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Citing Curtis Reitz
by Jennifer Baldino Bonett
After 45 years on the Penn Law faculty - and still counting – Curtis Reitz stands today as a highly admired scholar and counselor on commercial law, an influential senior commissioner of the National Conference of Commissioners on Uniform State Laws, and a remarkable forward-thinking legal mind.

Profiles
Penn Law graduates permeate professions beyond legal practice. Discover seven graduates whose careers started traditionally but developed along paths that have taken them to the heights of higher education, public service, scientific research, judicial authority, and corporate leadership.

Almost Famous: The Extraordinary Career of David L. Cohen L'81
by Miranda Salomon 3L
(An article from Penn's Legal Oral History Project)
Ask any law student what he hopes to accomplish someday in the legal field, and you may get a variety of answers. The goal may be to make partner at a big firm and start raking in the bucks; it may be to publish meaningful works, to be an expert in a chosen area of specialty; it may be to help the less fortunate, to really make a difference; it may be to have a family, and still manage to earn a good living. David L. Cohen has managed to do all of this, and more.
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Keep in touch – send news and photos by traditional mail and e-mail to the attention of the Editor.

Every effort has been made to ensure accuracy in this Journal. We offer our sincere apologies for any typographical errors or omissions. Please forward any corrections to the attention of:

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To the Penn Law School Community:

Among the privileges the Dean of Penn Law School enjoys is the opportunity to meet many very interesting graduates of the school. Over the past couple of years I've traveled between New York and Philadelphia, to Boston, Washington, Miami, New Orleans, Chicago, San Francisco, and Los Angeles to introduce myself to you and share with you news from the Law School campus.

In these visits I've learned a great deal about the breadth of your work which is pursued in fields related to, but more frequently beyond, the legal profession. It reaffirms Penn's philosophy to train students intellectually in preparation for careers in the 21st Century that may follow paths that they can't even imagine today.

In this issue of the Penn Law Journal we introduce you to seven such graduates whom I've had the good fortune to learn about in recent years. Each has taken the intellectual training they received here and applied it to challenging careers in diverse professions.

In news from the Law School, upon the anniversary of his 45th year at Penn Law, we re-introduce you to a teacher that I estimate thousands of students have come to know since the 1950s – Curtis Reitz. Curtis is considered one of the pre-eminent commercial law teachers in academia. Penn has surely benefited from his long tenure here.

Feel free to keep in touch with Penn. I look forward to continually hearing about your achievements and news.

Michael A. Fitts
Dean and Bernard G. Segal Professor of Law
Quick – what do the 17th Century tulip bulb craze, the Internet, and the movie business have in common? As Perry Golkin W'74, WG'74, L'78 explained it to an overflowing crowd on April 9th they each represented business opportunities that investors rushed in to capitalize on only to lose money in the end.

Golkin returned to the Law School to deliver “Smart People Making and Losing Money: Some Recent Examples” as the Institute for Law and Economics’ Spring Law & Entrepreneurship Lecture. (Former Philadelphia Mayor and Democratic Candidate for Governor of Pennsylvania Ed Rendell delivered the program’s Fall lecture.) Golkin is a General Partner of the investment firm Kohlberg, Kravis, Roberts & Company in New York and a former partner in the corporate finance department of law firm Simpson Thacher & Bartlett.

Golkin began his lecture using the explosive growth in the movie exhibition business in the late 1990s as an example of smart people, foolish choices. “Everyone who got into this business went bankrupt,” Golkin said. “Why? Their explanations are that they didn’t look at the macroeconomics. That they overbuilt. But it’s simply not a good business – it’s a commodity. The mistake was all these smart people thought it was a business.”

In contrast, he identified the reinsurance industry as a real business. He characterized it as a “highly regulated, really boring business” that was in decline in the nine years before September 11th. Now the reinsurance business is booming.

Golkin shared with the audience three conclusions that he has reached: first, whether it’s tulip bulbs or the Internet, it’s about the businesses. Decide if you want to own the business and determine if the business has fundamental value. Second, smart people who make investments aren’t always right. And, finally, “As smart as we all are, you can’t get confused by too much analysis or too many facts. Step back and realize what’s important.”

Opening the floor to questions from the audience one student asked Golkin, who has succeeded in the exclusive financial realm of the leveraged buyout world, why should a student go to law school? In response Golkin answered, “In an enormously complex world you have to be able to put the pieces together … at law school they teach you to think ‘What about this? What about that?’ Law school is a phenomenal way to learn how to think things through. It’s a short period of time when you look at the length of your career.”

\[\text{The Law & Entrepreneurship Lecture Series is made possible through the generosity of the Ronald Rutenberg Fund}\]
The case argued for the Edwin R. Keedy Cup Competition in January was *Adarand Constructors, Inc. v. Mineta*, an equal protection challenge to a U.S. Department of Transportation program that provides highway subcontracts to "disadvantaged business enterprises."

The distinguished bench was made up by The Honorable Cornelia G. Kennedy, U.S. Court of Appeals for the Sixth Circuit; The Honorable Sonia Sotomayor, U.S. Court of Appeals for the Second Circuit; and The Honorable Juan R. Torruella, U.S. Court of Appeals for the First Circuit.

Sean R. Marshall and Oliver M. Olanoff argued for the Petitioners. Peter Guirguis and Ashley K. Lunkenheimer argued on behalf of the Respondent. The bench awarded the Petitioners the Keedy Cup for the Best Brief, and Olanoff was recognized as Best Oralist.

The Keedy Cup is named for its founder, Dean Edwin R. Keedy (1880-1958). The competition is the culmination of the Law School's intramural brief writing and oral advocacy moot court tournament. All second-year students are eligible. After two rounds of competition the four students who score the highest are selected to become Keedy Cup participants. In their third year, the participants randomly paired in two teams argue a current Supreme Court case before an esteemed panel of jurists.
THE REJECTION OF ESTABLISHED RELIGION IN A NEW NATION

Law School Inaugurates Joint Lecture Series with National Constitution Center

Dean Michael A. Fitts and Joseph M. Torsella, President and CEO of the National Constitution Center, inaugurated the University of Pennsylvania Law School and National Constitution Center Visiting Scholars Lecture at the Law School in February. The appearance of Con Law scholar Michael W. McConnell, a Visiting Scholar at the National Constitution Center this year, signals the growing partnership between the two institutions.

Dean Fitts stated that the National Constitution Center "promises to be the center for the international study of constitutions." Penn Law School will benefit from the expanding resources and programs available at the Center and, reciprocally, the Center will benefit from the talent of constitutional law scholars and students at Penn.

The speaker, Michael W. McConnell, is a Professor of Law at the University of Utah. His lecture "Establishment and Disestablishment at the Founding" offered a historical perspective for how the United States came close to having an established national religion at its founding through the creation of a labyrinth of legislation, and how that effort was ultimately rejected.

RENOVED CON LAW SCHOLAR HOSTED BY INSTITUTE FOR LAW AND PHILOSOPHY

In March, Cass Sunstein, the Karl N. Llewellyn Distinguished Service Professor of Jurisprudence at the University of Chicago Law School and Department of Political Science, presented "Why Does the American Constitution Lack Social and Economic Guarantees?" The lecture was co-sponsored by Penn's Institute for Law and Philosophy and the Program in Philosophy, Politics, and Economics.
In 2001, when he was competing for a place on the board of the Journal of Constitutional Law second-year, joint degree student Kevin N. Maillard proposed the examination of Native American Law as a symposium topic. He was confident that the subject was overdue for consideration and he subsequently earned a place on the board as Symposium Editor. The Con Law Journal assembled leading scholars and activists from around the nation for a rigorous look at the issues over two days in February 2002. The symposium program examined issues of sovereignty and the Supreme Court, and allowed for a discussion of how Supreme Court decisions affect Native Americans.

There are several cases currently under review by the Supreme Court that involve issues of oil and gas exploration, natural resources use and conservation, gaming, civil rights, criminal justice, and equal protection. “At the bottom of these cases is money,” explains Maillard. “These are multibillion dollar cases and I don’t think a lot of people know that.”

Panels included “Federalism and Division of Powers I: The Effects of Nevada v. Hicks,” on which University of Pennsylvania Law School assistant professor Catherine Struve and Gloria Valencia-Weber of the University of New Mexico discussed the impact of federal laws on the rights to sovereignty on Indian lands. “Federalism and Division of Powers II: Indian Country and the Supreme Court” for which Carol Tebben of the University of Wisconsin-Parkside and Frank Pommersheim of the University of South Dakota addressed issues of trifederalism and tribal sovereignty. “Tensions Between Individual and Group Rights” presented by Eric Cheyfitz, and Rebecca Tsosie of Arizona State, moderated by Penn Law assistant professor Nathaniel Persily and including remarks by Keith Harper of the Native American Rights Fund. The final panel presented was “Sacred Sites and Objects of Indigenous Groups” moderated by Sarah Barringer Gordon, Professor of Law and History at Penn, and presented by Richard Collins of the University of Colorado, Eileen Shimizu of the Grand Traverse Band of Ottawa and Chippewa Indians, and Robert Clinton of Arizona State University.

The symposium concluded with a viewing of “Whose Child is This” (1994, Canadian Broadcasting Corp.) which documents the practice of white families adopting Native American children and removing them permanently from tribal influences. Afterward Maillard and fellow students Sarah Katz 2L and Alva Mather 1L, also a joint JD/Ph.D. candidate, led a discussion about how Indian law is different from federal law and how Native Americans deal with dual citizenship.

Following the Symposium, the American Indian Law Forum hosted Patty Marks, Counsel for the Eastern Pequot Nation in Connecticut, for the presentation of “Federal Recognition Process: Authentication and Rights in Tribal Formation.”

Kevin Maillard graduated in May and is presently an associate in the New York office of Hughes Hubbard & Reed. Maillard examines the tensions between individual and group conceptions of identity as defined by law in his doctoral thesis at the University of Michigan.
UNIONS AND CITIES
Journal of Labor and Employment Law Presents 2002 Symposium

The University of Pennsylvania Journal of Labor and Employment Law presented “Municipal Unions and Municipal Governance” as its 2002 Symposium in February. Emeritus Professor of Law Clyde W. Summers led a panel of experts in the initial discussion and orientation about municipal unions. Randall J. Sommovaia 172, Of Counsel with Philadelphia firm Ballard Spahr Andrews & Ingersoll, addressed issues in representing cities. The second panel, “The Impact of Municipal Unions on a City,” addressed city management issues and differing perspectives on the economics of municipal unions and their cities. The final panel of practitioners took on the topic “States and Their Municipal Unions,” speaking specifically about what the takeover by Pennsylvania of the Philadelphia School System might mean to municipal unions, and the future of City/Union relations. The symposium was organized by Executive Symposium Editor Vijay Kapoor L’02.

GE AND HONEYWELL BLACKOUT ANALYZED
Thwarted Merger Focus of Journal of International Economic Law Symposium

“Can We Regulate Competition Internationally?: A Case Study of the Attempted GE/Honeywell Merger” was the 2002 Symposium presented by the Journal of International Economic Law in April. Bringing together speakers and panelists from around the world, and from practice and academia Editor-in-Chief Paula Y. Garrett and Symposium Editors Mark E. Proctor and Kenneth L. Racowski assembled a program that attempted to get at the core of why the merger failed, specifically examining antitrust and national security concerns that were at the forefront of the deal. Speakers included Eleanor Fox, Professor of Law at NYU Law School; William Kolasky of the U.S. Department of Justice; Edward T. Swaine, Assistant Professor of Legal Studies at Wharton; and Dr. Stefan Schmitz of the firm Orrick, Herrington & Sutcliffe in London. Panelists included Dimitri Giotakos, Competition Directorate General of the European Commission; Ronald A. Stern of GE; and Abbott (Tad) B. Lipsky Jr. of Latham and Watkins.

LAW REVIEW SYMPOSIUM EXAMINES PREFERENCES
The University of Pennsylvania Law Review, now in its 150th year of publication, presented “Preferences and Rational Choice: New Perspectives and Legal Implications” as the 2002 Journal Symposium. Editor-in-Chief Michael Mugmon, along with Penn faculty Claire Finkelstein, Professor of Law and Philosophy, and Peter Huang, Assistant Professor of Law, coordinated the event that took place over two days in early March 2002. In a novel twist, faculty of the Law School were the moderators on each panel discussion presented, including “The Preference-Maximization Model of Rationality;” “Intertemporal Choice;” “Emotions;” “Risk;” “Morality;” “Practices and Rationality;” and “Legal Implications.” Issues of the University of Pennsylvania Law Review can be viewed on the web at www.law.upenn.edu/journals/lrev.
ILE ADVISORY BOARD CHAIR CELEBRATED AS HIS TERM CONCLUDES

The Institute for Law & Economics honored James H. Agger L’61 for his service as chairman of the board of advisors for one of the Law School’s premier institutes. Agger, former Senior Vice President, General Counsel and Secretary for Air Products and Chemicals, Inc. in Allentown, Pennsylvania, and a former member of the Law School’s Board of Overseers, stewarded the Institute’s growth from 1994 to 2001. At a celebratory dinner with the Board of Advisors, Dean Fitts commented, “Jim has been a champion for ILE’s programmatic expansion. His extraordinary generosity has done much to enable this growth, allowing ILE to set new benchmarks for giving and inspiring others to increased levels of support.” Robert L. Friedman L ’67, Senior Managing Director of the Blackstone Group L.P. in New York, succeeds him.

TAX EXPERT Addresses Policy Seminar

Eileen O’Connor, Assistant Attorney General for the Tax Division of the U.S. Department of Justice, was the featured speaker in meeting of the Tax Law Policy Seminar in March. O’Connor was formerly an officer with the accounting firm of Aronson, Fetridge and Weigle. The class is co-taught by professors of law Reed Shuldiner and Michael Knoll.

INTELLECTUAL PROPERTY GROUP PRESENTS TOPICAL PANELS

One of the newest student groups presented a pair of engaging roundtable discussions this past Spring. Penn Intellectual Property Group, a collaborative group comprised of students from across the University of Pennsylvania, was established in the Fall of 2001 to promote intellectual property interest and activities on campus. R. Bruce Rich L’73, a partner with Weil Gotshal & Manges in New York, joined a panel to discuss “Regulating the Creativity Market: Legal Aspects of Arts & Entertainment” in April. Earlier in the year, Assistant Professor of Law Arti Rai moderated a panel discussion entitled “Intellectual Property & Life Sciences: Upstream Research to Downstream Product.” The panel examined how intellectual property rights affect the transformation of scientific research into bio-pharmacological products and successful businesses.
The Gittis Center for Clinical Legal Studies expanded its offerings with the introduction of the Child Advocacy Clinic this Spring. The clinic is co-directed by Practice Professor Alan Lerner and Cindy Christian M.D. of Children's Hospital of Philadelphia (CHOP) to offer students interdisciplinary training in child advocacy. Dr. Christian is a pediatrician who also co-directs Safe Place: The Center for Child Protection and Health at CHOP. Additionally, Diane Smith-Hoban, a child advocate social worker assigned by the Family Court of Philadelphia, participated in the class to provide oversight and advice regarding working with the city’s social service agencies.

CHILD DEPENDENTS HAVE ADVOCATES IN THE GITTIS CLINIC

Child Advocacy Clinic Starts Up at Penn
The model is to create teams within the class in a weekly seminar. In its debut, the clinic comprised students from the Law School, Penn’s School of Medicine, and the graduate program of the School of Social Work.

“Our clinical experience was pretty intense,” says recent graduate Vanessa E. Coke Cohen. “We were thrust into an interdisciplinary world that did not always work together so well. Child advocates—attorneys or otherwise—often deal with other players in the system who feel that child advocates are duplicative in the process and are more of an annoyance than necessary, and legitimate, participants in protecting a child’s best interests.”

Noting that the practice of law is not an isolated endeavor within the profession, Professor Lerner stresses the value of interdisciplinary teaching and learning in the Clinic. “Life is not isolated. The work our students are going to do will require them to work with people in other disciplines. Why not have a graduate-level nursing student or a psychiatry student or an education student in class with a law student?”

Vanessa Coke Cohen comments, “I learned that relationship building is essential in the world of child advocacy—I would argue that it’s even more important than the legal aspects of child advocacy.”

The Child Advocacy Clinic is appointed by the Dependency Branch of the Philadelphia Family Court (Dependency Court) to advocate for children, from newborn to age 18, who are in dependency petitions. These children are defined by the City as “abused, abandoned, neglected, truant or ungovernable.” As is often the case, Dependency Court is underfunded and undersupported in proportion to the needs of the community. Lerner estimates that over 4,000 dependency petitions were filed in the last year in Philadelphia to be decided by a bench of only seven judges.

Traditionally, dependent children are represented by either Philadelphia’s Support Center for Child Advocates, or volunteer lawyers performing pro bono services through the Bar, or sole practitioners. Penn’s Child Advocacy Clinic presents a fourth option to provide superior child advocacy while giving students a unique learning opportunity. Situated at a premier research university the clinic is free from the pressures of having to generate revenue as a law firm is, or to carry an unmanageable docket of cases as many social service agencies are. Penn has willing students eager to learn and practice child advocacy, and many seize opportunities to learn other disciplines through relevant coursework across campus.

“Our students are the front line lawyers for these cases,” Professor Lerner explains. “They deal with city agencies under my direct and daily supervision as well as that of Dr. Christian. We provide a level of attention and resources that is to some extent different from other schools.” Although some law schools have child advocacy clinics, they are often under the umbrella of a family clinic. Penn Law School’s Civil Practice Clinic historically has taken on those kinds of cases and will continue that tradition.

“Every time a law student advocate stands up in court, at a meeting or at a home visit and says, ‘We need to do better for this child,’ it reminds everyone within earshot (Judges, Department of Human Services workers, schools and families) of the critical importance of this work,” says Smith-Hoban. “The energy and dedication the clinic students bring to their work is a sign of the hope for the child welfare system in general.”

The knowledge the Law students gain is fostered not only by the expert practitioners with whom they study, but also by interaction with students outside the profession. For example, 2002 graduate Vanessa Coke Cohen worked on the case of a child with Attention Deficit/Hyperactivity Disorder (ADHD) whose parents were struggling to find social and medical services to care for the child’s needs.

“Working with the medical students is a great idea,” comments Coke Cohen. “They bring a necessary perspective to the table and are able to pick up on developmental problems and other needs that are important to know when you assess a child and attempt to recommend what it is that they need.”

