W. Sommer  
Ignatius A. Triolo  
Morris Waleck  
Arthur W. Wiegand  
Daniel H. Zafren  
Morty Zeidman

## 1965

Marlene C. Aksen  
Simon L. Cohen  
Irwin Conner  
Samuel S. Davis  
Walter R. Davis  
David Eisner  
Robert Epstein  
Salvatore G. Farruggio  
Richard L. Fuchs  
Isabel Goldsmith  
Richard Hartman  
Eli H. Hellman  
Gary M. Katz  
Sema L. Lerner  
Austin G. Lopez  
John G. Lopresto  
Frank P. Matarrese  
Francis R. Matera  
Francis Meehan  
Lawrence Miano  
Herman J. Molzahn  
Geraldine Oppenheim  
David G. Oringer  
Theodore Parisi  
Bruce J. Robbins  
Michael D. Rockman  
Jay W. Rosen  
Barry S. Rubin  
Richard D. Sage  
Mark J. Schultz  
Jerome A. Singer  
Morton S. Swirsky  
Sheldon S. Weissberg  
Morris Weissman

## 1966

Andres Astacio-Santos  
Jerome Ballen  
John L. Bauer  
Joel Berger  
Richard S. Bernowitz  
Clara Bilmacz

Janet C. Brown  
Julian H. Brownstein  
Peter J. Christopoulos  
Clifford G. Coulston  
Robert G. Cucinell  
Gerald P. Depace  
Michael A. Douglas  
James E. Eagan  
James J. Gallagher  
Charles Goldstein  
Arthur M. Greene  
Alan Hochberg  
Lewis Horowitz  
Jack M. Krulewitz  
Wendy Luring  
Norman Lehrman  
Gerald S. Leonscu  
Ann C. McNamara  
Emanuel A. Moore  
Stuart J. Motelson  
Richard J. Poulton  
Peter M. Redmond  
Bernard L. Robins  
A. C. Schielke  
Wilfred A. Setzer  
Bruce Solow  
Barry M. Strauss  
Alan S. Tifford  
Norman Toporovsky  
George S. Yochmowitz

## 1967

Edith Balt  
Arnold A. Bernstein  
Morton H. Blumenreich  
Robert J. Conti  
Louis Corbo  
Ira H. Futterman  
Gary D. Kauf  
William S. Kaye  
Michael S. La Bush  
Leonard H. Lazarus  
Donald Mindrebo  
Roy E. Parrott  
Susan B. Richter  
Jules L. Rossi  
Henry I. Schanzer  
Elaine R. Sheps  
Hayward H. Siegel  
Arthur F. Turco  
Daniel M. Vinnik  
Sanford Warren  
Alan S. Weisser

## 1968

John Q. Adams  
William Z. Bergenfeld  
John A. Brois  
William V. Catucci  
John J. Cirigliano  
Eugene E. Corwin  
Benjamin F. Darden  
Arcangelo Distefano  
Nathan Grabler  
Leonard P. Horan  
Henriette J. Kilian  
John T. Kochendorfer  
Peter F. Leggieri  
Albert Lisbona  
Gerald Maltz  
Joseph T. Manning  
Lorraine S. Miller  
Melvin Miller  
Richard Nelson  
James J. Nolan  
Paul Nuccitelli  
Edward Palattella  
Albert S. Pannullo  
Nicholas L. Papon  
Yair Pinchevsky  
Ivan Rivera  
Steven J. Romer  
Edward J. Rosner  
Clifford C. Schlesinger  
Karen M. Steinberg  
Howard J. Zuckerman

## 1969

Anthony J. Buffalano  
Kenneth R. Claudat  
Ronald P. Crean  
Donald F. Driver  
Jeffrey Dube  
Barry H. Dubner  
Irwin S. Epstein  
Gerald L. Fine  
Oscar Finkel  
Steven Florsheim  
Ernest Gergely  
Martin A. Greenberg  
Zoltan Hankovszky  
Elliot S. Katz  
Kevin P. Keaveny  
Gerard A. Maher  
Anthony Malfitano  
Richard P. Maracina  
John McDonald

Robert J. Meyerson  
Frank I. Mulberg  
Donald R. Murphy  
Sara R. Neubauer  
Albert Pozzi  
Patrick J. Scognamiglio  
Warren A. Stone  
Robert W. Tuckman  
William B. Weiss  
Russell Wojtenko

## 1970

John T. Amorosi  
Gerald P. Campbell  
Richard T. Carr  
Michael A. Colon  
Peter R. Cooperman  
Richard H. Cunningham  
Stephen G. Edelstein  
Jeffrey B. Freis  
Robert L. Galantucci  
John J. Gallagher  
Henry S. Goldman  
Barry A. Gutterman  
Robert D. Hoffman  
Philip R. Katowitz  
Harold B. Kuplesky  
Stephen I. Lampach  
Stanley I. Laughlin  
Charles F. Luczaj  
John C. Maine  
Donald T. Martin  
James D. Nichols  
Melvyn M. Reiss  
Roy R. Ritter  
James J. Shortt  
Kenneth A. Silver  
Alan D. Spiegel  
James R. Wynn

## 1971

Harvey F. Anger  
Paul S. Bannon  
Robert M. Brody  
Solomon Cohen  
Edward M. Cooperman  
Dennis J. Dee  
Daniel F. Donahue  
Robert C. Edmonds  
Dumas Gabriellini  
Howard J. Glicksman  
Charles C. Goodenough  
Richard A. Green

Thomas E. Hennekens  
 H. H. Katz  
 Richard MacAluso  
 Peter MacIsaac  
 William K. Madden  
 Robert F. Moraco  
 John J. Philbin  
 Leonard C. Pojednic  
 Michael Rosen  
 John V. Salierno  
 John L. Shaw  
 Ronald B. Stewart  
 Janice E. Taylor  
 Philip M. Unger  
 Martin A. Wein  
 George Weinbaum  
 Howard S. Weiss  
 Nathaniel D. Welkes  
 Arlen S. Yalkut  
 Martin A. Zucker

**1972**

Peter Ahrendt  
 Leonard J. Angelo  
 James M. Baumann  
 Richard S. Botnick  
 Joseph J. Charleman  
 Richard J. Cohn  
 Thomas F. Coughlin  
 Vincent J. D'Elia  
 George A. Farkas  
 Thomas R. Figart  
 Ralph N. George  
 William Gitter  
 Edward H. Gutterman  
 Michael W. Holland  
 Sharon D. Johe  
 Michael H. Karel  
 Lloyd F. Keilson  
 Audrey C. King  
 Robert S. Krevit  
 David R. Liu  
 Gordon J. Mau  
 Philip K. Mirchin  
 Karen B. Morrello  
 Paul J. Mullin  
 Howard Pearl  
 Arthur B. Schaefer  
 Don E. Secunda  
 Steven J. Weil  
 Simeo Woronzoff-Dasch

