

# BLSLawNotes

THE MAGAZINE OF BROOKLYN LAW SCHOOL | FALL 2011



## Brooklyn Beginnings

Seven First-Year Students Share Their Stories



# BLS LawNotes

Vol. 16, No. 2

## **Editor-in-Chief**

Linda S. Harvey  
*Assistant Dean for External Affairs*

## **Managing Editor**

Andrea Strong '94

## **Contributors**

Diana Barnes-Brown  
Bethany Blankley  
Tina Herrera  
Prof. Jason Mazzone  
David Potocki  
Andrea Strong '94

## **ClassNotes Editor**

Caitlin Monck-Marcellino '02  
*Director of Alumni Relations*

## **Faculty Highlights Editor**

Bethany Blankley  
*Associate Director of Communications*

## **Photo Editor**

Matilda Garrido

## **Graphic Design**

Ron Hester Design & Photography

## **Photographers**

Damion Edwards  
Matilda Garrido  
Ron Hester  
Alan Perlman  
Joe Vericker

## **Printer**

Finlay Printing

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We welcome letters and comments about articles in *BLS LawNotes* from our graduates and friends. We will consider reprinting brief submissions in *LawNotes* and on our Web site.

## **MAILING ADDRESS:**

Managing Editor  
BLS LawNotes  
250 Joralemon Street  
Brooklyn, New York 11201

**FAX: 718-625-5242**

**E-MAIL: [communications@brooklaw.edu](mailto:communications@brooklaw.edu)**

**WEB: [www.brooklaw.edu](http://www.brooklaw.edu)**

## FEATURES



### **Brooklyn Beginnings: Seven First-Year Students Share Their Stories**

*By Andrea Strong '94*

Every fall, the Law School welcomes a new class of exceptional first-year students. This year's class is no different. This feature spotlights seven members of the entering class who bring to the school a variety of experiences, from a veteran of the wars in Iraq and Afghanistan to a former White House staffer and Teach for America Corps member. While each story is different, each is no less inspiring, and together they paint a picture of the promising future of the next generation of Brooklyn Law School graduates.



### **The Day the Music Died**

*By Professor Jason Mazzone*

Adapted from his new book, *Copyfraud and Other Abuses of Intellectual Property Law* (Stanford University Press, November 2011), this article discusses music sampling, so called mash-ups, by some of the top artists of the day, and the challenging copyright issues that such sampling raises for the artist and the industry as a whole.



### **Pay it Forward: Giving Back Paves the Road to the Future**

*By Andrea Strong '94 and David Potocki*

Brooklyn Law School is a prestigious law school today in large part because of the incredible generosity of its many devoted alumni, friends, and supporters. In this feature, we highlight the contributions of just a few of the outstanding members of the BLS community who make the Law School's development and success possible. We also proudly introduce our new Director of Development, Jean Smith.

## DEPARTMENTS

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**F**all is here, and with it comes the beginning of a new school year filled with excitement and promise. Our cover story, “Brooklyn Beginnings,” spotlights seven members of our entering class. Like their classmates, they arrive with an impressive range of professional, academic, and personal experiences.

“Pay It Forward,” our second feature, highlights several of the devoted alumni and friends whose generosity is helping to assure that the Law School thrives and continues to attract top students and outstanding faculty members. We also introduce our Director of Development, Jean Smith, who comes to the Law School with over 20 years of strategic development experience.

Traditionally, each issue of *LawNotes* takes a close look at a faculty member’s recent scholarship. This issue presents “The Day the Music Died,” an article adapted from Professor Jason Mazzone’s book, *Copyfraud and Other Abuses of Intellectual Property Law* (Stanford University Press, November 2011), which Wikipedia founder Jimmy Wales has called “a must-read for anyone who cares about the future of creativity.” In this article, Mazzone discusses music sampling by artists such as Lady Gaga and the difficult copyright issues that sampling raises.

We also focus on some of the people who play an important role in the life of the Law School. In our series, “On Board,” we profile Circuit Judge Reena Raggi, whom we are honored to welcome as the newest member of the Board of Trustees.

In our “Class Notes” section, we profile four distinguished graduates: “The Sandwich King,” Larry Feldman ’74, who is CEO of Subway Development Corp. of Washington and South Florida; Brad Keller ’79, a member of the firm of Byrnes Keller Cromwell, who argued the case that brought the Seattle SuperSonics to Oklahoma City; and Therese Doherty ’88, senior partner in Herrick, Feinstein’s Litigation Department and the Co-Chair of its Securities and Commodities Litigation and Regulatory Practice Group. We are also proud to highlight two recent alumni, Michael Mastrangelo ’11 and Coco Culhane ’10, who have received prestigious Equal Justice Works Fellowships.

Finally, we remember two beloved members of the BLS family who passed away this year: Professor Jerry Leitner and Professor Brian Comerford. They were devoted to the Law School and to the generations of students that they taught. We also salute Professor Marty Hauptman, who retired after nearly four decades of teaching. In the spirit of new beginnings, we also welcome five new faculty members, whose passion for teaching and scholarship will inspire and enrich our community.

A handwritten signature in black ink that reads "Michael A. Gerber". The signature is written in a cursive, flowing style.

Michael A. Gerber  
*Interim Dean*

## Block Center Launches Innovative Trade Secrets Institute

Brooklyn Law School launched a pioneering new intellectual property initiative this spring with its Trade Secrets Institute (TSI). Under the auspices of the Dennis J. Block Center for the Study of International Business Law, and made possible by a generous grant from the Mai Foundation, a private philanthropic organization, the TSI's mission is to provide a source of information and analysis for lawyers, policy makers, and business people interested in high-quality, objective coverage of key trade secrets cases and related legislative and regulatory developments throughout the world.

The TSI, which builds on the Law School's strong intellectual property curriculum, was spearheaded by David Mitnick '00, a practicing intellectual property lawyer, and Professor Claire Kelly '93, an expert in international trade law. "The Block Center has always sought to explore legal issues in light of both theoretical and practical perspectives, and this project falls within our ongoing commitment to this end," said Professor Kelly. "Our students will be exposed to cutting-edge issues in the classroom while also learning from practicing attorneys dealing with these issues. At the same time, the TSI provides a resource to the larger legal community."

The cornerstone of the TSI is its Web site, [www.tsi.brooklaw.edu](http://www.tsi.brooklaw.edu), a comprehensive database—the first of its kind in the country—that connects users to supporting documents, briefs, motions, and timelines for current cases, as well as recent updates on pending legislation or regulatory initiatives concerning trade secrets. The TSI also provides timely, in-depth coverage of legal and business issues and critical analysis of decisions, legislation, and regulatory initiatives related to each case.

Another component of the TSI is the Trade Secrets Workshop, a new course taught by Adjunct Professor Alexander Kaplan '00, that focuses on both research and doctrinal issues related to trade secrets. As part of their coursework, students track current cases and legislative or regulatory efforts and also provide legal analysis of past and pending cases and reforms.

"The Institute is an opportunity for BLS students to fill a large void in the area of trade secrets by creating a practice-based online resource that will not only use the Law School's tremendous research capabilities, but will also offer practical, thoughtful, and unbiased commentary on cases and issues in the trade secrets arena," said Mitnick.

The TSI also supports two student fellows annually who receive stipends. They are responsible for identifying key cases to include in the database and ensuring that the Web site is regularly updated with new content. Inaugural fellows Valentina DiPippo '11 and Gordon MacLeod '11 began their work last fall, and three new fellows, Sean Comerford '12, Lillian Tan '12, and Carolyn Wall '12, were selected this spring.

"It was such an interesting and unique opportunity to be involved with the TSI at the very beginning and to be able to develop the design and the information structure of the Web site," said DiPippo, who is currently clerking at the New Jersey Superior Court. "I learned a tremendous amount about trade secrets law, which is an often overlooked area of intellectual property law and one that is of growing importance in today's age of technology."

The TSI also benefits from the input of an Advisory Board consisting of attorneys, each with expertise in intellectual property and trade secrets, who consult and advise key faculty connected to the Institute and serve as mentors to the fellows. □



### Advisory Board Founding Members:

- Bob Berezin,  
*Weil, Gotshal & Manges LLP*
- David Boag,  
*Amster Rothstein & Ebenstein LLP*
- Susan Cohig,  
*National Hockey League*
- Stephen Kahn,  
*Weil, Gotshal & Manges LLP*
- Steven Kayman,  
*Proskauer Rose LLP*
- Anthony F. LoCicero,  
*Amster Rothstein & Ebenstein, LLP*
- Christopher Marino,  
*Cowan, Debaets, Abrahams & Sheppard LLP*
- David Mitnick '00,  
*Domain Skate LLC*
- Harvey Mitnick '65,  
*JVC Americas Corp.*
- Erica Wass,  
*Bloomberg Inc.*

Visit [www.tsi.brooklaw.edu](http://www.tsi.brooklaw.edu) for more information.



## Renowned International Human Rights Authority Delivers Commencement Address

Brooklyn Law School was deeply honored to welcome Judge Thomas Buergenthal, one of the world's foremost international human rights experts, to address members of the Class of 2011 at Brooklyn Law School's 110th Commencement ceremony, held in June at Avery Fisher Hall. Stuart Subotnick '68, Chairman of the Board of Trustees, and Interim Dean Michael Gerber presented the members of the graduating class with their degrees, and also conferred upon Judge Buergenthal the Law School's highest honor, its honorary doctor of laws degree.

Judge Buergenthal has served as a judge for more than 30 years, including 10 years on the bench as a justice of The Hague. He is the co-author of *International Protection of Human Rights*, the leading text on post-WWII human rights, credited with introducing human rights law into law school curricula throughout the country. He is also the founder and president of the Inter-American Institute of Human Rights, which he formed in response to the need for a NGO to promote research and education on human rights in the Americas.

Judge Buergenthal began his remarks by musing about the differences between his generation and the Class of 2011, a generation "that is intellectually future-oriented, driven by the belief that technology will and can solve all of the world's problems, just as the next iPhone will improve the earlier ones."

As a judge at The Hague who witnessed the unrealized post-Holocaust hope of "Never Again," his message to the Class of 2011 was to protect against future abuses of human rights. "My generation believed, and continues to believe, that it is possible and important to improve the lives of the world's poor; that wars and genocide must and can be prevented; that racial, religious, and other forms of discrimination must and can be eradicated; and that the protection and promotion of human rights in all parts of the world are achievable goals. My hope is that, in your private and professional lives, you will recognize the importance of helping to better the lives of our fellow human beings and fighting for a world in which wars and genocide will be no more."



ABOVE: Judge Thomas Buergenthal addresses the Class 2011.  
RIGHT: Graduates celebrate their big day at Avery Fisher Hall at Lincoln Center.

Judge Buergenthal's passion for protecting human rights and ensuring an end to future human rights abuses and genocide is not merely the product of decades of professional experience in the area of international human rights law. Judge Buergenthal himself is a survivor of the Holocaust. Born in 1934 in Lubochna, Czechoslovakia, the small town to which his parents had fled from Germany when the Nazis came to power, Judge Buergenthal was one of only three children to survive the infamous Auschwitz Death March. His memoir, *A Lucky Child*, in which he recounts his childhood experiences in the concentration camps at Auschwitz and Sachsenhausen, has been translated into 12 languages.

Judge Buergenthal ended his address with a message of hope—both for the graduates' future careers and for how emerging lawyers can take on active roles in protecting human rights worldwide. "Let me express the hope," he said, "that once the current economic uncertainty is over, you will recognize your obligation as concerned human beings and as lawyers to help improve the lives of others in the United States and abroad." □



“ My hope is that, in your private and professional lives, you will recognize the importance of helping to better the lives of our fellow human beings and fighting for a world in which wars and genocide will be no more.” — JUDGE THOMAS BUERGENTHAL



## Municipal Bankruptcies are Focus of Zaretsky Roundtable Discussion

On April 12, 2011, Brooklyn Law School hosted the 11th annual Zaretsky Roundtable Discussion and Dinner. The topic for the evening was “Strapped Cities: The State of Chapter 9.” Like individuals and businesses, states and municipalities have felt the pinch of a troubled economy. California’s difficulties are well publicized as, for example, are the troubles of Harrisburg, Pennsylvania and New York’s Off-Track Betting Corporation. At the Roundtable, distinguished bankruptcy practitioners, judges, and professors joined with Brooklyn Law School alumni and students to discuss the role of Chapter 9 of the Bankruptcy Code in addressing these problems.



TOP: Panel participants Leslie S. Barr '84, Prof. Christopher Serkin, and Andrew I. Silfen '86. BOTTOM: The Zaretsky Roundtable packed a full house.

The program explored the types of circumstances eligible to invoke Chapter 9 protection, the type of relief available under the statute, and the constitutional and statutory limits on the power of bankruptcy courts to supervise municipal debtors and to displace the political process. The participants discussed how Chapter 9 might be used to renegotiate labor contracts, restructure bond debt, and how to structure a plan of reorganization. Finally, the program explored whether a statute like Chapter 9 ought to be enacted to provide relief to financially beleaguered states.

The discussion was lively, and included as participants the five Zaretsky Fellows, all 2011 graduates: Bailey Somers, Jonathan Mottahedeh, Faizan Ghaznavi, Matthew Fleischer, and Kavneet Sethi. Fellows are selected for their demonstrated interest in bankruptcy, as well as their academic credentials. They helped lead the discussion and prepared materials for the program.

The annual Zaretsky Roundtable examines cutting-edge topics in bankruptcy and commercial law. Past programs have focused on dot-com bankruptcies, international bankruptcy, claims trading in bankruptcy, and bankruptcy and bailouts in the financial services and automotive industries. The program is held in memory of Barry Zaretsky, who taught at Brooklyn Law School from 1978 until his untimely death in 1997. This year’s program was generously sponsored by Epiq Bankruptcy Systems. □



# On Board

## United States Circuit Judge Reena Raggi

"I'll tell you something funny. I have always wanted to be adopted by Brooklyn Law School," said Judge Reena Raggi, who got her wish when she was appointed to the Brooklyn Law School Board of Trustees this spring.

"All of us in the Eastern District courthouse consider Brooklyn Law School our home school, and we have been the beneficiaries of the school's great hospitality," she continued, during a recent interview in her chambers. "When I received an honorary degree from the Law School in 2004, I felt as though I was temporarily adopted. As a Trustee, I feel as if this is a more permanent adoption, which makes me very happy."

The Law School is equally pleased. "We are delighted to have someone of such stature join the Board and play an important role in moving the Law School forward," said Chairman of the Board Stuart Subotnick '68. "Judge Raggi was the first woman to be appointed as a judge in the Eastern District, and at the time one of the youngest federal judges in the nation. I know that she will help lead the Law School to many more firsts."

Judge Raggi grew up in New Jersey, one of three daughters of a working mother and forward-thinking father, an industrial engineer who encouraged his girls to pursue professional careers. "My father was very strongly of the view that we should have professions because that would make us independent," recalled Judge Raggi. "One of my sisters is a lawyer, and another is in finance, so I would say he got his wish for all of us."

As a history major at Wellesley College, where she was elected to *Phi Beta Kappa*, Judge Raggi almost pursued a graduate degree in the field, but found herself steered in the direction of law. "I had a very wise professor in college who said that I could always read history," she said, "and she was right."

Judge Raggi attended Harvard Law School and graduated *cum laude*. Her first legal position was as a law clerk to Chief Judge Thomas E. Fairchild of the U.S. Court of Appeals for the Seventh Circuit in Chicago. "It was a wonderful experience, but clerking for him was about as close as I thought I would ever come to the bench," she said.

That opportunity would come a decade later, after two years at Cahill Gordon & Reindel and seven years as an Assistant U.S. Attorney for the Eastern District of New York, where she rose to Chief of the Narcotics Division and Chief of the Special Prosecutions Division. In 1986, she was appointed Interim United States Attorney for the Eastern District by the Board of Judges of the Eastern District of New York. "It meant so much to me that the judges before whom I had practiced for so many years had that confidence in me," recalled Judge Raggi. She briefly returned to private practice as a partner with the firm of Windels, Marx, Davies & Ives before her appointment to the United States District Court for the Eastern District of New York in 1987.

During her 15-year career as a district judge, she oversaw several high-profile cases, including the terrorist plot to bomb a Brooklyn subway in 1997, the trial of Abner Louima's torturers, and the case of the



Golden Venture, a ship carrying almost 300 would-be immigrants from China that crash-landed in Rockaway Beach, Queens. In recognition of her impressive judicial record, she was nominated to the United States Court of Appeals for the Second Circuit, and was enthusiastically approved by both sides of the aisle in 2002.

She has relished being a judge from day one.

"I very much enjoyed being a district court judge. You play a role in shaping and developing a case, and there is a human element to the job in that when you sentence someone you look directly into that person's eyes. But I also enjoy my role on the Court of Appeals. Someone once remarked that the district judges are the surgeons and the circuit judges are the pathologists. I think that's true. Having to decide a case on a three-judge panel is very interesting, because even when we are in agreement, the judges will often approach the problem from different perspectives which enriches the process," she said.

An active member of the judicial community, Judge Raggi serves on the Judicial Conference Standing Committee on the Federal Rules and this fall she assumed the chairmanship of the Conference's Advisory Committee on the Rules of Criminal Procedure. She is also the president of the Federal Bar Council American Inn of Court. She has been the recipient of several honors and awards, including the Federal Bar Council's Learned Hand Medal for Excellence in Federal Jurisprudence.

While Judge Raggi may joke about being adopted by the Law School, her appointment to the Board is one she takes very seriously. It is also a deeply personal role for her. "My invitation to join the Board comes out of a tragedy, which is the loss of David Trager, whom I considered my dear friend from all our years together on the court," she said. "I recognize that he was a force at Brooklyn Law School, and I am enormously honored to be asked to take the seat that he held. I know I cannot fill his very special shoes, but I hope to contribute to the important work of the Board." □

## Federal Reserve Official Addresses Banking Supervision and Economic Sanctions



*Thomas C. Baxter, General Counsel and Executive Vice President of the Federal Reserve Bank of New York.*

In March, the Dennis J. Block Center for the Study of International Business Law (IBL) hosted an IBL Breakfast Roundtable at the

Federal Reserve Bank of New York. IBL Fellows, faculty, alumni, and practitioners enjoyed an “inside” perspective on banking supervision and economic sanctions from Thomas C. Baxter, General Counsel and Executive Vice President of the Federal Reserve Bank of New York.

Baxter joined the Federal Reserve Bank in 1980 and immediately found himself in the midst of the Iranian hostage crisis, in which 52 Americans were held hostage for 444 days by a group of students and militants who took over the American Embassy in support of the Iranian Revolution. The United States responded by imposing economic sanctions and freezing Iranian assets in the U.S. Over the course of the hostage crisis nearly \$8 billion in Iranian assets were held in the Federal Reserve Bank of New York.

Baxter spoke of the similarity of world events 30 years later, and in particular how timely it was to speak on the topic of

sanctions. Baxter’s talk took place just as the United States was re-imposing economic sanctions on Libya, and the United Nations was imposing its own sanctions and assessing the legal implications with respect to these actions. In his talk, Baxter addressed the legal basis for economic sanctions and how they have been effective in achieving U.S. policy goals. He also shared his views on the use of bank supervisory powers to enforce compliance with economic sanctions.

The IBL Center’s mission is to contribute to the exploration of timely issues of interest to business organizations, regulators, policy makers, practitioners, jurists, scholars, and future lawyers in this important field. IBL Breakfast Roundtables enrich the educational experience for Fellows by exposing them to prominent leaders in the field of international business law and introducing them to alumni practicing in this area. □

## BLS and PRATT Institute Forge Open Door Policy

Aspiring attorneys must not only know the legal concepts that apply to their chosen field of practice, but also have a solid understanding of their clients’ needs and goals. To expand our law students’ academic opportunities, Brooklyn Law School and Pratt Institute’s Graduate Center for Planning and the Environment have teamed up to create an innovative open door policy. This unique program allows a limited number of Brooklyn Law School students per semester to attend courses at Pratt, and for Pratt graduate students to attend courses at BLS with no additional tuition cost associated with participation. Almost two dozen BLS students have participated so far, taking classes in city planning, sustainable communities, and land use.

This collaboration, which began this past academic year, provides students who have an interest in planning and the environment with new opportunities to explore the field at a first-rate institution in Brooklyn. Professor Lawrence Solan, who negotiated the arrangement with Pratt, could not be more pleased with the program’s enthusiastic beginning: “Not only have our students who have attended classes at Pratt benefitted from their deeper understanding of planning in urban environments, but our faculty and students alike have found it enriching to hear from Pratt’s planning students in our classrooms,” Solan remarked.

Students are indeed enthusiastic about their experiences: “At Pratt, my classmates had diverse professional backgrounds, but many shared similar social justice objectives, which was

“At Pratt, my classmates had diverse professional backgrounds, but many shared similar social justice objectives, which was invigorating.” — Caryn Schreiber ’12

invigorating,” said Caryn B. Schreiber ’12. “It was an enriching experience, and it was helpful to learn how to apply some of the legal knowledge I have gained over the past two years.”

The open door policy is the latest in a series of opportunities that students have to pursue their law degrees in coordination with related study at another institution. Brooklyn Law School continues to offer students the ability to pursue joint degrees from esteemed area graduate schools. Students can concurrently pursue their J.D. degrees along with an MBA from Baruch, a Master of Urban Planning (MUP) from Hunter College, and a Master of Science (MS) in City and Regional Planning, or a Master of Science in Library and Information Science (MSLIS) through Pratt Institute. □

# Celebrating 25 Years of the Sparer Public Interest Program

On March 25, over 150 alumni, friends, and students gathered at Brooklyn Law School to celebrate the 25th anniversary of the Edward V. Sparer Public Interest Law Fellowship Program. The celebration began with a panel discussion by 14 Sparer alumni who spoke about their careers, challenges, and passions, followed by a dinner reception.



TOP: Sparer Program alumni share their professional experiences with current students. BOTTOM: Prof. Elizabeth Schneider (left), founding director of the program, moderates the discussion.

“The Sparer Program has become a beacon to generations of public interest lawyers, advocates, and activists. We are so grateful to the late Dean David Trager, who enthusiastically supported the founding of the program with Bertram Bronzafit ’61, and to President Joan Wexler and Interim Dean Michael Gerber, who have generously continued this support,” remarked Professor Elizabeth M. Schneider, the Rose L. Hoffer Professor of Law and founding director of the program. She also thanked the Sparer Faculty Committee, the staff of the Public Service Programs Office, Director Elizabeth Kane, and Associate Director Danielle Sorken, as well as Charles Krause, the program’s long-time Administrative Assistant (who recently retired).

Founded in 1985, the Fellowship Program was named for Ed Sparer ’59, a Professor of Law and Social Welfare at the University of Pennsylvania Law School. Named one of the “Lawyers of the Century” by *American Lawyer*, Sparer was a pioneer in the fields of poverty and health law.

Each year, a group of students is awarded Sparer Fellowships, an honor which includes paid summer internships in public interest law and many other enriching opportunities such as multi-disciplinary forums and symposia and monthly luncheons on current public interest legal issues. Throughout their Law School years and beyond, Sparer Fellows are mentored by faculty experts and leading public interest professionals. The extended Sparer family is large and informal, but has remained a close-knit group, united by their common experiences and commitment to the public interest.

“Before the Sparer Program, there were few students at Brooklyn Law School who were supported in their commitment to public interest law,” said Claudia Werman Connor ’88, one of the first Sparer Fellows. In 1986, Werman spent her fellowship summer literally following in Ed Sparer’s footsteps by working in his office, Community Legal Services, in Philadelphia. Today, Connor is the Regional Director of U.S. Programs at the International Rescue Committee.

Laurie F. Parise ’04, another panelist, described the unique organization she founded, Youth Represent (YR), which provides legal, advocacy, and social services to young people involved in the juvenile or criminal justice systems. Parise secured several postgraduate awards and grants to fund her work, including the prestigious Equal Justice Works (EJW) Fellowship and an Echoing Green Award. Last fall, Michael C. Pope ’10, another Sparer alumnus, won an EJW Fellowship to support his effort to expand YR’s outreach and impact, which is a telling example of how the Sparer family continues to nurture and inspire its own.

At the dinner, Robert Acton ’97, now Executive Director of the New York office of the Taproot Foundation, which supports pro bono legal work, toasted the 25th Anniversary of the program.

“Sparer gives each fellow something very special: a place at Brooklyn Law School to belong. We find, in our ‘fellow fellows,’ a group of like-minded friends who have identified something that’s not right with the world and, in righteous indignation, have responded,” he said. “The dedication of the Sparer Fellowship Program over 25 years has created incredible societal impact through the students who have developed into public interest lawyers and lifetime pro bono champions.” □

“The Sparer Program has become a beacon to generations of public interest lawyers, advocates, and activists.” — Professor Elizabeth M. Schneider



## Financial Market Experts Discuss “Snap Decisions” at Pomerantz Lecture

In March, Brooklyn Law School hosted the Abraham L. Pomerantz Lecture, which addressed securities regulation in the context of today’s lightning-speed financial markets and the snap decisions they demand.

Frank Partnoy, the George E. Barrett Professor of Law and Finance and co-director of the Center for Corporate and Securities Law at the University of San Diego School of Law, as well as one of the world’s leading experts on the complexity of modern finance and financial market regulation, gave a thoughtful and nuanced keynote speech. In his talk, entitled “Don’t Blink: Snap Decisions and Securities Regulation,” Partnoy addressed the speed of contemporary securities markets, the “crush of technology,” and the costs and benefits of the rate at which new information comes to light and decisions are made. He argued that few had time to think carefully during the 2008 financial crisis or the “flash crash” of May 6, 2010, when stocks plunged roughly six percent in minutes and then rebounded almost as quickly.

“Two seconds is rarely the optimal amount of time to make a decision,” Partnoy said. “The financial crisis could have been avoided had more time been taken to analyze information.” He argued that current-day securities regulation would benefit greatly from “the art and science of delay: knowing when to go fast, and when to go slow.” He also advocated more and better



LEFT TO RIGHT: *Profs. Kent Greenfield, Frank Partnoy, Kristin Johnson, and James Fanto.*

discussion of worst-case scenarios in securities law, but, he explained, “Dodd-Frank doesn’t do that.” As a result, banks are not incentivized to engage in more protracted decision-making processes.

Kent Greenfield, Professor of Law and Law Fund Research Scholar at Boston College Law School, and Kristin Johnson, Associate Professor of Law at Seton Hall University School of Law, both specialists on the law of financial products, commented on Partnoy’s keynote and discussed their recent scholarship.

Greenfield addressed how group decision-making can be influenced by common biases of human thought and judgment, and argued that, “when we make decisions as groups, we should encourage dissent, encourage different perspectives,” and focus

by individuals on their respective areas of expertise to prevent negative outcomes. Johnson shared her thinking on microeconomic factors and individual versus deliberative decision-making in the context of risk management. All three participants agreed that delay strategies—for example adding infrastructural delays that prevent hasty action or even mandating lunch breaks during the trading day—could lead to effective restructuring of securities laws.

The discussion was moderated by Professor James Fanto, Brooklyn Law School’s resident securities law expert, who also organized the lecture. Those in attendance had the opportunity to engage in a rich discussion with the speakers at a post-lecture reception. □



The Pomerantz Lecture honors the life and work of Abraham L. Pomerantz '24, a highly respected securities lawyer and a champion of investors’ rights who was the founding partner of the firm of Pomerantz Haudek Block Grossman & Gross LLP. After the stock market crash of 1929, Mr. Pomerantz focused his attention on protecting the rights of small investors, earning a reputation as “the father of the shareholder suit.” He was also one of the leaders of the prosecution of German industrialists after World War II. Following Mr. Pomerantz’s death in 1982, his family, law firm, and friends established the Abraham L. Pomerantz Series. Since its inception, each Lecture has focused on a corporate securities law topic and a related topic of professional responsibility, issues of special concern to Mr. Pomerantz. The bi-annual lecture continues to be generously sponsored by Pomerantz Haudek Grossman & Gross LLP.



