

BLS LawNotes

THE MAGAZINE OF BROOKLYN LAW SCHOOL | FALL 2012



Meet **the Dean**

*Nicholas W. Allard
becomes the Eighth Dean
of Brooklyn Law School*

BLSLawNotes

Vol. 17, No. 2

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Allied Printing Services, Inc.

BLS LawNotes is published
semi-annually by
Brooklyn Law School
for alumni, students,
faculty and friends.

Letters and Comments

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

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ON THE COVER: Dean Nicholas W. Allard, with Brooklyn as his backdrop, photographed on the 22nd floor balcony of Feil Hall's Forchelli Conference Center.

FEATURES



Meet the Dean:

From “Bedford Falls” to the Beltway to Brooklyn, Nicholas W. Allard Becomes the Eighth Dean of Brooklyn Law School

By Andrea Strong '94

Nick Allard took the reins of the Law School on July 1. In this feature, you'll learn about his fascinating career on the Hill, where he worked with luminaries like Senators Kennedy and Moynihan and Super Lawyer Tom Boggs, and most recently helped lead the Public Policy Practice at Patton Boggs. He discusses his vision for the next chapter in the Law School's history and we also highlight some of his own history—his upbringing in New York, his dreams of playing third base for the NY Yankees, and his passion for jogging, as long as it includes hot dog breaks.



Real Remedies for Virtual Injuries

By Professor Anita Bernstein

In this cutting-edge social media piece, Professor Bernstein explores the way we become vulnerable through our routine Internet activities: tweeting, updating, posting, buying, selling, and downloading. She explores the law governing the “virtual injuries” that can result, and recommends a new dispute resolution program to repair dignitary harms to individuals that occur online.

IN EVERY ISSUE

3 BRIEFS

Convocation; A Tech Revolution Grows in Brooklyn; Spotlight on OUTLaws; New Courses Bring Practice of Law into the Classroom; Janet Sinder Appointed Library Director; Spring Events Roundup.

16 LEGAL LIGHTS

Celebrating the achievements of students and recent graduates.

19 CLINIC UPDATE

Safe Harbor Clinic Honored; Real Property Internship Debuts; The Maimonides Project.

32 FACULTY HIGHLIGHTS

The Law School Welcomes Four New

Faculty Members: Professor I. Bennett Capers, an expert in criminal law and procedure, and three new Visiting Assistant Professors: Emily Berman, Roger Michalski, and Melissa Mortazavi.

Professor Profiles: Neil B. Cohen appointed to prepare UNIDROIT Principles of International Commercial Contracts; Maryellen Fullerton receives second Fulbright Scholarship; Elizabeth Schneider delivers lectures in Turkey on women's rights and domestic violence; Lawrence Solan's new book *The Oxford Handbook of Language and Law* outlines the range of legal areas in which linguistics plays an increasing role.

43 ALUMNI UPDATE

Endowed Scholars Reception; Class Reunions; Alumni Celebrate Success in the Creative Arts; Art Gallery Reception; Recent Graduates Network at Brooklyn Brewery; On the Road.

Alumni Profiles: Judge Nancy Hershey Lord '80: On the Bench; Sharon L. Schneier '84: Chair of the Executive Committee; Mark Bosswick '86: The Counselor; Mark DeAngelis '96: Green is the New Black.

63 IN MEMORIAM

Remembering Professor Michael Madow



September 17 marked the 225th anniversary of the United States Constitution. This fall, on the first Monday of October, when by tradition the Supreme Court began its new term, the Brooklyn Law School faculty and students packed into the Student Lounge to celebrate these legal milestones. Our exceptional Constitutional Law faculty led a discussion of the leading issues before the Court. This simple profound exercise exemplified the best of BLS—first-rate scholars, teaching fundamental principles, while stimulating critical thinking about law and government, and talented, dedicated students who are eager to learn.

Our 2012 observance of “Constitution Day” had special significance for me. I didn’t quite yell “Eureka,” but in the midst of that crackling analysis of cases it struck me that lawyers and law schools have a critical and unique role to play in our society—and always will. Notwithstanding the turmoil the legal profession is facing—driven by the lingering weak economy and transformational developments revamping all aspects of how law is practiced and taught—lawyers and law schools will *always* be essential. We lawyers are inextricably woven into the fabric of America and serve by giving the pluralistic tapestry of our democratic republic the strength and flexibility to endure. We are, after all, and hopefully will ever be, a nation of “Equal Justice Under Law”—the very words carved into the stone above the majestic entrance of our Supreme Court.

As I’ve quickly gathered over my first few months here, BLS is a place of unbridled energy made up of an outstanding community of people. It’s a place where we offer students as much practical real world experience as rigorous academic training, where our top-notch faculty make time not only for serious scholarship, but also for meaningful mentorship. Ours is an inspiring community of thinkers, doers, and leaders, and I am proud to now be one of you!

To be sure, legal education and the legal profession are both experiencing unprecedented challenges. “Business as usual” is not an option. We cannot meet the rapidly evolving needs of law firms, businesses, government, and public interest organizations if we continue in the same vein. A great opportunity lies before BLS for positive change in these challenging times. If we can look around the corner and choose the right innovations and manage change, our Law School will thrive.

As we embark on this journey together, I promise you here and now, that I plan on doing as much learning as leading, as much collaborating as directing, and as much listening as speaking, so that together we can ensure that the Law School continues to be a pioneering leader in our time.

I am both honored and humbled to become the eighth Dean of Brooklyn Law School. I have some big shoes to fill, and I am determined to make as much of a difference to the future of this esteemed institution as the seven deans who came before me, and in particular, our President, my longtime predecessor, Joan G. Wexler.

On a personal note, I recently moved from Washington D.C., where I spent the past thirty years working on public policy on Capitol Hill. But, I’m a New Yorker at heart. I grew up here in Northport, Long Island and in Suffern, NY. My mother was born here, my grandmother, a Navy nurse, worked in Brooklyn, and my grandfather grew up in Bay Ridge. So it’s good to be back home, and closer to most of Marla and my families. George Burns once said, “Happiness is having a large, loving, caring, close-knit family in another city.” As for me, I’m happy to have my family, both BLS and biological, right here.

A handwritten signature in dark ink, appearing to read "Nick". The signature is fluid and cursive.

Nick Allard
Joseph Crea Dean and Professor of Law

Convocation 2012 Welcomes a New Class and a New Dean



The entering class of 2012 begins its march from the Law School to the U.S. District Courthouse for the Eastern District of New York.

On Sunday, August 12, Brooklyn Law School welcomed the entering class of 2012 at its annual Convocation Ceremony. Held at the U.S. District Courthouse for the Eastern District of New York, the ceremony was an opportunity for the incoming students to hear from faculty, alumni, and current student speakers.

The first-year students gathered on the Law School's Wilbur Levin Plaza and together with faculty, administrators, and distinguished guests, marched through the heart of the downtown legal community to the U.S. District Courthouse. This exercise was intended to introduce the new class to the concept that their campus is Brooklyn, and to symbolize the Law School's commitment, involvement, and service to the citizens of the borough.

Professor Claire Kelly '93, who served as the emcee for Convocation, greeted this year's 365 students with words of encouragement. "Students are after all the heart of the Law School," she said, "and I think you will see that you are joining a phenomenally diverse, supportive group of students."

Convocation was especially meaningful as it marked the first occasion that Brooklyn Law School's new Dean, Nick Allard, addressed the Law School community. Dean Allard offered students his own personal welcome, and quipped, "with words I can assure you I have never used before and will never be able to use again: you are the brightest, most talented and promising new class I have ever greeted as Dean of Brooklyn Law School."

Acknowledging the current challenges facing the legal community, Dean Allard offered inspiring words of wisdom and advice. "Please believe me when I say that your future success, in very practical terms, is very much our priority," he told the audience. "We know that you need to pass the bar, get jobs, and begin worthwhile careers, and believe me, we will help you." He added, "Our aspiration is for you not only to be ready to begin a worthwhile career when you graduate, but also for you to be leaders who can handle challenges and tackle problems that no one has seen before."

This year's Convocation speakers also included: Eric Friedberg '83, representing the Law School alumni; Anna Lukashova '14, representing the student body; Professor Steven Dean, representing the faculty; and Steven D. Cohn '73, representing the Brooklyn community. ■

THE ENTERING CLASS OF 2012

- The class totals 365 students selected from over 4,500 applicants.
- It includes 319 full-time and 46 part-time students.
- Students have pursued 51 different majors at 158 colleges and universities.
- 23 students have graduate degrees in areas outside the law.
- 65% of the class has had one or more years of work experience.
- The median age of students is 23, the youngest student is 21, and the oldest is 50.
- The median LSAT score for the class was 161.
- The median GPA of entering students was 3.33.
- The class is 56% male and 44% female.
- Minority students account for 29% of the class.
- Top feeder schools were New York University, Boston College, George Washington University, Cornell University, University of Michigan, UCLA, and Wake Forest University.
- Students hail from 29 U.S. states, and their birthplaces span 5 continents and 36 countries.

TO READ THE CONVOCATION REMARKS:
www.brooklaw.edu/convocation

A Tech Revolution Grows in Brooklyn: BLIP Hosts Hackers and Entrepreneurs

Professor Jonathan Askin's innovative Brooklyn Law Incubator and Policy Clinic (BLIP) organized two cutting-edge events at the Law School: New York City's first Legal Hackathon and the first Entrepreneurs Roundtable to come to Brooklyn, both aimed at bringing Silicon Alley to Brooklyn. "We are committed to shifting tech and entrepreneurial thought leadership to Brooklyn, the home of so many of the city's, the country's, and the world's pioneering tech innovators," Askin said.

Nearly 300 law students, faculty, lawyers, technologists, and entrepreneurs gathered at the Law School this spring for a Legal "Hackathon," to explore issues arising at the intersection of law and technology, with a focus on how law, legal process and government policy might keep pace with technological advances.

While mainstream media stereotypes "hackers" as underground tech troublemakers, the term may also denote enthusiastic, skillful and innovative problem solvers applying novel and creative techniques. The goal of the Hackathon was to help lawyers—traditionally known for their rule-conscious methods—to think more like the mavericks and problem solvers of the tech world. "Our goal is to draw lawyers and law students into the cooperative 'hacker ethos,' and into the community and mindset of innovators and entrepreneurs, to collectively resolve legal, societal, and technological issues," Askin said.

The Hackathon included a series of discussions aimed at framing the ways the Internet can be used to craft policy, engage voters, and serve people in need of legal advice. Warren Allen '12 unveiled "Hack the Act," a collaborative online platform that allows people to "remix" a law. Individuals using the platform can edit and recreate a bill, then share it with others and invite them to make their own changes. Matt Hall, co-founder of Docracy, demonstrated how lawyers could use his site to post reliable, high-quality legal documents that entrepreneurs or individuals could download and use.

Despite the differences between law and tech innovation, some of the attendees argued that lawyers and hackers already have a great deal in common: Although hackers wield code and lawyers wield words, both seek to overcome obstacles in their paths. "Hacking in the legal sense is probably a lot like hacking in

“Our goal is to draw lawyers and law students into the cooperative 'hacker ethos,' and into the community and mindset of innovators and entrepreneurs, to collectively resolve legal, societal, and technological issues.”

—Professor Jonathan Askin



Members of BLIP, with Prof. Jonathan Askin (FRONT RIGHT) prepare for the Legal Hackathon.

the computer sense," said Free Press Policy Director Matt Wood during a panel discussion.

"What I'm hoping to figure out is how lawyers might stop being roadblocks and instead participate in a world moving rapidly around us," said Askin. "This is an experiment in collaborative work and thought. It will be interesting to witness how projects born today progress."

BLIP was also at the forefront of bringing entrepreneurs to Brooklyn by hosting the borough's first ever Entrepreneurs Roundtable. "So many of the burgeoning creatives and entrepreneurs of New York live and, increasingly, work in Brooklyn," Askin noted, "but too often my students and I have had to trek into Manhattan to meet up with the tech community." The goal of the Brooklyn edition of Entrepreneurs' Roundtable was to spotlight Brooklyn as a hub for tech entrepreneurs.

At the Roundtable, "techtrepeneurs" pitched their start-up ideas to venture capitalist Charlie O'Donnell of Brooklyn Bridge Ventures. The audience included high power promoters of entrepreneurship such as Kathleen Warner '92, COO of the Startup America Partnership, which provides resources and connections to help young companies grow. Among the innovative businesses vying for the affection (and dollars) of O'Donnell included a social media life-coaching program, an online journalism hub, and a virtual boutique fashion marketplace.

Looking ahead, BLIP students and alumni are working with Askin to move the focus and the dialogue towards Brooklyn and to position Brooklyn as the epicenter of tech entrepreneurial thought leadership. This semester BLIP is hosting a series of new events at the Law School including "Legal Hackers," exploring specific issues at the bleeding edge of tech law and policy, the "Future +30," which explores how various societal topics might evolve over a 30-year time horizon (including the future of law and lawyers), and a series of workshops on next-generation social enterprises. ■

LEARN MORE: www.blipclinic.org.

Student Organization Spotlight: OUTLaws

Founded in 1984, OUTLaws is a student organization that serves the needs of lesbian, gay, bisexual, transgender, and queer members of the Brooklyn Law School community, as well as their straight allies. The group's primary goals are to raise awareness about legal issues affecting LGBTQ rights, increase the visibility of LGBTQ persons within the legal profession, and support BLS students who identify as LGBTQ.

This past year, OUTLaws was particularly active, hosting over 30 events aimed at fostering connections among the BLS student body, BLS alumni, and the legal profession. Among the most noteworthy events of the spring was a particularly timely panel discussion on *Windsor v. United States* and other challenges to

“ [The dinner] was very meaningful because it brought together alumni and other members of the community who are working toward LGBTQ rights and human rights.”

— Kathryn Hensley '13

the constitutionality of the Defense of Marriage Act (DOMA) co-hosted with the Brooklyn Law School student chapter of the American Civil Liberties Union. The featured speakers were Professors Bill Araiza and Nelson Tebbe, both experts in constitutional law. The panel included a Q&A session that sparked a lively discussion about the Obama Administration's stance on DOMA.

OUTLaws also hosted its first alumni dinner and awards banquet, celebrating the historic passage of New York State's Marriage Equality Act. Judge Rosalyn Richter '79, who serves on the New York State Supreme Court, Appellate Division, First Department, delivered the keynote speech. Ross Levi '97 was presented with the 2012 Alumni Achievement Award. Levi served as the Executive Director of the Empire State Pride Agenda and Foundation from June 2010 through March 2012, and has been affiliated with the organization since 2000.

“The alumni dinner was the centerpiece of our whole year, and we were very pleased with the turnout and the caliber of people in attendance,” said OUTLaws co-chair Jeff Lee '14. “It was very meaningful to be able to bring together our alumni and other members of the community who are working toward LGBTQ rights and human rights,” added OUTLaws co-chair Kathryn Hensley '13.

OUTLaws also sponsors a variety of outreach, pro bono, and community-building programs. Their members are working with youth through the Trevor Project, a crisis management center for at-risk LGBTQ youth who are confronting issues of bullying,



TOP: Ross Levi '97 accepts the 2012 Alumni Achievement Award.

BOTTOM: The enthusiastic student membership of OUTLaws.

coming out, and sexual orientation. The group also holds annual fundraisers for the Peter Cicchino Youth Project, which provides services for homeless youth who are LGBTQ, and the Sylvia Rivera Law Project, an organization which seeks to improve access to legal services for low-income people and people of color who are transgender, intersex, or gender non-conforming. In addition, the organization mentors students at the Urban Assembly School of Law and Justice.

This year, OUTLaws launched several new initiatives. These included the very first LGBTQ Pro Bono Project in conjunction with LeGAL, the LGBT Bar Association, and the Brooklyn Community Pride Center. At this bi-monthly drop-in clinic, BLS students pair up with practicing attorneys to offer LGBTQ individuals legal referrals in the areas of family law, housing, immigration, employment, elder law, and estate planning law. OUTLaws also joined the Brooklyn Intercollegiate Network of Queer Students, which is comprised of student leaders from Brooklyn College and Long Island University, among other institutes of higher education. They meet on a regular basis to discuss programming and ways to collaborate as student leaders and effect change within the LGBTQ community.

“We are extremely proud of the work we have accomplished and of the new initiatives we have started over the past year,” said Hensley. ■

New Courses Bring the Practice of Law to the Classroom



LEFT TO RIGHT: *Brendan Dowd '99, In-house counsel at Bank of America, Saul Morgenstern, Co-Chair of the Antitrust Practice Group and Chair of the Professional Development and Communications Committee at Kaye Scholer, and Thomas Welling, Jr. '07, an associate at Simpson Thatcher, speak to students in Prof. Solan's Professional Responsibility Class.*

Each academic year, Brooklyn Law School introduces new courses to ensure that the curriculum remains in sync with the current needs of the profession and the demands of the modern client. “We continually review our offerings to identify areas of need or opportunities to build on strengths, and we also receive numerous proposals for interesting and timely new courses,” said Michael Cahill, Associate Dean for Academic Affairs. “We are fortunate to have a talented and diverse faculty—both full-time and adjunct—with the thoughtfulness to pursue these innovations and the knowledge and skill to carry them out effectively.”

This year, the Law School debuted nearly 20 innovative classes (see complete list on page 7). The following are brief descriptions of just three of those courses, which give a sense of the breadth and practical orientation of the Law School’s academic program.

Professional Responsibility in Different Practice Settings

In this course, created and taught by Don Forchelli Professor of Law Lawrence Solan, students examine the culture and structure of different legal practice settings, including large, mid-sized, and small firms; public interest organizations; and government offices. Solan teaches the class along with a number of guest speakers—including

alumni representing each type of professional setting—who share their stories of practice-related ethical issues and conflicts.

Students are challenged to investigate and analyze ethical pressures that arise in these different settings, and asked to explore how best to deal with them. Students also interview an attorney, write a short paper summarizing the important points learned from that interview, and present their findings in class.

“This course helps students to understand how various models of legal practice bring their own ethical, business, and personal challenges for lawyers,” explained Solan. “The goals are simultaneously to familiarize students with their ethical obligations and to empower them to make thoughtful decisions about their careers.”

An Introduction to Compliance and Risk Management in Financial Institutions

This course was created by Professor James Fanto, an expert in corporate finance law and a Co-Director of the Center for the Study of Business Law & Regulation. It introduces students to compliance in financial institutions, focusing on specific compliance-related issues, such as registration, recordkeeping and reporting, privacy, supervision, fiduciary duties, examinations and regulatory investigations, conflicts of interest, risk management, and the development of a culture of compliance.

The course is team-taught each week by Professor Fanto along with alumni who are compliance officers and lawyers in the field. This semester’s co-teachers include Jane Kanter ’73, a partner at Dechert LLP with extensive experience in investment-company, investment-advisor, and broker-dealer regulation; Jeffrey Harwin ’91, Managing Director and Global Head of Anti-Bribery and Corruption Compliance for the Markets & International Banking division of the Royal Bank of Scotland (RBS); Jonathan Gottlieb ’92, Managing Director, Senior Counsel, and Head of Regulatory Advisory, also at RBS; H.J. Willcox ’95, Global Head of Compliance and Counsel of KKR; and Jacqueline Doyle ’93, Associate General Counsel and Vice President at Citigroup.

“The class brings students in touch with alumni working in the field who can share not only their substantial knowledge of the law, but also stories of their own career paths,” said Professor Fanto. “It’s a great opportunity to learn and to network and get a real sense of the life of a compliance or risk management lawyer.”

Business Boot Camp

Responding to the profession-wide call for business-savvy lawyers, the Law School will offer a three-day Business Boot Camp during the Winter Break. This “mini-MBA” course will bridge the gap between the legal and business worlds by introducing students to the fundamentals of business planning, finance and strategy. It is designed to equip students with the business background and vocabulary they will need to understand their clients’ needs and objectives and to advise them about how to achieve their goals while operating their businesses ethically and in compliance with the law. The course will trace the evolution of a hypothetical business from its founding and initial capitalization to its merger with another business. The course will feature workshops led by BLS graduates who represent entrepreneurs or are themselves entrepreneurs.

The course was developed by members of the commercial and corporate law

faculty in collaboration with a team of business and finance professionals from Deloitte Financial Advisory Services. It is based in part on an intensive course that Deloitte developed to train first-year law firm associates. Lawyer-entrepreneur John Oswald '84, who has served as a member of the adjunct faculty, helped develop the curriculum and is underwriting the course. He is President and CEO of CTSA Holdings, Ltd. and C.T. Capital International, Inc.

"The classic law-school experience is designed to teach students to think like lawyers, said Professor Michael Gerber, who chairs the faculty group that helped develop the course. "That is an essential skill, but there are also times when advising a client requires lawyers to think like a business person as well as like a lawyer. This course will enable them to do that." ■

ADDITIONAL NEW COURSES

- Advanced Corporate and Securities Law: Business Combinations
- Advanced Topics in Commercial Law Seminar
- Basic Mediation for Law Students
- Campaign Finance Law Seminar
- Comparative and International Family Law
- Constitutional Civil Rights and Immigration Seminar
- Corporate and White Collar Crime Seminar
- Expert Witness Workshop
- Fashion Law Seminar
- National Security and Terrorism Seminar
- Race, Predatory Lending and the Subprime Mortgage Crisis
- Solo Practice Workshop

NEW CLINICS

- Economic Justice at the Attorney General's Office: a Practical Introduction
- Economic Justice: NYLAG Public Benefits
- Immigrant Youth Law

Janet Sinder Appointed New Library Director



Brooklyn Law School is pleased to welcome Janet Sinder as the Library's new Director and Associate Professor of Law. Sinder joined the Law School in May with almost three decades of experience in law libraries and information technology. She has been the Editor of the *Law Library Journal* since 2007, and for the past eight years was Associate Director for Research Services at the University of Maryland Francis King Carey School of Law. Prior to that, she was the Information Specialist at the GSM Association, a global organization that represents the interests of mobile phone operators worldwide, and the Head of Information Services and Senior Lecturing Fellow in Law at the Duke University School of Law Library.

Sinder grew up on Long Island and was primed to be a lawyer from a young age by her father, also an attorney. With dreams of becoming a civil liberties lawyer, she enrolled at the University of Michigan School of Law after attending Cornell University. When she graduated, she joined the Office of the State Appellate Defender in Springfield, Illinois, where she defended clients for six years. "It was such an interesting job, and it was very exciting to be able to argue cases immediately after passing the bar. After a few years, though, I became interested in moving into academia."

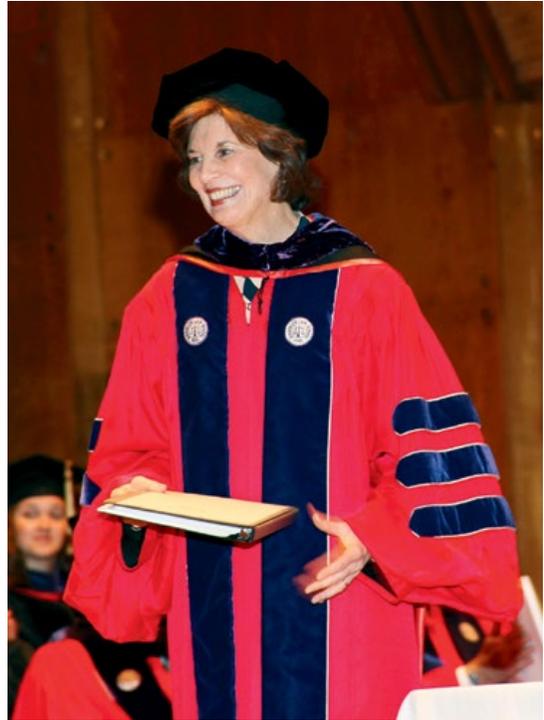
Sinder went on to earn an M.S. in Library and Information Science from the University of Illinois at Urbana-Champaign. She began her library career at Duke University, as a reference librarian and instructor of legal research, and later served as the library's Head of Information Services and the Website Manager for the law school. "Redesigning the website was a great experience, and I enjoyed project management," she said, "but in my heart I'm a librarian."

In 1996, during her tenure at Duke, Sinder spent a summer in Ireland researching an article about Irish legal history. Six years later, in 2001, she returned to Dublin to live and work for the GSM Association as an Information Specialist, managing the content and organization of the Association's members-only website. "I love to travel and really enjoyed living in Dublin," she said.

Missing her work as a librarian, she returned to the U.S. in 2004, and joined the University of Maryland's Thurgood Marshall Law Library. There she managed the Research Services Department, which included research librarians, research fellows, and instructional technology staff. She also taught classes on legal research and served as an adviser to the law school journals on copyright, contracts, and web presence. As a supporter of open access to law journals, she advocates moving law journals online whenever possible. "Open access expands your base of readers," she said. "A lot of journals have such a small list of subscribers that it's advantageous to the journal to allow the full text to be published online."

Sinder is excited to be a part of the community. "I'm very happy to be here, and I already love living in Brooklyn. I consider this to be a great opportunity." ■

Hon. Carol Bagley Amon Praises “Generation of Doers” in 111th Commencement Address



On June 1, Brooklyn Law School held its 111th commencement ceremony at Avery Fisher Hall at Lincoln Center. Stuart Subotnick '68, Chairman of the Board of Trustees, conferred degrees to 471 students before an audience of family, friends, faculty, staff, and alumni.

Class valedictorian Justin Loughran Sowa '12 opened his remarks by reminding his classmates about the honorable profession they had all chosen. “Brooklyn Law School taught us about law and justice and gave us awareness,” he said. “We now go forth, individually deciding what to do with this knowledge, knowing that our education has given us tools to contribute positively to the world.”

The Honorable Carol Bagley Amon, Chief Judge of the United States District Court for the Eastern District of New York, delivered the commencement address. Judge Amon has taught a seminar at the Law School on federal sentencing and continues to preside at the annual orientation program for students who will serve as law clerks and judicial interns after graduation.

In her remarks, she stressed that a law degree affords graduates with a tremendous opportunity to make a difference in others’ lives. “You are a generation of doers and the world needs your creativity, fresh new ideas, and entrepreneurial spirit,” she said. She encouraged new graduates to stay connected to the friends they made at the Law School and to value their law degree as an asset “even in non-traditional fields.” At a time when the legal profession is facing difficulty, she encouraged them to be proud of the field in which they had chosen to practice. Judge Amon was awarded an honorary Juris Doctorate, the Law School’s highest degree, and was officially welcomed to the Law School “family” by Chairman Subotnick.

This year’s ceremony included five graduates of the Law School’s new LL.M. degree program. “Knowing that I am part of the inaugural LL.M. class in a law school with more than 100 years of history, which from its earliest days opened its door to minorities, women, and immigrants, made it that much more memorable,” said Diana Chavez '12. ■

“You are a generation of doers and the world needs your creativity, fresh new ideas, and entrepreneurial spirit.”

—The Honorable Carol Bagley Amon



CLOCKWISE FROM TOP LEFT: Graduates celebrate their big day at Lincoln Center; Judge Amon receives her honorary degree; Showing some BLS love!

TSI Hosts Inaugural Symposium: Private Data/Public Good

In April, Brooklyn Law School's Trade Secrets Institute (TSI) held its inaugural symposium, entitled "Private Data/Public Good: Emerging Issues in Trade Secrets Law."

New York Attorney General Eric Schneiderman delivered the opening remarks, praising the TSI for providing a forum for the discussion of trade secrets and stressing the importance of balancing public and private interests. Professor Claire Kelly '93, co-founder of the TSI, began the program by thanking several people associated with the Institute: David Mitnick '00 for his tireless efforts in launching TSI; the TSI Advisory Board members who have worked closely with the TSI Fellows; and Alexander Kaplan '00 of Proskauer Rose for his work on the board and for teaching the Trade Secrets Seminar.

The symposium was divided into two sessions and featured a distinguished group of panelists including: Harvey Ashman, Senior Vice President, General Counsel and External Affairs at IMS Health; Berin Szoka, President of TechFreedom; David Stampley, a partner at KamberLaw, LLC; Deborah Goldberg, Managing Attorney at Earthjustice; and Elisabeth Radow, Chair of the Hydraulic Fracturing Committee of the League of Women Voters of New York State, along with Professor Gregg Macey and Visiting Assistant Professor Jane Yakowitz.

The first panel, "When Our Secrets Are Trade Secrets," moderated by TSI Fellow Carolyn Wall '12, focused on the importance

“The TSI is dedicated to providing the tools for students, academics, and practitioners to discuss and research trade secrets law.”