The Child Advocacy Clinic will enter its second year of operation this fall. Vanessa Coke Cohen joins Simpson Thacher & Bartlett as an associate in New York but will not forget the experience she had in the Clinic at Penn. Further down the road she plans to start an organization that advocates for children’s rights.
ASSOCIATION FOR THE STUDY OF LAW, CULTURE & HUMANITIES CONVENES AT PENN

Over 200 scholars from around the world gathered for 54 sessions at the annual meeting of the Association for the Study of Law, Culture and the Humanities at the Law School and throughout the University of Pennsylvania in March. Penn Professor of Law and Philosophy Anita Allen coordinated the three-day conference that presented interdisciplinary panels such as “Memory and Images of Punishment in Medieval Germany,” “On Law and Film as Pedagogy,” “The Decalogue and its Continued Relevance for American Law” for which Penn Professor of Law David A. Skeel, Jr. delivered commentary on Polish director Krzysztof Kieslowski’s masterpiece series inspired by the Ten Commandments; “The Spectacle of Gender at Trial in the Early Twentieth Century;” “Race and Race Consciousness in Law and Culture;” and “Property and Politics in Everyday Life.” Regina Austin William A. Schnader Professor of Law at Penn was a panelist in the roundtable discussion “The Politics of Race, Representation, and Reparations: Amistad, the Historical Record, and the Role of Law” which examined the historical accuracy of the depiction of slavery in Steven Spielberg’s 1997 film.

AUCTION FEVER HITS PENN LAW

Co-chairs Dorsey Heine L'02 and Richard Naddeo L'02 spearheaded a successful effort to raise money for public interest fellowships at the 2002 Equal Justice Foundation Auction in March. Students, faculty, administrators, and dozens of guests packed Pepper Hall and Silverman Hall to take part in a silent auction and a live auction that combined raised $30,000 for student fellowships. Philadelphia attorney Richard E. Rosin C'65, L'68 was presented an award by the students in appreciation of his dedication to the success of the EJF Auction over the years. The Committee also presented recognition gifts to each of the law firms that made contributions to the Auction this year. Robert I. Toll L'66, Founder and Senior Executive of Toll Brothers Housing, returned once again as the energetic Master of Ceremonies.

BLSA PRESENTS 14TH SADIE ALEXANDER CONFERENCE

Taking as the focus of its examination “The Final Frontier: Ensuring Economic Equality in the New America” the Black Law Students’ Association presented the 14th Annual Sadie T. M. Alexander Conference at the Law School in March. Discussion panels addressed “The Role of Alumni Contributions in Securing Power in Higher Education” and “Reparations: Lost Cause or Required Remedy?” The conference concluded with an awards banquet and dinner at which the Reverend Al Sharpton was the keynote speaker. Sadie T. M. Alexander ED'18, GR'21, L'27, was the first black woman to graduate from the University of Pennsylvania Law School and the first black woman to be admitted to the Pennsylvania Bar. She served on President Harry Truman’s Committee for Human Rights and authored the book To Secure These Rights.
SPARER SYMPOSIUM EXAMINES “SUING THE GOVERNMENT”

Nationally renowned academics convened at the Law School in March for “Suing the Government: Velazquez and Beyond,” the 21st Annual Edward V. Sparer Symposium named in memory of the former University of Pennsylvania Law School professor. The Symposium was hosted by the Public Service Program and the Public Governance Group of the Law School. In the 2000-2001 term, the Supreme Court handed down conflicting messages regarding the scope of permissible legal action against governmental entities in Board of Trustees v. Garrett, INS v. St. Cyr, Calcano-Martinez v. INS, and Legal Services Corp. v. Velazquez. Aspects of the symposium explored the function of such litigation, its effects, the extent to which it implements or distorts public policy, the permissible scope of litigation, the rule of attorneys, and judges and private parties. Presentations included “Judicial Policy Making and Litigation Against the Government,” co-presented by Professor Edward Rubin of Penn Law and Malcolm Feeley of UC Berkeley Law School; “Politics By Other Means: Suing the Government in Hopes of Controlling It” presented by assistant professor Nathaniel Persily of Penn Law; “Losing Faith: The Rehnquist Court and the Availability of the Courts for Civil Rights Plaintiffs” presented by Erwin Chemerinsky of USC Law School; “Velazquez II: Unfinished Business” presented by Burt Neuborne of NYU Law School; and “Should Courts Enforce Government Contracts?” presented by Eric Posner of the University of Chicago Law School.

FRANK WU PRESENTS “YELLOW”

APALSA Conference Features Author & Law Scholar

The Asian and Pacific-American Law Students Association (APALSA) presented its annual conference at the Law School in March. Taking as its theme “The Places We’ve Been ... The Places We’ll Go: The Evolution of Asian American Lawyers and Their Visions for the Future,” the conference featured academics and practitioners in panel discussions over two days. Panelists included Bill Lann Lee, Former Assistant Attorney General; Glen Magpantay of AALDEF; Paul Igasaki, Vice Chair of the Equal Employment Opportunity Commission; the Honorable Ida Chen; Jan Ting, Professor at Temple University; David Oh, sole practitioner in Philadelphia; and the Honorable Denny Chin of the Federal District Court of the Southern District of New York. Frank Wu, Assistant Professor of Law at Howard University, was also a panelist and presented his popular book Yellow: Race in America Beyond Black and White (2001). The conference was organized in collaboration with several APALSA groups in the Mid-Atlantic region.

A DAY IN THE LIFE OF A 1L

Anecdotally at least, the first year of a law student’s life is considered the most challenging due in large part to the demands and culture of legal education. For one day in the Fall students are buoyed by the support of their loved ones who sample a day in their lives. In November the Law School sponsored the annual Parents and Partners Day during which they were welcomed to attend classes in Torts or Criminal Law, tour the Law School complex, attend orientation with the Dean, and dine with the president of the Law Alumni Society.

Parents and Partners Day 2002 will take place on November 21st.
APPLICATIONS TO PENN LAW SCHOOL SOAR

Applications for admission to the JD program at the University of Pennsylvania Law School rose 43% this year compared to figures from the previous year. Factors such as the struggling U.S. economy and tentativeness after the events of September 11th encouraged many college graduates to turn to the safe harbor of legal education, but the strong interest in Penn Law also has to do with the attractiveness of the program. Janice Austin, Assistant Dean for Admissions and Financial Aid, undertakes a cross-country tour each year to tout the exciting legal interdisciplinary program Penn offers prospective students. In the 2002 U.S. News & World Report survey of professional schools, the Law School was ranked 7th in the nation, up from 10th place the previous year.

JLSA SCORES FUNDS FOR LEGAL AID

The Jewish Law Students Association presented the "Hoop It Up for Legal Aid" basketball tournament at Penn's Hutchinson Gym again this year, succeeding in raising $1,600 for Legal Aid. Eight teams competed for a trophy, and fans pledged money for the entertaining Faculty Free Throw Contest. Nine faculty members competed with Professor Colin S. Diver who won the contest by making six out of ten attempted free throws.

SURVEY SAYS . . .!

Among the numerous activities sponsored by the Council of Student Representatives (CSR) this year was the first Faculty/Student/Administrator Trivia Night. Using the model of the English game Quizzo, teams worked together to answer questions - interdisciplinary in subject, naturally - and to socialize at the end of the semester.
NEW DIRECTOR NAMED FOR BIDDLE LAW LIBRARY

Paul George of Harvard Joins Penn

Paul M. George has been appointed Director of the Biddle Law Library beginning in Academic Year 2002-2003. An experienced law librarian who previously served as Associate Librarian for Research Services at Harvard Law School, Dean Fitts announced that "he offers excellent professional skills and an extraordinary service-oriented approach that will serve the Law School and the Law Library well over the coming years." George succeeds Elizabeth S. Kelly who retired in 2001.

CONSTRUCTION RENOVATIONS UNDERWAY IN ROBERTS HALL

Since being named dean in 2000 Michael A. Fitts has recruited 13 additional scholars and teachers to the faculty. The expansion of the faculty now requires the school to create space to house them. This summer the third floor of Biddle Law Library in Nicole E. Tanenbaum Hall underwent minor renovations to create ten new offices. Tanenbaum, constructed in 1993 to house the expanding library and to provide new space for student groups, will temporarily accommodate faculty displaced from Roberts Hall, the 1963 wing on the north side of the Law School complex. Roberts Hall will undergo renovations throughout the academic year to make room for the growing faculty and to upgrade the existing space. After construction, the new spaces in Tanenbaum will be transformed into administrative offices, study space for students and, potentially, seminar rooms. Muscoe Martin of Susan Maxman and Partners, and David Ade, are the architects who drew up the plans. Jeffrey M. Brown Associates completed the construction in Tanenbaum Hall.

In March the Penn Law Christian Legal Society sponsored two talks on the theme “What Can the Law Do?” David A. Skeel, Jr. Professor of Law, presented “A Christian Perspective on Gambling and Speculation (with a Brief Application to Enron).” The second lecture was presented by William Stuntz, Professor of Law at Harvard, a criminal law scholar who addressed not only the tragedy of September 11th but the Bush v. Gore conundrum in “Loving the Law Too Much (and God Too Little).”
When we arrived at Penn Law in the fall of 1999, things were going rather well in the world. War seemed completely out of the question, peace seemed close in the Middle East, and the economy didn't seem like it was ever going to come down. Do you remember the words "peace and prosperity?" Do you remember the law firm receptions we had as 1Ls? Three short years later we find ourselves in a position that none of us would have imagined.

This being said, this is the right time for us to be graduating. Our class is unique in that we're able to put aside superficial differences when we address issues. We're neither blinded by emotion nor dominated by ideology. As individuals, we have leanings one way or the other, but in the end we all want the same thing: to leave this world a safer, better place for those who come after us. While we may disagree on the methods for getting there, all the ulterior motives - the pettiness, personality disputes, power issues - everything else that gets in the way of serious discussion was absent here. That ability is in great need right now.

We also had the foresight to sacrifice for the future. We decided to apply to law school at a time when we probably could have taken high paying jobs, but we decided to forego them. Why did we make that choice? Recall the results of a survey we took on why we came to law school. Over half of us answered "To make a difference in the world." That was the highest response the career office had ever seen. Now, attitudes may have changed once we actually went through law school, but I doubt that many did. Even if you didn't answer this way on the survey, and I'll be honest I didn't, you knew that the long term benefits of law school were worth more than the money that was out there at the time. It's that sort of foresight that is also in great need now.
But our ability and judgement will mean nothing unless we put them to use for those other than ourselves - especially for those who will come after us. The memory of law school that I'll never forget, aside from the people in my first year section, was the summer after my first year. I worked for HIAS, a nonprofit here in Philadelphia that represents asylum seekers. My first case was a Russian Baptist couple who were no older than I. They had a three-month-old daughter named Vita and they were fleeing religious persecution. Vita's father had to testify alone and on the day of the hearing, he was a wreck. The judge grilled him about the attacks his family suffered, especially about the time they lost another baby after his pregnant wife was assaulted.

To this day, I don't know how we did it, but the judge granted the family asylum. We left the hearing office and walked out to the lobby where his wife and Vita were waiting. Everyone was ecstatic. The couple was passing the baby around and everyone was kissing her. And then Vita got to me. Now up until this moment I had never held a baby before. It wasn't that I didn't like babies, it was just that I never really had the opportunity to hold one. So I took Vita into my arms and almost at once, I was filled with a sense of hope. This baby would grow up to be someone. Who? I didn't know, but hopefully someone who would do something really important. I wondered whether one day she would help a child in a similar situation. At the same time that I felt this sense of hope, I also felt an overwhelming instinct to protect her. This smiling child I had in my hands was completely innocent. She knew nothing about discrimination or of hatred. All she wanted was food, clothing, shelter, and love. Her name, appropriately enough, means "life" in Russian.

I think those feelings I had were similar to those that parents had when you held your children for the first time. I am also certain that parents everywhere have similar feelings when they first pick up their children - be they living in Jerusalem, Jenin, North Korea, Iran, Iraq or in Philadelphia. Something is terribly wrong if they don't. It's common ground we seek, the love for one's child is a good place to start. There is no question that force may have to be used when dealing with those who don't share this belief, but let us never forget that this bond is our most devastating weapon against them.

I sincerely mean it when I say that our class is capable of solving the problems that our nation and our communities face. In a very short time, it will be those of our generation making decisions that will impact a great many people both living and to come. Why can't members of this class make those decisions? Penn Law's strength historically hasn't been in the public sector - our class must change that. The last Penn Law alumnus to serve as a member of Congress was George Wharton Pepper. He served over 75 years ago. This law school, although founded by a founder of this country, has never had a president as an alumnus. Harvard Law claims 5. By our 30 year reunion, we should strive to count among our ranks at least one member of this class who has served as a judge, at least one who has served as a mayor, at least one who has served as a governor, and at least one who has served as a member of Congress.

This class also needs to continue Penn Law's traditional strength in the private sector. In many respects, it's just as important as the public sector. But we need to find creative ways of complying with our duties to our clients and trying to come up with solutions that benefit both them and the communities in which they operate. It's not good enough anymore to just say "do no harm."

Do we have a choice in all of this? Sure. We can turn our backs. We can stay out of the limelight, point fingers and criticize. We'll be just fine if we can look the next generation in the eyes and say "these problems have been around forever, so we didn't bother trying. Now you have to deal with them."

There is no shame, though, in saying to them that we did all we could, but we could not solve these problems. We may never see the success of our work - it may come in the next generation or the one after that. But that's okay - we can serve as inspirations to those who come after us, much like Sadie Alexander, Regina Austin, and Clyde Summers do to many of us. My parents also serve as that sort of inspiration to me. My father came to the US from India with only a suitcase. My mother also came to the States with little from a small farm in Poland. They worked hard and sacrificed 33 years later, they have one son applying to business school and another speaking at a law school graduation. To paraphrase Rocky, they took their best shot and they made it. It leaves me to ask, what shot have I ever taken?

Before the Civil War, Lincoln wrote, "I know that there is a God and that He hates injustice. I see the storm coming and I see his hand in it. If He has a place and part for me, I am ready." I think that we too see a storm coming. Let us face it together. At each reunion, there will be fewer and fewer of us until one day, there will be only one of us left. But at that point, I am positive when this person looks back, he or she will say that when called upon, our class did not let our nation down, our communities down, or our families down.
Senator Joe Biden delivers the Commencement Address

Nirupama Nag presents remarks on behalf of LL.M. graduates

Dean Fitts greets Michael Posner, 2002 Penn Law Honorary Fellow

Professor David A. Skeel, Jr. is presented the Harvey Levin Memorial Award for Teaching Excellence

Dean Fitts accepts Class of 2002 gift from Vanessa Coke Cohen and Marsha Johnson
"In this wonderful life that I have, there are very few things I went out to get. They happened, but for the best." This from Curtis Reitz L'56, the Algernon Sydney Biddle Professor of Law who clerked for U.S. Supreme Court Chief Justice Earl Warren upon graduation, joined the Penn Law faculty one year later, and served as University Provost and Counselor to the President.

After 45 years on the Penn Law faculty - and still counting - Reitz stands today as a highly admired scholar and counselor on commercial law, an influential senior commissioner of the National Conference of Commissioners on Uniform State Laws, and a remarkable forward-thinking legal mind.
While the rather unassuming Reitz may consider happy coincidence to be at the root of these accomplishments, alumni and colleagues of the well-regarded professor would respectfully disagree.

One of them is James Strazzella L'64. A former vice dean of the faculty at Penn, Strazzella later acted as dean of Temple Law School where he holds the James G. Schmidt Chair in Law. As one of the 8,000-plus students (according to his ballpark estimate) who have filled desks in a Reitz classroom in the past 45 years, Strazzella calls Reitz “a remarkable sage, to Penn’s great benefit.”

Like other Reitz alumni, Strazzella still seeks — and cites — the professor’s perspectives. On legal issues: “His grasp of his fields is amazing,” Strazzella says. “Even more remarkable, he’s one of the most informed and astute thinkers in a range of fields beyond those in which he teaches. If I want to discuss something about an obscure aspect of habeas corpus or double jeopardy or sentencing — famously difficult areas of the law — Curtis Reitz is the person to call.”

On administrative issues: “I could always be assured,” Strazzella says, “that a realistic discussion with Curtis Reitz would add an educational dimension that included the long term implications for Penn, the profession, and the individual.”

On academic matters: “Even today, I find his published work some of the most productive work to cite in my own writings,” Strazzella says. “No matter how far ahead in his thinking — and he is ahead, a lot ahead — he has a patient way that remains a model for many of us.... he’s one of those people who generously support others’ growth.”

And he does so with remarkable subtlety. Richard L. Bazelon L'68, a founding partner of Bazelon Less & Feldman, P.C. in Philadelphia, cites a very personal example. In Bazelon’s second year, Reitz inquired about the student’s summer plans. Had he considered applying to a law firm? Bazelon said he had no interest in private practice.

“He doesn’t say anything to me. This is typical,” Bazelon recalls. “He doesn’t tell me, He waits for me.” Later in the conversation, Bazelon asked for Reitz’s view:

Reitz: “I think you should work for a private practice this summer.”

Bazelon: “I have no interest.”

Reitz: “That’s why you should do it.”

“I realized he was right,” says Bazelon, who worked that summer at Dilworth, Paxson, Kalish, Levy & Kauffman and spent 14 years there before starting his own commercial litigation practice.

Inspired by Clarence Darrow and a radio show called “Famous Jury Trials,” Curtis Reitz wanted to be a lawyer from a tender age. “I never knew a living, active lawyer before I came to the Law School,” Reitz says. “I’m sure the idea of being a lawyer was very uninformed.” Born in 1929 — “I did not cause the Depression,” he has said - Reitz was raised by his father (a jeweler) and his mother (a schoolteacher) with his brother in Reading, Pennsylvania. He followed distant family footsteps and enthusiasm for Quaker football to Penn. He was one of the early disc jockeys on WXPN-FM (Penn’s radio station, student-run at the time), on the debate team, and active in the Christian Association. He received his undergraduate degree in history in 1951.

He then spent two Army years in the Korean War before returning to Penn for law school. (“I was a much better law student then I would have been if I had gone directly,” Reitz said in an oral history for Penn Law. He recommended that others do the same.)

“There was no question that he was far and away the most accomplished student in our class,” recalls Dolores K. Sloviter L'56, Chief Judge of the U.S. Court of Appeals for the Third Circuit. Sloviter and Reitz were on the Law Review Board, and Reitz was named editor-in-chief in their third year. “A marvelous choice,” Sloviter says. He was then as he is now, says Sloviter, “very self-contained. He has a job to do, he sits down, he does it.”
Reitz considers the faculty members of his day "still my heroes." Noyes Leech C'43, L'48 is among them, and the esteem is mutual. Leech, now professor emeritus, says his admiration for his former student and colleague "glitters." Reitz graduated in 1956 as the sole summa cum laude in his class. He was offered a position on the Penn Law faculty immediately.