# Strong Showing of Clerkships for BLS Graduates

This fall, 28 graduates will begin serving as judicial clerks in federal and state courts across the country at both the trial and appellate levels, learning the intricacies of the legal process and the nuances of legal writing from a coveted vantage point. “With the support of the president, dean, faculty, and career center, an impressive number of our students and alums received offers for judicial clerkships,” said Professor James Park, chair of the clerkship committee. “These clerkships reflect the reputation of Brooklyn Law School for producing exceptional lawyers who are talented, hard-working, and well-trained.” □

## CLERKSHIP APPOINTMENTS

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### **Lisa Baldesweiler '11**

Judge David J. Issenman  
NEW JERSEY SUPERIOR COURT

### **Nicholas Bamman '11**

Judge Joseph Irenas  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

### **Joanne Barken '10**

Justice Bert Bunyan  
SUPREME COURT, KINGS COUNTY

### **Alexander Brandes '11**

Judge Patricia K. Costello  
NEW JERSEY SUPERIOR COURT

### **Risa Chalfin '11**

Judge Glenn J. Berman  
NEW JERSEY SUPERIOR COURT

### **Jameson Dempsey '11**

Magistrate Judge Roanne Mann  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

### **Valentina DiPippo '11**

Judge Mary C. Jacobson  
NEW JERSEY SUPERIOR COURT

### **John Esmay '07**

Judge William Pauley  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

### **Stanton Gallegos '11**

Judge Ralph K. Winter  
UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

### **Leah Graboski '11**

Judge Patricia K. Costello  
NEW JERSEY SUPERIOR COURT

### **Gaddi Goren '11**

Judge Francis B. Schultz  
NEW JERSEY SUPERIOR COURT

### **Evan Goldman '11**

Judge Barry P. Sarkisian  
NEW JERSEY SUPERIOR COURT

### **John Gortakowski '07**

Magistrate Judge John Conroy  
UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT

### **Matthew Handler '10**

Judge Anthony Porcelli  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA

### **Nick Kaluk III '11**

Judge Allan L. Gropper  
UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

### **Heather Martone '11**

Magistrate Judge Ramon Reyes, Jr.  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

### **Jill Maxwell '07**

Judge Robert E. Cowen  
UNITED STATES COURT OF APPEALS  
THIRD CIRCUIT

### **John Mulvaney '11**

Staff Attorney  
UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

### **Lesley Peterson Johannsen '11**

Judge Barry Weisberg  
NEW JERSEY SUPERIOR COURT

### **Jennifer Reynolds '11**

Chief Magistrate Judge Henry Pitman  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

### **Carmela Romeo '11**

Chief Magistrate Judge Henry Pitman  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

### **Carrie Ross '11**

Judge Evan J. Wallach  
UNITED STATES COURT OF INTERNATIONAL  
TRADE

### **Andrew Schwenk '11**

Judge Edward R. Korman (2011-2012)  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

### **Judge John Walker (2012-2013)**

UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

### **Peter Scoolidge '08**

Judge Roslynn Mausekopf  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

### **Benjamin Stockman '06**

Magistrate Judge Michael Wilner  
UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

### **Kevin Sullivan '10**

Judge Denny Chin  
UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT

### **Ryan Wagner '11**

Judge Robert Grossman  
UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

### **Sarah White '11**

Chief Magistrate Judge Joan Azrack (2011-12)  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

### **Judge Nicholas Garaufis (2012-13)**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

## 2010-2011 Moot Court Teams Rack Up Awards

Brooklyn Law School's Moot Court program, one of the most distinguished and accomplished programs in the country, celebrated an exciting and successful season. In more than 30 competitions nationwide, students won individual awards for outstanding appellate and trial advocacy, and teams won competitions and advanced to many quarter-final, semi-final, and final rounds. *Lawschooladvocacy.com* recently ranked the Law School's Appellate Division Seventh Best in the nation for the 2010-2011 season.

"Our success would not be possible without such strong support from the faculty," said Christopher Casa '11, who was president of the Moot Court Honor Society this past season. "We are thankful to all of the faculty members who attended our practices and helped our competitors develop their arguments."

"The Brooklyn Law School community is thrilled by the success of the Moot Court



*Moot Court Honor Society Members.*

Honor Society," said faculty advisor Robert M. Pitler. "We are grateful to the faculty and student advisors, to the coaches and practice round judges, and we are particularly proud of our student advocates who

thoughtfully prepared, practiced, and performed at the highest personal and professional levels. Winning aside, their reward is experiencing an out-of-classroom education that is priceless." □

## The 26th Annual Prince Competition: Eighth Circuit Justice Duane Benton Serves as Jurist in Residence



*LEFT TO RIGHT: Hon. Thomas I. Vanaskie, Hon. Duane Benton, and Hon. Joette Katz preside over the Prince Competition.*

Thirty-six teams from across the country competed at the 26th Annual Dean Jerome Prince Memorial Moot Court Competition, which culminated on April 2 with Georgia State College of Law defeating Southwestern Law School. The competition, which is one of the largest and most prestigious in the nation, honors the late Brooklyn Law School Dean Jerome Prince, a renowned evidence scholar.

The competition problem, a complex criminal case involving issues related to the federal "Rape Shield" law, was written by Prince Competition student authors Andrea Clisura '11, Scott Krischke '11, Joshua Saltzman '11, Sara Sullivan '11, and Laura Zaccone '11, with the assistance of faculty advisors Neil P. Cohen, Mollie Falk, and Robert M. Pitler.

This year's esteemed bench of justices included the Honorable Thomas I. Vanaskie of the United States Court of Appeals for the Third Circuit, the Honorable Joette Katz, retired Justice of the Connecticut Supreme Court, and the Honorable Duane Benton of the United States Court of Appeals for the Eighth Circuit. In addition to judging the final round, Judge Benton spent a week as the Law School's first Jurist-in-Residence, during which he visited a number of classes and also met informally with faculty and students in more intimate settings.

Commenting on Judge Benton's visit, Michael Cahill, Associate Dean for Academic Affairs, said, "Getting a perspective from the bench on a host of legal issues provided an invaluable, and enjoyable, learning opportunity for our students—and our faculty." □

## Highlights from the 2010-11 Moot Court Honor Society Season

### First Place

- **DOMENICK L. GABRIELLI NATIONAL FAMILY LAW TEAM**  
Jacqueline Conahan '12 and Laura Richenderfer '12, coached by Robert Witherwax '11
- **ABA LABOR AND EMPLOYMENT TRIAL TEAM**  
Shawn Clark '12, Hannah Roth '12, Kalish Bell '12, and Gleennia Napper '12, coached by Carolyn Davis '11 and Daria Licausi '11

### Semi-Finalists

- **NEW YORK CITY BAR NATIONAL MOOT COURT COMPETITION, NEW YORK REGION TEAM**  
Mathew Vince '11, Robert Witherwax '11, and Sarah Young '11, coached by Christopher Casa '11 and Christopher Repole '11
- **PHILLIP C. JESSUP INTERNATIONAL LAW MOOT COURT TEAM, NORTHEAST U.S. SUPER REGIONAL**  
An Duong '12, Julia Kahlig '12, Nicole Lauterbach '12, and Antonia Pereira '12, coached by Joel Bermejo '11, Amy Hsieh '11, and Randi Scherman '11 (Team also won Third Best Brief)
- **NATIONAL ENVIRONMENTAL LAW MOOT COURT TEAM**  
Merissa Kraham Velez '12, Leslie Miller '13, and Dana B. Wolfe '12, coached by Andrea Clisura '11 and Thomas Ostendorp '12 (Miller and Wolfe also won the Best Oralists awards in the preliminary rounds)
- **NAVY JAG CORPS MOOT COURT TEAM**  
Will Hine-Ramsberger '12, Thomas Ostendorp '12, and Bowen Ranney '11, coached by Natalie Mayo '11

### Second Best Brief

- **ALLEGHENY ACADEMY OF TRIAL LAWYERS MOCK TRIAL TEAM**  
Lucas Christiansen '12, Emily Farquharson '12, and Molly McGrath '12, coached by Carmela Romeo '11 and Kelly VanDevelde '11
- **WECHSLER FIRST AMENDMENT MOOT COURT TEAM**  
Samuel Lewis '11 and Jason Melville '11, coached by Christopher Hickman '11 and Christopher Repole '11

## “Too Big to Fail?” Symposium Addresses Comparative Approaches to Systemic Risk

The 2008 financial crisis threatened the stability of financial institutions worldwide and focused attention on firms, financial or otherwise, that might be deemed “Too Big to Fail.” The crisis led directly to the creation, under the recently enacted Dodd-Frank Bill, of a “Resolution Authority” for non-bank entities whose failure might create systemic risk. On February 25, Brooklyn Law School hosted a day-long symposium examining the different strategies that have been used to deal with such systemic risk, both domestically and abroad.

Organized by Edward Janger, the David M. Barse Professor of Law, the symposium brought together leading experts in the fields of banking and securities regulation. In addition to Professor Janger, BLS Professors James Fanto and Roberta Karmel participated, as did professors from Columbia Law School, George Washington University Law School, the University of California, Davis, School of Law, and Fordham University School of Law. The international community was represented by professors from Berlin and London.

The panelists suggested that a stand-alone Resolution Authority was not the only option available to policy makers. Instead, they proposed that the Bankruptcy Code might have been amended to facilitate the restructuring of such institutions, and that other insurance schemes might have been considered. Indeed, in other countries, a variety of approaches has been followed.

The speakers considered the effectiveness of the Resolution Authority in light of alternative domestic regimes, such as state insurance resolution, the Securities



*Prof. Jeffrey N. Gordon of Columbia Law School discusses the effectiveness of a “Resolution Authority.”*

Investor Protection Corporation, and the Pension Benefit Guarantee Company. They also considered the approaches followed in Germany, the UK, the EU generally, and Canada. Finally, they discussed the sales of Chrysler and GM in bankruptcy.

Throughout the symposium, the speakers discussed the complex interaction between market discipline and the role of governments in maintaining financial market stability. The consensus was that Dodd-Frank was neither the starting nor the ending point of the theoretical and policy discussions.

The symposium was co-sponsored by the *Brooklyn Journal of Corporate, Financial and Commercial Law* and the Dennis J. Block Center for the Study of International Business Law. Papers from the symposium will be published in a forthcoming volume of the *Journal*. □



## New Exchange Program with Argentina's Universidad Torcuato Di Tella



Brooklyn Law School students have a number of exciting opportunities for study abroad, including summer programs in Beijing and Bologna and semester-long exchange programs in Hamburg, Germany; Colchester, England; Cork, Ireland; and Hong Kong, China.

The Law School's newest exchange program is a partnership with the Universidad Torcuato Di Tella (UTDT) School of Law in Buenos Aires, Argentina. This private, non-profit university was founded in 1991 and opened its School of Law in 1996 with the goal of providing a high-quality legal education that would promote the establishment of a reliable, just, and efficient legal system in Argentina.

"Globalization demands that today's law students—tomorrow's lawyers—be prepared to meet the challenges of practicing law in an international framework," said Interim Dean Michael Gerber. "Our study

abroad programs are keeping pace with this pressing need."

Located in the bustling port capital of Buenos Aires, UTDT offers students who are fluent in Spanish a unique opportunity to study law in Spanish from a civil law system perspective. The program highlights courses in tax law, law and economics, business law, law and finance, criminal law, and law and public policy.

"Our exchange program with UTDT is an opportunity for our Spanish-speaking students to study law in a country experiencing continued economic growth," said Julie Sculli, Academic Services Coordinator. "It is an ideal program for students wishing to study international law with a focus on relationships with Central and South American clients or who generally plan to serve Spanish-speaking populations in the U.S. during their legal careers." □

## CLARO Student Group Wins New York State Bar Pro Bono Service Award

On May 2, the New York State Bar Association (NYSBA) presented its 2011 President's Pro Bono Service Awards. Brooklyn Law School's Civil Legal Advice and Resource Office Student Action Group (CLARO) won in the law school category for its commitment to pro bono work.

"The recipients of our President's Pro Bono Service Awards have answered the call with genuine concern, dedication, and generosity," said NYSBA President Stephen Younger. "I congratulate them on a job well done."

CLARO was created by the Brooklyn Bar Association Volunteer Lawyers Project and Brooklyn Law School in response to the overwhelming numbers of consumer debt cases inundating the civil court system and a dearth of legal service providers handling such cases. CLARO provides legal advice to *pro se* debtors at a free walk-in clinic and students and attorney volunteers educate the Brooklyn community about consumer debt.

For the academic year of 2010-2011 students handled a record 95 cases, dismissing a total of \$391,080 of consumer debt. Since the inception of the program in 2006, CLARO has been replicated with additional programs in other New York City boroughs modeled after the success of the Law School's initiatives.

"These students have worked with exceptional dedication to help 'unfreeze' funds of elderly citizens crucial for them to meet essential needs such as food and medication, end harassment by



LEFT TO RIGHT: *Sidney Cherubin, Managing Attorney for the Brooklyn Bar Association Volunteer Lawyers Project, Erica Kyzmir '11, Timothy McKeon '11, and John Buhta '09.* (Photo courtesy of the Brooklyn Barrister.)

overzealous third party collectors, get unfounded claims dismissed, and help community members to understand the legal process and obtain due process," said Elizabeth Kane, Director of the Public Services Programs Office. "The Law School is extremely proud of their efforts." □



## New Health Law and Policy Fellows Named

Five rising second-year students have been named recipients of the Law School's newly created Health Law and Policy Fellowship. They are Adam Blander, Rebecca Ford, Dina Halajian, Alana Heumann, and Anand Patel.

This new fellowship is designed for students who have demonstrated academic or professional achievement in health, public health, science, or biotechnology, and who are interested in pursuing legal careers in those fields. The primary focus of each fellow will be to complete a major research project on a legal or policy issue related to medicine, health care, public health, or biotechnology. Each fellow will work closely with at least one faculty member or leading professional on his or her research project.

"We had a terrific pool of candidates with very strong credentials," said Karen Porter, Assistant Professor of Clinical Law and Executive Director of the Center for Health, Science and Public Policy. "We selected the fellows based on their leadership skills, academic credentials, and commitment to public service."

The five students bring unique perspectives and interests to the Center for Health, Science and Public Policy, and their research areas are as varied as their backgrounds. "Each of these inaugural Fellows is individually outstanding," said Associate Dean of Academic Affairs Michael Cahill, who was part of the selection committee, "but we are especially excited about the range and depth of their collective interests and pursuits."

Adam Blander has worked on research that focuses on issues relating to urban health environments and community-centric



LEFT TO RIGHT: Prof. Karen Porter with Health Law Fellows, Adam Blander, Dina Halajian, Alana Heumann, Rebecca Ford, and Anand Patel.

health services. In the fall, he will be working at the New York Attorney General's Health Care Bureau. Rebecca Ford will combine two of her interests, the Internet and health law, through a project that will seek best practices for Hospital Online Patient Portals. Dina Halajian has previously studied the relationship among memory, food intake and obesity. She is interested in the social and policy ramifications of food and drug laws, as well as finding practical solutions to health disparities. Alana Heumann plans to focus on Medicare and long-term care issues, and Anand Patel will study policies that have the potential to affect biotech and medical device companies, such as the America Invents Act. □

## Skating Under the Stars

On February 3, the Student Bar Association and Brooklyn Law School Alumni Relations Office co-sponsored a night of ice skating at Bryant Park's City Pond. Brooklyn Law School students were joined by graduates, faculty, staff, family, and friends as they spent the evening showing off their skills on the rink. Others warmed up from the winter chill in the Citi Pond café with steaming cups of hot chocolate.



# Legal Lights

## **AIMÉE SCALA '13** ***Wins National Law Review Contest for Article on Copyright Law and Visual Arts***

Aimée Scala '13, a part-time student and the photo editor of *Artforum* magazine, has won the *National Law Review* 2011 Student Legal Writing Contest for her article, "Notions of the Transformative in Law and the Visual Arts." The article explores the far-reaching ramifications of the decision in *Gaylord v. United States*, contending that it "poses severe limits on what may now be considered fair use of copyrighted materials."

The case involved a commemorative U.S. postage stamp that portrayed a stainless steel sculpture of foot soldiers that is part of the Korean War Memorial in Washington D.C. The image was derived from a photo of the sculpture taken at dusk during a snowstorm, which imparted a surreal mood, the photographer explained. The image was further altered by printing the stamp in shades of gray.

The sculptor, Frank Gaylord, sued the United States for copyright infringement. The Court of Federal Claims found the use of the image to be a fair use. However, the Court of Appeals for the Federal Circuit reversed, holding that the use was not transformative because it did not use the image of the sculpture "as part of a commentary or criticism."

Scala's article described many works of art that have changed the context of an image or object, thereby changing its meaning. "The Federal Circuit—by narrowing

transformative to include only comment or criticism of the copyrighted work—dismisses wholesale a broad range of established artistic practices and ignores the constitutional mandate that grounds U.S. copyright law, namely that exclusive intellectual property rights be granted to authors and inventors for limited times 'to promote the progress of science and the useful arts,'" wrote Scala. "The holding of *Gaylord* may strangle creative energy and stifle previously protected artistic expression with the ominous threat of legal repercussions, while rejecting important and established artistic practices," Scala asserts.

Scala was a research assistant to Professor Jason Mazzone last summer, an experience she says greatly helped her writing process. "Working with Professor Mazzone on his forthcoming book, *Copyfraud*, dealing with 'overreaching' in intellectual property law, gave me the confidence I needed to write this piece."

***"The Law School has supported me and created an environment where I feel more empowered and capable of doing the type of community advocacy I came here to do."*** — LESLIE MILLER '13

## **LESLIE MILLER '13** ***Wins Fellowship to Study Land Use Law***

Leslie Miller '13, who is enrolled in the joint-degree program at Brooklyn Law School and Pratt Institute, was awarded the prestigious American Planning Association (APA) Daniel J. Curtin Jr. Planning Law Division Fellowship. The year-long fellowship supports the study of land use planning and its relationship with the law. As part of the fellowship, Miller will write an article for publication, attend national educational programs, and receive a \$4,000 stipend.

Miller's APA Fellowship will build on her experience as an Edward V. Sparer Public Interest Law Fellow at BLS and as a Planning Fellow at the Pratt Center for Community Development, where she will earn a Master of Science in City and Regional Planning.

Her current projects include developing a plan for a public marketplace to revitalize the Brooklyn neighborhood of East New York and leading the fast-growing Street Vendor Pro-Bono Project, which she founded after interning at the Urban Justice Center's Street Vendor Project.

"Street vendors are very much like other small business owners in the city—hard-working immigrant entrepreneurs who need a voice in the planning process," Miller said. To date, the Project has trained 25 BLS students to represent vendors at Environmental Control Board hearings, and the students also have worked on legislation.

Miller has always been passionate about what makes cities tick. "I care about

what gives people a sense of pride—what makes them want to invest, open a store, live and work in a city." After earning a B.S. degree in Economics from New York University's Stern School of Business, Miller was selected as a NYC Urban Fellow in the newly-formed Mayor's Office of Industrial and Manufacturing Businesses. She was part of the team that shaped the legal framework for Industrial Business Zones—areas of the city that are protected for use by small manufacturers. Miller spent two more years in the Mayor's office as director of the NYC Empire Zones program, and then became program manager at the Metropolitan Waterfront Alliance, where she organized



Aimée Scala '13



Leslie Miller '13



Catherine Frizell '12



Lindsey A. Zahn '12

the first festival on Governors Island. It drew 10,000 people, including many street vendors. In forming working relationships with them, she said, "I began to appreciate a whole range of economic and social justice issues I knew nothing about."

Miller's desire to become a more effective advocate led her to law school, and the public interest curriculum and the joint-degree program led her to BLS. "The Law School has supported me and created an environment where I feel more empowered and capable of doing the type of community advocacy I came here to do," she said.

### **CATHERINE FRIZELL '12** **Awarded Education Pioneers Fellowship**

Catherine Frizell '12, a former Teach for America Corps Member based in Phoenix, Arizona, was awarded the Education Pioneers Fellowship. Education Pioneers, a national nonprofit organization that places talented leaders in leadership roles outside of the classroom, received more than 2,000 applications from across the country for just 330 fellowship opportunities.

For ten weeks this summer, Frizell worked at LatinoJustice PRLDEF, a nonprofit civil rights organization that employs impact litigation to protect the constitutional rights of members of the Latino community. She focused on projects deemed "mission critical" to the education reform movement, including the organization's immigrants' rights docket, and on cases involving the right to public education and access to higher education.

She researched litigation issues arising in *Aguilar v. ICE*, a case in which the plaintiffs have alleged that their Fourth Amendment

rights were violated by unlawful raids of their homes. Frizell said she was drawn to this issue because the children present in the homes during the early morning, paramilitary style raids were traumatized by witnessing family members and other residents being forcefully arrested and detained by ICE agents.

Frizell explained that she first became aware of the interplay between "discriminatory law and immigration enforcement policies and practices" and educational achievement in immigrant communities during the three years she spent as an elementary school teacher. This experience inspired her to become involved with projects like LatinoJustice PRLDEF. She hopes to continue contributing to projects that spur positive policy reforms, and ultimately to help create communities where all students can learn and thrive.

### **LINDSEY A. ZAHN '12** **Wins Trandafir International Business Writing Competition**

Lindsey A. Zahn '12 won the Trandafir International Business Writing Competition for her note, *Australia Corked its Champagne and So Should We: Enforcing Stricter Protection for Semi-Generic Wines in the United States*. Zahn is the second BLS student to win this honor. The 2009-2010 awardee was Sarah Westby '11, who won for her article on consumer protection regimes in Italy and the U.S.

Zahn's note examines a hot topic in wine law, the recently signed Agreement between Australia and the European Community (EC) on the wine trade. This agreement deals with the protection of wine names based

upon the origins of the wine and/or grapes, and it seeks to enforce stricter legal protections to prevent the generic use of wine names, which can be used for a specific and unique product, such as champagne.

The note, which will be published in the University of Iowa College of Law's *Journal of Transnational And Contemporary Problems* (forthcoming 2012), argues that the United States should enter into a similar trade agreement with the EC.

Zahn credits Professor Claire Kelly with encouraging her and supporting her research. "Professor Kelly has been inspiring and so helpful in terms of pursuing my research," said Zahn, who was Kelly's research assistant this past year. Zahn's interest in wine law was piqued by the 2008 Brunello di Montalcino scandal that erupted when some winemakers used a blend of grapes in their Brunello, which by Italian law must be made solely with sangiovese grapes. In response, prosecutors in Italy impounded millions of bottles from some of the most prominent Italian winemakers. Once Zahn was selected for the *Brooklyn Journal of International Law* (where she serves as Executive Articles Editor), she knew that her note would focus on a similar timely issue of wine law.

Based on the interest in her note, and thanks to her popular blog, "On Reserve: A Wine Law Blog," Zahn was accepted to the Summer 2011 Wine and Law program in Champagne, France, a first for a law student from the United States. She was also invited to attend the UC Davis Wine Law Conference, one of the most prestigious wine conferences in the nation, and most recently was invited to attend the Center for Wine Origins' annual Harvest Trip to Porto, Portugal. □



# Clinic Roundup



*Safe Harbor students (IN CENTER, LEFT TO RIGHT) Gia Curatola '11, Riti Singh '12, and Leigh Mangum '11.*

## Banner Year for Safe Harbor Project

The Safe Harbor Project won an impressive number of victories this year for asylum-seekers from Iraq, Haiti, Tibet, Bangladesh, Saudi Arabia, Egypt, Guinea and Jamaica. “There is no such thing as an easy asylum case,” said Professor Stacy Caplow, director of the Law School’s Clinical Education Program and co-director of the Safe Harbor Project. “Clinic students can be proud that their hard work resulted in such successful outcomes.”

Indeed, each and every one of the Safe Harbor Project’s hard-won victories serves to change the course of a life. In one particularly moving case last term (described in the box to the right), students successfully advocated the case of an Iraqi Christian and her daughter, who were referred to the Clinic by the Refugee and Immigrant Fund (RIF) Asylum Help Center. □

“In the beginning, the road to my asylum was difficult, foggy and rocky. At times I felt like giving up. But once Professor Dan Smulian from Brooklyn Law School and the Safe Harbor Clinic agreed to represent me, I started to gain hope. Professor Smulian and his dedicated students as well as my RIF Asylum counselor got down to the details of my story and my struggle. I can’t begin to thank them. I shall forever be grateful to RIF and Brooklyn Law School for everything they helped me with; I could see the bright future in their eyes and their words and their tremendous work.

After my asylum interview, I went to the immigration office to get the decision of whether I was granted asylum. That day felt as if the entire struggle of my life rested on my shoulders, because I did not know how my life would turn. My whole life was at a stake. I remember being called by a beautiful lady, who with a calm voice and radiant smile, congratulated me for being granted asylum.

My face changed from being tense, anxious, and afraid to happy with a huge smile; it was a moment of mixed emotions—happy and surprised, grateful and appreciative yet my whole struggle passed through my eyes like a movie and I cried out of happiness, I lost words but my heart was jumping for joy, what a jubilant moment, I reclaimed my life and freedom, it was worth millions, life and freedom is so precious.

Now that my asylum has been approved, I can see the horizon is wide open for me and especially my daughter. We have a bright future that awaits us, a future that is wide open and for us to be able to live freely. Now we can say we have a home, New York. Now I can use my skills and education to look for a job and start my dream of establishing my own business. Now I can catch up on all the years I lost before. Now my daughter can plan her own future, and be the woman she wants to be... I am a happy free woman.”

—Safe Harbor Project Client



# Three Exciting New Clinics Added to Curriculum

As part of its commitment to keep pace with changes and developments in the law, the Law School is pleased to announce three new clinical offerings: the BLS Exoneration Initiative Innocence Clinic; the Youth Reentry and Legal Services Clinic; and the New York Civil Court Consumer Law Externship.

## BLS INNOCENCE CLINIC

The newly formed BLS Innocence Clinic works in conjunction with the Exoneration Initiative (EXI), a pioneering nonprofit located in lower Manhattan that litigates non-DNA innocence cases. It is a successor to the Second Look Program, the highly-successful clinic created and directed by Professor William Hellerstein. In this new clinic, taught by Adjunct Professor Glenn Garber, founder and director of EXI, students are assisting wrongfully convicted persons in New York with a focus on the most challenging cases, those that lack DNA evidence.

Because DNA only exists in approximately ten percent of criminal cases, exonerations based upon DNA evidence represent a fraction of wrongful convictions. This Clinic targets the often forgotten and under-represented, but larger population, of inmates. The goal of the Clinic is to work directly with EXI in its efforts to provide free legal services to indigent inmates with claims of actual innocence, and conduct impact litigation to advance legal precedent favorable to potentially wrongfully convicted persons.

Students screen and evaluate potential cases for innocence, work on investigations, meet with clients, prepare post-conviction motions and observe and assist with post-conviction hearings and retrials. Students also research and write about the rapidly evolving law that is shaping exoneration litigation for articles, amicus briefs, and educational materials.

## NEW YORK CIVIL COURT CONSUMER LAW EXTERNSHIP

In the current economic downturn, many New York consumers are being summoned to court by debt collectors. While all plaintiff creditors are represented by counsel, only an estimated one percent of debtor defendants are represented. Most defendants have nowhere to turn because of the dearth of free legal services in this area.

The New York Civil Court Consumer Law Externship provides students with the opportunity to advise and counsel clients dealing

## YOUTH REENTRY AND LEGAL SERVICES CLINIC

Students in the new Youth Reentry (YR) and Legal Services Clinic work directly with young people who have been involved with the criminal justice system (generally misdemeanor convictions), helping them to find employment, to secure public housing, and to continue their education. These youths often have extreme difficulty reintegrating into their communities as misdemeanor convictions carry a host of legal and practical challenges.

Students in the Clinic are learning substantive law in the areas of criminal justice and reentry. They also assist in direct legal representation in both criminal and family courts, and on issues related to employment discrimination, school suspension, public housing, and access to higher education.

Adjunct Professor Laurie Parise '04, the founder and director of YR is teaching the clinic along with another graduate, Michael C. Pope '10, who recently won an Equal Justice Fellowship to join her in expanding YR's reach and impact.



LEFT TO RIGHT: *Michael Pope '10, Attorney, Youth Represent; Maura McCarthy '13; Alison Wilkey, Sr. Staff Attorney, Youth Represent; Laurie Parise '04, Executive Director, Youth Represent; Adam Scavone '13, and Emily Hendel '13.*

with consumer credit issues in NYC Civil Court. This externship provides hands-on lawyering experience, while helping some of the city's most disadvantaged litigants.

Sidney Cherubin, Supervising Attorney at the Brooklyn Bar Association Volunteer Lawyers Project, teaches the clinic, which is an outgrowth of the award-winning CLARO/SAG, which provides legal advice to consumer debtors facing lawsuits (see article on page 14).

# Brooklyn Beginnings

## Seven First-Year Students Share Their Stories

*By Andrea Strong '94*

Fall is here, and for 390 students, the first year of law school has arrived. On the following pages, we introduce seven members of the entering class. Like their peers, the depth and range of their professional, academic, and personal experiences enrich the Law School's present and its future.

"This class is academically distinguished, and its depth of experience formidable," said Henry W. Haverstick III, Dean of Admissions and Financial Aid. "Largely because of our reputation, Brooklyn Law School was one of only 31 law schools in the nation to experience an increase in application volume this year."

The students featured in this article bring with them a variety of experiences, from a Marine who was deployed to Iraq and Afghanistan, to a Teach for America Corps member who taught fifth grade in Crown Heights, to a White House staffer responsible for archiving the President's personal effects. They come from as far away as Istanbul and Singapore, and as near as Long Island and New Jersey. They were chosen from over 6,000 applicants—the largest pool in the Law School's history—and an extremely competitive pool of candidates.

Their stories are all different, but they share a burgeoning passion for the law, and together they paint a portrait of the entering class and all of its potential.



## TEISHA RUGGIERO

BA, McGill University, *with honors*  
MSc, London School of Economics

It's not every day that a surrealist painter decides to pursue a master's degree in comparative politics and a law degree to boot, but Teisha Ruggiero did just that. Ruggiero, who has been painting since childhood, was quite sure she'd remain an artist for the rest of her days. Somewhere along the way, though, her plans changed. "I'd always thought I'd be an artist and do something a little unconventional with my life," she said. "I am an artist in my heart." But her time at McGill University helped steer her toward a surprising interest in the law. "McGill was where I developed a passion for public policy and political science," she said. "I attribute that to my professors who were active in real-world policy making and taught us about pivotal international issues as they were unfolding."

After graduating from McGill with honors, she pursued a master of science degree with a focus on politics and markets at the London School of Economics. While at LSE, she worked as a researcher at Oxford University for Dr. Henry Hardy, who was compiling the works of the political philosopher Isaiah Berlin, and also worked as the communications officer for Jonathan Fryer, a Liberal Democrat candidate who was running for Parliament. "We lost the race, but I learned how to be very diplomatic and careful when explaining a policy position," she said. "I now understand why discussions are more productive when they're not emotionally charged."

Her final dissertation at LSE discussed the market effects of United States legislation leading up to the 2008 recession. "I was passionate about so many subjects—history, international relations, Middle Eastern politics—but my master's degree solidified my interest in financial regulation and financial markets and the workings of the larger international political economy."

In the wake of Dodd-Frank, Ruggiero moved to Washington, DC and took a position as a policy analyst intern for the Congressional Research Service, which provides policy and legal analysis to committees and members of both the House and Senate. She co-authored reports and helped brief Congress on the ways in which the Dodd-Frank Act might affect the United States financial industry. "It was really interesting to see first-hand how the legislature works. There are a lot of ideas being shared and a lot of seminars being given in and around the Capitol building, and it was exciting to be part of that."

