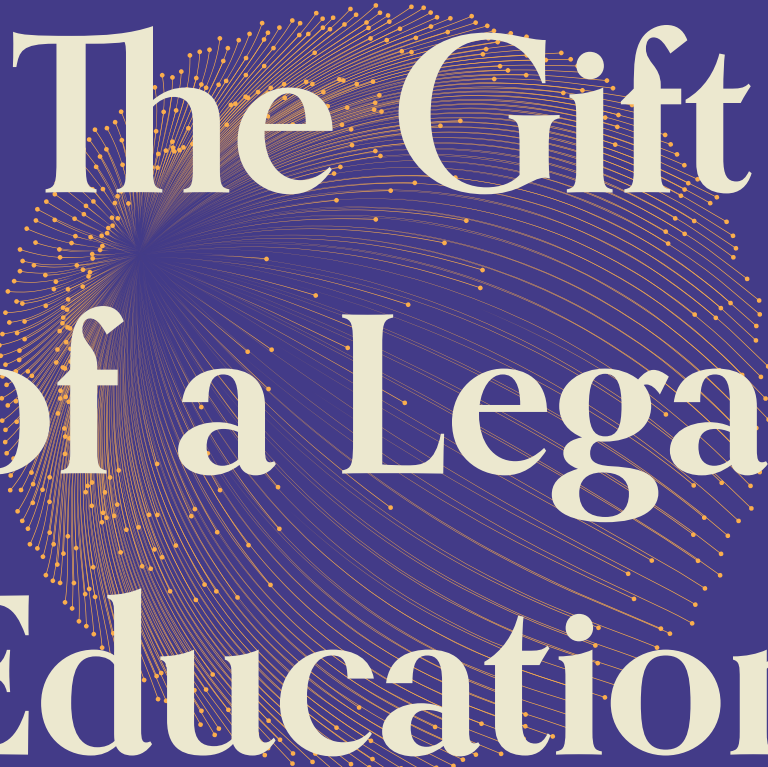


# Brooklyn Law Notes

THE MAGAZINE OF BROOKLYN LAW SCHOOL | SPRING 2020

Major Gift Launches  
Diversity Initiative

---



# The Gift of a Legal Education

THE ENDURING IMPACT OF SCHOLARSHIP GIVING

What Comes  
After Money Bail?

---



# GIVE TO THE STUDENT SUPPORT FUND

YOUR CONTRIBUTIONS MAKE A DIFFERENCE

BROOKLYN LAW SCHOOL

INNOVATION

OPPORTUNITY



Brooklyn  
Law School  
ESTABLISHED 1901

EXCELLENCE

LEADERSHIP

The Student Support Fund will help our students meet the unexpected new challenges, both personal and educational, that many have experienced from the sudden, severe, and ongoing changes around us by providing:

- Assistance for partial or total loss of income
- Resources for remote learning
- Support for childcare issues or health concerns
- Physical or mental health support for themselves or their loved ones
- Significant disruption in living arrangements
- Other unforeseen emergencies

Give to the  
Student Support Fund  
by making a gift TODAY

[www.brooklaw.edu/give](http://www.brooklaw.edu/give)

or call Kamille James Ogunwolu  
at 718-780-7505

# Dean's Message



DEAR ALUMNI AND FRIENDS,

Since the articles in this issue of *Law Notes* were prepared for publication, our entire world has changed. You already know the big story, as you are living it too: a near-total shutdown of activity and direct human contact, with the work that can or must continue—in the law school's case, the work of teaching and learning—taking place remotely, our remaining interactions mediated by technology of various kinds.

Yet alongside, and within, this big story are other, more positive and hopeful ones, making clear that our community persists; it is resilient; and it shall endure. For one thing, those modes of communication and connection that remain are substantial and, less than a generation ago, would have seemed like a fantasy. Each day, without leaving my apartment, I see the faces and hear the voices of family, friends, colleagues, and members of the Brooklyn Law School community, near and far. Just over a week after suspending live in-person classes, our faculty and students were engaged in online sessions. The school building is not in use, but school is very much in session. If one pauses to think and to appreciate, one realizes that the overused phrase “miracles of modern technology” is apt. With all we have lost (temporarily, one hopes), what remains is miraculous.

No less miraculous is that, with all we have lost—or have had taken from us—so many are able, and eager, to give back as much or even more than before. Some give help and advice: for example, our Women's Leadership Network Mentoring Circle has scarcely missed a beat in

maintaining the umbrella of mutual support it creates among our graduates, and our new Remote Mentor program had over a hundred volunteers almost immediately. Others give resources: our new Student Support Fund, designed to help students who are experiencing unexpected financial hardships as a result of COVID-19, has attracted more than \$65,000 and counting, from our alumni and friends as well as outside grants.

We are, in short, living out the sentiment that Bill Withers, one of the many cultural icons who recently passed away, expressed in his classic song “Lean On Me.” As the song says, we all need somebody to lean on, and thankfully, many members of our community have been there to offer a helping hand in this time of unusual need for so many.

I close on the hopeful note with which “Lean On Me” begins:

*Sometimes in our lives  
We all have pain, we all have sorrow  
But if we are wise  
We know that there's always tomorrow*

May that tomorrow hasten on its way. Until then, let us continue to lean on each other.

**Michael T. Cahill**  
*President, Joseph Crea Dean, and Professor of Law*



# Contents

## Features

### The Gift of a Legal Education *p. 14*

Through the creation of scholarships, donors help the next generation of Brooklyn Law School students launch their careers and accomplish their dreams



### What Comes After Money Bail? *p. 20*

Professor Jocelyn Simonson looks beyond the debates in the op-ed pages to create a new narrative for the bail reform movement



## Departments

### 1 Dean's Message

### 3 News

Michael T. Cahill installed as dean, Professor Emeritus Pinto makes a historic gift to fund diversity initiatives, and more

### 9 Clinic Update

New York City Public Advocate Jumaane Williams gives keynote at Disability Rights Clinic Roundtable, and more

### 10 Spotlight on Intellectual Life

Brooklyn Law hosts ASIL Midyear Meeting, top bankruptcy scholars convene in Brooklyn, talks on investor protection, mass incarceration, AI, and more

### 24 Faculty Highlights

Professors Julian Arato, Heidi Brown, and Jocelyn Simonson receive tenure, Professor Lawrence Solan awarded Fulbright chair, and more

### 28 Alumni Events

Alumni of the Year celebrated at annual luncheon, Andrew Zobler '87 leads talks on real estate, and more

### 31 Class Notes

Alumni profiles of Anthony Miele '81, Carolyn Pokorny '94, Melique Jones '98, and Grace Lykins '13; four alumni named managing partner

### 43 In Memoriam

### 44 In Closing

Professor Minna Kotkin examines new legislation regulating nondisclosure agreements post-#MeToo

## Brooklyn Law Notes

Vol. 25, No. 1

**Editor-in-Chief**  
Clorinda Valenti  
*Executive Director of Communications*

**Managing Editor**  
Dominick DeGaetano

#### Contact Us

We welcome letters and comments about articles in *Brooklyn Law Notes*. We will consider reprinting brief submissions in print issues and on our website.

**Contributing Editor**  
Rosemarie Yu

**Contributing Writers**  
Elaine Friedman  
Jen Swetzoff

**Design**  
Amy Schraub  
Knox Design Strategy

**Contributors**  
David Bryant  
Caitlin Monck '02  
Peggy Swisher

**TEL:** 718-780-7966

**EMAIL:**  
communications@brooklaw.edu

**WEB:** brooklaw.edu

**Photographers**  
Lauren Eliot  
Todd France  
Samantha Lauren  
Michael Meyer  
Will O'Hare  
Seth Olenick  
Conor Sullivan

**MAILING ADDRESS**  
Brooklyn Law Notes Editor  
External Affairs  
Brooklyn Law School  
250 Joralemon Street  
Brooklyn, NY 11201

**Printer**  
Allied Printing Services

**Brooklyn Law Notes**  
is published semiannually  
by Brooklyn Law School  
for alumni, students,  
faculty, and friends.

# NEWS

## Michael T. Cahill Installed as Ninth Dean of Brooklyn Law School

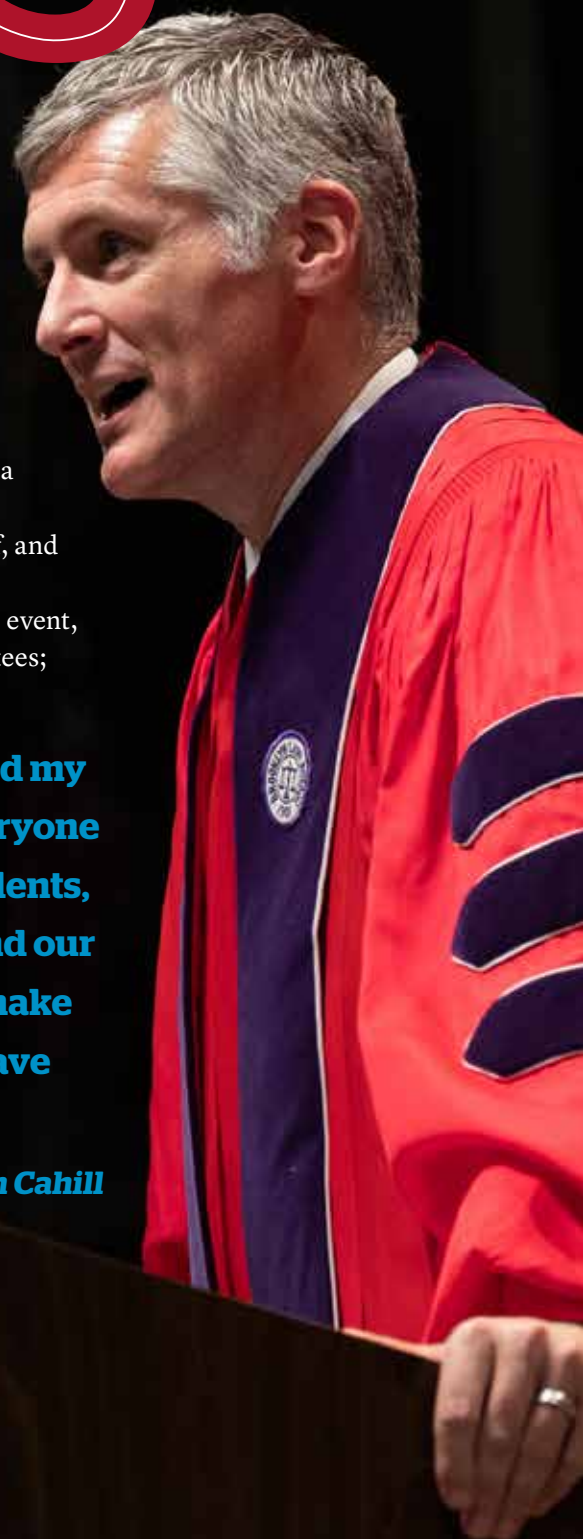
ON OCTOBER 23, 2019, MICHAEL T. CAHILL, President, Joseph Crea Dean and Professor of Law, was officially installed as the ninth dean of Brooklyn Law School. Over 200 alumni, trustees, faculty, students, staff, and friends attended the ceremony in the Law School's Moot Court Room.

A series of distinguished speakers gave remarks to commemorate the event, including Stuart Subotnick '68, chairman emeritus of the Board of Trustees; Brooklyn District Attorney Eric Gonzalez; Hon. Claire Kelly '93 of the U.S. Court of International Trade and a member of the Board of Trustees; and Maryellen Fullerton, Suzanne J. and Norman Miles Professor of Law and interim dean of the Law School the prior year.

Francis J. Aquila '83, Chairman of the Board of Trustees, served as emcee and oversaw the investiture of the dean, along with Student Bar Association leaders, who presided over Cahill's official robing ceremony.

**“It is my commitment and my promise to you and everyone you represent—our students, our alumni, our staff, and our entire community—to make good on the trust you have placed in me.”**

**— Dean Cahill**



## Professor Emeritus Arthur Pinto Makes Major Gift to Launch Diversity Initiative

BROOKLYN LAW SCHOOL announced the launch of the Professor Arthur Pinto and Stephen Bohlen Diversity Initiative, supported by a gift commitment of more than \$1 million by Brooklyn Law School Professor Emeritus Arthur Pinto.

The Diversity Initiative, named for Pinto and his husband, Stephen Bohlen, a retired healthcare executive, will provide critical support for the Law School's core commitment to creating an inclusive and welcoming environment for all members of its community: students, applicants, faculty, staff, alumni, and others, around the globe. It will support all aspects of the diversity and inclusion objectives advanced by Dean Cahill, the Board of Trustees, faculty, administrators, and staff.

"We are truly grateful for this generous gift that will have a significant impact on the Brooklyn Law School community for years to come," said Cahill. "It will facilitate the Law School's efforts to enhance the diversity of the legal profession, in New York City and beyond."

"After teaching here for 34 years, Brooklyn Law School felt like my home, and my colleagues like family, so I am pleased to leave my mark in this way," Pinto said. "It is my belief that an environment with diversity is a better environment, and it is my hope that the Law School continues to pursue the goals of inclusion and diversity."



PHOTO BY SUSAN KUKLIN

Professor Emeritus Arthur Pinto and Stephen Bohlen

Pinto will also continue to support the Arthur Pinto Public Service Fellowship for LGBTQ Rights, created in 2017 and awarded annually to a student for work that supports LGBTQ rights law or represents LGBTQ individuals. At the Law School, Pinto was the codirector of the Dennis J. Block Center for the Study of International Business Law; faculty advisor for OUTLaws, the student organization that serves the needs of lesbian, gay, bisexual, transgender, queer, and straight allies within the Law School community; and director of the foreign summer study programs.



## Professor Karen Porter to Lead New Inclusion and Diversity Initiative

PROFESSOR KAREN PORTER, a longtime member of the Brooklyn Law School faculty, has been named the inaugural Arthur Pinto and Stephen Bohlen Associate Dean for Inclusion and Diversity. In this newly created role, supported by a major gift from Professor Emeritus Arthur Pinto, she will oversee and coordinate the Law School's efforts to ensure a diverse and inclusive environment.

"I am honored to hold this position in Professor Pinto's name," said Porter. "Having these resources provides a real opportunity to do significant work with the Law School community. My goal for my work in this role is to help change the narrative, not just for those traditionally underserved, but for the broader group of individuals who have felt disadvantaged, to feel they are being well served and can succeed."

Porter, who joined the Law School in 2002, teaches Public Health Law and Policy, and serves as the executive director of the Law School's Center for Health, Science & Public Policy. She supervises the Center's fellowship program, as well as the Health Law Externship.



## Chairman Emeritus Stuart Subotnick '68 Honored with Portrait for Lifetime Service



AT THIS YEAR'S ALUMNI LUNCHEON, the Law School unveiled a portrait of Stuart Subotnick '68, chairman emeritus of the Board of Trustees, in recognition of his outstanding leadership and philanthropy.

The portrait hangs at the Law School in the event space that bears his name, the Subotnick Center, along with those of past deans and other luminaries of the Law School.

Subotnick joined the Brooklyn Law School Board

of Trustees in 1991, and served as its chairman from 2003 until 2019, when he was named chairman emeritus. He also has been an extraordinary benefactor, endowing the Anita and Stuart Subotnick Professor of Law chair, currently held by Professor Anita Bernstein, as well as two scholarships.

## Dexin Deng '16 and Garynn Noel '15 Elected Recent Graduate Trustees

THE BROOKLYN LAW SCHOOL BOARD OF TRUSTEES has elected Dexin Deng '16 and Garynn Noel '15 as recent graduate trustees.

Dexin Deng is a law clerk for the Hon. Esther Salas of the U.S. District Court for the District of New Jersey. She did her undergraduate studies in biochemistry at the University of Leeds, and earned a paralegal certificate from Georgetown University. At Brooklyn Law School, she was an editor of the *Brooklyn Journal of Corporate, Financial & Commercial Law*, was a Health Law and Policy Fellow, and interned for the U.S. Department of Health and Human Services.