He postponed accepting. The Supreme Court had come calling.

Dean Jefferson B. Fordham had recommended Reitz for a clerkship with Chief Justice Earl Warren. Only a couple of years after Brown v. Board of Education of Topeka, the Court was working on the so-called "Communist cases" such as Watkins v. United States; Roth v. United States, the first in long series of pornography cases for the Court; capital crime cases such as Mallory v. United States; and federal internal security cases, such as Yates v. United States.

"It was an unbelievably fun year," Reitz recalled in his oral history. "Hard work, very hard work, but marvelous. Largely because of Earl Warren. He was just a fascinating man to work with." Reitz, who at age 11 lost his father, considered Warren a "father figure" that would talk openly about his early life and his political career. Reitz worked with giants of the Court: Black, Douglas, Frankfurter, and Brennan, who became a friend to Reitz.

Returning to Penn Law as a member of the faculty, Reitz became legendary for his Paper Chase-like approach to teaching. "I'm not nearly as Socratic as I used to be," reports Reitz, once rumored to eschew the declarative sentence. "I used to tell students who would get frustrated that they didn't need to know the answers. What they needed to know were the questions. Just write down the questions. If you kept track of the important or the interesting questions, that in itself would be a learning experience."

The reputation of Curtis Reitz for serious, Socratic style preceded him into Judith Renzulli's L'80 first-year Contracts class. Pursuing law as a second career, Renzulli watched in "the long silences" as Reitz would polish his glasses and walk across the dais, waiting for a response from a student. Outside class, he seemed more relaxed, she recalls. "I knew I had to make him laugh," she says. She got him to crack a smile in response to a notion she proposed that would pair contracts and torts. "I can't imagine anyone would think that," he said. "Well, I just did," she replied gamely.

Renzulli would go on to become a partner with Duane Morris & Heckscher LLP, and a partner to Reitz. They were married in 1983 and each has three children from previous marriages. Reitz and Renzulli are avid ballroom dancers, hold season tickets to The Philadelphia Orchestra, and hike in their beloved Adirondacks, where they built a home. The dreamy mountain ranges are inspiring Reitz to delve into geology.
“When we go to alumni gatherings,” says Renzulli, “almost inevitably someone comes up to Curtis and says ‘I learned so much from you. You were my best teacher.’ I think that was my reaction too.”

“I had Curtis Reitz for first year contracts,” recalls Edward B. Rock L’83 Saul A. Fox Distinguished Professor of Business Law. “...Years later, as I was preparing to teach contracts for the first time ... we talked about his teaching approach. Curtis told me, ‘I don’t know how to teach people law. I only know how to help them teach themselves.’ And that he did.”

Reitz was named provost and vice president of the University in 1971 and served as counselor to the president from 1973 to 1986, teaching all the while. Reitz says it was an “intellectual challenge to get to know from the very top of the university what makes the place tick.” Financial issues, state funding, and the social unrest of the day were major issues. “We [also] did some creative things in those years,” says Reitz. Among them was enriching the student experience with the college house model of students and faculty living in residence, creating the University Scholars research honors program, developing freshmen seminars, and hiring the first vice provost for university life. During Reitz’s administrative tenure, the University instituted a new financial management system and made major changes in the University’s physical plant – including landscaping College Green.

“His luminous mind was coupled with a sense of precision and a most humane sense of the purposes of universities,” says University President Emeritus Martin Meyerson. “I count it as a blessing, quite apart from his provostship, that I came to know this wonderful human being and especially distinguished lawyer.”

To Richard Bazelon, Reitz is “a model of what a lawyer should be – very sensitive to issues of professional responsibility, very concerned about advancing the law, and really thoughtful about legal issues.”

Bazelon was a member of Reitz’s Prison Research Council. Originating from Reitz’s scholarly interests in habeas corpus and his own efforts to provide legal counsel to prisoners post-conviction, the group researched and responded to legal questions from inmates at Lewisburg Penitentiary in Pennsylvania. (Reitz argued three cases before the Supreme Court. In all of them he was appointed by the Court to represent prisoners who had been proceeding pro se. Two involved post-conviction relief for federal prisoners - Matsushita v. U.S. and Hill v. U.S. The third case involved the imposition of a prison sentence for criminal contempt by a Pennsylvania judge.) In a matter of months, Bazelon recalls, the group developed a nationwide “grapevine clientele.” “In addition to providing services,” says Bazelon, “it was a wonderful exercise for us in analyzing problems.” Newly graduated, Bazelon worked as co-counsel with Reitz on a case involving a hospital for the criminally insane,
[decided by a three-judge federal court convened to decide the constitutionality of Pennsylvania mental health commitment laws.] “The message he conveyed in all the work I have done with him,” says Bazelon, “is the sense of obligation to the client and what it means.”

Law reform has long been a passion for Curtis Reitz. He has a three-decade history with the ABA Criminal Standards Project, including working with his son, Kevin Reitz '82, law professor at the University of Colorado at Boulder, on sentencing reform. (If Reitz had his druthers, sentencing would be part of the curriculum for law students. “There are very, very few criminal prosecutions in which there is a serious dispute about guilt,” he has said, “but every criminal prosecution has a sentencing question.”)

Alumnus James Strazzella also points to Reitz’s “great national contributions to advancing the law.” Perhaps the greatest of these contributions is the revision of the Uniform Commercial Code. A commissioner to the National Conference of Commissioners on Uniform State Laws since 1975, Reitz has seen the UCC through a nearly complete revision, with close work on several Articles, including Article Eight on investment securities.

“Reitz is at work now on a book on international trade and investment. “I’ve become fascinated with this major new body of law,” he says. “We’re in the process of creating a new legal system at the global level. We’ve never seen anything like this before.”

And Reitz believes that today’s law students need to be prepared to practice in the global economy of tomorrow. “The traditional law school curriculum has very little international law in it,” Reitz says. “Increasingly people and organizations are involved in the world: They’re not just dealing locally. I don’t think our students are fully aware of the extent to which that change is accelerating ... we have to develop a body of international law that is almost as full and as complex as the body of national law we’re dealing with, and that the students are learning all the way through.”

According to his colleagues, Reitz carries his international perspective into his relationships with students. He takes foreign-born students under his wing, and aims to meet “their expectations of what a classroom should be like.” That means scaling back on Socratic method. “They come from traditions where the professors profess and the students are passive,” he says. “The students from my early years would be very surprised if they came to my class now.”

Further, Reitz is a long-time trustee of International House of Philadelphia, a residence for students and professionals from the U.S. and abroad. As colleague Geoffrey C. Hazard, Jr., Trustee Professor of Law, puts it: “He is a public citizen in his professional capacity, and he’s also a public citizen in his charitable work.”
Close to Reitz's heart is The Glen Mills Schools. Founded in 1826, located 20 miles southwest of Philadelphia, it is the oldest existing residential school for court-referred young men in the country. On the Board of Managers since 1971, Reitz speaks proudly of the school's mission and its students. "My wife says, 'Don't get him started on Glen Mills - he will never stop,'" says Reitz. "We have amazing success in turning these kids around."

Reitz has also been a member of the Committee of Seventy, a non-profit, nonpartisan political watchdog group in Philadelphia, for 20 years.

With no plans to retire, Reitz continuously rejuvenates his knowledge of the law. As Reitz said in his oral history: "... I am always thinking about the future. Almost never about the past. What are we going to do next? What are we going to do about this? How are we going to solve that? Trying to solve problems, trying to do something to make the environment of the world a somewhat better place. Keep plugging away."

Wendell E. Pritchett joins Penn Law School as an Assistant Professor of Law. Pritchett was a Visiting Professor at the Law School throughout last academic year teaching Urban Policy Past and Present and Introduction to Property Law. Pritchett was formerly an Assistant Professor of History at Baruch College of CUNY. He earned a Ph.D. in History from the University of Pennsylvania (1997), a JD from Yale (1991), and a BA from Brown (1986). His book *Brownsville, Brooklyn: Blacks, Jews and the Changing Face of the Ghetto* was published by the University of Chicago Press in 2002.
Paul Robinson will join Penn Law School as a Professor of Law in the Spring 2003 semester. Robinson is presently the Edna B. and Ednyfed H. Williams Professor of Law at Northwestern University and is an internationally known scholar in criminal law. A former federal prosecutor and one of the original commissioners of the United States Sentencing Commission, he has lectured widely including scholarly presentations in Australia, Belarus, Canada, England, Finland, Germany, Israel, Italy, Japan, New Zealand, Russia, Scotland, and Sweden. Upon his appointment Dean Fitts stated, “His addition to the Penn faculty solidifies our standing as the best criminal law school in the country. A member of the Yale Law School Faculty indicated that Robinson is clearly the preeminent authority on substantive criminal law in the legal academy today. In the last five years Robinson has emerged as the leader of a movement within the legal academy to expand our understanding of substantive criminal law doctrine through experimental psychology. He is a model legal academic for whom I have the greatest admiration. A Harvard faculty member said that Robinson was arguably ‘the single most influential thinker in the field in the country,’ that ‘precious few’ were ‘comparable or better scholars.’”

Matthew Adler, Professor of Law, presented "Risk, Death and Harm" in early 2002 at faculty workshops at Emory University Law School, George Washington University Law School, the University of Pennsylvania Law School, and Vanderbilt University Law School. He presented the "Puzzle of Ex Ante Efficiency" in June to an ad hoc workshop at the University of Pennsylvania Law School and in March at the Symposium on Preferences and Rational Choice, which he co-organized. Adler was in Germany in May 2002 to present "Does the Constitution Require (Basic or Strengthened) Public Rationality?" to the Symposium on the Links between Law and Political Science at the Max Planck Institute in Bonn. Adler was a participant at the Analytical Legal Philosophy Conference in April 2001. Also in 2001, Adler presented "Expressive Theories of Law" at a Faculty Workshop at UCLA Law School.

Rethinking Cost-Benefit Analysis, co-authored with Eric Posner (in progress)


"Does the Constitution Require (Basic or Strengthened) Public Rationality?" Linking Law and Political Science, ed. Christoph Engel (Forthcoming 2003)


Preferences and Rational Choice: Introduction, co-authored with Claire Finkelstein and Peter Huang, University of Pennsylvania Law Review (Forthcoming 2002)

Rights, Wrongs and Responsibilities (book review), Notre Dame Philosophical Review (Forthcoming 2002)


"State Sovereignty and the Anticommoditizing Cases," 574 American Academy of Political and Social Science 156 (2001)


Privacy and Law, in volume of conference papers, ed. Beate Reussler (Stanford University Press, 2001)

"Student and Faculty Perspectives on Black America's Success in the White Academy," with Kevin Noble Maillard, 52 Negro Educational Review (July 2001)


Regina Austin, William A. Schniedler Professor of Law, presented "Tort Damages and Black People's Money" at Penn's Law Faculty Retreat in September 2000. The paper is one of a series of articles exploring why African Americans' money is worth less than that of other ethnic groups. Professor Austin also presented her paper, "Disparate Impact Analysis and the Economic Disenfranchisement of Minority Ex-Officers," at the University of Pennsylvania Seminar on Racial Statistics and Public Policy.


Stephen B. Burbank, David Berger Professor for the Administration of Justice, presented "Procedure, Politics and Power," to the Section of Civil Procedure of the Association of American Law Schools in January 2002. He was a member of a panel of academics invited to comment on a draft report concerning the selection of class counsel at the Third Circuit Judicial Conference during the Fall of 2001. He moderated a panel on proposed amendments to the Federal Rules at a class action conference held by the Advisory Committee on Civil Rules in the Fall. He participated in a June 2001 meeting to discuss the American Law Institute's International Jurisdiction and Judgments project, for which he is an Advisor. In May 2001, Burbank taught a short course at the University of Urbino (Italy) and presented a short paper on federal judicial selection at a symposium sponsored by the American Judicature Society in Washington, DC. In May 2001, Burbank was a Life Member of the American Law Institute. In April 2001, he moderated and participated in the program at the annual meeting of the American Academy of Political and Social Science on judicial independence, an event coordinated with the publication of Burbank's co-edited book on that subject. In March 2001, Burbank was the Symposium Moderator and also moderator of a panel at a conference on "Tort Reform" at the University of Urbino (Italy) and presented a paper, "What Do We Mean by Judicial Independence?" at a conference in Columbus, Ohio. Also in March 2001, Burbank co-organized (with Professor Barry Friedman of New York University Law School) a conference on judicial independence, which took place at Penn Law. He is the Director of the American Academy of Political and Social Sciences.


C. Edwin Baker, Nicholas F. Gallicchio Professor of Law, presented "Media and Democratic Theory" at the Law & Society Conference in Budapest, Hungary in July 2001; he delivered "Foundations of Libertarian Socialism" at the Seminar on Philosophy and Social Science in Prague, Czech Republic where he also was a commentator on "Scheuerman, Liberal Democracy and the Empire of Speed." At the Copyright Law as Communication Policy Symposium at Cardozo Law School in April 2001, Baker was a panelist for the discussion "Copyright and the First Amendment." In February 2001, as a guest, he led the Bernard Williams and Robert Post Seminar on Free Speech in Berkeley, California where he presented "Speech and Harm." He spoke on "International Free Trade in Media Products" at NYU Law School's Innovation Policy Colloquium. He delivered "The Descriptive and Normative Failure of Equal Protection Scrutiny Analysis" as the keynote speech for Penn Law's Symposium on Equal Protection after the Rational Basis Era. Baker presented "The First Amendment and Arts Funding" at a Conference on Art and Freedom of Expression at the American Craft Museum in New York in January.


Medias, Markets, and Democracy (Cambridge University Press, 2001)


The Feminist Working Group and the Law School co-hosted the first Feminists of Penn Law Reception and Dinner in April. The purpose of the evening was to honor those people dedicated to advocating for the rights of women and girls. The 2002, and inaugural, honoree was Professor Regina Austin L73 who was recognized for her commitment to feminism at Penn Law School. Twice the number of expected attendees showed up for the event which took place in the Levy Conference Room in Silverman Hall.

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Howard F. Chang, Professor of Law, presented "Risk, Public Concerns, and the Hazards of Terror: Nothing to Fear but Fear Itself" at the Penn Law Review symposium on Preferences and Rational Choice in March 2002, and at an international workshop at the University of Michigan Law School in April 2002 and at the University of California at Berkeley School of Law in May 2002. He also presented his paper "Liberal Ideals and Political Feasibility: Guest-Worker Programs as Second-Best Policies" at the DePaul College of Law in March 2002. Chang presented "Immigration Restrictions as Employment Discrimination" at a workshop at the New York University School of Law in October 2001, at a workshop on labor and employment law at NYU School of Law in November 2001, and at the University of Michigan Law School in January 2002. Chang also presented "Liberal Ideals and Political Feasibility: Guest-Worker Programs as Second-Best Policies" at an immigration law symposium at the University of North Carolina School of Law in January 2002. He presented "Public Benefits and Federal Authorization for Aversion Discrimination by the States" at an immigration law symposium in November 2001 at the University of New York School of Law in October 2001, and at a workshop at the University of Michigan Law School in February 2003. In May 2003, he organized a panel discussion on international law for the annual meeting of the American Law and Economics Association in May. He delivered the 25th annual Kenneth M. Pippenger Memorial Lecture, "Immigration and the Workplace," to the Chicago-Kent College of Law in April 2001.


William B. Ewald, Professor of Law and Philosophy, delivered "What's So Special About the American Legal System?" at the Quinn Memorial Lecture at Oklahoma City University in 2001.

"Cumberland and the Reform of Natural Law," in Erfahrungen für Recht und Ethik (2000)


Claire Oakes Finkelstein, Professor of Law, "Comments on Gerald Postema in Proceedings of Soft Conference on Philosophy of Law and of Politics (2001)

"Two Men on a Plank," Legal Theory (2001)


Douglas N. Frenkel, Practice Professor of Law and Clinical Director, spoke on clinical supervision methods and on teaching legal ethics to conferences of Chinese academics at Columbia and at Yale Law Schools. In April 2002, Frenkel conducted a Ford Foundation-sponsored New York workshop on student practice authorization/rules for a Chinese Ministry of Justice delegation that is considering such an innovation in that country. Also in April, he gave a lecture entitled "Mediation: The User's Perspective" at the Wharton
School at the University of Pennsylvania. Frenkel participated in the American Bar Association's mediation training for judges in Wilmington, Delaware in February. He gave a workshop on Negotiation in March, 2001 and consulted on professional responsibility teaching at the University of Sydney Faculty of Law in Australia. He also spoke on "Trends in U.S. Clinical Legal Education" at a faculty workshop at the Law School of the City University of Hong Kong.

"On Trying to Teach Judgment," 12 Legal Education Review 190 (Australia) (2001)

Frank I. Goodman, Professor of Law, serves on several committees of the University of Pennsylvania including the Committee on Misconduct in Research, the Senate Executive Committee, and the Committee on Honorary Degrees. He represents the Law School to the Pennsylvania State Board of Bar Examiners.


Sarah Barringer Gordon, Professor of Law and History, was a guest on National Public Radio stations in Salt Lake City and in Philadelphia in the Spring to discuss her book The Morrison Question.


The Morrison Question: Polygamy and Constitutional Conflict in Nineteenth-Century America (Legal History Series), (University of North Carolina Press, 2001)


Geoffrey C. Hazard, Jr., Trustee Professor of Law, lectured on ethics in law firms and to lawyers specializing in estate planning. He has served as an expert witness in matters of professional ethics in several major lawsuits. In May 2001 he and his colleagues presented a revision of a proposed code of civil procedure for international commercial disputes to the American Law Institute. The revision was also presented this past summer to an advisory committee of UNIDROIT (International Organization for Unification of Private Law) at a working meeting in Rome. Hazard serves on the American Bar Association's Special Commission to Review Rules of Professional Conduct. He is frequently quoted on the subject of legal ethics in national legal publications and major international newspapers.


"Legal Implications of Cult and Pride for Securities Regulation," University of Pennsylvania Law Review (Forthcoming)


"The Law and Economics of Environmental Contrasts," in Environmental Contrasts and Other Innovative Approaches to Environmental Regulation, eds. Dekerle and Ortu (2000)

Leo Katz, Professor of Law, presented "Is There a Volume Discount for Crime?" as the Fortunoff Lecture at the New York University Criminal Law Colloquium in 2001. He spoke on "Why We Do What We Do and Why We Do It" at the AALS panel on jurisprudence; presented "Why is the Law So Either/Or?" at the University of Texas Law School, and "Conflicts of Rights and the Outbreak of the First World War" at a conference held by Penn Law's Institute for Law and Philosophy.


