September 11, 2001
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The Financial Markets’ Response to September 11th

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The September 11 terrorist attack on the World Trade Center was in every sense an attack on the heart of America’s free enterprise system. Free enterprise depends on the financial markets to allocate capital to business. The attacks forced the temporary shutdown of the New York Stock Exchange and NASDAQ, as well as the Federal Reserve Bank of New York, which conducts monetary policy on behalf of the Board of Governors of the U.S. Federal Reserve System. The suspension of “business as usual” by the financial markets threatened to paralyze a significant portion of America’s free enterprise system.

The terrorist attacks also struck directly at buildings that provided office space to many of the country’s most important financial intermediaries, including Morgan Stanley, Dunn and Bradstreet, the New York Stock Exchange, Deutsche Bank, JP Morgan Chase, Charles Schwab, Credit Suisse First Boston, Salomon Smith Barney, American Express, Cantor Fitzgerald Securities/eSpeed, Keefe, Bruyette and Woods, and many others. The headquarters of investment banks Merrill Lynch and Lehman Brothers, both located nearby, were also damaged.

In the days and weeks that followed of September 11, at least one thing became apparent: Wall Street firms and their vendors—and, more particularly, their regulators—were superbly equipped to respond to crisis.

The crisis that financial market regulators faced in the aftermath of the terrorist strikes against Manhattan’s financial district was unprecedented.

Fortuitously, much of the task of responding to this crisis fell on the shoulders of two of the most capable regulators in American history: Alan Greenspan, chair of the board of governors of the Federal System; and Harvey Pitt, chair of the Securities and Exchange Commission. Mr. Greenspan has been chair of the Federal System for over a decade and his skill in managing monetary policy has become legendary. Even the staid Financial Times has acknowledged that Mr. Greenspan and his colleagues at the Fed enjoy a reputation for central banking genius. And yet, the real unsung hero of the financial establishment’s response to September 11 turned out to be Mr. Pitt, who took the helm of the Securities and Exchange Commission just seven weeks before bin Laden’s devastating attack on the U.S. financial center.

Taken all together, these events have led me to view the regulation of the financial services industry in a new light. Legal scholars, as well as my current and former students, are well aware that I have been a strong supporter of free markets and of market solutions to economic problems in general and to the problems of the financial markets in particular. I have been critical of the SEC and doubtful of the continued need for its existence, particularly in the case of its prescribed format for
the mandatory disclosure of information that must accompany a public offering of securities (see my “Administrative Agency Obsolescence and Interest Group Formation: A Case Study of the SEC at Sixty”).\(^2\) I have, moreover, chronicled the relationship between regulation and disaster (for example, in my “Regulation and Disaster: Some Observations in the Context of Systemic Risk”),\(^3\) and have argued that our Constitutional system is designed to encourage a slow, deliberative legislative process and to impede the growth of the state by raising the transactional costs of passing new legislation. The separation of power among the branches of government, and the concomitant system of checks and balances, tend to impede the flow of new law. A logical, perhaps inevitable, result is that legislation tends to come in times of crisis, for crisis breaks the logjams that typically prevail in Congress and administrative agencies during periods of “politics-as-usual.” One of the lessons of September 11 is that regulators are able to respond to crisis. Another lesson is that regulators can be at their very best during the very worst of times. Indeed, one might argue that this capability constitutes the best justification for their existence.

To return to September 11 and its immediate aftermath: Having arrived on the scene in New York just hours after the towers fell, Harvey Pitt and the SEC coordinated the public-private partnership that would pave the way for a smooth reopening of U.S. capital markets in less than a week, despite catastrophic damage to the infrastructure of the country’s major exchanges and trading facilities. Through an extraordinarily creative and decisive series of steps, and working closely with representatives from the financial community and other regulatory agencies, Mr. Pitt prepared the markets for reopening on Monday, September 17, 2001. Most notable among his preparatory measures was Mr. Pitt’s having the SEC use, for the first time, its emergency regulatory powers in order to ensure that trading would resume in an orderly fashion. To promote liquidity and market depth, Mr. Pitt had the SEC relax regulations so that companies could repurchase their own securities without meeting the volume and timing restrictions that ordinarily would apply to such issuer repurchases. The SEC also made it clear that the public companies that repurchased their shares would not suffer adverse accounting consequences for doing so. Also, to provide further liquidity to the equity markets upon reopening, the SEC provided limited relief from the provisions of Section 16(b) of the Securities Exchange Act of 1934, which require disgorgement of profits from sales and purchases (or purchases and sales) of corporate stock by corporate officers, directors, and 10% shareholders when both sides of the transaction occur within a six-month period. The last of the SEC’s initial measures was its permitting brokerage firms to calculate their net capital without considering the days the markets were closed.

In the next phase of its response, the SEC used its general exemptive authority under Section 36 of the Securities Exchange Act of 1934 to modify certain conditions of Rule 10b-18 for issuers that repurchase their own common stock. Certain issuers whose common stock trades at sufficiently high levels (meeting an average daily trading volume and public float test) could, for a limited time, effect purchases up to ten minutes before the scheduled close of trading on the primary market for that security. The SEC also relaxed certain rules that ordinarily restrict the volume of stock that issuers can repurchase.

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when required to do so by a national emergency. Clearly, the SEC did what it had to do in terms of easing the application of the myriad technical rules that might have hampered the market's recovery. Mr. Pitt's leadership, however, facilitated the recovery of America's financial markets in more subtle ways, as well. Mr. Pitt coordinated a group that included both the chief executives of the largest U.S. banks, investment banks, insurance companies, and trading facilities, and key public sector figures like Treasury Secretary Paul O'Neill, Treasury Undersecretary Peter Fisher, Mr. Greenspan, New York Mayor Rudolph Giuliani, and New York Governor George Pataki. These prominent individuals worked together to reassure investors of the abiding strength of America's capital markets.

Richard Grasso, the chief executive officer of the New York Stock Exchange, was the leading participant from the private sector, in which role he received support from two traditional rivals: Wick Simmons of NASDAQ and Sal Sodano of the American Stock Exchange. As Mr. Grasso remarked after the reopening of the NYSE, "Politics, competition and self-interest were set aside for the common good. Our goal was to return the market as quickly and as efficiently as possible to the levels of historical deep liquidity and investor protections that are the hallmark of America's free enterprise system. The resumption of trading, however, would not have taken place had it in any way interfered with the rescue and recovery efforts. Life came first; stock trading second."4

Other regulatory agencies also provided regulatory relief to help the U.S. economy back on its feet. The Federal Reserve, the comptroller of the currency, and the Federal Deposit Insurance Corporation, along with other bank regulators, cooperated with banks to waive certain late payment fees, to restructure the debt obligations of certain financial institutions, and to ease credit terms for certain customers affected by the disaster. The banking regulators also advised banks on how to deal with borrowers whose credit needs mushroomed as a result of the attacks. The Federal Reserve made it clear that it would meet new demands for liquidity in the economy by injecting billions of dollars of cash into the banking system.

In psychological terms, the reopening of the Floor of the New York Stock Exchange was critical to the health of the nation. However, this event could not occur immediately. While the physical structure of the NYSE did not itself sustain any damage, a significant number of member firms were unable to do business from their own trading floors and the NYSE could not link its computer

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and communications systems to a substantial number of its members. The NYSE also lost 1,000 telephone circuits on its trading floor that were connected to a telephone company building that was destroyed. This loss of communications capacity precluded a reopening of the NYSE prior to Monday, September 17, 2001.

Reportedly, some regulators, particularly from the Department of the Treasury, pressured the NYSE to open a few days earlier in the interest of making a symbolic gesture about the nation’s strength, financial and otherwise. Fortunately, cooler heads prevailed and the reopening was deferred until the financial professionals were certain that the market, once open, could stay open, and that all customers who wanted to trade would have access to trading facilities. Also, the so-called “circuit breakers,” which are SEC-mandated and designed to kick in automatically when the markets become too volatile, were a serious concern of those who wanted to keep the markets closed until it was certain they could withstand the pent-up volatility and trading volume that was sure to characterize the first day of business after September 11.

When the markets did re-open after their longest hiatus since the Second World War, the opening bell of the NYSE was rung by a cadre of firefighters, rescue workers, and police officers to the applause of the traders on the Floor. During the ensuing session, the 2.3 billion shares that changed hands represented the largest trading volume in the history of the financial markets.

In addition to being resilient, U.S. financial markets are adaptive. In the wake of the attacks, federal regulatory agencies have established an inter-agency team to deal with a variety of issues related to the terrorist threat and to America’s war on terrorism. The Department of the Treasury is leading a group to disrupt terrorist fund-raising and has been given new authority to block accounts and to freeze the funds of terrorists and terrorist groups. The SEC is leading an investigation of possible insider trading by terrorist groups in anticipation of the attacks. A permanent “Foreign Terrorist Asset Tracking Center” in the Office of Foreign Asset Control in the Treasury Department has also been established. The Federal government is enacting complementary laws. The “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001” (more commonly known as the “USA Patriot Act”) was signed by President Bush on October 26 and contains the “International Money Laundering Abatement and Anti-Terrorism Financing Act of 2001,” the provisions of which are designed to combat money laundering for and financing of terrorist activities.

The terrorist attacks of September 11, which were clearly designed to humble the United States and to place the supposed weaknesses of our country on display for the world to see, have had the opposite effect. The United States has emerged prouder and more united than it has been since the Second World War. Furthermore, from the perspective of the financial markets, the crisis illustrated, once again, why America’s capital markets and financial services industry are the strongest and most efficient in the world. As I write this article, the financial press is reporting that it took the U.S. less than four months to regain the levels of economic output it lost as a result of the terrorist attacks. The Taliban and Al Qaeda will, I suspect, require quite a bit longer to recover from the U.S. response— unless we make it America’s business that they do not recover at all.

International Law and the Use of Force: America’s Response to September 11

Muna Ndulo

The September 11 terrorist attacks on the World Trade Center and the Pentagon shocked the world and drew universal condemnation. The following day, the United Nations General Assembly passed a resolution that strongly condemned the attacks and urged international cooperation to bring those responsible to justice. On September 12, the Security Council adopted Resolution 1368, which unequivocally condemned the terrorist acts and characterized them as a threat to international peace.

Despite international agreement on the attacks' heinousness, debates ensued regarding an appropriate response, specifically in terms of the kind of actions permissible under international law. Other controversial issues include how to prosecute those who planned and ordered the aggression and whether to classify these acts as war, terrorism, or crimes against humanity. The answers to these questions are important in determining the legality of the United States' response, which began on October 7 as an assertion of the right of self-defense in the form of military action in Afghanistan that was designed to destroy the infrastructure and personnel of Al Qaeda, the terrorist network that America holds responsible for the devastation of September 11. This article examines the use of force in international law and its application to recent events.

The Use of Force under the United Nations Charter

The creation of the United Nations signaled a remarkable move to entrust decisions concerning the use of force and efforts to maintain international peace and security to a multinational institution. Following the carnage of World War II, the United Nations Charter of 1945 introduced the notion of a general prohibition on the unilateral use of force by sovereign states and called for the peaceful settlement of disputes. The Charter gives the Security Council the primary responsibility for maintaining international peace and security, and of identifying threats to international peace. If such a threat is apparent, the Security Council can authorize the use of sanctions against the aggressor state. If the Security Council deems sanctions or other non-military measures inadequate, it may authorize the use of force as a last resort to help maintain international peace and security.

Self-defense includes the right both to repel an armed attack and to take the war to the aggressor state in order to prevent renewed aggression.
the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.”9 Thus, self-defense includes the right both to repel an armed attack and to take the war to the aggressor state in order to prevent renewed aggression.

As defined in Article 51, the right of self-defense envisages a situation in which a state has perpetrated an armed attack against another state. It is doubtful, however, that this conception includes an attack perpetrated by non-state actors unless their actions can be attributed to a state. Also, the right of self-defense is predicated on an “armed attack,” making the definition of “armed attack” highly relevant and—perhaps inevitably—hotly disputed. The U.S. itself has interpreted “armed attack” to include certain terrorist activities. Following the 1988 bombing of PanAm flight 103, President Reagan described the U.S.’s subsequent attacks on Libya as fully consistent with Article 51 of the United Nations Charter. However, one should note that the bombing of Libya was widely condemned and the U.S.’s claimed justification for the action generally rejected by U.N. member states.

Conversely, one can argue that targeting entities in charge of or directly engaged in an armed attack, including non-state actors, is a permissible measure of self-defense under Article 51 of the U.N. Charter.10 On this basis, a military mission to capture and arrest those ordering and/or directly engaged in an ongoing program of demonstrated hostility would also be permissible under the Charter as an act of self-defense, for lending support to terrorists who attack another state is effectively a use of force against both the territorial integrity and political independence of that state.

**Necessity vs. Proportionality**

There are two qualifications to the use of force in self-defense: necessity and proportionality. “Necessity” means that the need of self-defensive action must be immediate and overwhelming, leaving no possibility of choosing among alternative means and no moment for deliberation.11 The rule of proportionality prohibits excessive use of force, in the sense of the old adage that one must not ward off a fist fight with a gun. As Secretary-General Kofi Annan remarked several years ago, “We must fight terrorism and do our utmost to banish it from the face of the earth. But the force we use to fight should always be proportional and focused on the actual terrorists. We cannot fight them by using their own method of inflicting indiscriminate violence and terror on innocent civilians, including children.”12

Various sources of international law provide further insight into what constitutes excessive force. For example, in 1966, the International Court of Justice held that “States must never make civilians the object of attack and consequently never use weapons that are incapable of distinguishing between civilian and military targets.”13 The terrorist attacks of September 11 pose, therefore, the legal dilemma of how to respond proportionally when the initial attack was itself unreasonable and excessive, particularly in its having been intentionally directed at civilians.14 Nevertheless, to hold an entire nation accountable for the acts of a few does not appear to be lawful, for collective punishment would, by definition, entail the unjustifiable suffering of innocent populations.

The terrorist attacks of September 11 pose the legal dilemma of how to respond proportionally when the initial attack was itself unreasonable and excessive.
This stricture is especially pertinent to the phenomenon of state-sponsored terrorism. Individual terrorists perpetrated the September 11 acts but they could not have done so without a state providing them sanctuary and logistical support. The U.S. has claimed that it has strong and compelling evidence that implicates Afghanistan in the September 11 attacks. Assuming this evidence is convincing, one must decide whether or not Afghanistan is liable for the acts of Al Qaeda. For Afghanistan to be liable, the evidence must show that Al Qaeda acted under its authority or that the Taliban regime was part of the Al Qaeda conspiracy.

If the September 11 attacks can be attributed to Afghanistan, an application of the law leaves no doubt that the U.S. has suffered an armed attack that entitles it to exercise self-defense against Afghanistan. It should also be noted that Article 51 requires a state exercising its right of self-defense to report the measures it has taken to the Security Council. In a letter to the President of the Security Council, dated October 7, the United States reported that, in response to the September 11 attacks and in accordance with all states' inherent right to individual and collective self-defense, the U.S. armed forces were initiating actions designed to prevent and deter further attacks on its territory and interests. These actions would include military strikes against Al Qaeda terrorist training camps and military installations of the Taliban regime in Afghanistan. Although the United States is entitled under international law to use force to punish those responsible for the armed attacks committed against it, international support for American action will be greater if the facts pointing to the entities responsible for the terrorism of September 11 become clearer.

Questions inevitably have arisen about the proportionality of the campaign against Afghanistan—especially because the campaign has covered the entire country. Even more questions would arise should the United States choose to extend the campaign to Iraq and other nations that the United States perceives as supporting terrorism. Such an extension would beg the questions of what specific armed attacks those countries were involved in to justify the United States’ exercise of self-defense and whether U.S. military initiatives met the condition of necessity.

Self-Defense and Security Council Actions

Because Article 51 preserves the inherent right of individual state or collective self-defense against an armed attack, Security Council authorization is not necessary for actions permitted by the theory of
self-defense. Notably, however, this right continues only until the Security Council has taken the measures necessary to maintain international peace and security. One view holds that the aggrieved state and its friends and allies may decide for themselves to exercise their rights of individual and collective self-defense until either peace is restored or the Security Council, by its own affirmative vote, decides that self-defense has gone too far and has itself become a threat to international peace. A countervailing view argues that when the Security Council assumes jurisdiction, the injured party’s right to self-defense is suspended until the Council affirmatively decides it cannot deal effectively with the problem. A third view opines that the customary law of self-defense is not abridged in any way by the Charter and remains intact until the Security Council has dealt successfully with the controversy. Yet another view is that Article 51 is not an affirmative grant of a right of self-defense but a description of circumstances in which the exercise of an “inherent right” is not precluded by the Charter. Those circumstances, however, are subject to a temporal limit; they endure only until the Security Council has taken measures to maintain peace and security.

In practice, it does not matter which interpretation of Article 51 one adopts, for each of the five permanent members of the Security Council hold veto power in any Council vote. With respect to the present military operation against Afghanistan, any action by the United Nations Security Council that does not accord with American plans will almost certainly attract an American veto. In addition, should the Security Council take any action, the question of whether the measures are sufficient to maintain international peace will be subject to the same considerations.

Coordinating an International Response to Terrorism

The events of September 11 have demonstrated more than ever the need for a coordinated international response to terrorism. The events showed that innovations in global communications have given international standing to some local terrorist groups, while terrorist organizations with global reach use rapid international transportation to hit, run, and hide. In addition, perpetrators of terrorism in one country frequently use other states as safe havens or for fund-raising, sometimes hiding among emigree diaspora communities. They may receive training abroad and use foreign countries for staging terrorist acts or as launching bases for their operations elsewhere. Some terrorist organizations are engaged partly in legitimate trade, and others in drugs and weapons smuggling. Most do not operate in a vacuum but rather alongside non-violent militant groups pursuing the same objectives by peaceful means. Terrorist organizations are global entities; they permeate all jurisdictions. The fight against terrorism cannot succeed without commensurate international cooperation and strategic insights into terrorist operations.

U.N. Security Council Resolution 1373, adopted by the Security Council on September 28, is a good start toward such a comprehensive treaty. It is a wide-ranging resolution that calls on all states both to prevent and suppress the
financing of terrorism and to criminalize the willful provisioning or collection of funds for such acts. It also calls on states to freeze the funds, assets, and economic resources of persons who commit or attempt to commit terrorist acts, and of persons and entities who act on behalf of terrorists. Further, the Resolution calls on states to prohibit nationals, persons or entities in their territories from making funds, financial assets, economic resources, financial or other related services available to persons who commit or attempt to commit, facilitate or participate in the commission of terrorist acts. According to the Resolution, states must also refrain from providing any form of support to entities or persons involved in terrorist acts, take the necessary steps to prevent the commission of terrorist acts, and deny safe haven to those who finance, plan, support, and commit terrorist acts. 

Significantly, Security Council Resolution 1373 is binding on all U.N. member states; it was adopted under Chapter Seven of the United Nations Charter, which authorizes the Security Council to take measures to maintain international peace and security. The primary difficulty with Resolution 1373 is that it does not provide common legislative and enforcement standards. For example, the Resolution does not define what constitutes a “severe punishment” for a terrorist act, or at what point a state is doing “all in its power” to stop terrorists from operating in its territory.

In spite of these omissions, Security Council Resolution 1373 can form the basis of a comprehensive treaty because it identifies major factors that facilitate terrorist operations. An ideal comprehensive treaty would also provide the following: extradition measures that would ensure the apprehension and prosecution of terrorists, wherever they might reside; punitive standards by which the international community could hold states that harbor terrorists accountable; financial regulations that would make the financing of terrorist activities difficult; and facilitated international information exchange regarding terrorist activities.

What Else is Needed to Combat Terrorism?

Whatever the world does in response to terrorist violence, its measures should not entail harsh security controls that tend to undermine civil liberties and international freedom. At the same time, the world should ensure that those who commit acts of terrorism are put on trial in accordance with the principles of law. The tragic events of September 11 should not lead to more prejudice or tolerance of prejudice in an already too-prejudiced world. The international community must redouble its efforts to eradicate poverty, inequality, and armed conflicts throughout the world, for these factors create the perfect breeding grounds for terrorists. Such efforts would entail the development and advocacy of socio-economic policies, framed under the auspices of the World Bank, the International Monetary Fund, and the World Trade Organization, that reduce the inclination to engage in heinous violence for ideological reasons. In short, the political grievances that give terrorists a constituency must be addressed and, to some degree, resolved.

