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The influence of culture on law in Asia
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Dear Friends and Alumni:

As I write this, the graduation ceremonies for the class of 2007 have concluded and the Reunion weekend is about to start. It’s a marvelous juxtaposition. We celebrate the most recent fruits of our labor going forth in the splendor of those red robes—eager to demonstrate to the world they are ready to be Lawyers in the Best Sense. We then welcome back dear friends among our alumni, whose careers have exemplified Lawyers in the Best Sense.

The spring semester has been a whirlwind. Some of our activities are highlighted in this issue of the Forum. Our faculty members continue to inspire us with their scholarship and activities, both locally and globally. Professor John Blume argued a capital-punishment case before the U.S. Supreme Court, for the seventh time. Law librarian Professor Claire Germain bolstered our French connection through her work in establishing the Cornell Center for Documentation on American Law at the Cour de cassation in Paris. In Africa, Professor Muna Ndulo was named chair of the Gender Links board, an NGO dedicated to promoting gender equity in southern Africa. Professor Annelise Riles was appointed to the Joint U.S.-China Commission on Legal Education.

As always, the spring semester was full of symposia. Loyola held one in honor of our own Steven Shiffrin and his work on commercial speech. Leading European jurists had one to discuss Mitchel Lasser’s book, Judicial Deliberations: A Comparative Analysis of Judicial Transparency and Legitimacy. And our students held their own symposium on a very timely topic—immigration policy. The students also were busy practicing their lawyering skills in various moot court competitions, both internationally and nationally. In the Langfan Family first-year competition this spring, over 130 of our 188 students participated. Now that is a participation rate!

Interspersed throughout this issue you will see the work of our assistant dean for public service, Karen Comstock. She went to the Dominican Republic with alumni, including senior legal counsel for Habitat for Humanity, to build a house, and she brought alumni to Ithaca to talk to students about public service careers. Assistant Dean Comstock helped coordinate students who provided legal assistance for victims of Hurricane Katrina, for which Cornell Law School received a pro bono award from the New York Bar Association. Our public service programs help us produce Lawyers in the Best Sense, by nurturing not only lawyers with strong minds but also a strong will to give to the societies of which they are a part.

Thanks to the support of our generous friends and alumni, we are meeting our goal of being the best place in the world at combining inspiring teaching and world-class scholarship in an intimate, supportive intellectual community. I invite you to take part.

Happy reading!

Stewart J. Schwab
The Allan R. Tessler Dean and Professor of Law
Dean Schwab congratulating Law School graduates alongside Cornell University president David J. Skorton. “Both David and I enjoy the opportunity this ceremony provides us. It is great to be able to individually congratulate each graduate on their accomplishment. And, in each person, we can see the fruits of our efforts, as they go forth to become the next Lawyer in the Best Sense.”
In recent years American constitutional lawyers have increasingly turned their attention to the comparative study of a wide variety of topics, ranging from federalism to abortion to free speech. Despite this revived interest in comparative constitutional law, American constitutional scholars have generally ignored the topic of property.

American comparative constitutional scholars’ inattention to property is strange. One of the most controversial questions confronting modern constitution makers around the world has been whether to recognize property as an entrenched right. In post-apartheid South Africa, for example, property was included in the interim and final constitutions, but only after a great deal of heated debate. A similar debate raged in Canada a few years ago when the federal government proposed a property clause for inclusion in the Charter of Rights, and the result was to reject constitutional property. Underscoring the point, property appears nowhere in Franz Wieacker’s “basic inventory” of rights accepted by “most western countries” as of 1989.

Why is there hesitation to include property as a constitutional right? From an American perspective, it might seem natural to include property in the scheme of constitutionally protected interests of any nation that is committed to a private property/free market system. Private law in all market-based societies takes private property rights seriously, at least as seriously as is feasible given the complications that rapidly increasing complexity both in the economies and societies of advanced countries creates for their private-law regime. But private law can only do so much by way of protecting private property. A property-rights advocate might suppose that in countries that respect private property rights, constitutional protection would be a logical
One of the most controversial questions confronting modern constitution makers around the world has been whether to recognize property as an entrenched right.
complement to private law’s protection of individual property interests. Why, then, is there any controversy about the inclusion of a clause expressly protecting private property in the constitutions of countries with free market/private property economic systems? For those who view property as the foundation of democracy, constitutional protection of property rights is greatly important as a tool for creating and maintaining a liberal democratic order, particularly in new democracies. Some commentators go so far as to argue that without constitutional protection, property rights are unlikely to achieve the degree of security and stability that is necessary for a properly functioning liberal democracy as well as for an efficient free market economy, or at least that there is a substantial risk that they will not do so.

On the one hand, critics of property rights have long argued that property undermines democracy. To them, property rights are the source of inequality, of both wealth and political power, denying meaningful opportunity for political participation and self-governance. Property is a source of domination, not democracy. Those who believe that individuals should have a right to subsistence living support, which one might consider to be an aspect of the right to life, have opposed granting constitutional status to property rights because they have assumed that a constitutional right of property is in this sense in tension with, if not fundamentally incompatible with, a right of access to foundational goods. Entrenching the right of property means that adjustments between competing claims to the exclusive right to appropriate the same goods cannot be made through the processes of ordinary majoritarian politics. Critics of constitutional property worry that supermajoritarian protection of property will inevitably lead to an unacceptably high degree of inequality in the distribution of scarce resources or reinforce an existing maldistribution of wealth, including the basic necessities for human existence.

Both sides of this debate are victims of what I will call “the formalist trap.” The formalist trap is the assumption that the degree of legal protection that extant property holdings within a society enjoy is strongly affected by the existence or absence of a property clause in that country’s constitution. Hence, in a liberal democracy whose written constitution expressly guards against uncompensated state expropriations, extant property holdings are likely, by virtue of that formal constitutional guarantee, to enjoy a high degree of security and stability. And, because of the materially higher degree of security of individual holdings, such democracies are likely to enjoy a comparatively greater degree of economic development and more robust citizenship. Conversely, in a democracy that has not made property a constitutional or entrenched right, property holdings are likely to be unstable or insecure. Concomitantly, such a society is less apt to be one characterized by a robust civic life.

In recent years the formalist trap has been most conspicuous perhaps in the neoliberal agenda pursued by major international lending institutions such as the World Bank and the International Monetary Fund. As conditions for lending money to new democracies, these institutions have imposed a set of background legal requirements, both on the private law as well as constitutional side, that are designed to secure investor property rights by limiting the sovereignty of local majoritarian politics. The requirements, among the most important of which is a strongly phrased constitutional

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**A SAMPLING OF PROPERTY LAW AROUND THE WORLD**

**U.S. Constitution:**

No person shall … be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**U.S. Constitution, Amendment V**

… No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**German Constitution:**

1. Ownership and the right of inheritance shall be guaranteed. Their substance and limits shall be determined by law.

2. Ownership [Eigentum] entails obligations. Its use should also serve the public interest.

3. Expropriation shall only be permissible in the public interest. It may only be ordered by or pursuant to a law that determines the nature and extent of compensation. Compensation shall reflect a fair balance between the public interest and the interests of those affected. In case of a dispute regarding the amount of compensation recourse may be had to the ordinary courts.

**1996 South African Constitution:**

1. No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.

2. Property may be expropriated only in terms of law of general application—

   a. for a public purpose or in the public interest; and

   b. subject to compensation, the amount of which and the time and manner of payment which have either been agreed to by those affected or decided or approved by a court.

5. The state must take reasonable legislative and other measure, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.

**1996 South African Constitution, sec. 25, no. 1, 2, and 5**

1. Everyone has the right to have access to adequate housing.

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...
property clause, constitute a nearly uniform blueprint. The approach is one of standardization, where one size fits all. Little or no account is taken of social, economic, or cultural differences among borrowing nations.

Ironically, political progressives have fallen victim to the same mistaken assumption. Progressives generally provide two reasons for opposing constitutional protection of property. First, they argue that making property rights a matter of constitutional protection frustrates the realization of a just society. Social justice requires a fair distribution of holdings, and constitutional property clauses make collective adjustments of property holdings much more difficult than they would be if property rights were left subject to majoritarian control. Second, progressives argue that by removing the question of whether the extant distribution of property holdings is fair from the agenda of ordinary democratic politics, constitutional property clauses create an unacceptable risk that many citizens will lack the material wherewithal to practice democratic citizenship.

Both sides of this debate are wrong. Contrary to the commitment to formalism they both share, constitutional protection of property is far from being indispensable for either economic or democratic well-being. No legal text, constitutional or otherwise, has that much effect. What proponents of the new constitutionalism and its critics have both overlooked is the effect of background non-constitutional legal and political traditions and culture on the status of property rights in new democracies. These background traditions and culture have a path-dependent effect that undermines the case for any standard approach to the questions of whether and how to constitutionalize property. In deciding whether and how to constitutionalize property, policy-makers need to pay serious attention to a variety of contextual factors. These include the following: the method of formal constitutional amendment; the relationship between the judiciary and the legislature; the nature of judicial review in the local country and local attitudes towards it; the status of property under local private law traditions and culture; the legal system’s jurisprudential tendencies; and, finally, how politicized the general subject of property rights is within the local society. None of these factors will be given any weight if policy-makers succumb to the formalist trap.

I do not say that property clauses are irrelevant or otiose. Text does matter. The text of the property clauses of the constitutions of Germany and South Africa, for example, has made interpretations relating to the social-obligation aspect of constitutional property easier. In South Africa, the explicit social-welfare commitments of the property clause and cognate provisions of the constitution have made a significant difference in how housing rights cases are handled in the constitutional court. Conversely, the absence of specific textual locutions makes particular interpretations more difficult. The absence of a textual reference to a social obligation of ownership in the American takings clause has made interpretations like those made by the constitutional courts in Germany and South Africa more difficult, though not impossible.

At the same time and just as important, text alone is not outcome-determinative. The formalist thesis ignores or underestimates the importance of the other factor that figures in the interpretive process: background (nonconstitutional) legal and political traditions and culture. Tradition and culture also matter a great deal in the interpretive process. The
experiences with interpretation of the constitutional property clauses of both Germany and South Africa demonstrate how traditions and culture have influenced the constitutional courts in those countries. In South Africa, for example, the private-law tradition of property threats to undermine the transformative purpose of the property clause and related provisions of the 1996 constitution.

By the same token, background tradition and culture strongly influence constitutional interpretation, but they do not dictate how a legal community of interpreters will react to a new constitutional provision. The effect of a constitutional property clause may vary over time, as traditions and cultures change. No constitutional provision, including a property clause, is a true precommitment device. Constitutions can be amended, not only explicitly but also implicitly through the process of interpretation. All that the decision to include a property clause in a constitution signals is the existence of a political consensus in favor of (relatively) strong property rights, at this moment in time. It is not a guarantee for the future.

My emphasis on the role of background traditions and culture raises one argument that is sometimes made in support of inclusion of a constitutional property clause in the new constitution of a nation. The argument is that in the case of a nation that lacks a historical legal culture or tradition of secure property rights, there is special reason to adopt a constitutional property clause in order to promote the transition to a rights-respecting legal environment. Such a provision, that is, will serve as a catalyst for creating a new legal culture. For example, a constitutional property provision might be a place to start in developing a new legal culture that is committed to those liberal values that are commonly associated these days with the label “rule-of-law order,” that is, the values of economic liberalism. This argument has considerable force. Still, it is worth considering in any given case whether constitutionalizing property is the best way to begin creating a new legal culture, one oriented by economic and political liberalism. Especially in a society with a history of economic injustice, a constitutional property clause may be extremely controversial. A property clause may ultimately be adopted but only at a cost of substantial political capital. There may be better places to start changing the background legal culture and traditions than property clause, such as the particular characteristics of legal institutions like courts.

It is also possible that a constitutional property clause may serve as a catalyst for legal, political, and social transformation in a progressive direction. Perhaps the best current example is South Africa, where some of the proponents of the new constitution’s property clause argued that a carefully constructed property clause, far from having the laissez-faire effects that some opponents claimed, would be a catalyst for land reform, tenure reform, and land restitution. One of the most important questions in South African constitutional law today is whether the property clause will have that effect.

Finally, constitutional provisions have symbolic and expressive value. A transforming society may wish to include a property clause in its new constitution simply for the purpose of expressing particular political or moral values, regardless of uncertainty about the instrumental effect of the clause. At the same time, however, the expressive value of a property clause may be negated or undermined by the government’s use of the clause for propaganda purpose. History is filled with stories of dictators who have used formal constitutional rights provisions as propaganda to counter criticisms of their regimes.

My claim does not deny either of these arguments. I argue only that the instrumental effects, both political and economic, that a property clause ultimately has turns at least as much, if not more, on the country’s background politico-legal traditions and culture (i.e., the path-dependency argument) and the legal institutional context within which constitutions and the courts interpreting them operate.

Gregory S. Alexander is the A. Robert Noll Professor of Law at Cornell Law School.
The new constitutionalism has older roots. Its direct lineage traces back to the work of political economists like James Buchanan, who argued explicitly and consistently for the necessity of constitutional protection to prevent majoritarian interventions in the market. He states, for example, “Until and unless constitutional constraints are placed upon the authority of legislative majorities to intervene in the workings of the economy, there will be no means of forestalling the continuing need for economic ‘reform,’ defined as the dismantling of prior interventions.” James M. Buchanan, *The Economics and Ethics of Constitutional Order* (Ann Arbor, MI, 1991), p. 104 (emphasis in original). Although he does not call for constitutional property clauses by name, that is doubtless what he envisions. Property clauses are ordinarily thought to be the central constitutional device for controlling majoritarian interventions in market economies.


9. The experience of South Africa is especially revealing on the importance of this topic. See chapter 4 of my book, *The Global Debate over Constitutional Property*.


11. Zimbabwe is a recent example. Despite the existence of a constitutional provision requiring compensation for government expropriations of property (Constitution of Zimbabwe 1980, § 11), in recent years President Robert Mugabe’s regime has routinely forced white landowners off their land with no payment of compensation whatsoever. The constitutional provision has played virtually no role in this process of forced removals. It will be interesting to see what effect, including propaganda effect, China’s new constitutional property clause has in future government expropriations of land. Experience with other provisions of China’s constitution indicates that the constitution is generally subordinate to party ideology. See Chris Buckley, “China Approves Amendments on Property and Human Rights,” *New York Times*, Mar. 15, 2004, p. A12.
"You can learn a lot about law by studying history, literature, anthropology, film, and other humanities subjects that examine how people live," says Professor Riles.
“The name of the Clarke Program in East Asian Law and Culture was chosen with care,” says Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law at the Law School. “By emphasizing the words ‘law’ and ‘culture,’ we wanted to underscore the distinctive approach Cornell is taking to our engagement in that region of the world.”

Leading the way is Annelise Riles, professor of law and anthropology, who has directed the Clarke Program since its inception in 2002 with an openness and engaging style that have won her praise from all quarters. Her deceptively simple idea: “You can learn a lot about law by studying history, literature, anthropology, film, and other humanities subjects that examine how people live.”

To traditionalists who may be surprised to see the study of law linked with culture, Professor Riles responds, cheerily but firmly: “You can’t understand the meaning of a legal contract without understanding the culture—religion, kinship, markets”—from which it arose. “A clause in a piece of legislation in, say, Japan may have symbolic value and never be litigated, but if you don’t know something about the culture you won’t know that.”

One of ten Law School faculty members with research interests in Asia, Professor Riles says the region is a wonderful laboratory for learning how culture influences law. “You can’t get away from the wider social context there.” Law students may apply those lessons to the United States, where the same is also true, in perhaps less-obvious ways, she says.

But with the world’s largest, fastest-growing economies now in East Asia, the lessons are especially valuable to today’s law graduates, who are more likely than ever to be involved with clients from that region and will need some understanding of Asian law—a subject not traditionally taught in law schools, notes Professor Riles. “Comparative law has focused more on Europe. Only in the last ten years has it opened up.”
Serendipitously, the legal systems of East Asia are going through enormous changes at the same time, shifting from the European model to the American one, which also makes the region incredibly interesting to legal scholars.

“Along with the changes, there are fascinating legal questions emerging in that part of the world about how the law should change and what models are best,” Professor Riles says. Harvard, Columbia, and the University of Washington also have strong programs in East Asian law, but the Clarke Program, which was established through an endowment gift in 2002 from Law School alumnus Jack G. Clarke ’52 (see sidebar), is unique in several ways, says Professor Riles.

“One quality that gives us a special flavor is our interdisciplinary approach,” she asserts. “We believe the practice of law needs analysis from a variety of disciplines, so it’s very important to us to link the Law School with the rest of the university.”

“Cornell has long had great strengths in its East Asia, Southeast Asia, and Asian language intensive programs,” says Dean Schwab. “And I have seen firsthand the enormous esteem that the Cornell name elicits in East Asia itself during my visits there. Clarke Program initiatives are leveraging those terrific assets.”

But “instead of looking at Asia simply to learn about ourselves we’re looking at Asia to learn about Asia, and giving something back in the process, “ says Asian labor law scholar Michael W. Dowdle, who joined the Clarke Program last year as assistant director and resident fellow. “No one else in American academics is doing this.”

The Clarke Program has a lively colloquium series with weekly talks on such topics as constitutional reform in China and law school reform in Japan; several major conferences each year on subjects as wide-ranging as “Cultural Approaches to Asian Financial Markets” and “Rethinking the Private in Private International Law”; an annual Clarke Lecture on a provocative topic such as divorce in China by a prominent international scholar; and a photography exhibition, and discussion with the photographer, about post-World War II Okinawa under U.S. occupation.

“The Clarke Lecture always takes place at the A. D. White House in the center of campus, rather than the Law School, as a way of reaching out to the entire Cornell community,” notes Professor Riles.

But what makes the Clarke Program really stand out from the pack, Professor Riles says, is “we search out truly interesting researchers—not just distinguished scholars but also young scholars thinking outside the model—who have not yet been discovered in Asia—and give them a forum to test out their ideas and take that back with them. This ‘space’ frees them from cultural and institutional strictures and becomes a kind of ‘free zone’ in which people are able to communicate across age and rank and feel free to learn from each other.”

Professor Riles relates how, during their tenure as Clarke fellows, a visiting professor in contract law from the University of Tokyo became close friends with a feminist legal scholar from Korea, “someone he probably wouldn’t have been able to meet in Asia.” Their intellectual exchanges not only informed their scholarship but led to her calling him to share ideas after she was appointed minister of justice in Korea.

But how do you get scholars from Asia to explain what the law of Asia is all about to others? “A common subject is a great place to start,” says Professor Riles.

In keeping with that approach, the Clarke Program has a different theme each year—
The legal systems of East Asia are going through enormous changes … shifting from the European model to the American one, which also makes the region incredibly interesting to legal scholars.
suggestions on researching my dissertation, which is about how China accommodates international law and norms as it integrates into international society.”

Samson W. Lim, a second-year Ph.D. candidate in history, is another non-law student who has been drawn to Myron Taylor Hall for Clarke Program talks. “Attending the talks introduced me to a lot of ideas being pursued in other regions of the world, which helped me think about how to frame my own project,” he says. “[Visiting Professor] Eva Pils’s talk last year about her interest in protest letters in China got me thinking about alternative mechanisms for popular input into a country’s legal system. And Columbia Law School Professor Benjamin Liebman’s Clarke Lecture on the judiciary and the media in China helped me think about the role of non-law institutions in the law-making process.”

Professor Pils, who is now an assistant professor at Chinese University of Hong Kong, also has high praise for the Clarke Program. “It was a tremendous opportunity to do research. I learned from other visiting scholars with whom I had overlapping interests, and I certainly have a sense that those contacts will endure. Also I got to talk to distinguished scholars with special expertise in jury trials at a conference on ‘Citizen Participation in East Asian Legal Systems,’ organized by Professor Valerie Hans—and I am now revising a paper on that subject.”

Professor Hans, an authority on the American jury system, comments: “The conference was a terrific opportunity to hear about some exciting developments in legal systems in East Asia. It enriched my own thinking, and I am pleased to learn it has led to more research efforts on the subject.”

Timothy Choy, assistant professor of comparative studies at Ohio State University and visiting researcher in the Clarke Program in 2006-07, adds: “People like Eva Pils and Professor Doug Kysar, an expert in environmental law, helped me formulate my research project, on the legacy of British property law in rural Hong Kong, in more exciting ways. The fact that I get to talk to people who have such knowledge outside my domain through the Clarke Program is really amazing.”

And Timothy J. Webster ’06 credits Professor Riles’s course in Japanese law with inspiring a paper he wrote that won a Clarke Program
student essay prize. The paper’s subject involved native Chinese who were used for forced labor by Japan in World War II and who sued in American courts for compensation. “Tim’s paper was impressive,” says Professor Riles. “It looked at the important question of how that history should be dealt with. Writing it required legal and historical knowledge as well as foreign language skills.”

Mr. Webster is now a litigator with Morrison and Foerster and hopes eventually to work with the firm’s many clients in East Asia. The Clarke Program also offers the Law School’s core faculty “some wonderful opportunities to think comparatively about Asia,” says Professor Riles. “The questions were already on the table at the school, but we’ve provided different conversations.”

A “roving conversation” on property rights begins at the Clarke Program conference in Beijing this May, titled “Culture, Conflict, and Constitutionalism: The Global Debate about Property Rights.” The eclectic group presenting includes Professors Cui, Choy, Alexander, and Peñalver, as well as Zhu Suli, dean of Beijing University Law School, a sociologist interested in what the law looks like in rural China.

“Following that, we’ll take the dialog to the London School of Economics, and to Berlin this summer for the Annual Meeting on Law and Property Rights,” says Professor Riles.

“I think that looking at culture is the way comparative and international law has to be done,” says Professor Alexander. “Canadians voted down a proposal to make owning property an entrenched right. They saw no need to because in Canadian history and culture, property already gets enough respect and protection. In the United States, where the culture is different, we have a hard time understanding this.”

“Property rights are inherently social in nature,” observes Professor Peñalver, a former Cornell undergraduate who says he was influenced by Professor Alexander’s writings when he studied law at Yale. At Beijing he’ll have an opportunity to present his own ideas. Some of them can be found in his forthcoming book, Property Outlaws, which discusses how the actions of nineteenth century squatters on the American frontier and 1960s civil rights protesters sitting in at lunch counters in the U.S. South both led to a loosening of the laws governing private property.

“The cultural approach that we’re developing here depends upon serious and sustained conversation among scholars in different parts of the world,” says Professor Riles. Last summer the Clarke Program sponsored a
What makes the Clarke Program really stand out from the pack, Professor Riles says, is “we search out truly interesting researchers—not just distinguished scholars but also young scholars thinking outside the model—who have not yet been discovered in Asia—and give them a forum to test out their ideas and take that back with them. This ‘space’ frees them from cultural and institutional strictures and becomes a kind of ‘free zone’ in which people are able to communicate across age and rank and feel free to learn from each other.”

Bastille Day conference with Professor Mitchel Lasser as part of the Law School’s program in Paris.

“We brought Asian and European legal scholars together,” Professor Riles notes. “They’ve hardly ever talked to each other even though much Asian law was based on the European model—the Japanese legal system was imported from Germany and France.”

The Paris gathering provoked a range of questions, from how to harmonize the laws between European Union countries to whether judges should be elected, and drew thank-yous from participants for getting the dialog going.

If one were to make a fortune cookie prediction for the Law School’s future connections with East Asia, the words on the white slip of paper might read: “Look for mutual learning opportunities that may lead to greater understanding.”

Certainly Professor Riles’s appointment in January to the Joint China-U.S. Commission on Legal Education suggests so. One of only six Americans to be named to the commission, she says she’ll work toward more collaborations between U.S. and Chinese law schools in that new role. Her Clarke Program goals seem parallel: more links with Japanese programs for Cornell law students.

“Her capacity to make connections and reach out to diverse groups is refreshing and will serve our students well as they face the challenges of an increasingly interdependent world,” says Laurie A. Damiani, director of international initiatives in Cornell’s Office of the Vice Provost for International Relations and former administrative director of the East Asia Program.

There’s one cultural lesson that Professor Riles might want to share with students headed to East Asia for study, however. It comes from her former student Mr. Webster, who says he learned it as a Law School exchange student at Waseda University in Japan: “You never leave the classroom before the professor does.”