Her experience at the CRS helped guide her in the direction of law school. "While at the CRS, I was constantly reading statutes and working with lawyers. My mentors thought that law school would be a fruitful experience for me. I also realized from my work on my masters and my work at the CRS that I would enjoy studying to become a lawyer as well as the actual practice of law."

To learn more about the many schools she was applying to, Ruggiero reached out to several faculty members at these schools. "The BLS professors not only responded to me most quickly, they were also the most personal. They invited me to



Teisha Ruggiero  
*The Painter*

*“I'd like to work with financial markets to help make them stronger. Law seems like the ideal place to start because of the deep interconnections of policy and markets.”*

come in and to speak with Professor Karmel even before I committed, and not one other school did something like that.” With a personal introduction to the Law School's programs, Ruggiero said she chose Brooklyn Law School for its strong international business law program, its symposiums, and its wealth of connections to government agencies and financial firms in the city.

Looking ahead, Ruggiero hopes to work at an agency such as the Securities and Exchange Commission or the New York Federal Reserve, and to work with financial markets to help make them stronger. “Law seems like the natural place to start because of the deep interconnections of policy and markets,” she said. “Ideally, I'll eventually have an opportunity to work on policy in this area.”

As for her art, Ruggiero remains active in her painting and has an online gallery at ArtSlant. (Her portfolio can be viewed at [www.artslant.com/global/artists/show/131373-teisha-ruggiero](http://www.artslant.com/global/artists/show/131373-teisha-ruggiero).) “I have been painting as far back as I can remember,” she said. “And I always intend to paint. I like having a creative outlet. It gives my life balance. That's something every law student, and lawyer, needs.”





**Nathan Cox**  
*The Marine*

### **NATHAN COX**

**BS, United States Naval Academy**  
**Tactical Air Control Party School, Little Creek, VA**  
**Infantry Officer Course, Quantico, VA**  
**The Basic School, Quantico, VA**

Most law school hopefuls fill out their applications from the comfort of their own home, or perhaps the buzzing local coffee shop. Not so for Nathan Cox. He applied to Brooklyn Law School from his barracks in Kandahar, Afghanistan.

Cox, a U.S. Marine Corps infantry officer, had completed two deployments as a rifle platoon commander in Iraq and another to Afghanistan when he realized he wanted to go to law school. He was 23 years old when he led his first platoon of 53 men through Al Qaim, Iraq. His platoon took no casualties, despite being in the region of the Western Anbar Province with the highest concentration of improvised explosive devices (IEDs). “There were lots of IEDs, and here I was in charge of all these guys. I was in charge of their routes, and of who got punished, and who was on guard duty. It was incredibly stressful.”

The stress from the IEDs was one thing; the pressure of complying with the intricate web of Marine combat laws was another. It required a mind that could see the clarity of the rule of law through the dense fog of war. “The way we operate is very legalistic,” he said. “There are rules governing everything you do, especially related to civilian casualties and how you handle detainees. When you are in charge of people, you find yourself in the position of having to explain these laws. That was the hardest part of being a platoon commander—trying to explain that.”

Cox rose to the demands of his leadership position and was awarded two Iraq Campaign Medals and a Global War on Terrorism Service Award. After returning from Iraq, he was deployed to Afghanistan as Chief of Operations for the

“*Brooklyn Law School is the best place I could have ended up. It has a reputation as a strong public service school, which is ideal for my goals.*”

Operational Coordination Center (South) in Kandahar. His team was charged with helping Afghan staff officers in the Afghan National Army, the Afghan National Police, the Afghan Border Police and the National Directorate of Security work together and share information in planning operations in Southern Afghanistan. Already immersed in the legal world of the military, from his base in Kandahar, Cox took the next step and applied to law school.

“Brooklyn Law School is the best place I could have ended up,” said Cox. “It has a reputation as a strong public service school, which is ideal for my goals.”

Cox was born in Virginia, and comes from a family of Quakers. Despite his background, he had a long-standing desire to join the military and enrolled in the Naval Academy. “I always wanted to be in the Navy,” he said. “My personality is very physical and about being productive. I didn’t want a job where I sat in a cubicle and made money. I always wanted to make a difference.” Cox may not be a lawyer yet, but he has already begun speaking out against what he sees as injustice.

He broke ranks with the Marines and spoke out in support of the repeal of “Don’t Ask, Don’t Tell.” The piece he wrote, “Sexuality Doesn’t Matter in the Military,” was published in the *Washington Post* Op-Ed pages on December 16, 2010, just one day prior to the law’s repeal.

“In my experience,” he wrote, “the things that separate Marines in civilian life fade into obscurity on the battlefield. There, only one thing matters: Can you do your job? People care much more about whom you voted for or what city you’re from while on the huge airbase with five Burger Kings, or back in the States, than they do when they’re walking down a dusty road full of improvised explosive devices in Haditha or Sangin.” He continued, “It is time for ‘don’t ask, don’t tell’ to join our other mistakes in the dog-eared chapters of history textbooks. We all bleed red, we all love our country, we are all Marines. In the end, that’s all that matters.”

## First-Year Students by the Numbers

- The class has a median LSAT Score of **163**.
- **More than half** of the class was drawn from top-tier colleges and universities.
- Men make up **59%** of the class and women make up **41%** of the class.
- Minority students represent **26%** of the entering class.
- **63%** of students earned B.A. degrees one to five years prior to entering law school; **nine** percent have been out of college for **six** or more years.
- **Six** percent of students earned master's degrees and doctorates prior to entering law school.
- The class wide average age is **24**, the youngest in the class is **21** and the oldest is **42**.
- Students are legal residents of **27** states, Puerto Rico, and the District of Columbia, and **five** foreign countries.

### MELISSA MARTIN

BA, Boston University

MSc, Pace University

Melissa Martin's life changed in high school. Born in Calais, a small rural town in Maine, she was attending an under-resourced district school when she was selected to participate in Upward Bound, a federally funded college preparatory program serving high school students from low-income families and from families like Melissa's, in which neither parent graduated from college. Thanks to the education and support received at Upward Bound, she was accepted to Boston University. "I was only one of two students from my high school to attend an out-of-state school, and I know that it was because of Upward Bound," she said. It shaped her future as an educator and soon-to-be lawyer.

While at BU, she returned to Upward Bound for two summers, this time as a member of the staff, where she led a group of 10 students through their college prep coursework. "I wanted to address this huge problem that faces so many students who are not getting a good enough education," she said. "I struggled at BU at first because I wasn't really given the proper tools in high school and that put me at such a disadvantage. I didn't want other kids to go through that." After graduating from BU, on the Dean's List, she joined Teach for America (TFA), a national organization which recruits and trains highly-skilled college graduates to teach for two years in a low-income community. "I joined TFA because it's an organization that fights education inequity, which is something I experienced myself. It was a natural outgrowth of my work at Upward Bound. I had gotten so much from those teachers that I wanted to give back."



**Melissa Martin**  
*The Teacher*

Once accepted to TFA, through a rigorous, highly competitive process, Martin was assigned to teach fifth grade at P.S. 243 in Crown Heights. “It was quite challenging, but it was also an amazing experience,” she said. “I had a new principal who had an abundance of fresh ideas and I worked with a number of veteran teachers who I really learned a lot from. It was a school that continued to get better.” But the experience also brought to light many of the shortcomings of public education because of the lack of resources.

Martin left P.S. 243 after her two-year commitment, and moved on to a charter school, Excellence for Boys, in Bedford Stuyvesant for two more years. “The teachers at Excellence had so much energy and there was incredible leadership there,” she said. “At charter schools things are much more responsive and policies are changed when they need to be.” But the same issues she witnessed in public school were also present at the charter. “In both school settings I saw kids falling through the cracks,” she said. “Students whose families were torn apart by drugs, family issues, and gang violence remained at the bottom of the class.” Martin ultimately realized that to make the most difference to the lives of these children, she might be better served with a law degree.

She chose Brooklyn Law School specifically because of its commitment to public service and the breadth of its clinical courses. “The variety of coursework at Brooklyn is so much more in-depth than other schools,” she said. She was also swayed by word of mouth from friends. “Whenever I mentioned that I was coming here, all I heard was good feedback. I visited the Law School and I found that the atmosphere was positive and that the professors were engaging and down to earth.”

Martin hopes to pursue a career in family law, working directly with children she tried to reach as a teacher. “It will be hard to leave behind the opportunity to positively influence the lives of my students each year, but I am eager to be able to work more directly with the families that I was unable to truly help in the classroom.”



### **CHRISTOPHER LIEGEL**

**BA, Gettysburg College, *Magna Cum Laude***

When Chris Liegel left his position at the White House, where he was a records analyst in the classification section of the White House Office of Records Management, he received a rather special parting gift: ten minutes in the Oval Office with President Obama. “I got to bring my family, and we took a picture with the President. It was pretty incredible. After the photo, we were chatting, and the President said, ‘I hear you’re going to Brooklyn Law School! That’s a great law school. People tell you that first year is stressful, but keep up with the reading and you’ll be okay.’ I said, ‘Thanks. If I have any questions on Con Law, I’ll give you a call.’”

Liegel, who grew up in New Jersey (with a last name pronounced “legal,” no less), knew early on that he was destined to be a lawyer. He will be the first in his family. His father is a firefighter and his mother is a registered nurse. While Liegel’s mother hoped he’d pursue a career in medicine, he didn’t have the inclination. “Really, I just couldn’t be a doctor with this last name,” he joked.

Liegel attended Gettysburg College, where he designed a major that suited his dual interests in philosophy and political science, which he developed as a teenager. Liegel’s uncle was a Port Authority police officer, and along with his father, responded in the days after September 11th. “That event paved an early interest in the law, public policy, and national defense. I was fascinated by the idea of the Patriot Act and all the legal issues created as a result. It’s 10 years later, but 50 years from now it will still be important.”



*“I was inspired to become a lawyer because of my first-hand experience with the naturalization process and with the challenges my friends and family had in immigrating here after 9/11.”*

While in his last year at Gettysburg, in the fall of 2008, just as the financial crisis hit, he was selected as an intern in the Bush White House Office of Records Management, a crucial component of the Office of the Staff Secretary. He took classes at night so he could keep the job during the day. “I was one of the lucky ones,” he said. “Between the burden of the financial crisis, and my office being responsible for running the Presidential transition, we were working crazy hours, but it was very exciting.”

After graduating in 2009, Liegel returned to the White House under the Obama Administration, once again joining the Office of Records Management. He obtained a Top Secret Security Clearance for his post, in which he reviewed and archived over 300 of the President’s personal effects, in addition to managing information requests from the Staff Secretary. “The Office of the Staff Secretary manages paper, so every presidential correspondence, everything that made its way to the President or from the President made its way through us.” His position also gave him a rare up-close-and-personal glimpse of the life of the President. “I created an artifacts database that will eventually be managed by the National Archives, cataloguing a diverse selection of possessions he owned before assuming the presidency, from his car keys and car insurance from his first Jeep to his notes, emails, and faxes while he was a senator. It’s now a part of our history.”

After two years with the Obama Administration, Liegel decided it was time for law school. He hopes that when he graduates, he will return to working for the government, perhaps as a member of the JAG corps, or the Department of Homeland Security. “I am not sure what I will end up doing, but the idea of returning to the government is attractive to me.”

A little more than two months into classes, Liegel is enjoying law school, and so far he hasn’t had to call his former boss for help with Con Law.



**Setenay Akdag**  
*The Advocate*

**SETENAY AKDAG**  
BA, Barnard College

Setenay Akdag was 11 years old when she and her parents moved to the United States from Turkey in September of 2001. During their first weeks here, they occupied a one-room basement apartment on Long Island. One week after their arrival, Akdag, who spoke no English, started school. Two days later, she was sent home. Terrorists had flown planes into the World Trade Center and the Pentagon.

“Moving to the U.S. was a big change for me, and I was not enthused about the move,” she said. “My English was terrible. I had very few friends. It was a very difficult adjustment.”

Fortunately, things improved for Akdag over the next few years. Her parents bought a house in Smithtown, where Akdag attended high school and quickly began to excel. Akdag was accepted to Barnard College, where her interests in politics and human rights were nurtured. Over the course of her four years at Barnard, Akdag immersed herself in the world of politics, law, and policy, gaining experience in a variety of coveted positions.

She interned for NYC Council Member Gale Brewer, for State Supreme Court Judge Rosalyn Richter ’79, for then New York State Attorney General Andrew Cuomo’s office, and at Human Rights Watch in its UN Advocacy Division. She worked as a research assistant for Barnard Professor El-Ghobashy, who was preparing a book about social movements in Egypt, and served as an editorial intern at the Foreign Policy Association, where she updated a collection of news items related to topics featured in the annual FPA publication *Great Decisions*. “It was really cool to show my parents,” she said. “Whenever I would Google my name, that would come up.” She also spent a week at Harvard’s Public Policy and Leadership Conference and a summer at Exeter

College at Oxford University in which she attended the History, Politics and Society Summer School.

Akdag's background in politics and social justice, coupled with her personal experience in the naturalization process, paved the way to law school. "I was inspired to become a lawyer because of my first-hand experience with the naturalization process and with the challenges my friends and family had in immigrating here after 9/11," she said. "The process was constantly interrupted by arguments for why they should not be citizens because of technicalities."

Akdag said she was drawn to Brooklyn Law School because of its strong public service programs and its many international law opportunities. After law school, she hopes to return to Human Rights Watch or a similar NGO.

Looking back on the journey that took her from Istanbul and brought her to Brooklyn, she recalled the first time she and her parents, who were naturalized in 2008, were permitted to vote. "I went back to Long Island to vote with my parents, and we went to the school at dawn. We were among the first people there. I walked my parents through the steps of how to vote, and explained the positions of the various candidates to them. After we voted, we had a cup of coffee and chatted with some other people from our town who'd also come to vote. That's when it all sunk in. The value of citizenship didn't really hit home until that moment."

### **LEANNE WELDS** BA, Pomona College

Leanne Welds was studying music at Pomona College, pursuing a talent that had been nurtured since childhood, when she discovered that she might not be suited for a life in music after all. It's not that her coursework in piano and voice were not going well—quite the opposite. She had been recognized by the faculty with The William G. Blanchard Memorial Prize in Music, and had performed at the 20th and 21st Century Chamber Music workshop with soprano Lucy Shelton. She was a member of the Pomona College Choir, the Pomona College Glee Club, and was a singer in the Pomona College Jazz Band.

But Welds found herself increasingly drawn to issues of social justice. Whether through her class on International Law and the Use of Force, or the one on Race in the U.S. Economy, or Native American Literature, the mission of the law was making its imprint. "I was fascinated by the idea of how rules govern society and how society determines the rules," she said, "but also how rules affect different people. I thought about what I wanted to do, and how I wanted to effect change, and I realized that law was the route that appealed to me."



After college, she returned to her home in Kingston, Jamaica and spent a year working as a legal assistant at the firm of Samuda & Johnson, where she worked on a variety of corporate and litigation matters. She was also selected to write speeches and prepare presentations for the firm's managing partner, who serves as President of the Jamaica Chamber of Commerce. She also continued to sing and work as a musician, taking on the position as a pianist and Choir Director for the Hope United Church. "The average age of the choir's members was 65," she said. "I worked very hard with them and the experience gave me a great sense of accomplishment."

Welds continues to be interested in issues of social justice and international law and hopes that she will be able to contribute to the field in a meaningful way. Her interest in BLS, she said, was fueled by the Law School's impressive clinical programs and its approach to teaching. "I want to be the kind of lawyer who is able to get out there and hit the ground running."

## UPTON AU

BA, Williams College, with Honors

By the time Upton Au started junior high school in Manhasset, Long Island, he'd lived in Hong Kong, Singapore, and Canada. At each stop along the way, he learned to speak a new language, so that by the time he arrived in his 8th grade classroom, he spoke Cantonese, French, and English. His father's position at Société Générale brought the family from Hong Kong to Singapore, and then to Vancouver and Montreal, before they settled in Long Island. "I think there were some obvious challenges associated with all the moving around, but I enjoyed meeting new people and being in new environments," he said.

With a variety of cultures, cities, and languages as a backdrop to much of his life, Au developed an early interest in philosophy and economics. "Philosophy is an appealing lens through which to peer at economics—it is analytical in its own right, but without the preoccupation over what is optimal, at the expense of social cost," he said.

At Williams College, Au pursued his interests in philosophy and economics with a dual degree, both of which he earned with honors. A member of the editorial staff of the *Williams*

*Literary Review* and the *Williams Record*, Au developed his skills researching, writing, and editing. His essays, "Is There a Mind-Independent Natural Order?" and "What Does Marilyn McCord Adams Make of the Problem of Evil?" were published in *Eudaimonia: The Georgetown Philosophical Review*.

While at Williams, Au also discovered a talent for web design and construction. During his year abroad at Exeter College at Oxford University, he designed the Channel for Charity, a Web site used to facilitate outreach for the fundraising swims across the English Channel by student of Williams-Exeter Programme.

Following Williams, with an eye to a career in law, he became a corporate legal assistant at Cravath, Swaine & Moore, while continuing to work as a freelance web designer and consultant, designing Web sites for his alma mater's Office of Career Counseling and the American Lung Association, among others. (His portfolio can be viewed at [www.uptonau.com](http://www.uptonau.com)).

With a law degree in his future, Au had one last thing to cross off his list before he started law school. He wanted to learn his parents' mother tongue: Mandarin Chinese. "I knew that I could not truly understand the Chinese culture and how it figured into my youth without learning its language," he said. Au moved to Beijing for a year to attend Tsinghua University through UC-Berkeley's rigorous Inter-University Program for Chinese Language Studies. After one year of intensive study, he graduated in 2010, at the top of his class, speaking fluent Mandarin.

At Brooklyn Law School, Au is already enjoying exploring many of the areas in which philosophy and the law meet. "I am very interested in the law as a vehicle for showing us how people deal with this huge logistical problem of working together, and living together, and making sure that people don't hurt each other too badly. Law is essentially a practical philosophy. Especially in the case of torts and criminal law, it tries to put into practice what would be considered a moral way of life."

Not surprisingly for someone who spent most of his youth country-hopping, Au hopes to use his language and legal skills and to practice law in China after graduating. And this time, he will arrive knowing the language. □



“Law is essentially a practical philosophy. Especially in the case of torts and criminal law, it tries to put into practice what would be considered a moral way of life.”



# The Day the Music Died

*by Professor Jason Mazzone*



### MUSICIANS HAVE LONG BORROWED FROM EACH OTHER.

Classical music, folk music, jazz, and rock all incorporate and rework elements from prior musical works. Bach and Handel borrowed from other composers. Béla Bartók made use of Hungarian folk songs. Elvis Presley's music was heavily influenced by African American blues and gospel sounds. Led Zeppelin borrowed from Bukka White. The songs of the Beatles incorporate falsetto calls from Little Richard, two-part harmonies from the Everly Brothers, and the influences of Buddy Holly, early Motown, and Elvis. Bob Dylan derived the melody for "Blowin' in the Wind" from the old spiritual "No More Auction Block."

Digital technology has turned musical borrowing into a new form of art. Musicians using digital technology (producers, as they often prefer to be called) isolate portions—samples—of existing sound recordings and manipulate and combine those samples, often in unrecognizable forms, and include them in their compositions or use the samples to create entirely new recordings.

Hip-hop, the musical genre pioneered by Jamaican immigrants in the South Bronx in the 1970s, began as live performance using two turntables connected by a cross fader to combine sounds from records. Beginning in the early 1980s, hip-hop artists commonly used digital samplers to create their works. By the time the Beastie Boys released their 1989 album *Paul's Boutique*, which sampled from more than one hundred individual songs, hip-hop artists were using digital technology to turn out dense combinations of beats, loops, and vocals.

Today, digital sampling technology is cheaply available. Anybody can sample using a stand-alone sampler or software on a computer. While the hip-hop artists of the 1970s performed at block parties, the Internet enables today's producers to share their work with the entire world. Sampling has spread beyond its hip-hop roots and features in many music styles and in songs that have topped the charts. "Poker Face" on Lady Gaga's 2008 album, *The Fame*, contains a hook, "Mum-mum-mum-mah," sampled from Boney M's 1977 song "Ma Baker."

## From Music Makers to Lawbreakers

The same technological developments that facilitate sampling have also contributed to the diminished fortunes of the recording industry, by way of illegal online sharing of music and the emergence of independent labels and other new distribution mechanisms that give the public access to a vast catalog of music unconnected to the large labels. The recording industry's response to these developments has been to aggressively enforce its copyrights through, among other things, lawsuits against file sharers and lobbying of Congress for enhanced protections for copyright owners and increased penalties for infringers. The industry has also sought out new revenue streams.

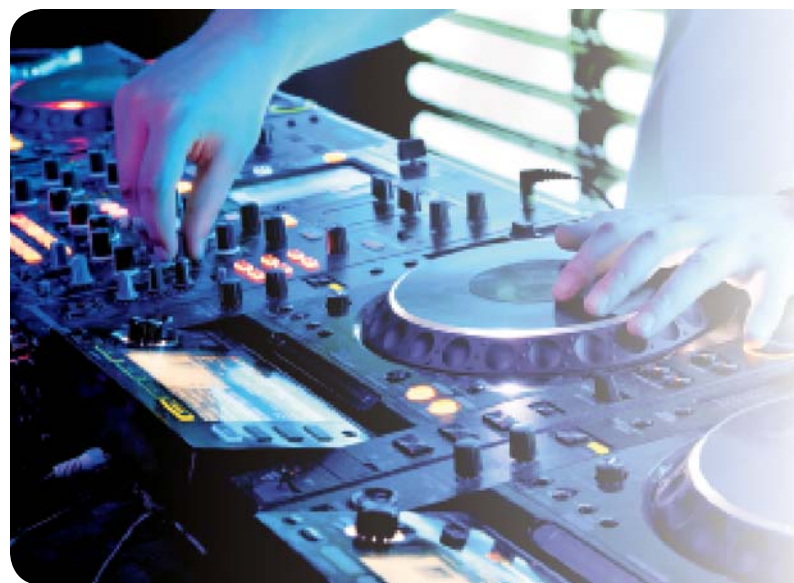
The recording industry's twin desires to control its copyrights and to increase its revenues have resulted in record labels demanding that *all* samples from copyrighted works they control be licensed. Although the fair use provision of the federal Copyright Act permits certain reproductions and uses of

copyrighted works without the copyright owner's approval, the industry takes the position that there is no fair use in the music world. Today, anybody can sample past recordings and create new songs. But according to the music industry, everybody who does so without permission is breaking the law.

## The Business of Copyright Enforcement

Bridgeport Music, Inc., is a one-person corporation owned by former music producer Armen Boladian. But Bridgeport does not actually produce any music. Instead, its business is purchasing or otherwise acquiring music copyrights from the original copyright owner and then enforcing those copyrights through litigation. In the 1970s, according to Bridgeport, it lawfully obtained the copyrights to most of the works of funk pioneer George Clinton and his band Funkadelic. Clinton disputes Bridgeport's ownership claims. Along with the music of James Brown, Clinton's music was the most frequently sampled by rap artists in the 1990s.

In 2001, Bridgeport brought in federal court in Nashville, Tennessee some 500 claims of copyright infringement of recordings and compositions against more than 800 artists. In preparing its lawsuits, Bridgeport had attempted to locate every sample from George Clinton's works and from other musical works in which it claimed copyright ownership. Bridgeport asserted that any sampling of a sound recording it owned was copyright infringement. Many of the cases Bridgeport brought quickly settled. Others were dismissed because Bridgeport had named the wrong party or for other technical reasons. Bridgeport also lost a number of cases on the merits. However, Bridgeport's legal position that all sampling is illegal was seemingly endorsed in a 2005 decision by a panel of the U.S. Court of Appeals for the Sixth Circuit in *Bridgeport Music v. Dimension Films*.<sup>1</sup>



The defendants in that case had sampled from Funkadelic's 1975 recording of "Get Off Your Ass and Jam" in the rap song "100 Miles and Runnin'," which was included in the soundtrack to the defendants' 1998 movie *I Got the Hook Up*. Clinton's tune begins with a three-note combination solo guitar riff that lasts four seconds. "100 Miles" copied a two-second sample from that riff and lowered the pitch. The copied piece was looped and extended to sixteen beats. The sample appeared in five places in the background of "100 Miles," with each loop lasting about seven seconds.

The lower court found that because the copying either was de minimis or lacked substantial similarity to the Funkadelic recording, it did not infringe Bridgeport's copyright. The lower court reasoned that the quantity taken was small and that listeners would not be able to identify the source of the sample.

On appeal, the Sixth Circuit panel disagreed and held that the de minimis doctrine, though long invoked by judges to excuse uses of small portions of copyrighted works, simply had no application to sound recordings. The court's bottom line: "Get a license or do not sample."<sup>2</sup> This ruling, based upon a series of inferences the court drew from the text of the Copyright Act, and raising the possibility that sampling even a single note would be infringement, is of dubious merit.

While the Sixth Circuit panel denied it, Bridgeport Music's shotgun litigation strategy likely influenced the court's decision to reject the de minimis doctrine. The problem with applying the de minimis rule to sound recordings, the court explained, was that it would require judges to perform "mental, musicological, and technological gymnastics" in order to determine whether the rule covered particular instances of sampling.<sup>3</sup> While praising the trial judge's efforts in the case, the court noted that "[w]hen one considers that he has hundreds of other cases all involving different samples from different songs, the value of a principled bright-line rule becomes apparent."<sup>4</sup> The obvious objection, though, is that a bright-line rule need not be the rejection of the de minimis doctrine in the case of sound recordings and a resulting ban on all sampling.

The court could have held, for example, that four seconds or less is de minimis sampling and not infringement. That too would have allowed the district court to deal quickly with many of the other Bridgeport cases on its docket.

The Sixth Circuit's analysis assumed also that those who sample without permission could have instead obtained a license. "We do not see this as stifling creativity in any significant way," the court said of its ruling, because "many artists and record companies have sought licenses as a matter of course."<sup>5</sup> The court predicted its decision would simply make licensing universal and more efficient: "[T]he record industry, including the recording artists, has the ability and know-how to work out guidelines, including a fixed schedule of license fees, if they so choose."<sup>6</sup>

However, many copyright holders do not want their works sampled at any price. David Bowie, for example, has said, "I would not give permission if I felt the work to be morally or politically repugnant."<sup>7</sup> Copyright owners are also in a position



to charge fees for samples that make the new recording prohibitively expensive. The Sixth Circuit thought that "the market will control the license price" so that the copyright owner could never "exact a license fee greater than what it would cost the person seeking the license to just duplicate the sample in the course of making the new recording."<sup>8</sup> There is, however, no market if the copyright owner flat out refuses to allow sampling. Moreover, the very reason for sampling may be that, even with sophisticated technology, a particular vocal or instrumental *cannot* be perfectly replicated in the studio. The Sixth Circuit's notion of a "fixed schedule" of fees would itself raise serious antitrust concerns.

## When Settlement Produces Bad Law

An especially troubling consequence of the *Bridgeport* case is that its bright-line rule—"Get a license or do not sample"—comes without *any* analysis of fair use. Because the lower court applied the de minimis standard and found no infringement, it did not consider whether the fair use defense applied. On appeal, the Sixth Circuit panel declined to decide whether the sample at issue was protected by fair use because it wanted the lower court to consider that issue first upon remand of the case. However, after the Sixth Circuit's decision, the dispute settled. There was, therefore, never a fair use ruling in the case.

It is unfortunate that a seemingly decisive decision by a federal appellate court on the lawfulness of sampling comes without any consideration of whether fair use protects sampling. For the unsurprising result has been that copyright owners (and samplers themselves) treat *Bridgeport* as standing for the proposition that all sampling is infringement. Even though the Copyright Act protects fair use of all species of copyrighted works, a legal decision on the question of de minimis copying enables copyright owners to assert that there is no fair use when it comes to sound recordings. Subsequent case law has also not dealt squarely with the fair use issue.

Even though sampling technology is now more readily available, there is widespread agreement that many of the hip-hop songs and other works of the 1980s that were based heavily on samples would be prohibitively expensive to release today. For example, it has been estimated that it would cost more than \$3 million to clear the samples on the Beastie Boys' album *Paul's Boutique*, even assuming that the rights holders would consent.

The impact of the *Bridgeport* decision falls especially hard on small-time artists. Major artists signed to big labels generate



sufficient revenues to make payment of licensing fees feasible. Their representatives can negotiate successfully with copyright holders, typically other major labels whose own artists will also be seeking to license samples. Smaller artists, however, are in a quite different position. They cannot typically afford licenses, nor do they have the negotiating strength that comes from being signed to a major label. Smaller artists also cannot sell through mainstream channels such as iTunes unless they can show that any samples in their music have been cleared.

## The Lawsuit Waiting to Happen

Gregg Gillis, who goes by the name Girl Talk, performs mash-ups—songs created from multiple samples layered on top of each other—live at clubs. He has also released recordings of his work through the label Illegal Art. Girl Talk's 2006 album *Night Ripper* comprises sixteen continuous dance tracks that sample from 167 artists. Many of Gillis's samples draw from recordings that contain samples themselves.