—David Mitnick '00, TSI Board Member



New York State Attorney General Eric Schneiderman delivers his opening remarks at the inaugural TSI Symposium.

of preserving privacy in the context of aggregated personal data and the *IMS Health v. Sorell* case. In the second panel, "Regulating Secrets: Hydraulic Fracturing, Deepwater Drilling, and Environmental and Economic Health," moderated by TSI Fellows Sean Comerford '12 and Lillian Tan '12, the panelists addressed the tension between energy companies' trade secrets and public health and disclosure concerns.

"The TSI Symposium was a terrific success and provided a groundbreaking look at how trade secrets law is a critical part of some of the most important and controversial aspects of everyday life," said Mitnick. "The convergence of technology in all of our daily routines means that the boundaries between public and private are blurring. The safeguards that we choose to maintain privacy and secrecy will frame how society handles issues of civil liberties, privacy, and public health. The TSI is dedicated to leading this debate and providing the tools for students, academics, and practitioners to discuss and research trade secrets law." ■

LEARN MORE: www.tsi.brooklaw.edu

IBL Roundtable: Inside Customs and Border Protection Today: Recent Developments, Issues, and Concerns

In March, the Dennis J. Block Center for the Study of International Business Law (IBL) and the Customs and International Trade Bar Association hosted an IBL Roundtable at Brooklyn Law School. IBL fellows, faculty, alumni, and practitioners were privy to an inside perspective on recent developments at the U.S. Customs and Border Protection Agency from Jeremy Baskin, Senior Adviser to the Executive Director, Regulations and Rulings, at the Office of International Trade (OIT).

Baskin has had a long career with Customs and Border Protection, having served as the Director of the Border Security and Trade Compliance Division, Regulations and Rulings in the OIT, as

the Special Assistant to the Assistant Commissioner for Regulations and Rulings, and as Senior Attorney in the Penalties Branch.

He spoke about current reform efforts at the OIT and the various motivations behind them. He identified three sources as major motivators propelling the reform efforts: the Advisory Committee on Commercial Operations of Customs and Border Protection; the U.S. Government Accountability Office; and internal reforms at the OIT.

Baskin also discussed specific examples of reform. He noted that the OIT is in the process of changing the inbound-entry form because this is an area that had been identified as vulnerable to

CONTINUED ON NEXT PAGE

smugglers. The new reform is designed to ensure that there is an adequate monitor in place, one that requires the reconciliation of inbound and outbound shipments to prevent loss of duties.

Baskin went on to explain that many statutes and procedures at the OIT were drawn up before the widespread use of technology became the norm. As a result, he argued, there are areas where prudent electronic solutions can be implemented to improve efficiency, such as redesigning the administrative system

used to manage the current mitigation scheme. He also said that creating centers of excellence and expertise would bring together industry experts to create a more streamlined process.

“This Roundtable discussion was a perfect example of IBL programming,” said Professor Claire Kelly ’93, Associate Director for The Block Center. “It brought together individuals who teach and study customs and international trade law with those that practice it to discuss cutting-edge and timely issues.” ■

Sparer Public Interest Law Forum: Representing the Poor in a Recession

This year’s Edward V. Sparer Public Interest Law Forum, “Representing the Poor Today: Poverty Law in Recession Times,” held in March, explored the causes of poverty and the impact of the recession on low-income individuals and families. Panelists discussed how advocates use the law to address these problems.

Since the recession began in 2007, unemployment has nearly doubled, and 46 million Americans live in poverty. While most of these families have at least one person working, they are frequently underpaid or underemployed, making as little as \$14,500 a year at minimum wage jobs. To make ends meet, low-income individuals and families often have to borrow, paying unreasonably high interest rates and charges, which erode their already limited resources. Together these pressures have forced more New York City residents into homelessness and hunger than ever before.

Frances Fox Piven, Distinguished Professor of Sociology and Political Science at the CUNY Graduate Center and a national expert on poverty and social movements, gave the keynote address. Following her remarks, five public interest attorneys offered perspectives on their approach to practicing public interest law. They were: Richard Blum of the Legal Aid Society/ Employment Law Project; Brooke Richie of the Resilience Advocacy Project; Ted DeBarbieri ’08 of the Urban Justice Center/Community Development Project; Sarah Ludwig of the Neighborhood Economic Development Advocacy Project (NEDAP); and Jennifer DaSilva of Start Small, Think Big. Professor Minna Kotkin, Acting Director of the Sparer Program for Spring 2012, along with Noor Alam ’12, who helped organize the program, moderated and reacted to the panelists’ comments.

Piven began her talk by recounting the history of poverty law, explaining how contemporary legal advocacy for the poor is directly connected with the social movements of the 1960s. She also shared her memories of Edward Sparer, the program’s namesake. She explained how Sparer began his social justice career handing out flyers on the street to help represent individuals who were wrongfully denied government benefits.

One of the themes that emerged during the forum was the evolving characterization of poverty in American society. According to Piven, during what she described as an “attack on welfare,” critics of government programs have characterized recipients of public assistance as “lazy, promiscuous, and generally lacking self-control.” Ludwig pointed out that such characterizations continue within the context of consumer debt. According



Panelists explore the causes of poverty, the impact of the recession on low-income individuals and families, and how the law can help.

to the panelists, such stereotypes are weapons deployed to shift focus away from the systemic causes of inequality.

“It was amazing to learn about the innovative work that attorneys are performing in the community to address the collateral effects of poverty,” said Sparer Fellow Sarah DeVita ’14. “It was encouraging to learn that we do not work in a vacuum, but within a context of an entire movement.”

Another theme that was addressed was the need for attorneys performing social justice work to be creative in their approach. The panel pointed out that public interest lawyers and those dedicated to social justice may, at times, have to swim against the current. Nonetheless, through their passion and enthusiasm all the panelists made it clear they believed navigating these rough waters to be well worth the effort. ■

David G. Trager Public Policy Symposium: Post-Zoning, Alternative Forms of Land Use Controls

In February, the Law School held the David G. Trager Public Policy Symposium to address emerging issues in land use controls. In his introduction, Interim Dean Michael Gerber remarked that the Law School's location places it at the leading edge of these

restrictive declarations, community benefit agreements, transferable development rights, conservation easements, and other tools, zoning is both supplemented and supplanted by new techniques that challenge the traditional limits on government regulation.

Panelists included leading land use experts from around the nation, including Professors Richard Epstein, Vicki Been, Lee Fennell, Richard Briffault, and Rick Hills. One panel addressed the issues related to regulating and controlling property rights at a smaller scale than traditional lot-by-lot regulation, whether through easements, transferable development rights, or form-based codes. Another panel explored the creation of markets and pricing for land use preferences, whether creating space for bargains, or relying on taxes instead of top-down regulation. The final panel focused on new mechanisms for identifying and instituting community and sub-local preferences.

“Our interest here is in the regulation of development that pushes the boundaries or avoids traditional limits on municipal zoning.”

—Professor Christopher Serkin

issues in a borough that is the site of many important land use disputes and innovations. “Whether it is the development of Atlantic Yards for the Brooklyn Nets basketball stadium, the rezoning and development of the Brooklyn Navy Yards, or the complex public and private partnerships developing the Brooklyn waterfront, land use innovations are happening in the Law School's front, back, and side yards,” he said.

Professor Christopher Serkin, an expert in land use and property law, who organized the event with Professors Gregg Macey and David Reiss, explained that the day's discussion was designed to “provide a framework of exploration” for new forms of land use controls. Roughly 100 years ago, zoning emerged as a response to the vagaries and limits of nuisance law in controlling threats to public health and safety. Zoning offered promise as a tool for comprehensive planning even as it rebalanced private property rights. Much has been written on the subject, which has evolved to mediate between the rights of property owners and the interests of the public.

Zoning is no longer the exclusive source of land use regulations. Governments in general and New York City in particular have begun to rely on contracts and novel property transactions to control development in their jurisdictions. Through development agreements,

“Our interest here is in the regulation of development that pushes the boundaries or avoids traditional limits on municipal zoning,” Serkin explained. Likewise, Professor Macey asserted that “we hope to explore new ways of thinking and planning that meet multiple goals and long-standing concerns, leaving behind the gaps that traditional zoning initiatives have created.”

Overall, key themes arose in the discussion: the use of markets and private ordering in the shadow of zoning; the emergence of new goals in land use regulation, beyond the traditional ones of separating incompatible uses and minimizing property conflicts; and the role of information in land use decision-making. ■

This symposium is named for the late Honorable David G. Trager, who was a United States District Court Judge for the Eastern District of New York for 17 years. He served with great distinction as Dean of Brooklyn Law School from 1983 to 1993. Judge Trager served on the Law School's Board of Trustees and taught as an adjunct professor for many years. Papers from the day's symposium will be published in a forthcoming issue of the *Brooklyn Law Review*.



The Trager Symposium drew nationwide experts in the fields of land use and property law, including (LEFT TO RIGHT) John Nolon, Alejandro Camacho, Stewart Sterk, Christopher Serkin, and Richard Briffault.

Representing Hollywood's Stars: Marty D. Singer '77 Delivers the Media & Society Lecture



In March, Martin D. Singer '77 delivered the 13th Annual Media & Society Lecture. Singer is a founding member of Lavley & Singer in Los Angeles and is one of the most sought-after entertainment and business litigators in the country.

In his opening remarks, Interim Dean Michael Gerber noted some of the past speakers at this august event, including Reed Hundt, then Chairman of the FCC; Russell Lewis '73, then Chairman of The New York Times Company; renowned *New York Times* staffers Linda Greenhouse and Sam Roberts; and most recently Allen

Grubman '67, partner at Grubman Indusky & Shire, and a founding member of the Rock and Roll Hall of Fame.

In describing Singer's impressive career, Gerber remarked, "Singer's client list might be mistaken for the VIP list at a hot night club. It includes Bruce Willis, Halle Berry, Sylvester Stallone, James Gandolfini, Stevie Wonder, Simon Cowell, Eddie Murphy, Angelina Jolie, Harrison Ford, Scarlet Johansson, Demi Moore, and Charlie Sheen." He joked, "He has been the go-to litigator for so many A-listers, he may have some tiger blood of his own."

Singer's talents are widely recognized by the legal community. He was honored by the Beverly Hills Bar Association as the 2012 Entertainment Lawyer of the Year and is regularly listed among the Top 100 Attorneys in California by the *Los Angeles Daily Journal* and *San Francisco Daily Journal*. He was named by *Chambers USA* as one of the Best Lawyers in America and the Star Individual Attorney for Media & Entertainment Litigation in California. He has been a mainstay on *Super Lawyers'* annual Southern California Super Lawyers list since 2004. In a front page feature on him in the Business Section, *The New York Times* called Singer a "guard dog to the stars (legally speaking)."

During his talk, Singer entertained the audience with the backstory behind some of his high-profile celebrity matters, including Charlie Sheen's "Two and a Half Men" lawsuit against Warner Bros. Television and "Sopranos" star James Gandolfini's lawsuit against HBO.

Singer expressed concern about the impact of the Internet on the ability of individuals to protect their rights. "When you were working with print or TV, you used to have a few hours to deal with a potential story about a client before it got published," he said. "But today, stories move into the media instantly, and bloggers are pretty reckless for the most part. Once one website runs something, everybody else picks it up. And it's not just stories; it could be private nude photos, for example. Once somebody puts it out there, it's out there forever."

Singer has a reputation for dealing with the evolving media landscape deftly, however. "There are ways to do it, and we've done it," he says. "You can get things shut down, and ultimately you can find out who the [perpetrator] is. They usually think they're faceless, but they get scared and they will respond. You have to act quickly to get something off the Internet. That's what we do." ■

A Special Spring for BLSPI: Auction Breaks Records and Chief Judge Lippman Keynotes Public Service Awards Dinner

Brooklyn Law Students for the Public Interest (BLSPI) hosted several exciting events this spring. The 22nd Annual BLSPI Auction set records for gross proceeds collected, net funds raised, and event attendance. Over 450 students, faculty, alumni, and community members participated in the auction, which raised over \$60,000 for BLSPI's numerous programs and initiatives.

Anna Park '13 and Jessica Rickards '13, BLSPI's Auction Committee Co-Chairs, and Sarah Briglia '14 and Nate Hennagin '14, the Auction Committee's First-Year Delegates, worked with more than 70 students to plan this event. "The BLS community turned out in force to ensure that the good work of BLSPI continues to support students who are pursuing careers in public interest and public service law," said Rickards.





Judge Lippman delivered the keynote address at the annual Public Service Awards Ceremony.

One of the night's highlights was the bidding for a lunch with Interim Dean Michael Gerber and NHL Commissioner Gary Bettman. After a spirited round of escalating bids, the lunch sold for an unprecedented \$3,000 to Joel Alan Gaffney '12 on behalf of Ronald J. Friedman '96 of Silverman Acampora, LLP and Gary F. Herbst of LaMonica Herbst & Maniscalco, LLP. Two other top auction items included the ever-popular "Three Gerrys" dinner with Brooklyn Law School alumni Gerald Lefcourt '67, Geraldo Rivera '69, and Professor Gerald Shargel '69, and a pair of tickets to a star-studded fundraising gala for The Trevor Project.

The following month, students, faculty, and alumni gathered for the annual Public Service Awards Ceremony and BLSPI Alumni Dinner. Hon. Jonathan Lippman, Chief Judge of the New York Court of Appeals, was the keynote speaker. The ceremony

honored 105 graduating students who collectively devoted over 65,000 hours of their time to pro bono projects, internships, and other public service opportunities over the course of their law school careers. Their efforts included assisting domestic violence victims, immigrants, the unemployed, individuals seeking health care benefits, low-income tax payers, children, prisoners, asylum seekers, veterans, sex workers, and many others. The ceremony also honored graduating student leaders who founded pro bono projects, revived and revitalized dormant projects, and helped the community in other ways.

In his keynote address, Chief Judge Lippman spoke about his own career path and the importance of public interest work and the nationwide funding crisis for civil legal services. He implored graduating law students to uphold their duty as lawyers to ensure that all people have access to quality representation. "Otherwise," he said, "the system of justice in this country fails."

BLSPI co-chairs Michael Berman '12 and Matthew Allee '13 called the event "a perfect culmination of a great year for BLSPI and the entire public interest community at BLS. We had a lot to celebrate given the outstanding growth of our community and the many achievements of our members. Having Chief Judge Lippman as the keynote speaker was a special honor."

Laura Richenderfer '12, a recipient of both a Pro Bono Leadership Award and a Silver Public Service Award, was among the many attendees who found Judge Lippman's speech inspiring. "It was a wonderful reminder that serving the public interest is not just an extracurricular activity, but is an essential responsibility that we as law students owe our community," she said. ■

For a full list of 2012 Public Service Award recipients visit www.brooklaw.edu/publicserviceawards

Thirty-six Teams Compete at the 27th Annual Prince Evidence Competition

Thirty-six teams from across the nation gathered this spring for the 27th Annual Dean Jerome Prince Memorial Moot Court Evidence Competition, hosted by the Moot Court Honor Society. Michigan State bested Hastings College of Law in the final round.

The premier competition is named in honor of the late Jerome Prince, renowned evidence scholar, teacher, and author of *Prince on Evidence*, who served as Dean of Brooklyn Law School from 1953–1971.

As is the case every year, the bench for the final round of the competition was comprised of an outstanding group of jurists. This year the Law School was honored to welcome Hon. N. Randy Smith, United

States Circuit Judge for the United States Court of Appeals for the Ninth Circuit; Hon. Debra A. Livingston, United States Circuit Judge, United States Court of Appeals for the Second Circuit; and Hon. Theodore T. Jones, New York State Court of Appeals.

The 2012 Prince writers, BLS students Daniel Cohen '12, Claudia Cohen '12, Stephanie Gal '12, Justin Sowa '12 and Diana Mahoney '12, spent the academic year creating the Record that was addressed in the competitors' appellate briefs and oral arguments. Their hard work made the competition one of the most challenging and exciting ones in the competition's history. ■

2012 Prince Competition Judges

HON. N. RANDY SMITH
United States Circuit Judge, United States Court of Appeals for the Ninth Circuit

HON. DEBRA A. LIVINGSTON
United States Circuit Judge, United States Court of Appeals for the Second Circuit

HON. THEODORE T. JONES
New York State Court of Appeals

Center for Health, Science and Public Policy and *Journal of Law and Policy* Address Child Protection Law

In April, the Center for Health, Science, and Public Policy and the *Journal of Law and Policy* co-sponsored “Reforming Child Protection Law: A Public Health Approach,” a symposium designed to highlight strategies to improve the child protection system.

Hon. Edwina Richardson-Mendelson, Administrative Judge for the Family Court of the City of New York, delivered an impassioned keynote talk about the proper role of the courts in child protection proceedings. She explained that child maltreatment and placement in foster care are both strongly associated with poverty and lack of education. “Prevention is the key to reducing abuse and neglect,” she said. “At-risk families should be identified earlier on, children of immigrant families cannot be ignored, and comprehensive services in New York should be more readily available.” The symposium also included three panels and a lively roundtable discussion that focused on appropriate government responses to a hypothetical case study involving a troubled family.

The first panel, moderated by BLS Professor Karen Porter, Executive Director

of the Center for Health, Science and Public Policy, discussed the role of risk assessment in child protection. The panelists evaluated various risk factors associated with child maltreatment, including poverty, domestic violence, maternal depression, and paternal substance abuse. Dr. Sheila Smith, Director of Early Childhood Research at the National Center for Children in Poverty, Columbia’s Mailman School for Public Health, discussed the child protection implications. BLS Professor Marsha Garrison, who co-organized the symposium, described the current risk-assessment instruments and their deficiencies. Professor Clare Huntington of Fordham University School of Law noted, “There is a strong correlation among the quality of a child’s environment, the nature of the parent-child attachment, and academic success later in life.”

BLS Professor Tara Urs moderated the second panel, which focused on different approaches to child maltreatment prevention. Professor Cynthia Godsoe, who co-organized the symposium,

discussed the procedural justice potential of “differential response,” a new alternative to adversarial child protection investigation and intervention. Professor David Olds of the University of Colorado Health Sciences Center described the Nurse Family Partnership Program, which he founded and which is one of the few maltreatment prevention programs that have consistently shown success in reducing maltreatment in at-risk populations. Dr. Fred Wulczyn, Senior Research Fellow at the University of Chicago and Director of the Center for State Foster Care and Adoption Data, presented data showing that the case-processing system in which a maltreatment allegation is processed is a more powerful predictor of parent-child reunification than the characteristics of the family.

The systemic strengths and weaknesses of current child protection systems and the various ways they could be improved was the topic of the final panel, moderated by Professor Porter. John Mattingly, former Administration for Children’s Services Commissioner, identified several problems inherent in child welfare systems and discussed the need for strong and consistent internal leadership to achieve significant systemic change. Professor Martin Guggenheim of NYU Law School argued that child welfare services should focus on providing voluntary services to at-risk families to overcome the current blaming and adversarial structure. Professor Jonathan Todres of the Georgia State University College of Law used child trafficking as a lens through which to examine broader child protection issues, describing the failure of criminal enforcement and the politicized atmosphere in which decisions about child protection are made. ■



LEFT: Hon. Edwina Richardson-Mendelson delivered the keynote talk. RIGHT: Panelists Jonathan Todres, Martin Guggenheim, John P. Mattingly, and Karen Porter discuss potential ways to reform child protection law.

To encourage further study of this topic, the Law School created a resource center that can be found at www.brooklaw.edu/childprotection. Papers from the symposium will appear in a forthcoming issue of the *Journal of Law and Policy*.

Business Law and Regulation Center Inaugural Symposium: Consumer Financial Protection Bureau after a Year

In March, Brooklyn Law School hosted “The CFPB After a Year,” a symposium sponsored by The Center for the Study of Business Law and Regulation and the *Brooklyn Journal of Corporate, Financial & Commercial Law*. The symposium, the first for the new center, brought together insiders and academic experts to evaluate the form and substance of the CFPB in its first year and to discuss challenges that the CFPB will face in the future.

The CFPB was established in July 2010 by the Dodd-Frank Wall Street Reform and Consumer Protection Act as a way to centralize the functions of protecting consumers from complicated financial products and services, and regulating that marketplace. The CFPB has been controversial since its inception as experts ponder how it would regulate capital markets, what enforcement tools it could use, and the scope of its mandate.

Professor Edward Janger, who organized the symposium, provided introductory remarks, explaining the significance of the CFPB in the aftermath of the 2008 financial crisis and why a review of the CFPB was timely for discussion.

The first speaker, Professor Jean Braucher of the University of Arizona, opened the symposium by discussing consumer protection through contract theory, posing the questions of whether consumers are really consenting to the “fine print” on any financial product; and if so, do these hidden or complicated terms actually mean anything? Braucher introduced the concept of the “exploding toaster,” an analogy that was used throughout the symposium. While seemingly a simple machine, a toaster is actually quite complicated to build and has a number of overt and hidden dangers. Braucher likened the toaster to the intricacies of credit cards and the risks that they carry for consumers, arguing that a full disclosure of terms and conditions is not enough to protect consumers. “Card issuers have basically studied consumer behavior and found out where we



LEFT: Prof. Janger explains the significance of the CFPB in the aftermath of the 2008 financial crisis. RIGHT: Prof. Reiss spoke about Dodd-Frank’s qualified mortgage requirements.



consistently make mistakes and then they price accordingly to take advantage of our mistakes,” she said. She then carried the exploding toaster analogy into a discussion of overreaching in the subprime mortgage market.

Other topics of discussion during the symposium included the scope of rulemaking and supervision at the CFPB; accountability issues; technology, surveillance and protection of consumer data; and the pros and cons of CFPB’s simplified internet and phone complaint mechanism.

Elizabeth Vale, former CFPB Director for External Affairs, who also held positions as White House Business Liaison and a Managing Director at Morgan Stanley, brought a unique insider’s perspective to the discussion. She expanded on the CFPB’s role in supervising and regulating credit cards, bank and non-bank supervision, mortgages, student loans, overdraft practices, financial literacy and fair lending. “We stay in our lane,” said Vale of the role of the CFPB in regulating and supervising the marketplace. “Our goal is to make costs clear, risks clear, and products comparable.” ■

Symposium Participants

- Professor William Araiza
Brooklyn Law School
- Professor Jean Braucher
University of Arizona, James E. Rogers College of Law
- Professor Edward Janger
Brooklyn Law School
- Professor Susan Block-Lieb
Fordham University School of Law
- Professor Frank Pasquale
Seton Hall University School of Law
- Professor Katherine Porter
University of California, Irvine School of Law
- Professor David Reiss
Brooklyn Law School
- Associate Dean Norman I. Silber
Hofstra University School of Law
- Professor Winnie Taylor
Brooklyn Law School
- Elizabeth Vale
Former CFPB Director for External Affairs
- Professor Charles K. Whitehead
Cornell University Law School

Legal Lights

Celebrating the Achievements of BLS Students and Recent Graduates

Rebecca Golubock Watson '12 Awarded Georgetown University Law Center's Women's Law and Public Policy Fellowship

Rebecca Golubock Watson '12 was awarded the prestigious Women's Law and Public Policy Fellowship from Georgetown University Law Center. This marks the second year in a row that a Brooklyn Law School student received this fellowship. Amy Hsieh '11 received it last year. The yearlong fellowship is designed to provide opportunities for attorneys who are dedicated to using their legal talents to advance women's rights. Watson is at the National Partnership for Women and Families in the Workplace Fairness division, where she will advocate for stronger protections for low-income women in the workplace.

"This fellowship is a dream come true for me," said Watson. "I've been active in women's rights issues since my first year in college, and this is a culmination of my many years of commitment to feminist issues."

Watson came to Brooklyn Law School with experience working in various public policy roles in nonprofits, the media, and politics. After graduating from Harvard University, she focused on a range of issues affecting women and low-income people. At Legal Momentum, she worked with victims of domestic violence experiencing workplace or housing discrimination, and women who were experiencing discrimination because of their race or gender. She has also worked as a journalist covering politics and women's issues,

and she directed a government oversight committee in the New York State Senate.

While in law school, Watson interned at Lambda Legal, where she worked on behalf of two transgender women who were subject to police harassment. She also interned at the ACLU Women's Rights Project and the National Employment Law Project. She was a research assistant for Professor Elizabeth Schneider, an Edward V. Sparer Public Interest Law Fellow, and a Peggy Browning Workers' Rights Fellow. She was also the Editor-in-Chief of the *Journal of Law & Policy*. Her note, "Defending Paid Sick Leave in New York City," was published last year and was cited by the *Harvard Law Review*. She was a member of the Moot Court Honor Society, Appellate Division, was an Executive Board Member of OUTLaws, and successfully represented a Honduran lesbian asylum-seeker in Immigration Court through the Safe Harbor Project.

It was the combination of her experiences in law school and her work with Professor Schneider that led Golubock to apply to the Georgetown Law Fellowship. "Professor Schneider has been an amazing source of guidance and support," Watson said. "She strongly encouraged me to apply, reviewed my résumé countless times, wrote a recommendation for me, and spoke to the Georgetown contact about my work."

"Women, particularly low-income women, face a range of challenges in the workplace, from sexual harassment and pregnancy discrimination to a lack of paid family leave and a dearth of protections for women who work as caregivers," Watson said. "These are urgent issues,

and solutions take many forms, including successful impact litigation and strong public policy measures. I am thrilled to play a part in this work."

Kathryn Hensley '13 and Kira Ewig '13 Awarded Bergstrom Child Welfare Fellowship

Kathryn Hensley '13 and Kira Ewig '13 were awarded the Bergstrom Child Welfare Law Summer Fellowship, which encourages outstanding law students nationwide to pursue careers in child advocacy. Fellows attend a three-day training session at the University of Michigan Law School followed by 10 weeks or more at a child welfare office representing children, parents, and social service agencies. David Shapiro '12 was awarded the fellowship last year.

Hensley worked at the Lawyers for Children—LGBTQ Youth Project, which offers free legal and social services to abused and neglected children, children in foster care, and children in high-conflict custody cases. The LGBTQ Youth Project specifically assesses the needs of gay, lesbian, bisexual, transgender, and questioning youth in foster care.

Hensley, who also co-chaired OUTLaws, the Law School's LGBTQ student organization, said she came to Brooklyn Law School to work on child welfare, poverty, identity, and exclusion issues. She also was awarded the Equal Justice America Fellowship, which funds her work at Lawyers for Children. "The opportunity to expand my knowledge allows me to better advocate for children and their families," she said.



Rebecca Golubock Watson '12



Kathryn Hensley '13



Kira Ewig '13



Mathews Vattamala '12

Hensley credits her academic experience at the Law School for nurturing her interest in social justice. Last fall she took part in the Children’s Law Center Clinic (CLC) and remained there as an intern this past spring working on cases involving child advocacy, abuse, neglect, custody, and visitation. Hensley also interned at the Kings County Family Court in Brooklyn. “This work and that at CLC have really shaped my law school experience and the direction I will take as a children’s advocate,” Hensley said.

Ewig worked at Children’s Rights, a Manhattan-based advocacy group whose mission is to reform the failing child welfare system across the nation. The organization also files federal class action lawsuits.

Ewig was attracted to Brooklyn Law School for its strong reputation in public service, its children’s rights curriculum, and its supportive community. Like Hensley, she took part in the Law School’s CLC Clinic, where she interviewed child clients and their parents and reviewed case files and relevant documents to prepare for hearings and trials. She is also an Edward V. Sparer Public Interest Law Fellow.

Ewig said that the Law School has provided an exceptionally supportive environment for developing her interest in child welfare. “It is not a competitive environment when it comes to public service. It’s more about people networking and helping one another, regardless of whether they know your field well or not,” she said.

Ewig hopes to continue her work in child advocacy, and in particular with foster children, after she graduates. “I’m truly appreciative of the wonderful opportunities and support I’ve received from BLS,” she said.

Mathews Vattamala '12 Publishes in *Emory Bankruptcy Developments Journal*

Mathews Vattamala’s article, “The Myth of Cross-Border Cooperation: Mutual Assistance for the Collection of Tax Claims in Cross-Border Insolvencies,” will be published by the *Emory Bankruptcy Developments Journal* this fall. Vattamala wrote the article for Professor Steven Dean’s Tax Policy Seminar and Professor Edward Janger’s Advanced Topics in Bankruptcy Seminar. “The *Emory*

“Cross-border tax cooperation and compliance are crucial to the health of the United States economy and the protection of its tax base.” — MATHEWS VATTAMALA '12

Bankruptcy Developments Journal is one of the very best bankruptcy oriented scholarly journals,” said Professor Janger. “Mathews is very deserving of this honor.”

Vattamala’s article draws upon the premise that “no country is an island unto itself,” and argues that cross-border tax cooperation and compliance are crucial to the health of the United States economy and the protection of its tax base. Yet, foreign courts administering cross-border insolvencies may deny a U.S. tax claim, even when such claims are treated as secured claims under local law. In a similar vein, a U.S. Bankruptcy Court recently refused to recognize the tax claim of a foreign government in reliance of the anachronistic common law doctrine known as the “revenue rule.”

