

Brooklyn Law Notes

THE MAGAZINE OF BROOKLYN LAW SCHOOL | FALL 2018

THE DEALMAKERS

THE TITANS OF REAL ESTATE

THE RENAISSANCE MAN

THE VISIONARY

TRANSFORMING THE TRUSTEE

THE LANDSCAPE

IN NYC THE INNOVATOR

THE ENTERPRISER

AND BEYOND

THE STYLEMAKER

THE TRANSFORMER



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Dean's Message



IT IS A TREMENDOUS PRIVILEGE to serve as interim dean this year. As a longtime member of the Brooklyn Law School faculty, I take pride in our community—students, faculty, and alumni—and in our distinctive history of opening doors to the legal profession for all. I will continue to emphasize the Brooklyn Law School traditions of diversity and opportunity as I lead the school during the search for a new dean.

In August, I was honored to open the academic year by welcoming the entering class of J.D. and LL.M. students at our annual convocation ceremony. Our new students are a talented and impressive group, and I look forward to seeing the great things they will do with their legal education. I encouraged them to explore all that the Brooklyn Law School community has to offer them, both in the classroom and beyond. I also described our 23,000-strong global alumni network and reminded them that they will—sooner than they imagine—join that group.

It was a particular thrill to introduce students that evening to a special guest, Judge I. Leo Glasser '48 of the U.S. District Court of the Eastern District of New York, who, impressively, is still serving at age 94. Judge Glasser was dean of the Law School when I joined the faculty, and it was powerful to weave together the Law School's past, present, and future possibilities at the ceremony. After hearing Judge Glasser's many achievements, from his early days on the Lower East Side to his bravery in Europe during World War II to his legendary days as a master teacher and scholar to his years on the bench, the students gave him a standing ovation.

Today, all of us at the Law School—our preeminent faculty and dedicated staff—are devoted to helping our students succeed. Our alumni and friends have a critical role to play in this endeavor. We are thankful when you identify and help recruit applicants; we are delighted when you hire or recommend our students for jobs or internships; and, of course, we are grateful when you support the Law School philanthropically. I urge you to become more deeply engaged in our community in any or all of these ways.

As interim dean, I am working hard to ensure that Brooklyn Law School continues to prepare students for today's challenges and for those on the horizon. To that end, we are embarking on a transformation of the curriculum that will deepen students' research, writing, and legal skills. We will help them envision the arc of their legal education, so that they can take charge of their learning. This will place them in a strong position in the job market and help launch their careers. Brooklyn Law School has always been a leader in legal education. We are very excited about this most recent development, and I promise you will hear more about it in the months ahead.

As we move forward, I will continue to rely on you to support our students and to help us build an even stronger future for our dynamic and vibrant Law School community.

Maryellen Fullerton

Maryellen Fullerton
Interim Dean and Professor of Law

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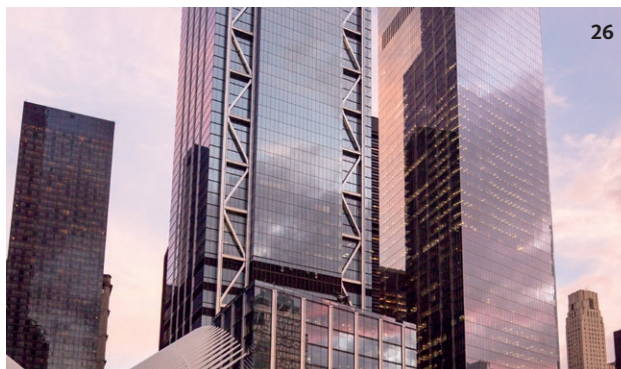
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NEWS

New Students Welcomed at Convocation Ceremony

BROOKLYN LAW SCHOOL welcomed 377 new students at the annual convocation ceremony, held in the Ceremonial Courtroom at the U.S. District Court for the Eastern District of New York. Vice Dean Steven Dean served as master of ceremonies for the event, which also featured remarks from Interim Dean Maryellen Fullerton; Hon. Robert A. Katzmann, Chief Judge for the U.S. Court of Appeals for the Second Circuit; and Stacy Caplow, associate dean of professional legal education. Hon. I. Leo Glasser '48, U.S. District Court judge, Eastern District of New York, attended the ceremony as a special guest of Dean Fullerton. Glasser was dean of the Law School from 1977 to 1981 and a member of the faculty from 1948 to 1969.



Professor Maryellen Fullerton Named Interim Dean



AFTER SIX YEARS leading the Law School, Nicholas W. (“Nick”) Allard stepped down as president and dean effective July 1, 2018 (see page 18). The Board of Trustees named Professor Maryellen Fullerton to serve as interim dean as a nationwide search for a permanent dean commenced this summer.

“I am thrilled that the Law School is in such excellent hands during our search process,” said Stuart Subotnick '68, chairman of the Board of Trustees, who will serve as president during the transition year. “Professor Fullerton is a longtime member of the faculty, and her knowledge and experience—as well as the respect she has garnered from colleagues, alumni, and students—will ensure a seamless transition.”

Fullerton, an expert on refugee and asylum law, teaches Civil Procedure and Federal Courts. She is a prolific scholar and a frequent speaker throughout the United States and Europe. Her recent works include two coauthored casebooks, *Forced Migration: Law*

and Policy and *Immigration and Citizenship: Process and Policy*, and multiple articles on migration and statelessness. She is one of the founding editors of the *Refugee Law Reader*, a comprehensive online resource on international refugee law available in English, Spanish, French, and Russian.

She held the Distinguished Chair in Law at the University of Trento through the U.S. Fulbright program. Fullerton also was a Fulbright Scholar at the University of Louvain in Belgium, was a German Marshall Fund Fellow in Budapest, and was a visiting scholar at the Juan March Institute, Center for Advanced Studies in Social Sciences, in Madrid. Prior to joining the faculty at Brooklyn Law School, Fullerton served as a law clerk to Judge Frank Johnson Jr. of the U.S. District Court for the Middle District of Alabama and Judge Francis Van Dusen of the U.S. Court of Appeals for the Third Circuit.

LL.M. Program Is Top Ranked

THE NEW YORK Law Journal ranked Brooklyn Law School second on the Best LL.M. Program list, marking the fourth consecutive year that the program has been ranked in the top two and the second year the Law School has achieved a "Hall of Fame" designation.



Steven G. Scheinfeld '85 and Frederick E. Curry '03 Join Board of Trustees

THIS SUMMER, THE Board of Trustees appointed two new board members: Steven G. Scheinfeld '85, global chair of the corporate department at Fried Frank, and Frederick E. Curry III '03, an anti-money laundering and economic sanctions practice leader and a principal at Deloitte. Scheinfeld and Curry are both longtime supporters of the Law School.

Scheinfeld represents clients in public and private securities offerings, mergers and acquisitions, corporate governance matters, financings, and complex strategic partnerships. He is recognized as a National Association of Corporate Directors (NACD) Corporate Governance Fellow and a leading advisor in the NACD Directorship 100.

"Brooklyn Law School inspired my passion for the law and provided me with the training and guidance to succeed in private practice," Scheinfeld said. "I look forward to helping current and future students find this same passion and develop the skills

necessary to become our next generation of leaders in the legal profession."

Curry works with organizations around the globe to detect and prevent money laundering and other financial crimes. He began his career at the Federal Reserve Bank of New York as a lead anti-money laundering bank examiner and then worked at the law firm Katten Muchin Zavis Rosenman.

"I am honored to be able to give back as a proud Brooklyn Law School alumnus and now as a trustee," said Curry, who established a scholarship in 2016 to attract African American students to the Law School. He also helped create the Law School's pioneering and popular annual Business Boot Camp. "I feel fortunate to play a role in advancing the Law School's efforts to offer an education that meets the challenges of today's evolving legal market," Curry added.



Steven G. Scheinfeld '85



Frederick E. Curry III '03

Law School Celebrates 117th Commencement

1. Stuart Subotnick '68 presents Hon. Dora L. Irizarry with an honorary degree
2. Professor Linda Feldman was recognized for 30 years of service
3. Subotnick receives special honorary degree from Francis Aquila '83

BROOKLYN LAW SCHOOL celebrated its 117th commencement ceremony on May 18, 2018, at the Brooklyn Academy of Music; 370 J.D. and 22 LL.M. degrees were conferred.

Hon. Dora L. Irizarry, Chief Judge of the Eastern District of New York, was the commencement speaker and recipient of an honorary degree. She spoke about the strong connections between the Law School and surrounding legal community, including the nearby federal court. Seven Brooklyn Law School graduates have served as law clerks for Irizarry over the years, including Hon. Jeanette Rodriguez-Morick '93, who served as her first law clerk and was on the stage at the commencement ceremony.

Acknowledging Hon. I. Leo Glasser '48, a former dean of the Law School, and Magistrate Judge Ramon E. Reyes

Jr. '92, who was also in attendance, Judge Irizarry encouraged the graduates to be inspired by and build on the legacy of service and distinction of their fellow alumni.

"You now have the opportunity to follow the example of those who came before you who have made their mark as attorneys, in the private sector, as public servants, [and] as academics and judges, and put your own spin on the world," Judge Irizarry told the graduates.

Stuart Subotnick '68, chairman of the Board of Trustees, presided over the ceremony and led the conferring of degrees. Reverend Adriene Thorne, senior pastor at the First Presbyterian Church of Brooklyn, delivered the opening invocation. The graduates also heard from valedictorian Jaime Freilich '18 and Maria Ortiz '18, who was elected student speaker by her classmates.

Former dean Nick Allard recognized Professor Linda

Feldman, founder of the Academic Success Program, who retired after 30 years of teaching at the Law School, referring to her as "the heart and soul of Brooklyn Law School."

In a surprise presentation, Subotnick was awarded a special honorary degree by Francis J. Aquila '83, vice chairman of the Board of Trustees. Subotnick, who celebrated his 50th reunion year, was honored for his "many decades of outstanding leadership, dedication, vision, and unparalleled service and support to Brooklyn Law School." Also on stage with Subotnick were his 1968 classmates Joseph Catanzaro, Danny Greenblatt, and Martin Siegel.

The Law School continued its now annual tradition of hosting a post-commencement picnic for graduates and their families in the courtyard of the main campus building.





- 4- Valedictorian Jaime Freilich addresses the class
- 5- The commencement picnic has become an annual tradition
- 6- Graduates celebrate their achievements. L-R: Jack Mulderrig, Samantha Tucker, Giancarlo Martinez, Max Lubin, and Amel Spahija
- 7- Commencement is a family affair. Jasiel Morales with her son.

Honoring Public Service



Lee Gelernt, deputy director of ACLU Immigrants' Rights Project, delivered the keynote address at the Public Service Awards Ceremony in April. Sponsored by the Public Service Law Center, the annual event honors faculty, alumni, and students who have performed extraordinary pro bono and public service work.

Privacy Matters

Brittany Bell '18 investigates what companies may know about your DNA

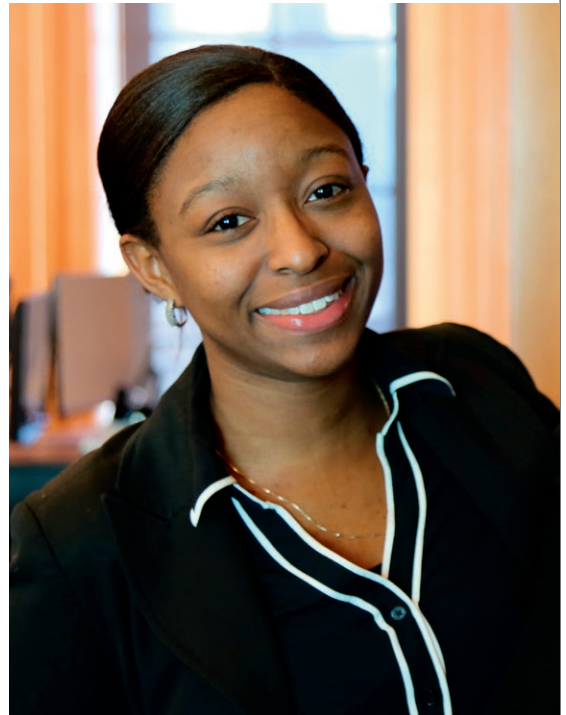
LONG BEFORE FACEBOOK was making headlines for its unauthorized use of data, Brittany Bell '18, who joins Schulte Roth & Zabel as an associate this fall, was digging into how companies collect and use personal genetic information, for her independent research project at Brooklyn Law School.

"[My interest] started when I was talking to Professor Alex Stein [who was recently named a justice on the Israeli Supreme Court] about HIPAA—the way it deter-

mines how and when companies and doctors can turn over or sell our health records," Bell told the *Brooklyn Daily Eagle*. "Around the same time, a friend was talking about her Fitbit and it started to concern me that Fitbit wouldn't be an entity covered under HIPAA."

Bell discovered that genetic information collected by companies such as Ancestry.com

and Fitbit isn't protected in the same way as medical records under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). In examining existing privacy laws, she was shocked to learn that very few laws are in place to regulate these new technologies, despite the real dangers of such data being sold to third parties, turned over to investigators, or hacked.



"You can change your hobbies, you can even change your hair color, but you cannot change your DNA," she pointed out. Bell plans to use her research to raise awareness of the issue and urge consumers to call for greater regulation.

"Very few laws are in place to regulate new technologies, despite the real dangers of such data being sold to third parties... or hacked."



BLSA Honors David Dinkins '56

In April, the Black Law Students Association honored former New York City mayor David Dinkins '56 at its annual alumni dinner. Dinkins was the first recipient of an award named in his honor that recognizes the achievements of alumni who promote excellence in the legal profession and advance the success of black law students. Trustee Frederick Curry III '03 delivered the keynote address.



Through the Public Service Office's Alternative Spring Break program, three groups of students volunteered to provide pro bono legal assistance in areas with the greatest need. One group flew to Puerto Rico to provide legal assistance to those affected by Hurricane Maria, assisting with FEMA claims and housing matters. From left: Olivia Sánchez '19, Diego Gómez '20, Andrea Scheer '19, Ana Núñez '18, Héctor Meléndez '20, and Jean Paul Stefan '19.

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Law School Hosts Town Hall with New York Fed President



IN JULY, THE Law School hosted a town hall with special guest John C. Williams, the newly appointed president and CEO of the Federal Reserve Bank of New York. The event was part of the New York Fed's ongoing effort to meet with key stakeholders

in Brooklyn and assess economic conditions in the Federal Reserve's Second District. Williams discussed a wide range of topics, including the role of cryptocurrency in the modern economy and how to stave off the next financial crisis.

Interim Dean Maryellen Fullerton, who moderated the Q&A-style discussion, began by asking Williams about immigration, noting that 40 percent of Brooklyn's population is foreign-born, and 50 percent of the borough's entrepreneurs are immigrants.

"Be it here, in D.C., in the Bay area, or elsewhere, immigration is a key part of our economic success," said Williams, who previously headed the Fed in San Francisco. He also credited New York City's "leading educational institutions" for contributing to the area's economic growth, as "scholars around the world come here for education and innovative culture."

Williams advocated for continued investment in education and a long-term view of economic development. "Bringing together the best thinking and leveraging resources is what helps communities be as strong and vibrant as possible," he said.



Celebrating a Century of Women's Leadership

The Brooklyn Women's Bar Association celebrated its 100th anniversary in April with an event at the Law School with special guest Janet DiFiore, Chief Judge of the New York Court of Appeals (R). She is joined by Aimee Richter '93 (L), past president, and President Michele Mirman. The association was founded by eight alumnae of the Law School.

Real Estate Clinic Celebrates 20th Anniversary

The Corporate and Real Estate Clinic celebrated its 20th anniversary in February with students and clinic alumni in attendance. (L–R) Abigail Patterson '07, Professor Deborah Bechtel, director of clinic, and Peter Liuzzo '98.



Disability and Civil Rights Clinic Wins New Grant

LAUNCHED IN 2014 with an initial grant from the Taft Foundation, the Disability and Civil Rights Clinic, under the direction of Professor Natalie Chin, has been a leader in addressing the legal needs of adults with intellectual and developmental disabilities and their families. In recognition of the clinic's accomplishments and to continue supporting its important work, the Taft Foundation awarded a new grant this year—increasing its total support of the program to \$1.6 million—that will enable an expansion of the clinic's programs over the next two years.

The Disability and Civil Rights Clinic functions as a pro bono law firm, with students representing low-income New Yorkers and their families in a variety of civil legal matters, including housing, public benefits, access to healthcare, special education, parental rights, alternatives to guardianship, asylum, and discrimination in access to programs and services.

"This is wonderful news for our students and, more important, for the historically underserved population of New Yorkers and their families that the clinic assists," said Professor Stacy Caplow, associate dean for professional legal education. "The clinic provides students with unparalleled, real-world experience that develops their professional skills and aligns perfectly with the Taft Foundation's mission to improve the lives of people with serious medical conditions and intellectual and developmental disabilities (IDD), as well as physical disabilities."

"The Taft Foundation is honored to continue its support of Brooklyn Law School's innovative approach to supporting individuals with IDD," said Howard Rothman '71, chairman and president of the Taft Foundation. "The clinic provides critically important advocacy for individuals in need and practical experience for the law students—so it's a real win-win partnership."

In less than five years, the clinic has achieved many significant victories for clients. Most recently, Simone Lamont '18, Mario Fitzgerald '19, and David Kass '19 successfully represented an intellectually disabled Honduran immigrant in his application for asylum. The *New York Law Journal* highlighted a case in which the clinic helped a 29-year-old man with Down Syndrome assert his rights to marry and start a family.

"The clinic provides critically important advocacy for individuals in need and practical experience for the law students—so it's a real win-win partnership."

Carmen Maria Rey '06 Joins Safe Harbor Clinic



CARMEN MARIA REY '06 returned to the Law School this year as a visiting assistant professor of clinical law, working in the Safe Harbor clinic with Professor Stacy Caplow, associate dean of professional legal education. As a student, Rey was part of the clinic she now will teach.

“The Safe Harbor clinic was an extraordinary learning opportunity for me, and it also has a direct social impact,” said Rey. “Lawyering is a muscle, and participating in this clinic gives students a chance to exercise that muscle prior to graduation.”

Since its launch in 1997, the Safe Harbor clinic has secured asylum and/or related humanitarian relief for 130 principal applicants—and approximately 85 immediate relatives—in both the Asylum Office of U.S. Citizenship and Immigration Services and in

Immigration Court.

Rey’s entire career has focused on immigration law and advocacy for immigrant families, particularly survivors of gender-based violence. Rey recently served as director of the Immigration Intervention Project at Sanctuary for Families, the largest provider of legal services to survivors of gender-based violence in New York City, where she oversaw the legal representation of thousands of immigrant survivors of gender-based violence and led advocacy efforts to advance their interests. Previously, she was an equal justice works fellow at Sanctuary for Families.

“It’s wonderful to welcome back Carmen,” said Caplow. “Our students and I will benefit so much from all of her knowledge and expertise, and she provides a wonderful example of how to make a huge difference to people through an immigration law career.”

LGBT Advocacy Clinic Achieves Landmark Victory



UNDER THE GUIDANCE of Professor Susan Hazeldean (pictured above, top right), students in the LGBT Advocacy Clinic recently obtained a historic \$100,000 settlement for a transgender woman who was brutally raped while incarcerated in a maximum-security men’s prison. The Civil Rights Clinic at Cardozo School of Law served as co-counsel.

LeslieAnn Manning, a 51-year-old trans woman,

was raped while incarcerated at Sullivan Correctional Facility, a men’s prison about two hours north of New York City. For five years, she fought to gain recognition for the harm she had endured, finally obtaining the settlement with the state’s Department of Corrections and Community Supervision.

“We’re so pleased to have such a good result for our client,” said Hazeldean, who founded the LGBT Advocacy Clinic. “Many students worked on the case, including Caitlin Bassett ’18, Jonathan Heiden ’17, Alec Nelson ’19, and Deborah Soh ’19.”

The settlement is one of the largest amounts ever awarded for a case involving the failure to protect a trans prisoner alleging rape or sexual assault, and it is the first settlement paid to a New York state prisoner for sexual abuse.

“I would hope that this will cause the Department of Corrections to take the safety of LGBT prisoners seriously, and to do what they are required to do under the law,” Hazeldean said. “The safety of people like Ms. Manning, who are transgender in prison, will not just be an afterthought.”

According to the Bureau of Justice Statistics, more than one-third of transgender people locked up in prisons and jails experience sexual assault—the highest rate of any demographic group studied.

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 and practitioners exploring critical topics in diverse areas of the law and policy.

What Does Closing Rikers Mean for Brooklyn?

Center for Criminal Justice convenes timely symposium

IN MARCH 2018, faculty, elected officials, attorneys, and reform advocates gathered at Brooklyn Law School to discuss Mayor Bill de Blasio's intention to close the Rikers Island prison complex over the next 10 years, replacing it with a system of smaller, borough-based jails.

During the symposium, "Decarcerate Brooklyn: What Closing Rikers Means for Our Borough," Professor Jocelyn Simonson, codirector of the Center for Criminal Justice, moderated a panel discussion with Tina Luongo '02, attorney-in-charge of criminal practice at the Legal Aid Society; Stephen Levin, New York City council member representing the 33rd District, Brooklyn; Jill Harris, policy and strategy counsel in the Kings County District Attorney's Office; Rogelio Headley, community leader at VOCAL-NY; and Darren Mack, JustLeadership USA member and #CLOSERikers campaign leader.

Mack, who served time at Rikers when he was 17 years old, called it "the Abu Ghraib of New York," adding that no human being should ever go through what he experienced at the facility.