**1973**

Peter J. Antico  
 Ronald R. Bosch  
 Allan G. Bowdery  
 Alexander Boyle  
 William S. Burke  
 Joseph K. Cappa  
 Richard M. Charney  
 John T. Clark  
 Michael J. Coffey  
 Richard J. Doyle  
 Andrew Felder  
 Dennis M. Flaherty  
 William L. Flock  
 Fredric C. Fray  
 Barry Gersten  
 Sheila J. Hammer  
 Alan T. Kaplan  
 Victor J. Labruzzo  
 Leonard Levine  
 Gerard J. Lynch  
 Leonard A. Mancusi  
 George Mihalko  
 Michael R. Miller  
 Walter I. Moynihan  
 Michael Nedick  
 Leland Ness  
 David A. Newall  
 Barry Oppenheim  
 Mark Peltz  
 Richard Pessin  
 Daniel A. Pozner  
 Steven L. Raskind  
 Mary J. Reilly  
 E. V. Ryan  
 Steven C. Schlosser  
 Franklin L. Schmidt  
 Menahen Schulis  
 Stuart M. Schurman  
 John J. Sciacca  
 Patrick Simonetti  
 Allan G. Stam  
 Paul J. Stella  
 Philip H. Swenson  
 Jeffrey A. Tetenbaum  
 Patricia A. Tierney  
 Gene W. Wiggins  
 Harry Winderman  
 Steven G. Woldar  
 Lawrence P. Wolf  
 Richard S. Young  
 Robert A. Zauner

**1974**

Patrick A. Alfieri  
 Dennis P. Bowe  
 William P. Caraluzzi  
 Judith B. Cheron  
 Charles E. Coakley  
 Jeffrey R. Cohen  
 Francis P. Collins  
 Joel A. Deifik  
 Richard W. Diego  
 Ellyn B. Dugow  
 Jonathan E. Forman  
 Robert S. Franklin  
 Zev Friedman  
 Robert S. Frieman  
 Robert L. Garfinkle  
 Arlen J. Goldberg  
 Kenneth F. Grabie  
 Robert N. Hochberg  
 Roxanne A. Joffe  
 Norman G. Kalina  
 Richard H. Kelly  
 Robert Kivo  
 Daniel S. Kletzky  
 Richard Kornutik  
 Irving Kurtz  
 Robert Maggio  
 Carol Mellor  
 John Moffitt  
 Gerald Monahan  
 Mark L. Nichter  
 Michael J. O'Connor  
 Robert Peace  
 Raymond Puknys  
 Jose A. Rey  
 Cecelia F. Rosenberg  
 Stanley A. Rothstein  
 Peter V. Ryan  
 Michael P. Saitta  
 Harvey S. Sander  
 Roni N. Schnitzer  
 Ronald A. Schwartz  
 Barry S. Selip  
 Ormond N. Smith  
 Richard Sperandeo  
 Irwin G. Stein  
 Stuart J. Struhl  
 Jane E. Vezeris  
 Guido J. Visionsi  
 John T. Wallace  
 William F. Warnock  
 David E. Weinreb

Jeffrey S. Weiss  
 Bennett I. Wernick  
 Hartley B. Wess

**1975**

Shlomo Beilis  
 Lonn E. Berney  
 Peter J. Blessinger  
 Philip H. Buda  
 Philip Castellano  
 Robert E. Cook  
 John P. Davidson  
 Maxine S. Derkatch  
 David P. Dylis  
 Mark J. Elder  
 Marshall A. Elkins  
 Robert N. Felix  
 Sharon A. Flood  
 Thomas J. Friedman  
 Joseph Giampaolo  
 Joseph Goldburd  
 Gilbert N. Greenberg  
 Norris D. Hansen  
 Leonard J. Hirschhorn  
 Joseph Horn  
 Joan C. Kalech  
 Gary S. Karban  
 Mark Kressner  
 Sol Lesser  
 Stephen Levy  
 Joseph Messina  
 Robert Milanese  
 Louis Milkowski  
 Drew Netter  
 Paulette Owens  
 Jeffrey Pam  
 Donald Pashayan  
 Thomas Purcell  
 Richard L. Rodman  
 Leonard R. Rosenblatt  
 Wayne A. Schultz  
 Gary Schwartz  
 Richard M. Strauss  
 Edward V. Titano  
 James P. Toschi  
 John W. Vasko  
 Lance S. Walsky  
 Joseph F. Wundrock

**1976**

Carl P. Bowen  
 Bruce R. Bregman

# have you heard from...

Edward Carroll  
Dominick P. Conte  
David J. Corso  
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Richard J. Gayzur  
Bruce S. Ginsberg  
Laurence H. Goldberg  
Ellen Greenblatt  
Lawrence M. Hirst  
Mary K. Kahl  
Rochelle Kentov  
Larry J. Kushner  
Bernard J. Laffer  
Ellen Lefkowitz  
Michael S. Livow  
Philip M. Manger  
John J. Mercun  
Richard D. Muller  
R. E. Patti-Avellino  
Cathleen A. Ryan  
Paul S. Shook  
Arnon I. Sincoff  
Albert Smolin  
Rebecca E. Stage  
William G. Tally  
Roger A. Wedel  
Barbara Zahler-Gringer

## 1977

Daniel D. Abramtsov  
Karen L. Aduba  
John B. Baber  
Robert Baker  
Robert Boyer  
Fred R. Braverman  
Clarence L. Burch  
Leslie P. Chontos  
Kate T. Clark  
Ralph P. Cosentino  
Cullen Couch  
Richard P. Crossin  
Jeanne A. Cygan  
Patricia Dunphy  
Martin P. Elwood  
Mark Falk  
Thomas R. Feeney  
Keith M. Ferrara  
Eileen Garrish  
Gary A. Gatza  
Vicki L. Goldbach  
Peter A. Goldberg  
Marc L. Golden

Robert S. Goldstein  
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Dan O. Henry  
Roy S. Hiller  
Robert B. Hochberg  
Peter E. Kelly  
William M. Ladd  
William J. Lasalle  
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Jane M. McHugh  
Stephen J. Mighdoll  
John J. Morrissey  
Ichiro Murase  
Richard O'Halloran  
Thomas Orefice  
Frida L. Ottavio  
Paula K. Pennypacker  
Peter Rose  
Joseph I. Rosenbaum  
Sherry J. Sandler  
Edward J. Sanocki  
Stephen G. Schick  
Ronald V. Senese  
Laura E. Shapiro  
Michael Shapiro  
Ruth A. Singer  
Anya U. Starosolska  
Mark A. Stengel  
Thomas A. Stickel  
Marjorie E. Stone  
Karin L. Strauss  
Allen M. Turek  
Stuart H. Weiner  
Mendel Weiss  
Adrienne A. White  
John E. Yandrasitz