Jack G. Clarke ’52, Law School Benefactor

Jack G. Clarke, the benefactor of the Clarke Program in East Asian Law and Culture, earned an LL.B. at the Law School in 1952. He went on to obtain a master of laws degree with a focus on international law at Harvard, and then joined a subsidiary of what is now the ExxonMobil Corporation. After moving to Exxon’s law department, he rose through the ranks of management to become senior vice president and director of the firm in 1975. He retired in 1992. In addition to his endowing the Clarke Program, Jack Clarke has made gifts with his wife, Dorothea, to the Clarke Fund for the Middle East Legal Program and the Clarke Center for International and Comparative Legal Studies at the Law School. The couple’s interest in Asia and the Middle East stems from their many visits to those regions.
Monday morning, eight a.m. In front of us stood piles of gravel and sand over six feet high and more was on the way. In the nearby shed sat dozens of 100-pound bags of cement mix. To our left was a giant water tank and behind us a four-foot deep trench measuring twenty by twenty-seven feet. Twenty-foot lengths of rebar were stacked to one side and soon the truckload of concrete blocks would arrive. Fourteen women from the United States in hard hats, work gloves, and Habitat for Humanity T-shirts gazed at this scene and wondered how, in only five days, we would turn all of this into a house for Theodosia, Polyester, and their three children (make that four—the baby was due any day).

Oh, and power tools were not an option. In the town of Polo, Dominican Republic, the available tools are shovels, pickaxes, wheelbarrows, beat-up buckets, the occasional pair of pliers, and a giant levered contraption that, if you throw your weight on it just right, will cut and bend the rebar into the lengths needed to create the foundation framework.

This adventure really began nearly two years ago when Katina N. Grays ’02, left the big law firm life to take a job as senior legal counsel for Habitat for Humanity in Americus, Georgia. After several months handling legal issues, Katina was eager to get her hands dirty on the front lines. After all, shoveling rocks and hauling buckets of cement is what Habitat’s core mission is all about. Habitat volunteers work alongside members of host communities, raising awareness of the burden of poverty while building decent, affordable housing. In 2005, Habitat celebrated the dedication of its two hundred thousandth home worldwide since the organization’s founding in 1976. So, in mid-November, a hardy group of Katina’s friends and co-workers, including Sara A. Lulo ’02, Ruth A. McFarlane ’03, and the author found ourselves...
becoming intimately acquainted with the fine points of cement, mortar, and concrete.

Our build was organized by the Polo Habitat affiliate, one of scores of independent, locally run, nonprofit Habitat organizations throughout the world. Each affiliate coordinates all aspects of Habitat home-building in its local area, including partner family selection. Neither race nor religion is a factor in choosing the families who receive Habitat houses. Our family was selected based on their level of need, their willingness to become partners in the program, and their ability to repay the no-profit, no-interest loan. Theodosia and Polyester, both nurses, demonstrated the ability to pay the fifteen-dollar monthly mortgage, and several male friends and family members worked at the site, contributing the required “sweat equity.” Neighborhood children came by each day to watch and lend a hand. Along with other community residents, they observed the unusual sight of a group of women building, sweating, and laughing together. Our chores were assigned by Ascencion, our female Spanish-speaking engineer from the local affiliate. One of the many reasons we were happy to have Sara Lulo along was her ability to translate instructions, as her parents were born in the Dominican Republic. In fact, Ascencion hollered “Sara!” so many times that Theodosia informed us at the end of the week that Sara would be the name for their new baby girl.

On our last day in Polo we arrived, uncharacteristically clean and well-dressed, to share breakfast in the community center with several local “Habitat families,” about sixty people in all now living in houses built by Habitat volunteers like us. We then walked down to our work site to dedicate our almost-completed house—the walls reached nearly six feet high. Other volunteers would follow us the next week to complete the walls and roof. After endless picture-taking and tearful good-byes, we began our trip home, feeling a little tired and a little sore, but moreover humbled and extremely grateful for this brief but profound experience.

Karen V. Comstock is Cornell Law School’s assistant dean for public service.

Above: The Habitat group on their final morning, after dedicating their almost-completed house.
Professor Blume Argues Death Penalty Case Before U.S. Supreme Court

On March 21, Cornell Law School Professor John H. Blume appeared before the U.S. Supreme Court to argue for the rights of a death penalty prisoner. This was Professor Blume’s seventh argument before the Supreme Court. In the case, Roper v. Weaver, Professor Blume, director of the Cornell Death Penalty Project and professor of law, argued on behalf of William Weaver, who was sentenced to death in Missouri in 1988. Professor Blume was the lead counsel on the case with Professors Sheri Lynn Johnson and Trevor W. Morrison assisting on the brief, along with Phil Horowitz and Eric Butts, and the firm of Bryan Cave in St. Louis.

Mr. Weaver was found guilty of first-degree murder for killing a prospective witness in a drug trial. During his sentencing, the prosecutor made remarks that Mr. Weaver viewed as inflammatory, violating his right to habeas corpus. In February 2006, the U.S. Court of Appeals for the Eighth Circuit agreed, vacating his death sentence. Missouri appealed, invoking the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA). The AEDPA authorizes federal courts to grant habeas petitions only if the state court’s decision violates “clearly established federal law, as determined by the Supreme Court of the United States.” Missouri argued that the federal courts did not have the authority to grant Mr. Weaver habeas, since the Supreme Court had not held that the penalty-phase argument was too inflammatory. In December, the Supreme Court agreed to hear the case. In May, the Supreme Court justices, after reviewing the case, dismissed it as being “improvidently granted.”

“In our brief,” says Professor Blume, “part of the relief we requested was that the Court dismiss the writ as improvidently granted, thus leaving intact the judgment of the Eighth Circuit granting Mr. Weaver a new sentencing trial.”

“While the literal question before the Court was a technical one having to do with limitations on habeas relief contained in the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA),” says Professor Blume, “the underlying constitutional issue regarding whether numerous improper and inflammatory comments made by the prosecutor during his sentencing-phase argument at Mr. Weaver’s trial should not be lost in the AEDPA battle. Both the district court and the court of appeals found that the prosecutor made a number of inappropriate comments...
that likely influenced the death sentence imposed by the jury. If the Court were to reverse the decisions of the lower courts, it would essentially be giving prosecutors the ‘green light’ to make similar, improper arguments in capital cases.”

Professor Blume joined Cornell Law School in 1993. With Professors Johnson, Theodore Eisenberg, and Stephen P. Garvey, he formed the Cornell Death Penalty Project to offer students an opportunity to work on death penalty cases, to foster empirical scholarship on the death penalty, and to provide information and assistance for death penalty lawyers. Professor Blume teaches criminal procedure, wrongful convictions, mental health issues in criminal cases, and the Supreme Court’s treatment of the death penalty; he also supervises the capital trial and capital punishment clinics. He has served since 1996 on the Habeas Assistance and Training Project Counsel, which consults the Defender Services Committee of the United States Courts. Previously, he clerked for Hon. Thomas A. Clark of the U.S. Court of Appeals for the Eleventh Circuit and was executive director of the South Carolina Death Penalty Project.

Cornell Law School Expands French Connection with Collaboration with France’s Highest Court

Cornell Law School and the Cour de cassation, France’s top civil and criminal court, have agreed to establish the Cornell Center for Documentation on American Law. The new center, which will be housed in the ancient premises of the Cour de cassation in the Palais de Justice in Paris, will include a 13,000-volume collection of law books from Cornell Law School’s Law Library as well as special training and instruction from Law School librarians.

This new partnership supplements the Law School’s already strong relationships in France, such as its fourteen-year joint venture with the University of Paris 1 Panthéon Sorbonne in the popular Summer Institute of International and Comparative Law in Paris, and a unique four-year American/French law degree: the J.D./Maîtrise en Droit.

Writing to Dean Schwab, President Canivet said: “You and your school are taking a pioneering decision which is bound to have deep political and judicial and intellectual repercussions for which I not only congratulate you but also thank you profoundly.”

Thai Princess Honored with Law School Scholarship

As both an inspiration and a model, Her Royal Highness Princess Bajrakitiyabha Mahidol is being honored by Cornell Law School and the Thai Bar Association with a scholarship and exchange program in her name. Dean Schwab initiated the scholarship and exchange program which will link Cornell Law School and the Thai Bar
Association by signing a memo of understanding at a January ceremony. The ceremonial signing occurred while the dean and his delegation, including Professor John J. Barceló, the William Nelson Cromwell Professor of International and Comparative Law and the Elizabeth and Arthur Reich Director of the Leo and Arvilla Berger International Legal Studies Program, and Law School benefactor Jack G. Clarke ‘52, were visiting Thailand and Japan to meet with alumni and law faculties.

“This new fund is being established in the name of Her Royal Highness Princess Bajrakitiyabha Mahidol—better known to us at Cornell as Princess ‘Pat,’” says Professor Barceló, who was chair of her J.S.D. committee at the Law School. “Princess Pat earned her LL.M. from Cornell Law School in 2002 and her J.S.D. in 2005. Hence she is both the inspiration and the model for this new scholarship and exchange program. We at Cornell are absolutely delighted that this new fund has been established and that it has been named in the princess’s honor.”

The fund will provide a scholarship of one year’s tuition and living expenses for a Thai student with especially outstanding qualifications, including successful completion of the Thai bar exam. Once nominated by the Thai Bar Association, the first student recipient of this new fellowship is expected to arrive at Cornell Law School for the 2007 fall semester. The fund will also support a scholarly exchange program involving law teachers and scholars from Cornell and leading Thai universities.

The agreement was celebrated with a gala formal dinner for three hundred, which was televised to the nation of Thailand. The princess, who is a member of the Thai bar and currently works as a prosecutor in the Ministry of Justice, attended. Professor Barceló wrote the keynote address, “Challenges Facing the WTO: The DOHA Round and Beyond,” presented at the dinner. The next day, Dean Schwab and Professor Barceló were interviewed live on Thai television about the event.

After the event, the Cornell delegation met with alumni in Bangkok, and then Japan. Alumni Mitsuru Claire Chino ‘91 and Shinya Watanabe ‘84 coordinated an event in Tokyo. The delegation also met with members of the law faculties of Keio University and Waseda University, with whom Cornell Law School has exchange agreements. Finally, they met with alumni representatives of the Mori Hamada law firm, which has established the Mori Hamada Exchange Fund to support the exchange of legal scholars between Cornell Law School and Japan.

Law School Faculty Members Assist in Creating Interdisciplinary Ph.D.

Because of the synergy between law, psychology, and human behavior, members of the Cornell Law School faculty are part of an interdisciplinary group offering a new Ph.D. in law, psychology, and human development. The program takes advantage of Cornell’s cluster of nationally recognized scholars, including law professors John H. Blume, Valerie P. Hans, and Jeffrey J. Rachlinski. Along with the assistance of Charles D. Cramton, assistant dean for graduate legal studies at the Law School, they have helped shape the concentration that will be first offered by Cornell this fall.

“Law is all about directing human behavior—it is really a form of applied social science,” says Professor Rachlinski, who studies the decision-making processes of judges and ordinary citizens. “Absent an understanding of human behavior, lawmaking is guesswork. Psychology can provide a realistic, empirically based foundation for understanding how law works.”

“Law, psychology, and human development are very deserving of a joint program because there are lots of relevant projects and studies in psychology that bear on legal questions, and lots of legal dilemmas that evoke ideas from psychology,” says Professor Hans, who conducts empirical studies of law and is one of the nation’s leading authorities on the jury system. “Without a joint program, there is no way to have an exchange—scholars need enough familiarity with all the subjects to do the cross-fertilization that leads to fruitful thinking.”
Graduate students in the new program, coordinated by Charles Brainerd, professor of human development, will be trained in developmental, social, and cognitive psychology; they will also study the role of social science research in the law. Research will be heavily emphasized to prepare students for careers in academia or in government agencies that are concerned with legal research, legal practice, and legal policy. Students can gain additional specialized training in the law by pursuing both a Ph.D. in human development or psychology at Cornell University and a J.D. at Cornell Law School.

International Law Journal Hosts Immigration Policy Symposium

The Cornell International Law Journal hosted its annual symposium on February 23 and 24, bringing together leading immigration law scholars and practitioners to discuss “Immigration Policy: Who Belongs?”

New York University School of Law professor Muzaffar A. Chishti and Cornell professor Max J. Pfeffer delivered the keynote addresses at the symposium’s opening event. Speaking to a packed lecture hall in Myron Taylor Hall, Professor Pfeffer outlined the surging growth in illegal immigration over the last decade while Professor Chishti described the ongoing political imbroglio and stalemate set off by that growth.

The symposium continued on Saturday morning with a panel of immigration practitioners led by Professor Keith Cunningham-Parmenter of Willamette University College of Law and Skadden fellow Kate Griffith. Professor Cunningham-Parmenter described the increasingly contested rights of undocumented immigrants in the wake of the recent U.S. Supreme Court decision Hoffman Plastics, which held that undocumented immigrants do not enjoy the same access to legal remedies for violations of federal workplace protection laws that citizens and legal immigrants do.

Ms. Griffith critiqued recent interpretations of the supremacy clause that courts have used to invalidate state laws that benefit immigrants. Panelist professor Frances L. Ansley of the University of Tennessee College of Law concluded the panel with a wide-ranging talk focusing on the evolution of the North American labor market in the era of globalization and the impact on immigrant workers in the United States.

Professor Chishti returned to speak at the final panel on the subject of immigration reform, along with University of Pennsylvania Law School Professor Howard F. Chang and Cornell Law School’s own Professor Stephen W. Yale-Loehr. Professor Yale-Loehr presented a proposal for U.S. immigration reform that would better match employers’ needs with immigrants’ skills and that would minimize the present system’s propensity of encouraging illegal immigration. Professor Chang presented an economic analysis of immigration which he asserted showed large-scale immigration remains an economic boon to the United States.

The symposium closed with a screening of Academy Award-winning director Anne Lewis’s documentary Morristown. The film shows the changes brought to a Southern mill town by an influx of immigrant workers and an out-flux of industrial jobs as well as a rare look at a Mexican village emptied of its men by the exodus of able-bodied male workers seeking their fortunes north of the border.

Public Interest Career Symposium

Cornell Law School’s annual Public Interest Law Career Symposium was held on March 30 and 31. Distinguished alumni working in a variety of public interest settings spoke to students about their work on cutting-edge issues involving international relief efforts, environmental and energy challenges, threats to civil and human rights, and the criminal justice system. Highly accomplished and passionate about their work, these speakers emphasized that public service offers a great deal of intellectual challenge, autonomy, responsibility, and a profound sense of accomplishment.

Friday’s program began with a panel on international relief work featuring two graduates who used their experience in corporate law to transition into leadership roles in international nonprofit organizations. Joseph J. Iarocci ’84, senior vice president for strategic support at CARE, and Katina N. Grays ’02, senior staff attorney at Habitat for Humanity International, traveled to Ithaca from their respective offices in Atlanta to talk about their organizations’ efforts in addressing global poverty issues.

The second panel, Environmental/Energy Law, was of particular interest to students active in the Law School’s Environmental Law Society. Issues such as the government’s role in setting carbon emission standards, complex energy delivery systems, and advocating for environmental policy reforms were addressed by three alumni: Sean K. Carman ’89, staff attorney with the U.S. Department of Justice, Environmental and Natural Resources Division, Washington, D.C.; Commissioner Suedeen M. Gibbons Kelly ’76, Federal Energy Regulatory Commission, Washington, D.C.; and Daniel L. Sosland ’85, executive director of Environment Northeast in Rockport, Maine.
Civil and human rights was the first topic of Saturday’s program. Lisa R. Graves ’94, deputy director of the Center for National Security Studies in Washington, D.C., spoke about her organization’s work on ensuring that civil liberties and human rights are not eroded in the name of national security. Nicole M. Austin-Hillery, an associate at Mehri & Skalet, PLLC (founded by Cyrus Mehri ’88), also in Washington, D.C., described her civil rights employment practice, including a number of matters focused on race and gender issues.

The final panel, Criminal Law, illustrated a range of practice settings—indigent defense, death penalty representation, and the prosecution of computer crime. This panel featured Ryan N. Norwood ’02, staff attorney with the New Hampshire Public Defender in Manchester; John T. Lynch ’93, deputy chief for computer crime in the Computer Crime and Intellectual Property Section of the U.S. Department of Justice’s Criminal Division in Washington, D.C.; and Christopher W. Seeds ’98, visiting fellow with the Cornell Death Penalty Project.

**Professor Ndulo to Chair Gender Links Board**

Professor Muna B. Ndulo’s appointment as the first male chair of the Gender Links (GL) board sends out a strong message about gender equality. Professor Ndulo, professor of law at Cornell Law School and director of Cornell’s Institute for African Development, has been a long-standing member of the board of GL, a non-governmental organization (NGO) dedicated to promoting gender equity in Southern Africa. Professor Ndulo takes over the chair from Thenjiwe Mtintso, South Africa’s ambassador to Cuba who has chaired the organization since its inception and who will remain as a board member. Dr. Athalia Molokomme, attorney general of Botswana, remains the deputy chair of GL.

The change in leadership, Ambassador Mtintso said in a statement, “is being made to strengthen oversight of GL work as well as promote diversity within our own practices. Having a man at the helm of GL will send out a powerful message about our basic belief in partnerships between women and men for achieving gender equality.”

Professor Ndulo is a former dean of the faculty of law at the University of Zambia and legal advisor to the UN Observer Mission to South Africa (UNOMSA). “I am honored by the trust placed in me by fellow board members in electing me to take over as chair of GL,” Professor Ndulo said. “I take over an organization that has had a marked impact in the region, particularly in the gender and media field. The challenges are still numerous. I look forward to strengthening our efforts in the months ahead.”

Gender Links, with the slogan “promoting gender equality in and through the media,” is a young but highly visible NGO that was launched in March 2001 and works largely within the Southern African community. GL specializes in gender, media, and governance and has assigned itself the task of assisting in the creation of a Southern African region in which women and men are free to realize their full potential and participate equally in all aspects of public and private life without fear of retaliation from any person. The organization does this by raising awareness of the under-representation of women in the media as well as their portrayal in a narrow range of roles: primarily as victims of violence or as sex objects. For more information, go to http://www.genderlinks.org.za.

**A Symposium in Honor of Professor Shiffrin**

As a tribute to Professor Steven H. Shiffrin’s scholarly achievements, Loyola Law School in Los Angeles held a symposium in his honor on February 23 and 24. The symposium, titled “Commercial Speech: Past, Present, and Future,” focused on the First Amendment. During the event, Professor Shiffrin, a Loyola graduate, was awarded the Christopher N. May Alumni Award for Distinguished Scholarly Achievement.

“We at Loyola are proud of Steve and his accomplishments,” says Associate Dean Ellen P. Aprill of Loyola Law School. “We’re pleased to be able to honor him with this spectacular conference. It is especially wonderful that we are giving him the first Christopher N. May Award since Steve and Chris share a devotion not only to scholarly achievement but also to human kindness.”

Before joining Cornell Law School, Professor Shiffrin taught at the University of California in Los Angeles, Boston University, the University of Michigan, and Harvard University. Currently, he is writing a book about church-state relations. He is the author of *Dissent, Injustice, and the Meanings of America* (Princeton University Press, 1999), and *The First Amendment, Democracy, and Romance* (Harvard Press, 1990), which won the Thomas J. Wilson Award. He has written for the *Cornell Law Review*, the *Harvard Law Review*, the *Michigan Law Review*, the *Northwestern Law Review*, the *UCLA Law Review*, and the *New York Times Book Review*. He is a co-author of *Constitutional Law*, 10th edition (2006), and *The First Amendment*, 4th edition (2006), both of which are widely used casebooks in the field. Professor Shiffrin has degrees from Loyola University of Los Angeles and San Fernando Valley State College.
Professor Lasser’s Book is Focus of Symposium by Leading European Magistrates

Many of Western Europe’s leading legal authorities gathered for a symposium focusing on Professor Mitchel Lasser’s book, *Judicial Deliberations: A Comparative Analysis of Judicial Transparency and Legitimacy* (Oxford University Press). Organized by the law faculties of Erasmus University Rotterdam, University of Antwerp, and Leiden University, the conference on “The Legitimacy of Highest Courts’ Rulings” was held at the Law Faculty of Erasmus University Rotterdam, Netherlands, on January 12 and 13.

“It is extremely exciting to be at the center of a new conversation that brings together comparative law and European law,” says Professor Lasser. “European law is now not only impacting upon national legal rules, but also on national legal cultures. More and more high-level judges and academics are coming to understand this.”

Participants in the conference included W. J. M. Davids, chief justice of the Dutch Supreme Court; Guy Canivet, chief justice of the French Cour de cassation; Miguel Poiares Maduro, advocate general of the European Court of Justice; Lech Garlicki, judge of the European Court of Human Rights; Wilhelmina Thomaassen, justice of the Dutch Supreme Court and former judge of the European Court of Human Rights; Luc Huybrechts, justice of the Belgian Cour de cassation; and Geert Corstens, Justice of the Dutch Supreme Court. Many European academics also attended.

Professor Lasser is the director of graduate studies and co-director of the Summer Institute of International and Comparative Law in Paris. Before joining the Cornell faculty in 2004, Professor Lasser was the Samuel D. Thurman Professor of Law at the University of Utah’s S. J. Quinney College of Law. He graduated Phi Beta Kappa from Yale College in 1986 and received a J.D. from Harvard Law School in 1989, an M.A. in French literature from Yale in 1990, and a Ph.D. in comparative literature from Yale in 1995. He was a Fulbright Scholar in 1993-94, and received a Whiting and an Enders fellowship at Yale.

Professor Lasser has an ongoing visiting relationship with the University of Paris 1 Panthéon Sorbonne, and he was a visiting professor at the Institut d’Études Politiques de Paris (Sciences Po) in January 2006, the University of Geneva in 2004, and the University of Lausanne in 2003 and 2004. He held the Fulbright Distinguished Visiting Chair at the Law Department of the European University Institute in Florence in 2003. His articles have appeared in the *Harvard Law Review*, the *Yale Law Journal*, the *Cornell Law Review*, the *American Journal of Comparative Law*, the *Archives de philosophie du droit*, and the *Revue trimestrielle de droit civil*. He is currently working on a new monograph, *Comparative Law in Flux: Judicial Decision-Making at the Intersection of the French and European Legal Systems*.

Professor Cramton Receives Ethics Award

The New York State Bar Association has named Roger C. Cramton, Cornell Law School’s Robert S. Stevens Professor of Law, Emeritus, this year’s recipient of the Sanford D. Levy Award, presented to recognize the individual who has contributed most to understanding and advancement in the field of professional ethics. On January 24, Professor Cramton was given the award at a luncheon in his honor.

“The New York bar is the second largest in the country and it takes legal ethics very seriously,” says Professor Cramton. “I was gratified to be recognized by the New York bar, just as I was when the American Bar Association in 2000, acting through the American Bar Foundation, awarded me its annual Research Award for lifetime scholarly contributions to research on law and government.”

Professor Cramton is a magna cum laude graduate of Harvard University and a graduate of the University of Chicago Law School. Upon graduating from law school, he clerked for Hon. Sterry R. Waterman of the U.S. Court of Appeals for the Second Circuit, and then for Justice Harold H. Burton of the U.S. Supreme Court. He was admitted to the Vermont, Michigan, and New York bars. A legal scholar since 1957, Professor Cramton taught at the University of Chicago Law School and the University of Michigan Law School prior to joining the faculty at Cornell Law School. From 1973 through 1980, he served as dean of Cornell Law School.

Professor Cramton’s teaching and scholarship have been primarily in the fields of legal ethics, legal profession, and conflict of laws and torts. He has co-authored two books and created the *American Legal Ethics Library*—a collection of state ethics codes accompanied by narratives. From 2003 through 2005, he was a reporter for the revision of New York’s Rules of Professional Conduct. In the early 1970s, he also chaired the Administrative Conference of the United States, an independent federal agency concerned with the improvement of federal administrative procedures. He then served as assistant attorney general in charge of Legal Counsel of the Department of Justice from 1972 through 1973.
**Professor Riles Appointed to Joint U.S.-China Commission on Legal Education**

As a highly regarded scholar in both China and the United States, Professor Annelise Riles has been named one of six American commissioners for the Joint U.S.-China Commission on Legal Education. The commission was created by the Guidance Council on Legal Education of the Ministry of Education of the People’s Republic of China and the Association of American Law Schools (AALS). The commission, which will also include six Chinese experts in legal education, will plan activities to assist U.S. and Chinese law schools in creating more collaborative efforts.

The president of the AALS, Judith Areen of Georgetown University, chose Professor Riles for this position. “Professor Riles is a superb choice for this important position,” notes Carl Monk, the executive director of the AALS. “Her work on the transnational dimensions of legal theories, doctrines, and institutions and the legal and anthropological research she has conducted in China bring an important dimension and expertise to the work of the commission. She is a highly regarded scholar in both China and the United States whose ability to speak Mandarin will also help advance the work of the commission.”


**Professor Henderson Appointed Special Master in 9/11 Respiratory Illness Cases**

Many laborers and rescue personnel who worked on the World Trade Center site after the terror attacks on September 11, 2001, have lingering respiratory illnesses that they claim were caused by hazardous conditions at the site. Studies by reputable organizations such as the Centers for Disease Control and Prevention and Mount Sinai Medical Center concur. As a result, New York City is facing a number of lawsuits stemming from the problem. Cornell Law School professor James A. Henderson Jr. has been appointed by Southern District judge Alvin Hellerstein as a special master for such cases, along with Aaron D. Twerski, dean of the Hofstra University School of Law.