Garynn Noel is a vice president in the fixed income division at Morgan Stanley. She obtained her undergraduate degree in English and philosophy from Rutgers University. While in law school, Noel worked at Collen IP, Cullen and Dykman, and Neighborhood Defender Service of Harlem, and she interned at the Law School's Office of the General Counsel. She was an editor of the *Brooklyn Law Review*, participated in the BLIP Clinic, and served in leadership roles in the Black Law Students Association.



Dexin Deng '16



Garynn Noel '15

"We are so pleased that Dexin and Garynn will be joining us on the board," said Frank Aquila '83, chairman of the Board of Trustees. "The success that they have each achieved in less than five years from graduation attests to both their individual abilities and the stellar preparation that they received at Brooklyn Law School. I'm certain that their insights will help us to innovate as we strive to remain at the forefront of legal education."

## EDNY Day Brings 22 Federal Judges to Brooklyn Law School

TWENTY-TWO FEDERAL JUDGES from the U.S. District Court for the Eastern District of New York walked across Cadman Plaza to take part in EDNY Day at Brooklyn Law School on October 17. The judges, who serve as District Court judges, magistrate judges, and bankruptcy judges, visited nine classes throughout the day, spoke at lunchtime sessions hosted by student organizations, and participated in a town hall meeting and reception in the evening. The day offered students a unique opportunity to meet and learn from prominent federal jurists, including several alumni of the

Law School: former Dean I. Leo Glasser '48, Sterling Johnson Jr. '66, Edward Korman '66, Robert Grossman '73, Nancy Hershey Lord '80, and Ramon E. Reyes Jr. '92, a member of the Board of Trustees.

At the town hall, moderated by Dean Cahill, Judge Dora L. Irizarry was joined by Glasser, Korman, Hershey Lord, and Reyes, along with Judges Ray Dearie and Lois Bloom, to discuss the role of the judiciary and share their personal experiences with students and faculty members.



(L-R): Judges Lois Bloom, Ramon Reyes '92, and Dora Irizarry; Dean Cahill; and Judges I. Leo Glasser '48, Ray Dearie, Nancy Hershey Lord '80, and Edward Korman '66

## “Joseph Crea Day” Declared in Brooklyn

BROOKLYN BOROUGH PRESIDENT Eric Adams declared November 6, 2019, “Professor Emeritus Joseph Crea Day in Brooklyn, U.S.A.” The proclamation was presented at a memorial celebration held at the Law School on that day to commemorate Crea’s life and legacy. The memorial was attended by the Crea family, faculty, alumni, staff, and members of the Board of Trustees.

Crea, a member of the class of 1947, taught at the Law School for more than 60 years. He died August 2, 2019, at age 104.

“All of Brooklyn joins today to celebrate [his] legacy...whose spirit of excellence inspired generations.”



Read more about Professor Crea’s life and legacy [www.brooklaw.edu/crea](http://www.brooklaw.edu/crea)



## At Business Boot Camp, Students Learn from Powerhouse Alumni



IN EARLY JANUARY, Dean Cahill interviewed Stacy Kanter '84, as the keynote for the eighth annual Business Boot Camp. Kanter, the former chair of the corporate finance practice at Skadden, Arps, Slate, Meagher & Flom, where she practiced for 30 years, and a founding member of Brooklyn Law School's Women's Leadership Circle, offered her experience and advice to students looking to enter corporate practice.

More than 50 students and 30 alumni participated in the boot camp, a four-day intensive course covering a range of topics at the intersection of law and business presented in collaboration with Deloitte Financial Advisory Services.



### Renewed Student Spaces Open

Brooklyn Law School students arrived last fall to a completely renovated first-floor library and student lounge. Both spaces have been redesigned to accommodate and adapt to the needs of students who want a variety of different spaces to study and relax.

## Evan Drake '20 Wins Burton Award in Legal Writing

EVAN DRAKE '20, executive articles editor of the *Brooklyn Journal of International Law*, was one of 15 law students nationally to receive the Law360 Distinguished Legal Writing Award from the Burton Awards. He was honored for his note, "Sovereign Immunity for Russia's Rocket Engines? Enforcing the 'Yukos' Award," 45 *Brooklyn Journal of International Law* 367 (2019).

The Burton Awards honor the finest accomplishments in law, including writing, reform, public service and interest, regulatory innovation, and lifetime achievements in the profession. This year's Legal Writing Award winners were chosen from nominations submitted by professors from around the country, and included winners hailing from top law programs.

"I am grateful to the editors of the *Brooklyn Journal of International Law*, past and present, for their support," said Drake. "It has been a particular privilege to work with Professors Julian Arato, Jean Davis, and Max Shterngel, as well as Hon. Claire Kelly '93, all of whose advice and encouragement made my note possible. They all taught me to ask the right questions."

This is the third year in a row that a Brooklyn Law School student has won the prestigious writing award. Chloe Gordils '19 and Alexa Bordner '18 were selected for their notes in 2019 and 2018, respectively.



Read Drake's award-winning note here:  
[www.brooklaw.edu/evandrake](http://www.brooklaw.edu/evandrake)

## Jessica Olive '20 and William Granados '20 Named 2020 Immigrant Justice Corps Fellows

JESSICA OLIVE '20 AND WILLIAM GRANADOS '20 have been selected for postgraduate Immigrant Justice Corps (IJC) Fellowships. They will join 24 other fellows from top law schools to serve for two years as staff attorneys at legal services agencies and community-based organizations across the country. Inspired by Chief Judge Robert Katzmann of the



Jessica Olive '20 and William Granados '20

U.S. Court of Appeals for the Second Circuit and launched in 2014, IJC is the nation's first fellowship program wholly dedicated to meeting low-income immigrants' needs for high-quality legal assistance.

As an IJC Fellow, Olive will work with UnLocal, a nonprofit organization that provides direct immigration legal representation to New York City's undocumented immigrant communities. Granados will join the New York Legal Assistance Group's Immigrant Protection Unit, where he will gain experience in complex areas of immigration law.

While at Brooklyn Law School, Olive has advocated for asylum seekers through the Safe Harbor Clinic and fought for detained immigrants in their bond and removal hearings with the Florence Immigrant & Refugee Rights Project in Arizona. Granados's first immigration experience was a successful asylum grant for a Tibetan Buddhist monk through the Safe Harbor Clinic. He later interned at both the New York County Defender Services' Immigration Unit and Appellate Advocates.

"This remarkably gifted incoming class of Immigrant Justice Corps Fellows will make all the difference for the thousands of immigrants they will represent and their families."

—Chief Judge Robert Katzmann, U.S. Court of Appeals, Second Circuit

## NYC Public Advocate Williams Keynotes Disability Rights Clinic Roundtable

IN FEBRUARY, New York City Public Advocate Jumaane D. Williams addressed the sixth annual Disability and Civil Rights Clinic Breakfast Roundtable, a gathering sponsored by the Law School's Disability and Civil Rights Clinic that drew more than 140 city and state officials, disability advocates and activists, and community leaders. The theme of this year's roundtable was "Mobilizing and Amplifying Voices in the Disability Community to Create Change."

"I'm glad that places like Brooklyn Law School's Disability and Civil Rights Clinic exist to make resources accessible, particularly to low-income communities," said Williams. "Many people think they are facing these challenges alone. It is so important for us to organize, to reach out, and to bring people together under common concern." Participants broke into working groups focused on different subject areas, where they shared knowledge and concerns and discussed strategies to enact progress.

The clinic is one of the few in the country focused on protecting and advancing the civil rights of adults with intellectual disabilities. It functions as a pro bono law firm, where students represent low-income New Yorkers and their families in a variety of civil legal matters.

The clinic's work is made possible by a generous grant from the Taft Foundation. Howard Rothman '71, president and chairman of the board of the Taft Foundation, has been instrumental in creating a successful partnership between the Foundation and the Law School.



L-R: Deputy Public Advocate Daniel Garcia-McGuire, Associate Dean Karen Porter, Associate Dean Stacy Caplow, Public Advocate Jumaane Williams, Professor Sarah Lorr, and Professor Prianka Nair

## Impact and Advocacy

### Clinics bridge the gap to legal access for Brooklynites in need

- Last fall, Nicole Ventura '20 and Yu Xie '20, students in the Corporate and Real Estate Clinic, successfully secured a real estate tax exemption and refund for the tenants of a 41-unit building in Williamsburg facing financial difficulties. The building, a not-for-profit tenant-controlled owner corporation, suffered without heat for two weeks last winter.
- Students in the Disability and Civil Rights Clinic and the Safe Harbor Clinic collaborated to gain asylum for a refugee with severe cognitive difficulties. The client, a young man from a Central American country, was unable to testify on his own behalf because of the severity of his disability.

Rebecca Szczupakiewicz '20, Cory Bernstein '20, Katherine Schloemer '20, Mario Fitzgerald '19, David Kass '19, and Simone Lamont '18 of the Disability and Civil Rights Clinic established the client's credible fear of return, with Diego Gomez '20, Pavel Williams '20, and Will Granados '20 assisting as interpreters.

Alex Hull '20, Vilma Illic '20, and LL.M. student Mary Gergis, working with the Safe Harbor Clinic under the supervision of Professor Carmen Maria Rey '06, successfully argued the case in immigration court.



Real Estate Clinic students Yu Xie '20 and Nicole Ventura '20 (L, R), with Esterlina Alvarez, president of the client corporation

### Connect with Us

Stay connected on social media and be the first to learn the latest news.



@brooklynlawschool



@brooklynlaw



@brooklynlawschool



@brooklynlawschool



@brooklynlawschool



## Spotlight on Intellectual Life

Each semester, the Law School offers a robust calendar of intellectually rich and dynamic programs sponsored by its centers and institutes, fellowship programs, and journals. Led by our nationally recognized faculty, the programs feature leading scholars, jurists, and practitioners exploring critical topics in diverse areas of the law and policy.

### Bankruptcy Scholars Convene in Brooklyn

FOR TWO DAYS IN SEPTEMBER 2019, Brooklyn Law School's Center for the Study of Business Law and Regulation, along with the International Insolvency Institute, hosted top bankruptcy scholars sharing their academic works-in-progress with colleagues from around the globe. Participants hailed from across the U.S., as well as Canada, Brazil, and parts of Europe. Professors Edward Janger, the center's codirector, and Jay L. Westbrook, the Benno C. Schmidt Chair of Business Law at the University of Texas Austin School of Law, organized and moderated the event.

1. Professor Edward Janger (row two, second from left) with the guest scholars
2. Professor Jay L. Westbrook, UT-Austin School of Law



### At Pomerantz Lecture, Former SEC Commissioner Kara M. Stein Explores Investor Protection in the Digital Age

KARA M. STEIN, former commissioner of the U.S. Securities and Exchange Commission (SEC), delivered the 17th Abraham L. Pomerantz Lecture in September, "Investor Protection in the Digital Age." Professor James Fanto, codirector of the Center for the Study of Business Law and Regulation, and Professor Roberta Karmel, former SEC commissioner and codirector of the Dennis J. Block Center for the Study of International Business Law, facilitated the post-lecture discussion.

Historically, the SEC's mission has been to protect investors; ensure fair, orderly, and efficient markets; and facilitate capital formation. However, Stein said, increasingly the agency is challenged by new technologies, innovative investment products, and computers trading securities instantaneously without human intervention.

"Market manipulation and fraud do not disappear. New forms of manipulation require us to adapt to the environment," said Stein. She suggested that the same technologies that make fraud easier should be employed by the SEC in order to combat it, with care and human oversight. Investors, she said, need "trust and information. If either of these are missing, the markets freeze up."

The Pomerantz Lecture series honors the life and work of Abraham L. Pomerantz '24, who pioneered shareholder suits against major corporations. It focuses on topics of corporate securities law and related issues of professional responsibility. The Pomerantz law firm, of which Abraham Pomerantz was the founding partner, provides continuing support for the series. The lecture was sponsored by the Center for the Study of Business Law and Regulation and the *Brooklyn Law Review*.



Kara M. Stein (at lectern), with Professors James Fanto and Roberta Karmel

# Block Center Hosts American Society of International Law Midyear Meeting

BROOKLYN LAW SCHOOL and the Dennis J. Block Center for the Study of International Business Law hosted the American Society of International Law's (ASIL) 2019 midyear meeting in November. As ASIL's academic partner, the Law School cosponsored the meeting's two-day Research Forum, which included panels discussing more than 70 papers on a variety of leading-edge international law topics. The forum also featured a pair of plenary lunchtime discussions—a conversation with U.N. Under-Secretary-General and Legal Counsel Miguel de Serpa Soares and a roundtable titled “The Nuts and Bolts of Multinational Treaty-Making.”

The forum also included events designed to assist students and new professionals interested in pursuing a career in international law.

“It was a special privilege to host the mid-year in Brooklyn—a true feast for our students and broader community,” said Professor Julian Arato, codirector of the Block Center, who was one of the three co-chairs of the Research Forum Committee. “Partnership with ASIL provides our law school community with an invaluable bridge to the world of international law. Our students have benefited from ample career-blazing opportunities afforded by the partnership program, access to the ASIL job board, and exposure to people and ideas at the ASIL Annual Meeting.” Arato was elected in April 2019 to the executive council of ASIL for a three-year term.

Other members of the faculty who participated in the conference included Professor Robin Efron, Block Center codirector, who was a discussant on the panel “International and Transnational Courts,” and Professor Maryellen Fullerton, who was a speaker on the panel “Navigating the Rising Tides of Nationalism,” part of the Practitioners’ Forum hosted by Debevoise & Plimpton the day prior.



Professor Julian Arato and ASIL President Sean D. Murphy



Attendees discussed leading-edge topics in international law



U.N. Under-Secretary-General and Legal Counsel Miguel de Serpa Soares in conversation with Mark Agrast, executive director of ASIL, at one of the plenary luncheons



Brooklyn Law School  
ESTABLISHED 1901

Learn more: [www.brooklaw.edu/centers](http://www.brooklaw.edu/centers)



## Annual Constitution Day Tackles Impeachment and Major Supreme Court Cases



THIS YEAR'S ANNUAL CONSTITUTION DAY PROGRAM occurred at a unique time in American history, with a president on the verge of impeachment hearings and a newly majority-conservative U.S. Supreme Court starting its term. At a standing room only town hall of students, faculty, and staff, Professors (L-R) Alice Ristorph; Joel Gora; Susan Herman, president of the ACLU; and William Araiza held an engaging discussion of critical constitutional issues and the future direction of the U.S. Supreme Court.

## Health Law Center Program Explores Advancing AI in Medicine

“HOW DO WE MAKE SURE the good uses of data move forward and the bad types stop?” asked Frank Pasquale, Piper & Marbury Professor of Law, University of Maryland Francis King Carey School of Law, at November’s Theory Practice Seminar: Advancing AI in Medicine. Pasquale, who joins the Law School faculty this fall after having served as a visiting professor, was the featured speaker at the program sponsored by the Center for Health, Science & Public Policy.

The dream of artificial intelligence (AI) in medicine—such as care robots, nanobots, and 3D-printed organs—inevitably comes up against the realities of policy and law, and the need for more responsibility and opportunity to collect and use better data. Pasquale explored this tension, and how healthcare and data policy can accelerate the development of medical AI.

The program also featured leaders of the Mount Sinai Health System’s research group AISINAI: Director Eric Karl Oermann, M.D.,

instructor in the neurosurgery department; and Chief Operating Officer Anthony B. Costa, Ph.D., assistant professor of neurosurgery at Icahn School of Medicine at Mount Sinai.



Professor Frank Pasquale



## Colloquium Series Examines Scientific Controversies in Environmental Law

LAST FALL, PROFESSOR GREGG MACEY invited leading scholars and practitioners to Brooklyn Law School for the three-part Fall Colloquium series “Scientific Controversies in Environmental Law.” The speakers discussed the tools and techniques of analysis used in environmental law and policy, and the breakthroughs and debates they provoke.