## 1978

Joseph E. Ang  
Rae Baskin  
Lawrence C. Bell  
Steve Bergman  
Richard H. Blattman  
Richard D. Ceresia  
Thomas J. Clark  
Iris M. Darwin  
Stephen G. Eisenberg  
Ruth M. Engelsen  
Steven A. Frankel

Wendy D. Fromm  
Margaret M. Guseman-Campiz  
Donna M. Halpern  
Kenneth A. Kingdon  
Amy K. Kohn  
Judith F. Kozlowski  
Georgette E. Krauss  
Lewis Kuper  
Barbara Landau  
James R. Lewis  
Charles Liechtung  
Donn Livingston  
John P. Lowe  
John J. Markos  
Carol A. Mentyka  
Peter A. Mertz  
George J. Moeschlin  
Mary E. O'Connell  
Jean M. Oliver  
Martha Parmalee  
Alan N. Polsky  
Thomas P. Qualiano  
David W. Recame  
Jeffrey M. Reissman  
JoAnne G. Riley  
Stevan S. Roseman  
Lucille S. Rosenstock  
Thomas H. Sartain  
Anne H. Schiebel  
Roy S. Schuchman  
Michael B. Schulman  
Norman Seidenfeld  
Robert W. Seifert  
Charles P. Spinner  
Benjamin G. Sprecher  
Murray Steinberg  
Larry Stone  
Jack D. Suter  
Gerard J. Sweeney  
Frank M. Terranova  
Joseph S. Tesoriero  
Lawrence P. Thees  
Mark Uncapher  
Randall Unger  
Richard R. Uslan  
Catherine V. Ventry  
Susan B. Williams

## 1979

Bruce R. Adler  
Frank N. Ambrosino  
Steven Bamundo

L. Barnes  
Josephine M. Barra  
John M. Barth  
Rita M. Bausch  
Jean Brandon  
Andrew I. Bronfman  
Patrick L. Bruno  
Jacob Bunin  
Roberta Burman  
Morris A. Buttnick  
Carlo J. Calvi  
James W. Carbin  
Arthur J. Chatroo  
Edgar A. Christensen  
Robert J. Clark  
Susan C. Cohen  
David G. Commender  
William R. Connelly  
Peter D. Cooper  
Eileen M. Daly  
Donna J. Degrasse  
Anita B. Dichter  
Mary Diccico-Simon  
Andrea D. Eckl  
Marna S. Engel  
Clifford A. Entes  
Kevin T. Farewell  
Ira J. Feder  
Franco G. Foti  
David P. Fruchtman  
Patricia B. Gaulin  
Anne W. Gill  
Alan J. Goldberg  
Benjamin Gould  
Elizabeth J. Greenberg  
Wendy A. Grossman  
Allen H. Gueldenzopf  
Richard W. Harrison  
Thomas K. Healy  
Steven M. Hertz  
Fraser B. Jones  
Jan B. Kabas  
Howard Kaiser  
Mairead C. Kearney  
Lawrence J. Koncelik  
Gregory P. Konzelman  
William B. Lalor  
Paul Lieberman  
Joseph H. Linton  
Thomas M. Long  
Dennis M. Maher  
Despina C. Marsella

Austin D. Massoni  
 Laura Nolan  
 Arthur M. O'Leary  
 O. S. Paganuzzi  
 James C. Patton  
 Stewart Paul  
 Peter R. Price  
 Linda K. Rawson  
 Joseph P. Renna  
 Thomas J. Rodgers  
 Edith Rosenbaum  
 Burton D. Savitz  
 Peter A. Scheschuk  
 John E. Schwartz  
 Lawrence M. Sinsimer  
 Charles J. Stanton  
 Dennis Stukenbroeker  
 William E. Suddaby  
 Maxine H. Verne  
 George H. Wade  
 Thomas N. Weaver  
 Steven I. Weinberger  
 Jerry A. Weiss  
 Mark F. Whalen  
 Peter M. White  
 Andres O. Wirkmaa  
 Leon R. Yankwich  
 Paul W. Zwicker

**1980**

Joseph P. Abate  
 David B. Apicella  
 Ellen J. Badler  
 Eva Baer  
 Joseph Bartfield  
 Kenneth S. Birnbaum  
 Colette Borom-Carpenter  
 Bradford J. Brown  
 George R. Brown  
 Louis F. Brush  
 Ricardo A. Canton  
 Leslie Z. Celentano  
 John T. Chambers  
 Daniel M. Chavez  
 James J. Cron  
 Peter A. Cusumano  
 Samuel M. Danzic  
 Sharon E. Donovan  
 Thomas A. Edsell  
 Robert S. Fader  
 Raymond J. Farrell  
 Michael A. Fiecher  
 Debbe L. Fischer

Joseph P. Fogarty  
 Asher I. Frankel  
 Anne C. Gallant  
 Robert A. Gawron  
 Christine H. Goban  
 Janis Goldman  
 Katherine Hargas Pellini  
 Victor Hassine  
 Clare M. Henry  
 Jeffrey T. Jarman  
 Phillip H. Jones  
 Alan N. Kachalsky  
 John Kipping  
 Michael L. Kolodner  
 Brian P. Lafferty  
 Marion Landau  
 Susan J. Laufer  
 Norman Lemonik  
 Vincent L. Magnone  
 Jerome T. Mammolito  
 Eric S. Maxwell  
 Eric G. Mayer  
 Terry McClain  
 Julia L. McClure  
 Robert C. McMahon  
 Mauro P. Minervini  
 William A. Moses  
 Damien E. Mysak  
 Roger F. Napoleon  
 C. D. Negron  
 Naomi Newman  
 John P. O'Reilly  
 Peter S. Pascallio  
 Kathi P. Peisner  
 Richard N. Petrucci  
 Laura B. Polan  
 Steven M. Rabinovici  
 Clifford J. Ramundo  
 Peggy D. Rawitt  
 Peter B. Reiss  
 Matthew L. Rennert  
 Jaimison M. Roberts  
 Alina R. Rosenthal  
 Anthony J. Ruggiero  
 Joseph J. Scaffidi  
 Beth J. Schlossman  
 Ronald J. Schwartz  
 Beatriz Seisdodos  
 Lawrence J. Shurupoff  
 Maris R. Silverman  
 James V. Simmonds  
 Kevin R. Smith  
 Isaac D. Sonsino