"Adjusting Taxes for Differences in Regional Living Costs and Amenities," co-author Tom Griffith, Harvard Law Review (Forthcoming)

"Put-Call Parity and the Law," Carlton Law Review (Forthcoming)


Seth Kreimer, Professor of Law and Associate Dean for Academic Affairs, delivered "Technologies of Protest: Insurgent Social Movements and the First Amendment in the Era of the Internet" at the 20th Annual Edward V. Spanier Conference on Social Movements and Law Reform at Penn Law School in March 2001. Kreimer served as co-chair with the Women's Law Project and the Center for Reproductive Law and Policy in Ferguson v. City of Charleston 121 S. Ct. 1281 (2001), which reversed the Fourth Circuit, and held a decision by a municipal hospital, in consultation with local police, to reverse the Fourth Circuit.

Kreimer authored an amicus brief for the First Amendment in the Era of the Internet, "The City of Charleston," 569 Fed. 2d 399 (4th Cir. 2000) in which a three-judge panel of the Superior Court, by a vote of 2-1 rejected the claims of a lesbian couple who sought to jointly adopt the biological children of one of the partners. The Superior Court granted rehearing en banc before which he argued the case in June 2001.


Bruce H. Mann, Professor of Law and History, delivered the keynote address, "Failure in the Land of the Free," to the 21st annual conference of the Australia and New Zealand Law and History Society in Katoomba, Australia in July 2002. In April, he presented "The Politics of Insolvency in the Early Republic" to the University of Pennsylvania Economic History Forum held in Philadelphia. Mann addressed the 20th Annual Bankruptcy Conference of the University of Texas School of Law Continuing Legal Education Program on "Failure in the Land of the Free: Debtors' Prison and the First Bankruptcy Act," in November 2001 in Austin, Texas. He chaired a panel on "Discourse, Authority, and Allegiance" at the Conference on New World Orders: Violence, Sanction, and Authority in the Early Modern Americas, 1500-1825 in the previous October. Also, he finished his three-year term as a member of the Board of Directors of the American Society for Legal History, but continues as chair of the Society's Publications Committee, which oversees the Society's journal, the Law and History Review, and the Studies in Legal History, a book series which the Society sponsors with the University of North Carolina Press. Along with Christopher L. Tomlinson of the American Bar Foundation, Mann organized "The Many Legalities of Early America" Conference for the Omohundro Institute of Early American History and Culture. The conference papers were compiled and published in volume with the same title which he co-edited. He continues to serve as a member of the Board of Directors and chair of the Publications Committee for the American Society for Legal History, and as a member of the Advisory Council of the McNeil Center for Early American Studies.


The Many Legalities of Early America, ed., with Christopher L. Tomlinson (University of North Carolina Press, 2001)


Charles W. Mooney, Jr., Professor of Law, served as Senior Coordinator and member of the United States delegation for the U.S. Department of State at a diplomatic conference in Cape Town in October and November 2001, at which the Cape Town Convention on International Interests in Mobile Equipment was completed, along with the Protocol on Matters Specific to Aircraft Equipment. He spoke in May 2002 on the Cape Town Convention at a conference in New York City on International Developments in Secured Transactions, sponsored by Dickinson School of Law of Pennsylvania State University. Also in May, he served in Montreal on the United States Delegation for the Preparatory Commission, created by the Cape Town Diplomatic Conference, for the creation of an international registry for interests in aircraft. In March 2002, Mooney presented "Modeling the Uniform Law Process: A Comment on Scott's Rise and Fall of Article 2," at the Symposium: Unifying Commercial Law in the Twentieth Century: Understanding the Impulse and Assessing the Effect, sponsored by the Louisiana Law Review, in Baton Rouge. In January 2002, he spoke on Revised UCC Article 9 in Scarsdale, Arizona, and he also presented his paper "The Roles of Individual States in UCC Reform: Is the Uniform Law Process a Potted Plant? The Case of Revised UCC Article 8," at the Symposium:


"The Importance of Eliminating the Corporation AMT," The Tax Foundation (2001)


"Derecho de Sociedades," 114+ a edición revisada un ampliada, 772 pages.


"Luthe a Sanfte Revolution" (RevueFGE 7, 198 ff), Kritische Vierteljahresschrift für Gerichtsverwaltung und Rechtswissenschaft (2001), pp. 315

Alan M. Lerner, Practice Professor of Law, launched the Child Advocacy Clinic in Academic Year 2001-2002 (see article on page 10). He led three small group sessions discussing various aspects of scholarship for clinical law teachers at the annual meeting of the AALS Section on Clinical Law Teaching, held in Montreal in May 2001. At the Philadelphia Bar Association's Annual Public Interest Law Day in June, Lerner joined Terry Frankson, Executive Director of the Women's Law Project, and Professor Louis Rulli in a panel discussion regarding changes in the Federal Rules of Civil Procedure and the Federal Rules of Evidence, and their impact on the practice of public interest lawyers.

Howard B. Lesnick, Jefferson B. Fordham Professor of Law


Seth Kreimer has been appointed Associate Dean for Academic Affairs, a two-year assignment in which a faculty member works side-by-side with the Dean. In making the announcement, Dean Fitts stated, "As we all know, Seth has been a highly valued member of the Penn Law community for a number of years. He is not only one of the strongest teachers in the University, but one of the most impressive intellects as well. Seth is also widely regarded for his wise judgment and his personal openness."

Kristin M. Madison, Assistant Professor of Law

"The Effect of Anti-Kickback and Anti-Referral Laws on the Health Care Industry" (forthcoming)

"The Role of Hospital-Patient Affiliations in the Market for Medical Care" (forthcoming)


Friedrich Kübler, Professor of Law, will present "Law and Finance Stability" to the German Central Bank's conference on "Institutional Framework Conditions for a Stable Currency in Frankfurt in December 2002. In May 2002, Kübler delivered the keynote address, "Media and Political Correctness vis-a-vis Terrorism: A Danger for Democratic Standards?" to the German Congressional conference on Media, Conflict and Terrorism held in Bonn. He also presented "Justification of Media Regulation" to a media law conference in Rendsburg, Germany in April. In October 2001, he presented a paper on deregulation at a symposium discussing the reform of German corporate law. Kübler presented the general report on "The Control of Media Concentration" to a Conference of the German Association of Comparative Law in September 2001. He also presented a paper on the "Organization of Global Financial Markets" to the International Seminar on New Institutional Economics. He organized and co-chaired the 11th Multinational Banking Seminar, bringing together executives of major financial institutions and financial market regulators from the U.S., the U.K., Germany, the Netherlands and Switzerland. He continues to serve on the (German) Commission for the Control of Media Concentration and as a member of the European Shadow Financial Regulatory Committee. In the Fall 2001 term, Kübler taught International Finance and European Union Law. "Der CEO: ein Freund? in deutscher Recht?" 75 Betriebsrichter No. 12 (2002)


"Derecho de Sociedades," 114 a edición revisada un ampliada, 772 pages.


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Howard B. Lesnick, Jefferson B. Fordham Professor of Law


Stephen J. Morse, Ferdinand Wakeman Hubbell Professor of Law and Professor of Law & Psychology in Psychiatry


Stephen R. Perry, John J. O'Brien Professor of Law and Professor of Philosophy, presented "Method and Principle in Legal Theory" to a workshop at Duke Law School in January 2002 and to a seminar at Yale Law School in February. In March he delivered the first annual Leon Green Lecture in Jurisprudence at the University of Texas at Austin, on the topic of "The Normativity of Law." Also in March he commented on a paper by Penn Professor Matthew Adler at the Symposium on Preferences and Racial Choice, at Penn Law School. In April 2002 Perry took part in an Author­Meets-Critics session on Jules Coleman's book The Practice of Principle at the Midwest Philosophy Conference, which was held at the University of Idaho at Moscow. He presented "Equality, Fairness, and Foresee" to an Author­Meets-Critics session on Arthur Ripstein's book Equality, Responsibility, and the Law at the Pacific Division Meeting of the American Philosophical Association, held in San Francisco in 2001. In February 2001, Perry presented "Hart's Methodological Positivism" at a Colloquium on Legal and Political Philosophy hosted by NYU Law Professor Ronald Dworkin at University College, London. In January 2001, Perry chaired the Jurisprudence Section Meeting at the American Association of Law Schools annual meeting held in San Francisco. The focus of the session was "New Directions in Analytic Jurisprudence."

Curtis Reitz, Algernon Sydney Biddle Professor of Law, (see profile on page 20) is an advisor for the American Law Institute’s project to revise the sentencing and corrections articles of the Model Penal Code. He and his son Kevin R. Reitz ’82, a professor of law at the University of Colorado, were co-editors for an ABA Criminal Justice Standards project on Sentencing Standards in the early 1990s. He was elected a Life Member of the American Law Institute in December 2001. Together with Professor Charles W. Mooney, Jr. and Professor Steven Harris, Reitz has completed a new edition of Professor John Homroid’s classic casebook on Sales and Sales Financing. The book, “Evolving Code,” now is an advisor for the International Institute for the Sociology of Law. Reitz traveled to Orad, Spain to participate in a workshop of the International Institute for the Sociology of Law. He was in Hungary later that month conducting interviews for her upcoming book on the Constitutional Court. Reitz’s book “Counter-Constitutions” at the annual meetings of the American Sociological Association in August 2001 and “Dependence on Standing Body of State: One Fatal Blow in Bush v. Gore” at the American Political Science Association meeting in the following September. In July 2001, Professor Reitz co-chaired the program committee for the joint meeting of the Law and Society Association and the Research Committee on the Sociology of Law, held at Central European University in Budapest, Hungary where she also presented “The Queried Past.” The focus of the conference was Law and Morality of law in democratic transitions. She gave a talk called “Requiem for the Rule of Law: The 2000 Election and the Failure of American Courts” at the Harvard School Workshop on Constitutional Law and Constitutional Theory in February 2001.

Kim Lane Scheppele, Professor of Law and Sociology, gave talks during 2001-2002 at Universities of Southern California Law School, Tulane Law School, University of St. Louis, University of Florida and Vanderbilt Law School. In June 2002, she served on a panel titled “The Function of Constitutional Courts” at the Conference on Constitutional Law held in Washington, D.C. and sponsored by the American Association of Law Schools and the American Political Science Association. Also in June, Scheppele traveled to Orad, Spain to participate in a workshop of the International Institute for the Sociology of Law. She was in Hungary later that month conducting interviews for her upcoming book on the Constitutional Court. Scheppele presented “Counter-Constitutions” at the annual meetings of the American Sociological Association in August 2001 and “Dependence on Standing Body of State: One Fatal Blow in Bush v. Gore” at the American Political Science Association meeting in the following September. In July 2001, Professor Scheppele co-chaired the program committee for the joint meeting of the Law and Society Association and the Research Committee on the Sociology of Law, held at Central European University in Budapest, Hungary where she also presented “The Queried Past.” The focus of the conference was Law and Morality of law in democratic transitions. She gave a talk called “Requiem for the Rule of Law: The 2000 Election and the Failure of American Courts” at the Harvard School Workshop on Constitutional Law and Constitutional Theory in February 2001.

Declarations of Independence: Judicial Responses to Political Pressure,” in Judicial Independence at the Crossroads, eds. Stephen Barbour and Barry Friedman (Steps, 2002).


“The Constitutional Law of Politics in America,” 24 Élet és Irodalom (Life and Literature), November 2000 (Budapest)


Kim Lane Scheppele received the inaugural Robert A. Garman Award for Excellence in Teaching at Commencement exercises in May. Named in honor of the beloved professor who retired in 2000 after 35 years on the faculty, Scheppele was chosen based on student course evaluations.
David A. Skeel, Jr. was presented the Harvey Levin Award for Teaching at Commencement exercises in May. The award is bestowed based on the popular vote of the graduating class. Skeel was bestowed the Levin Award in 1999 as well.


Clyde Summers, Jefferson B. Fordham Professor of Law Emeritus


"Difficulties in Delegation When Wage Costs are the Major Cost," co-authors Barry T. Hirsch and James W. Gillula, in Future Directions in Postal Reform, (Kluwer Academic Publishers, 2000)


R. Polk Wagner, Assistant Professor of Law, has undertaken an empirical study of the Federal Circuit's patent claim construction methodology, and an analysis of contemporary control-based criticisms of intellectual property laws.

"Grading the Federal Circuit: Claim Construction After Markman" (In progress)

"Information Wants to be Free: Intellectual Property and the Mythologies of Control" (In progress)


Amy L. Wax, Professor of Law, presented a paper at a conference on disability rights and the Bill of Rights at William and Mary Law School in November 2001. Also, she presented papers on basic income and disability legislation to the economics department and the law school at Washington University in St. Louis in February 2001. In March 2001 she presented a paper on welfare work requirements and liberal theory at a conference on basic guaranteed income at the City University of New York (CUNY) Graduate Center and also to the philosophy colloquium at CUNY.

"The End of Evolutionary Psychology: Group Selection and Sex Selection in Law and Policy," (In progress)

"Something for Nothing: The Liberal Case Against Welfare Work Requirements," (In progress)

Reusing the Next Generation: A View from the Economics of Public Finance, co-author Anne Alstorp, (forthcoming 2002)


These are the graduates of the University of Pennsylvania Law School.

In the last decade Penn Law School alumni have assumed positions of leadership in the legal profession and, with increasing frequency, in fields beyond the law. Over and over again what unites them is their belief that the intellectual training they acquired at Penn opened up unforeseen doors of opportunity throughout their impressive careers.

There are thousands of graduates who are enjoying vigorous and challenging careers across the disciplines. In the following pages you'll read about seven such graduates who have lived up to the potential that a Penn Law School degree allows and who have brought pride to their alma mater.
Inquiring Minds Want to Know

BARBARA G. McCLUNG G'81, L'87 loves science. She loves inventors. She loves to have fun in her work. She loves to travel. She loves studying primates. She loves teaching. In other words, Barbara McClung embodies joie de vivre.

McClung came to the law by happenstance. A Ph.D. candidate in the Physical Anthropology Department at Penn, she traveled to Sierra Leone on a grant to study primates. It was 1982 and the continent was filled with poachers slaughtering elephants to sell their parts on the black-market. McClung was appalled by what she witnessed. Soon after she returned to the U.S. she enrolled at Penn Law School in the hope of affecting change as an environmental lawyer.

But she found the emphasis on regulatory statutes in environmental law studies wasn't what she had in mind. Still, she remained engaged in science through her teaching of Physical Anthropology at the University of Delaware, simultaneous to her studies as a law student. Then a course she took that was taught by adjunct lecturer Herbert Schwartz G'64, L'64, the renowned patent lawyer with Fish & Neave in New York, captured and fulfilled her imagination with the possibilities of law. She hasn't looked back since.

"The inventors were free from the bottom line," McClung recalls of her work as an attorney at E.I. DuPont de Nemours & Co. "They were young scientists and they were night-owls. My own nocturnal habits fit with the scientists."

Family matters brought McClung back to her native California where she joined the law firm Townsend and Townsend as an associate. But after her experience in the labs of creativity back East, joining a law firm was a staid experience by comparison.

"The problem with being in a firm was I wasn't dealing with interesting people but with business development people. I couldn't think broadly without tripping over a client."

After a year in which she blazed a path in patents and policies at the firm (she was the first pregnant attorney at Townsend and Townsend) she was recruited by Chiron Corporation to set up a patent division. With responsibility for the entire Vaccines Division intellectual portfolio, McClung formulated the company's patent strategy worldwide, oversaw litigation, and technology licensing. During this period she also taught legal writing at Golden Gate University School of Law.

1998 – present
Cygnus, Inc. – Redwood City, California
Senior Vice President and General Counsel
Corporate Secretary

1990-1998
Chiron Corporation – Emeryville, California
Corporate Patent Counsel – Vaccines Division

1989 – 1990
Townsend and Townsend – San Francisco
Associate

1987-1989
E.I. DuPont de Nemours & Co. – Wilmington, Delaware
Attorney

1986
Dechert, Price & Rhoads – Philadelphia
Summer Associate

1985
Morris, Nichols, Arsht & Tunnel – Wilmington
Summer Associate

1987
J.D. cum laude
University of Pennsylvania Law School

1983
Ph.D. Physical Anthropology (ABD)
University of Pennsylvania

1981
M.A. Physical Anthropology
University of Pennsylvania

1977
B.A. Anthropology summa cum laude
U.C. San Diego
In comparison to the long-established protocols she followed at DuPont, McClung notes that in creating a division "everything was a decision"—including setting up a patent numbering system, something she took for granted at DuPont. "It takes a certain kind of temperament to set up a department," McClung says. "It's like furnishing a house—you can make it your own." Some of the patent development that took place while she was there involved treatments for AIDS, herpes, and whooping cough.

In 1998 McClung was recruited to Cygnus. "I wanted to see what it would be like to run an office," she recalls. Over the past four years she has built a department with responsibility for corporate transactions, securities filings, board governance and contract management. This year, Cygnus began the sale in the U.S. of its Glucowatch® Biographer, a wristwatch worn by diabetics which reads the patient's glucose level without pricking the skin through electromagnetic currents.

At Penn in the early 1980s McClung took advantage of coursework in science, medicine and law available throughout campus. "There are few universities that have the variety of schools that Penn has," McClung observes. In her Ph.D. program in Physical Anthropology she took anatomy classes in the Medical School and biostatistics in the Biology Department. As a law student, she took a course on the ethics of the healthcare system. She recalls sitting in a class taught by Emeritus Professor Richard Lonsdorf discussing the ethical conundrum in the "Baby M" child surrogacy lawsuit that was in trial in New Jersey. At Commencement she was awarded the Henry C. Loughlin Prize for a paper she authored on legal ethics.

At age 47, married with two children, McClung allows her mind to wander to the next opportunity she might seize. "I miss teaching," she says. "I need to find a way to get back to that." But which subject she'd teach would be anyone's guess. Spin a wheel and chances are wherever it lands McClung has mastered expertise to share with other inquiring minds.
Six time’s a charm. At least it was for STEVEN H. TEMARES L’83. That’s how many times he was called back to meet with executives at retailer Bed Bath & Beyond in early 1992 when the company was interviewing for someone to help with their real estate expansion plans. Today he is President of the company.

“I wasn’t interested in leaving the law firm. I just went as a courtesy,” Temares laughs now. “Bed Bath and Beyond was about to go public and they were looking for someone familiar with real estate to help lay out a plan for future store development.”

Temares had been a quick student of real estate law and development at Schulte Roth & Zabel, which he joined upon graduation from Penn Law School. As an associate in the real estate practice group he worked on cases that “ran the gamut. I was trained in all aspects of real estate transactions including acquisitions and co-op work because that was popular in New York then.”