“He is one of the leading thinkers in tort law,” says Michael Heise, professor of law at Cornell Law School. “His first-rate scholarship draws on a deep reservoir of knowledge, experience, judgment, and creative thinking, all of which will assist the judge in the difficult task before him.”

Professor Henderson and Dean Twerski have been asked to make an undisputed list of the cases and to categorize them in ways that will help organize the legal process. In nominating them, Judge Hellerstein mentioned in particular the impartiality and unparalleled skills of both Professor Henderson and Dean Twerski. They are respected experts in the field of mass tort litigation and have written texts and law review articles together, including *Cases and Materials on the Law of Torts* in 2003.

Professor Henderson has an A.B. from Princeton University and an LL.B. and LL.M.
from Harvard Law School. After receiving his degrees, he clerked for Hon. Warren L. Jones of the U.S. Court of Appeals for the Fifth Circuit. He then taught at Boston University School of Law for twenty years before joining the Cornell Law School faculty in 1984 where he is presently the Frank B. Ingersoll Professor of Law. His scholarship and teaching addresses theoretical, practical, and process concerns in the fields of products liability and torts. In addition to serving as the co-reporter of the American Law Institute’s revision of the products liability portions of the Restatement of the Law of Torts from 1992-1998, Professor Henderson has testified extensively on torts, products liability, and insurance before the Senate and Congress, as well as before numerous state legislatures.

Professor Hans Teaches Judges about Civil Jury Competence

On December 7, Professor Valerie P. Hans gave a talk on “Efficiency, Justice, and the Civil Jury” to more than two hundred judges in Washington, D.C. Her presentation was part of a panel discussion at the first annual judicial symposium on civil justice sponsored by the AEI-Brookings Judicial Education Program.

At the symposium, Professor Hans, who is one of the nation’s leading authorities on the jury system, addressed perceptions that civil juries are incompetent, inefficient, unjust, and biased against businesses. Instead, she notes, many studies show that in the majority of cases, judges agree with civil jury verdicts.

“The judge-jury agreement rate is not influenced by trial complexity, suggesting jurors understand difficult evidence,” she says. “Agreement rate is no different in trials with business defendants and individual defendants, suggesting jurors are not especially biased against business defendants; and the strength of evidence in the case is the major predictor of civil jury verdicts, whether evidence strength is assessed by jurors themselves or by the trial judge.”

The symposium was organized by the AEI-Brookings Joint Center for Regulatory Studies, which is a group dedicated to studying regulatory actions in order to understand how regulations affect consumers, businesses, and governments.

Professor Hans was trained as a social scientist and conducts empirical studies of law. Her theoretical and policy interests in citizen participation in law have led her to focus on jury decision making. Her books include Business on Trial: The Civil Jury and Corporate Responsibility (2000); The Jury System: Contemporary Scholarship (2006); and Judging the Jury, co-authored with Neil Vidmar (1986). She has a B.A. from the University of California in San Diego and an M.A. and Ph.D. from the University of Toronto.

“A Confidential Source Revealed…” Professor Clymer Discusses the Journalist’s Privilege

Do journalists have the right to conceal the identity of their sources, especially in cases of national security? Recent cases such as that of New York Times reporter Judith Miller, who was jailed for not revealing the identity of a high-level White House source, show that this topic is quite relevant. On December 7, Professor Steven D. Clymer ’83 appeared on a panel titled “Future of the Free Press: Should Journalists Be Able to Use Confidential Sources and Seek Secret Information?” at the National Press Club in Washington, D.C.

Professor Clymer participated in a discussion of two issues. First, the panel discussed whether or not journalists have a special privilege that enables them to refuse court orders to disclose information about confidential sources, even if the disclosures themselves were federal crimes, such as a leak of classified information. The panel also discussed a federal statute that some believe can be used to prosecute a journalist, under certain circumstances, for publishing classified information.

The panel was sponsored by the National Press Club, Olssons Bookstores, the MLRC Institute, the Newseum, the McCormick Tribune Foundation, and the American Booksellers Foundation for Free Expression.

Professor Clymer began his legal career investigating police corruption as an assistant district attorney in Philadelphia. He then served as an assistant U.S. attorney in the Central District of California, where he handled high-profile cases, including United States v. Koon, the successful federal prosecution of Los Angeles police officers charged in the beating of Rodney King. Professor Clymer joined the Cornell Law School faculty in 1995. He has taken leaves of absence twice from Cornell to return to the Department of Justice, most recently from 2003 to 2005, when he served as the chief of the Criminal Division for the U.S. Attorney’s Office for the Central District of California. He teaches courses on criminal procedure, evidence, and counterterrorism.

Professor Ndulo’s Book on Security, Reconstruction, and Reconciliation: When the Wars End

Professor Muna B. Ndulo has published an edited volume on Security, Reconstruction, and Reconciliation: When the Wars End. Published by University College London Press in the
United Kingdom and simultaneously in the United States by UCLA Press (New York) the book brings together an interdisciplinary team of experts in comparative constitutionalism, conflict resolution, governance, development, gender, and security. This unique combination of experts addresses the world’s complex issues of security, reconstruction, and reconciliation in post-conflict societies.

Security, Reconstruction, and Reconciliation is organized into four main parts: The social, political, and economic dimensions of conflict; the impact of conflict on women and children; reconstruction and past human rights violations: healing the nation; and disarmament, demobilization, reintegration, post-war reconstruction, and the building of the international community in the peace process. The chapters offer a detailed and succinct exposition of the challenges facing post-conflict societies by articulating the vision of a new society. Throughout the book, the authors discuss the issues in the context of possible solutions and lessons learnt in the field. The book also has a foreword by Francis Deng, the former UN Secretary General’s special representative on internally displaced persons. The book is a valuable resource for researchers, policy makers, and students in the fields of conflict resolution, security studies, law, and development.

Professor Cynthia Grant Bowman Addresses the Changing Family

Unmarried couples who cohabit at length and even have children do not have the same legal rights and obligations as married couples. Cynthia Grant Bowman, the Marc and Beth Goldberg Distinguished Visiting Professor of Law, asserts that people in these unions and their children would be better off with the same legal status as those in marriages. On February 15, she presented a talk titled “Social Science and Legal Policy: The Case of Heterosexual Cohabitation” in the Evolving Family Theme Project Seminar offered by Cornell’s Institute for the Social Sciences.

In her presentation, Professor Bowman argued that unmarried couples together for two years or with a common child should be given the legal rights and obligations attached to marriage. “Providing legal remedies for cohabitants,” she said, “benefits women and children the most, and especially people of color and poor people, who are statistically more likely to cohabit than to marry. My proposal…would result in a number of benefits, such as property distribution and/or alimony upon termination of the relationship, as well as a variety of government benefits that are of particular concern to persons of low income, such as social security benefits, unemployment insurance, and the like.”

Professor Grant Bowman is a professor of law and gender studies at Northwestern University. While in Ithaca, she taught torts, family law, and feminist jurisprudence. Professor Grant Bowman has a B.A. with honors from Swarthmore College and a Ph.D. in political science from Columbia University. Before entering law school, she taught political science and spent a year at the University of Chicago as a National Endowment for the Humanities postdoctoral fellow in the history and philosophy of the social sciences. She received a J.D. with honors from Northwestern University School of Law, after which she clerked for Judge Richard D. Cudahy of the U.S. Court of Appeals for the Seventh Circuit and was an associate at Jenner & Block in Chicago for five years.

The Institute for the Social Sciences encourages social scientists across disciplinary and institutional boundaries to collaborate, engages the Cornell community in discussions of cutting-edge topics in the social sciences, and assists departments and programs in attracting and retaining top social science faculty. From 2004 through 2007, the institute’s theme is “The Evolving Family: Family Processes, Contexts, and the Life Course of Children.” During these years, they are exploring how changes in the American family affect the well being of men, women, and children.

Professor Germain Gives Keynote Address in Brasilia

Brazil’s chief justice, Ellen Gracie Northfleet, invited Professor Claire M. Germain to give the keynote address at the first seminar on Juridical Information Management in Digital Environments, in Brasilia, Brazil, in February.

In her keynote address, Professor Germain presented an overview of the public policy issues surrounding digital libraries and described some current trends, such as the social network, Web 2.0. She discussed mass digitization projects, and then turned to some concerns. The concerns focused on preservation and long-term access, such as how to prevent loss of born digital legal information that has no print equivalent. She also looked at the special authentication needs of official legal information, “the word of the law,” as well as authority, accuracy, and version control; copyright; and scholarship and open access. Professor Germain then went on to address new roles for librarians, which include the need to evaluate the quality of information; teach legal research methodology; keep up with the breakneck pace of technology; and adjust to new information seeking and usage behaviors of students and faculty, and judges and lawyers.
In conclusion, Professor Germain urged the participants to think of the long-term consequences of the digital world. So much information is available but without any context, which raises educational issues. In the law field, it is not only a matter of digital competence, but also of legal consequence. Whose responsibility is it to train the public? Will there be a growing demand? Recent development in the United States, such as to add a legal research test on the bar exam, are of interest to the whole world because they signify the importance of a sound legal research training to the competent practice of law.

Professor Meyler Receives Lukingbeal Award

Because of her commitment to women at the Law School, Cornell law students chose Professor Bernadette A. Meyler as this year’s recipient of the Anne Lukingbeal Award. Professor Meyler was selected both for her actions inside and outside the classroom. At the award ceremony, first year students from Professor Meyler’s constitutional law class commented on her demeanor in class, which is both supportive of students and highly engaging. Professor Meyler easily establishes a very collegial relationship with her students, making it easy to turn to her for advice and to view her as a friend and mentor. In her speech upon receiving the award, Professor Meyler encouraged female students to demand more from the legal profession, both collectively and individually, and said that she was “honored to have been selected for this award by the students of the Law School, who together serve to generate the sense of dedication and intellectual inquiry that is palpable in the building.”

In addition to her encouragement of individual students, Professor Meyler is also supportive of the Women’s Law Coalition at Cornell Law School. She recently spoke about judicial clerkships and women in academia as a panelist during Women’s History Month. Professor Meyler also is the advisor for the Ms. JD organization at Cornell. She has shared her wisdom with women in law schools all over the country by contributing to the Ms. JD blog and by speaking at the “Legally Female” conference which launched the blog.

Professor Meyler is always happy to provide guidance to law students, especially women
considering academia. She is the youngest tenure-track faculty member at Cornell. She is also the only female tenure-track professor at Cornell Law School, serving as an important role model for female students considering the professor path.

Professor Meyler received her J.D. from Stanford Law School and a Ph.D. in English from the University of California in Irvine. She clerked for Judge Robert A. Katzmann, U.S. Court of Appeals for the Second Circuit, before joining the Cornell law faculty.

The Anne Lukingbeal Award goes to a member of the faculty or staff at Cornell Law School who has demonstrated an outstanding commitment to the women of the Law School. The award was established in 1999 with Associate Dean and Dean of Students Lukingbeal as the first recipient. Past recipients of the award include Professors Sheri Lynn Johnson and Douglas A. Kysar, Associate Dean Barbara J. Holden-Smith, and Assistant Dean Karen V. Comstock.

**Law Students Get Hands-on Experience in U.S. Attorney’s Law Clinic**

Participating in the U.S. Attorney’s law clinic for Cornell Law School students, Paul C. Saindon ’07 recently traveled to Washington, D.C., to help conduct a deposition of a computer expert. This was part of the fact-finding for a case in which a couple are suing U.S. Customs agents, alleging that the agents destroyed computer records following a search for child pornography. Throughout the course of the case, Mr. Saindon helped with tasks such as suggesting where subpoenas would be useful, writing questions for the depositions, and evaluating answers given by the expert witness. It’s all part of the hands-on training he is receiving while working with the U.S. Attorney’s law clinic. “[This] was one of my most valuable experiences at Cornell,” says Mr. Saindon.

The clinic is based at the U.S. Attorney’s Office for the Northern District of New York in Syracuse and is taught by Adjunct Professor and Assistant U.S. Attorney Charles E. Roberts. This year, sixteen Cornell law students participated in the clinic and accompanying class. Throughout the course, students assist in federal criminal prosecutions and the defense of federal agencies and employees in civil cases.

“The topics which we have covered include identity theft, terrorism, the Violence Against Women Act, interstate stalking prosecutions, gang prosecutions, RICO cases, victims’ rights and victims’ advocacy, civil prosecutions under the False Claims Act, child pornography, and the Enron prosecution,” says Professor Roberts. Students are trained to do legal research and writing, observe motions and trials, prepare for trials, debrief witnesses, observe appellate arguments, and give oral arguments.

Mr. Saindon is very glad he had the chance to work in the clinic. “Working through the entire span of discovery and the depositions themselves taught me a lot,” he notes. “I had never really seen one before, or how it could go and build momentum (or kill it) and how so many things could come out at a deposition even after all of the discovery that had happened in this case so far.”

**NLRB Members Visit the Law School to Discuss Supervisory Status**

During the spring semester, National Labor Relations Board (NLRB) members Dennis P. Walsh ‘83 and Peter N. Kirsanow visited the Law School to discuss the issue of supervisory status under the National Labor Relations Act (NLRA) and the landmark decision *Oakwood Healthcare, Inc.*, 348 NLRB 37 (2006) and its companion cases. The controversial decision involving charge nurses provides new guidelines for determining which employees are supervisors and as such excluded from the coverage of the Act.

The NLRA defines the term “supervisor” as an employee who has the authority to perform...
any of twelve specified tasks in the interest of the employer using independent judgment. *Oakwood* interprets what it means to “assign” and to responsibly “direct” other employees using “independent judgment.”

The decision was split with three Republican members voting in the majority and two Democratic members dissenting. The discussion at the Law School presented perspectives from both the majority and dissenting opinions and was attended by students of Cornell’s School of Industrial Labor and Relations (ILR School) and law students and faculty, as well as Dean Harry C. Katz from the ILR School and Dean Schwab from the Law School.

Professor Cui Delivers Annual Clarke Lecture on Law and Economics in China and Beyond

On April 17, Zhiyuan Cui, a professor at the School of Public Policy and Management at Tsinghua University and a visiting professor at Cornell Law School, delivered the Clarke Program in East Asian Law and Culture’s Annual Clarke Lecture. Entitled “Towards a Law and Economics of Public Property: China and Beyond,” the lecture explored how new forms of public and collective property ownership can be used to support public welfare in China and in other developing countries.

Professor Cui opened his lecture by noting the resilience of the idea of public ownership of productive property in China’s ongoing legislative development. Drawing on examples from all over the globe, he examined how new forms of public and collective property ownership can be used to support public welfare programs in China and in other developing countries that are now under increasing threat from neoliberal public finance reforms. He proposed that China’s programs could use the revenue generated by central government-owned enterprises in the nonfinancial sectors and by sale and lease of state-owned and collective land, to set up a similar social dividend scheme in China.

The Clarke Program brings a high-profile scholar to Cornell each year to deliver a major public lecture. While at Cornell, the Clarke Lecturer also meets informally with faculty and students from across the university.

Art Rynearson ’76 Lectures on Writing U.S. Foreign Affairs Laws

On February 19, Arthur J. Rynearson ’76 returned to Cornell Law School to give a Berger International Speaker Series lecture. Mr. Rynearson served as Deputy Legislative Counsel of the U.S. Senate until his retirement in 2003. In his talk, “Writing U.S. Foreign Affairs Laws: A Capitol Hill Career,” he shared with students not only his expertise in the crafting of very specialized legislation, but also his views on the satisfactions of working in the Senate’s Office of the Legislative Counsel, where from 1976 to 2003, he was the primary draftsman in the fields of U.S. foreign relations law, U.S. immigration and refugee law, and international law.

Mr. Rynearson drafted in whole or in part more than twenty thousand bills, resolutions, and amendments, including legislation at every stage of the legislative process from introduced measures to conference reports. He has drafted hundreds of reservations and other conditions to treaties.

Mr. Rynearson shared with students not only his expertise in the crafting of very specialized legislation, but also his views on the satisfactions of working in the Senate’s Office of the Legislative Counsel, where from 1976 to 2003, he was the primary draftsman in the fields of U.S. foreign relations law, U.S. immigration and refugee law, and international law.

Art Rynearson: Office of the Senate Legislative Counsel, 1976-2003, was published by the Senate Historical Office in January.

Debate over U.S. Foreign Policy and the International Criminal Court

On March 12, the Briggs Society of International Law at Cornell Law School and the Federalist Society, supported by the Berger International Legal Studies Speaker Series, sponsored a debate between Professor Jeremy A. Rabkin of Cornell’s government department and John L. Washburn, convener of the American Non-Governmental Organizations Coalition on the International Criminal Court (ICC). The debate was entitled “Seeking

"Behind the Scenes of the Enron Investigation and Trial: Creating the Conviction Moments from the Rubble of Corporate Governance Failure” was a February presentation by John Hueston, former lead prosecutor for the Enron trial. During his talk at the Law School he discussed key turning points in the investigation and trial that led to the conviction of Kenneth Lay and Jeffrey Skilling by a federal jury. Mr. Hueston also outlined the internal investigation that could have saved Enron, as well as corporate governance failures that created the climate that enabled Enron’s frauds, and lessons for avoiding Enron’s mistakes.
Global Justice: Should the United States Join the International Criminal Court?” and focused on U.S. foreign policy regarding the ICC. Moderated by David Wippman, Cornell University vice provost for international relations and professor of law, the debate was a lively exchange of views about the ideal stance the United States should take in addressing the growing role of the Court in international criminal affairs.

The debate largely focused on reasons for U.S. opposition to the ICC and why these objections were or were not persuasive. Professor Rabkin, a nationally known critic of international institutions, argued that involvement with the Court could obstruct the ability of the United States to conduct effective foreign policy. Mr. Washburn responded that involvement in the Court would increase the credibility of the United States’ commitment to international law. The two debaters also clashed about the discretion of the ICC prosecutor. Professor Rabkin contended that the prosecutor had too much power and would not be able to “rise above political interests and consistently make good and fair decisions.” Mr. Washburn countered that the prosecutor is elected by an assembly of the state parties, can be fired at their will, and is subject to review by the judges. He stressed the importance of the ICC and the risks to the United States of not participating in its development and functioning.

As the ICC increases its role in international criminal law and approaches its fifth anniversary, the Briggs Society wants to keep the public informed about the issues surrounding U.S. involvement in the Court. The ICC was founded in 2002 as a permanent tribunal to prosecute crimes of genocide, crimes against humanity, and war crimes. The Court is currently investigating crimes in Uganda, the Democratic Republic of Congo, and Darfur. The United States has refused to join the ICC, and has alleged that the Court might fall prey to politically motivated prosecutions, has weak procedural safeguards, and interferes with state sovereignty.

UNHCR Head of Refugees for the Middle East Visits Law School

On April 17, Arafat Jamal, head of Regional Resettlement for the Middle East and North Africa for the UN High Commissioner for Refugees (UNHCR), lectured at the Law School. Mr. Jamal spoke on the subject, “Responding to Iraq’s Displacement Crises: Options and Obstacles.” His talk was given on the same day that the UN convened an international conference in Geneva on this topic. The conference concluded the following day with an agreement on the urgent need to aid the nearly four million people who have fled to neighboring countries or elsewhere inside Iraq.

Library Becoming Digitalized and Providing More Electronic Resources

In February, the Law Library began a digitization project with the Hein Company of Buffalo to digitize 1,200 volumes in the library’s trials collection. The digitized books will be part of Hein’s World Trials database, a new database available through the Hein online portal. The Law Library has a long history with Hein; in 2000, the library collaborated with the company to set up its first electronic databases of law reviews and journals.

The nucleus of the library’s trials collection contains the library of nineteenth-century practitioner Nathaniel Moak, whose extensive documentation of every trial he litigated generated a unique social and legal record of nineteenth century trial practice. The collection also includes a forty-three volume set of trial pamphlets, which was donated to Cornell Law Library in 1927 by Benno Lowey. Each volume of pamphlets consists of several so-called “penny dreadfuls,” which were cheaply produced and sold to a public eager to read about the sensational trials of the day. There are also many monographs on historically important trials in the collection including Aaron Burr’s treason trial, Andrew Johnson’s impeachment trial, the Julius and Ethel Rosenberg treason trial, and the trials of the Lincoln conspirators.

The Law Library also is currently redesigning its Web site to promote the use of electronic sources by students and faculty. In this new world of Internet-based information, the presentation of information is directly tied to the substance of the information itself. Dr. Sasha Skenderija, webmaster and Law Library research technology coordinator, taught a course entitled Information Science and New Media for the Institute of Information Studies and Librarianship at the Faculty of Philosophy and Arts at Charles University in Prague. The curriculum, which he developed, covers information, communication, medium, knowledge, and theoretical fundamentals of information science; an introduction to the Internet, Web studies (information science and cyberspace), and the network paradigm; and the globalization of communication, technology, and economy.

Law Library Participates in Professional Development Day for Educators

On March 27, Cornell University, Ithaca City School District, and Tompkins-Seneca-Tioga Board of Cooperative Educational Services teamed up to sponsor the third annual Professional Development Day for Educators and,
Andre K. Gray ’09 Wins Arent Fox Diversity Scholarship: Walking in the Footsteps of Albert Arent ’35

Cornell law student Andre K. Gray ’09 won a 2007 diversity scholarship from Arent Fox LLP, a firm founded by distinguished Law School alumnus Albert Arent ’35. Mr. Gray will receive a scholarship and a position in the 2007 Arent Fox summer associate program in New York City. In selecting Mr. Gray, the firm particularly noted his academic excellence and dedication to community service and leadership.

Mr. Gray was one of only two recipients selected from hundreds of applicants.

Cornell Law Students’ Analyses to Reach Federal Judges and Congress

The Legal Information Institute’s LII Bulletin now reaches 16,500 new readers, including all federal judges and all members of Congress, as well as approximately 12,000 lawyers in federal practice. The student-written publication, which provides analysis and commentary on upcoming Supreme Court cases, is being reprinted in the Federal Lawyer, the magazine of the Federal Bar Association. Publication via the Federal Lawyer doubles the circulation of the LII Bulletin, which already reaches some 16,000 private citizens, lawyers, government officials, and business leaders via e-mail. Additionally, an average of seven hundred people access the LII Bulletin via the Web each day. Editor-in-chief Craig S. Newton ’07 remarks, “While our subscription list includes a broad audience of lawyers and non-lawyers alike, publication in the Federal Lawyer is an unparalleled opportunity to share our work with many of the best legal minds in the country.”

The LII Bulletin is written and edited by twenty-four second- and third-year law students at Cornell Law School, led and managed by an editorial board of six students. Working collaboratively, teams of student editors prepare detailed analyses of upcoming cases, which are then published electronically about two

“Mr. Arent was one of our most illustrious alumni, and certainly a ‘Lawyer in the Best Sense,’ “ says Dean Schwab.

“Andre Gray is walking in grand footsteps, and we are proud of his success.”

“I am honored to represent Cornell Law School in this capacity,” says Mr. Gray. “The Arent Fox Diversity Scholarship Program reflects the growing commitment to diversity in the legal community. I hope that more similar initiatives will help promote the recruitment and retention of diverse candidates entering law school and the legal profession.”

The teachers gave overwhelmingly positive feedback, remarking on the usefulness of the presentation, hands-on training, and “wonderful” handouts. They walked away with numerous sources and strategies to teach basic government and legal topics to a range of grades and ages. In addition, they were better equipped to find legal information for their own personal and professional use.
Cornell law students began the Ms. JD blog after attending a meeting last year of female law students from the top fifteen law schools in the country. At the meeting, the group decided to create Ms. JD as a way to connect and foster dialogue between female judges, attorneys, and law students. “This [blog] seemed like a wonderful opportunity to connect to other women who shared my concerns and passions,” says Alison R. Levine ’08, “and to create something really useful.”

During the conference, the professors appeared on a panel titled “The Importance of Alliances: The Place of Men in a Twenty-first Century ‘Women’s Movement.’” Instead of giving talks, Professors Kysar and Meyler’s panel presented three short skits which raised issues of concern to women in legal education and the legal profession. The skits covered topics such as how to balance work-family life needs, whether sexual harassment law has had unintended adverse consequences for women, and why law firms’ efforts to retain female associates and afford leave flexibility have failed.

“It’s important for everyone involved in legal education—female or male—to be concerned about these issues,” says Professor Kysar. “This is the wealthiest nation in the history of humanity and yet we seem not to have managed to structure our economy in a manner that promotes a healthy relationship to work, let alone achieves gender equity. Young lawyers are placed under particularly acute pressure and it’s far better to be upfront about that fact, discussing it candidly during law school, than to pretend it’s not an issue.”