Tonia A. Starr  
 Charles G. Sturcken  
 Kent T. Terchunian  
 John J. Tracy  
 Nelson N. Tunis  
 Kevin F. Wagner  
 Nancy Wallace  
 Robin L. Walrad  
 Jacob J. Yoskowitz  
 William B. Young  
 Mark H. Zafrin

**1981**

Jeffrey Agrest  
 Beth N. Alson  
 Richard I. Alvarez  
 Richard T. Astorino  
 Patricia B. Avery  
 Howard W. Beckerman  
 Toni M. Brandmill  
 Sharon G. Brender  
 John A. Brogan  
 Mark D. Brylski  
 Martin A. Burke  
 Thomas A. Campbell  
 Richard V. Carlson  
 Eugene V. Clark  
 Andrew R. Colonna  
 Kevin P. Corcoran  
 Carlos E. Cruz  
 Carl O. DeAngelis  
 Jeffrey T. Denny  
 Joan M. Eldridge  
 Gary J. Englert  
 Gary Ettelman  
 David I. Fisher  
 Jody N. Gerber  
 Bennett R. Gordon  
 Sharon S. Hernstadt  
 Eric D. Heyden  
 Stephen L. Holtz  
 James K. Horgan  
 Victor J. Horowitz  
 Robert R. Hyde  
 David M. Kert  
 Eliot King  
 Eugene Klochkoff  
 Carol L. Komissaroff  
 Walter L. Lesbirel  
 Paul Ling  
 Joseph J. Mania  
 Ingrid Marino  
 Michael Markovitch

Gary J. McCarthy  
 Stephen Moskowitz  
 Robert P. Mullagan  
 Amy S. Nelson  
 Karen B. Nemiroff  
 Felice L. Nichols  
 James M. O'Neill  
 Margaret A. Olsen  
 Kenneth Orbes  
 Albert L. Peia  
 Douglas J. Pick  
 Kevin J. Purcell  
 Dana S. Riell  
 Morton D. Rosner  
 Shelley R. Rossoff  
 Mollie E. Schechter  
 Howard L. Schwartz  
 John M. Selden  
 Jon M. Silveri  
 Frances Sloan  
 Sheldon J. Serman  
 Marc M. Tretin  
 James N. Vagias  
 Anthony Viso  
 Henry I. Weil  
 Sheldon Weiner  
 Jeffrey E. Weissmann  
 Cornelius V. Whooley  
 Elaine Williams  
 Edwin B. Winder  
 Carl L. Wise  
 Mark W. Witt  
 John S. Woodward

**1982**

Camille M. Abate  
 C. C. Anderson  
 Lena Anderson  
 Helen M. Blackwood  
 Leonard R. Boyer  
 Cherylyn J. Briggs  
 Carolyn Brover  
 Kenneth B. Carnesi  
 Mark J. Case  
 Laurence A. Chamish  
 Michele A. Clark  
 Ralph D. Clifford  
 Mitchell E. Cohen  
 Risa Cohen-Kaplan  
 John M. Cooney  
 Gail F. D'Italia  
 Loretta K. Davis  
 Mary T. Dempsey

# have you heard from...

Mary L. Drennen  
Selina G. Ericson  
Jeffrey S. Factor  
Peter J. Farkas  
Mitchell I. Feld  
Jeffrey L. Ferguson  
Estelle J. Flynn  
Sonja N. Friedman  
Alan R. Friedmann  
Linda G. Gimble  
William J. Grabinski  
Fredric S. Grayboys  
Jane A. Gromelski  
Howard N. Hamel  
Emlyn H. Higa  
Madeline L. Hornwood  
Frances S. Housman  
Barry A. Kaplan  
Cheryl J. Kent  
William W. Kimball  
Jonathan H. Kriegel  
Karl F. Lehr  
James Lettiere  
Daniel H. Levine  
Barbara S. Marcus  
Paul I. Marx  
Robert A. McCarthy  
Joel M. Michaels  
Louis D. Montresor  
John A. Moore  
Lynn R. Niederman  
Patrick J. O'Brien  
Richard C. O'Conor  
Robert E. O'Neill  
Frank W. Palillo  
Phyllis A. Panariello  
Jeffrey S. Peldon  
Bryant W. Pierce  
Darlene R. Quick  
Victor M. Re  
Joanne Redden  
Caryl L. Ritter  
Joseph I. Rosenzweig  
Sarah A. Rumage  
Howard C. Sacks  
Dennis R. Sawh  
Justin T. Shay  
Nora L. Skivington  
Gale I. Stoppert  
Geoffrey Swaebe  
Steven A. Werner  
George R. Whittemore  
Robert S. Wolf

Lawrence E. Wright  
Gloria Xefos  
Dorothy T. Zeman

## 1983

John B. Bell  
Joan S. Bocina  
Patricia R. Crenshaw  
Murray M. Davidovits  
Michael N. Di Tomasso  
Iris B. Digennaro  
Karen L. Dimicco  
Mark J. Dorsey  
Sequoia Dubose  
Patricia A. Duffy  
Judith A. Einstein  
Lisa A. Enoch  
Brian M. Fielding  
Susan Fitzgerald  
Elizabeth A. Foley  
Laureen A. Foley  
Robert J. Fox  
John A. Gurdak  
Christopher L. Harlos  
Richard T. Hart  
Arthur L. Helfman  
Mary C. Kates  
Andrew J. Kennedy  
Linda Kraft  
Stanley R. Layton  
Hilary J. Leff  
Anna R. Lewis  
Michelle B. Mascaro  
Kathryn M. McCarthy  
David J. Melo  
Celeste M. Monical  
Cary E. Moritz  
John R. Neenan  
Neil A. Polay  
Neil R. Post  
Antoinette M. Powell  
Martha R. Rix  
Anita Romero  
Eric M. Ross  
Giacchino J. Russo  
Marc B. Schram  
Michele A. Smollar  
Ana M. Soa  
Sharon R. Solomon  
Annmarie B. Somma  
Deborah Sperling-Kinbur  
Olimpio L. Squitieri  
Michael J. Stevenson

Jo A. Taylor  
Paulette E. Taylor  
John G. Tomaszewski  
Sophia S. Toscano  
Randolph E. Wills