Luongo called for measures including bail reform and improved discovery procedures but said that much more needs to be done. "Every single reform that we're doing here in New York City



[is] just scratching the surface," she said. "We need legislative reform in Albany to move."

"This is the kind of discussion that the Center for Criminal Justice here at Brooklyn Law School was launched three years ago to generate: a debate over one of the most important issues of social justice and public safety, among affected people on all sides of the issue," said Simonson. "This is a time in our local history when we are truly able to say that change in the landscape of local criminal justice is possible."

"This is the kind of discussion that the Center for Criminal Justice was launched to generate: a debate over one of the most important issues of social justice and public safety, among affected people on all sides of the issue."

Block Center Launches New Programming

The Block Center Colloquium's 2018-19 lineup includes:

Kevin Davis
NYU School of Law

Sadie Blanchard
University of Notre Dame
Law School

Gregory Shaffer
UC Irvine Law School

Nicolas Lamp
Queen's University,
Ontario, Canada

Learn more:
[brooklaw.edu/
iel-colloquium](http://brooklaw.edu/iel-colloquium)

THE BLOCK CENTER for International Business Law has served for more than 30 years as an important resource for the legal community and future lawyers who practice in this rapidly changing field. This year, under the leadership of Professors Roberta Karmel, Julian Arato, and Robin Effron, the Center introduced new programming that further advanced its mission by providing increased opportunities for deep engagement with significant scholarship and spirited debate of ideas in international business law.

"Despite the emerging sentiment about globalism's waning influence, legal and economic globalization continues apace," said Arato. "The Block Center serves as a hub to link the wide worlds of international legal practice, policy, and scholarship."

In January 2018, the center introduced a new series of programs called the Brooklyn Colloquium on International Economic Law, during which noted scholars and experts in the field discussed their

research with other scholars and students. Participants included Wolfgang Alschner from the University of Ottawa; Hanoch Dagan from Tel Aviv University; Pamela Bookman from Temple University Beasley School of Law; and William Magnuson from Texas A&M University School of Law.

In April, the center held the annual Brooklyn Lecture on International Business

Law with George Kahale III, chairman at Curtis, Mallet-Prevost, Colt & Mosle, who presented a scorching critique of investor-state dispute settlement (ISDS) titled "ISDS: The Wild, Wild West of International Law and Arbitration." After the lecture, Arato moderated

a discussion with Robert Howse, Lloyd C. Nelson Professor of International Law at NYU School of Law.

Next spring, the Brooklyn Lecture will be given by economist Dani Rodrik from the Harvard Kennedy School, who will speak about the contested economics of globalization.



Winners of CUBE Innovators Competition Apply AI to Music Copyright Cases

THIS SPRING, CHRISTOPHER Aranguren '18 and Joseph Santiago '18 won the fifth annual Innovators Competition, hosted by the Center for Urban Business Entrepreneurship (CUBE), for their artificial intelligence program "Taurus," which aims to help litigants test copy-

right infringement in music. "There is a problem with how juries find songs similar—it is kind of random, and often, cases have to go all the way to trial because it's hard for litigants to figure out if they have a winning case," Santiago told the *Brooklyn Daily Eagle*. The machine-learning project makes forecasts based on user

input about what jurors are likely to determine.

The Innovators Competition is modeled after the popular TV show "Shark Tank," but in this case, students present entrepreneurial ventures to a panel of judges who pose questions on the legal, social, and business implications of each project. The top three teams split a \$4,500 prize made possible by the Nancy and Stanley M. Grossman '67 CUBE Fellowship Fund.

Judges for this year's competition were Robert Manne '77, CUBE entrepreneur in residence and senior vice president and general counsel of Ultimate Software Group; Scott Stuart '87, founder and co-CEO at Esquify; Andy Sturmer '90, founder and chairman of Aqua Marine Partners; Lori Anne Wardi '92, vice president at Neustar; Dimitri Nemirovsky '00, founder of Vida and SolidX; and Lili Rogowsky '16, founder of Rogowsky Law.

L-R: Christopher Aranguren '18 and Joseph Santiago '18



Low-Income Workers and the #MeToo Movement

Sparer Forum explores sexual harassment news that rarely makes headlines

IN MARCH 2018, the Edward V. Sparer Public Interest Law Forum brought together faculty, students, alumni, and thought leaders to discuss how low-income workers can be better protected from sexual harassment in the workplace.

“As the #MeToo movement developed, focusing on celebrities and Harvey Weinstein, we in the Sparer Program sought to expand the conversation and talk about the special hardships of women in low-wage jobs,” said Elizabeth Schneider, the Rose L. Hoffer Professor of Law and director of the Sparer Program.

Schneider moderated a discussion with Professor Minna Kotkin, director of the Law School’s Employment Law Clinic, who has written and lectured extensively on issues of employment discrimination; Tanya K. Hernández, the Archibald R. Murray Professor of Law at Fordham University School of Law and a leading scholar in intersectional discrimination; and Elizabeth S. Saylor, partner at Emery, Celli, Brinckerhoff & Abady, and her client, LaDonna Powell, the plaintiff in a major sexual harassment lawsuit.

“The fear of losing your job and being blacklisted

in your industry is very real,” said Saylor, whose practice focuses on employment law. “Women with smaller paychecks can’t afford to lose their income when their kids and families depend on them.”

Hernández spoke about “racialized patterns” of abuse, explaining that women of color, primarily black women, were targeted more often, and that immigrant status and language differences increased their vulnerability.

Kotkin noted the difficulty that low-income women often have in accessing resources, reminding students: “One of the biggest challenges for low-income workers is the difficulty in getting a lawyer to represent you.”

Fortunately, the panelists said there is momentum for change. “One thing that has led to change is the press,” Saylor said. “More stories outing offenders and embarrassing companies is prompting change.”

“One of the biggest challenges for low-income workers is the difficulty in getting a lawyer to represent you.”



L-R: Professors Minna Kotkin and Elizabeth Schneider, Elizabeth Saylor, LaDonna Powell, and Professor Tanya K. Hernández

Zaretsky Roundtable Examines How Bankruptcy Affects M&A

MERGERS AND ACQUISITIONS (M&A) of solvent and insolvent firms happen all the time. The question is whether, and how, financial distress changes the practical and legal environment. Should corporate law be the model in bankruptcy? Or



Alumni participants in the annual roundtable

should bankruptcy law and bankruptcy courts pay special attention to distress situations? Specific concerns include information asymmetry, adequacy of representation, conflicts of interest, and equitable value distribution.

During the annual Roundtable, scholars, federal judges, and legal practitioners discussed these and other thorny issues related to whether and how financial distress changes the practical and legal environment for corporate entities. The program was presented in conjunction with the *Brooklyn Journal of Corporate, Financial and*

Commercial Law Symposium titled *The Market for Corporate Control in the Zone of Insolvency*, which was held the next day.

The Zaretsky Roundtable—moderated by Edward Janger, the David M. Barse Professor of Law and codirector of the Center for the Study of Business Law and Regulation—is an invitation-only gathering cosponsored by the center and the American Bankruptcy Institute, and presented in partnership with the *Brooklyn Journal of Corporate, Financial and Commercial Law*. It is named for the late Professor Barry L. Zaretsky, a Brooklyn Law School faculty member for 19 years and a distinguished bankruptcy and commercial law scholar. Zaretsky Fellows Salvatore Daniele '18 and Lauren Thoms '19 worked with faculty members to develop content and materials for the program.

“We tend to live on [the bankruptcy] side of the line or [the corporate governance] side,” said Janger. “The idea is to get people who know a lot about both to talk with each other and compare and contrast the regulation of corporate control transactions outside of bankruptcy to the way it is done inside bankruptcy.”

Who’s Liable for Defective Drug and Medical Device Design?

Center for Health, Science, and Public Policy Symposium explores critical topic

SINCE THE ADVENT of the modern products liability era, courts have heard claims alleging that drugs or medical devices were defectively designed. But what role should the federal government play in resolving what standard must be met to allow for a drug or medical device design case to proceed?

That question was the topic of a discussion moderated by Professor Aaron Twerski, the Irwin and Jill Cohen Professor of Law, during a symposium cosponsored by the firm Arent Fox and the Law School’s Center for Health, Science, and Public Policy.

“There are two reasons that plaintiffs are pushing the design issue,” Twerski said. “One is the fact that plaintiffs bring their case on a failure to warn [about potential problems]. The other situation is where there has been very adequate warning, and the contention is that the drug should never have been on the market.”

Panelists were Anita Bernstein, the Anita and Stuart Subotnick Professor of Law; Mark Geistfeld, Sheila Lubetsky Birnbaum Professor of Civil Litigation at NYU School of Law; Paul D. Rheingold, founder and of counsel at Rheingold, Giuffra, Ruffo & Plotkin; and Catherine M. Sharkey, Crystal Eastman Professor of Law at NYU School of Law. They discussed diverse aspects of defective drug and medical device claims, as well as a plaintiff litigator’s view of liability claims, emerging preemption issues in pharmaceutical litigation, and the pros and cons of the *Third Restatement of Torts*, which consists exclusively of products liability rules and commentaries.

“We are excited to bring scholars and practitioners together to work toward solutions that improve the quality of healthcare services and health outcomes for the public,” said Professor Karen Porter, the center’s executive director.



Professor Aaron Twerski

The Age of Algorithms

Student-organized TSI symposium tackles pressing issues of trade secrets in the digital age

“ALGORITHMS ARE CONTROLLING more and more of our lives—whether we know it or not,” said Christopher Aranguren '18, a fellow at the Law School's Trade Secrets Institute (TSI). “It creates a whole new [type] of conflict, where on one hand there is a desire for transparency and accountability...and on the other...there are IP rights that we've always wanted to protect.”

Distinguished scholars and practitioners gathered at the Law School in February to discuss critical issues in trade secrets law at the annual TSI Symposium, the only scholarly event organized entirely by student fellows. In recent years, trade secret enforcement has grown to straddle the boundary between civil and criminal law, while algorithmic decision making—often including secret proprietary code—is widely used in criminal prosecution and everyday government services.

This past year, “we saw the first jury verdict under the Defend Trade Secrets Act (DTSA),” said TSI Fellow Brian Kim '18, who introduced the program. “There were also many high-profile cases.”

TSI Fellow Lauren Rayner Davis '18 moderated the panel “New Developments in Trade Secret Enforcement,” which considered how DTSA has affected the trade secrets landscape and reviewed recent developments in enforcement. The panel members were Victoria A. Cundiff, partner at Paul Hastings;

Alexander H. Southwell, partner at Gibson, Dunn & Crutcher; and Ken Corsello, counsel at IBM.

Aranguren led the discussion “Secrecy and Accountability in the Age of Algorithms,” which included Rebecca Lipman, assistant corporation counsel at the New York City Law Department; Andrew Selbst, postdoctoral scholar at the Data & Society Research Institute; and Hannah Bloch-Wehba of Drexel University Thomas R. Kline School of Law.

Under the leadership of Professor Christopher Beauchamp, an expert in the areas of intellectual property and legal history, TSI provides comprehensive, neutral reviews of key trade secret cases and legislative or regulatory initiatives throughout the United States.

From left: Victoria A. Cundiff, Ken Corsello, Alexander Southwell, Professor Christopher Beauchamp, and TSI Fellows Lauren Rayner Davis '18, Christopher Aranguren '18, and Brian Kim '18



Book Talk: Rise of the Working-Class Shareholder

David Webber, Professor of Law, Boston University School of Law, discussed his book *The Rise of the Working-Class Shareholder: Labor's Last Best Weapon* in April at an event sponsored by the Center for the Study of Business Law and Regulation. Professors Miriam Baer and K. Sabeel Rahman participated on a panel with Webber to explore issues raised by his book.



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A Time of Opportunity and Innovation

Brooklyn Law Notes *looks back on Dean Nick Allard's impact on the Law School.*

After six years as dean of Brooklyn Law School, Nicholas (“Nick”) Allard stepped down this summer. Under his leadership and the direction of the Board of Trustees, led by Chairman Stuart Subotnick ’68, the Law School enhanced its already strong reputation as a leader and pioneer in legal education. Dean Allard’s tenure was marked by a dynamic and forward-looking approach to preparing students for a rapidly changing legal market.

Enhancing Faculty Strength

At the core of any institution is its faculty, and, in that respect, Brooklyn Law School is stronger than ever. The highly regarded Brian Leiter’s Law School Reports recently ranked the faculty 44th in the nation for scholarly impact.

While most law schools experienced a time of faculty retrenchment after the national drop in law school applications and admissions, during Dean Allard’s six years the Law School recruited nearly a dozen new tenured and tenure-track faculty members—nationally recognized scholars and rising stars

in their fields—who have added significantly to the Law School’s reputation.

The faculty continued to drive the robust intellectual life of the Law School, creating and leading centers of excellence, and organizing symposia, workshops, roundtables, and other academic events throughout the year that bring leading scholars and policymakers to campus. In recent years, they have also been a growing presence in the national media with Dean Allard’s encouragement, serving as go-to commentators on the most critical current legal issues.



New Degree Programs and Curricular Innovations

Changes in degree programs and the curriculum during Dean Allard's tenure have offered students more flexibility in how they study and more opportunities to develop practical experience in various fields of law.

For example, the two-year accelerated J.D. program, an idea that was launched in 2014, is today part of the Law School's flexible 2-3-4 path to a law degree. The first two-year students graduated in May 2016, landing impressive jobs such as law clerks with federal judges, associates in big law firms, ADAs in District Attorneys' Offices, and legal counsels at major corporations. The improving job market and the Law School's exceptional reputation with employers has helped to boost the Law School's already strong employment rate.

Preparing Students for a Changing Job Market

Two major innovative initiatives—Business Boot Camp and CUBE (Center for Urban Business Entrepreneurship)—came to life during Dean Allard's tenure, with the enthusiastic support and engagement of alumni and the broader business community.

For the last five years, Business Boot Camp, the brainchild of Professor Michael Gerber, has hosted a four-day "mini MBA" winter session course in collaboration with Deloitte Financial Advisory Services and John P. Oswald '84, president and CEO of Capital Trust Group and a member of the Board of Trustees. During panels and workshops, students are introduced to the Board of Trustees, alumni business leaders, and entrepreneurs, who share their knowledge on a variety of topics, such as financing a business, buying and selling a business,

handling mergers and acquisitions disputes, and dealing with cybersecurity issues.

Throughout the academic year, CUBE gives students multiple opportunities to gain valuable, hands-on clinical experience representing technology leaders and entrepreneurs. Aspiring lawyers can take part in consultation sessions with small businesses and founders in Brooklyn; attend valuable networking events; and participate in the CUBE Innovators Competition. Dean Allard helped forge a partnership with the Keller Center at Princeton University School of Engineering and Applied Science and the Rhodes Trust Entrepreneurship Accelerator for CUBE to offer seminars and legal consultations.

Building on Historic Strengths in Public Service

During Dean Allard's tenure, Brooklyn Law School launched the PipS (Public Interest/Public Service) Fellowship, which places students in two-year jobs in government and nonprofit organizations starting in their third year of school. Developed by Professor Stacy Caplow, dean of professional legal education, PipS provides a model pathway to the profession that has been recognized by the ABA and the New York City Bar. This new program builds on the Law School's long tradition of producing outstanding public service and public interest lawyers.

The public service community at the Law School enhanced its already strong reputation with the recent creation of the Center for Criminal Justice and the Public Service Law Center. At the same time, the Edward V. Sparer Public Interest Law Fellowship program continued to flourish under the direction of Professor Elizabeth Schneider, celebrating its 30th anniversary in 2016.

1. Dean Allard with members of the Law School's Black Law Students Association

2. Hon. Sonia Sotomayor was one of two U.S. Supreme Court justices to visit the Law School in recent years

3. New student spaces at 111 Livingston Street offer room to study, collaborate, and meet with clinic clients



4. Public officials like Brooklyn Borough President Eric L. Adams became more involved with the Law School under Dean Allard's tenure

5. David Dinkins '56 and Professor Joseph Crea '47, pictured with Dean Allard, were among the illustrious icons celebrated at the gala on Ellis Island, June 11, 2015



Growing Leadership in Experiential Learning

The Law School's Clinical Education Program has long been recognized as one of the most diverse, extensive, and comprehensive in the United States. An integral component of the upper-class curriculum, the program requires every student to take at least one "real world" clinic or externship to graduate.

Building on the strength of the program, Professor Susan Hazeldean, a scholar in gender, sexual orientation, immigration, and civil rights, founded the LGBT Clinic at Brooklyn Law School in 2016, which she continues to direct. In 2014, the Law School launched the Disabilities and Civil Rights Clinic, directed by Professor Natalie Chin. In just four years, it has become a leader in addressing the pressing legal needs of adults with intellectual and developmental disabilities and their families. The Taft Foundation has awarded the clinic \$1.6 million in funding since its founding to support this important work (see page 11).

Each year, nearly 400 students take part in the externship program under the direction of Professor Jodi Balsam, another faculty member hired during Dean Allard's tenure. This program builds on the strength of the nationally lauded clinical program to provide students with academic mentorship and work experience in legal practices, judicial offices, and nonprofits.

Placing Students at the Center

"Student are our purpose," Dean Allard often said. He lived this axiom every day. In addition to teaching students in his Government Advocacy for Lawyers and Privacy Law classes, he regularly engaged with students, whether at the numerous student organization dinners and events that he attended with his wife, Marla; meeting with every first-year student at "Nick's Noshes"; or making sure students were

present at gatherings for alumni and special guests. He also launched the post-Commencement picnic at the Law School for graduating students and their families and faculty and staff. In addition, he hosted numerous social and academic programs and informal gatherings for students and alumni. Moreover, he took an active interest in students' job searches, and they appreciated his involvement working closely with the Career and Professional Development Center to increase employment opportunities.

Engaging Alumni

Alumni engagement activities expanded during Dean Allard's tenure. The Law School now has regional networks in Miami and Southern California, and a third is being planned for Washington, D.C. Several affinity groups were developed, including the Women's Leadership Network and the Trial Lawyers Alumni Group. In recent years, the Office of Alumni Relations helped connect and foster mentoring of students by alumni in significant numbers. To get students thinking about giving back to the institution and staying connected, the Law School instituted the Dean's Challenge, in which graduating students give modest gifts to the Annual Fund. Since its establishment in 2013, each year's graduating class has had the highest percentage of participation among all class years in the Annual Fund.

Revitalizing the Campus

Recognizing the importance of having up-to-date facilities that help foster student success, the Law School made a number of recent major campus improvements. Among these changes was the move from One Boerum Place to 111 Livingston Street, which now houses the Legal Writing program, clinics, and many student-focused offices, including the Career Center, the Registrar, and Public Service, in



a modern, light-filled space with study and meeting areas for students.

In 2017, a large collaborative room opened on the third floor of Brooklyn Law School’s library, made possible by the generosity of Bernard Nash ’66 and Phyllis Nash (see page 48).

Global Reach Expands

Dean Allard was an enthusiastic supporter of the LL.M. Program for Internationally Trained Lawyers, which was launched by Professor Lawrence Solan. In the last several years, the program has consistently been top rated by the *New York Law Journal*; it grew substantially during Dean Allard’s tenure. He also helped increase opportunities for students to spend a semester studying international and comparative law in another country. The Law School now has more than 25 agreements with overseas schools, in addition to Professor Jonathan Askin’s contract with the European Union to counsel 16 European universities teaching entrepreneurship. In addition, students have the option of earning a J.D. and LL.M. at one of the Law School’s many international partner universities. These international dual degree programs offer students a truly global perspective on the study of law.

Brooklyn and Beyond

Dean Allard recognized Brooklyn’s growing national and global prominence and took steps to further enhance the Law School’s commitment to the community. Fittingly, he brought the annual Commencement exercises back to Brooklyn to the vibrant Brooklyn Academy of Music (BAM). BAM also was the location of the evening with Justice Antonin Scalia in 2014, the first of two visits from U.S. Supreme Court justices during Dean Allard’s tenure. The Law School held an evening with Justice Sonia Sotomayor in 2016, at the historic Plymouth Church in Brooklyn Heights.

