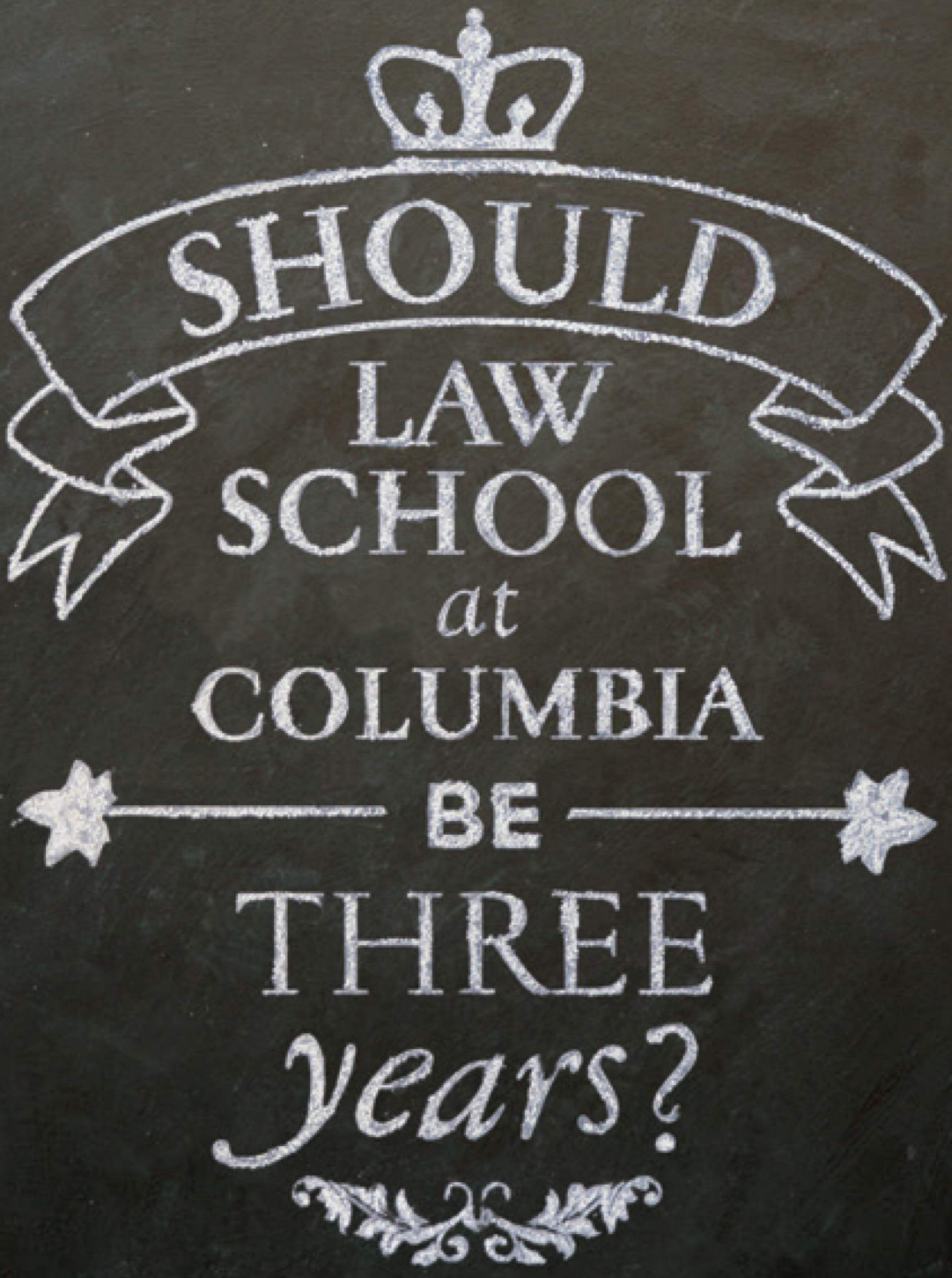
Columbia Law School
Fall 2013
Magazine



A look at our upper-year curriculum

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COLUMBIA LAW SCHOOL

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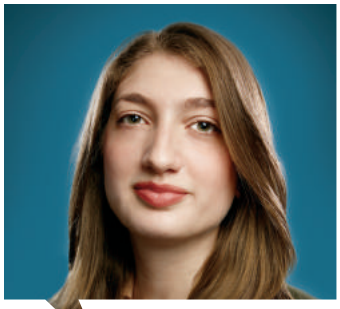

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2014 Winter Luncheon

FRIDAY, FEBRUARY 28, 2014

THE WALDORF ASTORIA
NEW YORK CITY

"Please join us at the annual Winter Luncheon, where we will present the Medal for Excellence, Columbia Law School's most prestigious award, to this year's honorees."

— Michael P. Beys '99, President, Columbia Law School Association

More information to come this fall, so keep an eye on your in-boxes and mailboxes!

law.columbia.edu/alumni/events/winter-luncheon

Columbia Law School *Magazine*

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News & Events:

DONALD B. VERRILLI, JR. AND MORTON L. JANKLOW

Verrilli & Janklow Receive *Medal for Excellence*

Literary agent **Morton L. Janklow '53** and U.S. Solicitor General **Donald B. Verrilli, Jr. '83** received the Columbia Law School Medal for Excellence, the Law School's highest honor, at the 2013 Winter Luncheon. More than 300 graduates, faculty, and friends—including U.S. Attorney General **Eric H. Holder, Jr. '76** and Judge **Jack B. Weinstein '48**, both past recipients of the award—gathered at the Waldorf Astoria hotel in New York City for the ceremony.

The Medal for Excellence is given annually to graduates and faculty members who embody the qualities of character, intellect, and professional responsibility that the Law School strives to instill in its students. **David M. Schizer**, Dean and the Lucy G. Moses Professor of Law; Harvey R. Miller Professor of Law and Economics, praised this year's honorees for being powerful examples of the Law School's influence on the world.

Janklow co-founded the literary agency Janklow & Nesbit Associates in 1977. He also endowed the Morton L. Janklow Chair in Literary and Artistic Property Law at Columbia Law School and founded the Morton L. Janklow Program for Advocacy in the Arts at Columbia University. Upon accepting his award, Janklow discussed how the Law School prepared him for his future career.

"I quickly learned the lessons of self-discipline and hard work, and the joy of achievement derived there from," he said. "And I have never lost that sensibility, which has served me so well."

Medal for Excellence co-honoree Donald Verrilli is the 46th Solicitor General of the United States. He serves as the federal government's chief litigator. Before joining the Obama administration, Verrilli led the Supreme Court practice at Jenner & Block in Washington, D.C. His time at the Law School, he said, greatly influenced his career. "The most important thing Columbia Law School has given to me," he noted, "was an enduring inspiration—the belief that I could live a life in the law that means something, and that I could be happy and fulfilled doing it." •

VIEW MORE

See photos from the 2013 Winter Luncheon.
law.columbia.edu/mag/excellence-13

Graduates honored at Law School's
64th
WINTER LUNCHEON

PROFESSOR ANTHEA ROBERTS

Law School Welcomes Anthea Roberts to Faculty

International law expert **Anthea Roberts** joined the Columbia Law School faculty this past summer. "Anthea's scholarship in investment treaty law and arbitration, and international dispute resolution, has been recognized by ASIL, The Starr Foundation, and the Fulbright Scholar Program," said Dean **David M. Schizer**. "Her expertise broadens our strength in international public law." Roberts spent the 2012–2013 academic year at the Law School as a visiting professor. She is also a senior lecturer in law at the London School of Economics. •

"Beyond the traditional barriers to U.S.-EU free trade, including tariffs and quotas, negotiators working on the Transatlantic Trade and Investment Partnership will need to address today's real obstacles to transatlantic commerce: divergent or duplicative regulatory policies." —*Professor Anu Bradford*

Center on Corporate Governance Hosts Conference on Insider Trading

THE EVENT HONORED FORMER SEC CHAIRMAN AND COLUMBIA LAW SCHOOL PROFESSOR WILLIAM L. CARY, WHO, IN 1961, LAID THE FOUNDATION FOR THE COUNTRY'S CURRENT INSIDER TRADING LAWS.

Scholars, judges, prosecutors, and defense counsel convened at Columbia Law School for a daylong conference examining the past, present, and future of the country's insider trading laws. The event was hosted and sponsored by the Law School's Center on Corporate Governance, which is directed by **John C. Coffee Jr.**, the Adolf A. Berle Professor of Law. Panelists explored shifting insider trading standards in the U.S. and abroad, discussed the Securities and Exchange Commission's current view on insider trading, and shared the perspectives of judges and lawyers who participate in these cases.

The conference coincided with the 50th anniversary of the 1961 *Cady, Roberts* decision, which set the precedent that individuals with insider information must disclose it or abstain from buying or selling stock. Attendees also honored longtime Columbia Law School professor **William L. Cary**, former SEC chairman and author of that landmark administrative opinion.

Pulitzer Prize–winning journalist James B. Stewart served as the conference's keynote speaker. His lunchtime address was preceded by a speech from Rochester University President Joel Seligman, who detailed the history of insider trading law and discussed Cary's continuing legacy.

PROFESSOR JOHN C. COFFEE JR. AND PANELISTS AT THE CONFERENCE

"Five decades after the publication of *Cady, Roberts*, the decision endures as among the most fundamental in securities fraud enforcement," Seligman said.

Other panels throughout the day focused on judicial scrutiny, insider trading incentives and deterrents, the pros and cons of wiretapping, and how the evolution of insider trading laws can create the potential for defendants to win on appeal.

Law School graduates attending the gathering included, among others, Judge **Denise L. Cote '75** of the Southern District of New York; **Richard J. Holwell '70**, a former Southern District of New York judge; and **Gary P. Naftalis '67 LL.M.**, head of Kramer Levin Naftalis & Frankel's litigation department. •

Rivera Begins Service at New York Court of Appeals

The New York State Senate recently confirmed **Jenny Rivera '93 LL.M.** as a judge on the New York Court of Appeals. Rivera, who previously served as a professor at the City University of New York School of Law, founded the CUNY School of Law Center on Latino and Latina Rights and Equality. Upon announcing her confirmation, New York Governor Andrew M. Cuomo praised Rivera for dedicating her career to social justice issues. "Her extensive experience in civil rights law and her passion for making our state a fairer and more just place will greatly benefit New York," he said. •

ABDUS-SALAAM EARNS SEAT ON NEW YORK COURT OF APPEALS

This past June, **Sheila Abdus-Salaam '77** was sworn in as the newest member of the New York Court of Appeals, the state's highest court. Abdus-Salaam is the first African-American woman to serve on the Court of Appeals. She previously served as an associate justice of the First Department of the Appellate Division of the New York State Supreme Court. Several Law School graduates, including U.S. Attorney General **Eric H. Holder, Jr. '76**, attended Abdus-Salaam's swearing-in ceremony in Albany. •

"The *United States v. Windsor* opinion reaffirmed the primacy of state law in marriage-related matters, tax and non-tax. So state law governs. But which state? The ultimate resolution of this uncertainty will probably take another date with the Supreme Court. Stay tuned." —*Professor Alex Raskolnikov*

MARY JO WHITE

White Takes Over as SEC Chair

THE FORMER U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK WAS CONFIRMED BY THE U.S. SENATE IN APRIL.

Columbia Law School graduate Mary Jo White '74 was named chair of the U.S. Securities and Exchange Commission earlier this year, filling the vacancy left by former Chairman Mary L. Schapiro, who stepped down in 2012. White, the former U.S. Attorney for the Southern District of New York, was nominated by President Barack Obama in January, and was confirmed by the U.S. Senate in April.

"You don't want to mess with Mary Jo," the president told reporters after announcing White's nomination, acknowledging her background as a longtime federal prosecutor. For 10 years, White directed many high-profile cases, first as the chief assistant U.S. Attorney for the Eastern District of New York, and then as U.S. Attorney for the Southern District of New York. Her successful prosecutions include the convictions of those charged with the 1993 World Trade Center bombing, as well as that of former Gambino crime family boss John Gotti.

After stepping down from her U.S. Attorney post in 2002, White rejoined Debevoise & Plimpton in New York City, where she was a litigation partner from 1983 to 1990. Upon her return, White served as chair of the firm's litigation practice, focusing on major business litigation disputes and white-collar criminal defense cases. She has also served on the board of directors of the NASDAQ stock exchange.

After the announcement of her nomination, White said she looked forward to fulfilling the agency's mission to protect investors and ensure the strength, efficiency, and transparency of the country's capital markets.

"The SEC, long a vital and positive force for the markets, has a lot of hard and important work ahead of it," she added.

White is a 1998 recipient of the Columbia Law School Medal for Excellence, the Law School's highest honor. She returned to campus in 2012 to discuss national security issues and the prosecution of terrorism cases. •

VIEW MORE

Watch a video of White's nomination.
law.columbia.edu/mag/mjwhite

GRAETZ TO RECEIVE TAX HONOR

Columbia Law School Professor **Michael J. Graetz** will receive the National Tax Association's Daniel M. Holland Medal this November. The award, which is given annually, recognizes outstanding contributions to the study and practice of public finance. Graetz, the Columbia Alumni Professor of Tax Law and the Wilbur H. Friedman Professor of Tax Law, is a leading expert on the topic and has written extensively on national and international tax law, including several works dealing with the value-added tax. His most recent article, "Technological Innovation, International Competition, and the Challenges of International Income Taxation," was published in the *Columbia Law Review* this past March. •

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PROFESSOR GILLIAN E. METZGER

Center for Constitutional Governance Holds First Annual Conference

Columbia Law School's Center for Constitutional Governance hosted its first annual conference this past spring. Scholars, government officials, and other experts attending the daylong symposium explored key issues facing the Obama administration in the president's second term. Panels highlighted President Barack Obama's fiscal and budgetary challenges; his domestic policy; national security and foreign policy issues; and election law and voting rights. Featured panelists included current FBI Director James B. Comey, Cabinet Secretary Danielle Gray, and *New York Times* columnist Eduardo Porter, among many others. Professor **Gillian E. Metzger '95**, the center's faculty director, moderated the discussion focused on the administration's domestic programs and policies. •

STEVE BULLOCK

Bullock Begins Service as Montana Governor

Columbia Law School graduate **Steve Bullock '94** was sworn in as Montana's 24th governor earlier this year after serving four years as the state's attorney general. During his campaign, Bullock, who was born and raised in Montana, ran on a platform urging educational innovation, the resurgence of the agricultural industry, and clean energy initiatives. As the state's top lawyer, Bullock established stricter laws against drunk driving and prescription drug abuse. Earlier in his career, he represented labor unions, consumer organizations, and small-business owners as a practicing attorney in Montana. •

LEONEN APPOINTED TO SUPREME COURT OF THE PHILIPPINES

Philippines President Benigno Aquino III has named Marvic Leonen '04 LL.M. an associate justice of that country's Supreme Court. Leonen, a former dean of the University of the Philippines College of Law, was appointed to fill the seat vacated by Maria Lourdes Sereno, who was named chief justice. Leonen previously served as the Philippines' chief peace negotiator, and he is credited with brokering a peace agreement between the government and the Moro Islamic Liberation Front, a religious separatist group with strongholds in parts of the country's southern region. •

Law School Launches *Blue Sky Blog*

THE WEBSITE IS A FORUM WHERE LAWYERS, SCHOLARS, AND REGULATORS CAN INTERACT ON MATTERS RELATING TO CORPORATIONS AND CAPITAL MARKETS.

Earlier this year, Columbia Law School debuted The CLS Blue Sky Blog, the Law School's online source for news, commentary, and discussions on corporations and capital markets. The blog also offers analysis of important developments in financial reform, securities regulation, and corporate governance.

Professor John C. Coffee Jr., director of the Law School's Center on Corporate Governance, originally conceived of the idea to create this forum for corporate and financial analysis. The blog is managed and edited by corporate and securities law expert Jason W. Parsont '07, a post-doctoral research scholar and lecturer-in-law at the Law School. The editorial board consists of many of the blog's regular contributors, including Coffee; Lecturer-in-Law Edward F. Greene, senior counsel at Cleary Gottlieb and a former general counsel of the U.S. Securities and Exchange Commission; Professor Robert J. Jackson Jr.; and Professor Kathryn Judge, whose research examines financial institutions and markets.

The name of The CLS Blue Sky Blog is a play on the title given to state securities laws, or "blue sky laws." In addition, the name is meant to suggest a spirit of transparency and the possibility of open discussion.

"We are hoping for interactive dialogue among the bar, academia, and regulators that can range from technical issues to broader theoretical issues that may rise into the blue sky," said Coffee when announcing the blog's launch in January.

Since its debut, The CLS Blue Sky Blog has become a platform for discussion on the effectiveness of SEC enforcement, and one of Coffee's first posts, "SEC Enforcement: Rhetoric and Reality," was chosen as a best column of the week by *Compliance Week*. The new website also includes a section called "The Filter," where the blog's editorial staff gathers links to the web's most up-to-date and relevant news on corporations and capital markets. •

VIEW MORE

Visit The CLS Blue Sky Blog website.
law.columbia.edu/mag/blue-sky

"In June, the Supreme Court decided that the usual rules of competition apply in so-called 'pay-for-delay' settlements of patent litigation in the pharmaceutical industry. This is likely to curb anticompetitive settlement by drug makers, but may channel delays of competition into other forms." —*Professor C. Scott Hemphill*

Bharara Urges *Class of 2013* to Take Up Public Service

THE U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK ASKED GRADUATES TO DEDICATE FIVE YEARS OF THEIR CAREERS TO PUBLIC SERVICE.

PREET BHARARA

During their careers, Columbia Law School graduates will be placed at the pinnacles of power and will be presented with leadership opportunities available to no one else, said **Preet Bharara '93**, the U.S. Attorney for the Southern District of New York, during his keynote address at Graduation 2013 this past May. Once in these roles, he added, graduates should consider working on behalf of the public good.

"The virtues of serving the public, I think, cannot be overstated," said Bharara, who challenged members of the Class of 2013 to dedicate at least five years to public service, no matter what their career aspirations. "Not only does the world benefit, but you benefit. You grow, and you gain, and the world gains, too."

The J.D., LL.M., and J.S.D. candidates gathered on the South Lawn of Columbia University's Morningside Heights campus for Graduation 2013 hailed from 42 states and 23 countries; some were teachers, servicemen, engineers, and Olympic athletes before coming to the Law School. Dean **David M. Schizer** acknowledged the different paths the graduates will take in their careers, while highlighting the new opportunities that have arisen in the legal field since he graduated from law school two decades ago. Dean Schizer encouraged the graduates to take advantage of these opportunities, and to get the most out of the training they have received.

Professor **Conrad Johnson**, this year's recipient of the Willis L.M. Reese Prize for Excellence in Teaching, also urged graduates to use their legal education to make a difference in the world.

"Your contributions are real, and we trust that you will carry the knowledge that you can make a difference wherever you go," said Johnson, co-director of the Law School's Lawyering in the Digital Age Clinic. "Don't let anyone tell you differently." •

DEAN EXTENDS TIES WITH PEKING UNIVERSITY LAW SCHOOL

Columbia Law School Dean David M. Schizer and Peking University Law School Dean Zhang Shouwen signed a memorandum of understanding earlier this year to extend the longtime partnership between the two schools. Since 2006, Columbia Law School and Peking University Law School, which is based in Beijing, have hosted study-abroad programs at their respective campuses, and in 2011, the two schools began a faculty exchange program. The new agreement encourages collaboration on mutually agreed upon research, as well as cooperation in the training of international law students. It also allows for future joint publications, seminars, and forums. •

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RON PROSOR

Israeli Ambassador Visits Law School

Ron Prosor, Israel's ambassador to the United Nations, presented his views on the country's role as a Jewish state as part of the Law School's Milbank, Tweed, Hadley & McCloy Faculty-Student Intellectual Life Series. Prosor, who has also served as Israel's ambassador to the United Kingdom and as director general of the country's Ministry of Foreign Affairs, was named Israel's 16th permanent representative to the U.N. in 2011. His presentation was followed by a question-and-answer session with students and faculty members. •

JACK B. WEINSTEIN

Weinstein and Buchman Receive *Alumni Medals*

JUDGE WEINSTEIN HAS SERVED AS A DISTINGUISHED JURIST ON THE FEDERAL BENCH FOR MORE THAN 45 YEARS.

Jack B. Weinstein '48, a U.S. District Court Judge for the Eastern District of New York, was recently awarded an Alumni Medal from the Columbia Alumni Association. Weinstein, one of 10 Columbia graduates who received this year's medal, was honored by Columbia University President **Lee C. Bollinger '71** during the University's 2013 Commencement exercises this past May.

First awarded in 1933, the Alumni Medal recognizes graduates for their distinguished service to Columbia University's schools, alumni associations, regional clubs, and University-wide initiatives. Weinstein, who served as a member of the Columbia Law School faculty for several decades, was recognized for his outstanding volunteer work on behalf of the University. He is a former director of the Columbia Law School Alumni Association, as well as a former member of the Law School's Board of Visitors. Weinstein was honored alongside fellow Law School graduate **Stephen L. Buchman '62 LL.B.**, who serves as ombudsman and attorney adviser at Chadbourne & Parke, and as assistant director of career advising at the Law School.

Weinstein was appointed to the federal bench by President Lyndon B. Johnson in 1967. During the past 46 years, he has presided over thousands of cases and has set many of the country's mass torts precedents. Weinstein served as chief judge at the Eastern District from 1980 to 1988, and he now maintains a full caseload as a senior judge. He is a past recipient of the Columbia Law School Medal for Excellence and the Law School's Lawrence A. Wien Prize for Social Responsibility.

This year's Alumni Medal winners will be recognized again in October at the Columbia Alumni Association Leaders Assembly Gala, which will be held during the Columbia Alumni Leaders Weekend. •

New Center Will Promote Public Integrity

In August, Columbia Law School and the New York City Department of Investigation launched the Center for the Advancement of Public Integrity. The main mission of this center, which is based at the Law School, is to help government officials identify, deter, and respond to internal corruption at all levels. Rose Gill Hearn, commissioner of the Department of Investigation, serves as chair of the center's advisory board, which also includes Law School Professors **Daniel C. Richman** and **Richard Briffault**. The center will develop an active peer-to-peer referral network and will hold regular conferences for inspectors general and other anti-corruption practitioners. It will also provide new opportunities for Columbia Law School students to participate in the development of anti-corruption work. •

SANGER PRESENTS DISTINGUISHED LECTURE ON POST-ADOPTION RIGHTS

Columbia Law School Professor **Carol Sanger** recently discussed the evolution of post-adoption visitation rights during her Sidney and Walter Siben Distinguished Professorship Lecture in Family Law at Hofstra University's Maurice A. Deane School of Law. Sanger, the Law School's Barbara Aronstein Black Professor of Law, focused specifically on the open adoption process, and how it has become more prevalent in modern society. Sanger's lecture, "Bargaining for Motherhood: Post-adoption Visitation Agreements," is slated to appear in the *Hofstra Law Review*. •

"Bankruptcy filings fell from 95,000 in May to about 86,000 in June. The sharp decline reinforces the now-regularized dropoff from the high rates of 2010. Looking over a longer scale, the filings so far this year are down 14 percent from the first half of last year." —*Professor Ronald Mann*

Law School Hosts Prominent National Security Law Scholars

Columbia Law School recently welcomed current FBI Director James B. Comey, former U.S. Ambassador Cameron Munter, and former Legal Adviser to the U.S. Department of State Harold Hongju Koh to Morningside Heights to share their vast experience and scholarship with the Law School community.

Comey, who was named director of the FBI this past summer, joined the Law School as a senior research scholar, Hertog Fellow, and lecturer-in-law earlier this year. While on campus, he focused on intelligence surveillance, privacy law, and legal decision making as it pertains to national security. Comey served as deputy attorney general of the United States from 2003 to 2005 and worked as general counsel at Bridgewater Associates before arriving at the Law School.

Munter, who joined the Law School faculty as a visiting professor during the autumn of 2012, served as the U.S. ambassador to Pakistan from 2010 to 2012. He has held numerous positions in the Foreign Service and served as the U.S. ambassador to Serbia from 2007 to 2009. While at the Law School, Munter led a variety of national security and foreign policy discussions for students and faculty members.