The distinguished speakers included Richard Revesz, the Lawrence King Professor of Law and dean emeritus of New York University School of Law; Cary Coglianese, the Edward B. Shils Professor of Law at the University of Pennsylvania Law School; Ann Carlson, the Shirley Shapiro Professor of Environmental Law at UCLA School of Law; Katrina Kuh, the Haub Distinguished Professor of Environmental Law at Pace University Elisabeth Haub School of Law; John Vandenberg, professor emeritus of zoology at North Carolina State University and his sons David Vandenberg, professor of biobehavioral health at Penn State College of Health and Human Development, and Michael P. Vandenberg, the David Daniels Allen Distinguished Chair of Law at Vanderbilt Law School; and Veronica Eady, the assistant executive officer of the California Air Resources Board.



## Ending Mass Incarceration Through Accountability

“WE BELIEVE WHEN WE HURT SOMEONE, we incur an obligation to face that person and rise to the challenge of repair. Prison excuses that obligation,” said Danielle Sered, author of *Until We Reckon: Violence, Mass Incarceration, and a Road to Repair* (The New Press, 2019) in a book talk sponsored by the Center for Criminal Justice and moderated by Professor Cynthia Godsoe. In her remarks, Sered, the executive director of Common Justice, a pioneering alternative-to-incarceration and victim services program, brought her years of experience to bear on the power of survivor-focused, restorative justice alternatives.



# The Gift of a Legal Education

THE ENDURING IMPACT OF SCHOLARSHIP GIVING

Each year, Brooklyn Law School awards generous scholarships to both students of outstanding merit and students in need of opportunity.

Behind the creation of many of these scholarships is the story of a donor whose life has been touched by the Law School. Through their giving, these donors ensure that a Brooklyn Law School education can continue to change lives.

BY JEN SWETZOFF



When **BIANCA D'AGOSTARO '20** graduated from Barnard College with a degree in economics, she applied early decision to Brooklyn Law School, hoping that she would be able to afford the next step in her education.

Receiving the **TAUBENBLATT/HARMON SCHOLARSHIP**, a new scholarship created this year by a Brooklyn Law School legacy family, made a huge difference for her.

“I’m the first person in my family to graduate from law school,” said D’Agostaro, who will join Paul Weiss as an associate in its real estate practice. “The benefits of graduating without student debt just can’t be overestimated.”

The Taubenblatt/Harmon Scholarship was created by the late **LEONARD TAUBENBLATT '50**, his daughter **ELLEN TAUBENBLATT HARMON '79**, and his son-in-law **MARK HARMON '78**, to be awarded to a deserving student on the basis of academic merit. The couple met on campus while in law school.

“My scholarship let me focus on my studies, get involved on campus, collaborate with other students, hold internships, and work with professors on research, all because I didn’t have to hold down a part-time job,” said D’Agostaro. “It has been a blessing.”

After graduation, she also will be forging her own personal law school connection by marrying **BRANDON MORENO '20**, whom she met in her Civil Procedure course as a first-year law student.

Scholarship giving is integral to advancing Brooklyn Law School’s legacy of academic excellence and its commitment to making legal education affordable and accessible for talented students. The impact of scholarships ripples across generations, supporting outstanding students who go on to successful careers across diverse fields of the law—and then give back to the institution where it all began.



**HOWARD HERSHENHORN '89 (L)**  
**LOUIS GRANDELLI '90 (R)**

The **HOWARD HERSHENHORN '89 AND LOUIS GRANDELLI '90 SCHOLARSHIP**, newly created this year by its namesake alumni, is a marker of the strong connection they forged at the Law School. The two met as law students and struck up a lasting friendship. Both went on to become successful trial lawyers in the areas of medical malpractice and personal injury. This new scholarship for students with need was a way to thank the Law School for what it gave them.

“One thing I’ll never forget,” said Grandelli, who runs his own law firm with offices in Manhattan and on Staten Island, “is what the late Professor Jerome Leitner told us at our orientation.



“My scholarship let me focus on my studies, get involved on campus, collaborate with other students, hold internships, and work with professors on research... It has been a blessing.”

—BIANCA D’AGOSTARO



He said a lot of your best friends in life will be people sitting in this room whom you haven't even met yet. And that's the truth. Some of the people I met at the Law School are still my best friends to this day, including Howard."

"I've always felt a very strong allegiance to the school," said Hershenhorn, partner at the New York City-based firm Gair, Gair, Conason. The child of immigrants, he came from humble beginnings in Canarsie, Brooklyn, and was the first college graduate in his family.

"I wanted to be a lawyer," he said, "because I wanted to advocate on behalf of people who grew up like I did, without the benefit of starting out with a Rolodex they could tap into for help." Today, in addition to his successful legal practice, Hershenhorn also serves as an adjunct professor at the Law School, teaching a course on personal injury and medical malpractice.

"I think giving back to the institution that provided us with the opportunity to accomplish so much is one of the most important things I could possibly do to encourage other people to do the same thing," Hershenhorn said.

Grandelli agrees. "Our experience at Brooklyn Law School was life changing," he said. "I learned more in one semester there than in all four years of college. My father used to say you'll never regret your education, no matter what you do. And that has always stayed with me. I feel very fortunate to be able to help other students have an experience like we did."

## SHOWING GRATITUDE

Hershenhorn and Grandelli's story of giving back is emblematic of the Law School's enduring tradition of supporting students of merit, regardless of background or need. Generous donors continue to renew this legacy.

In the last year, seven new scholarships have been created. An additional eight were awarded for the first time, including the [SUSAN GREENBERG-THROPE '81 SCHOLARSHIP](#), awarded to a student on the basis of academic merit and dedication to serving the community.

"I've always been very grateful to Brooklyn Law School for the quality of the education I received there, and what it enabled me to accomplish professionally and personally," said Greenberg-Thrope, a recently retired senior vice president at New York Life Insurance Company, who established a scholarship last year.

For Greenberg-Thrope, that also meant sharing her expertise and career guidance with students. "Since graduating from Brooklyn Law School, I have spent time mentoring students regarding the myriad opportunities available for them to utilize their law degree," she said. "My parents instilled in me at a very young age the obligation to give back."

## How to Establish a Scholarship

An endowed gift, which may be made over a period of time or at one time, can establish a scholarship that will impact at least one student per year in perpetuity. For these scholarships, the gift is not spent but is invested; it is the returns on the investment that fund the annual scholarship award.

## Opportunity Scholarships

"I wanted to give others the same opportunity I was lucky enough to have, to pursue a lucrative and very interesting career."

—JASON SELTZER '52

Donors create scholarships for a variety of reasons: to reward achievement, to help students with financial need, to promote work within their practice area, to help create an opportunity, or to honor a legacy. Whatever your motivations or ability to give, there are many options to create an enduring impact on the future of the legal field.

## Endowed Scholarships

Gifts that fund opportunity scholarships are spent down immediately, with the potential to help a number of students in a defined time frame.

To learn more about how you can help the next generation of Brooklyn Law School students, contact Chief Advancement Officer **SEAN MORIARTY** at [sean.moriarty@brooklaw.edu](mailto:sean.moriarty@brooklaw.edu) or 718-780-0516.

Donors often establish a scholarship to support students interested in a particular practice area. **JASON SELTZER '52**, for example, a retired real estate lawyer and former president of the New Jersey Generals football team, who now lives in Florida with his wife, Helen, recently decided to create a scholarship for students interested in entertainment or sports law, both areas of great strength at the Law School.

“Without Brooklyn Law School,” Seltzer said, “I probably would not have succeeded to the extent that I have. I wanted to give others the same opportunity I was lucky enough to have, to pursue a lucrative and very interesting career.”

These new scholarships enhance the Law School’s already robust roster of scholarships that are instrumental in attracting students with stellar academic achievements, professional accomplishments and service to the community, and passion for the law.

**CORY BERNSTEIN '20** is one such student. After graduating from Tulane University with a degree in legal studies in business, he knew he wanted to pursue the law as a way to help people with mental health issues and disabilities.

“I’ve personally dealt with mental health challenges in my own life,” Bernstein said, “and I knew that I wanted to focus on a related area of public interest law for my career. With everything going on in the world right now, I think there’s going to be an increasing need for this kind of work.”

As a recipient of the **GERTRUDE AND LOUIS FEIL SCHOLARSHIP**, endowed by Board of Trustees member **JEFFREY J. FEIL '73** in memory of his parents, Bernstein has been able to take full advantage of the Law School’s offerings. In addition to excelling in his coursework, he has completed two internships and an externship, and been named a Prince Scholar and Edward V. Sparer Public Interest Law Fellow. He also participated in the Disability and Civil Rights Clinic, helping win a complicated case for a developmentally disabled individual requesting asylum.

“I’ve had a very positive learning experience at the Law School,” Bernstein said. “So many resources and connections have been made available to me, and I’ll always be grateful for that.”

Many successful students find that scholarships play a tremendous role in helping them become the kind of lawyer they want to be by allowing them to concentrate on their studies and lessening the burden of student loan debt.

“All of the Law School’s donors make a huge impact on students’ lives,” said **SEAN P. MORIARTY**, chief advancement officer at Brooklyn Law School. “As we all know, a legal education, particularly in New York City, is expensive. But because of the generous support we receive from donors, including alumni, their families, foundations, and firms, we’re able to see a tangible effect in helping to lower the debt burden and open our doors to more students.”



SHANNI LYNCH '23

**SHANNI LYNCH '23** dreamed of attending law school when she was an honors student at Stony Brook University. Lynch viewed the law as an important way to help marginalized people and work toward social justice. But she and her parents were concerned about adding to their already considerable student loan burden. After graduating from college, she applied to the Law School's part-time program, planning to continue her full-time job as a legal secretary and hoping that financial aid could help cover the remaining costs. The **FREDERICK E. CURRY III '03 SCHOLARSHIP** made that possible, helping her close the affordability gap.

Curry, a member of the Board of Trustees and a partner and practice leader at Deloitte, created the scholarship to help the Law School recruit African American students.

"When I found out that I was accepted with a scholarship, I was ecstatic," said Lynch, who came to New York from St. Lucia, where she grew up, to pursue her education. "Without the generosity of people like Mr. Curry creating scholarships, it would be so difficult for people like me to pursue their dreams."

"Our philosophy is to be as generous as possible to as many deserving students as we can," said **EULAS BOYD**, dean of admissions and financial aid. "Every dollar makes a difference to our students. And whatever the purpose of a donation, whatever motivates it, we will be the most careful stewards of the financial resources we're given."

## GROWING A LEGACY

Setting up a scholarship can be more than a charitable donation—it can be a living memorial to a loved one.

For example, the **PHILIP SILVERMAN '51 SCHOLARSHIP** was created in memory of a pioneer in the field of aviation litigation by his children, **ELLEN SILVERMAN ELIAS** and **MICHAEL SILVERMAN**. A "completely self-made man," in his daughter's words, Silverman was the son of poverty-stricken Jewish refugees from Russia. During World War II, he flew helicopters for the U.S. Army Air Forces, the start of a lifelong fascination with aviation. He used the GI Bill to attend Brooklyn Law School, and used his degree to become an assistant U.S. attorney. In the 1950s, his military experience was called on when he was transferred to Washington, D.C., to help found the Department of Justice's aviation unit. After serving for many years as the chief of the unit, he joined a private litigation practice, from which he retired in 1988.

After their father passed away in 1989, Elias and her brother, Michael Silverman, wanted to find a way to keep their father's memory alive. Neither had followed their father into the legal profession: Elias, before retiring, was a senior supervising underwriter at AIG, and Silverman owns a successful optometry practice. However, they say that the professional encouragement and support their father gave them was instrumental to their success.

"If you ever called [our dad] with a problem, or told him your goals," Elias said, "he would always ask how he could help." She and her brother created their scholarship for a driven, high-achieving law student in need. "We wanted to do for

The Law School's annual Scholars and Benefactors Celebration brings together donors and scholarship recipients to share stories of the tremendous impact of scholarship giving on the lives and careers of students and to renew the legacy of excellence and support for the next generation.

View the list of scholarships at  
[WWW.BROOKLAW.EDU/SCHOLARSHIPS](http://WWW.BROOKLAW.EDU/SCHOLARSHIPS)



someone else what the GI Bill did for him,” said Elias. “We want to help support someone who’s going to go out there and do great things.”

Endowing the scholarship carried an unexpected benefit for Elias. “I feel I am walking in my father’s footsteps,” she said. “We have been so embraced by the Law School community. We have a real emotional connection with it, almost like we went there ourselves.” Every year since establishing their scholarship, Elias has made the trip from Florida to attend the Law School’s annual Scholars and Benefactors Celebration and meet the recipient of the scholarship. When the student thanks her for her generosity, she is quick to connect her gift to her father’s values. “This is who I am,” she said, “because this is who my father was.”

In addition to honoring loved ones, scholarships can be a way to express gratitude for mentors. Recently, **JASON JIA '11**, the founding partner of Jia Law Group, a boutique immigration firm, established the **JASON JIA '11 AND BARBARA GARTNER SCHOLARSHIP**, made in honor of Gartner, a Brooklyn Law School ESL writing specialist, to support students whose native language is not English. Jia began his life in China, living with relatives and at boarding school for more than a decade before being able to join his parents in California as a young teenager. This year’s Alumni Association Rising Star (*see p. 28*), Jia was inspired to give back because his parents always demonstrated a commitment to striving and sacrifice, showing that there’s no contradiction between pursuing one’s own dreams and helping others realize theirs.



JASON JIA '11

“I’d never be where I am now without the incredible teaching, lifelong friendships, and introduction to new ways of thinking that Brooklyn Law brought into my world,” said Jia. “If this scholarship helps even one student accomplish an aspiration that they’d thought might be unattainable, then paying it forward will have been entirely worth it.” ■



## PAYING IT FORWARD

### The Women’s Leadership Network Scholarship

THE WOMEN’S LEADERSHIP NETWORK was established in 2017 to bring together distinguished graduates of the Law School with the mission to develop and offer programs and opportunities designed to support and mentor women in the law, facilitate networking, and promote career success. Now, members of the Women’s Leadership Circle, which founded the network, have launched a scholarship initiative to reward students who best exemplify this mission.

“The advancement of women in the law is important to me, and something I’m proud to support,” said **SOPHIA VALIOTIS '04**, chief legal officer at Alma Realty in Long Island City. “This scholarship is another way we can help law students. As alumnae, I think it’s so important to support the school and give back in whatever way we can, whether it’s with our time or money.”

# What Comes After Money Bail?

By Professor  
Jocelyn Simonson

Disproportionate Dog Whistle  
High Risk Risk Assessment Tools Hier  
Inequality Segregation  
Disproportionate  
Generations  
Slow Violence  
Disproportionate  
Inequality  
Generations Structural Neglect  
Criminal Adjudication  
Reform  
Instrument of Oppression  
Inequality Segregation  
Reform

# It is no longer controversial to say that our current system of money bail is flawed.

---

WHEN MORE THAN 450,000 PEOPLE are incarcerated before trial at any given time—a majority of whom are there because they cannot afford the amount of money that a judge has set for their bail—we are doing something wrong. Money bail is a stark and prominent indicator of how the criminal legal system disproportionately punishes those in poverty and, by extension, of certain races. While a tentative consensus exists across the political spectrum that there is a problem, the shape and scope of reform is a charged topic of debate.

But what comes after money bail? As we think about pretrial detention, incarceration, and the criminal legal system more broadly, we need to widen the scope of our thinking beyond the relatively simple idea that “money bail is unfair to poor people” to a larger imagining about the harms of pretrial detention and even criminal adjudication itself. This requires pushing for a larger vision of how the state could provide safety and security in the face of both harm and structural neglect and connecting that vision to our systems of money bail and pretrial detention.

## A NEW WAVE OF REFORM

We are well into a new wave of bail reform throughout the United States, at both the state and local levels. Although we would not have reached this point without the longtime organizing of those on the ground, the consensus on the flaws of money bail is not limited to jurists, advocates, and organizers on the political left. In 2018, Hon. Edith Brown Clement, senior United States circuit judge of the Court of Appeals for the Fifth Circuit, and a conservative once thought to be a top contender for a Republican-appointed Supreme Court seat, found that the bail practices of Harris County, Tex., violated the Equal Protection and Due Process Clauses, naming money bail an “instrument of oppression.” In her decision in *O’Donnell v. Harris County*, Judge Clement explained the widespread sense of injustice:

“Take two misdemeanor arrestees who are identical in every way—same charge, same criminal backgrounds, same circumstances, etc.—except that one is wealthy and one is indigent.... One arrestee is able to post bond, and the other is not. As a result, the wealthy arrestee is less likely to plead guilty, more likely to receive a shorter sentence or be acquitted, and less likely to bear the social costs of incarceration. The poor arrestee, by contrast, must bear the brunt of all

of these, simply because he has less money than his wealthy counterpart.”