Every effort must be made to rid the world of dictatorial and undemocratic regimes. Corruption, for instance, facilitates the production of false and forged documents, which are essential to the movement of terrorists and the execution of their murderous plans. Experience has taught the world that pursuing effective action against criminal organizations of every type is always more difficult against a background of corruption and irresponsible regimes. Thus, terrorism must be fought with increased support for democratization programs, judicial reform, conflict resolution, poverty alleviation, economic reform, and health and education enhancement programs.


3. See id.

4. United Nations Charter, Article 2, paragraph 4: “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.”

5. United Nations Charter, Article 2, paragraph 3: “All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.”

6. See United Nations Charter, Article 39: “The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken ... to maintain or restore international peace and security.”

7. See United Nations Charter, Article 42.

8. See id.


13. Legality of the Threat or Use of Nuclear Weapons, 1966 International Court of Justice, paragraph 78.


16. Id.


21. The five permanent members of the U.N. Security Council are the United States, France, the United Kingdom, the Russian Federation, and China.


Alumni Affected by September 11 Events

Cornell Law School was extremely fortunate that none of its alumni died as a result of the events of September 11. However, many alumni were affected by the tragedy. Below is a sample of what happened to a few.

• Perry J. Nagel ’91 lives in lower Manhattan near the site of the World Trade Center. After the first tower fell, Mr. Nagel went to the site to try to dig people out but became trapped as the second tower fell around him. He eventually managed to escape. As Mr. Nagel later reported, “It was very scary and also very sad.”

• Jonathan S. Ruskin ’73 had an unnerving view of the attack on the Pentagon. Mr. Ruskin, whose office is in the Navy Annex next door, reports that the hijacked jet flew “right over [his] head just before impact,” and that the next day he could “smell the smoke from the still smoldering” ruins in his office.

• Katherine Ward Feld ’83, vice president and senior counsel at OppenheimerFunds, Inc., was in her office on the 34th floor of the South Tower on September 11th. When she heard the explosion of the first plane hitting the North Tower and saw debris, including computers and paper and glass, raining down outside her window, she assumed a bomb had gone off in the floors above her. The OppenheimerFunds staff immediately evacuated.

Ms. Feld had left the Trade Center and was halfway across Church Street when the second plane hit. Surrounded by more falling debris, she sprinted for shelter in a subway entrance. Ten minutes later, it seemed quiet and she came back up to street level to see both towers in flames. As she walked north to Penn Station, Ms. Feld was unable to reach her husband on her cell phone. She stopped at a drugstore and put $10 on the counter and asked the clerk to let her use the store phone to call her husband. Once she reached him and told him she was safe, she returned the phone and the clerk gave her $7 back in change. Ms. Feld found this simple act amazing, especially under the circumstances.

Thanks to an improved disaster plan, implemented after the 1993 bombing of the World Trade Center, OppenheimerFunds had a previously-arranged trading desk ready for operation in New Jersey. The next day, Ms. Feld was sitting right next to the traders, back at work.

• Ashley Gillespie ’01 had just started work a week before September 11 with Sidley Austin Brown & Wood LLP, a law firm with offices on the 54th through 59th floors of the North Tower. Mr. Gillespie was on his way to work on the 8:40 a.m. Staten Island Ferry to Manhattan Island when, halfway through the crossing, he noticed the North Tower burning. Rumors were flying on the ferry and people were trying to use their cell phones to find out what was happening. Just after the ferry had docked in Manhattan and Mr. Gillespie had walked off, he heard a plane fly low over the ferry terminal and hit the South Tower.

Mr. Gillespie ran back and boarded what would be the last Staten Island-bound passenger ferry for a week. He says the scene of panicked people trying to climb over the locked gate to board the already-crowded boat reminded him of photos of the courtyard wall of the American Embassy during the fall of Saigon in 1975. And still no one understood what was happening at the World Trade Center.

Mr. Gillespie returned to work the following Monday. Sidley Austin had recently merged and still had office space on Third Avenue, which was being used by its merger partner. Today, with the displaced WTC personnel also in attendance, its quarters are a bit cramped but Mr. Gillespie reports that he and his colleagues feel comparatively lucky.
Scholarship Campaign Reaches $5.85 Million

In January, Cornell Law School announced that its “A Gift Through Time” scholarship campaign had surpassed its original $4 million goal by almost $2 million. This achievement represents the generosity of alumni who have endowed or added to 105 scholarships since July, 1999. The new and enhanced scholarships will allow the Law School to offer additional financial aid to many students on the basis of various criteria. The total of all commitments and gifts received during the campaign totaled $5.85 million.

The campaign, originally scheduled for completion by June, 2002, was initiated by a $1 million anonymous challenge grant that matched new gifts at a 1:3 ratio. Challenge grant funds provide immediate scholarship assistance while the gifts of subsequent donors grow over the five-year pledge period. Challenge-eligible grants funded a total of 57 scholarships, including two new fellowships that will provide full tuition. Donors endowed twelve gifts at the Dean's Scholarship level of $100,000 and above; these scholarships will be awarded on the basis of merit and need.

Among the leadership gifts that helped the Law School soar beyond this important milestone were gifts from Dorothea and Jack G. Clarke ’52; Natalie and Albert H eit ’34; Maryann and Arthur M. Siskind ’62 (campaign chair); Adele L. Rogers ’36 and William P. Rogers ’37; Catherine and Paul W. Beltz ’53; Karen and Roger J. Weiss ’64; Franci J. Blassberg ’77; Edward “Van” v.K. Cunningham Jr. ’62; Raymond J. M inella ’74; Marc S. Goldberg ’67; Klaus H. Jander ’64; Nina and Samuel Frankenheim ’59; Yvette G. H armon ’69; Stanley K omaroff ’58; and Sherry and Charles Ma tays ’71.

Of “A Gift Through Time,” Dean Lee T eitelbaum said, “We are delighted with the results of this campaign. Nothing is more important than assuring the continued recruitment and support of the highly qualified and diverse student body Cornell has traditionally enjoyed. These generous gifts take us a long way in that direction, and we are most grateful.” The Dean’s Special Leadership Committee successfully solicited other alumni for scholarships, and the committee members themselves are also personally responsible for endowing 20 scholarships in recent years.

Mr. Siskind, the campaign’s chair, echoed Dean T eitelbaum’s thoughts: “Alumni gifts will greatly enhance the Law School’s ability to attract the best and brightest students at a time when competition among the finest law schools in the nation is intense. It is a remarkable accomplishment, coming at a difficult time, and I am certain it will lead other alumni to step forward and assist Cornell at what is clearly a critical time.” Mr. Siskind also noted the pleasure he and his wife, Mary Ann, have had speaking to students who are at the very beginning of their professional lives. “Recent scholarship awardees have written or called to express appreciation or ask for advice, and I get great satisfaction from being able to help them.”

Third Annual Korn Lecture by Mary Jo White

The third annual Korn Lecture was held on N ovember 8 in the Harriet Stein M ancuso ’73 Amphitheater and featured Mary Jo W hite, the United States Attorney for the Southern District of New York. Making one of her last public speeches prior to stepping down from her position at the end of 2001, U.S. Attorney W hite’s appearance was particularly timely in light of the events of September 11.

M s. W hite successfully prosecuted the terrorists charged with the 1993 W orld Trade Center bombings, convicted Sheik

Rosemary Pye ’74 with Justin G. Powell ’02, a proud recipient of the Rosemary Pye Scholarship
Omar Rahman and other terrorists of conspiring to destroy New York City landmarks, and indicted Osama bin Laden and others for conspiracy to commit terrorism against the United States. During her remarks, she indicated her support of recently passed anti-terrorism legislation and pointed out that, although success would come only as a result of sustained effort, the criminal justice system would make a significant contribution to the fight against terrorism.

Ms. White was appointed the U.S. Attorney for the Southern District of New York in 1993, and was the first woman to serve in that position. Under her leadership, the more than 200 Assistant U.S. Attorneys in that office successfully investigated and prosecuted countless high-profile national and international cases involving securities and financial institution fraud, international terrorism, organized crime, and racketeering. Ms. White's office has, on many occasions, received the Department of Justice's highest awards for achievement, and she has won many awards for her own professional accomplishments.

This lecture series is formally titled the Henry H. Korn Lecture Series in Art, Commerce, and Ethics of Contemporary Law and was endowed in honor of Henry H. Korn, currently counsel at the New York law firm of Schechet and Davis, by an appreciative client. The series is intended to provide students with insights on various careers in the legal profession by featuring prominent attorneys discussing their respective career paths, the issues they confront in their work, and the training and experience they need to work effectively. The prior speakers in this series were Steven Goldstone, chair and chief executive officer of R.J.R. Nabisco, and New York State Attorney General, Eliot Spitzer.

Clarke Center for International Studies is Approved

Cornell University's Board of Trustees has formally approved the Law School's Clarke Center for International and Comparative Legal Studies, which will soon take its place among Cornell Law School's preeminent centers, institutes, and programs devoted to international legal scholarship.

Generously endowed by Dorothea S. and Jack G. Clarke '52, the Clarke Center will fund professorships, a directorship, program support, and library acquisitions in the respective disciplines of international and comparative legal studies. Mr. Clarke is a retired director and senior vice president of Exxon Corporation and Ms. Clarke has long been instrumental in the Clarke's continuing philanthropy.

International legal studies at Cornell Law School were established more than a half-century ago to help support earlier benefactor Myron C. Taylor's mission to pursue world peace through legal studies. Elements of the new Center will include:

- endowed professorships in comparative law and Far East legal studies;
- a directorship (filled by the appointment of Larry S. Bush, former director of University of Mississippi's Cambridge Summer Session);
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- a fund to support studies of the law in Middle-Eastern countries;
- a fund for Far East law to support Asian legal studies;
- a fund to support Law Library acquisitions in international and comparative law;
- an international alumni program to support recognition and involvement of Cornell’s distinguished J.D. and LL.M. alumni engaged in international and comparative law;
- the Clarke International Fellowships in Feminist Legal Theory.

New Visiting Professor
Robert E. Atkinson Jr. is a visiting professor at Cornell Law School for the spring 2002 semester. Professor Atkinson comes to Cornell from the Florida State University College of Law.

A native of Kingston, South Carolina, Professor Atkinson received his B.A. summa cum laude in history and philosophy from Washington and Lee University. He spent a summer as a student at the University of Edinburg and graduated from Yale Law School in 1982.

Immediately after receiving his J.D., Professor Atkinson clerked for the Hon. Donald S. Russell, U.S. Court of Appeals for the Fourth Circuit in Spartanburg, South Carolina. Following this clerkship, he spent a few months as a research assistant for Professor Michael Reisman at Yale Law School. From 1984 through 1987, Professor Atkinson was an associate at Sutherland, Asbill, and Brennan in Washington, D.C. In 1987 he joined the faculty at the Florida State University College of Law and became a full professor there in 1996. Last fall, Professor Atkinson was named the Ruden, McClosky, Smith, Schuler, and Russell Professor of Law at Florida State.


Professor Atkinson is teaching a class on property this semester and another on the legal profession. He reports that “the faculty, staff, and students at Cornell have been most hospitable and I am thoroughly enjoying my work with them.”

Two New Adjunct Professors
Jonathan G. Davis and Sherif Omar Hassan LL.M. ’68 are two new adjunct professors at this spring. Having joined the faculty this semester from PricewaterhouseCoopers, L.L.P., Professor Davis is teaching accounting for lawyers. Professor Hassan is a former assistant general counsel at the World Bank and is teaching a seminar on Islamic Law and Middle Eastern Legal Institutions.

Jonathan G. Davis has been a manager in the tax department at PricewaterhouseCoopers, L.L.P. since 2001. Earlier, Professor Davis was an associate in the tax department at Wilmer, Cutler & Pickering in Washington, D.C., where he taught seminars on partnership taxation and tax consequences of mergers and acquisitions to the firm’s corporate and tax associates.

Professor Davis received his B.S. in applied mathematics and economics from Brown University in 1990. Five years later he graduated from Yale Law School, where he had been an Olin Fellow in Law and Economics and a lead editor of the Yale Journal of Regulation, while also finding time to teach “street law” to high school students. In 2000, Professor Davis received his LL.M. in taxation, with distinction, from the Georgetown University Law Center. He was awarded the
Thomas Bradbury Chetwood S.J. Prize for the most distinguished academic performance in the LL.M. tax program.

Sherif Omar Hassan received his LL.B. from the Faculty of Law at Cairo University in 1961, where he specialized in international law and international organizations. Professor Hassan received graduate degrees in administrative law, public administration, and Islamic law from Cairo University’s Graduate Legal Studies Program. In 1968 he received his LL.M. from Cornell Law School, where he served as assistant to Professor John W. MacDonald, then chair of the New York State Law Commission. Professor Hassan has also participated in the senior executive program at London Business School and the executive development program at the World Bank.

Professor Hassan’s professional career began in 1961, when he was a member of the Egyptian Council of State. He has held a number of positions in the Egyptian government, including State Commissioner for the Court of Administrative Justice and for the Supreme Court of Administrative Justice, respectively. Professor Hassan joined the World Bank’s legal department in 1971 and gradually worked his way up to assistant general counsel for operations and legal and judicial reforms, a position he assumed in 1994. During his tenure at the World Bank, Professor Hassan also served as general counsel for the Saudi Fund for Development and as a lecturer at Columbia Law School; he holds the latter position to this day. In 2000, Professor Hassan left the World Bank to join the Ministry of Finance and National Economy for Saudi Arabia, where he is currently an advisor to both the Minister of Finance and the Public Investment Fund.

Joseph Margulies, Practitioner-in-Residence

Joseph Margulies joins the Law School this semester from his private practice in Minneapolis to become the latest practitioner-in-residence. The practitioner-in-residence program, in operation at Cornell for over 10 years, brings outstanding practicing lawyers to share their “hands-on” legal experience with the Law School community.

Mr. Margulies received his B.A. with distinction from Cornell University in 1982 and his J.D., cum laude, from Northwestern University School of Law in 1988. While still a law student he was involved in two winning cases, United States ex rel. Clark v. O’Leary (a habeas appeal in a Chicago murder trial) and Hood v. City of Chicago, et al (a police brutality case).

Following graduation from law school, Mr. Margulies clerked for Judge William T. Hart of the United States District Court for the Northern District of Illinois. From 1989 through 1994, Mr. Margulies worked with the Texas Capital Resource Center, where he defended Texas death row inmates in state and federal post-conviction proceedings. Mr. Margulies joined the Minneapolis Legal Rights Center as a staff attorney in 1994 and worked there until starting his own practice in 1996. His law office handles criminal defense and civil rights cases in state and federal courts. For three consecutive years starting in 1999, Mr. Margulies was named to the annual list of leading Minnesota attorneys compiled by the Journal of Law and Politics.

Mr. Margulies is the author of “Resource Deprivation and the Right to Counsel,” which appeared in the Journal of Criminal Law and Criminology in 1989, and “Memories of an Execution,” slated for publication in an upcoming issue of the University of Minnesota Journal of Law and Inequality. More recently, Mr. Margulies has lectured and written on the U.S. government’s response to the terrorist attacks of September 11. He is also counsel in litigation recently brought in federal district court in the District of Columbia on behalf of several detainees currently held in Guantanamo Bay. Mr. Margulies hopes to use his time at Cornell Law School to conduct research on civil rights and civil liberties since September 11, and is teaching a seminar on civil rights litigation.
Faculty Workshops, Fall 2001

Robert A. Hillman and Jeffrey J. Rachlinski
“Standard-Form Contracting in the Electronic Age”

David D. Cole
of the Georgetown University Law Center: “Faith and Funding: Toward an Expressivist Model of the Establishment Clause”

Michael E. Lynch
of the Department of Science and Technology, Cornell University: “Science, ‘Common Sense,’ and DNA Evidence: A Legal Controversy About the Public Understanding of Science”

Steven D. Clymer
“Should (Can) Police Violate Miranda?”

Stewart J. Schwab
“Reasonable Accommodation of Workplace Disabilities”

Richard H. McAdams
of the University of Illinois College of Law: “Entrapment: An Economic Analysis”

Douglas A. Kysar
“Law and Ecological Economics”

Teemu Ruskola
visiting from the American University, Washington College of Law: “Law’s Empire? The Jurisprudence of the United States Court for China”

Martha T. McCluskey
of the State University of New York at Buffalo School of Law: “Efficiency and Social Citizenship: Challenging the Neoliberal Attack on the Welfare State”

David B. Spence
visiting from University of Texas Red McCombs School of Business: “A Public Choice Progressivism, Continued”

George A. Hay
“A Monopolist’s ‘Duty to Deal.’ The Briar Patch Revisited”

Professor Manuel Atienza Lectures on Legal Theory
On December 3, Professor Manuel Atienza, of the Department of the Philosophy of Law at the University of Alicante, presented a paper in Professor Summers’s seminar on legal theory. The paper treated the central themes of a book on the nature of legal argumentation on which Professor Atienza is currently working. He is especially interested in developing a general theory that conceives of law as argumentation.

Professor Atienza was a scholar-in-residence at Cornell Law School during the spring and fall semesters of 2001. He is the author of nine books and is a leading legal theorist in Spain today. He is also editor-in-chief of Doxa, the Spanish review of legal philosophy that has been published by Alicante University since 1984, and vice-president of the International Association of Legal and Social Philosophy.

Professor Atienza’s wife, Carmen Juanatey, a professor of criminal law at the University of Alicante, was also a scholar-in-residence during 2001.

African Women In Law Workshop
Professor Martha Fineman, director of the Feminism and Legal Theory Project, and Professor Muna Ndulo, director of the Institute for African Development, in cooperation with Professor Mary Hartnett of Georgetown Law Center, hosted an October 22 and 23 workshop of presentations and discussions by the Leadership and Advocacy for Women in Africa Program (LAWA).

The Leadership and Advocacy for Women in Africa Program was founded in 1993 with the mission of finding and training promising African lawyers who were committed to advancing the cause of women’s rights in their respective countries. LAW A participants study at Georgetown University Law Center for a Master of Law degree with an emphasis on gender...
studies, and write a graduate paper on an African women’s rights issue. After graduation, the newly-minted Masters of Law are placed in challenging work assignments at various public interest or governmental organizations, such as the World Bank or the Woman’s Rights Division of Human Rights Watch, that are compatible with their respective interests and long-term plans. Throughout their stay in Washington, D.C., the LAWA advocates attend bi-weekly seminars with their American counterparts in the program, where they discuss key women’s rights issues with prominent political and civic leaders.

The LAWA workshop participants came to Cornell to present the graduate papers they wrote as part of the Master of Law course of study. During the two-day program at Cornell six papers were presented: “Women’s Access to and Control over Land in Uganda: A Tool for Economic Empowerment,” by Naome Kabanda; “One Step Forward, Two Steps Back: The Women’s Movement and Law Reform in Uganda from 1985 to 2000,” by Jacqueline Asiimwe; “Shattering the Glass Ceiling: What Women in Uganda Need to Make it to the Top,” by Harriet Diah Musoke; “Gender Equality and Higher Education in Tanzania,” by Mande Limbu; “Sexual Violence in Tanzania: Sexual Offences Act No. 4 of 1998 as a Case Study,” by Scholastica Jullo; and “Implementation of Affirmative Action in Tanzania’s Parliament: An Assessment of Reserved Seats for Women,” by Jane Magigita. The papers provided expositions of the barriers that African women must surmount to participate equally in politics, employment, and education, and to gain access to land and business. In addition, the paper on sexual violence analyzed the effect of these assaults on women’s lives. Each presentation, which concluded with practical recommendations to deal with the problems at hand, generated significant discussion.

International Law after the Events of September 11

In response to the events of September 11, Professor Ndulo participated in many on-campus discussions of international law. The first such event was a September 17 teach-in that was organized by Cornell University. Professor Ndulo was one of six panelists, and Cornell President Hunter Rawlings moderated.