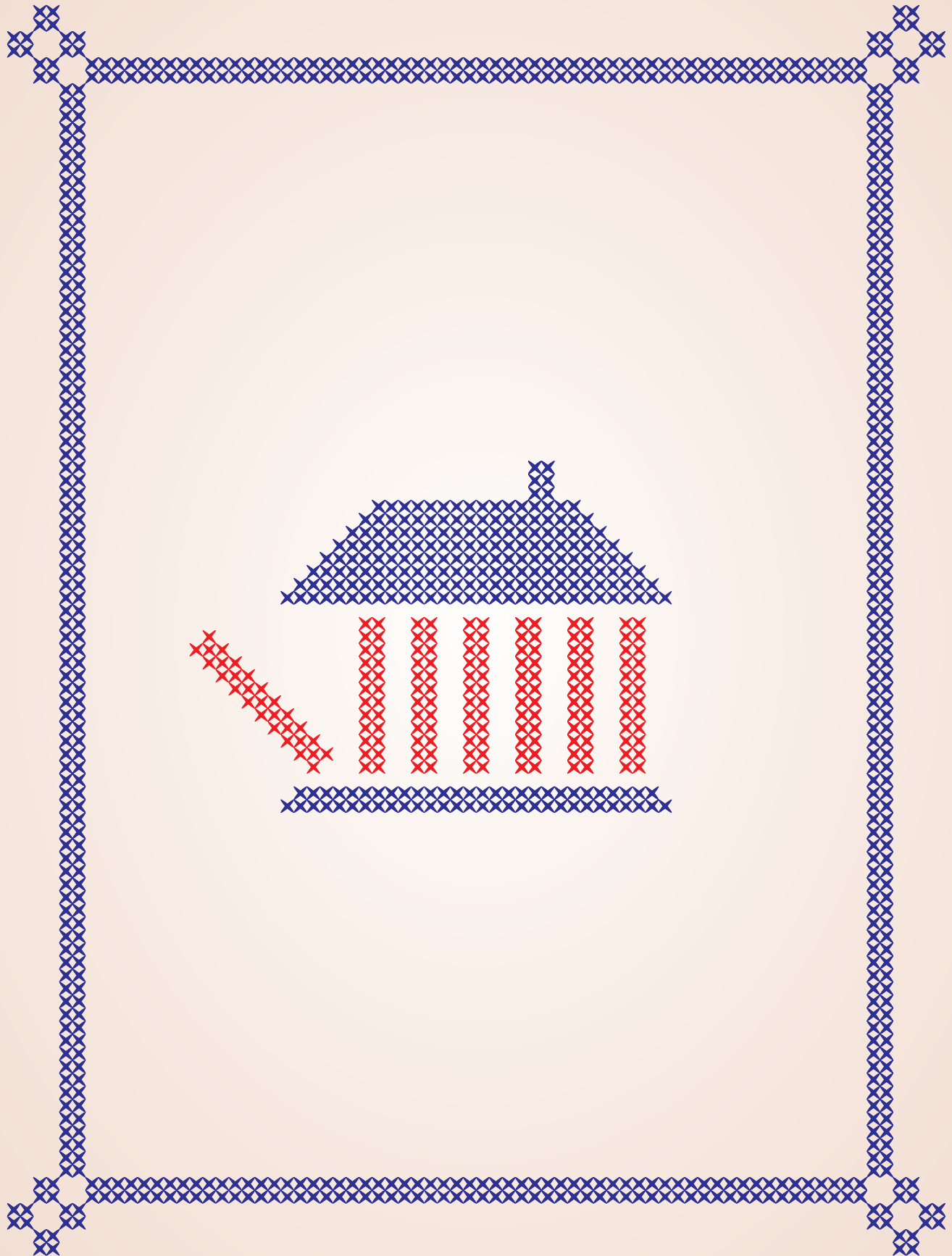
In the last several years, the Law School has become a regular participant in the annual Brooklyn Book Festival, serving as a host location for premier events broadcast live on C-SPAN that draw thousands of audience members throughout the day. In addition, the Law School serves as the venue for training programs and major events sponsored by the Office of the Brooklyn District Attorney and the Brooklyn Bar Association’s practitioner programs that are open to students. The Law School has presented programs of interest to the community in the last several years on timely topics, offering students an opportunity to learn outside the classroom and get a front-row seat to policy discussions. That openness has led to stronger partnerships with the Brooklyn community that have benefited the Law School.

Perhaps no major event during his tenure embodied Dean Allard’s dedication to advancing the school’s legacy and future more than the Salute to Brooklyn Law School Icons on Ellis Island in 2015. More than 500 alumni, faculty, students, staff, and friends gathered in the Great Hall on the historic island in the shadow of the Statue of Liberty to honor eight individuals who have defined the school’s legacy: Professors Joe Crea ’47, Aaron Twerski, Roberta Karmel, Susan Herman, Linda Feldman ’83, and the late Richard Farrell ’64; David Dinkins ’56; and former Director of Admissions Henry Haverstick III. CNBC Anchor Brian Sullivan ’03 served as the master of ceremonies for the evening, which concluded with a spectacular fireworks display over New York Harbor as guests left the event by ferry. It was a fitting grand finale to a night to remember.

Stuart Subotnick, thanking Dean Allard for his six years of service, said: “The Law School has been well positioned during Nick’s tenure to move onward and upward in the years ahead under new leadership, building on the strengths of our dedicated faculty.” ■

6. **The Women’s Leadership Network was one of several new alumni affinity groups formed in recent years**

7. **Commencement returned to Brooklyn at BAM during Dean Allard’s tenure**



RESTORING THE AMERICAN DREAM

BY PROFESSOR DAVID REISS

With homeownership significantly on the decline since the 2008 recession, what role should the federal government play in the housing market?

TWO MOVIE SCENES can bookend the last hundred years of housing finance. In Frank Capra's *It's a Wonderful Life* (1946), George Bailey speaks to panicked depositors who are demanding their money back from Bailey Bros. Building and Loan. This tiny thrift in the little town of Bedford Falls had closed its doors after it had to repay a large loan and temporarily ran out of money to return to its depositors. George tells them:

You're thinking of this place all wrong. As if I had the money back in a safe. The money's not here. Your money's in Joe's house...right next to yours. And in the Kennedy house, and Mrs. Macklin's house, and a hundred others. Why, you're lending them the money to build, and then, they're going to pay it back to you as best they can.

Local lenders lent locally, and local conditions caused local problems. And in the early 20th century, that was largely how Americans bought homes.

In Adam McKay's movie *The Big Short* (2015), the character Jared Vennett is based on Greg Lippmann, a former Deutsche Bank trader who made well over a billion dollars for his employer betting against subprime mortgages before the market collapse. Vennett demonstrates with a set of stacked wooden blocks how the modern housing finance market has been built on a shaky foundation:

This is a basic mortgage bond. The original ones were simple, thousands of AAA mortgages bundled together and sold with a guarantee from the U.S. government. But the modern-day ones are private and are made up of layers of tranches, with the AAA highest-rated getting paid first and the lowest, B-rated getting paid last and taking on defaults first.

Obviously if you're buying B-levels you can get paid more. Hey, they're risky, so sometimes they fail...

Somewhere along the line these B and BB level tranches went from risky to dog shit. I'm talking rock-bottom FICO scores, no income verification, adjustable rates...Dog shit. Default rates are already up from 1 to 4 percent. If they rise to 8 percent—and they will—a lot of these BBBs are going to zero.

After the whole set of blocks comes crashing down, someone watching Vennett's presentation asks, "What's that?" He responds, "That is America's housing market." Global lenders lent globally, and global conditions caused global and local problems. And in the early 21st century, that was largely how Americans bought homes.

Heart of the American Dream

So how did we get from the housing finance system in *It's a Wonderful Life* to the one in *The Big Short*? And what are the consequences of that journey? The system was not perfect when mortgages came from lenders like Bailey Bros. Building and Loan, nor is today's version where borrowers access the global capital markets. Identifying the strengths and weaknesses of each phase of the housing finance system will enable us to design a stronger system for the rest of the 21st century.

Although the 2008 financial crisis splashed residential housing finance across the front pages and home pages day after day, many people still find the topic pretty murky. Yet it is important in the lives of most of us, since 63 percent of Americans owned their home in 2017. This was down from an all-time high of 69 percent just prior to the 2008 crash. In addition, for most people, homeownership carries strong emotional connotations, forming

the heart of the American Dream. If we are fortunate, our home is the place where we feel safest, the place we share with our loved ones, the place we raise our children.

Over the last decade, however, the drop in homeownership rates has meant that about 2 million fewer households own the place they live in. A lot of people may not get the same warm feeling about their rented or shared home that they would have gotten from owning their home.

Many people burned by underwater mortgages, defaults, and foreclosures have seen their version of the American Dream betrayed. Entire communities—especially African American communities—have seen their home equity evaporate in the face of falling housing prices and other big shocks to the local economy. These shocks were sometimes compounded by mortgages with predatory terms, which had become all too common starting in the late 1990s. As a result of these broad shocks and personal experiences, many people just don't trust that they will get a fair shake as homeowners.

That may be bad for people individually as well as for the economy as a whole, because residential real estate is big money—both for individual households and for the overall economy. Homes are generally the single biggest investment that families make and are potential engines of wealth creation. And all of these individual investments combine to create a residential real estate market worth roughly \$26 trillion. By way of comparison, the market capitalization of domestic companies listed on U.S. stock exchanges is only a bit higher, at \$30 trillion or so. The run-up to the financial crisis saw the wealth-creation engine go full throttle, as home equity increased by more than \$7 trillion between 2004 and 2006. But from 2007 through 2011, residential real estate lost more than \$6 trillion in value, devastating countless homeowners and driving many investors to ruin.

So there is no question that housing finance has a tremendous effect on America as well as on Americans. But how should the postcrisis discussion of the topic be framed? Is the subprime crisis/foreclosure crisis a story about a free market run wild or a story about out-of-control government regulation? On the surface, the massive residential real estate sector has some of

Over the last decade, the drop in homeownership rates has meant that about 2 million fewer households own the place they live in.



the characteristics of a free market. Innumerable buyers and sellers negotiate, agree on prices, and close millions of transactions each year. But undergirding that market are a whole host of government interventions in every aspect of the transaction. The federal government exerts an extraordinary amount of control in the housing finance market in particular, most notably by subsidizing a shockingly large proportion of mortgages. About 60 percent of the roughly \$10 trillion in

outstanding residential mortgage debt is backed by federally related entities.

New Deal to Big Short

This government-dominated housing finance system grew up piecemeal from the earliest days of President Franklin Roosevelt's administration. The New Deal included a variety of interventions such as the creation of the Federal National Mortgage Association (Fannie Mae) and the Federal Housing Administration. These interventions were made to address the catastrophic failure of the housing and housing finance markets that were part and parcel of the Great Depression. In the eighty-plus decades since then, the federal government has repeatedly intervened in the housing finance market to achieve a range of additional goals, but policymakers have rarely stopped to thoroughly consider when it makes sense for the government to intervene and when it makes sense to let markets operate on their own. The 2008 financial crisis provides an opportunity to design a housing finance system that lets the free market concentrate on its strength (pricing risk) and permits the government to focus on regulating and subsidizing aspects of that market to achieve various consumer protection, redistributive, and safety and soundness goals.

Although this may sound reasonable enough, it is in fact highly contested. Some, including influential members of Congress, believe that the government should have no role at all in the housing finance market. Others, including many in government and in policy circles, believe that the housing market is too important to leave to market forces and to profit-maximizing private actors. They believe that the government should continue playing the dominant role. Within this polarized debate, there is a middle ground: Free markets should be allowed to work in the absence of market failures, and the government should intervene to correct any market failures that emerge. The government also could subsidize entry into the housing market for those who would otherwise not have access.

Three Housing Principles

A framework for a discussion of the future of American housing finance policy should consider the three main housing policy principles that have informed federal housing policy: allowing all Americans to live in a safe, well-maintained, and affordable housing unit; providing a specialized form of income redistribution that ensures that the income transferred is consumed in increased housing; and incentivizing Americans to take on the key attributes of the Jeffersonian yeoman farmer: economic self-sufficiency as well as a jealous regard for one's liberty. A policy guided by the first principle would emphasize housing for very low income households that would not be able to pay market rates for safe, well-maintained, and affordable housing. A policy guided by the second principle would likely contemplate some kind of progressive housing subsidy for a broader range of low- and moderate-income households. And a policy guided by the third principle would seek to maximize the homeownership rate for the nation as a whole.

Free markets should be allowed to work in the absence of market failures, and the government should intervene to correct any market failures that emerge.



set the stage for the development of future policies that will prevent the stack of wooden blocks from again crashing down. If we succeed, most Americans will have a good feeling about their home and will not notice the massive regulatory infrastructure that makes it all possible. If we fail, our children and grandchildren may have difficulty enjoying the financial and emotional benefits of homeownership, finding themselves living in the wretched Pottersville that seems to replace Bedford Falls when George Bailey gives up hope in himself and his community.

This article was adapted from PAYING FOR THE AMERICAN DREAM: HOW TO REFORM THE MARKET FOR MORTGAGES (Oxford University Press, forthcoming 2019).



David Reiss is professor of law at Brooklyn Law School and research director at the Center for Urban Business Entrepreneurship. His scholarship and teaching focus on real estate finance and community development, and he is the founding director of the Community Development Clinic. In 2017, he was named a fellow of the American College of Real Estate Lawyers as well as a fellow of the American Bar Foundation. Reiss is frequently quoted on legal developments in the real estate finance sector. His comments have appeared in the *New York Times* and the *Wall Street Journal*, among other major news outlets. Reporters and practitioners also rely on Reiss's popular REFinBlog, which offers a roundup of developments in the law and practices related to the real estate finance industry. Reiss is a graduate of New York University School of Law and served as a clerk for Judge Timothy Lewis of the U.S. Court of Appeals for the Third Circuit. He also was an associate in the New York office of Paul, Weiss, Rifkind, Wharton & Garrison in its real estate department and an associate in the San Francisco office of Morrison & Foerster in its land use and environmental law group.



THE TITANS OF REAL ESTATE

MEET BROOKLYN
LAW SCHOOL
GRADUATES WHO
ARE TRANSFORMING
THE NEW YORK CITY
SKYLINE AND BEYOND

“ went to Brooklyn Law School to learn how to be a better businessman,” said Larry A. Silverstein ’55, chairman of Silverstein Properties, a real estate development firm now worth \$10 billion. “The Law School taught me how to think like a lawyer. This was hugely beneficial to me.”

Today, Silverstein is a giant among New York City’s real estate moguls. His uncompromising vision has transformed Lower Manhattan, home not only to the world’s financial powerhouses but also to a growing number of diverse companies and a booming residential area. Silverstein’s determination and commitment to driving the city forward, and his dedication to his work, are emblematic of many successful Brooklyn Law School graduates in the real estate industry.

The impact of these graduates is evident in the New York City skyline and in revitalized neighborhoods—from the World Trade Center site in Manhattan and the Barclays Center in Brooklyn to the Overtown district near downtown Miami. In the heart of New York City and its tril-

lion-dollar real estate market, Brooklyn Law School produces talented graduates with tenacity, hustle, and a strong foundation in business and real estate law.

“We pride ourselves on ensuring that our graduates are Brooklyn-ready—not just knowing the law but being able to apply it in the real world,” said Professor David Reiss, a noted authority on real estate finance and community development.

Reiss is the founder of the Law School’s Community Development Clinic, where students learn how to negotiate the leasing, purchasing, financing, and renovating of real estate, as well as draft, analyze, and negotiate contracts, with organizations that serve underrepresented communities. In the Corporate and Real Estate Clinic, led by Professor Debra Bechtel, students gain transactional experience representing low-income cooperative boards, working to preserve affordable housing in New York City. Both clinics are affiliated with the Center for Urban Business Entrepreneurship (CUBE), which harnesses the entrepreneurial activity in Brooklyn.

The Law School offers a robust slate of real estate courses that cover the field from every legal and business angle. Students benefit from authorities in the field who serve as adjunct faculty members, bringing their deep knowledge as legal advisors to private developers and city policymakers. Mark Jackson ’11, real estate counsel for Two Trees Management in Brooklyn credited the faculty for launching him in his career. “I learned from fantastic practitioners at the Law School about the New York City real estate development scene and had the opportunity to take on great externships—and landed my first job after law school at the recommendation of Professor Len Wasserman,” said Jackson. Wasserman is a consultant to the New York City Economic Development Corporation and a 1972 graduate of the Law School.

The Law School’s nationally recognized programs in business, finance, and corporate law give students an edge in the highly competitive real estate industry as well as a strong network of connections. The next generation will stand on the shoulders of their fellow alumni, whose driving visions, keen legal minds, and business savvy have fueled their successes and cemented the Law School’s reputation as the place where real estate titans are made.

**THE IMPACT OF
THESE GRADUATES IS
EVIDENT IN THE NEW
YORK CITY SKYLINE
AND IN REVITALIZED
NEIGHBORHOODS**

In June, Larry A. Silverstein ’55 cut the ribbon on his latest project, 3 World Trade Center (L), the second-tallest building in the World Trade Center site and the fifth-tallest in the United States.



IN JULY 2001, when Larry A. Silverstein signed a 99-year lease on the 10.6 million square feet that made up the World Trade Center, the largest real estate transaction in New York history, he had no idea of the events that would soon unfold to make rebuilding the site—and revitalizing Lower Manhattan—his life’s work. Rebuilding the World Trade Center site after 9/11, a \$20 billion project, has been many years in the making. The results, for the site as well as the neighborhood itself, have been extraordinary. Silverstein’s major projects include WTC 2, 3, 4, and 7 (above, inset), as well as Silver Towers and 1 River Place, luxury residential buildings along the Hudson River; and the Four Seasons Downtown, an 84-story skyscraper with a luxury hotel, five-star restaurant, and condo units.

WHAT’S NEXT: The Ronald O. Perelman Performing Arts Center at the World Trade Center and the West 66th Street development, including Disney’s ABC West Side headquarters.

WHY BROOKLYN LAW SCHOOL: As a part-time student, I could attend classes in the morning and work at my father’s real estate office in the afternoon. Brooklyn Law School taught me a new way of thinking—how to understand legal ramifications with logic and reasoning—and that’s been really beneficial to me in business all these years.

WHY REAL ESTATE: New York is an incredible city. I’ve been blessed to live my life here—and to grow my family’s real estate business here. Anything you want to access, anything you

want to accomplish, you can do it here. After 9/11, I decided to rebuild because I felt an obligation to do so, and because I had the sense that everything I did in New York, I needed to succeed at. I know that this city will continue to grow and prosper. When it comes to real estate here, there’s only one direction to go—and that’s up.

WORDS OF WISDOM: I’ve had extraordinary good fortune in my life. But I’ve also found that the harder I worked, the luckier I got. So my advice? If there’s something you’re passionate about, like real estate in my case, give it everything you’ve got. Use good judgment, intelligence, and reasoning, and give it your all. If you do that, you’ll accomplish your goals. And always remember that, at the end of the day, what’s most important is your integrity and your family.

SILVERSTEIN PROPERTIES is a privately held, full-service real estate development, investment, and management firm based in New York. It has developed, owned, and managed more than 40 million square feet of office, residential, hotel, and retail properties.

THE RENAISSANCE MAN

CHARLES S. COHEN '77 PRESIDENT AND CEO, COHEN BROTHERS REALTY CORPORATION

CHARLES S. COHEN is best known for his remarkably conceived design centers that offer multiuse space for the creative community: Manhattan's Decoration & Design Building (below, inset), Southern California's Pacific Design Center, and Design Center of the Americas in South Florida. With a lifelong passion for film, Cohen went to Brooklyn Law School with an eye toward entertainment law, but instead went into the family real estate business, where he not only grew it to vast proportions but created distinction for its projects by working with world-renowned designers and architects. He has built on the success of his real estate firm by venturing into more creative fields: film production (Cohen Media Group), film exhibition (he renovated and reopened the Quad Cinema in Manhattan), hotel management, fashion labels, and an award-winning vineyard. As a film producer, Cohen has been nominated for eight Academy Awards, winning in 2017 for the Best Foreign Language Film *The Salesman*. At the heart of all his endeavors are creativity, passion, and respect for every individual he encounters.

WHY BROOKLYN LAW SCHOOL: A law degree gives a tremendous advantage for anyone. It changes how you look at the world and transact business. That's why Brooklyn Law School was a critical building block for me. I liked that it wasn't part of a big university, so I never felt lost. It also was a very professional environment—in addition to the real estate finance and real estate property classes I took, the practical education was valuable. You felt like you were going to work, not school.

ON SUCCESS IN REAL ESTATE: Real estate, to be successful, has to embrace the community where it exists. I modeled the Pacific Design Center after West Hollywood itself—a creative building in a creative city. We wanted to provide programming and host events and share knowledge, creating a flow of traffic to the building so people could interact and network.

WORDS OF WISDOM: Find your passion and dive into it with vigor. Finish what you start, tell the truth, and honor your commitments. Treat people with respect no matter who they are or what they do. Do the best job you can do and do it with style.

COHEN BROTHERS REALTY CORPORATION is a private commercial real estate development and management firm with a portfolio of 12 million square feet of Class A office buildings and showrooms in New York, Texas, Florida, and Southern California.



INSET PHOTOGRAPH COURTESY OF COHEN BROTHERS REALTY CORPORATION

THE TRUSTEE

JEFFREY FEIL '73 CEO, FEIL ORGANIZATION; PRESIDENT, FEIL FAMILY FOUNDATION

AS PRESIDENT AND CEO of the Feil Organization, Jeffrey Feil has made his mark on the skyline of New York City, with prominent office and residential buildings throughout the boroughs. But it is his commitment to the highest levels of volunteer service and philanthropy, particularly academic institutions, that truly distinguishes his career. Since 2003, Feil has served as trustee for Brooklyn Law School; he also serves on the board of Weill Cornell Medical College. Through the Feil Family Foundation, he has endowed scholarships and donated funds for buildings at numerous schools and hospitals, including Feil Hall (below, inset), Brooklyn Law School's 22-story student residence, which opened in 2005 and set the standard for major residential building projects in Brooklyn. Many of his endowments are named for his parents, who were passionate supporters of higher education.

ON BROOKLYN LAW SCHOOL'S ALUMNI NETWORK:

The Brooklyn Law School network means a lot to me. Most of my family went to Brooklyn Law School, and I'm still friendly with people I graduated with and use their services. Is it more helpful to have such a network in a city as big as New York? Absolutely. Because the city may seem big, but the world is small, and your reputation among your network counts.

ON REAL ESTATE'S PHILANTHROPIC POTENTIAL:

Supporting educational institutions was important to my parents, and I'm proud to continue their legacy. I look at real estate as an instrument for philanthropy and an instrument for students to learn—a building is the foundation of a school. The world has changed—with new technologies, the internet, and

environmental concerns—and there are changing demands to building structures. Advances in medical research, for example, create the need for a tremendous amount of new space. I've been privileged to have helped redevelop school facilities into world-class institutions with the latest advancements.

THE FEIL ORGANIZATION is one of New York City's oldest family-owned real estate companies, with a portfolio of \$7 billion and more than 26 million square feet of office space.