Judge Clement’s opinion was a major step for equal protection jurisprudence. Potentially, we are at the dawn of a broader existential crisis for the institution of money bail: an acknowledgment that bail not only incarcerates based on poverty, but also eradicates the presumption of innocence, assuming criminality and guilt without adequate process.

But the political economy of money bail goes deeper than Judge Clement’s fable of singular rich and poor persons assigned to different fates. Professor Angela Harris of UC Davis School of Law connects money bail to a criminal legal system that extracts wealth from segregated communities of color over generations, only to reveal itself later through incarceration for failure to pay fines, fees, or bail. This “slow violence,” as she describes it, must be analyzed as a problem at the intersection of race, class, and geography.

In addition, as the Movement for Black Lives writes in its eye-opening 2016 Transformative Bail Reform Curriculum, money bail cannot be fully understood without placing it within the historical context of the criminalization of blackness and the monetization of freedom, reaching as far back as the transatlantic slave trade and the practice of slaves buying their freedom. These structural forces of oppression reinvent themselves in today’s court system as determinations of “high risk” of flight or threats to “public safety,” leading to a monetary number being put on an individual’s freedom.

## THE DANGERS OF IGNORANCE

If we do not contend with the underlying structural and historical problems that emerge from a deeper analysis of money bail, then we will find ourselves either at a deadlock or at a gradual circle back to the problems that got us here. We will find ourselves using Risk Assessment Tools (RATs), algorithmic calculations of the likelihood of rearrest that inevitably embed racial, economic, and gender hierarchies into their judgments of risk. Or even without RATs, we will find ourselves pointing to seemingly neutral facts—a person’s prior record, a charge of “violence,” a lack of “community ties”—and subject someone to incarceration before conviction based on the slow violence of the past.



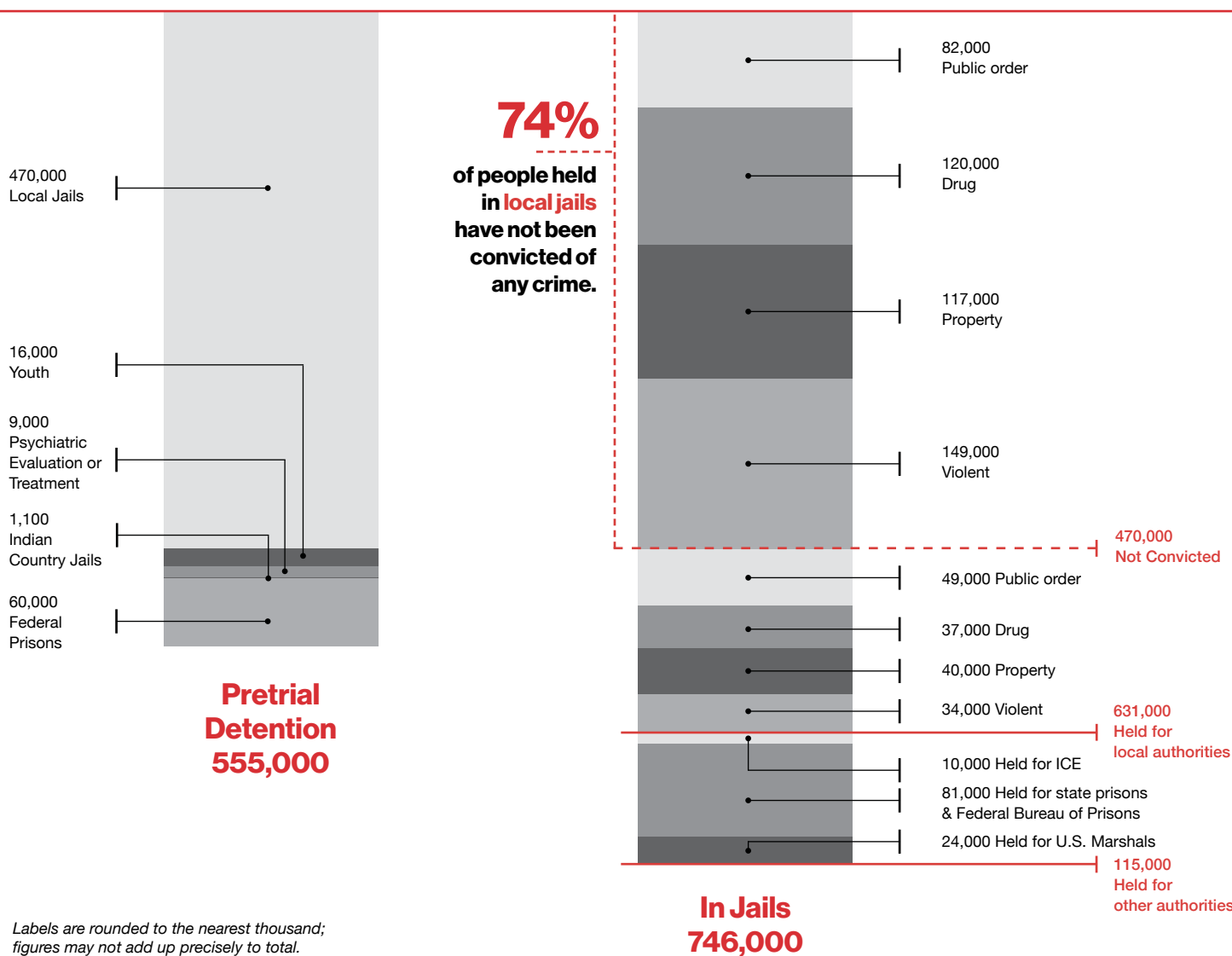
To move beyond money bail requires thinking carefully and openly about who is on the receiving end of any shift in power and decision making in bail reform. Will it be blue ribbon commissions, secret algorithmic codes, enlightened judges, “progressive” prosecutors? Newly elected Queens County District Attorney Melinda Katz unknowingly reminded us of the risks of allowing bail reform to be a purely technocratic enterprise in her first months in office. The prior year, Katz campaigned on a pledge to stop asking for cash bail in most criminal cases. However, after taking office in January 2020, she changed her mind, saying, “I do believe it deep in my heart...that cash bail is unfair, it’s inequitable... [but] we are not there yet.”

Only by shifting power and recognizing the expertise of the communities most devastated by mass incarceration will we begin to hear and imagine other ways the state can provide safety and security.

Ironically, money bail is itself a form of public participation, a moment of outside intervention in an expert-driven process. As I have written in the *Columbia Law Review*, *Michigan Law Review*, and elsewhere, grassroots organizations are pushing back against the dominant ideas of “public safety” and “community” that sustain pretrial detention. These groups do this in part through the collective act of posting bail for individuals via bail and bond funds. The ability of a community group to post bail can be a powerful act of

## 2.3 million people are confined nationwide (rate of 698 per 100,000 residents)

All statistics are from the Prison Policy Initiative’s report “Mass Incarceration: The Whole Pie 2020.”



# The median bail amount is **\$10,000.**

The median annual income for men detained pretrial is **\$15,598**; for women, **\$11,071.**

---

reclaiming collective agency and redefining public safety, even as the institution of money bail is at the same time a force of oppression.

## TOWARD A NEW NARRATIVE

So far this year, popular discussion about bail reform has been loudest in New York. In January, legislation requiring mandatory release without bail for some “low-level” offenses went into effect. As a result, the number of people incarcerated pretrial has declined throughout the state. At the same time, the media and politicians from both sides of the aisle have criticized the new legislation using racist dog whistles, demanding troubling rollbacks. They have cherry-picked stories of mentally ill people being arrested after release, ignoring the hundreds of New Yorkers who have been able to avoid the violence of jail and return to their jobs, schools, and families while waiting to see what happens with their case. And they have partially succeeded: as of early 2020, New York’s new budget includes limited rollbacks to the new law by expanding the number of bail-eligible offenses. Even if these rollbacks do

not go as far as some pro-carceral advocates demanded, they will reduce the decarceral impact of bail reform. By keeping people in cages before they have been convicted of anything—and, moreover, by doing so at a time when COVID-19 is raging through jails and prisons at a rate far surpassing the rate within the general population—they will keep us less safe than we would have been had we maintained the current reforms.

The debate in New York reflects the paucity of our current discourse around bail. When we reduce the debate to questioning, for instance, whether mentally ill individuals should be locked in cages, we stop ourselves from asking larger questions about how the state supports people with mental illness in ways that keep all of us safe.

We must, instead, write a new narrative, not by contrasting a rich person and a poor person, but by contrasting existing discourse with new accounts of freedom and safety. We have made some progress in this regard, but as we have seen from the recent pushback in New York, our efforts must be constant and unrelenting. The work continues. ■

---

## Professor Jocelyn Simonson,

codirector of the Center for Criminal Justice, was recently granted tenure by the Brooklyn Law School Board of Trustees. She is an authority on criminal law, criminal procedure, evidence, and social change.

In particular, she studies bottom-up interventions in the criminal legal system, such as bail funds, copwatching, courtwatching, and participatory defense, asking how these real-life interventions should inform our conceptions of the design of criminal justice institutions, the discourse of constitutional rights, and the meaning of democratic justice. Simonson has penned op-eds and been quoted frequently in the media about recent efforts to roll back New York’s new bail reform law.

Her law review articles have appeared in the *Harvard Law Review*, *Columbia Law Review*, *California Law Review*, and *Michigan Law Review*. Simonson’s scholarship has been

cited twice by the U.S. Supreme Court and was designated “Must Read” by the NACDL Getting Scholarship into Courts Project.

Her forthcoming article in the *Yale Law Journal*, *Police Reform Through a Power Lens*, examines the movement towards establishing new governance arrangements that shift power over policing to those who have been most harmed by mass criminalization and incarceration.

She founded and directs the Law School’s Pretrial Justice Fellowship, which offers students the opportunity to do pro bono work on issues of bail reform and advocacy for the Brooklyn Community Bail Fund.

Simonson was previously an Acting Assistant Professor of Lawyering at New York University School of Law and a public defender with the Bronx Defenders. She clerked for the Hon. Barrington D. Parker Jr., U.S. Court of Appeals, Second Circuit. Simonson holds a B.A. from Yale University and a J.D. from Harvard University.



# FACULTY

## Law School Announces Newly Tenured Faculty

THE BROOKLYN LAW SCHOOL BOARD OF TRUSTEES recently granted tenure to Professors Julian Arato, Heidi K. Brown, and Jocelyn Simonson (see p. 23). Since joining the faculty, they have made significant contributions to the Law School community and to their areas of scholarship and teaching.



**Julian Arato** is an expert in international economic law, public international law, international organizations, contracts, and private law theory. He serves as codirector of the Law School's Dennis J. Block Center for the Study of International Business Law. He also serves as faculty advisor to the *Brooklyn Journal of International Law*. His current scholarly work focuses on the private law dimensions of

international investment law. His forthcoming book, *The Private Law of Investment Treaties*, will be published by Oxford University Press, and he is working with Professor Joseph Weiler of NYU School of Law on a shorter monograph on international trade law, tentatively titled *The Essential GATT*.

"It is such an honor to work with our wonderful students, year after year, and my colleagues are world class," said Arato. "Both make the Law School such an exciting place. It is a privilege to codirect the Block Center, which is its own special faculty and student community dedicated to transnational business regulation and international economic law."

A prominent leader in his field, Arato also serves on the Executive Council of the American Society of International Law (ASIL), as co-chair for the ASIL International Economic Law Interest Group, and as a member of the Institute for Transnational Arbitration Academic Council. Since 2018, he has served as an observer delegate (on behalf of ASIL) to the United Nations Commission on International Trade Law Working Group III.

Before joining the Brooklyn Law School faculty in 2015, Professor Arato was an associate-in-law at Columbia Law School. He previously worked as an associate in the international arbitration group at Freshfields Bruckhaus Deringer.

Arato received his J.S.D. from Columbia Law School, J.D. and LL.M. from NYU School of Law, M.Phil. from University of Cambridge, and B.A. from Columbia University.



**Heidi K. Brown** is director of the Law School's legal writing program. She oversaw the development and implementation in fall 2019 of a new curriculum that has increased requirements and offerings in the study of legal research and writing to prepare students for the changing demands of careers in the law.

"I'm grateful to Brooklyn Law School for the opportunity to work toward and achieve this milestone in my legal

career," said Brown. "The best part of my job is seeing my 1Ls evolve from novice legal writers into artful communicators. For an educator, there is nothing more fulfilling than watching students take intellectual risks, collaborate with one another, and experiment with amplifying their voices authentically."

A prolific author and leader in the national movement to address law student and lawyer wellness, Brown recently published her sixth book, *Untangling Fear in Lawyering: A Four-Step Journey Toward Powerful Advocacy* (ABA Publishing, 2019). Her previous book, *The Introverted Lawyer: A Seven-Step Journey Toward Authentically Empowered Advocacy* (ABA Publishing, 2017), explored the positive role of introversion in effective lawyering and how law students and attorneys can harness that power.

Prior to joining the Law School in 2016, Brown was on the faculty at New York Law School and the Chapman University Dale E. Fowler School of Law in California. She has more than two decades of experience in law practice. She was of counsel with Moore & Lee, a litigation firm in Northern Virginia and New York City, where she handled all aspects of litigation and arbitration of complex construction contract and building development disputes. Before that, she was an associate at Thacher, Proffitt & Wood, and at Watt, Tieder, Hoffar & Fitzgerald, in Washington, D.C.

Brown received her bachelor's degree in foreign affairs and French literature from the University of Virginia, and J.D. from the University of Virginia School of Law.



[Read our profile of Professor Jocelyn Simonson](#)



## Prominent Faculty to Join Law School

THIS FALL, Brooklyn Law School will welcome three new full-time faculty members: Professors Frank Pasquale, Piper & Marbury Professor of Law at the University of Maryland's Francis King Carey School of Law; Wilfred U. Codrington III, Bernard and Anne Spitzer Fellow and Counsel at the Brennan Center for Justice at NYU School of Law; and Vijay Raghavan, deputy director of financial institutions at the Illinois Department of Financial & Professional Regulation.

They will join an outstanding faculty that is nationally recognized for excellence in scholarship and teaching.



Frank Pasquale



Wilfred U. Codrington III



Vijay Raghavan

[Read more about our new faculty members in the upcoming fall 2020 issue of \*Brooklyn Law Notes\*](#)



### Professor Roberta S. Karmel Elected to Board of Directors of CFP Board

ROBERTA S. KARMEL, CENTENNIAL PROFESSOR OF LAW, a leading authority on international and domestic securities regulation, has been appointed to the board of directors of the Certified Financial Planner Board of Standards (CFP Board), the professional body for personal financial planners in the U.S. The CFP Board sets standards for financial planning and administers the prestigious CFP certification. Karmel is a former commissioner of the Securities and Exchange Commission and a former public director of the New York Stock Exchange.

### Noteworthy

**PROFESSOR NEIL COHEN** was named by the International Institute for the Unification of Private Law to the expert working group to prepare a new model law on factoring for adoption around the world. The model law is intended to be used as a tool to help provide greater access to credit for micro-to medium-sized businesses, particularly in the developing world.

**PROFESSOR ANDREW GOLD** was elected to membership in the American Law Institute, the leading independent organization in the United States producing scholarly work to clarify, modernize, and otherwise improve the law. Gold is an expert in private law theory, fiduciary law, and the law of corporations, and associate director of the Center for the Study of Business Law and Regulation.

**PROFESSOR SUSAN HERMAN** was honored by the Dublin University Law Society of Trinity College, Dublin, with the Praeses Elit Award, in recognition of her leadership of the American Civil Liberties Union, where she serves as president. Past recipients include former U.N. ambassador Samantha Power and former South African president F.W. de Klerk.