Koh joined the Law School as a visiting faculty member this past January. He served as the legal adviser for the U.S. State Department from 2009 until earlier this year and is an expert in human rights law, international law, and national security law. Koh recently worked with Professor Sarah H. Cleveland and two other colleagues to draft and submit an amicus brief in the U.S. Supreme Court case regarding same-sex marriage in California. The brief urged the Court to examine the precedents of other democratic governments when considering its decision. •

JANOW TO SERVE AS NEW DEAN OF SIPA

Merit E. Janow '88 was named dean of Columbia University's School of International and Public Affairs (SIPA) this past spring. Janow, a professor of practice at SIPA and an affiliated faculty member at the Law School, is an expert in international trade and investment. She currently serves as co-director of Columbia's APEC Study Center, as chair of the faculty oversight committee of Columbia's Global Center East Asia, and as a member of the University's Weatherhead East Asian Institute. Janow is also chair of the international affairs fellowship committee of the Council on Foreign Relations. •

PROFESSOR SARAH H. CLEVELAND

Cleveland Helps Tunisia Draft Constitution

Constitutional law expert **Sarah H. Cleveland** spent two days in Venice helping the National Constituent Assembly of Tunisia draft its constitution. Cleveland serves as the U.S. observer on the European Commission for Democracy through Law (also known as the Venice Commission), which functions as a constitutional advisory board for countries that are in the process of building democratic governments. Tunisia has been working on creating a new constitution since 2011. Cleveland, the Louis Henkin Professor in Human and Constitutional Rights, was appointed to the commission by the White House in 2010. •

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law.columbia.edu/mag/fb

JAN ELIASSON

U.N. Deputy Secretary-General Discusses the Rule of Law

United Nations Deputy Secretary-General Jan Eliasson visited the Law School to deliver a lecture on promoting peace, development, and human rights through the rule of law. "When adhered to, the rule of law at the international level makes the conduct of member states predictable and legitimate and provides a means to peacefully resolve any disputes," Eliasson told the crowd. "It is the anchor and foundation of international peace and security." The lecture was hosted by Columbia Law School's Center on Global Governance. •

WEB EXCLUSIVE
Read Jan Eliasson's remarks to students.
law.columbia.edu/mag/eliasson

GINSBURG ELECTED TO NATION'S OLDEST LEARNED SOCIETY

Columbia Law School Professor Jane C. Ginsburg was recently elected as a member of the American Philosophical Society. The organization, which is the oldest learned society in the United States, was founded by Benjamin Franklin in 1743 to promote scholarship in a wide range of scientific and humanities-driven subjects. Ginsburg, the Morton L. Janklow Professor of Literary and Artistic Property Law, is an expert on intellectual property law, comparative law, private international law, and legal methods. She serves as faculty director of the Law School's Kernochan Center for Law, Media and the Arts. •

PROFESSORS JANE M. SPINAK AND PHILIP M. GENTY

Conference Honors Clinics' *30th Anniversary*

THE LAW SCHOOL'S FAMILY LAW CLINICS INVITED GRADUATES AND EXPERTS TO MORNINGSIDE HEIGHTS TO DISCUSS CHANGES IN CLINICAL EDUCATION AND FAMILY ADVOCACY.

Columbia Law School's Child Advocacy, Prisoners and Families, and Family Advocacy Clinics hosted a daylong conference at Jerome Greene Hall in late April to discuss how their work and the needs of families have changed during the past three decades.

At the conference, Professor **Jane M. Spinak** and Professor **Philip M. Genty** brought together experts from a range of fields for panel discussions covering six topics: scholarship; clinical legal education; policy and practice; criminal justice and prisons; interdisciplinary work; and professionalism. Panelists included graduates who shared how the Law School's clinical programs influenced their work and career choices.

In the afternoon, conference participants met in small groups designated by class years. The attendees were then given the opportunity to provide their feedback through moderators, as various participants presented a summary of their sessions. Afterward, everyone celebrated with a closing reception.

Spinak initially began the Child Advocacy Clinic in 1982 to provide much-needed representation to children voluntarily placed in foster care by their parents. That mission has evolved along with shifting needs. The clinic's Adolescent Representation Project currently focuses on helping children as they age-out of foster care and other institutional settings.

In 1989, the program expanded to include the Family Advocacy Clinic, which was founded by Genty to represent parents in administrative court proceedings. Less than a decade later, he helped to establish the Prisoners and Families Clinic to address the legal needs of incarcerated parents. •

"The U.S. Supreme Court's decision in *Fisher v. University of Texas* extends a 35-year string of cases, starting with *Bakke* and extending through *Gratz* and *Grutter*, in which the Court has upheld or refused to invalidate diversity as a compelling state interest in college admissions." —*Professor Theodore M. Shaw*

JAMES B. COMEY

Comey Tapped to Lead FBI

Former Columbia Law School Lecturer-in-Law James B. Comey was recently named director of the Federal Bureau of Investigation. Comey, who also served as a Hertog Fellow in National Security Law and as a senior research scholar at the Law School earlier this year, was nominated by President Barack Obama for the position in June.

Comey served as deputy attorney general of the United States from 2003 to 2005. He chaired President George W. Bush's Corporate Fraud Task Force, as well as the Presidential Board on Safeguarding Americans' Civil Liberties, during that time. Comey is also the former U.S. Attorney for the Southern District of New York, and, in that role, he oversaw the prosecutions of many terrorism and financial fraud cases.

During his time in Morningside Heights, Comey worked closely with Professor Matthew C. Waxman to further enhance the Law School's national security program. The pair created two new courses focused on national security law. •

MILLSTEIN CENTER HOSTS FORUM ON GOVERNANCE

Columbia Law School's Ira M. Millstein Center for Global Markets and Corporate Ownership hosted the 8th annual Millstein Governance Forum this past summer in Morningside Heights. More than 200 investors, corporate executives, regulators, and academics—as well as representatives from companies such as Microsoft, Estée Lauder, and Pepsi—gathered for the two-day conference, which explored the impact of new corporate ownership patterns. The forum was followed by a gala dinner and reception honoring seven "Rising Stars of Corporate Governance." •

WEB EXCLUSIVE

Explore Millstein Center projects.
law.columbia.edu/mag/millstein-projects

BRIFFAULT AND LIEBMAN NAMED TO COMMISSION ON PUBLIC CORRUPTION

Columbia Law School Professors Richard Briffault and Lance Liebman were recently appointed by New York Governor Andrew M. Cuomo to serve on the state's Commission to Investigate Public Corruption. The commission, created earlier this year, will have broad authority to investigate corruption in state government, political campaigns, and state elections. It will have the power to subpoena and question witnesses under oath, and will be responsible for reviewing state laws and regulations involving misconduct by public officials. Briffault, the Joseph P. Chamberlain Professor of Legislation, is an expert in state and local government law, as well as election law. Liebman, the William S. Beinecke Professor of Law, serves as director of the American Law Institute and is a former assistant to New York City Mayor John Lindsay. •

Graduates Selected for Deanships at Top U.S. Law Schools

Trevor W. Morrison '98 and **Mark D. West '93** each recently earned deanships at top-tier law schools. Morrison, who previously served as Columbia Law School's Liviu Librescu Professor of Law, was named the 15th dean of New York University School of Law this past spring. He is an expert in constitutional law, federal courts, and national security law, and the 2011 recipient of Columbia Law School's Willis L.M. Reese Prize for Excellence in Teaching.

West, a renowned Japanese law scholar, became the 17th dean of the University of Michigan Law School this September. He previously served as an associate dean at the school, as well as director of the University of Michigan Center for Japanese Studies. West also directed Michigan Law School's Center for International and Comparative Law, and he continues to serve as the school's Nippon Life Professor of Law. •

See Also:

Columbia Law School students excel outside the classroom **BY KELLY CARROLL AND JOY Y. WANG**

Roxane Cassehgari
GAINING PERSPECTIVE

While serving as an intern at the International Organization for Migration (IOM) in Bogotá, Colombia, **Roxane Cassehgari '13 LL.M.** received a life-changing opportunity. As the only French-speaking person working for IOM—a nonprofit organization that provides support to internally displaced populations—the Paris-born Cassehgari was called to Port-au-Prince, Haiti, to assist in recovery efforts after the 7.0-magnitude earthquake of January 2010. Cassehgari worked with women who had experienced violence while receiving aid in various relief camps and helped to educate victims on their rights.

After spending more than a year in Haiti, she moved to New York City to pursue an LL.M. "I wanted to get an American perspective on human rights," says Cassehgari, who previously studied law in the U.K. and France. "New York and Columbia Law School gave me a big window on international organizations, the U.N., and NGOs."

At the Law School, Cassehgari studied the legal issues that dictate the rights of individuals forced to flee their homes due to civil war, natural disasters, and other factors. Now that she has supplemented her fieldwork with newly broadened legal expertise, Cassehgari says she will be better equipped to advocate on behalf of vulnerable groups.

"Having that added legal background gives you the tools to best address these issues," she says.

PHOTOGRAPHED BY DAVID YELLEN

Rohan Grey
VALUABLE CHANGE

This past winter, pundits penned numerous articles about the possibility of the federal government minting a platinum coin to generate funds and avoid raising the debt ceiling. That idea was already old news to **Rohan Grey '14**, who had, months before, organized an event addressing the issue as part of an interdisciplinary seminar series he created at Columbia Law School. That discussion brought together some of the economists who had first touted the financing solution back in 2010.

Though the Obama administration ultimately rejected the platinum coin idea, Grey explains that its legal viability illustrates a larger point about macroeconomics. "The spending constraints on currency-issuing governments are not the same as the constraints on households," he notes, adding that the government does not have to balance its budget the way a family might. "It doesn't work that way."

Grey says he created the eight-part series, titled Modern Money and Public Purpose, to dispel such basic myths about the relationship between law and macroeconomics. He organized the events with the help of **M. Jonathan Brice '14**. The Workers' Rights Student Coalition, a new social justice group at the Law School, signed on as a co-sponsor and, soon, so did 10 more student groups. International organizations have also taken notice. Members of Greece's Syriza political party visited the U.S. recently and asked Grey to host an event discussing their economic platform.

The Sydney native hopes the series will foster discussion on timely economic issues for years to come. He even created online tutorials to accompany each seminar. "The goal," Grey says, "is to eventually turn this into a massive, permanent, free digital learning network."

Lelise Gobena
RIGHT AT HOME

Bay Area native **Lelise Gobena '13** admits that living on the East Coast took some getting used to at first. But after only a few weeks on campus, the University of Southern California graduate had joined a number of student groups that helped ease the transition. One that stands out as particularly supportive, Gobena says, was Columbia Law School's student-run California Society, which sponsors panel discussions, career fairs, social gatherings, and other events geared toward those with links to the West Coast.

"I found a wonderful community of people," Gobena says. "It was nice to have an organization that brought us together socially, and it allows students to stay connected to West Coast firms and resources."

In her second year at the Law School, Gobena served as the California Society's co-president and became a mentor to incoming students from the West Coast. At the same time, she also began to put down some roots in New York City. Gobena pursued legal internships with both the New-York Historical Society and the National State Attorneys General Program in Manhattan. In the fall semester of her second year, she worked as an intellectual property law intern at Louis Vuitton Moët Hennessy in Midtown. It was not until this past year that Gobena returned to California—to work as a summer associate in the Los Angeles office of Manatt, Phelps & Phillips.

"New York has become the baseline I compare all other cities to," says Gobena, who joined Manatt after graduation and requested to be placed in the firm's Manhattan office. "I've really found a home here."

Matthew Lemle Amsterdam

HOMETOWN PRIDE

Upon meeting **Matthew Lemle Amsterdam '13**, his allegiance to Columbia immediately becomes apparent. Amsterdam's smart-phone case, scarf, and lapel pin are all Columbia blue. He is quick to point out that school and family pride blend together in this instance—Amsterdam's father and grandfather both attended the Law School, and the Columbia College graduate says he practically grew up on the Morningside Heights campus.

Amsterdam remained close to home while amassing an impressive background in public interest law. After his first year of law school, he interned at the Bronx Supreme Court, a mere three blocks away from Yankee Stadium. Amsterdam, who has been a Yankees season-ticket holder since 1998, assisted a judge with research for jury charges and benefited from broad access at the court. "I was specially cleared to sit in on a search warrant hearing for a case handled by an undercover police officer investigating drug crimes," he recalls.

Amsterdam broadened his experience to the federal level by serving as an intern in the public defender's office at the U.S. District Court for the Southern District of New York. He assisted defendants with plea negotiations and helped represent a young man who he believed had been falsely accused of robbery.

"It was very rewarding to help clients through what is often the hardest time in their lives," he says.

Amsterdam is committed to staying in the city to pursue a public interest legal career, but the avid Yankees fan confesses that there is one other path he might consider. "I'm still also pursuing my lifelong dream of working in professional sports," he says with a grin.

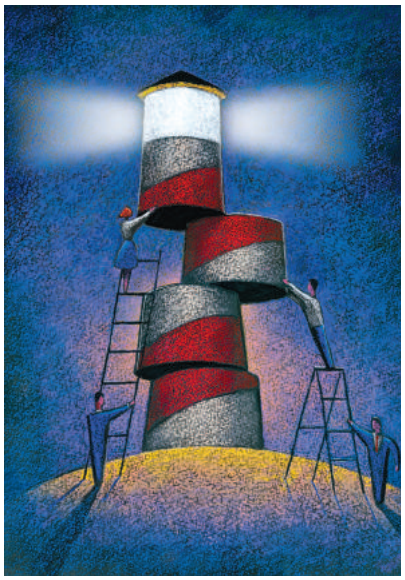
Leading the Way

PROFESSOR LORI FISLER DAMROSCH SEEKS TO ENGAGE A NEW GENERATION OF INTERNATIONAL LAW SCHOLARS

BY JOY Y. WANG

THIS PAST JANUARY, Professor **Lori Fisler Damrosch** traveled to Columbia's Global Center in Amman, Jordan. The expert in international law returned from the trip with an impressive plan in mind. Damrosch envisioned a major conference at the center that would bring together teachers, students, and practitioners of international law in the Middle East. She foresees experts analyzing crucial and timely topics, including how international law affects countries undergoing profound political transformation.

The idea took on a new dimension this spring when the American Society of International Law (ASIL) named Damrosch its president-elect. The yearlong position will be followed by a two-year term as the organization's president, and the conference, which will likely be held in 2015, will now also serve as one highlight of that time.



"I proposed taking advantage of Columbia University's network of Global Centers as a platform for cooperative activities between ASIL and partners in one or more of the areas where Columbia already has a presence," says Damrosch, the Law School's Hamilton Fish Professor of International Law and Diplomacy, and the Henry L. Moses Professor of Law and International Organization. "The Middle East presents significant opportunities for developing relationships in the field of international law."

Damrosch is particularly well positioned to understand the complex legal relationships at play in that region of the world. During the Carter administration, she served in the Office of the Legal Adviser at the U.S. State Department, working on many legal aspects of the crisis involving more than 50 U.S. diplomatic and consular staff held hostage in Iran until January 20, 1981. (The film *Argo* depicts an incident that occurred while the hostage crisis was in progress.) Her efforts during that time contributed to the creation of the Iran-United States Claims Tribunal, a groundbreaking international arbitral organization.

Now, as the next head of the ASIL, Damrosch aims to support and engage a new generation of international law scholars who can one day lead the way in resolving global crises.

"I would like the ASIL to sponsor curriculum development in international law at the undergraduate level," Damrosch says. "Many undergraduates are interested in international affairs, and many are interested in law, but as of now, very few colleges offer courses to draw these interests together." As a starting point for this new effort, she will call on the help of Columbia Law School graduates throughout the world who are currently teaching and practicing international law.

Even amid her new responsibilities, Damrosch remains engaged in legal scholarship on multiple fronts. Her most recent work focuses on how constitutional democracies control decisions to use military force, and how those decisions relate to international law. She has also spent the past 10 years serving as the co-editor-in-chief of the *American Journal of International Law*, the ASIL's quarterly publication that dates back to 1907.

As the forthcoming president of the organization, Damrosch joins the ranks of nearly a dozen Columbia Law School graduates and faculty members who have held the office—past ASIL presidents include two of her mentors, **Oscar Schachter '39** and **John Reese Stevenson '49**. (Damrosch worked with Stevenson at Sullivan & Cromwell after her time at the State Department, and he encouraged her to join the faculty at the Law School.) She also takes over a position once held by beloved Columbia Law School professor, and founding scholar of human rights law, **Louis Henkin**.

"I hope that my time as ASIL's president will lay the groundwork to cultivate interest in international law among the generation coming of age in a globalized world," Damrosch says.

ILLUSTRATION BY JONATHAN EVANS

Historic Speech

FOR FIRST AMENDMENT SCHOLAR PHILIP HAMBURGER, ANALYSIS OF LEGAL HISTORY SERVES TO ILLUMINATE MODERN-DAY TRUTHS

BY KAITLIN BELL BARNETT

AS AN UNDERGRADUATE at Princeton, Professor **Philip Hamburger** cultivated an interest in freedom of speech. While poring over centuries-old cases on a university-subsidized trip to conduct research in a London archive, he became intimately acquainted with one of the most egregious historical examples of speech suppression: England's Star Chamber, which, during the 16th and 17th centuries, mandated that all publications receive governmental approval.

During the decades that followed his Star Chamber research, Hamburger has become a prominent constitutional scholar and legal historian, with two award-winning books to his credit and a well-honed expertise in freedom of speech. In recent years, he has grappled with a modern-day Star Chamber problem. Beginning in the early aughts, fellow academics started contacting Hamburger and reported being unable to publish their research because it lacked a university stamp of approval.

Federal regulations state that anyone with a university affiliation who wishes to publish research involving human subjects must receive approval from the relevant school's Institutional Review Board, or IRB. Failing to do so can jeopardize federal research funding.

Hamburger, Columbia Law School's Maurice and Hilda Friedman Professor of Law, says he was flabbergasted upon learning of these limitations. "My immediate reaction was, 'Wait a minute—that's unconstitutional,'" he recalls. "'It's prior licensing, and prior licensing is what the Star Chamber did, and that's banned by the U.S. Constitution.'"

IRB approval is meant to protect human subjects from harm, but Hamburger argues in two law review articles that the process can delay crucial medical discoveries. "It's the most systematic and widespread violation of freedom of speech in the nation's history," he says.

Hamburger's interest in IRBs also led to related research on the issue of unconstitutional conditions on speech—for instance, when the federal government requires radio and television broadcasters to avoid profanity as a condition to their use of public airwaves. In a recent article, he asserts that, although the federal government may impose conditions on the benefits it gives out, it cannot make an end run around constitutional limitations on its power, even when a beneficiary of government assistance has given consent. Churches and other charitable, educational, and religious organizations enjoy tax-exempt status on the condition of not engaging in overt political lobbying or campaigning. But, Hamburger argues, such an arrangement still constitutes censorship.

The relationship between religion and government happens to be another subject of profound interest to Hamburger. His 2002 book, *Separation of Church and State*, used painstaking historical research to argue that, contrary to the assumptions of most Americans, there is no language that enshrines "separation of church and state" in the Constitution. That contention raised a few eyebrows, which was just fine with Hamburger—who, in almost every case, refuses to join the political fray. When his *Separation of Church and State* book was published the same week that two high-profile court decisions on religion and the First Amendment had been decided, for example, he declined comment to *The New York Times*.

"I'm interested in intellectual debate—the principles," Hamburger says. "Whether someone wins or loses on one thing or another matters less to me."

KAITLIN BELL BARNETT has written for *The Boston Globe* and *Parents* magazine, among other publications.

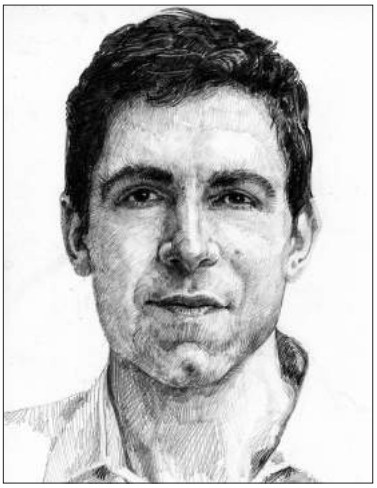
"I'M INTERESTED IN INTELLECTUAL DEBATE—THE PRINCIPLES," SAYS PHILIP HAMBURGER, WHO TENDS TO AVOID THE POLITICAL FRAY.

ILLUSTRATION BY ALEX NABAUM

Triple Threat

PUBLIC LAW EXPERT DAVID POZEN HAS DEDICATED HIS CAREER TO UNDERSTANDING THE COMPLEX WORKINGS OF AMERICAN GOVERNMENT

BY JOY Y. WANG



THEIR NAMES MAY BE noticeably different on paper, but more than one acquaintance has asked public law expert **David Pozen** if he is related to Judge Richard Posner of the 7th Circuit Court of Appeals. In law school, Pozen became accustomed to explaining that, no, they are not related, but that he was a fan of the well-known legal theorist's writings on jurisprudence.

During his third year, Pozen unexpectedly received a similar compliment from Posner. "I got an email from him saying that he liked something I had written about tax expenditures and foreign aid," says Pozen, who joined the Columbia Law School faculty in July of 2012. The piece that caught Posner's eye was published by the *Yale Law Journal*, and the judge graciously acknowledged that both men had independently made the same point about the issue, though Pozen had published first.

Posner's kind words provided Pozen with an auspicious start to an impressive legal career that would quickly span all three branches of American government before leading to academia.

Born in Washington, D.C., and raised in the suburbs of Boston, Pozen served as a special assistant to U.S. Senator Ted Kennedy during the George W. Bush administration. The senator's office would often respond to policy speeches given by the president, and, among his other duties, Pozen drafted some of those retorts. "Working with Senator Kennedy during the Bush administration really refined my polemical skills," he recalls.

Pozen then gained an insider's perspective on the judicial branch through clerkships with D.C. Circuit Court of Appeals Judge Merrick B. Garland and U.S. Supreme Court Justice John Paul Stevens, who was then serving his final year on the bench.

"It was fun to be with a justice at a time when he was really committed to getting everything on paper," says Pozen, who clerked for Stevens when the Supreme Court ruled on *Citizens United v. Federal Election Commission*. "I virtually lived at the Court that year."

His experience in the executive branch proved no less demanding. As a special adviser to U.S. State Department Legal Adviser Harold Hongju Koh from 2010 to 2012, Pozen analyzed legal issues involving national security and immigration, among other matters.

The soccer aficionado remembers rushing home one evening to catch a much-anticipated match, only to be sidelined by a string of emails from his boss about an emergency brief that needed his attention. "I was told to take my time, don't rush," Pozen recalls, "just to get it in by 4 a.m." He turned off the television and got to work.

"David has a razor-sharp insight into intragovernmental dynamics, and a capacity to frame and analyze problems that is deeply theorized, highly creative, and pragmatic," says Professor **Sarah H. Cleveland**, who worked with Pozen at the State Department. She predicts that he will be the leading constitutional governance scholar of his generation.

Pozen's most recent scholarship, a law review article examining why the government criminalizes the leaking of classified information, yet does little to prosecute leakers, drew the notice of prominent national security expert Ben Wittes, who cited it as "the single best article about leaks I have ever read." The piece has also garnered coverage in *The New Yorker* and on NPR, among other media outlets.

AS A SPECIAL ADVISER AT THE STATE DEPARTMENT, POZEN ANALYZED NATIONAL SECURITY AND IMMIGRATION ISSUES.

"My career path has been a combination of wanting to work in public service and learn how the law works in practice, and wanting to grow as a lawyer," Pozen says. "I always had a sense that it would make me more interesting as a scholar and teacher."