“Despite the nearly equal number of male and female law students,” says Professor Meyler, “recent studies demonstrate that gender disparities still exist with respect to areas as varied as those of classroom participation in law school, to satisfaction with legal jobs, and to compensation rates. The Ms. JD blog, which the ‘Legally Female’ conference is designed, in part, to launch, has the potential to bring legal practitioners together with law students and legal academics to help both discern the impediments that women still face in the legal arena and figure out solutions to some of the dilemmas women in this field confront.”

“Legally Female” is sponsored by Cravath, Swaine & Moore LLP, Covington & Burling LLP, Latham & Watkins LLP, and Simpson Thacher & Bartlett LLP. Ms. JD can be read at http://ms-jd.org/.

2007 Langfan Family First Year Moot Court Competition

Carter B. Stewart ’09 was declared the winner of the 2007 Langfan Family First Year Moot Court Competition and Nicholas A. Dorsey ’09, the tournament finalist. The final competition was judged by a panel of esteemed federal judges who commented on what a close decision it was. The judges were Hon. Douglas Howard Ginsburg, chief judge of the U.S. Court of Appeals for the District of Columbia Circuit; Hon. Susan Graber of the U.S. Court of Appeals for the Ninth Circuit; and Hon. Lavenski R. Smith from the U.S. Court of Appeals for the Eighth Circuit.

In the final competition, Mr. Dorsey argued on behalf of the petitioner, Principal David Bowes and the Taughannock School Board, versus Mr. Stewart, who successfully represented the respondent Peter Murphy. The fictional case, regarding Mr. Murphy’s right to show a banner that read “Bong Hits 4 Jesus,” is based on a case currently before the U.S. Supreme Court, Morse v. Frederick.

The final tournament was the largest Langfan competition ever. The Moot Court Board reported that it was “an exciting and interesting competition, and each and every competitor should be extremely proud of their effort.”
Law School Hosts National Mock Trial Event: The Third Annual Big Red Invitational Classic is a Success

Did Officer Conmey use unjustified force when he shot Max Jeffries? The proceedings to answer that question about these fictitious characters was the basis of the third annual Big Red Invitational Classic (BRIC), a mock trial competition organized by Cornell law students. Nearly three hundred undergraduate students from around the country converged on Ithaca January 27 and 28 to participate in BRIC. Thirty teams from fourteen different institutions attended, including Yale University, the University of Pennsylvania, Carnegie Mellon University, and the University of California in San Diego. Competitors presented opening and closing statements and performed direct and cross-examinations, while arguing objections based on the federal rules of evidence. The competition was won by one of Cornell University’s three teams.

Cornell Law School students Dylan A. Letrich ’08 and Barry P. O’Connell ’08, who also served as head coaches for Cornell’s undergraduate teams, organized the competition. Seventy Cornell law students served as judges, as did numerous faculty and administrators including Associate Dean and Dean of Students Anne Lukingbeal, Assistant Dean John R. DeRosa, and Professors Andrea J. Mooney, Bernadette A. Meyler, and Glenn G. Galbreath. In addition, Cornell law alumni from as far away as Washington, D.C., participated as judges.

White & Case LLP sponsored the event and Littler Mendelson PC sponsored the Cornell mock trial team.

Winter Moot Court Competition

The Moot Court Board hosted this year’s Winter Cup in February. Cecelia Sander ’08 (third from right) argued a problem about the use of race in public high school admissions against Amanda Klop ’08 (third from left) in a final round before a distinguished panel that included (left to right) Hon. John M. Rogers, U.S. Court of Appeals for the Sixth Circuit; Hon. Timothy B. Dyk, U.S. Court of Appeals for the Federal Circuit; Hon. Paul V. Niemeyer, U.S. Court of Appeals for the Fourth Circuit; Hon. Michael J. Melloy, U.S. Court of Appeals for the Eighth Circuit; and Hon. David W. McKeague, U.S. Court of Appeals for the Sixth Circuit. In what the judges described as a close round, Ms. Sander was declared the winner and received the 2007 Winter Cup trophy, as well as the Louis Kaiser Best Brief Award.

Moot Court Board Competes at International Competition: Cornell Law School is Top U.S. Team

Cornell Law School’s Moot Court Board finished second in the Fasken Martineau First Year International Law Moot Competition, held in Toronto on March 24. The University of Toronto placed first. Cornell law students Carter B. Stewart ’09 and Montse Ferrer ’09 were named distinguished oralists, and David M. Hunt ’09 received an honorable mention.

“The Fasken Martineau First Year International Law Moot Competition has historically been a demanding environment for the Cornell team,” says Larry S. Bush, the executive director of the Clarke Center for International and Comparative Legal Studies. His office provides financial and logistical support for the Moot Court Board. “This is a Canadian event, with Canadian lawyers and judges evaluating the competition. There are subtle, but important, differences between the way that U.S. law students are trained to present oral arguments and the way those skills are taught in Canada. To have the Cornell team ranked second and three Cornell oralists honored in this competition is a tremendous tribute to the team members’ ability, preparation, and adaptability.”

Cornell Mock Trial Team Does Well in National Competition

Coached by law students, the Cornell University mock trial team won second place at the 2007 national championship tournament hosted by Stetson University in Deland, Florida, in April. Out of the sixty-four teams competing from across the country, only the University of Virginia did better than the Cornell team, winning first place. The Cornell team, consisting of undergraduates and coached by Cornell law students Dylan A. Letrich ’08 and Barry P. O’Connell ’08, had a strong record this year, including a first place finish at a tournament hosted by Northwestern University in March. Professor Andrea J. Mooney serves as the team’s advisor, and firm Littler Mendelson sponsored the team.

Final Convocation of the Class of 2007: Lawyers in the Best Sense

The final convocation of the class of 2007 began at 2:00 p.m. in Bailey Hall on May 13.
This was a formal ceremony, steeped in tradition and highlighted by the students’ brilliant red academic attire, with Dean Schwab presiding. Cornell University president David J. Skorton provided the university’s congratulations to the class of new lawyers. Additionally, the class selected Professor Trevor W. Morrison to speak. Also chosen to address the class were Steven N. Jones ’07 and Liam Campbell, LL.M. ’07. Following the speeches, John R. DeRosa, assistant dean for student and career services, called each member of the class to the stage to be congratulated by Dean Schwab and President Skorton.

The ceremony concluded with a reception in the Purcell Courtyard at the Law School. Family and friends of the graduates enjoyed celebrating their Lawyers in the Best Sense, a theme for the Law School based on the vision that the university’s first president, A.D. White, had for Cornell Law School.

Alumni Praised for Exemplary and Dedicated Public Service

Cornell Law School alumni made headline news this year for advocating on behalf of detainees at Guantánamo and litigating for gay marriage in New Jersey. Others provided less glamorous but equally essential aid for urban homeless people, prisoners, sweatshop and farm laborers, and the working poor. Six such alumni were honored by the Law School for their dedication to public service on February 8.

“These alumni represent people and issues that otherwise lack meaningful representation in the legal system,” says Karen V. Comstock, assistant dean for public service. “They believe in the power of law and the ideal of equal protection.”

Cornell Law School’s 2007 Exemplary Public Service Award Winners:

- **DAVID S. BUCKEL ’87**, Marriage Project Director in the national headquarters of the Lambda Legal Defense and Education Fund in New York City, for his litigation resulting in the new civil union law for gay couples in New Jersey and his work against anti-gay harassment and violence in public schools.
- **GITANJALI S. GUTIERREZ ’01** of the Center for Constitutional Rights in New York City for her advocacy for indefinitely detained prisoners at Guantánamo.
- **DOUGLAS H. LASDON ’81**, founder of the Urban Justice Center in New York City, for his representation of the urban homeless.
- **ALBERT H. MEYERHOFF ’72** of Lerach, Coughlin, Stoia, Geller, Rudman & Robbins LLP in Los Angeles for his work protecting laborers from pesticide contamination and sweatshop labor conditions.
- **STEPHEN J. MYERS ’71**, managing attorney at the Legal Aid Society’s Brooklyn Neighborhood office, for his tenacious fight for adequate housing for the working poor.
- **PATRICIA J. WARTH ’96**, supervising attorney at Prisoners’ Legal Services in Buffalo for her advocacy of prisoners’ rights.

Eight members of the class of 2007 were also honored at the event. The awards were presented at the Exemplary Public Service Awards and Celebration on February 8 at the Cornell Club in New York City. All of the recipients, who put public interest foremost in their work, are carrying on the Law School’s long tradition of producing Lawyers in the Best Sense.
South since the early Civil Rights movement. For their efforts providing legal support to survivors of Hurricanes Katrina and Rita, participants in the SHN received a 2007 President’s Pro Bono Service Award from the New York State Bar Association.

“I volunteered with SHN because I wanted to do something to help the people affected by Hurricane Katrina,” says James P. Rogers ’08, who is research coordinator for the Cornell Law School’s SHN chapter. “The organization grew through e-mails and conference calls between law students all over the country.”

Mr. Rogers and other Law School students traveled to New Orleans, where they bunked at a church and volunteered with the Pro Bono Project, the City Attorney’s Office, New Orleans Legal Assistance Corporation, New Orleans Innocence Project, and Hands On Orleans. They helped gut homes, worked on property successions in the Ninth Ward, conducted legal research. Cornell Law School and Cadwalader, Wickersham & Taft supported their trip.

The Fight for Human Rights: Alumna Leads Effort to Free Guantánamo Detainees

A Cornell Law School alumna and adjunct professor, Gitanjali Gutierrez ’01, is leading the efforts on behalf of the detainees at Guantánamo. On February 20, the U.S. Court of Appeals for the District of Columbia Circuit upheld a recent law that prohibits detainees from challenging their detention at Guantánamo Bay, Cuba. Ms. Gutierrez is lead counsel for the Center for Constitutional Rights (CCR) in New York City, representing Guantánamo detainees.

“[Guantánamo] has become an intelligence and national security failure, as well as a moral stain and corrupt symbol that cannot continue,” writes Ms. Gutierrez on the CCR Web site. “CCR does not challenge the authority of the executive to hold prisoners of war in times of armed conflict. But the idea of executive prisoners outside the law is just as morally and legally corrupt as slavery, internment, and segregation. Fifty, twenty, or maybe fewer years from now, our nation will hopefully understand Guantánamo and the ‘global war on terror’ to be two of the bleaker moments in our history.”

Ms. Gutierrez was the first civilian attorney to visit a client at the prison in Cuba and has been back more than ten times. A member of the original legal team in Rasul v. Bush, the landmark Guantánamo case heard by the U.S. Supreme Court, Ms. Gutierrez advises hundreds of pro bono attorneys working with CCR in representing the detainees.

Ms. Gutierrez’s high-profile clients include Mohammed al-Qahtani, “Prisoner 063,” whose brutal interrogations were documented by Time magazine; Feroz Abbasi, who was released on January 25; and Majid Khan, a former U.S. resident who was one of the fourteen detainees transferred to Guantánamo from secret Central Intelligence Agency prisons abroad. Ms. Gutierrez has been denied access to Mr. Khan on the grounds that allowing him to see counsel would allow him to disclose the torture techniques used during his interrogations.

Ms. Gutierrez served as an adjunct professor of law at Cornell Law School last fall, teaching in the International Human Rights Clinic. She earned a B.A. from Bucknell University in 1992 and a J.D. from Cornell Law School in 2001. Previously, she clerked for Judge Guido Calabresi, U.S. Court of Appeals for the Second Circuit, and served as a Gibbons Fellow in Public Interest and Constitutional Law at the firm of Gibbons, Del Deo, Dolan, Griffinger & Vecchione.

Alumnus in Legal Cockpit of Nation’s Skyways: Long Appointed FAA Chief Counsel

Kerry B. Long ’80 has been appointed by President George W. Bush to be chief counsel of the Federal Aviation Administration (FAA). Mr. Long will oversee 258 employees in Washington, D.C., and eleven field offices, as well as serving as top legal advisor to FAA administrator Marion Blakey.

“I was delighted to hear the news that President Bush has appointed Kerry Long to serve as chief counsel for the Federal Aviation Administration,” says Dean Schwab. “It is an important position of responsibility and a well-deserved honor. I feel safer flying already, knowing a Cornelian is in the legal cockpit of our nation’s skyways.”

Mr. Long, who is an aviation enthusiast, will handle the FAA’s regulatory program, administrative and judicial litigation, nationwide enforcement activities, legislation, and legal relations with foreign civil aviation authorities. He will also be responsible for the FAA’s procurement, airports, and ethics compliance programs.

Previously, Mr. Long was a partner at Fulbright & Jaworski LLP in Washington, D.C. There he represented airlines and aircraft and engine manufacturers. He has also worked for Perkins Coie LLP in Washington, D.C., and White & Case LLP in New York City, and he was a lieutenant in the U.S. Navy between his undergraduate and law school years. He was a member of the Aircraft Financing Subcommittee of the American Bar Association Section on Business Law and is listed in the Guide to the World’s Leading Aviation Lawyers.

As co-director of the 2006 Cornell-Université Paris 1 summer institute in Paris last July, Professor Barceló taught International Commercial Arbitration in the program’s curriculum. In September, he spoke at an alumni luncheon in Miami. His talk traced the growth of the Law School’s international program from its founding in 1948 to the present and discussed the possibility of a new Latin American initiative in Miami in 2008.

Gregory S. Alexander, the A. Robert Noll Professor of Law, spent December at Cambridge University as the Herbert Smith Visiting Professor. While there, he continued work on an article entitled “The Duty to Include.”

Professor Alexander’s article “The Ambiguous Work of ‘Natural Property Rights’” was published in the University of Pennsylvania Journal of Constitutional Law. He also published an essay entitled “Michelman as Doctrinalist” in a William and Mary Bill of Rights Journal festschrift in honor of Frank Michelman, professor at Harvard Law School. In October, Professor Alexander was elected to membership in the American Law Institute.

Joel Atlas, who became director of the Lawyering Program in July, contributed an article to the fall issue of the Law Teacher, a publication of the Institute for Law School Teaching based at Gonzaga University. The article, “Educating Students about the Critiquing Process in a Lawyering Skills Class,” proposes that lawyering skills teachers, prior to providing extensive critiques of students’ written work, discuss with students the purpose of providing detailed feedback and encourage students to view the critiques as learning opportunities.

Professor Barceló’s talk traced the growth of the Law School’s international program from its founding in 1948 to the present and discussed the possibility of a new Latin American initiative in Miami in 2008.
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In October, Professor Barceló joined with Dave B. Lipsky of Cornell’s School of Industrial and Labor Relations (ILR) to co-sponsor the first event in the newly launched Law and ILR joint program on dispute resolution. The first speaker was Otto Sandrock, former director of the Institute for International Business Law at the University of Muenster, Germany, and a leading international arbitrator. He spoke on international commercial arbitration in both the ILR School and the Law School.

As Elizabeth and Arthur Reich Director of the Berger International Legal Studies Program, Professor Barceló planned and moderated a number of events in the program’s fall lecture series at the Law School. He also served as a member of Vice Provost Wippman’s International Studies Advisory Council and as a member of the steering committee of the Institute for European Studies on campus.

In August, John H. Blume, professor of law and director of the Cornell Death Penalty Project, saw the publication of the eighteenth edition of the Federal Habeas Corpus Update, an annual compendium of habeas corpus developments. That same month he was a featured speaker at the National Federal Habeas Corpus Seminar in Pittsburgh. He lectured on the current status of state procedures for evaluating claims that a capital defendant is ineligible for execution due to mental retardation, and on recent developments in the law of habeas corpus.

In October, Professor Blume was invited to speak at the fall meeting of the National Association of Criminal Defense Lawyers in Boston, where he gave a presentation on Supreme Court practice.

Last July, Professor Blume was lead counsel in the case of State v. Terrion Warren. Mr. Warren was facing the death penalty for his alleged participation in the murder of a correctional officer. At the conclusion of the proceedings, the jury returned a verdict of life without parole. Cornell students were actively involved in Mr. Warren’s defense.

In December, Professor Blume, Professor Johnson, and local counsel arranged a favorable plea bargain for a clinic client, Johnny Ringo Pearson. Last spring, the trial court found that Mr. Pearson was mentally retarded and thus not eligible for the death penalty. Pursuant to the terms of the plea agreement, Mr. Pearson will be released in 2014. In this case as well, Cornell students played a valuable role in Mr. Pearson’s defense.
Angela B. Cornell, associate clinical professor of law and director of the Labor Law Clinic, was invited to speak at a continuing legal education (CLE) program in Austin in October titled “What Every U.S. Lawyer Needs to Know about International Labor Law: Emerging Issues in Domestic Application.” Her topic was international framework agreements, which are agreements between global union federations and multinational corporations. The CLE was organized by the International Commission for Labor Rights and the International Committee of the National Lawyers Guild in cooperation with the University of Texas Transnational Workers’ Rights Clinic and the Equal Justice Center. Professor Cornell also addressed the same topic, this time in Spanish, at the International Federation of Journalists Latin American Conference in early November in Caracas, Venezuela.

In November, Professor Cornell was invited by the Solidarity Center of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) to participate in a project to explore the establishment of labor law clinics in Mexico. She spent a week in Mexico City interviewing law professors and other academics, labor lawyers, and union representatives. The project’s twin goals are to help support the fledgling independent union movement and to advance clinical education.

Charles D. Cramton, assistant dean for graduate legal studies, continued to concentrate his efforts on the Graduate Legal Studies Program (LL.M. and J.S.D.) at the Law School. Throughout the fall he worked with the Cornell LL.M. Association in planning and coordinating events and seminars for the international students, including all facets of career services for the LL.M. students. He also continued the J.S.D. Colloquium, which he initiated last year for the J.S.D. and visiting doctoral students. The colloquium meets regularly throughout the year to discuss the students’ research and methodology, and provides the students with the opportunity to present their work.

Assistant Dean Cramton worked with several members of the faculty this past fall to obtain the approval of Cornell’s Graduate School for a new master’s degree program designed for Ph.D. students at Cornell in related fields who would benefit from formal training in law but who do not need or wish to obtain a J.D. degree. The Law School hopes to have the new degree (the Master of Science—Legal Studies) in place by this fall, following further university and New York State approvals. The Law School obtained American Bar Association acquiescence for the degree last fall.

In December, Assistant Dean Cramton completed an update to the New York State Winery Handbook published by the New York Wine and Grape Foundation to provide guidance to wineries in New York.

Glenn G. Galbreath made a presentation entitled “Resentencing Defendants” as part of the New York State Unified Court System’s advanced certification training program for town and village justices. He also gave lectures and demonstrations in Rochester and Buffalo through the Center for Development of Human Services, State University of New York in Buffalo, to child protective services workers regarding their testifying during trials.

In addition, Professor Galbreath visited Case Western Reserve University School of Law at the invitation of its new dean (former colleague Gary J. Simson) to give a talk on Cornell Law School’s Full Term Externship course. The course is unique because it permits law students to receive twelve credit hours during an academic semester for full-time work at a nonprofit or governmental agency selected by the student and the Law School. The students work under the mentor-
ship of an attorney at the placement site and are in constant contact with each other and a law school faculty member through journals, a Web-based discussion board, and a site visit by the faculty member. The course provides an excellent bridge between the study of law and its actual practice.

Stephen P. Garvey saw the publication of his article “What’s Wrong with Involuntary Manslaughter?” in the Texas Law Review. In the article, he argues that retributive punishment for involuntary manslaughter (negligent homicide) is warranted if and only if the actor’s failure to realize that his acts or omissions were creating an unjustified lethal risk was the result of a culpable failure to exercise doxastic self-control.

Claire M. Germain, the Edward Cornell Law Librarian and Professor of Law, presided over the centennial meeting of the American Association of Law Libraries (AALL) in St. Louis last July. Jay W. Waks ’71 was part of the celebration and spoke on legal trends in law firms that impact libraries.

In September, she attended the annual meeting of the International Association of Law Libraries in St. Petersburg, Russia. She also attended the fall board meeting of the AALL as immediate past president. Professor Germain spoke on the preservation of born digital legal information at the regional Association of Law Libraries of Upstate New York meeting in Elmira in September.

In October, she participated in the Buffalo law alumni meeting and a planning meeting for a possible event honoring General William J. Donovan, whose papers the Law Library holds. The same month, she attended a symposium in honor of Robert C. Berring Jr. of Boalt Hall, University of California in Berkeley, and a New England Law Libraries Consortium meeting in Providence.

In November, as director of the Law School’s dual degree programs in Paris and Berlin, she met with officials of Humboldt University of Berlin Law School to discuss student exchange programs with Cornell.

Valerie P. Hans spoke to several audiences about a research project that examined jurors’ ability to understand novel forms of scientific evidence. Participants were members of a Delaware jury pool who were not needed that day as jurors. The jurors watched a videotape of a mock trial, based on an actual case, that included conflicting expert testimony concerning mitochondrial DNA evidence, a form of DNA found outside the nucleus of the cell. It is not as diagnostic as nuclear DNA, the more familiar kind, but mitochondrial DNA analysis is useful because it can be performed even with small amounts of degraded biological material.

Professor Hans and her collaborators studied whether allowing jurors to take notes, ask questions of experts, go through a checklist, use a jury notebook, and deliberate helped jurors better understand and appropriately use the expert evidence about mitochondrial DNA.
During the fall semester, Michael Heise presented the 2006 Winthrop and Frances Lane Foundation Lecture at the University of Nebraska College of Law. A published form of the lecture, “Back to the Future: School Finance Litigation, Institutionalism, and Judicial Capacity,” will appear in the Nebraska Law Review. Professor Heise also helped organize and provide commentary incident to the 2006 Junior Empirical Legal Scholars Conference, hosted at Cornell Law School and sponsored by the Law School and the Journal of Empirical Legal Studies. Along with Professor Eisenberg, Professor Heise helped organize the first annual Conference on Empirical Legal Studies (CELS). At the inaugural CELS conference, held at the University of Texas School of Law, Professor Heise served as a paper discussant. At a conference hosted by the University of North Carolina focusing on high poverty schooling in the United States, Professor Heise presented a paper, “Litigated Learning, the Limits of Law, and the Urban School Challenge.” The paper will appear in a forthcoming issue of the North Carolina Law Review.


Robert A. Hillman, the Edwin H. Woodruff Professor of Law, is the reporter of the American Law Institute’s project entitled Principles of the Law of Software Contracts. As such, he published Preliminary Draft No. 3 in August and Council Draft No. 1 in November (with associate reporter Maureen O’Rourke). The reporters presented the drafts respectively in September in Philadelphia at meetings with their advisers and consultative group members, and in December also in Philadelphia at a meeting of the American Law Institute Council.

The fifth edition of Professor Hillman’s casebook Contract and Related Obligation: Theory, Doctrine, and Practice (with Professor Summers) was published in October, along with a new edition of the Teacher’s Manual.

Robert C. Hockett’s essay argues that international law is irreducibly normative in character, and that the task before us is to ensure that it gives expression to the right norms, not to pretend that it gives expression to no norms at all.

An essay by Robert C. Hockett, “The Limits of Their World,” was published in the Minnesota Law Review in August. The article takes a recently published monograph, Jack Goldsmith and Eric Posner’s Limits of International Law, as case study in a more general inquiry into the limitations of rational choice and game theoretic accounts of international law. The essay argues that international law is irreducibly normative in character, and that the task before us is to ensure that it gives expression to the right norms, not to pretend that it gives expression to no norms at all.

Professor Hockett spent most of last August completing a monograph tentatively titled Minding the Gaps: Fairness, Welfare, and the Constitutive Structure of Distributive Assessment, which he has since submitted to several academic publishers with a view to publication. The monograph endeavors to work out foundations for what Professor Hockett calls an “ethically enriched ‘law and economics,’” and grows out of a lengthy article that he published in the Cardozo Law Review in 2005.

funded the research, published an article describing key results. Professor Hans is currently working with her collaborators on several papers presenting the research findings in more detail.
In September, Professor Hockett wrote and submitted an article titled “The Impossibility of a Prescriptive Paretian.” Meant to echo the title of a classic 1970 article by Amartya Sen (“The Impossibility of a Paretian Liberal”), the article derives and discusses two formal theorems: the first showing that no social welfare function with prescriptive valence can be strictly “welfarist,” the second showing that any social welfare function conforming to any of the four Pareto criteria—“weak,” “strong,” “indifferentist,” or “full”—is either incompatible with normative prescription, or makes no essential use of those criteria. (Pareto is shown, in consequence, to be either incompatible with prescription or prescriptively redundant.)

In October, Professor Hockett discussed the last-mentioned paper at an invited faculty workshop appearance at the University of Iowa College of Law. Also in October, Professor Hockett was a panelist with Geoffrey Miller of New York University and Harvey Goldschmidt of Columbia University at the 2006 Leet Symposium on Corporate and Securities Law at Case Western Reserve University School of Law.