“We bought and developed properties in New Jersey and Pennsylvania and bought property across the nation. They wanted to diversify the company.” The company was then bought by Maersk Sealand, the Danish shipping company, which was not interested in real estate activities so they refocused the company on shipping.

From city ports to ceramic pots: today Temares oversees a company that has 425 stores in 44 states and had sales of approximately $3 billion in 2001. Real estate development has been integral to the success of Bed Bath and Beyond, which offers domestic goods such as bedroom and bathroom decorations, and home furnishings. The company is extremely entrepreneurial and locates stores in strip malls, freestanding buildings, traditional malls and off-price malls. No matter the location, the company’s reputation for providing quality goods might have its fans follow the stores to the Moon, if they could find a parking spot there.
Soon after arriving at Bed Bath & Beyond Temares moved into the executive ranks himself. “In 1995 I was put on the operating committee. I was responsible for the administrative end of business from real estate to finance – all but merchandising and store operations. Today I’m on the Board of Directors.”

Temares credits his law school education with teaching him how to think systematically and logically. He recalls his classmates helping him learn how to think like a lawyer. Possessing a trained intellect from legal studies and a head for business development serves Temares well. At the present he just oversaw the company’s acquisition of a health and beauty care company – a decision that has garnered the enthusiasm of his three daughters.

“I thought law school would give me a good education,” he says. “I thought it would afford me more opportunities.” But one senses that it’s not only his education but also Temares’ enthusiasm for the next expansion, for the next acquisition, that makes his success in the business seem so inevitable.
The Migratory Patterns of a Family Man

RICHARD D. WOOD, JR. L’64 talks about his two families. “I enjoy holding together my great-grandfather’s family,” he says. “He has 130 descendants and each has a financial interest in the company. We get the family together for the annual shareholders meeting, but we also get together at Thanksgiving each year. It’s wonderful to see them come in from around the country.” He takes pride in knowing each of his second and third cousins.

Wawa is another family with deep roots in Delaware County, Pennsylvania and a source of pride for Wood. He is the President and Chief Executive Officer of Wawa, Inc., a chain of convenience stores head-quartered in Wawa, Pennsylvania, outside of Philadelphia. He is among the descendents of Richard Wood, a Quaker who arrived in Philadelphia from England around 1682.

In describing what he’s enjoyed about transforming the business since joining it in 1970 he talks about this other family. With paternal pride he points out that both the Vice President for Real Estate and the Vice President for Gasoline Procurement started out working in the convenience stores and rose through the ranks to become Wawa executives.

Wawa, Inc. was founded as a dairy by his great-grandfather George Wood 100 years ago. In the years preceding pasteurization Wawa Dairy was known for its advanced and strict sanitary conditions for transporting milk from Wawa as far as the New Jersey coast by train, and then by horse and buggy to residential customers. Throughout the 20th century Wawa Dairy supplied the Delaware County region, and the expanding Mid-Atlantic territory, with milk and other dairy products. The first Wawa convenience store was opened in 1964. When Wood joined the company as General Counsel in 1970 the family business had $27 million in sales in 80 stores. By comparison, today Wawa is a business with $2.1 billion in sales in 546 convenience stores located in five states.

Why Wawa?

A 1961 graduate of the University of Virginia with enviable LSAT scores and no job on the horizon Wood took the “path of least resistance,” as he puts it, and entered law school. “I was energized by the thought of going to law school. I would see what was white and what was black in the world. What I discovered, though, was more gray. Things weren’t that clear.”

“The Federal Courthouse, the trials, were what you pictured in law school,” he says about his clerkship on District Court. “Patent law cases, maritime cases. It was a higher plain of law.”

Thinking that he wanted to be a trial attorney he joined the Philadelphia Defender’s Association, which was then a volunteer vocation. Soon he joined Montgomery McCracken Walker & Rhoads in Philadelphia. His first case was an antitrust case, a class action suit against Anaconda Wire & Cable Company. He recalls his days as an associate with a quiet laugh. “I spent my days separating out copper invoices from aluminum invoices.” From there he tried some arbitration cases for a couple of years and then moved to the corporate department where he did SEC work and reorganizations. The nature of that work sparked his vigorous intellect.

“It was helpful as a growth experience and to develop my personal point of view. At one point I thought I’d be a tax lawyer. (He remembers taking a few courses at the Law School with former professor and dean Bernard Wolfman). I got to go through reorganizations under tax law that didn’t make sense in law school and then I saw how they made sense as a matter of practicality. Finally I saw my legal education in practice. I grew up a lot in those years.”

1970 – present
- Wawa Corporation, Wawa, Pennsylvania
  - President and Chief Executive Officer (1977-present)
  - Executive Vice President (1974-1977)
  - Vice President (1971-1974)
  - General Counsel (1970-1971)

1965 - 1970
- Montgomery, McCracken Walker & Rhoads, Philadelphia
  - Associate

1965
- Philadelphia Defender’s Association
  - Attorney

1964-1965
- U.S. District Court, Eastern District of Pennsylvania
  - The Honorable Francis Lund Van Dusen
  - Law Clerk

1964
- J.D. University of Pennsylvania Law School

1961
- B.S. Commerce, University of Virginia
He was now ready to make his mark on the family business, and make it he did. His father's first cousin Grahame Wood persuaded him to join the family business as General Counsel in 1970. Grahame was a brave and assured World War II soldier, but also a visionary. He saw promise in the expanding suburbs and the idea of the 'stop and shop' store. In 1964 he opened the first Wawa Store at the corner of MacDade Boulevard and Swarthmore Avenue in Folsom, Pennsylvania. But if you go looking for the original store you won't find it. Although it sits on the same land it was subject to the fate of all other Wawa stores that have a lifespan of six years, tops.

"You have to keep up your facilities," Wood explains. "A lot of times your sites become yesterday's sites. We are always closing, remodeling, and relocating stores, sometimes rebuilding with gasoline pumps."

Wood, who in 1977 was made president and in 1981 elected Chief Executive Officer of Wawa Inc., describes a mathematical real estate plan that he oversees. Picture a matrix, he says. The stores are situated in four quadrants that are nicknamed according to their fate as Wood describes them: "Leave the Stars alone; close the Dogs; feed the Children; and milk the Cows."

The real estate plan for each of the 540-plus stores is updated annually. Wawa means Canada goose in the language of the Lenni Lenape Indians that once resided on the Delaware County range. The land was a flyway for geese that migrated south annually. The logo of Wawa, Inc. is a long-winged Canada goose in flight. Dick Wood tends to travel and migrate, too.

"It takes me three years to get around the chain. I visit about 150 stores per year. I ride with a store supervisor each month at night. I want to see the second shift. The managers all know me. I'll stop in to visit a store sometimes unannounced and I'll introduce myself to the shift supervisor. I enjoy visiting the stores. You have twelve-to-thirteen thousand people working for you, and by putting in long hours (the stores operate 24 hours a day, 365 days a year) something is always going wrong, I'll be happy to cut back on that in retirement."

With that Dick Wood comes back to family. His sister Elise Wood du Pont CW'58 is a 1979 graduate of the Law School. When Wood retires in the coming years he will be succeeded by EleuthPre du Pont, Elise's son. After hearing about his peripatetic travel to each of the stores over the past three decades it's difficult to imagine him content to be at rest. But as in the nature of the Wawa every being reaches a resting point that is well deserved after a long journey.
A Reformer For Our Times

There was a time when many envied James E. Nevels 'L78, WG'78. But now in addition to envy many hold him in awe. Nevels has what seems like an impossible task to complete. In January 2002 he was named chairman of Philadelphia's five-person School Reform Commission (SRC). He is charged with fixing a decrepit public school system. Immediately.

The SRC is the product of the Commonwealth of Pennsylvania's 2001 takeover of the Philadelphia school system. It is a fact that 176 of the Philadelphia district's 264 schools are on the Commonwealth's list of failing schools. A stunning 33% of Philadelphia public school students drop out without a diploma. Only 13% of the system's 11th graders are estimated to be able to read a newspaper with any kind of comprehension.

The SRC's mission, according to Nevels is four-fold: "to educate children first, treat teachers as educators; engage families as parents; and to institute the sound financial practices from which great education emerges." Their trust with Nevels, the State Legislature will release $75 million to Philadelphia to shore up its system. It has mandated the SRC to develop more choices in education, including the option of transforming the entire system into charter schools.

Nevels is undeterred by the enormity of the task. He is an optimist and a calm negotiator. One of the first major, and somewhat controversial, decisions the SRC made was to hire Edison Schools Inc. as the consultant to help revamp the city schools. Edison was commissioned to audit the system and come up with a reform program. Edison, which was in the shadow of bankruptcy this summer, will take over 20 of Philadelphia's public schools, effectively privatizing them. Approximately 14,500 students will be affected.

All of this has roots in topics that engaged his interest at a young age. Nevels' thesis at Bucknell was entitled "The Revival of Social Contract Theory." He is the author of Tax Exempt Financing for Colleges and Universities: An Introduction to Financing Institutions of Higher Education Through the Municipality Authorities Act of 1945 (Packard Press, 1982). In 1998 he was appointed to the three-person Board of Control for the Chester-Upland School District in Delaware County. The Board was responsible for administering the $61 million budget and improving the quality of education in the troubled school district.

Nevels is a financier by profession. For the past sixteen years he has worked in investment banking at large firms and for his firm, the Swarthmore Group, where he is Chairman and Chief Executive Officer. It is a mid-to-large capitalization sector rotator with a growth emphasis. Swarthmore manages the assets of institutional investors, among them city pension funds. The company was started with $35 million in assets. By the late 1990s assets were estimated to be worth $350 million. Today it is the 12th largest minority-owned investment firm in the

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2002 - present
Philadelphia School Reform Commission
Chairman

1998 - present
Chester-Upland School District, Delaware County
Member, Board of Control

1992 - present
The Swarthmore Group
Chairman and Chief Executive Officer

1984-1991
Prudential-Bache Securities
Smith Barney Harris Upham & Co., Philadelphia

1978-1984
Ballard Spahr Andrews & Ingersoll
Associate - Litigation, Corporate, Government
Tax exempt financing

1978
J.D. Law School, MBA Wharton School
University of Pennsylvania

1974
A. B. Political Science and Philosophy cum laude
Bucknell University

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country. The Swarthmore Group invests more than $1 billion for municipal and corporate pension funds and for individuals.

A native of Greensboro, Alabama, and raised in Fort Wayne, Indiana, over the past 25 years Nevels has committed himself to Philadelphia’s ongoing vitality. He serves on the boards of Greater Philadelphia First and The Philadelphia Foundation, and has previously served on the boards of Pennsylvanians for Effective Government, Council of the Pennsylvania Society, and the Delaware Country Industrial Development Authority. He was a Governor-appointee to the Pennsylvania State Employees’ Retirement System, and the Philadelphia Health & Education Corp.

His success in finance and his dedication to Philadelphia’s children bodes well for his success at this seemingly impossible endeavor. Leaders of cities across the nation are looking to Philadelphia to see if the public school system can be fixed. Nevels will return their gaze without blinking, that is for sure.
Judging Freddie

The Honorable FREDERICA MASSIAH-JACKSON L'74 doesn't waste time. After just three years of study she graduated from the distinguished Girls High School in Philadelphia at age 16. She graduated from Chestnut Hill College in three years and graduated Penn Law School at age 23 – the age at which most college graduates enter law school.

Her parents encouraged her to apply to law school to pursue a career that was, to their thinking, more “practical” than what would have been available with an advanced degree in the liberal arts. “With a law degree I could get involved with government and the courts,” Massiah-Jackson says. “I've always been interested in that.”

Her work as an attorney and now as a judge demonstrates her success in integrating the philosophy of political science with the practicality of judicial administration. She is President Judge of the Philadelphia Court of Common Pleas, overseeing 2,500 court employees and keeping the caseload moving at a steady clip. The Court of Common Pleas is Pennsylvania’s court of general trial jurisdiction. The Court has existed since the colonial charter of Pennsylvania, and is incorporated in the Pennsylvania Constitution of 1776. The Court presently consists of 90 judges who are assigned to the Trial Division, the Family Court Division, or Orphans' Court Division.

“The University of Pennsylvania was a very important part of my life,” Massiah-Jackson states. “Professor (James) Freedman taught me administrative law. That might have been boring to others but I was very interested in it.”

After graduating Penn Law School she clerked on the Pennsylvania Supreme Court for another Penn Law alumnus, Robert N.C. Nix, Jr. L'53 who would later become Chief Justice of the Court. “Judge Nix

Nov. 2000-present
President Judge
Philadelphia Court of Common Pleas
(Term 1/10/01-1/10/06)

Jan. 2001-present
Administrative Governing Board of the First Judicial District of Pennsylvania
Chair

1983-present
Court of Common Pleas
Civil Trial Division & Major Felony Criminal Division (1984-2001)
Judge

1976-1983
Blank Rome Comisky & McCauley
Associate
Corporate, commercial and civil litigation (1981-83)
Anti-trust and securities law (1976-79)

(WHILE ON LEAVE OF ABSENCE FROM BLANK ROME):

1980-1981
Pennsylvania Senate Insurance and Business Committee
Chief Counsel

1979-1980
Pennsylvania Senate Investigation of Business Closings
Chief Counsel

1974-1976
Pennsylvania Supreme Court
Justice Robert N.C. Nix, Jr.
Law Clerk

1974
J.D. University of Pennsylvania Law School

1971
B.A. Political Science, Chestnut Hill College

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was exceptionally hard working," she recalls. "He was very careful with his writing and with what words say. I carry that with me to this day."

Massiah-Jackson joined Philadelphia firm Blank Rome Comisky & McCauley in 1976. Including a leave of absence to work for the Commonwealth in the early-1980s she stayed with the firm until her election to the bench in 1983. Known as a quick learner, each experience prepared her for the next step in her career.

"My clerkship and my Blank Rome work helped me as a trial judge. I sat for 18 years on the bench analyzing cases and reading briefs. I learned how other lawyers think. My work in the Senate, mostly legislative work, prepared me for work as President Judge. Administrative work involves dealing with people and competing needs. As an administrator I want cases to keep moving and my staff to be happy with their work. A lot of a judge's work is done in isolation so I try to bring the judges together as a group to make it less so."

After 20 years on the bench Massiah-Jackson remains enrapt by the ideals of government and public service that inspired her to enter the profession. "As John Locke wrote our rights are unalienable," she emphasizes. "But we have to balance our rights with the responsibilities of paying and taxes and being part of society. I'm fascinated by this interplay."

THE HON. FREDERICA A. MASSIAH-JACKSON L'74
Campus Chief

For his Master's thesis, **STEPHEN D. SCHUTT L'83** examined a series of writings by Samuel Beckett, the 20th Century Irish playwright and author who portrayed the absurdities of life, love and death in numerous published and produced works. As Schutt recalls it, the residua series "packed all the world's experience into minimalist works."

Schutt's career seems to have been plotted on the straight and narrow path. But one could imagine the daily absurdities he experiences that derive from heading up an undergraduate liberal arts college, or being the "go to" person at a major research university with enormous ambitions, or staffing a U.S. Senator.

He is the son of a lawyer in his sixth decade of practice in a Southern Ohio town. Schutt studied English Literature at Earlham College in Richmond, Indiana and at the University of London. But the pull of practicality brought him to Law School.

"Law school offered a breadth of training that I found appealing," he says. "It really did help me become a more rigorous and strategic thinker, better able to separate wheat from chaff, and the work I did in legal writing certainly helped tone down my English student's tendency toward purple prose."

Schutt is credited as both the author and the architect of the University of Pennsylvania's "Agenda for Excellence," the five-year strategic plan that laid out the University's ambitions for the 21st century. The plan offered, and the administrators delivered, expanded curricula, a revitalized campus, and relations with the West Philadelphia community that were better than had been seen in the previous four decades.

"In my work in politics I gained an ability to work with a number of constituencies that are working toward the same goal," Schutt says. "People can support something, the same thing, for different reasons — they don't all have to support a goal for the same reason."

It was the accumulation of experience in a law firm, in state and federal politics and at Penn that prepared him for the position of 13th President of Lake Forest College, a private liberal arts college on the shore of Lake Michigan. But aside from the tangible experience he gained Schutt emphasizes the importance that mentoring played in his success.

"Mentorship is a valuable tradition in the law. At Ballard, Spahr, Andrews & Ingersoll, in federal and state government and at Penn I have had a string of wonderful mentors. Judith Rodin (president of the University of Pennsylvania since 1994) is at the top of the list. She taught me a great deal, and I am very grateful."

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2001 - present
Lake Forest College - Lake Forest, Illinois
President

1995 - 2001
University of Pennsylvania
Vice President & Chief of Staff (1996-2001)
Chief of Staff (1995-1996)

1991-1994
United States Senate - Washington, DC
Chief of Staff - Senator Harris Wofford (D-PA)

1989-1991
PA Department of Labor and Industry - Harrisburg
Deputy Secretary for Administration

1983-1988
Ballard, Spahr, Andrews & Ingersoll - Philadelphia
Associate

1983
J.D., University of Pennsylvania Law School

1979
M.A. English Literature, University of London

1976
B.A. (with honors) Earlham College
What emerges in talking with Schutt is an assured idealism about the role and purpose of higher education. "I am a product of a wonderful education and I am motivated by that to work with my peers at other colleges to make it better and available to anyone who wants it."

Schutt has ascended the bully pulpit with quiet steps to proclaim his belief in the importance of the American educational system. He would like to see more college and university leaders do the same.

"I think college and university presidents should speak out on issues that fall within their areas of influence or expertise ... I believe the diversity of colleges and universities is a great strength that is not adequately recognized, and the voices of presidents should be heard on this. In particular, small liberal arts colleges provide an essential, deeply valuable form of education that is threatened in various ways, and I speak and write about this as often as I can."

This is where the amalgam of educator, politician, lawyer, and college president reveal the leader that Steve Schutt has become.