THE BROOKLYN LAW BRAIN TRUST

OUR BOARD OF TRUSTEES boasts several legal and business leaders with remarkable careers in real estate, who have given back to Brooklyn Law School and the community:

JEFFREY D. FORCHELLI '69 is managing partner of the law firm Forchelli Deegan Terrana, which represents major real estate developers and property owners and operators. In addition to two faculty chairs that his family has endowed, the Jeffrey D. Forchelli Conference Center is named in honor of his family.

FREDERICK COHEN '67 is a partner at the law firm Duane Morris who is consistently recognized as one of the leading construction lawyers in the country. The Law School has relied on his advice and counsel on a variety of large-scale construction projects and transactions involving the school.

MARTIN A. FISCHER '64 is a member of the Board of Directors of the Berkshire Bank, New York. He was previously president and chief operating officer of Kinney System and the Katz Parking System. He was also chair of the New York State Insurance Fund. Fischer and his wife, Susan, have endowed a scholarship at the Law School and have been strong philanthropic partners with the Law School on several projects.





THE BUILDER

LINDA CHIARELLI '88 VICE PRESIDENT FOR CAPITAL PROJECTS AND FACILITIES, NEW YORK UNIVERSITY

IN LARGE MULTIFACETED construction projects with numerous parties and moving parts, delays are almost inevitable. But delay wasn't an option for Linda Chiarelli when she managed the construction of the Barclays Center, home of the Brooklyn Nets, complete with a three-acre green roof. The project came with a hard opening date and 18,000 people scheduled to arrive on day one. As deputy director of construction at Forest City Ratner Companies, Chiarelli managed every hurdle—complicated agreements with government entities, dozens of lawsuits, a contractor that had its doors locked by its lender midway through the project, and even a complete redesign made necessary by the 2008 economic downturn. Chiarelli then took her career to the next level: the management of one of the largest property owners in New York City. Today, she is head of planning, construction, and operation of NYU's properties, both in New York and in all its global sites, and is responsible for a \$3.9 billion capital plan. In

a nice twist of fate, her next challenge brings her back to Brooklyn: NYU is building a 500,000-square-foot technology center in Downtown Brooklyn.

ON THE LOGIC OF BROOKLYN LAW SCHOOL: It may sound strange for an engineer to go to Brooklyn Law School, but for me it was a natural transition. I was taught in engineering school to question and to think logically. This was reinforced in law school, where the ability to analyze an issue was layered on top of thinking logically. The legal intricacies of real estate can be hard to navigate, and I found having a legal background to be essential. Now, when I work on development projects, my approach is to gather information, reason through my position, consider how my audience is going to hear it (and what their interests and concerns are), and then lay it all out in a way that is hard to dispute.

WHEN I WORK ON DEVELOPMENT PROJECTS, I GATHER INFORMATION, REASON THROUGH MY POSITION, CONSIDER HOW MY AUDIENCE IS GOING TO HEAR IT, AND LAY IT ALL OUT IN A WAY THAT IS HARD TO DISPUTE.

WORDS OF WISDOM: Thirty years ago, it was common for businesspeople to raise their voices to make their point or bully through intimidation to get their way. I have never found that to be an effective way to get to the best end result. The mutual respect that develops when you talk and, more importantly, listen lives far beyond the life of the deal.

NEW YORK UNIVERSITY is one of the top 10 property owners in New York City, with 15 million square feet of space and 111 buildings and parcels of land.



THE INNOVATOR MILTON COOPER '52 EXECUTIVE CHAIR, KIMCO REALTY CORPORATION

SO MANY THINGS we take for granted today did not exist in 1952 when Milton Cooper graduated from Brooklyn Law School, and it's thanks to enterprising minds such as his that new ideas take off and become established. Cooper is known as the creator of the modern real estate investment trust (REIT), the means by which real estate portfolios can be publicly traded. Cooper, who left legal practice because he thought real estate was more enduring than lawyering, noticed that the real estate business was hard for smaller investors to break into. Real estate was not liquid, and lawyers and other professionals were needed to buy, sell, and obtain title. Through REITs, ordinary individuals could purchase shares of real estate as easily as they could purchase an index fund. And a portfolio that is a publicly traded company can be grown much more quickly. Through this vehicle, Cooper was able to turn Kimco, which began as a small developer of regional shopping centers, into a national public company with shopping centers across the country. Today, REITs own approximately \$2 trillion of commercial real estate assets, public equity, and mortgages.

WEST SIDE STORY

IRWIN COHEN '58, the developer of Chelsea Market in New York City, one of the most renowned food halls in the world, turned the then-desolate western edge of the Chelsea neighborhood into a thriving commercial and residential area.

Previously profiled in *Brooklyn Law Notes*, Cohen is a major supporter of the Law School who has made generous gifts to redesign and renovate the Irwin B. Cohen '58 and Jill Cohen Lobby at the school and to endow a faculty chair, held by Professor Aaron Twerski, among other philanthropic contributions.

WHY BROOKLYN LAW SCHOOL: I went to Brooklyn Law School for practical reasons—it allowed me to work during the day and take classes at night. And it was wonderful. The Law School brought together so many other people who were in the same position—young people hustling and working hard to get ahead.

ON THE REVOLUTIONARY IDEA OF REITS: What I'm proudest of in my career is to have been part of the democratization of the ownership of real estate by the formation of the REIT industry. Through a REIT, anyone could own portions of real estate by simply buying shares. No small investor could own a portfolio of shopping centers otherwise. This allowed ownership of real estate on a level not before seen. REITs simplified things.

KIMCO REALTY is a real estate investment trust that is one of North America's largest publicly traded owners and operators of open-air shopping centers (above, right, Kimco property) Lincoln Square in Philadelphia). Publicly traded on the New York Stock Exchange, Kimco owns interests in 460 U.S. shopping centers comprising 79 million square feet of leasable space.



THE STYLEMAKER
ANDREW ZOBLER '87
FOUNDER AND CEO,
SYDELL GROUP

WHEN ANDREW ZOBLER launched the Sydell Group in 2006, he set out to build beautifully designed hotels in unique neighborhoods. After the opening of the Ace Hotel in New York City in 2009 with his partner Alex Calderwood, his reputation soon grew as the hotel developer whose properties define and redefine neighborhoods.

“The Ace Hotel was groundbreaking because it was in what was then a no-man’s-land on West 29th Street near Broadway, and

it was the first hotel lobby that was open to the public 18 hours a day,” Zobler said. “Soon it was full of people socializing, drinking coffee, and working on their computers.”

Zobler set out to build a second hotel in the nondescript area near Madison Park in Manhattan, deciding to name it “NoMad” (short for North of Madison). The name caught on for the entire neighborhood, which has since gone from “up-and-coming” to “trendy.”

“It took me a year to raise

capital for NoMad (above, right); for the second NoMad it took two phone calls,” he said of the impact of his hotels’ success. Today, with hotels in major cities across the country and in London, Zobler is recognized as a leader in the industry. He was named one of the top 50 people who defined global business in 2017 by *Bloomberg Businessweek*.

HOW HE GOT HERE: “I didn’t intend to focus on real estate law when I was in law school, but I did take several business classes,” Zobler said. “One of the best professors I had at Brooklyn Law School was Norman Poser, a well-known securities lawyer [and professor emeritus]. I thought his securities law course was excellent background.”

Zobler practiced law for 10 years before moving into a business role with his client, Starwood Hotels and Resorts Worldwide. As senior vice president of acquisitions and development, he was responsible for overseeing acquisitions across all Starwood brands in North America. Zobler then served as a principal in the managing member of the real estate fund Lazard Freres Real Estate Investors and as partner and chief investment officer of André Balazs Properties before venturing out to build his own hotels.

WORDS OF WISDOM: If you’re interested in going into real estate, practice law for a while. As a young lawyer, you’ll have entrée into the room where the deals go down. That’s a better window than you would get as a young apprentice in a hotel or real estate company.

SYDELL GROUP is a hospitality company known for creating unique award-winning hotels rooted in their location and architecture. It brings together art, design, restaurants, and bars to create hotels that engage the communities around them.

**IF YOU’RE INTERESTED
IN GOING INTO REAL
ESTATE, PRACTICE
LAW FOR A WHILE.
AS A YOUNG LAWYER
YOU’LL HAVE ENTRÉE
INTO THE ROOM
WHERE THE DEALS
GO DOWN.**



THE ENTERPRISER

JODI STEIN '06
PARTNER, HERRICK FEINSTEIN

JODI STEIN WAS COUNSEL in the land use and zoning practice at Herrick Feinstein, helping developers navigate the many legal hurdles of construction in New York City, when she was presented with an unexpected opportunity. Her client, the Lightstone Group, one of the largest privately held real estate companies in the U.S., wanted to create a position for her: vice president of acquisitions and development, responsible for growing the company's \$2.5 billion development platform in New York City. It was a hard offer to turn down. In this job, she gained firsthand experience on the business side, navigating significant projects such as the Moxy by Marriott brand of designer

hotels, which needed someone just like Stein, experienced in dealing with the city's Landmarks Preservation Commission and Board of Standards and Appeals. Just as Lightstone saw the value of having a businessperson with legal prowess, Herrick Feinstein saw the value in having Stein back, this time as a partner responsible for business development as well as lawyering. Stein decided she was up for this next challenge.

HOW SHE GOT HERE: When I graduated from law school, it never crossed my mind that I would not be a lawyer. But I took a chance and went to work with Lightstone on the business side rather than as the general counsel. In that role, I learned so much more than I ever could have on the legal side about the inner workings of my client. I was involved with deals from when a property first comes on the market all the way through to the opening party. Seeing every stage of a project like that has been exponentially helpful to my legal career.

HER SECRET TO SUCCESS: I've realized success is not about book smarts or billable hours. It's about knowing how to work with people—getting out there with your clients and negotiating the best possible deals at city agency and community meetings, or with adverse parties. The experience at Brooklyn Law School that prepared me best for working in real estate was being president of the SBA, which was all about working with people. Negotiating with city officials, neighbors, or rent-stabilized tenants wasn't any different from dealing with the administration or students. Brooklyn Law School graduates are well-suited for this kind of career because they're known for thinking quick on their feet.

Founded in 1928 as a real estate boutique, HERRICK FEINSTEIN now has one of the largest real estate practices in the country. Today, the full-service, midsized firm also boasts strong litigation, art law, and sports law practices, among others.

THE DEALMAKERS

WARREN ESTIS '73 (L), DEBORAH RIEGEL '93, AND GARY ROSENBERG '74 are partners at Rosenberg & Estis, one of the most prominent real estate law firms in New York City. The firm has been instrumental in the construction of major projects including One Bryant Park and One World Trade Center, with the Durst Organization and New York City Port Authority. The partners also are building a Brooklyn Law School legacy: Riegel's father is Arthur Riegel '94. Estis is the son of Nathan Estis '34 and the father of Alexander Estis '17. Rosenberg's daughter, Jana, graduated in 2006. Read their Q&A in the fall 2017 issue of *Brooklyn Law Notes*.





THE TRANSFORMER
MICHAEL SIMKINS '03
 PRESIDENT AND CEO, INNOVATE
 DEVELOPMENT GROUP

NEW YORK CITY isn't the only place with neighborhoods that are up-and-coming. Michael Simkins found his calling in Miami, making a career out of revitalizing areas that were previously neglected. In the historically segregated Overtown neighborhood—once called the Harlem of the South—that has suffered blight, he has been working to rebuild and revitalize, with an aim to restoring it to its glory days as an entertainment hub. His plans include the Miami Innovation District (rendering above), a 10-acre planned “live-work-play” tech hub with 7 million square feet of office, residential, and retail space targeted to the entrepreneurial community, which he hopes will attract income and opportunities to the area.

WHY BROOKLYN LAW SCHOOL: I wanted to be in New York City, and particularly in Brooklyn, at a time when the borough was transforming. I'm very proud to have attended Brooklyn Law School, and it was invaluable for the relationships I made there.

WHY REAL ESTATE: I believe in transformation. In many of my projects, it takes some vision and faith to see what's possible, for example in going from an industrial area to adaptive reuse to entertainment use. We have gone into some challenging neighborhoods and worked through critical issues with the community, politicians, and stakeholder groups, but then we see real change. It's inspiring, and I want to be a part of that.

WHAT'S NEXT: As a native Miamian, I know that our city desperately needs to attract higher-paying jobs, foster a culture of investment in technology talent, and support the evolution of a tech-based local economy. That's why we're the developer for the Miami Innovation District, a project that will lead to more opportunities and better cultural

institutions and will have a positive ripple effect throughout the entire community.

INNOVATE DEVELOPMENT GROUP is a privately held real estate development, property management, real estate brokerage, and construction company headquartered in Miami Beach, Florida. The company specializes in development and redevelopment projects in urban settings and emerging neighborhoods centered on the intersection of technology, culture, and the arts.

BEYOND THE NYC SKYLINE

ELIZABETH HOLLAND '93 is CEO of the Chicago-based Abbell Credit Corporation and Abbell Associates, leading the private real estate acquisition, development, and management company and its more than 3.5 million square feet of shopping center and office space. In addition to actively managing, leasing, and redeveloping the projects in its portfolio, Abbell pursues real estate assets with financial partners—largely buying shopping centers, and then redeveloping and selling them.

“Brick and mortar stores account for over 90 percent of all retail sales,” Holland said in a 2016 interview with *Brooklyn Law Notes*. “Our strategy is to acquire assets where we add value by repositioning the asset; that means we lease, densify, and reconstruct. Real estate is still all about location, location, location.”

WILLIAM LEVINE '54, founder of the Phoenix-based Outfront Media, which grew into the largest billboard company in North America, went west in the late 1950s equipped with his Brooklyn Law School degree and an entrepreneurial spirit. He started out in real estate, purchasing almost 50 restaurants that he advertised on billboards. But Levine started to build his own billboards instead of paying another company a rapidly increasing price.

“Soon, I developed more billboards than I needed and so I started selling the extra advertising space to others,” he told *Brooklyn Law Notes* in a 2015 Q&A.



BROOKLYN RISING

WITH RECORD-SETTING LEVELS of development, revitalization of neighborhoods in every corner of the borough, and a skyline that is starting to resemble that of its neighboring Manhattan, Brooklyn is at the center of a historic real estate boom—and alumni are making their mark.

“I’m proud to be a part of the influx of established companies, from Manhattan and beyond, to the Brooklyn office and retail markets, and helping to make the DUMBO waterfront a truly ‘live-work-play’ arena,” said **MARK JACKSON ’11**, (above) real estate counsel and leasing director, Two Trees Management. Jackson said that in his three and a half years with Two Trees, he has negotiated more than 200 new office leases and more than 500 renewals, with a range of interesting start-ups, many in the technology, advertising, media, and information sector.

Jackson previously was part of the game-changing transformation of the Brooklyn Navy Yard from an old manufacturing facility for warships to an enclave of dynamic business activity, with more than 1.4 million square feet of space being developed and generating more than \$2 billion per year in economic impact

for the city. At the Brooklyn Navy Yard Development Corporation he worked with **RICHARD DRUCKER ’67**, senior vice president, and **MARTIN BANKER ’72**, vice president and deputy general counsel.

Meanwhile in Downtown Brooklyn, **C. GLENSCHOR ’72**, founder and chief executive officer of Treeline, which owns more than 2 million square feet of office space in the New York City area, continues to be a major player in the neighborhood’s booming real estate market. One of the company’s signature projects is the renovation of a vacant warehouse at 180 Livingston Street that today is a Class A office building.

THE INSTRUCTORS

“**THE LAW SCHOOL’S** exceptionally strong adjunct faculty in real estate teach what they do for a living: demonstrating to students how deals and litigation are done,” said **RICHARD SOBELSOHN ’98**, adjunct professor of real estate at Brooklyn Law School and legal counsel at Cohen Brothers Realty. Outstanding alumni in real estate like Sobelsohn often return to the Law School to share their expertise in the classroom and mentor students interested in pursuing careers in the field. They include **JOSEPH GIAMBOI ’86**, general counsel to the Zucker Organization; **JEFFREY A. MARGOLIS ’71**, founding principal, the Margolis Law Firm; **LEONARD WASSERMAN ’72**, consultant to the New York City Economic Development Corporation; and **BENJAMIN WEINSTOCK ’78**, partner, Ruskin Moscou Faltischek.

They are joined by other notable real estate practitioners and policymakers who teach at the Law School, including Ira Goldenberg, partner, Goldenberg & Selker; Lewis Polishook, chief counsel, Office of the Attorney General of the State of New York, Real Estate Finance Bureau; and David G. Greenfield, member, New York City Council.

LEGACY OF LEADERSHIP

FOR MANY MEMBERS of the Brooklyn Law School family, real estate is a family business. Some notable real estate dynasties:

CALEB KOEPEL ’81, Koeppel LP: One of the oldest real estate family firms in New York City, Koeppel LP’s roots go back to 1870. Today, the family owns and manages numerous commercial buildings in Manhattan and is also the operator of Five Guys Canada, through Bantam Restaurant Group.

MICHAEL ROMANOFF ’58, Romanoff & Milianta; Romanoff Equities: Romanoff Equities is a thriving real estate management firm, with a focus on Manhattan’s historic Meatpacking District. Michael’s father Nat, a native of Russia, entered the meatpacking business in the 1930s and bolstered his enterprise with real estate in the 1940s. The operation evolved as the district became a hot spot for tourism and luxury retail. Romanoff’s current tenants include luxury brands Tory Burch and Helmut Lang.

FACULTY

Professors Anita Bernstein and Elizabeth Schneider Among Top-Cited Scholars in Their Fields

PROFESSORS ANITA BERNSTEIN and Elizabeth Schneider have again been recognized as among the most-cited scholars in their fields, according to Brian Leiter's Law School Reports, an influential legal blog. Bernstein was ranked eighth on the list of "Ten Most-Cited Torts/Products Liability/Insurance Law Faculty" and Schneider was ranked 18th on the list of "20 Most-Cited Critical Theories of Law (Feminist and Critical Race) Scholars in the U.S." The lists draw upon data from a 2018 study examining the top law faculties for scholarly impact for the years 2013–2017. In that study, Brooklyn Law School placed 44th nationally on the list of Top 50 Law Schools Based on Scholarly Impact.

Bernstein's many professional honors include being awarded the first Fulbright scholarship in European Union affairs given to a law professor. She is a member of the American Law Institute and a past chair of the Association of American Law School's Executive Committee on Torts and Compensation Systems. Her writing has appeared in the law reviews of dozens of law schools, and her scholarship has been cited in decisions by federal courts (both trial and appellate) and the supreme courts of Pennsylvania and Texas.

The author of several books addressing torts, products liability, and the law of marriage, Bernstein has wide-ranging scholarly interests that extend to microfinance, diversity as a rationale for affirmative action, and comparative and international law. She also is the author of a series on legal malpractice for the *New York Law Journal*.

"Legal malpractice in the United States costs billions each year, almost as much as medical malpractice," said Bernstein of her interest in the field. "And it's an occupational risk in fields that many Brooklyn Law School graduates pursue—especially real estate, personal injury, business transactions, and matrimonial law."

Schneider is an international expert in the fields of federal civil litigation, procedure, gender law, and domestic violence. She has lectured to judges and lawyers in many countries around the world. She is the author of the prize-winning book, *Battered Women and Feminist Lawmaking* (Yale University Press, 2000) and co-author of several other books in this area. She also has written prolifically on civil rights, civil procedure, domestic violence and women's rights, and she is a highly sought-after commentator on such issues in print and broadcast media. She also founded and directs the Edward V. Sparer Public Interest Law Fellowship Program at Brooklyn Law School.

Schneider is also a member of the American Law Institute. She has been honored by numerous organizations such as the National Organization of Women-NYC and the New York State Coalition Against Domestic Violence.

"Women's rights are always important public matters, but have been especially important recently," said Schneider. "I went to law school to do this work, and I am honored that my scholarly work, teaching, and advocacy have been recognized. I am lucky to have wonderful colleagues and students at Brooklyn Law School whose interest in this field supports and inspires me."



Anita Bernstein



Elizabeth Schneider



Professor Edward Janger Testifies before Congress

EDWARD JANGER, the David M. Barse Professor of Law and codirector of the Center for the Study of Business Law and Regulation, testified on March 7 before the Senate Judiciary Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts. In a session called "Small Business Bankruptcy: Assessing the System," Janger, a nationally recognized scholar on bankruptcy issues, focused on student loans and proposals for reform of Chapter 11 for small businesses.

Andrew Gold Joins Faculty

Brings expertise in corporate and fiduciary law and excellence in teaching



PROFESSOR ANDREW GOLD, an expert in corporate law, fiduciary law, and private law theory (including contract theory, tort theory, and property theory), joined the Law School this summer. He previously served on the faculty at DePaul University College of Law, where he taught in the areas of business organizations, corporate finance, securities fraud, and jurisprudence. He received the school's Award for Excellence in Scholarship in 2007 and 2013 and the Award for Excellence in Teaching in 2010.

"The students, faculty, and administration here have an energy and an interest in the law that is second to none," Gold

said. "And the location in the heart of Brooklyn offers so many incredible opportunities and resources. I'm very much looking forward to contributing to the Brooklyn Law School community. I was also born in Brooklyn, so this feels like a homecoming."

Gold is a member of the Center for the Study of Business Law and Regulation, which provides a forum for scholarship that offers new perspectives on, and solutions to, real-world business law and regulatory issues. "Professor Gold's extensive and compelling scholarship in fiduciary law and corporate law and his excellence in teaching will further enhance the Law School's position as a leader in business law," said the center's codirectors, Professors Edward Janger and James Fanto. "We are thrilled that he has joined the stellar group of faculty members affiliated with the center."