On September 27, Professor Ndulo gave a lecture, organized by the Cornell Institute for Public Affairs (CIPA), on the use of force in international law with special reference to the events of September 11 (see his article on page 5). On October 1, Law School Deans Teitelbaum and Lukingbeal organized a teach-in for law students, at which professors Ndulo and David Wippman participated in a community discussion.

Professor Ndulo Appointed Director of Institute for African Development

In July, Professor Muna Ndulo was appointed the director of Cornell University’s Institute for African Development. The institute is part of the Einauld Center for International Studies at Cornell. As quoted in the Cornell Daily Sun, Professor Ndulo said, “My priorities include [making] the Institute a center for studies of issues related to Africa and Development. I think that Cornell, with its strength in international affairs, can play a significant role in influencing policies adopted in resolving the direct challenge Africa presents.”

Originally from Zambia, where he was dean of Zambia University School of Law, Professor Ndulo has taught at the Law School since 1984. He has also worked for the United Nations and consulted with the World Bank. He will continue his current teaching responsibilities at the Law School while assuming this important role in the University. As Dean Teitelbaum said, “Muna’s appointment extends our reach across campus... and provides the University with very talented support.”
Law Faculty In the News

National newspapers, wire services, and electronic news media routinely solicit expert commentary and analysis on a variety of legal subjects of interest to the general public from Cornell Law School faculty. Issues on which their views have been recently sought range from post-September 11 implications, to death penalty appeal, to Enron.

Professor Stephen Yale-Loehr, an authority on immigration law, was quoted in The New York Times of November 30 in an article on the legality of the Justice Department’s questioning some 5,000 Middle Eastern men. Professor Yale-Loehr was also quoted that same date in an article in the Baltimore Sun on the Ninth Circuit’s upholding an Immigration and Naturalization Service ruling to tighten visa requirements under a federal program, established in 1990, that allows permanent residency for certain applicants who make an investment of $500,000 or more in an American business.

Professor Steve Garvey was quoted in the Wilmington (DE) News Journal on December 3 regarding Thomas Capano’s appeal of his death sentence to the U.S. Supreme Court and the chances of the high court’s hearing his petition. Mr. Capano was convicted of killing Anne Marie Fahey, who was Delaware Governor Tom Carper’s scheduling secretary.

The Wall Street Journal quoted Professor Faust Rossi at length in a December 14 feature titled, “Bin Laden Tape Prompts Question: Would Courts Admit It As Evidence.” The Journal reported that “Faust Rossi, an evidence expert at Cornell Law School, says the question of whether Mr. Moussaoui knew the full extent of the conspiracy is irrelevant to establishing his guilt. ‘Conspiracies can take strange twists and turns,’ Professor Rossi says. ‘The fact that the plan turned out to be other than he thought isn’t going to reduce his guilt.’”

Professor Muna Ndulo was quoted in a December 23 Reuters news service article, datelined Lusaka, Zambia, about Christon Tembo, leader of Zambia’s opposition party: “‘Tembo is basically a good man. He has experience running a large organization—the army. As far as I know, he is not corrupt,’ said Zambian law professor and political commentator Muna Ndulo of Cornell University in the United States.”

In a January 10 Associated Press story, datelined Trenton and published in The New York Times online, Professor Claire Germain was quoted in a story titled, “Papers From Nuremberg Trial on Web,” about selected documents from General William J. Donovan’s Nürnberg Trials archive going online at Rutgers’ Journal of Law and Religion. The piece also quotes Cornell alumnus (and Law School benefactor) Henry H. Korn, who purchased the Donovan materials from the OSS founder’s law firm and donated it to the Law School.

Hannah Buxbaum on Conflict of Laws and International Regulation

On Thursday, September 27, the Berger International Legal Studies Program and the Briggs Society of International Law hosted its first buffet luncheon of the academic year with featured speaker Hannah L. Buxbaum ’92.

Professor Buxbaum delivered an informative talk on the relationship between diverging national regimes of international financial regulation and the resolution of conflicting laws in a context of increasing international trade. She emphasized the movement away from traditional concepts of state sovereignty and toward notions of party autonomy, state cooperation, and legal compatibility. While outlining the practical methods of implementing this new approach and the benefits that would accrue from it, Professor Buxbaum cautioned that it could produce a previously unknown and unwarranted preference for the regulatory regimes of internationally dominant states.

Professor Buxbaum received her B.A. and J.D. degrees from Cornell, in 1989 and 1992, respectively. She received her LL.M. degree in 1993 summa cum laude from the University of Heidelberg as a Gould-Schurman fellow. Professor Buxbaum currently teaches at the Indiana University School of Law at Bloomington and has written prolifically on international legal issues.
Gordon Chang on China’s Collapse
On October 17, the Berger International Legal Studies Program, the Briggs Society for International Law, and the Clarke East Asia Fund hosted a buffet luncheon featuring Mr. Gordon Chang ’76 as guest speaker. Mr. Chang was a partner with Paul Weiss Rifkind Wharton & Garrison in both its Shanghai and Beijing offices. He is the author of The Coming Collapse of China, published last July.

In his talk, “World Trade Organization Membership: Trigger for China’s Collapse,” Mr. Chang argued that, despite China’s leadership and the international economic community’s encouragement, joining the WTO will result in China’s collapse in the next five years. He called for a dialogue concerning the PRC’s weaknesses before it is too late to make desperately needed changes. Among China’s economic problems, Mr. Chang emphasized high public debts, which statistically are not accounted for in China’s economic policy. He also discussed the problems connected with China’s transition to the fourth generation of Communist Party leadership. Mr. Chang predicted decreased U.S. exports to China as a consequence of September 11.

International Commercial Arbitration Under ICC Auspices
On November 9, the Berger International Legal Studies Program and the Briggs Society of International Law hosted, as part of Professor Barceló’s International Arbitration class, a seminar featuring Denis Bensaude. Mr. Bensaude delivered a talk entitled “International Commercial Arbitration Under ICC Auspices.”

In his lecture, Mr. Bensaude outlined the pioneering role of the International Court of Arbitration, which since its foundation in 1923 has led the way in gaining worldwide acceptance of arbitration as the preferred method of international commercial dispute resolution. Mr. Bensaude discussed the specific functions of the Court before focusing on the difficulties presented by national mandatory law and arbitration cost allocation.

Mr. Bensaude is a 1994 LL.M. graduate. He currently serves as clerk of the International Court of Arbitration at the International Chamber of Commerce in Paris, France.

NALSA Semester Projects
The Native American Law Student Association (NALSA) was very active during the fall semester of the 2001–2002 academic year. NALSA held a successful food sale in early October to raise funds for Native Americans affected by the events of September 11. The group also brought many prominent figures to the Law School to speak on issues affecting Native communities in the U.S.

On October 22, in conjunction with Professor Dale White’s Federal Indian Law class, NALSA helped sponsor a presentation by Arlinda Locklear. M. s. Locklear, the first Native woman to argue before the U.S. Supreme Court and currently a partner in the Washington, D.C., law firm of Patton Boggs, explained her work on the Oneida land claims cases and how she successfully argued before the Supreme Court that Native Americans have a federal common law right to sue for possession of tribal land taken from them in violation of federal law.

On November 5, NALSA hosted Kevin Gover, former U.S. Assistant Secretary of State of Indian Affairs and current partner in the law firm of Steptoe & Johnson. Mr. Gover’s class presentation focused on the procedure by which Native American tribes gain recognition by the federal government, as well as on several of his own decisions, made during his tenure as Assistant Secretary, to grant such recognition. During his evening presentation, Mr. Gover advocated a new approach to federal Indian policy, which reverts to making agreements with individual tribes rather than attempting to forge all-encompassing legislation.

Finally, on November 30, NALSA sponsored a brunch presentation by Ms. Wilma Mankiller, former principal chief of the Cherokee Nation of Oklahoma (and one of the women featured in the Women on the Walls project at the Law School). Ms. Mankiller talked about her work in tribal government as well as the need for Native and other peoples to retain their community and religious connections.

Over winter break, two of NALSA’s first-year members, Jennifer Cooper and E. Sequoyah Simermeyer, participated in a newly-created “shadow program” with the Oneida Indian Nation Legal Department. The group’s members look forward to an even more active semester in the spring and encourage all members of the Law School community to become involved.
**Professor Rudden Donates Rare Book**

Professor Bernard Rudden has enhanced the rare book collection of Cornell Law School with a most generous gift: a 1671 pocket edition of Littleton’s Tenures in both French and English. This small volume is the only known bilingual edition and provides an excellent example of “Law French,” the “legalese” used by English courts until 1650.

Sir Thomas Littleton (1415–1481), an English judge, wrote Tenures sometime between 1465 and 1475, not as a treatise on land law but as a private legal instruction book for his son. According to A.W.B. Simpson in the Biographical Dictionary of the Common Law, “Tenures (published after Littleton’s death) was both the first law book printed in England and one of the most successful English law books ever written. It quickly became an accepted authority in the courts and for several centuries was one of the first books placed in the hands of law students.”

The success of Tenures can be attributed to its simplicity. Mr. Littleton kept to his stated purpose: communicate an elementary understanding of legal reasoning. Neither the original printing nor the 1671 edition contains footnotes or references to cases. Expository in form, Tenures is designed to be read cover to cover. This pocket edition is small enough to be carried in the sleeve of a judge’s robe for quick reference.

The 1671 edition reflects the writing style of the fifteenth century and the printing conventions of the seventeenth century. It is filled with free-form spelling, quaint legal terminology, and ancient property law concepts, such as “feesimple,” “feetaile,” “villenage,” “joynt-tennants,” and “parceners by customie.” Littleton’s work has relevance today as well, for United States law borrows heavily from the English common law explained in Tenures. The book can be seen in Myron Taylor Hall’s Dawson Rare Book Room by appointment.

Professor Rudden has been a frequent and distinguished visitor to Cornell Law School from Oxford University for many years. In addition to teaching numerous classes, he is a renowned scholar who has plumbed the depths of the library collection for his research projects.

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**Law Library Enters Partnership with Small Business Administration**

The Small Business Administration invited the Law Library to participate in a pilot project by reviewing, revising, and maintaining New York state information presented on the agency’s new website, Businesslaw.gov. Businesslaw.gov, which made its formal debut on December 5, is designed to help small businesses cope with the legal and regulatory issues associated with starting and running a business. The New York pages present state-specific information with links to helpful resources on 12 different subjects, including Choosing a Business Structure; Franchises; Selecting a Location; Financing; Licenses and Permits; International Trade, and more. The New York pages also offer information about assistance to small business owners adversely affected by September 11.

The Law Library was pleased to work as the SBA’s New York partner in phase one of this project and looks forward to working with the SBA on its e-government initiative to expand the site by adding more information and offering new services to small businesses.

In addition to the Law Library’s participation, the Cornell Legal Information Institute appears on Businesslaw.gov as the primary link to federal statutes and state laws and regulations.

**Enhanced Externship Program**

Cornell Law School’s full term externship program underwent a significant revision and expansion for the fall 2001 term. The course permits third-year students to receive course credit while working full-time at an off-campus placement, under the direct supervision of an attorney, while maintaining contact with one of the Law School’s instructors.
Before last fall, the externship program required each student to find a faculty member who was willing to supervise his or her particular work placement. The program did not offer the opportunity for systematic sharing of experiences or communication among the students.

The program revisions, made under the direction of associate dean for academic affairs Gary Simson, allow for a more consistent directed learning experience and greater interaction both among the students and between the students and the faculty. Glenn Galbreath and JoAnne Miner, both senior lecturers in the clinical program, assumed responsibility for developing, teaching and supervising the course. They drew on their extensive experience supervising students in the clinics and in other externship courses to create a program that enhanced the students' placement learning experience.

Twenty-two students participated in the course. They found their own placements in a variety of legal settings and completed an application form detailing the work they would be doing, the nature of the supervision the site supervisor would provide, and the ways in which the experience would enhance their legal education. The faculty approved the placements only after being satisfied that the work required of the students would achieve educational goals. At the beginning of the semester, each student, with the involvement of the placement site supervisor, set educational goals for the placement and strategies for realizing those goals.

This approach proved useful to both the students and the faculty supervisors in assuring that the students gained the experience they were seeking. Mr. Galbreath and Ms. Miner used web board discussion groups to have weekly “conversations” with the students. The web board allowed the students to “talk” to each other on selected topics. Mr. Galbreath and Ms. Miner also reviewed and commented on the students' weekly journals, which, along with the web board, allowed the students to reflect on their experiences, to evaluate the work they were doing, and to consider such issues as the role of the lawyer, the strengths and limitations of the law, and the resolution of ethical dilemmas faced by lawyers in their practices. Midway through the semester, Mr. Galbreath and Ms. Miner visited each student on site and met with the respective supervisors to ensure that the arrangement was meeting everyone's expectations.

The students found placements in cities across the country: Boston, New York, Washington, D.C., Los Angeles, San Francisco, Seattle, Albany, Syracuse, Cleveland, Houston, and Minneapolis. The respective offices of federal and state prosecutors, public defenders, a state attorney general, and the ACLU were the work sites of some of the students, while others pursued their respective externship experiences at programs serving children, legal services offices specializing in employment rights, immigration and human rights, programs serving the Asian-American community, Export-Import Bank, and in the office of a United States senator. Other students worked in news organizations and one student worked for the NFL.

From every perspective, the program was highly successful. The students expressed great satisfaction with the extent and uniqueness of this opportunity, which provided an intensive, first-hand glimpse of the world of practice, and the placement site supervisors were similarly enthusiastic about the high level of skills the students displayed, the responsibility they showed, and the quality of the work they produced. The students gained a true appreciation of the preparation they had received at the Law School, and their supervisors uniformly expressed the hope that future Cornell Law School students would choose to participate in the full term externship in their offices. This spring, the Law School community looks forward to the students’ last course requirement: formally sharing their experiences with other law students in order that the latter may profit from the externs’ experiences.

The Cuccia Cup Moot Court Competition was held on November 3 with students arguing the fictional case of Kurtz v. State of Arena before the Hon. Frederick J. Scullin Jr., Chief District Judge for the U.S. District Court, Northern District of New York; the Hon. Cornelia G. Kennedy, Senior Judge for the U.S. Court of Appeals, Sixth Circuit; and the Hon. Ellsworth A. Van Graafeiland ’40, Senior Judge for the U.S. Court of Appeals, Second Circuit. The petitioner was successfully represented by Shane D. Cooper ’03 (far left) and Davis B. Tyner ’04 (left) while the respondent was represented by Joseph V. Cavanagh ’03 (far right) and Jacob R. Lilly ’03 (right).
Our Sincere Apologies

- Class of 1951. Richard A. Schwarz’s name was misspelled.
- Class of 1971. Steven K. Weinberg ’71 and Sharon Lawner Weinberg, A.B. ’68, M.A. ’70, Ph.D. ’71 were omitted from the list of newly endowed scholarships. Mr. and Dr. Weinberg endowed the Steven and Sharon Weinberg Scholarship in 2001.
- Class of 1982. Gary I. Walt’s name was misspelled.
- Class of 1984. Craig B. Klosk ’84 was omitted from his class list and should have been recognized at the Robert S. Stevens Society level of giving.
- Class of 1997. Christian O. Nagler ’97 was omitted from his class list and should have been recognized at the Charter Society level of giving.

Class of ’01 Tops in NY on Bar Exam
Members of Cornell Law School’s J.D. class of 2001 who took the New York State Bar Exam for the first time last July passed at the highest rate of all first-time exam-takers. It is the second consecutive year that the Law School’s J.D. class has ranked first, a distinction only New York University Law School has also achieved.

Of Cornell Law School’s 107 first-time examinees, 103 passed the difficult New York bar exam: a pass rate of 96 percent. By way of comparison, the respective pass rates of other New York schools were 94% (Columbia), 93% (Fordham), 86% (Cardozo), 82% (Brooklyn), and 82% (St. John’s). Among graduates of all law schools who took the test, Cornell’s newest J.D.’s again placed the highest—and bested the Law School’s J.D. class of 2000’s first-time pass rate of 94% as well.

Reunion Task Force Underway
The first Reunion Task Force meeting was held on October 10 in New York City. Members of the committee reviewed a 10-year statistical report of Reunion giving and participation, as well as the most effective practices of peer institutions, and how they would proceed in conducting a formal assessment of the program.

“Increasing alumni participation in the life of the Law School is a critical factor in its ability to remain financially secure and poised for growth,” said C. Evan Stewart ’77, chair of the task force. “Reunion class initiatives provide the institution an unusual opportunity over most other advancement programs. Reunion is the major engine to help the finances of the Law School. Very few opportunities exist to raise money on an ongoing basis. As such, we need to be very attentive to this program, ensuring it remains a centerpiece of our development efforts.

“There is now a rich tradition of classes uniting to give something back at Reunion,” he said. “The Task Force’s formal recommendations will allow the Law School to make more informed decisions about the future of the program, identify areas in which the current program is performing well and the areas that need to be strengthened. Each of us on the committee is very committed to this effort.”

The Reunion Volunteer Task Force Committee consists of Mr. Stewart, Charles M. Adelman ’73, Mary Gail Gearns ’85, Sheppard A. Guryan ’67, Donald R. Peck ’86, Deborah A. Skakel ’83, and Jay W. Waks ’71. The committee remains interested in your feedback regarding both the social and financial aspects of Reunion. Please direct communications to Mr. Stewart at estewart@winston.com.

Career Office Among Nation’s Best
Cornell Law School’s Career Office ranked second in the nation for effective placement of its graduates, according to a survey of 5,165 summer associates conducted by American Lawyer and its popular and widely-distributed magazine, L.

On a one-to-five scale (five being highest rank), Cornell Law School rated 4.33, well above the national average of 3.75. Only New York University School of Law scored higher.

“We are very pleased by the recognition of so many summer associates in L magazine’s survey,” said associate dean and dean of students Anne Lukingbeal, whose office oversees career planning at the Law School. “The staff in the Career Office works diligently to assure the placement of our graduates in the best law firms and public sector offices in the country.”
Career Office Updates

The Career Office began the fall semester with the annual August Job Fair, held in New York City on August 15, 16, and 17. The event marks the start of the fall interviewing season for second- and third-year students, which includes four weeks of on-campus interviews and job fairs in Boston, Washington, D.C., Chicago, Dallas, Los Angeles, and San Francisco. Despite the challenges that the events of September 11 and the nation’s sluggish economy presented to both students and employers, the interviewing season was a tremendous success. Legal employers continue to recruit Cornell Law students in great numbers and at a furious pace. This year’s employment rate for second- and third-year students remains on par with the rate achieved during the healthy market of recent years.

In addition to a very busy interviewing season, the Career Office continued its tradition of sponsoring and co-sponsoring an educational program schedule that covered a wide range of topics and featured numerous guest speakers. The Career Office designs its programs to address the specific needs of first-year, upper-class, and LL.M./JSD students, and to give students opportunities to learn important job search skills like interviewing, resume drafting, and developing job search strategies. The fall schedule also included programs that dealt with particular practice areas and unique career paths. These programs, often co-sponsored by student organizations, featured as guest speakers Law School alumni, administrators, faculty, and students, all of whom shared their perspective and expertise. A similar program schedule, which will address different topics, is slated for the spring semester.