## 1984

Michael A. Arcuri  
Therese G. Ast  
Kelly Bauman  
Stacey R. Berg  
Stephan A. Bitterman  
Jo A. Bradbury  
Raymond M. Canals  
Marcial C. Cardona  
Laverne Copes  
David P. Cora  
Dennis T. Cosgrove  
Lisa M. D'Eufemia  
Dawn M. Dapelo  
Lou A. Dechen  
Anne-Marie P. Dezio  
Beatrice E. Earle-Dei  
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Mitchell D. Gliner  
Rebecca L. Goldberg  
Mark H. Golden  
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Jean Greenbaum  
Andrew N. Greene  
Mitchel D. Grotch  
Lourdes E. Guerra  
Mark W. Gyorog  
Joseph Imbasciani  
Patricia M. Karish  
D. J. Kelly  
Karen L. Kelly  
Joanne M. Kulper  
Brian S. Lent  
Brett Linn  
Carmen A. Luciano  
Jerome D. Maryon  
Judith A. Merritt  
Elvin G. Nimrod  
Sharron C. Norman  
Paul L. Patrizio  
Patricia J. Penman  
Vivian J. Perry  
Charles T. Richard  
Juliet T. Rintoul  
Linda M. Ryan  
James T. Sandnes  
Raymond L. Severing

Ellen B. Siegel  
Bellanca B. Smigel  
Michael J. Sterlacci  
Ira H. Stulbaum  
Lori Udelsman  
Barry M. Weiss

## 1985

Charles P. Abraham  
Joanne G. Baldwin  
James T. Butchma  
Raymond S. Capodanno  
Mary S. Carlson  
Cynthia J. Carpenter  
Richard D. Caruso  
Ingrid Z. Castro  
Anne E. Corcoran  
Peter C. Di Tomasso  
Alan P. Dimant  
Peter E. Finning  
Eleanor J. Hicks  
Robert E. Higgins  
Sinclair C. Jones  
Stephanie I. Kaplan  
Patricia T. Kestin  
Peter M. Kulkin  
Carmella M. Kurczewski-Vega  
Suzanne J. Levitt  
Marianne V. MacIas  
Kevin J. McCaffrey  
Debra M. Patakis  
James D. Patracuolla  
Charles R. Pecorino  
Kathleen Pellowski  
Neal L. Phenes  
James M. Porreca  
Pauline C. Reich  
Alan J. Shimel  
Andrew P. Starger  
Patricia R. Stone  
Gunawan Suliawan  
Michael A. Toler  
John A. Tunney  
Janet Y. Wassmuth  
Reena P. Whitman  
Stephanie S. Wolf  
Charles E. Wright  
Rhea E. Zubin

## 1986

Joseph A. Affinito  
Scott P. Albergate  
Randi L. Anderson



Marva A. Burnett  
 Richard L. Cohn  
 Edward M. Colligan  
 Lawrence D. Costanza  
 Margarita Cruz  
 Reyne J. Cuccuro  
 Nicholas J. Demarco  
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 Judi E. Friedman  
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 Debbie L. Greenberg  
 Tami L. Harwood  
 Carla D. Heller  
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 Gregory A. Lalim  
 William A. Lanting  
 Maria J. Litman  
 Meri K. McCann  
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 George F. Mulgrew  
 Joseph H. Nelson  
 Deanne Ofsink  
 Gwen D. Petti-Schwartz  
 Frank S. Rittman  
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 Joseph A. Sausto  
 Mark Savage  
 Barbara A. Savatteri  
 Kenneth S. Schechner  
 Deborah F. Schweizer  
 Brian R. Teason  
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 Enrique S. Tovar  
 Donna S. Tucker  
 Francesca J. Villani  
 Carol Wirth-Sichel  
 Pollyanna T. Wong  
 Daniel J. Zemel

**1987**

Elizabeth Amer  
 Doris A. Bergemann

Lenore M. Checchi  
 Donna R. Cohen  
 Michael V. Colvin  
 William R. Connors  
 Kevin A. Conway  
 Lauren L. Delotto  
 Julie A. Demarco  
 Stephen M. Dixon-Gordon  
 Todd J. Dworman  
 Harold A. Fetner  
 Helen Feuer  
 Jonathan Friedman  
 Kim A. Gallucci  
 Jenifer K. Gardella  
 Edmund E. Gibbs  
 Arlene J. Gillman  
 Mari C. Gonzaga  
 Anthony M. Grandinette  
 Kimberly A. Hargrave  
 Wendy Hodor  
 Ross V. Jacoby  
 Louise S. Jarvis  
 Raymund J. Johansen  
 Jan R. Kelloff  
 Brian C. Kimbrough  
 John P. Koester  
 Raymond A. Laytham  
 Joseph E. Madsen  
 B. D. Martin  
 Heide E. Mason  
 Harold I. Maybloom  
 Martha G. McCotter  
 Georgia A. McMillen  
 Robert L. Meyers  
 Francine R. Miller  
 Claire M. Mullally  
 Lloyd H. Munjack  
 Mary H. Richardson  
 Frank W. Rocco  
 Israel Santiago  
 Joseph E. Sarachek  
 Vincent G. Sbano  
 Chris A. Schafer  
 Peter G. Snyder  
 John W. Stewart  
 Ruth A. Taylor  
 Paul X. Tobin  
 Dianne Travis  
 Alice L. Ulm  
 Marijo T. Varvaro

**1988**

Paul Bibuld  
 Bernard Bronner  
 Joan P. Cafone  
 Meryl Canape  
 Catherine A. Carroll  
 Lynmarie Cotela  
 Afrodite N. Dellaportas  
 Mark S. Dennison  
 Anthony Diorio  
 Michael A. Dym  
 Scott A. Fields  
 Joseph P. Finegan  
 Thomas Gennaro  
 Marcie B. Harrison  
 Andrew B. Hochman  
 Chris K. Iijima  
 Angela M. Johnson  
 Martin R. Kanfer  
 Richard T. Lipuma  
 Ellen K. Lynch  
 Andrea A. Marber  
 Robert J. Margulies  
 Holly J. Matteson  
 William T. Miller  
 Richard B. Montana  
 Robyn L. Neal-O'Donnell  
 Cynthia M. Pizzuto  
 Trevor M. Rigg  
 Thomas S. Riggs  
 Christopher C. Strahan  
 James G. Traynor  
 Gabriella S. Tussusov  
 Moira E. Umemori  
 Guy T. Vaccarino  
 Lisa M. Viscardi  
 Gregory J. Voell  
 Hartley B. Waltman  
 James P. Welch  
 Jennifer K. Woodward

**1989**

Nancy E. Aronson  
 Christine Baran  
 Jessie J. Barr  
 Thomas E. Basile  
 Andrew H. Beatty  
 William G. Berotti  
 Stephen G. Brenner  
 S. P. Cabada