His work has been published in the *Northwestern University Law Review*, the *University of Toronto Law Journal*, the *William and Mary Law Review*, and the *Michigan Law Review*, among others. He is coeditor of *Philosophical Foundations of Fiduciary Law* (Oxford University Press, 2014), as well as several additional volumes. He is also a cofounder of the North American Workshop on Private Law Theory.

Previously, Gold was the Bruce W. Nichols Visiting Professor at Harvard Law School, an H.L.A. Hart Visiting Fellow at the University of Oxford, and a Fulbright Visiting Research Chair at McGill University. He received his J.D. from Duke University School of Law and his bachelor's degree from Dartmouth College.

Following are selected highlights of recent faculty scholarship. To learn more, visit brooklaw.edu/faculty-scholarship.

William Araiza Professor of Law

If It's Tuesday, This Must Be Procreation: Methodology and Subject-Matter in Fourteenth Amendment Pedagogy, 62 *Saint Louis University Law Journal* 623 (2018)

ARAIZA PROMOTES a methodological approach to 14th Amendment pedagogy, presenting 14th Amendment issues according to the Supreme Court's underlying methodology for deciding those issues. This approach allows students to evaluate the Court's handiwork in a broader light and to experience the ebb and flow of different decisional methodologies. It also allows them to read the Court's most recent 14th Amendment cases with an eye toward divining the future path of its jurisprudence.

Julian Arato Associate Professor of Law

The Private Law Critique of International Investment Law, 113 *American Journal of International Law* __ (forthcoming 2019)

ARATO ARGUES that investment treaties subtly constrain how nations organize their internal systems of private law—including laws of property, contracts, corporations, and intellectual property. They do so on a one-size-fits-all model, disregarding the wide variation in values reflected in these discrete legal institutions. Moreover, investor-state dispute settlement exacerbates these constraints, further distorting national private law arrangements. Arato shows how this hidden aspect of the system produces problems of inefficiency, unfairness, and inequitable distribution that have eluded the regime's critics and apologists alike.

Anita Bernstein

Anita and Stuart Subotnick Professor of Law
Working Sex Words, 24 *Michigan Journal of Gender and Law* 221 (2017)

EVERY NOUN USED TO DESCRIBE the American sex trade inadequately describes what it purports to be talking about, Bernstein argues. Incoherence about what a person must and must not do makes effective regulation impossible; therefore, under governments committed to regulating the sex trade, individuals suffer. Efforts to improve the law need intelligible vocabulary before this work can even commence. In this article, Bernstein focuses on documenting the problem of "working sex words" and offers first steps toward repairing the situation and creating that intelligible vocabulary.

Bradley Borden
Professor of Law

Code Sec. 1031 after the 2017 Tax Act, 21 *Journal of Passthrough Entities* 15 (May-June 2018)

BORDEN EXAMINES the changes to IRS Section 1031, “Exchange of Real Property Held for Productive Use or Investment,” under the Tax Cuts and Jobs Act of 2017. For example, Section 1031 now applies only to real property, so taxpayers must consider whether exchange properties are real property. Complicating matters is that Section 1031 does not define real property, so its scope is currently uncertain. Borden compares the various other definitions of real property to show that tax law does not have a unified definition of real property, and he explores the implications of this issue, among others.

I. Bennett Capers
Stanley A. August Professor of Law

Afrofuturism, Critical Race Theory, and Policing in the Year 2044, 94 *New York University Law Review* __ (forthcoming 2019)

THE UNITED STATES is projected to become a “majority-minority” country by 2044, with people of color making up more than half of the population. What might the future look like when people of color make up the majority in terms of numbers, or in the ensuing years, when they will also wield most of the political and economic power? And specifically, what might policing look like? In this article, Capers examines how artists, cybertheorists, and speculative scholars of color—afrofuturists and critical race theorists—have imagined the future and what policing might exist in a brown and black world.

Natalie Chin
Assistant Professor of Clinical Law

Group Homes as Sex Police and the Role of the Olmstead Integration Mandate, 42 *NYU Review of Law & Social Change* 379 (2018)

CHIN ADDRESSES the systematic failure of group homes to modify punitive and overprotective policies and to provide services related to sex and intimacy, creating an environment of sexual isolation. She argues in this article that group homes have an affirmative duty to support intellectually disabled adults in exercising choices with respect to sex and intimacy. Chin is the director of the Disability and Civil Rights Clinic at Brooklyn Law School.

K. Sabeel Rahman Named President of Demos

ASSOCIATE PROFESSOR K. SABEEL RAHMAN, a widely published constitutional and administrative law scholar and authority on democratic participation and civic engagement in the United States, has been named the next president of Demos, a public policy organization focused on ensuring equality in the American democratic process and economy. Rahman will be on leave from the Law School during his tenure at Demos but will continue to serve as a member of the faculty.

“Demos is an incredible organization committed to advancing a more inclusive economy and democracy,” said Rahman, a fellow at the Roosevelt Institute and author of *Democracy Against Domination* (Oxford University Press, 2017). “In my scholarship and throughout my teaching, I have focused on questions of inequality, exclusion, and democracy, and how the law plays a major role in constructing these challenges and their remedies. I can’t think of a better organization with which to link these ideas to the on-the-ground realities, especially at this urgent time in our politics.”

“As an intellectual, Sabeel is unparalleled in his field, working at the intersection of research on democracy and economic inequality,” said Interim Dean Maryellen Fullerton. “He is praised by his students as an inspiring and devoted teacher and mentor, and he is highly respected by his colleagues at the Law School, where he is an integral member of our community. We

look forward to bearing witness to the great work Sabeel will do at Demos as president.”

At the Law School, Rahman teaches constitutional law and administrative law. Previously, he was a visiting professor at Harvard University Law School. He also has served as a special advisor to New York City on economic development issues and has worked with a variety of organizations on issues of democracy reform.

“As an intellectual, Sabeel is unparalleled in his field, working at the intersection of research on democracy and economic inequality.”



Robin Effron: Championing the Importance of Civil Procedure



CIVIL PROCEDURE, the body of law that establishes the rules and standards that courts follow when adjudicating civil lawsuits, may sound like a dry area of law at first blush, but Professor Robin Effron has a reputation for making it a lively and engaging topic for students, legal scholars, and the public.

Through her scholarship and teaching, Effron emphasizes the critical role of civil procedure law in maintaining access to justice. She points to the legal issues arising from last year's mass shooting in Las Vegas as a high-profile example. Seeking to protect itself from potential liability, MGM Resorts International took an aggressive and unusual legal approach in July by filing a lawsuit against victims of the attack. MGM's move "was a total abuse of the legal system," said Effron. "These are the kinds of cases that form the backbone of our ability to vindicate important public and private rights in court."

Looking through the lens of civil procedure can shine a different

light on even larger issues. In an op-ed published in the *New York Law Journal* about the possibility that Chief Justice John Roberts may now replace retired Justice Anthony Kennedy as the centrist "swing vote" on the U.S. Supreme Court, Effron pointed to his voting record on cases involving legal process and civil procedure. "A series of carefully picked and well-timed decisions could allow the Court to significantly narrow Americans' access to justice without ever mentioning a politically salient issue," she wrote.

In her most recent article, "Ousted: The New Dynamics of Privatized Procedure and Judicial Discretion," in the *Boston University Law Review* (2018), Effron explored questions about the power to author the rules governing dispute resolution and the relative powers of the players within that process. She examined the link between the scope of judicial discretion and the acceptance (or even endorsement and encouragement) of "private procedural ordering"—wherein litigants use increasingly sophisticated contractual agreements to alter or displace standard procedural rules. "Both litigants and judges struggle within this dynamic," she wrote.

In addition to civil procedure, Effron teaches courses in litigation and business law and serves as codirector of the Dennis J. Block Center for the Study of International Business Law. She is an avid writer and presenter whose articles have appeared in top law reviews. She also serves as editor of the civil procedure and federal courts blog for the Law Professors Blog Network.

Jocelyn Simonson: Advocating for Criminal Justice Reform



"THIS IS A TIME in our local history when we are truly able to say that change in the landscape of local criminal justice is possible," said Professor Jocelyn Simonson. Simonson, codirector of the Center for Criminal Justice at Brooklyn Law School, has dedicated her scholarship to exploring ways in which

the public participates in and has the potential to catalyze broader changes in the criminal justice system. She examines this topic further in her forthcoming article, "The Place of 'the People' in Criminal Procedure," in the *Columbia Law Review*, in which she puts forth an alternative approach to thinking about popular participation in criminal procedure, recognizing that "the people" can and do appear on both sides of the scales of justice.

Simonson's recent scholarship has also focused on the interrelated issues of bail reform and decarceration. For example, her article "Bail Nullification" in the *Michigan Law Review* (2017) considered the growing phenomenon of community bail funds, which allow individuals to post bail for strangers based on their

broader beliefs regarding the overuse of pretrial detention.

"By examining the ways in which community bail funds serve the functions that a nullifying jury might—allowing popular participation in an individual case to facilitate larger resistance to the policies and practices of state actors—[I argue] that community bail funds have the potential" to contribute to legal and political change from the ground up, she wrote. "Community bail funds inject community input into a critical moment in the public adjudication of a criminal case."

She has also created pathways allowing students to participate in this work, launching the Law School's Pretrial Justice Fellowship program, in which students do pro bono work with the Brooklyn Community Bail Fund and take part in a series of trainings on money bail, legal advocacy, professionalism, and policy reform.

Simonson's scholarship has been published in top law reviews. Notably, her article "The Criminal Court Audience in a Post-Trial World" in *Harvard Law Review* (2014), which examined the importance of the right to a public trial in the world of plea bargaining, was one of only two law review articles cited by the U.S. Supreme Court in its majority opinion in *Weaver v. Massachusetts*, a case about the right to a public trial.

Looking ahead, Simonson said she hopes to focus her scholarship more deeply on the kinds of reform efforts that will be necessary to truly shift the status quo in criminal justice.

"What kinds of approaches will allow us to productively channel public energy for change into transformative law reforms?" she asked. "And how can we build institutions of governance that shift power to populations most affected by mass incarceration? Those are the kinds of questions I want to ask and, I hope, answer."

Shane Dizon Appointed Director of Academic Success Program

SHANE DIZON joined the Law School this summer as associate professor of academic success and director of the Academic Success Program. He succeeds Linda Feldman, the program's founder and longtime director, who retired this summer. Dizon, whose scholarship focuses on immigration law, previously served as assistant dean for academic achievement at California Western School of Law (CWSL). In that role, he led a nationally renowned department responsible for skills workshops, extensive peer tutoring, intervention programming, and early bar preparation, as well as academic counseling, supplemental study, and bar exam resources. He also spearheaded collaborative efforts with student organizations, fellow departments, and faculty to encourage optimal study skills, bar exam readiness, and assessment of academic and bar performance.

"I am excited to join a law school that has a reputation for great scholars and exceptional teachers—especially Linda Feldman, who is larger than life in this field and one of my most cherished mentors," said Dizon.

"Shane has devoted his career to working with students and supporting them in their academic endeavors, and we are thrilled that he has joined the Law School," said Interim Dean Maryellen Fullerton. "While he certainly has big shoes to fill, I am confident that our students are in very capable hands."

Prior to joining CWSL, Dizon served as assistant director of the academic success program and visiting assistant

professor at the Maurice A. Deane School of Law at Hofstra University. Before that, Dizon was the Kauffman Foundation Legal Research Fellow at New York University School of Law.

He has published extensively on business and immigration issues. He is the coauthor of *Immigration Law Service 2d* (Thomson Reuters, 2008–2018) with Nadine Wettstein. He has published several works on the Child Status Protection Act (CSPA) and was cited in the government's brief in the Supreme Court's landmark case on CSPA, *Scialabba v. Cuellar de Osorio*.

Dizon has a J.D. from the University of California, Hastings College of the Law, and a bachelor's degree from Yale University.



Professor Miriam Baer Is Frequent Commentator on Mueller Investigation

PROFESSOR MIRIAM BAER, an expert in the area of white-collar crime and a former Assistant U.S. Attorney in the Southern District of New York, has been a regular guest on the CBS News program "Red & Blue" and a frequent commentator in the media on legal issues related to the investigation by Independent Counsel Robert Mueller.

Baer teaches and writes in the areas of corporate law, white collar crime, criminal law, and criminal procedure. She also serves as associate director of the Center for the Study of Business Law and Regulation.



Professor Joel Gora Marks 40th Year at Brooklyn Law School

AFTER 40 YEARS OF TEACHING at Brooklyn Law School, Professor Joel Gora, who has made significant contributions to the complex body of First Amendment law, said he still finds inspiration and joy in his work.

“The beauty of it is that the law is always changing, so the conversations change every year,” he said.

“Professor Gora has remained a constant in my law school career since the very first day,” said Shelby Anderson ’19, notes editor of the *Brooklyn Law Review*. “As a professor, he not only taught the class in an involved and meaningful way, but he really tried to get to know his students. His brilliance and expertise are only half of the reason I’ve decided to take two of his classes this semester—his kindness and genuine desire to help his students learn is what keeps me signing up for classes with Professor Gora.”

A native of Brooklyn, Gora was raised in Los Angeles and was the first person in his immediate family to attend college. He graduated from Pomona College and then attended Columbia Law School, where he served as a summer intern at the ACLU. There he worked on several civil liberties cases, including a landmark Supreme Court case, *In Re Gault*, which established that constitutional due process safeguards had to be applied in juvenile delinquency proceedings. After graduating in 1967, he spent two years as pro se law clerk at the Second Circuit and then returned to the ACLU as a staff attorney.

“The beauty of it is that the law is always changing, so the conversations change every year.”

The decade Gora spent at the ACLU put him on the front lines of the battle for civil liberties and civil rights. He worked on some of the most high-profile First Amendment cases in Supreme Court history—the Pentagon Papers case in 1971 and the 1976 landmark campaign finance case *Buckley v. Valeo*. In that latter case, he was one of the attorneys who argued before the high court and persuaded it to strike down limits on political spending by individuals as a violation of the First Amendment. Approximately 100 Supreme Court cases and 10 years later, shortly after the birth of his daughter, Gora fulfilled a longtime professional dream of going into teaching.

He joined Brooklyn Law School in 1978, teaching civil procedure, civil liberties, and constitutional law. Gora created several classes at the Law School in the wake of landmark Supreme Court decisions, including Election Law, in the wake of *Bush v. Gore*; and Campaign Finance Law, after *Citizens United*; as well as seminars in First Amendment and Constitutional Litigation. He also served as associate dean for academic affairs from 1993 through 1997 and again from 2002 through 2006.

Over the years, Gora remained a volunteer lawyer for the ACLU as its campaign finance counsel, filing briefs challenging the McCain-Feingold Law, and working on *Citizens United*, the 2010 decision that did away with campaign spending limits for corporations and unions and nonprofit organizations like the ACLU. A supporter of the decision, Gora understands that his position may be seen by many liberals as curious; indeed, the Democratic Party has called for a constitutional amendment to overturn the decision. But he doesn’t agree.

“The Court’s decisions are very consistent with core principles of the First Amendment, which I defended as a young ACLU lawyer,” he said. “Where I come from, having the government decide what you can say about government and politics is not good for democracy.”

Gora has written and spoken extensively on the topic, including in his article “Free Speech Matters: The Roberts Court and the First Amendment” for the *Journal of Law and Policy* (2016). This article was part of the proceedings of the Law School’s Free Speech Symposium, which he helped organize and which was named the best scholarly conference of 2016 by First Amendment blog Concurring Opinions.

When he is not teaching or defending the First Amendment, Gora relishes spending time with his wife, Ann Ray Martin, a former *Newsweek* editor; his daughter, Susannah; his son-in-law, Zach; and his granddaughter, May. Widely admired by his colleagues, Gora was the reason Professor Susan Herman, president of the ACLU, decided to join the Law School faculty. “He told me, very persuasively, that he liked coming to work every day,” she said. “It’s been apparent for 40 years that Joel Gora very much likes his job, his students, and his vocation as a constitutional law scholar. We’ve all benefited from his dedication.”

—Andrea Strong ’94

Robin Effron
Professor of Law

Ousted: The New Dynamics of Privatized Procedure and Judicial Discretion, 98 *Boston University Law Review* 127 (2018)

EFFRON EXAMINES the link between the scope of judicial discretion and the acceptance (or even endorsement and encouragement) of private procedural ordering. She demonstrates the varying relationship dynamics between judicial discretion and private procedural ordering, from the uneasy compatibility found in the rules of discovery to the outright clash of values in the enforcement of forum selection clauses. Effron reveals that the civil litigation landscape is one in which litigants are “co-managers” of litigation and “co-interpreters” of procedural rules alongside judges, sharing the authority to shape the contours of the meaning, scope, and application of many procedural rules.

James Fanto
Gerald Baylin Professor of Law

The Governing Authority’s Responsibilities in Compliance and Risk Management, as Seen in the American Law Institute’s Draft Principles of Compliance, Risk Management, and Enforcement, 90 *Temple Law Review* 699 (2018)

FANTO DISCUSSES the American Law Institute (ALI) compliance and risk management project in relation to governance of compliance and risk management in an organization. He focuses on the appropriate oversight role of the “highest legal authority” in compliance and risk management, and the related issue of the reporting line of internal control officers, particularly the chief compliance officer and the chief risk officer. Fanto is an elected member of ALI and an associate reporter on the project. He also serves as codirector of the Center for the Study of Business Law and Regulation at Brooklyn Law School.

Maryellen Fullerton
Interim Dean and Professor of Law

Borders, Bans, and Courts in the European Union, 23 *Roger Williams University Law Review* 393 (2018)

FULLERTON, A NOTED SCHOLAR in asylum and refugee law, explores efforts by E.U. institutions to design emergency measures in order to respond to the millions of asylum seekers entering E.U. territory in 2014 and 2015. Fullerton focuses on the Court of Justice of the European Union (CJEU) and the litigation challenging the E.U. decision to relocate asylum seekers from frontline member states to more distant E.U. member states. She details the immediate responses to the CJEU opinion and the current fate of the relocation program.

Heidi Gilchrist
Assistant Professor of Legal Writing

The Vast Gulf Between Attempted Mass Shooting and Attempted Material Support, 81 *Pittsburgh Law Review* __ (forthcoming 2019)

MATERIAL SUPPORT laws were enacted to catch terrorists before they act, even if they have not

engaged in or attempted a terror act. In sharp contrast, similarly young, misguided, or mentally ill individuals can plan a mass shooting, discuss it online, and buy handguns and rounds of ammunition, and law enforcement cannot take action. Gilchrist questions why there is this divide. In an era when gun reform seems unlikely, should the laws be changed to enact an attempted mass shooting law to bridge this divide, especially when in many of the “terror” cases the targets of law enforcement are not really terrorists?

Cynthia Godsoe
Associate Professor of Law

Participatory Defense: Humanizing the Accused and Ceding Control to the Client, 69 *Mercer Law Review* 715 (2017–2018)

GODSOE EXAMINES the participatory defense movement, which seeks to humanize the accused and empower their families to assist or even challenge defense attorneys. By shifting notions of expertise and questioning deeply-embedded power structures between attorneys and clients, this movement has the potential not only to shake up the public defender model—one in which clients who are low-income, by definition, have particularly little power—but also to reinvigorate the attorney-client relationship more broadly. Defenders have not universally welcomed this community involvement, but Godsoe argues that they should, both to fulfill their ethical duties and to best serve their clients.

Andrew Gold
Professor of Law

Private Rights and Private Wrongs, 115 *Michigan Law Review* 1071 (2017)

IN THIS ARTICLE, Gold reviews Arthur Ripstein’s book *Private Wrongs* (Harvard University Press, 2016), a landmark in tort theory, which applies Ripstein’s Kantian account of tort law to legal doctrine. He doubts that the author’s argument—one person should not get to oversee another—is consistent with U.S. tort law. Yet, even if *Private Wrongs* does not fully capture all the phenomena of tort law, Gold writes that it nonetheless provides important insights and is a valuable contribution to a pluralist understanding of the law of torts.

Edward J. Janger
David M. Barse Professor of Law

Tracing Equity: Realizing and Allocating Value in Chapter 11 (with Melissa Jacoby), 96 *Texas Law Review* 673 (2018)

JANGER, A NOTED bankruptcy scholar, and his coauthor illustrate that neither Article 9 nor the federal Bankruptcy Code implement a single hierarchical value waterfall, where claimants with seniority are made whole before the next-junior stakeholders receive anything. Instead, both maintain a distinction between claims with priority based on a property interest in the firm’s assets and claims to the residual value of the firm. This contrasts with the common assumption among lawyers, scholars, and judges that the law allows

a “senior” secured lender to write contracts that enable it to capture all of a distressed company’s going-concern value.

Gregg Macey
Professor of Law

The Incomplete Ecology of Hydraulic Fracturing Governance, 50 *Arizona State Law Journal* 583 (2018)

MACEY, WHOSE RESEARCH interests include environmental regulation, organization theory, and natural and human-caused disasters, recasts unconventional oil and gas development as a landscape conservation problem. The parallel development of peer-reviewed research and the design of restrictions and controls in several states occurred as governance emerged among scientists, department officials, operators, and other groups. Macey suggests that before we consider governance claims such as state primacy in tailoring or testing knowledge, or the federal role in collecting or dispersing knowledge, we study these responses that co-produce governance of a policy problem such as unconventional energy.

Minor Myers
Professor of Law

Dell, DFC Global, and the Use and Abuse of Corporate Finance, 68 *Emory Law Journal* __ (forthcoming 2018)

IN A PAIR OF MOMENTOUS recent decisions, the Delaware Supreme Court attempted to bring clarity and reason to a corporate law topic of enormous importance: appraisal rights. In both decisions—*Dell* and *DFC Global*—the Court repeatedly insisted that it did nothing more than apply “established principles of corporate finance.” Yet, Myers argues, the court displayed multiple fundamental misunderstandings of the financial ideas at play in the cases and misapplied basic economic concepts. Myers analyzes these errors and considers some potential implications for the future of appraisal rights and for M&A markets and diversified public stockholders.