Although *The New York Times* has called Gillis's music "a lawsuit waiting to happen," he contends that his work is protected by fair use: "I've always tried to make my own songs. They're blatantly sample-based but I tried to make them so that you'd listen and think, 'Oh, that's that Girl Talk song,' as opposed to just a DJ mix. . . . My label, Illegal Art, and I . . . stand by the fair use law; that we do recontextualize the source material into a new whole. . . . I really don't feel like we're potentially hurting the sales of the artists sampled on the record."<sup>9</sup> Nonetheless, Gillis states that he doesn't know "if our [legal] argument would hold any water" and that he is therefore "just a little worried about potential repercussions," and "just waiting for a cease and desist letter to come in the mail."<sup>10</sup>

Copyright owners do not necessarily want the current ambiguity about sampling and fair use to be resolved. Girl Talk has never been sued for copyright infringement. The most likely reason is that the owners of the works from which Gillis samples recognize that there is a reasonable chance that a court would rule that what he produces is indeed fair use. Such a ruling would lead artists who currently seek licenses and pay fees to refuse to do so. It would also open mainstream distribution channels to a vast quantity of work produced by artists not signed to major labels. In the meantime, as a result of over-broad interpretations of the rights a copyright in a sound recording confers, for many artists, sampling remains a thing of the past.

Fair use applies to all forms of intellectual property including sound recordings and it should protect at least some sampling. A future court decision, especially in a test case brought by an artist with an interest in promoting sampling, could establish the lawfulness of the practice. Even better would be for Congress to amend the Copyright Act to specify when sampling of sound recordings constitutes fair use. Clarifying the meaning of fair use would facilitate the creation and dissemination of new music that, continuing a great tradition, builds upon and pays homage to the sounds of the past. □

1 410 F.3d 792 (6th Cir. 2005).

2 *Ibid.*, 801.

3 *Ibid.*, 802.

4 *Ibid.*

5 *Ibid.*, 801, 804.

6 *Ibid.*, 804.

7 John Healey and Richard Cromelin, "When Copyright Law Meets the Mash-Up," *Los Angeles Times*, March 21, 2004.

8 Bridgeport Music, Inc., 410 F.3d at 801.

9 Rob Walker, "Mash-Up Model," *New York Times*, July 20, 2008; Ryan Dombal, "Pitchfork Interviews: Girl Talk," *Pitchfork Media*, Aug. 30, 2006, <http://pitchfork.com/features/interviews/6415-girl-talk>.

10 Dombal, "Pitchfork Interviews: Girl Talk."

This essay is adapted from Jason Mazzone's book, *Copyfraud and Other Abuses of Intellectual Property Law*, published in November 2011 by Stanford University Press. Wikipedia founder Jimmy Wales calls the book "a must read for anyone who cares about the future of creativity." To find out more, visit the book's website, [www.copyfraud.com](http://www.copyfraud.com).



**Jason Mazzone** is the Gerald Baylin Professor of Law and teaches and researches in the areas of constitutional law and history, criminal procedure, and intellectual property law. His recent scholarship examines copyright and abuses of intellectual property, judicial federalism, and a range of issues related to the Supreme Court. His most recent articles have

appeared in the *Iowa Law Review*, *North Carolina Law Review*, *Northwestern Law Review*, and *Minnesota Law Review*. He has written extensively on the role that state courts play in interpreting the federal Constitution, and he is currently conducting an empirical study of all Supreme Court cases that have reviewed state court decisions on issues of federal constitutional law. Professor Mazzone is also writing a book on how societies create the cultural conditions necessary for the success of written constitutions.

Prior to joining Brooklyn Law School in 2003, Professor Mazzone clerked for Judge Robert D. Sack of the U.S. Court of Appeals for the Second Circuit and for Judge John G. Koeltl of the U.S. District Court for the Southern District of New York. He is a member of the American Law Institute and a Fellow of the American Bar Foundation and serves on the Board of Trustees of the Copyright Society of the USA. His scholarship has been cited by the Supreme Court and he is a frequent media commentator on legal issues.

A French philosopher once said, “Without people, nothing is possible; without institutions, nothing is lasting.” No educational institution achieves greatness merely because it survives the test of time. If that were the case, Brooklyn Law School would have attained its preeminence simply by virtue of its 110-year history. Brooklyn Law School is a prestigious law school today in large part because of its most vital resources: the alumni and friends who through their steadfast support of the school assure its continued path of excellence.

In this feature, we highlight just a few of the outstanding members of the BLS community who have made significant contributions to the Law School’s development and success: Deborah Riegel ’93, a Law Firm Challenge representative and her father, Arthur Riegel ’94, who share an alma mater and

# PAY IT FORWARD

## *Giving Back Paves the Road to the Future*

By **Andrea Strong ’94** and **David Potocki**

a commitment to give back to the school; Debra Humphreys ’84, who has spent much of her life creating educational opportunities in her home city of Joplin, Missouri, while unwavering in her longtime support of the Law School, including the recent purchase of a Moot Court seat; Lawrence Sucharow ’75, who has endowed two scholarships, the Labaton Sucharow Scholarship and most recently, the Larry and Fran Sucharow Scholarship; and the Altman family, which sent three generations to BLS and named a residence hall apartment in memory of its patriarch, David Altman ’25.

We also introduce our new Director of Development, Jean Smith, who comes to the Law School with over 20 years’ strategic development experience with nonprofit organizations and educational institutions, both in the U.S. and abroad. “I can’t thank our supporters enough,” said Smith. “The achievements featured in this magazine would not be possible without them.”

“We have ambitious goals for the future of BLS,” said President Joan G. Wexler. “With the strong support of our alumni and friends, who share the same passion for our great institution that is demonstrated in these four stories, we can continue to provide a first-class education for our students.”

**D**eborah Riegel '93 was a second-year student at Brooklyn Law School when her father, the principal of P.S. 107 in the Bronx, did something rather unexpected: he enrolled at BLS. One day they were a father and a daughter, the next, classmates.

For Deborah, who is now a senior partner in the litigation group at Rosenberg & Estis, the situation demanded some ground rules. "The main rule was non-interference," she recalled. "I told my dad, 'When we're in school, you are my classmate and not my father, so if I'm sitting in the back of the classroom reading my book, I don't want to hear about it.'" But Arthur demanded something in return. "I said, 'fine, I'll follow your rules, but you have to give me your outlines!'" A deal was made, and so two generations of Riegels became classmates—and, along the way, true friends.

"There was a leveling of the relationship, because she was much more knowledgeable than I was," said Arthur. "It helped to create a more adult relationship between us. It was also rather humbling to have professors who'd taught Deborah compare me rather unfavorably to her. I remember Jerry Leitner saying, 'How come you can't keep up with your daughter?'"

Arthur may have been a little slower than his daughter to understand torts rules, but he came to the Law School with 20 years of experience as a principal. He had long entertained the idea of a career in the law, but couldn't do so while raising a family. When he was offered a retirement incentive in 1991, he jumped at the chance to go to law school. "For many years, I had a stack of collective bargaining agreements on my desk that I was expected to implement and abide by, and it really led to a degree of fascination with collective bargaining."

Not surprisingly, given his background, he has since developed a thriving career as an arbitrator of labor-management disputes. He is a permanent arbitration panel member for some 20 labor organizations, including the NYC Department of Education, Con Edison, and the Metropolitan Transit Authority. "This was a field that I knew well. As a principal, I was mediating all day long. But when anyone asks me a legal question, I say 'talk to my daughter.'"

Indeed, Deborah has also enjoyed her share of success, but as a skilled litigator, not a neutral party. "I think I got my initial litigation skills from years of defending myself at home," she recalled. "There were always lively discussions in my house. My father is not averse to taking positions that he doesn't necessarily believe in simply to make people's blood boil."

Deborah joined Rosenberg & Estis shortly after graduating and has become a star trial partner, representing clients, in both state and federal court, in residential and commercial real estate litigation, including matters related to rent regulation, cooperative and condominium issues, construction disputes, and contract and tort actions. She also works with clients on assemblage and development issues, leasing, and construction management.



## Deborah Riegel '93 and Arthur Riegel '94 *Family Ties*

Together with Gary Rosenberg '74, Deborah is also a Rosenberg & Estis' representative for the Law Firm Challenge, which aims to reconnect alumni to their alma mater by fostering a community among law firms while promoting support for the Law School. "I feel so strongly about giving back," she said. "It's nice to encourage people to get involved or to become even more involved. For me, law school was an extremely positive academic experience. The faculty was fabulous, and I enjoyed my classmates. There was nothing about it that didn't resonate and help me grow. I believe in large part that I am where I am because of the foundation I got at the Law School."

A little over a decade has passed since Deborah and Arthur graduated, but one moment between the two of them remains strong. "What was truly memorable for me was to walk onstage at Lincoln Center at commencement and have my daughter give me my degree. Chief Judge Judith Kaye, who was the honorary speaker that year, walked to the front of the stage to greet me. It's a moment I will never forget."

"It was a very special day for me, too," said Deborah, "The funny thing is that the first time I met Chief Judge Kaye after graduation, I went over to introduce myself and she knew who I was. 'I don't know if you remember me,' I said, when she immediately responded, 'Of course I do. How is your father?' and then proceeded to relate to me how special she thought his graduation was." Seventeen years later, Deborah and Arthur agree.



## Debra Humphreys '84

### *Education First*

school part-time after her first year, but was awarded The Joan Offner Touval Memorial Scholarship for the best first year brief in the Moot Court Program, and this enabled her to continue law school full-time. "I was thrilled," she said. "People always talk about giving back, but I feel a direct responsibility to the Law School because of that scholarship. It was a godsend. It enabled me to devote myself to my studies full-time and to really excel."

Humphreys graduated in 1984 and joined Davis Polk, where she worked in the firm's tax group. "I always tell people I studied Latin in college, and the tax code is not that far off," she said. Meanwhile, her husband, also a former Davis Polk lawyer, commuted back and forth from Joplin, Missouri where he was running Tamko Building Products, his family's residential and commercial roofing business. The Humphreys decided to make Joplin their home in 1992. With a son entering kindergarten, Humphreys was immediately struck by the lack of educational alternatives available in Joplin. "I have a tremendous amount of respect for the Joplin public schools," she said, "but they have a very wide mandate. Because the school system has to cater to such a wide variety of students, providing an exceptional college preparatory education is not their priority."

Equipped with her legal experience and a desire to offer a set of fresh educational opportunities to the children of Joplin, Humphreys set her sights on building a new school for the community. Within the year, she and her husband opened the Thomas Jefferson Independent Day School. Since then, the school has experienced remarkable growth, boasting the highest percentage of merit scholars in the state and a new, \$15 million Arts and Student Life Complex. The school has also raised the bar for other area schools, which have since added foreign languages and AP courses. Humphreys is keenly aware of the power of education and of the empowering opportunities it creates for young people. The school provides 40 percent of the students with significant financial aid, and Humphreys and her husband provide additional merit-based scholarships to bring that total to more than 50 percent. "You realize the impact you can have on an individual and that is gratifying beyond words," said Humphreys.

Brooklyn Law School has also benefitted from Humphreys' philanthropy. She has been a consistent supporter of the endowment and most recently purchased a Moot Court seat. "I am proud of having gone to Brooklyn Law School, and grateful to have been offered the scholarship I received when I was a student," she said. "I joined Davis Polk with a lot of practical experience thanks to my clinical opportunities at Brooklyn, and that was part of why I was able to be successful. I wanted an opportunity to acknowledge that. It is profoundly important to give back."

**O**n Sunday, May 22, 2011, Debra Humphreys '84, a Davis Polk lawyer-turned-educator, was at home with her daughter in Joplin, Missouri helping her prepare for an AP exam. A tornado watch was in effect, but with the frequency of such warnings in her town, she wasn't terribly concerned. She spoke to her husband, who was in town, and discussed their plans for dinner at his mother's house later that evening. The weather seemed to be getting bad, so Debra decided to stay put. "I told my husband that we'd meet him there after this blew over," she recalled. "I wasn't overly concerned, but if I had gone to meet him in town, we'd have been in the path of destruction." The deadliest tornado to hit the United States since 1947 ripped through Joplin that day. It took the lives of 160 people, and devastated homes, schools, hospitals, and lives.

"You wake up and you don't realize your life won't be the same at the end of the day," she said, recalling that Sunday. "Homes directly across the street from ours were leveled. We were incredibly fortunate," she said. "My husband ended up pulling people out of the rubble. It was a pretty traumatic time." The public high school, technical college and several other middle and elementary schools were completely destroyed. To help their community rebuild, the Humphreys made significant donations to the Salvation Army and the Red Cross and to the city to help rebuild its devastated public schools. Humphreys' commitment to education, and to ensuring that opportunity to all children, stems largely from her own experience at Brooklyn Law School.

Humphreys, who graduated from New York University in 1980 with a major in classics and a minor in English, enrolled in Brooklyn Law School with enough money saved to attend one year of school full-time. She intended to return to work and go to



If Brooklyn Law School did only one thing for Lawrence Sucharow '75, it opened doors. Sucharow attended law school in the evening, working days as a manager of a men's clothing store on Wall Street. "It was a small job with a small wage. Brooklyn understood that there were people who had to work while they tried to get an education, and the Law School made it relatively easy to do so. That opened up the doors to everything else."

Today, as Chairman of Labaton Sucharow LLP, Sucharow is one of the country's most recognized leaders of the securities class action bar. For more than three decades, he has devoted his practice to counseling clients and prosecuting securities class actions. Under his chairmanship, he has led his firm of 65 lawyers in crafting its litigation and settlement strategies, negotiating a number of high-profile securities class actions, including a \$725 million settlement on behalf of a group of Ohio pension funds' claims in litigation against American International Group (AIG), and a \$624 million settlement for the New York pension funds in a securities class action against Countrywide Financial Corp., one of the largest securities fraud settlements in U.S. history. His leadership contributed to roughly \$2 billion in recoveries for the firm's class action plaintiffs in 2010 alone.

While he spends most of his days strategizing with his teams and negotiating multi-million dollar settlements on behalf of defrauded clients, Sucharow was brought up in a middle class neighborhood in Rego Park, Queens, raised by a working mother who was widowed when he was just two years old. To help support his family, he needed to work. He took his first job at the age of 13, while in junior high school, and continued to work while attending Brooklyn Tech High School, and then during his studies at Baruch School of City College. At Baruch, he studied accounting and received a degree in public administration, *cum laude*. "Given our economic circumstances, my mother instilled in me the desire to become a professional, which meant an accountant, a doctor, or a lawyer. I fell into accounting, but I found it to be quite boring," he recalled. "And I couldn't stand the sight of blood, so I decided on law school. It's funny how we come to our life's work."

He chose Brooklyn because of its night program that enabled him to continue working during the day. He didn't know what to expect, but he hoped for the best, and to his credit, excelled. "I took to law school very well," he said. "Much to my surprise, my skill set was aligned with the coursework."

During his third year in the evening division, he landed a job at a securities class action firm thanks to a classmate, Joel Bernstein '75. Looking to add some real-world experience to his resumé, Bernstein had applied to three firms as a law clerk, and got three offers, leaving two for the taking. Sucharow interviewed at one of his castoffs. "The firm did class and derivative actions—a plaintiffs' securities firm. It was an obscure and arcane field and there were a handful of firms in the city doing this work. I took the job, and that's what I do to this day. So much in life is fate," he said. Sucharow stayed on at the firm after graduating and then joined Labaton in 1977, where he was hired in an expansion of its securities class action practice, and has been there ever since.



## Lawrence A. Sucharow '75

### *Opening Doors*

For the past 12 years, Sucharow has been at the helm of the firm, and has led it to become one of the nation's premier firms in the securities and anti-trust class action spaces. The firm, which includes senior partners and former classmates, Joel Bernstein '75 and Jonathan Plasse '76, has been awarded a top ranking by *Chambers and Partners USA* for plaintiff's securities litigation for the third consecutive year. The firm was also named to *The National Law Journal's* "Plaintiffs' Hot List," for the fifth consecutive year. Sucharow has also been individually recognized by *Chambers and Partners USA* in its highest category, an honor he shares with only five other plaintiff's securities lawyers nationwide.

Sucharow may be known as a skilled advocate and negotiator of securities fraud class action settlements, but his reputation is also one of being a true gentleman. In honoring Sucharow as one of the country's "Most Admired Securities Lawyers," *Law360* wrote: "Whether negotiating multimillion-dollar settlements or guiding his firm through a successful restructuring, Labaton Sucharow LLP Chairman Lawrence Sucharow has the ability to find the human dimension in every aspect of the business of law... He has consistently impressed colleagues and adversaries alike with his fairness, practicality, and humor in tough situations."

Indeed, he is known for his ability to deal with difficult cases (and people) with grace and civility. "I have always felt that there

is a way to practice law in a cordial and respectful manner,” he said. “I don’t know where that prime directive originated within me, but I try to instill a sense of collegiality, cordiality, and integrity in the work that I do and in the relationships that I build. It’s important to do the right thing. If you do the ‘right’ things you hope people will remember, and I know from my own experience, that they do.”

Sucharow remembers the Law School fondly, and has been one of its most ardent supporters over the past 35 years. His firm endowed the Labaton Sucharow Scholarship, awarded annually to a first-year minority student who has demonstrated academic excellence in his or her first semester of Law School, and in 2010, he endowed the Larry and Fran Sucharow Scholarship to provide an annual scholarship to a deserving student who demonstrates academic excellence.

“Scholarship means opportunity,” he said. “It opens doors. Without BLS, where would I be? My wife and I endowed a scholarship to make sure that opportunity is available to others like me who don’t have a lot of choices and just need that single opportunity to go forward.”

## David Altman ’25, Alan Altman ’70, Peter Altman ’05 *Three Generations, One Law School*



Peter Altman’s graduation from Brooklyn Law School in 2005 came 35 years after his father Alan’s, and 80 years after his grandfather David’s. Together, their tenure spans much of the 110-year history of the Law School. During that time, Brooklyn Law School has gone through some remarkable changes, providing a different journey for each generation of the Altman Family.

David began law school in the 1920s, when BLS was housed in the “Brooklyn Eagle” building and was one of the largest law schools in the country. At the time, college degrees were not mandatory for law school admission, and David was admitted to the Law School with only a high school degree, attained through night classes at Boys High School in Brooklyn. Following his graduation from the Law School, David practiced law in Manhattan for more than 40 years. He remained with the same small law firm throughout his career, working his way up from a law clerk position to a role as a named partner of the firm, which at the time of David’s retirement in 1971 was known as Reit and Altman.

Unlike his father, Alan attended college, and graduated from the University of Pittsburgh before enrolling at the Law School in the fall of 1967. “I felt so privileged to have had the opportunity to attend college,” he said. When Alan attended the Law School, he did so on Pearl Street. During his second year, the school moved into its current location at 250 Joralemon Street. While the Law School had an impressive academic facility, it was still without housing for its students, which meant that the student body was largely made up of commuters.

After graduating, Alan spent his career practicing law in Manhattan. From the late 1970s until 2000, Alan was a named partner in Moskowitz, Altman and Frankel, which later became known as Moskowitz, Altman and Hughes. Since July 2000, Alan has been Special Counsel with Katten, Muchin, Rosenman LLP.

The third generation BLS student, Peter, came to the Law School from the University of Michigan and arrived at a very different school than his father and grandfather had attended. By 2002, the year Peter enrolled, the Law School had established 96 endowed scholarships, one of which partially offset Peter’s tuition, making his decision to attend BLS an easier one. Admission to the Law School had also become far more competitive, and thanks to an expansion in residential housing, the school attracted students from all over the country. The Law School now houses 500 students and 17 faculty members in ten residential buildings.

One of those residences, the 22-story, Robert A.M. Stern-designed Feil Hall, is home to an apartment named in honor of the Altman Family, a generous gift made in honor of three generations. “We felt that the Law School had treated our family very well and that the naming opportunity at the new residence hall was a terrific way to represent our family’s legacy at the school,” said Peter. As Alan observed, “Brooklyn Law School has had a remarkable increase in stature since my father went to school, and our family knew the establishment of a new and expansive residential opportunities for incoming students were a key component to continuing its rising reputation and recognition on a national level.”

## Jean Smith

### *Leading the Law School's Development Team*



Jean Smith, who joined Brooklyn Law School as its Director of Development this spring, comes to the job with over 20 years' strategic development experience for nonprofit organizations and educational institutions both in the U.S. and abroad. She brings with her a successful track record of leading development efforts to raise funding for major capital projects, endowment funds, and operating budgets.

While Smith was a Chemistry major at the University of Sussex, U.K., she explains that she has always been a fundraiser at heart. At the age of five while in

Sunday School, she sold "Sunny Smiles" door-to-door to benefit a local children's orphanage until she had sold every last one. A few years later, while in the Girl Scouts, she raked in the shillings for the charity through a program called "Bob-a-job." "My sister and I would knock on complete strangers' doors and they would give us work to do and we'd get a shilling (also known as a "bob") for charity," she recalled. "I was 8 or 9 at the time, but it all started there. If you think that something is a good cause, you can raise money for it."

Smith has had the opportunity to raise money for many institutions, including New York Methodist Hospital and Pegasus Therapeutic Riding, a riding program in Brewster, NY, for people with disabilities. "Fundraising, to me, is really about providing people with opportunities to make an impact and to make a difference," she said.

Smith has devoted much of her career to education, directing the development efforts of the Chapel Hill-Chaucy Hall School in Waltham, MA and the Hewitt School in Manhattan. She was most recently a Major Gifts Officer at Fordham University School of Law. "I am particularly passionate about education; it is the key to opportunity. If you are prepared to work hard, your life chances are enhanced when you have the opportunity to go to college. I look at my own life, and it's certainly true. I come from a family where

I was the first to attend university. And if you had said to me when I was 18 that I would end up becoming an American citizen and working at one of the finest law schools, I would have laughed at you."

Smith, who is also an avid horseback rider and baseball fan, is excited about her new position. In collaboration with the leadership of the Law School, she hopes to increase all aspects of institutional giving, including raising funds for endowed scholarships, faculty chairs, the physical plant, the School's Centers of Excellence, and the Annual Fund. She is also enthusiastic about building on the success of the Reunion Giving Program, driving support for the Law Firm Challenge, and integrating estate planning into the development program.

Smith is most excited about deepening relationships with the Law School's alumni. "I am fortunate to work with a phenomenal team of professionals in the development office and the Law School more broadly," she said. "Moving forward, we aim to meet with many more of our alumni in person to let them know about the terrific progress the Law School is making and to offer them the opportunity to help us take it to new heights. Whether it's someone who is a recent graduate, someone with many years of legal experience, or someone who is a friend of the Law School, we hope to bring everyone into the conversation."

Peter's education at Brooklyn Law School, like his father and grandfather, has served him well. Upon graduation, Peter spent one year in private practice before moving on to clerk for U.S. Magistrate Judge Frank S. Maas of the Southern District of New York. After his clerkship, Peter joined Akin Gump Strauss Hauer & Feld LLP. He currently serves as Counsel in the firm's litigation department. He represents clients involved in criminal and regulatory investigations conducted by federal, state and local enforcement authorities, including the Department of Justice, the CFTC, the SEC, the Office of Foreign Assets Control, the NYS Office of the Attorney General and the Manhattan District Attorney's Office. He also defends clients involved in class action and other complex commercial litigation.

Looking back on his experience at BLS, Peter said he is grateful to the Law School for helping to launch his career. He pointed to "top-notch" classes taught by Professors Claire Kelly and Dana Brakman Reiser, excellent externship opportunities in local courts and government offices, a challenging and rewarding clinic with Professor Ursula Bentele, the experience of membership on the *Brooklyn Law Review*, and the assistance of the Law School's career services department.

With three generations of Brooklyn Law School in the family, Peter's graduation was particularly moving for Alan. "The greatest honor I was given as a result of both of us going to the Law School was presenting Peter with his diploma on stage at graduation. I think my father David would have been very proud." □



## Five New Members Join the Faculty

This fall, Brooklyn Law School welcomed five outstanding new members to the faculty. The group includes one tenure-track professor, Christopher Beauchamp; two legal-writing instructors, Cameron Arnold and Tara Urs; and two new members of the Visiting Assistant Professor Program, Sarah Light and Allan Trammell. “I am delighted that we have recruited such a talented group of professors with an interesting range of professional experience, a passion for the law, and a strong commitment to teaching. Their presence will enrich the BLS community,” said Interim Dean Michael Gerber.



### **Christopher Beauchamp** *Assistant Professor of Law*

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Christopher Beauchamp joined Brooklyn Law School from the University of Pennsylvania, where he earned his LL.M. and was a Lecturer in Law. At Penn, he also served as a Sharswood Fellow in Law and History. Prior to teaching, he was a Microsoft/LAPA Fellow at the Woodrow Wilson School of Public Affairs at Princeton University and a Samuel I. Golieb Fellow in Legal History at New York University School of Law. At Cambridge University, he earned his Ph.D. in History, his M.Phil. in Economic and Social History, and his B.A. in History. He is the author of several books and articles focusing on technology, telecommunications, and history. He is the recipient of numerous awards, including, among others, the Cromwell Dissertation Prize, American Society for Legal History; Yorke Prize, Cambridge University Faculty of Law; Ellen McArthur Prize for Economic History, Cambridge University; Levinson Prize, Society for the History of Technology; Bateman Scholar, University of Cambridge; and Cromwell Fellowship, American Society for Legal History. Beauchamp will be teaching courses in legal history and intellectual property law.



### **Cameron Arnold** *Instructor of Legal Writing*

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Cameron Arnold joined the legal writing faculty from Arnold & Porter LLP, where he worked as an associate in the litigation department for five years. His areas of practice included complex civil litigation, criminal and civil appeals, products liability, consumer fraud, environmental law, and commercial and white-collar litigation. Prior to joining Arnold & Porter, he clerked for the Senior Judges of the District of Columbia Court of Appeals. Arnold graduated *summa cum laude* and Order of the Coif from American University Washington College of Law, where he was a Dean's Fellow in the Legal Rhetoric Program, a member of the *American University Law Review*, and a recipient of the Gillet-Mussey Fellowship. He received his B.A. and M.A. from San Francisco State University.



### **Tara Urs** *Instructor of Legal Writing*

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Tara Urs joined the legal writing faculty from the Brooklyn Family Defense Project in New York City, where she was a staff attorney for the past two years. In this capacity she represented indigent clients and parents accused of child abuse and/or neglect. She previously served for two years as law clerk to U.S. District Court Judge Deborah A. Batts of the Southern District of New York. Following law school, she was a Resident Fellow for the Open Society Justice Initiative in Phnom Penh, Cambodia, and conducted field research to inform programs for outreach during the Khmer Rouge Tribunal. She is conversational in the Khmer language, and has published articles on international human rights issues arising in Cambodia. She received her B.A. from Wesleyan University and her J.D. from New York University School of Law.





### **Sarah Light** *Visiting Assistant Professor*

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Sarah Light joins the faculty after serving in the U.S. Attorney's Office for the Southern District of New York for the past ten years. Since 2007, she served as Chief of the Environmental Protection Unit, supervising all civil environmental cases, both affirmative and defensive, handled by AUSAs under a variety of federal acts such as the Clean Air Act, the Clean Water Act, and the National Historic Preservation Act. For her work, she received awards from the Environmental Protection Agency and the Environmental and Natural Resources Division of the Department of Justice. She has taught Environmental Law and Policy at the Columbia University Earth Institute, and Legal Writing at Fordham University School of Law. Her research interests focus on local efforts to increase environmental standards, as well as on civil procedure and federal jurisdiction. She received her A.B. from Harvard University, her M.Phil. in politics from Oxford University as a Rhodes Scholar, and her J.D. from Yale Law School. This year, she is teaching Legislation and Statutory Interpretation and Environmental Alternative Dispute Resolution.



### **Allan Trammell** *Visiting Assistant Professor*

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Alan Trammell joined the Law School after practicing for three years at Kellogg, Huber, Hansen, Todd, Evans & Figel in Washington, D.C. Prior to practicing, he clerked for Judge Stephen F. Williams of the U.S. Court of Appeals for the D.C. Circuit and for Judge Theodor Meron of the International Criminal Tribunal for the former Yugoslavia in The Hague. His work in progress, "Federalism and Jurisdictional Sequencing," advances a theory to reconcile the Supreme Court's jurisdictional sequencing cases. He received his B.A. from Wake Forest University, his MS.c. in Comparative Politics from the London School of Economics and Political Science, his MS.t. in Modern Languages from the University of Oxford, and his J.D. from the University of Virginia School of Law. This year, Trammell will be teaching Civil Procedure and a seminar about the Supreme Court. □



## **Beloved Faculty Celebrate Monumental Birthdays**

On April 26, the Law School held a birthday celebration for two very special faculty emeriti members who taught generations of Brooklyn Law School graduates. Professor Al DeMeo turned 100 and Professor Joe Crea turned 96—both on the same day, April 26th. The younger in the photograph, Professor Meehan (who is 89), returned to the Law School to join his dear friends for the special occasion. Many faculty and administrators were in attendance at the luncheon to offer their well wishes as well to Joe and Al. □

LEFT TO RIGHT: *Profs. John Meehan, Al DeMeo, and Joseph Crea '47.*

## The Tax Man: Professor Martin Hauptman '65 Retires

Professor Martin Hauptman retired at the end of the summer after 46 years of teaching at Brooklyn Law School. While his career as a tax professor was long and rewarding, it began rather unexpectedly.

It was 1965. Hauptman had just graduated from Brooklyn Law School and was studying for the bar exam when Dean Jerome Prince called to arrange a meeting with him. Hauptman was terribly nervous. "I thought there must be a significant problem," he recalled. "I had no idea why he wanted to meet with me. I was on *Law Review*. I had excellent grades. I was very worried." In fact, there was nothing to be concerned about. Dean Prince wanted to offer Hauptman a job as a teaching fellow. Thrilled (and relieved), Hauptman accepted the position—teaching legal writing and working as Dean Prince's research assistant—on the spot. "It took no thought at all. I was very flattered and honored to work for someone for whom I had the utmost respect," said Hauptman.

While teaching at BLS during those first years, Hauptman attended NYU Law School part time in the evening and received his LL.M. in taxation. With no experience as a teacher, his years as a student helped him develop his own teaching style. "No one taught me how to teach," he said. "I emulated my best professors in law school, such as Professors Crea, Gershenson, Hoffman, and Dean Prince. I just modeled my teaching on the excellent job they did."