In November, in addition to teaching Financial Institutions, Professor Hockett worked on his forthcoming casebook for that course, under contract with Thomson/West. The book is titled Finance, Financial Institutions, and Financial Regulation and is slated for release this autumn.

December saw the publication of Professor Hockett’s article “Why (Only) ESOPs?” in the Stanford Journal of Law, Business, and Finance. The article derives, and argues on behalf of, a number of variations on the familiar Employee Stock Ownership Plan that predicate benefits on patronage relations additional to that of labor employment.

During the fall semester, Douglas A. Kysar participated in two invited roundtables related to the future of environmental law and policy. The first, Roundtable on Consumption, Law, and the Environment, was held at Vanderbilt Law School; and the second, Beyond Environmentalism: Moving Past the “Death of Environmentalism” Debate, was held at the University of Colorado at Boulder. Professor Kysar also delivered his paper “It Might Have Been: Risk, Precaution, and Opportunity Costs” at the University of Arizona James E. Rogers College of Law. This paper appeared in the Journal of Land Use and Environmental Law.

Also during the fall semester, Professor Kysar’s article “Did NEPA Drown New Orleans? The Levees, the Blame Game, and the Hazards of Hindsight” (co-authored with Thomas O. McGarity) appeared in the Duke Law Journal, and his article “Medical Malpractice Myths and Realities: Why an Insurance Crisis Is Not a Lawsuit Crisis” (co-authored with Thomas O. McGarity and Karen Sokol) appeared in a symposium issue on economics of civil justice of the Loyola of Los Angeles Law Review. Additionally, Professor Kysar published a critical overview of the use of discounting within welfare economics in the intergenerational policymaking context. This piece, “Discounting … On Stilts,” appeared in the University of Chicago Law Review.
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In July, Professor Martin participated on a panel on “Best Practices in Distance Education” at the annual meeting of the Southeastern Association of Law Schools. In July, he delivered the graduation address at the commencement ceremony of the Concord School of Law, America’s first online law school.

**Anne Lukingbeal**, associate dean and dean of students, hosted three receptions at her home this past fall for students and faculty. One evening focused on women at the Law School, one on minority students, and one on students with a commitment to public interest.

In September, Associate Dean Lukingbeal moderated a panel for undergraduates at Cornell entitled “More than You Ever Wanted to Know about Law School Admissions,” which she has done every year for the past twenty years.

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Furthermore, according to Professor Meyler, jurists and politicians of the founding generation were not unaware that the common law constituted a disunified field; indeed, the jurisprudence of the common law suggested a conception of its identity as much more flexible and susceptible to change than originalists posit.

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During last summer and early fall, Trevor W. Morrison completed work on his article “Constitutional Avoidance in the Executive Branch,” which appeared in the October issue of the Columbia Law Review. The article examines statutory interpretation in the executive branch and asks whether, and when, executive actors should rely on judicially developed interpretive rules like the canon of constitutional avoidance. In addressing that question, the article focuses in particular on a number of prominent executive uses of the avoidance canon in matters relating to the “war on terror,” including the Justice Department’s “torture memorandum,” its defense of the National Security Agency’s program of warrantless wiretapping, and the president’s signing statement relating to recent legislation prohibiting torture. In November, Professor Morrison presented the article at a colloquium on statutory interpretation theory at Columbia Law School and at a law and politics workshop at the University of Chicago Law School.

Also in November, Professor Morrison presented a draft of a paper entitled “Preemption, State Attorneys General, and Democracy” at a conference on federalism at Duke University. The conference, which Professor Morrison helped arrange, brought together scholars of administrative, constitutional, and environmental law to discuss federalism issues that arise in the “overlapping territory”—areas where the states and the federal government both have regulatory authority, and where state and federal regimes frequently overlap.

Professor Morrison also made a number of other public presentations over the summer and fall. In early August, he gave an invited lecture to the Memphis Bar Association on the jurisprudence of Justice Ruth Bader Ginsburg. Later that month, he was on a panel at Duke University that addressed recent controversies in the use of presidential signing statements. And in October, he was on a panel entitled “The Role of the Supreme Court in Presidential Politics and the Role of Presidential Politics in the Supreme Court,” convened as part of the Cornell University Board of Trustees and Cornell University Council annual meeting.

Professor Ndulo noted that lack of infrastructure is one of the major constraints to economic development in developing countries.

In December, Professor Ndulo participated in the policy seminar “The United Nation’s Role in Africa: 1945-2005,” organized by the Center for Conflict Resolution, University of Cape Town, and the Friedrich Ebert Stiftung. The seminar examined the role of the UN in Africa over the last sixty years. It examined the role of the principle organs of the UN; examined the efforts of the UN’s specialized agencies; and analyzed the peacekeeping, governance, and security roles of the UN in Africa. Professor Ndulo presented a paper entitled “The International Court of Justice and Africa: 1945-2006.”

Professor Ndulo also participated on the panel “Legal Education in Africa” at the Association of American Law Schools Annual Meeting in January. He spoke on the topic “Legal Education, Internationalization, and African Law Schools.” In the presentation, he examined the problems that African law schools face in responding to the internationalization of legal education in the context of globalization.

Muna B. Ndulo, director of Cornell’s Institute for African Development and professor of law, served as a seminar speaker in August for the Institute for African Development (IAD) weekly seminar series. He spoke on the topic “Project Financing and Infrastructure Construction in Africa.” Professor Ndulo noted that lack of infrastructure is one of the major constraints to economic development in developing countries. He explained the main features of the Built Operate and Transfer (BOT) approach to infrastructure development. He expressed the view that the BOT approach provided opportunities for private sector/government partnerships in infrastructure construction in the developing world.
Professor Rachlinski’s paper presents research on trial judges that reveals that, like most adults, trial judges harbor invidious unconscious associations concerning women and minorities. But Professor Rachlinski’s research indicates that these implicit attitudes do not affect the decisions that these judges actually make.

A review by Eduardo M. Peñalver of Randy Barnett’s *Restoring the Lost Constitution* (2004) was published in the January 2007 issue of the *Yale Law Journal*. In the review, Professor Peñalver argues that he has embraced an overly individualized conception of natural law, with unfortunate consequences for his theory of rights and, as a result, his theory of constitutional interpretation.

Professor Peñalver also participated in a conference on a post-Castro Cuba at Yale Law School. At the conference, he spoke about likely property claims in a transitional Cuba on a panel that included Cuban dissident Oswaldo Payá.

Finally, Professor Peñalver presented faculty workshops at Harvard Law School and Rutgers School of Law, Camden, on his forthcoming article, “Property Outlaws” (co-authored with Sonia Katyal), which will appear in the *University of Pennsylvania Law Review* early next year.

During the fall semester, Jeffrey J. Rachlinski presented a paper on unconscious bias and judges to faculty workshops at Villanova University School of Law, Chicago-Kent College of Law, and the George Washington University Law School. The paper presents research on trial judges that reveals that, like most adults, trial judges harbor invidious unconscious associations concerning women and minorities. But Professor Rachlinski’s research indicates that these implicit attitudes do not affect the decisions that these judges actually make.

Annelise Riles, professor of law and anthropology and director of the Clarke Program in East Asian Law and Culture (see article on page 10), published a chapter on “Comparative Law and Sociolegal Studies” in the *Oxford Handbook of Comparative Law*. The chapter traces the history of interdisciplinary work in comparative law, tracks key debates in that field, and makes suggestions about future directions for research. She also published a book, *Documents: Artifacts of Modern Knowledge* (Michigan University Press). This book, a collection of essays by scholars in fields from science studies to sociology to anthropology and law, explores how practices of documentation shape our world.

Professor Riles organized a conference at Cornell Law School entitled “Documenting Ethics, Papering Consent: The New Bureaucracies of Virtue.” The interdisciplinary conference explored the jurisprudential, ethical, and political implications of the way ethics in fields from law to medicine to social science research is increasingly handled as a matter of paperwork and documentation as securing consent on paper comes to stand for dispensing with ethical obligations. The symposium will be published in a special issue of *Political and Legal Anthropology Review*.

In September, Professor Riles presented a paper entitled “Conversing with War Criminals: Managing the Spirits of International Law’s Disdain at the Yasukuni Shrine” at a conference on “International Law after the Age of Three Worlds” held at American University. Her paper concerned the recent lawsuits by Chinese, Taiwanese, and Japanese survivors of World War II and their families challenging the relationship between the
Japanese State and the Yasukuni Shrine, where a number of persons convicted of war crimes at the Tokyo War Crimes Tribunal are honored.

Additionally, Professor Riles was appointed a commissioner on the newly formed American Association of Law Schools United States-China Commission on Legal Education in China. She will hold a three-year term beginning immediately. Frank Upham of New York University School of Law will chair the commission.

E. F. Roberts, the Edwin H. Woodruff Professor of Law, Emeritus, taught a mini-course on “Taking Issue” to the local gentry at their senior quarters downtown. He continued working on what he calls an “unbook,” wherein, inter alia, he suggests that reflection upon the current relevance of W. B. Yeats’s poem “The Second Coming” and Albert Camus’s essay “The Myth of Sisyphus” might prove to be time well spent.

Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law, completed the fourth edition of his Employment Law casebook, published by LexisNexis this year. Dean Schwab and his co-authors, Steve Willborn, dean at University of Nebraska College of Law, and John Burton, former dean of Rutgers School of Management and Labor Relations, welcomed Gillian Lester, professor of law at Boalt Hall, University of California in Berkeley, as a new co-author on this edition. Employment Law surveys the major laws regulating the workplace, other than labor laws regulating unions, which generally are covered in a separate course. Highlights of the new edition include a new chapter on leave time and greater emphasis on enforcement issues. New materials are included on whistleblowing, Sarbanes-Oxley, and the Pension Protection Act of 2006.

An article by Emily L. Sherwin entitled “Judges as Rulemakers” was published in the University of Chicago Law Review during the fall semester. The article analyzes psychological barriers to effective rulemaking in the context of adjudication and points to several features of the common law that tend to counteract adjudicative pressures and improve quality of judicial rules. In addition, her article “Love, Money, and Justice: Restitution Between Cohabitants” was published in the Colorado Law Review. This article is a study of restitution remedies following the termination of a domestic partnership and the relation of these remedies to general principles governing restitution. Cambridge University Press accepted Professor Sherwin’s book Demystifying Legal Reasoning, co-authored with Larry Alexander, for publication.

Professor Sherwin also participated in a roundtable on the duty to rescue, sponsored by the University of San Diego’s Institute for Law and Philosophy, and attended a meeting of the advisory committee to the American Law Institute’s Restatement (Third) of Restitution and Unjust Enrichment.
Last July, W. Bradley Wendel attended the second annual International Legal Ethics Conference at the University of Auckland, New Zealand. The conference, “Professional Ethics and Personal Integrity,” involved scholars in law and philosophy from around the world. Professor Wendel’s conference paper explored the role of integrity in recent ethical theory, and argued that considerations of integrity are difficult to accommodate within professional ethics, which is necessarily framed from an impartial point of view. The conference papers will be published in a forthcoming book, edited by conference organizer Tim Dare of the University of Auckland and Professor Wendel.

Robert S. Summers, the William G. McRoberts Professor of Research in the Administration of Law, published a number of books this year. *Form and Substance in Anglo-American Law*, which Professor Summers co-authored with Patrick S. Atiyah, was published as a Chinese translation by the American Law Library of China. Oxford University Press originally published it. A second book that was published this year is volume one of the fifth edition of *The Uniform Commercial Code* (Thomson/West), co-authored with James J. White. A third publication is the fifth edition of *Contracts and Related Obligation* (West Group), co-authored with Professor Hillman.

In addition, Professor Summers devoted much of the fall semester to co-authoring an adaptation of the American Law Institute’s Restatement of Contracts (Second) to “Code Form” for adoption by the legislature of the central African nation of Rwanda.

As part of the same trip, Professor Wendel presented a paper at the Australian National University’s Research School of Social Sciences in Canberra, Australia. The paper, to be published in an upcoming symposium

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Steven H. Shiffrin, the Charles Frank Reavis Sr. Professor of Law, has primarily been working on a chapter, “Religion and Progressive Politics,” for his book project on *Religion and the State*. The chapter contrasts the diverse attitudes of secular liberals toward issues raised by the religion clauses with those held by religious progressives. He contends that religious progressives are better situated than secular liberals to engage and confront religious conservatives in American politics, and he maintains that the dominant secular liberal view of the relationship between religion and democracy is mistaken.

Professor Shiffrin is also working on an abridged edition of his co-authored casebook *Constitutional Law*, which was published in its tenth edition last spring. With his co-authors, he published a supplement to the tenth edition last summer as well as a supplement to the fourth edition of his co-authored casebook on the First Amendment.
In the fall, David Wippman, Cornell University vice provost for international relations and professor of law, published the second edition of his casebook *International Law: Norms, Actors, Process* (with Jeffrey Dunoff and Steven Ratner), and also *Can Might Make Rights? Building the Rule of Law after Military Intervention* (Cambridge University Press) (with Jane Stromseth and Rosa Brooks). Vice Provost Wippman’s article “The Nine Lives of Article 2(4)” will be published by the *Minnesota Journal of International Law*.

As vice provost for international relations, he accompanied Cornell president David J. Skorton and a small Cornell delegation on a visit to India in late December and early January. The delegation met with senior Indian government officials, academic leaders, and alumni to explore how the university may augment its Cornell-in-India programs.

In September, Professor Wendel was one of two American panelists at the annual meeting of the Japanese-American Legal Studies Association in Tokyo. The theme of this year’s meeting was “The Forefront of American Legal Ethics: Social Change and the Role of Lawyers.” As the Japanese legal education system moves to an American-style graduate model, lawyers and legal scholars in Japan are increasingly becoming interested in the teaching and study of legal ethics. Professor Wendel explains that lawyers outside the United States tend to view developments in the United States with horror, believing that American legislation, such as the Sarbanes-Oxley Act, and executive branch actions, such as the demands by prosecutors that corporate defendants waive the attorney-client privilege, are eroding the lawyer-client relationship. However, these developments do not represent a new trend in the American law governing lawyers; rather, they are a reflection of the public and private aspects of the lawyer’s duty that have always been recognized. A paper based on Professor Wendel’s presentation at the conference will be published in the proceedings of the association.

Vice Provost Wippman was part of a delegation that met with senior Indian government officials, academic leaders, and alumni to explore how the university may augment its Cornell-in-India programs.
“Property law is absolutely foundational,” says Gregory S. Alexander, the A. Robert Noll Professor of Law. “Without property rights, we have no basis for laws governing contracts or torts.”


The timing couldn’t be better: Whether private property ownership should be a constitutional right is being hotly debated around the globe, particularly in China, where Professor Alexander will be one of several Law School faculty members discussing it at a conference in Beijing this May, organized by the school’s Clarke Program in East Asian Law and Culture. Following that he will talk about his book in Xian, Shanghai, and Hong Kong, then take part in a conference he co-organized on property rights at the London School of Economics and serve on a panel on that subject at the Law and Society Association annual meeting in Berlin.

Traditionally, scholars have argued the merits and problems associated with making private property ownership a constitutional right. In his new book, Professor Alexander recasts the discussion, arguing that a society’s traditions and culture have a much greater effect on property rights than does constitutional protection, or the lack of it. Where inequalities exist, the solution might be to take measures that attempt to change the culture, he says.

One place now doing that is South Africa. “Its new constitution is a remarkable document that could serve as a model for the entire continent of Africa,” says Professor Alexander. While the experiment still has a ways to go, he says, “The document tries to strike a critical balance between protecting private property and encouraging investment while, at the same time, redressing the enormous wrongs resulting from apartheid laws with respect to the land.”

In his book, Professor Alexander also suggests that American “takings” law would do well to glean from the laws of countries where owning property comes with responsibilities as well as rights. The inspiration for the book came from his discovery of a clause in Germany’s constitution that states property ownership imposes social obligations.

Social obligation is not mentioned in the “takings” clause of the U.S. Constitution’s Fifth Amendment, which provides: “...nor shall private property be taken for public use without just compensation.”
Amendment, which specifies, “nor shall private property be taken for public use, without just compensation.” But recent cases have looked at what constitutes public use, notes Professor Alexander.

In June 2005, the U.S. Supreme Court ruled on a Connecticut case, Kelo et al. v. City of New London et al., in which property owners in an economically distressed New London neighborhood had sued the city to avoid losing their homes as part of the city’s comprehensive economic revitalization plan. In a 5-4 decision that crossed traditional voting lines, the Court ruled that the city’s plan had a public purpose that could be considered a public use.

“I could not disagree more strongly,” says Professor Alexander.

But he also warned of property regulations that go too far. “While they don’t condemn a property, they may be a ‘de facto’ taking by drastically limiting its use,” he says.

At the Law School, Professor Alexander teaches a core property law course, an upper-level trusts and estates course, and a seminar on theories of property that attracts graduate students in such varied fields as government, planning, and philosophy, in addition to law.

“I want students to share my excitement about property law, why it’s so important and so controversial,” he says. “But I don’t try to inculcate my views. I welcome a good give and take.”

“Greg’s one of the reasons I wanted to come here,” says Professor Eduardo M. Peñalver, an up-and-coming legal scholar interested in property law and culture, who joined the Law School faculty last fall and also is taking part in the Clarke Program conference in Beijing.

“I’ve always admired his work and frequently cite it. Being part of a small faculty with him is really an opportunity.”

Professor Alexander, who studied law at Northwestern University School of Law, credits a former professor there, Irving Gordon, with sparking his interest in property law.

“He was filled with enthusiasm and opened my eyes,” says Professor Alexander. He
relates how Professor Gordon started his course with an 1805 case involving a dispute over who owned the fox that a Long Island landowner had pursued but that a schoolmaster, protecting his chickens, had caught and killed on land near his farm.

“The landowner claimed he had a prior property right to the fox by virtue of chasing it,” says Professor Alexander. “The court implicitly relied, in part, on John Locke’s labor theory of property in finding for the schoolmaster, on the ground that a wild animal is unowned.” The story so engaged him that he now uses it at the start of his own property law course.

After law school and before Cornell, Professor Alexander clerked for Hon. George Edwards of the U.S. Court of Appeals for the Sixth Circuit, was a Bigelow Fellow at the University of Chicago Law School, and taught at the University of Georgia School of Law. A prolific and widely published writer, he also is the author of Commodity and Propriety: Competing Visions of Property in American Legal Thought, 1776-1970, which won the Association of American Publishers Best Book of the Year in Law award in 1997.

For exercise and fun Professor Alexander ran road races until knee problems forced him to cut back. Now, he says, he runs less, lifts weights, scuba dives, paints watercolors “badly,” and likes to read fiction, most recently George Eliot’s Middlemarch. He and his wife, Kim, an associate director in the Johnson Graduate School of Management’s Career Management Center at Cornell, have a daughter, Elizabeth, a physician in New York City, and a son, Ted, a student at Reed College.

-LINDA MYERS

Eduardo M. Peñalver

From the squatters who settled America’s frontier to the civil rights protesters who integrated dime store lunch counters in the Deep South, lawbreakers have played a formative role in effecting changes to property law, says Eduardo M. Peñalver, who joined the Cornell Law School faculty as associate professor last fall.

“Included in the dialog are those who don’t own property—showing us that the excluded cannot be ignored,” says Professor Peñalver. The subject is central not only to his forthcoming book, Property Outlaws (Yale University Press), co-authored by Sonia Katyal, but also to his life.

He first became interested in what he calls “the social nature of property law” as a Cornell undergraduate (class of ’94), when he studied...
the Homestead Act of 1862. “It created a mechanism by which squatters could obtain ownership of the land by working it. That had a deep impact on the way property was distributed in the United States,” he says.

From childhood on, Professor Peñalver has had a deeply engrained sense of social justice and inclusion—influenced in part by his parents, who are both in “caring” professions. His father, who immigrated to the United States from Cuba in 1962, became a pediatrician here, while his mother, who is Swiss, is a nurse. That idealism, he says, is why he applied only to Cornell as an undergraduate. “I knew I wanted to go to an Ivy League university, but it was important that it have a public component.”

Once on campus he studied with prominent Cornell historians Walter F. LaFeber and Mary Beth Norton. Professor Norton recalls: “Eduardo was one of the best undergraduates I’ve taught. In my Early American history course, he stood out for his intelligence and serious engagement with the material.”

He also continued to act on his values, volunteering at Loaves and Fishes, a local soup kitchen, and winning a prize for his Sage Chapel sermon on the radical, socially transformative nature of the Christian message. “It’s a view that’s getting squeezed out now because of the rise of the religious Right,” he says.

As president of La Asociación Latina, a student group, he became a lawbreaker, of sorts, himself, when in 1993 he led a protest on the lack of Latino studies faculty.

Despite his adversarial role back then, the university supported his candidacy as a Rhodes Scholar and helped pay for his trip to Seattle to be interviewed. “Looking back, I’m impressed by how well the administration handled things, especially [vice president for student and academic services] Susan H. Murphy, who was supportive even though we didn’t always agree. It was one of the reasons I decided to come back here,” says Professor Peñalver.

“He had intellect and was a natural leader,” says Vice President Murphy. “It was no surprise he was named a Rhodes Scholar.” The award allowed him to study philosophy and theology at the University of Oxford’s Oriel College for two years before enrolling in Yale Law School.

Following his J.D. degree at Yale, he clerked for Hon. Guido Calabresi, with the U.S. Court of Appeals for the Second Circuit, in New Haven; was a litigation associate with a Washington, D.C., law firm; then clerked under U.S. Supreme Court Associate Justice John Paul Stevens.

“Stevens is a wonderful example of what it means to be a good lawyer,” he says. “He is wise, gentle, understated, and he has a brilliant legal mind.”

Professor Peñalver’s experiences in private legal practice made him realize he preferred the intellectual independence of academic life.

“I needed to be able to decide what I wanted to think and write about,” he says.

After three years as an associate professor at Fordham University School of Law and a stint as a visiting associate professor at Yale Law School, he was invited by Cornell Law School to interview for a faculty position. At the same time, his wife, Sital Kalantry (also a member of Cornell’s class of ’94), who has a J.D. degree from the University of Pennsylvania Law School and was, most recently, counsel at the law firm O’Melveny and Myers, applied for a position on the school’s clinical law faculty.

When the job offers came, they both said yes. “I am thrilled he and his wife are Cornell faculty members,” says Vice President Murphy. “They have much to share with our students and to contribute as teachers and scholars.”

“It was the perfect package for us,” says Professor Peñalver. “We met at Cornell and have a lot of warm feelings for the place. At that point, we also were expecting a baby [Maximo Sidhartha, born at Cayuga Medical Center last fall], and Ithaca was an appealing place to live.”

Its small size reminded Professor Peñalver of Puyallup, Washington, the working class town in the shadow of Mount Rainier where he and his four siblings grew up. “It was a 1950s time capsule—a great place to be from,” despite being part of the only Cuban family in town and the occasional sense of cultural isolation, he says.
Sadly, the region has since undergone cataclysmic change, with forests and farms giving way to “the worst kind of urban sprawl,” a development that provoked his interest in land use, Professor Peñalver says. At the Law School, Professor Peñalver teaches courses on property and land use laws, in addition to a seminar on Catholic social thought. He also will be a discussant at the Clarke Program in East Asian Law and Culture conference in Beijing this May. “I’m interested in the way property law expresses cultural dynamics,” he says.

“Eduardo is a rising national star, one of the hottest young people in property law,” says Professor Gregory S. Alexander. “We were very lucky to get him.”

Co-author and former Fordham colleague Professor Katyal says: “Eduardo’s work is phenomenally creative, rigorous, exciting, and truly groundbreaking. He has the rare quality of being able to recast seemingly settled property theories in a completely new light, and to capture how the organization of property laws affects many other parts of society.”

Widely published in scholarly law journals, he also has achieved some renown as an invited commentator on such blogspots as “Mirror of Justice” and “dotCommonweal.”

While he worries that Web blogging may be “morally hazardous because it lends itself to oversimplification,” he notes that law Web sites such as “Scotus” and “Comlaw” are among the few venues where real-world legal practitioners and scholars can talk to one another. Posting essays-in-progress and inviting feedback on those Web sites has helped him expand his own legal and intellectual thinking about subjects ranging from the economic justice of raising the minimum wage to the moral complexity of abortion.

“It’s like a little brainstorm, where I can throw out ideas and get different perspectives,” says Professor Peñalver. The only problem: once they’re posted online “they are there forever,” even after his thinking has moved forward.

He is one of three Law School faculty members who like to fly single-engine planes for fun and relaxation (Professors Michael Heise and W. Bradley Wendel are the others). “It uses another part of my brain, which I like,” Professor Peñalver says.

~ LINDA MYERS

ALUMNI PROFILES

Valerie Ford Jacob ’78

When an independent research firm asked New York State Bar Association members to select the state’s best lawyers last year, the name of Valerie Ford Jacob ’78 rose to the top of the list.