Alice Ristroph
Professor of Law

Farewell to the Felony, 53 *Harvard Civil Rights-Civil Liberties Law Review* __ (forthcoming 2018)

FELONY HAS CONNOTATIONS of an especially severe crime, but so many disparate crimes are now felonies that there is no unifying principle to justify the classification. American law provides the felony—the group of persons convicted of felonies—a form of subordinate political membership that contrasts with the rights and privileges of the full-fledged citizenry. Ristroph examines felony to scrutinize more broadly the conceptual structure of criminal law. She argues that when we view crime as a natural, pre-legal wrong and the criminal as intrinsically deserving of suffering, we displace responsibility for the law’s burdens from the community that enacts the law and the officials who enforce it. ■

Alumni Events



Sung with his three daughters (L-R): Vera Sung, who sits on the board of directors for Abacus; Chanterelle Sung, who was working in the Manhattan District Attorney's office at the time of the indictment; and Jill Sung, president and CEO of Abacus

THOMAS SUNG '64 SHARES STORY BEHIND OSCAR-NOMINATED DOCUMENTARY *ABACUS: SMALL ENOUGH TO JAIL*

THOMAS SUNG '64, founder and chair of Abacus Federal Savings Bank, returned to Brooklyn Law School in April to discuss the critically acclaimed film about his family's bank, the only U.S. bank to face criminal charges in the wake of the 2008 financial crisis. As shown in *Abacus: Small Enough to Jail*, directed by Steve James (*Hoop Dreams*) and now available on Netflix, the indictment and

subsequent trial forced the Sung family to defend themselves—and their bank's legacy in the Chinatown community—in a five-year legal battle, which ultimately resulted in a full acquittal.

"I started the bank to help the community," said Sung during his remarks at the event. "So I decided that if something was good for the community, we would do it, even if it wasn't good for the bank." ■

WOMEN'S LEADERSHIP NETWORK: Advancing Yourself in the Workplace

IN APRIL, the Women's Leadership Network, which launched last year, held its second event, Coming Forward—Advancing Yourself in the Workplace, at the Law School. Moderated by Debbie Epstein Henry '94, founder of her own consultancy and a cofounder of Bliss Lawyers, the event featured leading business executives and lawyers discussing how to make changes in the workplace, and in the law, to ensure that work environments are hospitable places in which everyone can thrive. As more people are inspired to come forward and speak up about their own experiences, including sexual harassment, and demand greater parity, fairness, and safety in their work environments, they need to learn affirmative ways to advocate for themselves. The panelists—Denise Faltischek '00, executive vice

president and general counsel at the Hain Celestial Group; Amanda Lipari '18, who works at the Legal Aid Society of New York; and Aaron Warshaw '07, shareholder of Ogletree Deakins—encouraged attendees to engage in a broader dialogue about necessary changes across industries to facilitate equity, engagement, and advancement as well as positive action steps that both employers and employees can take to ensure successful careers.

For more information about how to get involved in the Women's Leadership Network and events, please contact Caitlin Monck '02, director of alumni engagement and special projects, at 718-780-0322 or caitlin.monck@brooklaw.edu.



L—R: Denise Faltischek '00, Amanda Lipari '18, Aaron Warshaw '07, and Debbie Epstein Henry '94

ALUMNI PREPARE STUDENTS FOR JOB INTERVIEWS

THE ALUMNI ASSOCIATION'S professional development committee hosted a workshop this spring to train law students on behavioral interviewing skills. Dona Fraser '01, chair of the committee, and Michael Tenenhaus, associate director of career and professional development, gave a brief overview of this emerging technique, in which the interviewer asks questions about the candidate's past behavior in given situations, using these responses as a predictor of future job success. Students were then given the opportunity to practice their new skills during mock interviews.



Dona Fraser '01, chair of the committee, practicing interview techniques with Pranvera Xhafaj '19

ON THE ROAD: Seattle

IN MAY 2018, a group of Brooklyn Law School graduates who were in town for the International Trademark Association Conference joined together with local alumni at the Brave Horse Tavern; Liz McKenzie '13 (left) organized the event.



ON THE ROAD: Southern California

THE SOUTHERN CALIFORNIA ALUMNI NETWORK, in partnership with Mitchell Silberberg & Knupp, sponsored a CLE presentation this spring titled Navigating Privacy in an Interconnected World: Hot Topics, Including the GDPR. The event, which took place at the Los Angeles office of Mitchell Silberberg, began with a panel discussion on recent developments in privacy law and how organizations across sectors are responding to those developments. The speakers were Kristine Holm '12, privacy counsel at 21st Century Fox; Leanne Mouw, vice president and senior corporate and IP counsel at Macerich; and Elvis Stumbergs, counsel, office of privacy at Sprint. After their presentation, attendees enjoyed drinks, food, and networking at a nearby gastropub called the Butcher's Dog.



Members of the local alumni network gather after the panel discussion

ALUMNI REUNIONS

IN MAY, members of the classes of 1953, 1958, 1963, 1968, 1973, 1978, 1983, 1988, 1993, 1998, 2003, 2008, and 2013 celebrated their milestone reunions at the spectacular New York City landmark Cipriani 25 Broadway. They were thrilled to reconnect with friends, classmates, and professors, and to make new connections.



L-R: Arthur "Jerry" Kremer '58, Irwin Cohen '58, Michael Romanoff '58, Allan Meyers '58, and Hon. Ira J. Raab '58 celebrating their 60th reunion



L-R: Avram Turkel '08, Miranda Kern, and Jae Lee '08



The class of 2013



L-R: Linda Wroblewski '83, Alumni Association President Michael Grohman '83, and Michele Tutoli '78



L-R: Noel Nudelman '93, Susan Taylor '93, Jonathan Bender '93, Hon. Claire Kelly '93, and Lawrence Howard '93



Save the date for Reunions 2019, which will take place on Thursday, May 9, to celebrate alumni whose class years end in 4 or 9. If you would like to volunteer for your reunion, please contact alumni@brooklaw.edu.

Giving

Bernard Nash '66 Honored with Lifetime Achievement Award

IN JUNE 2018, BROOKLYN LAW SCHOOL celebrated Bernard Nash '66 during a dinner at the Forchelli Conference Center and a ribbon-cutting ceremony at the library, attended by family, friends, and colleagues. For his remarkable career and generosity, Nash was presented with a Lifetime Achievement Award from Brooklyn Law School and law firm Cozen O'Connor, and a newly renovated library reading room was named in his honor in recognition of a major gift to the Law School: the Phyllis & Bernard Nash '66 Reading Room. Nash and his wife have been longtime supporters of the Law School, including endowing the Bernard Nash Scholarship in 2011.

When he accepted the Lifetime Achievement award, Nash was characteristically quick to praise and thank others. He singled out former dean Nick Allard's "innovative leadership," which, he said, "has taken the Law School to new heights and national recognition." He also thanked Harry Pollack at the Securities and Exchange Commission (SEC) for hiring him right out of law school; his friends, clients, and Cozen colleagues

for their "support, guidance, and wise counsel"; and his family—particularly Phyllis Nash, his wife of 54 years.

"Success is not a solo act," Nash said. "It requires a team, and I have been fortunate to have had that team throughout my career."

"Like Bernie Nash, this Law School has a well-deserved reputation for innovation and being in the forefront of legal change," said Allard, a longtime friend of Nash. "And this particular beautiful new library space exemplifies new approaches to learning law. It has already become one of the most popular new parts of the school."

Nash has been a pioneer in the legal profession, from his work at the SEC, to his years as assistant counsel to the U.S. Senate Antitrust Subcommittee, to his launching of the country's first state attorneys general practice 40 years ago. Over the course

of his career, Nash has litigated or settled multiple billion-dollar cases, represented clients in all 50 states, argued before the U.S. Supreme Court, and worked on multibillion-dollar mergers. But his most illustrious achievement is being the drafter and architect of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, which, among other provisions, gave state attorneys general the authority to file federal antitrust lawsuits and the Department of Justice Antitrust Division authority to issue subpoenas in civil antitrust investigations. Today, Nash is cochair of the state attorneys general practice at Cozen O'Connor and coeditor of its weekly state AG report.

"We're honoring a man who forged his own legal path and created a niche practice that didn't exist before he saw it," said Karen White, executive director of the Conference of Western Attorneys

General, who worked with Nash for 27 years. "He used this niche to help our states get better policy, better law, and more knowledgeable elected officials." ■



L-R: Nicole Nash, Phyllis Nash, Bernard Nash '66 (front row); Jake Nash, Dan English, Michelle Nash (back row)



Inkwells Unveiled in Honor of Herbert T. Silverberg '27

In June 2018, the Law School received an antique inkwell collection from Charles and Louise Silverberg in honor of Herbert T. Silverberg '27. The inkwells are now on display in the Legal Writing Center at 111 Livingston Street.

Alumni and Friends Give Back at Record Levels

THE LAW SCHOOL RAISED \$4.1 MILLION in gifts from alumni, friends, and foundations in the last fiscal year (July 1, 2017–June 30, 2018), exceeding its fundraising goals for the year. Included in the total giving for the year was \$1.1 million in unrestricted gifts raised through the Annual Fund. This was the first time that the Annual Fund exceeded \$1 million.

These generous gifts support all aspects of the Law School, including scholarships and academic programs. The contributions at all levels are an essential source of funds that help to ensure the school's continued strength and leadership in legal education.

“Our increasing fundraising success is yet another indication of the strengths of Brooklyn Law School,” said Stuart Subotnick '68, chairman of the Board of Trustees. “We achieve success only in partnership with our Board of Trustees, alumni, friends, and other donors. It is particularly encouraging to note that, this year, more alumni supported us than ever before. I look forward to continuing progress in our fundraising ventures.” ■

Scholars and Benefactors Celebration

THE LAW SCHOOL welcomed family and friends who have supported scholarships to celebrate alongside their student recipients at the annual Scholars and Benefactors Celebration held at the Forchelli Conference Center at Feil Hall this spring.

Nina Hrushko '18, recipient of the Lawrence A. Sucharow International Business Law Fellowship, came to the United States when she was 18, fleeing war-torn Ukraine with her parents. She worked full-time to support her parents while attending the Law School's four-year program.

“Thanks to my scholarship,” Hrushko said, “I was able to proceed with my legal degree and help my parents. Without that help, a legal career would have remained just a dream for me. I am eternally grateful for the opportunity to attend this law school. The knowledge, skills, and training I gained here helped me secure a job at one of the largest international law firms, Linklaters, as a tax associate. Thank you for making this possible.”

The evening concluded with some advice to students from David J. Woll '87, of counsel at Simpson Thacher & Bartlett, who has established two scholarships: one immediate impact scholarship and another endowed scholarship in honor of his mentor, Eugene Lieber '49.

“Don't be bashful about reaching out to others in the Law School community,” Woll said. “The alumni network here is strong, and we would be very happy to help you, just as I know you will be happy to help when it's your turn.” ■



L-R: Helen Welling, Naomi Edwards '20, and Thomas Welling



Brittney Curtis '18 and David Berger '89



Hannah Sarokin '20 and David Woll '87

Scholarship Created in Honor of Staff Sergeant Kyu Chay '07

THE FAMILY OF KYU CHAY '07 through the SSG Kyu Chay Memorial Foundation established a new scholarship in honor of Chay, who was killed in action in Afghanistan in October 2006. A staff sergeant and cryptologic linguist in Arabic with the 1st Battalion, 3rd Special Forces Group (Airborne) of the U.S. Army, Chay received his degree posthumously from Brooklyn Law School in 2007.

The inaugural scholarship recipient is Jonathan Callaway '21, a warrant officer and helicopter pilot who spent the last 11 years in the military and remains a member of the U.S. Army National Guard. Prior to law school, he served as the Marine One crew

chief for President Barack Obama's White House Military Office.

"I congratulate Jonathan and thank him for his service to our country. He is truly the perfect recipient for this scholarship," said Cathy Chay, Kyu's widow. "Our two children were very young when my husband was killed in action. The scholarship is something I think will help my children understand and remember their father's service and sacrifice."

"Over the years, I've lost too many friends," Callaway said. "In April, I lost two buddies who were on active duty. Their deaths hit me hard, and I felt uncertain about whether I should attend law school. But when I got this scholarship, it felt like the universe was saying 'you are in the right place and you are where you need to be.' I can't say thank you enough."

Callaway hopes to use his law degree to fight injustice, and he plans to travel to Arlington National Cemetery, where Staff Sergeant Chay is buried, to pay his respects. ■



Law School Dedicates Joseph Smolinsky '88 Classroom

IN JUNE, THE LAW SCHOOL celebrated the life of the late Joseph Smolinsky '88 with the dedication of the Joseph Smolinsky '88 Classroom, made possible by a generous gift from the law firm Weil, Gotshal & Manges. Friends, family, and members of the firm attended a reception at the Law School hosted by the firm, where Smolinsky had been a partner. Guests included his wife, Jigi; his

daughters, Shana and Alana; and his sister, Ellen Pall '85, and her husband, Brian Pall '85, who spoke about his late brother-in-law. Robert Schmidt '89, partner at Kramer Levin and former president of the Alumni Association, and Barry Wolf, Executive Partner at Weil, also paid tribute to Smolinsky.

A longtime director on the Alumni Association Board, Smolinsky was a generous supporter and believed strongly in helping the next generation of lawyers. He was a vital part of the commercial law fellowship program and the Barry L. Zaretsky Roundtable Steering Committee, as well as a contributor to the Zaretsky fund, which furthers the scholarship and legacy of the late Professor Barry Zaretsky. ■

ClassNotes

1955

Larry A. Silverstein was listed 10th in the *Commercial Observer's* Power 100 list, citing his progress with 3 World Trade Center, success in signing Spotify as a lessee at 4 World Trade Center, and success in selling units at 30 Park Place, a new residential property (see page 26).

1959

Ralph A. Nappi was added to the board of directors of Mather Hospital. He is the executive vice chair of Northwell Health's board and a former president of the health system's grants foundation.

1968



Myron J. Berman, founder of BP Real Estate Fund and New York ambassador in the U.S. Army Reserve, received the Public Service Commendation Medal from Maj. Gen. Troy D. Kok, commanding general of the U.S. Army Reserve's 99th Readiness Division, this summer on Joint Base McGuire-Dix-Lakehurst, N.J. The Public Service Commendation Medal is one of the highest public service decorations the U.S. Army can bestow upon a civilian.



Stuart Subotnick '68, chairman of the Law School's Board of Trustees, enjoyed a 50th reunion cruise with fellow graduates from the class of 1968. Pictured (L-R): Ronald Forster '68, Stanford Kaplan '68, Claire Kaplan, Susan Weiner, Alan E. Weiner '68, Lynda Thomas, and Subotnick. They sailed the Baltic Sea on the *Seabourn Ovation*. The group of friends, which gathers regularly for dinners and occasional trips, also included until recently Ronald A. Farr '68, who died in August.

1969

Charles L. Lerner was named to the board of directors of the Mid-Shore Community Foundation. He is the founder and principal of Fiduciary Compliance Associates (which has a New York City office) and previously worked as an attorney for the SEC and as a director of ERISA enforcement at the U.S. Department of Labor.

1973

Joseph Giannini was featured in an *East End Beacon* article on his new book, *Soft Targets*, a collection of autobiographical short stories recounting his experiences as a Marine in the Vietnam War and the consequences of his exposure to Agent Orange. Giannini was also a long-serving criminal attorney in New York.

1977



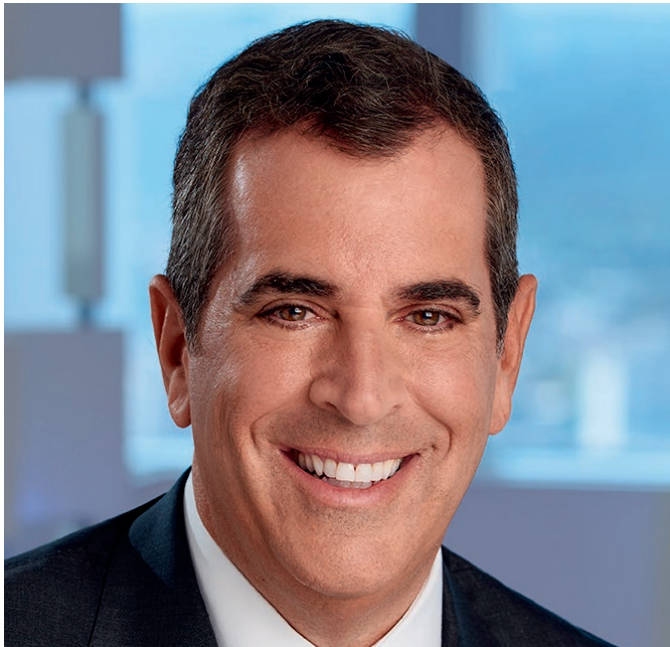
Kenneth W. Chu was appointed associate chief administrative law judge in charge of the New York Office of Judges at the National Labor Relations Board. Chu will handle the administration of the New York office, including ruling on pre-trial motions, docketing cases, and assigning them to judges. He previously served as the chief administrative judge with the Equal Employment Opportunity Commission (EEOC) for more than 25 years, including a detail as the acting EEOC New York district deputy director. He is the first Asian-American judge in the board's history.

David Djaha '88

The Real Deal

AFTER GRADUATING FROM THE University of Buffalo with a degree in commercial design and communications, David Djaha '88 returned to New York City, where he grew up. He had dreams of becoming a commercial artist—but he realized the starting salary wouldn't cover New York City rent. His parents suggested he apply to the law school near their family home in Cobble Hill, Brooklyn.

Once in law school, he discovered he also had a passion for real estate law. Today, Djaha is head of Ropes & Gray's global real estate investments and transactions group and a member of the firm's



policy committee. On Jan. 1, 2020, he will become the firm's next global managing partner when the current managing partner retires.

"In real estate," he said, "lawyers must be nimble and able to adapt. This area of the law changes a lot. And that's part of what I love about it."

Djaha started his career in the real estate group at Proskauer Rose, where he remained for five years, through an economic bust and boom, learning the skills not only of a real estate transactional lawyer, but of bankruptcy counsel as well.

In 1994, Djaha joined Rogers & Wells, where he focused on REITs and capital market deals and remained at the firm through its merger with Clifford Chance in 2000. At Clifford Chance, he became a partner, head of the real estate group for the Americas

region, and a member of the management committee—building a reputation for excellence in the private equity, capital markets, and banking industries.

"I like working with contracts—negotiating and figuring out a solution somewhere between two opposing but ultimately aligned business goals," he said. "In my business, there is usually no loser."

In 2009, when the recession was putting pressure on the real estate industry, Djaha remained undeterred. In fact, he saw the time as an opportunity and moved to Ropes & Gray, where he has since expanded the real estate group from 20 attorneys, all based in Boston, to more than 50 attorneys in New York, Boston, Chicago, London, and Hong Kong.

Djaha enjoys a variety of work in global private equity for clients such as the Blackstone Group, Citi Global Wealth Management, TPG, Allianz, Partners Group, and Baupost Group. He focuses in particular on what is known as "warehouse" financing, representing lenders and borrowers, originating liquidity facilities that help credit funds and mortgage REITs, and closing deals totaling nearly \$20 billion. His recent transactions of note include the capitalization of 432 Park Avenue and 616 First Avenue Development.

In addition to his private equity real estate practice, Djaha devotes a significant amount of time to pro bono clients.

"Since my first day as an associate," he said, "I've done pro bono work as a way to give back, and also to gain a skill set outside real estate." A self-confessed "theater geek," he worked with nonprofits in the arts and supports small businesses. Recently, he negotiated a lease on behalf of a senior center in Harlem. He is also active with the Food Bank of New York City, running community service projects for the firm's attorneys and staff.

When he's not spending time at work or giving back to community initiatives, Djaha loves to spend time with his family, and he is celebrating his 30th wedding anniversary this fall with his college sweetheart, Sharon. Their older son, Alex, is also entering the legal profession, hoping to practice real estate or private equity law. And their younger son, Ben, is embarking on a career in the hotel industry.

Djaha also remains involved at Brooklyn Law School, often doing interviews and welcoming fellow graduates to his firm.

"We had a great group of students from Brooklyn Law School in our summer program this year," he said. "The school continues to develop smart, practical, and hardworking lawyers." ■

—Andrea Strong '94

Brian T. Davis has been promoted to managing partner at Major, Lindsey & Africa in New York. He has been a partner at this firm since 2001 and focuses on lateral partner recruiting and in-house searches for financial services clients and law firms.

Myra L. Saul has been named by the Westchester County Executive to the Women's Advisory Council, which provides input and advocates its positions to public officials on a range of issues such as children and families, criminal justice, health, mothers and homemakers, older women, social services, voter participation and the county budget.

1978

Bruce R. Maggin has left his role at IBM after 34 years and has taken a position as tax director for New York's Medidata Solutions.

1979

Elizabeth Hudak was celebrated by the Putnam County Young Republicans at their Teddy Roosevelt Dinner. She is a Republican member of the Town of Southeast's Council, and her law practice focuses on matrimonial law and litigation.

Fred Pomerantz has opened a new legal consultancy in Great Neck, after leaving the law firm Goldberg Segalla. His new firm, Insurance Legal and Regulatory Consulting, focuses on U.S. and foreign insurance companies as clients. At Goldberg Segalla, Pomerantz specialized in helping insurance companies navigate regulatory matters.