As he became more experienced as a professor, Hauptman went from teaching legal research and writing to teaching remedies, equity, corporations, and eventually tax, the course which would turn him into a BLS legend.

"Marty is a good teacher and was known as a strict disciplinarian," said Professor Joe Crea, who has known Hauptman since he was an "A" student in Crea's tax class back in the '60s. "He insisted that students learn the Code. You had to do your work, and if you didn't, he'd fail you. No in-betweens."

Hauptman was the first teacher to institute a minimum attendance requirement for the course. "Students could not be absent for more than 10 percent of my classes, but this was for their benefit," he said. "Tax is the kind of course that if you don't come to class, hear the analysis, do the problems, and correct your mistakes, then you'll never learn the material."



Hauptman may have held his students to a very high standard, but he applied the same expectations to his own scholarship. He is the author of several widely-used tax tomes including, *Federal Taxation—Compendium of Federal Income, Estate and Gift Taxation* and its annual update, and tax law books for the Brooklyn Bar Association. He also served as the alternate representative to the Research Advisory Group on Public Corporations of the Joint Legislative Committee to Study Revision of Corporate Laws, and was a lecturer for the Practising Law Institute on federal taxation.

Hauptman was also instrumental in developing the Law School's curriculum, convincing the administration to add a new course—Accounting for Lawyers. "I believe that every student should know something about the concepts of accounting, for a better understanding of trusts and estates, wills, corporate, tax, and property," said Hauptman. "You need to be able to pick up an income statement and a balance sheet and read it and understand it. You should also be able to observe where it is deficient." The class was so successful that the Law School now offers an Advanced Accounting for Lawyers course as well.

While Hauptman learned from the teachers who came before him, many of the faculty's younger members have learned from him. "Professor Hauptman taught me everything I know about teaching a class and about writing and grading an exam," said Professor Steven Dean, who teaches a range of tax courses. "I don't know what I would have done without him. He is just as generous with his students, and I know that we will all miss him."

"Marty is a really wonderful dedicated teacher," said Professor Claire Kelly '93. "He is just the consummate professional in the classroom. No one is on the Internet; everyone is involved. He has his tax problems set out, and he works with every student to make sure they are really getting it. He has known he is retiring for a while now, and yet he still prepares for class like it's the first day."

While Hauptman has technically retired, it appears that he cannot leave the school with finality. He will teach as an Adjunct Professor this fall. □

# FACULTY Notes

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## William Araiza

### PUBLICATIONS

- CONSTITUTIONAL LAW: CASES, HISTORY & PRACTICE (LexisNexis 2011) (with M. Medina)
- *Back to the Future*, \_\_ CONST. COMMENTARY \_\_ (forthcoming 2012)
- *Playing Well With Others – But Still Winning: Chief Justice Roberts, Precedent, and the Possibilities of a Multi Member Court*, 46 GA. L. REV. \_\_ (forthcoming 2011)
- *Citizens United, Stevens, and Humanitarian Law Project, First Amendment Rules and Standards in Three Acts*, 41 STETSON L. REV. 821 (2011)
- FIRST AMENDMENT LAW: FREEDOM OF EXPRESSION & FREEDOM OF RELIGION (LexisNexis Supp. 2010) (with A.D. Hellman & T.E. Baker)

### PROGRAMS & PRESENTATIONS

- Panelist, “The Press Clause,” Southeastern Association of Law Schools Annual Conference, Hilton Head

### APPOINTMENTS

- Director, Hispanic Outreach, Southeastern Association of Law Schools
- Liaison between the ABA Section on Administrative Law and the ABA Commission on Sexual Orientation and Gender Identity

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## Jonathan Askin

### PROGRAMS & PRESENTATIONS

- “How to Fix the Broken FCC,” National Conference on Media Reform, Boston
- “Present Shock: How Technology Is Changing the Way We Live,” Harvard University
- Multiple talks on “Law for Technology Startups” at various locations around New York City

### MEDIA

- Op-Ed: *New Jersey’s ‘Too Much Media’ Opinion Might Mean Too Little New Media*, THE HUFFINGTON POST, June 10, 2011
- Op-Ed: *Two Views of Too Much Media: Relegating New Jersey To a Wallflower in the Information Revolution*, NEW JERSEY LAW JOURNAL, June 27, 2011
- *Egypt: Internet is Back as Street Fighting Takes a New Turn* (Feb. 2); *Obama Confabs with Tech industry’s Dynamic Dozen* (Feb. 18); *FCC Wants to Make Broadband Affordable for All* (Mar. 4); *Androids May Get the Jump on Mobile Payment Tech* (Mar. 28), ECOMMERCE TIMES
- *At Brooklyn Law, a Tech-Focused Clinic Helps Startup Off the Ground* (Feb. 2); *Apple Subscription Plan May Be Under Antitrust Scrutiny: Will Anything Come of it?* (Feb. 22); *Consumer Advocates See AT&T’s T-Mobile Deal as a Chance to Fix Carriers’ Competition ‘Charade’* (Apr. 4); *Google Antitrust Inquiry: Microsoft’s History Looms Large* (June 24), THE HUFFINGTON POST
- *An Ad Roadblock at the Browser*, CRAIN’S NEW YORK BUSINESS, Feb. 6, 2011
- *Obama Campaign Snapshot—70 Weeks to Election*, ABC NEWS, June 1, 2011

- *Why Obama is Turning Back to TV, Despite Big Success in New Media* (Apr. 20); *New Social Media and the 2012 Election: Waaaay beyond Facebook 2008* (Apr. 21); *Obama and Twitter: Why he Took Control of his Own Account* (June 21), THE CHRISTIAN SCIENCE MONITOR

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## Miriam Baer

### PUBLICATIONS

- *Choosing Punishment*, 92 B.U. L. REV. \_\_ (forthcoming 2012)

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## Derek Bambauer

### PUBLICATIONS

- *Orwell’s Armchair*, \_\_ U. CHI. L. REV. \_\_ (forthcoming 2012)
- *Conundrum*, 96 MINN. L. REV. \_\_ (forthcoming 2012)
- *The Hacker’s Aegis*, 60 EMORY L.J. 1051 (2011)
- *Consider the Censor*, 1 WAKE FOREST J.L. & POL’Y 31 (2011)
- *Comparing Cybersieves*, in MEASURES OF PRESS FREEDOM & MEDIA CONTRIBUTIONS TO DEVELOPMENT (Peter Lang 2011) (M. Price, S. Abbott & L. Morgan eds.)

### PROGRAMS & PRESENTATIONS

- Speaker, “The Hacker’s Aegis – Protecting Hackers From Lawyers,” Berkman Center for Internet & Society, Harvard Law School
- Speaker, “Cybersecurity Policy and Legal Theory,” Cybersecurity Law and Policy: Changing Paradigms and New Challenges, Seton Hall Law School
- Speaker, “Orwell’s Armchair: The Law of Soft Censorship,” IP Scholars Roundtable, Drake University Law School
- Speaker, “Conundrum: Cybersecurity and Law,” Santa Clara University School of Law Internet Law Works in Progress and Boston University School of Law Works-in-Progress Intellectual Property Colloquium
- Panelist, “WikiLeaks? WikiWhat? WikiWho? WikiWhy?,” New York County Lawyers’ Association, New York City
- Panelist, “WikiLeaks and the Archives & Records Profession,” Archivists Round Table of Metropolitan New York and the Metro NYC Chapter of ARMA, New York City

### MEDIA

- *Internet Censorship Storm is Coming, Warns Schmidt*, TECHNEWSWORLD, June 28, 2011
- *Rodriguez Dispute Fuels Law Class*, THE WEST VIRGINIA RECORD, June 1, 2011
- *Rodriguez Contract Dispute*, DETROIT FREE PRESS, June 2, 2011
- *Hacking and Cybersecurity*, BLOOMBERG TV, Aug. 22, 2011

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## Ursula Bentele

### PUBLICATIONS

- APPELLATE ADVOCACY: PRINCIPLES AND PRACTICE (LexisNexis, 5th ed., forthcoming 2012) (with M. Falk)
- *Multiple Defendant Cases: When the Death Penalty is Imposed on the Less Culpable Offender*, 38 RUTGERS L. REV. 1 (2011)

**Anita Bernstein**

**PUBLICATIONS**

- *Toward More Parsimony and Transparency for “the Essentials of Marriage,”* 2011 MICH. ST. L. REV. \_\_ (forthcoming 2011)
- *The 2 x 2 Matrix of Tort Reform’s Distributions,* 60 DE PAUL L. REV. 273 (2011)

**PROGRAMS & PRESENTATIONS**

- “The Use of Private Investigators and Undercover Tactics: Legal and Ethical Limitations,” Association of Professional Responsibility Lawyers Annual Meeting, Toronto

**Frederic Bloom**

**PUBLICATIONS**

- *Information Lost & Found,* 100 CAL. L. REV. \_\_ (forthcoming 2012)
- *Suing Courts,* 79 U. CHI. L. REV. \_\_ (forthcoming 2012) (with C. Serkin)



Professor Bradley Borden

**Bradley Borden**

**PUBLICATIONS**

- STATE LAWS OF LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS (Wolters Kluwer, forthcoming 2012) (with R. Rhee)
- TAX, LEGAL, AND FINANCIAL ASPECTS OF REAL ESTATE VENTURES (Civic Research Institute, forthcoming 2012)
- TAXATION AND BUSINESS PLANNING FOR REAL ESTATE TRANSACTIONS (LexisNexis, forthcoming 2011)
- *The Law School Firm,* 63 S.C. L. REV. \_\_ (forthcoming 2011) (with R. Rhee)
- *Overlap of Tax and Financial Aspects of Real Estate Ventures,* 39 J. REAL EST. TAX’N \_\_ (forthcoming 2012)
- *Series LLCs in Real Estate Transactions,* 46 REAL PROP., TRUST & EST. L. J. \_\_ (forthcoming 2011) (with M. Vattamala)
- *The Liability-Offset Theory of Peracchi,* 64 TAX LAW 237 (2011) (with D. Longhofer)
- *The Allure and Illusion of Partners’ Interests in a Partnership,* 79 U. CIN. L. REV. 1077 (2011)
- *Three Cheers for Flow-Through Taxation,* 131 TAX NOTES 1353, June 27, 2011
- *Do Serial Exchangers Get the Cash, with Extra Time to Boot, Under New Letter Ruling?,* 114 J. TAX’N 153 (2011) (with K. Alton & A. Lederman)

- *The Effect of Like-Kind Property on the Section 704 (C) Anti-Mixing Bowl Rules,* 27 TAX MGMT. REAL EST. J. 131 (2011) (with D. Longhofer)
- *Tax Issues for Real Estate Investors Considering a Mortgage Defeasance as Part of a Section 1031 Exchange,* 28 J. TAX’N INV. 3 (2011)

**PROGRAMS & PRESENTATIONS**

- “Equity, Efficiency, and Electivity in Line-Drawing Analysis,” Faculty Workshop, Charleston School of Law
- Panelist, “Section 1031 Developments,” ABA Section of Taxation, Sales, Exchanges, & Basis Committee Meeting, Boca Raton
- “Series LLCs in Real Estate Transactions,” Charleston Tax Council
- Panelist, “Section 1031 Developments,” and “The Green Economy: Can it Blossom Under Section 1031?,” ABA Section of Taxation, Sales, Exchanges & Basis Committee Meeting, Washington, D.C.

**APPOINTMENTS**

- Co-Chair, Tax Aspects of Real Property Transactions, Real Property Law and Tax Sections of the New York Bar Association

**MEDIA**

- *What if Law Schools Opened Their Own Law Firms?* THE NATIONAL LAW JOURNAL, Aug. 17, 2011
- *How Law Schools Can Produce “Practice Ready” Grads: Operate Their Own Law Firms,* ABA JOURNAL ONLINE, Aug. 18, 2011
- *Law School: Re-framing It As Analogue to Teaching Hospital,* LAWANDMORE.COM, Aug. 18, 2011
- Op-Eds in THE HUFFINGTON POST:
  - *For Better or Worse? Governor Walker Chose Worse,* Mar. 22, 2011
  - *Budget Deals, Service Cuts, Tax Returns, and Pure Frustration,* Apr. 18, 2011
  - *Why Do We Ignore Millionaires’ Offers to Pay More Taxes?* June 14, 2011
  - *The Unorthodox Mormon: An Oxymoron,* July 7, 2011
  - *Smaller Government = Fewer Jobs,* July 13, 2011
  - *Senator Hatch Enters Utah’s Silly Season,* July 14, 2011

**Dana Brakman Reiser**

**PUBLICATIONS**

- *Benefit Corporations—A Sustainable Form of Organization?,* \_\_ WAKE FOREST L. REV. \_\_ (forthcoming 2011)
- *Linking NGO Accountability and the Legitimacy of Global Governance,* 36 BROOK. J. INT’L L. 1011 (2011) (with C. Kelly)
- *The Federalization of Nonprofit and Charity Law,* 99 KY. L.J. 637 (2011)
- *Charity Law’s Essentials,* 86 NOTRE DAME L. REV. 1 (2011)

**PROGRAMS & PRESENTATIONS**

- Presenter, “Policy Considerations for the Sector and Regulators,” Meeting on Social Missions/Hybrid Corporations, National State Attorneys General Program, Charities Regulation and Oversight Project, Columbia Law School
- Presenter, “Benefit Corporations, B Corps and L3Cs: Comparison and Contrast,” The L3C A to Z Conference, sponsored by Americans for Community Development and The Levy Entrepreneurship Center of the Kellogg School of Management at Northwestern University
- Presenter, “Benefit Corporations—A Sustainable Form of Organization?,” The Sustainable Corporation Symposium, Wake Forest University School of Law



#### APPOINTMENTS

- Chair-Elect, AALS Section on Nonprofit and Philanthropy Law
- Academic Advisor, Nonprofit Organizations Committee of the ABA Business Law Section

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#### Michael Cahill

##### PUBLICATIONS

- CRIMINAL LAW (Aspen Treatise Series, 2d ed., forthcoming 2011) (with P. Robinson)
- *Extortion and Blackmail*, in ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE (Wiley-Blackwell, forthcoming 2012) (J. Albanese ed.)
- *Herzog and Inchoate Crime*, 9 OHIO ST. J. CRIM. L. \_\_\_ (forthcoming 2012)
- *Punishment Pluralism*, in RETRIBUTIVISM: ESSAYS ON THEORY AND POLICY (Oxford University Press, 2011) (M. White ed.)
- *Politics and Punishment: Reactions to Merkel's Political Retributivism*, 1 VA. J. CRIM. L. \_\_\_ (forthcoming 2011)

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#### Stacy Caplow

##### PUBLICATIONS

- *After the Flood: The Legacy of the "Surge" of Federal Immigration Appeals*, 7 NW. J. L. & SOC. POL'Y 1 (2012)
- *The Activities Based Seminar*, in TECHNIQUES FOR TEACHING LAW II (Carolina Academic Press, 2011) (Friedland, Hess, Schwartz & Sparrow eds.)

##### PROGRAMS & PRESENTATIONS

- Presenter, "Cross-Border Collaborations in Refugee Legal Assistance," Global Alliance for Justice Education, 6th Annual Conference, Valencia, Spain

##### MEDIA

- *What About an Immig-Corps?*, THE NATIONAL LAW JOURNAL, May 25, 2011

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#### Neil B. Cohen

##### PUBLICATIONS

- SELECTIONS FOR CONTRACTS (Foundation Press, 2011) (with E.A. Farnsworth, W. Young, C. Sanger, & R. Brooks)
- *Freedom of Contract vs. Free Alienability: An Old Struggle Emerges in a New Context*, 46 GONZAGA L. REV. 353 (2011) (with W. Henning)

##### PROGRAMS & PRESENTATIONS

- "Amendments to the Official Text of Articles 2 and 2A of the Uniform Commercial Code," American Law Institute, San Francisco
- "Current Issues in Commercial Law," ALI-ABA Symposium on "Commercial Lending Today," Chicago
- "Recommendations with Respect to the Role of Party Autonomy in the Selection of Law Governing Assignment of Contracts," Choice of Law in International Commercial Contracts Working Group, The Hague Conference on Private International Law, The Netherlands

#### APPOINTMENTS

- Chair, Section on Commercial and Related Consumer Law of the Association of American Law Schools
- Member of the U.S. Delegation of UNCITRAL Working Group VI (Secured Transactions)
- Member, United Nations Commission on International Trade Law Expert Group with respect to the role of secured transactions registries
- Advisor to Uniform Law Commission Manufactured Housing Act Drafting Committee (on behalf of Permanent Editorial Board for the Uniform Commercial Code)
- Member, Joint Uniform Law Commission/American Law Institute Committee examining the need for new legislation in the area of secondary mortgage markets and mortgage foreclosure

##### IN COURT/BEFORE LEGISLATURES & AGENCIES

- Article 1 of the Uniform Commercial Code, for which Professor Cohen served as Reporter (principal drafter), was enacted by the Ohio legislature. The statute has now been enacted by 40 states and the United States Virgin Islands.

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#### Steven Dean

##### PUBLICATIONS

- *Neither Rules nor Standards*, 87 NOTRE DAME L. REV. \_\_\_ (forthcoming 2012)
- *Tax Deregulation*, 86 N.Y.U. L. REV. 387 (2011)

##### PROGRAMS & PRESENTATIONS

- "Recent Developments," New York State Bar Association Tax Section Summer Meeting, New York City

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#### Robin Efron

##### PUBLICATIONS

- *The Shadow Rules of Joinder*, 100 GEO. L.J. \_\_\_ (forthcoming 2012)

##### PROGRAMS & PRESENTATIONS

- "The Shadow Rules of Joinder," Brooklyn Law School Faculty Workshop
- Moderator, Actuarial Litigation Conference, University of Connecticut

##### MEDIA

- *Could 'Wal-Mart' Reach Beyond Class Actions?* THE NATIONAL LAW JOURNAL, JUNE 30, 2011

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#### Elizabeth Fajans

##### PUBLICATIONS

- SCHOLARLY WRITING FOR LAW STUDENTS (West Publishing Company, 4th ed. 2011) (with M. Falk)

##### PROGRAMS & PRESENTATIONS

- "Legal Writing in the Time of Recession: Cognitive Skills for Complex Legal Tasks," The Arc of Advanced Legal Writing: From Theory through Teaching to Practice, Second Colonial Frontier Conference, Duquesne University School of Law

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**Mary Falk**

**PUBLICATIONS**

- SCHOLARLY WRITING FOR LAW STUDENTS (West Publishing Company, 4th ed. 2011) (with E. Fajans)

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**James Fanto**

**PUBLICATIONS**

- DIRECTORS' AND OFFICERS' LIABILITY (Aspen, 2d ed. 2011)
- *Justifying Board Diversity*, 89 N.C. L. REV. 101 (2011) (with L. Solan & J. Darley)

**PROGRAMS & PRESENTATIONS**

- "The Resolution Authority," Comparative Approaches to Systemic Risk Symposium, Brooklyn Law School

**MEDIA**

- *The Changing Role of the Compliance Officer*, CORPORATE SECRETARY, Feb. 2010
- *Experts Assert Link Between SEC's Fiduciary and SRO Studies*, ADVISORONE, Feb. 10, 2011
- *Progress on Uniform Fiduciary Standard Slow*, AMERICAN BANKER, Feb. 15, 2011
- *Legal Fight over Facebook Continues*, LOS ANGELES TIMES, Feb. 24, 2011
- *Finra's Disciplinary Case Rose 13% in '10, Study Says*, MARKETWATCH, Feb. 28, 2011
- *Court Upholds Winklevoss Twins' Facebook Deal from 2008*, LOS ANGELES TIMES, Feb. 15, 2011
- *If They Build It, Consider Not Coming*, THE WALL STREET JOURNAL, May 3, 2011
- *Muddy Waters 'Pre-Marketed' Sino-Forest Report to Hedge Funds, Dundee says*, BLOOMBERG, June 8, 2011
- *SOX Costs Still High, Companies Won't Automate Controls*, BUSINESS INSIDER, Aug. 11, 2011

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**Richard Farrell**

**PROGRAMS & PRESENTATIONS**

- Nassau & Suffolk Academies of Law and Development in Evidence, New York City

**BEFORE COURTS/LEGISLATURES & AGENCIES**

- PRINCE, RICHARDSON ON EVIDENCE, a treatise edited by Professor Farrell, was cited 19 times by courts recently

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**Maryellen Fullerton**

**PUBLICATIONS**

- IMMIGRATION AND CITIZENSHIP: PROCESS AND POLICY (Thomson West, 7th ed. forthcoming 2012) (with T.A. Aleinikoff, D. Martin, & H. Motomura)
- IMMIGRATION AND NATIONALITY LAWS OF THE UNITED STATES: SELECTED STATUTES, REGULATIONS, AND FORMS (West, 2011) (with T.A. Aleinikoff, D. Martin, & H. Motomura)
- *A Tale of Two Decades: War Refugees and Asylum Policy in the European Union and the United States*, 10 WASH. U. GLOBAL STUD. L. REV. 47 (2011)

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**Cynthia Godsoe**

**PUBLICATIONS**

- Symposium Introduction, *Adolescents in Society, Their Evolving Legal Status*, 20 J.L. & POL'Y (forthcoming 2012)
- *All in the Family: Towards a New Representational Model for Parents and Children*, 24 GEO. J. LEGAL ETHICS 303 (2011)

**PROGRAMS & PRESENTATIONS**

- "Parsing Parenthood," Midwest Family Law Colloquium, Michigan State University College of Law
- "Realizing Justice: Incarceration, Advocacy and the Consequences of the Juvenile Justice System," 17th Annual Paul Robeson Conference, Columbia Law School
- Panelist, "Alternative Dispute Resolution in the Criminal Justice System," Brooklyn Law School
- Co-Chair & Moderator, "Adolescents in Society: Their Evolving Legal Status," Juvenile Justice Panel, Brooklyn Law School
- Co-presenter, "Public Interest Lawyering: Theory and Practice," Capital Area Legal Writing Conference, The George Washington University Law School

**APPOINTMENTS**

- Appointed to the Board of GEMS, a non-profit that works with sexually exploited girls and young women

**MEDIA**

- *Age Matters*, THE NATIONAL LAW JOURNAL, Apr. 4, 2011

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**Joel Gora**

**PUBLICATIONS**

- *The First Amendment... United*, 27 GA. ST. U. L. REV. 935 (2011)
- *Don't Feed the Alligators: Government Funding of Political Speech and the Unyielding Vigilance of the First Amendment*, 2010-2011 CATO SUPREME COURT REVIEW 81-127 (2011)

**PROGRAMS & PRESENTATIONS**

- "The Proposed Executive Order on Disclosure of Political Spending by Government Contractors," Committee on Oversight and Governmental Reform and the Committee on Small Business of the United States House of Representatives, Washington, D.C.
- Participant, Constitution Day Conference, CATO Institute, Washington, D.C.

**APPOINTMENTS**

- Appointed to the Planning Committee of the Federal Bar Council's Winter Bench and Bar Conference
- Appointed to the Communication and Media Law Committee of the New York City Bar Association
- Board member, Board of Academic Advisors of the Center for Competitive Politics

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## Susan Herman

### PUBLICATIONS

- *Taking Liberties: The War on Terror and the Erosion of American Democracy* (Oxford University Press, 2011)

### PROGRAMS & PRESENTATIONS

- Panelist, “The Courts, Public Safety and Civil Liberties,” Guggenheim Symposium on Crime in America, John Jay College
- Keynote Address, “The State of Civil Liberties,” Portland City Club
- “Ordinary Americans and the War on Terror,” Faculty Workshop, Franklin Pierce Law School and Nebraska Law School
- Panelist, “Freedom,” One to World, Freedom’s Forum for Fulbright Scholars, New York City
- Panelist, “Breaking Out of a Broken System,” Amnesty International chapter, Columbia College
- Participant, Judge Richard T. Merrick Debate, Georgetown College
- Keynote Address, Law Day, Kings County Family Court
- Panelist, “Crime and Terrorism: Law Enforcement Ten Years after 9/11,” U.S. State Department, New York City
- Panelist, Workshop for Federal Defenders, Federal Judicial Center, Supreme Court Update panel, New York City
- Keynote Address, “The State of Civil Liberties,” National Security Week, U.S. Army War College
- Panelist, Supreme Court Update panel, American Constitution Society/New York City Bar Association, New York City
- Keynote Address, ACLU of NE, ACLU of OR, and ACLU Biennial Leadership Conference, multiple locations

### MEDIA

- *Taking Liberties*, NPR OR, Mar. 12, 2011 & NPR NH, Mar. 16, 2011
- *Let’s Go Underground*, LINCOLN JOURNAL STAR, Apr. 4, 2011
- *Homeland Security: The New Realities Post 9/11*, DUE PROCESS, NJN TV & RADIO, May 22, 24, 2011
- *Justice, An Interview with Three World Experts*, THOUGHT ECONOMICS, July 2011, [www.thoughteconomics.com](http://www.thoughteconomics.com)

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## Edward Janger

### PUBLICATIONS

- *Reciprocal Comity*, 46 TEX. INT’L L.J. 441 (2011)
- *Reforming Regulation in the Markets for Home Loans*, 38 FORDHAM URB. L.J. 681 (2011) (with S. Block-Lieb)

### PROGRAMS & PRESENTATIONS

- “The Empty Creditor Hypothesis,” World Bank Insolvency and Creditor/Debtor Regimes Task Force Meeting, The World Bank, New York City (with A. Levitin)
- “Plain Meaning and the Bankruptcy Code,” Eastern District of Pennsylvania Bankruptcy Conference
- “Bailouts With and Without Bankruptcy Courts: Comparing the Financial Services and Automotive Bailouts,” Comparative Approaches to Systemic Risk and Resolution Symposium, Brooklyn Law School
- Moderator, Zaretsky Roundtable: “Strapped Cities—The State of Chapter 9,” Brooklyn Law School

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## Margo Kaplan

### PUBLICATIONS

- *Restoring Reason to HIV-Exposure Laws*, 87 IND. L.J. \_\_\_\_ (forthcoming 2012)



Professor Roberta Karmel

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## Roberta Karmel

### PUBLICATIONS

- *Is the Public Utility Holding Act a Model for Breaking Up the Banks that Are Too-Big-To-Fail?*, 60 HASTINGS L.J. 821 (2011)
- *Self-Regulation and the Future of Securities Law*, in X DIREITO DOS VALORES MOBILIARIOS (2011)
- *A Retrospective on the Unfixing of Rates and Related Deregulation*, SHANGHAI STOCK EXCHANGE BOOKLET (2011)

### PROGRAMS & PRESENTATIONS

- Panelist, “Judicial and Legislative Developments” and “Ethics” panels, PLI’s SEC Speaks in 2011, Washington, D.C.
- “Keynote Roundtable Discussion—Not Your Father’s SEC,” Roundtable Discussion, PLI’s Corporate Governance 2011—A Master Class, New York City
- “How the Mega-Banks Grew,” Comparative Approaches to Systemic Risk and Resolution Symposium, Brooklyn Law School
- “SEC Reports on Advisers,” ABA Administrative Law & Regulatory Practice Spring Meeting, Charlottesville, VA
- “IOSCO’s Responses to the Financial Crisis,” Global Capital Markets & the U.S. Securities Laws 2011 PLI program, New York City
- “An SRO for Investment Advisers,” Securities Regulation Committee, New York State Bar Association Business Law Section, New York City
- Comment on David Zaring, “The New Architecture of Global Financial Regulation,” International Financial Regulation, Wharton School of Business
- “Regulatory Innovation,” Roundtable Discussion, Morrison & Foerster, Washington, D.C.

### MEDIA

- *Goldman Special Situation Profit Seen at Risk with Volker Rule*, BLOOMBERG, Mar. 28, 2011
- *Goldman Sachs’s SSG: Lending or Trading?*, BLOOMBERG BUSINESSWEEK, Mar. 31, 2011

NEWLY TENURED PROFESSOR

*Christopher Serkin*



If any of the science-fiction novels Chris Serkin had written had been published, he might never have become a lawyer. Fortunately for the legal community, the books sat unpublished on his shelf, and after three years as an author, Serkin decided to pursue a “Plan B.” Armed with a philosophy degree from Yale University, Serkin applied to law school, a choice that generated some skepticism among his family members. “I come from a family of professional musicians,” said Serkin. (His grandfather was the acclaimed pianist Rudolf Serkin, the founder of the Marlboro Music Festival, of which Serkin is a Vice President. His uncle, Peter Serkin, is one of the world’s great pianists.) “I am the first person in my family to have what most people would consider a ‘real’ job. I’m the rebel.”

Eventually, his family came around to the idea of having a lawyer in the family, and

Serkin thrived at the University of Michigan Law School, where he was articles editor of the *Michigan Law Review*. “I learned more in my first year of law school than any time in my life,” said Serkin, who recently became tenured. “The intensity of the intellectual experience was something I’d never been exposed to before. It was singularly stimulating.”

Born and raised in Vermont, Serkin had a natural affinity for the subject of property, which he explored in law school. “In Vermont, people have very close connections to the land and to issues of ownership,” he said. His interest in the subject was nurtured by Michael Heller, at the time a young Michigan professor, and now one of the most acclaimed scholars in the world of property law. “He was a tremendous thinker, and I credit him in large part with my becoming a professor and a property professor specifically.”

After law school, Serkin clerked for Judge John M. Walker Jr. of the U.S. Court of Appeals for the Second Circuit, and then joined Davis Polk & Wardwell as an associate in the firm’s litigation department. Serkin enjoyed practicing law, but eventually found some of its limits frustrating. “My problem was that the moment a question started to get really interesting was also the moment I had to stop, because it wasn’t cost effective. Not having clients to whom I’m responsible allows me to go to the next level of understanding.”