**PROFESSOR EDWARD JANGER** was elected a fellow of the American College of Commercial Finance Lawyers, a professional organization dedicated to promoting the field of commercial finance law through education, legislative reform, and the recognition of distinguished practitioners, jurists, and academics.

**PROFESSOR SAMUEL MURUMBA** was named a life member by the American Law Institute. He is an expert in the fields of intellectual property and human rights and, among his many distinctions, is emeritus director of the Human Rights Watch Board of Directors.

## The following are selected highlights of recent faculty scholarship. To learn more, visit [www.brooklaw.edu/facultyscholarship](http://www.brooklaw.edu/facultyscholarship)

### William Araiza

The Contributions of William Funk to American Constitutional Law Scholarship, 23 *Lewis & Clark Law Review* 1417 (2020)

ARAIZA DISCUSSES the contributions of Professor William Funk to American constitutional law scholarship. Funk's scholarship, Araiza argues, seeks justification for rules in the results they generate, rejects all-or-nothing approaches to constitutional principles, and recognizes that the surest foundations of imperative legal evolution lie in what had come before.

### Dana Brakman Reiser

Progress Is Possible: Sustainability in U.S. Corporate Law and Corporate Governance, in *The Cambridge Handbook of Corporate Law, Corporate Governance and Sustainability* (B. Sjøfjell & C. Bruner, eds., Cambridge University Press, 2019)

BRAKMAN REISER EXPLAINS how legal innovations, such as benefit corporations and sustainability disclosures, can incorporate sustainability as part of broader corporate practice. She argues that although there are few legal barriers to U.S. corporations pursuing sustainability, the shareholder-oriented corporate and business environment will require that the drive for pursuing such changes come from asset owners and the markets themselves.

### Miriam H. Baer

Designing Corporate Leniency Programs, in *The Cambridge Handbook on Compliance* (D. Sokol & B. van Rooij, eds., Cambridge University Press, forthcoming)

BAER EXAMINES recent developments in the Department of Justice's stance toward corporate offenders to illustrate how the framing and design of a corporate leniency program influence its performance. She finds that a program's close ties between corporate targets and government enforcers, while generating trust, may simultaneously create credibility problems in the eyes of the public.

### Robin J. Effron

Taking Law School Musicals Seriously, in *The Law Of Hamilton: An American Musical* (L.A. Tucker, ed., Cornell University Press, forthcoming 2020)

EFFRON PROPOSES that the Broadway musical *Hamilton's* success in making arcane legal issues accessible comes from writer/composer/performer Lin-Manuel Miranda's intuition that the rhythm and drama inherent in the language of law can be

transformed by using a different set of melodic, rhythmic, and linguistic tools. Not only does this make the story accessible, but the act of interpretation awakens the legal insider to new ideas.

### Heidi Gilchrist

The Vast Gulf Between Attempted Mass Shooting and Attempted Material Support, 81 *University of Pittsburgh Law Review* 63 (2019)

GILCHRIST EXAMINES the "murky" laws of attempted material support for terrorism, explaining how the laws criminalize minor actions or even speech. She contrasts the lack of preemptive law enforcement action taken against domestic terrorists with the treatment of young people, often of Muslim or of Arab descent, who, through noncriminal online behavior, can be found guilty of attempted material support and sentenced to up to 20 years in prison.

### Cynthia Godsoe

#MeToo and the Myth of the Juvenile Sex Offender, 17 *Ohio State Journal of Criminal Law* \_\_ (forthcoming 2020)

WHILE THE #METOO MOVEMENT has brought attention to the systemic nature of women's and girls' victimization, Godsoe cautions that by doubling down on a criminal approach to sexual harms and focusing on individual blame and punishment, the movement risks reinforcing the gendered and racialized hierarchies it seeks to eradicate. She argues for the effectiveness of expanding the conversation to include meaningful survivor healing and offender accountability.

### Andrew Gold

*The Right of Redress* (Oxford University Press, forthcoming 2020)

GOLD OFFERS a pathbreaking account of the rights of victims to seek redress in private law, including the underlying political theory and the contemporary features that shape our rights of redress today. He makes sense of tort, contract, and fiduciary law, and unjust enrichment doctrine, and draws on public fiduciary theory to develop a distinctive account of the state's role and responsibilities in redress.

### Minna J. Kotkin

Clinical Legal Education and the Replication of Hierarchy, 26 *Clinical Law Review* 287 (2019); reprinted in 6 *The Practice* (Harvard Law School Center on the Legal Profession, 2020)

KOTKIN EXPLORES the collateral damage caused by the growth and institutionalization of clinical legal education: the creation of a new underclass

of short-term instructors within faculties, without job security or long-term academic prospects; and the reduction in programs serving groups with critical needs, due to the demand for "glamorous" practice settings in startup, entrepreneurial, and intellectual property clinics.

### James A. Macleod

Reporting Certainty, 2019 *BYU Law Review* 473 (2020)

LEGAL THEORISTS, judges, and legal writing instructors persistently decry the assertions of certainty—"obviously X," "undoubtedly Y," etc.—that litter judicial opinions, claiming such assertions actually sound disingenuous. Using empirical evidence and "social epistemology," Macleod argues that the practice of reporting relative certainty is not only efficient, but also epistemically valuable, facilitating the judiciary's truth-discovery goals. Judges should report their attendant degree of certainty more often, not less.

### K. Sabeel Rahman

### Jocelyn Simonson

The Institutional Design of Community Control, 108 *California Law Review* \_\_ (forthcoming 2020)

A GROWING SET of social movements have revived interest in "community control," the idea that local residents should exercise power over government services. Rahman and Simonson look at two current proposals—community control of the police and community control of local economic development—to develop a broader framework for analyzing how local governance institutions might shift power and attempt to redress inequality.

### Alice Ristroph

Criminal Law as Public Ordering, 70 *University of Toronto Law Journal* 1 (2020)

RISTROPH EXPLORES the meaning and interpretations of the familiar phrase "law and order." She argues that by viewing "order" as a verb instead of a noun, one can see criminal law as the ongoing activity of constructing, maintaining, and revising, which, she suggests, is more descriptively accurate than prevailing theories of criminal law, and which may provide greater leverage for critiques of existing legal practices.

## Professor Lawrence Solan Awarded 2021 Fulbright Distinguished Chair

LAWRENCE SOLAN, Don Forchelli Professor of Law and director of graduate education, has been awarded a Fulbright Distinguished Chair at the University of Birmingham School of Law, U.K., for the first half of 2021.

An expert on the intersection of the fields of linguistics and law, Solan plans to work with the Birmingham Law School to establish a center similar to Brooklyn's Center for the Study of Law, Language and Cognition, of which Solan is the director. In addition, he will continue developing his book, *Language and Law: A Collision Course* (working title), based on a series of lectures he gave at the Summer Institute of the Linguistic Society of America at the University of Chicago. Solan, a prolific scholar, is the author of several highly regarded books and dozens of chapters and articles in this area.

"I am thrilled with the opportunity to interact with highly regarded legal scholars in the field of legislation and statutory interpretation to develop my own scholarship," said Solan. "The U.K. boasts the world's greatest concentration of scholars and university programs in language and law, and Birmingham is the hub of this activity. I look forward to contributing to the language and law scholarship there."



## Professor Susan Hazeldean receives AALS Award for Leadership in LGBTQ+ Rights

PROFESSOR SUSAN HAZELDEAN, founder and director of the Brooklyn Law School LGBT Advocacy Clinic, received the inaugural LGBTQ+ Inclusive Excellence Award from the Association of American Law Schools (AALS) Sexual Orientation and Gender Identity Issues Section. The award was presented at the AALS Annual Meeting in Washington, D.C., in January.

Hazeldean's teaching, scholarship, and law practice focus on gender, sexual orientation, immigration, and civil rights. Under her direction, students in the LGBT Advocacy Clinic represent clients who face discrimination based on their sexual orientation or gender identity.

"We are thrilled to congratulate Professor Hazeldean on this richly deserved honor," said Professor Stacy Caplow, associate dean of experiential education. "Since she joined the Law School just three years ago, she has proven herself to be an exceptional leader in advancing LGBTQ+ rights and clinical education, and

makes it clear to our students, faculty, and staff that inclusion of LGBTQ+ people is a vital part of our mission at Brooklyn Law School."

Previously, Hazeldean taught at Cornell Law School and Yale Law School. Prior to her academic career, Hazeldean directed the Peter Cicchino Youth Project at the Urban Justice Center in New York, providing free legal representation to homeless and at-risk LGBT youth.



## Professor Anita Bernstein Honored with Prosser Award

PROFESSOR ANITA BERNSTEIN received the 2020 William L. Prosser Award at the annual Association of American Law Schools (AALS) Conference. The award, given by the AALS Section on Torts and Compensation Systems, honors the "outstanding contributions of law teachers in scholarship, teaching, and service."

Bernstein, a nationally recognized authority on tort law, feminist jurisprudence, professional responsibility, and products liability, is a member of the American Law Institute and a past chair of the AALS Executive Committee on Torts and Compensation Systems. She is the second Brooklyn Law faculty member to receive this highly prestigious award, following Professor Aaron Twerski in 2016.



# Alumni Events

## Distinguished Graduates Honored at Annual Alumni Luncheon

MORE THAN 450 Brooklyn Law School alumni, faculty, trustees, and guests gathered at the Mandarin Oriental in New York City on February 7 for the annual Alumni Association Luncheon. Three alumni, all founding partners at their firms, were honored for their outstanding contributions to the Law School community and the legal profession: Harriet Newman Cohen '74, of Cohen Rabin Stine Schumann, and David A. Berger '89, of Allegaert Berger & Vogel, received the Alumni of the Year awards; and Jason Jia '11, of Jia Law Group, was honored as a Rising Star. The awards were presented by Alumni Association President Valerie Fitch '88.

Dean Cahill, in his remarks, thanked the attendees for their dedication to the Law School. "Every time one of you visits or teaches a class, comes to a student event, answers a phone call or an email from one of our current students, offers them a job, or points someone to an opportunity, you are paying it forward to those who are going to follow you."



Dean Cahill and Alumni Association President Valerie Fitch '88 join honorees Harriet Newman Cohen '74, David Berger '89, and Jason Jia '11 (L-R)



"We're here for one purpose, and that purpose is to support Brooklyn Law School," said Timothy Oberweger '05, vice president at Stuart Title and fundraising chair for the Alumni Association (at podium). There were over 35 sponsors for this year's event, the most in recent memory.

## Alumni in Real Estate Look at the Future of Hospitality

“SOMETIMES THE GREATEST ACCOMPLISHMENTS are done by people who are doing things for the first time,” said Andrew Zobler ’87 at September’s “Real Estate Roundtable: The Future of Hospitality—Hotel and Restaurant Innovation in NYC, LA, Las Vegas and Beyond.” Zobler, named one of the 50 Most Influential People in global business by *Bloomberg Businessweek*, kicked off the event with a conversation with Dean Cahill on his experience founding the Sydell Group, which creates and operates unique hotels across the U.S. and London.

Following the chat, Professor Debra Bechtel, director of the Corporate and Real Estate Clinic, led a discussion featuring alumni at the forefront of the hospitality industry: Lon Jacobs ’81, partner at Mintz & Gold and former executive vice president and global general counsel for Las Vegas Sands; Jodi Stein ’06, a partner in the real estate, land use, and environmental practice group at Sheppard Mullin; Robin Zeidel ’97, principal of Zeidel & Associates; and Zobler.



Andrew Zobler ’87 (L), in conversation with Dean Cahill

## WOMEN’S LEADERSHIP NETWORK Unlocking the Potential of Future Leaders



ALUMNI, STUDENTS, FACULTY, STAFF, AND FRIENDS gathered at the Forchelli Conference Center in November for the Women’s Leadership Network program “Executive Presence: Unlocking Leadership Potential.”

Women’s Leadership Circle Chair Debbie Epstein Henry ’94, an expert and consultant on women, careers, and the law and founder of DEH Consulting, Speaking, Writing, moderated the panel. Panelists Colleen Caden ’99, partner and chair of the immigration group at Pryor Cashman; Kathleen Chastaine ’06, general counsel and chief compliance officer of Trillium Management; Eleni Coffinas ’85, member and head of the medical malpractice unit at Sullivan Papain Block McGrath & Cannavo; and Michael Grohman ’83, partner and head of the New York office of Duane Morris, shared their personal experiences and offered their advice.



Jessica Lubarsky ’03 was among the facilitators of the network’s Mentoring Circles program in January



## Alumni Connect at Networking Series



Two networking events were held this fall as part of the Affinity Group Networking Series: In November, graduates in the areas of finance, bankruptcy, and restructuring convened at the midtown offices of Hogan Lovells (above). The event was hosted by Alex Sher '12 and Hogan Lovells, and organized by An Duong '12, Jeremi Roux '12, and Megan Dubatowka '13. In December, alumni working in real estate met at the Public House in Manhattan for an event sponsored by Tim Oberweger '05 and his firm, Stewart Title; Meridian Capital Group; Jason Ganfer '05; and Sean Devine '08.

## Law School Celebrates 1901 Society and Friends



Brooklyn Law School thanked the 1901 Society, along with other special guests, for their loyalty at a reception with Dean Cahill. The event was held at the NoMad Hotel, which is owned and operated by the Sydell Group, founded by Andrew Zoblér '87.



To learn more about joining the 1901 Society, please contact Matthew Constantino at [matthew.constantino@brooklaw.edu](mailto:matthew.constantino@brooklaw.edu) or call 718-780-7505

## Fried Frank Kicks-Off Mentor Program



In October, Steven Scheinfeld '85, a member of the Brooklyn Law School Board of Trustees, and his firm, Fried, Frank, Harris, Shriver & Jacobson, hosted this year's kick-off reception for the Law School's Mentor Program. The program provides a valuable link between the law school experience and a legal career by creating one-on-one relationships between students and experienced alumni. This year, the program made over 145 matches, a record number.



# ClassNotes

1959

**Carl L. Steinhouse** published *Nimitz's Bypass, Vol. II*, (AuthorHouse, 2019) about Japan's Pacific War from May 1943 through June 1944. Steinhouse has written several works focusing on World War II history, with a specific focus on the Holocaust and local efforts to protect Jewish residents from Nazi expulsion.

1966

**Peter L. Klausner** retired from Pavia & Harcourt LLP as Counsel, having practiced in the areas of trusts, estates and tax, after practicing at the former firm of Wolf Haldenstein Adler Freeman & Herz for the previous 35 years.

1969

**John L. Juliano** received a Who's Who Albert Nelson Marquis Lifetime Achievement Award for his long legal service, including serving as president of the Suffolk County Bar Association and Columbian Lawyers Association.

1971

**Leonard A. Sands**, founder of Miami firm Sands & Moskowitz, received the Daniel S. Pearson-Harry W. Prebish Founders Award from the Miami chapter of the Florida Association of Criminal Defense Lawyers in May 2020.

1973

**Sandy K. Feldman** joined Reed Smith as a partner. Formerly a partner at K&L Gates in New York, Feldman practices in the area of cross-border international transactions.

**Stephen I. Siller** joined Offit Kurman as a principal in its business law and transactions practice groups. Siller was previously a partner at Shipman & Goodwin.

1974



**Gary M. Rosenberg** received a lifetime achievement award from the *New York Law Journal* for his accomplishments

and impact on the legal community and the practice of law over the course of his career. Rosenberg is a founding member of the real estate firm Rosenberg & Estis.

**Gary Tarnoff** was named co-chair of the land use department of Kramer Levin in New York. Tarnoff practices in the areas of zoning, land use, landmark, and municipal administrative law.

**Jeremy S. Weinstein**, administrative judge of the Queens County Supreme Court, retired from the bench. Before he was elected to civil court in 1993, and as an acting supreme court justice in 1999, he served in the New York Senate from 1979 to 1992. During his time in the Senate he was assistant minority whip, minority whip, and assistant minority leader.