ILLUSTRATION BY STEPHEN GARDNER

STUDENT-FACULTY RATIO 8:1

An Enduring Legacy

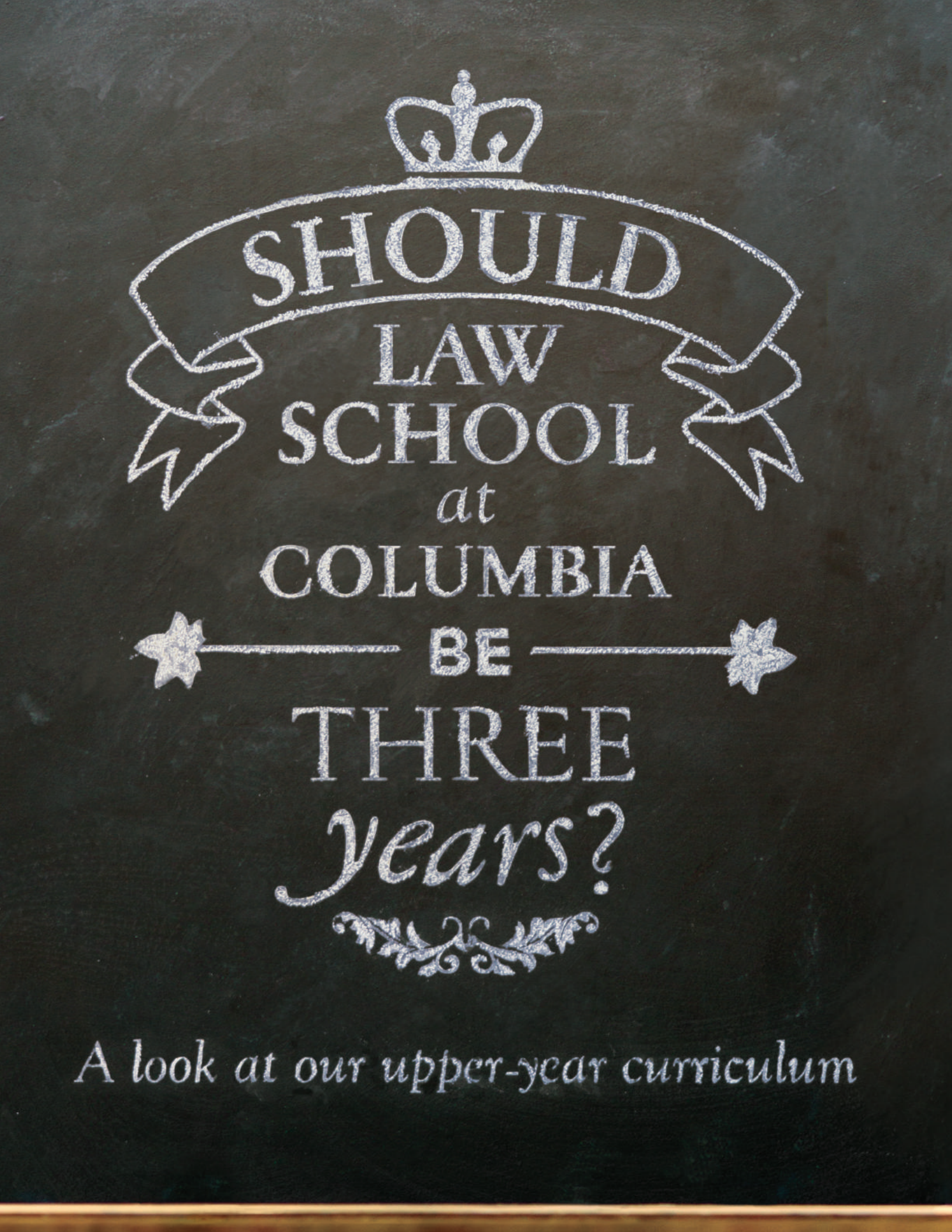
Our success is measurable, and our gratitude is deep

Thank you for your continuing commitment to Columbia Law School. Your gifts have allowed us to create many new opportunities for our students and faculty, including:

- **66 scholarships** to bring the brightest young legal minds to Columbia, regardless of financial need.
- **22 professorships** and 12 faculty research funds to help attract **36 new faculty** and establish the **lowest student-faculty ratio—8:1**—in our history.
- **Increased financial aid** to support students through the economic downturn and **guaranteed summer funding** for all first-and second-year students.
- An array of **upper-year curricular initiatives** that are closely connected to the profession, interdisciplinary, and international, giving students the broad-based perspective required of leaders in a global society.
- Enhanced **loan repayment assistance and fellowship** opportunities for recent graduates working in the public sector.
- **Physical and technological improvements** to our campus that support the rigors of our teaching and learning.

36 NEW FACULTY

thank you!


SHOULD
LAW
SCHOOL
at
COLUMBIA
BE
THREE
years?
A look at our upper-year curriculum

Every day, most stories on the front page of the newspaper cover issues that are closely connected to the Columbia Law School curriculum, including financial regulation, national security, marriage equality, tax and budgetary policy, criminal justice, energy policy, human rights, climate change, and intellectual property, to name just a few. At the same time, though, a prominent theme in the news has been the challenges facing the legal profession and the legal academy. There are questions about the job prospects of young lawyers, as well as about how effectively they are trained in law school. A common question is whether law school should be two years instead of three. . . .

By David M. Schizer

Illustration by Dominique Falla

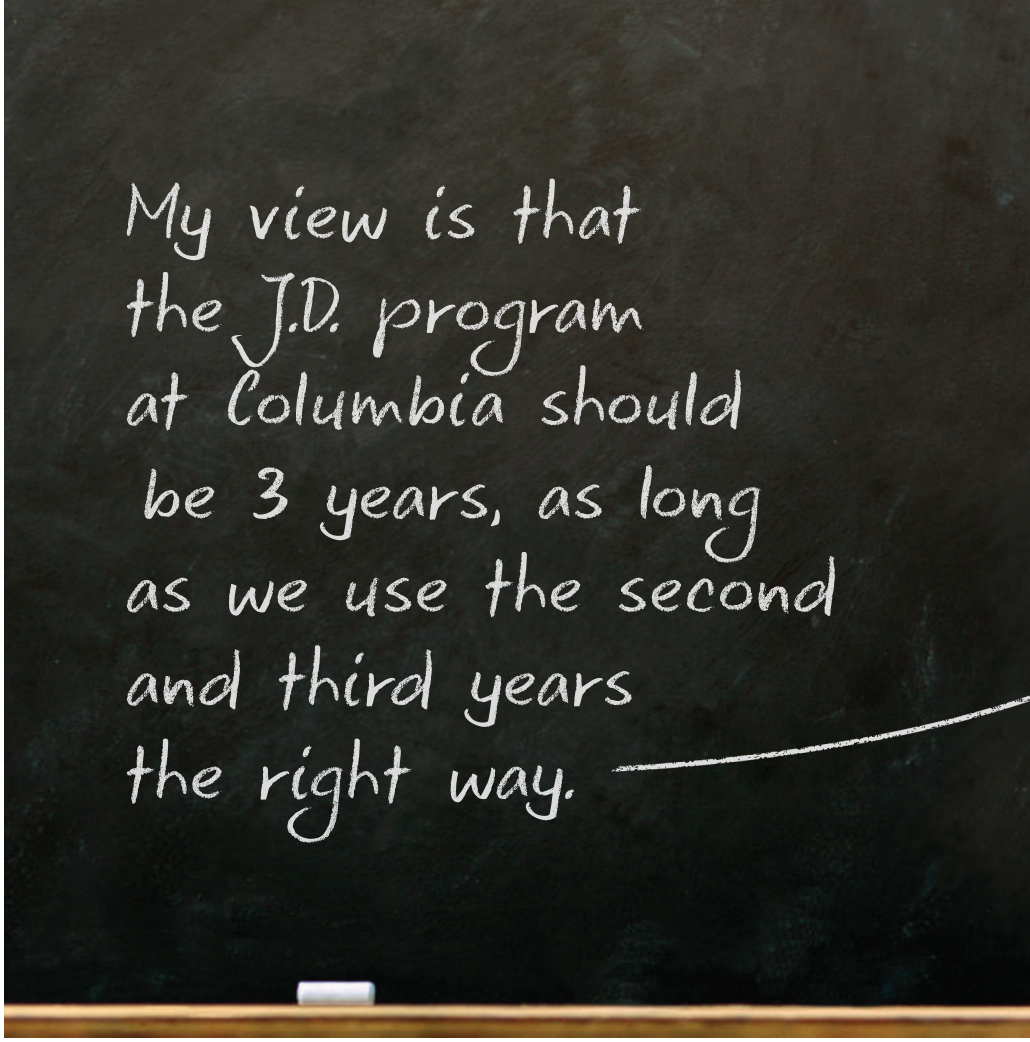
As Yogi Berra once said, "It's tough to make predictions, especially about the future." Yet it is possible to imagine regulatory changes that would allow schools more flexibility to offer programs of varying lengths. Shorter programs might offer a way to reduce the debt loads of graduates who cannot find jobs, which is especially important at schools where a substantial percentage of graduates are in this position. Indeed, President Obama recently observed the cost-reducing advantages of two-year programs, and urged schools to think about implementing them. Perhaps regulators will decide to allow this, while requiring the degree to carry a different name, so that potential employers and clients can distinguish two- and three-year programs.

What would these sorts of regulatory changes mean for Columbia? Fortunately, our job placement is extremely strong, so that a third year of tuition, although significant, is not burdensome in the same way. Yet it is still worth considering whether Columbia should have a third year of law school and, if so, what it should look like. This question is the focus of this issue of our magazine.

My view is that the J.D. program at Columbia should be three years, as long as we use the second and third years the right way. These upper years should not be replicas of the first, but with different casebooks. The reason the first year is so challenging and exciting is that students are struggling to master not just new information, but also new skills and insights: learning to "think like a lawyer," to understand what questions to ask, to focus more precisely on what facts are needed to make a judgment, to recognize the impact of process on outcomes, to present their views more persuasively, and much more. Applying the Socratic method to appellate court opinions is an effective way to teach these skills.

In the upper-year curriculum, we broaden their experience by introducing them to new areas of law—from corporations and criminal procedure to federal courts and family law—and also to journal work and other extracurricular experiences. This is quite valuable.

But in my view, if that is all we do, we are not doing enough. The upper-year curriculum, therefore, has been the focus of Columbia's curricular innovation since 2004, when I began serving as dean. We have built on three core strengths of the Law School, which are especially relevant to the third-year curriculum: our connections to the profession; our interdisciplinary expertise; and our strength in comparative and international law.



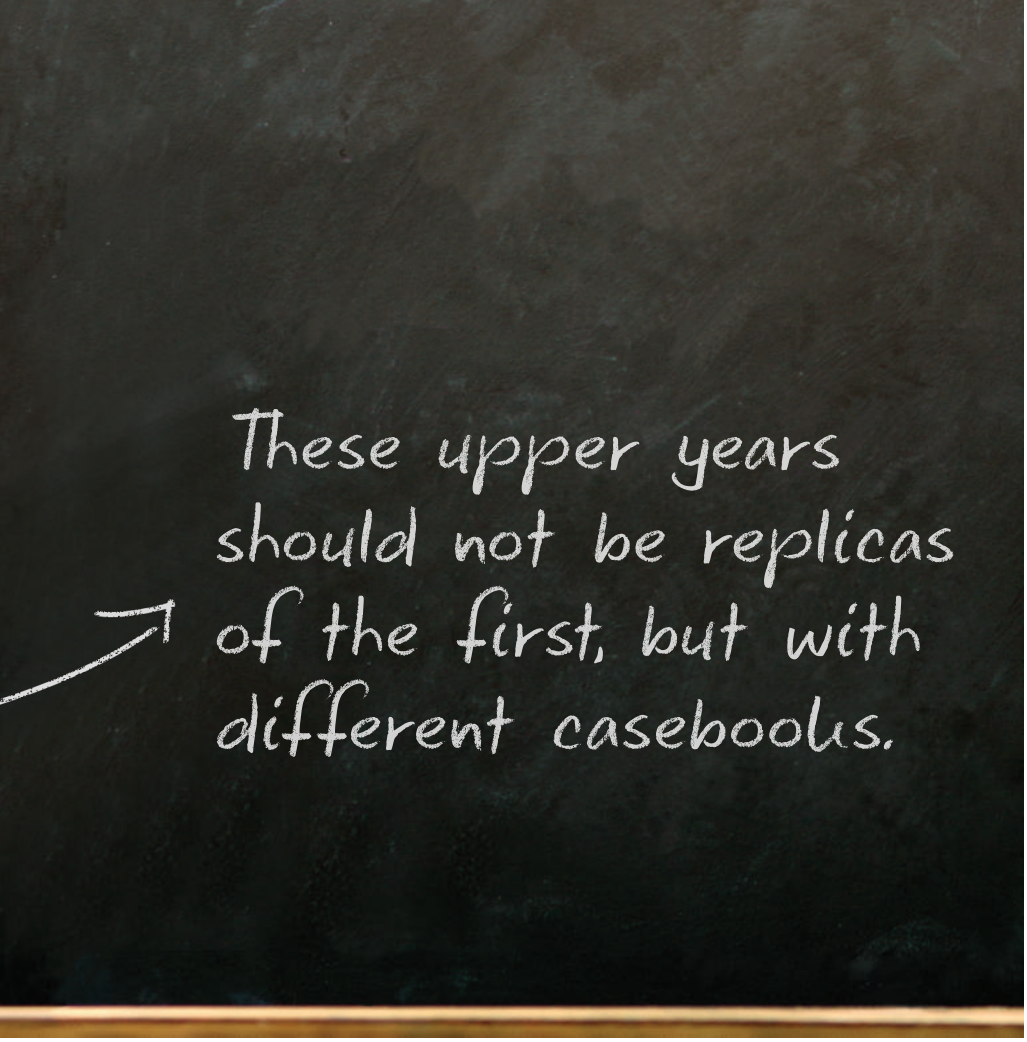
In pursuing these goals, we recognize that our students have a broad range of interests. They come here to train for different types of leadership. So although these three themes are relevant to every student, no single course of study is right for everyone. To offer a sufficiently wide range of advanced curricular offerings, we have hired 36 new faculty since 2004. At the same time, our J.D. program is smaller than it was when I began. In this way, we have achieved our goal of dramatically reducing our student-faculty ratio: 8:1 compared to 13:1 in 2004–05, a reduction of 39 percent. This additional capacity—financed by our record fundraising in recent years—has allowed us to explore an exciting range of new curricular initiatives for upper-year students.

These advanced offerings are open to both second- and third-year students. Yet if law school were only two years, students could take advantage of them only in a very limited way. It wouldn't be possible to pursue more than a handful, if any, given the extensive list of traditional courses that students also should take. With a third year, moreover, students who take an advanced offering in their second year can develop a clearer sense of their interests, and then can use their third year to build on it further. As a result, a two-year legal education could not offer students the same rigorous immersion in these initiatives that becomes possible in three years.

OUR CONNECTIONS TO THE LEGAL PROFESSION

A central focus of this curricular innovation has been our close connections to the legal profession, which enable us to provide a vital bridge between theory and practice. We have developed a wide range of new intensive courses and programs that combine legal doctrine with close study of the surrounding business, regulatory, institutional, political, or social settings within which law develops. These courses also expose our students to "real-world" documents, transactions, or legal, business, or policy actors, and field research. Covering a wide variety of subjects, these offerings enable students to see firsthand the many different roles lawyers can play, while also sharpening different analytical, theoretical, and practical skills.

For example, our Roger Hertog Program on Law and National Security fields more than a dozen advanced offerings and draws on the deep expertise of a number of



faculty members who have worked in senior national security positions in the White House, the State Department, and the Defense Department. Although the setting is different, we offer comparably deep and rigorous instruction in our Charles Evans Gerber Transactional Studies Program and our many advanced business law offerings. We have a number of courses that are taught jointly by full-time faculty and expert practitioners, as a way to harness the complementary expertise of both. Students can also choose from a broad range of externships and clinics. In addition to our offerings in Morningside Heights, second- and third-year students can spend a semester participating in our Externship on the Federal Government in Washington, D.C.

OUR INTERDISCIPLINARY EXPERTISE

Our upper-year curriculum also draws on the resources of one of the world's great research universities. Many members of our faculty have Ph.D.s, and we have a growing number of joint initiatives with other schools. For example, the Richard Paul Richman Center for Business, Law, and Public Policy is a research and teaching partnership with Columbia Business School. We also have a new J.D.-M.B.A. program that awards both degrees in three years (instead of four) and has inspired the two schools to create courses taught jointly by both faculties. Our Center for Climate Change Law has close ties to the scientists and economists at Columbia's Earth Institute. Likewise, our Center for Public Research and Leadership works with Teachers College and Columbia Business School to train education professionals.

OUR INTERNATIONAL AND COMPARATIVE LAW EXPERTISE

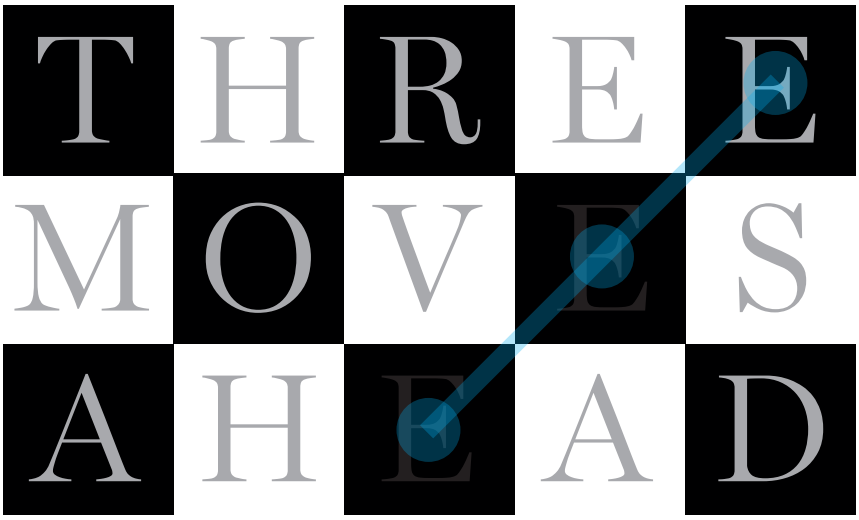
Because many of the most pressing challenges of our time are global in scope, enhancing this institutional strength is more vital than ever. We offer an array of courses in comparative and international law. Because of our vibrant LL.M. program, approximately one-quarter of our students come from outside the United States. These international students extend the global impact of the Law School. For example, LL.M. alumni now include the president of the Republic of Georgia, the chief justices of Japan and Ireland, and a former prime minister of Italy, as well as prominent leaders of industry, the bench, the bar, and the legal academy throughout the world.

While the focus of a large cohort of faculty is predominantly comparative or international, a further strength of our School is that the international and comparative perspective is not limited to this group of specialists. Most of our faculty engage with comparative and international issues in their research and teaching, and this continues to be a particular source of Columbia Law School's strength and influence in an increasingly interconnected world.

To build on these strengths, we field a broad array of regional centers and programs on European, Japanese, Chinese, Israeli, and Indian law. We have also partnered with leading universities all over the world to enable third-year students to study abroad. Last year, we launched a new program in which professors from other parts of the world join us to spend two to four weeks co-teaching with full-time faculty. This short-term visitors program enhances the international expertise of our full-time faculty, who learn from their co-teachers, while also enriching a dozen offerings with a sophisticated comparative or international perspective. So whether our students spend their second and third year in Morningside Heights or in another part of the world, they develop valuable expertise about global dimensions of the law.

With this three-pronged strategy—enhancing our connections to the profession, our interdisciplinary expertise, and the international scope of our curriculum—we ensure that our upper-year curriculum is rigorous and fulfilling, and that our students are better prepared for the wide range of opportunities awaiting them when they leave us. In so doing, we advance our School's core mission: to train leaders across the world who will strengthen the rule of law and leave an enduring legacy of freedom, justice, and prosperity for generations to come.

I invite you to learn more about some of the innovative and unique opportunities available to upper-year students at Columbia Law School. In the pages that follow, we highlight a number of courses, clinics, programs, and initiatives that reflect the three themes I discussed above. •



At Columbia Law School, upper-year students interested in corporate and business law learn from some of the nation's most renowned practitioners and judges. Casebooks, Socratic exchanges, and traditional final exams are giving way to innovative teaching approaches that focus on interdisciplinary learning, global perspective, real-world strategy determinations, and lining up all the pieces necessary for a successful career.

BY AMY FELDMAN • ILLUSTRATION BY DOUGLAS FRASER

In the wake of the Supreme Court's landmark 2010 *Citizens United* decision, which held that the First Amendment prohibits the government from restricting certain political expenditures by corporations and unions, Professor **Robert J. Jackson Jr.** embarked on a mission. His goal: persuade securities regulators to mandate that public companies disclose such spending to their shareholders. Investors, he contended, often know little-to-nothing about such corporate political spending, particularly when it occurs through intermediaries. And without that knowledge, they have no way of deciding whether it fits with their objectives.

"Corporate rules treat the decision to spend money on politics like any other decision," says Jackson, who researched the subject with the help of Columbia Law School students after the *Citizens United* decision. "There's no shareholder approval, and companies are not required to disclose this spending."

Jackson co-chaired a group of 10 prominent legal academics—including three others from Columbia Law School—who, with the help of student researchers, petitioned the Securities and Exchange Commission in the summer of 2011 to issue new rules requiring public companies to disclose such spending. Since then, the petition has received nearly half-a-million comments—including supporting letters from heavyweight institutional investors—and the SEC is expected to propose a new disclosure rule soon. While it is not yet clear whether a new rule will pass, Jackson has succeeded in raising an important issue in a very public way, with his crusade landing on the front page of *The New York Times* in late-April. "Ours is the most-commented-on petition in the history of the SEC," he says.

Opponents of the proposal include many Republican legislators, as well as business groups such as the U.S. Chamber of Commerce and the Business Roundtable, which argue that securities regulators lack the authority and expertise to issue rules about political spending. Supporters—including large shareholders, pension funds, and several Democratic elected officials—assert that investors have every right to learn about the political spending of publicly traded companies.

The looming battle, sparked by a young professor, could transform a significant piece of the wild world of campaign spending, and that type of activism is one sign of a major shift that has taken place at Columbia Law School in the five years since the financial crisis. Across numerous areas of corporate and business law, there has been a fundamental rethinking of what legal education in those fields should consist of—with the Law School taking even greater advantage of its unmatched ties to the business law community, while focusing more than ever on the benefits of interdisciplinary learning and global proficiency. That rethinking has played out in the courses, the approaches, and the breakdown in barriers between related fields.

The Richard Paul Richman Center for Business, Law, and Public Policy formalizes an interdisciplinary focus, particularly on important public policy issues. The Center on Global Legal Transformation, meanwhile, is a new multidisciplinary venue set on examining major issues raised by globalization. Upper-year seminars have an increasingly interdisciplinary feel, with Columbia Law School and Business School faculty teaching together, or tenured faculty tag-teaming with high-profile practitioners. Those students particularly inclined toward business may choose the Three-Year J.D./M.B.A. Program, an accelerated dual degree program with special upper-year courses. Students in that program gain a deep knowledge of both business and law—spending one full year at each school, and the third year taking classes in both disciplines—yet enter the workforce one year earlier than otherwise would be possible.

The upshot is an increasingly real-world education at a time when global business, economic policy, and financial regulation are on everyone's minds.

"A lot of the teaching that happens in the corporate law area, broadly defined, is heavily interdisciplinary," says **Jeffrey N. Gordon**, the Richard Paul Richman Professor of Law and co-director of the Richman Center. "There's a lot of economics in the classes. I tell my students to follow the money. Part of the effort to train really great lawyers, who can play a leadership role in the public debates, involves an interdisciplinary focus for students."

"This is a chess game," Coffee says about corporate litigation, and how best to understand the paths large, complex cases take. "If you move your pawn to king 7, what happens three moves later?"

One afternoon in early spring, **John C. Coffee Jr.**, the Adolf A. Berle Professor of Law, and Delaware Supreme Court Justice **Jack B. Jacobs**, who is also an adjunct professor at the Law School, were preparing for a session of Corporations in Court, a course they have co-taught for the past four years. Each week, the seminar focuses on one important court case, bringing in the participants—lawyers and judges—to discuss how it played out and what it meant.

That day, the case under discussion would be *Scully v. Nighthawk Radiology Holdings, Inc.*, a Delaware Court of Chancery case that raised several thorny issues relating to jurisdiction shopping. The plaintiffs in *Nighthawk* brought a class-action lawsuit challenging a merger in Delaware and in Arizona state court. When the Delaware court declined to expedite the case, the plaintiffs moved on to Arizona, where they won a so-called "disclosure-only" settlement, prompting the Delaware court to appoint a special counsel to investigate.

The complex case is overflowing with twists and turns, and in Coffee's office on the eighth floor of Jerome Greene Hall that afternoon, two participants in it—Delaware Chancery Court Vice Chancellor J. Travis Laster and Gregory Williams, chairman of the corporate department at Richards, Layton & Finger, who had been appointed special counsel—brainstormed about how best to talk about it candidly with the students.

"We have today," Coffee later told the two dozen students seated around the conference room table, "an issue of dueling class actions."

In their Corporations in Court class, Professor John C. Coffee Jr. and Justice Jack B. Jacobs regularly invite lawyers and judges to discuss how complex, real-world cases progress from start to finish.

For the next few hours, the conversation would delve into scores of questions: What happened when the plaintiffs filed multiple class-action claims? Was forum shopping distorting the judicial process? And could the broader systemic issues raised by the *Nighthawk* case be fixed?

The idea behind the innovative class, Coffee explains, is to prod students to understand how these complex cases actually proceed, from start to finish. Lawyers in the real world necessarily make decisions under uncertainty, he says, but, in the classroom, this is obscured because of a basic hindsight bias that comes from learning law through appellate decisions. The results in real-world cases depend on both sides making decisions as best they can under conditions of uncertainty, and in light of many moving pieces. "This is a chess game," says Coffee, who recently came up with the idea to launch The CLS Blue Sky Blog, a wide-ranging online forum focused on corporations and capital markets. "If you move your pawn to king 7, what happens three moves later?"

The Corporations in Court seminar is one of a number of classes at Columbia Law School that veer from more traditional law school norms—where casebooks are primary and the law can seem far removed from real-world complications and missteps. Several other upper-level seminars offer students insight into current business law developments from multiple perspectives.