Peter A. Carbone  
 Keri A. Christ  
 Sandra G. Corbitt  
 Christina E. Curry  
 Joseph P. Decarlo  
 Gloria R. Dunton  
 Douglas Earl  
 Miles N. Esty  
 Luke Farber  
 Michael P. Forcino  
 James A. Gilson  
 Gail E. Gilvarg  
 Martin G. Gleeson  
 Lisa A. Hartman  
 Benjamin B. Ingoglia  
 Rachel Jakubovitz  
 Karen N. Kricker  
 Niles L. Lang  
 James M. Lee  
 Harriet S. Levine  
 Joseph J. Marino  
 Edward K. McCarthy  
 Karen C. McDowell  
 Sean W. McGuinness  
 James E. Morgan  
 Jane K. Morrow  
 Kevin G. O'Keefe  
 Ferah Ozbek  
 Andrew J. Paul  
 Dario Perez  
 Frances Phillips  
 Joyce A. Poliseno  
 Bridget Saro  
 Mark R. Sellers  
 Debra Stauber  
 Cindy Synder  
 Ellen M. Weinberger  
 Susan G. White  
 Anthony G. Young  
 Jacqueline Zucker

In Memoriam

# In Remembrance and Tribute: George T. Lewis Jr. '57

Power Industry Pioneer

ON OCTOBER 17, 2003, NEW YORK LAW SCHOOL LOST ONE OF ITS most illustrious alumni when George T. Lewis Jr. '57, founder and chairman-emeritus of Cogentrix Energy, Inc. and a pioneer in the revival of cogeneration as a source of power production during the 1980s, died at his home in Charlotte, North Carolina. He was seventy-five.

In the early 1980s, Lewis rolled the dice with everything he had on an idea to revive a decades-old process of cogeneration that had been largely ignored. Foreseeing that changes in federal regulatory law made it feasible for cogeneration—the process of producing two forms of energy from one fuel source—to make a comeback, at age fifty-five Lewis left his position as senior vice president of the national engineering firm of Chas. T. Main, now part of the Parsons group of companies, to pursue his idea. He built Cogentrix into an independent private electric power producer with more than \$640 million in annual revenues and ownership interests in twenty-seven facilities in fourteen states and the Dominican Republic.

R. Neal Elliott, industrial program director with the American Council for an Energy-Efficient Economy (ACEEE) and former head of the U.S. Combined Heat and Power Association, said Lewis was a leader in the cogeneration marketplace, and Cogentrix was one of the most aggressive of the developers that moved into the market created by the Public Utility Regulatory Act of 1978, which created the first opportunity for “people other than licensed utilities to get into the electric power generation market.” As result of this energy legislation and entry of companies like Cogentrix into the market, cogeneration exploded during the 1980s, he said.

“Cogentrix was clearly the market leader, they really in many ways led what evolved later to be the independent power marketers,” Elliott said. “They were certainly one of the pioneers in the entire independent power industry.”

A mechanical engineer and attorney, Lewis is one of many prominent graduates of New York Law School who have made important contributions to business through the combination of their science and legal training, most notably Chester F. Carlson '39, inventor of Xerography, a process that revolutionized document reproduction. Lewis envisioned Cogentrix as a developer, designer, builder, owner and operator of standardized power plants that would produce electricity for utilities and steam for local industry. Within a few years, Cogentrix had achieved record growth, and in 1989 and 1990 the company topped



Photo courtesy of The Charlotte Observer

*Inc.* magazine's list of the nation's fastest growing privately held companies, an unprecedented two-consecutive-year accomplishment.

Lewis's son, David J. Lewis, said his father was proud of the fact that he earned his law degree from New York Law School at night while working at Consolidated Edison, and said that his legal education taught him how to think logically.

“Candidly, he used to talk about the fact that he got a law degree but never practiced,” David Lewis said. “We obviously interacted with a lot of attorneys, and he used to enjoy the strategic advantage resulting from the fact that most of them didn't know he had a law degree.”

In 1988, the Cogeneration Institute chose Lewis “Cogeneration Professional of the Year,” and in 1990 he was named as “Entrepreneur of the Year” by *Inc.* magazine. The same year *Independent Energy*

*“He took pride in the fact that he made it from the inner city with hard work and long hours, and when he got to the point where he was successful he would fund programs for kids that were in trouble... He took more pride and joy in that than anything else he ever did.”*

—David J. Lewis

magazine selected Lewis as “Executive of the Year.” For the company’s performance and Lewis’s accomplishments, the American Boiler Manufacturers Association honored him with its 1992 “Public Service Award for Energy and Environmental Achievement.”

A December 1989 *Inc.* article described Cogentrix as “an expression of one man’s insight into complex economic times, evidence of the maxim that every crisis produces opportunity.” For Lewis, that was the oil crisis of the mid-1970s, when the price of oil and the cost of building power plants skyrocketed. Then, in 1978, Congress passed the Public Utilities Regulatory Policy Act, which mandated that large regulated utilities buy power from smaller, independent producers, thereby opening the business to entrepreneurs.

Lewis saw an opportunity. As the *Inc.* article stated, “He knew there was money to be made building small power plants of simple, standard design. Sell the electricity to utilities, he reasoned, and pipe the steam to nearby manufacturers.” Other companies soon hit the cogeneration bandwagon, some becoming hot initial public offerings on Wall Street. Many failed. But by remaining private, standardizing design of its plants, and keeping the vast majority of employees in operations as opposed to administration and development, Cogentrix outperformed its competitors and won the business of large utilities.

By the early 1990s, Elliott explained, market externalities, largely the deregulation of the electric utility market brought about by the Energy Policy Act of 1992, in some ways neutralized the business model that Cogentrix operated under. “So, we saw that share of the market begin to stagnate in the mid-1990s,” he said. Cogentrix was sold in December 2003, David Lewis said, noting that his father was involved in the decision, but passed away before the sale was culminated.

Lewis, who grew up in Flatbush, Brooklyn, took his greatest pride in helping kids, David Lewis said. Lewis served on the board of directors of the Mercy Hospital Foundation, Charlotte Latin School and

Discovery Place. His desire to see students pursue an education in science and engineering led to Cogentrix’s significant support of Discovery Place, a nonprofit science center in Charlotte that offers a wide array of educational opportunities for students, teachers and families. He was also responsible for Cogentrix becoming a major sponsor of Charlotte’s Communities-In-Schools program, with particular support of the former Wesley Uptown Alternative High School, now at Midwood High School.