The Fall 2001 Career Office Programs

First-Year Student Programs:
- First-Year Orientation to the Career Office
- The Annual Public Interest Expo
- Planning Your First Summer Job Search
- Resume Workshops for First-Year Students
- Career Library Tours for First-Year Students

LL.M. and JSD Student Programs
- LL.M. and JSD Orientation to the Career Office
- General Career Information for LL.M. and JSD Students
- Using the Internet in Your Job Search
- Introduction to the International Student Interview Program (ISIP) for LL.M. and JSD Students

Career Programs Featuring Guest Speakers

- “LL.M. and JSD Program: Using the Internet in Your Job Search,” co-sponsored with the Cornell Law Library, with Charlotte Bynum, reference librarian, Cornell Law Library; and Patricia Court, assistant director for administration and public services, Cornell Law Library.
- “From International Lawyer to Author: The Career Path of Gordon Chang, J.D. ’76,” co-sponsored with the Asian American Law Students Association, with Gordon Chang ’76, author of The Coming Collapse of China (Random House, August 2001).
- “Saving Pacific Salmon: Lessons Learned from Bill Gates,” co-sponsored with the Environmental Law Society, with Kaitlin Lovell ’00, salmon policy coordinator, Trout Unlimited, Western Conservation Office, Portland, OR.
- “Conducting a Job Search in the U.S.: An LL.M. Alumni Panel Discussion,” co-sponsored with the Graduate Legal Studies Program, with Samuel Huen, LL.M. ’00 (associate, Shearman and Sterling, New York, N.Y.) and Jose M. Layug, LL.M. ’00 (foreign associate, Sullivan & Cromwell, New York, N.Y.).
- “Employment Opportunities at Small Firms” with Carolyn Lee ’99 (associate, Harris Beach, Ithaca, N.Y.), Risa Mish ’88 (director of alumni relations, Cornell Law School), and Patrick Solomon ’95, (Partner, Dolin, Thomas, and Solomon, Rochester, NY).

Upper-Class Student Programs:

- Interview Workshops
- Call-Back Interview Workshops
- Clerkship Opportunities for Second-Year Students
- Clerkship Opportunities for Third-Year Students

Career Office open house in October
Harry B. Ash, associate dean for external relations, continued to represent the school with alumni and friends. In August, he hosted a foremost benefactor ceremony at the Cornell Club in recognition of the late Albert Heit ’34, and his wife, Natalie Heit. The Heits recently provided Cornell Law School with two major student fellowships. Dean Ash also traveled to Albany to discuss “A Gift Through Time” scholarship campaign with alumni.

Dean Ash’s preparation for major gift proposals and initiatives continued, and his fall travel included meetings in New York City, Rochester, Buffalo, Washington, D.C., and northern Virginia. In early October, he oversaw the launching of revised Law School web pages, including the home page and pages for the development and alumni relations departments. Deans Teitelbaum and Ash also met with alumni at the New York offices of Clifford Chance Rogers & Wells to review the current state of the school and emerging priorities.

At year’s end, “A Gift Through Time Scholarship Campaign,” managed by Dean Ash, surpassed the original $4 million goal. This achievement will allow the Law School to offer greater financial aid to worthy and needy students. Since the campaign was announced in January 2000, alumni and friends have generously endowed new scholarships or added support to existing scholarships.

During the Law School’s international forum in Paris last June, John J. Barceló, the William Nelson Cromwell Professor of International and Comparative Law and the Elizabeth and Arthur Reich Director of the Berger International Legal Studies Program, traced the history of the Law School’s international program at the forum dinner honoring Jack and Dorothea Clarke, who have endowed the new Clarke Center of International and Comparative Law at Cornell. Professor Barceló’s remarks are included in a piece titled “International Law at Cornell Law School,” co-authored with Dean Teitelbaum and published in the fall, 2001, issue of the Cornell Law Forum. Professor Barceló also taught an introductory course on European union law during the summer institute session.

On October 24 Professor Barceló was a panelist at an ABA Legal Education Section Conference, held at Hastings Law School in San Francisco, on “Partnership in Legal Education for the XXI Century: A Dialogue Between American and Foreign Legal Educators.” Professor Barceló spoke on the dual degree programs that Cornell Law School has established with the universities of Paris I at the Sorbonne and Humboldt in Berlin.

Thomas R. Bruce, research associate and co-director of the Legal Information Institute, spent the first two weeks of August at the University of Melbourne, teaching a course on Legal Information Systems for LL.M. students and law librarians from Australia, Indonesia, Thailand, West Germany, and Hong Kong. Now a senior international fellow and a member of the advisory board for the program in e-business law at the University of Melbourne, Mr. Bruce repeated the course in January.

In early October, Mr. Bruce “traveled” to Stockholm via teleconference, delivering a presentation and seminar to a conference on public legal information sponsored by the Swedish government. Much of Mr. Bruce’s fall semester was taken up with the construction of a new electronic version of the United States Code, funded by the Center for the Public Domain. The Legal Information Institute team working on the Code has used novel methods of document analysis and quality-assurance metrics to create a vastly improved electronic edition that was released in time for the New Year and is currently in place. In late November, the team traveled to Washington, D.C., at the invitation of a joint technical committee from the United States House of Representatives, the United States Senate, the National Archives and Records Administration, the Government Printing Office, and the Library of Congress. There, Mr. Bruce and the LII team presented their work on the “nuts and bolts” of Code publishing to a receptive audience, opening the way for collaborative projects in the future.
Steven D. Clymer published “Compelled Statements from Police Officers and Garrity Immunity” in the November issue of the New York University Law Review. The article explores the problem created for criminal prosecutions of police officers when suspect officers are first subjected to compulsory administrative questioning. Courts treat statements compelled from police officers during administrative questioning the same as formally immunized testimony, and have determined that they can taint other evidence, witness testimony, and prosecutorial decision-making. Professor Clymer offers and analyzes several possible solutions to this problem.

While on study leave this fall, Professor Clymer completed a draft of an article on the Miranda doctrine, tentatively titled “Are Police Free to Disregard Miranda?” The article explores whether police have an obligation to comply with the Miranda requirements and describes the incentives that courts have created for police to disregard them.

Nancy Cook, director of the Cornell Legal Aid Clinic, has been working with Marjorie Olds ’76 and others from Cornell University and Ithaca College to develop an academic program at MacCormick Center, a secure residential facility for male youths convicted of adult crimes. In the fall, Ms. Cook and Joshua W. Walker ’02, a former participant in the Youth Law Clinic, began teaching an advanced writing course at MacCormick. Starting this spring, a number of college-accredited courses are being taught at the facility. Students in the Law School’s Youth Law Clinic will be involved in the teaching of one of the courses, an introduction to law.

“The Sky in a Box: Reflections on Prisons, Preachers, Storytelling and Salvation,” is a combination short story and essay written by Ms. Cook that is due to be published by the Florida Coastal Law Journal as part of a symposium on therapeutic jurisprudence. “The Sky in a Box” explores concepts of salvation and redemption within the American penal system. In addition, Ms. Cook and visiting clinical faculty member Robert Seibel recently wrote the introduction to The Inaugural Creative Writing Contest, a compilation of the winning entries in the first creative writing contest sponsored by the Clinical Legal Education Association. The introduction, also published in the Thomas M. Cooley Journal of Practical and Clinical Law, evaluates the connections among creative writing, effective law practice, and teaching.

In July, Charles D. Cramton, assistant dean for graduate legal studies, worked with Professors Barceló and Wippman on the annual Summer Institute of International and Comparative Law in Paris, which had 134 students from 37 countries participating in nine law courses. In conjunction with the institute, Dean Cramton attended the Law School’s first international forum in Paris.

Dean Cramton’s article, “Joint Degree Programs,” was published in the Dickinson Journal of International Law. As a member of the American Association of Law Schools’ Section on Graduate Programs for Foreign Lawyers, Dean Cramton worked with the section’s nominating committee to select the officers who were elected at the annual meeting of the AALS in New Orleans, in January. Dean Cramton continued as one of sixteen members of the New York State Continuing Legal Education Board (which oversees mandatory continuing legal education in the state). In addition to his regular duties, Dean Cramton sat on the application review committee and on the Internet subcommittee, which presented a report to the full board at its December meeting. Dean Cramton continues to represent the Law School on the New York State Bar Association Committee on Legal Education and Admission to the Bar.

For a symposium issue of the DePaul Law Review, Roger C. Cramton, the Robert S. Stevens Professor of Law Emeritus, prepared a paper discussing the ethical conduct of lawyers defending and attacking tobacco companies during recent decades. For a Fordham Law School conference on “furthering the interests of justice,” Professor Cramton prepared a paper that argues primarily that justice would be advanced if some modifications were made in the adversary system to deter abusive litigation conduct, promote more truthful outcomes, and reduce the dominance of money, lawyer ego, and “winning” in high-stakes litigation. Professor Cramton also participated in the National Professional Responsibility Conference in Miami Beach from May 30 through June 1; the Federalist Society National Lawyer Convention held in Washington, D.C., on November 15, 16, and 17; and a council meeting of the American Law Institute in New York City on December 3, 4, and 5.
In September, Theodore Eisenberg, the Henry Allen Mark Professor of Law, presented “Damage Awards in Perspective: Behind the Headline-Grabbing Awards in Exxon Valdez and Engle” at a symposium on punitive damages at Wake Forest Law School. The paper was published in the fall issue of the Wake Forest Law Review. Also in September, Professor Eisenberg attended the annual meeting of the Canadian Law and Economics Association, in Toronto. He presented “The Fate of Firms” (co-authored with Clas Bergström and Stefan Sundgren). Professor Eisenberg also served on the Program Committee of the Law and Society Association and met with other committee members in Montreal to help plan the association’s annual meeting in Vancouver this spring.

In November, Professor Eisenberg presented a paper to Princeton University’s Law and Public Affairs Program. The paper, “Explaining Death Row’s Population and Racial Composition” (co-authored with John Blume and Martin Wells), explores the factors affecting the size and racial composition of states’ death rows. Also in November, Professor Eisenberg appeared as a panelist at the Federalist Society’s annual meeting in Washington, D.C. He presented “Judges, Juries, and Punitive Damages.”

In December, the International Review of Law and Economics published “Secured Debt and the Likelihood of Reorganization,” (which Professor Eisenberg co-authored with Clas Bergström and Stefan Sundgren). Professor Eisenberg also served as an expert witness in a South Carolina capital murder case, reporting evidence of an empirical study of the relation between a victim’s race and a prosecutor’s decision to seek the death penalty.

In late 2001, Professor Eisenberg’s article on “Damages and Remedies” was published as part of the 26-volume International Encyclopedia of Social and Behavioral Sciences. Throughout the fall, he served as a court-appointed mediator for the largest bankruptcy in the Northern District of New York.

After returning from teaching in the Paris Program, Martha Albertson Fineman, the Dorothea S. Clarke Professor of Feminist Jurisprudence, traveled to San Francisco in August to give a paper at the American Political Science Association. In September, Professor Fineman was part of a distinguished group of experts gathered at the “National Colloquium on Feminism, Multiculturalism and Group Rights” at the University of Utah. The Philosophy Department at Utah sponsored the colloquium.

In late 2001, Professor Fineman was scheduled to be one of the main speakers at a conference honoring Professor Robert Levy on his retirement from the University of Minnesota Law School. Planned for mid-September, the conference was cancelled due to the tragic events of September 11. The papers written for that event will be published in an upcoming issue of the Family Law Journal. Professor Fineman’s paper addresses domestic violence and custody adjudication.

Professor Fineman was a distinguished visiting scholar at Cleveland-Marshall College of Law in October. She lectured in several classes, conducted a faculty seminar on jurisprudence, and delivered a paper on the topic of Feminism and Family Law, which will be published in the school’s law review.

The Feminism and Legal Theory Project, which Professor Fineman directs at Cornell Law School, sponsored the visit of eight African scholars in November. The women are part of the Leadership and Advocacy for Women in Africa Program at Georgetown University School of Law. They presented papers over the course of two days on a wide range of topics.

Glenn G. Galbreath, senior lecturer and staff attorney in the Cornell Legal Aid Clinic, was one of the regular instructors for the Unified Court System’s Advanced Certification Training Program for Town and Village Justices. He attended the Justice Institute Program for those instructors in September and on October 20th made a presentation to regional town and village justices on the topic of Judicial Ethics.

Mr. Galbreath was one of the speakers at New York’s Sixth Judicial District’s town hall meeting, which was televised from Ithaca on September 25th. His presentation focused on the role of town and village justice courts in New York’s judicial system.

This past fall, Mr. Galbreath and JoAnne Miner taught the Law School’s revised and expanded full-term externship course. They had 22 law student externs working with attorneys in a wide variety of governmental and non-profit agencies around the nation. The externs and faculty maintained regular contact
through e-mail, journals, web board discussions, and faculty visits to the externs and their on-site supervisors.

In July, Claire M. Germain, the Edward Cornell Law Librarian, spoke at the annual meeting of the American Association of Law Libraries in St. Paul. Her topic was “Long Term Access to Digital Legal Information: Learning by Doing.” Professor Germain was appointed chair of the NELLCO (New England Law Libraries’ Consortium) Task Force on Digital Archives. The task force will investigate archiving issues, including a survey of currently archived materials, storage needs, and current and potential digital projects.

In collaboration with the U.S. Department of State, Professor Germain started a project to help the University of Tunis Law School build a library collection for a new Master’s Degree program in the Common Law (Diplôme d’Études Approfondies in Common Law).

Robert A. Green presented a paper on “The Interaction of Tax and Non-Tax Treaties” at an October conference, “Tax Treaties in the Twenty-first Century,” in Amsterdam. The conference was sponsored by the Harvard Law School International Tax Program and the Organization for Economic Cooperation and Development. Professor Green’s paper addresses the issue of how international trade and investment agreements should deal with income tax matters. It will appear in a joint publication of the International Bureau of Fiscal Documentation and the Canadian Tax Foundation. Professor Green also presented this paper in October at the University of Michigan Law School.

Last summer, Professor Green was a commentator on a paper on “Tax Competition and E-commerce” at the Conference on World Tax Competition in London. In December, he was a commentator on a paper on “A Destination-based Corporation Tax” at the International Seminar in Public Economics conference on Income Taxation and Financial Innovation, held at the University of California at Berkeley.

George A. Hay, the Edward Cornell Professor of Law and professor of economics, was on sabbatical leave from the law school during the fall semester. He spent October in Australia, mixing personal and professional business. In November, he was on several panels at the Sedona Conference Antitrust Workshop in Sedona, Arizona, and gave the principal paper on the subject of “The Monopolist’s Duty to Deal.”

Robert A. Hillman, the Edwin H. Woodruff Professor of Law, co-authored with Professor Rachlinski an article titled “Standard Form Contracting in the Electronic Age,” that was accepted for publication in the May issue of the New York University Law Review. Professor Hillman presented the paper to Cornell Law School faculty in late August.

Professor Hillman also completed a paper to be published in a symposium issue of the Fordham Law Review, honoring Professor Joseph M. Perillo Jr. ’55 on the occasion of his retirement. The paper’s working title is “Rolling Contracts,” a term used by some to define contracts in which parties see the terms only after purchasing goods. Professor Hillman is trying to come up with a more clever title, such as “Rolling Contracts Gather No Moss,” but as Judge Easterbrook stated (in reference to one possible legal analysis of rolling contracts), “Where’s the sense in that?”

In August, Professor Hillman addressed Cornell Law School’s entering class at a brunch at the Yacht Club of Ithaca. In October, Professor Hillman traveled to Denver to meet with the American Association of Law School’s Professional Development Committee. In November, he was appointed chair of that committee.

Kent Receives Honorary Degree

Professor Emeritus Robert B. Kent received an LL.D., honoris causa, from Roger Williams University Ralph R. Papitto School of Law last May. Professor Kent has served as a distinguished visitor at the Papitto School of Law while continuing as an emeritus professor at Cornell Law School.

Professor Kent’s citation notes his many achievements in the academic and public spheres, as well as his wisdom, reason, and compassion. Specifically, it states that he is a “steady hand and a resource for students, faculty, and staff alike. His is a voice of calm, reason, and compassion that has been invaluable … [he] will forever be an essential part of this school’s proud history.”
Douglas A. Kysar presented “Law and Ecological Economics” at the annual meeting of the Canadian Law and Economics Association, in September; at the Georgetown University Law Center’s Environmental Research workshop series in October; and as part of Cornell Law School’s faculty workshop series in November. In this presentation, Professor Kysar argued that current macroeconomic modeling misconstrues the relationship between human economic activity and the environment. Altering one’s assumptions regarding the ability of nature to provide material inputs for and absorb waste outputs of the economic process leads to dramatic shifts in policy goals. Particularly, in addition to establishing market conditions that allow resources to be devoted to their most-valued use, governments must manage the absolute “scale” of the human macroeconomy in order to ensure that its impact does not exceed the carrying capacity of the relevant ecosystem. “Law and Ecological Economics” builds on an earlier work by Professor Kysar, “Sustainability, Distribution, and the Macroeconomic Analysis of Law,” which will be published by the Boston College Law Review in early 2002.

Also during the fall, Professor Kysar completed work on a review of consumer marketing uses of United States census data. Titled “Kids and Cul-de-sacs: Census 2000 and the Reproduction of Consumer Culture,” the review will be published by the Cornell Law Review in early 2002.

Anne Lukingbeal, associate dean and dean of students, participated in the American Bar Association’s site inspection of the Barry University School of Law in Orlando, Florida, from September 9 through 12. The school has applied for provisional accreditation status with the ABA.

On September 19, Dean Lukingbeal hosted the annual Women’s Law Coalition dessert at her home to welcome incoming students and introduce them to students and faculty. On October 1, she moderated a panel for Cornell University students entitled “More Than You Ever Wanted to Know about Law School Admission.” On November 9 and 10, she represented Cornell Law School at the Los Angeles forum, where more than 1500 potential law school applicants met with recruiters from 130 law schools.

This summer, Jonathan R. Macey, the J. Duprat White Professor of Law and Director of the John M. Olin Program of Law and Economics at Cornell Law School, taught in Cornell’s Summer Program in Paris, lecturing on banking and corporate governance. He also gave a talk at the Cornell-Paris colloquium on “Corporate Governance in Global Markets.” On September 28 and 29, Professor Macey presented a paper on the “Law and Economics of Stock Exchange Listing Fees and Listing Requirements” at the annual meeting of the Canadian Law and Economics Association, in Toronto. On October 4 and 5, Professor Macey spoke at a conference, organized and hosted by the Federal Reserve Bank of New York, on the “Corporate Governance of Banks.” During the Law School’s October recess, Professor Macey served as a distinguished faculty in residence at the University of Toronto, where he gave a short course in financial markets. On October 23 Professor Macey attended a meeting of the Legal Advisory Committee to the Board of Directors of the New York Stock Exchange, during which Harvey Pitt, chair of the United States Securities and Exchange Commission, announced that he planned to appoint two law professors, Cornell’s Professor Macey and Dean Joel Seligman of the Washington University School of Law, to serve as special consultants to the SEC on issues concerning corporate disclosure. On November 30, Professor Macey spoke on market microstructure at the Bank of Canada in Ottawa.

In August, Peter W. Martin, the Jane M. G. Foster Professor of Law and co-director of the Legal Information Institute, led a faculty workshop on teaching with technology at the Ave Maria School of Law. During the fall term, Professor Martin taught an on-line course on copyright for non-law students at Cornell, adapting the distance learning course he created last year. His report on last year’s distance learning courses (accessible at <http://www.law.cornell.edu/background/distance>) and a position paper prepared by participants at the LII’s summer workshop on distance learning figured prominently in the deliberations of the American Bar Association’s Section on Legal Education and Admissions to the Bar. The deliberations produced proposed accreditation standards on distance learning that were released for comment in November.

In September, JoAnne Miner, senior lecturer in the legal aid clinic, was invited to address the Parent Education Advisory Board. This statewide board was appointed by New York State Court of Appeals Chief Judge Judith Kaye to establish standards and policies for parent education programs designed for separating and divorcing parents throughout New York State. Ms. Miner joined a panel of experts who have created and evaluated such programs. The focus of the panel was largely the issue of the appropriate requirements for parent education programs in situations in which domestic violence was present in the family.

In October, Ms. Miner presented an overview of custody and support issues to the participants in Parents Apart, the Tompkins County parent education program that Ms. Miner helped design and implement. Ms. Miner continues to serve on the board of directors of Chemung County Neighborhood Legal Services, the local federally-funded legal service provider.

During the fall semester, Ms. Miner, with Glenn Galbreath, taught the Full Term Externship course. They significantly revised the program by incorporating current technology in the design of the course, including web board discussion groups that each week created a virtual classroom environment in which students compared notes on selected topics.

On August 30, Muna Ndulo gave a seminar talk, titled “Impact of Trade Liberalization on Exports and Growth in Africa,” to the Institute for African Development Seminar Series. On September 17, Professor Ndulo was one of six faculty members who led a University Teach-In to discuss the implications of September 11. On September 27, Professor Ndulo gave a public lecture on the “Use of Force in International Law with Special Reference to the Events of September 11.” In October, he gave a talk to the Ithaca Rotary Club on the topic, “The Use of Force in International Law.” On November 8, Professor Ndulo gave a seminar in the Institute for African Development Seminar Series on the topic, “Apartheid, United Nations, and Preventive Diplomacy.”