To make the transition to the teaching track, Serkin left the firm to clerk for Judge J. Garvan Murtha of the U.S. District Court

for the District of Vermont and then spent two years at New York University School of Law as an Acting Assistant Professor in its Lawyering Program. Serkin joined Brooklyn Law School’s faculty in 2005, and has taught property, land use, and trusts and estates.

Serkin’s publications have appeared in many leading law reviews, including the *University of Chicago Law Review*, *Columbia Law Review*, *New York University Law Review*, *Notre Dame Law Review*, and *Northwestern University Law Review*. His newest work, “Public Entrenchment Through Private Law: Binding Local Governments,” was published this summer in the *University of Chicago Law Review*. He was also recently added as a co-author of the leading land use casebook, *Land Use Controls: Cases and Materials* (Aspen Law & Business, 4th ed., forthcoming), with prominent property scholars Robert C. Ellickson of Yale Law School and Vicki L. Been and Roderick Hills of New York University School of Law.

“The aspect of property that I have been exploring in one way or another in all of the articles I have written is the tension between creating stable property rights for private property owners and preserving the ability of government to respond to new and changing issues,” said Serkin. “Property rights are the fulcrum on which those two competing pressures balance.”

As to his short-lived career as a science-fiction novelist, Serkin has no regrets. “I prefer the law review genre,” he said. “To me, it’s a lot more exciting.” □

- *SEC’s Revolving Door to Wall Street Gets Fresh Scrutiny*, HEDGEWORLD DAILY NEWS, May 13, 2011

- *Asian Stock Exchanges Upgrading to Draw Global Investors*, USA TODAY, Aug. 1, 2011

Columns in THE NEW YORK LAW JOURNAL:

- *Oversight and Studies of Investment Advisers*, Feb. 17, 2011

- *A Harmonized Fiduciary Duty for Advisors and Broker-Dealers*, Apr. 21, 2011

- *Should There Be an SRO For Investment Advisers?* June 16, 2011

- *Supreme Court on Securities Law: Conflicting Attitudes on Class Actions*, Aug. 18, 2011

**Claire Kelly**

PUBLICATIONS

- *The Promises and Perils of Global Governance: A Case of the G20*, 12 CHI. J. INT’L L. \_\_\_ (forthcoming 2012) (with S. Cho)

- *Conceptions of Legitimacy among International Entities in the Global Political Economy in LAW, CONTESTATION, AND POWER IN THE GLOBAL POLITICAL ECONOMY* (Hart Publishing, forthcoming 2012) (with C. Cutler & E. Cohen)

- *Lifting the Veil on Security: Transparency in Customs-Trade Partnership Against Terrorism*, in SIXTH ANNUAL PROCEEDINGS OF



## NEWLY TENURED PROFESSOR

### Nelson Tebbe

In 1993, Nelson Tebbe was working toward a Ph.D. in religious studies at the University of Chicago when a Fulbright Scholarship took him to Cape Town, South Africa. What he experienced there changed the course of his studies and helped turn a would-be religion professor into a lawyer and scholar of constitutional law.

"I was always interested in the role religion has played in situations of rapid social change," recalled Tebbe. "When I was in South Africa, I met a few young lawyers who were making exciting contributions to the country's transition to democracy. They inspired me to pursue a career in law."

Tebbe's year in South Africa influenced his Ph.D. dissertation, which explored the religious freedom of so-called traditional African groups that found themselves governed by a modern constitution after the transition to democracy. "These groups did not consistently observe modern individual rights: the role of women was different, the place of private property was not the same," explained Tebbe. "My dissertation explored the tension between the values of various African religious groups and the values of a modern democratic constitution."

After passing his comprehensive exams with distinction, Tebbe attended Yale Law School, where he served on the *Yale Law Journal* and was a Fellow at the Schell Center for International Human Rights. After graduating, he clerked for Judge John M. Walker Jr. of the U.S. Court of Appeals for the Second Circuit and practiced law with the American Civil Liberties

Union and then at Davis Polk & Wardwell. Knowing he wanted to pursue a career as a law professor, he took a position in New York University School of Law's Lawyering Program as an Acting Assistant Professor. Tebbe then joined St. John's University School of Law, where he received a Dean's Teaching Award. He earned his Ph.D. with distinction in 2006, and in 2007, he joined the faculty of Brooklyn Law School. He teaches constitutional law, law and religion, a legal theory colloquium, and professional responsibility.

Tebbe has garnered attention as a noteworthy scholar of constitutional law. He has published in many of the country's most prestigious journals, including the *Georgetown Law Journal*, *Journal of Religion*, *Michigan Law Review*, *University of Pennsylvania Law Review*, and most recently in the *Virginia Law Review*. His current scholarship focuses on constitutional law, and in particular on the social, philosophical, and legal issues relating to religion. "Both religious freedom and general constitutional law concern questions of social justice and civil rights," said Tebbe, who is Chair of the Law and Religion Section of the Association of American Law Schools. "Tensions persist between some religious groups and the values that the government promotes."

Tebbe's most recent article, "Nonbelievers," which was published in September in the *Virginia Law Review*, focuses on atheists, agnostics, secular humanists, free thinkers, and brights. "The question I am exploring



is whether these individuals and groups should be covered by religious freedom provisions, which protect only something called religion by their terms."

"For me, teaching is ideal," said Tebbe. "I love the combination of contemplation and interaction. At one moment, I may be working alone in my office on a writing project, and at the next moment, I may be walking into a large lecture room and discussing the same issues with students in a way that I hope is exciting for them. It's certainly exciting for me." □

THE WORLD CUSTOMS ACADEMY (World Customs Academy 2011)  
(with S. Offerman)

- *Linking NGO Accountability and the Legitimacy of Global Governance*, 36 *BROOK. J. INT'L L.* 1011 (2011) (with D. Brakman Reiser)
- *Financial Crisis and Civil Society*, 11 *CHI. J. INT'L L.* 505 (2011)

#### PROGRAMS & PRESENTATIONS

- "The Promises and Perils of Global Governance: A Case of the G20," Wharton Business School, Brooklyn Law School, and The George Washington School of Law
- Keynote, "Global Challenges Facing Importers and Exporters,"

KPMG's International Trade Update and Share Forum 2011, Hollywood, FL

- Discusant, on Shaffer and Pollack, "The Use-and Limits- of Formality: Hard Law and Soft Law," International Law Relations Workshop, Temple University
- "Trade and Development, towards Sustainable Development," United Nations Institute for Training and Research, New York City

#### APPOINTMENTS

- Reappointed Chair, Liaison Committee and Member of the Board, Customs and International Trade Bar Association

**Adam Kolber**

**PUBLICATIONS**

- *Unintentional Punishment*, \_\_ LEGAL THEORY \_\_ (forthcoming 2012)
- *The Experiential Future of the Law*, 60 EMORY L.J. 585 (2011)
- *Neuroethics: Give Memory-Altering Drugs a Chance*, 476 NATURE 275 (Aug. 2011)

**PROGRAMS & PRESENTATIONS**

- “The Legal and Ethical Implications of Memory Dampening,” Law and Memory Conference, Stanford Law School
- “The Experiential Future of the Law,” Ethics and the Brain Symposium, Seventh Annual Life Sciences & Society Symposium, University of Missouri
- Keynote, “Emerging Neurotechnologies and the Future of Law,” Law and the Brain: How Recent Advances in Neuroscience Impact the Law Conference, New York City

**MEDIA**

- *Hard Time*, SLATE, Feb. 3, 2011
- *Dominique Strauss-Kahn Arrest*, RADIO FRANCE INTERNATIONALE, May 20, 2011
- *Erased Memories and Spotless Minds*, BBC RADIO 4, July 20, 2011
- *Bioethicist Debate*, BBC WORLD TODAY, Aug. 17, 2011
- *Memory Erasing Drugs Worries are Overblown, Some Ethicists Say*, LIVESCIENCE, Aug. 17, 2011
- *Drugs Could Cleanse Brain of Bad Memories*, INDEPENDENT, Aug. 18, 2011
- *Are Ethicists’ Fears of Memory-Erasing Drugs Overblown?*, MOTHER NATURE NETWORK, Aug. 22, 2011
- *Ethics Concerns Shouldn’t Stop Research on Memory-Altering Drugs*, Law Prof Says, ABA JOURNAL, Aug. 22, 2011

**Rebecca Kysar**

**PUBLICATIONS**

- *Lasting Legislation*, 159 U. PA. L. REV. 1007 (2011)
- *Penalty Default Interpretive Canons*, 76 BROOK. L. REV. 953 (2011)

**PROGRAMS & PRESENTATIONS**

- “On the Constitutionality of Tax Treaties;” Commentator on Sarah Lawsky, *Modeling*; Commentator on Stephanie McMahon, *An Empirical Study of Innocent Spouse Relief*, Junior Tax Scholars Conference, UC–Irvine School of Law

**Brian Lee**

**PUBLICATIONS**

- *Making Sense of “Moral Rights” in Intellectual Property*, 84 TEMPLE L. REV. \_\_ (forthcoming 2011)

**Sarah Light**

**APPOINTMENTS**

- Appointed to Pro Bono Mediation Panel, U.S. District Court for the Southern District of New York



Professor Adam Kolber

**Gregg Macey**

**PROGRAMS & PRESENTATIONS**

- “Environmental Law and the Management of Crisis,” BYU Law Review Disasters and Environmental Law Symposium
- “Drilling in an Abandoned Field: Hydraulic Fracturing in the Absence of Federal Regulation,” American Bar Association Section Teleconference/Webcast
- “Environmental Law and the Management of Crisis,” Brooklyn Law School Junior Faculty Workshop
- “From Oil Spills to Nuclear Waste: Why Cross-Border Environmental Justice Matters,” American Bar Association Annual Meeting, Toronto

**APPOINTMENTS**

- Reappointed Chair of the American Bar Association’s Environmental Justice Committee, Section of Individual Rights and Responsibilities

**Jason Mazzone**

**PUBLICATIONS**

- *COPYFRAUD AND OTHER ABUSES OF INTELLECTUAL PROPERTY* (Stanford University Press, 2011)
- *Batson Remedies and Judicial Federalism*, 97 IOWA L. REV. \_\_ (forthcoming 2012)
- *Rights and Remedies in State Habeas Proceedings*, 73 ALBANY L. REV. \_\_ (forthcoming 2011)
- *Facebook’s Afterlife*, 89 N.C. L. REV. \_\_ (forthcoming 2011)
- *When the Supreme Court is Not Supreme*, 104 NW. U. L. REV. 979 (2010) reprinted in REVISTA FORUMUL JUDECATORILOR (forthcoming 2011)
- *Book Review*, Johann N. Neem, *Creating a Nation of Joiners: Democracy and Civil Society in Early National Massachusetts*, 29 LAW & HIST. REV. 328 (2011)

**PROGRAMS & PRESENTATIONS**

- “Embracing Litmus Tests for Supreme Court Nominees,” Southeastern Association of Law Schools Annual Conference, Hilton Head
- “Overreaching Intellectual Property: The Case of Fair Use,” University of Illinois College of Law

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#### APPOINTMENTS

- Appointed a Fellow of the American Bar Foundation

#### MEDIA

- *Obamacare Unconstitutional? Roger That!*, THE AMERICAN SPECTATOR, Feb. 1, 2011
- *MPAA Charges Digital Storage Site with Encouraging Piracy*, MEDIAPOSTNEWS, Feb. 10, 2011

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#### Gary Minda

##### PUBLICATIONS

- *Law, Justice and Cosmopolitan Jurisprudence in the Aftermath of the Financial Crisis*, 13 IOWA J. GENDER RACE & JUST. 647 (2011)
- *Lessons from the Financial Meltdown: The Struggle for Substantive Justice*, 18 AM. U. J. GENDER SOC. POL'Y & L. 649 (2011)

##### PROGRAMS & PRESENTATIONS

- "Worker Awareness and Democratic Aspirations," Institute of Philosophy, Academy of Sciences, Habermas Conference, Prague
- "The Struggle for a Right to Water as a Human Right: On the Events of 'No More Deaths,' the Limits of Legality, and the Night Circuit's Decision in *United States v. Millis*," Willamette College of Law

#### MEDIA

- *Employees Win Again*, HREONLINE.COM, Mar. 29, 2011

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#### Minor Myers

##### PUBLICATIONS

- *The Perils of Shareholder Voting on Executive Compensation*, 36 DEL. J. CORP. L. \_\_\_ (forthcoming 2011)

##### PROGRAMS & PRESENTATIONS

- Presenter, "The Fundamental Tension Between Director Elections and Shareholder Power," and Commentator, on Engelen and van Essen, "Vulnerability to the Financial Crisis: The Roles of Firm- and Country-Level Governance Mechanisms in Europe," European Association of Law & Economics Annual Conference, Hamburg, Germany
- Presenter, "Corporate Reform Movements and Corporate Law: Lessons from the ALI's Principles of Corporate Governance," and Discussant, "Corporate Law, the Constitution, and the Supreme Court," Midwest Corporate Law Scholars Conference, Ohio State University
- Discussant, Roundtable Discussion on the Dodd-Frank Act, Southeastern Association of Law Schools Annual Conference, Hilton Head
- Discussant, George Washington University Center for Law, Economics, and Finance Junior Faculty Workshop

#### APPOINTMENTS

- Appointed to Corporation Law Committee, New York City Bar Association

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#### Mark Noferi

##### PROGRAMS & PRESENTATIONS

- Panelist, Race & the Law Conference: Immigrant Access to Justice, Brooklyn Law School

#### MEDIA

- Op-Ed: "Turner" Could Support Appointed Counsel for Immigrants, THE NEW YORK LAW JOURNAL, July 22, 2011

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#### James Park

##### PUBLICATIONS

- *Rules, Principles, and the Competition to Enforce the Securities Laws*, 100 CAL. L. REV. \_\_\_ (forthcoming 2012)

##### PROGRAMS & PRESENTATIONS

- "Rules, Principles, and the Competition to Enforce the Securities Laws," Southeastern Association of Law Schools, New Scholars Workshop, Hilton Head
- "Securities Class Actions and Bankrupt Companies," University of Colorado Law School, Junior Business Law Conference
- "Rules, Principles, and the Competition to Enforce the Securities Laws," New York City Area Junior Faculty Forum, Fordham University School of Law

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#### Arthur Pinto

##### PUBLICATIONS

- *The European Union's Shareholder Voting Rights Directive from an American Perspective: Some Comparisons and Observations*, 32 FORDHAM INT'L L.J. 587 (2009), reprinted in CORPORATE GOVERNANCE (Aspen, 2011)
- *The United States Supreme Court and Implied Private Cause of Actions Under SEC Rule 10b-5: The Politics of Class Actions*, in COLLECTIVE ACTIONS: ENHANCING ACCESS TO JUSTICE AND RECONCILING MULTILAYER INTERESTS (Cambridge University Press, forthcoming 2011) (M. Siems, S. van Uytsel, & S. Wrba eds.)
- *An Overview of United States Corporate Governance in Publicly Traded Corporations*, 58 AM. J. COMP. L. 257 (Supp. 2010), reprinted in COMPARATIVE CORPORATE GOVERNANCE (Cambridge University Press, 2011) (K.J. Hopt & A.M. Fleckner eds.)

##### PROGRAMS & PRESENTATIONS

- "The United States Supreme Court and Implied Private Cause of Actions Under SEC Rule 10b-5: The Politics of Class Actions," Collective Actions: Enhancing Access to Justice and Reconciling Multilayer Interests? Conference, Fukuoka, Japan

#### APPOINTMENTS

- Reappointed as advisor to the Law School Admission Council's Investment Advisory Group

## Robert Pitler

### PUBLICATIONS

- DEVELOPMENTS IN CRIMINAL LAW, CRIMINAL PROCEDURE AND EVIDENCE (PKW Publishers, 5th ed.) (2011 Supplement)

### MEDIA

- *Nassau Faces Increased Costs for Lab Cases*, NEWSDAY, June 25, 2011



Professor Davis Reiss

## David Reiss

### PUBLICATIONS

- Review of Edward Glaeser, TRIUMPH OF THE CITY: HOW OUR GREATEST INVENTION MAKES US RICHER, SMARTER, GREENER, HEALTHIER, AND HAPPIER (2011) and review of Kathleen Engel & Patricia McCoy, THE SUBPRIME VIRUS (2011) (reprinted in 9 AALS SECTION ON REAL ESTATE TRANSACTIONS NEWSLETTER 2 (2011) in ENVIRONMENT AND PLANNING (forthcoming 2012)
- *The Legal Regulation of Predatory and Subprime Lending*, in ELSEVIER ENCYCLOPEDIA OF HOUSING AND HOME (forthcoming 2011)
- *Learning from Financial History: An Academic Never Forgets*, WESTLAW JOURNAL EXPERT COMMENTARY SERIES CONSUMER PROTECTION UPDATE: BANKING, FINANCE & DATA PRIVACY 8 (2011)
- *Foundations of Federal Housing Policy*, in COMMUNITY, HOME, AND IDENTITY (Ashgate, 2011) (M. Diamond & T. Turnipseed eds.)
- *Fannie Mae, Freddie Mac, and the Future of Federal Housing Finance Policy: A Study of Regulatory Privilege*, CATO POL'Y ANALYSIS (Apr. 18, 2011)

### PROGRAMS & PRESENTATIONS

- "Fannie Mae and Freddie Mac: Implications for Credit Unions," Filene Research Institute Webinar
- "The Stuyvesant Town Default and the Future of Multifamily Housing Finance," NYU School of Law

### APPOINTMENTS

- Appointed Chair, Bylaws Committee, Brooklyn Bridge Park Citizen Advisory Committee; Member, Executive Committee

### MEDIA

- Op-Ed: *Abolish Fannie and Freddie*, AOLNEWS.COM, Feb. 10, 2011
- *Fannie, Freddie Shareholders Remain in Limbo*, THESTREET.COM, Feb. 12, 2011
- *The Fight for GSE Reform*, GLOBEST.COM, Feb. 14, 2011

- *CU's Should Support GSE Privatization, Professor Says*, CREDIT UNION TIMES, Feb. 23 & Mar. 2, 2011
- *Freddie Mac Warns Lenders on Mortgage Insurance Deals*, BLOOMBERG, Apr. 4, 2011
- *Freddie Wants an End to Side Deals Between Lenders and Mortgage Insurers*, AMERICAN BANKER, Apr. 7, 2011
- *Freddie Mac Warns Lenders on Mortgage Insurance*, THE WASHINGTON EXAMINER, Apr. 6, 2011
- *For all the Blame, Credit Raters Still Count on Big Banks for Support*, IWATCHNEWS, Apr. 21, 2011
- *The Future of Ratings*, RISK MANAGEMENT MAGAZINE, Aug. 19, 2011

## Elizabeth Schneider

### PUBLICATIONS

- DOMESTIC VIOLENCE AND THE LAW: THEORY AND PRACTICE (Foundation Press, 3d, forthcoming 2012) (with C. Hanna, J. Greenberg & E. Sack)
- *The Evolution of a Casebook and the Development of Domestic Violence as a Field: Clare Dalton and Thirty Years of Feminism in American Legal Education*, 20 J.L. AND POL'Y \_\_ (forthcoming 2012) (with C. Hanna)

### PROGRAMS & PRESENTATIONS

- Moderator/Discussant, "Gender and Criminal Law," AALS Workshop on Women Rethinking Equality, Washington, D.C.
- Panelist, "Studies of Litigation Around the World;" Chair/Discussant, Roundtable Discussion on "Structural Inequality and Violence Against Women;" Participant, Roundtable Discussion on "Discovering, Developing and Teaching Women's Law Stories," Law and Society Association Annual Meeting, San Francisco
- Moderator, "Ongoing Challenges and New Frontiers in Public Interest Law," 25th Anniversary Celebration of the Edward V. Sparer Public Interest Law Fellowship Program, Brooklyn Law School
- Presenter on several panels, Gender Justice in the Americas: A Transnational Dialogue on Sexuality, Violence, Reproduction and Human Rights Conference, University of Miami Law School

## Christopher Serkin

### PUBLICATIONS

- *Suing Courts*, 79 U. CHI. L. REV. \_\_ (forthcoming 2012) (with F. Bloom)
- *Condemning the Decisions of the Past: Eminent Domain and Democratic Accountability*, 38 FORDHAM URB. L.J. 1175 (2011) (Symposium issue)

### PROGRAMS & PRESENTATIONS

- Presenter, "Condemning the Decisions of the Past: Eminent Domain and Democratic Accountability," Fordham University School of Law



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**Lisa Smith****PROGRAMS & PRESENTATIONS**

- Panelist, Special Committee for Violence, ABA Criminal Justice Section Meeting, Atlanta
- Working Group Leader, "Externships 2011," AALS Clinical Section Conference, Seattle

**MEDIA**

- *A Paradoxical Remedy for Cyberstalking*, INTERNETEVOOLUTION, June 1, 2011

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**Lawrence Solan****PUBLICATIONS**

- OXFORD HANDBOOK OF LANGUAGE AND LAW, (Oxford University Press, forthcoming 2012) (with P. Tiersma)
- *Statutory Interpretation, Morality, and Text*, 76 BROOK. L. REV. 1033 (2011)
- *Justifying Board Diversity*, 89 N.C.L. REV. 901 (2011) (with J. Fanto & J. Darley)

**PROGRAMS & PRESENTATIONS**

- "The Expert Witness Meets the Adversarial System: Ethical Issues and the Centrality of Method," International Congress on Law and Mental Health, Berlin
- "Statutory Interpretation, Morality and the Text," International Association of Forensic Linguistics, Birmingham, England
- "Statutory Interpretation in the EU: Are 23 Languages Enough?" Princeton University Program in Translation
- "From Risk to Knowledge," MERGE Conference on Experimental Philosophy, NYU (with P. Mueller and J. Darley)
- Commentator, Conference on Statutory Interpretation, Columbia Law School
- "Government by Plain Language," Symposium on Plain Meaning in Context: Can Law Survive its Own Language?, NYU
- Moderator and Commentator, "Statutory Interpretation: How Much Work Does Language Do?" AALS Legislation Section Panel, San Francisco

**BEFORE COURTS/LEGISLATURES & AGENCIES**

Professor Solan's work was cited in the following cases:

- *Flagstar Bank, FSB v. Hart*, Civil No. 10-cv-15, United States District Court for the District of the Virgin Islands, St. Croix Division, 2011 U.S. Dist. Apr. 14, 2011
- *Miami County Bd. of Comm'rs v. Kanza Rail-Trails Conservancy, Inc.*, No. 101,811, SUPREME COURT OF KANSAS, 2011 Kan., June 10, 2011
- *Ex parte Robbins*, NO. AP-76,464, COURT OF CRIMINAL APPEALS OF TEXAS, 2011 Tex. Crim., June 29, 2011
- *Baby E.Z. v. T.I.Z.*, No. 20090625, SUPREME COURT OF UTAH, 2011 UT 38; 2011 Utah, July 19, 2011

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**Winnie Taylor****PUBLICATIONS**

- *Proving Racial Discrimination and Monitoring Fair Lending Compliance: The Missing Data Problem in Nonmortgage Credit*, \_\_ REV. BANKING & FIN. L. \_\_ (forthcoming 2012)

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**Nelson Tebbe****PUBLICATIONS**

- *Witchcraft and the Constitution*, in TRADITIONAL AFRICAN RELIGIONS IN SOUTH AFRICAN LAW (University of Capetown Press, 2011) (T. Bennett ed.)
- *Notes on Borrowing and Convergence*, 111 COLUM. L. REV. SIDEBAR \_\_ (forthcoming 2011) (with R. Tsai) (comment on Jennifer Laurin, *Trawling for Herring: Lessons in Doctrinal Borrowing and Convergence*, 111 COLUM. L. REV. 670 (2011))
- *Nonbelievers*, 97 VA. L. REV. 1111 (2011)
- *Smith in Theory and Practice*, 32 CARDOZO L. REV. 2055 (2011)

**PROGRAMS & PRESENTATIONS**

- "Ethical Issues in Prison Actions," Practising Law Institute, Prison Law Program
- Organizer, Annual Law and Religion Roundtable, Northwestern University Law School
- Panelist, "Religious Freedom in 2020," American Constitution Society Annual Convention, Washington, D.C.

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**Aaron Twerski****PUBLICATIONS**

- TORTS: CASES AND MATERIALS (Aspen, 3d ed 2012) (with J. Henderson, Jr. & B. Wendell)

**MEDIA**

- *NASA Report Makes Life Tougher for Lawyers Suing Toyota*, FORBES, Feb. 8, 2011

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**Marilyn Walter****PROGRAMS & PRESENTATIONS**

- Panelist, Scholars' Forum, Empire State Legal Writing Conference, New York City
- Co-presenter, "Expanding Your Footprint in the Curriculum;" Panelist, "A Talk About Tenure: Moving Forward with Your Eyes Open," Association of Legal Writing Directors 2011 Conference, Sacramento

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**Jane Yakowitz****PUBLICATIONS**

- *The Secrets of My Success: How Status, Prestige and School Performance Shape Legal Careers*, \_\_ J. EMPIRICAL LEGAL STUD. \_\_ (forthcoming 2012) (with R. Sander)
- *Tragedy of Data Commons*, 25 HARVARD J.L. & TECH. \_\_ (forthcoming 2011)

**MEDIA**

- *The 0.00002% Privacy Solution*, THE WALL STREET JOURNAL, Mar. 28, 2011
- *Jane Yakowitz on How Privacy Regulation Threatens Research & Knowledge*, TECHLIBERATION.COM, Mar. 22, 2011
- *Our Data, Ourselves*, THE BOSTON GLOBE, May 23, 2011

## Class Reunions

On May 19, members of the classes of 1951, 1956, 1961, 1966, 1971, 1976, 1981, 1986, 1991, 1996, 2001, and 2006 celebrated their Law School reunions in the New York Public Library's stunning Astor Hall. As always, the highly anticipated event drew several hundred graduates. They enjoyed a festive evening catching up with former classmates and professors, reliving old memories, and creating new ones in the Library's grand hall.



*TOP: Members of the class of 1991. BOTTOM LEFT: Martin J. Siegel '66 and Alan Brutton '66. BOTTOM RIGHT: Interim Dean Michael Gerber, Irving Bizar '56 and his wife Eileen Bizar, and Prof. Claire Kelly '93.*





*CLOCKWISE FROM UPPER LEFT: Classmates from 1981 enjoy the festivities; the New York Public Library's beautiful Astor Hall fills with BLS alumni; recent graduates reconnect; and members of the class of 1951 pose together.*



*A docent at the Rubin Museum describes an artist's work.*

## Cocktails at the Rubin Museum

On April 6, Brooklyn Law School alumni and friends were invited to spend an evening sipping cocktails, networking with fellow graduates, and exploring art from the ancient Himalayas at the Rubin Museum. The popular event drew over 85 graduates and faculty members who took part in docent-led tours of the galleries and a private cocktail reception in the museum's beautiful Colonnade.

## On the Road: Seattle and the Hamptons



Throughout the year, members of the Brooklyn Law School community go “On the Road” in various locations to meet with graduates and to share the latest news at the Law School. These events also provide a wonderful opportunity for alumni living or working in these areas to meet each other. This summer, the Law School held receptions in Seattle and in Quogue.

On July 10, graduates in Washington gathered at the Fairmont Olympic Hotel in Seattle with Interim Dean Michael Gerber, President Joan G. Wexler, U.S. District Court Judge (EDNY) Edward Korman '66, Vice-Chair of the BLS Board of Trustees, who was sitting temporarily in the 9th Circuit, and his wife, Diane Eisner '74, also joined the group.

A few weeks later, President Wexler and Dean Gerber traveled to the East End, where Stacy Kanter '84 and Eric Kornblau '84 generously opened their beautiful home in Quogue, NY. Eric and Stacy have been strong supporters of the Law School, and at the reception there were several of their family members in attendance with their own connection to the School, including Stacy's sister, Leslie Kanter '87, and Eric's brother, David Kornblau '80. □



COUNTER-CLOCKWISE FROM TOP: Stacy Kanter '84 and Eric Kornblau '84; graduates enjoy the beautiful day at Stacy and Eric's home; Pres. Wexler (second row, right) with Seattle-area graduates.

## Recent Alumni Gather for Beer and Cheese Tasting

On June 9, recent graduates, Interim Dean Michael Gerber and faculty members kicked off the summer with an evening of beer and cheese at The Little Cheese Pub in Chelsea. Owned by Lori Mason '99, and her husband, acclaimed Chef Daniel Angerer, the restaurant was a fun venue for graduates and professors to reconnect. In addition to catching up on the most recent news of fellow classmates, Chef Angerer gave an overview of ideal beer and cheese pairings.



LEFT TO RIGHT: Lori Mason '99 and Dean Gerber; graduates receive instructions on beer tasting; 2009 Classmates Jennifer Bloom and Erin Schecter.



# Larry Silverstein '55 Hosts Inaugural Real Estate and Land Use Networking Event



*Larry Silverstein '55 addresses students and graduates from the 45th floor of 7 World Trade Center.*



*LEFT TO RIGHT: Prof. David Reiss, Samuel Weinbaum '54, Larry Silverstein '55, President Joan G. Wexler, Interim Dean Michael Gerber, and Prof. Christopher Serkin.*

New York City is the power center of the world's foremost real estate developers, construction companies, and financiers. For law school students considering a future in real estate law, Brooklyn Law School offers the ultimate learning environment.

In April, a group of students and graduates interested in real estate law got a bird's eye view of the redevelopment of Ground Zero and an opportunity to meet one of the world's great real estate developers, Larry Silverstein '55. Silverstein is President and CEO of Silverstein Properties and has played a dominant role in the redevelopment of Lower Manhattan and rebuilding Ground Zero. He graciously hosted the event on the 45th floor of 7 World Trade Center, a magnificent space with panoramic views of Lower Manhattan and the Hudson and East Rivers, and the first building to be rebuilt on the site by Silverstein Properties.