To ensure other governments extend to the U.S. the necessary cooperation it will need to collect its tax claims in the cross-border context, Vattamala

recommends that the U.S. government revoke the revenue rule, or at minimum grant an exclusion to employee pension and insolvency related claims. He also recommends amending the current network of bilateral tax treaties to incorporate specific provisions to provide mutual assistance in the collection of tax claims in cross-border insolvencies. Finally, he argues that the U.S. should initiate a dialogue with the member nations of the Organization for Economic Cooperation and Development to create measures that protect the tax base of every nation

without discouraging competition or the cross-border flow of business, capital, and ideas.

While in law school, Vattamala concentrated his studies on tax law. He worked as a research assistant to Tax Professor Bradley Borden, with whom he published an article entitled, “Series LLCs in Real Estate Transactions” in the *Real Property Trust & Estates Law Journal* (46 Real Prop., Trust & Est. L.J. 225 (2011)). Vattamala took part in the Consumer Counseling and Bankruptcy Clinic where he worked on comparative tax issues. He also participated in the Brooklyn Law Incubator and Policy Clinic. He spent his last semester of law school as a legal intern at the Internal Revenue Service’s Office of Chief Counsel in their Large Business and International Division.

Vattamala is currently in his first semester of the LL.M. in Taxation program at Georgetown University Law Center.

Benjamin Falber '12 Wins Two National Writing Competitions

Benjamin Falber '12 won two national student writing competition awards for his research in environmental law. Both winning papers pose important questions about how the infrastructure of the world's future cities is built, and how society relates to and uses the spaces people live in.

The American Bar Association Section of Environment, Energy, and Resources awarded Falber the ABA Energy Law Student Writing Competition Award for his article "Transmission Lines: Generating a New Approach for FERC's Siting Authority," to be published in the *Environmental Law Reporter*. In the article, Falber critiques the protocol of how energy across state lines should be accessed by major population centers, considering that much of the renewable energy sources are located in remote rural areas.

He noted that a lack of designated authority makes investments in dispersion of energy a challenge. "The issue of new transmission siting on non-federal lands has disappointingly gained little momentum," Falber wrote. "Often wind farms and solar thermal fields are distant from large customer centers, and as new transmission lines need to be built, states frequently must exercise their power of eminent domain, leaving projects subject to approval under certain state imposed conditions." Falber argued that the Federal Energy Regulatory Commission (FERC) should be granted broader regulatory authority to address the lack of coordination.

Falber also won the Trandafir International Business Writing Competition for his note, "A Unique Expropriation Framework for a Unique Category of Investment: The Rights of Foreign Investors in Public-Private Partnerships," to be published in the University of Iowa's *Journal of Transnational and Contemporary Problems*. The article addresses the question: "If private-public partnerships (PPPs) are used to finance major development projects, and the doctrine of expropriation is so inconsistent among different



Benjamin Falber '12



Zachary Kuperman '12

tribunals and bilateral investment treaties, how will foreign investors know their rights and mitigate risks?"

Falber proposes a unique policy to protect investors. "When the PPP financial model is analyzed through the lens of expropriation law," Falber writes, "a legal framework for resolving disputes becomes apparent. Any perceived restrictions on sovereign powers could be made less significant if a host government limits its control over risk factors that could impact expected revenues of a PPP and limits itself to the procedures in the negotiated contract."

Falber worked on the note as an independent study under Professor Claire Kelly's guidance. "I am not at all surprised that Ben's paper won," said Kelly. "He took a cutting-edge topic and wrote a concise,

"Instead of being beholden to the old rules of partition, courts should use economic theories to allocate resources." — ZACHARY KUPERMAN '12

in-depth analysis. It was one of the best student notes I have read." Falber is the third BLS student to win the Trandafir prize, joining Lindsey A. Zahn '12 and Sarah Westby '11.

Zachary Kuperman '12 Wins the Burton Award

Zachary Kuperman '12 was selected as a recipient of a Burton Award for Legal Achievement for his note, "Cutting the Baby in Half: An Economic Critique of Indivisible Resources Partition," which was published in the Fall 2011 issue of the *Brooklyn Law Review*. He is the third BLS student to receive a Burton Award; the previous winners were Rachel Braunstein '03 and Michael Weitman '07.

The Burton Awards are presented by the Burton Foundation, a nonprofit organization devoted to recognizing excellence in the legal profession. Since 1999, the organization has focused primarily on the refinement and enrichment of legal writing by honoring attorneys and law students who use plain, clear, and concise language in place of jargon or "legalese."

In his note, Kuperman argues that the laws of partition are inadequate to efficiently solve modern co-ownership disputes as there are only two generally recognized judicial methods of partition: partition in kind and partition by sale. These two methods assume that property can either be physically divided or sold at a judicial auction in order to divide the proceeds. "But what if a property can be

neither sold nor physically divided, such as the case of two siblings fighting over ownership of their grandfather's rocking chair?" he asks.

Kuperman, who conceived of this idea while studying property law, reasoned that a third option should be available, one that takes into account the perceived value of the property deemed by the involved parties. "I use game theory in order to propose a new method of partition that I argue is more fair and efficient," Kuperman explained. "Instead of being beholden to the old rules of partition, courts should use economic theories to allocate resources."

Kuperman is currently an associate at Herzfeld & Rubin, P.C. where he works on class action litigation. ■

Clinic Roundup

New York City Council Honors the Safe Harbor Project for its Work on Behalf of Immigrants

As part of New York City's 9th Annual Immigrant Heritage Week, the New York City Council awarded proclamations to six law school clinics for their "outstanding service" to the immigrant community. Brooklyn Law School's Safe Harbor Project was among the recipients. Professors Stacy Caplow and Dan Smulian, who direct the clinic, accepted the proclamation from Councilmember Daniel Dromm, who sponsored the proclamation and chairs the Committee on Immigration.

Since the Safe Harbor Project began in 1997, BLS students have secured immigration status for more than 125 clients from countries all over the world. The students are deeply committed to their clients whose lives are often in the balance. "Every year, BLS students plunge into this work wholeheartedly and reap the rewards of helping people who are struggling to find a safe place to start over," said Professor Caplow.

Recent victories include an Immigration Court matter that resulted in the granting of asylum to a young man from South Asia who was severely hurt by his father's political enemies. Students Sayeda Abbas '12, Dina Kleyman '12, and Shannon Karam '12 worked on this case for almost a year. Another group of students, Amanda Bernardo '12, Laurie Cartwright '13, and Michelle Kim '12, secured asylum in the clinic's first case for a transgender client, a woman from Central America.

BLS Students Selected for New State Bar Internship Program

Four third-year students were chosen to be the first interns in the New York State Bar Association Internship Program. The program, which debuted this year, only chose students from Brooklyn Law School. The interns were Jonathan Jacobs '12, Yitzchak Kopel '12, Inna Rudman, '12, and Janine Stanisz '12. The students worked for clinical credit in a range of settings at First American Title Insurance Company of New York, Gallet Dreyer & Berkey, Olshan Grundman Frome Rosenzweig & Wolosky, and Shearman & Sterling. The four students were enrolled in the Transactional and Community Development Practicum taught by Professor Debra Bechtel.

David Berkey, a partner at Gallet Dreyer & Berkey and Secretary of the Real Property Law Section for the State Bar, spearheaded the new program, which is designed to provide practical experience and committed mentoring for the participants. "I am thrilled with Brooklyn Law School's involvement, and I'm impressed with the caliber of law students participating in the program," said Berkey.

"This is a terrific partnership between the Law School and practitioners in real estate law," said Professor Caplow. "We are fortunate to be a part of this innovative program."



LEFT TO RIGHT: Professors Dan Smulian and Stacy Caplow accept the New York City Proclamation from Councilmember Dromm.

The Maimonides Project: A Trial in Clinical Education Combining Medicine and Law

Brooklyn Law School's Prosecutor's Clinic partnered with the Maimonides Infants and Children's Hospital of Brooklyn to pilot a novel program involving physicians in court proceedings. It was designed to educate physicians and law students about the role of testifying and the impact they have on the outcome of child abuse cases.

The curriculum was spearheaded by Professor Lisa Smith, who directs the Prosecutor's Clinic, and Dr. Ingrid Walker-Descartes, the Director of the Maimonides Pediatric Residency Program. "The approach of combining learners from two different disciplines that tend to be adversarial in many ways has proven invaluable to the medical trainees who have never stepped foot in a courtroom," said Walker-Descartes.

The program centered on a simulated case in which a mother presented an infant she suspected had been sexually abused. Over the course of three days, 24 pediatricians from Maimonides Hospital participated in a court hearing along with Brooklyn Law School students who served as mock prosecutors. Smith provided instruction and explained the courtroom process. Walker-Descartes shared her experience testifying and also provided instruction.

Child abuse and neglect are leading public health problems with significant morbidity and mortality rates. Smith and Walker-Descartes sought to develop a standardized curriculum incorporating clinical recognition of child abuse, resident documentation, management and communication skills in cases of abuse, and the interface between pediatricians and the legal system.

Smith and Walker-Descartes were pleased with the results of the program and hope to make it a part of the curriculum. "Many of the physicians who participated agreed that they will be better prepared for the next time they step into a courtroom," said Walker-Descartes. ■

*From “Bedford Falls” to the Beltway to Brooklyn,
Nicholas W. Allard becomes the Eighth Dean of Brooklyn Law School*

Meet **the Dean**



Nick Allard, Brooklyn Law School's Joseph Crea Dean and Professor of Law, had just begun his tenure in July when he received a rather special email. Over the course of his few weeks in office, he had developed a good sense of the range of matters, large and small, that cross a law dean's desk, but this particular email stood out. The nine-year-old daughter of a BLS faculty member wrote—politely,

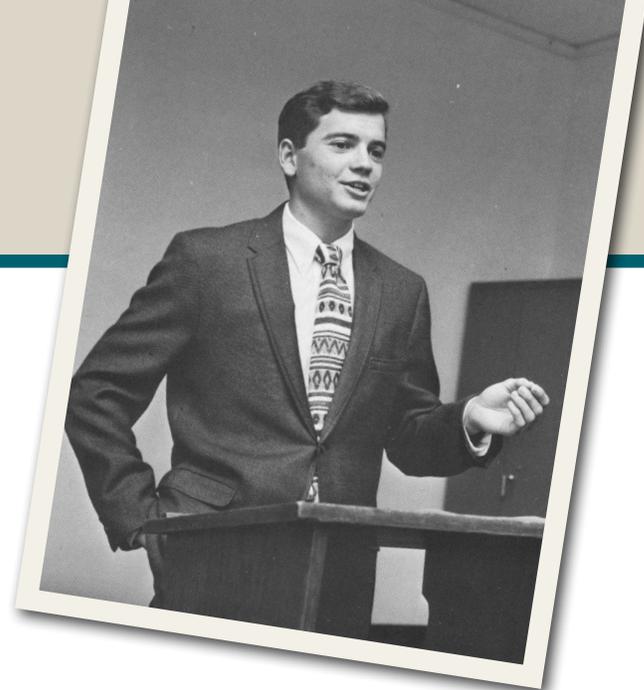
articulately, and persuasively—about a dog, or, more accurately, her lack thereof. In her email, she asked that she be allowed to have a pet dog in the Law School housing where her family lives, even though BLS policy forbids pets. She explained that she had recently moved to Brooklyn, had not yet made a lot of friends, and would love the company of a dog, which she promised to love and care for. Moreover, she promised to make sure the dog would never bother anyone.

By Andrea Strong '94

Allard is used to negotiating complex matters. After all, he spent the past thirty years in Washington, D.C. earning a reputation as an iconic lawyer-lobbyist in the nation's Capital. Globally recognized for his expertise on legislative and regulatory matters in the areas of telecommunications, information technology, health, energy, environmental law, and higher education, Allard was confident that he could handle a nine-year-old's wish for a dog. But he soon found that he would have to dig very deep into his reservoir of life experience to handle such a skilled petitioner.

He emailed her back, noting first that he had lived in Washington, D.C. for a long time and had left many friends there, and admitted that he too was trying to make new ones. He explained that while he was getting ready to become the dean he had lived in the very same building and hoped that she and her family would like it as much as he did. But, he continued, he thought the building was a better place for humans than for dogs. He ended by inviting her and her family in for a meeting to get to know each other and discuss her request. The precocious child emailed back: "I can fit you in on Monday between 3:45 and 4:00 p.m." Allard took the slot.

On the day of the meeting, in the presence of her mother, Allard heard the young advocate argue her case in *One Dog Lover v. BLS*. He patiently explained the policy reasons behind the school's ban on pets. "I really want a dog," she replied. He made a tactical retreat. "I wanted a dog as a kid too, and my parents said, 'No,' he said, glancing sheepishly at her mother. "My folks gave me a goldfish instead. Perhaps you would like a pet fish? You don't have to get up early and walk a fish, or clean up after its mess." "No. I want a dog," she replied, crossing her arms and digging in. Strike two. He tried several other lines of attack, all with the same result. Finally, Allard resorted to a risky, desperate tactic. He asked: "How do you feel about cigars?" "Yuck, disgusting," she shot back. "Well, I understand how you feel, but you know, you may think I am a bad person, but at the end of a long day of meetings with faculty, students, alumni, and smart children, sometimes I want to put up my feet and smoke a cigar. But we live in a "no smoking" school building, and so I don't smoke. We all have to obey rules meant to help different people live together, even if we don't like the rules." "I want a dog," she countered, simply and calmly. Allard turned to her mother: "Not sure what to tell you here. She's a tough, capable advocate. I recommend she go to law school."



The Early Years: A Real "Bedford Falls"

Conversations with Allard about how he ended up at Brooklyn Law School will, sooner or later, circle back to his beginnings and his experience growing up in New York's Suffolk and Rockland Counties. While he admits they weren't exactly like the idyllic Bedford Falls of Jimmy Stewart's "It's A Wonderful Life," for him, they were awfully close.

Allard spent his early years in Northport, Long Island, where his family lived near and sometimes with his maternal grandmother. Grandma Edna was a Navy nurse who worked at the Brooklyn Navy Yards and later at the Northport Veterans Administration Hospital. On her 80th birthday in 1985, her years of service and her personality were recognized in a long tribute in the Congressional Record by former Representative Bob Mrazek. "She was an unforgettable character and was enormously influential on my life," said Allard, who has inherited his grandmother's determination, independence, and insatiable zest for life. "Early in her career, my grandmother was a nurse in the still-segregated South working in the maternity ward. It was split between black and white, with two incubators on the white ward and none on the black. When a premature baby was born on the black ward, she was not permitted to use an incubator for the black infant. So she built one," Allard said. "What I do for a living is problem solving. You don't take no for an answer, and you keep searching for solutions until you find one that works, a solution that best accommodates all the legitimate, competing interests and concerns. I learned this from my grandmother."

When Allard entered high school, his parents were able to move their brood of four (a fifth child, Allard's youngest sister Heather, was born when Allard was an almost 22-year-old college senior) to a house of their own in Suffern, New York. His father, the son of a machine tool foreman, was an ex-Army sergeant combat engineer, who never quite made it to his dream of being a doctor. He reinvented himself professionally several times, rising through the ranks as a senior systems engineer in Long Island's then vibrant aircraft industry, and eventually becoming one of the first to work in the nascent data processing

A.B., Princeton University;
Honors in Woodrow
Wilson School of Public &
International Affairs

M.A., Oxford University;
Rhodes Scholar, Politics,
Philosophy & Economics,
Merton College



J.D., Yale Law School

Law Clerk, Honorable
Robert P. Peckham, Chief
Judge, U.S. District Court
for the Northern District
of California

1974

1976

1979

1979–1980

business, the precursor of today's information technology revolution. By the time his father retired, he had become a vice president of a bank. "My Dad, Big Nick, is the kind of guy who can rebuild a car with a screwdriver and a piece of wire," said Allard. "As a result, I cannot screw in a light bulb."

His father was also the first person in the family to graduate from college. "I have a healthy respect for the value of education," he said. "I come from a modest background where education had a transformational impact. I was lucky to have parents who encouraged me to dream big, but also wonderful teachers who believed in me all the way through."

Allard was also profoundly influenced by the parents of a young girl named Marla he noticed the first day of high school in 1967; a girl he began dating shortly thereafter and who would become his wife in 1975. "Marla's dad, Ephraim, was my closest friend and mentor from the day we first met in Suffern," he said. "Eph was the son of an immigrant tailor. He, his brother, and sister all had advanced science and engineering degrees from Johns Hopkins University before their 23rd birthdays, just one generation removed from Poland. Eph became a brilliant nuclear physicist who was recognized by the Society of Nuclear Medicine as their Man of the Year, and yet he was the kindest, sweetest man you would ever meet—a cross between Einstein and Kermit the Frog. Like my parents, and my grandmother, he believed in me and encouraged me to try to 'lasso the moon.'"

When it came to meeting his parents' and mentors' high hopes for him, Allard did not disappoint. After graduating as valedictorian of his class from Suffern High School (Marla describes him as a complete nerd at the time, who actually enjoyed the practice SAT tests her dad would give him) he left home for Princeton University. Though he worked long hours in the dining halls, before dawn in the college bakery, and as a bartender for President William G. Bowen, Allard thrived at Princeton. He was class president twice, chairman of the undergraduate assembly, head of the Honor Committee, and played several sports and a myriad of other activities including the marching band. He graduated from Princeton's Woodrow Wilson School of Public and International Affairs in 1974 with honors and a strong interest in government service and politics. With recommendations ranging from President Bowen, to his Shakespeare Professor Neil Rudenstine (later Harvard's President), to Pete the college baker, he won a Rhodes Scholarship to study at Oxford University in England. There he earned a Masters degree in Politics, Philosophy, and Economics at Merton College, and found time to play ice hockey and rugby and captain the Merton rowing team. He then went on to attend Yale Law School where he received his J.D. degree.

Mr. Allard Goes to Washington

Allard began his law career by clerking for Chief Judge Robert P. Peckham of the U.S. Court for the Northern District of California, and then for Judge Patricia M. Wald of the U.S. Court of Appeals for the District of Columbia Circuit. Following his clerkships, he joined Kaye, Scholer, Fierman, Hays & Handler as an associate. There he was mentored by former Connecticut Governor, Senator, and Kennedy Cabinet member Abe Ribicoff, and worked for Kenneth Feinberg who was then managing partner of the firm's new Washington office.

After nearly three years at Kaye Scholer, Allard left the firm to work on Capitol Hill, first as minority staff counsel to the Senate Committee on the Judiciary, where he was legal counsel to Senator Edward Kennedy, and then as administrative assistant and chief of staff to Senator Daniel Patrick Moynihan of New York. His years working on the Hill are among his most treasured. "I have been fortunate to work with some legendary leaders in my time," he said.



On Capitol Hill during the consideration of the landmark Telecommunications Act of 1996.

Law Clerk, Honorable
Patricia M. Wald, U.S.
Court of Appeals for the
D.C. Circuit

Associate, Kaye, Scholer,
Fierman, Hays & Handler

Minority Staff Counsel,
U.S. Senate Committee
on the Judiciary,
Staff to Senator
Edward M. Kennedy

Distinguished Service
Award, Federal Bar
Association

1980–1981

1981–1983

1983–1986

1985

“Ted Kennedy was a larger than life figure,” Allard recalled. “He was the hardest working guy I have ever met. He would take home a briefcase, sometimes two, every night, each one filled with memos and work. And he’d have a full evening scheduled: cocktail reception, dinner meeting, and an early morning tennis match with another senator discussing bills between points. The briefcase, what we called “the bag,” would arrive the next morning before he did, and every memo was marked up. He was always at it, the business of legislation and politics. He was also an incredibly thoughtful man who treated his staff with the utmost respect and kindness, not to mention he had an uproarious sense of humor.”

“Moynihan was an incredible, tough teacher who taught me the importance of high quality work and attention to detail,” he recollected, “and that everything matters—from written materials to speeches, to the importance of finding out all of the facts. If you wanted him to give a speech, he’d want to know everything. ‘What kind of a room is it? Who is going to be there? Where am I going to be seated? Who will speak before and after?’ Because it all matters,” said Allard.

His experience on the Hill hooked him on the life of a Washington lawyer. “Most traditional law involves answering the question, ‘what is the law?’” he remarked. “A litigator looks at the law as it is and examines who wins or loses under the facts. A corporate lawyer looks at the law and determines how to paper a deal. But a Washington lawyer, or someone who is engaged in the legislative process or in public policy—they are pursuing the question of ‘what should the law be?’ For me, that is most interesting.”

In 1987, Allard moved back into private practice, becoming a partner at Fox Bennett & Turner, a boutique firm with a focus on healthcare. His legislation and regulatory practice aimed to incentivize innovation and speed delivery of new medical products to the public, including work on technology transfer from university labs to the market. Increasingly, his work also began to expand into the field of new communications technology.

In 1992, he was recruited by Latham & Watkins to develop and grow their government relations practice, in particular, telecommunications. “The Internet and the tech sectors were exploding at this time. There was tremendous growth and change and an acute need for new legislation,” he said. “My role was to help in developing this new legislation and to grow the firm’s practice in this area.”



At this time, Allard worked on behalf of many new businesses especially in the wireless, satellite, and rising Internet industries. He represented clients seeking enactments of landmark cable, spectrum auction, and the omnibus Telecommunications Act of 1996. His Latham partner Reed Hundt, and later his law school friend Bill Kennard, became consecutive chairmen of the FCC. Another from this cadre, Julius Genachowski, is the current FCC Chairman. The 1996 Act alone required over 180 administrative FCC rulings to implement. Throughout almost two decades of unprecedented legal change, in addition to frequent short commentary and articles for newspapers, magazines, and professional journals, Allard published several signature law review articles. By the time of the dot-com frenzy he was an expert in the area.

In 2000, Allard, always politically active, took a leave to work full time as a senior aide on Vice President Al Gore’s presidential campaign. “I’ve always wanted to be in politics. If I’d had an opportunity to personally serve, I would have, but there are other ways to make a contribution,” he said. After the campaign ended, he returned to Latham, and then joined Patton Boggs in 2005, the preeminent lobbying law firm in the United States. There he developed an unparalleled lobbying practice with an emphasis in the areas of health, communications, and Internet law. During his eight years with the firm, he served as chair of the Public Policy and Regulatory Department, chair of the Government Advocacy Practice, and chair of the Health Targeted Industry Practice.

Administrative Assistant
and Chief of Staff,
U.S. Senator
Daniel Patrick Moynihan

Partner,
Fox Bennett & Turner

Partner, Latham & Watkins
LLP, Chair, Government
Relations Group

“Top 40 Health Lawyers in
the U.S.,”
National Law Journal

1986–1987

1987–1992

1992–2004

1997

A Scholar in a Lawyer’s Skin

With such a successful and exciting Washington career, some might question Allard’s decision to move to academia. But Allard has always had one foot planted firmly in the field of scholarship and education.

He is a prolific writer, often penning seminal articles on topics that matter to him. Beginning in the 1990s, Allard published a series of related law review articles anticipating and analyzing many of the legal developments in communications and information technology. In recent years, his writing focused on the gap between popular myths and the reality of how our public policy process works.

In addition, a continuous theme of his most recent writing has been to address ways to promote participatory democracy and overcome asymmetries in access and influence. His work has appeared in many law journals as well as mainstream media. His prominence in the field led to frequent domestic and international television, radio, and print interviews, appearances on the lecture circuit and appointments to the boards of the *Washington Journal of Law, Technology & Arts* and the *Hastings Communications and Entertainment Law Journal*.

Allard is also a powerful advocate for lobbying and the improvement of lobbying practices. He is the author of a chapter and the foreword to *The ABA Lobbying Manual: A Complete Guide to Federal Lobbying Law and Practices*, published in 2011. He also served on an American Bar Association task force considering improvements to lobbying regulation. For the past four years, Allard has been listed in “Top Lobbyists” by the Washington magazine, *The Hill*, and he has been recognized by *Chambers USA* in Government Relations for the past several years as well. Former Deputy Solicitor General of the U.S. David Frederick who has known him for 20 years, said Allard’s leadership has filled a void “in a very scholarly and practical way.”

In addition to his scholarship, for nearly ten years he taught Law & Order Cyberspace and Advanced Communications and Information Technology Law as an adjunct professor at George Mason University Law School (where he is a founding member of the Center for Technology Law), Privacy and Computers at Georgetown University McDonough School of Business, and Entertainment Law at Georgetown University Law Center. He has also guest-lectured at other universities and colleges and served in alumni leadership positions at Princeton University, Oxford University, and the Rhodes Scholarship Trust.

“Some people wonder how in the world I could trade in working in the original and top policy firm in the galaxy,”



In 2000, Allard took a leave of absence from Patton Boggs to work as a senior aide on Al Gore’s Presidential Campaign.

Allard told *The Hill*. “It ain’t easy. But the opportunity is irresistible because Brooklyn Law School is at the forefront of 21st-century legal education.” He added, “Returning to our native New York, where most of our family still lives and works, is icing on the cake.”

On Allard’s appointment as Dean, Patton Boggs’ chairman Tom Boggs said: “Allard has made an enormous impact through his practice and as a champion of integrity and ethics in law and lobbying. He is a scholar in a lawyer’s skin who has the vision and skills to lead Brooklyn Law School into the future at this important and challenging time for higher education. We are excited for the students and community who will benefit greatly from his leadership.”

“The breadth of Nick Allard’s experience in the private and public sectors will enable him to make a significant contribution to the Law School,” said Stuart Subotnick, chairman of the Law School’s Board of Trustees. “His energy, creativity, integrity, and collaborative style have made him exceptionally successful as a practitioner and leader at his firm. He is the ideal dean to continue the Law School’s forward momentum.”

10 Things You Don't Know About Nick Allard

1. Call him Nick. ("The only person who calls me Nicholas is my mother, and that's when she's annoyed with me.")
2. He's always dreamed of playing third base for the New York Yankees (Why third base? "A man has to know his limitations. I am too lumpy and slow for the outfield and I don't have enough range for second base or shortstop. ")
3. He considered becoming a doctor, but he can't stand the sight of blood.
4. He coached his children's youth baseball teams for nine years straight (two teams per year). His twins' team had seven losing seasons, but in his eighth year of coaching they won the championship.
5. He loves a cigar at the end of the day. (He likes a good Churchill or a Robusto, but he's quick to note that his favorite kind are "yemmen's"—a Yiddish word which means "other people's.")
6. He swam, played soccer, baseball, and hockey in high school, played rugby and ice hockey at Princeton and Oxford, and captained the Merton College rowing team at Oxford.
7. He has been known to interrupt a jog for a Big Bite Hot Dog (with mustard and relish) at 7-Eleven.
8. He's a huge fan of "NCIS." (His NCIS baseball cap hangs on the coat rack in his office.) His favorite movies are what he calls the "classics"—"Blazing Saddles," "Caddyshack," and "Some Like it Hot." He also loves the "great lawyer movies" including: "12 Angry Men," "To Kill a Mocking Bird," and "My Cousin Vinny." (He does a great Joe Pesci imitation.)
9. Books on his nightstand: *Rumpole of the Bailey*, by John Mortimer (he is re-reading it), and biographies of George Kennan and Louis Brandeis. "I'm afraid to read *50 Shades of Grey*."
10. If the role of Nick Allard were to be cast, he'd like to be played by Sean Connery, Jack Nicholson, or Harrison Ford, but he imagines that the role would go to an actor the likes of John Candy or Rodney Dangerfield.