Black Letter Law/White Collar Crime, which is co-taught by Coffee and U.S. District Court Judge for the Southern District of New York **Jed Rakoff**, who is currently an adjunct professor at the Law School and was formerly a litigation partner at Fried, Frank, Harris, Shriver & Jacobson, focuses on corporate scandals of the past 30 years—Ivan Boesky, Enron, and others—to help students understand how conflicts of interest can trigger crimes. Meanwhile, Financial Institutions and Financial Crises, which Jeffrey Gordon teaches with Business School professor Patrick Bolton, asks students to examine the most recent global economic downturn in context. "We look at the pattern of financial crises, plural, which have been recurrent over a long period of time," Gordon explains, "and also at the pattern of regulatory reforms, which, in trying to address the causes of the immediate crisis, may set frameworks in which the next crisis may occur."

The course analyzes the legal issues at play in financial regulation, as well as the economic and historical underpinnings of financial instability. Such an approach, Gordon says, offers students a way to understand the recent crisis, and the resulting Dodd-Frank regulations that came out of it, but it goes deeper than that. "It's really about bringing this interdisciplinary perspective to bear to see deeper into how the system works," he says. "It's fun to teach."

A related seminar on financial institutions, taught by Adjunct Professor **Margaret Tahyar '87**, a partner in Davis Polk's financial institutions group, looks at systemic financial risk, both in the

WEB EXCLUSIVE

Read Professor Jackson's work on political spending disclosure and public companies.

law.columbia.edu/mag/jackson

With the help of Law School students and colleagues, Professor Robert J. Jackson Jr. petitioned the SEC to issue new rules requiring public companies to disclose political spending.

U.S. and internationally, and at the regulations designed to increase stability. Gordon, who previously co-taught the course with Tahyar, says that this year he is sitting in on it, instead. "It's a good way for me to stay in touch with what practitioners regard as cutting-edge questions," he says.

Robert Jackson, who previously worked at Wachtell, Lipton, Rosen & Katz, and **Zack Friedman '06**, of the global advisory and investment firm Henley Partners, co-teach an investment banking course that would seem equally at home in a business school as at the Law School. Drawing on their backgrounds in the corporate world, Jackson and Friedman use specific transactions to illuminate the investment banker's role in deal-making, capital-raising, and corporate restructurings. There is no final exam. The professors evaluate students on problem sets that reflect an investment banker's actual work.

Jackson also teaches a course on executive compensation that makes good use of what he learned in his role as deputy to Kenneth R. Feinberg, the Obama administration's former special master on executive compensation. "Before I went to Washington, I wasn't focused on policymaking, and I saw this enormous gap between what's required to regulate financial institutions and the skills that lawyers have," Jackson says. "I experienced a fundamental shift in the way that I looked at the world. Those divisions between public and private law, to the extent they were ever real, they aren't anymore."

In the executive compensation class, Jackson pushes students to take part in the regulatory process: Instead of requiring them to submit a final academic paper, he asks students to write to the SEC explaining how it should develop some aspects of the executive compensation rules in Dodd-Frank. "They work in groups, and develop consensus about the right choice," Jackson says. "If I learned anything about policymaking in Washington, it was that you have to make compromises."

Finally, in the Deals course, an especially popular offering developed by Professors **Ronald Gilson** and **Victor P. Goldberg**, students get an inside look at deal-making. After learning how to analyze mergers, acquisitions, financings, and the like, they plow through documents from five recent transactions, and class discussions often include guest appearances by the attorneys involved. The class is part of Columbia Law School's innovative Charles E. Gerber Transactional Studies Program, which is co-chaired by Professors **Ronald Mann** and **Alex Raskolnikov**. Students enrolled in recent Deals courses have examined movie financings, acquisitions in China, and pharmaceutical joint ventures. During one session, the lawyers for Kirk Kerkorian came in to talk about his unsuccessful effort to take over Chrysler.

A cornerstone of Columbia Law School's transactional studies program, the Deals course has been taught not just by Gilson and Goldberg, but also by Mann and **Avery W. Katz**. An offshoot of the Deals class, the Deals Workshop, gives upper-year students a more detailed look into deal structuring and negotiation. The high-profile practitioners who currently teach

WEB EXCLUSIVE

Watch videos and explore materials from the Law School's innovative business courses.

law.columbia.edu/mag/business

it include **Arthur S. Kaufman '71**, of counsel at Fried, Frank, Harris, Shriver & Jacobson; **James B. McHugh**, formerly of counsel and associate general counsel at Goldman Sachs; and **Melissa Sawyer**, partner at Sullivan & Cromwell, whose practice focuses on M&A work and private equity matters.

The idea behind all these courses is to provide Law School graduates with the background and experience they will need to succeed in a more difficult economy, where the ability to understand the economics of a deal, as well as its legal structure, will set them apart. "We can show that transaction structure creates value," Gilson says, "and we can give students a set of skills to do that."

Professor Jeffrey N. Gordon encourages his students to think of corporate law as a heavily interdisciplinary field that requires knowledge of business, economic, and legal issues.

Learning to add value to domestic transactions is critical, but so too, in an increasingly global world, is understanding the issues—and opportunities—abroad. Global trade has increased, as have cross-border investments. A U.S.-based company may operate in dozens of nations, subject to the financial regimes of each one of them. And the global financial system faces risks—as became abundantly clear during the financial crisis and the ongoing European economic crisis—that could not have been foreseen a generation ago. All of these global trends raise legal issues that students are exploring at Columbia Law School.

Numerous faculty members focus their work globally. **Katharina Pistor**, the Michael I. Sovern Professor of Law, is a world-renowned scholar specializing in how legal and sovereignty issues influence the global financial system. **Petros C. Mavroidis**, the Edwin B. Parker Professor of Foreign and Comparative Law, is an expert on trade issues with a background as an attorney at the World Trade Organization. And **George A. Bermann '75 LL.M.**, the Jean Monnet Professor of EU Law and the Walter Gellhorn Professor of Law, is a leading authority on international arbitration.

Professor **Anu Bradford**, who joined the Law School faculty in 2012, brings an expertise in European Union law and international economic law. "Given my international background, I teach much more globally," Bradford says. She previously practiced antitrust law and EU law at Cleary Gottlieb in Brussels, and served as an adviser on economic policy in the European Parliament and in the Parliament of Finland, her native country.

A new course Bradford created for the fall will examine international economic migration—the movement of people across state boundaries, often for economic opportunity—and the ways in which legal institutions can maximize economic gains and mitigate risks associated with economic migration. "I believe that it will provide a fascinating conversation on a very topical issue," she says.

For students interested in global economics, the resources go beyond those available in Jerome Greene Hall. Those who want to delve into international business law can earn a J.D. and a certificate in global business law and governance in association with the University of Paris I and Sciences Po, for example, while students interested in law and finance can study at Oxford through a joint program during the third year of law school.

Ronald Gilson, who is currently writing a paper on reform of the European takeover regime, sees the comparative, cross-border, and multidisciplinary work going on at Columbia Law School as reflective of a certain institutional mindset. "One of the hallmarks of the business group at Columbia is that pretty much everybody does comparative work," he says. "That allows them to begin to see connections between things that might not otherwise be apparent."

AMY FELDMAN has written for *The New York Times* and *Time*, among other publications.

*CONNECTIONS TO THE LEGAL PROFESSION

The Deals course often includes guest appearances by the attorneys involved in transactions being studied. The class has examined movie financings, acquisitions in China, and pharmaceutical joint ventures. During one session, the lawyers for Kirk Kerkorian came in to talk about his unsuccessful effort to take over Chrysler.

KEEPING FOCUS

Upper-year students honing their public leadership skills are learning new approaches for addressing complicated, previously intractable situations at school systems, within public interest organizations, and in the global arena

By ANNA LOUIE SUSSMAN Photographed by CARDONI

Mae Ackerman-Brimberg '13

IN THE AUTUMN OF 2011, Excel Bridgeport, a small, nonprofit education organization in Bridgeport, Conn., hired a team consisting of two Columbia Law School students and three Columbia Business School students to help the city's parents re-engage with its public school system. The academic performance of city schools was so abysmal that the state board of education had ordered a takeover from the district board in 2011, and parents wanted a greater say in how their children's schools were being run.

For years, parent engagement had been on a losing streak in Bridgeport. The district's existing policy on the issue was so irrelevant as to be archeological. Maria Zambrano, the executive director of Excel Bridgeport, had never even heard of it until a board of education member excavated the document from a file cabinet where it had collected dust for eight years.

Everyone agreed that parents should play a larger role in holding schools accountable for providing a quality education, but with so much failure in the rearview mirror, the parents doubted improvement was possible.

"You're trying to break the hold of a lot of adult interests that have controlled aspects of the school system in ways that aren't good for the kids," observes Professor **James S. Liebman**, who supervised the Columbia students during their work with Excel Bridgeport.

Liebman understands all too well how the best of intentions often bump into the worst of bureaucracy. A former school desegregation lawyer who joined the Columbia Law School faculty in 1986, he began working on education reform in 2007 during a three-and-a-half-year stint as chief accountability officer at the New York City Department of Education. In that role, he quickly realized that meaningful institutional change would stall if basic problem-solving skills—data gathering, getting buy-in from stakeholders, and determining how to implement agreed-upon solutions—were in short supply.

After returning to Columbia Law School in 2010, Liebman created the Center for Public Research and Leadership, as well as related courses, to train students in leadership, organizational change, and problem-solving. The students come

from Columbia Law School, Columbia Business School, Teachers College, and Columbia's School of International and Public Affairs. They are grouped in teams of five and report to an engagement manager at the center who matches them with institutional clients.

Through classroom learning in a yearlong seminar, and consulting projects such as the one with Excel Bridgeport, Liebman is building a cadre of what he calls "skilled generalists"—those who can analyze data, use research to spur change, and lead a team in executing, not just designing, solutions that put those most affected at the center. "School systems," he says, "are recognizing that you can't just have people who used to be teachers and principals doing this work."

Liebman's center represents just one of several opportunities upper-level Columbia Law School students have to learn public leadership skills they can use to improve and reform school systems, public interest organizations, and international institutions. Professor **Susan P. Sturm**, the Law School's George M. Jaffin Professor of Law and Social Responsibility and director of the Center for Institutional and Social Change, teaches students to use an "architectural approach" to effect big-picture change—like Liebman, she teaches experiential, non-clinic courses focused on methods for reforming established institutions. And **Katharina Pistor**, the Michael I. Sovern Professor of Law and director of the Law School's Center on Global Legal Transformation, trains her students to analyze how law operates to facilitate or hinder economic and social development in countries around the world, as well as how they can best position themselves to implement change in the global legal arena.

BACK IN BRIDGEPORT, the parents recruited by Excel began convening each month, filming their meetings, and sending the videos to the center's student-consultants—who chose to work remotely at first to ensure that parents felt full autonomy. The students, meanwhile, provided parents with the research they needed to make decisions: parent-engagement best practices culled from all over the country; exercises that helped parents trace their disenfranchisement to its root causes; lesson plans challenging parents to think through strategies for achieving desired outcomes.

By May of 2012, the parents had drafted a new engagement policy. By August, they convinced the Bridgeport school district to adopt it.

The new policy brims with the parents' ideas for helping their children grow through meaningful engagement with the school system and provides detailed instructions on how to make that happen. The policy requires schools to inform parents each year of a student's learning objectives. It mandates regular communication with parents via a variety of methods—including text messages and social media—and it calls for using Google Translate to interact with each parent in his or her preferred language. Most importantly, it received support from every relevant stakeholder, including teachers and principals.

Amanda Meyer '13, a student-consultant on the Excel Bridgeport project, saw how "skilled generalists" could help work toward solutions to problems that, as a teacher in the Bronx and Brooklyn prior to attending law school, she had wanted to address. "[The parents said] they felt so much agency—that for the first time their voices mattered," she says. "And they were articulating ideas in a powerful way."

Meyer's Excel Bridgeport teammate and fellow co-chair of the Education Law and Policy Society, **Andrew Bruns '13**, says Liebman's center afforded him an opportunity to dive into a field that he truly enjoys. As a high school athlete in a small rural town in Ohio, Bruns says he was struck by the wide disparities between the underfunded urban and rural schools and the well-resourced suburban schools he visited with his basketball team, an observation that eventually led him to focus on education reform during law school.

"Working on education reform means using my legal education to get involved with something I'm passionate about," he says. "It's a nice change [from more traditional legal fields] and can have a big impact."

Following his work with parents in Bridgeport, Bruns was engaged through the center during his last semester of law school to assist Connecticut's state education board. He helped create a peer networking program to match schools in the state based on shared strengths, weaknesses, and needs, in an effort to benefit from best practices.

In addition to the Bridgeport project, the Center for Public Research and Leadership has successfully partnered with Newark's public school system, the Connecticut State Department of Education, and, on more than one occasion, New York City's Department of Education. Liebman

***INTERDISCIPLINARY EXPERTISE**

Sturm sees the inherent value of interdisciplinary approaches to effecting change and seeks to train students in the art of wearing many hats. Lawyers, she says, should think broadly and dream big.

Amanda Meyer '13

Andrew Bruns '13

says he receives regular requests from school boards at the federal, state, and district levels looking to recruit Columbia Law School students for projects. "People call me all the time, desperate," he says. "There's a huge need for professionals, who are trained and flexible, to do this work."

SUSAN STURM IS ALSO TRAINING multifaceted professionals to help drive change. Sturm introduces her students to a nuanced theory of multidimensional systems change she has been developing since her undergraduate years, and then challenges them to connect it to their own lives and goals. The idea, spelled out in Sturm's 2006 article "The Architecture of Inclusion: Advancing Workplace Equity in Higher Education," is to remove the obstacles precluding what she calls "institutional citizenship," or the full participation of all members of an institution.

Sturm takes as her starting point lawyers' roles in structuring networks and institutions, and then highlights the features of successful institutional transformation. These include mapping and diagnosing the dynamics that underlie structural inequality, identifying individuals with the leverage and commitment to work across networks, and focusing on issues that offer the most opportunity for impact.

In Sturm's yearlong, upper-level Diversity and Innovation course, students apply those theories while working on supervised field research projects with the Ford Foundation–funded Center for Institutional and Social Change. One recent student, with support from the Annenberg Institute for School Reform at Brown University, conducted participant-researcher work with a coalition of community groups advocating for public school reform. She interviewed the lawyers and activists involved to find out how they frame their problems, and to determine what they believe people with legal training bring to the table. Amanda Meyer, meanwhile, applied the knowledge she learned in both Liebman's and Sturm's seminars in collaborating with the Center for Institutional and Social Change on a program that helps women with criminal records access higher education and graduate from college.

Another former student received a Skadden Fellowship to further pursue a project he began in Sturm's course. He is examining how higher education institutions can partner with surrounding communities and use university resources to address issues such as failing public schools.

"We meet individually and I ask [students], 'What is your burning question?'" Sturm says. "'What is it you really want to do in the world?' They're asked to think that through in a highly theorized but also deeply personal way, to connect their own experience and ambition with some of the most cutting-edge ideas out there, and to use that to identify the right field research project for them."

For recent graduate **Mae Ackerman-Brimberg '13**—who worked on children's rights issues after college and is pursuing a joint degree at the Law School and Columbia University's School of Social Work—that meant investigating why public institutions so often fail the young people who rely on them. As an intern with an in-home family therapy program for youth involved with the juvenile justice system who are struggling with substance abuse, she worked to bridge the gap between the legal and social services systems to serve young people.

Sturm sees the inherent value of such interdisciplinary approaches to effecting change and seeks to train students in the fine art of wearing many hats. Lawyers, she says, should think broadly and dream big. Her students are following that lead.

"Aside from learning the skills," says Ackerman-Brimberg, "she wants us to open our minds about what people with law degrees can do."

WEB EXCLUSIVE

Learn more about the centers led by Professors Liebman, Sturm, and Pistor.

law.columbia.edu/mag/3-centers

OPENING STUDENTS' MINDS to new ways of thinking about how lawyers can operate more effectively, both in the U.S. and abroad, is a specialty of sorts for Professor Katharina Pistor.

The native of Freiburg, Germany, and 2012 Max Planck Research Award winner trains students to situate law within a matrix of other disciplines to understand how legal structures interact with other, more diffuse norms. In her upper-level Law and Development course, students examine how different countries' legal systems have impacted economic and social development, and how multilateral organizations can, and must, pick up where state sovereignty ends.

"I see this as a training in being able to deal with a more globalized world," Pistor says. "We teach our students how to ask the right questions, so if they go to negotiate a transaction, or into an arbitration, they can see where the other side is coming from."

Rodd Izadnia '12 describes Pistor's courses as "in the vein of critical legal theory." But instead of examining law's role in shaping constructs like race or gender, they interrogate how law interacts with political economy. "She points to transnational institutions and discusses how they're creating law, and what impact that is having developmentally," Izadnia says, noting the increasing importance of these entities as globalization limits the autonomy of state actors.

That analytical framework, he adds, has given him a deeper understanding of his role as a dispute settlement lawyer at the World Trade Organization in Geneva, Switzerland, where member nations raise arguments over matters of international trade. And, as is the case with the students working alongside Professors Liebman and Sturm, Izadnia sees the potential for positive change that goes hand-in-hand with the approaches he has learned. "The belief I gained from her class and that is affirmed here [at the WTO]," he says, "is that this organization and the kind of cooperation and communication that it facilitates is all driving towards development goals, economic prosperity, and human rights."

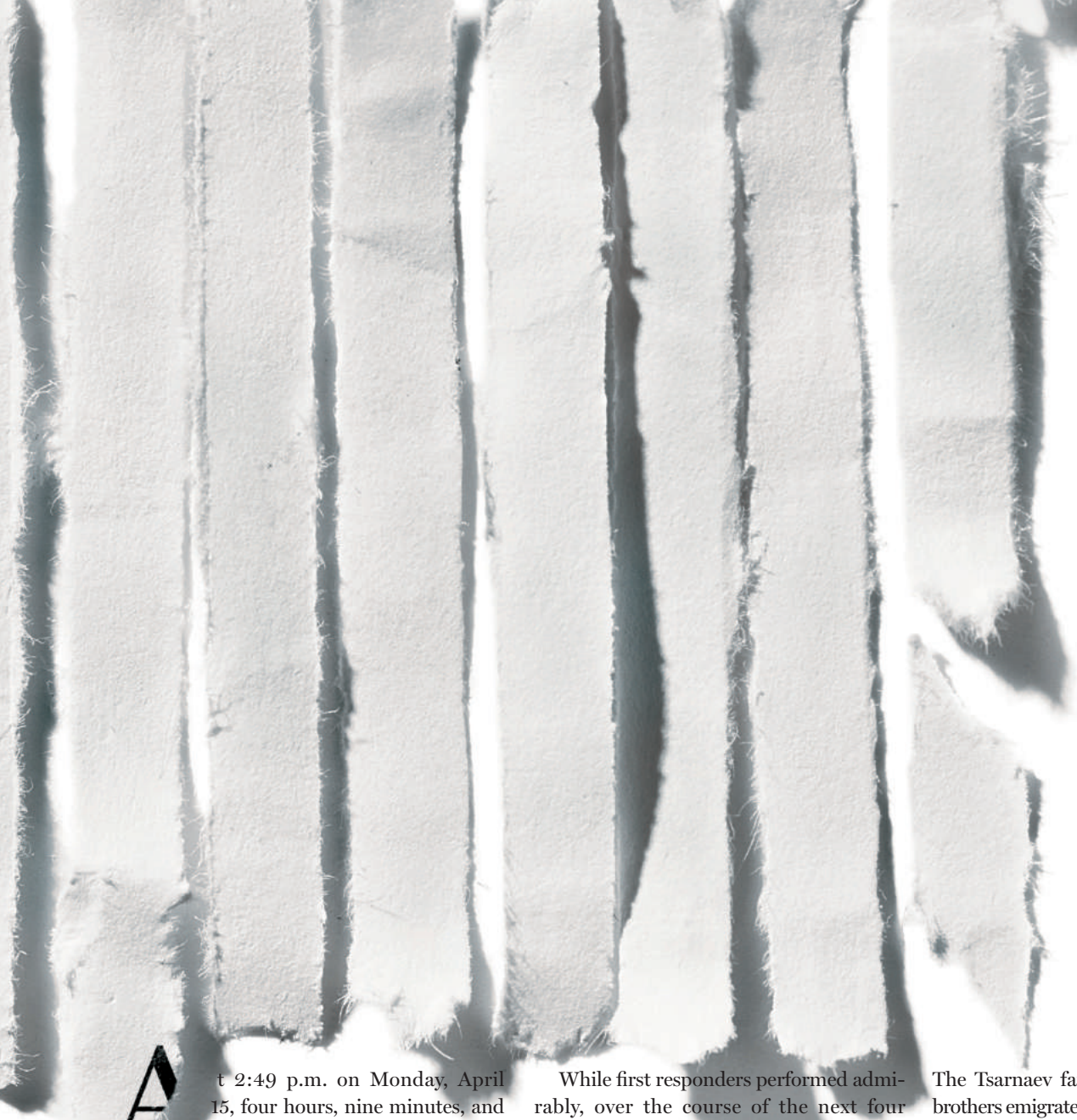
ANNA LOUIE SUSSMAN has written for *The Atlantic* and *The New York Times*, among other publications.

For upper-year students examining the issue of governmental transparency during an era marked by terror alerts and Twitter rumors, Columbia Law School offers access to a plethora of experienced practitioners and an international focus that is second to none

* * *

BY ELISE JORDAN

ILLUSTRATION BY ADAM VOORHES



At 2:49 p.m. on Monday, April 15, four hours, nine minutes, and 43 seconds into the 2013 Boston Marathon, the first of two homemade bombs exploded near the finish line. Twelve seconds later, a second bomb detonated on the course. The explosions killed three spectators and wounded 264 others in what was the most devastating terrorist attack on American soil since September 11, 2001. Within seconds of the blasts, thousands of individuals set about responding to the disaster.

Medical workers at first aid tents organized makeshift triage units. Emergency room doctors and nurses learned via Twitter and text messages what had happened, and prepared operating rooms to accommodate the wounded. The FBI took the lead on the investigation, opening its first large-scale crowdsourced operation by requesting video and photos from witnesses, and using social media to gather information.

While first responders performed admirably, over the course of the next four days, the investigatory framework established to handle terrorist attacks post-9/11 showed signs of strain. The investigation, which unfolded in real-time on social media networks and cable TV, evidenced tensions between the obligation of the government to be transparent, while at the same time safeguarding information that needed to remain secret in order to locate the suspects. Government officials attempted to balance the public's desire for news with operational security secrecy—the FBI held press conferences, the Boston Police Department posted to its Twitter account, and both worked to combat misinformation spread by the media and over the Internet.

Ultimately, four days after the race, America received some conclusive answers. One suspect, Tamerlan Tsarnaev, was killed during a shootout with police, and his younger brother, Dzhokhar Tsarnaev, was taken into custody. The Tsarnaev family is Chechen, and the brothers emigrated to the U.S. from Russia.

The criminal justice system has now taken center stage, but there is much to be gleaned from those first days after the blasts. Even considering the extent to which many Americans have near-immediate access to newsworthy information, the investigation into the Boston bombings seemed different from other modern manhunts. "This was a hunt that was in large part helped rather than hampered by the cooperation of the public," says **Daniel C. Richman**, Columbia Law School's Paul J. Kellner Professor of Law. "The kinds of information coming in from victims and bystanders seem to suggest that there was a net-positive contribution from the public."

Not everything went according to plan, though. Millions watched as CNN, two days after the bombing, reported an arrest that had never taken place. Citizens tuned into police scanners and tweeted what they heard, and amateur sleuths flocked to the Reddit website

to comb over publicly available photos of people attending the race—ultimately ID-ing "prime suspects" who proved to be ordinary spectators uninvolved in the bombing plot. *The New York Post* published a cover photo of two supposed suspects who ended up having nothing to do with the attack.

If the issue of governmental transparency had somehow managed to elude the attention of everyday Americans following 9/11, the Boston Marathon bombings certainly served as a wake-up call. Not surprisingly, the legal dimensions of transparency—the extent to which government information can or should be made public in an effort to ensure accountability and prevent corruption—are being examined by Columbia Law School faculty and students on a daily basis. At the Law School, classes dealing with issues of government transparency are strengthened by the School's strong connections with national security law practitioners, its international focus, and faculty members who have wrangled with these issues while working in government.

Professor **Matthew C. Waxman**, who served at the State Department and the Department of Defense before joining the faculty, frequently uses formerly secret information that has leaked in the press as a starting point for conversations in his upper-level National Security Law class. He discusses targeted killing, interrogation policies, and surveillance in the course. "Especially in the cases of interrogation and surveillance, there's often a concern about broadcasting to the enemy our intelligence-gathering techniques," Waxman says, "yet the details of these programs are also matters of great public concern."