"A different kind of issue is the enrollment of international students in American colleges and universities. Current federal efforts to monitor these students, however well intentioned, could go badly awry if they are not implemented very carefully. The result could be a significant reduction in the number of international students on our campuses, which would be tragic."
The Journey from Longhorns to Walleye...and Back

August 2002 - present
University of Texas System
Chancellor

1997 - August 2002
University of Minnesota
President and Professor of Law

1979 - 1997
University of Texas - Austin
Executive Vice President and Provost (1994-1997)
Dean, School of Law (1984-1994)
Associate Dean for Academic Affairs, Law (1979-1984)
Professor, School of Law (1974-1997)
Assistant Professor, School of Law (1971-1974)

1982 (Spring Term)
University of Michigan - Visiting Professor of Law

1977 (Spring Term)
UC Berkeley Boalt Hall - Visiting Professor of Law

1975 (Fall Term)
University of Warwick (England) - Visiting Fellow

1970 – 1971
Harvard Grad School of Education, Lecturer
Harvard Center for Law & Education
Senior Staff Attorney (1970-1971)
Research Associate (1969-1970)

Program on Education and Social Policy - Faculty Member

1969
Commission of ABA to Study the FTC
Associate General Counsel

1968-69
U.S. Court of Appeals for the 5th Circuit
The Honorable Robert A. Ainsworth, Jr.
Law Clerk

1968
LL.B. cum laude University of Pennsylvania Law School

1965
B.A. Political Science, cum laude University of Pennsylvania

MARK G. YUDOF C'65, L'68 is known for his love of food, especially pancakes - when he travels he samples the local variation on the breakfast staple. He jokes that he chose his clerkship because the restaurants in New Orleans were so good. He's also known for his love for and dedication to higher education. The latter has been a mutual love affair over the last three decades. When the Board of Regents of the University of Texas announced in May that Yudof was their final candidate for the position of Chancellor it was reported that he was being courted with gifts and flattery by state legislators, alumni, staff, and students to remain at Minnesota. It was not an easy decision to leave.

At Minnesota Yudof set the bar for achievement high. He arrived on campus, a land grant university, at a time of declining federal and state financial support for universities. This inevitably led to a rise in tuition costs. Although the University of Minnesota has campuses in the Twin Cities of Minneapolis/St. Paul, Duluth, Morris and Crookston he traveled throughout Minnesota to build a coalition of colleges and universities to lobby the Governor (Jesse Ventura) to continue, and raise, funding for higher education.

In the five years he was there his accomplishments included a refurbished Twin Cities campus, the kick-off of a $1.3 billion fundraising campaign, and a streamlined system to deliver administrative services more efficiently to students. He pushed to expand programs in digital technology, biology, agriculture, architecture and journalism.

As Yudof has moved up the ladder in higher education he has kept a hand in what he believes to be the foundation of education: teaching. As President of Minnesota he taught freshman seminars on “Race Equality and the Public Schools,” and “Students and the Constitution.” While he was provost of the University of Texas-Austin he taught the freshman seminar “The Constitution on Campus.” He expects that he will continue to teach at the University of Texas despite the demands on him as Chancellor.

“I do this because I love to teach,” he says. “And because a freshman seminar, taught in a manner akin to a good law school seminar, has an enormously positive effect on undergraduate students (for example, reading texts carefully,
taking a point of view and defending it, perfecting the ancient art of rhetoric, enhancing writing skills). I also do it to set an example: even the most senior professor should take some responsibility for the education of undergraduates. Another benefit is that a high level administrator can learn first hand about the issues that concern students, getting feedback as to whether highly touted initiatives actually are beneficial to them.


The University of Texas System has 15 campuses, including nine academic and six health institutions, an enrollment of more than 160,000 students, more than 84,000 employees and an annual operating budget of $6.45 billion. Yudof believes that it was his law school education that prepared him for the enormity of the task he is taking on.

"You learn to listen carefully. To pay attention to facts, to analyze problems, to marshal arguments, and to think conceptually," he says. "Law is a genuinely intellectual activity as well as a profession. While one often forgets specific legal doctrines from one's law school days, the apparatus for learning to learn remains with you. I also had great mentors like Jim Freedman, Bob Gorman, and Paul Mishkin (former Penn Law professors).

It was a mentor that once told Yudof that "great universities need to be nurtured, not managed." Building on that belief, Yudof continues, "In the end, it is creative and thinking students, faculty and staff that determine the greatness of a higher education institution."
Almost Famous

THE EXTRAORDINARY CAREER OF DAVID L. COHEN L’81

by Miranda Salomon 3L

He’s powerful, and he’s smart. That’s according to Philadelphia Magazine, which chose David L. Cohen’s brain as one of city’s top “76 Revolutionary Minds” in the November 2001 issue (the list was alphabetical, so there’s no way to know how high he placed). He was also Number Two on the magazine’s “Power 100” list in November 2000, down from first place in 1999; the new mayor, John Street, took top honors.

The author, Miranda Salomon, is presently a third-year student at the University of Pennsylvania Law School. Prior to entering law school Salomon was a reporter and editor for The Player, a start-up magazine in Philadelphia, and subsequently communications director at the Union League in Philadelphia.
And, of course, until recently he was Chairman and Partner of Ballard Spahr Andrews & Ingersoll, the 400-plus law firm that was named one of the best places to work in Philadelphia, again, in February 2001 (effective July 1, 2002, he is Executive Vice President of Philadelphia-based Comcast Corporation.) And that's just Philly Mag. you should hear what Pulitzer Prize-winning author H.G. (Buzz) Bissinger had to say about Cohen in A Prayer for the City, the 1997 book he wrote that chronicled the first four years of Ed Rendell’s mayorship, when Cohen was Chief of Staff.

They say that nobody’s perfect, but “they” have probably never encountered the career of David L. Cohen. Ask any law student what he hopes to accomplish someday in the legal field, and you may get a variety of answers. The goal may be to make partner at a big firm and start raking in the bucks; it may be to publish meaningful works, to be an expert in a chosen area of specialty; it may be to help the less fortunate, to really make a difference; it may be to have a family, and still manage to earn a good living. Cohen has managed to do all of this, and more.

His is a foolproof formula for success, but it is not for the weak, slow, or lazy. Start with a stellar academic record: debate champion at Highland Park High School Highland Park, New Jersey, 1973; Swarthmore Honors Program and newspaper Editor in Chief, class of 1977; Penn Law 1981, summa cum laude, Executive Editor of the Law Review, etc., etc. Mix with an early passion for politics, which manifests itself most prominently in a stint as a staffer for U.S. Congressman James H. Scheuer (during summers and one semester during college, and for the year before law school). Add a prestigious clerkship; the Honorable Joseph S. Lord, III, Chief Judge of the Eastern District of Pennsylvania will suffice (1981-82). That’s the perfect position to be named partner of one of Philadelphia’s best law firms after just six years as an associate, as Cohen was in 1988 (age 33).

If you’re going to try to emulate Cohen, along the way be sure to marry your college sweetheart who will also happen to be a brilliant lawyer. Cohen married the former Rhonda Resnick L’80 after he graduated from Swarthmore, and she had already completed her first year at Penn Law (she was for many years a partner at Ballard, too). Have a few kids, too, if you’re so inclined. You might be too busy to pay much attention to them, what with billing thousands of hours a year, but Cohen isn’t. His sons, Benjamin and Joshua, are a top priority, and he found time to help coach Tee-Ball when they were small.

Being a partner of a major law firm and having a family might be enough for some, but it isn’t enough for Cohen. When the Honorable Edward G. Rendell, the former Philadelphia District Attorney, decided to make a play for Philadelphia’s mayorship after his failed bid to be Pennsylvania’s governor, he tapped Cohen to be Communications Director for the campaign. That was in 1987 before Cohen was known widely outside Philadelphia legal circles. In fact, Cohen was such a “secret weapon” that when Ballard partner Arthur Makadon suggested Cohen for the Communications position Rendell’s political strategist famously objected, stating, “This is a real campaign; it’s not for amateurs.”

That political strategist ate his words. Cohen had actually run several campaigns in Washington, and he quickly became an indispensable part of Rendell’s team. Rendell lost that election but when he came back swinging in 1991 Cohen was by his side, Rendell’s victory put Cohen firmly in an inner circle of power in Philadelphia, and Cohen hasn’t budged from that circle for a minute since.

From 1992 to the spring of 1997, Cohen left Ballard and rushed straight into the fire: he was second in command of a city that was on the brink of financial disaster. (In Bissinger’s history he states that when Rendell took office, if Philadelphia were to continue to lose money at its then-current rate, they would have been $1.246 billion in debt within five years.) Some say “second in command” doesn’t tell the whole story. In A Prayer for the City, Bissinger’s behind-the-scenes look at Rendell’s first term as mayor, Cohen gets full credit for being the brains and muscle behind the Mayor’s energy and flash. “I’d like to think it’s totally accurate,” Cohen says with a laugh, when asked if he is faithfully depicted in the book. “It’s obviously more flattering than anyone is comfortable with.” He has been called the “hero” of the book, and though he is reluctant to accept the praise, no one else seems to disagree with that description.
The results of his hard work speak for themselves. Although he doesn't take sole credit for what happened to Philadelphia while he was in office, Cohen readily admits that the administration accomplished a lot during his tenure. When asked, of everything that happened while he was in City Hall, what he's most proud of, the list is most impressive. "I'm proud of the government that we put together," he says. "I'm proud of the quality of people we attracted into the government, I'm proud of the fact that we balanced the budget, I'm proud of the fact that we cut taxes. I'm proud of our five year financial plans, which I think have set a standard for government reporting and government writing. I'm proud of the way in which we went about the business that we had to go about, doing it in order to save the city... It's still a miracle, in terms of the difference in the vibrancy and the cleanliness, and the feeling of energy that is associated with the city today, as compared to ten years ago."

Those years in the mayor's office established Cohen as the presence he is today. Before, he was known to some as a meticulous and tireless young lawyer. After Rendell took office, it became dear that Cohen's organizational skills were at least the equal of his legal ones, which is far from faint praise. In a building that had been known for being chaotic, Cohen was the calm at the eye of the storm. He brought his job to a whole new level, making it his business to know everyone and everything. He mentally consumed and processed an unbelievable amount of data, came out with measured recommendations, and implemented plans as soon as they were fully formed.

He says that some of his success is due to his willingness to do anything to get the job done. But that doesn't tell the whole story; in politics, where ambition and hard work are bare minimum qualifications, many are willing to do what is asked of them. What makes Cohen unusual is not just his willingness (which is boundless), but that it is combined with his ability, which also appears to be unlimited. Bissinger's descriptions of Cohen make him seem almost machine-like in his capacity for work. But Cohen is not an automaton, blindly doing whatever task comes before him. He takes a measured approach, and he's not a silent worker; he's discreet, but if you ask, he'll tell you what he thinks. He has a confidence that comes with having proven yourself capable, in public, under the harshest circumstances, and coming through with flying colors.

One thing about Cohen: he is very smooth. He delivers what a cynical person would call perfect sound-bites, requiring essentially no editing, because Cohen, whose first work with Rendell was as a speech-writing consultant, has edited them first. Even when he's going through what he admits is his usual spiel, like "Advice to Law Students" or "How I Met Ed Rendell," he doesn't mail it in, though he's run through these paces more times than he'd care to count. It's hard to know whether this level of polish was a result or a cause of his success as a lawyer and public figure, but I'd guess it's the latter. After all, he went to the semi-finals of a national high school debate tournament in his senior year, so if public speaking does not come naturally to him, it's an obstacle that he conquered long ago.

When asked about how he made his choices, from picking Swarthmore to choosing Ballard, he says things like, "[I made my choice] with no rational forethought whatsoever," implying that he is as subject to whims and caprices as your average guy. It doesn't ring true, though. He consistently chooses the most prestigious option, taking location and family into account.

When he chose Swarthmore, after being deferred from (and later accepted to) Amherst's early decision program, it was the nation's top ranked liberal arts college, and was, as Cohen puts it, "close... but not too close" to his parents' home. It was, of course, a perfect choice for him. He triple-majored in political science, history, and economics, and it would have been difficult to choose three disciplines that would be more useful, combined with his law degree, in the years to come.

When he applied to law school, he was accepted by a number of top programs, including Columbia, NYU, Stanford, and Georgetown, but his wife was already attending Penn. Rhonda Resnick Cohen took a year off and went with him to Washington so that he could work full-time for Congressman James Scheuer (D-NY), but when the year was up, he came to Philadelphia.
"I wasn't going to make her transfer law schools," Cohen says. Penn, too, turned out to be the perfect place for Cohen, who was at the top of his class (he graded onto Law Review, and graduated with highest honors). He also was able to parlay his comment topic, "Continuing Care Communities for the Elderly: Potential Pitfalls and Proposed Regulation," into a book, Continuing Care Retirement Communities: An Empirical, Financial and Legal Analysis, which he co-authored with Howard E. Winklevoss and Alwyn V. Powell.

Likewise, when it came to choosing Ballard Spahr, Cohen, who was courted by just about every big-name firm in the city, says that he was just too lazy to strongly consider other options. Don't believe it for a minute. He'd worked for Ballard during the summer between his second and third years of law school, and he'd made connections with people like Arthur Makadon, who served as a mentor and supporter. (Makadon, a 1967 graduate of Penn Law School was also an adjunct professor at the school when Cohen was a student.)

The stories about what other firms did to try to recruit him, like the partner who sent a vintage Packard limo to the courthouse to pick up a mortified Cohen, only increased the frenzy that surrounded him. With all of that hype, which was admittedly deserved, who was surprised when Cohen made partner after only six years at the firm? And after Cohen chose Makadon, Makadon chose him. Makadon is credited with introducing Cohen and Rendell, which he did, in the only way that matters.

Philadelphia is a city of insiders where it's sometimes difficult for an outsider, that is, someone whose grandparents were not born and bred there, to break in. But it's also the perfect size for someone who wants to make a splash in a big way, a place where it's still relatively easy to become known. A connection to Penn is sometimes enough for an outsider to become an insider, as it was for Cohen (it was also enough for his friend Rendell, who was born in New York and lived there through the end of high school, coming to Philly to attend college at Penn in 1961.)

Cohen's choice of Philadelphia may have been mere luck (for himself and for the city), but if it had been carefully calculated, it could not have been more right. As Cohen himself says, many who knew him expected him to move to Washington after law school and stay there. In Washington, he'd have been a success, but of a different kind: he'd be another top-notch lawyer with a thirst for politics, but it would be hard to be recognized as "most powerful." Also, Washington reinvents itself with every change of leadership, a problem that Philadelphia has not faced since 1948, when a Republican (Bernard Samuel) last graced City Hall.

Instead, Cohen is at the power center of a city that has a true establishment, not a transient population that suffers a seismic shift every four years. Cohen is very much a part of that establishment; he's even a member of the Sunday Breakfast Club, which meets every month to give the city's business and political leaders a chance to socialize and network off the record. As he demonstrated when he turned Amherst down for college, Cohen's attitude is the antithesis of Groucho Marx's: If there's a club that wouldn't be thrilled to have him as a member, he knows it's probably not worth joining.

After five-and-a-half years in City Hall, Cohen returned to Ballard Spahr as Chairman Elect, though he continued to be an active presence in the Rendell administration. In one of Rendell's best moves, he appointed Cohen co-chairman of Philadelphia 2000, the organization charged with attracting one (or both) of the 2000 Presidential Conventions to Philly. The effort was an unqualified success, in spite of strikes that plagued the city during exploratory visits from both Democrats and Republicans. When the Republican National Committee announced
Almost Famous

that Philadelphia would be the site for their convention, Cohen’s work had just begun. Philadelphia 2000 morphed into the official Host Committee for the Convention. The RNC was, as Cohen puts it, “as close to a flawless effort as you can have in the hospitality and tourism industry.” He says that looking back, he wouldn’t have changed a thing.

Even if Cohen stopped practicing law tomorrow, he wouldn’t have much of a rest; he has, he says, “a desire to stay involved politically, charitably, and civically.” To this end, he has accepted a slew of board positions. At Penn, he is a Trustee of the University of Pennsylvania, as well as Chair of the Trustee Board and the Executive Committee of Penn Medicine. His civic commitments include being Vice Chair of the Southeastern Pennsylvania Chapter of the American Red Cross; a member of the boards of the Regional Performing Arts Center, Chestnut Hill College, and the Wistar Institute; to name just a few. He has been recognized with too many awards to list, and Drexel University gave him an Honorary Doctor of Laws degree in 1997.

Cohen is not Arthur Makadon’s secret weapon any more; Cohen has become, as he puts it, “almost famous.” He says being known has changed his life; when he goes out to dinner in the city with his family, more often than not, people will approach him, just to say hello. “It’s a bit of an intrusion on [my] private time with [my] family,” Cohen says, but it doesn’t sound like he’s truly tortured by his celebrity. He has been forced to take some unusual measures, though; he says that he created a new coaching position for his son’s Tee-Ball team, “Second Base Coach,” which puts him firmly in the outfield, away from other boys’ parents who want to schmooze while he’s trying to watch the game.

Life has not slowed down much for Cohen in the years since he was Chief of Staff, partly because he hasn’t fully left City Hall at all. Street appointed him to the five-member Council of Economic Advisors to the Mayor of the City of Philadelphia; he has a close relationship with the new mayor, who was City Council President when Cohen was Chief of Staff. He recently stepped down from being Chairman of the Board of the United Way of Southeastern Pennsylvania; he’s still a board member, naturally. He’s also a member of the Board and Executive Committee of the Greater Philadelphia Chamber of Commerce.

While some would say that Cohen deserves a nice long rest, he is not ready to stop; nor by a long shot. As Executive Vice President of Comcast, he serves as senior counselor to Comcast President Brian L. Roberts, who is himself both smart and powerful. His immediate goal, he says, is to help get Ed Rendell elected Governor of Pennsylvania; the election will be held in November 2002, and Cohen is Chair of Rendell’s Gubernatorial Committee. He refers to personal and professional goals that he has yet to accomplish, and “goals for Ed, goals for Philadelphia, [and] for the Commonwealth of Pennsylvania.”

“I think the day I wake up and have nothing else that I want to accomplish in life will either be a terrific day or a terrible day,” he says. “I can’t imagine what you do with the rest of your life when you think that all of your work is done.”
"The Extraordinary Career of David L. Cohen" is the scholarly paper submitted by Miranda Salomon 3L to fulfill requirements of the The Legal Oral History Project seminar. The paper was the result of an interview with David L. Cohen L'81 conducted at Ballard Spahr Andrews & Ingersoll in December 2001. The videotape and transcript from the interview are available to the public in the Biddle Law Library at the University of Pennsylvania Law School. The Legal Oral History Project at Penn Law School was started in 1998 under the co-directorship of legal historian and Professor Sarah Barringer Gordon and Edwin Greenlee, Associate Director for Public Services at Biddle. The goal was to record and preserve first-person narratives of graduates and members of the Penn Law community in a history archive for use by scholars of the evolution of the legal profession. The Legal Oral History Project begins with a seminar taught by Professor Gordon and Greenlee, which trains students in the theory and practice of oral history.

The following 70 individuals have participated in the Legal Oral History Project as subjects of interviews and research.