“She developed this very active capital markets business through sheer effort and diligence,” says Mr. Galant.

“I liked those types of transactions, and the firm was always supportive in giving me the resources,” she says, adding, “Underwriting initial public offerings [IPOs] is one of the more team oriented areas of corporate law. You’re working with people who have a common goal. Your job is to ensure the document describes the industry and the company accurately. The stakes, however, are high. “If there’s any material error, there is potential liability.”

Ms. Jacob racked up frequent flyer miles doing the due diligence for the IPOs of such firms as soft drink purveyor Snapple and footwear manufacturer Nine West. In addition to the legal work, “I drank a lot of Snapple, and I flew to Brazil to look at a shoe factory.”
In other IPOs, clients for which she has worked include financial services firms Goldman Sachs, Merrill Lynch, Credit Suisse, Citigroup, and Morgan Stanley, cruise line Royal Caribbean International, and clothing makers Talbots and Polo Ralph Lauren.

James Hislop, a former managing director of Merrill Lynch who is now president of Penske Capital Partners, says: “She’s good at getting inside the situation and seeing it from your perspective.”

Her hard work assisted Fried Frank in growing its global securities practice and prompted the firm to name her head of that practice in 1991. In 1995, she was cited in the American Lawyer magazine as one of the top lawyers under age forty-five. In 1986, she made partner. In 2003, she was named co-managing partner. And in 2005, she became chairperson, with Justin Spendlove as managing partner.

What makes her achievements all the more impressive is that, when she joined Fried Frank, Ms. Jacob was one of only three women in her entering group (today half the firm’s associates are women).

She also blazed trails after she became one of the first female associates at Fried Frank to have a baby and return to the firm full-time. But Ms. Jacob says she’s no superwoman. She credits her supportive spouse, Charles Jacob; helpful children, Shawna, now twenty-five, Charles, twenty-two, and Oliver, sixteen; and a loyal nanny who has been with the Jacobs for twenty-four years, with helping to make it work.

Also on her thank-you list are co-workers “who have been there when you need them most. Everyone works hard here because it’s a Wall Street law firm with premier clients and transactions, and there are times when you’re working around the clock. But colleagues are very supportive and fill in for you.”

Growing up in New Jersey, the oldest of six siblings, Ms. Jacob knew she wanted to be a lawyer from girlhood on. But family life was severed when both parents died in quick succession while she was still in high school. Aware that they had wanted their children to go to college, she paved the way, majoring in journalism at Boston University and earning her B.S. in 1975.

Following that, Cornell Law School was an easy choice. “I knew I wanted to be at a first-rate law school but also at a smaller place,” she says. “It was an atmosphere where I knew I’d flourish. Getting that admission letter from Cornell was very exciting for me. People were warm and welcoming, and it was easy to make friends there.”

While at the Law School she was drawn to securities regulation, in a course taught by former professor David L. Ratner. That interest led to two summer internships at the Securities and Exchange Commission and job interviews at numerous New York City law firms.

“She developed this very active capital markets business through sheer effort and diligence,” says Mr. Galant.

“I liked those types of transactions, and the firm was always supportive in giving me the resources,” Ms. Jacob says, adding, “Underwriting initial public offerings [IPOs] is one of the more team oriented areas of corporate law. You’re working with people who have a common goal. Your job is to ensure the document describes the industry and the company accurately.”

She chose Fried Frank because she was impressed with how well associates from such different areas as corporate and litigation law got along. “At lunch, people were open, friendly, and kidded with each other, and there was a warm feeling among them.”

The firm’s support for pro bono work also appealed to her. “Pro bono is a deep part of Fried Frank’s history and culture,” she says. “We’ve handled cases of eviction, asylum, and the death penalty. People spend a lot of time on it, and it’s something we’re proud of and reward.”

One pro bono project Ms. Jacob took on involved a soccer field in Queens, threatened with foreclosure by New York City because of unpaid taxes. “It had been used by German immigrants in the nineteenth century and was one of the oldest soccer fields in America. To lose it would have been such a waste,” she says.

Ms. Jacob helped form a nonprofit organization that stepped in to manage the property, securing grants from Nike and the U.S. Soccer Foundation to pay off the back taxes. “Now,” she says, “you can go there and see kids practicing every evening.”

~ LINDA MYERS
Philip J. Perry ’90

Philip J. Perry ’90 is an example of a lawyer who combines a strong obligation to do public service in the government with a pragmatic need to work in the private sector.

In fact, he might do well to buy his own moving van. His seventeen-year career involves no less than four different stints with law firm Latham and Watkins in Washington, D.C., as well as four different positions in the federal government.

Mr. Perry is currently a partner with Latham and Watkins. He practices commercial litigation and federal administrative law, and these two practice areas consume most of his time. Recently, he has been asked to chair the firm’s public policy practice group. “It will never be a traditional K Street lobbying practice,” he notes, “but instead a government solutions practice, bringing together national security and a number of federal agency practices with litigation, regulatory, and even legislative solutions. We will often practice in federal courts, but sometimes in administrative or other fora.”

Mr. Perry was born in San Diego, California, raised Lutheran in Palo Alto and elsewhere in the state, and received an undergraduate degree in English from Colorado College in 1986. Mr. Perry’s father is a former naval officer and professor of economics and his sister is an investment banker. His wife, Elizabeth Cheney, served as deputy assistant secretary of state for Near Eastern affairs at the State Department until summer 2006.

Mr. Perry feels that Cornell Law School prepared him very well. He chose Cornell based on its reputation, the quality of the training, and the setting. But what he remembers best is class with Professor Robert S. Summers. “It was the single best training opportunity I had in all of law school,” he notes. “[In it], you would be asked to stand up and present your brief each day. He forced you to understand not only a piece of oral advocacy but also what it means to apply the law, analyze a set of facts, present your case, and render effective advice. The day to day education in that class was astounding—you actually learned to be a lawyer from sitting in Professor Summers’s class.”

Prior to February 2007, Mr. Perry served for two years as general counsel for the U.S. Department of Homeland Security (DHS). While at DHS, he was joined by Gus P. Coldebella ’94, current acting general counsel, and Julie L. Myers ’94, assistant secretary of Homeland Security for U.S. Immigration and Customs Enforcement.

At DHS, Mr. Perry supervised 1,500 lawyers. He’s particularly proud of his accomplishments surrounding work on domestic terrorist intelligence, the transit of people and cargo, comprehensive immigration reform, and critical infrastructure such as chemical plants. “In the last two years, we have become much more precise, accurate, and effective in identifying those people that pose a significant threat,” says Mr. Perry. “The department has changed dramatically since
Secretary Chertoff arrived. We accomplished a lot in ways that are not going to be evident in the news.”

Previously, Mr. Perry held a number of positions in the federal government. In 1997-98, he was counsel to the U.S. Senate hearings on campaign finance abuses in the 1996 presidential campaign. In 2001, he joined the Department of Justice and was named the acting associate attorney general, as which he oversaw the department’s five civil litigating divisions and advised the attorney general and the White House.

He also drafted regulations for the 9/11 Victim Compensation Fund. In his book about the process, 9/11 Fund special master Kenneth Feinberg calls Mr. Perry “a first-rate lawyer” who was “quiet but determined.”

Mr. Perry began serving as general counsel for the Office of Management and Budget (OMB) in 2002. There, he oversaw White House clearance of federal regulations, mediated interagency disputes, addressed matters on the Justice Department’s civil litigation docket, formulated presidential executive orders, developed several White House policy initiatives, and advised the president. “OMB is just an incredibly fun place,” says Mr. Perry, “and you develop a regulatory expertise if you didn’t have it when you got there.”

Mr. Perry also has participated in the political process. He was on the team led by his wife preparing for the 2000 vice-presidential debates, and he served as a policy advisor for the Bush-Cheney presidential transition team.

Along with extremely busy careers, the Perrys also have a full home life, with five children—Katherine, thirteen; Elizabeth, nine; Grace, seven; Philip, two; and Richard, not yet a year old. “I work a lot,” says Mr. Perry, “but every minute I have free I go home to play with my kids.” While his crammed schedule makes it difficult to see as much of them as he would like—he really wishes he could coach their sports teams or catch more Washington Nationals games with them—he has managed to carve out special family time. The family attends Presbyterian services, an important time for them all to be together. And in 2003, he drove across the country with Kate, then eight, and Elizabeth, then five, a month-long experience that inspired his mother-in-law, Lynne Cheney, to write her children’s book Our 50 States: A Family Adventure Across America.

“I think it’s important to serve the country, and I will take every opportunity when I have the means to do so,” says Mr. Perry. However, government work, though “exhilarating” to him, involves long hours for relatively low pay, and he acknowledges this as the downside. Each time he moves from private practice to the government, he is compelled to give up his partnership and sever all his financial ties.

Despite the difficulties, he’s found that his model of a career is best for him and his family. “I feel that part of my career ought to be serving our country, not just because I had the opportunity to do it, but because I feel better about what I’ve done with the legal education I’ve been given,” he says. “I spend a lot of time explaining to my kids that it’s really important that Mommy and Daddy can have the opportunity to serve in the government and do what they think is right for the country.”

While it has entailed a lot of movement in his relatively short career, Mr. Perry feels that he has found the way to best serve both his obligation to work in the public sector with his need to also work in the private sector.

~ BRIDGET MEEDS
Mr. Jones does admit that the issues addressed by Repair Our World are difficult, and that others have worked on similar concepts. “I don’t think many of the ideas about race are unique to me, but the approach that Repair Our World takes in addressing the problem of race and racism is. Sometimes people need radical examples to shake them out of apathy; I plan on being one of them.”

After he took the LSAT in his last year at Emory, many law schools contacted him. “Even though I really liked Atlanta, I’d heard that the New York bar was the hardest, and I naively wanted to take it for that reason,” Mr. Jones admits. “Then I saw a brochure for Cornell Law School. The people here were great; I felt like it was a good fit.” As a Cornell law student, Mr. Jones was a legal writing honors fellow and the academic chair of the Black Law Students Association. “Working as a teaching assistant for Joel Atlas was an excellent opportunity and I learned a lot about legal writing,” Mr. Jones says.

“I have a lot of respect for Professor Barbara Holden-Smith; I would like to continue to develop my analytical skills based on the example she set. And Professor Muna Ndulo has been the most influential professor in terms of my life and work.”

That lifework focuses on Repair Our World, a nonprofit organization created by Mr. Jones “to actively deconstruct the myth of separate
and distinct human races as a societal norm and address the psychological, social, economic, educational, legal, political, and moral consequences of this myth on the African and African Diasporan communities. The organization has four initiatives: first, to “repair ourselves” by deconstructing the myth of race. “Race is a social construct, and we have to realize that we have all been negatively affected by it,” Mr. Jones explains. For example, he prefers the term “European American” and “African American” to “black” and “white.” “These terms force us to recognize our history,” he says. “If we are going to categorize ourselves, the terms should reflect our culture and history.”

Repair Our World’s primary method for combating racism is to teach children about the construct of race and racism, noting that all children are exposed to racial stereotypes at a very young age. “They won’t understand it at the complex level, but we can begin the process by teaching them to acknowledge themselves in terms of their cultural—rather than racial—background. Children are not born racist. We can break the cycle of generational racism if we begin with our children.”

The second initiative of Repair Our World is to “repair our communities.” “The members of the African Diaspora must hold each other accountable for rebuilding our communities in the wake of the damage wrought by racist legislation and race-based policies.” That includes addressing crime and poverty as part of affirmative action strategies.

The third initiative is to “repair our nation.” Under this initiative, African and African Diasporan communities work together to rebuild the damage to their nations/communities as a result of racism and bring suit against any public or private entity for its participation in the transatlantic slave trade. All of this, Mr. Jones hopes, will lead to the final initiative: to “repair our world.”

Mr. Jones served as a summer associate at Nall and Miller and at Kilpatrick Stockton, both in Atlanta. He and his wife, Jovan—with their new daughter, Glory Georgiana Jones, who was born on June 14 (“She is the most beautiful baby I have ever laid eyes on,” says her dad)—want to return to Atlanta. “I’ll be clerking for a state court in Georgia, so I will have the opportunity to learn how to be a trial lawyer there,” he says. “I have a lot of debt from both schools, so working at a firm was tempting but not something I want to do.” Instead, he’d like to start his own practice. He also plans to write a book about Repair Our World, to articulate that philosophy in more depth; then become a public speaker to get the message out. “That will help the organization to stand on its own,” he says.

He does admit that the issues addressed by Repair Our World are difficult, and that others have worked on similar concepts. “I don’t think many of the ideas about race are unique to me, but the approach that Repair Our World takes in addressing the problem of race and racism is. Sometimes people need radical examples to shake them out of apathy; I plan on being one of them.”
Winter Torres ’07

Winter Torres ’07 is part Mexican, part Anglo, and grew up in a small New Mexico town near Arizona and the Mexican border. Perhaps as a result, she has focused on immigration and public interest law, and is fascinated by politics.

Although her family was poor, Ms. Torres says that she was encouraged to do well in school and always knew she would go to college. Her father worked as a mechanic and laborer, her mother as a nurses’ assistant. “A lot of traditional Latino families pressure women to marry and have children early on, but my parents were not like that,” she notes.

Attending the University of New Mexico on a full scholarship, Ms. Torres at first planned to major in computer science. “It was the new thing, and I’d always done really well in math,” she says. “But in my last two years in high school, the good math teachers retired.” Feeling under-prepared and concerned about keeping up her grade point average, Ms. Torres switched to political science. “I still love politics,” she admits. “I’m addicted.”

In fact, Ms. Torres worked for David E. Bonior, then a congressman from Michigan and the democratic whip. Working for the second-most powerful democrat in the U.S. House of Representatives was a wonderful experience. “I was trained in floor procedure,” says Ms. Torres. “I loved civil procedure at the Law School and trace my affinity for procedure back to my experience on the Hill.” With only her senior thesis to finish, Ms. Torres decided to stay in Washington, D.C., and when Congressman Bonior left Congress, she worked for Congresswoman Hilda L. Solis. “I wish I’d stayed there longer, but 9/11 scared me,” Ms. Torres admits. “I only lived ten blocks from the Capitol. When I went home for Christmas, I decided to move back to New Mexico.”

She worked on the gubernatorial campaign of Bill Richardson, and when he was elected, he appointed her as the assistant to the secretary of the New Mexico Corrections Department. “I think all lawyers—all people—should have a better comprehension of how prisons work,” she says. “The recidivism rate is terrible, but no politician wants to touch it. Prisoners need education, but there’s no money for that. If you’re involved in criminal justice, you should know where you’re sending people.”

Although accepted to law school at the University of New Mexico, Ms. Torres decided to retake the LSAT and try for “one of the great schools.” She chose Cornell because it was ranked so well, because of the small classes, and because she was thinking about a joint degree in law and labor relations. “I come from a union family,” she explains, “but when I got to the Law School, I realized a law degree would be enough.”

When she first received her undergraduate scholarship, admits Ms. Torres, “I felt some resentment from some of the people I grew up with. But my family is proud of me. Part of the reason I’m in law school is to help them out.” However, she says, it’s sometimes strange to be in Law School classes with colleagues who she believes don’t understand and have never seen poverty.

At the Law School, Ms. Torres served as associate editor of the Cornell Journal of Law and Public Policy and president of the Latina/o American Law Students Association. With the latter group, she encouraged the Law School to hire its first-ever Latino professor, Eduardo M. Peñalver. Her focus on immigration and public interest law led her to enroll in both the Asylum and Convention Against Torture Appellate Clinic and the International Human Rights Clinic. She very much enjoyed the immigration seminar with Professor Stephen W. Yale-Loehr, as well as a class on labor law and immigrant workers, which she took with Professor Lance A. Compa at Cornell’s School of Industrial and Labor Relations. She is also thankful to Associate Dean Anne Lukingingbeal, Professor Sheri Lynn Johnson, Professor Joel Atlas, and Assistant Dean Karen V. Comstock for all of their support.

“My passion is immigration law,” Ms. Torres says. “It’s a fundamental human right to seek out a better life. Industry needs immigrant workers, and under our law, when employers process new employees, they are effectively deputized as immigration officials. There is an inherent conflict of interest in that arrangement. If the government was truly interested in stopping illegal immigration, they would have implemented an effective identification system by now,” Ms. Torres continues. “People are speaking out of both sides of their mouths. Immigration law is built on conflicting needs and rationales,” she says, “and the push and pull phenomenon taking place between employers and restrictionists is just another example of a fundamental conflict.”

“Since 9/11, immigration law has taken a hit,” she continues. “It would be unconstitutional to target a particular national origin, so the government has chosen to target everyone.” Even asylum law has become more restrictive.

Ms. Torres returned to Washington, D.C., in 2005 to spend a summer working for the Office of the General Counsel of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO); then clerked with law firm Holland and Hart; and interned with U.S. district judge Phillip S. Figa in Denver in 2006. Now that she has
completed her law degree, she will clerk for Robert C. Brack, U.S. district judge for the District of New Mexico.

She spent her last term at the Law School as an extern with the VAWA Immigration Project run by Catholic Charities of Central New Mexico. The Violence Against Women Act (VAWA) established a procedure to assist immigrant victims of domestic violence and provides funding for domestic violence programs. “The law is working,” Ms. Torres notes. “The immigration provisions are really good.” But, prior to the recent initiation of a pilot prosecution program in Albuquerque, a huge percentage of all domestic violence cases were still being dismissed. If the victim is an undocumented immigrant, she is likely to be isolated from society; domestic violence only deepens that isolation by cutting her off from her friends and family. Ms. Torres worked with domestic abuse counselors as she assisted clients in legalizing their immigration status. “It’s a series of legal hoops,” she explains. “Immigration status issues often times extend the time a woman is precluded from obtaining legal employment to support herself and her children.”

After clerking for Judge Brack, Ms. Torres plans to return to Holland and Hart. However, she adds, “I do see myself going back into politics eventually.”

Ms. Torres is often asked where she acquired her first name. “I was born in September, but my mom read a novel, *Shadow of the Moon*, where the heroine was named Winter,” she explains. In the novel, by M. M. Kaye, the heroine is part English, part Spanish, and grew up in India. Living as she does in several different worlds, Winter Torres loves her name and finds its origin very fitting.

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Paul W. Lee ’76 Receives Spirit of Excellence Award

The American Bar Association (ABA) Commission on Racial and Ethnic Diversity in the Profession selected Paul W. Lee ’76 to receive its prestigious Spirit of Excellence Award, which recognizes the accomplishments of lawyers who promote racial and ethnic diversity in the legal profession. Mr. Lee, a partner in the private equity and the securities and corporate finance practices of Goodwin Procter LLP, was nominated for the award by the National Asian Pacific American Bar Association (NAPABA) in recognition of his career-long efforts to encourage diversity in his community, at his law firm, and nationally at the ABA and NAPABA.

In 1983, Mr. Lee founded the Asian American Lawyers Association of Massachusetts and became its first president. He has also been president of NAPABA, and has served on its board for five years. In 2004, Mr. Lee helped create the Community Law Fellowship, which provides recent law school graduates with entry-level positions that allow them to do public interest work on behalf of Asian Pacific Americans; as a signal mark of commitment to this initiative, Mr. Lee gave the fellowship $100,000.

“Paul Lee’s leadership in the Asian American Lawyers Association of Massachusetts and NAPABA helped these two groups develop viable national voices on the important issues of diversity,” said Regina M. Pisa, chair and managing partner at Goodwin Procter. “His dedication in promoting diversity within the legal profession reflects Goodwin Procter’s strong commitment in this area, and we are extremely proud of him. Paul continues to be active on our firm’s diversity committee and was instrumental in the development of the Goodwin Diversity Fellowships, which provide annual stipends to minority law students to help them defray the cost of their legal educations.”

Mr. Lee came to Cornell Law School after having earned a B.S. in electrical engineering and computer science at Columbia University, and having worked as a computer programmer. A law degree, he believed, would put him in a stronger position to contribute to the Asian American community, which he knew very well from having grown up in Boston’s Chinatown before attending Brookline High School in Brookline, Massachusetts, after his family moved. In his corporate and securities law practice at Goodwin Procter, Mr. Lee represents high technology and financial services companies; advises boards of directors; and represents large and small publicly and privately held companies in connection with business, securities, governance, and transactional matters. He also advises high technology ventures on their organization, seed-and-venture-capital financings, initial public offerings, and licensing issues.

The Commission on Racial and Ethnic Diversity conferred the Spirit of Excellence Award on Mr. Lee at the ABA’s midyear
meeting in Miami during the Spirit of Excellence Awards Luncheon on February 10 at the Hyatt Regency Miami.

**G. Marshall Abbey ’57 Creates Full-Tuition Scholarship**

When G. Marshall Abbey ’57 was growing up in Forestville, New York, college, law school, and a legal career featuring himself as senior vice president and general counsel of Baxter International seemed less unlikely than unimagined. Forestville, then as now a small town (population 900) in western New York’s Chautauqua County, was a farming community where work was difficult, long, and poorly paid. As the star among his twenty-two classmates at Forestville High, Mr. Abbey was one of few to attend a four-year college; when he graduated Phi Beta Kappa from the University of Rochester in 1954 and matriculated at Cornell Law School, he set a standard few from his hometown could hope to match. The G. Marshall Abbey Dean’s Scholarship is Mr. Abbey’s most recent philanthropic effort to help young persons from Forestville meet his standard. The Abbey Scholarship, in absolute dollars the largest single-donor student scholarship in the history of Cornell Law School, will pay full tuition for one J.D. candidate during his or her entire course of study at Myron Taylor Hall. The scholarship is endowed in perpetuity and gives initial preference to a graduate of Forestville High School. Second preference is given to a graduate of the University of Rochester, where several years ago Mr. Abbey endowed a full-tuition scholarship with similar provisions. If no incoming student meets either criterion, the dean will grant the scholarship to a deserving student, thereby respecting the essential motive of Mr. Abbey’s generosity.

“Forestville was a good place to grow up, and I owe it a lot,” says Mr. Abbey, whose independent practice in Northbrook, Illinois, focuses on corporate and commercial matters, mediation, and arbitration. “The two scholarships are my way of saying thanks to my hometown, and to the two schools that educated me.” The first Abbey Scholar, a Forestville High honors student and star football player, is currently attending the University of Rochester. Whether or not he or one of his classmates eventually enrolls at Cornell Law School, the first Abbey Scholar may be said to have graduated fifty years ago. “I received a scholarship to attend the Law School,” Mr. Abbey explains, “and I wouldn’t have been able to go without it. In giving the scholarship, I’m hoping to achieve a multiplier effect, with each student who receives it someday endowing a new scholarship to assist future students.”

With tuition at $40,000 for a single academic year, some highly qualified J.D. candidates choose not to attend Cornell Law School in favor of less financially demanding options. The Abbey Scholarship ensures that one student fewer will miss an experience like the one that has helped shape Marsh Abbey’s life.

**Charles W. Wolfram Endows Public Interest Fellowship**

After thirteen years of quietly contributing to the Anonymous Dean’s Discretionary Fund he established while teaching at Cornell Law School, Charles W. Wolfram, the Charles Frank Reavis Sr. Professor of Law, Emeritus, has made this philanthropic commitment public by naming that fund in honor of his parents. The Carl P. and Donna M. Wolfram Public Interest Fellowship is an endowed fund that will subsidize the modest salaries Cornell law students receive for summer jobs at public interest organizations. This kind of financial underwriting is indispensable to the Law School’s Public Interest Program, which also includes loan forgiveness through the Public Interest Low Income Protection Plan. As law school tuition has continued to rise, Professor Wolfram notes, “we’re in danger of pricing ourselves out of the market for students interested in doing public interest work. It’s a difficult proposition for a Cornell Law School graduate to go into a public defender’s office at maybe $35,000 a year when loan payments might eat up half of that.”

Although Law School faculty sometimes include Cornell in their respective estate plans, contributions on Professor Wolfram’s level are not common. Indeed, the exceptional nature of his fund was, in part, the reason Professor Wolfram originally constructed it as an anonymous instrument. “While I was on the premises, it was better not to attract undue attention about it,” Professor Wolfram explains. “I’m happy to make it a named fund
On December 14, Judge Walter J. Relihan ’59 (center) was honored to receive a portrait, commissioned by the Tompkins County Bar Association and now hanging in the Tompkins County Courthouse, at a dinner celebrating his long tenure as a justice of the New York Supreme Court. The occasion was the retirement of Judge Relihan from the bench. Judge Relihan also served as University Counsel and Secretary of the Corporation for Cornell University. Frank H. T. Rhodes (left), president of Cornell University during Judge Relihan’s tenure, and Stewart J. Schwab, the Allan R. Tessler Dean and Professor of Law, were present to give their remarks on Judge Relihan’s illustrious career and to offer their congratulations on behalf of, respectively, Cornell University and Cornell Law School.

now because it’s appropriate for people to know that faculty give to the Law School.” In naming the fellowship after his parents, Professor Wolfram notes that “neither was a lawyer. They were kind and loving parents who set a wonderful example for me. Naming the fellowship for them comes from my love and affection. It’s my way of honoring them.”