Larry I. Palmer continued his work related to legal, social, and ethical implications of the Human Genome Project. He completed work on a manuscript, “Pharmacogenomics and Liability,” that will be published as a chapter in Pills, Genes, and People: The Effects of Pharmacogenomics on Individuals and Population Groups (John Wiley and Sons, Inc.). In March, Professor Palmer presented a paper, “Eugenics Precedents and Genetic Health,” at the Florida State University College of Law symposium, “Genes and Disability: Defining Health and the Goals of Medicine.” Professor Palmer’s paper will appear in a symposium issue of Florida State University Law Review. In April he presented his Florida State paper to the faculty workshop at the University of Indiana School of Law-Bloomington.

The two new papers extend Professor Palmer’s thesis that existing doctrines such as informed consent used by courts to supervise disease management are being modified by the new technologies emerging after the completion of the Human Genome Project. Professor Palmer’s work on the Genomics Task Force at Cornell University has led to his teaching in the spring semester a new course for undergraduates; titled “Law and Biotechnology,” it is part of the Biology and Society Program in the College of Arts and Sciences.

During the fall semester, Professor Palmer gave lectures in the Genetics and Society course in the College of Arts and Sciences, and in the Biomedical Ethics and Clinical Genetics course in the College of Veterinary Medicine. He was appointed a member of the multidisciplinary University Research Ethics Advisory Committee, which will submit to the president of the university and the dean of the Weil Medical College a report that will offer a strategic vision of how Cornell can continue biomedical research and remain accountable to the many publics the university serves.

In January, Professor Palmer presented a paper, “The Public Health Law Paradigm for Patient Safety,” at the Hastings Center meeting on “Promoting Patient Safety: An Ethical Basis for
In December, the Law School was saddened to learn that Professor Walter E. Oberer had passed away in Columbia, Missouri. The cause of death was described as complications related to severe Parkinson’s disease, from which Professor Oberer had suffered for a number of years.

Professor Oberer, a distinguished member of Cornell Law School’s faculty from 1964 to 1973, was also on the faculty of Cornell’s School of Industrial and Labor Relations. He had a reputation as a leading scholar in both labor law and contracts, and was the first holder of the Robert S. Stevens Professorship at the Law School. After leaving Cornell, Professor Oberer taught at Columbia University School of Law and, in 1975, assumed the deanship of the University of Utah College of Law. He retired from Utah in 1994 and, for the last several years, lived with his wife, Dale, in Columbia, Missouri.

In a memo to the Law School, Dean Teitelbaum describes Professor Oberer as “one of the ablest practitioners of the Socratic method [and] very warmly remembered by his students as a formative influence on their intellectual and professional lives.” Said Mark L. Evans ’68, “It was Professor Oberer, more than any other member of the faculty in those days, who taught us to think like lawyers. He was a devastatingly demanding, enormously feared, and greatly beloved Socratic teacher who epitomized the very best of legal education.”

Fair F. Rossi, the Samuel S. Leibowitz Professor of Trial Techniques, once again taught the course “Introduction to the American Legal System” at the Cornell Law School–Paris I Summer Institute of International and Comparative Law.


In August, Professor Rossi co-taught a course on Great American Trials with Glenn C. Altschuler, the Litwin Professor of American Studies. The course was part of the Cornell Adult University Summer program. Professor Rossi addressed the participants on the topic of “The Role of Judges and Juries in Civil Litigation.” He delivered presentations on five famous trials: Leopold and Loeb, the Scottsboro Boys, the Samuel Shepard murder case, and the McMartin Preschool sexual abuse litigation. Woven into these lectures were discussions about contract law to develop a new legal regime to govern electronic transactions. The paper reviews the existing legal regime and its rationale, and concludes that although e-commerce presents some interesting twists, the basic approach courts have created to govern paper-world transactions translates well to the electronic world. During the fall semester, Professor Rachlinski also presented this paper at law school workshops at the University of Iowa, George Mason University, the University of Miami, and Emory University.

Professor Rachlinski also presented a draft paper at the annual meeting of the Canadian Law and Economics Association, in late September. This paper, which analyzes the problem of identifying securities fraud in hindsight, demonstrates that it is easy to overstate the ability of company managers to have predicted bad business outcomes, and thus easy to overstate the prevalence of fraud. Although courts have identified this problem, they have adopted a solution that is far too drastic; consequently, they have failed to embrace a sensible solution.

Professor Rachlinski’s co-author, Professor Mitu Gulati of UCLA, also presented the paper at the annual meeting of the Law and Society Association in Budapest, in July.

Professor Rachlinski recently published, in the Jurimetrics Journal, a brief comment on the growing use of evolutionary biology in legal scholarship. The comment identifies numerous obstacles to applying evolutionary models to legal phenomena. Most notably, Professor Rachlinski worries that this new strain of scholarship will garner too much influence over legal scholars because of its alleged scientific content.

Faust F. Rossi
capital punishment, the development of the accused’s right to counsel, the history of exclusion of blacks from juries, pre-trial publicity, the unreliability of child testimony, and the abuse of prosecutorial discretion.

In December, Professor Rossi provided a videotaped commentary on Samuel S. Leibowitz and the Scottsboro case for inclusion in a History Channel television series on criminal defense lawyers.

**Stewart Schwab** introduced a new course, Contracts in a Global Society, into the curriculum this semester. The course, designed especially for our foreign LL.M. students, is a one-semester introduction to American contract law.

In October, Professor Schwab participated in a workshop at William and Mary Law School on Disability and Identity. He presented a paper titled “Reasonable Accommodation of Workplace Disabilities” with co-author Steven Willborn, Dean of the University of Nebraska School of Law. (The conference took place on the day of the Nebraska-Oklahoma football game, demonstrating the commitment Dean Willborn has to working with Professor Schwab.) Two weeks earlier, Professor Schwab presented the paper at a faculty workshop at Cornell. The paper presents a law and economics framework for understanding the accommodation requirements of the Americans with Disabilities Act.

In November, Professor Schwab played the part of a senior law partner for the mock trial in practitioner-in-residence Howard Hay’s course on Trial Preparation and Practice. Professor Schwab’s hypothetical firm was the defendant in a sexual harassment suit; the jurors found that the firm was not liable.

Professor Schwab presented a paper at the Sloan Workshop on Corporate Governance at Georgetown Law School, in December. Professor Schwab, along with co-author Randall Thomas of Vanderbilt Law School, examined the key legal components of every available chief executive officer contract of the S&P 1500 corporations, analyzing such aspects as which contracts contain do-not-compete clauses (52% of all contracts), arbitration clauses, and various types of just-cause standards for dismissal.

With Randall Thomas, Professor Schwab published “Megaﬁrms” in the *North Carolina Law Review*. That article analyzes the explosive growth of large law, accounting, and investment banking firms in the last decade. The article explains how demand for large projects has fueled much of the growth, whereas prior scholars have emphasized supply-side explanations.

**Steven H. Shiffrin** wrote “Liberal Theory and ‘Loyal Opposition’ in Democratic Justice” for a symposium on Ian Shapiro’s *Democratic Justice*. The essay will appear in *The Good Society* in the spring, together with essays by James Fishkin, Nancy Rosenblum, and a response by Ian Shapiro. Professor Shiffrin also published supplements to the *Constitutional Law and First Amendment* casebooks he co-authors. He continues to work on a manuscript, “The First Amendment and the Socialization of Children: Compulsory Public Education and Vouchers,” which will be presented in the spring as a principal paper in a conference sponsored by the *Cornell Journal of Law and Public Policy*. This paper will ultimately fit into a book Professor Shiffrin is writing on religion and democracy.

In July, Professor Stone spoke at the 2001 Law and Society Meeting, in Budapest, on the subject of “New Approaches to Global Labor Rights.” In October, she spoke on “Informal Workers in the Informal Economy” at a conference sponsored by the Harvard Trade Union Program. In addition, Professor Stone has completed a book-length manuscript on the changing nature of the employment relationship and its implications for labor and employment law. Her book, Governing the Digital Workplace, will be published in 2002.

Robert S. Summers, the William G. McRoberts Research Professor in the Administration of Law, traveled to Italy in October to present a lecture and a seminar at the University of Bologna on the general theory of legal form. Participants in the seminar included members of the faculty of law, the department of philosophy, and graduate students.

In October, November, and December, Professor Summers completed his work on volume four of the fifth edition of The Uniform Commercial Code, co-authored with James White and first published by West Group in 1972. Volume four is 500 pages in length and treats the newly revised Article Nine of the Code, dealing with security interests in personal property. This treatise is regularly cited in the courts (and has edged its way onto many coffee tables).

Professor Summers reviewed the proofs of his article on the differences between form-oriented and rule-oriented analyses in legal theory and the philosophy of law. The article will appear in 2002 in Rechtstheorie, the leading German journal of legal theory. The article is mainly a critique of the legal theoretic methodology of Hans Kelsen and H.L.A. Hart.

Professor Summers continued to serve on the editorial board of the Law and Philosophy Library of Kluwer Academic Publishers in the Netherlands. He also serves on the editorial boards of three foreign journals of legal theory: Associations, edited in Helsinki by Professor Aulis Aarnio; Ratio Juris, edited in Bologna by Professor Enrico Pattaro; and Isonomia, edited in Mexico City by Professor Rodolfo Vazquez.


In September, Professor Wippman was at the Fletcher School of Law and Diplomacy to participate in a workshop on negotiating self-determination in Sudan, and was interviewed on Tennessee National Public Radio on the future of the International Court of Justice. In October, Professor Wippman chaired a panel on “Minorities, Political Participation, and Peace” during the International Law Association’s International Law Weekend in New York City. In November, Professor Wippman joined a roundtable in Washington, D.C., on the evolving sovereignty of Afghanistan.

Charles W. Wolfram, Charles Frank Reavis Sr. Professor Emeritus, continues lecturing and writing. His article, “Toward a History of the Legalization of American Legal Ethics: I. Origins,” recently appeared in the Chicago Law School Roundtable, an interdisciplinary journal. The article traces the history of the regulation of lawyers from the pre-Revolutionary American colonies to the mid-twentieth century. A sequel, “Toward a History of the Legalization of American Legal Ethics: II. The Modern Era,” on the recent history of lawyer regulation, will shortly be published in the Georgetown Journal of Legal Ethics. Volume 37 of the Valparaiso Law Review carries Professor Wolfram’s “Lawyer Crimes Beyond the Law?” in which he examines the extent to which lawyers in their everyday law practice are subject to the criminal law. The article is based on an endowed lecture that Professor Wolfram gave at the Valparaiso School of Law last April.
Freddy Dressen LL.M. '72

“‘There’s no question that I’m pleased with the choice I made 35 years ago to go into law. But why I decided to, I’m not too sure,’” Freddy Dressen jokes. “I was interested in the business world but ended up not going to business school for all sorts of reasons. At that time, in France, there were not too many other avenues besides law for entering the business world.” A native Parisian, Mr. Dressen was drawn to the United States to expand his horizons. “I had come across people who had studied law in the U.S. From the beginning, I had the objective that, when I studied law, I wanted to complete the work I’d do in France with a master’s degree from the States. I was lucky and very fortunate to be able to do so at Cornell.”

After consulting with his wife, Mr. Dressen decided the move would be an enriching cultural experience as well as a unique educational opportunity. Once settled in Ithaca, Mr. Dressen’s wife took a job as an assistant professor of French in Cornell’s department of romance languages. “It was really important to me that my wife have a good time,” Mr. Dressen notes, “because she’d been admitted to Columbia to do a Ph.D. I was grateful to her for having followed me.”

Mr. Dressen recalls the challenge of mastering the English language while he was also pursuing his legal studies. His first three months in Ithaca involved a lot of arduous work, with a great deal of time devoted to reading and preparation. Mr. Dressen laments that things were made more difficult by his unfamiliarity with the American accent, which sounded nothing like the English accent to which he’d become accustomed during a boarding school experience in England.

Although Mr. Dressen began the study of law immediately after high school, as is the custom in France, he added a fifth year at the Institut de Droit des Affaires de la Faculté de Droit de Paris to take advanced courses in fiscal and commercial law, which entitled him to the Diplôme des Études Supérieures. To augment his legal education, Mr. Dressen wanted to take subjects at Cornell not available to him in France, such as competition law, antitrust and securities regulations. “Nowadays, these subjects are very common. Thirty years ago in France, no one taught or even cared about securities regulations. But I had a feeling that this would come eventually to Europe,” Mr. Dressen says. “I knew that I wanted to be in the business world and that these subjects would help me incredibly. Upon reflection, it was a good choice.”

Mr. Dressen believes his time at Cornell fulfilled its promise. “My experience at Cornell made my professional life, upon returning to Paris, very different, especially in terms of jobs I could apply for and obtain over the years.”

Top: A 1984 view past Myron Taylor Hall to McGraw Tower
After completing his law degree, Mr. Dressen joined the French Peace Corps and went to Tunisia to work as a research and teaching assistant at the École Nationale d'Administration, which trained civil servants. Next, he spent several months as a trainee at the EU commission in Brussels, a move he believes his work at Cornell in competition law made possible. “At the age of 28, I had to get serious about getting a real job,” he says with amusement. “I decided to look in a very systematic manner. I knew I was best equipped to work for an American or English firm in Paris. I decided the simplest way was to open the phone book to find out about U.S. and U.K. firms with offices in Paris.”

The simple approach succeeded. Mr. Dressen worked for Cahill, Gordon & Reindel from 1974 until 2000, when the firm moved to London. Deciding not to relocate, Mr. Dressen found a new position with the French firm, Lussan Brouillaud, and has continued his work with non-French companies that do business in France. He focuses on issues related to corporate law, taxes, and employment regulations.

Admitting that he’s French only “by accident,” Mr. Dressen feels that his dual citizenship (his father was a Belgian of Dutch descent and his mother Swiss) inspired him to study in the U.S. “Much to my great disappointment, my daughter went to NYU instead of Cornell. But I have one more hope now with my second and last child, who is only 20. I’m doing my best to talk him into going to Cornell to study business.”

One of Cornell Law School’s strongest supporters in Paris, Mr. Dressen is active in the European alumni group, which began holding reunions in 1990 with support from the Law School. Mr. Dressen is a frequent lecturer in the Berger Program and a second-term member of the University Council.

Last year, he made his relationship to Cornell even stronger by joining the Law School Advisory Council.

~Annie Osburn

Sara A. Lulo ’02

At the age of ten, Sara Lulo was already packing a lot into her days. A competitive figure skater, she was at the rink by five in the morning and at school by eight, trained most of the afternoon, crammed her homework into the evenings, and the next day was on the ice again at dawn. She gave up competitive skating only when more specialized training would have required moving away from her family. “That, to me, was the time to quit,” she says. “I wanted to do other things, like go to high school.” She had, however, learned to discipline herself and to manage her time in a way that would serve her well in any endeavor.

Ms. Lulo’s introduction to international issues came early, too. Her parents emigrated from the Dominican Republic in the sixties and her family often visited relatives in the Caribbean. Her father, an Army doctor, accepted a position in Kansas City after his tour of duty in Europe, and continued to serve in the Army Reserve as Commanding Officer of the 325th General Hospital in Independence. In Kansas City their origin seemed to make the Lulo family unique, but their relatives in the Dominican Republic called Ms. Lulo “la gringa”—“fondly, though” she says with a smile.

A cousin who worked as an economist introduced eight-year-old Ms. Lulo to the field of economic development. Visits to her cousin’s office gave her a taste of the satisfaction such work might bring and an image of the kind of professional she wanted to become. “She was strong, and fun, and gregarious,” Ms. Lulo recalls, “a great role model.”

Ms. Lulo’s spent her high school years at Notre Dame de Sion, a small Catholic girls’ school, whose environment allowed her to participate in discussions and take academic risks. She competed on the debate team and appeared in theatre productions. Most of the school’s graduates attended big state schools in the Midwest. Ms. Lulo liked the idea of doing something different. As a Cornell undergraduate she majored in government, with concentrations in international relations and women’s studies. Ms. Lulo co-chaired her class’s senior class gift campaign and served as alumni class officer, as well as chair of the Tower Club; these experiences showed her, she says, “how institutions work, how donations are used, and how much schools rely on them.”

Ms. Lulo was already considering law school during her senior year at Cornell, but she held off: “I wasn’t ready. I wanted to live in New York, to work in New York.” Recruited by Prudential’s Advanced Management Development Program while still at Cornell, she worked at their headquarters and found time for still more volunteer activities there, chairing a number of community service projects and “getting a window onto the urban revitalization process.” The next step was an M.A. program at New York University, where she completed a year of coursework in Latin American and Caribbean studies. Her thesis dealt with the relationship between economic and political reforms in Cuba.

Ms. Lulo’s previous relationship with Cornell University—and Cornell Law School’s strength in international law—made returning to Ithaca for law school a natural choice. She decided
Cyrus Mehri ’88

Cyrus Mehri’s devotion to the idea of “justice for all” began around the family dinner table. His parents, Iranian immigrants, were always talking about politics. Kennedy idealism, Vietnam policy, Watergate—anything was fair game. “My parents came to America for two reasons. They wanted freedom. They revered the Constitution and the Bill of Rights. And they wanted their children to have a good education.”

His parents’ educational aspirations led Mr. Mehri to the Wooster School. “My years there had a formative influence on me,” he says. “There probably isn‘t another prep school that has such a genuine commitment to diversity. Wooster really led the way in that respect. They had already integrated by the 1950s and the idea of diversity was embedded in the culture.”

Following graduation from Wooster, Mr. Mehri attended Hartwick College, a small school in upstate New York, where he bucked the political apathy trend of the early 1980s by forming an environmental action group and busing students to demonstrations in Washington, D.C. A fall term internship had introduced him to Washington’s public interest community where, he discovered, a person could really get things done. “We would sit in meetings in Oneonta, New York, with community groups, the meetings would take forever, and nothing would happen. In Washington, people would say, ‘We worked hard, we called people, we stayed up all night, and we got this legislation passed.’”

After graduation from Hartwick, Mr. Mehri signed on with Public Citizen, one of Ralph Nader’s public interest organizations. “That was a formative experience, too,” Mr. Mehri recalls. “I worked as a political organizer for Congress Watch [an organization founded by Mr. Nader]. I went around the country and told people about pieces of legislation, talked to them, urged them to write their Congresspeople.”

Law school was a natural next step. “I came to Cornell and spoke to Dean Lukingbeal, and the two of us hit it off. I could see that she had a genuine commitment to creating public interest opportunities at Cornell. Friends said, ‘Cyrus, it will be so conservative! You’ll be so bored!’ But those warnings proved to be completely false. I found studying law intellectually stimulating from my first day as a law student until my last. And I made some of the best friends I’ve ever made; you study together, you play touch football together. It’s a natural bonding experience.”

Mr. Mehri spent his first year after law school clerking for John T. Nixon, the U.S. District Court judge for the middle...
district of Tennessee. “Working for a judge of his caliber was a truly wonderful experience. I learned how the judicial system works, and I had the public service satisfaction of working in the federal judicial system. I wish I’d been able to do it for a couple more years.”

After completing the clerkship, Mr. Mehri began looking for a firm that would allow him to try high-profile plaintiff cases. “I called Tony Roisman, who’s the former executive director of the Trial Lawyers for Public Justice— he’s a legendary guy— and I told him what I was looking for, and he said, ‘There’s only one firm in D.C. like that: Cohen Milstein.’” Mr. Mehri joined Cohen, Milstein, Hausfeld and Toll in 1989, and began tackling powerful corporations in a variety of class-action suits. A case against Bolar Pharmaceutical returned $25 million to defrauded stockholders. Florin v. NationsBank returned $16 million to Simmons Mattress Company’s pension investors.