1982

Lisa E. Roday has been named to serve another term on the Board of Visitors of the College of William & Mary by the governor of Virginia. Roday is also COO of Firelce Solutions, a distributor of a nontoxic and noncorrosive fire suppression gel.

1984

Joseph A. Levy's novel, *The Look-Alike*, was reviewed by the *New York Law Journal*. The story focuses on a protagonist attending Brooklyn Law School who is falsely accused of rape even as a doppelgänger avoids suspicion.

1988

Roger Slade was added to the *South Florida Legal Guide's* 2018 list of top lawyers. Slade is a partner at the Miami law firm Haber Slade, specializing in a variety of business and real estate litigation matters including business fraud, class action cases, and employment discrimination.



Stan Wilcox was named executive vice president of regulatory affairs at the National

Collegiate Athletic Association (NCAA). As a member of the senior leadership team, Wilcox will oversee all NCAA regulatory functions, providing strategic direction to enforcement, the eligibility center, and academic and membership affairs at the NCAA's national office. He previously was vice president and director of athletics at Florida State University, where he oversaw the strategic planning and management of 20 varsity sports with more than 500 student-athletes.

1989

Patricia Epstein Putney was elected to the Board of Governors of the State Bar of Wisconsin. She is a shareholder at Bell Moore & Richter, where her practice focuses on civil litigation defense.

1990

Kevin G. Lauri, managing partner of labor law firm Jackson Lewis, will become its co-chair on January 1, 2019. He has served as managing principal from its New York City office since 2009 and manages its relationship with Fortune-ranked companies.



Marian Zabler has been named general counsel for the Nuclear Regulatory Commission (NRC).

She previously served as the federal agency's deputy general counsel for rulemaking and policy support and as acting general counsel. Zabler joined the NRC following graduation as part of the Office of the General Counsel's Honor Law Graduate Program.

1991

Kim A. Berger was named chief of the Bureau of Internet and Technology at the New York State Attorney General's Office. Berger has nearly three decades of experience in private and public practice—including prosecuting complex financial, computer and intellectual property, and securities fraud crimes. She was previously an Assistant U.S. Attorney for the Northern District of California and a partner at Braun Hagey & Borden, where she was head of the impact litigation and white-collar crime and investigations practice.

James F. Castro-Blanco became counsel to the firm Gaines, Novick, Ponzini, Cossu & Venditti. He was formerly the chief deputy attorney for Westchester County, N.Y. In his current role, he focuses on government affairs and litigation.

1992



Maria E. Pasquale joined Incyte in April as executive vice president and general counsel. Incyte is a science-led biopharmaceutical research company. She previously worked at Celgene Corporation for 17 years, most recently serving as executive vice president and global chief compliance officer. Before that, she spent a decade supporting pharmaceutical clients as a global patent and litigation attorney at Pennie & Edmonds LLP in New York (now part of Jones Day). Prior to her career in law, she was an assistant research scientist at the Institute for Basic Research and the Cold Spring Harbor Laboratory.

1993

Ana-Maria Galeano has joined the Wagoner Firm as of counsel in the Albany office, where she will provide guidance to clients across its business & corporate law practice. She was previously general counsel and corporate secretary for Plug Power, a fuel cell development and manufacturing company.

1994

Itamar Yeger has been appointed to represent the Fourth District of the Rockland County Legislature, after incumbent Ilan Schoenberger retired. Yeger was most recently an appellate attorney for the county's District Attorney's Office and was last in elected government as a councilman in Ramapo.

Frank V. Carone, executive partner at Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, was named #11 on City & State's Brooklyn Power 50 list. For almost a decade, he has been counsel to the chairman of the Kings County Democratic County Committee. He served in the United States Marine Corps from 1993 to 1995, where he was commissioned 2nd Lieutenant.

1997

Erin E. Raccach was named the coordinator of Vanderbilt Owen Graduate School of Management's Global Immersion Capstone Project for the 2018–19 academic year. In the program, cross-cultural student teams serve as consultants to solve major problems facing participating companies operating in Brazil, Canada, Mexico, and the United States. She remains chief counsel of North American Papers at International Papers of Memphis, Tenn.

1998

Yetta Kurland married Molly Sarah Bryck on June 30, 2018. Kurland is the founder and senior partner of the Kurland Group, a boutique civil rights law firm in New York.

Kalman Magyar is cofounder and managing partner of Magyar, Bogle & O'Hara, a boutique law firm headquartered in Toronto that specializes in intellectual property, commercial litigation, corporate matters, and cross-border transactions. He was formerly assistant general counsel for Lovate Health Sciences.

2000

Tobias P. Moon has joined Husch Blackwell's Dallas office as a partner in their financial-services and capital markets group where he will advise banks, credit unions, and lenders on compliance and regulatory issues. He was formerly a partner at the law firm Akerman.

2001

Gina Abadi won the primary for a civil court judgeship in Brooklyn. She is the first Syrian Jewish woman to run for this office. She represented litigants on a pro se basis before her candidacy.

Erik F. Andersen joined the corporate, finance, and investments practice at King & Spalding as a partner from Riemer & Braunstein. Andersen specializes in representing financial institutions, private equity funds, debt funds, and hedge funds on real estate-related transactions. He also has experience in the purchase and sale of distressed and non-performing loans.

Joshua C. Klein has joined Bracewell's New York office as a partner in the finance practice. Previously, he worked at Duval & Stachenfeld.

Arete "Arlene" Koutras was named as resident and special counsel at the New York office of Windels Marx. Her career has been in real estate, representing institutional lenders in mortgage loan and affordable housing deals.

2002

Kenneth Anand was promoted to vice president for legal affairs and head of business development at Yeezy Apparel, a firm related to musician Kanye West.

Asim Grabowski-Shaikh joined Baker Hostetler as counsel, after leaving Dentons as a senior managing attorney. Grabowski-Shaikh advises companies on equity offerings, tender offers, IPOs, and disclosure obligations.

2003

Anthony M. Brown was added to Metrosource's list of LGBT-friendly attorneys. He is senior associate at the Long Island-based law firm Chianese & Reilly, and practices matrimonial and family law, personal injury litigation, trusts, and LGBT-specific family and estates law.

Karin Norton '97

Science, Technology, and the Law

"NO ONE DOES IT ALONE," said Karin Norton '97, vice president and senior counsel at Samsung Electronics, and an inaugural member of Brooklyn Law School's Women's Leadership Circle. "I've been graced with some very generous and staunch believers in me. Now I feel a responsibility to pay it forward, to try to make the path a little bit easier for other women."

To that end, Norton serves as the Washington, D.C., co-chair of Chiefs in Intellectual Property Sisterhood (ChIPs). Founded as an informal dinner group by seven female leaders of IP at Silicon Valley tech companies, ChIPs has grown into a national organization that supports women in technology, law, and policy—from high school through senior leadership.

Norton's career path began in science. She studied biology as an undergrad at the University of Pennsylvania, then received her Ph.D. in human physiology from Temple University. From there, she did a two-year fellowship in biomedical research at SUNY Stony Brook in the hematology department, working on the mechanism of blood clotting and creation of artificial blood, before transitioning to the legal sector. She joined Kaye Scholer (now Arnold & Porter Kaye Scholer) as a technical advisor on pharmaceutical patent litigation, and while working there during the day she attended Brooklyn Law School at night.

"My advisor, Richard Greco (a partner at the firm), had the faith and confidence in me to give me more and more responsibility," Norton said. "His support and mentorship inspired me to go to law school. But if I'd been forced to quit my job, I would not have been able to go to law school. Brooklyn Law School's evening program was the only way I could have done it."

When Norton graduated, she joined Graham & James, then a well-known patent firm with a roster of clients in the biotech and pharmaceutical business. A few years later, to gain more trial experience, she moved to Kalow, Springut and Bressler, a smaller firm. She enjoyed doing litigation so much that she made her next move to a position that involved primarily trial work at the United States International Trade Commission (ITC), an independent, quasi-judicial federal agency with broad investigative responsibilities on matters of trade. Given the proliferation of new technology, ITC has become an increasingly important forum for resolving patent disputes. As senior investigative attorney at ITC's Office of Unfair Import Investigations, Norton focused on investigating unfair trade practices in the importation of goods, primarily intellectual property matters.

In these ITC cases, "there are three parties: the plaintiff, the defendant, and the public," Norton explained. "I represented the



public. ITC does not award damages to the patent holder; rather, it has the power to direct U.S. Customs to keep the infringing product out of the United States."

Norton said working at ITC was the best job she ever had—and the hardest.

"I was an independent third party with no stake in the litigation other than to try to get the right result," she said. "We did our own discovery and depositions. We appeared at trial and cross-examined witnesses. We wrote our own briefs. There was one investigative attorney per case, and that was me for my cases. I was doing everything."

Norton highly recommends government service to law school students. "The experience is unlike any I've had in private practice," she said. "But it's not for the faint of heart."

After eight years as an investigative attorney, Norton became well known for her experience in complex IP matters and was ready to return to private practice. She began litigating ITC claims first as special counsel to Covington and Burling, and then as counsel at Sidley Austin, before she was hired by Samsung in 2010. Today, Norton oversees the company's ITC cases, and develops policy relating to issues of intellectual property, such as fighting patent trolls.

"I love this work," she said. "For me, the adventure just continues." ■

—Andrea Strong '94

Nicole Wyskoarko '04

The Woman Behind the Music



NICOLE WYSKOARKO '04, executive vice president of urban operations at Interscope Geffen A&M Records, had her “aha” moment when she was a first-year student at the University of Southern California (USC) and read *All You Need to Know About the Music Business* by veteran music industry attorney Donald Passman. A long-time music junkie and voracious reader of the music industry’s trade magazines, she quickly decided she wanted to follow in Passman’s footsteps. After graduating from USC, Wyskoarko came to New York City to attend Brooklyn Law School.

“I wanted to connect my passion for music with my profession,” Wyskoarko said. “When I came to New York, I knew I would work at a record label. I had no desire to compromise on that.”

Just one year into law school, she landed an internship in the business and legal affairs department at the Island Def Jam Music Group, a division of Universal Music Group Recordings, Inc., and worked there throughout law school. After graduating in 2004, she was offered a full-time entry-level position. She took the job. “It was a foot in the door,” she said.

Wyskoarko knew she had to make the most of the opportunity in front of her, so she was strategic. As a clerk, she aligned herself with the paralegals who supported the attorneys and worked on smaller deals—licensing for film and television, collaborations between artists, and other transactions.

“I focused on smaller-scale projects with people who had the time to explain things to me,” she said.

Her strategy worked, and she moved up quickly. Within a year, she was promoted to associate director and attorney for business and legal affairs. Six years later, she became vice president of business and legal affairs—leading the deals, negotiating artist contracts, working out joint venture label arrangements, structuring nontraditional film and TV licensing work, and handling soundtrack albums. In 2012, just eight years out of law school, she was named senior vice president of business and legal affairs, servicing three East Coast Universal Music Group record labels—Def Jam, Republic, and Island Records—with artists such as Kanye West, Alessia Cara, and Justin Bieber. She received the Women Behind the Music Award in 2012 from the American Society of Composers, Authors, and Publishers (ASCAP).

In 2016, she joined the boutique entertainment law firm of Carroll, Guido & Groffman as a partner. There, she represented A-list artists such as Andre 3000 and brought in acclaimed talent such as Meek Mill, DJ Mustard, Playboi Carti, and HER.

Her impressive career did not go unnoticed by those in the industry. In February 2018, Interscope Geffen A&M, the label responsible for Gwen Stefani, Black Eyes Peas, will.i.am, and Dr. Dre, offered Wyskoarko an opportunity she couldn’t pass up: Today, she oversees operations for the company’s urban roster of hip-hop and R&B artists including Tory Lanez, Ella Mai, J. Cole, and Playboi Carti.

“Nicole brings a tremendous breadth of experience to Interscope, having worked both inside and outside record companies over the course of her career,” said Interscope’s chairman and CEO, John Janick. “We are always looking ahead to see what will position us best in a business that’s rapidly changing. Nicole joining the company in this new role does exactly that.”

Wyskoarko sees the position as opening a door to the next chapter in her career. She is a member of the senior executive team designing the company’s future and manages the urban A&R team—the division of a record label that is responsible for talent scouting and the artistic and commercial development of the recording artist. She also works closely with the marketing department and with business and legal affairs.

“I have my hands in a lot of different things,” she said. “It’s been a great opportunity to move a little bit out of the traditional legal side, but to use that background to propel an amazing label with a great history forward.” ■

—Andrea Strong '94

Hannah Cao was named one of the world's 25 best general counsel officers by the *Financial Times*. She is the general counsel for China's Belt and Road Initiative, a government-sponsored effort to improve infrastructure and transport links between China and the rest of Eurasia. In 2017, the Law School named her Alumna of the Year.

Catherine Chen was appointed to the Baltimore City District Court by Maryland Governor Larry Hogan. She was formerly a staff attorney for the House of Ruth Domestic Violence Legal Clinic and a staff attorney for the Maryland Crime Victims' Resource Center.

2004



Michelle A. Gitlitz, a partner at Blank Rome, was named Legal, Compliance, and Regulatory Innovator of the

Year at the Blockchain World Conference's inaugural meeting in Jersey City, N.J., in mid-July. During the event, she also led a session on the legal issues related to token taxonomy and money transmission. At Blank Rome, Gitlitz specializes in securities and co-leads the firm's blockchain technology and digital currencies group.

Ariel D. Jasie has joined Dermavnt Sciences, a biopharmaceutical company focused on developing innovative therapies for dermatologic conditions, as chief business & strategy officer. He was previously chief business officer at Codiak BioSciences.

Patricia A. Lauch was named counsel to Hamilton, N.J., firm Halm Law Group. She was formerly an in-house counsel for Santander Bank in Boston, helping the bank manage due diligence issues and defaulted loan resolution efforts.

Nicholas A. Palumbo became partner at White & Case, where he is a member of the firm's bank finance practice. He was formerly a partner at Goodwin Procter.

Harper D. Robinson was named of counsel by Zurica Law in Westchester, N.Y. She was formerly a legal advisor at Morgan Stanley Smith Barney.

2005

Douglas W. Atkins was featured as one of *Real Estate Weekly's* 2018 rising stars. He is a partner at Forchelli Deegan Terrana, specializing in property tax refund and reduction as well as complex commercial real estate deals.



Hylan Fenster, senior legal counsel at Adobe, was added to the NYC Television Week 40 Under 40 list by *Broadcasting*

@ Cable and Multichannel News. Fenster supports the Adobe Sales teams, and negotiates and counsels on a broad range of outbound enterprise licensing and sales matters. He also manages a team of attorneys and advises on a variety of licensing, intellectual property, commercial, antitrust, data security, and privacy law matters.

Jennifer L. Marines, a partner at Morrison Foerster, was named one of the "Outstanding Young Restructuring Lawyers" by *Turnarounds @ Workouts* magazine.

Hon. Rachel "Ruchie" Freier was featured in the *Forward* (formerly the *Jewish Daily Forward*) as a U.S. trailblazer for her experience working as an observant Hasidic judge in King's County Civil Court, 5th Judicial District.

Ryan Sakacs has been named special counsel for the New York office of Kasowitz Benson Torres' commercial litigation group. Prior to this he was at the Department of State and was an Assistant District Attorney for New York City's Office of the Special Narcotics Prosecutor.

Matthew Tulchin was named special deputy attorney general at the Department of Justice of North Carolina. He was previously a state assistant attorney general and was tasked with advising the Board of Governors of the University of North Carolina.

2006

Marcus D. Friedman became the senior transactional counsel for Two Sigma Investments and Sightway Capital. He was formerly counsel at Ropes & Gray, where he had a focus on private equity, special situations, and distressed investing transactions.

2007

Lee N. Jacobs and Robert J. Ontell have been named co-chairs of the litigation and employment groups at Helbraun Levey.

2008

Arielle L. Frost has been promoted to member at Rosenberg & Estis. She joined the firm in 2011 and is a member of the firm's transactional department starting in 2016. She specializes in commercial real estate transactions, with an emphasis on joint ventures.

Eileen Schneider Naples wrote an op-ed on the severity of the allegations against former New York Attorney General Eric Schneiderman published by CNN.

2009

Paul Schwartz has been named partner in the real estate practice group at Duval & Stachenfeld, which he joined in 2009.

John Zhuo Wang has been named a judge in the housing part of the New York City Civil Court in Kings County. Before this June appointment, he was a principal law clerk to the administrative judges of the Civil Court, and a principal court attorney for the New York State Supreme Court.

2010



Christopher C. Cooper has been promoted to vice president of football administration for

the Cleveland Browns organization. Cooper, who was previously a director and is in his fifth season with the organization, negotiates player contracts and extensions with players, free agents, and NFL rookies. He also worked at NFL headquarters as an assistant to its management counsel and was with the Minnesota Vikings prior to his work with the Browns.

2011

Noah A. Doyle was added to *Forbes'* 2018 list of America's Top Next-Gen Wealth Advisors. Doyle is senior vice president for wealth management at Janney Montgomery Scott and leader of Battery Park Financial Partners.

2012

Miles Schreiner was added to the Super Lawyers Rising Stars list for 2018. Schreiner is an attorney at Monteverde & Associates and specializes in consumer class action litigation. In addition, he contributes to the Harvard Law School Forum on Corporate Governance and Financial Regulation.

Julienne Verdi was named one of the rising stars on Staten Island by *City @ State* magazine. Verdi advises small businesses, nonprofits, and political organizations.

2013

Daniel Faessler joined the University of California at Berkeley as a lecturer in the law school. Previously, he was the staff attorney and clinical supervisor for the East Bay Community Law Center and the Pride Law Fund Fellow at the Transgender Law Center.

Cassandra M. Vogel has joined law firm Yankwitt as counsel. She was formerly a law clerk for Hon. Nelson S. Román '89 in the Southern District of New York and an associate for New York City firm Kostelanetz & Fink.

2014

James L. "Jamie" Ansong was named counsel at Cozen O'Connor in New York and is also a member of its Public Strategies group as an advisor. Ansong previously served as a campaign finance director for Rep. Carolyn Maloney (D-NY).

Elaine Driscoll married John Byron Sorrell on June 30, 2018. She is currently an assistant law clerk for the New York State Supreme Court, Appellate Division First Department.

Emily Horwitz Gordon, a staff attorney at Queens Law Associates, married Benjamin Taylor Lowe, a political strategist for public affairs firm Pythia Public, on June 23, 2018.

Jing Jin has joined Fried Frank's New York office as a real estate associate. Jin was formerly a real estate and construction law associate at Tannenbaum Helpert.

Harrison S. Kleinman joined McDermott Will & Emery as an associate. He previously worked at Kriss & Feuerstein.

In September, the Brooklyn Law School Alumni Association elected new members to its board of directors for 2018–19.

Barbara MacGrady '97, of counsel at Davidson Dawson

Shawn Miles '98, executive vice president, public policy, at MasterCard

Aaron Warshaw '07, shareholder at Ogletree Deakins

Sasha Linney '11, associate general counsel at GoldenTree Asset Management

Jeremi Roux '12, general counsel and chief compliance officer at Hamlin Capital Management

Stephen Popernik '13, associate at Paul Weiss

Patrick Taurel '10

A Safe Harbor

“THERE HAS NEVER BEEN a more important time to be an immigration lawyer,” said Patrick Taurel '10, an associate with the immigration practice group at Clark Hill in Washington, D.C., who received the 2018 Joseph Minsky Young Lawyer Award from the American Immigration Lawyers Association (AILA). Ranked a top lawyer in the field of immigration law by *Washingtonian* magazine, Taurel has a passion for his work that is deeply personal. Forced migration explains his somewhat unusual family background. His father grew up in Morocco, the descendant of Spanish Jews who relocated to North Africa during the Inquisition, and his mother, a native of Brazil, was the child of immigrants who fled the Nazis and the devastation in their wake.

Brooklyn Law School later fueled that passion, he said, noting the power of the clinical education program. “Participating in the Safe Harbor Project at Brooklyn Law School changed my life,” he explained. “I had the privilege of representing a Tibetan asylum seeker. And thanks to the excellent guidance of Professors Stacy Caplow and Dan Smulian, we won our case. Our client gave me a Tibetan tapestry as a gift, and I keep it in my office to this day as a reminder of what that case meant to me. It was plainly the most important thing I had ever done.”

Taurel, a graduate of Brown University, immersed himself in the world of immigration law at the Law School, interning with the ACLU’s Immigrants’ Rights Project, the Hong Kong Refugee Advice Centre, and the Immigrant Defense Project. He also credits Interim Dean Maryellen Fullerton for giving him a broad understanding of immigration law, which he continues to rely on today. “Her excellent survey course on immigration law gave me the foundation to grow as an immigration lawyer,” he said. “I still have her casebook on my shelf.”

After graduation, he moved to Boise, Idaho, to work for the leading Idaho immigration law firm, Andrade Legal, representing mostly Mexican immigrants living and working there who faced an array of legal issues. Two years later, he moved to Washington, D.C., to become a fellow with the American Immigration Council, where he focused on prosecutorial discretion policies. There he became knowledgeable on the Deferred Action for Childhood Arrivals (DACA) program and authored several practice advisories on DACA and related topics.

When his fellowship concluded, he joined the firm of Benach Ragland (now Benach Collopy), primarily to work with Thomas Ragland, who is one of the most respected immigration lawyers in the country.

“I wanted to develop federal court litigation skills and Thomas is one of the leading litigators in the immigration law community,” Taurel



said. When Ragland moved to Clark Hill, he invited Taurel to join the firm with him.