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<tr>
<th>Name</th>
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<tr>
<td>The Hon. Arlin Adams L'47</td>
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<td>Azizah Y. al-Hibri L'85</td>
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<td>Professor Anita Allen-Castellitto</td>
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<td>Professor Regina Austin L'73</td>
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<td>Clinton Bamberger, Honorary Fellow</td>
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<td>The Hon. Harvey Bartle III L'65</td>
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<td>Judith Bernstein-Baker SW'75</td>
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<td>Allen Black L'66</td>
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<td>Frank Carano C'30, L'33</td>
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<td>Gilbert F. Casellas L'77</td>
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<td>Manlin Chee, Honorary Fellow</td>
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<td>Professor Fernando Chang-Muy</td>
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<td>David L. Cohen L'81</td>
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<td>Lita Cohen CW'62, L'65</td>
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<td>Rhonda Copelon, Honorary Fellow</td>
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<td>Edward Cutler C'34, L'37</td>
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<td>The Hon. Stewart Dalzell W'65, L'69</td>
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<td>Andre Dennis, Honorary Fellow</td>
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<td>Rae DiBlasi</td>
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<td>Rudolf DiMassa L'81</td>
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<td>Millard Farmer, Honorary Fellow</td>
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<td>Meyer Feldman, Honorary Fellow</td>
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<td>Professor Douglas Frenkel W'68, L'72</td>
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<td>Emeritus Professor Robert Gorman</td>
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<td>Daniel Greenberg, Honorary Fellow</td>
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<td>Robert Hayes, Honorary Fellow</td>
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<td>Arnold Holland W'71, L'74</td>
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<td>The Hon. Randy J. Holland L'72</td>
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<td>Emeritus Professor John Oris Honnold</td>
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<td>Emeritus Professor &amp; Former Biddle Library Director Elizabeth S. Kelly</td>
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<td>Im Kurzban, Honorary Fellow</td>
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<td>Charlotte Lacroix L'97</td>
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<td>Tsuwen Law L'84</td>
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<td>Professor Alan Lerner W'62, L'65</td>
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<td>Myles Tanenbaum C'52, L'57</td>
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<td>Bruce Terris, Honorary Fellow</td>
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<td>The Hon. E. Norman Veasey L'57</td>
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<td>The Hon. Flora Barth Wolf L'80</td>
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More Information:

http://www.law.upenn.edu/bll/oralhistory/biddle-rev-oral-history/index.html
The Honorable Roxana C. Arsht L'39 was honored by Penn Law School and the Delaware legal community in April. Judge Arsht, an esteemed lawyer before being named the first woman judge on Delaware Family Court, made a gift of $2 million to the Law School in 2001 to establish the S. Samuel Arsht Professorship in Corporate Law in memory of her late husband S. Samuel Arsht W'31, L'34. Mr. Arsht, who died in 1999, was a founding partner of Morris Nichols Arsht and Tunnel in Wilmington and widely considered the mastermind of the Delaware Corporate Code. The evening's celebration included remarks from A. Gilchrist Sparks III L'73, a partner with Morris, Nichols, Arsht & Tunnel, Dean Michael A. Fitts, and the Honorable E. Norman Veasey L'57, Chief Justice of the Delaware Supreme Court. Former Delaware governor, U.S. Senator Tom Carper was also in attendance.

A gala dinner held in the Levy Conference Center in Silverman Hall at the Law School honored Frank Carano C'30, L'33 in June 2002. The previous Fall he endowed the Frank Carano Professorship of Law at Penn to be filled by an academic of the Dean's choosing. The event was attended by nearly 100 friends and family members of Mr. Carano who paid tribute to his work fostering relations between the United States and Italy, and in the field of immigration law which he practiced in Philadelphia for six decades. (A profile of Mr. Carano can be viewed in the Spring 2002 issue of the Penn Law Journal, available in print by request, or on the web at www.law.upenn.edu/alumnijournal.)
New Merit-Based Scholarship Fund Aids 1Ls

Charles I. (Casey) Cogut ’73, a Partner with Simpson Thacher & Bartlett in New York, and his wife Ellen F. Cogut, made a gift of $100,000 to establish The Charles I. and Ellen F. Cogut Endowed Scholarship Fund at the Law School. The fund will provide merit-based financial support to a first-year law student. In 1998 Mr. Cogut established the Seymour Lichtenstein Scholarship Fund at the Law School in honor of his father-in-law. Cogut heads the merger and acquisition practice at Simpson Thacher & Bartlett where he specializes in domestic and international mergers, acquisitions, and leveraged buyouts. He joined the firm in 1973 and became a partner in 1980. From 1990 to 1993 he served as the Senior Resident Partner in the firm’s London office. Cogut is currently a member of the firm’s Executive Committee, and serves as a member of the University of Pennsylvania Law School’s Board of Overseers.

STUDENTS HONOR SADIE T. M. ALEXANDER WITH GIFT FROM THE CLASS OF 2002

At commencement ceremonies for the Class of 2002 held at the Kimmel Center on Broad Street, graduates presented Dean Michael A. Fitts with a check for $3,200. The majority of participating class members designated the gift for the Sadie T. M. Alexander Professorship in Law, a chaired professorship in civil rights that students, alumni and friends have been working to establish at Penn for several years. Sadie Alexander, the first African American graduate of Penn Law School is memorialized annually with a conference and dinner sponsored by the Black Law Students Association (BLSA).

A SIMPLE PLAN

Your gift to the Lewis Legacy Circle at the University of Pennsylvania Law School.

Lifetime income for you or your loved ones.

All with one simple gift:

A CHARITABLE GIFT ANNUITY

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Contact Ellie Davis in the Law Development Office to learn about making a planned gift to Penn Law School and joining the Lewis Legacy Circle.

(215) 898-1516 or ebdavis@law.upenn.edu

* The Fine Print: Rates and deductions vary with age and number of annuitants, and the timing of the gift. Penn gift annuities are not available in all states. Minimum gift amount is $10,000.
AWARD RECIPIENTS EMBODY THE BEST OF PENN LAW SCHOOL

Law Alumni Society Honors Distinguished Alumni & A Beloved Dean

Kicking off Alumni Weekend activities on Friday, May 18th the Law Alumni Society sponsored a gala awards reception at the Law School to honor accomplished alumni and to bid farewell to Colin S. Diver who was appointed president of Reed College. LAS President David Richman L'69 co-hosted the occasion with Dean Michael A. Fitts.

THE JAMES WILSON AWARD

is traditionally presented to a graduate to honor service to the legal profession

RECIPIENT:
The Honorable A. Raymond Randolph L'69
U.S. Court of Appeals for the District of Columbia Circuit

THE DISTINGUISHED SERVICE AWARD

is presented to a member of the Penn Law School community who has distinguished himself or herself through service to the Law School

RECIPIENT:
Colin S. Diver, Charles A. Heimbold Professor of Law
Dean of Penn Law School (1989-1999)
THE ALUMNI AWARD OF MERIT
is presented to select alumni for professional achievement and support of Penn Law School
RECIPIENTS:

Anita L. DeFrantz L'77
President, Amateur Athletic Foundation
Member of the International Olympic Committee
Bronze Medalist, 1976 Olympic Games

The Honorable Randy J. Holland L'72
Justice of the Supreme Court of the State of Delaware
President of the Inns of Court Foundation

Edward W. Madeira, Jr. C’49, L’52
Chairman Emeritus and Partner, Pepper Hamilton LLP

Michael J. Rotko L’63
Partner, Drinker Biddle & Reath LLP
(with his son Thomas L’94)

Jo-Ann M. Verrier L’83
Vice Dean for Student Services & Director of Career Planning & Placement
University of Pennsylvania Law School

THE YOUNG ALUMNI AWARD
is presented to a member of the Penn Law community, who has graduated in the past ten years, for professional achievement and service to the Law School

RECIPIENT:
Hussam (Sam) Hamadeh L’97, WG’97
Co-Founder, Vault, Inc.
 Alumni Faculty Exchange

“How Law Will Win the War”

State of the Law School
Reunion 2002 Picnic

Class Gatherings
Murray Kushner C’73, L’76
Appointed to Board of Overseers

Murray Kushner C’73, L’76, President of Schenkman & Kushner, a prominent real estate development firm in Northern New Jersey, has been appointed to the University of Pennsylvania Law School’s Board of Overseers. Kushner graduated summa cum laude with distinction in Economics from the University of Pennsylvania and is a member of Phi Beta Kappa. He and his wife Lee have four children: Aryeh ENG ’98/W’98, Jonathan, a 1999 graduate from NYU, Marc C’99, and Melissa C’02. The Kushners have long supported philanthropy at the Law School and the University. Their generosity has also benefited the University of Medicine and Dentistry of New Jersey (UMDNJ), the Rabbinical College of America, the U.S. Holocaust Museum in Washington, DC, the Jewish Educational Center, Metro West Federation/United Jewish Appeal, and the Joseph Kushner Hebrew Academy, founded by his late father.

Board of Overseers Pays Tribute to Departing Members

At the Spring meeting of the Law School’s Board of Overseers in New York, Dean Michael A. Fitts and the Board paid tribute to members departing the Board at the expiration of their terms. Overseers who stepped down were Jeanne Olivier L’79, Partner at Shearman & Sterling in New York, and Melvin Cantor L’67, a retired partner of Simpson Thacher & Bartlett in New York. They were lauded for their contributions to the advisory board and for their counsel over the years to Dean Fitts, former Dean Colin S. Diver, and Interim Dean Charles W. Mooney, Jr.

Michael C. Rainone L’41
presented the Annual Cesare Baccaria Award from The Justinian Society to United States Court of Appeals Judge Anthony Scirica during a ceremony held in Philadelphia’s City Hall in November.

L. James Huegel L’44 was awarded an honorary doctorate of laws degree by his alma mater Franklin and Marshall College at the school’s commencement ceremonies in May.

James M. Mulligan, Jr. L’57 was this year’s recipient of the Daniel L. Herrmann Professional Conduct Award from the Delaware Bar Association. According to the Bar, this distinction is “awarded to the member of the Delaware Bar who, over the course of time, has demonstrated those qualities of courtesy and civility which, taken together with high ability and distinguished service, exemplifies the Delaware lawyer.” He is a partner with Connolly Bove Lodge & Hutz in Wilmington, Delaware.
1960s

Stuart F. Feldman L'61, one of the early advocates for the National Constitution Center, which will open in Philadelphia on Independence Day in 2003, is working to create the GI Bill Alumni Association to mobilize GI Bill beneficiaries to see that poor urban and rural children receive quality elementary and secondary education. Earlier in his career Feldman worked to gain billions of dollars in GI Bill scholarships for soldiers returning from Vietnam.

William R. Shane L'61, former chair of the Pennsylvania Public Utility Commission, was sworn in as an Indiana County, Pennsylvania commissioner in April.

George C. Decas L'62 authored a historical biography entitled Col. Peter H. Pierce (1788-1861) A Plymouth County Life (Middleboro Historical Association, 2002).

Judah I. Labovitz C'60, L'63 of Mann, Ungar, Spector & Labovitz in Philadelphia joined the Business Litigation Practice Group of Wolf, Block, Schorr & Solis-Cohen LLP as a partner.


David H. Marion W'60, L'63 was re-elected to his fourth two-year term as chairman of Montgomery, McCracken, Walker & Rhoads, LLP in Philadelphia. Recently he was appointed to the Advisory Board of the Sedona Conference, a nonprofit research and educational institute dedicated to the study of antitrust law, complex litigation, and intellectual property rights.

Fred C. Tuboku-Metzger GL'63 was profiled by Africa News in an article entitled “Profile of Professor Tuboku-Metzger: The Architect of Legal Education” (March 2002). The article chronicled his involvement in the founding of the Sierra Leone Law School in 1990, of which he was the first dean of faculty, and the first and present director.

Stephen A. Cozen C'61, L'64, founder and chairman of Cozen O'Connor, was honored by Operation Understanding Philadelphia with its Distinguished Community Leadership Award for 2002. The award is presented to one African-American and one Jewish leader for their outstanding accomplishments in fostering relations between the African-American and Jewish communities.

Gerald J. McConomy L'65 was elected Treasurer of the Great Valley Regional Chamber of Commerce, of which he is an active board member and a founding partner.

Harvey N. Shapiro W'62, L'65, formerly a partner at Schnader, Harrison, Segal & Lewis, L.L.P., joined the Financial Planning & Management Department in the Voorhees, New Jersey office of Ballard, Spahr, Andrews & Ingersoll, L.L.P.

Caswell O. Hobbs L'66 is among a group of friends and colleagues of the late Burton B. Fretz L'66 who are working to create a memorial fund to support the National Senior Citizens Law Center where Fretz was Executive Director for twenty years. Interested parties can contact Hobbs at Morgan, Lewis & Bockius in Washington, DC (202) 739-3000.
Barry E. Ungar L'67 formerly of Mann, Ungar, Spector & Labovitz joined the Business Litigation Practice Group of Wolf, Block, Schorr & Solis-Cohen LLP in Philadelphia as a partner.

James R. Redeker L’68, Vice Chairman of Wolf, Block, Schorr and Solis-Cohen LLP, was elected Chairman of the Board of Directors of the Prince Music Theater, a non-profit organization in Philadelphia that produces and promotes original musical theater works.

Michael Greenberger L’70, a professor of law at the University of Maryland, was named Director of the University’s Center for Health and Homeland Security. The Center was created after September 11th to coordinate and expand the extensive health programs, scientific research, policy development, and government consulting done in the University’s six schools. As principal deputy associate attorney general at the U.S. Department of Justice (1999-2001) Greenberger was responsible for counter-terrorism planning.

W. Bruce McConnell III L’70 was elected to a four-year term as a Managing Partner of the Philadelphia law firm Drinker, Biddle, & Reath.

Howard R. Flaxman L’71 was elected to a three-year term on the executive committee of the firm Fox, Rothschild, O’Brien & Frankel, LLP in Philadelphia. He co-chairs the firm’s Labor and Employment Law Department.

Steven L. Friedman L’71 of Dilworth Paxson LLP presented “Selling Your Case to the Jury: How to Effectively Communicate the Technology Behind the Patent Dispute” at the National Advanced Forum on Litigating Patent Disputes earlier this year.

John C. S. Kepner L’71, former chair of Saul Ewing’s business department, left the firm to form a health care consultancy, Fenway Health Management Advisors.

Laurence Z. Shiekman W’68, L’71, chair of the commercial litigation practice group at Pepper Hamilton, LLP, was reelected to the firm’s executive committee in March.

Marc D. Jonas C’69, L’72, a real estate partner at Fox, Rothschild, O’Brien & Frankel, LLP, planned and moderated a Pennsylvania Bar Institute Program entitled, “The Federalization of Land Use,” which was presented in various cities throughout the Commonwealth this Spring.

Charles E. Dorkey III L’73 of Torys LLP, was appointed a member of the New York City Mayor’s Advisory Committee on the Judiciary by Mayor Michael R. Bloomberg in May of this year. Also this Spring, Historic Hudson Valley appointed Dorkey to its board of trustees. Historic Hudson Valley is a non-profit organization promoting historic landmarks of national significance in the Hudson Valley.

Martin E. Lybecker GL’73, a partner at Washington DC’s Wilmer Cutler & Pickering, has been named chair of the Banking Law Committee by the American Bar Association’s Business Law Section.

Michael K. Furey L’74 was one of two lawyers of Riker, Danzig, Scherer, Hyland & Perretti, LLP, to represent, pro bono, Dr. Longy Anyanwu, a Nigerian national who was released from a New Jersey correctional facility after four and a half years of incarceration for a civil contempt order.

Eleanor W. Myers CW’69, L’75, Assistant Professor of Law at Temple University, moderated a panel discussion at the meeting of the Association of Professional Responsibility Lawyers entitled, “The Litigation Privilege, the Trial Publicity Rule and the First Amendment: Keeping Lawyers Out of Hot Water or Driving Them Into the Deep End?”

Herman B. Rosenthal C’72, L’75, G’76 was elected chairman of the business services department at the Baltimore-based law firm Whiteford, Taylor & Preston. He will continue to head the firm’s tax group.
Joseph S. Finkelstein L'76, a partner in Wolf, Block, Schorr and Solis-Cohen's Real Estate Practice Group, was moderator at The Delaware Valley Real Estate Investor’s Panel in April.

Lawrence Finkelstein W’73, L’76, a partner and co-chairman of the Tax & Fiduciary Department of Blank, Rome, Comisky & McCauley LLP, was elected to the Board of Trustees of the Woodmere Art Museum.

Frank M. Thomas, Jr. L’77 resigned from Morgan, Lewis & Bockius to campaign for elected office as U.S. Representative from Pennsylvania’s Sixth Congressional District.

David S. Antzis L’78 was named Chair of Saul Ewing LLP’s Business Department in March of this year. He concentrates his practice in mergers and acquisitions and securities law.

Steve P. Leskinen L’78, formerly a partner with Leskinen, Cook & Higinbotham, was elected and seated as a Judge of the Court of Common Pleas of Fayette County, Pennsylvania.

Paula Tumayshu Dow L’80, formerly an Assistant United States Attorney in the Southern District of Manhattan, was appointed Counsel to U.S. Attorney Christopher J. Christie, District of New Jersey, the office she joined in 1994. She has been a prosecutor in the Newark office in the criminal division and the special prosecutions office.

Gerald A. McHugh, Jr. L’79, an attorney with Litvin, Blumberg, Matusow & Young, was elected a fellow of the International Academy of Trial Lawyers.

Larry P. Laubach L’80 joined Cozen O’Connor in Philadelphia as a member of its Business Law Group. He was formerly a 21-year veteran of Schnader, Harrison, Segal & Lewis.

John E. Xefos L’80 and the firm Baker & McKenzie, of which Xefos is the senior partner in the firm’s Riyadh, Saudi Arabia office, were featured in an article in the Middle East Economic Digest (March 29, 2002). The firm assists the Saudi government in implementing reforms of the nation’s economy and legal infrastructure.

James Boyd L’81 was named Senior Vice President of Toll Brothers, Inc. He heads the company’s operations in California.

David A. Farmelo L’78, a partner at Hodgson, Russ in Buffalo, New York, was elected secretary of the National School Boards Association (NSBA) Council of School Attorneys at the organization’s annual business meeting.

Andrew D. Bershad C’77, G’77, L’80, formerly a partner with Blank, Rome, Comisky, and McCauley, joined the Philadelphia law firm of Neal A. Jacobs & Associates in the spring as Of Counsel, handling commercial litigation, healthcare law, creditors’ rights, bankruptcy and franchise law for the firm.
David L. Cohen L’81 joined Comcast Corporation as Executive Vice President effective July. He was formerly chairman of Ballard, Spahr, Andrews & Ingersoll LLP. (see profile on page 50)

Henry D. Gabriel, Jr. GL’81 was appointed to a three-year term on the United Nations Commission on International Trade Law on Electronic Commerce. He is on the law faculty of Loyola in New Orleans.