The event was organized by Professor David Reiss, an expert in housing policy and real estate law, and Professor Christopher Serkin, an expert in land use and property law, who sought to connect aspiring real estate lawyers with alumni practicing in this field. They, together with the Alumni Relations Office, initiated the inaugural Real Estate and Land Use networking event. Over 200 alumni, students, and faculty attended the event, which featured a talk by Silverstein on a topic near and dear to his heart: "Building the Future of Lower Manhattan."

"Students were palpably excited by Larry Silverstein's talk—both about his work in lower Manhattan and also about the personal journey that has made him one of the most successful developers in America," said Reiss. "Programs like this make it clear that we are standing on the shoulders of a great group of alumni."

The event was also an opportunity to highlight the strengths of the BLS real estate faculty, which is made up of an outstanding group of scholars, distinguished practitioners, and government policy makers who blend real estate theory with practice in the classroom. The curriculum includes over 20 courses in the real estate area and students can earn a Certificate in Real Estate Law. The Law School also offers a joint degree in law and urban planning policy or regional planning with Pratt Institute. □

“Programs like this make it clear that we are standing on the shoulders of a great group of alumni.”

—Professor David Reiss



## *From the Beltway to Subway:* **Q&A with Larry Feldman '74**

Larry Feldman's mother was so proud. Her son, whom she and her husband had raised in the projects of East New York, Brooklyn, had graduated from Brooklyn Law School in 1974. Three years later, at the age of 27, he was already on his way to a successful legislative career, working on Capitol Hill as Deputy Minority Counsel to the House Banking Committee. But then, he made a change. He decided to make sandwiches.

Feldman was fed up with the institutional quality of lunch options around the Hill and jumped at the opportunity to open one of the first franchises of Subway, a sandwich shop founded by Fred DeLuca, a friend from Feldman's undergraduate days in the late 1960s at the University of Bridgeport. In a vacant space across the street from the House of Representatives, next door to Congressional Liquors, he opened his first Subway store. His mother, to put it mildly, was not pleased. "You could hear the screaming all the way from Brooklyn to Washington," he recalled of the phone call in which he broke the news of his career change.

That was more than 30 years ago. Today, Subway has more than 43,000 stores in 83 countries, surpassing McDonald's as the largest fast food franchise in the world. Feldman is the CEO of Subway Development Corp. of Washington, which includes Washington D.C., Virginia, Maryland, Delaware, and Virginia, with nearly 1,100 Subway locations under his control. In March, he became the CEO of Subway Development Corporation of South Florida as well, with 250 locations in operation. He is also the creator of the Subway Café, a more upscale spot with an extensive menu that includes fresh-baked breakfast pastries, coffee, paninis, and gelato in a setting marked by exposed brick walls and comfortable sofas.

His overwhelming success has helped bring his mother around. "Once we bought her a condo in Florida, she came around to thinking making sandwiches was not so bad."

*LawNotes* Managing Editor Andrea Strong '94 spoke with Feldman to learn more about growing up in Brooklyn, and his transition from working in the House to making heroes.

### **Tell me a bit about your background before law school.**

I am very blessed that I had great parents. My sister and I never realized that we were poor. For most kids like us who grew up in the projects, it was just about having fun. My dad, like many of the fathers at that time, had just returned from the war. It was a great life. We were outside playing from eight in the morning until dinnertime. We played baseball, stickball, and every sport imaginable, on concrete. It's funny. I didn't know that schools had grass ball fields until I was eight or nine years old and visited cousins in Long Island.

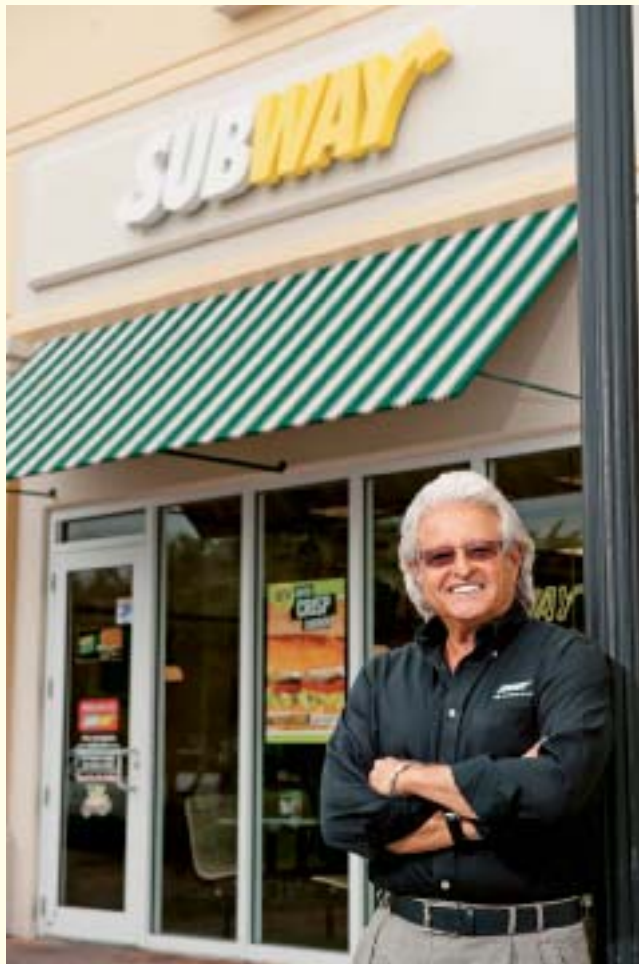
We left Brooklyn when my dad, who was a hairdresser, bought a salon in Monticello, New York. I loved small town living. At the age of 16, I could drive, and I remember pulling into a gas station and having the attendant say, "Good morning!" In all my years in Brooklyn, I'd never heard that. I never wanted to leave. I thought, "I'm going to be a lawyer and settle here."

### **You wanted to be a lawyer from an early age. Where did that goal come from?**

Originally, I wanted to be a doctor, but the sciences were not for me. History and English were much easier for me, so law was a logical step. It may also go back to watching *Perry Mason* and seeing what lawyers could do. That, plus I had two uncles, George Warmund '31 and David Kitzes '70, who went to Brooklyn Law School, and I loved hearing stories about the law. BLS was a great choice. I am one of those crazy guys who loved law school. I learned something new every day. Professor Crea was an awesome teacher who became a mentor to me as well. He also taught my uncles, and so there was a nice connection there.

### **How did you end up on Capitol Hill so soon after graduating from law school?**

I was an intern to Congressman Stewart McKinney of Connecticut during the summers of law school. When I graduated, I went straight to Washington and became his legislative assistant. Then I moved on to become Deputy Minority Counsel to the House Banking Committee. McKinney actually loaned me the money to open my first Subway store, which is still there today. I would be involved in congressional hearings in the morning, and at lunchtime, I would run across the street, take off my jacket and tie, put on my apron, and start making sandwiches. The lobbyists would say, "Hey, you look very familiar!" Then I would run back to the Hill after the lunch rush. After opening a few more successful stores, I said to myself, "I am no longer the minority counsel, I am a sandwich maker."



### **Do you have any regrets about leaving the Hill?**

No. I was once given good advice not to have a job, but to find a labor of love. And that's what I have. I wake up every morning not to a job, but to a career that lets me help individuals become entrepreneurs. A woman wrote to me recently and told me that she sent her daughter to medical school because of her Subway franchise. That's what it's about—creating opportunities for people.

### **You've made philanthropy a large component of your Subway business model. Why is that?**

Philanthropy is a big part of my family's life and our business model. My wife Diane is extremely involved in charity work. Together, through our Subway shops and the sale of pink ribbons, we have raised almost \$2 million for the American Cancer Society's breast cancer research. We want to set an example. We are good corporate citizens and we also want to show people how to be philanthropic citizens. We give each of our employees in our corporate offices \$500 to use for charity. But it's not about writing a check. They need to be active in the work, participating in the charity as well.

### **What changes are you seeing within the industry?**

The real issues come from the obstacles that the government puts in the way of the small business entrepreneur. I have direct contact with a number of congressmen, and the conversations continue to get back to the banks saying that government regulation prevents them from loaning money, and the government saying, "What do you mean? You have money to loan!" The small business person is caught in the middle, which is a shame. If the dollars were made available, the amount of money we could give back in the form of increasing our tax base would stimulate our economy.

### **Do you have any advice for young lawyers and budding entrepreneurs?**

When I was growing up, it was about telling your children to be doctors, lawyers, or accountants. Now those doctors and lawyers and accountants are telling their children to be entrepreneurs. My wife Diane and I have three sons who have that entrepreneurial spirit. My oldest son, Daniel, is a men's clothing designer. His made-in-America line, Feltraiger's, takes its name from our original Russian name, which was changed at Ellis Island. My middle son, Adam, is the Vice President of Marketing for Subway in South Florida, and he really brings us into the 21st Century with his social networking expertise. And my youngest son, Jonathan, is Feltraiger's Director of Marketing.

While I support entrepreneurship, I strongly believe that everyone considering a career in business should study law. It allows you to see the issues clearly, and to find the solutions. It's a very different kind of thought process. It affords you the skills to do whatever you want to do. Even if it's not in your heart and soul to practice law, you can use the study of law and apply it to business. There is no better background.

### **Do you have a favorite Subway sandwich?**

I've often asked people, "What would your last meal be?" My wife's happens to be a bacon cheeseburger, but mine is a Subway tuna sub. □

# ClassNotes

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**1952**

**Norman Shapiro**, who maintains his own firm in Orange County, NY, was presented with the NYS Defenders Association's Service of Justice Award in July 2011. Shapiro is a founding member of the Association, which was formed 44 years ago, and the award recognized his contributions to improving the quality of public defense services.

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**1959**

**Gerard H. Rosenberg**, a justice of the NYS Supreme Court, Kings County, will be saluted in October 2011 for his outstanding career as a private attorney, a court attorney, and a jurist for almost a quarter of a century. He is also one of the founders of the Kings County Inn of Court, which was created to improve the skills, professionalism and ethics of the bench and bar.

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**1965**

**Bernard J. Fried**, a justice of the NYS Supreme Court, New York County, was awarded The Capozzoli Gavel Award by the New York County Lawyers' Association at its Annual Law Day Luncheon in April 2011.

**Marvin Salenger** was honored by the United Cerebral Palsy of Suffolk County at its annual golf outing in June 2011. Salenger is a partner in the personal injury and medical malpractice litigation firm of Salenger, Sack, Kimmel & Bavaro LLP.

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**1966**

**Norman Janowitz** was elected as a justice of the NYS Supreme Court, Nassau County in November 2010. He previously served as a judge of the Nassau County District Court.

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**1968**

**Sidney D. Bluming**, who maintained his own law firm for 43 years, recently merged his practice into the law firm, Meister Seeling & Fein LLP, where he is a partner and chair of the firm's newly structured Intellectual

Property Department. He represents private companies, senior executives, celebrities, fashion models, and athletes in engagement, employment, termination, sponsorship, endorsement, and other major transactions.

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**1969**

**Jeffrey D. Forchelli**, managing partner of the Long Island firm, Forchelli, Curto, Deegan, Schwartz, Mineo, Cohn & Terrana, LLP, was presented with the 2011 Frederic Ozanam Award by the Diocese of Brooklyn in May 2011. Forchelli concentrates his practice on complex real estate and land use matters, including litigation and tax certiorari for major real estate developers and national corporations. He is also a member of the Brooklyn Law School Board of Trustees.

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**1970**

**Lester M. Bliwise**, formerly with Sutherland, Asbill & Brennan LLP, joined the New York office of Seyfarth Shaw LLP as Of Counsel in the firm's Real Estate Department. He is a past chair and a member of the Executive Committee the NYSBA's Real Property Law Section and a member of the Finance Committee of the Real Estate Board of New York. He is also a Fellow in the American College of Real Estate Lawyers and the American College of Mortgage Attorneys.

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**1971**

**Sanford A. Rubenstein**, a founding partner of the personal injury firm, Rubenstein & Rynecki, recently published a book, *The Outrageous Rubenstein: How a Media-Savvy Trial Lawyer Fights for Justice and Change*, (Rubenstein & Rynecki 2010).

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**1973**

**Arthur E. Shulman**, who maintains a private practice in Islandia, NY, is serving as the first vice president of the Suffolk County Bar Association and was nominated as its president-elect for the 2011-2012 year. He is a past dean of the Suffolk Academy of Law.

**Richard A. Stoloff**, a partner of the Monticello, NY firm, Stoloff & Silver LLP, was appointed to a four-year term on the NYS Commission on Judicial Conduct. A past president of the Sullivan County Bar Association, Stoloff concentrates his practice in the areas of litigation, corporate and business law, real estate law, and wills, trusts and estates law.

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**1974**

**Joseph S. Karp**, founding partner of the The Karp Law Firm, P.A., focused on elder law and estate planning, was named one of Florida's Legal Elite for 2011 by *Florida Trend* magazine.

**Jeremy S. Weinstein**, a justice of the NYS Supreme Court, Queens County, was presented with the Benjamin N. Cardozo Award from The Jewish Lawyers Guild at its 35th Annual Dinner in March 2011.

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**1975**

**Howard I. Dorfman**, previously counsel in the Life Sciences Practice Group of Ropes & Gray, LLP, joined the Parsippany, NJ office of Ferring Pharmaceuticals Inc. as vice president and general counsel. He also recently participated in various speaking engagements, including a webinar sponsored by Thompson Publications, a CLE program co-sponsored by Axiom Law and the NJ Chapter of the Association of Corporate Counsel of America, and a speech before the Center for Business Intelligence Bio/Pharmaceutical Legal Congress.

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**1975**

**John M. McFaul** joined the Long Island office of Rivkin Radler LLP as a partner in the firm's Trusts, Estates & Taxation Practice Group. He concentrates his practice on Surrogate's Court litigation with a special focus on "kinship proceedings," trusts and estates administration, and estate planning. Before joining the firm, he maintained his own private practice for 11 years and served as substitute counsel to the Public Administrator of Queens County.



## Brad Keller '79: The Closer

The elevators to the office were on 24-hour lock down. An armed guard was stationed in the lobby. A marked police car was in the home driveway. A fleet of black SUVs was in place. Death threats or not, Brad Keller '79 was ready for court.

The 2008 case, in which Keller represented SuperSonics' owner Clay Bennett against the city of Seattle in his quest to take the team to Oklahoma City, was one of the most polarizing in Seattle's history. A rabid fan base was enraged at Bennett and happily took its frustrations out on his lawyer. In the end, the case landed Keller with the somewhat unfortunate legacy as the man who whisked the Sonics away after 41 years to become the Oklahoma City Thunder. But for Keller, death threats or not, it was a great ride.

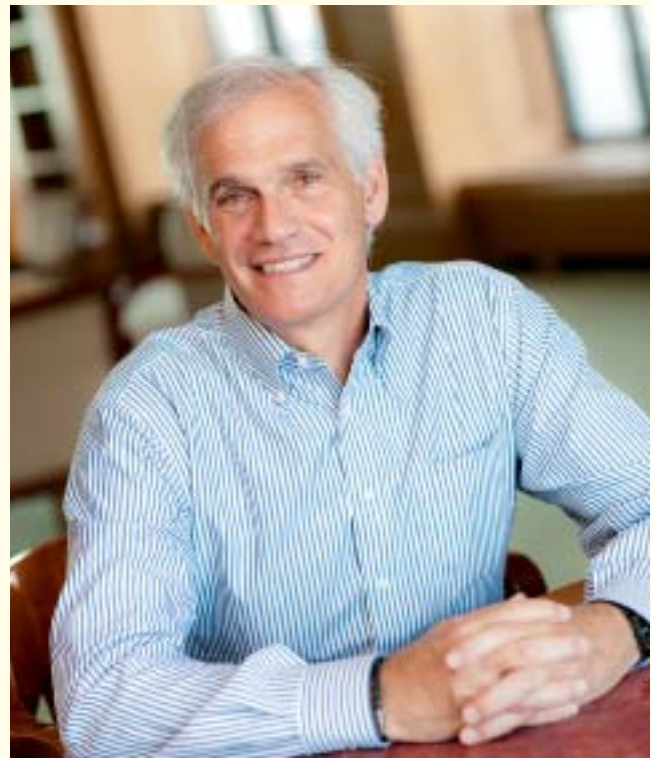
"I'd never worked on a matter that generated such violence and ill will," he said. "But to me it was a fun case. You knew your client was disliked, you knew your position was shaky, and you knew the outcome you wanted raised the ire of your community. And against all that, how do you package your case at trial in a way to give it a shot at winning?"

After a nine-day bench trial, during which Keller's offices were patrolled by armed guards and he was escorted to and from the courthouse by a private security detail, the parties settled. Bennett would take his team to Oklahoma City, and in return would pay \$25 million to the city to terminate the KeyArena lease. It was a good outcome for my client," he said. "And, hopefully, Seattle will get another basketball team in the not-too-distant future."

The son of a trusts and estates lawyer, Keller grew up on Long Island and went to Wisconsin's Beloit College, where a work-study program landed him in a semester-long internship at the Dade County Public Defender's Office. "I was your typical Jewish liberal kid, thinking I'd go and defend the downtrodden from the United States government. But that internship quickly took the burnish off that image." While criminal law didn't appeal to Keller, jury trials did. "I learned a lot from the experience, and while it didn't really push me toward criminal law, I knew I wanted to try cases," he said.

After graduating from Brooklyn Law School *magna cum laude*, Keller joined Bogle & Gates, one of Seattle's most prestigious litigation firms, where he was mentored by Peter Byrnes, one of the firm's senior litigation partners. Keller quickly came up the ranks as a star litigator. Five years later, in 1984, Keller was ready for a new challenge, and approached Byrnes for help with obtaining a position at the U.S. Attorney's Office. Byrnes returned with an unexpected proposal. "He said, 'What if I left and started a firm? Would you come with me?' I'm thinking, here is someone who's 15 years senior to me, a top wage earner, and he wants to start a firm with me? Naturally, I agreed, but I had two requirements—that I be a partner and that my name be on the wall. Thirty days later, we left Bogle & Gates and started a new firm."

Their firm, now Byrnes Keller Cromwell, has grown from three lawyers to a trial boutique of 10. "In this size firm, you can achieve a level of personal and professional recognition far beyond what



you would have achieved as a senior trial partner in a big firm," said Keller, whose team includes another BLS graduate, Josh Selig '05. Selig was working for Heller Ehrman in Seattle, and cold-called Keller off the alumni directory to bend his ear for career advice. The timing was right, as Heller's firm was looking to hire a new associate. "We hired him and he is doing a terrific job for us," said Keller. "He is a smart lawyer and it's fun to have that BLS bond."

While Keller's public image may be strongly tied to the departure of the Sonics, his practice includes an impressive variety of cases, from commercial leases and products liability to civil actions for sexual assault and securities fraud. "A lot of people like the comfort of being in one area of the law. Not me. I am the opposite. I don't care whether it's a whiplash case, a price-fixing case, or anything in between."

Over his 30 years as a litigator, Keller has built a reputation as a legal sorcerer, capable of massaging even the most difficult case into a winner. He has been called "a money lawyer, the go-to guy when the all the chips are on the table" by the *King County Bar Bulletin*. His reputation means that he is often tapped by clients as trial is approaching to try to win tough cases. Using the originally-retained firm for support, Keller comes in like a relief pitcher, the closer.

"We are known for our forensic skills in the courtroom, our reputation in the courts, and our ability to present a case to a jury. We are hired because we can come in and present the case in a jury-receptive way." Armed guards and all. □

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1977

**Marc S. Gerstman** joined the New York State Department of Environmental Conservation as its Executive Deputy Commissioner. Gerstman was most recently in private practice in Albany, NY, specializing in environmental, natural resource, land use, zoning, administrative and municipal law. He previously worked for the DEC for 13 years, leading its legal team as Deputy Commissioner and General Counsel.

**Barry Salzberg** was elected Global Chief Executive Officer of Deloitte Touche Tohmatsu Limited. Salzberg oversees a network of 47 member firms operating in 150 countries, with more than 170,000 people worldwide. He has been with the company for over 30 years and most recently served as CEO of Deloitte LLP in the US. Salzberg will be presented by the Law School with the Robert B. Catell Award for Civic Leadership at a gala dinner in December 2011.

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1982

**Hal M. Hirsch** joined Alvarez & Marsal, a global professional services firm, as managing director and head of its newly formed Global Asset Risk Services practice. The practice was established to assist sovereigns, foundations and corporations in tracing, tracking, quantifying and recovering investments and donations in situations including sovereign investments, international military assistance, humanitarian and disaster relief and fraud. Hirsch was formerly chair of the Global Recovery Practice at Greenberg Traurig LLP.

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1983

**Michael D. Grohman** was appointed managing partner of the New York office of Duane Morris LLP. Grohman is also chair of the firm's Wealth Planning Practice Group and has served as the hiring partner in the New York office since 2007. He practices in the areas of tax and estate planning and administration, with particular emphasis on estate planning for owners of closely held businesses.

**Judy Shouse Levy** was appointed Executive Director of Meals on Wheels of Trenton/Ewing in New Jersey. She was formerly president and secretary of Families in Transition, Inc. and is a trustee of the Board of Delaware Valley Christian Camp, Inc.

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1984

**Raymond H. Levin**, Of Counsel at Wachtel Masyr, LLP, is this year's honoree at the opening concert of the Celebrate Brooklyn Performing Arts Festival. Celebrate Brooklyn has been providing free summer concerts in Prospect Park for over 30 years. A life-long Brooklynite, Levin has contributed his expertise to the Festival from its inception. He practices in the area of zoning, environmental review, historic preservation and administrative law.

**Ann T. Pfau**, New York Chief Administrative Judge, was presented with the Golda Meir Memorial Award from The Jewish Lawyers Guild at its 35th Annual Dinner in March 2011. Pfau was appointed Administrative Judge in May 2007 and oversees the administration and operation of the statewide court system.

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1985

**Gail E. Cohen**, vice chairman and general trust counsel of Fiduciary Trust International, was elected treasurer of the New York Bankers Association and chairman of the organization's New Century Investment Fund. At Fiduciary Trust, Cohen is responsible for the company's client relationships, trust and estate services, and regional offices. She is also an adjunct professor at Brooklyn Law School.

**James I. Glasser**, a partner in the New Haven, CT and New York offices of Wiggin and Dana LLP, became a Fellow of the American College of Trial Lawyers. Glasser is co-chair of the firm's White-Collar Defense, Investigations and Corporate Compliance Practice Group. He represents corporations and individuals in complex litigation and in investigations and prosecutions conducted by federal agencies.

**Scott D. Pollock**, founding partner of the Chicago, IL immigration and naturalization law firm, Scott D. Pollock & Associates, P.C., recently published "Immigration Law vs. Religious Freedom: Using the Religious Freedom Restoration Act to Challenge Restrictive Immigration Laws and Practices" in the *Rutgers Journal of Law and Religion* and "Do Unto Others: The Importance of Better Compliance of Consular Notification Rights" in the *Duke Journal of Comparative and International Law*.

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1986

**Robert D. Brownstone**, Technology & eDiscovery Counsel and Co-Chair of the Electronic Information Management Practice Group of Fenwick & West LLP, recently published "Avoiding eDiscovery Nightmares: 10 Ways CEOs Can Sleep Easier" in *Forbes*. Brownstone advises clients on electronic discovery, electronic information management, retention/destruction policies and protocols, information security, and privacy.

**Steven E. Fox**, formerly a partner at Epstein Becker & Green, joined the New York office of Riemer & Braunstein LLP as a partner in the firm's Banking and Finance and Bankruptcy practice areas. Fox focuses his practice on structuring complex asset based lending transactions, secured transactions, in-court and out-of-court work-outs, bankruptcy, and business reorganization matters.

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1987

**Ruth C. Logan** was appointed a Municipal Court Judge for the City of Dallas, TX. She previously served as an Associate Municipal Judge for eight years while maintaining her own law firm focusing on criminal and family law matters.

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1988

**James D. Diamond**, who maintains a private practice in Danbury, CT specializing in criminal defense law, was elected chairman of the Stamford, Connecticut Democratic Party.

**Ethan B. Gerber** was installed as president of the Brooklyn Bar Association in June 2011. He is the managing partner of Gerber & Gerber PLLC, which represents self-insured taxi corporations. He is also the executive director of the Greater New York Taxi Association, as well as a co-founder, board member, and counsel to the Association.

**Alice Fisher Rubin** was honored by the Brooklyn Women's Bar Association with a Lifetime Achievement Award at its annual dinner in April 2011. She recently retired as a judge of the NYC Civil Court, Kings County and joined NAM, an alternative dispute resolution organization.

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## 1989

**Evan M. Goldberg**, a partner at the personal injury firm Trolman, Glaser & Lichtman, PC, was elected Parliamentarian of the New York State Trial Lawyers Association and a Fellow of the New York Bar Foundation. He has served as the elected chair of the Trial Lawyers Section of the NYSBA and is also a director of the NYS Trial Lawyers Association.

**Claire S. Kedeshian**, an Assistant United States Attorney in the Civil Division of the U.S. District Attorney's Office, EDNY, was awarded a Henry L. Stimson Medal from the New York City Bar Association in June 2011. The medal is presented annually to four outstanding AUSAs in the Southern and Eastern Districts of New York.

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## 1990

**Peter A. Antonucci**, a shareholder in the New York office of Greenberg Traurig LLP, was recognized by the American Bar Association's Tort Trial & Insurance Practice Section with the Law and Public Service Committee's Honor Roll Award in August 2011. He was honored for his pro bono representation on behalf of the families of firefighters who were killed during the September 11 attacks and for his work as a member of the board of directors of the Alzheimer's Association.

**Marc H. Miner** became the managing attorney of the personal injury firm, Zalman Schnurman & Miner P.C. He practices in the areas of personal injury, negligence and insurance litigation.

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## 1991

**Mark D. Koestler** and **Matthew S. Dunn '93**, partners at Kramer Levin Naftalis & Frankel LLP and members of the firm's Business Immigration Practice Group, were both named to *Human Resource Executive* magazine's 2011 list of the Most Powerful Employment Attorneys. Koestler represents theater companies, talent agencies, and advertising agencies, as well as individual actors, singers, directors, producers, writers, and designers. Dunn represents Fortune 1000 companies in the areas of banking, healthcare, hospitality, and advertising.

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## 1992

**Joseph M. Accetta** became the Chief Clerk of the Surrogate's Court, Westchester County. He has served as a court attorney/referee for the past 16 years.

**Charles E. Gillman** joined the Raleigh, NC office of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., as of counsel in the firm's Immigration Practice Group. Gillman focuses his practice on a range of employment-based immigration issues.

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## 1993

**Anthony J. Cerasuolo** was appointed Vice President, Legal – Operations at California American Water, which provides high-quality and reliable water and/or wastewater to 600,000 people. Cerasuolo oversees the company's legal concerns for environmental, contract and compliance matters, provides counsel to senior management and resolves legal issues within the company.

**Jewell Lim Esposito**, a partner in the Fairfax-Metro Washington D.C. office of Constangy, Brooks & Smith LLP, has created a blog, [www.employeebenefitsunplugged.com](http://www.employeebenefitsunplugged.com). Esposito concentrates her practice

on employee benefits and tax law, with a special focus on fiduciary compliance, tax qualification of retirement plans, executive compensation and payroll taxes.

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## 1994

**Erick J. Ellsweig**, a financial advisor in the Greensboro, NC office of Merrill Lynch Wealth Management, was named again to *Barron's* "American's Top 1,000 Advisors: State-by-State list," published in February 2011.

**Stacey A. Levine** has become Associate General Counsel at GE Healthcare, an \$18 billion unit of GE which is headquartered in London. Levine will be working out of their New Jersey office, heading up their global investigations group. She comes to the position with 16 years of experience as an Assistant United States Attorney, most recently in Newark, New Jersey.

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## 1995

**Rena M. Lindevaldsen** was named Associate Dean for Academic Affairs at Liberty University School of Law in Lynchburg, VA, and she published her first book, *Only One Mommy: A Woman's Battle for Her Life, Her Daughter, and Her Freedom* (New Revolution Publishers, 2011). She is also the Associate Director of the Liberty Center for Law and Policy.

**Charles B. Von Simson** was named special counsel of the Buffalo, NY firm, Damon Morey LLP. A member of the firm's Business Litigation and Insolvency Defense Department, he specializes in trademark, patent, false advertising, copyright and commercial litigation.

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## 1996

**Edward M. Weber** was promoted to Managing Director and Head of Asset Back Finance at NORD/LB. He is responsible for the company's global asset backed finance business. Headquartered in Hannover, NORD/LB is Germany's tenth largest financial institution.

## Therese Doherty '88: The Litigator

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**T**herese Doherty, one of this city's most seasoned and sought-after derivatives litigators, always has an answer at the ready. And yet, on this summer morning, in the bright conference room of her law firm's Park Avenue offices, a single answer eludes her. "I have no idea why, but I know that I have always wanted to be a lawyer."

Born and raised in Boston, Doherty chased her dream, heading from the University of Massachusetts to Brooklyn Law School, where she thrived and was elected to the Moot Court Honor Society. During her second year, while going through the on-campus interview process, she was lucky enough to meet with then Career Services Director Grace Glasser '53. "Grace really made a difference to me," recalled Doherty. "There were many professors at Brooklyn who took a big interest in students. They loved to see their students develop. Grace was excellent at promoting the students who were not number one or number two in their class, but in whom she saw a spark, or real potential." Seeing something special in Doherty, Glasser made a phone call to Graubard Mollen, a firm where Doherty had been interviewing. "She made the call, and I got the job," recalled Doherty. "That's where I got my education as a litigator."