Mr. Mehri’s role in Roberts v. Texaco, a race discrimination class action suit, brought him to national prominence. Although gender-based class action suits were still being tried, race-based class action suits had dwindled precipitously during the 1970s and 80s, and Mr. Mehri had to convince Cohen Milstein that the case was winnable. Even without a jury’s verdict, Mr. Mehri can claim victory: The Texaco case settled in 1996 for $176 million and Texaco’s agreement to accept unprecedented oversight by an outside task force, which was given wide powers to evaluate the company’s human resource policies.

Although Mr. Mehri describes himself as “the lightning rod” because of his zealous advocacy, he says, “I don’t have any personal animosity toward these companies. I want them to reach their better ideals and aspirations. The companies are better off for going through this, although it’s a painful process.”

For his role in the Texaco case, Mr. Mehri was named a finalist for trial lawyer of the year by Trial Lawyers for Public Justice. He also received a telephone call from an African-American woman who worked for Coca-Cola. That phone call led to nine months of research, 150 employee affidavits, and a class action suit on behalf of African-American employees that Coke settled in 2000 for an historic $192.5 million. This time, Mr. Mehri worked on his own.

“I had just left Cohen Milstein. I wanted to be captain of my own ship. I had no billable clients, no cases, and no office. It was all contingency basis. And I settled the case.” Mr. Mehri’s paralegals were 15 minutes away from filing class certification papers at the courthouse in Atlanta when Coke agreed to a settlement in principle. Talks continued for months but in the end Coca-Cola agreed to pay the aforementioned damages, as well as to submit its human resource policies to an independent task force similar to the one assigned to Texaco. Last November, Mr. Mehri and his co-counsel filed an employment discrimination case on behalf of the African-American and Hispanic salaried employees of Johnson & Johnson.

Mr. Mehri’s firm, Mehri & Skalet, PLLC, is also working on a number of cases that take on “big companies for the little guy”: shareholder fraud, auto loan bias, consumer fraud, and corporate abuse. He has also pursued important cases pro bono, like the one that pushed DuPont to hasten the end of chlorofluorocarbon production and established the right of shareholders to debate public interest issues. Mr. Mehri serves on Cornell Law School’s Advisory Council and sponsors a speaker’s series that brings prominent figures in the public interest arena to speak at the school.

Currently, Mr. Mehri serves on the Settlement Committee in the multidistrict litigation related to the Firestone Tire recall. “In August, 2000, Firestone ran newspaper ads offering $400 to customers who chose to replace Firestone tires with tires from competitors,” recalls Mr. Mehri. “The period for the refund was supposed to be from August 9 to August 16. But the ads didn’t even appear until August 16—the day the offer was supposed to end. Michael Kanovitz [’94], who is an associate here at the firm, and I filed a motion for a restraining order. The judge issued the restraining order just before midnight.” The next day Firestone announced they would extend the rebate. “This shows what it is possible to do in just one day,” says Mr. Mehri. “Just in one day.”

~Antonia Saxon
Kristina M. Paszek '02

Kristina Paszek is editor-in-chief of the Law Review this year. Her suitability for the job becomes evident within moments of meeting her. Ms. Paszek’s words are measured, her demeanor composed, and her expression one of poised concentration. She seems like a person who rarely says things she later regrets.

Ms. Paszek grew up in a small town near Lake George in upstate New York, where her high school class had just sixty students in it. Her father, a Polish immigrant, is an electrical engineer; her mother worked as a social worker and teacher.

Early on, Ms. Paszek became interested in environmental issues. As an undergraduate at Yale, she decided to study the way people thought about and used the land on which they lived. She completed a major called “Ethics, Politics and Economics” and wrote her undergraduate thesis about local opposition to land-use regulations in Adirondack State Park.

“I knew I might end up in law school at some point,” she says, “and I knew I would like it. But I was worried about the way debt would constrain my choices.” She wanted to work and to do some travelling before she entered school. Ms. Paszek worked for a year as a paralegal at Spiegel & McDiarmid, in Washington D.C., on cases dealing with consumer interest issues. Then she applied for, and was awarded, a fellowship to work for Sonoma County’s Economic Development Board in Santa Rosa, a region currently experiencing explosive growth.

“Working in what the fellowship award termed a “business-environmental alliance,” Ms. Paszek helped companies adopt sustainable business practices and market environmentally friendly products. “It was a fun job for someone at that stage,” she says. “It was a small office where people were permitted to take on lots of responsibilities.”

The following year, Ms. Paszek happened on a superb opportunity to combine work with travel. Some friends were starting a study-abroad program called ECOQUEST New Zealand through the University of New Hampshire. The program theme was resource management and environmental policy, and students were to spend a semester in New Zealand doing field research. Having already been accepted by Cornell Law School, Ms. Paszek deferred her matriculation for a year to take a job as an admissions coordinator for ECOQUEST. She spent the year helping to organize the program — while doing a lot of hiking and kayaking.

Having achieved her short-range goals of work and travel, Ms. Paszek came to Ithaca. “Cornell was a good choice because it’s a closer-knit community in a smaller town instead of a large metropolitan area.” She set about pursuing her interest in environmental issues and won an internship, for the summer after her first year, in the Environmental Law Program of the Sierra Club. “It was a lot of fun,” she says. “We worked on a campaign on factory farms — or ‘concentrated animal feeding operations’ — which produce an enormous amount of waste that in turn affects groundwater and air quality.” The Sierra Club and others had begun to sue companies under the Clean Water Act and other laws. “The scale of pollution was massive,” she says. “Millions of animals were crammed onto the lots.” The Sierra Club’s efforts drew attention to practices at large facilities in several states; other proposed facilities, faced with the prospect of legal action, did not open. “The problem mobilized a lot of regular people, people who weren’t traditional environmental types,” she says.

Ms. Paszek has served on the Law Review for the past two years in capacities of increasing responsibility. This year, her role as editor-in-chief gives her the chance to use a set of skills law school doesn’t usually exercise. “A lot of law school is just you and your laptop, thinking about things,” she says. “At the Law Review, it’s making sure the work gets done smoothly. It’s more managerial. It’s allowed me to push myself in new directions. It’s difficult at times but no more than I expected.”

Ms. Paszek split the summer after her second year between internships at two large firms. Brobeck Phleger & Harrison in San Francisco offered “lots of training opportunities, lots of resources, and a lot of different exposures to litigation generally.” The second internship was at Sidley Austin Brown & Wood in New York City. “I enjoyed working at both places,” she says. “There were a lot of smart and talented people there and you could really learn a lot from them.”

Ms. Paszek will spend next year clerking for a federal district court judge in San Francisco. Thinking about what the future might hold, she says, “A law degree has versatility. I have a lot of options. I still have a strong interest in environmental law but I continually stumble on things that I find interesting. I want to do meaningful work, good work on something I believe in. The law allows you to do those things.”

—Antonia Saxon
Renowned Litigator David Boies is Curia Society Speaker

“I often feel like a baseball player. Someone is paying me a lot of money to do something that is a lot of fun.” That is how David Boies, a litigator who has tried some of the most famous cases of the last few years, described himself to the 90 alumni and guests who had gathered at the Harmonie Club in New York City for the 71st annual Curia Society dinner in November.

The festivities began with welcoming remarks from the Hon. Stephen G. Crane ’63, chair of the Curia Society; Sally Anne Levine ’73, Cornell Law Association president; and Dean Lee E. Teitelbaum. The master of ceremonies, Neil V. Getnick ’78, then introduced Mr. Boies

Mr. Boies, a founding partner of Boies, Schiller & Flexner, served as special trial counsel for the U.S. Department of Justice in its antitrust suit against Microsoft, and as lead counsel for Vice President Gore in litigation related to the Florida vote count in the 2000 presidential election. Mr. Boies discussed both cases in terms of the obligations that lawyers have to the legal system of which they are an integral part.

Mr. Boies stated that in the Florida election litigation, the attorneys on both sides “fought all the time—in the trial courts, the appellate courts, and in front of the cameras—sometimes, all in one day.” However, when the “stakes are the highest, and the temptation to depart from professionalism is the highest, lawyers rise to the occasion.” Mr. Boies gave as an example the decision of Barry Richards, lead counsel for then-Governor George W. Bush, not to join in a motion to disqualify a reputedly liberal Seminole County judge from deciding the question of whether ballots in that county should be excluded if imperfectly rendered. Because Seminole County is a heavily Republican county, a decision by the judge to exclude ballots would have resulted in a victory for Vice President Gore. However, Mr. Richards refused to join the motion to disqualify the judge because he believed that she could fairly decide the question. Ultimately, the judge ruled that the ballots could be counted.

Mr. Boies said that, with the benefit of hindsight, he still feels that the Florida election litigation was wrongly decided by the U.S. Supreme Court. He noted, however, that the “Rule of Law depends on us—the people—accepting a decision even if we disagree with it. Because these decisions are subject to adjudication, we know that we have not lost the process of democracy just by losing an election.”

Mr. Boies remarked that a journalist from a Dutch newspaper had asked him whether President Bush would resign if the newspaper recount showed that Vice President Gore had actually received more votes, and that the journalist was aghast when Mr. Boies told him that no such resignation would take place. However, he told the journalist (and those in the Curia audience), “One of the things we know in this country is that there will be another election and we are confident that it will be fair. That allows us to accept this. Losing one election is not for us as it is in some countries. It’s not forever. We know there will be another one.”
Dean Teitelbaum Visits Rochester Alumni
The Rochester alumni luncheon at the Genesee Valley Club, hosted by Duncan W. O’Dwyer ’63 on October 25, provided a forum for 40 alumni and guests to hear Dean Lee E. Teitelbaum discuss the juvenile justice system. He gave an overview of the history of the American juvenile court, which “arose out of a critique of the criminal law’s rigidity in dealing with conduct by minors and its inability to take account of the implications of youth in assessing culpability and imposing sanctions.” He noted that the first stage of the history of the juvenile court lasted from its creation in Chicago in 1899 until the mid-1960’s, when the Supreme Court criticized the lack of formality in juvenile court proceedings and sought to reform the court to achieve greater “accuracy of fact-finding and fairness in process.” This first counterrevolution left undisturbed the basic principle that youthful offenders differed from adults in their blameworthiness and amenability to treatment.

Beginning in the 1980s a second “counter-reform” movement arose, inspired by national anxiety about increases in gang violence and juvenile homicide. Legislatures routinely adopted deterrence and/or retribution rather than the traditional purpose of rehabilitation as goals for juvenile court intervention. One result of this change has been a widespread movement to define children out of, or facilitate their transfer from, the juvenile court in order to prosecute them as adults in the criminal justice system. Dean Teitelbaum criticized the second counter-reform movement, both because it wrongly assumes that the culpability of youthful offenders is equivalent to that of older offenders and because it has had no demonstrable effect on deterring violent crime by juveniles.

Buffalo Alumni Meet with Dean Teitelbaum
On October 26 Dean Teitelbaum was the featured speaker at the Buffalo alumni luncheon at the Buffalo Club, hosted by John L. Kirschner ’53. Three of Mr. Kirschner’s classmates, Paul W. Beltz, the Hon. Leo J. Fallon, and Robert C. Woodbury, joined Mr. Kirschner in treating the 37 alumni and guests in attendance to the cocktail hour prior to the luncheon.

In his remarks to the alumni, Dean Teitelbaum noted that before he came to Cornell, he knew that the Law School had a talented student body, a scholarly and prolific faculty, and a “remote” location. Since arriving, however, he has learned that the student body is “warm and collegial as well as talented,” that the faculty is committed to “teaching as well as scholarship,” and that Ithaca, while remote, is “not isolated.” He discussed how the Law School is visited regularly by scholars from around the world and, with the recent renovation and technological enhancement of two large classrooms, will soon have an even greater ability to reach out to, and be reached by, a larger legal and scholarly community.

Dean Teitelbaum described the results of a student survey, conducted last spring, in which students were asked to rate faculty teaching and faculty availability. With 65 percent of the student body responding to the survey, 95 percent of the respondents rated the faculty as either “very effective” or “effective” in teaching (with more than half choosing the former), and more than 90 percent rated the faculty as “very available” or “available” (again with more than half choosing the former rating).

Dean Teitelbaum also noted that slightly more than half of the class of 2004 is female, that 25 percent are students of color, and that the LL.M. class comprises students from 25 countries. He observed that the students “think of themselves as colleagues, not competitors,” which surely distinguishes Cornell Law School from many if not most of its peer institutions.

Alumni in the Rochester/Buffalo area who wish to be involved in future alumni events are asked to call the Director of Alumni Relations, Risa M. Mish ’88, (607) 255-5251 or through the Web site at lawschool.cornell.edu/alumni.

Judge Tauro Hires 30th Cornell Law School Clerk
Judge Joseph L. Tauro of the U.S. District Court for the District of Massachusetts recently hired his 30th law clerk from Cornell Law School, Christopher B. Harwood ’03, who will join Judge Tauro’s chambers for the 2003–04 term. Mr. Harwood will follow Jonathan N. Francis ’02, who will begin his clerkship with Judge Tauro in June.

Class Notes

29 Abraham R. Goldman is living in St. Petersburg, Florida, and enjoys staying up to date on all Cornell Law School happenings through a faithful perusal of the Cornell Law Forum. Mr. Goldman was pleased to learn that his classmate William V. Kelley was residing in Spokane, Washington and is still in regular contact with his firm, Witherspoon, Kelley, Davenport & O’Toole.

38 An April 15, 2001, article in the Seattle Times titled, “Grace, Wisdom, and Recycling” profiled Dr. George H. Ball, founder of the Department of Religion at Whitman College in Walla Walla, Washington. The article explores the influence that Dr. Ball, who still teaches Religion 101 (his 1980 retirement notwithstanding), has had on generations of Whitman College students. One student, John Sutton, who is now CEO of Western Wireless and VoiceStream Wireless, is quoted as saying of Dr. Ball, “He understood the importance of things and tried to channel the angst into things more meaningful. You can’t pin it to any one thing he did, but in a sense George Ball is and was the soul of Whitman College. He taught less about a particular subject than he was a conscience.”

40 “Judge Cribb: A Community Treasure” read the headline in an article that appeared in the July 20 issue of the Democrat and Chronicle in Rochester, N.Y. The article described the efforts of Joseph W. Cribb, a retired Surrogate Court Judge, to preserve the Granger Homestead in Canandaigua, New York. The homestead was a mansion that had once served as a girl’s school and was slated to be destroyed. Through Judge Cribb’s efforts, the mansion was instead converted into the Granger Homestead and Carriage Museum. Judge Cribb collects horse-drawn carriages and owns horses that have won numerous awards in carriage-driving competitions. He says that he hopes to be remembered as “just a plain, ordinary citizen, who loved his community and his friends and his fellow man.”

50 In October 2001, the New York State Bar Association recognized Emlyn I. Griffith for his role in helping to initiate 25 years ago the annual statewide conference on law-related education. Mr. Griffith is a New York State Regent Emeritus and vice president of the New York Bar Foundation, which funds annual grants for “projects across the state to enhance public understanding of the law and the justice system.”

53 Paul W. Beltz, his six children, and five members of his extended family were featured in an October 15 article in the Buffalo News titled “Brood of Barristers.” The article described the ceremony at which Mr. Beltz successfully moved the admission of his 11 family members to practice before the U.S. Supreme Court, the largest such family group admission in the 212-year history of the Court. The article noted that, in a rare display of emotion, the Supreme Court justices actually clapped when Mr. Beltz concluded his motion. Justice Anthony M. Kennedy later confided to a friend that he had “never seen [Chief Justice] Rehnquist applaud anybody.”

The Harrisburg, Pennsylvania, law firm of Killian & Gephart LLP announced that John D. Killian has become counsel to the firm, effective July 1, 2001. Mr. Killian continues his active practice primarily in the fields of estate planning and administration, real estate, commercial, corporate, and administrative law.

56 James E. Hirsch reports that he and his wife Rebecca “have become avid canoeists on the Green River Reservoir in Hyde Park, Vermont, and have spent several rewarding hours following, watching, and photographing the common loon and enjoying the incredible foliage.”

59 Sheldon W. Halpern has been named to the C. William O’Neill Professorship in Law and Judicial Administration at the Ohio State University Michael E. Moritz College of Law. Professor Halpern, who has been a member of the Moritz College of Law faculty since 1984, teaches courses in copyright, trademarks, and defamation and privacy.

Nathan J. Robfogel retired as senior counselor to the president of the Rochester Institute of Technology in June 2001 and re-joined the Rochester, New York, law firm of Harter, Secrest & Emery LLP, where he is focusing his practice on alternate dispute resolution. Mr. Robfogel had previously been a partner at Harter Secrest for over 20 years and served as managing partner of the firm from 1982 through 1984. He is a fellow of the American Bar Association and the New York Bar Foundation and is chair of the boards of the Rochester Philharmonic Orchestra Fund, Inc., and of Rochester Area Crimestoppers. Mr. Robfogel is a member of the board of directors of the Genesee Waterways, Inc.; the Arts and Cultural Council for Greater Rochester; and the Jewish Family Service.
of Rochester. He is a member of the executive committee and board of Rochester Community Baseball, Inc., and a director of the Genesee Valley Trust Company.

Stephen F. Owen Jr. has opened a new law office in Chevy Chase, Maryland and is continuing his career as a solo practitioner.

Peter B. Webster related the sad news that his wife, Elaine, whom he “met and fell in love with in the reading room on the seventh floor of Olin Library” and whom he wed in his third year at the Law School, passed away on October 7 after a courageous battle against lymphoma.

Edward W. Bergmann, an attorney with the Chicago office of Seyfarth, Shaw, Fairweather & Geraldson, says that he is kept busy by his “nationwide Fair Labor Standard Act practice.” Mr. Bergmann playfully asks, “Who can complain with 1,000 government agents out creating business for you?”

As one of two passengers who survived a commercial airplane crash more than 30 years ago, Janet C. McCaa says that she has “a keen appreciation of the vagaries of human life.” That appreciation will undoubtedly benefit the clients of her new Portland, Maine, law firm, Johnson & McCaa, which specializes in business succession counseling, corporate and business law, estate planning and probate, probate litigation, alternate dispute resolution, tax, and trust administration. Ms. McCaa is co-chair of the Women’s Law Section of the Maine State Bar Association and a trustee of Maine Initiatives. She is also a former president of the Cumberland Bar Association, former chair of the Cape Elizabeth, Maine, Planning Board, and former president of the Western Maine Wellesley Club.

John E. Moye has been named president of the Colorado Bar Association. Mr. Moye, who formerly served as associate dean of the University of Denver College of Law and is currently on the faculty of Concord Law School, is the author of several books, including The Law of Business Organizations, the recently published Loan Documentation Manual (James Publishing), and the third edition of the Colorado Business Organizations, Forms and Practice (Lexis Law Publishing).

Richard N. Tilton is the chief executive officer of Recognition Group LLC, a firm specializing in restructuring and turnarounds of technology and e-commerce companies. The firm is also raising a $30 million investment fund to acquire financially distressed technology companies.

Chief judge Judith Kaye, New York Court of Appeals, appointed John H. Gross a member of the New York State Judicial Institute on Professionalism in the Law. Mr. Gross is a partner in the Northport, New York, law firm of Ingermans Smith LLP, where he focuses his practice on labor, education, and employment law.

Robert E. Crotty, a commercial litigation partner in the New York City law firm of Kelley Drye & Warren LLP, was profiled in the August 2001 issue of The Metropolitan Corporate Counsel. In an article titled “Kelley Drye—A Strong Pro Bono Commitment,” Mr. Crotty described his duties as coordinator of his firm’s pro bono efforts and remarked, “Overall I think this work gives the lawyers a much better perspective on what the law is about in this country. They can appreciate how it functions for individuals who do not share as much in the economic benefits of this country as some of us do.”

On June 14, 2001, John Prebble JSD, a professor and former dean of law at Victoria University, Wellington, New Zealand, delivered the inaugural Parsons Lecture at Sydney
University. The lecture, “Income Taxation, a Structure Built on Sand,” will be published in the *Sydney University Law Review*, and is available at [vuw.ac.nz/law/parsons.pdf](http://vuw.ac.nz/law/parsons.pdf). Professor Prebble notes that he and Professor Ross Parsons (for whom the lecture is named) “are among a small group of scholars internationally who have approached income tax law from a viewpoint of analytical jurisprudence, trying to establish why the discipline is notably incoherent in comparison with other areas of law.”