Princeton Alumni Council
Award for Service
to the University

Partner,
Patton Boggs LLP
Co-chair, Public Policy
Department

Recognized by
Chambers USA in
“Government Relations”
and listed in “Top
Lobbyists,” *The Hill*

“Hermes” Award for the
Contribution to the Study
of Communication Laws,
Syracuse University
College of Law

1999

2005

2009–2012

2010

SELECTED WRITINGS

- *Debalkanize the Telecommunications Marketplace*, 28 CALIFORNIA WESTERN L. REV. 231 (1991-92) (with Theresa Lauerhass)
- *The 1992 Cable Act: Just the Beginning*, 15 HASTINGS COMM/ENT L.J. 305 (1993)
- *The New Spectrum Auction Law*, 18 SETON HALL L.J. 13 (1993)
- *Reinventing Rate Regulation*, 46 FEDERAL COMM L.J. 64 (1993)
- *Must Carry and the Courts: Bleakhouse, the Sequel*, 13 CARDOZO ARTS & ENT L.J. 139 (1994)
- *Reinventing Competition*, 17 HASTINGS COMM/ENT L.J. 473 (1995)
- *Privacy On-Line*, 20 HASTINGS COMM/ENT L.J. 511 (1998)
- *Digital Divide: Myth, Reality, Responsibility*, 24 HASTINGS COMM/ENT L.J. (2003)
- *Lobbying is an Honorable Profession: The Right to Petition and the Competition to be Right*, 19 STANFORD L. AND POL’Y REV. 23 (2008)
- “My Turn: We Need More Lobbyists,” *Newsweek* (February 22, 2010)
- “Mr. Chief Justice: Open These Doors,” *Politico* (October 4, 2010)
- Book Reviews, Vacancy: A JUDICIAL MISADVENTURE BY EDWIN M. YODER; and FAR FLUNG AND WELL FED by R.W. Apple, Jr. in *The American Oxonian* (Spring 2011, Winter 2010)
- Foreword (with Thomas Hale Boggs, Jr.) and (Chapter 40) “Practical Perspectives on the Practice of Lobbying,” *The ABA Lobbying Manual: A Complete Guide to Federal Lobbying Law and Practices* (Luneberg, Susman and Gordon, Eds. Fourth Edition 2011)
- Foreword, Inaugural Issue, 1 BROOK. L. PRACTICUM 1 (2012)

The Next Chapter

Spend an afternoon with Nick Allard and it becomes clear fairly quickly that he’s one of a kind. To begin with, he’s quite funny, in a self-effacing sort of way. He’s also a raconteur—the kind of guy you’d want to spend a long afternoon chatting with. He looks the part of a power lawyer, yet he’s approachable and affable; his personality combines a politician’s natural charm and a father’s warm sincerity. But don’t confuse friendliness and courtesy with weakness. Beyond the witty quips he is a strong leader, an original thinker, and a scholar. In his own words, Allard admits that throughout his life it has been a great advantage to be underestimated.

His ninth floor office is filled with photos of A-List Capitol Hill events and family milestones: his daughter Hilary smiling with Hillary Clinton; his boys Nate (Hilary’s twin) and Tyler in various pictures with Ted Kennedy, Tipper Gore, Alan Greenspan, Shimon Peres, and Alex Trebek; and his swaddled new grandson Theodore wearing grandpa’s wide framed glasses. It takes a moment to realize that Allard himself is absent from these pictures—that his pride is in the success of others close to him.

From this office, Allard has been meeting not only with nine-year-olds, but with all members of the BLS community—faculty, staff, students, and alumni—and gathering their input and advice on how to continue to move the Law School forward. In an effort to engage alumni, he is holding a series of conversations at the Law School with alumni grouped by graduation year.

Allard intends to seize upon what he describes as the innovative character that has made Brooklyn Law School a leader in so many areas from its earliest days—in public interest programs, pioneering legal clinics, one-of-a-kind centers, and an openness to women, minorities, and people whose cultural heritage comes from all points on the globe. “We intend to stay ahead of emerging trends. Brooklyn Law School’s traditions will continue to lead the way to the future of legal education and the profession. Standing still is not an option,” he said to the entering Class of 2012 at the Convocation Ceremony.

Allard is quick to point out that the faculty is the Law School’s strongest asset, and that he is deeply committed to continuing the work that has made BLS one of the finest communities of scholars in the United States. “We are in the top 50 scholarly schools in the country and we deserve it,” he said. “We have to do everything we can to continue to attract and support a vibrant, talented, productive community of scholars.”



2010

2011

2012

2012



To continue to propel the school to the forefront of learning and entrepreneurship, Allard is planning several initiatives that, he notes, build on President Joan G. Wexler's impressive groundwork. These include the creation of a Center for Entrepreneurship, along with a business boot camp, a kind of mini-MBA program that will teach students financial literacy. "You cannot teach entrepreneurship," he said. "But law schools can provide the tools." Allard is also supporting a more rigorous real estate curriculum to prepare students for jobs in the New York real estate development market. "We are looking at offering elements in our curriculum that will make our students more attractive to employers, and both of these initiatives have been strongly recommended by alumni leaders in the field," he said.

Allard also hopes to attract international students and scholars to the school who can learn more about justice and the rule of law and help build legal structures in their own countries. "I want our graduates and our faculty to be involved in fostering justice and the rule of law in new democracies," he said.

Allard is not a man on a solo mission without an ear to the ground. He is keen on spending time with students and getting to know them. During the first few weeks of law school for 1Ls, Allard hosted multiple informal "Nosh with Nick" gatherings in which he and a few faculty members get to know the incoming students in a small setting. "We are listening to students, responding to their concerns, needs, and hopes," said Allard. He has also planned other social gatherings for all students throughout the fall (including "Nick and Marla at Nite: Mix and Mingle" events) as part of his efforts to stay in touch with the student body, and to provide a little relief from the law school pressure cooker.

Tomorrow's Leaders

Allard is acutely aware of the difficulty recent graduates have faced in finding jobs, and he hopes to adjust the approach to job placement among third-year law students. He wants to expand the universe of choices beyond big and mid-sized firms, encouraging aspiring lawyers to look into alternative legal careers for which a J.D. degree is critical. One example is working in Washington, D.C., an area where Allard obviously has considerable experience. He will bring D.C. lawyers to BLS to talk to students and to expand the internship opportunities at various agencies and firms in Washington, so that students will have a chance to explore firsthand the range of options a law degree affords.

Allard established a new job campaign that will run along the same lines as an election campaign, complete with a "war room" and progress charts. And with his new "Alumni Committed to the Employment of Students" program (ACES), he hopes to engage and recognize alumni helping with career placement and reward them for their mentorship and assistance in placing students. "Because of the changes we are facing, we need to involve our alumni more than ever in the career process," said Allard. "They are on the front lines of practice, and we are asking them to tell us what a practicing lawyer needs and what clients want lawyers to do. But we also need alumni to help our students find meaningful jobs." (See page 59 of the magazine to learn more about ACES.)

Allard's ambition for students is not only to provide them with meaningful work after graduation. He sees this as the first step towards a much larger goal. "Our aspiration is for our students to be ready to begin worthwhile careers when they graduate, and also for them to be leaders," he said. "We can't give them the answers to tomorrow's questions, but we can equip them with the intellectual skills, curiosity, and discipline to figure out the solutions to tomorrow's challenges. I know that is possible because it is what BLS graduates have been doing for over 110 years." ■



Real Remedies for Virtual Injuries

By Professor Anita Bernstein

Fire up the Internet and you can do a lot. Share a photo. Read your email. Record your voice. Learn what your friends say they did a minute ago. Buy what you want, sell what you don't, follow a telenovela, find a joke on any subject, pay a bill, reserve or renew library books (my favorite), approve words and images you like with , download a file, upload a recording. You can ask questions and answer the questions others ask. Follow weather reports and stock market prices, or check the latest newspaper headlines. Watch a movie, seek advice, or learn the words of a song.

As long as our devices work and the electricity endures, this bounty never stops flowing. When we are online we pay for relatively few things by the hour or the transaction. But the largesse we enjoy is not quite free: our price of admission to this infinite market includes a persona. The Internet holds information not only for us, but about us: we don't just take bounty, we also generate it. The more we participate—uploading, reading, posting, buying, selling, downloading—the more elaborate an exploitable electronic version of ourselves becomes.

This essay is adapted from Professor Bernstein's contribution to a symposium on "Social Networks and the Law," published in 90 NORTH CAROLINA LAW REVIEW 1457-90 (2012).



Online, we can be treated in ways that don't hurt us—think of ads that pop up unnoticed—but we can also suffer. Anyone who has an Internet presence can experience what might be called “persona injury.” Personality that takes form in bytes and through circuits is a vulnerable creature, just like its flesh-and-blood counterpart.

Flesh-and-blood personae can petition the courts for legal redress after conduct that violates the law causes them injury. In principle, all is well. *Ubi jus, ibi remedium*, says the common law: when there is a right there is a remedy.

Consider these examples of virtual wrongs:

- In the mid-00's, an Internet platform called AutoAdmit opened to welcome anonymous posts about individuals associated with colleges and graduate schools. According to a complaint filed by two Yale Law School students, individuals using 39 pseudonyms posted “defamatory, threatening, and harassing statements” there. Prospective employers who typed the students’ names into search engines like Google found a welter of scurrilous content on AutoAdmit.
- A middle school principal in Pennsylvania was unamused by a fake MySpace page conjured up by two pupils. On this phony profile, two eighth-graders captioned a photo of him as “M-Hoe.” They impugned M-Hoe’s wife, the appearance of his child, and his sexual practices.
- When a paramedic in Staten Island responded to an emergency call, he found the corpse of a 26-year-old woman. She had been strangled with a hair dryer cord. The paramedic took pictures of the grisly scene and posted them on his Facebook page.
- After Kim Kardashian tweeted that “Dr. Siegal’s Cookie Diet is falsely promoting that I’m on this diet. NOT TRUE! I would never do this unhealthy diet! I do Quick Trim!” and “If this Dr. Siegal is lying about me being on this diet, what else is he lying about? Not cool!” Stanley Siegel took offense. The two tweets, made accessible to the millions who follow @KimKardashian, generated an action for what has been called “twibel,” a portmanteau of Twitter and libel. Kardashian settled with Dr. Siegel. Another celebrity, Courtney Love, paid a reported \$430,000 in 2011 to settle another Twitter libel claim.

Harms like these that stem from online publications—virtual injuries—have proved hard to repair. These stories illustrate a category of harm that can be addressed by doctrines and statutes that took root before the electronic age. Venerable principles and categories—including harm, dignity, wrongful conduct, defamation, the First Amendment—function just as well in the virtual-injuries era as they did at the formation of the American republic. I would maintain these familiar concepts and values, supplementing them with a forum for alternative dispute resolution.

The Law of Virtual Injuries Illustrated

Defamation. Impugning the good name or reputation of another person has been recognized for millennia as wrongful conduct. In many nations today it remains a crime. The modern cause of action in the United States has both common law and constitutional elements.

On the common law side, the plaintiff must prove that the defendant published to a third person some reputation-lowering material, “of and concerning” the plaintiff. An injurious publication that takes place only orally is called slander; defamation in writing or a comparably long-lasting form is libel. On the constitutional side, interpretations of the First Amendment compel the plaintiff to show fault on the part of the defendant and falsity of the published statement.

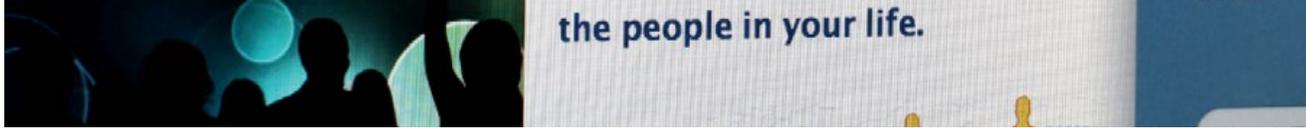
To illustrate how defamation might be involved in a virtual injury, consider the case of Zoe Margolis, a writer who submitted to *The Independent* an essay that the newspaper had solicited. She later announced that she was shocked to turn on her computer and find her prose published under the heading “I was a hooker, but became an agony aunt.” Margolis had to do some work to assert that “hooker” constituted defamation. There is nothing wrong, she said to her readers, with exchanging sex for money, but “my books and my blog focus on creating a clear distinction between the expression of female sexual desire for pleasure and the male-centered fantasy of the sex industry.” *The Independent* settled Margolis’s defamation claim.

Invasion of privacy 1: public disclosure of private facts.

As described in *Restatement (Second) of Torts*, this claim arises when the defendant has publicly disclosed a private fact about the plaintiff, but only if the disclosure is not of legitimate public concern, would be offensive to a reasonable person, and reveals facts that are not generally known.

A virtual-injury illustration of this cause of action would be using a blog post or social network medium to “out,” or expose as gay, lesbian, or bisexual a person assumed to be, or wishing to be considered, heterosexual. The outed person would have no claim for defamation if the characterization were true. Although many states, including New York, have expressed disapproval of this cause of action, it is the best available remedy, because the disclosure of a private citizen’s sexual orientation might well be both offensive to a reasonable person and not a matter of public concern.

Invasion of privacy 2: false light. The elements of this tort, also laid out in the *Restatement*, are four: the defendant must have published information about the plaintiff; the published material must have put the plaintiff in a false light; the false light must be highly offensive to a reasonable person; and the defendant must have known of the falsity or published the material with reckless disregard. False light overlaps with defamation, but whereas defamation focuses on



the plaintiff's reputation, false light focuses on the plaintiff's feelings and right to be let alone.

This type of virtual injury is illustrated by the case of Greg Meyerkord of St. Louis. Due to an error by his negligent employer, he was erroneously listed as the registrant for the domain name *alliwantforxmasisapsp.com*. "All I want for Christmas," said the domain name, "is a [Sony] PlayStation Portable." This domain name, concocted by Sony to imply customer enthusiasm, proved to be a laughingstock, and Meyerkord felt humiliated. In his complaint, Meyerkord noted that his suffering would "continue because the blogs and websites" putting him in a false light remain "on the Internet and open for searching/viewing for an indefinite period of time." We will return presently to this point about lingering harm.

Virtual injuries are peculiarly durable. The Internet functions as a giant archive. Content that seems to disappear can reemerge.

Appropriation, breach of the right of publicity, and false endorsement. This category includes both statutory and common law responses to unauthorized commercial use of another person's identity or personality. The main federal trademark statute, the Lanham Act, proscribes false endorsement, or the use of another person's "mark," in a way that causes confusion over whether the person has sponsored or approved a commercial activity. Tort causes of action for appropriation and breach of the right of publicity provide a remedy for the unauthorized use of another person's name or likeness, usually in a commercial context.

For example, Catherine Bosley, a news anchor for the Toledo affiliate of CBS, participated in a wet t-shirt contest in a nightclub while on vacation with her husband in Florida. A video production company based in Tampa filmed her without her consent when she was partially nude, and the images spread all over the Internet, labeling Bosley "the naked anchor woman." In her complaint, Bosley alleged that this publicity had killed her career in Toledo television (a tort damages claim) and also that the video images had been appropriated for a commercial purpose.

How Virtual Injuries Differ from Their Offline Predecessors

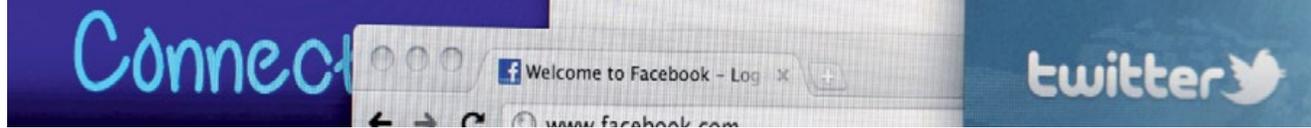
Old school tort law had the right idea when it declared a distinction between libel and slander. The common law makes damages for libel easier to recover than slander damages, based on a premise that libel lingers whereas slander dissipates. But what exactly is the difference?

Some reference works explain the difference by saying that libel can be seen—in a letter, an editorial and so on—as well as heard, whereas slander can only be heard. That's not quite right. Defamatory words spoken on an audio recording is libel, not slander, even if nobody ever publishes a transcript of the words on paper. The distinction is durability. Virtual injuries are peculiarly durable.

Remember Greg Meyerkord, the innocent bystander falsely named as the registrant for the embarrassing domain name that said, in web-speak, "All I Want for Christmas is a PlayStation Portable?" Meyerkord protested that because of the Internet, the erroneous information would linger even though his name was no longer listed. He prevailed with "false light," a variation on invasion of privacy that the state of Missouri had not yet accepted. Soon after the story broke, one blogger wrote an essay sympathetically titled "All I Want for Christmas is for Gregory Meyerkord to Be Left Alone." Meyerkord won in the Missouri Court of Appeals, but he hasn't been left alone: run "Greg Meyerkord" through a search engine and you'll see the false light still burning.

The Internet functions as a giant archive. Content that seems to disappear can reemerge. Right now, as I type and as you read, machines and information hoarders hum, busily making copies of websites. Some store online data purportedly for the public: in what Internet scholar Jonathan Zittrain has called "probably the largest copyright infringement ever," a website called the Wayback Machine built a database of "everything online." Users can pick any date earlier than today and search the Internet as of that date. Most people who store online data do so for their own benefit—and their benefit is our benefit when we want what they've tucked away and can access it. When what they've tucked away is injurious, durability makes the harm worse.

For contrast, think about libelous communications made before 1994, the year of the Internet's attributed birth. Books were durable but also relatively scarce (in comparison to an infinitely reproducible webpage that can be accessed from anywhere with a working Internet connection), costly, and hard to find. Writers of letters and note cards might have kept a copy of what they sent, but probably didn't maintain even that much durability. Newspapers wrapped fish and got thrown in the trash. Some made it into microfiche, a technology that tested the stamina of its users. Durability today is buttressed by accessibility.



Another key difference between virtual injuries and their offline predecessors is celerity. Harmful communications travel almost literally at the speed of light. A wired generation learns quickly about the latest publication and can republish it with the flick of a finger.

Social networking makes virtual injuries more intense, as well as faster, through the imprimatur of endorsement and personal approval. When Mark Zuckerberg launched Facebook, a domain suffix was central to his plan: “.edu” linked participants together as members of the same community. Today Facebook has dropped the .edu demand but tries to maintain authenticity and mutual vouching by requiring participants to use their real names. When we use our button to approve someone else’s content, we augment what was said. The power to cheer a win on the football field, an engagement announcement, or a witty comment on a blog is also the power to deepen someone’s harm.

Expert Alternative Dispute Resolution at the Plaintiff’s Election

My suggestion is that while taking care not to “break the Internet,” as the saying goes, the law should give people who have defamation, invasion of privacy, and statutory claims for virtual injuries better access to effective repair. At present, American courts are inaccessible to most injured people because they are too costly. Most victims of unlawful online injury cannot afford to pay lawyers by the hour and have not suffered a pricey enough harm to support a contingent fee. When I think about what virtual injury victims want, I am taking their perspective—which of course is not the only concern, but it offers a starting point.

People who suffer virtual injuries have four goals: (1) containment of the offending communication; (2) erasure (that is, as few copies of the harmful content in existence as can be achieved); (3) rehabilitation; and (4) lower costs. I propose giving them a choice. Claimants can either go to court in the traditional route or opt for expert alternative dispute resolution (ADR) that will reach a decision faster, focusing less on money damages and more on a meaningful fix.

Attorneys and live appearances work fine for the minority of virtual injuries complaints that involve big bucks. To save money, the ADR I suggest for the low-dollar majority would operate without lawyers. Cases would stay out of court. The plaintiff would fill out an online intake form complaining about an online publication; the defendant would respond. An arbitrator with expertise in the Internet would reach a decision. When warranted, these arbitrators could use “John Doe subpoenas” to identify anonymous publishers. First Amendment free speech values should inform their judgment.

Whenever an arbitrator rules for a defendant, the matter would likely end, because plaintiffs typically have trouble

paying lawyers to keep going. When the arbitrator rules for the plaintiff, the defendant would pay a sum that would include nominal compensation plus a fee to help finance the ADR mechanism. Next, a second provider would step in to handle expungement of the publication. This remediator would maintain attention to the Internet, working to keep reemergence to a minimum.

Expert entities—nonprofits like the Electronic Frontier Foundation or school-annexed programs like Brooklyn’s own Law and Incubation Policy Clinic—could furnish arbitrators for some claims and expunger-remediators for others. Law students in clinics could do much of the work, keeping costs down. Younger lawyers would then help to bring dispute resolution into the new millennium, enhancing how American law understands injury and redress. ■

ANITA BERNSTEIN

Anita and Stuart Subotnick Professor of Law



Anita Bernstein is a nationally recognized authority in tort law and feminist jurisprudence, as well as professional responsibility, family law, and products liability. She lectures throughout the country on these topics and is a prolific author. Her work includes several books on marriage and torts, and her articles have

been published in leading law reviews, including the *Harvard Law Review*, *California Law Review*, *Cornell Law Review*, and *Duke Law Journal*, among many others.

She has received numerous awards, including receiving 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 Schools Executive Committee on Torts and Compensation Systems.

Prior to joining Brooklyn Law School, Professor Bernstein was the Sam Nunn Professor of Law at Emory University School of Law, the Wallace Stevens Professor of Law at New York Law School, and the Norman & Edna Freehling Scholar and Professor of Law at Chicago-Kent College of Law. Before her academic career, she practiced with Debevoise & Plimpton and was a law clerk to Judge Jack Weinstein of the U.S. District Court for the Eastern District of New York.

Law School Welcomes Four New Faculty Members



This fall, Brooklyn Law School welcomed four new members to the faculty. The group includes one tenure-track professor, I. Bennett Capers; and three new members of the Visiting Assistant Professor Program, Emily Berman, Roger Michalski, and Melissa Mortazavi.

“These new faculty members will contribute richly to the tradition that is Brooklyn Law School,” said Dean Nick Allard. “We have recruited a talented group of professors with a terrific range of professional experience, a passion for the law, and a strong commitment to teaching. And I would expect nothing less.”

I. Bennett Capers *Professor of Law*

Professor Capers, an expert in criminal law and procedure, and evidence law, returns to Brooklyn Law School after having taught as an Adjunct Associate Professor of Law in 2003-2005. His academic and writing interests focus on the relationship between culture and law, addressing current, news-breaking topics. His articles have been published in top law reviews, including the *California Law Review*, *Columbia Law Review*, *Michigan Law Review*, and *Harvard Civil Rights-Civil Liberties Law Review*.

In “Real Women, Real Rape,” forthcoming in the *UCLA Law Review*, Capers explores the problem of how rape shield laws interact with rape scripts, those assumptions many of us have about what rapists look like, what rape victims look

like, and what constitutes rape. In “Enron, DOMA, and Spousal Privileges: Rethinking the Marriage Plot,” forthcoming in the *Fordham Law Review*, Capers uses the evidentiary issue of marital privileges to not only discuss an “almost raised” issue in the prosecution of Enron executives, but to problematize the emphasis, on the part of the LGBT community, on marriage equality.

Prior to teaching, he spent nearly ten years as an Assistant U.S. Attorney in the Southern District of New York. His work trying several RICO cases inspired the focus of his scholarship and earned him a nomination for the Department of Justice’s Director’s Award in 2004. In 2005, Capers joined the faculty of Hofstra University School of Law, where he received the 2006-07 Teacher of the Year Award and the Lawrence A. Stessin Prize for Outstanding Scholarly Publication in 2009. He also practiced with the firms of Cleary,

Gottlieb, Steen & Hamilton and Willkie Farr & Gallagher, and he also clerked for the Hon. John S. Martin, Jr. of the Southern District of New York. He holds degrees from Princeton University and Columbia University School of Law.

Emily Berman *Visiting Assistant Professor of Law*

Professor Berman joins the Law School after serving as a Furman Fellow and Brennan Center Fellow at New York University School of Law. She also held positions as Counsel and a Katz Fellow at the Brennan Center developing policy recommendations, drafting reports, and engaging in advocacy regarding U.S. national security policy and its impact on civil liberties. Her scholarship explores the relationships between and among government institutions in the development, implementation, and oversight of national security policy.

Professor Berman’s work has been published in the *George Mason Law Review*, *Alabama Government Law Review*, *Florida State University Law Review*, *New York University Law Review*, and some of her opinion pieces have appeared in *The Atlantic*, the *National Law Journal*, *Legal Times Online*, and *CNN.com*, among others. After graduating from law school, Professor Berman clerked for the Hon. John M. Walker, Jr. of the Second Circuit Court of Appeals. She is a graduate of New York University School of Law and Duke University.

Roger Michalski

Visiting Assistant Professor of Law

Professor Michalski's research focuses on civil procedure, criminal procedure, and administrative law. His work in this area has been published most recently in the *Yale Law Journal*, *Harvard Law and Policy Review*, and the *Buffalo Law Review*. He joins the faculty from the Public Defender's Office in Bakersfield, California, where he was a deputy public defender. He previously taught undergraduate legal studies and political theory at the University of California, Berkeley and the University of Michigan. He holds degrees

from the University of Rochester, the University of Michigan, and the University of California at Berkeley, Boalt Hall School of Law.

Melissa Mortazavi

Visiting Assistant Professor of Law

Professor Mortazavi's primary research interests include professional responsibility and ethics, torts, and food law. In the past year, she has published articles on these subjects in the *Washington and Lee Law Review* and the *Minnesota Law Review*. Prior to joining the Law School faculty, Professor Mortazavi clerked for Judge Beverly Martin

of the U.S. District Court, Northern District of Georgia and was a litigator with the law firm of Debevoise & Plimpton LLP. There, she worked on a wide variety of commercial cases including domestic and international arbitrations, securities investigations, and white collar matters. Her pro bono practice included a class action on behalf of women prisoners, voting rights cases in Florida and Colorado, and representing several Guantanamo detainees before administrative bodies and federal courts, including a briefing before the Supreme Court. She is a graduate of Cornell University and the University of California at Berkeley, Boalt Hall School of Law. ■

FACULTY Notes

William Araiza

PUBLICATIONS

- *Deference to Congressional Factfinding in Rights-Enforcing and Rights-Limiting Legislation*, 88 N.Y.U. L. REV. ___ (forthcoming 2013)
- *Back to the Future*, 28 CONST. COMMENT. 111 (2012)
- *The Public Trust Doctrine as an Interpretive Canon*, 45 U.C. DAVIS L. REV. 693 (2012)
- *Playing Well with Others—But Still Winning: Chief Justice Roberts, Precedent, and the Possibilities of a Multi-Member Court*, 46 GA. L. REV. 1059 (2012)
- *Apoplectic About Hyperlexis*, 80 FORDHAM L. REV. RES GESTAE 69 (2012)

PROGRAMS & PRESENTATIONS

- Presenter, "The Supreme Court and the 2012 Election" and "Restraint and Rhetoric in Justice Thomas's Originalism," Southeastern Association of Law Schools Annual Conference, Amelia Island, FL
- Panelist, "The Institutional Press, the Internet, and the Paradox of the Press Clause," Free Speech Scholars Roundtable, University of Notre Dame London Campus

OTHER PROFESSIONAL HIGHLIGHTS

- Member, LexisNexis Law School Advisory Board

Jonathan Askin

PUBLICATIONS

- Op-Ed: *Dirty Picture, Dirty Water, Dirty Politics*, THE HUFFINGTON POST, June 14, 2012

PROGRAMS & PRESENTATIONS

- Working Group Leader, "Transactional Clinics," and Speaker, "Representing Clients Across Borders," AALS Clinic Conference, Los Angeles
- Founder and Organizer, "Legal Hackathon;" Organizer, "Entrepreneurs Roundtable," Brooklyn Law School
- Speaker, "Maximizing the Power of Digital Distribution" and "SEC- Self-Regulation: Flight Path, Learning and Way Forward," FICCI Frames Conference, Mumbai, India
- Speaker, "Cyberlaw and Tech Startups," Benjamin N. Cardozo School of Law
- Speaker at numerous lectures at NYC-based incubators on the role of lawyers in enabling tech start-ups: Queens Economic Development Corporation, GrassrootsCamp.org, New York Tech Meetups, General Assembly Incubator Space

OTHER PROFESSIONAL HIGHLIGHTS

- Board Member, Internet Society, New York Chapter
- Judge, Mentor, Brooklyn PowerUP! Business Plan Competition

Miriam Baer

PUBLICATIONS

- *Choosing Punishment*, 92 B.U. L. REV. 577 (2012)
- *Some Thoughts on the Porous Boundary between Ordinary and Extraordinary Fraud*, 14 U. PA. BUS. L.J. 927 (2012) (reviewing T. BAKER AND S. J. GRIFFITH, ENSURING CORPORATE MISCONDUCT (2010))

PROGRAMS & PRESENTATIONS

- Commenter, “Roundtable on Misdemeanors,” New York University School of Law
 - Presenter, “Agency Costs and Temporal Inconsistency,” National Business Law Scholars Conference, University of Cincinnati College of Law
 - Moderator, “Criminal Law Roundtable,” Columbia Law School
-

Christopher Beauchamp

PUBLICATIONS

- *Patenting Nature: A Problem of History*, 16 STAN. TECH. L. REV. ___ (forthcoming 2013)
-

Debra Bechtel

PROGRAMS & PRESENTATIONS

- Presenter, “Networking: What Does It Mean and How Can We Teach Our Students to Do It?” AALS Externship 6 Conference, Northeastern University School of Law/Harvard Law School

OTHER PROFESSIONAL HIGHLIGHTS

- Appointed to the New York City Bar Association Housing and Urban Development Committee
-

Ursula Bentele

PUBLICATIONS

- APPELLATE ADVOCACY: PRINCIPLES AND PRACTICE (5th ed. 2012) (with E. Cary & M. Falk)
-

Anita Bernstein

PUBLICATIONS

- *Diversity May Be Justified*, 64 HASTINGS L.J. ___ (forthcoming 2012)
- *Real Remedies for Virtual Injuries*, 90 N.C. L. REV. 1457 (2012)

PROGRAMS & PRESENTATIONS

- Presenter, “Real Remedies for Virtual Injuries,” Social Networking Sites: Law, Policy, and Practical Strategies Conference, Suffolk University Law School; Private Law Workshop, Harvard Law School
- Presenter, “The Trouble with Regulating Microfinance,” University of Maine School of Law; University of Missouri-Kansas City School of Law
- Presenter, “Diversity May Be Justified,” University of San Diego School of Law; University of New Mexico School of Law; and Charleston School of Law

OTHER PROFESSIONAL HIGHLIGHTS

- Appointed to the New York State Bar Association Attorney Professionalism Committee
-

Bradley Borden

PUBLICATIONS

- *Quantitative Model for Measuring Line-Drawing Inequity*, 98 IOWA L. REV. ___ (forthcoming 2013)
- LIMITED LIABILITY ENTITIES: STATE BY STATE GUIDE TO LLCs, LPs AND LLPs, Volumes 1-3 (Wolters Kluwer Law & Business 2012) (with R. Rhee)
- *Sales of Church Real Property to Parishioners*, 24 TAX’N EXEMPTS 3 (2012) (with K. David)
- *The Overlap of Tax and Financial Aspects of Real Estate Ventures*, 39 J. REAL EST. TAX’N 67 (2012)
- *Tax-Free Exchanges of Art and Other Collectibles*, 29 J. TAX’N INV. 3 (2012)
- *From Allocations to Series LLCs: 2011’s Partnership Tax Articles*, 134 TAX NOTES 1433 (2012)

PROGRAMS & PRESENTATIONS

- Presenter, “Professional Ethics in the Transactional Setting,” (with D. J. Ventry, Jr.) and “Financial Analysis of Non-Corporate Entities,” PLI Pocket MBA, San Francisco
- Panelist, “Is It Treated as a Sale? Lease? Financing? Part II,” American Bar Association Section of Taxation, Sales, Exchanges & Basis Committee Meeting, Washington, DC
- Panelist, “Build-to-Suit or Full-of-Boot: Analyzing Exchanges Involving Leasehold Improvements Constructed by a QI or EAT,” American Bar Association Section of Taxation, Sales, Exchanges & Basis Committee Meeting, San Diego

OTHER PROFESSIONAL HIGHLIGHTS

- Consultant, U.S. Congress Joint Committee on Taxation
-

Dana Brakman Reiser

PUBLICATIONS

- *The Next Big Thing: Flexible-Purpose Corporations*, 2 BUS. L. REV. ___ (forthcoming 2012)

PROGRAMS & PRESENTATIONS

- Presenter, “Significant Issues in Nonprofit Legal Scholarship,” Business Law Section Committee on Nonprofit Organizations, American Bar Association Annual Meeting, Chicago
- Presenter, “The Latest Hybrid Form: The Flexible Purpose Corporation,” Business Law Review Symposium, “Profits Plus Philanthropy: The Emerging Law of Social Enterprise,” American University-Washington College of Law
- Presenter, “Theorizing Forms for Social Enterprise,” 31st Annual Randolph W. Thorer Symposium “Innovation for the Modern Era: Law, Policy and Legal Practice in a Changing World,” Emory University School of Law

OTHER PROFESSIONAL HIGHLIGHTS

- Associate Reporter, American Law Institute, Principles of the Law of Nonprofit Organizations
 - Chair-Elect, AALS Section on Nonprofit and Philanthropy Law
 - Academic Advisor, American Bar Association Business Law Section, Committee on Nonprofit Organizations
-

Neil B. Cohen: Recognized Expert in International Contract and Commercial Law

Professor Neil B. Cohen, the Jeffrey D. Forchelli Professor of Law, is well known in the field of contracts and commercial law, having co-authored one of the leading contracts casebooks and written numerous law review articles on these subjects. Perhaps, though, he is most widely regarded as an expert in his field because of his involvement in creating international contract and commercial law through several international organizations.