In recognition of Lewis’s long-standing support, the Charlotte-Mecklenburg School system named the campus housing the Midwood High School and Dolly Tate Teen-Age Parent Services programs on Central Avenue the George T. Lewis Academic Center. A commitment by Lewis to provide college education scholarship funding support to every graduate of the George T. Lewis, Jr. Academic Center continues today and formed the basis of the broader Communities-In-Schools “Think College” program. In 1996 Communities-In-Schools presented Lewis with its inaugural “Dreammaker Award” for his vision and support of the Communities-In-Schools ideals.

“He took pride in the fact that he made it from the inner city with hard work and long hours, and when he got to the point where he was successful he would fund programs for kids that were in trouble,” David Lewis said of his father. “So he took more pride and joy in that than anything else he ever did.”

A 1949 graduate of Syracuse University, Lewis started his business career with Consolidated Edison in New York and worked with the engineering firm of Burns and Roe before joining Chas. T. Main for an eighteen-year stint.

Lewis is survived by his wife, Betty; two sons, David J. Lewis and James E. Lewis; and five grandchildren. He was preceded in death by one son, Robert W. Lewis. ■

# In Memoriam

## STUDENTS



Photo courtesy Pahucki Family

**Rebecca Pahucki 1L** died on December 28, 2003, in an automobile accident in Wawayanda, New York. According to her family, Pahucki was excited to be commencing her legal studies and was very proud to be a New York Law School student, referring to it as a “Cadillac” among law schools.

She grew up near Goshen, New York, the county seat of Orange County, and was aware that many of the best-reputed attorneys practicing there were New York Law School alumni. A young woman with rural roots, she loved Manhattan, and her family was proud of the independent life she had made for herself in the city. Described as a talented debater with a feisty personality, she had a strong interest in concepts of justice and fairness, and had spoken of someday working for Amnesty International. She was remembered by the Law School at a memorial service on April 26.



Photo: Thornton Studios

**Kristy Lynn Mullarkey-Broesder 4L**, an Evening Division student, died on March 29, 2004, in an automobile accident. Mullarkey-Broesder was the director of finance for the Sisters Organized for Leadership Association (S.O.L.A.) and worked with them to assist abused and disadvantaged women. Her family has advised that donations in her memory can be made to S.O.L.A. at 168 Parkview Drive, Union, NJ 07083; to the Christian Faith Fellowship Church Beauty for Ashes Fund, 3188 Route 94, Franklin, NJ 07416; or to any women’s organization. Mullarkey-Broesder was remembered by the Law School at a memorial service on April 26.

## ALUMNI

**Jerold Weissfeld ’49** died on April 2, 2004, in Denver, Colorado, at the age of 89. Weissfeld was a civil and criminal defense attorney who practiced law in New York for more than 40 years. An advocate for the poor, he served as a court-appointed lawyer to indigent clients in the Bronx; he was noted for escorting homeless men to a luncheonette near his office and paying for their lunches. Weissfeld was also a Bronx County committeeman for the Democratic Party and served as a district commissioner for the Boy Scouts of America in the Bronx. A World War II veteran of the Army Air Corps, Weissfeld held a bachelor’s degree from City College and a master’s degree in history from Columbia University in addition to his law degree.

**Richard Thomas ’50** died on September 22, 2003, at the age of 79. He was the former regional counsel for Region 1 of the Federal Highway Administration in Albany, New York, responsible for overseeing all highway projects litigation for the six New England states, New York, New Jersey, Puerto Rico, and the Virgin Islands. Previously, in 1972, he was appointed director of airport development by the Federal Aviation Administration in Boston. Earlier in his career, he was the attorney advisor for the Department of Housing and Urban Development in New York City and later in Boston. He began his career in public service in 1967 as director of the Onondaga County Legal Service Corporation in Syracuse, New York. He was a veteran of World War II who served in England and France.

**Ira P. Sloane ’64** died on March 30, 2004, at age 65 in Stony Brook, New York. Retired since 2002, he was formerly a partner at Holland & Greshin in Smithtown, New York (now known as Greshin, Ziegler, & Amicizia LLP). A onetime assistant to U.S. Senator Jacob K. Javits, he had been a member of the New York State Board of Law Examiners for the past fifteen years. He was a former editor in chief of the *New York Law School Law Review* and had clerked for Hon. Marvin R. Dye and Hon. Kenneth B. Keating, both of the New York State Court of Appeals.

**Kenneth Hense ’64** died on February 20, 2004, in Brick, New Jersey. Hense was a noted expert in gambling law who successfully litigated landmark cases before the New Jersey Supreme Court and elsewhere, representing many high-profile sports bookmakers, card counters, and other gamblers. He testified as an expert on the subject in many federal and state courts, made guest appearances on several nationally televised programs, and lectured on gambling law at

universities. He also consulted for several foreign governments and private companies regarding offshore sports betting and gaming.

Earlier in his career, as an assistant prosecutor in Middlesex County, New Jersey, Hense participated in the prosecution of Joanne Chesimard for the murder of a state trooper (Chesimard was convicted but subsequently fled to Cuba and remains a fugitive). He had been a partner in the firm of McGlynn, Reed, Hense and Pecora in Point Pleasant and Montclair, New Jersey; at the time of his death he was a solo practitioner in Manasquan, New Jersey.

**Joseph F. Linzer '67** died Wednesday, April 7, 2004 at his residence of fifty-two years in Hastings-on-Hudson, New York after a brief illness. Born on December 4, 1921 in the Bronx, he attended DeWitt Clinton High School, graduating in 1939. After receiving a Bachelor of Science degree from New York University School of Commerce in 1942, he enlisted in the U.S. Army and was honorably discharged in 1946 with the rank of captain. He then joined the family business, David Linzer & Sons, where he held various positions until 1961. In 1967, he graduated New York Law School and went into private practice as a corporate attorney.

A founding member of the Greenburgh Hebrew Center in Dobbs Ferry, he served as president of the congregation for several terms and was a director for many years. He was active in numerous philanthropic and community organizations throughout his life as well as a founder and president of the Westchester Hebrew High School. In addition, he was an enthusiastic supporter of the State of Israel.

**Crystal Harris '04**, a February graduate in the Evening Division, died on March 23, 2004, following a brief illness. She was remembered by her classmates as an honest, forthright individual who knew exactly what she wanted and fulfilled her goal of graduating from the Law School in three and a half years, instead of the four years customarily required by evening students to complete the J.D. degree. During law school, Harris worked as a teacher in several New York City public schools. Many of her students attended her funeral, where they remembered her as an educator who expected the best and inspired them to work hard to meet those expectations. Harris was remembered by the Law School community at a memorial service on April 26.