**Ira B. Stechel** joined the Stamford, Connecticut, office of Cummings & Lockwood as a partner in the firm’s Business Clients Group, where he represents corporate, partnership, and individual clients in the areas of income tax and benefits planning, as well as in all aspects of tax controversies. Before joining Cummings & Lockwood, Mr. Stechel was the head of the tax department of Olshan Grundman Frome Rosenzweig & Wolosky LLP in New York City. Mr. Stechel is a member of the liaison committee with private tax practitioners established by the commissioner of revenue services of Connecticut.

**Lawrence F. Feheley** was made a fellow of the College of Labor and Employment Lawyers in September. Mr. Feheley is chair of the labor and employee relations practice at the Columbus, Ohio, law firm of Kegler, Brown, Hill & Ritter. The College of Labor and Employment Lawyers was established in 1995 through an initiative of the American Bar Association’s Council on the Section of Labor and Employment Law. It operates as a free-standing organization recognizing those who, by long and outstanding service, have distinguished themselves as leaders in the field of labor and employment law.

**Wayne K. Lewis** was appointed interim dean of DePaul College of Law in Chicago for the 2001–02 academic year. Dean Lewis teaches courses in commercial paper, consumer protection, contracts, and sales at DePaul. He is the recipient of the 2000 DePaul University Spirit of St. Vincent Award and the 1999-2000 DePaul College of Law Excellence in Teaching Award, the latter by vote of the student body. Before joining the faculty of the DePaul College of Law, Dean Lewis taught at Indiana University School of Law and served as assistant regional director of the Federal Trade Commission office in Chicago.

**Carl H. Esbeck** has been on leave from the law faculty at the University of Missouri since December, 1999. From January 2000 to March 2001, Professor Esbeck was director of the Center for Law and Religious Freedom, a public interest law firm in northern Virginia. He now serves as senior counsel to the deputy attorney general, U.S. Department of Justice, in Washington, D.C.

**Carol Ann Bartlett** was promoted to senior vice president and chief compliance officer for the Royal Bank of Canada in the Group Management department. Ms. Bartlett’s new position entailed a move to Toronto from Montreal, where she had served as assistant general counsel in Royal Bank’s head office law department. Before joining Royal Bank, Ms. Bartlett was a partner with Mayer Brown & Platt in Chicago.

**Paula A. Lapin** has joined the Syracuse office of Hiscock & Barclay as a partner in the firm’s real estate department. Ms. Lapin specializes in commercial real estate and real estate finance, with a focus on condominium development, major sales and acquisitions, commercial leasing, and title insurance law. Ms. Lapin is a member of the Real Estate Section of the New York State Bar Association, the Real Estate
Robert L. Meller Jr. was recognized in the feature, “Super Lawyers 2001” in the August 1 issue of Minneapolis St. Paul Magazine. The article described Mr. Meller as a “skilled trial lawyer” who has “effectively and aggressively defended his clients against obstructionist litigation, having been awarded the two largest reported sanction awards in the state of Minnesota.” Mr. Meller, who served as Wayzata city attorney for more than 20 years, practices in the area of land use and zoning litigation as a member of the Minneapolis law firm of Best & Flanagan LLP.

Stephen D. Fromang has a general practice in Vero Beach, Florida. Mr. Fromang focuses his practice on trial advocacy.

Suedeen Gibbons-Kelly, a faculty member at the University of New Mexico School of Law since 1986, has joined the Albuquerque, New Mexico, firm of Modrall, Sperling, Roehl, Harris & Sisk, P.A. Ms. Kelly formerly served as commissioner and chair of the New Mexico Public Service Commission. She has written extensively in the areas of energy, environmental, and administrative law.

On October 5, Peter W. Hall was sworn in as the United States Attorney for the District of Vermont. Mr. Hall has practiced since 1986 as a partner with Reiber, Kenlan, Schwiebert, Hall and Facey of Rutland, Vermont. From 1978 to 1986 he was an assistant U.S. attorney and then first assistant U.S. attorney in the U.S. Attorney’s Office for the District of Vermont.

Ellen M. Yacknin was installed on July 19, 2001 as chair of the legislative committee for the Greater Rochester Association for Women Attorneys (GRAWA), a chapter of the Women’s Bar Association of the State of New York. Ms. Yacknin is a health and litigation specialist with the Greater Upstate Law Project, Inc., in Rochester.

Michael J. Foster has been elected to the board of directors of ResCare, the nation’s leading provider of services to persons with mental retardation and developmental disabilities, and youth with special needs. The company’s services reach approximately 17,000 people in 28 states, Washington, D.C., and Canada through its Division for Persons with Disabilities, and 10,000 young people with special needs in 17 states and Puerto Rico through its Division for Youth Services. Mr. Foster is a partner of RFE Investment Partners, a private equity investment firm based in New Canaan, Connecticut.

David J. Scott, senior vice president, general counsel, and corporate secretary of Minneapolis-based Medtronic, Inc., was featured in an October roundtable discussion published in the Corporate Legal Times. Mr. Scott was asked to respond to remarks made in June 2001 by David Boies, lead counsel in the U.S. Government’s antitrust action against Microsoft, in a keynote address during the Corporate Legal Times SuperConference. When Mr. Scott was asked whether chief executive officers demand the “right kind of analysis from their legal advisors,” he replied, “[I]t’s the role of the CEO, and certainly in some cases with the help of the general counsel, to predict things that are difficult to predict based upon any number of variables. That’s an area in which really good legal departments are much further along than many law firms. I’m always a bit amused by outside litigation counsel when they say the odds of winning are 50-50. Do I hire them to confirm a totally random selection process? If you tell that to a good CEO, you’ll have a very short conversation.”

The New York City law firm of Rosenman & Colin LLP announced that Cecelia L. Fanelli had become a partner in the litigation department and the hotel and hospitality practice group, “which focuses on large-scale institutional and venture investment in the hotel industry and on leading-edge litigation.” Ms. Fanelli is also vice-chair of the resorts and tourism committee of the American Bar Association’s Real Property, Probate and Trust Law Section.

Naomi M. Post is the chief executive officer of Philadelphia Safe and Sound, an organization funded in part by the Urban Health Initiative of the Robert Wood Johnson Foundation to improve the health and safety of poor children. Ms. Post, who
was formerly an administrator in the Philadelphia juvenile court system, said that the agency is “a wonderful opportunity to look at system reform and really impact the lives of thousands and thousands of kids.”

Edward C. LaRose, head of the trade regulation practice group at Trenam Kemker in Tampa, has been certified by the Florida Bar Board of Legal Specialization and Education as a specialist in antitrust and trade regulation law. Mr. LaRose is also chair of the Florida Bar Association Business Law Section’s antitrust, franchise, and trade regulation committee, and is an adjunct professor at Stetson University College of Law in St. Petersburg, Florida.

Jeffrey B. Markel has been appointed managing partner and president of Longboat Capital Management, LLC, a Pittsburgh-based investment management firm with more than $100 million in assets under management. Before joining Longboat Capital, Mr. Markel served as managing director and chief executive officer of Perspective Capital, LLC, an investment banking and advisory firm, also in Pittsburgh.

James M. McGuire is counsel to New York Governor George Pataki. In this capacity, Mr. McGuire serves as an advisor to the governor on legislative, legal, and policy matters. Before this appointment, Mr. McGuire served as first assistant counsel to Governor Pataki from January 1995 to October 1997, where he had responsibilities in numerous areas, including criminal justice, the judiciary, and ethics.

Sharon E. Rush, a professor of constitutional law and civil procedure at the University of Florida College of Law, and co-founder of the Center for the Study of Race and Race Relations at the University of Florida, is the author of Loving Across the Color Line: A White Adoptive Mother Learns About Race (Rowan & Littlefield 2000). The book, which was nominated for an NAACP Image Award, details Professor Rush’s experiences as a single white mother raising her adopted black daughter. William Julius Wilson of Harvard University said of Professor Rush’s book, “[It] is important for any serious discussion of the problems of race in America. None provides a more moving and penetrating portrayal of the racial divide and its adverse effects on interpersonal relations and human empathy.”

Stephen W. Yale-Loehr is the co-author of the article, “When H-1B Workers Lose Their Jobs,” which was published in the August 27 issue of the New York Law Journal. Mr. Yale-Loehr is of counsel at True, Walsh & Miller in Ithaca, New York, and is also an adjunct professor of immigration law at Cornell Law School.
Joseph J. Iarocci is general counsel of CARE, “one of the world’s largest private international relief and development organizations.” CARE has become a leader in “sustainable development and emergency aid, reaching tens of millions of people each year in more than 60 countries in Africa, Asia, Europe, and Latin America.” Mr. Iarocci traveled to Kosovo last year in connection with CARE’s ongoing work to provide landmine clearance and rebuild hundreds of homes destroyed during the military conflict.

Paul A. Salvatore, a partner with the New York City law firm of Proskauer Rose LLP, and former president of the Cornell Industrial and Labor Relations Alumni Association, has been named the recipient of the 2002 William B. Groat Award for distinguished contributions in the field of labor relations and to the ILR school.

Shawn P. Galey was named vice president and general counsel of CNBC Asia, and has relocated to Singapore with his wife, Katharine, and children Fiona (5) and Liam (3). Mr. Galey was previously general counsel of General Electric Company’s silicones division in Albany.

Donald R. Peck was appointed chief financial officer and general counsel of Zeborg, Inc., a New York-based corporation with offices in Boston and Los Angeles that delivers procurement software to Fortune 250 companies. Before joining Zeborg, Mr. Peck was chief financial officer and general counsel of Marketmax. Mr. Peck, who chaired the class of ’86 reunion last year, is currently a member of Cornell Law School’s reunion task force.

Nicholas J. Rubino was appointed secretary to the board of directors of Liz Claiborne, Inc., where he is also vice president and deputy general counsel. In addition to his wife, Melora, Mr. Rubino now has another lady on whom he can shower Liz Claiborne apparel: his daughter, Luciana Nicole, who was born on September 27, 2000.

Laura A. Wilkinson has been selected to join the Cornell Entrepreneurship and Personal Enterprise (EPE) Program Advisory Council. The EPE Advisory Council “consists of a diverse group of Cornell alumni and friends who are entrepreneurs and business leaders. The council provides active leadership to the program by helping to establish goals and provide guidance, support, and financial resources. Members also participate in courses, business plan judging, sponsoring student interns, and drawing other alumni back to Cornell.” Ms. Wilkinson, who also holds an MBA from Cornell University’s Johnson Graduate School of Management, is a partner in the Washington, D.C., office of Clifford Chance Rogers & Wells, where she focuses on litigation and dispute resolution.

Stephen A. Bain has been named chair of the international law committee of the Colorado Bar Association. Mr. Bain, who practices with Welborn Sullivan Meck & Tooley, P.C., in Denver (wsmtlaw.com), invites international law practitioners who will be in Denver and are interested in speaking at his committee’s monthly lunch to contact him at (303) 830-2500.

Jane B. Becker is a corporate attorney with the Kraft Group, a private corporation that owns, among other entities, the New England Patriots, Foxboro Stadium, and various paper companies. Ms. Becker works three days a week and shares her position with another “lawyer mom.” She says that she feels very fortunate to have “landed something that works out so well for me and my family, still working at fun, interesting corporate legal issues but also having time to spend with my girls (currentl 8 and 5) as they grow.” Not surprisingly, her daughters and her husband think her job is “very cool.”

In March 2001, Mark C. DiVincenzo was named litigation and risk management counsel at the Massachusetts Institute of Technology. Before assuming this newly created position in the senior counsel’s office of MIT, Mr. DiVincenzo was of counsel in the Boston office of Jackson Lewis Schnitzler & Krupman.

Ben T. Clements was featured in a Boston Herald article of September 11, entitled “At the Bar: Hub Study Finds Clients of Large Law Firms Unhappy.” The article described a survey of more than 175 corporate counsel for Fortune 1000 firms, conducted by the BTI Consulting Group, in which nearly 75 percent of those surveyed said that they would not recommend their primary law firm to others. It also described how smaller firms, such as Boston’s Sullivan, Weinstein & McQuay, at which Mr. Clements works, are providing a high quality of legal service at a lower cost to clients. Mr. Clements, who was formerly an assistant U.S. attorney in Boston, joined Sullivan, Weinstein in February 2001.

In August, 2001, Gary A. Greene became director of law and government Affairs at New Power, the “first nationwide marketer of gas and electricity to residential and small business users.” The new job required a move for Mr. Greene, his wife, Carolyn, and their two daughters, Emily and Alison, from Wellesley, Massachusetts, to Darien, Connecticut. Mr. Greene reports that the transition has gone smoothly and that he and his family are enjoying their new surroundings.

David S. Sherwyn, a professor at Cornell University’s School of Hotel Administration, co-authored the article, “Don’t Train Your Employees and Cancel Your ‘1-800’ Harassment Hotline,” which was published in the March 2001 issue of Fordham Law Review.
Sarah B. Gelb was elected to partnership at Dechert, in the Philadelphia office. Ms. Gelb will continue to work on the firm’s business team, with a focus on the corporate, securities, and mergers and acquisitions practice groups.

Gerald M. Haines was appointed executive vice president of strategic affairs and chief legal officer of Enterasys Networks, a Rochester, New Hampshire, corporation that was named a “Company to Watch in 2001” by CIO Magazine. Before joining Enterasys, Mr. Haines served as senior vice president and general counsel for Cabletron Systems.

Frank A. Moschetti, chief deputy district attorney for Douglas and Elbert counties in Colorado, was profiled in the July 9 Denver Post article, “Prosecutor Sees Good in Raising Guide Dogs.” The article describes Mr. Moschetti’s work as president of the Jefferson County Eyes for Others, an organization that trains puppies to become guide dogs for the blind. In the article, Mr. Moschetti remarks, “I can’t imagine anything that’s better. You’re teaching your kids you can lovingly give back.”

Philip J. Perry was named acting associate attorney general of the United States in August. Mr. Perry has served as associate deputy attorney general and principal associate attorney general since the beginning of the Bush administration. In that capacity, he has provided oversight to the antitrust, civil, environmental and natural resources, civil rights, and tax divisions of the Justice Department. Mr. Perry was formerly a partner in the Washington, D.C., office of Latham & Watkins, and in 1997 served as counsel to the U.S. Senate’s special investigation of campaign finance abuses.

Kristin L. Tess has been named general counsel at GRP Financial Services, a subsidiary of Angelo Gordon. GRP acquires and services distressed real estate debt. Ms. Tess lives in White Plains with her husband, Fred Rickles, and their two children, Molly (3) and Joe (1).

Daniel W. Bekele married Monique Severin in an August 11 ceremony at the Swan Club in Roslyn, New York. Among the guests were Armand A. Trama ’91 and Jeffrey E. Wacksman ’85. Mr. Bekele is a corporate associate with the New York City law firm of Loeb, Block & Partners LLP. His wife is an analyst in the private equity division of Morgan Stanley.

Philip A. Hagen married Mona Kumari Sehgal on August 26 at Woodend, the headquarters of the Audubon Naturalist Society, in Chevy Chase, Maryland. Mr. Hagen is the chief executive officer of Hagen Software, an Internet software company in Washington, D.C., that he founded. Ms. Sehgal, a graduate of New York University who received her master’s degree in international affairs from Columbia University, is the company’s president.

Theodore C. Jonas, counsel in the international trade and investment group of Baker Botts LLP in Washington, D.C., published “‘Parting the Sea:’ Caspian Littoral States Seek Boundary Disputes’ Resolution” in the May 28 issue of Oil and Gas Journal. Before joining Baker Botts LLP in January 2000, Mr. Jonas practiced law in the Republic of Georgia, advising clients on Caspian basin petroleum development and export projects. He also served from 1994 to 1996 as consultant to Georgia’s Parliament under the auspices of the National Democratic Institute for International Affairs.

Perry J. Nagle was “named a partner in the law office of Perry Nagle.” Mr. Nagle reports that “the voting was fairly close” but that he is proud of his achievement. Mr. Nagle spent seven years with Milbank, Tweed, Hadley & McCloy before starting his own practice, which focuses on corporate finance, mergers and acquisitions, and general corporate work for small to mid-sized technology companies. Although Mr. Nagle was featured in the September 6, 2000 New York Times article, “It’s Fall, Time to Hunker Down” about lawyers who were working part-time, he notes that he has now returned to full-time practice. Mr. Nagle invites fellow alumni to view his website at alleylaw.com.

Reed W. Topham and his wife, Anna, announce the birth of their twin sons, Austin and Cole, on June 23. Mr. Topham is a partner in the Salt Lake City office of Stoel Rives LLP. His primary practice areas are corporate securities and mergers and acquisitions.

Douglas M. Zang and Katherine Heiss were married June 16 in Dinkey Creek, California. Drs. Zang and Heiss are both graduates of the University of New Mexico Medical School in Albuquerque and are currently resident physicians in family practice at the University of Minnesota’s North Memorial Medical Center.

Anand K. S. Dayal is with the Singapore office of White & Case, but lives in New Delhi. Mr. Dayal “would like very much to meet with alumni, faculty, and staff”
from Cornell Law School who are visiting India. Anyone wishing to take Mr. Dayal up on his generous offer to host visitors to India should contact him at adayal@whitecase.com.

Keith E. Dobbins left the Washington, D.C., office of Squire, Sanders & Dempsey L.L.P. to join the U.S. Department of Justice as a trial attorney in the civil division, fraud section.

Michael E. Toner was featured in an October 14 article in The New York Times magazine section on couples who met while working on the presidential election campaign of George W. Bush. Mr. Toner is now chief counsel for the Republican National Committee.

Paul J. Zaffuts was elected to partnership at the Washington, D.C., office of Morgan, Lewis & Bockius, in the energy practice group. Mr. Zaffuts represents electric utilities and nuclear industry clients in a variety of regulatory and litigation matters.

Thomas I. Barnett left the Palo Alto, California, law firm of Wilson Sonsini Goodrich & Rosati in May 2001 to become vice president and general counsel of Electronic Evidence Discovery, Inc., a company that assists law firms and corporate legal departments with electronic document production in litigation, and with risk reduction in electronic document management. Tom was also kind enough to share the good news that classmate Lana C. Fleishman was elected to partnership in the New York City office of Winston & Strawn.

John T. Hammarlund announces the birth of his son, Edwin Bell Hammarlund, on August 7. Mr. Hammarlund, who “continues to toil away happily on Medicare and Medicaid” at the Centers for Medicare and Medicaid Services in Seattle, Washington, notes that he, Edwin’s mom, Laura, and sister, Grace (16 months old), are “enjoying [Edwin’s] company.”

Lisa T. Murphy returned to Miller & Chevalier in Washington, D.C., as a litigation partner after two years as associate counsel with the BlueCross BlueShield Association. Ms. Murphy will concentrate her practice on health care and employee benefits matters. Ms. Murphy lives in Potomac, Maryland, with Timothy A. Morris ’93 and their two sons, Joshua and Elijah.

Pilar S. Parducci announced that she and husband, Tony Richmond, are the proud parents of Spencer Ronald Richmond, who was born on August 15.

Wladyslaw M. Rzycki, LL.M., has joined the Warsaw office of White and Case. He and his wife, Jan, have two sons, Lukasz (5) and Roman (3).

Robert A. Finkel is a founding partner of Shane, Kerstein, Coren, Lichtenstein & Finkel LLP, a Newton, Massachusetts-based firm providing a wide range of services to start up and emerging businesses. He was previously U.S. counsel to 2bVentures, a Jerusalem-based venture management firm. Mr. Finkel lives with his wife, Sherene, and their son, Joshua (1), in Chestnut Hill, Massachusetts.

Frank G. Goldman has had an eventful year. In the span of a few months, Mr. Goldman switched jobs to become an associate in the Atlanta office of Epstein, Becker & Green, P.C., became a father to Claire Olivia, born August 1, 2001, and became vice president of the Cornell Club of Atlanta.