Amy C. Goldstein L’82, formerly a partner at Spector, Gadon & Rosen, PC, was named a partner at the Haddonfield, NJ law firm of Adinolfi & Spevak. She concentrates her practice in domestic relations with an emphasis on family and matrimonial law.

Gary L. Lozoff L’82 was elected Of Counsel at Philadelphia-based law firm Pepper Hamilton, LLP.

H. Bertil Nordin GL’82 was named Counsel to the Wall Street law firm Carter, Ledyard & Milburn. He is a member of the law firm’s corporate, corporate finance, and securities practice.

Joy G. Thompson L’82 was named acting administrator of the Securities and Exchange Commission’s Philadelphia district office on May 29, 2002.

John P. Pierce L’83 was named Chair of Saul Ewing, LLP’s Real Estate Department.

Van E. Toffler L’83, President of MTV, was featured in The New York Times (June 5, 2002) article “Down to Raucous Wire, Osbournes Ink MTV Deal.” The article detailed the bizarre negotiations he conducted between MTV and rock-star Ozzy Osbourne’s family to renew the highly successful reality-TV program The Osbournes for a second season.

Howard S. Yaruss L’83 was promoted to Executive Vice President, Secretary and General Counsel of Radian Group, Inc. Radian, headquartered in Philadelphia, provides financial guaranty, mortgage insurance, and mortgage services.

Tsiwen M. Law L’84 presided over the first meeting of the public interest section of the Philadelphia Bar Association. He is an associate with Hwang & Associates in Philadelphia.

Jerrilyn G. Marston L’84, a Bazelon Less & Feldman shareholder and a lecturer in law in the Department of Legal Studies at the Wharton School of the University of Pennsylvania, won the Wharton School’s 2002 Whitney Award for Excellence in Undergraduate Teaching for Affiliated Faculty for the 2nd consecutive year.

Marcia Martinez-Helfman L’84, former director of human resources at C&D Technologies Inc., in Blue Bell, Pennsylvania, was appointed Senior Vice President of the Philadelphia Workforce Development Corporation’s transitional workforce division.

J. Bradford Mcilvain L’84, a partner in the Corporate Department of Dilworth Paxson LLP in Philadelphia, was elected President of the Pyramid Club’s First Table, which provides networking opportunities for its members.

William R. Gupp L’85 joined Virginia-based Trex Company, Inc. as its Vice President and General Counsel. Trex manufactures and sells wood-polyethylene composite decking and railing products.

Michael D. Karsch W’82, L’85, formerly Vice President and General Counsel to MerchantOnline.com, joined Sachs, Sax & Klein in Boca Raton, Florida early this year as a corporate and securities attorney.
James L. Knott, Jr. L'85, of the United States Agency for International Development, was sworn in as the USAID Mission Director for Mozambique in March. According to the agency, the program Knott will direct “comprises development assistance in the areas of economic growth, strengthening democracy, health services, private-sector support, and food aid.”

Thomas P. Pinansky L'85 was re-elected Chairman of the Asia-Pacific Council of the American Chambers of Commerce. He is an attorney with Kim, Shin & Yu in Seoul, South Korea.

David B. Cohen C'81, EAS'81, G'81, WG'86, L'86 was named Deputy Assistant Secretary for Insular Affairs by Secretary of the U.S. Department of the Interior Gale Norton.

Melinda P. Rudolph C'78, L'86 was appointed Vice President and General Counsel of 3-Dimensional Pharmaceuticals, Inc.

Dorothy Attwood G'83, L'87 is Chief of the Common Carrier Bureau at the Federal Communications Commission. The Bureau plays a central role in coordinating homeland security on the communications infrastructure.

Joan M. Corcoran L'87 was named a partner at Saul Ewing, LLP. Corcoran currently practices in the firm’s Baltimore office as a member of the Business Department where she concentrates her practice in Employee Benefits and Executive Compensation.

Hector Gonzalez L’88 was appointed Chairman of New York City’s Civilian Complaint Review Board by Mayor Michael R. Bloomberg. Gonzalez was also named a partner of Mayer, Brown, Rowe & Maw, where he has practiced since 1999.

Melissa Allison Warren L’88, formerly of Ober, Kaler, Grimes & Shriver, joined Venable, Baetjer & Howard’s corporate and securities practice as a partner in the firm’s Baltimore office.

Steven G. Winters W’82, L’88, a partner in Wolf, Block, Schorr & Solis-Cohen’s Private Client Services Group, was elected to the Board of Directors of the Philadelphia Estate Planning Council.

Joseph Franzetta L’89 was named Senior Vice President of corporate development and strategic partnerships at GoldPocket Interactive, which designs innovative television programming and technology. The company is based in Los Angeles.

Chaim Edward Galfand L’89 serves as a rabbi for middle school students at Perelman Jewish Day School, where he teaches rabbinic texts. He was formerly an attorney with Mesirov, Gelman, Jaffe, Cramer & Jamieson in Philadelphia.

Edward P. Grosz L’89 became a member of Kleinberg, Kaplan, Wolff & Cohen, P.C. in New York City. He practices litigation with a concentration in complex commercial disputes, securities matters, and mass tort cases.
1990s

James F. Kurkowski GEN'86, L'90 was promoted to Vice President of Intellectual Property at MIPS Technologies, Inc., based in Mountain View, California, the company develops RISC-based microprocessor architectures and cores for digital consumer and business applications.

Heidi Beck Boone L'91 was promoted to Of Counsel in the commercial transactions group at Perkins Coie, LLP in Seattle.

Lisa Carney Eldridge L'91, a partner at Fox, Rothschild, O'Brien & Frankel, LLP in Philadelphia, was profiled in the Philadelphia Business Journals “40 Under 40” listing (March 29-April 4, 2002) honoring 40 of the region’s most dynamic professionals under 40 years of age.

Jean Evans Hunt W'67, L'91 joined of The Pennsylvania Trust Company as vice president located in Horsham, Pennsylvania.

Aaron R. Krauss L'91, a partner with Cozen O'Connor in Philadelphia, was appointed to the board of directors of Philabundance this spring. Philabundance is a nonprofit food distribution system.

A. Allison (Lisbonne) Amadia L'92 was promoted to General Counsel at Voxeo Corporation, a designer of integrated voice services and call control technology located in Scotts Valley, California.

Ronni E. Fuchs L'92, a partner with Dechert, led a panel discussion this past January entitled “Medical Monitoring: A Ubiquitous Threat,” focusing on the relationship between weak medical monitoring claims and high volume litigation. She is a member of Dechert’s mass torts and product liability group.

Walfrido J. Martinez L'91, a partner with Hunton & Williams in Miami, was elected to the firm’s Executive Committee in April. He concentrates his practice in litigation, focusing on domestic and international commercial disputes.

Ian Thomas Simmons L'91 was named a partner at O'Melveny & Myers, LLP. Simmons currently practices in the firm’s Anti-Trust group in the Washington, DC office.

President Bush nominated John P. Suarez L'91 for the position of assistant administrator for enforcement and compliance assurance at the Environmental Protection Agency. Suarez appeared before the Senate Environment and Public Works Committee in May.

Lynn A. Addington L'92 received her Ph.D. in criminal justice from SUNY Albany in May. She is an assistant professor in the Department of Justice, Law, and Society at American University in Washington, DC.

Mark A. Saloman L'92 was promoted to Counsel at Grotta, Glassman & Hoffman, P.A., a labor, employment, immigration and employee benefits law firm with offices in New York, New Jersey, and California.

Steven Spielberg C'89, L'92 lectured at Harvard, Yale, and Stanford Law Schools on the “Emerging Role of the General Counsel at Technology and Internet-based Companies.” He was a scholar-in-residence at the Centre for Innovation, Law and Policy at the Faculty of Law, University of Toronto.

Matthew E. Tashman W'89, L'92, formerly of Duane Morris, joined the bankruptcy department of Reed Smith in Philadelphia.
Libby Liu L'93, WG'93 was named director of Administration and Strategic Planning for the National Association for the Advancement of Colored People (NAACP).

Eric W. McCormick C'89, L'93 was promoted to Assistant General Counsel—Trademarks at Unilever United States, Inc. in New York.

Chuong H. Pham ME'85, L'93, formerly of Piper, Marbury, Rudnick & Wolfe, LLP, joined the Employee Benefits Group of Ober/Kaler in Baltimore.

Melissa B. Jacoby C'91, L'94, an assistant professor at Temple University Law School, was appointed to the Executive Committee of the American Association of Law Schools Section on Creditors' and Debtors' Rights.

Robert S. Tintner C'89, L'94 was elected a partner at Fox, Rothschild, O'Brien & Frankel, LLP in Philadelphia. He practices commercial litigation.

Michael S. Rosenberg L'95, of Wolf, Block, Schorr & Solis-Cohen, was featured in the Philadelphia Legal Intelligencer (May 24, 2002) because of his involvement securing the dismissal of plaintiff's claims against the Convention Center Authority.

Warren Alan Usatine L'95 was named partner at Cole, Schotz, Meisel, Forman & Leonard in Hackensack, New Jersey. He concentrates his practice in commercial litigation, insolvency and corporate reorganizations.

Michael P. Williams L'96, Chair of OutFront, an advocacy organization in Philadelphia, drafted the legislation that became a law protecting transgender individuals in the city's anti-discrimination code. Williams is Deputy Director of Community Legal Services.


Daniel A. Cord L'97, formerly an associate with Sullivan and Cromwell, and Richards, Spears, Kibbe & Orbe, joined the Corporate and Securities Practice of Kahn, Kleinman, Yanowitz & Arnson Co., LPA this summer as an associate. He practices in the areas of mergers and acquisitions and finance.

Latif S. Doman L'95, GFA'98, formerly of Howrey Simon Arnold & White in Washington, DC.

Priscilla J. Mattison L'97 joined Bernard M. Resnick, P.C., her husband's entertainment law firm. She formerly practiced commercial litigation with Harkins Cunningham in Philadelphia, and was an attorney with the Clean Air Council.
ALUMNI BRIEFS

1990s (cont’d.)

Jason C. Menegakis L’98, an associate at the Philadelphia law firm Klehr, Harrison, Harvey, Branzburg & Ellers, LLP, has joined the board of directors of the 21st Century Society of the Philadelphia Orchestra, a group that seeks to expand the orchestra’s audiences.

Beatrice M. (Trixie) Schaffrath L’98, following a two-year clerkship with the U.S. Court of Appeals for the Seventh Circuit in Chicago, joined the Hong Kong office of Baker & McKenzie as an associate in its China Practice Group. Schaffrath focuses on corporate, commercial, trade and dispute resolution matters concerning Mainland China. She invites classmates to contact her at (b-schaffrath-1@uchicago.edu).

Amy Maldonado Tehuano L’98 practices immigration law with Robert A. Perkins & Associates PC in Chicago. She formerly practiced as a litigator and an immigration attorney with Arnstein & Lehr in Chicago. She and her husband welcomed their first child, a daughter, this year.


2000s

Mary E. Sigler L’00, a philosophy Ph.D. candidate at Arizona State University received the Charlotte W. Newcombe Doctoral Dissertation Fellowship for her proposed dissertation entitled “Contradiction, Coherence, and Guided Discretion in the Supreme Court’s Capital Sentencing Jurisprudence.” The Woodrow Wilson National Fellowship Foundation awards the fellowships in support of original and significant study of ethical or religious values in all fields of the humanities and social sciences.

Robert L. Crotty L’01 joined Fulbright & Jaworski in New York as an associate.

Laura K. Grossman L’01 joined Fulbright & Jaworski in New York as an associate.

Carrie K. Heim L’01 will clerk for the Hon. Jeffrey R. Howard on the U.S. Court of Appeals for the First Circuit for the 2002-2003 term.

Rosanna (Perretta) Spadini L’01 works in the New York office of Greenberg Traurig as an associate concentrating her practice on commercial real estate. She was married in August 2001.

Jonathan Weiser L’01 joined Morris, James, Hitchens & Williams in Wilmington as an associate in the firm’s business transactions group.

Aaron Kesselheim L’02 was awarded first place in the nationwide Epstein, Becker & Green Annual Health Law Writing Competition for his paper “What’s the Appeal?: Trying to Control Managed Care Medical Necessity Decisionmaking Through a System of External Appeals.”

Michael A. Shapiro L’01 joined Bazelon, Less & Feldman PC in Philadelphia as an associate.
Robert L. Trescher W’34, L’37, HON’82 (1912-2002)

Robert L. Trescher was an outstanding citizen of the University of Pennsylvania. The former Montgomery McCracken Walker & Rhoads attorney served the Law School in many volunteer capacities including as Chairman of the Board of Overseers from 1968-1970, and as President of the Law Alumni Society. In addition, he was a Chairman of the University of Pennsylvania Museum of Archaeology and Anthropology and a member of the Board of Trustees of the University of Pennsylvania. He was recognized for his service with an honorary degree that was bestowed upon him in 1982. Mr. Trescher served in the Navy from 1942 to 1946. He served a couple of terms in the House of Delegates, the policy-making body of the Pennsylvania Bar Association, and was a Chancellor of the Philadelphia Bar Association. He is survived by his wife of 59 years, Glendora (Dodie) Trescher, and his daughters, Victoria Agnich and Ellen Haas.

Lee N. Steiner L’49 (1922-2002)

A renowned entertainment attorney and counsel at the law firm of Loeb & Loeb in New York City, Lee N. Steiner L’49 died in April 2002 at the age of 79. A native of Newark, New Jersey, he was the recipient of the George Wharton Pepper Prize for Constitutional Law studies at graduation. Mr. Steiner began his career at Weil, Gotshal & Manges before joining, and ultimately rising to become chairman of the entertainment division, of Hess, Segall, Guterman, Pelz, Steiner & Bavorick. The firm merged with Loeb & Loeb in 1986. His client base represented the finest filmmakers and stars of the late-20th century - Sophia Loren, Carlo Ponti, and Dina DeLaurentis, Irwin Winkler, Robert Charoff and Elliott Kastner. In service to the legal profession, Mr. Steiner served as the Special Attorney General for the Election Frauds Division of the State of New from 1952 to 1960.

Lillian Fernandez L’79 (1954-2002)

by Sherrie Brown L’79

Lillian Fernandez passed away this past February after a courageous fight against cancer. Lillian was the best friend anyone could have. No one who knew her will ever forget her smile, laughter or ability to rally the troops for whatever cause she was championing. Her career was distinguished with just some of the highlights including serving at the White House as Special Assistant to President Clinton for Legislative Affairs; for Pfizer Inc., as Director of International Affairs; for the Congressional Hispanic Caucus as Director, for the Corporation for Public Broadcasting as General Counsel, Senior Vice President/Government Relations and Corporate Secretary and, most recently, for the U.S. Office of Personnel Management as Senior Advisor to the Deputy Director.

Herbert J. Bass G’35, L’36 (1912-2001)

Herbert J. Bass died in October 2001 at his home in Abington, Pennsylvania. He earned a masters degree in philosophy from Penn in 1935 and graduated from the Law School in 1936. He was honored by the Philadelphia Bar Association in 1997 for over 60 years of continuous practice in the area of civil litigation and commitment to the Philadelphia legal community. He retired in 1998. Mr. Bass is survived by his wife, Lillian, two daughters, Rebecca Bass and Susan Bolch, and three grandchildren, Natalie, Melanie and Jordan Bolch.
We may never see the success of our work — it may come in the next generation or the one after that. But that’s okay — we can serve as inspirations to those who come after us, much like Sadie Alexander, Regina Austin, and Clyde Summers do to many of us.

Vijay Kapoor L’02
President, Council of Student Representatives
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# Calendar of Events
(Academic Year 2002-2003)

(All Events Will Take Place at the Law School)

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**Fall TBD, 2002**
- Law Alumni Society Board of Managers Meeting

**September 23, 2002**
- Irving R. Segal Lecture in Trial Advocacy
  - Floyd Abrams, First Amendment Attorney, Cahill Gordon & Reindel

**September 26, 2002**
- ILE Law & Entrepreneurship Lecture Series
  - Robert M. Potamkin W'67, L'70 Co-Chairman and Co-CEO, Planet Automotive Group

**November 6, 2002**
- ILE Law & Entrepreneurship Lecture Series
  - Peter G. Peterson Chairman, Blackstone Group Chairman, Federal Reserve Bank of New York

**November 7, 2002**
- Caroline Zelaznik & Joseph S. Gruss Lectures on Talmudic Law
  - Josef Stern, Professor of Philosophy, University of Chicago
  - Lecture I

**November 14, 2002**
- Gruss Lecture II

**November 21, 2002**
- Parents & Partners Day

**December TBD, 2002**
- Edward B. Shils Lecture in Alternate Dispute Resolution
  - Robert A. Gorman, Professor of Law Emeritus, University of Penn

**Spring, 2003**
- Owen J. Roberts Memorial Lecture
  - Justice Antonin Scalia, U.S. Supreme Court
- 2nd Annual Penn Law School & National Constitution Center Scholars Lecture
- Equal Justice Foundation Auction
- To support summer public interest scholarships

**January TBD, 2003**
- Law Alumni Society Board of Managers Meeting

**January 25, 2003**
- Edwin B. Keedy Cup Moot Court Competition

**February 8-9, 2003**
- Institute for Law & Economics & Law Review Symposium
- Corporate Control Transactions

**February 27, 2003**
- Institute for Law & Economics
- Distinguished Jurist Lecture
  - The Hon. Harry T. Edwards
  - U.S. Court of Appeals, DC Circuit

**March 7-8, 2003**
- 22nd Edward V. Sparer Conference: “Civil Rights in a New America”

**March 24, 2003**
- Edward B. Shils Lecture in Alternate Dispute Resolution
  - Ambassador Dennis B. Ross
  - Special Middle East Coordinator Clinton Administration

**April 11, 2003**
- Institute for Law & Economics
- Corporate Law Roundtable

**May 16-17, 2003**
- *Alumni Weekend
- *Law Alumni Society Board of Managers Meeting
- *Law Alumni Society Awards Reception
- *Reunion Celebrations for Class Years ending in 3 & 8

**May 19, 2003**
- Commencement
  - Academy of Music, Broad Street

**June, 2003**
- Penn Law European Society (PLES) Annual Meeting
  - Strasbourg, Alsace - France
  - Contact: The Hon. Nicolas Bratza

For information about these events and to learn more about upcoming events, call the Office of Development and Alumni Relations (215) 898-6303. Continue to periodically view the events section on the alumni page of the Law School’s website. (www.law.upenn.edu)