This past fall, when Professor **Sarah H. Cleveland** welcomed former U.S. Ambassador to Pakistan and Law School Visiting Professor Cameron Munter to her International Lawyering for Governments class, he highlighted several transparency-related judgment calls. Munter dealt with some of the most difficult problems of national security law during two years as the U.S. envoy in that war-torn region: America's top-secret drone war, NATO's cross-border strike that killed Pakistani soldiers, and extrajudicial killings by Pakistani forces. He told the class about the case of Raymond Davis, an undercover CIA contractor who killed two armed men as they allegedly attempted to rob Davis in Lahore, Pakistan. After taking photos of the dead men, Davis fled the site, but Pakistani police soon captured and imprisoned him. Although he was not an entirely sympathetic figure, Davis' clandestine work in black ops meant the American government had a clear interest in getting him out of the country—both quickly and without too much publicity.

As protests over the killings erupted across Pakistan, State Department officials insisted Davis was entitled to diplomatic immunity under the Vienna Convention on Diplomatic Relations. Reporters were pressured not to publish his covert status. Following two months of negotiations, Munter helped broker a deal that resulted in Davis' release.

It was an important breakthrough. U.S. officials worried that, if held longer, Davis could have been tortured by the Pakistanis, revealing secrets to an untrustworthy ally. Munter told the students that the diplomatic and legal tightrope illustrates the balancing act modern government officials navigate in an effort to square secrecy and transparency interests.

Cleveland notes that transparency was the focus of several robust discussions during her International Lawyering course, which is part of the Law School's increasingly internationally focused curriculum preparing students for careers in national security law, public law, and government service. Cleveland, who served as a counselor on international law in the Obama State Department from 2009 to 2011, headed the legal team that advised Munter on some of the trickiest flashpoints of international law. She views transparency and secrecy as especially relevant topics in the post-9/11 world. "Government legal analysis may be protected by attorney-client privilege and may be classified for other reasons, but it's important to know the government's legal thinking," Cleveland says. "It's very hard to criticize and challenge the government's legal system if you don't know it."

***CONNECTIONS TO THE LEGAL PROFESSION**

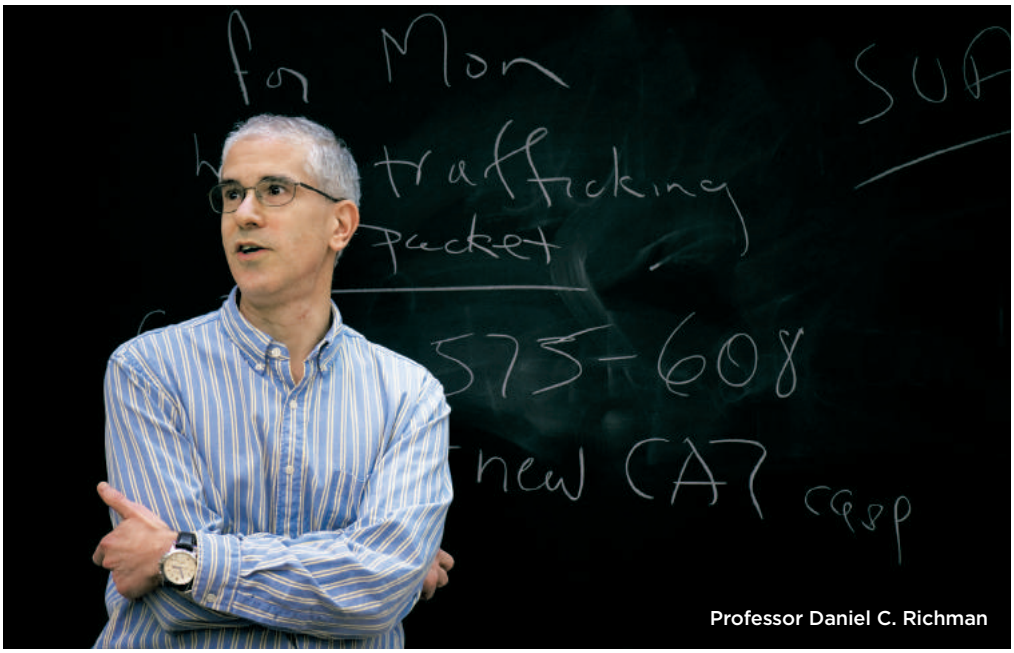
Upper-year students have learned the ins and outs of governmental transparency from faculty members who have served in the federal government, as well as from the new head of the FBI and the former U.S. ambassador to Pakistan.

As the former principal deputy director of the State Department's Office of Policy Planning and the Department of Defense's deputy assistant secretary of defense for detainee affairs, Professor Matthew Waxman crisscrossed the globe negotiating agreements and visiting war zone prisons. He says the study

of transparency inherently poses a challenge: "How do you teach about things that remain secret?"

Waxman has seen an evolution in the perception of government secrecy. "When I arrived here six years ago, during the Bush years, and would teach secrecy, I think many students thought high levels of secrecy was a Bush administration approach," he explains. "Now, teaching those same issues under the Obama administration, one sees how consistent some secretive practices are, regardless of who is occupying the White House."

This coming spring, Waxman will teach a Law School seminar with Michael Farbiarz, co-chief of the terrorism and international narcotics unit at the U.S. Attorney's Office for the Southern District of New York, on intelligence and surveillance law in the 21st century. Waxman also plans to co-teach a seminar in the spring with former U.S. Senator Joe Lieberman that will focus on national security and Congress.



Professor Daniel C. Richman

Public law scholars **Philip C. Bobbitt** and **David Pozen**, two of Waxman's faculty colleagues, are also uniquely positioned to teach about issues relating to transparency. Bobbitt served in the Carter, George H.W. Bush, and Clinton administrations, and he helped write the charter for the CIA. His time in government coincided with some of the nation's most historic transparency predicaments, including those relating to hostage negotiations during the siege of the American Embassy in Tehran, the Iran-Contra affair, and war powers issues during the run-up to the Gulf War.

Pozen, meanwhile, became special assistant to then State Department Legal Adviser Harold Hongju Koh just days after Wikileaks released more than 250,000 classified State Department cables as part of the largest unauthorized publication of classified documents in history. "There was a lot of activity of varied kinds [as a result of] Wikileaks," he recalls. "It was a period of significant anxiety."

Cables revealing secret—and in some cases, snarky—diplomatic analysis, doings, and dealings were out in the open, available to the world in an unprecedented security breach. "Some foreign relationships were implicated," Pozen adds, "and the Department had to attend to those relationships. Some cables raised discrete policy concerns that had to be dealt with. More broadly, the episode generated a lot of conversation about information security policy. That conversation was still ongoing in 2012, when I left the government."

Just as Professors David Pozen, Philip Bobbitt, Matthew Waxman, and Sarah Cleveland wrestled with issues related to transparency while working in the executive branch, Columbia Law School students are working through similar complexities—sometimes in the context of a governmental office. The Law School's Externship on the Federal Government in Washington, D.C., for instance, enables upper-level students to spend a semester working full time at government agencies such as the FBI general counsel's office, the Justice Department, and the State Department's legal office. "It's an opportunity for students to put their classroom knowledge to work and see what it's like to practice law within the machinery of government," Waxman says.

Back in Morningside Heights, students participating in the Human Rights Clinic and working with Columbia Law School's Human Rights Institute (HRI) engage in high-profile work on the topic of transparency and targeted killing.

In September 2012, the clinic published the first systematic study of the government's covert drone program and its impact on civilian populations. Retired General James E. Cartwright, former vice chairman of the Joint Chiefs of Staff, quoted from this study in presenting Senate testimony on drone usage earlier this year. A second report found that widely disseminated estimates on drone-strike casualties could be inaccurate and misleading, garnering the attention of several news outlets, including *The New York Times*. This spring, a coalition expressing shared concerns regarding U.S. drone strikes, led by HRI, prompted a White House response reiterating the president's commitment to greater transparency. The clinic also submitted written testimony to a Senate Judiciary Committee hearing on drone strikes, and HRI has hosted meetings for advocates and experts in the field, further enhancing its reputation as a significant resource on transparency issues.

Former federal prosecutor Daniel Richman says that outside-the-classroom opportunities can be invaluable to assuring that the early part of one's career is marked by success. "Too many students think their formal legal education is running out by the third year," he says. "Particularly if you want to be federal prosecutors, nothing is more wrong than that attitude." In the third year, Richman encourages students who have a particular interest in public law to drill down in their specialization.

Columbia Law School students interested in national security law or public service careers who are looking to take Richman's advice have the opportunity to learn from and meet an array of visiting legal heavyweights who supplement the law school experience. Prominent speakers such as **Daniel L. Glaser '93**, the U.S. Department of the Treasury's assistant secretary for terrorist

*INTERNATIONAL PERSPECTIVE

International Lawyering for Governments, recently co-taught by Professor Sarah H. Cleveland and visitor Daniel Bethlehem, examined scores of thorny transparency problems—from drones to hacking.

financing, and Brigadier General Mark Martins, the country's chief prosecutor for military commissions, have delivered recent lectures, the latter as part of the Roger Hertog Program on Law and National Security speaker series.

Through the Center on Global Governance, which they co-direct, Professor **Michael W. Doyle** and Professor Emeritus **Richard N. Gardner** have organized guest lectures with invited diplomats and international officials, such as U.N. Deputy Secretary-General Jan Eliasson, who spoke about international development. And a spring conference held by the Center for Constitutional Governance drew practitioners and scholars, including former White House Counsel Robert Bauer and Harold Hongju Koh, for discussions of the constitutional challenges facing the Obama administration in its second term.

In the classroom setting, meanwhile, students are pressed to push past theory and examine issues as a government lawyer would. During Pozen's upper-level Law of Government Secrecy course, he asks students to do a close reading of the Freedom of Information Act, which allows for the release of requested information from government agencies in an effort to serve the public's right to know. He wants them to think about how the law constrains governmental actors who are looking to keep information from the public, and what balancing approaches they might take if presented with similar circumstances. His course covers a range of topics, including the classification system used to categorize the secrecy of national security information, executive and state secrets privilege, whistleblowing, and theoretical and constitutional debates over the existence and scope of a "right to know."

"I want to immerse students in both general theory and the practical considerations of being a government lawyer engaging these questions," Pozen says. "I urge my students to assess critically the claims made by secret-keepers and open-government advocates alike."

Students in his class review cases and statutes, but also news articles on scenarios such as the CIA's refusal to turn over records dealing with the drone program. "I try to push students to get beyond the loose, popular association of bureaucratic 'transparency' with light and truth and all things desirable in government, to see the complexity in the issues," Pozen says. "Transparency is a fundamental public value, but it is far from an unalloyed good."

Richman asks his Federal Criminal Law class to think not just about how statutes, like that criminalizing the material support of terrorism, are interpreted, but how they should be written, and how prosecutions should be timed.

"The notion of how and when elected public officials get prosecuted is an interesting transparency question," he says. "What happens when an election is coming up, even as an investigation is being pursued with respect to a public official? To what extent should the timeline of the political process play a part in the decisions made by prosecutors? There's no right answer across all cases."

To give students a sense of how decisions in the often opaque world of federal criminal enforcement get made, Richman has brought in FBI agents and former colleagues from the U.S. Attorney's office, including Special Prosecutor Patrick J. Fitzgerald—who visited while he was serving as the U.S. Attorney in Chicago—and James B. Comey, the new FBI director, who talked to students about his management role

Professor Sarah H. Cleveland

Professor Michael W. Doyle

as deputy attorney general under President George W. Bush. Earlier this year, Comey came to Columbia Law School to be in residence as a senior fellow in the Roger Hertog Program on Law and National Security and, until his nomination intervened, was preparing to teach this fall.

Daniel Richman's assertion that there are no blanket answers that cover all cases is a sentiment that comes up again and again for those who teach courses focused on issues of transparency. In most instances, there simply are not cut-and-dry-type solutions. "Many students come in thinking of transparency and secrecy as a black-and-white issue," Waxman says. "Things are either secret, or they are open. But you see many examples where we have tried to strike a balance down the middle. There are many ways systems can be set up to try to find a middle ground between complete public openness and total executive secrecy."

Transparency dilemmas, of course, are not limited to the domestic sphere. Under international law, for instance, what did the Pakistani public legally have the right to know about Raymond Davis' activities in their country? More abstractly, what transparency standards should guide international tribunals that meld the laws of several nation-states in an attempt to moderate cultural and legal differences? And what is the best way to facilitate transparency in financial reporting related to international trade?

For the past two years, Professor Sarah Cleveland has co-taught International Lawyering for Governments with Daniel Bethlehem, the former principle legal adviser of the United Kingdom Foreign and Commonwealth Office. The first year, the seminar dealt with lawyering for the U.S. government, and, in the second year, the seminar focused on comparative approaches to international government lawyering—with former British Attorney General Peter Goldsmith, among others, offering his insights as a guest speaker. Instead of assigning independent research papers, Cleveland and Bethlehem asked students to work in teams, analyzing and proposing solutions for thorny transparency problems, such as how government actors should respond if hackers attack U.S. computer systems and how the American government should attempt to self-regulate efforts to target terrorism suspects using drones.

While Cleveland and Bethlehem focused on international law in relation to sovereign nations, Professor Michael Doyle's upper-level Global Constitutionalism course examines what Doyle refers to as the "constitutional character" of world treaties like the Peace of Westphalia, the U.N. Charter, and the WTO agreements. Combining equal parts political philosophy, political science, and constitutional law, the course focuses on the study of global governance and how law can promote cooperation around the world. Here again, transparency issues underlie many of the topics at hand.

"We don't have an international democracy, but we are deeply influenced by what happens in other countries," Doyle says. "Transparency comes in at the global level as a norm that could enhance the degree of legitimacy for decisions that will never in the foreseeable future be democratic. If we can find a way to make decisions at the WTO, or the U.N., or the EU, or other bodies that are more transparent and are subject to review, we are more likely to get legitimate global governance than if decisions are made in secret by a small elite group that doesn't listen to other parties that might be affected."

Doyle's overarching point is especially relevant in light of the Boston Marathon bombings and their aftermath. One of the chief national security lessons reaffirmed by that tragedy relates to the continued importance of international, cross-border cooperation in efforts to curb and counter terrorism.

Since as early as 2001, Kremlin sources have leaked information aimed at convincing the U.S. government that Chechen groups were responsible for terrorist attacks in places like Iraq and Afghanistan. After Boston, those assertions are being seen in a new light. "The interaction between American intelligence agencies and the Russians as they try to work through what these guys were doing when they went back home, and who they were dealing with, is where interesting action will happen, or not," says Richman. And finding the appropriate balance between transparency and secrecy will be key to the investigation's ultimate success. "There has to be a mix of public input and government secrecy, and it's hard to say what that balance is," he adds. "But what you do see [in the Boston example] is that both are important to successful counterterrorism operations."

JOIN THE CONVERSATION
Should current national security policies be more or less transparent?
Vote, see results, and leave a comment.
law.columbia.edu/mag/natsec-vote

ELISE JORDAN has written for *The Atlantic* and *The Daily Beast*.

FUTURE, TENSE

In the wake of Superstorm Sandy, upper-year students at Columbia Law School are working with scientific experts and governments near and far to ensure that the city, country, and world are more prepared for the climate- and weather-related disasters of the future

BY ALEXANDER ZAITCHIK
ILLUSTRATION BY C.J. BURTON

When Superstorm Sandy made landfall this past October, inundating lower Manhattan and devastating coastal areas throughout the Northeast, it left aftershocks that have outlasted the headlines about wrecked homes, destroyed gas lines, and flooded streets. As much as the 117 lives it claimed, the historic 900-mile-wide storm will be remembered for effects not immediately evident in the chaos and suffering caused by its collision with the tri-state area.

Eleven months later, the storm's most important legacy is a shift in climate consciousness. Sandy left in its wake an acute awareness—among the public, inside corporate executive suites, and under rotundas in D.C. and Albany—that a "new normal" has arrived, requiring different and more urgent modes of planning for, and thinking about, extreme weather, ones requiring large investments in everything from updating zoning codes to preserving wetlands.

This new openness to hardening, rezoning, and relocating infrastructure in anticipation of climate change, known as "adaptation planning," is a welcome but not unexpected shift for Professor **Michael B. Gerrard**, Columbia Law School's Andrew Sabin Professor of Professional Practice and director of the Center for Climate Change Law. Gerrard, who trains upper-level students in cutting-edge adaptation-related legal work each semester via his seminars and center projects, had been theorizing about and advocating for adaptation planning since long before the post-Sandy media picked up on buzzwords like "coastal retreat" (the technical term for abandoning vulnerable coastal areas to rising seas). He has long been regarded as perhaps the world's leading environmental legal theorist working in the future climate tense. And the students Gerrard works with learn from top climate scientists, expert practitioners, and leaders in international efforts to address climate change.

"It's been clear for some time that climate change poses exceedingly complex legal challenges," says Gerrard, a former chair of the American Bar Association's section of environment, energy, and resources. "The idea behind the center is to prepare our students to be leaders in effecting and implementing the [new thinking and new laws] that these challenges will require."

Gerrard, and the scores of Columbia Law School students who work with him, are not sitting around waiting for the requisite political will necessary to pass sweeping legislation. They are at the forefront of municipal, state, national, and international efforts to prepare the legal groundwork for litigating in what scientists predict will be a century of rising temperatures and sea levels. In New York, Gerrard and the center are contributing to the city's and state's early adaptation efforts—nudging, guiding, and sometimes drafting adaptation legislation.

"A few years ago, I became a member of the Sea Level Rise Task Force created by the state legislature," says Gerrard. "We issued our report in late 2010, but the recommendations just sat there. At the urging of a lawmaker, I enlisted one of our students working on flooding and sea level rise, **Katee Kline '14**, to write legislation [that mandates] adaptation planning by state agencies. It's too early to say whether I expect it to pass. It might be opposed by real estate interests, which could be concerned that designating certain areas as flood hazard areas would lower their value."

Professor Michael B. Gerrard

Columbia Law School students are also engaged in efforts to help state agencies and private utilities begin planning for climate change–related stresses on New York's grid. For example, this past year the center submitted a petition to the New York Public Service Commission that would require utilities to prepare climate adaptation plans. It also intervened in a rate proceeding involving Con Edison, which has proposed spending $1 billion during the next four years. "We're not sure Con Ed has allocated enough, or that they're putting [the money] in the right place," says Gerrard. "Climate change isn't just about hurricanes. It's also about inland storms and heat waves that have a major impact on electrical systems. What Con Ed does will [set a] precedent for other utilities regulated by the Public Service Commission."

*INTERDISCIPLINARY EXPERTISE

Columbia Law School students are engaged in efforts to help state agencies and private utilities begin planning for future climate change–related stresses on New York's grid.

AS CLIMATE CHANGE is a quintessentially global crisis, the Center for Climate Change Law's vision is necessarily global in scope. Gerrard has co-edited (with Katrina Fischer

Kuh) the first comprehensive book on adaptation law, *The Law of Adaptation to Climate Change: United States and International Aspects*. He has also linked the center with several small island countries of the Pacific that already face existing threats from rising seas caused by climate change. "Threatened nations must prepare themselves legally for a future without habitable territory," says Gerrard.

To address the legal questions at the heart of their crisis—where are the populations to be relocated? Who is responsible for the relocation process?—the center recently hosted a conference co-sponsored by the government of the Marshall Islands. That country is dealing with the possibility of having to completely evacuate its population due to rising seas, and Columbia Law School students have drafted a treaty to coordinate the climate efforts of several small island nations in the South Pacific facing similar threats. These efforts, explains Gerrard, involve "diplomatic and political steps each nation [can] pursue to strengthen its legal standing into the future." The center also keeps a close eye on high-level international climate negotiations. In 2010, it sent third-year student **Claire Woods '11** to observe and report back on the U.N. negotiations in Cancun, a major event on the U.N. climate calendar that brought together the parties to the Kyoto Protocol.

*INTERNATIONAL PERSPECTIVE

Columbia Law School students have drafted a treaty to coordinate the climate efforts of several small island nations in the South Pacific facing rising sea level threats.

The new field of adaptation law, whether at the local or international level, requires extrapolating from a body of established environmental law. "There are no adaptation statutes," explains Gerrard. "But there are existing laws that can be used to encourage adaptation efforts—both U.S. environmental laws and international environmental policy. For example, the Endangered Species Act is relevant. *The Law of Adaptation* looks at how insurance, agriculture, and forestry laws apply, and asks, 'What new laws do we need that don't yet exist?' We've been pushing for the approval process for new infrastructure to explicitly think about how to mitigate risks from climate change. If you're planning a highway or sewer, how do you design it so that it can withstand [climate pressures]?"

PARTNERING WITH THE CENTER for Climate Change Law on much of its work is the Environmental Law Clinic, which is run by **Edward Lloyd**, the Law School's Evan M. Frankel Clinical Professor in Environmental Law, and Lecturer-in-Law **Susan J. Kraham**.

A former executive director of the New Jersey Public Interest Research Group, Lloyd brings the perspective of grassroots organizing and advocacy to joint projects of the center and the clinic. His students draft amicus briefs in climate-related lawsuits and help write government advisory documents. Students participating in the clinic are currently working with the center on a managed retreat project focused on how best to use federal Sandy reconstruction aid money.

"How can communities rebuild themselves while minimizing harms in the future?" asks Lloyd, who, like Gerrard, is also on the faculty of Columbia University's Earth Institute. "We're looking at municipal and state government strategies regarding flooding—from Maine to Mississippi—to come up with a handbook for government officials. Should we rebuild the dunes? Should we rebuild the first two blocks near the ocean? What has worked before? We want to give state officials the tools others have used. Sandy represents an enormous opportunity. The billions in community block money coming into New Jersey alone is the equivalent of 300 years' worth of block grants."

Like graphs of global temperatures from the past 50 years, student interest in climate-related legal issues reflects an upward trend. Course and clinical offerings led by Gerrard and Lloyd are often oversubscribed. "Student interest is growing," says Gerrard. "There was a rise when it appeared there was going to be a massive new regulatory program in Waxman-Markey [a bill that would have capped emissions and created a market for trading emissions quotas], then something of a drop after the climate legislation died. But the continued accumulation of scientific studies is reviving interest, as are recent administration actions. The energy side of the equation will lead to a lot of employment prospects. [The center attracts students] who have an environmental commitment, as well as those who see it as a business and practice area."

Lloyd expects that Sandy and superstorms to come will result in even more student interest. "For the past decade, climate and energy have been huge issues, but the storm really brought it home," he says.

There are, of course, still those who deny climate change is happening. Those working on center and clinic projects encounter this diminishing population of skeptics in the policy arena. Some students also work directly opposite them, defending Columbia climate scientists from scurrilous and politically motivated attacks. "Some of the groups opposed to climate regulation attack Columbia's climate scientists, which has led to legal actions," says Gerrard. "Our students help them defend themselves."

The skeptics, though, are fighting an increasingly rear-guard and losing battle, with neither science nor time on their side.

"All the projections are that higher seas, warmer temperatures, and more extreme weather will lead to a range of global security and humanitarian challenges," says Gerrard. "The world that our students will be facing in the middle and latter parts of their careers will be profoundly different from the one we have today."

VIEW MORE
Watch experts discuss legal issues relating to managed coastal retreat.
law.columbia.edu/mag/mcr

ALEXANDER ZAITCHIK is a journalist who has written for *The New York Times*, *Wired*, and *Details*, among other publications.

DEEP DIVISIONS

With his most recent book, new faculty member Richard R.W. Brooks examines the sordid history and lasting impact of racially restrictive covenants

When new Columbia Law School faculty member **Richard R.W. Brooks** dedicated his latest book to his mother, paying tribute to her as "a pioneer and game-changer," he had in mind the modest, white, Cape Cod–style house she bought in 1981 on a suburban street in East Norwalk, Conn.

Trudy Travers had emigrated from a small Jamaican town, leaving her two sons with their grandmother while she attempted to establish a place for them in the United States. By working several jobs, she had finally saved enough to become a homeowner and was able to leave the grittier part of Norwalk for a leafy, pleasant, and, as it happens, nearly all-white neighborhood. "It was strictly middle class, but for us it felt like a huge leap," says Brooks, who was 7 when he followed his mother to the U.S., and was just finishing the ninth grade when they moved into their new home.

BY PAULA SPAN

ILLUSTRATION BY JAMES STEINBERG

Though his mother tried to shield him from their neighbors' hostility, Brooks felt it anyway. "They left intimidating phone messages and notes on the front door," he recalls. Others complained to the zoning board because a family friend had moved into a spare bedroom and helped pay the mortgage. Some neighbors even called the health department. "It continued like that for years," Brooks says. "My mom was somewhat of a block-buster."