Today, Taurel’s practice focuses on federal court litigation and removal defense, as well as affirmative benefits before U.S. Citizenship and Immigration Services and U.S. consulates. He also serves on AILA’s Amicus Committee and previously served on the organization’s Immigration and Customs Enforcement Liaison Committee. He devotes a significant amount of time to pro bono work and to mentoring other attorneys handling pro bono immigration cases. His recent pro bono projects include mentoring an attorney representing a Guatemalan woman who was separated from her children at the border.

“I love what I do. Immigration law is intellectually challenging, it raises complex questions of statutory interpretation, and administrative and constitutional law. And as a person who likes meeting new people and hearing their stories, few things are more gratifying than working with clients, winning their cases and giving them the chance to formally become part of this country—something many of my clients have overcome many obstacles to do,” he said. This work, Taurel added, is more urgent than ever. “The Trump administration’s immigration policy has veered, in the words of *New York Times* columnist Nicholas Kristof, from abhorrent to evil,” he said. “I recognize this may sound hyperbolic, but I believe that in ways big and small, immigration lawyers and advocates are fighting for the soul of our nation.” ■

—Andrea Strong '94



In Conversation

ELENA KARABATOS '86, AIMEE RICHTER '93, AND MARIE-ELEANA FIRST '98

Bar association presidents discuss the importance of making connections in an increasingly digital world

BROOKLYN LAW SCHOOL graduates have long been leaders of bar associations across the country. New York is a case in point, featuring Marie-Eleana First '98, president-elect of the Queens County Bar Association (she will become president in January); Elena Karabatos '86, president of the Nassau County Bar Association; and Aimee Richter '93, who completed her term as president of the Brooklyn Bar Association in June.



L-R, Elena Karabatos '86, Aimee Richter '93, and Marie-Eleana First '98

Ruger & Richter, the fourth-largest minority-owned law firm in New York State. She recently was named to *Crain's New York Business* 2018 list of Leading Women Lawyers in New York City.

How has bar association membership shaped your career paths?

Richter: As a 25-year-old, right out of law school, I joined the Brooklyn Bar Association and, ever since, it has helped me develop my professional

Brooklyn Law Notes recently spoke with the three bar leaders about the value of bar association membership, the importance of face-to-face conversations rather than virtual connections, and why students should join during law school.

First is an immigration lawyer in private practice at her own firm FirstLawNY. She handles a wide variety of immigration matters including removal/deportation proceedings, family-based immigrant petitions, artist and religious worker visas, employment-based immigrant and non-immigrant petitions, and special immigrant juvenile visas.

Karabatos is a senior partner at Schlissel Ostrow Karabatos and a leading matrimonial lawyer in New York known for her courtroom advocacy as well as her ability to settle complex cases. She is the immediate past-president of the New York Chapter of the American Academy of Matrimonial Lawyers. Her daughter Sofia Skarlatos '16 clerked at the Third Circuit Court of Appeals before joining Arnold & Porter as an associate in New York City.

Richter is a named partner and co-chair of the matrimonial and family law division at Lee Anav Chung White Kim

relationships. It offers so many opportunities to meet leaders of the Brooklyn legal community. Looking back, the people I met through the bar association—when I was just starting out in my career—are now my friends, many of whom have gone on to become judges and politicians. You can't build those kinds of relationships anywhere else as a young lawyer. You need the face-to-face interaction.

Karabatos: My memberships, in both the New York State and Nassau County Bar Associations, have absolutely shaped my career. I've met people who encouraged me not only to take on leadership roles, but to get involved in important legislation and policy initiatives.

First: I joined the New York City Bar Association right after I graduated, and I participated in the Young Lawyers Committee. I then joined the New York State Bar Association where I served as co-chair of the Young Lawyers Committee of the Intellectual Property Section. After that, I got busy and I lost touch with the bar associations. But several years later, I met a colleague in immigration court and he invited me to join the Queens County Bar Association (QCBA), and I've had an incredible experience ever since.

Membership in local bar associations has declined in recent years. How are you addressing that?

Richter: Many young people who have grown up on their cell phones and on social media don't understand that an in-person meeting is so much more valuable than a text. We are thinking hard about how to make that case to the generation of lawyers who are digital natives.

Karabatos: I agree, and I do see younger attorneys are starting to recognize the limitations of what they can do online and why it's important to get together with their colleagues in person. It is incumbent upon us to encourage the next generation to join us, and to help them understand and take advantage of the unique benefits of membership.

First: All organizations have been affected by the internet because attorneys are now going online to seek knowledge and to market themselves. People feel that social media is the preferred mode of communication for legal research, learning, and self-promotion. However, nothing is as effective as an interpersonal face-to-face meeting. It fosters camaraderie among seasoned attorneys and mentorship for young attorneys. Bar associations also provide a way to meet your adversary in a non-confrontational way, and to build solidarity and empathy among adversaries. It raises the level of the quality and integrity of lawyering.

Why should law students get involved in their local bar association?

First: Young lawyers are the future of the bar association, and it's a great idea to start building your professional relationships as a student—especially because membership is free to law students. We started a student ambassadorship program, in which we have two student representatives from each law school act as liaisons between the law school and the bar association. Our student ambassadors share information about our bar to the law students and also help our bar to coordinate its networking events, panels, and mentorship program. In this way, lawyers and law students can better engage with each other, fostering goodwill and deeper connections. We also have writing opportunities for students, including contests that recognize articles and law notes.

Karabatos: Students are welcomed in bar associations—and they can join for free. They are mentored and invited to join committees, so they can meet lawyers in a very accessible, approachable environment. We have networking and social events for our law students. We also welcome new lawyers in leadership because they bring a different perspective.

Richter: I sit on the Character and Fitness Committee for the Second Department, and when I am doing interviews with the students I stress the importance and value of joining. There are lots of benefits for new lawyers like free CLE, networking, and mentoring.

How are your associations serving your communities?

First: In 1991, QCBA created the Queens Volunteer Lawyers Project, which has grown and flourished since that time. Over the years, our members in conjunction with the project have provided

free legal assistance to low-income Queens residents facing civil law matters involving basic human needs, such as eviction proceedings, foreclosure, family law matters, bankruptcy, and problems with insurers. When President Trump announced changes to DACA, we wrote a public service announcement for the bar that we aired on Queens public television about what the changes meant because we thought the policy was very confusing. The former president, Gregory Newman '88, delivered the PSA in English, and I delivered it Spanish.

Karabatos: Local bar associations are in the best position to initiate and coordinate pro bono programs and opportunities, as well as do charitable work, to meet the legal needs of the community. Access to justice is one of my passions and a priority for my term as Nassau County Bar Association's president. My goal is to encourage members of the community, especially those who may have been underserved in the past, to use and rely on my association when they have legal problems. We offer a mortgage foreclosure program, family law clinics, and immigration legal services, which are all great ways to give back and get involved on a community level. We Care, the charitable arm of the Association, provides a way for attorneys to give back to their local communities.

Richter: The role of the bar association is to respond to its community's needs. We have a volunteer lawyer network and a referral system to get representation where it is needed. We have been setting up many foreclosure clinics. We responded with legal help after Hurricane Sandy in New York and Hurricane Maria in Puerto Rico. Recently, we have been working to protect children and families from being separated. We also have our Foundation Law Programs for the Public committee, which provides legal information and help with many issues, such as housing rights, foreclosure, divorce, and immigration.

Younger lawyers today are more interested in social justice issues, and being a part of the bar association gives them a way to galvanize and work with a larger group of lawyers committed to those same causes. Whether it's getting out to the airport after the first travel ban in 2017 or helping with parents who have been separated from their children, lawyers are being seen as the good guys, as saviors of the rule of law.

How did Brooklyn Law School inspire your commitment to volunteering as a bar association leader?

Richter: Brooklyn Law School showed me the importance of building a strong community and personal relationships. Even during the admissions process, a partner at a big law firm invited me to lunch to share his positive experiences at the school with me. That meant so much.

Karabatos: The Law School taught me the importance of community engagement through its clinics and internships. Those programs were a wonderful experience.

First: My professors, especially Professor Joseph Crea, inspired me to keep on persevering and go forward. I'll always be grateful for my Law School experience. ■

This interview was conducted and edited by Andrea Strong '94.

In Memoriam

Hon. Jerome Hornblass '65

The Hon. Jerome Hornblass, a distinguished jurist and a Jewish community activist and leader, died in July at the age of 77.

A Brooklyn native, Judge Hornblass grew up in Borough Park. He graduated from Yeshiva University and Brooklyn Law School. In 1973, Judge Hornblass was appointed by Mayor Abraham Beame as city commissioner of the Addictive Services Agency, charged with creating prevention programs for young people as well as programs to treat those with drug and alcohol addiction. He became the youngest city commissioner and the first Orthodox Jew to head a major city agency. Four years later he was named as a Judge on the city criminal court, and in 1980, he was appointed as a Justice on the New York State Supreme Court, where he served for 17 years. Following his retirement from the State bench, he served as a U.S. administrative law judge.



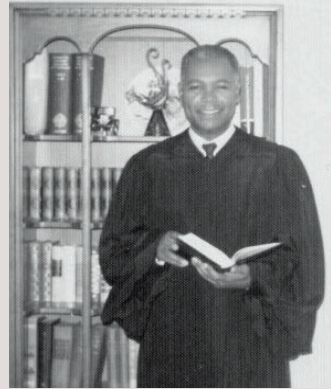
Judge Hornblass was known as a jurist who believed mercy and humanity to be inherent to the judicial process. In a eulogy of his father, his son Jonathan described how, on hearing one night that a young man he'd sentenced

to jail was beaten by fellow inmates, his father left home immediately for Riker's Island to make sure the man received proper protection. He was also known for devotion to the Jewish community; he spent many years at Memorial Sloan Kettering Cancer Center on Rosh Hashanah, going from room to room for hours to blow the shofar for Jewish patients.

In addition to his three children, he is survived by his wife, Ann, of 49 years, and 11 grandchildren.

Hon. César Hiram Quiñones '54

The Hon. César Hiram Quiñones, one of the most senior members of the New York Puerto Rican legal community, and a founder of the Latino Judges Association, passed away in April at the age of 93. Judge Quiñones was born in Arroyo, Puerto Rico on Jan. 27, 1925, and moved to New York in 1932.



After graduating from the High School of Music and Art and City College of New York, he paid his way through Brooklyn Law School by playing piano at the Caborojeño Club in Manhattan.

He began his career as a partner in the law firm of Erazo & Quiñones, which

represented many Hispanic civic and social organizations, including the Puerto Rican Community Development Project. He was appointed to the New York City Family Court in 1970 by Mayor John V. Lindsay, becoming the eighth Hispanic judge then serving, and reappointed in 1976 by Mayor Abraham D. Beame. In 1987, he was appointed to the Court of Claims, assigned to the Supreme Court Criminal Division presiding over felony cases until his retirement in 1995. In 1996, he became a judicial hearing officer in the Domestic Violence Part; that designation expired in 2016, when he was 91.

Judge Quiñones was consistently described as fair, effective, knowledgeable, timely, committed, and compassionate; when a Spanish interpreter was not available, he would assume that role in his courtroom.

A leader of the Latino bar, he was a founding member of the Puerto Rican Bar Association, former chairman of the board of the Bedford-Stuyvesant Community Legal Services Corporation, and past president of the Puerto Rican Bar Association of Kings County. In addition, he served on the boards of Medgar Evers Community College, Brooklyn Association for Mental Health, Mercy Home for Children, and the Center for Family Life. He was a member of the Franklin H. Williams Judicial Commission on Minorities, established to address racial disparities in the court system. In 1994, he was named to the Unified Court System Family Court Advisory and Rules Committee. He was also an adjunct professor at St. John's University Law School from 1985-1995, teaching juvenile justice.

Judge Quiñones is survived by his wife of 63 years, Gloria; a sister, Nélide Sáez Pérez; two sons, Joseph and Edward; a daughter-in-law, Lynne; as well as many nieces and nephews.

Patricia Schiller '37

Pioneering sex therapist and lawyer Patricia Schiller '37 died at her Palm Beach, Fla., home on June 28, 2018. She was 104. Schiller was founder of the American Association of Sexuality Educators, Counselors and Therapists (AASECT), the first organization in the country to set standards and offer certification for sex therapists.

At a time when few law schools admitted women, Schiller (born Pearl Silverstein) both worked and attended classes at Brooklyn Law School to attain her JD. Difficult as that was, getting hired as a lawyer was even harder, so she often disguised her first name when she applied for jobs to get an interview, said son Jonathan Schiller, cofounder and managing partner of Boies Schiller Flexner.

In 1943, she married Irving Schiller '31, who died in 2007, and the two lived and worked in Washington, D.C.—she for the National Labor Relations Board and the Office of Price Administration and he for the Securities and Exchange Commission.

Schiller later volunteered for the Legal Aid Society, where she observed the limits of the legal system in helping disadvantaged couples seeking a divorce. She founded the Webster School, where pregnant teens and their partners could earn their high school diplomas and take classes in parenting.

Then, serving the D.C. minority community where the need was greatest, she convinced Dr. John Clark, the dean of Howard University College of Medicine, that medical students studying OB/GYN and practicing physicians needed to learn how to talk about sex and relationships clearly and dispassionately with their patients. She taught at the medical school and in a Howard clinic for the next 30 years as assistant clinical professor.

In 1967, she founded AASECT, and served as executive director. She also worked with William Masters and Virginia Johnson to create legal guidelines and ethical standards in sex counseling.

“As a lawyer, my mother was fearless and was trained to interview and advise people about sensitive subjects such as sex,” said Jonathan Schiller. “She developed a group-centered approach with those she counseled or taught and took a lot of pride in it.”

In addition to her son, she is survived by her daughter, Louise Schiller, a landscape artist in Oakland, Calif., five grandsons, and four great-grandchildren.



1938

Blanche Wahl
February 2, 2018

1950

Rona Eskin Shays
August 10, 2018

Angelina Curci
March 7, 2018

1952

Bernard Spindel
May 1, 2018

Frank Perrotta
March 1, 2018

1953

Carl Wallnau
June 29, 2018

Vernando Bonsignore
June 20, 2018

Seth Rubenstein
April 16, 2018

1955

Robert Roberto
April 22, 2018

1957

Harris Schoenfeld
April 23, 2018

1958

Herman Zaslav
February 24, 2018

1960

Morton Cohen
April 12, 2018

1964

Lawrence Goldin
May 11, 2018

Barry Leighton
March 1, 2018

1965

Alan Postman
May 1, 2018

Alan Pressman
May 1, 2018

1966

Jerome Leitner
September 17, 2018

1968

Ronald Farr
August 9, 2018

Patrick Woods
August 3, 2018

Howard Miller
May 28, 2018

1969

Jeffrey Rosenberg
September 7, 2018

Daniel Abeles
July 20, 2018

Edward Sumber
June 4, 2018

1970

Frederick Ahrens
February 1, 2018

1972

Richard LaRosa
April 24, 2018

1974

Michael Weinstein
September 10, 2018

Sharon Mirsky
May 1, 2018

Joan Klemm
February 19, 2018

1976

Barbara Frommer
April 20, 2018

1980

Joseph Olivero
May 28, 2018

1983

Joseph McCole
May 1, 2018

1985

Robert Washington
March 11, 2018

CLOSING ARGUMENTS

By Nicholas W. Allard

Love's Labors Found

"GROWN MEN SHOULD NEVER CONFESS their love in public, especially when it is the love of an institution; even worse, a law school."

So says the incomparable Professor Owen Fiss in *Pillars of Justice* (Harvard University Press, 2017), his inspiring, highly personal reminiscences of 13 legal giants. Professor Fiss, whose teaching and scholarship continue to shape my thinking about the power of law, was unable to follow his own wise advice. So perhaps I too can be forgiven for being unable to suppress the simple truth that I love Brooklyn Law School. That is no news flash. It has been a constant theme in the tsunami of my words spoken and written about our school since I arrived. It has been a privilege serving as your president and dean, and I will continue to brag about the people and the accomplishments of our Law School, just now from a different vantage point.

When I became dean, it was a tough time for law schools everywhere. Even so, it was an exciting time to join the Law School, particularly during the remarkable resurgence of Brooklyn. For me, it was especially meaningful to return to the community where my grandparents and mother lived.

Our school is very special. Not only because we are one of the largest and older law schools, and an independent institution, but because since its earliest days Brooklyn Law has been accessible and inclusive. It has been a gateway to the profession for anyone with the requisite ability and willingness to work hard, and it has a long tradition of producing successful graduates. Our Law School has also earned a reputation for its outstanding teaching and, increasingly, for its world-class legal scholars. These qualities originally drew me to the job.

Even so, I did not fully anticipate how satisfying the experience would be. Unexpected was the sheer joy of being immersed in a dynamic community of students, teachers, and scholars devoted to the life of the mind and the pursuit of learning. The time I have spent learning from and teaching alongside my faculty colleagues, supporting research and scholarship, and often learning from our students, admiring their achievements and activism, has been so far the most fulfilling work of my life.

I am extremely proud of our progress together and our considerable collective accomplishments, some of which are recounted in the preceding pages (see page 18). The visibility and reputation of our school have grown tremendously. The growth of the Law School's footprint and stature nationally and abroad is

impressive. Every achievement was built upon work that preceded my arrival and the efforts of many, all of whom can be proud.

None of this progress would have been possible without the wisdom, hands-on involvement, and friendships of Brooklyn Law School's enormously talented trustees, a board second to none in terms of the time and effort they devote to our school. Moreover, the dramatic strides our school made in very tough times were possible only because of the collaborative team of faculty, administrators, and the entire staff—who collectively are the most talented, dedicated, and hardworking group of people with whom I have ever been privileged to work. I especially value our alumni, whose generosity, successful careers, and engagement with the Law School enable our students to dream big.

Speaking of love, I truly love our students: who they are, their aspirations, how they grow and learn, how they deal with adversity, what they accomplish, their restless and often passionate desire to use their legal education to improve our world. Our students are already on the front lines on myriad legal issues related to immigration, disaster relief, affordable housing, economic growth through entrepreneurship, sports and entertainment, the legal needs of developmentally challenged adults, human trafficking, and criminal justice, to mention a few.

They have inspired me to seek new opportunities to encourage and support students and graduates on a broader scale to become people of substance who make a difference throughout their lives.

Our Law School is in extraordinarily capable hands, as it was when I arrived and Interim Dean Michael Gerber was so generous in continuing to work hard and counsel me behind the scenes, having some part in most successes and, perhaps as important, averting mistakes. What a friend to me and unsung hero he is for the Law School. Professor Maryellen Fullerton has now stepped in as interim dean without missing a beat. Given her stature in the field of international public law, and her deep knowledge of the school and the curriculum, the Law School no doubt will continue to move forward at a pivotal moment.

Thank you all again—my experience has been rewarding beyond measure. Marla and I deeply appreciate your affection and support, and in the months and years ahead we look forward to keeping our many friends in the Brooklyn Law School community. ■

Nicholas W. Allard, Professor of Law, served as Brooklyn Law School's Dean (2012–18) and President (2014–18).

The Alumni Association Welcomes All Graduates



The Brooklyn Law School Alumni Association membership is complimentary for all graduates—a global network of 23,000 proud alumni.

MEMBERSHIP BENEFITS INCLUDE

- Access to the Law School library
- Access to the online alumni directory
- Entertainment discounts
- Rental car discounts
- Retail discounts

New benefits are continually being added, so please consult the Alumni Association's webpage for the most current information: brooklaw.edu/alumni-association

If you have not yet received your personalized membership card for access to Law School buildings, please contact the Office of Development & Alumni Relations at **718-780-7505** or alumni@brooklaw.edu.



ADDRESS SERVICE REQUESTED



Upcoming Events | brooklaw.edu/newsandevents

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| Oct. 19
and Oct. 26 | Prof. Robert M. Pitler Annual
Program on Criminal Law, Procedure,
Evidence, and Ethics (CLE)
Sponsored by the Center for Criminal Justice | Feb. 8 | Alumni Association Annual Luncheon
Mandarin Oriental Hotel, New York City |
| Oct. 29 | Annual Ethics Roundtable:
The Meritocracy Trap (CLE)
Prof. Daniel Markovits, Guido Calabresi
Professor of Law, Yale Law School
Sponsored by the Center for Law,
Language and Cognition | Feb. 11 | International Economic Law Colloquium
Speaker: Prof. Kevin Davis, Beller Family
Professor of Business Law, NYU School of Law
Sponsored by the Dennis J. Block Center for the
Study of International Business Law |
| Nov. 1 | Women's Leadership Network Event:
Striking the Self-Promotion Balance | Feb. 22 | Symposium: Emerging Trends in Corporate
Enforcement and Corporate Compliance
Sponsored by the Center for Business Law and
Regulation and the <i>Brooklyn Journal of Corporate,
Financial & Commercial Law</i> |
| Nov. 9–10 | ABA Alternative Dispute
Resolution Competition
Hosted by Brooklyn Law School | Feb. 25 | International Economic Law Colloquium
Speaker: Prof. Sadie Blanchard, University
of Notre Dame Law School
Sponsored by the Dennis J. Block Center for
the Study of International Business Law |
| Nov. 16–17 | Scholars Roundtable
Sponsored by the Dennis J. Block Center for
the Study of International Business Law | March 15 | Fifth Annual Disability and Civil Rights
Clinic Breakfast Roundtable |
| Nov. 12 | Washington D.C. Area Alumni Reception
Poca Madre, 777 I Street NW | March 28–30 | 34th Dean Jerome Prince Memorial
Evidence Moot Court Competition |
| Nov. 14 | Panel Discussion: Criminal
Prosecution—Innovation and Reform
Sponsored by the Center for Criminal Justice | | |
| Jan. 14 | Spring Semester Begins | | |