The Public Interest Fellowship is also Professor Wolfram’s way of giving back to the Law School—“to begin to give back,” he says, “for all Cornell Law School has meant to me. It’s a wonderful place and having much of my career there benefited me tremendously. The deans treated me wonderfully, the students are magnificent, my colleagues are terrific teachers and scholars, and Ithaca itself is a great place. There’s more interest and vitality packed into those few square miles than in many a larger city.”

Widely published and nationally renowned as a distinguished scholar of legal ethics and professional responsibility, Professor Wolfram became a member of the Cornell Law School faculty in 1982, after teaching for sixteen years at the University of Minnesota Law School. In addition to his teaching, Professor Wolfram served Cornell Law School as associate dean for academic affairs (1986-1990) and as interim dean (1998-1999). His book Modern Legal Ethics is a standard text on its subject.

Alumni Events

This spring, the alumni affairs and development office held over twenty events in cities across the country. If you are interested in helping to host and/or organize an event in your area, please contact the alumni office at 607-255-5251.

CLASS NOTES

Next October, Bernard R. Rapoport will celebrate fifty years as an officer of the Leon Lowenstein Foundation in New York City. Currently secretary, treasurer, and a director of the foundation, Mr. Rapoport assists in addressing legal and other issues connected to its grant-making efforts. Mr. Rapoport also served as general counsel and chief financial officer of M. Lowenstein Corporation, a major textile company which was listed on the New York Stock Exchange, for more than forty years. With the Lowenstein Foundation, Mr. Rapoport in 2005 endowed the Robyrta J. and Bernard R. Rapoport Scholarship at Cornell Law School in memory of Mr. Rapoport’s wife, Robyrta, a former fashion industry executive and television commentator. The scholarship provides financial aid annually to a law student selected at the discretion of the dean.

Dr. Robert H. Manley continues work on two books. The first is Adventures in Public Service, a compendium of writings by various authors, including Dr. Manley, that cover an extensive range of public service experiences enjoyed by persons of all ages and walks of life. The second book is a long-term project, Globally Responsible Thought, Policy, and Action: Pathways to a More Equitable, Peaceful, and Sustainable Future, which, Dr. Manley notes, “has a close affinity with the international law tradition that Cornell Law School’s curriculum and outreach have helped and continue to help foster.” Last spring, the second annual Dr. Robert H. Manley Student Mentoring Award was presented at the John C. Whitehead School of Diplomacy and International Relations, where Dr. Manley had served as associate dean and director of graduate studies and of which he is a founder. The Whitehead School’s Graduate Diplomacy Council (composed of graduate students), created the Student Mentoring Award in honor of Dr. Manley, who was its inaugural recipient in 2005.

The illustrious career of Arnold I. Burns, U.S. deputy attorney general from 1986 to 1988,
“I am excited to be working with BlastGard’s team of innovators and enthusiasts as they continue to develop products and technologies designed to save lives and protect public places,” reported Arnold I. Burns ’53.

continues more than fifty years after his graduation from Myron Taylor Hall with his appointment, last August, to the board of directors of BlastGard International, Inc. Company literature explains that BlastGard International “creates, designs, develops, manufactures, and markets proprietary blast mitigation materials.” Commenting on his appointment, Mr. Burns said, “I am excited to be working with BlastGard’s team of innovators and enthusiasts as they continue to develop products and technologies designed to save lives and protect public places. During this unfortunate time of increased danger from terrorism, I believe the products BlastGard is bringing to market are key in providing the protection the public and the military need not only here in the United States but internationally as well.” One may assume Mr. Burns knows something about these matters; in addition to his service in the U.S. Army following law school, Mr. Burns supervised the Federal Bureau of Investigation, Immigration and Naturalization Service, Drug Enforcement Administration, Bureau of Prisons, and Marshals Service during his tenure as deputy attorney general. Mr. Burns has extensive management experience as well, having founded and operated his own law firm prior to serving in the second Reagan administration and, as chief operating officer of the Department of Justice, managing thousands of employees and multimillion-dollar budgets. Upon leaving the Department of Justice in 1988, Mr. Burns joined Proskauer Rose LLP as a senior partner and helped that firm become one of the country’s most prominent. In 1999, Mr. Burns left the law for a new career in investment banking, which featured a managing directorship of Arnold and S. Bleichroeder, Inc., a 200-year-old international firm. In January 2004, Mr. Burns co-founded The QuanStar Group, a strategic business management-support company. Of Mr. Burns’s association with BlastGard International, James Gordon, the company’s chair and chief executive officer, said, “It is an honor to have on our board of directors a man of Arnold Burns’s stature, expertise, and experience in law, government relations, and growth planning. Arnold’s guidance will be invaluable to the continued growth of the company.”

55 At Rundel Library Foundation’s annual Publisher’s Circle Thank-You Dinner last November, Thomas M. Hampson was awarded the Harold Hacker Library Lifetime Achievement Award to recognize his 46-year commitment to the Rochester Public Library and the Monroe County Library System. Mr. Hampson, a retired partner of Harris Beach PLLC, is the fourth person to receive the Hacker Award, which was established in 2002 in honor of Harold Hacker’s lifelong commitment to and support of public libraries. Mr. Hampson became a trustee of the Friends of the Rochester Public Library in 1965; served on the Rochester Public Library Board of Trustees from 1977 to 1997; and sat on the board of the Monroe County Library System for five years, beginning in 1992. Mr. Hampson continues to serve as vice president of Rundel Library Foundation, of which he is a co-founder. Highlights of his 50-year legal career include writing the lease for the first Xerox copier, serving for forty years as general counsel of Birds Eye Foods, defending the right of a local bookstore owner to sell Henry Miller’s Tropic of Cancer, and taking a leading role in the establishment of the Genesee Valley Chapter of the American Civil Liberties Union. Mr. Hampson is also a member of the board of directors of Cornell’s Laboratory of Ornithology.

57 Richard B. Long, a life member of the National Conference of Commissioners on Uniform State Laws (NCCUSL), participated in the NCCUSL’s 2006 annual meeting on Hilton Head, South Carolina, with some 250 attorneys, judges, law professors, legislators, and other state officials. Mr. Long has been a New York Uniform Law Commissioner since 1981 and is currently of counsel with the Binghamton law firm of Coughlin & Gerhart LLP. The NCCUSL is an organization of 115 years’ standing and comprises more than 300 commissioners from every state, Puerto Rico, the District of Columbia, and the U.S. Virgin Islands. The commissioners, all of whom donate their time pro bono, convene once a year to review and appraise “drafts of specific statutes in areas of law where uniformity among the states is desirable.” The South Carolina meeting yielded eight approved acts, which may now be enacted by the states.

David W. Plant is the winner of the 2006 Lawyer as Problem Solver Award, conferred by the American Bar Association section on dispute resolution. Given annually to “a member of the legal profession who has exhibited extraordinary skill in either promoting the concept of the lawyer as problem solver or resolving individual, institutional, community, state, national, or international problems,” the award acknowledges its recipients for “their use or promotion of
collaboration, negotiation, mediation, counseling, decision-making, and problem-solving skills to help parties resolve a problem in a creative or novel way.” Before his retirement in 1998, Mr. Plant practiced law at the Manhattan office of Fish & Neave, of which he was managing partner, and continues to serve as a special master in U.S. district courts, a mediator in domestic and international disputes, and an arbitrator in the International Code Council in Stockholm, UN Commission on International Trade Law, American Arbitration Association, International Institute for Conflict Prevention and Resolution, and ad hoc arbitrations.

Notwithstanding the relocation of his firm, Gastwirth & Minslay LLP, from its old Manhasset office to new digs at 479 South Oyster Bay Road in Plainview, New York, 11803 (with a branch office in Southampton), Stuart L. Gastwirth reports that he and his wife, Norma, are most delighted by family get-togethers with their three sons, three daughters-in-law, and six grandchildren.

TD Ameritrade Holding Corporation announced that Allan R. Tessler was elected unanimously to its board of directors at a special meeting of the board last November. Mr. Tessler is chair of Epoch Investment Partners, Inc., and chairs the firm’s board; and he is the chief executive officer of International Financial Group, Inc. At Ameritrade, he is slated to serve on the corporate governance, outside independent directors, and non-TD directors committees, respectively. Previously, Mr. Tessler served as co-chief executive officer of Data Broadcasting Corporation (now known as Interactive Data Corporation); chair of Enhance Financial Services Group, Inc., which he co-founded; and in other positions in investment banking and law. Currently, Mr. Tessler serves as the lead director and chair of the finance committee of The Limited, Inc. and a member of the board of governors of the Boys and Girls Clubs of America.

Donald G. Cherry ’67 reports that he might “convert [his] status to active membership in the Florida bar and seek part-time legal work,” or simply enjoy the retiree lifestyle.

Donald G. Cherry retired from IBM’s law department and the Naval Reserve (Navy Judge Advocate General’s Corps) in 2002. He and his wife, Lyn, became full-time Floridians in 2005, when they took up residence in a Delray Beach retirement community where they expect to enjoy many years of sun-swept leisure. The Cherrys plan to visit New York regularly, however, because their children are anchored by their respective careers to New York City and its environs. Son Ron is an equities trader and lives in Manhattan with his wife, daughter Tracy, a massage therapist, lives and works in White Plains. Mr. Cherry reports that he might “convert [his] status to active membership in the Florida bar and seek part-time legal work,” or simply enjoy the retiree lifestyle.

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water utility industries, respectively. His expertise in matters of New York State energy policy, project licenses, sites, and permits, as well as corporate governance, are the fruits of Mr. Blabey’s high-profile service on the New York Power Authority’s management team. Reporting directly to the Authority’s chair and supervising a department of fifty-seven, Mr. Blabey dealt with the respective presidents, commissioners, executive directors, and senior staff of the governor’s office, New York State Public Service Commission, New York State Department of Environmental Conservation, New York State Energy Research and Development Authority, and other state and local authorities, operators, institutes, associations, and owners. Mr. Blabey is recognized in The Best Lawyers in America in the category of Utility Regulatory Law.

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James G. Szymanski joined the New York office of Day, Berry & Howard LLP last August as partner and head of the commercial litigation group. Mr. Szymanski is an accomplished trial lawyer who has worked on many antitrust, securities fraud, trade secret, and copyright cases during his 25-year practice. His presence at Day, Berry & Howard enables the firm to handle large commercial litigation cases in federal and state courts anywhere in the United States.

Leslie A. Glick, often tapped to speak at conferences that address the complexities of doing business in Mexico, was a speaker at the “Twelfth Annual Offshore Group Manufacturing in Mexico Summit” conference held in San Carlos, Sonora, Mexico, in October. Mr. Glick discussed new developments in the North American Free Trade Agreement (NAFTA) and Mexican and U.S. laws affecting trade. He also spoke at the Northern Kentucky
International Trade Association’s Eighteenth Annual Kentucky International Trade Conference in Covington, Kentucky, on the U.S. Customs and Border Protection program known as the “Customs Trade Partnership against Terrorism.” Mr. Glick is a partner in the Washington, D.C., office of Ohio-based firm Porter Wright Morris & Arthur, and chair of the international trade and customs law committee of the administrative law and regulatory practices section of the American Bar Association. He has specialized in international trade and customs law for more than twenty-five years and has authored several books on NAFTA, as well as customs law. In January, Mr. Glick served on the transportation panel at the American Bar Association’s conference on homeland security in Washington, D.C., to discuss issues related to customs.

Dilworth Paxson bankruptcy partner Harold G. Cohen was a panelist for “State Court Alternatives to Bankruptcy,” a CLE-accredited program sponsored jointly by the Camden and Burlington County Bar Associations. The program was designed to heighten awareness of attorneys to the state law alternative to federal bankruptcy. Mr. Cohen is a member of the litigation department, the bankruptcy and insolvency group, and the corporate department at the Dilworth Paxson office in Cherry Hill, New Jersey. He represents institutional lenders in all aspects of troubled loan negotiations and resolution, including preliminary business and legal evaluations, strategy formulation and implementation, forbearance negotiations, collection, and litigation strategy. Mr. Cohen also represents secured and unsecured lenders in state, federal, and bankruptcy courts, and augments his general business litigation practice by representing banks and entrepreneurs in structuring credit facilities and new ventures, and providing counsel on the legal issues businesses confront in all aspects of their operations.

As reported in the October 9, 2006 (vol. 45, number 41) edition of the Bar Bulletin, the nominating committee of the public law section of the New Mexico Bar Association chose Douglas Meiklejohn as a candidate for a three-year term on its board of directors. Mr. Meiklejohn is the executive director of the New Mexico Environmental Law Center, a nonprofit organization that provides free and low-cost legal services for the protection of communities and the environment. At the time of this writing, he was completing a three-year term on the aforementioned board. Before he joined the Environmental Law Center, Mr. Meiklejohn worked for almost ten years in the New Mexico attorney general’s office, serving at different times as an assistant attorney general in the consumer protection division; a deputy attorney general in the civil division; and an assistant attorney general in the special projects division, which represented New Mexico in its dealings with the federal government and Native American tribes.

Jay W. Waks is the 2007 winner of the Judge William B. Groat Alumni Award. The award was established to honor a distinguished Cornell Law School graduate whose career accomplishments have been primarily in the field of industrial and labor relations, and who has demonstrated outstanding service to and support of the Law School. Mr. Waks received the 2007 Groat Award on March 29 at the Grand Hyatt in New York City. Mr. Waks, who also holds a B.S. from Cornell’s School of Industrial and Labor Relations (ILR ’68), has been an attorney with Kaye Scholer in New York City for more than thirty-four years. He is a fellow of the College of Labor and Employment Lawyers and the American Bar Association Foundation, respectively, has published many articles, and has been a featured speaker at bar meetings and professional gatherings too numerous to name. A member of the ILR Advisory Council, Mr. Waks is the first ILR alumnus to serve as chair of the Cornell University Council. In 2004, he and his wife, Harriet, established the Waks Family Fund for International Education and Research at the ILR School. This fund is intended to “enhance ILR’s visibility in the international arena and expand its collective understanding of the globalization of work as a critical path towards worldwide economic and human development.” Their daughter, Allison, is currently an undergraduate at the ILR School.
**Alumni**

**LEFT to RIGHT:**

Bradford E. Cook ’73
Mark I. Wood ’75 and Steven J. Riegel ’75 getting their bearings at an Alaska pipeline pumping station near Fairbanks
Jane C. Luxton ’76

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**72 Bruce W. Felmy** was elected to the board of regents of the American College of Trial Lawyers (ACTL) at the organization’s fifty-sixth annual meeting, in London. The ACTL is a premier professional organization composed of preeminent trial lawyers from the United States and Canada. Mr. Felmy serves as co-chair of the litigation group of McLane, Graf, Raulerson & Middleton, PA, in Manchester, New Hampshire.

**73 Bradford E. Cook,** head of the Estate Planning and Probate and the Government Relations practice groups at the Manchester, New Hampshire, firm of Sheehan Phinney Bass & Green, has been named one of the Best Lawyers in America by the national research firm of Woodward/White. Mr. Cook, who has practiced with Sheehan Phinney since 1973, was selected for his practices in nonprofits/charities law, and trusts and estates law. Inclusion in Best Lawyers is held to be a singular honor based on the selection process, which includes the submission of a peer-review survey by some 16,000 attorneys and the casting of more than 500,000 votes. Interested readers can sample Mr. Cook’s ideas in his regular column, “Cook on Concord,” which runs in the biweekly New Hampshire Business Review. Fellow alumnus Peter T. Beach ’84 was also recognized on this list.

**Keith H. West,** a partner of Thorp Reed & Armstrong LLP, has repeated the distinction of being a 2005 Pennsylvania Super Lawyer by being selected as a 2006 Pennsylvania Super Lawyer by a consensus of his peers. Mr. West has practiced all facets of estate planning and estate administration at Thorp Reed & Armstrong for more than thirty years. His selection as a Pennsylvania Super Lawyer confirms Mr. West’s standing as a first-rank attorney in his practice area.

**74 Eric W. Wiechmann** was elected to the International Association of Defense Counsel’s (IADC) Board of Directors for 2006–07. Mr. Wiechmann is president of the Foundation of the IADC and a member of the Litigation, Antitrust and Torts, and Insurance practice sections of the American Bar Association, to name just a handful of his numerous professional affiliations. As a member of the executive committee of McCarter & English LLP in Hartford, Mr. Wiechmann specializes in product liability, toxic tort, antitrust, and other complex civil litigation. He is admitted to practice in Washington, D.C., as well as Connecticut, and is a member of various federal courts, in which he has argued appeals and tried cases. Mr. Wiechmann has represented both companies and individuals before administrative agencies and is currently national coordinating counsel for a major refiner/chemical company’s toxic tort litigation. He has written and lectured on many subjects related to toxic tort, product liability, trade regulation, and litigation.

**75** Having practiced law for more than thirty years in Charlotte, North Carolina, John Northey has joined the firm of Wishart Norris Henninger & Pittman PA, where his client list includes real estate developers, contractors, automobile dealers, restaurant operators, physician practice groups, manufacturers, distributors, and consulting firms. Before the move to Wishart Norris, Mr. Northey worked at another Charlotte-based firm, Morris, Manning & Martin.

The Journal News, a Gannett newspaper serving New York’s Westchester, Rockland, and Putnam counties, ran an article last summer about Arthur J. Fried that hardly mentioned his legal career, which has included service during the Clinton presidency as general counsel for the Social Security Administration, in favor of detailing Mr. Fried’s ongoing participation in competitive lacrosse. Now fifty-five years old and general counsel for Long Island University Hospital, Mr. Fried plays in the Sound Shore Summer Lacrosse League, for a team called ADE Lightning, against opponents less than half his age. That he is still an offensive force capable of unleashing a lethal shot from the crease will not surprise Cornellians who remember the glorious year of 1971, when the Big Red won its first National Collegiate Athletic Association men’s lacrosse title and 5-foot, 5-inch Arthur Fried played attack. Nicknamed “Scooter” for his lightning dashes crease-ward, Mr. Fried uses the same tactic today to score against surprised twenty-somethings, who evidently do not expect a man of mature years to be able to run with them. Although his legs and body reportedly take a pounding, Mr. Fried relishes the game. “I’m a competitor,” he says; “I haven’t gotten killed, and I’m fifty-five and I’m playing against twenty-year-olds.” Mr. Fried lives in Chappaqua, New York, with his wife, Kimberly F. Vanderbilt, and their two children; Ella (ten) and Will (seven) who both play lacrosse. Mr. Fried coaches Will’s team and is in line to coach Ella’s next season. Interested readers can find the full story online at www.thejournalnews.com in the July 27, 2006, edition.

Former Hughes Hall suitemates Steven J. Riegel and Mark I. Wood met in Alaska recently during Mr. Riegel’s vacation with his wife, Natalie. Judge Wood and his wife, Kathy, live in Fairbanks, of which he is a native. He returned to Fairbanks after law school and established a private practice, then became a prosecutor and, in 1993, a district court judge.
In 2002, Judge Wood joined the Superior Court, and in 2006 he was appointed presiding judge of the Fourth Judicial District Superior Court. Judge Wood’s ongoing hobby of running marathons would seem solid preparation for the workload of his current position, which includes responsibility for fifteen judges in Fairbanks and Bethel and for eight magistrates in rural Alaska, in addition to his own docket of civil and criminal trials. On the other side of the North American continent, Mr. Riegel went into practice in Washington, D.C. Today he is a senior aviation counselor there, in the Civil Division, where he litigates major air crash cases in federal courts across the country. Mr. Riegel chose this specialty (after several years of general civil litigation) based on his personal interest in aviation; he continues to fly single-engine Cessnas for business and personal travel. Today, Mr. Riegel and his family live in Alexandria, Virginia.

In May, the National Oceanic and Atmospheric Administration (NOAA) announced that Jane C. Luxton will be named general counsel of NOAA. In her new role, she will serve as chief legal officer for NOAA and as a policy advisor to the administrator. Ms. Luxton will lead more than ninety attorneys in handling legal issues relating to activities such as coastal zone management, the management of commercial fisheries, the protection of marine mammals and endangered species, monitoring oceanic and atmospheric data, and charting U.S. waters. “With the increased concern about climate issues, the position as General Counsel of NOAA is extremely important. We are proud to see one of our alumnae appointed to the position,” said Dean Schwab. “Ms. Luxton has had a stellar career in government and private practice, and this is another important position in her career. We wish her all the best.” Most recently, Ms. Luxton has been a partner at King and Spaulding LLP. She has also been a partner at Seeger, Potter, Richardson, Luxton, Joselow and Brooks; and at Vedder, Price, Kaufman, Kammholz and Day. Ms. Luxton has also worked as a senior trial attorney at the Department of Justice.

In addition to noting that Judge Rapoza ’76 “enjoys a sterling reputation in legal circles,” Governor Romney said, “Judge Rapoza has made public service his top priority.”

Donald R. Frederico was elected to a one-year term as treasurer of the Boston Bar Association, beginning September 1, 2006. Mr. Frederico is a shareholder in the law firm Greenberg Traurig LLP where he focuses his practice on the defense of class actions and other complex litigation.

Alan M. Anderson, a partner at Fulbright & Jaworski LLP, has been named to the Minnesota Super Lawyers list in intellectual property for 2006. He was one of four lawyers from Fulbright to be so distinguished. Based on independent research by Minnesota Law and Politics, Minnesota Super Lawyers includes less than five percent of lawyers admitted to the Minnesota bar. In addition to publication in Minnesota Law and Politics, the list also appeared in Minneapolis-St. Paul Magazine and Twin Cities Business, with a combined circulation of almost 500,000. In his specialty of intellectual property litigation, Mr. Anderson handles patent, trademark, and copyright infringement cases, as well as trade secret and unfair competition matters. Many of these cases involve diverse technologies.
including medical devices, shape memory alloys, software, electronics, and electrical systems. Mr. Anderson also represents franchisors in franchise-related litigation and has successfully represented franchisors in litigation and arbitration proceedings.

Last November’s political turnaround had no effect on Robert E. Andrews at the polling stations in New Jersey, where voters in the first congressional district of Congressman Andrews’s home state returned him to the House of Representatives for his tenth consecutive term. Mr. Andrews’s Web page at http://www.house.gov/andrews/about_biology.shtml describes him as “a leading voice in the Nation for fiscal restraint, education, and national defense,” and notes, “The New York Times has characterized Congressman Andrews as ‘fiscally conservative … and socially moderate.’” Congressman Andrews is “the democratic leader and ranking member on the subcommittee on employer-employee relations,” as well as a member of the House Armed Services Committee, and the Education and the Workforce Committee; he has served on the latter for the whole of his congressional career. Readers interested in taking stock of the efforts Congressman Andrews has made on behalf of working people, children, veterans, students and education, and rural families will find the above-referenced Web page useful and informative.

James R. Pavlock, formerly a senior trial attorney with the U.S. Department of Justice, Asset Forfeiture and Money Laundering Section, in Washington, D.C., recently accepted an appointment as an assistant U.S. attorney with the U.S. Attorney’s Office in Philadelphia. In 2005, Mr. Pavlock and other prosecutors from the U.S. Attorney’s Office indicted eighteen members of a multimillion-dollar international pharmacy organization that distributed, via the Internet and without prescriptions, millions of doses of controlled-substance pharmaceuticals. In this prosecution, one of the first of its kind, Mr. Pavlock coordinated the seizure of more than $9 million in laundered profits accumulated by the organization in banks in ten countries, and presented the financial aspects of the case in two five-week trials in U.S. District Court in Philadelphia. Mr. Pavlock resides in Philadelphia, and keeps in regular contact with fellow classmate Kevin S. Gorman.

In February 2006, Dennis P. Walsh was nominated by President George W. Bush to the National Labor Relations Board (NLRB) for the term ending in December 2009. This term of service marks Mr. Walsh’s third on the NLRB, to which he belonged from December 2000 to December 2001, under a recess appointment by then-president Clinton; and from December 2002 to December 2004, following appointment by President Bush and confirmation by the Senate. During 2005, Mr. Walsh served on the staff of NLRB member Wilma B. Liebman, for whom he was chief counsel from 1997 to 2000.