Photo: Thornton Studios

## Alumni

**1926**

George Kedersha  
October 30, 2003

**1927**

Irving J. Kirschenbaum  
December 23, 2003

**1934**

John McAllister  
December 27, 2003

**1938**

Elliott Norwalk  
January 21, 2004

Nathan Tanen  
January 24, 2004

**1950**

Murray Fox  
March 2, 2004

**1952**

Harry Birnbaum  
November 24, 2003

**1956**

James DeLuca  
February 21, 2004

**1959**

Shirley Z. Kaufman  
May 13, 2004

**1965**

Peter P. M. Bardunias  
February 1, 2004

**1981**

Hon. Charles A. Posner  
June 9, 2004

A PAGE FROM OUR HISTORY

# The Difficult 1930s



Depression scene, New York City

With the original leadership now gone and the nation in the depths of the depression, the school faced a crisis. As a stopgap measure, the venerable George Smith was appointed Dean. A graduate of Yale and of New York Law School's first class, Smith had been on the faculty for nearly forty years.

By 1933 New York Law School had barely 100 students. At this point Archibald Watson appeared on the scene. Watson's law degree was from the University of Virginia. He had been corporation counsel under Mayor [William Jay] Gaynor and was the editor of the *New York Law Journal* and other publications.

In 1934 Watson replaced [Jabish] Holmes as president of the Board and added a number of prominent trustees, including Bainbridge Colby '92, former secretary of state of the United States; James Gerard '92, former ambassador to Germany; and Francis Martin '03, presiding justice of the Appellate Division, First Department. Watson also established an advisory council of well-known lawyers and judges. Alfred Hinrichs, a graduate of New York Law School's first class and a faculty member since 1893, was appointed dean.

Watson moved the school's headquarters to 253 Broadway and later 63 Park Row. In his first year as president, the school had only some 125 students and ran a substantial deficit. Enrollment increased slowly until it reached 300 by 1938 when Edmund Caddy, a graduate of Columbia and New York Law School, became acting dean and then dean. However, World War II broke out in 1939, and the inauguration of the draft in 1940 dealt the school a crushing blow. In 1941 the Board of Trustees decided that the school would have to be closed.

Among the leading graduates of the era of the 1930's were Chester Carlson, Class of 1939, the lawyer-physicist who invented the Xerox process, and Cameron MacRae, Class of 1937, who was to become the dean of the public utility bar as the senior partner of LeBoeuf Lamb Leiby & MacRae.

*Originally published in New York Law School • 1891-1991 • A Heritage*

# A Friend *Indeed*

Harold Kaufmann '38



Harold Kaufmann '38

**IT HAS BEEN NEARLY 70 YEARS SINCE HAROLD KAUFMANN GRADUATED FROM NEW YORK LAW SCHOOL.**

In that time, during which he has remained a faithful and enthusiastic supporter of the school, he has seen a lot of changes.

"In my class, there were exactly four women students," he says. "Now I understand that the women make up more than fifty percent of the students." Also, the school is a much more stable institution today than it was during the Depression years of Kaufmann's attendance.

But although he and other students at that time may have felt like gypsies because the school changed location several times, Kaufmann emerged with a legal education that sustained him throughout his professional life. During World War II, he spent part of his service in the U.S. Army as a JAG officer in the War Crimes section, based in the Philippines. After the war, he joined his father's real estate brokerage firm in Queens, adding legal services to the business. After his father's death, Kaufmann took over the firm and has stayed in business for himself ever since, specializing in real estate and wills, trusts, and estates.

He was joined in 1979 by his daughter, Renee Libin, who had followed in his footsteps, graduating from New York Law School in 1978. The firm, Kaufmann & Libin, PC, maintained offices in Rego Park, Queens, and Greenwich, Connecticut. Although Libin spent most of her time in the Greenwich office while Kaufmann practiced in Rego Park, he says that being in business with his daughter was "a wonderful way to practice—an experience that encompassed both teaching and learning."

Tragically, Renee died from a pernicious lung disease in 1986. Her father carried on with the firm, retaining the name of Kaufmann & Libin—a wise decision, because two new attorneys, both bearing the Libin name, would eventually join the firm: his grandson Robert and Robert's wife, Marion. Both had continued the New York Law School tradition, graduating in the Class of 1996.

Today, Kaufmann still goes into the office several times a week, despite encroaching health complications. And he has maintained his involvement with New York Law School. He feels an obligation, he says. "The school gave me my legal education and the ability to earn a living in a reasonably successful solo practice. I feel that it is entitled to my support."

In 2003, Kaufmann reinforced that enduring relationship by endowing a scholarship: the Renee S. Libin '78 Memorial Scholarship, to be awarded annually to an Evening Division student who has indicated a preference for wills, trusts, and estates. It was, Kaufmann says, "the best thing I could do to create a memorial to Renee, to perpetuate her name. New York Law School has been good to our family. All of us have been able to succeed and to prosper thanks to the schooling we received there." ■

—Edith Sachs

*For information about endowing a scholarship or planned giving at New York Law School, please contact:*  
Barbara I. Leshinsky  
Associate Dean for Institutional Advancement  
212.431.2818  
bleshinsky@nyls.edu



## Schedule of Events for Alumni 2004-05

### AUGUST

- 4 Yankees Game
- 25 Recent Grads Kick-Off party

### SEPTEMBER

- 30 New Jersey Alumni Reception

### OCTOBER

- 6 Matrimonial Practice CLE
- 7 Mentor Program Kick-Off Event
- 13 Harlans Cocktail Reception
- 15 Recent Grads *Wicked* Theater Event

### NOVEMBER

- 4 Recent Grads Time-Out Thursday
- 9 Home Financing Seminar
- 11 Spotlight on Sports & Entertainment
- 16 Real Estate Transactions CLE
- 18 Brooklyn Cocktail Reception
- 29 Supreme Court Induction Event

### DECEMBER

- 1 Alumni Holiday Party

### JANUARY

- 27 Recent Grads Event

### FEBRUARY

- 3 Spotlight on Evening Division
- 8 Wills, Estate Planning & Surrogate Practice CLE
- 16 Mentor Program Spring Event
- 25 Recent Grads Event

### MARCH

- 4-5 Florida Alumni Events
- 15 Spotlight on Women
- 16 Mid-Year Reception
- 17 Connecticut Alumni Reception
- 24 Recent Grads Workshop on Networking
- 31 Spotlight on Real Estate Law

### APRIL

- 1 Evening Student Mentor Program Event
- 5 Forms of Doing Business in New York CLE
- 13 Scholars and Donors Luncheon

### MAY

- 12 Recent Grads Event
- 22 Commencement

### JUNE

- 2 Reunions