The experience—growing up in Connecticut with brown skin and "a funny accent"—left him "curious about the way people interact around differences," he says. That curiosity led, among other things, to his latest book, *Saving the Neighborhood: Racially Restrictive Covenants, Law, and Social Norms*, which Brooks co-authored with Carol M. Rose. The work teems with in-depth research, as the authors trace the rise of racially restrictive covenants—deed restrictions that governed to whom an owner or developer might sell his or her property—and how these clauses served to legitimize segregated neighborhoods. They argue that, to this day, such covenants have a lingering impact on housing patterns and race relations.

Brooks' new book required him to function as a historian, an anthropologist, and a game theorist, as well as a legal scholar.

Beyond his work on the history of American housing discrimination, Brooks brought along several other scholarly projects investigating differences when he joined the Columbia Law School faculty this summer—including explorations of race and class in many aspects of American life. He specializes in applied game theory, contract theory, and empirical analysis of law.

"Rick is one of our nation's preeminent legal academics," said **David M. Schizer**, Dean and the Lucy G. Moses Professor of Law; Harvey R. Miller Professor of Law and Economics, in announcing Brooks' appointment as the Law School's Charles Keller Beekman Professor of Law, "and we are delighted to welcome him at Columbia." The fourth faculty member recruited from Yale Law School in the past five years, Brooks, who is 47, holds degrees in economics from Cornell and the University of California, Berkeley (where he earned his Ph.D.), and he graduated from the University of Chicago Law School.

FACULTY MATTERS

The Columbia Law School faculty has grown by 19 percent since the arrival of Dean **David M. Schizer** in 2004. The recent addition of **Richard R.W. Brooks** and international law expert **Anthea Roberts** brings the number of full-time voting faculty members to 88, compared to 74 in the fall of 2004. As the Law School faculty grows, the number of students remains relatively steady, increasing by approximately 3 percent during the same nine-year span. The combination has led to the lowest student-faculty ratio in the School's history. This shift has been part of a concentrated effort to promote curricular innovation at Columbia Law School and expand existing programs.

Brooks' latest book, *Saving the Neighborhood*, is briskly written, with a cast of characters that includes jurists and activists, NAACP litigators and racially steering realtors, idealists, hustlers, the developer of Levittown, and playwright Lorraine Hansberry's father. It analyzes how racially restrictive covenants emerged as a lawful way to prohibit African-Americans (as well as Jewish people and other minorities) from moving into white neighborhoods after the Supreme Court outlawed racial zoning in the 1917 case of *Buchanan v. Warley*.

Covenants forbidding sales or rentals to African-Americans became extremely common in great swathes of Chicago, Cleveland, Detroit, and other cities during the first half of the 20th century. Following decades of extensive use, the provisions reached the point of being an established element in American real estate transactions, before the Supreme Court, in *Shelley v. Kraemer*, ruled them unenforceable in 1948. But if such covenants held legal sway for a limited period, Brooks and Rose argue that they continued to have influence because they reflected and solidified social norms. "They were creating a custom of discrimination, normalizing discrimination," he says. "They guided behavior."

And while the book deals mostly with practices and legal mechanisms of the past, housing discrimination persists, Brooks notes. In June, the U.S. Department of Housing and Urban Development (HUD) released the results of a study that dispatched white and minority "testers" to visit thousands of real estate agents and other housing providers requesting information on available places to live. Though the most overt form of discrimination, known as "door-slamming," had receded since HUD first began these periodic surveys in 1977, the study found that African-Americans are still shown fewer available homes and rental units than whites—who also receive more favorable financial terms.

Brooks is quick to point out that the influence and lasting impact of racially restrictive covenants would never have been possible without the consistent backing of allies and supporters—individuals and entities that Brooks and Rose refer to as "norm entrepreneurs"—who conspired to discourage integration. These included developers, real estate brokers, and the New Deal's Federal Housing Administration (FHA), which warned about "inharmonious racial groups" in its underwriting manual. "The FHA thought its mission was to increase home ownership and neighborhood property values, and integrated neighborhoods was not a strategy to accomplish that," Brooks says. "It rationalized its clearly discriminatory policy."

Arrayed against these forces were those the authors dubbed "norm breakers," a category that included NAACP lawyers, the African-American press, and integrationists such as Carl Hansberry, a black Chicago businessman. Hansberry managed to buy a house in a covenanted neighborhood through a straw buyer—a cooperative white intermediary who posed as the new owner, then sold it to him—and took his case all the way to the Supreme Court. (His daughter, Lorraine, dramatized these issues in her now-classic play, *A Raisin in the Sun*.)

In a less obvious way, "blockbusters," real estate brokers who fanned racial fears for personal gain, also played a role in undermining covenants. While Brooks describes some as

Professor Richard R.W. Brooks

"undoubtedly sleazy"—moving truly undesirable residents into white neighborhoods to induce homeowners to sell at bargain prices so the brokers could resell at a profit, for instance—he points out that some were looking to help dismantle segregation. "They felt they were on the side of justice," he says.

In fact, as Brooks continued his research, he says he became more conscious of the complexities at play in the history of housing discrimination. "By the end, it was so much more complicated than bad guys and good guys," Brooks says. "Everybody became more nuanced."

The process of researching and writing *Saving the Neighborhood* involved not only sifting through online legal archives, but filing Freedom of Information Act requests at the National Archives and visiting several cities where legal battles over covenants were waged. "For some of this, you actually have to go to city hall to look at the tract books and the ordinances," he adds. The work required him to function as a historian, an anthropologist, and a game theorist, as well as a legal scholar.

Brooks' scholarship has led him to examine a broad range of other legal, economic, and social justice issues throughout his career, from the lack of credit institutions in low-income neighborhoods to minorities' perceptions of the legal system. He was among several professors who filed an amicus brief in the *Fisher v. University of Texas* affirmative action case that the Supreme Court in June sent back to an appeals court for a more rigorous inquiry into the university's rationales for using race as a factor in admissions determinations. The decision permits affirmative action in higher education to continue for the present, but calls for tougher review standards that could undermine its future.

The brief argued against the "mismatch" hypothesis, which posits that permitting race as a consideration in admissions decisions can ultimately harm minority students, an idea, Brooks argues, that is not empirically demonstrated. "I actually think some mismatch is good," he adds. "When surrounded by people with stronger incoming credentials, that can drive you to learn more, can improve your own game and ambition."

At Columbia Law School—where he will be teaching contracts, corporate law, fiduciary law and economics, and game theoretic analyses of law—Brooks will continue to explore differences and their impact. He has also begun writing his next book, which concerns how formal titles and forms of address—from the Constitutional prohibition against granting any American a "title of nobility" to the post–Civil War practice in Southern courts of referring to black attorneys as "Lawyer So-and-So," not "Mr."—play a role in social interaction.

Also on Brooks' agenda is a decade-long study of race and class on Martha's Vineyard, which has been home to both whites and blacks since the 17th century, along with an ever-decreasing number of native Wampanoags. For this project Brooks undertakes an empirical multi-method approach, such as measuring the distances that groups of beachgoers choose to keep between them, and how race and gender influence their comfort zones. He has also calculated the distances between graves in local cemeteries and studied the way religious practices relate to their geographic orientation.

"It's a project about how groups form and how groups persist," Brooks says. "Once these racial entities exist, you observe these patterns in ordinary, everyday activities. And even after death, segregation can continue by law."

WEB EXCLUSIVE
Explore Professor Brooks' recent scholarship on race, inequality, and contracts.
law.columbia.edu/mag/brooks

PAULA SPAN teaches at the Columbia University Graduate School of Journalism and writes *The New York Times*' New Old Age blog.

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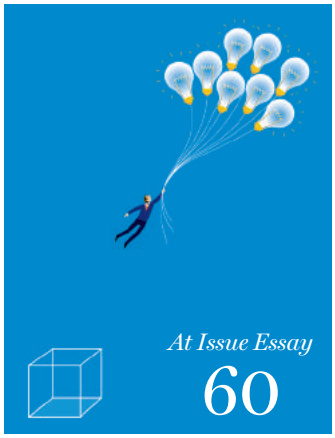

The people, personalities, and perspectives making an impact this season

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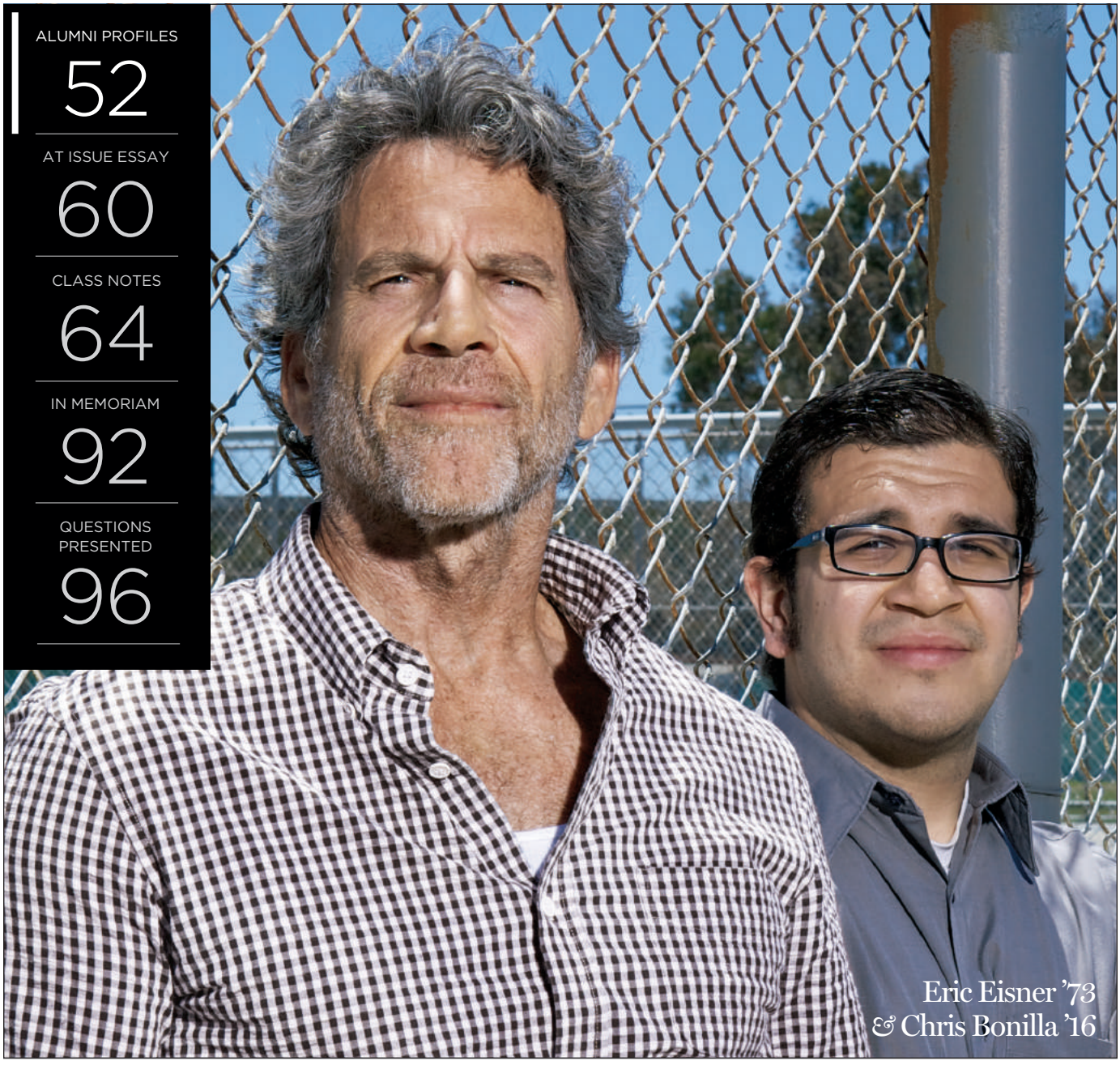

Eric Eisner '73 & Chris Bonilla '16

PHOTOGRAPHED BY MAX S. GERBER

eric eisner: THE EDUCATOR

As founder of the Young Eisner Scholars program, Eric Eisner '73 is helping kids from the roughest neighborhoods reach their full potential **BY TIM FERNHOLZ**

Eric Eisner '73 dreams big. He sees no point in waiting around, fingers crossed, hoping pundits will fix the system. "Let's sell education," the former Hollywood dealmaker and Young Eisner Scholars (YES) founder says, "the same way Nike sells sneakers to kids: Make it glamorous. Each YES scholar, home for Christmas in his Columbia jacket, is the living advertisement for kids in his neighborhood."

Eisner is sitting in a windowless bungalow on a middle school campus full of windowless bungalows in Lennox, Calif., a troubled neighborhood adjacent to Los Angeles International Airport. Here, 92.2 percent of the children are on free or assisted lunch programs. Through YES, Eisner works to give promising students here, and in other low-income communities, the chance to experience world-class educational instruction by linking them up with the city's top schools.

WEB EXCLUSIVE
Learn about how Columbia Law School is helping the YES program expand east.
law.columbia.edu/mag/YES

Eisner moved to L.A. in the mid-'70s after graduating from Columbia Law School, where he was a Harlan Fiske Stone Scholar. In 1980, he was tapped by David Geffen for what became a 10-year stint as president of the Geffen Company, producing hits such as *Risky Business*, *Beetlejuice*, and *M. Butterfly*. By the early '90s, Eisner was able to retire, and when a friend working with inner-city children in L.A. asked him to get involved, Eisner agreed. But first, he told her, he wanted to meet some of the students.

Eisner began visiting five students each week to get a sense of why some kids excelled despite such difficult circumstances. "We would geek out about physics and astronomy," says **Chris Bonilla '16**, one of the first students to meet with Eisner. (Bonilla began his studies at Columbia Law School this fall, four years after graduating from Columbia University.) "It's not so cool to be [seen as] a 'nerdy kid' at these schools," he adds. "Hearing about Eric's success, and him pushing me, really boosted my self-esteem."

As Eisner realized the untapped potential in the students he met, he began assisting them in earning scholarships to the best high schools and colleges in the country—with YES funding SAT prep and covering costs that financial aid misses. Through a variety of Eisner's corporate connections, YES also helps find internships and jobs for upperclassmen and graduates.

Fourteen years after Eisner's first sit-down with students, YES employs seven staffers and maintains a yearly operating budget of $850,000, of which 83 percent goes exclusively to programs. The organization now works with more than 250 students at four L.A. middle schools and at five schools in Harlem. (Eisner recently reunited with an old Law School friend, **Harold S. Handelsman '73**, who plans to open a YES branch in Chicago.) YES seeks out the most driven students at each location, offering spots in the program based on test scores, recommendations, and the all-important interview with Eisner. "Dynamic people have had an enormous impact on my own life," he says. "I guess I'm drawn to the process of being influential in the lives of young people."

YES WORKS WITH MORE THAN 250 STUDENTS AT FOUR LOS ANGELES MIDDLE SCHOOLS AND AT FIVE SCHOOLS IN HARLEM.

While Eisner's success can inspire students, a bigger influence, he says, is their peers in the program, who come back for visits during breaks from schools like Columbia and Stanford.

"The glamour radiates from successful students with whom other kids can identify," Eisner says, recalling the first time a prep school sent an articulate YES scholar—resplendent in her school uniform—rather than a middle-aged admissions director, to recruit new applicants. "Those kids were mesmerized," he says, "and I thought: 'Of course, they're looking at the dream.'"

TIM FERNHOLZ has written for *Quartz* and *The Atlantic*, among other publications.

PHOTOGRAPHED BY MAX S. GERBER

minna schrag: THE DIFFERENCE MAKER

As a passionate advocate for the burgeoning field of transitional justice, Minna Schrag '75 is adding new chapters to a diverse and distinguished career **BY AISHA LABI**

In 1994, after years of serving as a federal prosecutor and time spent working at a large Manhattan law firm, **Minna Schrag '75** received an offer that would change the course of her career, and, more broadly, her life. "I got a call asking if I'd be interested in going to The Hague," Schrag recalls in discussing how she became a senior trial attorney for the International Criminal Tribunal for the former Yugoslavia. "At the time, I didn't know much about international law and had no formal training in human rights, but of course I went."

Her work as a prosecutor had given Schrag the criminal law experience sought by the then-new court, which was set up to address allegations of war crimes, genocide, and crimes against humanity that took place during the Balkan conflicts of the early 1990s. She took a leave from Proskauer Rose and relocated to the Netherlands for 18 months to help set up the prosecutor's office, where she joined a group of lawyers drawn from a diverse mix of countries and ultimately brought to indictment three cases involving the murder and torture of civilian populations in the towns of Vukovar, Brčko, and Bosanski Samac.

The career detour was nothing new for Schrag, who had enrolled at Columbia Law School a decade after earning an undergraduate degree in history from Radcliffe College. At the time, she had three young children and had begun an Ed.D. program at Teachers College but was drawn to the law, she says, by the extent to which the legal profession was being used to drive social change in the early 1970s.

After graduation, Schrag clerked for Judge Whitman Knapp of the Southern District of New York, and, following six years as an assistant U.S. Attorney at the Southern District, she joined Proskauer Rose. After several years of working on a wide range of litigation matters, Schrag answered the call from the International Criminal Tribunal, and she has been involved in human rights work ever since.

Schrag, who retired from Proskauer in 1997, may be even busier now than she was during her mid-career years. She serves on several nonprofit boards and is a regular patron of the New York City Ballet. Just weeks after retiring, she was asked to consult for the U.N. High Commissioner for Refugees, and Schrag continues to provide legal advice to the organization on issues related to international criminal tribunals. From 1997 to 2000, she was also a member of the U.S. delegation to the treaty conference in Rome that established the International Criminal Court.

SCHRAG HELPED ESTABLISH THE INTERNATIONAL CENTER FOR TRANSITIONAL JUSTICE, WHICH USES THE MOTTO "JUSTICE, TRUTH, DIGNITY."

Her international work has sparked within Schrag a passion for transitional justice, the burgeoning field that deals with judicial and non-judicial remedies for redressing human rights violations. She helped establish the New York City–based International Center for Transitional Justice—the motto of which is "Justice, Truth, Dignity"—and serves as a member of that organization's board of directors.

Schrag's colleagues in the transitional justice movement assist victims groups and communities in efforts to address human rights violations and encourage healing. Those efforts sometimes lead to truth and reconciliation commissions. In other instances, healing comes in the form of smaller-scale—but no less important—efforts like the recent establishment of a memorial museum by survivors of the killings in the Bosnian town of Brčko, the perpetrators of which Schrag helped bring to account. "They wanted the story of what happened there to be told," she says, "so people wouldn't forget."

AISHA LABI has written for *Time* and *Businessweek*, in addition to other publications.

PHOTOGRAPHED BY DAVID FRIEDMAN

edward soto: THE MULTITASKER

As the head of litigation at the Miami office of Weil, Gotshal & Manges, Edward Soto '78 specializes in winning cases and serving his community **BY PETER KIEFER**

Ask **Edward Soto '78** how he balances his career as a distinguished commercial litigator with a busy family life and a laundry list of philanthropic activities, and he may tell you about the 2003 World Series.

That autumn, as the Florida Marlins made their historic playoff run, he found himself spending an inordinate amount of time in distant hotels, working on a drawn-out, high-stakes case. For Soto—a husband, father of four sons, and lifelong baseball fan—being away during that time was especially difficult.

"I had four boys who wanted to go to the games," he says, "and we wanted to share that experience together as a family. So I was flying back and forth before and after every game. It meant early morning and overnight flights, but it was worth it to be with my family. I do it a lot. It doesn't always work out, but it's always worth it when it does."

For Soto, the senior trial partner and head of litigation in the Miami office of Weil, Gotshal & Manges, some things have changed since that World Series—his sons, for instance, have grown up and are on their own professional tracks. But Soto's schedule has not slowed. While preparing for a work trip to Laguna Beach, Calif., he paused to reflect back on a 35-year career that is marked by a broad range of legal victories and an unflinching commitment to civic engagement. Soto may be an extremely accomplished litigator, but the trade he plies serves him equally well as a mechanism for giving back to society.

The range of high-profile cases he has handled is as varied as the philanthropic causes he champions. In 2006, Soto successfully helped defend UnitedHealth Group against a class-action lawsuit brought by 700,000 doctors. Two years later, he helped win a legal victory for ESPN by defending the company against a libel accusation levied by boxing promoter Don King. In 1999, Soto's successful representation of Fiserv/Texas Data Control against False Claims Act charges brought by the Justice Department was recognized as the "Top Defense Victory of the Year" by *The National Law Journal*.

Soto's public service commitments also run the gamut. He served as the chairman of the board for the Zoological Society of Florida and helped raise funds to rebuild ZooMiami after Hurricane Andrew. He has also served as the chairman of the board for both a local orphanage and for the Ransom Everglades School, the oldest independent, co-ed prep school in Miami. Currently, he is on the executive committee of the Lawyers' Committee for Civil Rights Under Law and is the chairman-elect for Catalyst Miami, a nonprofit that promotes civic engagement to help build a community and economy that benefits all Miami residents.

"I've matched some of the things that I am doing in my practice with [community endeavors] that matter to me," Soto says. "More than anything else, I wanted to be involved in helping people meet real needs, and the law has [helped facilitate those connections]."

SOTO'S 35-YEAR CAREER IS MARKED BY A BROAD RANGE OF LEGAL VICTORIES AND AN UNFLINCHING COMMITMENT TO CIVIC ENGAGEMENT.

Seeds of his philanthropic interests were sown at Columbia Law School, Soto says. And that period of his life has made quite an impression on his sons, two of whom graduated from the Law School. His youngest son will be enrolling at Columbia University next fall to earn a graduate degree in social work. Like their father, Soto's children are pursuing career paths that value public service and social responsibility.

And while Soto is still a loyal Marlins fan, his ties to New York City and Columbia Law School remain strong. One senses that a passion for the school, and the drive it instills in students, never really left him. "Thinking back, the cases that I enjoy most," he says, "are always the ones where I feel like I was being challenged, where I was forced to learn something new and interesting."

PETER KIEFER has written for *The New York Times*, among other publications.

PHOTOGRAPHED BY JEFFERY SALTER

tom rogers: THE INNOVATOR

As the president and CEO of TiVo, Tom Rogers '79 is leading a charge to make television viewing a more personalized and enjoyable experience **BY SETH STEVENSON**

In July 1969, 15-year-old **Tom Rogers '79** held a reel-to-reel audio recorder up to the speaker of the TV set in his parents' Westchester home. He had decided to tape Walter Cronkite's broadcast of the moon landing. He thought he might want to listen to it again later.

"It's clear that, as a consumer, even back then, I longed for TiVo capabilities," Rogers says. Thirty-six years later, in July 2005, Rogers became president and CEO of TiVo, Inc.—which is best known for inventing the device to digitally record and replay TV shows.

Always an avid television viewer, Rogers kept stacks of *TV Guide* issues on his bedside table as a child. He surmises he was one of very few teenagers who eagerly looked forward to the magazine's coverage of industry news. By the time Rogers enrolled at Columbia Law School, he had stirred government policy into his mix of interests. "I was fascinated by the intersection of media and regulation," he recalls.

During his time in Morningside Heights, Rogers studied media law and kept tabs on the communications industry landscape. After graduation, during a two-year stint as an attorney at a Wall Street firm, Rogers worked on an antitrust case involving local TV stations.

Rogers headed to Washington, D.C., in the early 1980s to serve as counsel to the congressional subcommittee dealing with media and telecommunications law. It was a key moment in the history of television. Cable TV was exploding in popularity, and Rogers led the drafting of the Cable Act of 1984, which created the federal framework for governing the industry. Over the next few years, all three broadcast networks switched ownership hands—with Rogers working in-depth on many of the associated regulatory issues. His talents impressed Jack Welch, the legendary chairman of General Electric, which then owned NBC, and soon enough Rogers was appointed the first president of NBC's new cable division. There, he founded CNBC and MSNBC, and oversaw an array of cable channels, including A&E, History, Bravo, AMC, and Court TV. In 1999, he moved on to become CEO of Primedia—a major player in the print, online, and video realms—before eventually settling in at TiVo.

With Rogers at the helm, TiVo has tripled in value and won an Emmy Award for TV innovation. He has taken TiVo from its original roots as the creator of the DVR to now being what Rogers refers to as "the leader in providing next generation TV to the cable industry." He has also led the company in patent litigation against Motorola, Cisco, Verizon, and AT&T, racking up more than $1 billion in court victories. Rogers' legal acumen has proven invaluable throughout. "I deal with significant legal issues," he says, "from regulatory interpretation to patent enforcement. I've often thought that I could never have the insights I bring to my role as CEO without my legal training."

WITH ROGERS AT THE HELM, TIVO HAS TRIPLED IN VALUE AND WON AN EMMY AWARD FOR TV INNOVATION.