1975

**Lawrence A. Sucharow** received the Elite Trial Lawyers Lifetime Achievement Award from the *National Law Journal* for his advocacy style and innovative work in securities class actions. Sucharow is one of the founders, and current chair emeritus, of securities and antitrust class action firm Labaton Sucharow. He is also a member of the Law School's Board of Trustees.

1979

**Charles-Eric Gordon** contributed a chapter on using creativity in investigations to *The Art of Investigation* (CRC Press, 2019). He was also reappointed to the board of directors of the Society of Professional Investigators.

**Charles Platt**, head of Wilmer Cutler Pickering Hale and Dorr's New York office for more than eight years, retired from the firm and joined finance startup Legal Business Services as executive vice president and general counsel.

1981

**Terry D. Horner** joined the personal injury and professional liability firm Feldman, Kleidman, Coffey & Sappe as of counsel. Horner previously maintained his own practice.

**Lawrence "Lon" Jacobs** joined Mintz & Gold as a partner in its corporate and media law practice groups. Jacobs was previously executive vice president and global general counsel for Las Vegas Sands Corporation.

1982

**Alex Avitabile** self-published *Where's ... Eli?*, the second book of his Al and Mick Forte crime fiction series. Before his career as a novelist, Avitabile practiced law for 34 years. His primary focus area was affordable housing.

1983

**Bruce M. Feffer** joined Mandelbaum Salsburg as a partner in its real estate and corporate law groups. He was previously a partner at Hartmann Doherty Rosa Berman & Bulbulia.

**Karen Tenenbaum**, founder of Tenenbaum Law, was recognized as a “Top Lawyer on Long Island.” Tenenbaum’s firm was also included in the “The Best Tax Law Firms on Long Island” list by the *Long Island Business News* readers. The Melville-based firm represents taxpayers in IRS and New York State tax matters.

## 1984

**William Ashbourne** was a panelist at the fifth annual national Music Business Empowerment Conference in September 2019. Ashbourne is an entertainment lawyer and a professor at Alabama State University.

**Susan B. Baker** retired from Davis Polk & Wardwell, where she served as counsel in its investment management and private funds groups. Prior to that, she was director and counsel at Merrill Lynch Investment Management.

## 1985

**Brian J. Donnelly** joined Cullen and Dykman as a partner in its general liability, tort, and insurance defense practice.

## 1986

**Susan Lambiase** joined Planned Parenthood Federation of America as special counsel for its public policy litigation and law team, where she litigates reproductive freedom and health matters. She previously served as deputy commissioner and chief of investigations at the NYC Department of Investigation.

## 1987

**Jodi Avergun**, a partner at Cadwalader, Wickersham & Taft, presented at the Association of Certified Anti-Money Laundering Specialists’ 18th annual AML and Financial Crime Conference in Las Vegas in September 2019.

**Philip G. Goglas**, a Suffolk County District Court judge since 2010, was elected as the Eastern director of the Fire Department Safety Officers Association. Judge Goglas was previously a New York City Transit police officer.

**Michael Gottfried** joined Elkins Kalt Weintraub Reuben Gartside as a partner to help launch its bankruptcy and restructuring group. Gottfried was previously partner at Landau Gottfried & Berger.



**David Barse**, a member of the Board of Trustees, founded XOUT Capital in 2019, an index company specializing in

indexes and licensing them to money managers. XOUT focuses on identifying companies to exclude from an index. XOUT’s first index was launched in the summer of 2019 and licensed to an ETF sponsor named GraniteShares with the ticker symbol XOUT, listed on the NYSE on October 7, 2019. XOUT is a long-term strategy that exploits the following three insights: one, technological disruption is the most significant forward-facing risk for all businesses and investors; two, it is much easier to simply exclude losers than to pick winners; and three, passive indexing is growing exponentially and buys everything in a market, even companies in long-term decline. XOUT evaluates the 500 largest U.S. companies, determines how each company is addressing the challenges of technological disruption, and eliminates the 250 losers. Barse was previously CEO of Third Avenue Management for 25 years.

## 1988

**Flor M. Colon** was named to the board of the ESL Federal Credit Union. She currently serves as associate general counsel and chief ethics officer at Xerox.

## 1991

**Annabel Bazante** was recognized for her service to her community by the Nassau Council of Chambers of Commerce in October. Bazante maintains her own private practice in Elmont, N.Y.

**Tracy E. Gold**, an attorney with New Orleans firm Tranchina & Mansfield, was featured as an “Enterprising Woman” in an article in *Sophisticated Woman* in September 2019.

**Caroline Krauss** with **Valentina Shaknes ’07**, cofounded the law firm of Krauss Shaknes Tallentire & Messeri, a boutique family law practice. Krauss previously was the co-chair of Blank Rome’s matrimonial group.

## 1992

**Jeffrey Berkowitz** joined Click Therapeutics as a senior strategic advisor on the company’s newly formed Payer Advisory Board. Berkowitz is currently the CEO of Real Endpoints.

**David M. Grill** of Rivkin Radler was featured in the “Best Lawyers of America” list for 2020. Grill represents real estate owners, developers, and contractors in complex litigation and business matters in the firm’s New York City and Uniondale, N.Y., offices.

**Judith A. Selby** joined Hinshaw & Culbertson as a partner in its global insurance services group. Selby was previously co-lead of privacy advisory services at CohnReznick.

## 1993

**Barry Berkowitz** returned to Knitting Factory Entertainment, a music and entertainment venue, where he is the senior vice president of business strategy and sponsorship. He was formerly KFE’s vice president for business development from 2016 to 2017.

**Brad Bernstein**, president of immigration law firm Spar & Bernstein, was featured in an article by *Authority Magazine*, an imprint of medium.com, in July.

**Jennifer L. Naiburg** was promoted to chief executive Assistant District Attorney at the Queens County District Attorney’s Office. She has been with this office for more than 25 years.

# Anthony M. Miele '81, Ph.D.

## The Balanced Equation

FROM AN EARLY AGE, ANTHONY M. MIELE remembers being interested in writing and mathematics, as well as the law. His mother, a homemaker, and his father, a court stenographer, both encouraged him to pursue his education—and it has become a lifelong passion. Before entering the doctoral program in mathematics education at Teachers College, Columbia University, he had already received his bachelor's degree in mathematics from Johns Hopkins University, a master's degree in mathematics from New York University, his law degree from Brooklyn Law School, and a master's degree in law from the University of London.

Miele, who was born and raised in Brooklyn, now works as assistant vice president at Crum & Forster, an insurance group based in New Jersey. Since earning his doctorate in 2014, he also volunteers as a peer reviewer, editing mathematics-related articles for Columbia University's *Journal of Mathematics Education at Teachers College*. Before that, he was vice president and corporate counsel at Zurich North America and held in-house counsel positions at AIG and Royal Insurance.

"I was always a very academic type of person," he said. "And I found Brooklyn Law School to be academically challenging. I also saw it as a valuable opportunity to diversify my career and my background."

Miele admitted to having had some concerns about going back to the classroom in his 50s, while married, and with a mortgage. Surprisingly, he found his age to be an advantage. "Having more life experience," he explained, "helped me a great deal in the classroom in terms of organization, discipline, and a sense of responsibility."

He focused specifically on combining his professional corporate expertise in insurance law and insurance compliance with the psychology of teaching and learning mathematics.

"A lot of the issues I studied touched upon the human mind and how people learn," Miele said. "Why are some people intimidated by mathematics, and why do a lot of people think they don't like math? How can we make sure that educational opportunities in



mathematics are available to all people? Age and gender should not predetermine one's opportunity to explore mathematics."

In his current position in risk management at Crum & Forster, he has opportunities every day to combine his legal experience with his love of numerical and mathematical concepts.

"What I like most about my job is the opportunity to be a proficient generalist," he said. "My role involves so many things: preparation and revision of legal agreements relative to insurance programs, verifying data, negotiating and drafting policy wordings, underwriting audits, state filings, and a good deal of research."

Balancing a busy professional career with his scholarly and personal pursuits comes naturally to Miele, who has successfully bridged two very demanding and seemingly disparate fields.

"I think it's OK, even beneficial, to aspire to a career that is a little unusual," Miele said. "In my case, I have combined two areas—mathematics and the law—that are, for the most part, very different. And I can say, from my own experience, there's no better way of achieving both professional rewards and personal satisfaction than by following your dreams." ■

—by Jen Swetzo



**Greg Riolo** was appointed managing principal of Jackson Lewis's Albany office. Riolo has been with Jackson Lewis since 1997 and served as the Albany office's litigation manager from 2008 through 2016. He concentrates his practice on employment-related litigation and counseling.

## 1994

**Rich Goldstein**, of Goldstein Patent Law, was named one of the "Five Best Patent Attorneys in New York City" by Kev's Best. He also is the author of the bestselling book *The ABA Consumer Guide to Obtaining a Patent* (ABA Book Publishing, 2016).

**Debbie Epstein Henry**, founder of DEH Consulting, Speaking, Writing and cofounder of Bliss Lawyers (which recently merged with Axiom), was elected vice president of the Forum of Executive Women in Philadelphia. The organization aims to leverage the influence of high-ranking women and ensure that future cohorts of women reach high-ranking roles in companies, government, and the nonprofit sector through networking and mentorship initiatives.

**Michael F. Marchetti**, CFO of education technology firm Age of Learning and cofounder of Little Labs, was named a member of SciPlay's board of directors and a member of its audit committee.

**Suzanna C. Miller** joined Langrock Sperry & Wool as an associate. She practices in the areas of estate planning, and trust and probate estate administration. Miller was previously an associate at Chadbourne & Parke.

## 1995

**Todd R. Eisner** joined McDermott Will & Emery in New York as a partner in its real estate group. Eisner focuses on acquisition and development transactions, recapitalizations, joint ventures, and investments. He was previously a senior partner of Duval & Statchenfeld.

## 1996

**Laurie Mintzer Edberg** became senior legislative aide for Sidney Katz, Council President of the Montgomery County Council in Maryland. She previously served as a special assistant for Maryland State Senator Barbara Mikulski.

**Matthew S. McKeever** joined Carlson & Burnett as a partner in its estate litigation and contested guardianship cases groups. McKeever was previously a shareholder at Copple, Rockey, McKeever, & Schlecht.

**Adam W. Scheinbach** joined Capehart Scatchard as a partner in its litigation group. He previously managed his own litigation practice.

**Elizabeth Werner** was featured in the *Severna Park Voice* for her role reviewing toys and representing products on QVC and network daytime shows.

## 1997

**Michele M. Arbeeny**, partner at Windels Marx Lane & Mittendorf, was featured in *Crain's New York Business's* "2020 Notable Women in Law" list. Arbeeny practices in the areas of real estate finance, municipal finance, and trade finance transactions.

**William G. Ford** was appointed to the Civil Pattern Jury Instruction Committee. He also contributed to the publication of the *Civil Pattern Jury Instruction 2020 Edition*. Ford has been a New York State Supreme Court judge for the 10th Judicial District since his appointment in 2015.

**William Gardner** joined von Briesen & Roper as a shareholder in its commercial finance and banking group. Gardner was previously an attorney and commercial finance team leader with Whyte Hirschboeck Dudek.

**Jonathan Gray** joined Windels Marx Lane & Mittendorf as a partner in its corporate and business law group. Gray focuses his practice on M&A, business formation, venture capital, governance, and intellectual property matters from the firm's New Brunswick, N.J., office.

**Patricia M. Prezioso** joined Porzio, Bromberg & Newman as a principal in its employment, labor, and litigation groups. Prezioso previously served as chief of law enforcement services, deputy director, and executive assistant attorney general for the New Jersey Attorney General's Office.

## CONGRATULATIONS TO ALUMNI FEATURED IN BILLBOARD'S 2019 "TOP MUSIC LAWYERS" LIST

**Allen Grubman '67**, founder and senior partner at Grubman Shire Meiselas & Sacks, which he has built into one of the largest entertainment law firms in the world, with a client base of A-list entertainers, as well as multiple entertainment companies and executives.

**Paul Schindler '71**, senior chair of the entertainment and media practice at the New York office of Greenberg Traurig.

**Peter Brodsky '88** of Sony ATV, who was named to the board of the Mechanical Licensing Collective. The Collective, due to launch in 2021, will be responsible for managing licensing and administering matters with music streaming services in line with the Music Modernization Act.

**Edward Shapiro '91**, a partner in the entertainment and media industry group at Reed Smith.

**Jordan Bromley '05**, partner and head of the entertainment transactions and finance group at Manatt Phelps & Phillips.

# Spotlight on Legal Leaders

## Four Alumni Named Managing Partners at Top Firms

BROOKLYN LAW SCHOOL ALUMNI have long been known for success at the nation's top law firms and are frequently appointed to key leadership roles. Meet four distinguished alumni who were recently named managing partner at their firms.



**Daryn Grossman '93**  
Proska Rose

As managing partner, Grossman oversees more than 725 attorneys across the firm's 12 offices nationwide and around the world.

She said her deep engagement with every aspect of the firm's operations and practice areas during her 17-year tenure with the firm was instrumental in her transition to a leadership role.

"I worked through every firm committee," she said, including hiring, diversity task force, lateral partner acquisition, business development, and the women's alliance, giving her an organization-wide perspective.

"Being managing partner is a 24/7 position," Grossman said. "I have learned in life, not just in law, to be exceptionally organized and a good multitasker. It's important to be a people person and a people mover in order to get everyone on the same page."



**David Djaha '88**  
Ropes & Gray

Djaha serves as global managing partner of 11 offices around the world, with more than 1,400 attorneys.

"It's been an exciting and challenging time for the firm," he said. "We have been managing our offices in Asia under trade wars and the Hong Kong protests. We managed our U.K. office during

Brexit. It's been a politically volatile time for our U.S. offices, as well."

Djaha said the problem-solving skills he developed as a global real estate lawyer, as well as the interpersonal skills gained through the transactional nature of his practice, have been critical to his success managing the firm's global presence in a rapidly changing landscape for law and business.

Read more about Djaha's career in the fall 2018 issue of *Brooklyn Law Notes* at [www.brooklaw.edu/djaha](http://www.brooklaw.edu/djaha)



**Kevin Lauri '90**  
Jackson Lewis

Lauri serves as co-chair and member of the board of directors at Jackson Lewis, a firm known for its expertise in employment law, with 950 attorneys and 62 offices nationwide. He also is the firm's relationship partner for multiple Fortune 50 companies.

Previously, Lauri was managing principal of the New York office, where he oversaw its significant

growth, increasing profitability by 90 percent and the number of attorneys by 70 percent.

"We are aiming to be the premier national employment law firm among our peer firms," he said. "It's my job to ensure the high quality of our practice across all offices, and to hold on to our collaborative culture, so we can attract and maintain our talent."



**Roger Raimond '92**  
Robinson Brog

As managing partner and chair of the litigation and resolution department at the 60-year-old firm based in New York City, Raimond concentrates on complex commercial litigation, with a focus on real property, environmental, and commercial foreclosure matters, as well as business law.

He was first drawn to litigation through his clinical work at Brooklyn Law School. Today, he balances his practice with his responsibilities managing the firm of more than 50 attorneys.

"When you're managing partner, there are so many issues that come up, you can't focus on one thing," he said. "There are a lot of moving parts that can go unnoticed, until you are responsible for them."

Raimond underscores the importance of listening as a law firm leader. "Lawyers are pressed for time and looking for quick answers, but you have to approach problems and obstacles by listening with patience and understanding."

—by Elaine Friedman

**Homer B. Ramsey** was elected to the board of directors of Herzfeld & Rubin. Ramsey focuses his practice on complex civil litigation.

**Robin L. Spigel** joined Baker Botts as a partner in its financial restructuring practice. Spigel represents debtors, creditors, landlords, and professionals in distressed transactions.

**Virginia K. Trunkes** joined Robinson+Cole as counsel in its New York office, focusing on construction and real estate litigation matters.

## 1998

**Christian Soller**, partner at Hodgson Russ, was selected as a fellow of the Litigation Counsel of America. He practices in the areas of contract law, employment law, construction, professional malpractice, and personal injury.