P. Pablo Morales has been named head coach of the University of Nebraska women’s swimming and diving program. Mr. Morales was a member of the gold–medalist United States 400-meter medley relay team at the 1984 Olympics in Los Angeles, won silver medals in the 100-meter butterfly and 200-meter individual medley at those same games, and won the gold medal in the 100-meter butterfly at the 1992 Olympics in Barcelona, where he was captain of the United States men’s swim team. Mr. Morales held the world record in the 100-meter butterfly from 1986-1999 and was elected to the International Swimming Hall of Fame in 1998. Prior to joining the University of Nebraska Athletics Department, Mr. Morales was the head coach of the San Jose State University women’s swimming and diving team and was named the Western Athletic Conference Coach of the Year in 2000. Mr. Morales and his wife, Viviana, are the parents of two sons, Sam (2) and Benjamin (1).
Luis Unikel Fernandez, LL.M., is the proud father of a daughter, Tatiana, born June 11. Mr. Unikel is a senior associate with the San Antonio law firm of Martin Drought & Torres, Inc., where he concentrates his practice on international business transactions, primarily between Mexico and the United States.

Jose Andre Romero Angrisano, LL.M., has become a partner in the Caracas, Venezuela, law firm of Abogados & Consultores, where he specializes in telecommunications law. A copy of the firm’s newsletter, which details recent regional developments in the telecommunications industry, can be requested by email at jromero@abogaconsult.com.

Elizabeth M. Costello is a senior research associate at the drug court clearinghouse and technical assistance project in the Justice Programs Office at American University in Washington, D.C. Before accepting this position, Ms. Costello worked as a criminal defense attorney in Ithaca, New York.

Deborah Anne Czuba, an attorney with the New York State Capital Defender Office in Albany, was a featured speaker at the NAACP Legal Defense Fund conference on the death penalty, held in Airlie, Virginia, July 20. Ms. Czuba spoke on investigating adaptive deficits in adults with mental retardation in death penalty cases.

Riccardo A. Leofanti and his wife, Johanna, shared the happy news that their third child, Maria, was born June 21, 2000. Mr. Leofanti continues to work in the Toronto office of Skadden, Arps, Meagher & Flom LLP, where he advises Canadian companies on U.S. securities law.

Matthew J. Oppenheim, senior vice president, business and legal affairs, for the Recording Industry Association of America (RIAA) in Washington, D.C., was profiled in the September 3 issue of the National Law Journal. RIAA is currently involved in about 35 lawsuits, including one against the online music site Napster for facilitating free distribution of copyrighted music. In recalling his recruiting interview with the general counsel of RIAA, Mr. Oppenheim said, “I remember having a discussion with him about how the music industry was going to be at the forefront of all the major technology issues. If we had only known then how right we were, we both probably would have gone running.”

Joseph M. Stefano left the New York City law firm of Seward & Kissel to join the New York office of Allen & Overy, where he concentrates his practice on corporate finance and equipment leasing.

Toni J. Querry wed Gregory Farkas on May 4 in Key West, Florida. Ms. Farkas is an associate with the Cleveland law firm of Frantz Ward LLP, where she focuses her practice on product liability litigation.

On November 25, 2000, Julie V. Stanier, an associate with the Pittsburgh, Pennsylvania, office of Kirkpatrick & Lockhart LLP, wed Joseph Greenberg, a consultant with McKinsey & Company, who received his Ph.D. in Applied Physics from Cornell in 1999. Kelly A. Herring ’96 and James E. Hannon Jr. ’96 were on hand to celebrate with the happy couple.

Ariane M. Schreiber Horn left the New York City office of Gibson Dunn & Crutcher to become associate general counsel at the Summit, New Jersey, offices of Ticona, a business of Celanese A.G.

In October Mitchell D. Lee was inducted into the Cornell University Athletics Hall of Fame. Mr. Lee, formerly an associate in the Washington, D.C., office of Brobeck, Phleger & Harrison LLP and a 1990 graduate of Cornell University, was a standout on the Cornell varsity football team.

Elisabetta Silvestri, LL.M., was appointed professor of comparative civil procedure at the University of Pavia School of Law, “one of the oldest law schools in Europe and ... among the top five law schools in Italy.”

In November, Evan S. Williams III moved with his wife, Tricia, and their daughter, Sophie (1), back to Mr. Williams’ home town of Troy, Pennsylvania, to join Brann, Williams, Caldwell & Sheets, the firm in which his father, Evan S. Williams II ’69 is a partner. The younger Mr. Williams notes that Troy is “centrally located in rural Pennsylvania ... only an hour and 15 minutes south of Ithaca. Anyone who is lost in the area should stop by.”

In August 2000, Omer Aziz Khan, LL.M., became a partner in the law firm of Bokhari Aziz & Karim in Lahore, Pakistan. The firm provides services in corporate, commercial, banking, industrial relations, and taxation laws. Mr. Khan is the proud father of son, Azad (six months), and daughter, Eeman (3). Mr. Khan’s wife, Seema, is pursuing a teaching career at the Lahore School of Economics.

Taku Nakaminato, LL.M., married Terumi Konno on June 24 at Meiji Shrine and Meiji-Kinenkan in Tokyo. Mr. Nakaminato left his job with the government of Japan to attend the Kennedy School of Government at Harvard University, where he is now a candidate for a Master of Public Administration degree.
Jonathan Hawkes Owsley married Katherine McKnight Low July 21 in an Old Bennington, Vermont, ceremony attended by Kimberly E. Cohen ’97, David L. Cook ’97, Suzanne E. Kerrigan ’97, William F. Lee ’76, and Eliza W. Swann ’97. Mr. Owsley is a strategic corporate adviser at the Parthenon Group, a management consulting firm in Boston. His wife is the financial and database manager for the Hospitality Program in Boston, an organization that provides low-cost or free lodging for families of hospital patients.

Nancy L. Richmond and Eric Goldstein were wed October 20 in Dix Hills, New York. Several alumni were privileged to be in attendance, including David M. Moss ’96, Steven M. Rosefsky ’96, Melissa E. Hart Moss ’97, Scott S. Rose ’97, Julie A. Fergang Rosefsky ’97, and Michelle L. Sterling ’97. Ms. Goldstein is an associate in the New York City law firm of LeBouef, Lamb, Lamb & MacRae.

Col. Kevin J. Riordan, LL.M., was promoted to director of legal services for the New Zealand Defence Force (NZDF). Col. Riordan provides legal advice to the chief of the Defence Force and to the service chiefs on all matters affecting the NZDF. “Practically all aspects of NDZF operations are affected by legal considerations in some respect,” he notes, “be they international law—such as the law of armed conflict or the law of the sea—[or] resource management issues, the military justice system, or health and safety in employment.”

Eric D. Yordy, formerly a corporate associate at the Los Angeles firm of Silver & Freedman LLP, was named assistant dean of students and judicial coordinator at Northern Arizona State University in Flagstaff, Arizona.

Eric C. Gross left the New York City law firm of Healy & Baillie LLP in August to join the Phoenix, Arizona, firm of Fennemore Craig, P.C.

In April 2001, Harriet Habert joined the structured finance group in the New York City office of Skadden, Arps, Slate, Meagher & Flom.

William H. Verhelle is co-founder and chief executive officer of First American Equipment Finance, an “independent, privately held leasing company providing middle-market leasing and financing services.” First American, which has offices in Rochester, Chicago, and Los Angeles, was recognized by Inc. Magazine in October 2001 as the third fastest-growing privately held company in the United States during the five-year period from January 1996 through December 2000. Said Mr. Verhelle, “I believe we are the only national leasing company to commission an independent, written survey of lessee satisfaction across our entire customer base, and publish the results. Our staff works very hard to provide outstanding customer service—and our success during the past five years is a direct result of their efforts.”

After completing a judicial clerkship with William M. Skretny, Chief Judge of the Western District of New York, Bernadette J. Clor joined the Buffalo office of Hodgson Russ LLP, where she focuses her practice on international and cross-border trusts and estates and taxation.

Kristin A. Loveland married Matthew Brandt April 21, 2001, in a Brighton, Michigan, ceremony attended by classmates Carolyn S. Lee and Meredith Ford Henchey.

In May, after spending two years in the Buenos Aires office of New York’s Morrison & Foerster, Ariel J. Portnoy, LL.M., began working at the law firm of Cabanellas, Etchebarne & Kelly in Capital Federal, Argentina.

Amaryllis V. Seabrooks relocated from Washington, D.C., to Los Angeles, where she works as an associate in the law firm of Reich, Adell, Crost and Cuitan, a labor and employment law firm that represents entertainment unions and other labor organizations.

John J. Inkeles completed his clerkship with Judge Mary Catherine Cuff of the New Jersey Superior Court-Appellate Division and is now a litigation associate at the Roseland, New Jersey, law firm of Lowenstein Sandler.

Kaitlin Lasser Lovell moved from Ithaca to Portland, Oregon, where she is now Salmon Policy Coordinator in the Western Conservation Office of Trout Unlimited. Ms. Lovell is
“focusing on improving salmon hatcheries and the commercial and recreational harvest of salmon, as well as overseeing the implementation of the Pacific Salmon Treaty between the United States and Canada, and occasionally addressing hydro dam issues on the Snake River and in Klamath Falls.” Before moving West, Ms. Lovell worked in the Cornell University counsel’s office, where she handled real estate, land use, and environmental law issues on behalf of the university.

Erin K. Chrislock was awarded the 2001 American Bankruptcy Institute Medal of Excellence. The medal is awarded to the graduating student who “shows the greatest promise for a career in bankruptcy practice.”

Manisha S. Desai recently served as a Dean Acheson Scholar (law clerk) to Judge Jean-Pierre Puissochet, the French judge at the Court of Justice of the European Communities in Luxembourg. Among the challenges of working on European Community issues, she was called upon to read and write “legal French,” the language in which all Court business is transacted. Of Luxembourg (which she considers a beautiful place to live and work), Ms. Desai wrote, “it seems to rain non-stop here. I almost miss the snow of Ithaca!” In January, Ms. Desai joined the New York City office of Cleary Gottlieb Steen & Hamilton.

Martha L. Keller and Jason L. Zgliniec have joined the Chicago office of Schiff, Hardin & Waite.

Francis K. Lackington, LL.M., joined the St. Louis firm of Husch & Eppenberger LLC through the firm’s foreign attorney program. Mr. Lackington will practice with the firm for one year and then return to the law firm of Edmundo Eluchans Y Cia in Santiago, Chile. Mr. Lackington was a featured speaker in St. Louis on October 9, and in Kansas City on October 10, at a seminar entitled, “Your Compass for Doing Business in Latin America.”

Gale W. Newton was profiled in the newspaper article, “Man Digs Way to Law Degree,” published in the July 16 issue of the Bloomington, Indiana, Pantagraph. The article describes how Mr. Newton worked at night for 10 years as a miner at Turris Coal Company in Elkhart, Indiana, while attending college during the day, and how he nearly lost his life in a 1984 mine excavation accident. After obtaining a bachelor’s degree and a master’s degree from the University of Illinois, Mr. Newton worked for 12 years at the Illinois Environmental Protection Agency and then enrolled at Cornell Law School. He is now an associate with the Wilmington, Delaware, firm of Richards, Layton and Finger, and says, “It’s nice to have a bit of a struggle, but I don’t want my kids to have to work in a coal mine.”

In Memoriam

Col. Jerome L. Loewenberg ’31
Edward R. McPherson ’33
Herbert F. Moshier ’31
Edward F. Hendrickson ’37
Stanley G. Springer ’52
Bernard Didinsky ’41
Robert J. Moore ’53
Paul M. Donovan ’42
G. Williams Reid ’53
Joseph Taubman ’42
Nicholas R. Santoro ’53
John S. DeJose ’43
William A. Dougherty ’55
M. Gilbert Hubbard ’47
John D. Bamonte ’56
James G. Callas ’48
Duncan James Stewart ’64
John E. Nugent ’49
Philip M. Cowan ’68
Jacob F. Hess Jr. ’50
Garry S. Hanlon ’77
Joseph J. Pileckas ’50
Bruce A. Keizer ’87

Editor’s note: The alumni section is written by Risa M. Mish ’88, Director of Alumni Relations. Personal items, newspaper clippings, and other notes are welcome for possible publication in Cornell Law Forum. Please address correspondence to the attention of Ms. Mish at Cornell Law School, M yron Taylor Hall, I thaca, New York 14853-4901 (607 255-5251; fax, 607 255-7193; rmm22@cornell.edu). The alumni office may also be reached at alumni@postoffice.law.cornell.edu.

The career office prepares a monthly newsletter of job opportuni ties for experienced attorneys. Alumni interested in listing opportunities or seeking new positions may contact Judy Mather at 607 255-5873 for further information.
2002 Cornell Law School Reunion

Alumni from all classes are invited to attend the 2002 Cornell Law School Reunion in Ithaca on June 6, 7, and 8. Please mark your calendar and plan to join your classmates for a memorable program of events. Information is available on our alumni website at lawschool.cornell.edu/alumni/reunion.asp.

Thursday, June 6
6:30 p.m. to 8:30 p.m.
Dean’s Welcome Reception,
Berger Atrium, Myron Taylor Hall

Friday, June 7
10:00 a.m. to 11:30 a.m.
Law Library tour featuring the Edwin S. Dawson Rare Book Room, Myron Taylor Hall
10:00 a.m. to 11:30 a.m.
“Solutions in Cyberspace: Using the Internet to Answer Professional Responsibilities Questions” (a hands-on presentation), Law Library Computer Lab (1.5 NY CLE* credits in ethics and skills)
12:30 p.m. to 2:30 p.m.
Luncheon Cruise on Cayuga Lake, M/V Manhattan
1:30 p.m. to 2:30 p.m.
Guided Tour of Cornell Plantations
3:00 p.m. to 5:00 p.m.
“The Corporate Counsel/Outside Counsel Relationship,” Harriet Stein Mancuso ’73 Amphitheater (G90), Myron Taylor Hall (2.0 NY CLE* credits in Practice Management)

Panelists:
Karl J. Ege ’72, Managing Director, Law and Government Affairs, General Counsel, and Secretary, Frank Russell Company
Earl H. Doppelt ’77, Executive Vice President and Chief Legal Officer, VNU, Inc., an international media and information company that includes A.C. Nielsen Corporation, Nielsen Media Research, and Miller Freeman USA.
Len Kennedy ’77, Senior Vice President and General Counsel, Nextel Communications, Inc.

Moderator:
C. Evan Stewart ’77, Partner, Winston & Strawn, and former Executive Vice President and General Counsel, Nikko Securities

6:30 p.m. Class Receptions and Dinners

* Attorneys who practice outside New York may be eligible for reciprocal CLE credit.

Saturday, June 8
10:15 a.m.
Address to Law School by Dean Lee E. Teitelbaum,
Harriet Stein Mancuso ’73 Amphitheater (G90), Myron Taylor Hall
10:30 a.m. to noon
“Understanding Enron,” Faculty Presentation by Professor Jonathan R. Macey, Harriet Stein Mancuso ’73 Amphitheater (G90), Myron Taylor Hall
12:30 p.m. to 2:30 p.m.
Reunion BBQ catered by Dinosaur Bar-B-Que, and Cornell Law Association Meeting, Purcell Courtyard, Myron Taylor Hall
3:00 p.m. to 4:30 p.m.
Myron Taylor Matinee: Two Family House, produced by Alan Klingenstein ’82, Harriet Stein Mancuso ’73 Amphitheater (G90), Myron Taylor Hall

Join us for a screening of this comedy/drama set in 1950s New York. The film’s producer, Alan Klingenstein ’82, will introduce the movie, which won the Audience Award for Best Dramatic Film at the 2000 Sundance Film Festival.

6:00 p.m.
All Reunion Reception and Dinner with featured speaker Joe Lockhart, former Press Secretary, Clinton Administration. Purcell Courtyard, Myron Taylor Hall

Hotel rooms for Reunion may be reserved in the “Law School Block,” on or before May 5, 2002, at the Clarion Hotel, One Sheraton Drive (607 257-2000); the Courtyard By Marriott, 29 Thornwood Drive (607 330-1000); the Holiday Inn, 222 South Cayuga Street (607 272-1000); and the Ramada Inn, 2310 North Triphammer Road (607 257-3100). Rooms at Hughes Hall may be reserved by calling the Alumni Relations Office at 607 255-5251 or by e-mail: alumni@postoffice.law.cornell.edu.

Interested in making Reunion a family affair? Cornell University has a Reunion Youth Program for children ages 6–15 on Friday and Saturday of Reunion Weekend. Children ages 12 weeks to 5 years can enroll in a child care program. Details to follow in this year’s Reunion Brochure.
Class Identity: A Shared Experience

Of all the factors that unite a law school class, its shared memories are arguably the strongest. Over time, alumni discover that their shared memories instill loyalty, bring them together and foster the tradition of supporting the institution. This phenomenon is especially evident at reunion.

Reunion ’97 was a hot time at the Law School, both literally and socially. Milton Strom ’67, who is a 2002 reunion class co-chair, remembers Reunion ’97 event as a great time. Particularly the all-class dinner which, for the first time, took place on Saturday evening under the tent in the Courtyard. “We had many classmates present,” he says, “and suddenly it seemed that we were transported back to the 60’s, sitting around the lounge—the one with the false-front books in the then-plush Hughes Hall. We talked and reminisced for quite awhile, and re-connected with each other.”

Mr. Strom remembers the conversations—now fueled by good wine instead of cheap beer—as spirited and the topics as wide-ranging: Vietnam and the anti-war protests, the murky darkness of the library stacks, the “Alt,” the proliferation of Barristers’ Balls, and various professors and their “quirks.” “We were and still are from different backgrounds and have had long and divergent careers,” says Mr. Strom, “but the Cornell Law School bond and sense of class identity have remained strong.”

Risa M. Mish ’88, former class reunion chair and now director of alumni relations, is well aware of this phenomenon. “Reunion presents the best opportunity to reconnect with classmates and the Law School,” said Ms. Mish. “Through dynamic programs that highlight accomplished alumni and faculty, and class-specific activities such as reunion dinners, alumni can obtain a new perspective on the Law School, rekindle friendships with classmates, and rediscover what we loved best about being here.”

To underscore the importance of reunion to alumni relations efforts, the Law School has created a new alumni leadership position of national reunion chair. This year’s national chair is C. Evan Stewart ’77. “There is a rich, albeit patchwork, tradition of classes uniting to give something back at Reunion,” says Mr. Stewart. “My goal is to ensure that experienced class leaders actively assist new class leaders in ways that benefit both our alumni and our school.” Mr. Stewart hosted the first reunion volunteer leadership meeting in New York last October. The purpose was to unite and rally reunion class leaders, give them training and tools, and have experienced class leaders offer coaching and assistance.

As time passes and classes continue to return, reunion takes on greater significance for alumni who understand the unique legacy of Cornell Law School. “As we progress through life,” says Mr. Strom, “our shared experiences tend to become stronger and more important, and most alumni tend to grow closer—both to each other and the school. I think that’s a very important part of the Reunion experience.”
Reunion Chairs

The External Relations department would like to take this opportunity to thank the following people for their help in planning Reunion 2002 and for their continued dedication to Cornell Law School. If you would like to join this special group of volunteers, please contact us at alumni@postoffice.law.cornell.edu, or at giving@postoffice.law.cornell.edu.

You may also receive more information by looking at the development web page at lawschool.cornell.edu/giving/ or the alumni page at lawschool.cornell.edu/alumni/.

1937: Theodore W. Kheel
1942: John W. Reed, Neal R. Stamp
1947: Clifford M. Barber, Albert W. Henderson, Frank J. Horton, Myron S. Lewis
1952: Burton CitaK, Albert C. Neimeth
1957: Thomas T. Adams, Donato A. Evangelista, Frank J. Lasch
1962: Danforth W. Rogers
1967: Sheppard A. Guryan, Joseph L. Serafini, Milton G. Strom
1972: Richard V. Sica, Gregory J. Smith
1977: C. Evan Stewart
1982: Sarah Hewitt, Steven L. Kessler
1987: Whitney A. Holmes, Steven J. Molitor, John P. Reilly
1992: John J. Dieffenbach, Susan Ellen Greenberg, Christina S. Pak
1997: Jeffrey A. Goldstein, Nancy Richmond Goldstein, Anne R. Myers, Stephen B. Reynolds