As for the day-to-day appeal of the brand, TiVo loyalists point to this high praise from a 2010 *Wired* magazine article: "There are exactly three companies in this world that are truly great at interface design—Apple, Google, and TiVo." Meanwhile, presiding over a company that helps viewers more elegantly explore the television landscape seems a perfect fit for Rogers, who will be inducted into the Broadcasting & Cable Hall of Fame this year. He keeps 10 TiVo boxes around his house and records about 80 hours of TV each week (mostly news and current events), using his remote to fast-forward and rewind as he watches. "We're in a world of infinite media choices," says Rogers, "and that can be chaotic for consumers. TiVo's mission is to organize the chaos."

SETH STEVENSON has written for *Slate* and *The New Republic*, among other publications.

PHOTOGRAPHED BY PETER FREED

TiVo

at issue: HYDRAULIC FRACTURING

All you need is regulation

BY THOMAS W. MERRILL, CHARLES EVANS HUGHES PROFESSOR OF LAW, AND DAVID M. SCHIZER, DEAN AND THE LUCY G. MOSES PROFESSOR OF LAW; HARVEY R. MILLER PROFESSOR OF LAW AND ECONOMICS

As any Beatles fan knows, Yoko Ono and Paul McCartney have had their differences over the years. So it is striking that they are now working together to stop hydraulic fracturing. In fact, Ms. Ono has described this new method of drilling for natural gas and oil, which is also called "fracking," or "fracturing," as an "assaul[t] with dirty water." The truth is, though (borrowing again from the Beatles), that all you need is regulation. With the right regulatory strategy, we can manage the environmental risks, while reaping the extraordinary benefits of fracturing.

Those benefits were on display in 2009 when the United States passed Russia as the world's largest natural gas producer, and again last year when the world's most respected energy forecaster predicted that the United States will overtake Saudi Arabia as the world's largest oil producer by 2020. These developments would have seemed wildly improbable just a few years ago. But energy companies have learned to tap previously inaccessible shale oil and gas by pumping fluid into the shale at high pressure, cracking (or "fracturing") it to release gas and oil trapped inside.

The result is a massive new domestic supply of natural gas and oil. In 2000, shale supplied negligible amounts of oil and only 2 percent of domestically produced natural gas in the U.S. As recently as 2007, we were preparing to import natural gas. Yet since 2008, domestic natural gas production has increased by 25 percent. Today, 50 percent of our gas comes from shale and tight sands, with 80 percent expected by 2035. Pennsylvania has the second largest natural gas field in the world, and there are also sizable deposits in other states, including Texas, New York, Louisiana, and Ohio. As President Obama said in his 2012 State of the Union address, fracturing may generate 100 years of natural gas supply for the United States.

WEB EXCLUSIVE
Read more from Dean Schizer on the regulation of fracturing.
law.columbia.edu/mag/schizer-fracturing

Fracturing has also unlocked massive supplies of domestic oil in shale. While shale produced only 100,000 barrels per day ("bpd") of oil in 2003, 2 million bpd were produced in 2012. The level is expected to rise to 4.5 million bpd in the coming years. Although U.S. oil production was in steep decline for decades, production increased by over 2.7 million bpd from 2008 to the first four months of 2013, which includes a 1 million bpd increase in 2012 alone. Although North Dakota was producing less than 1 percent of the nation's oil as recently as 2008, by 2012 North Dakota—drilling in its Bakken Shale, a 25,000–square mile sheet of embedded oil—was the second largest oil-producing state after Texas.

Economic, National Security, and Environmental Benefits of Fracturing

A cheap domestic supply of energy is a powerful engine of economic growth. According to an October 2012 study by the consulting firm IHS, shale oil and gas contributed $237 billion to U.S. GDP (or about 1.5

percent) in 2012, an amount expected to almost double by 2020. Likewise, IHS credits the shale revolution with 1.7 million U.S. jobs in 2012, and expects 3 million in 2020, representing 2 percent of total U.S. employment. Obviously, this is a significant boon to an economy that shed 5 million jobs in 2008 and has created jobs haltingly in the years since.

The shale gas boom has also enhanced consumer purchasing power by causing natural gas prices to plummet to less than one-third of their 2008 level. By contrast, natural gas prices are three to five times higher in Europe and Asia, which gives a sense of what U.S. prices would be if set by gas imports. The savings (*e.g.*, on home heating and electricity bills) averages $926 per year for every American household—almost 2 percent of the U.S. median household income—and is expected to grow to $2,000 in 2035. Since every business spends on energy, this savings also hits the bottom line of U.S. businesses, enabling them to cut costs, increase profits, and hire more people. The most significant impact is on energy-intensive industries such as the petrochemicals industry.

WITH THE RIGHT REGULATORY STRATEGY, WE CAN MANAGE THE ENVIRONMENTAL RISKS, WHILE REAPING THE EXTRAORDINARY BENEFITS OF FRACTURING.

Reducing our dependence on imported energy has obvious geopolitical advantages as well. Some of the world's oil and natural gas comes from nations that are either unstable or hostile to the United States, or both. The top eight oil-exporting nations are Saudi Arabia, Russia, Iran, the United Arab Emirates, Norway, Iraq, Kuwait, and Nigeria. Likewise, 70 percent of the world's conventional gas reserves (*i.e.*, not including shale gas) are in Iran, Qatar, and Russia. Some of these regimes consistently seek to undermine U.S. foreign policy goals, and added oil and gas revenue strengthens their ability to do so. Recent events in the Middle East—the terrorist attack at an Algerian natural gas facility, the nuclear program in Iran, the attack on the U.S. Embassy in Libya, etc.—suggest that, if anything, the Middle East is becoming more unstable and hostile to the United States. It is fortunate, then, that the United States has gone from importing 60 percent of its oil in 2005 to 36 percent in early 2013, with further reductions in U.S. oil imports expected in the next two decades. The increase in U.S. oil production since 2005 is more than what Iran was exporting before sanctions were imposed, a fact that has made those sanctions more viable. Amazingly, the United States is projected to be 97 percent energy self-sufficient in net terms by 2035.

Shale gas is also an important component of any viable strategy to combat climate change. Natural gas burns cleaner than other carbon-based fuel, producing less carbon dioxide, sulfur dioxide, particulate matter, and carbon monoxide than coal. Until recently, coal generated almost half of the electricity in the United States, but this level declined to 42 percent in 2011 and 36 percent in 2012, the lowest levels since these numbers were first tracked in 1949. This shift from coal to natural gas is one reason why U.S. greenhouse gas emissions have declined by 12 percent from 2005 to 2012 (including a 5.3 percent decline in 2012 alone), and are at their lowest level since 1994. This decline is the largest anywhere in the world, and occurred during a period when global emissions rose by 8 percent. Fracturing thus facilitates the use of natural gas as a bridge fuel, reducing carbon emissions in the near term, while solar and other renewable technologies are developed over the long term.

Air Pollution, Traffic, Water Usage, and Competition With Renewables

Yet the picture is not uniformly rosy. For example, although *burning* methane (the main ingredient in natural gas) releases relatively small amounts of CO_2, *releasing* methane into the atmosphere—for instance, during drilling or from pipeline leaks—is a potentially significant source of greenhouse gas emissions.

Emphasizing this point, Professor Robert Howarth of Cornell has argued that shifting from coal to natural gas actually does not reduce greenhouse gas emissions when measured on a "lifecycle" basis. Yet this conclusion is not widely accepted. A number of studies fault Professor Howarth's assumptions and analysis, and reach a more favorable conclusion.

Indeed, in an April 2013 study, the Environmental Protection Agency (EPA) concluded that methane emissions declined by 8.2 percent between 1990 and 2011. Although this period coincides with a dramatic increase in natural gas production, methane emissions from natural gas production are down even more—by 10.2 percent.

ILLUSTRATION BY DANIEL BEJAR

Obviously, to the extent that methane leakage is contained, the benefits of using natural gas become even clearer. Fortunately, energy companies have an economic incentive to keep methane from escaping, so they can sell it. In addition, EPA regulations finalized in April 2012 reinforce this incentive, requiring energy companies to capture or burn methane released during drilling.

The fracturing boom also creates traffic and congestion. Fracturing itself uses significant amounts of water, although, as a recent Department of Energy study observed, "in most regions water used in hydraulic fracturing represents a small fraction of total water consumption." Fracturing may also increase the risk of minor earthquakes. Yet air pollution, traffic, water usage, and seismic activity all arise with other sources of energy, such as coal mining and conventional gas drilling, and the U.S. has experience handling them. Because these risks are familiar in other contexts, most are already governed by existing regulatory regimes.

Another concern might be that the shale oil and gas revolution could undercut the economic viability of renewable energy. This is not necessarily the case, though. Shale gas is often viewed as a bridge fuel, which will help satisfy the nation's energy needs until renewables are more competitive. In addition, since wind and solar are intermittent sources of energy, they need another source to fill in when they are unavailable, which usually is natural gas. Likewise, renewables and natural gas do not compete head-to-head, to the extent that government initiatives guarantee a percentage of the energy market to renewable energy. Nevertheless, there is some risk that cheap natural gas will undercut the political support for these initiatives and, more generally, will outcompete renewables so that they *never* become economically competitive.

In any event, while we agree with the goal of using taxes and other policy instruments to ensure that carbon fuel prices reflect their true social cost, including externalities, this strategy does not make sense if applied *only* to shale gas and oil, but not to other carbon fuels. If fracturing is banned or becomes significantly more expensive, while coal remains cheap, the result will not be more solar and wind energy, but more coal. This is not an outcome that environmentalists should favor.

Water Contamination

The most unique risk from fracturing—and the one attracting the most attention—is water contamination. There are three different aspects of this risk, and their magnitude is uncertain and intensely debated.

EFFECTIVE REGULATION IS NEEDED TO ENSURE BOTH THAT DRILLING IS SAFE AND THAT THE PUBLIC *BELIEVES* IT IS SAFE.

First, fracturing fluid can contain toxic chemicals, so it is important that it not seep into water wells after cracking the shale. Fortunately, this is quite unlikely, since thousands of feet of dense rock separates the "payzone" where drilling takes place (which is usually 5,000 to 10,000 feet down) from water wells (which are only 500 to 1,000 feet down). Fracturing fluid is also unlikely to leak into a water well on the way down, since state regulators generally require oil and natural gas wells to have thick protective layers of steel and concrete, called "well casings," extending past the water table. According to a number of studies, therefore, after more than 2 million oil and gas wells have been fractured in the United States—including thousands fractured in shale—there are no documented cases of fracturing fluid migrating into water wells during the fracturing process. "It is noteworthy," observes a 2011 MIT report authored by Ernest Moniz, the new secretary of energy, "that no incidents of direct invasion of shallow water zones by fracture fluids during the fracturing process have been recorded."

A second (and more meaningful) risk is that fracturing fluid might accidentally spill on the surface and seep down into the water table. Some spills have been reported in the media although, as EPA has observed, "the frequency and typical causes of these spills remain unclear." Surface spills of toxic chemicals obviously are a risk in many industrial and commercial activities; the chemicals in fracturing fluid are also found in swimming pool cleaners, detergents, hair cosmetics, and other products. A range of federal and state regulations already address this risk, governing the storage of chemicals and requiring spill prevention

ILLUSTRATION BY GEMMA ROBINSON

plans. Of course, by increasing the volume of toxic chemicals that are transported, fracturing makes this risk all the more significant. The bottom line, then, is that fracturing fluid needs to be transported and stored carefully.

Third, natural gas itself also can cause health issues if it migrates into drinking water. Yet the reality is that natural gas is commonly found in rural water wells because it migrates there naturally; so far, there is little evidence that fracturing increases the probability of this. For example, a 2011 Pennsylvania study found methane contamination in 40 percent of the wells tested before drilling began; the study then compared levels of contamination after the drilling, and found no statistically significant difference. After all, energy companies drill there because there's methane in the ground—and, therefore, sometimes in the water as well. Similarly, a 2013 study concluded that the presence of methane in water correlated better with topography than with shale gas production—it is more common in valleys and low areas—so that "the use of hydraulic fracturing for shale gas in northeastern Pennsylvania has not resulted in widespread gas migration into the shallow subsurface."

Regulating Water Contamination

Even so, effective regulation is needed to ensure both that drilling is safe and that the public *believes* it is safe. We recommend a two-pronged strategy.

First, for issues that are already well understood, we would rely on command and control regulations to enforce best practices. Best practices regulation has three advantages. First, it is especially well suited to risks that are either common to all forms of oil and gas production or are familiar from other types of industrial operations, including well casing leaks, surface spills, and disposal of drilling waste. Second, the idea that a public regulatory body is "on the case" is reassuring to the public. Third, because energy companies have to make substantial investments to drill in shale, they need to estimate what regulatory costs they will face. Best practices regulation offers this predictability. The states, which are the principal regulators of oil and gas drilling, already impose a broad range of "best practices" regulations on oil and gas producers.

Second, we would backstop best practices regulations with liability rules. After all, best practices regulations are only as effective as the resources committed to enforcing them. A further limitation is that best practices regulations are less effective for novel risks, since it is impossible to mandate best practices until we know what they are.

These two pillars of our regulatory effort—best practices and liability—should be coordinated. To do so, we need three different liability rules, depending on how our best practices rules treat the conduct that caused the water contamination. First, if an energy company *violates* a best practices regulation in contaminating water, the company should be negligent *per se*. Second (and conversely), if the company *complies* with the relevant best practices regulations, it generally should *not* be liable (unless the regulations are much less protective than those in other jurisdictions). These two *per se* rules, working in tandem, create a powerful incentive for industry to help regulators develop protective best practices rules and to comply with them.

The third rule fills any gaps. If there *is no* relevant best practices rule, the doctrine of *res ipsa loquitur* should apply. This means an energy company is presumed negligent—and thus is liable—for any water contamination it causes, unless it can show that the contamination was an inevitable accident. This difficult showing means the standard of care, as a practical matter, approaches strict liability. As a result, energy companies have a strong incentive to reduce residual risks not governed by best practices regulations, and to help regulators develop new best practices regulations.

Of course, the incentives are right only if liability assessments are accurate—that is, only if the system makes reliable judgments about whether an energy company *actually caused* the contamination and any resulting health effects. This will not always be easy. If a water well contains an unusual chemical, how do we know it comes from fracturing, as opposed to a natural cause or some other source of pollution? If someone who lives near a drilling site becomes ill, how do we know that fracturing caused the illness?

To generate reliable answers to these sorts of questions, we should create incentives to develop better information. The most important step is to test water quality before fracturing begins in order to establish a benchmark of water quality, and then to retest it periodically. If contaminants are found that were not present in the baseline sample, this supports the allegation that fracturing caused the contamination. But if the contaminants were already there, this powerfully rebuts such a claim.

Once landowners establish that fracturing has caused water contamination, they can recover, at a minimum, the loss in property value attributable to the contamination. If contamination goes undetected for some time it might also cause more serious injuries, such as health effects, although this will be much harder to show. We should use presumptions to help plaintiffs prove their case, while burdening energy companies to show otherwise. While this may seem unfair to energy companies, they can mitigate this risk with self-help. By periodically testing the water, they can either ensure that it is not contaminated or act promptly to clean or replace it. After all, energy companies cannot be liable for health effects unless there first is a showing that they contaminated the water.

We can refine the common law with select legislation to make it more effective as a regulatory strategy. For example, to ensure that lawyers are willing to bring cases, we can require defendants who lose to pay the other side's legal fees. We can also oblige energy companies to have insurance to cover the damages if they are insolvent. We may also want narrowly targeted prohibitions on fracturing in environmentally sensitive areas, such as the Catskills watershed that supplies water to millions of people in New York City. Some of the necessary steps may be taken by Congress, while others can be taken by state legislatures or even state courts.

The bottom line, though, is that reasonable and effective regulation is possible for fracturing. The right regulatory strategy can protect our water resources, while also harnessing the substantial economic, national security, and environmental advantages of the shale oil and gas revolution.

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class notes: STAYING IN TOUCH

Columbia Law School graduates from around the world share news of their professional and personal accomplishments

1935

MORDECAI ROCHLIN, LL.B., a longtime partner at Paul, Weiss, Rifkind, Wharton & Garrison in New York City, celebrated his 100th birthday this past December. Rochlin began as an associate at the firm in 1946, and he headed the firm's trusts and estates practice for almost three decades.

1946

NAOMI LEVINE recently befriended fellow graduates **LIBBY ADELMAN '38**, **TERRY STUCHINER '47**, and **LOIS WALDMAN '50** after a chance encounter while all of the graduates were on separate vacations at Raquette Lake in the Adirondack Mountains. Though the women graduated in different years, Levine says that, following the coincidental meeting, they were able to come together to reminisce about days spent as students at the Law School. Levine is the chair and executive director of the George H. Heyman, Jr. Center for Philanthropy and Fundraising at New York University. After graduating from the Law School, Adelman practiced law at Adelman & Fagelson. Stuchiner, who recently passed away, was one of the country's leading experts on pension law. Waldman served as a civil rights lawyer for the American Jewish Congress.

1950

DANIEL SCHEYER was recently elected to his 10th term as a trustee of the village of Sands Point, N.Y. Scheyer previously served as deputy mayor of the village, as well as chairman of Sands Point's board of zoning appeals.

1952

DONALD A. ROBINSON received the 2012 Trailblazer Award from the New Jersey Women Lawyers Association. Robinson, a founding partner of Robinson, Wettre & Miller in Newark, N.J., was recognized for the firm's promotion of gender diversity and for his consistent efforts to support the advancement of women in the legal profession.

1953

JACK BORRUS received the David Pavlovsky Service to the Bar Award from the Middlesex County Bar Association this past May. The award recognizes individuals for their extraordinary service and dedication to the bar association. Borrus, president and senior partner of Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl in North Brunswick, N.J., was also recently honored with a Professional Lawyer of the Year Award from the New Jersey Commission on Professionalism in the Law. This past spring, he was featured in a New Jersey Health Foundation publication for his work in establishing the O'Connell-Borrus Asthma Research Laboratory at the Child Health Institute of New Jersey.

1955

LEONARD M. WAGMAN works as a labor relations arbitrator in the Washington, D.C., and Baltimore regions. Before retiring from the National Labor Relations Board in 2003, Wagman served as an administrative law judge. He had worked at the agency for more than 30 years.

1959

EVAN J. SPELFOGEL was named to *The Best Lawyers in America* list for 2013. Spelfogel, a partner at Epstein Becker & Green in New York City, was recognized for his work in labor and employment law. He was also recently named one of *Super Lawyers* magazine's top labor and employment lawyers in the New York metro area.

RICHARD S. VOLPERT was recently named senior partner at Glaser Weil Fink Jacobs Howard Avchen & Shapiro in Los Angeles. Volpert, who has more than five decades of experience in the planning and development of large-scale construction projects, is a member of the firm's real estate practice.

1961

MEYER A. GROSS was recently elected a voting member of the American Institute for

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class of: '72

RUSSELL GERTMENIAN
COMMUNITY CENTERED

Russell Gertmenian '72, managing partner of Vorys, Sater, Seymour and Pease in Columbus, Ohio, recalls with great precision how, 40 years ago, some friends and colleagues found it odd that he decided to join Vorys rather than work for an elite New York City law firm. But in retrospect, he says, the choice provided him a wider array of experiences, and the potential to play a big role in a smaller city.

"My professional career is different than it would have been if I'd stayed in New York," Gertmenian says. "The law firm has given me a platform to get involved in the community in a very real sense."

Since joining Vorys, Gertmenian has served on the boards of various companies (including retailer Abercrombie & Fitch) and worked to further the goals of nonprofit organizations such as the Columbus Metropolitan Library Foundation, among others. (He has also advised family foundations and worked with the local art museum.) During that same span, the firm has grown from approximately 40 lawyers to more than 350, and Vorys has opened offices in Washington, D.C., Cincinnati, and, most recently, Houston.

When Gertmenian became managing partner of Vorys in 2007, he spent his first nine months talking with every partner at the firm—sometimes for 45 minutes, occasionally for six hours. "I had probably 120 different expectations of me," he says.

It has not been an easy time to be a managing partner, after all, with the legal market squeezed since the economic downturn. For Gertmenian, the financial climate led to an increased focus on the firm's sustainability and market share, rather than efforts at maximizing profits in the short-term.

Now, as he nears retirement age, Gertmenian must transition the firm to the next generation. "I've been here for 40 years, and I love this institution," he says. "It matters to me."

WHEN GERTMENIAN BECAME MANAGING PARTNER OF VORYS, HE SPENT HIS FIRST NINE MONTHS TALKING WITH EVERY PARTNER AT THE FIRM—SOMETIMES FOR 45 MINUTES, OCCASIONALLY FOR SIX HOURS.

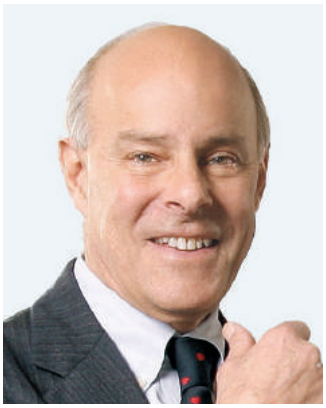
Economic Research, an independent, nonprofit organization that provides the public with critical analysis of the state of the U.S. economy. Gross maintains his own legal practice in New York City and specializes in patent law.

PAUL A. ROWE, LL.B., was recently named the number one lawyer in New Jersey by *Super Lawyers* magazine. This marks the second consecutive year that Rowe has received the top ranking, and his seventh consecutive year on the *Super Lawyers* "Top 10" list. This past May, Rowe also received the National Judge Learned Hand Award from AJC New Jersey. The annual award recognizes leaders in the legal profession who promote the rights of the individual and the importance of democratic values. Rowe serves as chairman of Greenbaum, Rowe, Smith & Davis in New Jersey.

1962

ROBERT A. KAGAN recently received the Lifetime Achievement Award from the American Political Science Association's law and courts section. Kagan was recognized for his distinguished career of scholarly achievement and for his work in the judicial and legal fields. He serves as professor emeritus of political science at the University of California, Berkeley, and as the Emanuel S. Heller Professor of Law (emeritus) at UC Berkeley School of Law.

1964



MICHAEL R. GRIFFINGER recently received the Medal of Honor from the New Jersey State Bar Foundation. The award, the foundation's highest honor, is given each year to candidates who have made outstanding contributions to improving the justice system in New Jersey. Griffinger serves as director of business and commercial litigation at Gibbons. He focuses his practice on corporate and commercial disputes, securities litigation, and antitrust matters. His clients include the state legislature of New Jersey, Freddie Mac/Fannie Mae, and Hearst Publications, as well as the city council and mayor of Newark.

ARTHUR C. SILVERMAN was recently recognized by *Chambers USA* for excellence in the field of construction law. Silverman is a partner in the New York City office of Duane Morris, where he specializes in construction project documentation and negotiation.

1965

DAVID A. RICE, LL.B., was recently named professor of law emeritus at Roger Williams University School of Law in Bristol, R.I. Rice, whose teaching career spans four decades, served as a professor of law at the school for nearly 15 years. He specializes in contract law, intellectual property, and information technology law.

ARTHUR D. WOLF recently published the article "Preliminary Injunction Standards in Massachusetts State and Federal Courts" in the *Western New England Law Review*. Wolf serves as a professor of law at Western New England School of Law, and as the director of its Institute for Legislative and Governmental Affairs.

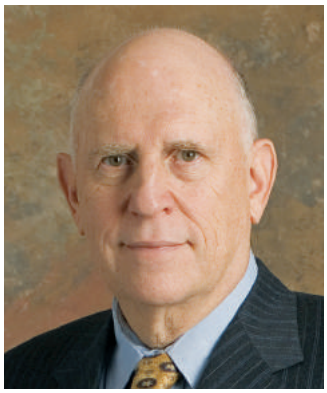
1966

WARREN BELMAR was recently reappointed as a senior fellow of the Administrative Conference of the United States, an independent federal agency that works to promote improved government procedures. Belmar also serves as managing director of Capitol Counsel Group, a company that advises clients on how to receive financial assistance from federal programs.

RODERIC V.O. BOGGS is executive director of the Washington Lawyers' Committee for Civil Rights and Urban Affairs. The organization's work was highlighted during a recent brown-bag luncheon at the Washington, D.C., offices of Weil, Gotshal & Manges. **PETER D. ISAKOFF '78**, head of that firm's Washington, D.C., litigation practice, hosted the event. Among those in attendance were **ANDREA LEE NEGRONI '82**, **KENNETH J. PFAEHLER '88**, and **ADAM M. SPARKS '09**.

MARTIN EDELMAN, LL.B., was appointed to the board of directors of AMD, a semiconductor design company in Sunnyvale, Calif. Edelman serves as of counsel at Paul Hastings in New York City. He specializes in real estate law and corporate mergers.

JEROME (JERRY) MARSHAK recently defended the state of New Mexico in a Medicaid class-action case before the New Mexico Supreme Court. Marshak, who previously served as an assistant attorney general for the state and has since retired, continues to work on special projects for the attorney general's office.