## 1999

**Lisa A. Davis** was awarded the Thomas E. Dewey Medal from the New York City Bar Association. The award is presented annually to outstanding prosecutors in New York City. Davis is an assistant district attorney in the Trial Bureau of the Richmond County District Attorney's Office, where she prosecutes complex felony cases.

**Bryan Reyhani** joined Captor Capital as a member of its board of directors. Captor Capital is a vertically integrated cannabis company.

**Catherine M. Voisinet** was named a partner at the intellectual property firm Birch, Stewart, Kolasch & Birch. Her practice focuses on counseling domestic and international clients that have interests in many fields of complex technologies.

## 2000

**Caryn Finley** relocated to Charlotte, N.C. to become an assistant U.S. attorney in the Western District of North Carolina.

**Olivera Medenica** was awarded the 2019 President's Award by the Federal Bar Association. Medenica is a member of Dunnington Bartholow & Miller's intellectual property, advertising, art and fashion, international, litigation and arbitration, and France desk practice areas.

**Meredith Miller**, a professor at Touro Law Center, was sworn in as president of the Network of Bar Leaders in Manhattan in August 2019.

**John J. Mills** became senior counsel at Bernstein Litowitz Berger & Grossman. Mills focuses his practice on negotiating, documenting, and obtaining court approval of the firm's securities, merger, and derivative settlements.

## 2001

**Matthew Blum** was elected as a judge of the New York City Civil Court in Richmond County. Blum previously maintained his own private practice, and also worked at the Richmond County District Attorney's Office.

**Kathryn C. Collins** was promoted to partner at Feldman, Kleidman, Coffey & Sappe. She practices in the areas of medical malpractice and personal injury.

**Rachel S. Fraser** was appointed an assistant attorney at the Harris County Attorney's Office in Houston, Tex., in its litigation practice group. She was previously an assistant district attorney with the Fort Bend District Attorney's Office.

**Ron Lebow** was promoted to partner at Greenspoon Marder in its health law group. He practices in the areas of business, contract, corporate, and regulatory matters.

**Ime Lopez** joined the nonprofit TESSA of Colorado Springs, practicing in its legal division. TESSA provides comprehensive services and support to survivors of domestic and sexual violence.

**Rachel Sims** joined the Orthodox Union as general counsel; it is the nation's oldest and largest umbrella organization for the North American Orthodox Jewish community. She was previously a senior litigator at Blank Rome.



**Jennifer Philpott Wilson** was confirmed as District Judge of the U.S. District Court for the Middle District of Pennsylvania on

November 7, 2019. She was a partner at Philpott Wilson and an adjunct professor at Penn State Dickinson School of Law.

## 2002

**Ingrid Manevitz** joined the litigation department at Seyfarth Shaw as a partner. She represents clients in cooperative and condominium-related disputes.

## 2003

**Alan Albert** joined American European Insurance Group, as staff counsel. He was previously an attorney at Brandon J. Broderick, Attorney at Law.

**Matthew D. Feil** was promoted to partner at BakerHostetler. He practices environmental law with an emphasis on commercial litigation.

## 2004

**Michael A. Arcieri** was featured in an article in the *Journal News* in November 2019. Arcieri is the director of basketball strategy for the New York Knicks. He was previously the director of basketball operations for the Orlando Magic.

**Jane Batzofin** became a member of the board of directors of TILT Holdings. Batzofin is a partner and general counsel at Trine Acquisition. She is also a senior partner at InterMedia Partners.



# Carolyn Pokorny '94

## The Straphanger's Guardian

IN 2015, AFTER 14 YEARS at the U.S. Attorney's Office for the Eastern District of New York, Carolyn Pokorny '94 had just entered the private sector when she learned that her former boss, Loretta E. Lynch, had been nominated as U.S. Attorney General by President Barack Obama.

"I visited her," said Pokorny, "and said, 'If you're taking anyone with you, please keep me in mind.'" Within two weeks, Lynch offered her a spot in her inner circle as deputy chief of staff, assisting with the management of all the agencies under the Department of Justice.

Pokorny is now bringing her dedication and drive to her new role as inspector general of the New York Metropolitan Transportation Authority (MTA), where she is charged with investigating misconduct and rooting out waste, fraud, and abuse in the largest public transit system in the country. It's the latest stop on a career path where she has held leadership roles across the criminal justice system.

Pokorny was drawn to Brooklyn Law School by its robust clinical programs, but it was Professor Stacy Caplow's Criminal Procedure class that led her to internships at the Legal Aid Society and, later, the U.S. Attorney's Office for the Southern District of New York. There, she found her passion for criminal law. "I had *so much fun*, they couldn't get rid of me," said Pokorny. "I worked out of this little closet they turned into an office, and I had the best time. I didn't want to leave."

After further honing her skills at the Bronx District Attorney's Office and in a clerkship with U.S. District Court Judge Arthur D. Spatt '49, Pokorny joined the U.S. Attorney's Office for the Eastern District of New York. She eventually led its international narcotics and money laundering section, where she devised a national strategy for charging the heads of criminal drug trafficking organizations, including Joaquin "El Chapo" Guzman. She held other leadership roles in the office, catching the eye of Lynch, who was then the U.S. Attorney.

At the end of the Obama presidency, Pokorny joined the administration of New York Governor Andrew Cuomo, overseeing ethics, risk, and compliance, until she was asked to help recruit the next inspector general of the MTA.

"I made a couple of phone calls, but people seemed a little reluctant," recalled Pokorny. "Many hadn't heard of the office. As I was trying to persuade people, I thought, what could be more important than transforming transportation in New York City? Everyone knows how important the subways and trains are. We all use them no matter what. Every walk of life, rich, poor, every background. It's the thing that connects us all. If you really want to be a change agent, this is the place to be."

Her enthusiastic pitch to candidates led to a realization. "I suddenly started thinking, maybe this is where I can feel useful."

Pokorny was appointed in May 2019 and quickly began making an impact. She started publicizing the agency's findings as soon as they were given to the board of the MTA, and she has emphasized community outreach. "Transparency is an essential part of democracy and it is a basic inherent right," said Pokorny, stressing the importance of taxpayers understanding what her office does.



Pokorny credits the practical skills and sense of community she obtained at Brooklyn Law School for her success. Grateful and eager to give back, she taught as an adjunct professor at the Law School for many years, overseeing the U.S. Attorney's Office externship.

"Brooklyn Law School always had a philosophy of giving students a well-rounded and practical education with an emphasis on teaching students how to become real lawyers," she said. Pokorny has brought that practicality to every stage in her career serving the public good. ■

—by Dominick DeGaetano

**Michelle Ann Gitlitz** joined Crowell & Moring's New York office as the global head of its blockchain and digital assets practice. Gitlitz previously founded and co-led Blank Rome's blockchain technology and digital currencies group.

**Jessica Molinares Kalpakis** joined the Nassau County Attorney's Office as chief deputy county attorney. She was previously assistant borough chief and senior counsel at the New York City Law Department.

## 2005

**Armand Balboni, M.D.**, became the CEO of Appili Therapeutics, a pharmaceutical research firm. He was previously its chief scientific officer and a member of its board.

**Allison Barrett** joined American International Group (AIG) as its global head of multinational, general insurance. She was previously managing director and global head of Willis Towers Watson's financial institutions business within the financial, executive, and professional risk specialty group.

**Jason A. Cade** was named the J. Alton Hosch Associate Professor of Law at the University of Georgia School of Law. He teaches immigration law and directs the Community Health Law Partnership Clinic.

**Lee D. Edelson** joined Federman Steifman as a partner. He practices in the areas of acquisitions, financings, ground leases, commercial and office leases, construction matters, and joint ventures. He was previously a partner at Donovan.

**Jordan Garner** was promoted to partner at Leason Ellis in its patent prosecution and litigation groups.

**Melissa S. Katz** joined the American Society of the University of Haifa as a director of the New York office. Katz was previously an attorney and planned giving officer for the American Israel Public Affairs Committee (AIPAC).

**Seth A. Liebenstein** joined Blank Rome as of counsel in its real estate group. He was previously at Belkin Burden Goldman.

**David Shargel** returned to Bracewell's trial and white-collar team as a partner. Shargel practices in the area of commercial litigation, white-collar defense, and compliance matters for individuals and companies.

## 2006

**Ashlee Y. Crawford** was elected as a judge of the New York City Civil Court (New York County).

**Gregory W. Fox**, partner at Goodwin Procter, was selected as one of American Bankruptcy Institute's "40 under 40." He practices in the areas of consumer products, financial services, retail, pharmaceuticals and healthcare, technology, automotive, telecommunications, and education.

**Kathryn T. Lundy** became a partner in the litigation and labor and employment practice groups of Freeborn & Peters. She focuses on management-side employment cases in the fashion, luxury goods, and hospitality industries.

**Leah Wiederhorn** joined the National Association of the Deaf as a staff attorney. Wiederhorn is responsible for litigating civil rights disability cases on behalf of deaf and hard-of-hearing people in the United States. She was previously a senior staff attorney at the Center for Reproductive Rights.

## 2007

**Stephen C. Harris** became general counsel of Georgia's Department of Human Services. He was formerly its deputy general counsel and privacy officer since 2012. Before joining the state DHS, he was a staff attorney for the Griffin Judicial Circuit.

**Matthew Pawling** was promoted to partner at Cadwalader, Wickersham & Taft in its structured finance and capital markets groups.

**James P. Renken** received the Raeder Larson Public Service Award from the Minnesota State Bar Association's bankruptcy section. The award recognizes pro bono service in this field.

**Valentina Shaknes**, with **Caroline Krauss '91**, cofounded the law firm of Krauss Shaknes Tallentire & Messeri, a boutique family law practice. Shaknes previously was the co-chair of McLaughlin & Stern's matrimonial and family law practice.

**Leon A. Yel** joined Windels Marx Lane & Mittendorf in New York as partner. Yel focuses his practice on corporate law, lending vehicles, and debt matters.

## 2008

**Lauren Artese** and **Paige Zandri '09** cofounded Artese Zandri, a boutique family law firm. Artese previously was an associate at Cohen Forman Barone in its family, matrimonial, and criminal law groups. Zandri previously maintained her own family law practice.

**Shujah Awan** was promoted to vice president and deputy general counsel at Biz2Credit, a leading AI-driven digital platform. Awan was previously associate general counsel at Biz2Credit.

**Garry T. Stevens Jr.** was promoted to partner at Winget, Spadafora & Schwartzberg in its professional liability defense and securities litigation and regulatory groups.

**Shawn P. Thomas** was promoted to partner at the employment and business law firm Sanders Roberts. He was previously an associate at Glaser Weil Fink Howard Avchen.

**Michelle R. Usitalo** was promoted to partner at BakerHostetler. She practices in the areas of complex business matters, bankruptcy litigation, international asset recovery, copyright litigation, and the management of multijurisdictional international litigation.

# Melique Jones '98

## Driving Diversity at Skadden



“ENSURING THAT PEOPLE HAVE OPPORTUNITIES to feel empowered and heard is one of the most important things we can do to foster inclusion,” said Melique Jones '98. “We often speak proudly about our firm’s culture and history, but I think it’s important to explore the possibility that different people, especially people from underrepresented backgrounds, might be experiencing things differently within your organization.”

Jones has been the head of diversity and inclusion at Skadden, Arps, Slate, Meagher & Flom since 2011. She grew up in Harlem and attended St. Aloysius School, which was founded by one of the first orders of all-black nuns in the United States. It was there, she said, around the age of 8 or 9, that she decided to become a lawyer.

“Learning about people like Thurgood Marshall and Charles Hamilton Houston from an early age,” she said, “is what I think initially stoked my interest in the power of law and of individuals who make a difference as lawyers.”

After graduating with a degree in journalism from New York University, Jones worked at the *Wall Street Journal* for several years, but still wanted to fulfill her dream of attending law school. She enrolled at Brooklyn Law School as a part-time student, feeling vulnerable as a first-generation law student and as someone from an underrepresented background.

“But the thing that sticks with me to this day about my experience at Brooklyn Law School was the community of students I met,”

said Jones. “Everyone was very welcoming and focused around being supportive of each other. While it initially felt like there weren’t many people of color, I soon connected with the Black Law Students Association, and some members became like my family.”

After graduating from law school, the first in her family to do so, Jones returned to her passion for communications at Dow Jones, then the parent company of the *Journal*. After just a year, American Lawyer Media (now ALM) recruited her, and from there she moved on to a marketing and communications position at Skadden, where she’s worked for nearly 20 years.

Since 2006, Jones has built a successful career in corporate diversity and inclusion. Today, she leads the firm’s efforts in increasing diversity, particularly in the attorney ranks. She and her team support the firm’s hiring and recruitment efforts, including associate development and retention and leadership coaching. Her work involves developing large-scale programs, focusing on accelerating the growth and development of women and other lawyers from diverse backgrounds. She also develops inclusive leadership training for senior professionals managing diverse teams, reinforcing the best practices related to engaging all of their team members and making sure that everyone feels that they have a space and a voice at the table.

“Once these wonderful, brilliant people we’ve hired are here,” she explained, “we want to help ensure that the environment feels welcoming and inclusive so that all of our lawyers can do their best and be their best.”

Jones also collaborates with other team members on the firm’s systemic functions and processes related to diversity and inclusion, including feedback, mentorship and sponsorship, and work allocation.

“My team and I are thought leaders and thought partners with our stakeholders,” she said. “We generate and implement the ideas, but what we’re really hoping to do is empower others to lead and collaborate inclusively, enhancing the culture in which we all feel a strong sense of pride.”

Any organization, of any size, can improve its diversity and inclusion efforts just by taking the time to talk to employees and find out what they are thinking, Jones said. Whether conducting formal surveys or engaging with people one-on-one to understand their experiences, encouraging honest conversations is a step in the right direction.

“Pay attention to the people who may seem to be the quietest and try to elicit their input,” Jones said. “At the end of the day, what we’re trying to do is make sure that our goals around increasing diversity and fostering inclusion really permeate everything we do.” ■

—by Jen Swetznoff



## 2009

**Richard Carlucci** joined Sundt Infrastructure Development Group as its bid director. He is responsible for public-private partnership bids and private development opportunities. Carlucci was previously counsel for the U.K. law firm Ashurst.

**Jacob S. Frumkin** was promoted to partner at Cole Schotz in its bankruptcy and corporate restructuring groups. Before joining Cole Schotz, Frumkin was an associate at DLA Piper.

**Kiran Gore** joined the editorial board of the *Foreign Investment Law Journal* as associate editor for book reviews. Gore also works as an independent counsel and legal consultant focused on international law and dispute resolution.

**Brian Hecht** joined Katten Muchin Rosenman as a partner in the corporate group in the New York office. Hecht's practice focuses on capital markets transactions, mergers and acquisitions, and corporate governance matters. He was previously a partner at Kirkland & Ellis in New York.

**Krista L. Lepper** was promoted to general counsel and vice president at Public Health Solutions, Legal Affairs. She was previously its deputy general counsel.

**Sylvia E. Simson** joined Greenberg Traurig as counsel in its global litigation practice. She is also a member of the firm's financial services litigation and products liability and mass torts groups.

**Leonard S. Spinelli** joined Genova Burns as an associate. He was previously deputy attorney general of New Jersey's employment litigation section, now known as State Police, Employment, and Corrections.

**Lauren C. Watson** joined Sills Cummis & Gross as an associate. She focuses on complex commercial litigation. She previously was an associate at Emmet, Marvin & Martin.

## 2010

**Jeremy M. Buchalski** was promoted to partner at Wilson Elser Moskowitz Edelman & Dicker. He focuses his practice on workers' compensation.

**Josefina Colomar** became a partner of Withers Worldwide, where she focuses on wealth management and succession, as well as pre-immigration and expatriation planning.

**Scott R. Foglietta** was promoted to senior counsel at Bernstein Litowitz Berger & Grossman. His practice focuses on securities fraud, corporate governance, and shareholder rights litigation.

**Zain A. Naqvi** joined Wilentz, Goldman & Spitzer as an associate. He represents real estate investment trusts, commercial developers, property owners, and commercial landlords in connection with transactional matters including leasing, subleasing, and acquisition and disposition of commercial properties.