“Because transactions don’t stop at national borders anymore, lawyers’ knowledge can’t stop at borders either; both in learning the law and developing it, we have to think internationally.”

Since 1995, Professor Cohen has served as a member of the delegation of the United States to the United Nations Commission on International Trade Law (UNCITRAL) and two of its Working Groups with respect to the emerging international law of secured transactions.

He has also served as the only American member of a Working Group of the Hague Conference on Private International Law charged with preparing choice of law principles for international commercial contracts, and participated in the preparation of the latest version of Principles of International Commercial Contracts by UNIDROIT (the International Institute for the Unification of Private Law/Institut International Pour L’unification Du Droit Prive), one of two surviving organs of the League of Nations.

Most recently, Cohen was appointed by the UNIDROIT Secretariat to a commission of experts to prepare a legal guide relating to the UNIDROIT Principles of International Commercial Contracts. Also, he is one of two co-authors of *Comparison and Analysis of Major Features of International Instruments Relating to Secured Transactions*, a joint publication of UNCITRAL, UNIDROIT, and the Hague Conference that was published this spring by the United Nations.

The U.S. government has recognized Cohen for his work in this area. First as a delegate to UNCITRAL, and more recently he was named to the Secretary



of State’s Advisory Committee on Private International Law. In this elite capacity, he has advised the State Department on a variety of international treaties and conventions relating to commercial law and contracts. The American Law Institute has also recognized Cohen’s expertise, initially recommending him to the State Department for participation in the UNCITRAL working groups and later appointing him as the Institute’s observer for UNIDROIT’s work on international commercial contracts. ■

Michael Cahill

PUBLICATIONS

- *Defining Inchoate Crime: An Incomplete Attempt*, 9 OHIO ST. J. CRIM. L. 751 (2012) (symposium issue)

PROGRAMS & PRESENTATIONS

- Presenter, “Defining Inchoate Crimes,” Florida State University College of Law Faculty Enrichment Workshop

I. Bennett Capers

PUBLICATIONS

- *Real Women, Real Rape*, __ UCLA L. REV. __ (forthcoming 2013)
- *Enron, DOMA, and Spousal Privileges: Rethinking the Marriage Plot*, 80 FORDHAM L. REV. __ (forthcoming 2012)
- *Blind Justice*, 24 YALE J.L. & HUMAN. 179 (2012)

PROGRAMS & PRESENTATIONS

- Presenter, “Real Women, Real Rape,” Gender, Law, and Policy Colloquium, Boston University Law School; Colloquium on Criminal Justice, University of Miami School of Law

- Panelist, “Defense of Marriage Act: Law, Policy, and the Future of Marriage,” Fordham University School of Law
- Panelist, “New Frontiers in Race and Criminal Justice Conference,” New York University School of Law

OTHER PROFESSIONAL HIGHLIGHTS

- Appointed Chair of Planning Committee for AALS 2013 Mid-Year Conference on Criminal Justice
- Adviser, ALI’s Model Penal Code: Sexual Assault and Related Offenses Project

Stacy Caplow

PUBLICATIONS

- *Governors! Seize the Law: A Call to Expand the Use of Pardons to Provide Relief from Deportation*, __ B.U. PUB. INT. L.J. __ (forthcoming 2013)

PROGRAMS & PRESENTATIONS

- Presenter, “Heterodoxy: The Next Generation of Externship Seminars,” AALS Externships 6 Conference, Northeastern University School of Law/Harvard Law School

OTHER PROFESSIONAL HIGHLIGHTS

- Member, Steering Committee, Judge Robert A. Katzmann New York Immigrant Representation Study Group
- Member, *Pro Se* Panel, U.S. Court of Appeals for the Second Circuit
- Peer Reviewer, United States Fulbright Commission, Law Discipline

Neil B. Cohen

PUBLICATIONS

- UNCITRAL, Hague Conference and UNIDROIT Texts on Security Interests: Comparison and Analysis of Major Features of International Instruments Relating to Secured Transactions (United Nations Commission on International Trade Law, Hague Conference on Private International Law, and International Institute for the Unification of Private Law (UNIDROIT, May 2012) (with S. O. Weise)

PROGRAMS & PRESENTATIONS

- Presenter, "Mortgage Notes: Explaining the New Report of the UCC Permanent Editorial Board," ALI-ABA CLE course, teleconference
- Presenter, "The UCC and the Mortgage Crisis," Current Issues in the Uniform Commercial Code Symposium, New England School of Law
- Presenter, "The Proposed Hague Principles on Choice of Law in International Commercial Contracts," Council on General Affairs and Policy of the Hague Conference on Private International Law, The Hague
- Speaker, "Commercial Lending Today," CLE course, New York
- Presenter, "Choice of Law in International Commercial Contracts," International Academy of Commercial and Consumer Law, Mexico City

Steven Dean

PUBLICATIONS

- *The Tax Expenditure Budget is a Zombie Accountant*, 46 U.C. DAVIS L. REV. __ (forthcoming 2012)

Robin Efron

PUBLICATIONS

- *The Shadow Rules of Joinder*, 100 GEO. L.J. 759 (2012)
- *Letting the Perfect Become the Enemy of the Good: The Relatedness Problem in Personal Jurisdiction*, 15 LEWIS & CLARK L. REV. 867 (2012)

PROGRAMS & PRESENTATIONS

- Presenter, "Letting the Perfect Become the Enemy of the Good: The Relatedness Problem in Personal Jurisdiction," 2012 Federal Courts Junior Faculty Workshop, Florida International University
- Presenter, "New Scholars Workshop," Southeastern Association of Law Schools Conference, Amelia Island, FL

Mary Falk

PUBLICATIONS

- APPELLATE ADVOCACY: PRINCIPLES AND PRACTICE (5th ed. 2012) (with U. Bentele & E. Cary)

James Fanto

PUBLICATIONS

- BROKER-DEALER LAW AND REGULATION (Aspen, 4th ed. 2012) (with N. Poser)

OTHER PROFESSIONAL HIGHLIGHTS

- Named Co-Editor in Chief, PRACTICAL COMPLIANCE & RISK MANAGEMENT FOR THE SECURITIES INDUSTRY (Wolters Kluwer)
- Faculty member, "Suitability" and "Supervision," Certified Regulatory and Compliance Professional Program, FINRA Institute at the Wharton School, University of Pennsylvania
- Invited Visiting Professor, Université Jean Moulin, Lyon, France; taught U.S. corporate and securities law

Richard Farrell

PROGRAMS & PRESENTATIONS

- Presented several CLE workshops throughout New York: Suffolk Academy of Law/Nassau Academy of Law, New York State Bar Association, Columbian Lawyers of Brooklyn, Nassau Lawyers Association of Long Island, and the New York County Lawyers Association CLE Institute

Maryellen Fullerton

PUBLICATIONS

- *Stealth Emulation: The United States and European Protection Norms*, in THE GLOBAL REACH OF EUROPEAN REFUGEE LAW (Cambridge University Press, forthcoming 2012)
- IMMIGRATION AND NATIONALITY LAWS OF THE UNITED STATES: SELECTED STATUTES, REGULATIONS, AND FORMS (West, 2012)

PROGRAMS & PRESENTATIONS

- Presenter, "Judicial Activism in Europe: 'Federal Courts' Meets 'Forced Migration,'" Biannual Immigration Law Conference, Maurice A. Deane School of Law at Hofstra University
- Presenter, "The U.S. Supreme Court and State Immigration Laws," Australian Barristers in New York

OTHER PROFESSIONAL HIGHLIGHTS

- Selected as Distinguished Chair in Law, Trento University, Italy
- Chair, Research and Scholarship Workshops, Immigration Law Conference

Marsha Garrison

PUBLICATIONS

- *Child Protection Decision Making: The Risks in Risk Analysis*, 21 J. L. & POL'Y __ (forthcoming 2012)
- Book Review, __ INT'L. FAM. L. __ (forthcoming 2012) (reviewing ANN LAQUER ESTIN, INTERNATIONAL FAMILY LAW DESK BOOK (American Bar Association, 2012))
- *Rebuilding Family Law: From Adjudication to Therapeutic and Preventive Services*, in FAMILY CASES: ADJUDICATION AND ENFORCEMENT (I. Kudinavičiūtė-Michailovienė ed., Mykolas Romeris Univ. Press, 2012)
- *Regulating Cohabitation*, UKRAINIAN LAW REVIEW: LAW OF THE USA (2012) (translated into Ukrainian)
- *Same-Sex Marriage, American Style: An Update*, [2012] INT'L. FAM. L. 222-24

Maryellen Fullerton Receives Second Fulbright Scholarship

Professor Maryellen Fullerton, who specializes in comparative refugee law, was appointed to the Distinguished Chair in Law at the University of Trento in Italy for the 2012-2013 academic year through the U.S. Fulbright Scholar program. This is Professor Fullerton's second Fulbright Award. She received her first to study comparative asylum systems in Belgium and Germany in 1986.

"Receiving this award brings my career full circle," Fullerton said. "Twenty-five years ago my Fulbright to the University of Louvain transformed my research, teaching, and world view. Now I hope to begin to repay the debt by sharing with the undergraduate and doctoral students at Trento the expertise I have developed in comparative refugee and asylum law and the skills I have honed as a successful law teacher."

Fullerton's research at the University of Trento compares the laws of Italy, the European Union, and the United States as they have evolved in response to the phenomenon of forced migration. Her research examines the ways in which governments have reacted to refugees and asylum seekers. In particular, she is

"Receiving this award brings my career full circle. I hope to begin to repay the debt by sharing with my students and others the expertise I have developed in comparative refugee and asylum law."



analyzing the extent to which Italy, a major southern gateway to the European Union, has diverged from other EU member states in the reception, processing, and substantive decisions regarding asylum seekers and refugees.

Fullerton is the co-author of two leading immigration law casebooks, *Immigration and Citizenship Law: Process and Policy* (7th ed. 2012) and *Forced Migration: Law and Policy* (2007). More than 100

law schools and universities throughout the United States use these texts. For the past three years, Fullerton has also been the Editor-in-Chief of the *Refugee Law Reader*, a free online curriculum and course book in refugee law. Created to provide intellectual resources to new legal clinics in law faculties in Eastern Europe, the *Refugee Law Reader* is an important teaching and advocacy resource used around the world.

Fullerton was also a German Marshall Fund Fellow in Budapest in the 1994-1995 academic year and a Visiting Scholar at the Juan March Institute, Center for Advanced Studies in Social Sciences in Madrid in the 2001-2002 academic year. ■

PROGRAMS & PRESENTATIONS

- Presenter and Co-chair, "Toward an Apgar Test for Child Protection," Reforming Child Protection Law: A Public Health Approach Symposium, Brooklyn Law School
- Presenter, "Child Protection Decision Making: The Risks in Risk Analysis," North American Regional Conference of International Society of Family Law, University of Iowa College of Law

OTHER PROFESSIONAL HIGHLIGHTS

- Awarded a Visiting Scholar position at the University of Bologna for Spring 2013 semester

Cynthia Godsoe

PUBLICATIONS

- *Parsing Parenthood*, 17 LEWIS & CLARK L. REV. __ (forthcoming 2012)
- *Just Intervention: Differential Response in Child Protection*, 21 J.L. & POL'Y __ (forthcoming 2012)
- Op-Ed: *Blame Poverty, Not Parents*, NAT'L L.J. May 17, 2012

PROGRAMS & PRESENTATIONS

- Co-chair, Reforming Child Protection Law: A Public Health Approach Symposium, Brooklyn Law School
- Presenter, "Just Intervention: Differential Response in Child Protection," Emerging Family Law Scholars Conference, Fordham University School of Law
- Panelist, "Public Interest Lawyering," Biennial Legal Writing Institute Conference, Palm Springs
- Presenter, "Protection, Punishment & The Regulation of Sexuality in Young Girls," Sharing Scholarship, Building Teachers Conference, Albany Law School

OTHER PROFESSIONAL HIGHLIGHTS

- Selected as a 2012 National Institute for Teaching Ethics & Professionalism (NIFTEP) Fellow

Joel Gora

PROGRAMS & PRESENTATIONS

- Organized and planned "Free Speech and the Internet," 2012 Winter Bench and Bar Conference of the Federal Bar Council, Hawaii

Susan Herman

PUBLICATIONS

- *Prison Reform Litigation Acts*, 24 FED. SENT'G REP., No. 4 (Apr. 2012)

PROGRAMS & PRESENTATIONS

- Keynote Speaker, "Ab(ju)dication: The War on Terror, Civil Liberties, and the Courts," Civil Rights Conference on Barriers and Innovations in Civil Rights Litigation Since 9/11: Practical and Theoretical Perspectives, University of Texas School of Law
- Speaker, "Taking Liberties: The War on Terror, Civil Liberties, and the American Courts," Wallenberg Lecture, McGill University Faculty of Law
- Student and faculty addresses on civil liberties, Widener University School of Law
- Keynote Speaker, "Taking Liberties," World Affairs Council, Harrisburg
- Panelist, "Identity, Human Rights and the United Nations," United Sikhs Conference, New York
- Keynote Speaker, "Privacy, Constitutional Rights, and the Librarian," Library Trustees Association of New York State, Uniondale; and remarks, Connecticut Library Association, Mystic

Roberta Karmel

PUBLICATIONS

- *IOSCO's Response to the Financial Crisis*, 37 J. CORP. L. 849 (2012)
- *An Orderly Liquidation Authority is Not the Solution to Too-Big-To-Fail*, 6 BROOK. J. CORP. FIN. & COM. L. 1 (2011)

PROGRAMS & PRESENTATIONS

- Panelist, "Judicial and Legislative Developments" and "Ethics," The SEC Speaks in 2011 PLI Program, Washington, DC
- Keynote Speaker, "Breaking Up the Too-Big-To-Fail Banks," Tiger 21, New York
- Participant, "Delaware Corporate Law Roundtable," sponsored by the Institute for Law and Economics, University of Pennsylvania Law School
- Speaker, "Regulation of U.S. Financial Institutions and Markets: An Overview," Lexis-Nexis CLE program, New York

OTHER PROFESSIONAL HIGHLIGHTS

- Appointed Chair of the Board of Trustees of the Practising Law Institute

Claire Kelly

PUBLICATIONS

- *The Sociological Pull of Soft Law*, 106 AM. SOC'Y OF INT'L LAW PROC. __ (forthcoming 2013)
- *The Future of International Networks of Market Regulators and the Role of Stakeholders and Civil Society*, in THE ACCOUNTABILITY OF FINANCIAL REGULATORS: LESSONS FROM THE FINANCIAL CRISIS (P. Igelisia-Rodriguez ed., Maastricht Univ. Press, forthcoming 2013)
- 2012 PRIMER ON THE TRADE ADJUSTMENT ASSISTANCE ACT (www.citba.org)
- *If the Glove or Shoe Fits: Court of International Trade Invokes Totes-Isotoner and Rejects Another Equal Protection Exception*

for Customs Cases in Rack Room Shoes v. United States, 16 ASIL INSIGHTS, No 13 (Apr. 2012)

- *VJL Symposium: Doctor, Heal Thyself—A Commentary on Professor Sungjoon Cho's Critique of Shaffer and Trachtman*, OPINO JURIS (Apr. 2012)
- *The Evolving International Trade Order: Global Sourcing and New Challenges to the WTO System*, in WTO PUBLIC FORUM 2011: SEEKING ANSWERS TO GLOBAL TRADE CHALLENGES (Sept. 2012)
- *The Promises and Perils of Global Governance: A Case of the G20*, 12 CHI. J. INT'L L. 491 (2012) (with S. Cho)

PROGRAMS & PRESENTATIONS

- Presenter, "The Future of International Networks of Market Regulators and the Role of Stakeholders and Civil Society," The Accountability of Financial Regulators: Lessons from the Financial Crisis, Maastricht University, The Netherlands
- Panelist, "The Sociological Pull of Soft Law: Opting Against International Law in International Financial Regulation," American Society of International Law Annual Meeting, Washington, DC
- Commentator, on Samuel Litton, "US-Tuna and the Hardening of International Soft Law," New York University's International Law and Human Rights Scholars' Conference
- Presenter, "On Trade Anachronism, Breaking the Frame between Public and Private International Law," Chicago-Kent College of Law

Adam Kolber

PUBLICATIONS

- *Unintentional Punishment*, 18 LEGAL THEORY 1 (2012)
- *Criminalizing Cognitive Enhancement at the Blackjack Table*, in MEMORY AND LAW (L. Nadel & W. Sinnott-Armstrong eds., Oxford University Press, 2012)

PROGRAMS & PRESENTATIONS

- Presenter, "Smooth and Bumpy Laws," SciFoo Conference, Googleplex, Mountain View; Goldstock Criminal Law Luncheon, New York University School of Law; Criminal Law Colloquium, University of Miami School of Law; Faculty Workshop, Georgetown University Law Center; and Thomson Reuters ISP Speaker Series, Yale Law School
- Presenter, "Neuroscience and the Smooth/Bumpy Law Distinction," McArthur Foundation Research Network on Law and Neuroscience, Denver
- Presenter, "Freedom of Memory," Colloquium on Medical Ethics, New York University
- Presenter, "Will There Be a Neurolaw Revolution?" Law, Mind, and Brain Colloquium, Georgetown University Law Center
- Panelist, "Pain Imaging as Indirect Lie Detector," Get Scanned, Get Canned: Deception Detection and Neuroscience Technology Outside the Courtroom Panel, Yale Law School
- Presenter, "The Death Penalty and the Experiential Future," University of Miami Law Review Symposium

OTHER PROFESSIONAL HIGHLIGHTS

- Appointed to the editorial board of the new peer-reviewed *Journal of Law & Biosciences*

Rebecca Kysar

PUBLICATIONS

- *Reconciling Congress*, 88 NOTRE DAME L. REV. ___ (forthcoming 2013)
- *On the Constitutionality of Tax Treaties*, 38 YALE J. INT'L L. ___ (forthcoming 2012)

PROGRAMS & PRESENTATIONS

- Presenter, "Summer Tax Workshop," Columbia Law School
- Panelist, "A Conversation about Economic Growth and Tax Policy," Alumni Reunion Weekend, Columbia Law School
- Presenter, "Interpreting Tax Treaties," Tax Policy Roundtable, Tulane University Law School
- Presenter, "On the Constitutionality of Tax Treaties," Faculty Workshop, Columbia Law School; Federal Courts Seminar, Yale Law School; and Advanced Topics in Taxation Colloquium, Northwestern University School of Law

Brian Lee

PROGRAMS & PRESENTATIONS

- Presenter, "Average Reciprocity of Advantage," Philosophical Foundations of Property Law Conference, Faculty of Laws, University College London
- Commenter, "Justifying Intellectual Property Roundtable," University of Notre Dame Law School
- Presenter, "The Idiosyncratic Premium in Eminent Domain," Association for Law, Property, and Society Annual Meeting, Georgetown University Law Center

Sarah Light

PUBLICATIONS

- *NEPA's Footprint: Information Disclosure as a Quasi-Carbon Tax on Agencies*, 87 TUL. L. REV. ___ (forthcoming 2013)

Gregg Macey

PROGRAMS & PRESENTATIONS

- Presenter, "Strategic Planning-in-Progress: Environmental Justice Initiatives at EPA," New York City Bar Association
- Moderator, "Post-Zoning: Alternative Forms of Public Land Use Controls," Trager Public Policy Symposium, Brooklyn Law School
- Moderator, "Association for Law, Property and Society Annual Meeting," Georgetown University Law Center
- Presenter, "Regulating Secrets: Trade Secret Barriers to Public and Environmental Health," Private Data/Public Good: Emerging Issues in Trade Secrets Law Symposium, Brooklyn Law School
- Presenter, "Ubiquitous Environmental Policing," The Administrative Agency in an Electronic Age, Program in Law and Public Affairs, Princeton University
- Presenter, "Lessons from the Psychology of Disaster," Association of American Law Schools' Workshop on Torts, Environment and Disaster, Berkeley
- Presenter, "From Oil Spills to Nuclear Waste: Why Cross-Border Environmental Justice Matters," American Bar Association Annual Meeting, Toronto

Gary Minda

PROGRAMS & PRESENTATIONS

- Presenter, "Freedom and Democracy in a World Governed by Finance: Austerity, Servitude, Free Labor: Why Europe Matters," Philosophy and Social Science Symposium, Prague

Melissa Mortazavi

PUBLICATIONS

- *Lawyers, Not Widgets: Why Private Sector Attorneys Must Unionize to Save the Legal Profession*, 96 MINN. L. REV. 1482 (2012)

PROGRAMS & PRESENTATIONS

- Presenter, "Ethics, Private Sector Norms and Unionization," International Legal Ethics Conference, Banff, Canada

Minor Myers

PROGRAMS & PRESENTATIONS

- Presenter, "Fixing Multi-Forum Shareholder Litigation," Faculty Workshop, Brooklyn Law School; Corporate Law Conference, Fordham University School of Law; American Law & Economics Association Annual Meeting, Stanford Law School; Federalist Society Junior Scholars' Colloquium, Warrenton, VA; and National Business Law Scholars' Conference, Cincinnati

Mark Noferi

PUBLICATIONS

- *Making Civil Immigration Detention "Civil": Defining the Emerging Civil Detention Paradigm*, 27 J. CIV. RTS. & ECON. DEV. ___ (forthcoming 2013) (symposium issue)
- *U.S. Mandatory Detention: The Expressive Function of the Noncitizen Presumption of Dangerousness*, CINETS First Crimmigration Control Conference (forthcoming 2013) (symposium issue)
- *Cascading Constitutional Deprivation: The Right to Appointed Counsel for Mandatorily Detained Immigrants Pending Deportation Proceedings*, 18 MICH. J. RACE & L. ___ (forthcoming 2012)
- Op-Ed: *Rutgers Webcam Case Underscores Uneven Treatment of Immigrants*, N.J.L.J., June 27, 2012

PROGRAMS & PRESENTATIONS

- Panelist, "Border Patrols: The Legal, Racial, Social and Economic Implications of United States Immigration Policy," St. John's University School of Law
- Panelist, "Immigration Discourse," Pa'lante: Diversity of Origins, Unity of Intent—The Second Annual NYC MetroLALSA Conference, Benjamin N. Cardozo School of Law
- Participant, "Making Civil Immigration Detention 'Civil,'" Immigration Law Teachers Workshop, Maurice A. Deane School of Law at Hofstra University
- Participant, "Cascading Constitutional Deprivation," Sharing Scholarship Building Teachers Workshop, Albany Law School

Elizabeth Schneider Delivers Lectures in Turkey on Women’s Rights and Domestic Violence



Professor Elizabeth Schneider, the Rose L. Hoffer Professor of Law and a world renowned expert on domestic violence, traveled to Turkey in the spring to speak at two conferences on women’s rights and domestic violence.

The first conference, held at Maltepe University in Istanbul, was on violence and human rights. Schneider gave a talk entitled, “Violence Against Women and Equality,” highlighting how violence against women is linked to women’s

equality in many different ways: their status as women, their economic equality, and their ability to participate in public and civic matters. “This was a very valuable experience,” said Schneider. “It brought together prominent leaders committed to a range of human rights issues, enabling us to have dialogue about important legal developments.”

Schneider then traveled to Ankara, Turkey, to speak at a legal conference at Ankara University entitled “Social Justice and Domestic Violence,” which brought together faculty, policy makers, and students. At this two-day meeting, Professor

“These opportunities brought together prominent leaders committed to a range of human rights issues, enabling us to have a dialogue about important legal developments.”

Schneider gave two presentations. First, she presented “Contradictions of the Role of the State in Domestic Violence Law Reform: Thoughts on the U.S. Experience,” addressing some of the conflicts around criminalization of domestic violence in the United States. The implication for the role of the state raised “important questions that Turkish scholars, NGO’s and activists are considering,” she said.