Her education at Graubard, coincidentally, was directed by a Brooklyn Law School source; she was mentored by Jack Weinberg '65. Weinberg gave her the rare opportunity to work on several high-profile matters defending the brokerage firm Refco in civil cases and regulatory investigations involving securities and commodities laws and complex Ponzi schemes. "I truly grew up as a litigator under the wing of Jack Weinberg. He was a brilliant and tenacious lawyer," she said. "As a very young lawyer, he provided me with the opportunity to get real hands-on experience defending securities and commodities cases in federal courts around the country as well as at regulatory enforcement proceedings. He also gave me the opportunity to learn the commodities industry, which formed the basis of my practice."

Doherty spent over a decade at Graubard, developing a reputation as an expert in the field of securities and commodities defense, and made partner, before joining Herrick, Feinstein in 2001. Today, she is a senior partner in Herrick's Litigation Department, and the Co-Chair of its Securities and Commodities Litigation and Regulatory Practice Group. Her practice is focused on derivatives, commodities and securities litigation, including class actions and arbitrations, as well as regulatory investigations and enforcement proceedings. On Doherty's watch, Herrick brought the first case against the SEC for its failings in connection with regulating and investigating Bernard Madoff. Filed under the Federal Tort Claims Act, the case is currently on appeal in the Second Circuit. "It's a tough case because the SEC is claiming sovereign immunity," said Doherty, "but we wanted to develop a creative strategy to seek compensation for our clients who were Madoff victims, who include older individuals who could no longer make mortgage payments."

In recognition of her expertise, Doherty was appointed to the New York City Bar's Committee on Futures and Derivatives Regulation in August. She will serve a three-year term, working with other leading lawyers on trading issues, the regulation of futures contracts and over-the-counter derivatives products. "Since Dodd-Frank was passed a year ago, we have entered an era of seismic change," said Doherty. "This committee gives us the opportunity to provide commentary to the regulatory agencies and to be involved in the development of a new era of financial regulation."

While Doherty cannot pinpoint what led to her decision to come to law school, her choice was clearly the right one. "Other than being in a nice villa in Italy, with good wine and good food, there is nothing else I'd like to be doing," she said, smiling. "I enjoy what I do, and I have a lot of fun. This is an area of law that keeps getting more interesting. I enjoy the process of putting all the pieces together—figuring out the facts, finding the skeletons, and developing a strategy. I love knowing when to fight and when to settle. It's a lot like my childhood, come to think of it: I have five brothers. Maybe that's why I am a lawyer." □



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## 1997

**Claudio A. DeVellis** joined the New York office of Smith, Gambrell & Russell LLP as a partner in the firm's Estate Planning and Wealth Protection practice. He concentrates his practice on estate, gift, and generation-skipping transfer tax planning for individuals, closely held business owners and charitable organizations.

**Stuart A. Miller**, a partner in the New York and White Plains offices of Wilson Elser Moskowitz Edelman & Dicker LLP, was selected as a *Rising Star – Westchester's 40 Under 40* by the Business Council of Westchester. He concentrates his practice on national account management, transportation litigation, product liability defense, general tort liability defense, and labor law litigation.

**Gregory J. Samurovich** and **Andrew J. Scholz '01** both joined Goldberg Segalla LLP as special counsel. Samurovich, who is in the firm's Princeton office, concentrates his practice on complex, high exposure civil litigation in the medical device, manufacturing and transportation industries. Scholz, who is in the firm's White Plains office, focuses his practice on mass tort, toxic tort, environmental, products liability, transportation, and complex commercial litigation.

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## 1998

**Daniel E. Byrne** was promoted to Vice President of Labor Relations at EmblemHealth Services Company, LLC. He is responsible for negotiating all collective bargaining agreements with the various unions representing the company's bargaining unit employees. EmblemHealth is the largest health insurer based in New York serving nearly 3.4 million people with over 92,000 providers across the tri-state region.

**Conrad K. Chiu**, formerly with Day Pitney LLP, joined the New York office of Pryor Cashman LLP as a partner in the firm's Bankruptcy, Reorganization and Creditors' Rights Group. Chiu practices in the areas of bankruptcy, equipment leasing and commercial litigation. He is also a member of the American Bankruptcy Institute.

**Lisa F. Garcia** was named Associate Assistant Administrator of the U.S. Environmental Protection Agency. She previously served as Senior Advisor to the Administrator of the EPA. In her new role, Garcia has been charged with making environmental justice a priority and integrating that policy into the agency's rulemaking and actions. Her work was recently featured in an article in *Greenwire*.

**Alphonzo A. Grant Jr.**, previously special counsel and Director of Diversity at Sullivan & Cromwell LLP, joined Morgan Stanley & Cromwell LLP, joined Morgan Stanley as an Executive Director in its Litigation Special Investigations Unit. Grant was also appointed to the New York City Civilian Complaint Review Board, an independent and non-mayoral agency.

**Leticia M. Ramirez** was elected as a judge of the New York City Civil Court. She was previously a judge of the Kings County Family Court. She has been working in the courts for over 20 years, and began her career as a court officer.

**Jeffrey T. Shimamoto**, formerly vice president and head of legal compliance for Lazard Japan Asset Management in Tokyo, Japan, returned to the U.S. and joined First Quadrant LP, as its director and general counsel. Located in Pasadena, CA, the company is an investment management boutique.

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## 1999

**Herbert Block**, Assistant Executive Vice President of the American Jewish Joint Distribution Committee (JDC), was appointed by President Barack Obama as a member of the Commission for the Preservation of America's Heritage Abroad. A noted expert in Holocaust restitution issues, Block's work at the JDC includes efforts to reconstitute Holocaust-era assets, especially focusing on Jewish property in Central and Eastern Europe and the former Soviet Union, as well as on the provision of welfare services for Holocaust survivors.

**Angela Ferrante** was promoted to Assistant Vice President, Bankruptcy Operations of The Garden City Group, Inc. (GCG).

Headquartered in Lake Success, NY, CGC is one of the largest claims administration firms in the country. Ferrante is responsible for managing the firm's bankruptcy operations, which include providing ongoing client counsel, supervising the administration of bankruptcy matters, and assisting with new business efforts.

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## 2000

**Blaise U. Chow** was elected a partner in the New York office of Ropers Majeski Kohn & Bentley PC. He concentrates his practice on professional liability and corporate law, including advising on policies issued to directors and officers, financial institutions, non-profits, brokers and lawyers. He also negotiates settlements in mediation and litigates or arbitrates claims arising from business disputes and employment lawsuits.

**Michael P. Schnall** was appointed Chief of Staff to the New York City Department of Parks & Recreation Staten Island Office. He previously served as the Department's Director of Government Relations for over four years.

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## 2001

**Patrick E. Fitzmaurice** became a partner in the New York office of SNR Denton in the firm's Litigation and Corporate Reorganization and Bankruptcy practice groups. He focuses on complex commercial litigation involving real estate, finance, securities and loan workout, and recovery.

**David K. S. Kim** opened his own practice in Flushing, NY, devoted exclusively to immigration and nationality law. Kim recently won two U.S. Court of Appeals decisions involving issues of first impression. He was also featured in a *New York Daily News* article about his new firm.

**Ron Lebow** became a partner in the firm of Abrams, Fensterman, Fensterman, Eisman, Greenberg, Formato & Einiger, LLP. He concentrates his practice in the area of health law business matters. Lebow was appointed chair of the New York City Bar's Health Law Committee commencing in Fall 2011.

**Laurie A. Poulos**, counsel in the New Jersey office of Greenberg Traurig LLP, was named one of the 2011 *New Jersey Law Journal's* 40 under 40. Poulos practices in the areas of complex and commercial litigation, focusing on class-action defense and health care litigation.

**Eric D. Raphan** became a partner in the New York office of Sheppard, Mullin, Richter & Hampton LLP in the firm's Labor and Employment Practice Group. He focuses his practice on a wide range of labor and employment matters, including the defense of single plaintiff and class-action discrimination, wrongful discharge and wage/hour claims, as well as employment contract, non-competition, whistleblower, sexual harassment, and related claims.

**Frank T. Santoro**, an associate in the Trust and Estates Practice of Farrell Fritz, P.C. was appointed to the Advisory Council of the Nassau Academy of Law, the educational arm of the Nassau County Bar Association.

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### 2002

**Adam M. Adler** and **Andrew J. Schouler** became partners in the New York office of Bracewell & Giuliani LLP in the firm's Private Investment Funds and Financial Restructuring Practice. Adler practices in the area of situations and investments and acquisitions of distressed and insolvent companies. Schouler concentrates his practice on financial reorganizations, bankruptcy law, and mergers and acquisitions involving distressed companies.

**Jaime Lathrop**, who maintains his own general practice in Brooklyn, NY and also serves as director of the Volunteer Lawyers Project's Residential Mortgage Foreclosure Program, was presented with a Distinguished Service Award from the Brooklyn Bar Association in June 2011. The award recognized his work in running the VLP Foreclosure Program, where he trains, supervises, and mentors volunteer attorneys.

**Mathew B. Tully**, a founding partner of Tully Rinckey PLLC in Albany, NY, was promoted to the rank of Lieutenant Colonel by

the New York Army National Guard. He concentrates his practice on the representation of military personnel and federal government sector employees in matters involving criminal law, family and matrimonial law, and federal discrimination and military law.

**Nyieri Vosbikian (Nazarian)** and her husband, Steve, welcomed the birth of their son, Kirk Garo, in May 2011. Nyieri is vice president and counsel for regulatory matters at Credit Agricole CIB.

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### 2003

**Amy L. Blackman** was elected a partner in the New York office of Fried, Frank, Harris, Shriver & Jacobson LLP in the firm's Employee Benefits & Plans, Executive Compensation & Exempt Corporations Practice Group. Blackman advises clients regarding the disclosure, design, and implementation of executive and director compensation packages and plans. She also advises clients in employee-benefits matters related to merger and acquisition agreements, specializing in advising tax-exempt organizations.

**Justin H. Cohen** and **Anna A. Cohen (Goldstein)** welcomed their second daughter, Alexa Sydney, in March 2011, joining big sister Allison Morgan. Justin is a vice president in the Mergers and Acquisitions Group at Willis Group Holdings, a leading global insurance broker, handling risk management and reinsurance across a wide range of service areas and industries. Anna is an associate in the Labor and Employment Law Practice of Epstein Becker & Greene, P.C.

**Jessica C. Mastrogiovanni**, previously an associate in the NY office of Proskauer Rose LLP, joined the Long Island firm of Meltzer, Lippe, Goldstein & Breitstone, LLP as of counsel in the firm's Litigation Department. Her practice focuses on complex civil litigation in state and federal courts across the country, as well as mediation and arbitration proceedings.

**Samantha L. Morris**, previously a labor and employment associate at Proskauer Rose LLP, joined the Greater New York Hospital Association as Vice President, Employee

Relations. She and her husband, Scott, also welcomed their second son, Jordan Max, in September 2010. Jordan joins big brother Zachary Michael.

**Brian T. Sullivan**, formerly an anchor with Fox Business Network, joined CNBC's on-air team in May 2011. Sullivan also spent 11 years at Bloomberg Television, where he held various positions including anchor, writer, editor, on-air reporter, and stock editor.

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### 2004

**Jay L. Baribeau** joined the Louisville, KY office of Frost Brown Todd LLC as a senior associate. A member of the Corporate & Business Department, he concentrates his practice on complex commercial transactions, commercial real estate, asset-based lending and project finance. He was previously an associate in the New York office of Kirkland & Ellis, LLP.

**Jessica J. Glass** joined McCabe & Mack LLP as an associate, where she concentrates her practice in commercial and real property litigation, family law, civil rights/municipal defense and tax certiorari. She was previously at Kramer Levin Naftalis & Frankel LLP.

**J. Richard Popp** joined Ingalls & Snyder, an independent investment management firm, as general counsel. He previously served as general counsel & chief compliance officer of Schultze Asset Management, LLC, where he was responsible for ensuring the firm's compliance with all regulatory requirements as well as general legal work.

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### 2005

**Samantha V. Ettari** an associate at Kramer Levin Naftalis & Frankel LLP, co-wrote an article published in the *NYLJ*, "At the Criminal Defense Bar: Clarifying the Government's Preservation and Production Obligations." Ettari practices in the areas of white-collar criminal and regulatory defense, as well as general commercial litigation, with an emphasis on real-estate, complex contract disputes, and employment litigation.

## Two Recent Graduates Awarded Prestigious Equal Justice Works Fellowships



**M**ichael Mastrangelo '11 and Coco Culhane '10 have each been awarded the prestigious Equal Justice Works (EJW) Fellowship. This highly competitive postgraduate legal fellowship places new lawyers in two-year assignments at public interest organizations to implement projects that address pressing community needs.

This fall, Mastrangelo began his fellowship at the Children's Law Center (CLC), a nonprofit law firm that represents children in custody, visitation, guardianship, domestic violence, and related child protective proceedings. No stranger to the CLC, Mastrangelo also interned in both the Brooklyn and Bronx locations.

Implementing a project of his own design, Mastrangelo is working to secure educational entitlements for disabled children embroiled in contested family court litigation. "My hope is that this project will enable CLC to ensure that these children receive the academic services to which they are legally entitled, while simultaneously giving them a voice in family court," he said.

Mastrangelo was an Edward V. Sparer Public Interest Law Fellow and a BLSPI Fellow. A graduate of Johns Hopkins University, he

was a middle school teacher at Frederick Douglass Academy III in the South Bronx before attending Law School.

"Michael is the ideal person to do this work. His experience as a teacher, his expertise in education law, and his dedication to helping at risk families makes him the perfect advocate for these children," said Professor Cynthia Godsoe, who helped Mastrangelo with his EJW application. "Michael's fellowship will fill a large unmet need in providing educational representation for many of the city's most vulnerable children."

Culhane, who is a former editor at *The New Republic*, was also both an Edward V. Sparer Public Interest Law Fellow and a BLSPI Fellow while in Law School. Her EJW Fellowship will support her ongoing work at the Veteran Advocacy Project (VAP), a project she created following graduation as part of the Urban Justice Center's Mental Health Project. VAP provides an unprecedented range of legal services to the city's many low-income veterans battling mental illnesses and behavioral health difficulties including post-traumatic stress disorder, substance abuse, and depression.

"As the number of veterans returning from Afghanistan and Iraq grows, so does the need for legal services," said Culhane. "Disabilities and trauma exacerbate the difficult transition from combat to productive civilian life. Many veterans suffer joblessness, and lack benefits or needed medical treatment, and, as a result, face homelessness and continuing despair."

Culhane expressed her gratitude to Elizabeth Kane, the Director of the Law School's Public Service Programs Office. "I would never have received the Fellowship without her guidance and encouragement," she said.

"I am deeply honored and grateful to receive this award," Culhane continued. "It will allow me to continue helping veterans to rebuild their lives." □

### 2007

**David E. Kaye**, an associate in the NY office of Kirkland & Ellis LLP, married Sara Marnel, an attorney specializing in public interest and policy work.

**Judah I. Kupfer** received an LL.M. in Taxation from NYU Law School in May 2011. He also joined Citigroup Inc. as an in-house counsel in global compliance. Kupfer also recently had two articles published, "What is Reasonable Nonprofit Compensation? A Guide to Avoid IRS Penalties," (*The Nonprofit*

*Quarterly*, June 2011) and "Restrictions on Lobbying by Exempt Organizations How Much Advocacy is too Much?" (*Hamodia Weekly*, June 2011).

### 2008

**Timothy C. Parlatore** started his own practice focusing on criminal defense and has handled the defense of soldiers accused of war crimes in Iraq. He is also working as counsel to criminal defense attorney, **Bruce Cutler '74**.

### Editor's Note:

The Alumni Relations Office receives information for ClassNotes and In Memoriam from various sources. All information is subject to editorial revision. *BLS LawNotes* is produced a few months in advance of publication, and any ClassNotes information received after production has begun is included in the next issue.

Please send ClassNotes information for future issues to [communications@brooklaw.edu](mailto:communications@brooklaw.edu), or visit [www.brooklaw.edu/classnotes](http://www.brooklaw.edu/classnotes) to submit a classnote online.

## Jerry Leitner, Legendary Professor of Torts



*“Jerry set a very high standard for effective teaching, and for being knowledgeable, thorough, articulate, polished, witty, and dramatic in the classroom.”*

—JOSEPH SAMET '74

Professor Jerome Leitner, who was known for his gregarious personality, his stylish turtlenecks, his love of fine food and wine, his dynamic teaching style, and above all his kindness—whether to first-year students or colleagues—passed away in June.

At a 2010 lunch in honor of his retirement where his portrait was unveiled, President Joan G. Wexler spoke about his career at the Law School. “Over three decades, his zeal for teaching and his dedication to his students never once waned.”

“Jerry set a very high standard for effective teaching, and for being knowledgeable, thorough, articulate, polished, witty, and dramatic in the classroom,” said Joseph Samet '74, a friend and former Torts student of Leitner's who heads the Restructuring/Creditors' Rights/Bankruptcy practice at Baker & McKenzie LLP. “He enhanced the reputation of the school. And he was always a pretty suave dresser, too.”

Born in Brooklyn, Leitner was the son of garment district sewers (his mother made button holes, his father made pockets) and a graduate of Brooklyn College. Drafted into the service as a field artillery lieutenant during World War II, Leitner was set to ship out to Europe from San Francisco when the war ended. Instead, he returned home and enrolled in an accelerated law school program for returning veterans, completing an LL.B. from New York University School of Law in two years.

He joined Brooklyn Law School's faculty after 20 years of private practice, building a reputation as a hard-nosed litigator with an expertise in malpractice. He also produced an impressive body of writing on premises liability, intentional torts, and dram shop liability for the New York Trial Lawyers Institute. Leitner served as Village Justice for the Village of Saltire, in Fire Island, New York, for 12 years, and during those years, he had the privilege of marrying several Law School graduates.

But Leitner was best known for the real-life experience that he brought to his famous Torts classes. He peppered his lectures with tales of his own personal experiences and cases, breathing the drama of the courtroom and the energy of the law into the classroom.

“I loved teaching the minute I started,” said Leitner in a profile of his career that appeared in an earlier issue of *LawNotes*. “I took to it like fish to water. They were the best years of my life.”

His passion for teaching was clear to his students and colleagues alike. “Before I started law school, he was what I imagined a law school professor would be. He was quintessential in fact. He was a practitioner of the Socratic method,” recalled Stacey Levine '94, an Assistant United States Attorney in New Jersey. “I learned a tremendous amount from him and will be forever grateful.”

“Jerry Leitner was the most engaging professor,” noted Professor Carrie Teitcher '81, who in addition to being his colleague, was also a student of his. “He told great stories that always shed light on something we were learning. He loved being in front of the classroom, and he loved his students. He really made the cases come alive.”

Leitner is survived by his sons, John Henry and Joshua '91, and his four grandchildren, Gabriel, Sophia, Kaya, and Julia. □



## Brian Comerford: Celebrated Tax Professor



*“Professor Comerford was one of the best professors I have ever had. He cared about his students so much, and without him I would never have discovered tax law.”*

—PHILIP CLEARY '08

In March, Brooklyn Law School lost a beloved colleague, teacher, and friend with the passing of Professor Brian Comerford. “Over the course of nearly four decades of service on the Law School faculty, he touched the lives of thousands of students,” said President Joan G. Wexler. “Although his presence will be missed, it will always be felt by the colleagues and students who knew and cherished him.”

Born and raised in the Bronx, Comerford attended Xavier High School in Manhattan, then Fordham College, where he played varsity tennis. He then attended Fordham Law School, from which he graduated in 1968. For the next several years, he worked in private practice while earning an LL.M. in Taxation at NYU. He joined Brooklyn Law School in 1971 and made it his mission to demonstrate to students that courses such as federal income taxation, federal estate and gift taxation, and corporate taxation—courses often stereotyped as both dry and extremely challenging—were not only fascinating, but also comprehensible.

“Professor Comerford was in the vanguard of those who wanted to take the Law School to the next level,” said President Wexler at his retirement dinner a few years ago. “He joined the faculty at a turning point in the evolution of the Law School, and his

tenure at BLS corresponded with a period of profound change and advancement. He successfully advocated for the expansion of the Moot Court program, championed the development of additional clinical offerings, and called for more elective course offerings.”

Comerford’s influence was visible outside the Law School as well. He was the author of two treatises, *Federal Tax Deductions* and *Federal Estate and Gift Taxation*. He also wrote *How to Live and Die with New York Probate* and served as a member of the Board of Advisors of the *Journal of Valuation*. He was a frequent lecturer before bar association groups and the NYU Tax Institute, was co-counsel to the New York Estates Powers and Trusts Law Committee, and a subcommittee chair of the Committee on Taxation of the Trusts and Estates Law Section of the New York State Bar Association.

These outside activities, however, did not distract him from his service to Law School community. Over the years, Comerford chaired or served on dozens of important committees, including the Curriculum, Long-Range Planning, Student-Faculty Relations, Scholarship, and Appointments.

“Brian was warm, wonderful, and good-humored,” said Professor Richard Farrell ’64. “He was a good friend and just a delightful

guy to be around. And that ancient wisdom, ‘if you love what you do, you’ll never work a day in your life,’ clearly applied to Brian. From the day he joined Brooklyn Law School, he never worked a day in his life. He really loved what he was doing.”

Indeed, Comerford’s true passion was teaching, and the number of students who found careers in tax law thanks to his guidance and mentorship is a testament to this dedication.

“Professor Comerford was one of the best professors I have ever had. He cared about his students so much, and without him I would never have discovered tax law,” said Philip Cleary ’08, who is now Staff Attorney for the IRS Office of Chief Counsel in New York.

“I owe my career to Brian,” said Drita Tonuzi ’81, who is the Deputy Division Council for the Large Business and International Division of the IRS. “I took Estate and Gift Tax with him and he made it a lot of fun and brought it to life. I had never considered a career in tax until I took his class, and thanks to him I pursued an LL.M.”

Comerford is survived by his wife, Carol, and their children, Sean ’12 and Kathleen. □

## Alison Matela '11: Beloved Student



The Brooklyn Law School community was greatly saddened by the loss of Alison Matela '11, who died suddenly on April 2, 2011, just five weeks before graduation. To honor her life and her contributions to the Law School community, a memorial service was held at the Law School in April. Her degree was awarded posthumously to her parents Bobbi and Stephen at Commencement in June.

Alison attended George Washington University, where she received a dual degree in International Relations and Economics with honors, in 2004. After graduating, she worked as a staff assistant for the U.S. Senate Committee on Small Business and Entrepreneurship, and then worked as Manager of Congressional Affairs for a bi-partisan government consulting firm specializing in federal government affairs. While in D.C., Alison also volunteered as a coach, mentor, and tournament judge for the DC Urban Debate League.

She entered Law School in 2008 and was awarded several academic scholarships. She was president of the Brooklyn Law School Democrats and a student member of the New York City Bar's Federal Legislation Committee. "Alison was an active member of our student community," said Associate Dean of Student Affairs, Beryl Jones-Woodin. "Her warm, engaging personality and leadership abilities encouraged students to participate in improving our Law School community and the larger world. Her passing was a staggering loss to those whose lives she bettered."

Alison had a keen interest in intellectual property law and she completed work toward a Certificate in Intellectual Property, Media, and Information Law. She served in the Brooklyn Law Incubator and Policy Clinic (BLIP), supervising several client projects and managing a team of five students. "Alison was a passionate champion of deploying new technology and media to advance the public good and social welfare," said BLIP's director Professor Jonathan Askin.

Even after she completed the clinic, Alison was still working to help create a new model for interactive, online, user-generated documentary film production. Alison brought a new client to BLIP—the 18 Days in Egypt project ([www.18daysinegypt.com](http://www.18daysinegypt.com)), a collaborative documentary utilizing content generated through social media to tell the personal stories of individuals who witnessed the revolution in Egypt. "The project reflects Alison's deep commitment to use the new media tools to promote social justice and global awareness," said Askin. "She will be deeply missed as both a friend and colleague."

Alison is survived by her parents, Bobbi and Stephen. □

*Donations in her memory can be made at [www.brooklaw.edu/makeagift](http://www.brooklaw.edu/makeagift). Please note "In Memory of Alison Matela."*

### 1941

**Samuel H. Hellenbrand**  
July 26, 2011

### 1948

**Irving Sommer**  
April 21, 2011

**Anthony R Marasco**  
August 17, 2011

### 1949

**Victor J. Carbonaro**  
January 2, 2011

### 1950

**Arthur M. Schneck**  
April 11, 2011

**John M. Yesko**  
July 11, 2011

### 1951

**Bennet Olan**  
April 27, 2011

**Joseph P. Milana**  
May 4, 2011

**William F. Lynch, Jr.**  
July 7, 2011

**Gerald I. Lustig**  
July 8, 2011

### 1952

**Isadore C. Bleiberg**  
February 15, 2011

**Murray Sender**  
June 21, 2011

**Graham M. Schneider**  
August 11, 2011

### 1954

**Daniel F. Luciano**  
April 11, 2011

### 1955

**Daniel J. Heller**  
March 17, 2011

### 1956

**John H. Douglas**  
January 31, 2011

**Martin S. Belefant**  
April 22, 2011

### 1957

**Robert W. Oliver**  
June 26, 2011

**Joseph F. Spencer**  
July 23, 2011

### 1960

**Barry H. Chasen**  
April 10, 2011

### 1961

**Irving M. Lustig**  
October 21, 2010

**J. Leonard Samansky**  
July 14, 2011

### 1962

**Robert F. Cavanaugh**  
March 26, 2011

**Richard I. Rosenkranz**  
May 22, 2011

### 1966

**Bernard B. Cohen**  
January 23, 2011

### 1968

**Alan Tabakman**  
February 17, 2011

### 1970

**Bruce T. Ricker**  
May 13, 2011

### 1972

**Alan H. Young**  
March 28, 2011

### 1974

**Harvey E. Lustig**  
April 16, 2011

### 1981

**Margaret A. Bomba**  
July 27, 2011

### 1983

**Stanley A. August**  
August 14, 2011

### 1984

**Michael Marino**  
March 4, 2011

**Constance O'Keefe**  
March 19, 2011

### 1986

**Jeanne R. Naglak**  
August 20, 2011

### 1987

**Regina V. Kelly**  
February 24, 2011

### 1992

**Thomas D. Perreault**  
July 29, 2011

### 1997

**James F. Dugan**  
March 22, 2011

**Brooklyn Law School is pleased to announce that our annual giving report, *Brooklyn Rising*, is now available as an online publication!**

**View it at: [www.brooklaw.edu/brooklynrising](http://www.brooklaw.edu/brooklynrising)**



The online annual report recognizes the extraordinary generosity of alumni and friends of the Law School.

***Why have we moved to an online format for Brooklyn Rising?***

- This new format will make it easier for readers to search for information most important to them.
- Lower printing and mailing costs mean that more funds can be directly used by the Law School for scholarships and programs for our students.

We welcome your thoughts on the new online version of *Brooklyn Rising*. Our goal is to make it as accessible and user-friendly as possible. Please email [development@brooklaw.edu](mailto:development@brooklaw.edu) with your feedback.

We will also have a limited number of printed *Brooklyn Rising* reports available. To request a copy, please email [development@brooklaw.edu](mailto:development@brooklaw.edu).





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## UPCOMING EVENTS

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**NOVEMBER 4**     **ANNUAL ALUMNI ASSOCIATION LUNCHEON**  
The Plaza Hotel

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**NOVEMBER 11**     **SYMPOSIUM**  
**Crawford and Beyond III**  
Sponsored by the *Journal of Law and Policy*

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**NOVEMBER 30**     **RECENT GRADUATE EVENT**  
Arctica Bar & Grill, Manhattan

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**DECEMBER 6**     **THE ROBERT B. CATELL AWARDS DINNER FOR CIVIC LEADERSHIP**  
Honoring Barry Salzberg '77, Chief Executive Officer, Deloitte Touche Tohmatsu Limited  
The Pierre Hotel

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**JANUARY 5**     **WASHINGTON D.C. ALUMNI RECEPTION**  
Hosted by Bernard Nash '66  
Dickstein Shapiro LLP

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**JANUARY 9**     **SPRING SEMESTER BEGINS**

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**JANUARY 20–22**     **BRIDGE THE GAP**

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**FEBRUARY 10**     **DAVID G. TRAGER PUBLIC POLICY SYMPOSIUM**  
**Post Zoning: Alternative Forms of Public Land Use Control**  
Co-sponsored by the *Brooklyn Law Review*

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**FEBRUARY 24**     **SYMPOSIUM**  
**The Consumer Protection Financial Board After a Year**  
Sponsored by the *Brooklyn Journal of Corporate, Financial and Commercial Law*

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**MARCH 15**     **PANEL DISCUSSION**  
**Representing the Poor Today: Poverty Law in Recession Times**  
Sponsored by the Edward V. Sparer Public Interest Law Program

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**MARCH 21**     **ENDOWED SCHOLARS CELEBRATION**

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**MARCH 26**     **MEDIA AND SOCIETY LECTURE**  
SPEAKER: Martin Singer '77, Lavelly & Singer, PC

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**MARCH 29–31**     **27TH ANNUAL JEROME PRINCE MEMORIAL MOOT COURT COMPETITION**

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**APRIL 13**     **SYMPOSIUM**  
**Reforming Child Protection Law: A Public Health Approach**  
Co-sponsored by the Center for Health, Science and Public Policy and the *Journal of Law and Policy*

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**APRIL 13**     **TRADE SECRETS SYMPOSIUM**  
**Private Data/Public Good**  
Co-sponsored by the Trade Secrets Institute and the Dennis J. Block Center for the Study of International Business Law

*For more information about events and dates, please visit our Web site at [www.brooklaw.edu/NewsAndEvents](http://www.brooklaw.edu/NewsAndEvents).*