**David Sherman** joined BakerHostetler as a partner in its newly launched digital assets and data management group. Sherman was previously a partner at Lewis Brisbois Bisgaard & Smith.

**Mandy F. Tenner**, deputy general counsel and senior vice president for Amalgamated Bank, was featured in *Profile Magazine* in July 2019. She also provides pro bono services, and recently represented a bisexual Mauritanian individual and gay Venezuelan in their asylum and immigration cases.

**Brendan P. Tracy** joined the Richmond County District Attorney's Office as an assistant district attorney and was appointed deputy bureau chief of the Domestic Violence Bureau. Tracy was previously an assistant district attorney with the New York County District Attorney's Office as a homicide assistant and a member of the Sex Crimes Unit.

## 2011

**Anne Del Castillo** received a 2020 Public Counsel of the Year Award from the Association of Media & Entertainment Counsel. Del Castillo is commissioner of the New York City Mayor's Office of Media and Entertainment.

**Andrea Clisura** joined Disability Rights New York as a staff attorney. She was previously an associate at Levi & Korinsky.

**Katherine Cser** joined Bodman as a senior associate in its workplace law group. She was previously an associate at Kerr, Russell & Weber.

**Noah Doyle** joined the board of directors at the Truman Center for National Policy, a national security advocacy group. Doyle is a senior vice president at Janney Montgomery Scott in its wealth management group.

**Michael J. Famiglietti** was promoted to partner at the personal injury firm Rosenberg & Gluck.

**Stanton Gallegos** was named a shareholder at Markowitz Herbold. Gallegos focuses his practice on complex litigation, including matters involving securities, shareholder disputes, breach of contract, products liability, class actions, and employment.

**Gaddi Goren** joined business and real estate law firm Turek Roth Grossman as partner. He was previously an associate at Rivkin Radler.

**Kelly Schneid** was promoted to counsel at Moritt Hock & Hamroff, where she practices in the area of commercial litigation.

## 2012

**Allison J. Arotzky** joined Norris McLaughlin as an associate in its bankruptcy and creditors' rights groups. She was previously an associate at Curtis, Mallet-Prevost, Colt & Mosle.

# Grace Lykins '13

## Her Own Best Advocate

GRACE LYKINS '13 has a contagious enthusiasm about her work. That energy has powered her on a career path directing public policy and government relations for major multinational companies in the halls of power. As director of global government engagement for Visa in Washington, D.C., Lykins is responsible for representing the financial services company to government entities, both foreign and domestic.

"I love my job," said Lykins. "I use my law degree every single day, but in a way that isn't necessarily what you think about when you're in law school."

Quick to dispel the notion that Visa is "just a credit card company," she has carved out a specialty in the legal implications of the company's cutting-edge financial technology, from contactless payments and the use of biometrics, to serve underbanked communities. Most recently, her focus has been on issues related to consumer privacy and data use, as well as on use cases for digital identity. "Lack of official documentation can make it extremely difficult for some individuals to do fundamental financial tasks, such as opening a banking account," she said. "Biometrics, like fingerprints or an iris scan, for example, can help to prove that you are you. Then, you can seamlessly get access to a financial product or service, without having to go through an arduous paper documentation process."

Lykins entered Brooklyn Law School with the goal of working in-house at a large, global company. Having previously worked as a recruiter for law firms Locke Lord and Morgan & Finnegan, she knew the traditional legal career track, and was clear-eyed about the resume she wanted to start building. In law school, she served on the editorial board for the *Journal of Law @ Policy* and took part in the U.S. Attorney's Office Clinic (taught by Carolyn Pokorny '94, profiled on p. 37).

Upon graduation, Lykins took a contract position in American Express's compliance department. With her foot in the door, she cold-called colleagues across the company, asking them to chat over coffee about their work. She was vocal in volunteering for the projects that excited her. "I find that often, people are either afraid to ask or wait to be invited to join a project they are interested in," she said. "I ask them, 'have you told anyone you want to be a part of this project?'"

Within seven months, her efforts led to a full-time position in the company's general counsel office, and later, its policy arm, where she found a perfect match for her skills in legal writing and negotiation, as well as her desire for new challenges. "You have to



understand the law, but then you have to really understand what your company does," said Lykins. "You need all of that to be able to analyze the language in a bill and ask, would this prevent us from doing X, Y, and Z? Or is this going to pigeonhole us in some way?"

From Amex, she moved to Visa's San Francisco headquarters, before moving closer to the center of government in Washington, D.C. She describes her job as something that seemed designed for her. "I love writing, and I love talking to people. A fundamental part of my role is educating government officials and policymakers about Visa's business and how we can best support consumers and the global ecosystem. Whether in person or through formal written submissions, I really feel like my work is a perfect combination of my legal and communication skills."

Lykins is grateful that her law school education has led to a fulfilling career, and is eager to share her knowledge. This spring, she returned to the Law School to speak at a career panel.

"I had several students come up to me afterwards who told me, 'That was so interesting to hear how you've paved this road for yourself,'" she said. "Today, I can say that I'm doing the exact work I've always wanted to do." ■

—by Dominick DeGaetano

**Julienne Verdi** was selected to the inaugural cohort of the Five Borough Future Fellowship. This program brings together New York civic leaders and helps them launch projects to benefit their community. She is the owner and principal attorney at J. Verdi Law, providing legal services, strategic planning, management, and operations consulting.

**Farah Zaman** was named chief privacy officer of the media and marketing company Meredith Corporation. Zaman is responsible for privacy compliance and protection strategies for all of Meredith's operations.

### 2013

**Jeet M. Gulati** joined Windels Marx Lane & Mittendorf as an associate in its public finance and not-for-profit groups. He previously served as a deputy attorney general for the New Jersey Division of Law, where he focused on real estate and public finance transactions.

**Jared P. Hollett** became counsel at Saudi Arabian oil company Aramco, focusing on export controls and sanctions, customs, tariffs, and trade law. Before moving to Saudi Arabia, Hollett worked at Sandler, Travis & Rosenberg in San Francisco, as a senior associate.

**Alina Levi** joined Blank Rome's New York office as an associate in its consumer financial services group. She was previously at Houser & Allison, and served as assistant district attorney at the Bronx District Attorney's Office.

**Jason Nazinitsky** was promoted to partner at Marans Weisz & Newman in its transactional real estate law group.

**Veronica R. Torres**, chief privacy officer at Comscore, was appointed to the International Association of Privacy Professionals' Women Leading Privacy Advisory Board.

**Cassandra Vogel**, counsel at Yankwitz, received a 2019 Westfair Millennial Award. The award celebrates those who are leaving their footprints in the technology and business communities of Westchester County, N.Y., and Fairfield County, Conn.

**Mary Willis White** was promoted to partner at Kriss & Feuerstein. She practices in the areas of acquisitions and dispositions, real estate financings, joint ventures, and commercial leasing.

### 2014

**Cassye M. Cole** was appointed assistant U.S. attorney for the District of New Jersey. She was formerly an associate with Patterson Belknap.

### 2017

**Joshua Nass**, founder of Josh Nass Public Relations, was featured in an article by *Authority Magazine*, an imprint of medium.com, in November 2019. Josh Nass Public Relations is a full-service agency specializing in corporate and strategic communications.

**Josh Nulman** became director of InCloudCounsel's account management and business development groups. The company is a global provider focused on automating and enhancing high-volume legal processes. Nulman was previously an associate at Covington & Burling.

**Vincent J. Pontrello** joined Rivkin Radler as an associate in its insurance fraud practice, focusing on insurance defense and fraud matters. He was previously an associate at Brualdi Law Firm.

**Richard Quatrano** joined the board of Flushing Town Hall, an organization devoted to presenting multidisciplinary global arts to the New York City community. Quatrano is an associate at Farrell Fritz in its mergers and acquisitions, securities, real estate finance, and commercial groups.

**Edward Ray** became an assistant prosecutor for the Bergen County Prosecutor's Office in September 2019.

### 2018

**Meredith L. Boulos** joined Ronan, Tuzzio & Gionnone as an associate practicing in the area of medical malpractice.

**Ameena Ibrahim** joined Norris McLaughlin as an associate in its immigration law group.

**Pietro Tarone** was promoted to underwriter on AXA XL's mergers & acquisitions insurance team. He was previously an associate underwriter with AXA.

### 2019

**Janae Cummings** joined Barclay Damon as an associate in its Syracuse office. She handles commercial litigation and labor and employment matters.

**Gabriella Giunta** was appointed assistant district attorney for the Queens County District Attorney's Office.



**Roman Zelichenko '13** is founder and CEO of Laborless, a cloud-based digital platform that automates immigration compliance for large companies and law firms.

Prior to starting the company in 2016, he practiced immigration law in Washington, D.C., where he discovered the need for automating the processing of H1-B visas due to the high volume of applications that are submitted every day. Before starting Laborless, he worked in the technology sector for three years and called on the help of the Brooklyn Law Incubator and Policy Clinic (BLIP) to assist

him with the legal work of the startup.

Today, Zelichenko remains deeply engaged with the Law School through mentoring students in the BLIP Clinic and the Center for Urban Entrepreneurship (CUBE) and participating in programs to share his experience working in immigration technology.



## In Memoriam

### Professor Robert Habl

Professor Robert Habl, a longtime faculty member who taught generations of Brooklyn Law School graduates, died Dec. 12, 2019. He was 83.

Habl joined the Brooklyn Law School faculty in 1963. After four decades of teaching, he retired in 2004. At the Law School, he taught classes in contracts, insurance law, and property. He was a graduate of St.



John's University and New York University School of Law, where he received his master's degree in tax law. He served in the U.S. Army from 1962 to 1967. Before his academic career, he worked as in-house counsel for Pinkerton International and in private practice. He also was a visiting law professor at New York Law School and the University of South Carolina School of Law, and an adjunct professor in the Department of Political Science at the City College of New York.

Habl is remembered by generations of his former students for the lively anecdotes he used to illuminate classroom discussions, always beginning with, "It reminds me of a story..." Other "Habl-isms" former students would quote years later included, "He who trades his horse for a promise deserves to walk," and "If you don't know this, you don't know anything."

His expertise was highly valued and sought after by numerous government agencies. He served as a consultant to the New York City Transportation Administration and the New York City Board of Education, and as an arbitrator for the New York Civil Court.

Habl is survived by his wife, Margaret Sirot-Habl; his children, Robert, Kris, and Nicole '99; and his grandchildren, Ava, Hartley, and Lily. He was predeceased by his first wife, Margaret D. Habl.

1949  
**Norman Bard**  
November 28, 2019

1950  
**Jack Nagurka**  
September 21, 2019

1951  
**Joseph Fallek**  
December 9, 2019

**Joseph J. Navarra**  
November 17, 2019

**Col. Daniel B. Peyser**  
November 15, 2019

**Ronald H. Reynier**  
January 21, 2020

1952  
**Bernard Mirotznik**  
November 26, 2019

1953  
**William J. Kurz**  
October 16, 2019

**Herbert Resnik**  
February 20, 2020

1955  
**Herman Schwartzman**  
March 23, 2020

1957  
**Ira D. Klosk**  
January 19, 2020

1959  
**Dominic M. Mezzapelle**  
November 24, 2019

1960  
**Norman A. Levy**  
January 27, 2020

1964  
**Hon. Orin R. Kitzes**  
November 25, 2019

1968  
**Robert M. Fuster Sr.**  
October 18, 2019

1969  
**Robert J. Dinerstein**  
March 15, 2020

1975  
**Jerry L. Hogan**  
November 8, 2019

1976  
**Alan Lebenbaum**  
February 9, 2020

1984  
**Mary Malet**  
December 24, 2019

1985  
**Angelo M. Morelli**  
October 5, 2019

1992  
**Renee D. McCray**  
(née Verne)  
wife of George F. McCray '91  
December 11, 2019

**Hon. Noach Dear**  
April 19, 2020

2002  
**Susan Chuang**  
April 6, 2020

2013  
**Rebecca McBride**  
April 9, 2020

By Minna J. Kotkin, Professor of Law

## No Longer Silent: Rethinking NDAs Post-#MeToo

THE #METOO MOVEMENT HAS SHED LIGHT on the long-accepted practice of silencing—through the use of nondisclosure agreements (NDAs)—those who choose to resolve legitimate claims against harassers and abusers. Until recently, confidentiality was considered a non-negotiable term in the resolution of any discrimination matter, not only for sexual harassment claims but for all actions brought under equal employment statutes. Employers took the view that if a settlement was made public, they would be deluged with frivolous claims brought by disgruntled employees. And the accepted wisdom was that confidentiality benefited claimants as well, since a record of litigation would impede their future employment prospects.

The resulting norm of secret settlements not only protected serial harassers and employers who repeatedly violated antidiscrimination laws, but also led the judiciary and the public to believe that employment discrimination and harassment largely had been rectified in the workplace. Employees and other victims had no leverage in the negotiation of these agreements and were powerless to insist that they be a matter of public record. The force of these agreements is demonstrated by the fact that there are almost no reported cases in which employers have sought to enforce them.

With the #MeToo movement, the harm caused by these presumptions and norms has been revealed. The victims who breached confidentiality agreements not only were applauded, but also faced no enforcement action. There is some evidence that the courts, and certainly employers and the public, are taking allegations of harassment more seriously. State and federal legislators have turned their attention to the problem of confidentiality, resulting in the adoption of new laws in 12 states, and at least a dozen pending bills, including federal legislation.

The enacted statutes leave a lot to be desired, however, and all have serious limitations and loopholes. New York's legislation, for example, permits confidentiality when it is the "plaintiff's preference." This makes the protection illusory, since there is nothing to keep an employer from offering a significantly greater monetary settlement in exchange for the plaintiff's "preference."

The resulting norm of secret settlements not only protected serial harassers. Employees and other victims had no leverage in the negotiation of these agreements.

Other statutes, like California's, cover only sexual harassment and sex discrimination, leaving those who suffer race or national origin discrimination, for example, without any recourse from confidentiality. And most statutes allow the amount of the settlement to remain confidential, which makes it impossible to determine whether the claim is settled for "nuisance value," suggesting that no serious discrimination occurred, or for a substantial sum, indicating serious workplace issues. Finally, many statutes address only employment relationships, leaving independent contractors and contingent workers without any protection, and do not specify whether the confidentiality

limitation applies for pre-court filing settlements. We need universal guiding principles that could serve as a template as more jurisdictions address this issue.

With regard to employment contracts, agreements, manuals, and separation agreements, legislatures should require that any nondisclosure provision include language informing employees that the provision does not bar them from

reporting unlawful criminal conduct or conduct that violates the antidiscrimination laws.

In addition, all legislative efforts, including proposed statutes, seeking to address settlement confidentiality should follow these guidelines: bar the use of NDAs in relation to all employment discrimination claims that are filed with an agency or a court; bar the use of NDAs in cases of sexual assault or harassment in a nonemployment context; do not permit an escape hatch based on so-called plaintiff's preference; and do not exempt the amount of the settlement.

It is only through the application of these principles that settlement transparency will actually have a chance of success. ■

---

Excerpted from *Confidential Settlements in the #MeToo Era*, 54 UNIVERSITY OF SAN FRANCISCO LAW REVIEW (forthcoming 2020)

**Minna J. Kotkin** is a professor of law at Brooklyn Law School and director of the Employment Law Clinic. She has taught, written, and lectured extensively on issues of employment discrimination, with a particular emphasis on sexual harassment and confidentiality, and on clinical legal education.

# CLINICS

# 50

1970  
2020

## The Power of Law in Action

The Law School will celebrate the 50th anniversary of its  
Clinical Education Program throughout 2020  
with special events and programs.


**Share your clinical education memories here:**  
**[www.brooklaw.edu/clinics50](http://www.brooklaw.edu/clinics50)**





Brooklyn Law School  
ESTABLISHED 1901

250 JORALEMON STREET, BROOKLYN, NY 11201



“If this scholarship helps even one student accomplish an aspiration that they'd thought might be unattainable, then paying it forward **will have been entirely worth it.**”