Later, she co-led an afternoon workshop, entitled “Violence and Legal Education,” for law faculty, public policy and government officials, and law students from Turkey and Cyprus. The workshop focused on the importance and challenges of legal education on violence against women, emphasizing the need for legal education on violence as a “global imperative.” The workshop was highly interactive, with faculty and students from many different universities sharing their experiences in teaching and learning about this complex subject. ■

James Park

PUBLICATIONS

- *Securities Class Actions and Bankrupt Companies*, 111 MICH. L. REV. __ (forthcoming 2012)

PROGRAMS & PRESENTATIONS

- Presenter, “Securities Class Actions and Bankrupt Companies,” Federalist Society Junior Scholars Colloquium, Warrenton, VA; International Society for New Institutional Economics 2012 Conference, University of Southern California Gould School of Law
- Keynote Speaker, “Two Trends in the Regulation of Public Corporations,” Lifting SEC Regulation from Patchwork to Permanence Symposium, Ohio State University Moritz College of Law

Arthur Pinto

PUBLICATIONS

- *The United States Supreme Court and Implied Private Cause of Actions Under SEC Rule 10b-5: The Politics of Class Actions*, in COLLECTIVE ACTIONS: ENHANCING ACCESS TO JUSTICE AND RECONCILING MULTILAYER INTERESTS (M. Siems, S. van Uytzel, & S. Wrback eds., Cambridge University Press, forthcoming 2012)
- *The European Union Shareholder Voting Rights Directive from an American Perspective: Some Comparisons and Observations*,

32 FORDHAM INT’L L.J. 587 (2009), in CORPORATE GOVERNANCE (Brown & Casey eds., Aspen, 1st ed. 2012)

OTHER PROFESSIONAL HIGHLIGHTS

- Member, Investment Advisory Committee, Law School Admission Council
- Member, LL.M. Scientific Committee, Master of Laws program, LUISS Guido Carli University, Rome

Norman Poser

PUBLICATIONS

- BROKER-DEALER LAW & REGULATION (Aspen, 4th ed. 2012) (with J. Fanto)

David Reiss

PUBLICATIONS

- *Consumer Protection in the Shadow of Shadow Banking*, 7 BROOK. J. CORP. FIN. & COM. L. __ (forthcoming 2012) (symposium issue)
- Foreword to REINVENTING HOMEOWNERSHIP: A COMPENDIUM OF CONCEPTS TO CONSIDER (Filene Research Institute, 2012)
- Book Review, ENVIRONMENT AND PLANNING A (2012) (reviewing E. GLAESER, TRIUMPH OF THE CITY: HOW OUR GREATEST INVENTION MAKES US RICHER, SMARTER, HEALTHIER, AND HAPPIER (2011)), reprinted in 10 AALS SECTION ON REAL ESTATE TRANSACTIONS NEWSLETTER 2 (May 2012)

- Comment on the Federal Housing Finance Agency's Strategic Plan: Fiscal Years 2013-2017 (Brooklyn Law School, Legal Studies Paper No. 288) (June 12, 2012)
- Comment, *TILA Ability-to-Repay Rulemaking* (Docket No. CFPB-2012-0022 / RIN 3170-AA17) (July 9, 2012)

PROGRAMS & PRESENTATIONS

- Panelist, Post Zoning: Alternative Forms of Public Land Use Controls, Trager Public Policy Symposium, Brooklyn Law School
- Speaker, "Consumer Protection in the Shadow of Shadow Banking," Shadow Banking Symposium, Boston University School of Law; The Consumer Financial Protection Bureau After One Year Symposium, Brooklyn Law School
- Speaker, "Message in a Mortgage: What Dodd Frank's 'Qualified Residential Mortgage' Tells Us About Ourselves," Association of Law, Property and Society Annual Meeting, Georgetown University Law Center
- Participant, Weil, Gotshal & Manges Roundtable, Yale Law School
- Speaker, "Trends in Mortgage Law, Real Property, Trust and Estate Law," American Bar Association 'Professors' Corner' teleconference

Jayne Ressler

PUBLICATIONS

- *Removing Removal's Unanimity Rule*, 50 HOUS. L. REV. __ (forthcoming 2013)

Elizabeth Schneider

PUBLICATIONS

- DOMESTIC VIOLENCE AND THE LAW: THEORY AND PRACTICE (Foundation Press, 3d ed., forthcoming 2013) (with C. Hanna, et al.)
- "Only Procedural": *Thoughts on the Substantive Law Dimensions of Preliminary Procedural Decisions in Employment Discrimination Cases*, __ N.Y.L.S. L. REV. __ (forthcoming 2013) (with N. Gertner) (symposium issue)
- *The Development of Domestic Violence as a Legal Field: Honoring Clare Dalton*, 20 J.L. & POL'Y 343 (2012) (with C. Hanna) (symposium issue)
- *The AALS Section on Women in Legal Education: The Past and the Future*, 80 UMKC L. REV. 733 (2012) (symposium issue)
- *The Conundrums of Unsexing Parenting*, HARV. J.L. & GENDER ONLINE COLLOQUIUM (Feb. 2012) (response to D. Rosenblum, *Unsex Mothering: Toward a New Culture of Parenting*, 34 HARV. J.L. & GENDER 57 (2012))
- *Implementing the Inter-American Commission on Human Rights' Domestic-Violence Ruling*, 46 CLEARINGHOUSE REV. 113 (July-Aug. 2012) (with C. Bettinger-Lopez, et al.)

PROGRAMS & PRESENTATIONS

- Working Group Co-Leader, "Incorporating Access to Justice Issues in the Basic Law School Curriculum," Access to Justice: The Role of New York's Law Schools Conference, Benjamin N. Cardozo School of Law
- Panelist, "Trial by Jury or Trial by Motion?," Summary Judgment, Iqbal and Employment Discrimination Conference, New York Law School

- Presenter, "Workshop on Violence and Legal Education" and "Contradictions of the Role of the State in Domestic Violence Law Reform: Thoughts on the U.S. Experience," Social Justice and Domestic Violence Conference, Ankara University, Turkey
- Presenter, "Violence Against Women and Equality," Violence and Human Rights Conference, Maltepe University, Turkey
- Presenter, "Reconsidering Intimate Violence and Equality," Neil A. Weiner Research Speaker Series, Vera Institute of Justice, New York
- Panelist, Author Meets Critics Panel: VIOLENCE AGAINST LATINA IMMIGRANTS: CITIZENSHIP, INEQUALITY AND COMMUNITY, by Roberta Villalon (2011) Eastern Sociological Association Annual Meeting, New York

Christopher Serkin

PUBLICATIONS

- *Suing Courts*, 79 U. CHI. L. REV. 553 (2012) (with F. Bloom)
- *Transition Relief from Judge-Made Law: The Incentives of Judicial Takings*, 21 WIDENER L.J. 777 (2012) (symposium issue)

PROGRAMS & PRESENTATIONS

- Opening Remarks and Organizer, Post Zoning: Alternative Forms of Public Land Use Controls, Trager Public Policy Symposium, Brooklyn Law School
- Presenter, "Transition Relief from Judge-Made Law: The Incentives of Judicial Takings," Judicial Takings Conference, Widener University School of Law
- Moderator, Property Works in Progress Conference, Fordham University School of Law

Lisa Smith

PROGRAMS & PRESENTATIONS

- Panelist, "ABA Special Committee on Gun Violence," American Bar Association Annual Meeting, New Orleans
- Presenter, "Networking: What Does it Mean and How Can We Teach Our Students to Do It," AALS Externships 6 Conference, Northeastern University School of Law/Harvard Law School

OTHER PROFESSIONAL HIGHLIGHTS

- Leader and Organizer, ABA Criminal Justice System Roundtable, Brooklyn Law School

Lawrence Solan

PUBLICATIONS

- THE OXFORD HANDBOOK OF LANGUAGE AND LAW (Oxford University Press, 2012) (co-edited with Peter Tiersma); and author of the following chapters: *Introduction* (with P. Tiersma), *The Language of Crime* (with P. Tiersma), and *Linguistic Issues in Statutory Interpretation*
- *The Lawyer as Insincere (But Truthful) Actor*, 36 J. LEGAL PROF. 487 (2012)
- *Ethics and Method in Forensic Linguistics*, Proceedings of the International Association of Forensic Linguists' Tenth Biennial Conference (S. Tomblin et al. eds., 2012)

PROGRAMS & PRESENTATIONS

- Remarks, "The Invisible Judge?: Imposing Meaning on Law While Pretending to Defer to its Language," Faculty Workshop,

Lawrence Solan Explores the Interface between Linguistics and Law in New *Oxford Handbook*



Professor Lawrence Solan, the Don Forchelli Professor of Law and the Director of the Center for the Study of Law, Language and Cognition at Brooklyn Law School, recently celebrated the completion of *The Oxford Handbook of Language and Law*, which he co-edited with Peter Tiersma. *The Handbook*, which includes 40 chapters, summarizes the range of legal areas in which linguistics play an increasing role and describes the tools and approaches used by linguists and lawyers in this vibrant new

field. Encyclopedic in scope, the volume addresses areas such as the history and structure of legal languages, its meaning and interpretation, multilingualism and language rights, courtroom discourse, forensic identification, intellectual property and linguistics, and legal translation and interpretation.

The Handbook includes case studies, theoretical descriptions, and chapters written by experts from every continent who are familiar with linguistic issues that arise in diverse legal systems, including both civil and common law jurisdictions, mixed systems like that of China, and the emerging law of the European Union.

Professor Solan holds both a law degree and a Ph.D. in linguistics. His scholarly works are largely devoted to exploring interdisciplinary issues related to law,

language, and psychology. His acclaimed book, *The Language of Judges*, is widely recognized as a seminal work on linguistic theory and legal argumentation. His other recent book, *The Language of Statutes: Laws and their Interpretation* (University of Chicago Press 2010), also received critical acclaim.

Professor Solan has been a visiting professor in the Council of Humanities and a visiting fellow in the Psychology Department at Princeton University. He has also been a visiting professor at Yale Law School. He has served as president of the International Association of Forensic Linguistics, is on the board of the International Academy of Law and Mental Health, and the editorial board of the *International Journal of Speech, Language and the Law*. ■

“This book represents the coming-of-age of a relatively new interdisciplinary field. It is especially notable that so many of the contributions involve issues that arise from the multilingual world in which so much of today’s legal systems operate.”

University of Copenhagen; Heinrich Heine University, Düsseldorf, Germany

- Presenter, “Ambiguity in Legal Interpretation: One Ambiguity, Three Legal Messes,” RELINE Law and Language Conference, Nyborg, Denmark
- Presenter, “Linguistic Issues in Statutory Interpretation,” Launching the publication of THE OXFORD HANDBOOK OF LANGUAGE AND LAW CONFERENCE, Loyola Law School, Los Angeles
- Presenter, “Plain Language, Plain Laws?” and “Truth, Lies and Insincerity in the Law,” Virginia State University, Petersburg

OTHER PROFESSIONAL HIGHLIGHTS

- Taught a Masters class on issues in language and law for Ph.D. students at the University of Copenhagen Faculty of Law

Nelson Tebbe

PROGRAMS & PRESENTATIONS

- Presenter, “Ethical Issues in Prison Actions,” Prison Law Program, Practicing Law Institute, New York
- Presenter, “Nonbelievers and the World Trade Center Cross Case,” New York City Atheists Program
- Presenter, “Marriage Equality: Constitutional Issues, Alternatives, and Ethical Concerns,” New York City Bar Association

- Organizer, Annual Law and Religion Roundtable, Harvard Law School (with R. Garnett, et al.)
- Moderator, “The Place of Religion in the Law School and the Practice of Law: Focus on Ethics,” Conference of Religiously Affiliated Law Schools, Touro College Jacob D. Fuchsberg Law Center
- Moderator, “Sharing Sacred Space in Jerusalem,” Institute on Religion, Law & Lawyer’s Work, Fordham University School of Law
- Presenter, “Secular Nonendorsement,” Herbert & Elinor Nootbaar Institute on Law, Religion, and Ethics Annual Conference, Pepperdine University School of Law; and Faculty Workshop, Benjamin N. Cardozo School of Law

Aaron Twerski

PUBLICATIONS

- *The 9/11 Database: A Recipe for Judicial Management*, __ WASH. U. L. REV. __ (forthcoming 2012) (with Judge A. K. Hellerstein & J. Henderson, Jr.)

PROGRAMS & PRESENTATIONS

- Presenter, “Products Liability and the Third Restatement,” Michigan State University

OTHER PROFESSIONAL HIGHLIGHTS

- Special Master to Judge Alan K. Hellerstein in 9/11 Litigation

Endowed Scholars Reception Unites Scholars with Generous Donors

In March, Brooklyn Law School hosted its 31st Annual Endowed Scholars Celebration. Nearly 200 students, alumni, and friends attended the event, which took place in the Forchelli Conference Center. The celebration offered a special opportunity for students to express gratitude to their benefactors in person. Likewise, donors were pleased to see how their scholarships directly aided students.

Scholarship recipients Matthew Kremer '12 and Hannah Roth '12 spoke about their experiences and the ways in which their scholarships have been meaningful to them. On behalf of all of the scholarship recipients, Roth said, "Thank you to all of the supporters for doing more than just believing in our choices, whatever our choices may be, but also helping us make them possible."

Cheryl Metrick, the widow of Richard Metrick '68, spoke on behalf of her late husband and the Metrick Family. The Metrick Family Scholarship was established by Harry Metrick '31 and his sons, Neil '81 and Richard, to assist an upper-class evening student who has family obligations. She talked about the importance of scholarship assistance and the significance of giving back to benefit current and future students. She emphasized the concept of "paying it forward" and said that donors don't give the gift of a scholarship award but rather "lend it to each student" until he or she is able to pay it back by lending a gift to others.

Howard Stein '67, with his wife, Bernice, established the Benjamin and Gladys Stein Scholarship in memory of his parents, as well as the Harry and Mary Symel Scholarship in memory of Bernice's

parents. The Stein Family is committed to mentoring future generations of legal professionals; recipients of the Benjamin and Gladys Stein Scholarship meet with one of the Stein's daughters, Haley Stein, Esq. or Ilene Stein, '08, each year. Mr. Stein spoke on behalf of both families, reflecting on their shared belief that education is the best path to a fulfilling life and helping others.

President Wexler also expressed gratitude for the seven new scholarships created this year that will be awarded to deserving students for the 2012-2013 academic year: The Gertrude and Louis Feil Fund (four scholarships); The Michael Romanoff Scholarship; The Rosenberg Family Scholarship; and The Humphreys Family Scholarship. ■



CLOCKWISE FROM LEFT: Matthew Kremer '12 spoke about the significance of endowed scholarships; Cheryl Metrick with the recipient of the Metrick Family Scholarship, Stephanie Raney '13; Howard Stein '67 with his family and scholarship recipient Brandon C. Novelli '12; Judge William C. Thompson '54 with Richard L. Schroeder '13, the recipient of Judge Thompson's scholarship.

Class Reunions Break Attendance Record

On May 17, members of the Classes of 1952, 1957, 1962, 1967, 1972, 1977, 1982, 1987, 1992, 1997, 2002, and 2007 celebrated their reunions in the New York Public Library's majestic Astor Hall. More than 500 graduates, faculty, and friends attended, breaking all previous attendance records. The beautiful location provided a festive setting where guests enjoyed cocktails and a buffet dinner while reliving old memories and creating new ones.



1. Members of the Class of 1962 enjoy the festivities
2. Classmates from the Class of 1987 share a laugh
3. Members of the Class of 1967
4. The New York Public Library is a perfect setting for the Reunions
5. Friends gather from the Class of 2007



- 1. Catching up with friends
- 2. The Class of 1952 shares a table and conversation
- 3. Prof. Joel Gora (CENTER) with members of the Class of 1982
- 4. Capturing a moment
- 5. The Class of 1972 shares its news
- 6. Reuniting the Class of 1992

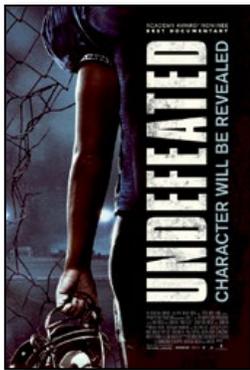


Brooklyn Alumni Celebrate Success in Creative Arts

Brooklyn Law School graduates have always put their law degrees to use in a myriad of exciting and innovative ways. There is a long history of BLS alumni finding success in non-traditional paths and channeling their skills in various creative endeavors. Five alumni who recently celebrated success with their labors of love are highlighted below.

Glen Zipper '00: Academy Award Winning Documentary Filmmaker

Glen Zipper, Class of 2000, won a host of awards for his riveting feature documentary *Undefeated*, which tells the story of three student athletes from inner-city Memphis who come from troubled backgrounds and the volunteer coach who tries to help them succeed in sports and beyond.



“It was an opportunity to tell an intimate coming-of-age story through the prism of a football season,” said Zipper. So far, this year, he has taken home an Oscar for best feature-length documentary film at the Academy Awards, a best documentary designation at the Chicago Film Festival, and a Special Jury Prize at the DOC NYC Film Festival—and the praise keeps rolling in.

Zipper credits his friends and mentors from Brooklyn Law School and his early days in his legal career with helping to facilitate his success. He was especially pleased to receive a congratulatory phone call from Judge Donald Venezia of Bergen County, N.J. on Oscar night. Zipper clerked for Judge Venezia after graduating from BLS, and he remembered how his mentor encouraged him to pursue his dream of filmmaking during his clerkship. After his clerkship, Zipper moved to the Hudson County Prosecutor’s Office, where he worked for a few years before relocating to Los Angeles to pursue his passion for film in earnest.

Another steady supporter of Zipper’s work was close friend Adrian Kuzycz ’99. “This journey from Brooklyn Law School to the Oscars would not have been possible without Adrian’s support,” said Zipper. “He’s always challenged me to dream big when it came to my cinematic ambitions.”

Undefeated has continued its impressive winning streak. The film was acquired by The Weinstein Company at the 2011 SXSW Film Festival, and Sean “P. Diddy” Combs joined the project as an executive producer. Combs is now working with Zipper and the Weinstein Company to adapt the documentary into a scripted feature film.

To learn more about the documentary and the upcoming feature, visit the *Undefeated* website: weinsteinco.com/sites/undefeated.

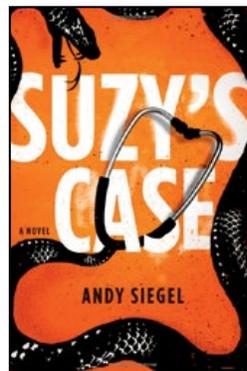
Andy Siegel '88: Author of the Legal Thriller *Suzy's Case*

When it comes to courtroom intrigue and medical malpractice law, Andy Siegel, Class of 1988, knows his way around. He’s a personal injury attorney who serves on the board of directors for the New York State Trial Lawyers Association and has devoted his legal career to achieving justice for victims of negligence and their families. But recently, Siegel decided to try his hand at some less familiar territory: fiction writing.

Suzy's Case, a legal thriller and Siegel’s first novel, was published by Scribner this summer. It chronicles the adventures of Tug Wyler, a street-smart New York City injury lawyer known for his irreverent attitude, his unapologetically politically incorrect beliefs, and his unconditional commitment to his clients.

When a high-profile criminal lawyer tries to talk Tug into taking an unwinnable case involving a seriously brain-damaged child, Suzy Williams, Tug finds he’s in over his head. Drawn to the child and her mother and determined to help them overcome a system indifferent to them, Tug becomes obsessed with uncovering the truth, even as his quest becomes increasingly dangerous.

In discussing how his professional life and experience in personal injury law influenced his decision to write *Suzy's Case*, Siegel commented, “The media likes to poke fun at guys like me. Many scenes you’ve viewed on television show a guy in a neck brace, a scammer of the system. I get it and appreciate the humor value,

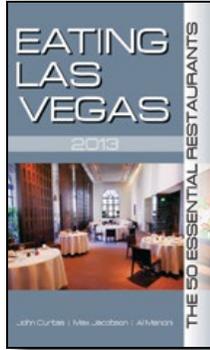


too. But there is nothing funny about traumatic brain injury, the kind of case I have a special compassion for handling.”

“I want law students to understand that, from my perspective, committed personal injury attorneys like myself—and like Tug Wyler—who’ve chosen this area of practice, fight long and hard to achieve justice for victims of catastrophic injury. There are no ‘gimmies’—it’s trench work.”

Fans of legal thrillers can visit Siegel’s website, andysiegel.com, for book reviews and more.

Al Mancini '95: Sin City's Culinary Insider



Al Mancini, Class of 1995, co-authored *Eating Las Vegas: The 50 Essential Restaurants* (Huntington Press, 2013). The guide has received praise from the *Los Angeles Times*, *The New York Times*, and *USA Today*, among others.

During his time at Brooklyn Law School, Mancini attended class by day and tended bar at night, exploring New York City's dynamic dining and punk rock scenes in his free time. After graduating, Mancini practiced part-time while also developing his career as a journalist.

When an opportunity to cover Las Vegas full-time for ABC News came along in 2001, he followed his instincts and made the move.

To create inroads with the city's local journalism community, Mancini approached *Las Vegas Weekly* with a request to do some writing and was offered a column on the city's strip clubs. The column was short-lived, but Mancini quickly expanded his knowledge of the city's nightlife and dining venues. He went on to become the restaurant critic for *Las Vegas CityLife* and to write extensively for local lifestyle publications.

Eventually, Mancini's experience in the Vegas dining scene inspired him to create a restaurant guide. Conceived with co-authors John Curtas, also a lawyer, and Max Jacobson, who has been writing about food for 30 years, *Eating Las Vegas* takes an approach Mancini calls "three guys who can't agree on anything talk about restaurants."

While Mancini's career as a food critic has been very successful—a third edition of *Eating Las Vegas* is due out this fall, and Mancini recently recorded a television pilot with the Travel Channel—he noted that the work is all part of his larger passion as a journalist. "I don't consider myself a restaurant critic, but a writer," he said.

Mancini credits his membership in the Moot Court Honor Society with helping him to develop the writing ability that would later facilitate his career in journalism. "Journalism is all about writing and research, and those are skills you learn at Brooklyn Law School," he said.

Read more about Al Mancini's current projects at almancini.net.



Mt. McKinley—Denali National Park and Preserve, Alaska.

Daniel Holton-Roth '11: Documenting Human Struggles

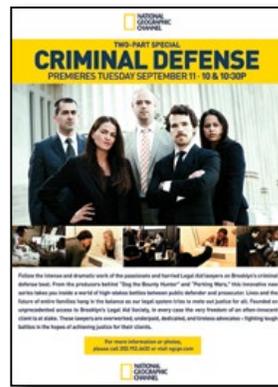
Daniel Holton-Roth, Class of 2011, produced his first documentary during law school, *Living in Emergency: Stories of Doctors Without Borders*, and it was shortlisted for the Oscars in 2010. It depicts the realities of humanitarian aid work in the war zones of Liberia and the Congo. Now, Holton-Roth has produced a second documentary, this one closer to home. *Criminal Defense*, a series airing on the National Geographic Channel, follows the work of public defenders in Brooklyn's Legal Aid Society.

Holton-Roth developed the show with production partner Jayson Haedrich also while he was a student at BLS. "Founded on unprecedented access to Brooklyn's Legal Aid Society, in every case the very freedom of an often-innocent client is at stake. These lawyers are overworked, underpaid, dedicated, and tireless advocates—fighting tough battles in the hopes of achieving justice for their clients," in the words of the network promotion.

Criminal Defense premiered on September 11 with a two-episode special that offered a riveting inside look at the world of public defense work. The episodes, which received close to 400,000 viewers, profiled a man accused of illegal gun possession, a father accused of attempted murder, a young mother accused of a stabbing who risks losing her toddler son, and a grandmother accused of assault.

With this new series, Holton-Roth, who worked as an independent filmmaker for seven years before enrolling at Brooklyn Law School, has found a way to meld his experience in documentary and film, with his legal training and his passion for telling the stories of people coping with hardship.

"I hope the students and faculty will find [the show] interesting and will check it out!" he remarked.



Criminal Defense airs Tuesdays on the National Geographic Channel. For more information, episode recaps, and airdates, visit channel.nationalgeographic.com.

Eric Mohl '92: Globe-trotting Photographer

Eric Mohl '92 is a former corporate lawyer turned photographer who, since 2006, has been on an epic working road trip through North, Central and South America with his wife, journalist Karen Catchpole. They are chronicling their 200,000 mile cross-continental drive on their popular travel blog, *Trans-Americas Journey*, which is part of the elite Lonely Planet featured blogger program. His photography has appeared in *National Geographic Adventure*, *Afar*, *Escape*, *Outside*, *JANE*, and *The Dallas Morning News* among other magazines and newspapers.

To learn more and view additional photos, visit trans-americas.com.

Art Gallery Reception and Talk

Brooklyn Law School alumni and friends were invited to a reception at the Lori Bookstein Fine Art Gallery in Chelsea on June 13. Over wine and hors d'oeuvres, guests enjoyed networking with fellow graduates, and gallery owner Lori Bookstein spoke about the life and work of artist Jan Müller, whose later works were on display in the exhibition, "Faust and Other Tales." ■



Recent Graduate Event

Recent graduates kicked off the summer with a reception at the Brooklyn Brewery in June. Alumni, faculty, and guests enjoyed guided tours of the Brewery, located in Williamsburg, and the casual venue provided a relaxed setting for recent graduates to network and reconnect with former classmates. The buffet of Mexican barbecue from local restaurant Mexicue paired well with the Brewery's signature beers and seasonal favorites. ■



Brooklyn Law School “On the Road”

This spring, the Law School was “On the Road” visiting graduates in several cities: Chicago, Atlanta, Philadelphia, and Washington, DC. These events have been unanimously well received by alumni, providing the opportunity to reconnect with fellow graduates who live and work in the area. Every year the Law School has been able to visit more graduates in cities across the country, thanks in large part to the generosity of friends and alumni who have offered to host events. If you are interested in hosting an event in your town, please contact Caitlin Monck-Marcellino, Director of Alumni Relations, at 718-780-0322. ■



CLOCKWISE FROM TOP LEFT: Steve Gordon, Deputy Director of BLS Career Services with Celia Soehner '08 and her guest Joseph Greco, at the Washington reception hosted by Bernie Nash '66 at the offices of Dickstein Shapiro; President Wexler with Tim Ulrich '74 and his wife Hope, who graciously hosted the Philadelphia On the Road event in their home; Geoffrey Richards '95 hosted Chicago-area graduates at The Chicago Club; President Wexler with BLS graduates at the Atlanta reception at the Georgian Terrace Hotel.

BROOKLYN LAW SCHOOL

ClassNotes

1937

Solomon Granett celebrated his 99th birthday in February 2012. He lives in Mamaroneck, NY. Granett enjoyed a successful career practicing in entertainment law. He represented many well-known individuals, including Sir Winston Churchill in his negotiation with Colpix Records, which resulted in the authorization of a limited run of an album of Churchill's speeches. He also successfully represented The Beatles in a copyright infringement action.

1942

Samuel Kirschenbaum, who retired as a named partner of the Long Island firm Kirschenbaum & Kirschenbaum P.C., was honored by the Nassau County Bar Association for his 70 years of practice at its 113th Annual Dinner Dance in May 2012.

1949

Gerard Halpern, who resides in West Palm Beach, FL, was awarded France's highest military recognition, the French Legion of Honor, in March 2012. The award recognized his service during "Operation Dragoon" in August 1944, when a task force of a quarter million French and United States soldiers liberated France from four years of German occupation. Halpern was a task force leader of the 45th Division Infantry and was injured in the invasion. He received a Purple Heart and a Bronze Star from the United States government.

1950

Richard B. Rutledge, a retired Queens County NYS Supreme Court Justice, received a Distinguished Service Medallion from Florida Atlantic University in recognition of his service as one of the Tuskegee Airmen during World War II. Judge Rutledge enlisted in the U.S. Army Air Corps in 1941, went to the South Pacific, and took part in the invasion of the Palau Islands. He is currently living in Plantation, FL and serves as a Court Mediator for Mediation, Inc.

1957

Stuart Kessler, a director in the accounting and consulting firm J.H. Cohn LLP, was named one of the 125 people who have made a significant impact on the accounting profession by the *Journal of Accountancy* as part of the 125th Anniversary of the American Institute of Certified Public Accountants.

1961

Michael R. Silberstein, a retired Municipal Court Judge of Marlboro Township, NJ, was recognized by the Monmouth County Bar Association and the New Jersey Senate and General Assembly in March 2012 for his "more than 50 years as an attorney and his exemplary service and steadfast commitment to the legal profession."

1967

Gerald Levy, previously a partner at Day Pitney LLP, joined the New York office of McCarter & English LLP as a partner. Levy practices in the areas of patent prosecution, licensing, strategic planning, and litigation.

1968

Robert S. Zuckerman, previously Senior Vice President, General Counsel and Secretary of Horizon Lines, Inc., joined the Virginia Beach, VA office of Williams Mullen as Of Counsel. Zuckerman focuses his practice on the maritime industry, where he counsels clients in the areas of antitrust and transportation matters.

1969

Peter J. Hogan, former chairman of a trucking business in Savannah, GA, was featured in an August 2012 article in Savannahnow.com about his ties to Ireland. Born in Ireland, he has set up a charitable trust to give college scholarships to high school seniors in both Savannah and Limerick. He also donated property for a park and soccer field, which was later named after him, to be created in Limerick. In June 2012, a bronze bust of Hogan was erected outside King John's Castle.

1971

Leonard D. Duboff, founding member of the Portland, OR firm The Duboff Law Group, was the keynote speaker at the annual meeting of the First Peoples Fund (FPF) in Minneapolis, MN in March 2012. FPF is a consortium of Native American Tribes from all over the United States and Canada. Also in March, Duboff participated in a Roundtable Series on Art Law at the Berglund Center for Internet Studies at the Pacific University on Art Law.