Kenneth J. Pierce has joined the partnership of Vinson & Elkins in Washington, D.C. With Daniel L. Porter ’85 and three other Vinson & Elkins partners, Mr. Pierce will lead a new legal team that includes a total of fourteen attorneys and five analysts. Mr. Porter’s practice focuses on the U.S. laws that affect the cross-border shipment of goods (including antidumping, countervailing duty, market access, escape clause relief, customs, and the imposition of economic sanctions), and includes assisting exporters and governments in World Trade Organization panel proceedings. Having developed particular expertise representing the interests of foreign exporters in U.S. antidumping proceedings, Mr. Porter appears regularly before the U.S. Commerce Department, the U.S. International Trade Commission, the U.S. Court of International Trade, the U.S. Court of Appeals, and North American Free Trade Agreement Bi-National Panels on behalf of clients from Japan, India, Vietnam, Indonesia, Canada, China, and the United States. Mr. Pierce also represents clients in connection with World Trade Organization complaints and in antidumping investigations by European and other non-U.S. national authorities. Chambers USA (2006) named Mr. Pierce one of the best international trade lawyers in the United States.

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Daryl A. Libow, a partner of Sullivan & Cromwell since 1994, became managing partner at the firm’s Washington, D.C., office in July 2006. Mr. Libow represents clients in matters related to agency enforcement actions, grand jury proceedings, and congressional investigations and hearings. He has acted as lead counsel in many criminal and civil antitrust litigation matters and represented President and Mrs. Clinton in a lawsuit that challenged the legality of President Clinton’s legal defense fund. The U.S. Court of Appeals subsequently affirmed the dismissal he won in federal district court in Washington. Mr. Libow’s complex commercial litigation practice has included representation of British Airways in a $1 billion breach of contract and breach of fiduciary duty suit. In the few leisurely hours at his disposal, Mr. Libow serves as board member of The Jazz Museum in Harlem, and of the Ellington Fund, associated with the Duke Ellington School of the Arts in Washington, D.C.

Father’s Day last year delivered a new son, Aaron Casey, to David G. Schwartz and his wife, Deborah List. Baby makes three—three children, that is, as twin brothers Luke and Zachery (two) preceded Aaron into the family’s home in Stamford, Connecticut. Perhaps not coincidentally, Mr. Schwartz has wrapped up twenty years of practice at the New York firm of Weil, Gotshal & Manges and moved in-house, becoming vice president and deputy general counsel of Citizens Communications Company, also in Stamford, where the Schwartz-List family has lived since 2005.

Brynn D. Peltz has joined the New York office of Clifford Chance U.S. LLP as a partner in the funds group of the firm’s corporate finance practice. Formerly senior counsel at Simpson Thacher, Ms. Peltz has more than eighteen years of experience in the investment management industry, having handled matters involving registered open-end and closed-end investment companies, hedge funds, private equity funds, business development companies, and employee securities companies, as well as advisory and compliance issues for major financial institutions, private equity and hedge-fund sponsors, and high net worth individuals. She has also served as an assistant general counsel and vice president in the investment management unit at Kidder, Peabody & Co., Inc.

G.P. Putnam’s Sons published the latest thriller by Barry M. Eisler, The Last Assassin, in July. The novel is the fifth Mr. Eisler has written featuring the Japanese American hit man, John Rain, a Vietnam vet who has used his Special Forces training to become a deadly effective, albeit conflicted, professional assassin employed by various governments. Like the other Rain titles—Rain Fall (2002), Hard Rain (2003), Rain Storm (2004), and Killing Rain (2005), The Last Assassin is set partly in Tokyo, where Mr. Eisler lived for a
Karen C. Coplin has taken the time to write about her frequent visits, often involving a second connection via “a bouncy, overheated or superchilled ‘commuter’ plane,” from her home in Naples, Florida, to Binghamton, New York. Unhappily, Ms. Coplin’s many returns to her hometown have to do with a family illness, which makes the discomfort of a wind-swept tarmac (in Binghamton) and the frustration of a baggage carousel (at “RSW,” presumably a Florida airport, where one tends to wait … and wait … ) difficult to bear with patience and equanimity. The saving grace is daughter Tabitha (familiarly, Tabs), not-quite-seven at the time her mother wrote (and possibly eight by the time this column goes to press), who greets the reappearance of her pink bag with delight, as if it were magic—and perhaps it is. Ms. Coplin finds that much besides climate is different in Binghamton than in Naples (free airport Smart Carts, potholes in the parking lot, rural roads with no cell phone signal) and much still to cherish in New York’s Central Southern Tier, such as the honest driver who appeared in Cortese’s Restaurant (Ms. Coplin and her family were eating dinner) to report himself for having fender-bent Ms. Coplin’s rental car. Apologies swapped for reassurances, insurance numbers exchanged, and then the pleasant shock of recognition when the police officer on-scene happens to know the at-fault driver and one’s brother-in-law. Yes: one can go home again (apologies to Thomas Wolfe). Friends, classmates, and interested parties may write to Ms. Coplin at NaplesKCC@gmail.com.

Andrew J. Hollander has been appointed vice president of Travelport, Inc., for which he manages all intellectual property matters. In January, Mr. Hollander co-chaired “Corporate Patent Congress 2007,” a conference on patent strategy. Mr. Hollander is accessible at andrew.hollander@travelport.com.

Fumiji Okubo, LL.M. is vice president at Corporate Bank, Compliance Division of Citibank, N.A., Japan Branch in the Alaska Park Building in Tokyo.

After eight-and-a-half years as associate general counsel with the Corporation for National and Community Service (CNCS), Nicola O. Goren has become CNCS’s chief of staff, with broad oversight responsibility for personnel, programs, and budget. Established in 1993, CNCS is a federal agency that works through state service commissions; America’s large nonprofit organizations, such as Teach for America, Habitat for Humanity, and the Red Cross; and faith-based and other community-based organizations. Its programs—AmeriCorps, Senior Corps, and Learn and Serve America—connect Americans of all ages and backgrounds with opportunities to give back to their communities and their nation through service. Ms. Goren, who assumed her new position last September, assists the chief executive officer in administering a budget of more than $900 million and a staff of 600 in Washington, D.C., and all fifty states, to the end of ensuring that CNCS meets certain strategic objectives. These objectives are increasing the number of Americans volunteering by 10 million, to 75 million; increasing the number of college students engaged in community service by 2.7 million, to 5 million; increasing the number of baby boomer volunteers by 3.2 million, to 29 million; engaging 3 million disadvantaged children and youth in service; and providing mentoring services to 5.5 million children and youth. As these numbers indicate, CNCS plays a vital role in helping to
create a culture of service in America. More than 575,000 volunteers have donated their time to bring help and hope to people whose lives and homes were shattered by Hurricane Katrina; of these, more than 35,000 are national service participants, who have contributed more than 1.6 million service hours to aid relief and recovery efforts, provide vital services, and leverage the energy of more than 90,000 local community volunteers in the recovery effort. For more information about Corporation for National and Community Service programs, visit http://www.nationalservice.gov.

Last May, Jason M. Patlis was appointed deputy chief of staff of the House Science Committee by chair Sherwood Boehlert. Mr. Patlis joined the House Science Committee after working for five years in Indonesia on issues related to natural resource law and governance during the country’s reform era. His work there led to the enactment of Indonesia’s first coastal laws among district and provincial governments, as well as a coastal management bill that was brought before the National Parliament. Mr. Patlis previously served as counsel on the U.S. Senate Committee on Environment and Public Works under the late Senator John H. Chafee, handling committee matters pertaining to fish, wildlife, and open space. In the Office of General Counsel of the National Oceanic and Atmospheric Administration, Mr. Patlis specialized in endangered and threatened species. The author of more than twenty articles published in law and policy journals, Mr. Patlis received a Fulbright Senior Scholarship in 2000–01 for his research in Indonesia.

Rabbi Jeffrey S. Wildstein became the spiritual leader of Temple Beth David last July. Prior to coming to Temple Beth David, Rabbi Wildstein served as associate rabbi of Indianapolis Hebrew Congregation in Indianapolis and was the assistant and associate rabbi of Temple Israel in Minneapolis. Rabbi Wildstein received his rabbinic degree from Hebrew Union College in 2001.

Cristina M. Firvida, senior counsel at the National Women’s Law Center (NWLC), was a speaker at the 2006 Business and Professional Women/USA Policy and Action Conference, “Building Powerful Women: Changing Policies that Impact Workplaces,” in February 2006. Ms. Firvida advocates for low-income women and has special expertise in federal tax and budget policies. Prior to joining the NWLC, Ms. Firvida clerked for the Second Circuit Court of Appeals and was a Georgetown Law School Women’s Law and Public Policy Fellow at the Children’s Defense Fund, where she monitored state implementation of the Personal Responsibility and Work Opportunity Reconciliation Act. In addition to her professional advocacy work, Ms. Firvida has worked to recruit and tutor law students of color, and to register and turn out first-time Latino voters.

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Brian J. Lucey was made a partner of Whiteman Osterman & Hanna LLP, which he joined in 1994 after graduating from the Law School. Mr. Lucey is a member of the firm’s governmental relations practice group. He represents professional associations, pharmaceutical corporations, and other companies in legislative matters before the New York State Legislature, the executive branch, and other state agencies, and assists corporations and professional associations with election law, lobbying law, and governmental ethics issues.

The newsletter of Colonie Senior Service Centers, Inc. (CSSC), Senior Connections, profiled Scott C. Paton last April (vol. 5, issue 2, p. 14) as its “featured board member.” Since joining CSSC’s board of directors in 2000, Mr. Paton has also chaired CSSC’s development and endowment committee and served on its personnel and nominating committees, respectively. He is an attorney with McNamee, Lochner, Titus & Williams, PC, in Albany, and lives in Cohoes, New York, with his wife, Kimberly A. Troisi, and their children. Mr. Paton has been an equity partner with the Albany firm of DeGraff, Foy, Holt-Harris & Kunz LLP and has published articles in Cornell Law Review and New York State Law Journal.

J. Michael Roebuck has joined Tannenbaum Helpern Syracuse & Hirschtritt LLP in New York as senior counsel. Most recently senior counsel at Citigroup, Mr. Roebuck now handles Employee Retirement Income Security Act (ERISA) and executive compensation issues at Tannenbaum Helpern and reports directly to Michael G. Tannenbaum, the firm’s founding partner. Said Mr. Tannenbaum, head of the financial services, hedge funds, and capital markets practice group, “Michael brings an exceptionally high...”
caliber of expertise to our firm … he will be instrumental to our practice as large institutional investors, especially pension investors, make ERISA issues increasingly more important for hedge funds.” Mr. Roebuck previously worked on ERISA matters at Citigroup, and at Paul, Weiss, Rifkind, Wharton & Garrison LLP.

Sometimes the longest way around is the shortest way home, as David M. Watson discovered last May, when he became the new executive director of the Massachusetts Bicycle Coalition (MassBike). As reported in the Boston Globe of July 16, 2006, Mr. Watson had spent a dozen years being “never really satisfied with the practice of law.” A longtime, avid cyclist (he owns five bicycles) and cycling-group volunteer, Mr. Watson went to law school with the intention of doing public interest work; in his 1991 application interview, he told Associate Dean Richard D. Geiger, “I wanted to become a lawyer so I could change the world for the better.” Heavy educational debt pressed him, however, to follow the corporate route. That detour delivered Mr. Watson to commercial litigation, which quickly confirmed that litigation occurs only when “something bad has happened, so no one is ever happy to talk to a litigator.” His subsequent career path introduced Mr. Watson to high-tech clients, product development (for an online legal service), contract negotiation, and intellectual property work; and yet, “I kept going back to the fact that cycling was the central issue in my life.” Indeed, to a person who logs more than 2,000 annual recreational miles plus 100 weekly miles to and from work, a bicycle is not just part of the furniture and something more than a toy. As executive director of MassBike, Mr. Watson will bring his wide-ranging skills to bear on matters of fundraising, corporate sponsorship, educational programs, and the design of bicycle-friendly roads and paths by MassBike staff. At the end of the day, however, and in the midst of it, it’s all about the ride. “I love being out on the road, I love the sense of freedom and the astounding distances you can cover on a bike,” Mr. Watson says. Recalling his original intention of doing advocacy and service-oriented work, he concludes, “I loved my experience at Cornell Law School, and being a lawyer was an absolutely essential step on the way to where my career is today.” At MassBike, Mr. Watson considers his mission to be “[making] bicycling better for the people of Massachusetts, and that’s a mission I feel very good about. I’ve come full circle in my legal career”—a journey one may say he has accomplished on two wheels.

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Legal Services and Community Office of Legal Assistance. Since 1990, she has been a volunteer with A Better Chance, which helps minority students with college admissions and job placements. Dean Christina Kuan Tsu, a member of Columbia’s selection committee, said that Ms. Starks-Allen was the most qualified candidate because of her dual background in law and education. As assistant dean at Barnard, Ms. Starks-Allen will advise students who plan to attend law school or a health professional school, and help international students navigate immigration rules and regulations. She will also act as adviser to a group of first-year students and oversee academic support services.

Mark M. Banovich, a partner in the Moscow office of LeBoeuf, Lamb, Greene & MacRae LLP, participated in the Fourth Annual Financial Markets Conference: Portfolio and Direct Investment in Russia and Ukraine in May 2006. Mr. Banovich spoke on the panel “Investing in Russia: Private Equity, IPOs, Public Equity.” A New York-qualified corporate and securities partner, he has been based in the firm’s Moscow office since 1998 and has represented issuers, underwriters, and depositaries in connection with public offerings and exempt offerings of securities in the U.S. and European capital markets. At the Law School, Mr. Banovich served as articles editor of Cornell Law Review.

Last October, Thomas J. Lang left the partnership of Kirkland Ellis LLP in Washington, D.C., to become senior litigation counsel for the Federal Trade Commission’s Bureau of Competition. Mr. Lang leads the Bureau’s antitrust litigation efforts in that capacity.

Daniel M. Lascell has joined the executive team of AmberPoint, a provider of service-oriented architecture management software,
as vice president and legal counsel. Formerly in-house counsel at Corning, Inc., Mr. Lascell brings more than a decade’s experience in representing technology companies to his new role. He has served as vice president of legal services at webMethods, Inc., and practiced at several law firms, including Gray Cary (now DLA Piper Rudnick Gray Cary). Said AmberPoint Chief Executive Officer John Hubinger, “Dan brings a great deal of software industry experience [to AmberPoint] and will be a tremendous benefit as we add to our industry-leading roster of customers and partners.”

The inaugural list of “Rising Stars” established by Compliance Reporter names William G. Mulligan as one of “the cream of the compliance industry, nominated by their peers and other securities experts.” Mr. Mulligan is the chief executive officer of HedgeOp Compliance, the consulting firm he founded in January 2001 to assist hedge funds and fund-of-hedge funds meet compliance and operational challenges. Previously, Mr. Mulligan worked in the investment management group at Seward & Kissel LLP, where he specialized in the formation and structuring of private investment funds and private equity products. The final cut of the “Rising Stars” list comprises twenty persons from twenty-six to forty-five years old who “demonstrate impressive credentials and experience with a consistency that indicates they will be the ones to watch as leaders and trendsetters in the industry going forward.” Investment industry professionals from the United Kingdom, Germany, and South Africa, as well as from the United States, were nominated.

Last June Douglas P. Ruth ’95 summited Mount Denali (a.k.a. Mount McKinley) in Alaska. Mr. Ruth and two other climbers spent fifteen days ascending the 20,320-foot mountain, North America’s tallest, by the West Buttress route. Impassable glacier crevasses compelled them to abort their intended route via the West Ridge. Before climbing Mount Denali, Mr. Ruth scaled Mount Rainier in Washington nine times by various routes; Mount Shasta in California; and Mount Hood in Oregon. Mr. Ruth is planning an expedition to the Cordillera Blanca range in Peru next year. When not climbing mountains, he works as a deputy prosecuting attorney in Washington State.

Marcus V. Freitas, LL.M., has joined the faculty of the International Relations School of the prestigious Brazilian university, Fundacao Armando Alvares Penteado. Professor Freitas, who teaches international law at this institution, reports that he is pleased and excited to bring his experience of international business and legal consulting to bear on his teaching of law. Classmates and other Cornell Law School alumni may reach Professor Freitas at mfreitas@global-trader.net.

In September, Anil K. Chaddha won the South Asian Bar Association of New York’s Legal Trailblazer Award. The award recognizes Mr. Chaddha’s career and community achievements, which include his being the youngest South Asian to achieve an executive-level counsel position at General Electric, and his continued leadership and involvement with various Asian American organizations. Mr. Chaddha, who also holds a master’s degree from Cornell’s School of Industrial and Labor Relations, is labor and employment counsel at General Electric Headquarters in Fairfield, Connecticut.

96 David M. Moss and Melissa E. Moss ’97 announce the birth of their daughter, Chloe, who arrived September 3, just in time for Labor Day. Chloe joins big brother David (two-going-on-three) at the family home in Basking Ridge, New Jersey. Mr. Moss says, “I am enjoying my job as corporate counsel for the consumer products division of Wyeth,” and is, needless to say, overjoyed at being a husband and father.

97 Suzanne E. Kerrigan married Adam Grey Ciongoli on June 10, 2006, at the Angel Orensanz Foundation in New York. Supreme Court Justice Samuel A. Alito Jr., for whom Mr. Ciongoli is a clerk, officiated. Ms. Kerrigan, now Mrs. Ciongoli, is the general counsel and chief operating officer of Spenser Capital Management in New York.
Robert J. Hudock ’00 said, “It was a privilege to be recruited by academia and the computer industry to compete at DEFCON. I am confident the DEFCON experience enhanced the skills that enable me to blend legal and technical knowledge into the cutting-edge advice I’m able to provide Epstein Becker & Green’s clients.”

respective organizations. He is a certified information systems security professional and is certified by the National Security Agency to perform INFOSEC Security Methodology (IAM) audits.

Dylan J. Williams has written to say that he now works as legislative assistant and counsel to U.S. Senator Olympia J. Snowe. Mr. Williams advises Senator Snowe on foreign relations, international trade, and immigration issues. His wife, Saidia, and he live in Alexandria, Virginia.

Adam J. Siegel married Rachel Seid on September 9, in Washington, D.C. Formerly a trial attorney in the Environment and Natural Resources Division at the U.S. Department of Justice, Mr. Siegel has joined the Washington law firm of Hogan & Hartson LLP as an associate in the environmental practice group. Mr. Siegel’s wife is a senior policy analyst at the Government Accountability Office in Washington, D.C.

Frédéric P. Baronet LL.M. and his wife, Marie-Amélie, are happy to announce the birth of their twin daughters, Emily Elizabeth Marie and Audrey Sophie Lucie, on July 19, 2006. Emily and Audrey join big brother, William, who is three years old.
Pil Sun Choi has left Clifford Chance U.S. LLP to join AllianceBernstein, LP, an asset management company, as vice president and counsel of its International Legal and Compliance Department.

Jodi B. Buske and Seann S. Kalagher were married on May 28, 2006, at St. Mark's Evangelical Lutheran Church in Watertown, Wisconsin. For those of you who did not know and have not guessed (catch up!), the couple met at Cornell Law School. Several Law School classmates attended the happy event, including bridesmaids Stephanie M. Chmiel, Megan E. Joy, and Yayoi J. Shionoiri. The newlyweds honeymooned in Tuscany, Italy, before resuming their workaday lives as, respectively, an attorney at Goodwin Procter LLP (Ms. Buske) in Boston, and assistant director of student conduct at Roger Williams University (Mr. Kalagher) in Bristol, Rhode Island.

Rachel M. Grant has left Bourland, Wall & Wenzel, PC, to join Fulbright & Jaworski LLP as an associate in the latter firm’s Houston office. Ms. Grant’s trust and estate practice comprises estate planning; probate and estate administration; fiduciary law; and estate, gift, and generation-skipping transfer taxes. In addition to her Cornell J.D., Ms. Grant earned an LL.M. in taxation from Southern Methodist University Dedman School of Law in 2005; an M.S. in accounting from Trinity University in 2000; and a B.S. in business administration from Trinity University in 1998. She is admitted to the bar in New York as well as Texas. Fulbright & Jaworski is an international law firm of more than 970 lawyers and fifteen offices in Houston, New York, Washington, D.C., Austin, Dallas, Los Angeles, Minneapolis, San Antonio, St. Louis, Beijing, Dubai, Hong Kong, London, Munich, and Riyadh.

Jacob R. Lilly married Abby Ann Smith of Indianapolis on September 9 in Steamboat Springs, Colorado. The couple resides in Savannah, Georgia. Mr. Lilly serves as a trial counsel and special assistant U.S. attorney in the Army Judge Advocate General’s Corps. He has recently returned from a tour in Baghdad as the chief counsel for detainee operations. His wife is the vice president of Savannah operations for Rolls-Royce North America.

Sheldon Good & Company has appointed Misha Haghani director of real estate auctions northeast. Mr. Haghani has also practiced in the real estate group of Milbank, Tweed, Hadley & McCloy LLP.

Emily C. Paavola completed a post-graduate fellowship at the Cornell Death Penalty Project, where she assisted in the representation of capital defendants at state and federal trials. More recently, Ms. Paavola has joined Baker & Daniels LLP, one of Indiana’s largest law firms, as an associate in the Indianapolis office.

Bryan Cave LLP, a firm of nearly 800 lawyers working in thirteen offices across the United States, announced in October that Jonathan G. Brinson had joined the firm’s Phoenix office. Mr. Brinson practices in Bryan Cave’s commercial litigation, class and derivative actions, and environmental client service groups.

Matthew G. Conroy and Alexee Deep were married at Holy Trinity-Holy Cross Greek Orthodox Church, in Birmingham, Alabama, on October 15, 2005. The bride borrowed her aunt’s and uncle’s wedding crowns, a traditional feature of a Greek Orthodox wedding ceremony. Her antique platinum engagement ring and Edwardian-style pink sapphire ring were gifts from the bridegroom, and the church was the very one in which her parents had been married thirty-one years before. With their honeymoon in Bora Bora a part of the past, Alexee and Matthew have gotten down to work; he, as an investment banker at Lehman Brothers in New York; and she, on products liability issues at DLA Piper Rudnick Gray Cary, also in New York.

R. Todd Creer joined Kamer Zucker Abbott in August 2006. Mr. Creer was a managing editor for Cornell’s Legal Information Institute (LII), an honors fellow for The Lawyering Program, and a member of the J. Reuben Clark Law Society. He spent his law school summers clerking for the U.S. Attorney in San Diego and working for the Legal Aid Society of Hawaii in Honolulu.

The wedding of Harris S. Freier and Lily Morris on August 20, 2006, in Columbia, South Carolina, served, in a strictly unofficial sense, as Old Home Week for Cornell Law School alumni. Mr. Freier’s classmate Neil E. Schoenblum served as a groomsman, and classmates David J. Fisher, Randall C. Whattoff, Young J. Lee, Matthew D.
Hindin, Kaleb M. Honsberger, Waldemar “Wally” Colon, Bradford C. “Brad” Hallmon, William A. Clareman, Ryan M. Williams, Thien Vu Hoang, Michael B. Berger, Brian R. Mullins, Ellis M. Oster, and Evan Parness ’07 witnessed the couple’s vows and raised champagne flutes in congratulation. On-site participants report that a splendid time was had by all. The newlyweds now live in North Brunswick, New Jersey, and Mr. Freier is a first-year associate at Proskauer Rose LLP in Newark.

Thompson Hine LLP announced last September that Kristin M. Tribbensee was one of its new law associates. She is working in the firm’s New York office.

**Editor’s Note:** The alumni office receives information for the class notes section from various sources. All information is subject to editorial revision. Please be aware that the Forum is produced a few months in advance of when readers receive it. Class note information received after production has begun will be included in the next issue.

Send information you would like reviewed for possible inclusion in future issues of the Forum to the alumni office at 382 Myron Taylor Hall, Ithaca, NY 14853 or via e-mail to alumni@lawschool.cornell.edu. The office also can be contacted by phone (607-255-5251) or fax (607-255-7193).

**In Memoriam**

Douglas Herbert Philipp ’41
Richard Harvey Finefrock ’42
Katherine M. Hannigan ’44
Justin Paul Dunlavey ’48
John Read Murphy ’49
Bertil Leonard Peterson ’49
George Frank Harris ’50
Eugene Plinius Hubbard ’50
Richard D. De Schweinitz ’52
John A. C. Hetherington ’53
Edwin Arthur Lassman ’53
Donald Jay Parmet ’55
Winfield Emmons Wight Jr. ’56
Howard Lee Schiff ’57
Harold Tompkins ’57
Richard F. Busch ’60
William F. Dudine Jr. ’60
Homer Seymour Pringle ’62
Roger Kelley Bentley II ’63
Ronald Howard Rothman ’65
John Anthony Smith ’71
Mitchel O. Garrett ’78

The alumni office is pleased to report that Daniel A. Cohen ’58 is alive and well, contrary to his listing in the previous issue of the Forum. The alumni staff regrets the error.
Visit Cornell Law School's Web site and see examples of how A. D. White's founding hope that the Law School would produce "lawyers in the best sense" has become reality. The Web site spotlights the vibrancy of the intellectual environment of the school and its commitment to humanity. The Law School community takes pride, as symbolized by the laurel graphics seen throughout the Law School's communications, in its members' many successes and accomplishments.