1972

Alan E. Goldstein was elected as president of the Rockland County Bar Association for the 2012-2013 term. He is the principal law clerk to Rockland County New York State Supreme Court Justice Robert Berliner.

1973

Arthur E. Shulman is serving as president of the Suffolk County Bar Association for the 2012-2013 term. He maintains a private practice in Islandia, NY, where he specializes in matrimonial, family, and real estate law.

Lawrence A. Vogelman, a named partner in the New Hampshire firm Nixon, Vogelman, Barry, Slawsky & Simoneau, is serving as president of the New Hampshire Bar Association for the 2012-2013 term. Vogelman practices in the areas of criminal defense, plaintiff's civil rights, employment law, professional malpractice, and complex commercial and tort litigation.

1975

Jeffrey Citron became a named partner in his firm Davidoff Hutcher & Citron LLP. Citron has served as a co-managing partner of the firm for several years and is chair of the Real Estate Department, where he specializes in assisting private and public companies in securing financing grants and benefits for capital projects through the auspices of government agencies and lending institutions.

Nancy Hershey Lord '80

On the Bench

In 1981, Nancy Hershey Lord, Class of 1980, became the first law clerk for legendary Brooklyn-based Bankruptcy Judge Conrad B. Duberstein. Thirty years later, on February 29, 2012, Judge Lord was sworn in as a United States Bankruptcy Judge for the Eastern District of New York, with chambers at the Conrad B. Duberstein United States Bankruptcy Courthouse, returning full circle to where her career began.

Judge Lord graduated with a degree in political science from SUNY Stony Brook, and then enrolled in Brooklyn Law School, anticipating a career in politics. But her ambitions took an unexpected turn: After her first year of law school, she was selected to be a judicial intern for then Bankruptcy Judge Joseph Costa. "I'd never taken a debtor-creditor class, and I knew nothing about bankruptcy law," she recalled. At that time, bankruptcy judges were not entitled to law clerks, and as Judge Costa's sole legal assistant, Lord was given tremendous responsibility and unparalleled experience. "It was fabulous training. If not for that clerkship, I would not be sitting here today," she said.

Lord had planned on clerking for Judge Costa after law school, but he suddenly passed away just two weeks before she sat for the bar exam. She was hired by his interim replacement Judge Saul Seidman and then by Judge Duberstein, serving as his first law clerk. In total, Lord spent nearly five years clerking in the Eastern District, and, in her words, "falling in love with bankruptcy law."

"Bankruptcy appealed to me because it's interdisciplinary. You have to deal with many areas of the law simultaneously—real estate, contracts, corporate governance, debtor-creditor, matrimonial, the UCC," she explained. "It's like being an internist. You have to understand how all the parts of the 'debtor' body work so that you can take something that is ailing and fix it."

Lord was recruited by Botein Hays & Sklar in 1983 to assist attorney Sheldon Lowe in his efforts to start a bankruptcy department. Four years later, she moved on to Herzfeld & Rubin, a general practice law firm, where under the supervision and guidance of senior partner and long-time mentor, Herbert Rubin, she was given responsibility for the firm's bankruptcy work, becoming a partner herself in 1996. "Herb Rubin is a lawyer's lawyer, and I could not have had a better role model or a better place to hone my skills as an attorney."

Lord joined the Office of the New York State Attorney General as an Assistant Attorney General under Eliot Spitzer in 1999. In her 12 years at the AG's office, Lord first served in a dual role as Section Chief of the General Recoveries Unit of the Civil Recoveries Bureau, a unit dedicated to recovering debt owed to the State, and as the bankruptcy attorney responsible for



protecting the State's interests as creditor, regulator, watchdog and contract vendee in bankruptcy and insolvency matters. She then launched and led a separate Bankruptcy Unit in the Office's Albany Litigation Bureau, notably representing the State's interests in many high profile cases including the New York Racing Association bankruptcy. During her tenure at the AG's office, Lord recovered tens of millions of dollars in revenue for the State. "I loved the work at the AG's office, and there is no other job I would have left for but this one," she said.

Lord says that becoming a bankruptcy judge in a time of economic strife has given her an opportunity to make a difference in the lives of many individuals who are struggling with the threat of foreclosure. She is participating in the Court's loss-mitigation program that provides a court-supervised structure for bankruptcy debtors and their secured creditors to meet and discuss ways in which foreclosure might be averted through loan modification. "Both sides have the same interest," she said. "The lender doesn't really want the house, and the homeowner doesn't want to give up the home. It can be a win-win situation for them to work out a deal."

It is a program that she knows would please her former judge, Conrad B. Duberstein. "Connie was an amazing judge," she said. "Regardless of how he ruled, those appearing before him felt that they were heard and got a fair shake. Similarly, my hope each day when I put on my robe and take the bench, is that all parties feel that, win or lose, they had their day in court." ■



Sharon L. Schneier '84

A Lawyer and a Leader

Sharon L. Schneier '84, a commercial litigation partner at Davis Wright Tremaine, was named chair of the firm's executive committee this spring. She is not only the first woman to be named to this position in the firm's history, but also the first partner from a satellite office to become the chair of this national firm, which boasts 500 lawyers and nine offices.

"It is a privilege to practice with Sharon," said Victor Kovner, a partner at the firm who has known Schneier for two decades. "She is careful, thorough, insightful, and invariably of good spirits even in adversity, which is a quality that litigators should (but don't always) have. I've watched her grow into a resourceful, talented, forceful advocate. Her appointment is quite a comment on the respect held for her by those who lead this firm."

Schneier began her career as a law clerk to Judge Alan N. Bloch of the U.S. District Court for the Western District of Pennsylvania, a position she sought out based on the advice of her civil procedure and federal courts professor, Maryellen Fullerton. "I had three heroes who had a profound influence on me while I was in law school," recalled Schneier. "The first was U.S. District Court Judge Glasser [a former dean of BLS], for whom I interned when I was in law school and who has remained a wonderful role model

throughout my career. The second was Maryellen Fullerton, who encouraged me to clerk. The third was Joel Gora, whom I had for constitutional law. They were all such fine people who cared passionately about what they do and about their students."

After her clerkship, Schneier joined Willkie Farr & Gallagher, where her practice focused on white collar crime, as a litigation associate. "I had a great experience at Willkie," she said. "They made me into a much better writer, thinker, and lawyer." In 1990, after four years at Willkie, she was ready for a change, and joined Lankenau Kovner, a firm known for its First Amendment work. She became a partner in 1995, and the firm merged with Davis Wright Tremaine in 1998.

At Davis Wright, Schneier developed a reputation as a talented litigator, representing a spectrum of media clients including the *Village Voice*, Wenner Media, and Yellow Book in First Amendment, privacy, and false advertising cases. She also built a roster of clients in matters of commercial litigation, representing companies in financial services. She was lead counsel on several high-profile cases, including representing Cantor Fitzgerald in the first World Trade Center bombing litigation and helping families of the victims post-9/11. She also worked on *Chaiken v. Village Voice*, a noteworthy defamation lawsuit brought by Israeli settlers living in Hebron against the *Village Voice*. The case was won on a motion for summary judgment.

While her professional career was thriving, so was her personal life. Schneier married and had three children: a daughter and then twin boys. She continued to work at the firm until her boys were three years old and then sought a change to spend more time with her young children. "It wasn't that complicated. With three children under five, I had to spend more time at home," she said. Schneier thought that she had no alternative but to leave the firm and scheduled a lunch with Kovner, planning to give her notice—but it didn't go quite as planned. "I told Victor that I needed to leave the firm," she recalled. "He said, 'Take a leave of absence, but don't leave the firm. Consider teaching while you're on leave. When your kids go to school full-time, you can come back.'"

Schneier took Kovner's advice and began teaching a civil procedure drafting course as an adjunct at Fordham Law School, which she loved. After nearly two years of teaching, the firm asked her not only to return, but to run the New York office as the Partner-in-Charge of the office. Seven years later, she was asked to run for the executive committee and was elected in a firm-wide vote in April 2011. One year after that, she was appointed as the committee's chair.

"As chair, I am in a position where I have the opportunity to drive the growth and direction of the firm," she said. "I consider myself lucky that people in this firm have believed in me and made me feel really valued. One of the reasons I went into management is because I care tremendously about the firm and the practice of law and want to ensure that others can have the same professional successes and satisfaction that I do. This is my way of giving back." ■

Louis B. Kupperman, the managing partner in the Berwyn, PA office of Obermayer Rebmann Maxwell & Hippel LLP, was elected a vice chairman and appointed to the Executive Committee of the Chester County Chamber of Business and Industry's Board of Directors. He was also elected chairman of the Chester County Industrial Development Authority. Kupperman is a member of the firm's Litigation, Business and Finance, and Regulatory, Administrative and Gaming Departments.

David Milner, a senior partner at Gallet Dreyer & Berkey LLP, was appointed to the Business Development Board of the Hudson Valley Bank. Milner is also a trustee of the Village of Lake Success, NY and chairman of the Village's Park and Environmental Commissions. He focuses his practice in the areas of taxation, trusts & estates, corporate, and real estate law.

1976

Noah J. Hanft, General Counsel, Corporate Secretary and Chief Franchise Integrity Officer for MasterCard Worldwide, was named General Counsel of the Year by the International Law Office and the Association of Corporate Counsel at their Sixth Annual Global Counsel Awards Ceremony in June. He was selected from among 3,500 other individual nominations. Hanft is responsible for overseeing legal affairs and public policy as well as payment systems integrity, which includes oversight of fraud management, security and risk services, and global product and information security. He also serves on the Board of Directors of the Legal Aid Society.

1977

Kenneth W. Chu was appointed by the National Labor Relations Board as an administrative law judge in its Division of Judges, and will sit in New York. Chu is the first Asian-American judge in the Board's history. He previously served as a Social Security judge and as an administrative law judge with the Equal Employment Opportunity Commission, where he rose to the level of District Chief Judge.

Barry Salzberg, Global CEO of Deloitte Touche Tohmatsu Limited (DTTL), was elected to a two-year term as chairman of the board of United Way Worldwide, the world's largest privately funded nonprofit. For over 25 years, DTTL and its member firms have supported United Way around the world through pro bono consulting, workplace giving campaigns, and direct engagement in community initiatives, including employee volunteerism. Salzberg joined the Deloitte organization in 1977, was admitted as partner of Deloitte LLP in the United States in 1985, and was elected DTTL Global CEO in June 2011.

Martin D. Singer, founding partner of Los Angeles, CA entertainment litigation firm Lavelly & Singer, was honored by the Beverly Hills Bar Association's Entertainment Law Section as its Entertainment Lawyer of the Year in April 2012. Singer was also profiled in an article in *Variety*, "Singer: The A-list's Mr. Go-to," (April 2012). He practices in the areas of entertainment litigation, business litigation, right of publicity and privacy law, libel law, and copyright law. He also participated in the annual *Media and Society Lecture* series at Brooklyn Law School in March 2012 (See article on page 12).

Edward A. Steen recently retired as Associate General Counsel—Chief Intellectual Property Counsel of Vale (formerly Inco Limited) after 31 years with the corporation. He was also certified as a small claims court mediator in Westchester and Rockland Counties.

1978

Alan M. Willinger, a partner in the Tax Department of the accounting and consulting firm Rosen Seymour Shapss Martin & Company LLP, was elected as a director of the Manhattan/Bronx Chapter of the New York Society of Certified Public Accountants. Willinger has expertise in the areas of individual, partnership, and corporate tax law and specializes in planning for closely-held businesses and their owners.

1979

Richard Stern, formerly a partner at Hughes Hubbard & Reed LLP and co-chair of its Corporate Reorganization Department, returned to Lusk, Stern & Eisler, a firm he originally founded in 1989. The firm concentrates in bankruptcy, creditors' rights, loan restructurings, workouts, bank financing transactions, and related litigation.

1980

Shelley R. Spivack, a family court referee for the Genesee County Circuit Court in Flint, MI, was elected president of The Referees Association of Michigan for the 2012-2014 term. Spivack was also presented with the Active Member Award by the organization for her work as editor of its newsletter, *Referees Quarterly*.

1981

Robert A. Ansehl, a partner in the New York office of Clyde & Co LLP and a member of the firm's Corporate Insurance Practice Group, was presented with a Distinguished Alumni Award from Washington University in St. Louis in April 2012. He represents U.S. and international insurance and reinsurance companies, among others, in a variety of matters.

Sharon Katz was named Special Counsel for Pro Bono at Davis Polk & Wardwell LLP. She joined the firm in 1982 and retired in 2011 after nearly 30 years of service, including almost 15 years as a partner in the Litigation Department. Katz oversees the firm's pro bono cases and initiatives and manages the relationships that the firm maintains with various legal organizations. She has served as a member of the boards of a number of pro bono legal services providers and organizations committed to policy and direct service work on behalf of low-income and indigent New Yorkers, including the Schuyler Center for Analysis and Advocacy, New York Lawyers for the Public Interest, Hour Children, Inc., The Correctional Association of New York, and Advocates for Children.

1983

Joseph C. Pastoressa was elected to the New York State Supreme Court, Suffolk County, in November 2011. He had been sitting as an Acting Supreme Court justice in Suffolk County since his appointment as a New York State Court of Claims judge in 2004.

Karen J. Tenenbaum was honored at the 33rd Annual Achievers' Awards Gala of the Long Island Center for Business and Professional Women in May 2012. She also appeared on the Long Island cable television show "Something to Talk About," where she discussed New York State tax audit pitfalls and financial literacy for children. Tenenbaum practices tax law at her firm, Karen J. Tenenbaum, P.C., located in Melville, NY.

1984

Ann Pfau, a justice of the New York State Supreme Court, Kings County and the statewide coordinating judge for the Unified Court System's Medical Malpractice Program, was presented with a Career Public Service Award by the Fund for Modern Courts in May 2012. Former Chief Judge Judith S. Kaye presented the award which recognized Pfau's "commitment, through service in government, to the pursuit of justice, fairness, inclusiveness, and equal opportunity in the judicial justice system of New York State." Pfau served as New York State's Chief Administrative Judge from 2007 through 2011.

Ceil Schneider Randell, who maintains her own trust and estate law firm in West Palm Beach, FL, was featured in an article in *The Palm Beach Post* (June 11, 2012). Randell is a member of the planning committee of the Jewish Federation of Palm Beach County and its professional legacies adviser's network. She is also past president of the Planned Giving Council of Palm Beach County.

1985

James I. Glasser, a partner in the New York and New Haven, CT offices of Wiggin and Dana and co-chair of the firm's White Collar Defense, Investigations, and

Corporate Compliance Practice Group, was awarded a Pro Bono Achievement Award by the firm at an event held in his honor in April 2012. The award recognized his "outstanding contribution and commitment to pro bono representation and community service."

Leah Margulies, the director of the New York City Bar's Justice Center's Law Help/NY Project, was presented with a Legal Service Award by the Bar at its 23rd Annual Legal Services Awards ceremony. The award recognizes those who provide outstanding civil legal assistance to low-income New Yorkers.

Carlos G. Ortiz, Vice President and General Counsel of Goya Foods Inc., was elected a member of the American Law Institute, a leading independent U.S. organization which produces scholarly work to clarify, modernize, and otherwise improve the law.

1986

Andrew J. Perel, previously General Counsel of General Growth Properties, joined the New York office of Michelman & Robinson as a partner and department chair of the firm's new Environmental Practice Group. Perel counsels major financial institutions on real estate and capital markets transactions.

1988

Darren W. Saunders, previously a partner at Hiscock & Barclay, joined the New York office of Manatt, Phelps & Phillips, LLP as a partner in the firm's Intellectual Property Practice Group. Saunders focuses his practice on litigation involving trademarks, copyrights, patents, unfair competition, and false advertising.

1989

Patricia J. Epstein, a shareholder in the Madison, WI firm of Bell, Moore & Richter, S.C., was elected to the board of directors of the Litigation Section of the State Bar of Wisconsin for a three-year term. She focuses her practice on civil litigation matters, predominantly defending physicians, nurses and other health care professionals in medical malpractice cases, as well

as licensing, disciplinary, and credentialing matters. Epstein was also selected as a "2012 Woman in the Law" by the *Wisconsin Law Journal*.

Robert F. Kramer, previously a partner at Howrey LLP and Morrison & Foerster LLP, joined the San Francisco and Silicon Valley offices of SNR Denton LLP as a partner in its Intellectual Property and Technology Practice Group. Kramer represents companies in patent cases involving electronics, networking, data transmission, LEDs, telecommunications, semiconductors, medical devices, biotechnology, and other technologies.

Sheila N. Passenart, an associate in the Charlotte, NC office of Wishart Norris Henninger & Pittman, was presented with a Commitment to Justice Award from United Family Services in April 2012. The award recognized her work in the agency's Legal Representation Project which provides victims of domestic violence with free legal representation in obtaining domestic violence restraining orders.

Michael A. Scotto, previously Chief of the Rackets Bureau and Deputy Chief of the Investigation Division at the New York County District Attorney's Office, joined the New York City office of Meyer, Suozzi, English & Klein, P.C., as Of Counsel in the firm's Criminal Defense Group. Scotto represents individual clients, businesses, unions, and other entities in grand jury and internal investigations, and he also serves as an independent private sector inspector general.

1990

Peter A. Antonucci, a shareholder in the New York office of Greenberg Traurig and vice-chair of its Pharmaceutical & Medical Device Litigation Group, was presented with the Edmund S. Muskie Pro Bono Service Award by the American Bar Association Tort Trial and Insurance Practice Section at its Annual Meeting in August 2012. Antonucci was recognized for his pro bono representation of the families and firefighters who were killed on 9/11 and his ongoing leadership work in support of the Alzheimer's Association.

Mark Bosswick '86

The Counselor

Every morning for nearly 30 years, Mark Bosswick '86 has made his way to the accounting and advisory firm of Berdon LLP. When he started out in 1982, a CPA fresh from Long Island University, he was an audit associate. But Bosswick set his sights on the big picture: "I knew one day I wanted to be a significant influence in running the place," he said. To do so, he needed more than his CPA, the degree which his uncompromising mother insisted he get before becoming a lawyer. He worked at Berdon during the day, moving into the firm's tax planning department, and enrolled in Brooklyn Law School at night.

When he graduated first in his evening class, an offer came to join a big law firm's mergers and acquisitions department and he accepted. But then Berdon's managing partner, Stanley Freundlich '68, invited him to lunch. Bosswick had of course known of Freundlich, who had joined Berdon in 1962 and built it into a diversified and highly respected regional powerhouse, but he'd never spent time with him in person.

"I remember his assistant called me up and said, 'Stanley Freundlich wants to know if you are available for lunch. Meet him at Peacock Alley.' That was *the* place at the time. So obviously I went. He said, 'I heard you're leaving us. That's a mistake.' He went on to explain the difference between the business model of an accounting firm versus that of a law firm. Our firm has recurring annuity work. We prepare financial statements and tax returns and are a significant force in transactional business, but accounting and tax work is the bread and butter that recurs every year. In a law firm you do primarily transactional work and you can't bank on that. He convinced me to stay—and in hindsight, he was correct."

Bosswick stayed with Berdon and received an LL.M. in taxation from NYU Law School. In January 2012, after 30 years, Bosswick was named co-managing partner of the firm, which is ranked among the top 30 accounting firms in the nation with nearly 400 employees and \$95 million in revenue.

Bosswick is involved with all of the financial aspects of his clients' sophisticated transactions, including planning and structuring joint venture arrangements, advising on and negotiating the acquisition and sale of assets and businesses, debt restructuring and complex tax transactions. In addition, he specializes in estate planning and trust and estate administration. He advises family businesses and high net worth individuals on everything from billion dollar business deals to complex personal wealth matters, and he serves on investment committees and as a fiduciary. This requires an entrepreneurial approach that recognizes the complex interplay between every factor in clients' business and personal lives. Along the way, he engages in a lot of hand-holding and listening, often acting as the ultimate mediator, massaging delicate matters involving multiple family members and their discrete financial issues. Or, as he more colorfully



describes it: "I have a law degree and a master of law in tax, but mostly I use my psychology degree—the one I don't have—to help guide and counsel families. I'm a business person with a subspecialty in psychology and multigenerational dynamics."

Bosswick credits his success in part to the support of three of Berdon's partners. "I spent my entire professional life under three internal mentors: Stanley Freundlich, Howard Misthal, and Leonard Blank. Each one had his own style, and I tried to become a blend of all three. Stanley was the tough, polished negotiator. Howard, with his photographic memory, was the deductive reasoner. And Leonard was the brilliant, intuitive, nutty Harvard professor. Clients could not understand him because he was so brilliant. I would translate what he recommended to them into regular English and I seemed like the genius."

Bosswick has been instrumental in growing the firm, bringing in high-profile real estate families. He's also expanded into the sports, entertainment, and hospitality industries, working with industry legends. He has developed growing a personal wealth management practice to help people deal with these tumultuous economic times.

As co-managing partner, Bosswick is on a mission to both continue Berdon's growth and also empower the younger staff by teaching them important business skills they did not learn in school. "Recent graduates may have the technical expertise, but they lack real-world skills. They were never taught how to make clients comfortable in discussing intimate details of their lives and politely but firmly leading them in another direction when it is appropriate. I want to build on our reputation as a first-class, elite accounting firm, and I believe we have what it takes to bring Berdon to an even higher level." ■



Mark DeAngelis '96

Green is the New Black

Mark DeAngelis '96, a seasoned corporate lawyer with an LL.M. in tax, a Masters in Public Administration, and a decade of private investment experience, was standing in knee-high rubber boots in a landfill in Latin America. He was not a part of "The Amazing Race" or on some eco-safari. It was just another day at the office.

DeAngelis' journey from law office to landfill began at Rogers & Wells (R&W), where he discovered a passion for private equity. "Working with small and growing clients in private equity was rewarding because I knew how much these folks had invested, not only financially, but of their time and their reputations," he said.

After four years at R&W, DeAngelis began to work exclusively in the private equity arena, first at O'Sullivan Graev & Karabell, a small shop known for its pioneering work in private equity, and then at Hogan & Hartson (now Hogan Lovells), where he helped build the firm's private equity presence in New York. There, one small environmental finance deal changed the course of his career. A client had lined up a group of investors to buy and sell environmental credits, and he was brought in to make it happen. "I'm a deal guy, not an environment guy, so I approached it as a dealmaker," said DeAngelis. "It was very interesting to me, but it was a small deal. I really didn't think much of it."

The deal was a huge success and became the catalyst for the formation of RNK Capital, a private investment firm devoted to the global environmental markets, including those markets created under the Kyoto Protocol. Under Kyoto and other cap-and-trade programs, companies can either comply with the programs' emissions limitations or buy emissions credits to offset the amount by which they exceed such limits. The offset credits are generated by companies developing and operating environmental projects that result in the reduction of emissions of greenhouse gases and other environmentally harmful emissions, such as the reduction of methane emissions from decomposing trash in a landfill.

In 2006, DeAngelis left Hogan to join RNK full-time. "At the outset, there were so many novel issues with this work," DeAngelis said. "There wasn't a lot of precedent. It's not like you could reach up to your shelf and pull off a form of the Kyoto Protocol Investment Deal Document." DeAngelis and his colleagues looked for deals the firm could do in emerging economies, financing environmental projects in Latin American, Eastern Europe, and Asia to generate credits they would then sell to companies with Kyoto compliance obligations.

As a Managing Director, he spent his days leading strategic transactions in the international carbon market, traveling the world speculating deals, negotiating with government agencies, and overseeing investments. Which brings us back to that landfill. "I would spend days literally walking around landfills in rubber boots to figure out why our investments were over- or underperforming our estimates and how to efficiently manage these projects for our investors. I quickly realized that to successfully do the deals we wanted to do we had to fully understand the multidisciplinary nature of these deals and be a constant presence on the ground with our partners."

By 2010, the fund was in a good place, but Kyoto was set to expire by the end of 2012. Its extension and other regulatory uncertainty in the U.S. and elsewhere existed. As a result, DeAngelis left RNK to return to Cornell (where he had received his Bachelor's and his M.P.A) as a Professional-in-Residence in Environmental Finance and Management. There, he developed the concept, structure, and curriculum for the Environmental Finance and Impact Investing Fellows Program, a collaboration between Cornell's graduate schools of Public Affairs and Business.

While serving as Professional-in-Residence at Cornell, he also developed a model for a new global environmental investment firm, Macro Climate Solutions, which he founded in 2011. "I wanted to seek out investment and advisory opportunities that would capitalize on this macro trend toward a low-carbon global economy and that could benefit from regulatory incentives but not be wholly reliant on them," said DeAngelis. "The interest level in this space is incredibly high. Project finance has been very strong, Standard & Poor's and others are developing ratings for securities, bonds and securitizations are now possible, and banks are covering the space from a research perspective. These are all encouraging trends that are translating into heightened institutional investor interest." If all goes well, he hopes to be knee-deep in a landfill again soon. ■

Jennifer Coates formed a solo international and business practice with offices in Seattle and Bainbridge Island, WA, Jenny Coates Law, PLLC. Coates focuses on cross-border tax issues and tax and corporate law issues affecting small business clients. She is a former member of the Cross-Border Practice Group at Dorsey & Whitney LLP and the Financial Tax Practice Group at Sidley Austin LLP.

Gary C. Hisiger, a partner in the Long Island office of Moritt Hock & Hamroff LLP, was honored by Sunrise Day Camp at its Sixth Annual Samuel Levine Memorial Golf Classic in August 2012 for his “outstanding service and dedication to the organization.” The camp is the only dedicated summer day camp in the nation where children with cancer and their siblings can attend free of cost. Hisiger concentrates his practice in real estate, corporate, and financing transactions.

1991

Andrew G. Finkelstein, managing partner of the Newburgh, NY firm of Finkelstein & Partners LLP, became a life member of both the Million Dollar Advocates Forum and the Multi-Million Dollar Advocates Forum. Less than one percent of U.S. lawyers are members of these forums. Finkelstein represents injured individuals in cases including wrongful death, catastrophic injuries from defective products, car crashes, and construction site injuries.

Edward H. Shapiro, formerly with Grubman Indursky Shire & Meiselas, PC, joined the New York office of Reed Smith LLP as a partner in the firm’s Music Industry Practice. Shapiro represents top individual performers and musical groups and he has become a leading attorney in the electronic dance music area.

Bryan M. Subotnick, CEO of Nyce Play LLC, a designer of smartphone applications, was appointed to the board of directors of The Digital Development Group Corp. The company offers content owners a one-stop solution that converts and distributes content over the Web to

a wide variety of over-the-top devices. Subotnick previously served as vice president of Big City Radio, where he helped expand from four regional radio stations to 16 national radio stations.

1992

Joseph M. Accetta, Chief Clerk of the Westchester County Surrogate’s Court, was presented with an Annual Community Service Award in June 2012 from the United Hebrew of New Rochelle, a Westchester County nursing home and rehabilitation provider. The award recognized his “outstanding commitment and devotion to the welfare of Westchester County.”

Robert S. Gershon, president of the Kings County Criminal Bar Association, was appointed as a Special Prosecutor in Brooklyn. Gershon maintains his own private practice concentrating in the areas of criminal defense and family law.

Louis Haber is serving as the Communication Director for PepsiCo and is based at the company headquarters in Purchase, NY. Haber’s eldest child, Hilly, who was born on the day he started law school, graduated from Harvard Divinity School in May.

Kathleen Warner, Chief Operating Officer of Startup America Partnership, an independent alliance of entrepreneurs, corporations, universities, foundations, and other leaders, participated in an “office hours” Q&A event in June 2012 with The Levo League, an online social network designed for young professional women in the formative years of their career path. She also took part in the Entrepreneurs Roundtable organized by the BLIP Clinic. (See page 4.)

1993

Eugene T. Boulé, a partner in the New York City office of Wilson Elser Moskowitz Edelman & Dicker LLP, joined the Claims and Litigation Management Alliance (CLM). CLM, an invitation-only organization, is a nonpartisan alliance of insurance companies, corporations, corporate

counsel, litigation and risk managers, claims professionals, and attorneys whose goal is to create a common interest in the representation by firms of companies. Boulé focuses his trial practice on the defense of all types of negligence-based lawsuits.

Jonathan R. Sennett joined the New York State Attorney General’s Office as an Assistant Deputy General Counsel in the Statewide Organized Crime Task Force. The task force is responsible for investigating and prosecuting multi-county, multi-state, and multi-national organized criminal activities occurring in New York State. Sennett previously maintained his own practice and also worked part-time as an assistant public defender in Ulster County, NY.

1994

Erick J. Ellsweig, a financial advisor at Merrill Lynch in its Greensboro, NC office, was nationally recognized among the top advisors in North Carolina by *Barron’s* in its annual “America’s Top 1,000 Advisors: State by State” list. Ellsweig has been with Merrill Lynch for the past 11 years.

Jonathan E. Silverblatt joined the New York office of Dorsey & Whitney LLP as a partner in the firm’s Corporate Group. Silverblatt represents public and privately-held companies, private equity sponsors and their related portfolio companies and investment banks in a broad range of corporate transactions.

Andrea J. Strong was recently recognized by the *Huffington Post* which named her blog, The Strong Buzz (www.thestrongbuzz.com), one of the Best New York City Food Blogs. Strong is also the Managing Editor of Brooklyn Law School’s magazine, *BLS LawNotes*.

1995

Benjamin J. Stone, previously a partner at Cozen O’Connor, became a member with the Seattle, WA firm, Veris Law Group. He focuses his practice in the area of civil litigation.

1996

Laurie Mintzer Edberg is a Senior Legislative Aide for Councilmember Nancy Navarro at the Montgomery County Council in Maryland, where she works on legislation pertaining to the county's residents. She lives with her husband and two children in Bethesda, MD.

Dyan Finguerra-Ducharme, previously counsel at White & Case LLP, joined the New York office of Pryor Cashman LLP as a partner in the firm's Intellectual Property and Litigation Groups. Her practice focuses on intellectual property litigation, with an emphasis on trademark, trade dress, false advertising, and copyright disputes.

Tejash V. Sanchala, a partner in the Scarsdale, NY office of Villanueva & Sanchala, PLLC, was presented with the 2012 Leading Labor and Employment Law Attorney award by Above the Bar at its Sixth Annual Award Ceremony in April 2012. He practices in the area of employment law, advising international *Fortune* 500 companies, executives, and employees on a wide range of matters, including sexual harassment, discrimination, minimum wage, and overtime disputes.

Andrew J. Smiley, a named partner of the personal injury firm, Smiley & Smiley LLP, had his firm featured in a *New York Times* series, "Falling Limbs," which examined 10 lawsuits stemming from deaths or injuries caused by falling tree limbs in New York City (May 15, 2012).

1997

Michael A. Baston, Vice President for Student Affairs at LaGuardia Community College and a pastor at St. Luke Cathedral in Laurelton, NY, was ordained as bishop and Presiding Prelate of Called to the Nations Covenant Churches International Inc., a fellowship of churches and pastors working to build communities and sustain families.

1998

Hanna Dershowitz joined the ACLU of Southern California as a Criminal Justice Drug Policy Reform Advocate. The new project was created to reform California's criminal justice system, reduce incarceration and criminalization, improve police accountability, and reform state drug policies and laws. Dershowitz recently served as co-chair of the Prop 19 Legal Committee. She also served as general counsel to Senator Rodney Ellis in the Texas Senate, where she helped pass landmark criminal law reforms.

Elissa D. Hecker, who maintains her own practice focusing on entertainment and business law in Irvington, NY, was named chair of the board of directors of Dance/ NYC, whose mission is to bolster the support structure for dance in New York City, serving as a voice, guide, and infrastructure architect for all local artists and managers.

Louis Lombardi retired from the New York Police Department in 2009 with the rank of captain. Lombardi was on duty on 9/11 and recently completed a memoir about his experience that day, which can be found at <http://obpopulus.wordpress.com/911-a-life-in-a-day/>. He lives in State College, PA where he practices law and teaches at a local community college. He also writes for the local daily newspaper, *The Centre Daily Times*.

Sean R. O'Loughlin, president of Global Biomechanical Solutions, a New York City-based biomechanical consulting firm, recently had co-leading roles in the Off Broadway productions of *The Iceman Cometh* and *The Arms & The Man* at The Producers Club in New York City. He also recently produced *Uncle Vanya*, and is currently producing the theatrical adaptation of *The Outsiders* by S.E. Hinton, both at The Producers Club.

Natalie Sedaghati, a founding partner of the personal injury firm, Ogen & Sedaghati PC, was one of only nine female attorneys selected as a 2012 "New York Super Lawyer" in the practice area

of personal injury. Sedaghati was also selected to be in the Multi-Million Dollar Advocates Forum. Fewer than one percent of U.S. lawyers are members of this forum. She was also included in *New York Magazine's* Top Verdicts and Settlements (2012) and *Newsweek's* Leaders in Personal Injury (2012).

Richard J. Sobelsohn, Director of Content and Product Initiatives in the Real Estate Division of LexisNexis, recently published two articles: "Are You Being Greenwashed?" in the *New York Bar Association Journal* (June 2012), and "'Greenwashing': Deceptive Business Claims of 'Eco-Friendliness,'" on Forbes.com (March 2012). Sobelsohn is a member of the adjunct faculty at Brooklyn Law School.

1999

Christian M. Capece, an Assistant Federal Public Defender for the Southern District of West Virginia, is serving a six-month deployment to Afghanistan. Major Capece is the team leader for the NATO Rule of Law Field Support Mission (NROLFSM) located in Mazar-e Sharif. The NROLFSM provides essential support to help build the Afghan criminal justice system, including increasing access to dispute resolution services.

Angela Ferrante was promoted to Vice President, Bankruptcy Operations at The Garden City Group, Inc., and joins the company's senior management team, while also continuing to manage its bankruptcy operations. She joined the company in 2007 and most recently served as Assistant Vice President, Bankruptcy.

Kelly M. Slavitt, North America trademark and business counsel at Reckitt Benckiser, was named chair of the New York State Bar Association's Intellectual Property Law Section. Slavitt served as co-chair of the NYSBA's Task Force on Privacy from 2008 to 2011, and she also served as vice-chair, treasurer and secretary of the Section. She won the Section's Intellectual Property Writing Competition as a law student and later co-chaired the Section's Young Lawyers Committee.



Join the **ACES** Campaign

Hire, Mentor, Host, Network

Dean Nick Allard announces a new recognition program intended to encourage and thank our alumni for engaging in the effort to help BLS students begin their careers with meaningful jobs: ACES—Alumni Committed to Employing Students. The mission of the ACES program is to recognize alumni who dedicate their time and efforts to the career success of both current BLS students and fellow alumni.

All alumni participating in the campaign will be recognized:

Participation in three or more categories: **Bronze ACE**

Participation in four or more categories: **Silver ACE**

Participation in five or more categories: **Gold ACE**

Participation in six or more categories OR

hiring a BLS Graduate into a permanent position: **Platinum ACE**

Earn ACES Recognition by:

- Participating in mock interviews
- Acting as a student mentor
- Speaking at a Career Center or student program
- Participating in Career Conversations
- Hosting a student for a one-week shadow program
- Getting involved in a BLS pro bono project
- Conducting an informational interview
- Sponsoring a student or graduate to attend a networking event or CLE program
- Providing a letter of recommendation for a student
- Hosting or sponsoring a Career Center program
- Teaching a career-related workshop
- Providing an internship
- Listing a paid position for summer or during the school year
- Hosting a recipient of the Graduates' Fellowship
- Referring a student to a job opportunity
- Helping a student land an interview
- Hiring a graduate into a permanent position

**To get involved in ACES, please contact
the Career Center at ACES@brooklaw.edu.**

2000

Anne Marie Bowler, a founding partner of New York boutique firm Gabay-Rafiy & Bowler LLP, was featured in an article focused on work-life balance in the *Wall Street Journal* (May 23, 2012). Bowler represents a broad range of clients from designers, restaurateurs, and artists, to not-for-profits, real estate developers, and international corporations in various matters including, business disputes, breach of contract claims, employment matters, and intellectual property protection.

Brian F. Guzman, a partner and general counsel of Indus Capital Partners, LLC (ICP), an investment adviser, was appointed to the board of directors of Tantallon Emerging Markets Fund. Guzman manages ICP's Legal and Compliance Department. Prior to joining ICP, he was an associate in the Investment Management Group of Seward & Kissell LLP.

Fiona M. St. John-Parsons and her husband, Rob Sloan, welcomed the birth of their second child, Alice Penelope, in March 2012. She is a litigation manager at Coverys, a national medical malpractice insurance company headquartered in Boston, MA.

2001

Charles A. Archer Jr., CEO of the Evelyn Douglin Center for Serving People in Need, Inc., was honored at the 15th Annual "40 Under Forty" Achievement Awards Dinner in June 2012, sponsored by *The Network Journal*, a New York tri-state magazine for Black professionals, corporate executives and small business owners. The Center is a nonprofit social services organization dedicated to enhancing the quality of life for persons with mental and developmental disabilities and their families.

Heather Miller (Siegel), senior counsel in the Miami and Boca Raton, FL offices of Broad and Cassel, was elected to the board of directors of the Palm Beach

County Medical Society Services, Inc. The organization administers several advocacy programs. Miller is a member of the Commercial Litigation and Health Law Practice Groups and focuses her work in the areas of regulatory compliance and federal and state fraud and abuse issues on behalf of physicians and hospitals. She also acts as general and special counsel to both hospitals and large medical groups.

John N. Poulos, formerly an associate at Hughes Hubbard & Reed LLP, co-founded his own litigation firm, Poulos LoPiccolo. He concentrates his practice in the areas of class actions, commercial litigation, construction and real estate law, defective products, personal injury, and unsafe drugs. Poulos was also recently appointed as an arbitrator for the New Jersey Superior Court in Monmouth County.

David F. Rubin recently opened Elite Language Center, a boutique English school in Bratislava, Slovakia. He offers legal, business and financial English courses, translation, and proofreading to professionals in Bratislava.

Arthur Shtaynberg, CEO of LicensePro LLC, a business development firm specializing in government-issued licensures and certifications within the healthcare industry, was honored as a Brooklyn Rising Star by *The Home Reporter* and *Brooklyn Spectator* at their first annual Brooklyn Rising Stars Awards and Networking Event in March 2012. As CEO, Shtaynberg's responsibilities include new healthcare startup governmental licensure, infrastructure development, compliance management, and traditional service design, and implementation efforts.

Aline Taireh was promoted to Senior Vice President and Deputy General Counsel at Westfield, LLC. In her new role, she manages the legal department and works on various transactions including joint ventures, acquisitions, and dispositions of real estate assets, and large secured and unsecured financing

transactions. Taireh joined the company in 2007 as senior counsel and was promoted to associate general counsel in 2008.

2002

Jennifer Broomfield was promoted to the position of Veterans' Justice Outreach Coordinator at the Albuquerque, New Mexico Veterans' Affairs Medical Center, a general medical and surgical hospital.

Benjamin S. Fischer was elected a partner of New York litigation boutique Morvillo, Abramowitz, Grand, Lason, Anello & Bohrer P.C. Fischer practices in the areas of business litigation and the defense of both corporate executives and corporations in various matters, including cases involving insider trading and fraud.

Brian J. Grieco and his wife, Nina, welcomed the birth of their third child, Lorian Abigail, in April 2012. Grieco is an attorney in the New York office of Hogan Lovells, where he practices in the areas of bankruptcy reorganization and commercial finance, representing debtors and creditors in Chapter 11 and Chapter 7 proceedings, out-of-court workouts, and non-bankruptcy litigation matters.

Tina Luongo was appointed Deputy Attorney-in-Charge of the Criminal Practice of The Legal Aid Society. Luongo joined Legal Aid in 2002 as a staff attorney in the Criminal Practice of the New York County Office and was promoted to Supervising Attorney in 2007. In addition to directly representing clients and managing the daily operation of attorneys, paralegals and investigators, she has helped to develop training programs, including the Criminal Defense Project, Felony Training in New York County, and New Attorney and Department of Probation trainings on LGBTQ cultural competency.

2003

Junhua (June) Gu joined the Detroit, MI office of Butzel Long as an associate. She concentrates her practice on corporate, bankruptcy, and international matters. Gu has been serving as the business manager for the Detroit Chinese Business Association since 2008, and she is also a member of the board of directors for the North American Chinese Society of Automotive Engineers.

Justin B. Kleinman, previously a shareholder of Greenberg Traurig, LLP, joined the New York office of McKenna Long & Aldridge as a partner in the firm's Real Estate Practice Group.

Elliot H. Steelman, formerly an associate at Morgan, Lewis & Bockius LLP, joined the global financial services firm, Cantor Fitzgerald, as Assistant General Counsel.

2004

Rebekah Rollo, formerly an associate in the New York office of Kleinberg, Kaplan, Wolff & Cohen, PC, relocated to Vienna, Austria to join Activ Solar GmbH as its Executive Director, Senior Legal Counsel. Headquartered in Vienna, Activ Solar is a global company focused on the development and manufacture of solar based technology.

Amy Lurie Schulman wed Seth Schulman in May 2012. They live in San Francisco, CA. Present at the wedding were **Matthew Haicken '07, Ilana Marcus '04, Odelia Levy '05, Melissa Katz '05** and **Leena Raut '04**.

Robert J. Senska, III, Vice President of Regulatory Affairs and Chief Compliance Officer at Somerset Medical Center, was named a finalist in the Nonprofit Organization Category in the 2012 "General Counsel of the Year" awards program by *NJBIZ*, a New Jersey business news publication. Senska joined the company in February 2010. He previously worked as a corporate health care attorney with law firms in New York and New

Jersey and he also worked in the Health Care Bureau of the NYS Office of the Attorney General.

2005

Matthew T. Fairley joined the White Plains, NY office of Eckert Seamans Cherin & Mellott LLC as an associate in the firm's Litigation Department. Fairley focuses his practice in the area of general commercial litigation, including product liability, environmental, mass tort, toxic tort, construction litigation, and premises liability.

Saima Majid, formerly an associate in the Business Finance and Restructuring Department of Weil, Gotshal & Manges LLP, joined Kurtzman Carson Consultants (KCC) as its Director of Corporate Restructuring Services. In this role, she oversees KCC's growth initiatives within the restructuring sector and manages key relationships with clients and other industry players.

2006

Brendan T. Kehoe joined Pearson Education, an education services company, as in-house counsel. He was formerly an associate in the New York office of Kirkland & Ellis LLP.

Daniel K. Wiig, a litigation associate with Mintz & Gold, LLP, was appointed a co-editor of the *Commercial Division Law Report*, a joint publication of the Office of Court Administration and the New York State Bar Association. Wiig was also selected to serve on the board of directors of the New York County Lawyers' Association for a three-year term that began in June 2012.

2007

Nicolas Bagley, an associate at the New York personal injury law firm, Gersowitz Libo & Korek, P.C., was named a National Trial Lawyers Association Top 40 under 40 for New York State and was selected as a "New York Super Lawyer Rising Star" in 2011 and 2012. According to *VerdictSearch*, Bagley obtained the largest premises liability award for 2010 and the second largest motor vehicle accident award for 2011.

Alicia Brooks Meehan, Associate Director of Admissions at Brooklyn Law School, wed Bill Meehan in February 2012.

Jonathan M. Darsky was featured in an article in *The New York Times* about the creation and opening of his one-of-a-kind mobile pizza kitchen in San Francisco, CA. (June 15, 2012) The truck was fashioned from a used shipping container and a Freightliner M2 106 and boasts a 4,800 pound Neapolitan pizza oven. Darsky is a veteran in the pizza business, having worked at several well-known California restaurants.

David M. Knapp, previously an associate at Fried Frank Harris Shriver & Jacobson LLP, joined the Rochester, NY office of Ward Greenberg Heller & Reidy LLP as an associate. Knapp practices in a wide range of civil litigation matters.

Deepinder Singh Mayell was promoted to Director of the Refugee and Immigrant Program at The Advocates for Human Rights. Mayell joined the Minneapolis, MN based international human rights organization as a staff attorney in August 2011. The Refugee and Immigrant Program provides extensive pro bono asylum and detention advocacy to indigent clients. Mayell was previously a staff attorney at Merrimack Valley North Shore Legal Services in Massachusetts.

Kristen Loughren Morrissy and **David Morrissy** were wed in June 2012. Kristen is an associate at Cullen and Dykman LLP and David is an associate at Zeichner, Ellman & Krause LLP.

Rachel Rehwinkel and her husband Lee Rehwinkel recently relocated to Austin, TX, where she owns her own floral event design company, Arranged. They welcomed the birth of their first child, Henry Thomas Rehwinkel, who was born on May 30, 2012.

2008

Seth L. Cardeli and his wife Lori relocated to North Bethesda, MD. Seth joined the Baltimore office of Janet, Jenner & Suggs LLC, which focuses exclusively on medical malpractice and pharmaceutical negligence matters.

John J. Rossi, staff counsel at JetBlue, was featured in an article in the March 2012 edition of *Inside Counsel*, "Path Finders: Four Lawyers Who Bypassed Law Firm Training on Their Way to an In-House Career."

Ari J. Schwartz joined the real estate investment services firm Eastern Consolidated as an associate director. Schwartz specializes in the sale and acquisition of commercial properties throughout the metropolitan area. He was previously an associate at Teitelbaum & Baskin LLP.

Jacob P. Skousen, formerly an associate in the Missouri office of Litow & Pech, P.C., joined Belle Foods, LLC as general counsel. Based in Birmingham, AL, the company is a grocery store chain operating in Alabama, Georgia, Florida, and Mississippi.

2009

Andrew F. Diamond, previously an associate in the Commercial Litigation Group at Venable LLP, was appointed a foreign legal consultant at Januar Jahja & Partners, a boutique intellectual property law firm based in Jakarta, Indonesia. Diamond splits his time between Jakarta and Singapore.

Kiran N. Gore, an associate in the New York office of DLA Piper, co-authored an article, "Litigators Get (Anti-) Social in the Crusade For Brand Protection," which was published in the August 2012 issue of *Internet Law & Strategy*. Gore was also appointed to the publication's Board of Editors. She is a member of DLA Piper's Litigation Group, and practices in the areas of international arbitration and dispute resolution, complex commercial litigation, and white collar criminal investigations.

Laurie Hutchins (DePalo) joined the San Diego office of DLA Piper as an associate in the Finance Group. She previously served as a law clerk for the U.S. Bankruptcy Court for the Southern District of California.

Christopher R. O'Brien and his wife, Veronica, welcomed the birth of their first child, Liam, in March 2012. O'Brien is an associate in the Washington, D.C. office of WilmerHale in its Intellectual Property Department.

Joseph J. Shepherd joined Wolfsdorf Immigration Law Group as an associate in its Santa Monica, CA office. He represents corporations, institutions, individuals and employers in a variety of entertainment, employment, investment and family-based immigration matters, including H-1B/LCA compliance issues.

2010

Joshua S. Fox, an associate in the New York of Proskauer Rose LLP, married **Jill S. Wexler**, an associate in the New York office of Cahill Gordon & Reindel LLP, in March 2012. They met on the first day of law school in August 2007.

2011

Roy M. Anderson joined the Long Island firm of Jaspán Schlesinger LLP as an associate in its Education Law Practice Group. The Group provides counsel to public school districts, public libraries, community colleges, colleges and university boards of education, private and specialized schools, and other education-related associations.

Anna M. Ansari published an article, "The 2006 Enterprise Bankruptcy Law of the People's Republic of China: A Further Step Toward the Creation of a Modern Insolvency Framework," in the November 2011 issue of *The Norton Journal of Bankruptcy Law and Practice*. She is an associate at the New York customs and international trade law firm Sharretts, Paley, Carter & Blauvelt, P.C.

Rosalind Ting joined New York real estate law firm Katz & Matz, P.C. as an associate. The firm specializes in residential real estate transactions and commercial lending and leasing.

2012

Stuart Linder was awarded a fellowship with the International Criminal Tribunal for the Former Yugoslavia in the Hague. He will be assisting with the prosecution of war crimes committed during the breakup of Yugoslavia in the 1990s.

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

Please send ClassNotes information for future issues to communications@brooklaw.edu, or visit www.brooklaw.edu/classnotes to submit a classnote online.

Professor Michael Madow



In April, the Brooklyn Law School community lost a beloved colleague, a gifted teacher, and a cherished friend, Professor Michael P. Madow. Over the course of 25 years on the Law School faculty, teaching and writing in the areas of First Amendment, mass media law, and criminal law, he touched the lives of thousands of students. “His gentle and unassuming manner could not completely mask a brilliant intellect that his colleagues respected and his students revered,” said then Interim Dean Michael Gerber.

Madow, who received an A.B. from Amherst College, an M.A. from Harvard University, and a J.D. from Columbia University School of Law, joined the BLS Faculty in 1987. Previously, he had taught at the University of Pennsylvania School of Law, served as a litigation associate with the firm of Williams and Connolly, and was a law clerk to Judge Henry J. Friendly of the U.S. Court of Appeals for the Second Circuit. He was also a Kellogg Fellow in Philosophy at Balliol College in Oxford. Professor Madow served on the Due Process Committee of the ACLU and on the Communications and Media Law Committee of the New York City Bar for many years.

Madow was a noted legal scholar. His article “Private Ownership of Public Image: Popular Culture and Publicity Rights,” published in the *California Law Review*, is considered the leading work on the right of publicity and has been widely cited by courts and commentators. His criminal law article, “Forbidden Spectacle: Executions, the Public and the Press in Nineteenth Century New York,” published in the *Buffalo Law Review*, is considered a classic in the field.

“Michael Madow was one of the smartest people on the faculty and one of the smartest people I’ve ever known,” said Professor Susan Herman, who co-taught two seminars with Madow—Historic Criminal Trials, and Law and Literature. “His depth and range of thought were just amazing. His students were also just dazzled by him, both intellectually and personally. Law school legend has it that one year at the BLSPI Auction, a dinner with Michael went for \$800.”

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—PROFESSOR SUSAN HERMAN

Indeed, Madow’s students adored him. “He was passionate about media law and made it incredibly interesting and engaging,” said Jennifer Covell ’94, who was in Madow’s Mass Media Law and Law and Literature classes. “In Law and Literature, a small seminar, he had the ability to see a glimmer of an idea and challenge you to develop it into a fully formed paper. All these years later, this lesson has stayed with me. I was saddened to learn of his death. He was among my favorite professors and I will always remember him.”

His popularity dates back to his early days of teaching. “Michael was the touchstone for me and my Penn Law classmates,” said Deborah Denno, a former student of Madow’s who now teaches criminal law at Fordham Law School. “He made the first semester of law school so rich and memorable. He left us way too soon, but I will never forget him and how much he enhanced my life and the lives of my classmates.”

As a tribute to the career of Professor Madow, Brooklyn Law Students for the Public Interest (BLSPI), last year created the Michael Madow Bar Grant—a fitting honor since Madow himself had pioneered the BLSPI project the previous year through his own generous gift from an estate he administered. The grant, which defrays bar exam costs, is awarded to graduates who have demonstrated a commitment to public interest legal work. “This is the second year BLSPI has awarded bar grants to graduating students, with this year’s program

having grown from 10 to 15 recipients,” said this year’s BLSPI Co-Chairs Matthew Allee ’13 and Jessica Rickards ’13.

Professor Stacy Caplow, a member of the committee that selects the students, added, “The Madow Bar Grant program is an innovative way to recognize and support BLS students who have demonstrated a deep and unwavering commitment to public interest work, during law school and as a career goal. I know Michael would be thrilled with this legacy.”

Professor Madow is survived by his wife, Dr. Karen Brudney, and his children, Benjamin and Hannah. ■

In Memoriam

1935

George Burrel
June 1, 2012

1936

Irving Fein
August 10, 2012

1937

Leslie Gallt
July 4, 2012

1939

Harold Tannenbaum
July 8, 2012

1942

Thomas J. Cawley
May 6, 2012

1946

Gerard I. Nierenberg
September 19, 2012

1947

Andrew Costantino
July 14, 2012

Fred Gardner
September 23, 2012

1948

Franklin Miller
March 20, 2012

Asher Hiesiger
August 11, 2012

Henry Wheller
August 28, 2012

1949

Harry Edelstein
June 9, 2012

Frank Bielevicz
June 24, 2012

1950

Norman Feiden
March 19, 2012

William Rigler
September 10, 2012

1951

Irving Corwin
April 18, 2012

1952

Irwin Staple
May 14, 2012

Murray Axel
June 8, 2012

Sol Zepnick
July 3, 2012

Lawrence H. Rose
September 17, 2012

1953

Ellis Franke
June 22, 2012

Armand Kolodny
June 25, 2012

1954

Sanford Dranoff
April 29, 2012

Arnold Kleinick
July 4, 2012

Irving Serota
July 22, 2012

Lester Raskin
August 2, 2012

1956

Jack Karukin
August 28, 2012

1957

Richard Wolfe
March 12, 2012

Edwin Silberstang
April 17, 2012

1958

Barry Bell
April 29, 2012

John Lynch
May 29, 2012

David DeVries
June 2, 2012

Stephen Lang
July 12, 2012

1961

Howard Silver
May 10, 2012

Lawrence Elovich
September 21, 2012

1962

Frank Bronchick
March 7, 2012

Robert Infeld
May 14, 2012

1964

Arthur Lieberman
May 1, 2012

1966

Hetty Shapiro
March 9, 2012

1967

Barry Silber
April 18, 2012

Paul Zuckerman
May 18, 2012

1968

Alan Altura
June 26, 2012

Martin Fliesler
July 27, 2012

1974

Judith Kay
July 25, 2012

1975

Jeffrey Goldfarb
August 24, 2012

1980

James Fitzgerald
June 4, 2012

Guy Vann
September 1, 2012

1985

Marneena Frankel
June 6, 2012



Planned Giving Makes a Difference

You can make a lasting and profound impact by including Brooklyn Law School in your estate plan. Bequests and planned gifts can be designated for a specific purpose such as a scholarship, faculty chair, public service program, or unrestricted support for the Law School to use where it is needed most.

Your gift enables the Law School to continue to attract the most qualified students and outstanding faculty. It also provides the opportunity to improve our programs and facilities. With a bequest or planned gift, you will have the satisfaction of knowing your personal legacy will make a difference to generations of students to come.

Every gift counts. If you have already included the Law School in your estate plan, please let us know, or for more information contact Jean Smith, Director of Development, at 718-780-0638.

The Legacy Society

The Brooklyn Law School Legacy Society honors an extraordinary group of alumni and friends who have made planned gifts to the Law School through bequests, trusts, life insurance, real estate or other planned gifts.

Membership in the Legacy Society is open to anyone who has made such a future commitment to the Law School regardless of the donor's age or amount of the gift.

WWW.BROOKLAW.EDU/PLANNEDGIVING



250 Joralemon Street, Brooklyn, New York 11201

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UPCOMING EVENTS

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- OCTOBER 19** **MEDIA & SOCIETY PROGRAM**
Campaign 2012: Who is Setting the Agenda?
SPEAKER: Joe Lockhart, VP Global Communications, Facebook, and Former White House Press Secretary
-
- OCTOBER 27** **ANNUAL CLE PROGRAM**
Criminal Law, Procedure, Evidence, and Ethics Seminar
-
- NOVEMBER 2** **ANNUAL ALUMNI ASSOCIATION LUNCHEON**
Honoring Stanley Grossman '67, Hon. Ramon Reyes Jr. '92, and Lawrence Sucharow '75
-
- NOVEMBER 8** **A CONVERSATION WITH DEAN NICK ALLARD**
Graduates of 2000–2007
-
- NOVEMBER 9** **SCHOLARS ROUNDTABLE**
Post Crisis Implementation of Regulatory Reforms
Sponsored by the Dennis J. Block Center for the Study of International Business Law
-
- NOVEMBER 12** **ON THE ROAD**
Alumni Reception in Washington, DC
-
- NOVEMBER 28** **DISCUSSION**
Shareholder Appraisal Litigation
Jurist in Residence: Judge J. Travis Laster,
Vice Chancellor, Delaware Court of Chancery
Sponsored by the Center for Business Law & Regulation

-
- NOVEMBER 29** **A CONVERSATION WITH DEAN NICK ALLARD**
Graduates of 2008–2012
-
- DECEMBER 3** **ALUMNI WINE TASTING & RECEPTION**
-
- JANUARY 25** **SYMPOSIUM**
Restatement Of...
Sponsored by the *Brooklyn Law Review*
-
- JANUARY 25–27** **BRIDGE THE GAP CLE PROGRAM**
Classes of 2011 and 2012
-
- FEBRUARY 1** **IBL BREAKFAST**
SPEAKER: SEC Commissioner Troy Paredes
Sponsored by the Dennis J. Block Center for the Study of International Business Law
-
- FEBRUARY 8** **SYMPOSIUM**
Compliance in Financial Firms
Sponsored by the *Brooklyn Journal of Corporate, Financial and Commercial Law* and the Center for Business Law and Regulation
-
- MARCH 1** **SYMPOSIUM**
The Impact of Cognitive Bias on Persuasion and Writing Strategies
Sponsored by the *Journal of Law and Policy* and the Center for Law, Language and Cognition

For more information about events, please visit our website at www.brooklaw.edu/NewsAndEvents.