BENNETT G. PICKER was named Philadelphia's "Lawyer of the Year" by *The Best Lawyers in America*. Picker serves as senior counsel in the alternative dispute resolution practice at Stradley Ronon Stevens & Young. He is also a distinguished fellow of the International Academy of

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class of: '78

JOEL REYNOLDS
NATURAL INSTINCT

Growing up in Riverside, Calif., environmental law expert Joel Reynolds '78 remembers spending much of his childhood playing outdoors. He also recalls not being able to take deep breaths outside by late afternoon because of the smog drifting over his community from Los Angeles, about 60 miles to the west.

"I grew up very aware of air pollution," says Reynolds, who was named the western director of the Natural Resources Defense Council (NRDC) in the autumn of 2012. "It was just part of Riverside in the summer."

Reynolds, who became interested in public policy at a young age, focused on public interest issues while at the Law School. In 1990, he began working as a senior attorney for the NRDC and soon took on a series of cases that involved a relatively new subfield of environmental law: ocean noise pollution. Reynolds successfully challenged the U.S. Navy's use of underwater explosives and high-intensity sonar. "Sound travels five times more efficiently under water," he explains. "The increasing exposure to high-intensity sound threatens entire populations of marine mammals with injury and death."

During the past three decades, Reynolds has litigated cases involving a wide range of pressing environmental matters, including the protection of a birthing lagoon for whales in Mexico's Laguna San Ignacio and cleanup of a toxic waste dump near his hometown. He is currently focused on a campaign to prevent construction of the Pebble Mine in Alaska's Bristol Bay region, a project that he says would poison one of the world's most valuable wild salmon fisheries and the communities that depend on it.

"I tend to work on things that tap into a level of outrage or passion," Reynolds says, adding that he also looks for pressing environmental issues that present an opportunity to spur tangible change. "I'm not interested in bringing cases for public relations purposes. I have to believe in the merits of each case."

REYNOLDS IS CURRENTLY FOCUSED ON A CAMPAIGN TO PREVENT CONSTRUCTION OF THE PEBBLE MINE IN ALASKA'S BRISTOL BAY REGION.

Mediators, as well as a fellow of the American College of Civil Trial Mediators.

1967

WILLIAM R. HICKMAN received the 2012 Robert Giegengack Award from USA Track & Field (USATF). The award is given annually to a person who represents the organization's high standards of excellence. Hickman has served the USATF for 40 years, officiating at the 1984 Olympic Games and at five U.S. Olympic trials. He worked as a member of the International Association of Athletics Federations' anti-doping commission and serves as president of the Pacific Northwest Track & Field Association. Hickman practices appellate law at Reed McClure in Seattle.

JEROLD OSHINSKY recently joined Kasowitz, Benson, Torres & Friedman as a partner in the firm's Los Angeles office. Oshinsky serves as a member of the firm's insurance recovery practice, and he also helped to launch the Los Angeles office, which opened in May. Oshinsky previously served as co-chair of Jenner & Block's insurance litigation and counseling practice.

GERALD SHEA recently published his memoir, *Song Without Words: Discovering My Deafness Halfway through Life* (Perseus Books: 2013). In the book, Shea recalls compensating for his undiagnosed partial deafness throughout his childhood and young adult life, only to fully discover the scope of his impairment at the age of 34. Before embarking on his writing career, Shea practiced law at Debevoise & Plimpton—in both New York City and Paris—for several decades. He also served as vice president and general counsel for Mobil Oil Corporation from 1984 to 1987.

1968

JILL WINE-BANKS was featured in *All The President's Men Revisited*, a Discovery Channel documentary film centered on the Watergate scandal and narrated by Robert Redford. Wine-Banks served as one of three assistant special prosecutors who helped try the case, and she was responsible for the cross-examination of President Richard Nixon's secretary, Rose Mary Woods. Wine-Banks now works as a management consultant at F&H Solutions Group, which specializes in human resources and labor relations matters.

1969

PHILIP H. ROSENFELT was named a finalist for a Samuel J. Heyman Service to America Career Achievement Medal, which recognizes federal employees for significant public service accomplishments. Rosenfelt serves as acting general counsel for the U.S. Department of Education. He has worked as an attorney in the office of the general counsel at the Department of Education—and its predecessor, the Department of Health, Education, and Welfare—since 1971, including stints as the deputy general counsel for program service and as the assistant general counsel for elementary, secondary, adult, and vocational education.

1970

TAD (JOHN A.) CRAWFORD recently published his debut novel, *A Floating Life*, which tells the story of a middle-aged man "floating" between a surreal, dream-like world and his own reality. Crawford is the founder and publisher of Allworth Press, which specializes in business and self-help books for artists, graphic designers, filmmakers, and photographers. He has also written more than a dozen nonfiction books—including *The Secret Life of Money* and *The Writer's Legal Guide*—focused on the business lives of artists and writers.

CHARLES E. DONEGAN, LL.M., maintains an active labor and employment arbitration practice in Washington, D.C., and serves as a moot court judge for the American Bar Association, as well as for various other organizations.

BRUCE C. RATNER received the Jackie Robinson Foundation Lifetime Achievement Award at the 2013 ROBIE Awards ceremony this past March. Ratner, the chairman of Forest City Ratner Companies, was honored for helping to revitalize downtown Brooklyn through the development of Atlantic Yards, which includes the Barclays Center, home of the Brooklyn Nets. He was also recognized for his commitment to the arts and for his work on the boards of Memorial Sloan-Kettering Cancer Center and Weill Cornell Medical College. In addition, Ratner was recently named chairman-elect of the board of trustees for New York City's Museum of Jewish Heritage—A Living Memorial to the Holocaust.

STEPHEN SUSSMAN recently joined the New York City office of Duane Morris as a partner. Sussman, who serves as a member of the firm's trial practice group, specializes

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R. ALTA CHARO
SCIENTIFIC METHOD

For 30 years, bioethics expert R. Alta Charo '82 has analyzed how the interplay between science and the law evolves. Today, she says, advances in stem cell research, biotechnology, and reproductive rights are challenging legal structures like never before.

"Science does not stop for the law to catch up," says Charo, the Warren P. Knowles Professor of Law and Bioethics at the University of Wisconsin's law and medical schools. "It would be wonderful if law could get out ahead of things, but there is risk in trying to write law for science [that doesn't exist yet]."

Early in her career, Charo worked on policies related to infertility in the U.S. and family-planning programs in developing countries. During the next two decades, she established herself as an authority in stem cell policy and reproductive rights. In 2008, Charo joined Barack Obama's transition team, focusing on the life-sciences issues most in need of attention during his presidency. She then joined the FDA as an adviser, working on how the agency might better regulate emerging technologies. The greatest challenge, Charo says, is to anticipate and manage novel risks while still allowing for progress.

"How does one develop a regulatory system based on yellow lights, instead of red lights and green lights?" she asks. "You don't want to be an agency that just says 'no.'"

In the classroom, Charo teaches her students that what is desirable for the legal system is not always the ideal scenario for science, and vice versa. "Today's science is not just about making new toys," she adds. "[Science] explores the deepest mysteries of human existence. With each development comes a new challenge to something we thought was written in stone, and was actually written in sand."

CHARO SAYS ADVANCES IN STEM CELL RESEARCH AND BIOTECHNOLOGY ARE CHALLENGING LEGAL STRUCTURES LIKE NEVER BEFORE.

class of: '82

in business litigation with an emphasis on franchise litigation, as well as business transactions. Prior to joining Duane Morris, Sussman worked as a partner at Lebensfeld Borker Sussman & Sharon.

1971

MARK A. BELNICK recently served as a distinguished practitioner in residence at Pepperdine University School of Law. He also served as the founding director of the school's Ninth Circuit Appellate Advocacy Clinic. Belnick heads his own legal practice in Los Angeles and New York City. He specializes in complex commercial litigation, white-collar criminal matters, internal corporate investigations, and alternative dispute resolution.

MAX W. BERGER, senior founding partner at Bernstein Litowitz Berger & Grossmann, was recently named one of the country's "100 Most Influential Lawyers" by *The National Law Journal*. Berger, who serves as supervisor of his firm's litigation practice, was recognized for his work brokering settlement claims for plaintiffs who suffered major losses during the financial crisis. Berger is also an accomplished photographer, and this past April the 25CPW Gallery in New York City showcased a collection of his work. The exhibition, "Places," featured photographs from Berger's trips to diverse locations around the world.

STUART M. SAFT was recently named chair of Holland & Knight's New York real estate practice group, as well as co-chair of the firm's global hospitality, resort, and timeshare group. Saft has served as a partner at Holland & Knight since 2012.

NORMAN G. TABLER JR. rejoined the Indianapolis office of Faegre Baker Daniels as counsel in the firm's health care group. Tabler first joined the firm in 1971 as an associate, and he served as a partner from 1977 to 1996. Before returning to Faegre Baker Daniels, he worked as senior vice president and general counsel at Indiana University Health.

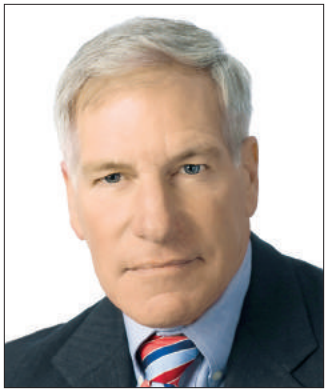
1972

ROBERT G. ANDRÉ serves as a senior litigation and business attorney at Ogden Murphy Wallace in Seattle. His practice focuses on complex products liability and toxic tort cases, as well as on commercial litigation.

LARRY GAGE was recently named senior counsel at Alston & Bird in Washington, D.C. His practice focuses on health law and policy. Gage is the founder and former president of the National Association of Public Hospitals and Health Systems, and co-founder of American International Health Alliance.

WILLIAM (RUSTY) PARK was recently re-elected president of the London Court of International Arbitration, one of the leading international institutions for commercial dispute resolution. Park serves as a professor and as the R. Gordon Butler Scholar in International Law at Boston University School of Law. He also serves as general editor of *Arbitration International*.

THEODORE (TED) RUTHIZER will be a featured speaker at the 6th Biennial International Bar Association Immigration and Nationality Law Conference in London this November. Ruthizer teaches immigration law and policy as a lecturer-in-law at Columbia Law School. He also serves as co-chair of the business immigration group at Kramer Levin Naftalis & Frankel in New York City.



ROBERT A. WHITE joined the Princeton, N.J., office of Goldberg Segalla as a partner. White is a member of the firm's business and commercial, product liability, aviation litigation, and toxic torts practice groups. He also serves as an adjunct assistant professor in the department of environmental and community medicine at the University of Medicine and Dentistry of New Jersey. White previously served as the managing partner of Morgan Lewis' New Jersey office.

1973

REYNOLD LEVY joined the board of directors for First Republic Bank. Levy also serves as president of Lincoln Center for the Performing Arts in New York City. He has written and lectured extensively on philanthropy, the performing arts, and nonprofit management.

1974

FERNANDO DE MELLO BARRETO, LL.M., was named head of the Ministry of Foreign Affairs in São Paulo, Brazil. Barreto is the former Brazilian ambassador to Australia, and he also previously served as the Brazilian consul-general in Boston.

CHARLES DOUGLAS BETHILL married Linda Weiner Rosner in August 2012 at the Pleasantdale Chateau in West Orange, N.J. Bethill is a partner in the financial services and products group at Alston & Bird in New York City.

JOHN A. SHUTKIN was recently recognized as a "Top Corporate Counsel" by *The Business Journal* in Milwaukee. Shutkin, who serves as general counsel at the professional service firm CliftonLarsonAllen, was one of 11 corporate counsels honored in the southeastern Wisconsin region. He was also recently named president of the Wisconsin Equal Justice Fund.

1975

LINDA A. BAUMANN was recently named to the honorary board of trustees of Arena Stage in Washington, D.C., where she serves as a partner specializing in health law at Arent Fox. The third edition of her book *Health Care Fraud and Abuse: Practical Perspectives* will be published later this year.

MARK L. DAVIES was named chair of the municipal law section of the New York State Bar Association. Davies serves as executive director of the New York City Conflicts of Interest Board. He previously worked as executive director of the New York State Temporary State Commission on Local Government Ethics and as a deputy counsel to the New York State Commission on Government Integrity.

GERALD C. HARVEY was recently elected chair of the Rutgers University Board of Governors. Harvey, the former executive vice president, general counsel, and secretary of Breeze-Eastern Corp., was first named a trustee governor in 2008, and he previously served as the board's vice chair.

REX S. HEINKE was recently recognized as the top First Amendment litigation lawyer in Los Angeles by *The Best Lawyers in America*. He was also named an "Attorney of the Year" by *California Lawyer* magazine. Heinke serves as a partner in the Century City office of Akin Gump Strauss Hauer & Feld, where he is co-head of the firm's Supreme Court and appellate practice.

CHERYL L. JOHNSON, a deputy attorney general for the California Department of Justice, was appointed chair of the State Bar of California antitrust and unfair competition law section. Johnson recently served as editor-in-chief of the revised edition of *California Antitrust and Unfair Competition Law*, a one-volume treatise that was published in 2012.

1976

GARY APFEL was recently named by *Super Lawyers* magazine as a top attorney in Southern California for 2013. Apfel, whose practice focuses on consumer financial services, is a partner at Pepper Hamilton and oversees the firm's Los Angeles office. He also serves as co-chair of the firm's consumer financial services practice group.

1977

SHEILA ABDUS-SALAAM was recently appointed as a judge on the New York Court of Appeals. Abdus-Salaam, who was nominated by New York Governor Andrew M. Cuomo, is the first African-American woman to serve on the Court of Appeals. She is a former associate justice of the Appellate Division, First Department, and a former justice of the Supreme Court of the State of New York.

PETER H. BLESSING was named head of cross-border corporate transactions in the Washington national tax practice at KPMG. Blessing previously served as a tax partner at Shearman & Sterling, where he specialized in advisory services, as well as in tax audits and dispute resolution.

STANLEY M. CROCK recently joined the management consulting firm McKinsey & Company in Washington, D.C. Crock, a former news editor and diplomatic correspondent for *Businessweek*, is a senior communications specialist at the firm. He previously served as a senior editorial director at Accenture.

ALLAN VAN FLEET filed an amicus brief with the U.S. Supreme Court in *Fisher v. University of Texas* on behalf of the family of Heman Sweatt, an African-American man who was denied admission to the University of Texas School of Law in 1946, giving rise to the *Sweatt v. Painter* Supreme Court case. The brief supported the university's practice of considering race when reviewing applicants not automatically admitted to the school under the Texas "Top 10 Percent" law. Van Fleet serves as a partner at McDermott Will & Emery in Houston.

1978

TIMOTHY S. FISHER was recently named dean of the University of Connecticut School of Law. Fisher previously served as a partner in the construction practice group at McCarter & English in Hartford, as well as president of the Connecticut Bar Foundation. He led McCarter & English's sponsorship of the Connecticut Innocence Project—a division of the State of Connecticut Public Defender's services that provides legal assistance to wrongly convicted individuals—and has served as a board member for Greater Hartford Legal Aid.

1979

BARRETT L. BRICK recently received the Global Vision Award from Immigration Equality, a national organization that provides legal aid and advocacy for LGBT and HIV-positive immigrants. Brick, who was president of the Gay and Lesbian Activists Alliance of Washington, D.C., from 2006 to 2009, has also served as co-chair of the American Bar Association's committee on sexual orientation and gender identity, and as executive director of the World Congress of Gay and Lesbian Jewish Organizations.

SHARON M. DAVISON joined the investment management group at Seward & Kissel as counsel to the firm. Davison specializes in legal, regulatory, and compliance issues for broker-dealers. She previously served as of counsel at Richardson & Patel in New York City.

KUNDUCK MOON accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Moon serves as managing director and global

head of investment industry finance at ING Capital.

MICHAEL P. RICHMAN was recently named partner at Hunton & Williams in New York City. Richman is a member of the firm's bankruptcy, restructuring, and creditors' rights practice. He previously chaired the bankruptcy and restructuring practice group at Patton Boggs.

MARK B. ROTENBERG was named vice president and general counsel at Johns Hopkins University in Baltimore. In this role, Rotenberg advises the university's board of trustees, deans, senior leadership, faculty, and staff. He previously served as general counsel at the University of Minnesota.

NINA L. SHAW was named the 2013 "Entertainment Lawyer of the Year" by the Beverly Hills Bar Association. Shaw is a co-founder and partner at Del, Shaw, Moonves, Tanaka, Finkelstein & Lezcano in Santa Monica, Calif.

DAVID E. WARREN was recently named to *The Best Lawyers in America* list for 2013. Warren, senior counsel for Verrill Dana in Portland, Maine, serves as general counsel for both large corporations and closely held businesses. He is also a member of the Maine Business Hall of Fame.

MARTIN J. YUDKOVITZ was recently named head of strategic innovation at The Walt Disney Company, where he previously served as senior vice president for corporate strategy. Prior to joining Disney, Yudkovitz held a number of senior management positions at TiVo and NBC.

1980

ANNE BLOOMDAHL recently earned a master of arts in religion from Yale Divinity School. Bloomdahl focused her studies on ethics while at Yale, and she graduated summa cum laude.

DANIEL FLYNN recently joined the Iselin, N.J., office of Greenbaum, Rowe, Smith & Davis as counsel in the firm's environmental department. Flynn specializes in environmental law, workplace safety issues, site remediation, and product stewardship matters. He previously served as associate general counsel at Celanese Corporation, a global technology and specialty materials company.

ALAINE S. WILLIAMS, LL.M., was recently named to *The Best Lawyers in America* list for 2013. Williams serves as a partner at Willig, Williams & Davidson in Philadelphia, where she specializes in labor and employment law.

1981

MICKEY MAYERSON was recently named deputy chair of Loeb & Loeb. He was also appointed to the firm's three-person senior management team, which includes fellow Law School graduate **MICHAEL D. BECK '80**, chairman of Loeb & Loeb. Mayerson continues to serve as managing partner of the firm's Los Angeles office. He specializes in entertainment finance law.

MARY V. ROSADO was recently nominated for a New York County Civil Court judgeship. This past May, her candidacy was endorsed by the Manhattan Democratic Party, the Village Independent Democrats, and the Downtown Independent Democrats. Rosado, an experienced litigator, works as a solo practitioner in New York City. She also serves as vice president of the Dominican Bar Association, which represents the interests of Dominican-American, native Dominican, and Latino law professionals and students in both the U.S. and the Dominican Republic.

BARBARA WAGNER serves as an assistant professor of law at Northern Kentucky University's Salmon P. Chase College of Law. Wagner is director of the school's Small Business and Nonprofit Law Clinic and co-director of the Transactional Law Practice Center. She previously worked as vice president, associate general counsel, and assistant secretary for Chiquita Brands International.

1982

PETER C. HARVEY received the Francis X. Bellotti Award at a recent meeting of the National Association of Attorneys General. The award is presented each year to an individual who has worked to further the association's mission. Harvey, a former attorney general of the state of New Jersey, is a partner at Patterson Belknap Webb & Tyler in New York City.

FRANÇOIS G. HENRIQUEZ II was recently named partner at Shutts & Bowen in Miami. Henriquez is a member of the firm's financial services industry practice. He previously served as president and CEO of the U.S. Central Federal Credit Union.

REX L. NISWANDER recently joined the board of the Global Language Project, an educational organization that specializes in language training

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class of: '83

DANIELLA LEVINE
CIVIC MINDED

While studying at Columbia Law School in the 1980s, Daniella Levine '83 mentioned to her grandfather George M. Jaffin '26 that many of her peers were not pursuing public interest law because of financial constraints. The conversation inspired Jaffin—a lawyer and philanthropist—to help establish the Law School's Loan Repayment Assistance Program for graduates choosing to pursue careers in public service. Jaffin always pointed to his granddaughter as the catalyst for the idea.

"That's humbling," says Levine, who, in addition to her law degree, earned a master's degree from Columbia University's School of Social Work. "I thought it was important for students [interested in the field] to keep in touch with their motivations for going to law school."

Levine's own desire to dedicate her career to public interest work led her to found Catalyst Miami, a nonprofit organization that helps communities develop strategies for social, educational, and economic improvement. The organization focuses on what Levine considers to be the two pillars of democracy: economic opportunity and civic responsibility. Through initiatives such as the Prosperity Campaign—which provides application assistance for government benefits and free tax preparation services—Catalyst Miami offers pro bono financial planning help to individuals and families. Another initiative, Imagine Miami, links civic-minded individuals and organizations in an effort to enhance community involvement.

Levine, the organization's president and CEO, created Catalyst Miami as a volunteer group in 1996. It now includes more than 60 employees and apprentices, with an annual budget of $2.8 million. "I never expected to start an organization," Levine notes. "To me, [this work] is an adventure. It's a challenge. It's a puzzle to be solved."

CATALYST MIAMI FOCUSES ON WHAT LEVINE CONSIDERS TO BE THE TWO PILLARS OF DEMOCRACY: ECONOMIC OPPORTUNITY AND CIVIC RESPONSIBILITY.

for disadvantaged public school students. Niswander, who serves as of counsel at Morrison & Foerster in New York City, is also a member of the project's Chinese Language Council.

JODY SIMON recently joined Fox Rothschild as a partner at the firm's Century City office in Los Angeles. Simon specializes in entertainment law and intellectual property law. He has served as governor of the Academy of Television Arts and Sciences, and as director of business affairs at NBCUniversal.

DENNIS M. TOFT was recently recognized by *Chambers USA* for excellence in the field of environmental law. Toft serves as a member of the firm at Wolff & Samson in West Orange, N.J., and as co-chair of the firm's environmental group.

RALPH A. WEBER was featured in the September 2012 issue of *Corporate Counsel* magazine. Weber is a co-founding member of Gass Weber Mullins, a Milwaukee-based firm that was named one of the 10 best boutique litigation firms in the country by *The National Law Journal* earlier this year. In addition, Weber serves as an adjunct professor at Marquette University Law School. He has taught trial advocacy for more than 15 years.

1983

VICTORIA BJORKLUND was recently elected to Princeton University's Board of Trustees. Bjorklund, who will serve a four-year term as an alumna trustee, graduated from Princeton in 1973. She currently serves as of counsel at Simpson Thacher & Bartlett.

DAVID GREENWALD was named co-chair of Fried, Frank, Harris, Shriver & Jacobson. Greenwald will remain in this role through February 2015, at which time he will be named chairman of the firm. He previously served as deputy general counsel and international general counsel at Goldman Sachs.

DONALD E. VAUGHAN was recently named to *The Best Lawyers in America* list for 2013. Vaughan is a partner at Burns & Levinson in Boston, where he serves as an executive committee member and co-chairman of the firm's real estate group.

1984

GAY CROSTHWAIT GRUNFELD, a partner at Rosen Bien Galvan & Grunfeld in San Francisco, was named a 2013 "Attorney of the Year" by *California Lawyer* magazine. Grunfeld was recognized for her work in the area of prison law, specifically for securing court rulings mandating that prisoners with disabilities be accommodated when being held in county prisons. She was also named a 2012 "Attorney of the Year" by the legal newspaper *The Recorder*.

EDWARD H. KLEES recently began serving as a lecturer at the University of Virginia School of Law, where he teaches a class on private equity and hedge funds. Klees also serves as general counsel for the University of Virginia Investment Management Company in Charlottesville, Va. In 2012, The MIT Press published Klees' book, *Biomedical Consulting Agreements: A Guide for Academics*, which he co-authored with Nobel Prize winner H. Robert Horvitz. In March, *The Wall Street Journal* published an article highlighting Klees' bank custody research.

H. GEOFFREY MOULTON JR. was appointed special prosecutor in charge of the internal investigation by the Pennsylvania Attorney General's office into its handling of the Jerry Sandusky child abuse case. Moulton currently serves as an associate professor at Widener University School of Law. He has also worked as chief counsel to U.S. Senator Ted Kaufman, and as chief of staff and deputy special inspector general for the Office of the Special Inspector General for the Troubled Asset Relief Program. Moulton served as first assistant United States Attorney for the Eastern District of Pennsylvania from 2001 to 2005.

STUART RIBACK was recently named to the board of directors for Quality Services for the Autism Community, a nonprofit organization that provides educational, residential, therapeutic, and family support services to individuals with autism. Riback is a partner at the New York City office of Wilk Auslander, where he specializes in intellectual property, business law, and creditors' rights cases.

KATHY SURACE-SMITH recently joined NanoString Technologies, a life science tools provider in Seattle, as vice president and general counsel. Surace-Smith previously served as a principal at Lochleven Consulting and as vice president, general counsel, and corporate secretary at SonoSite, a medical device company specializing in handheld ultrasound systems.

ANALISA TORRES was named a U.S. District Court judge for the Southern District of New York. Torres, who was nominated by U.S. Senator Kirsten Gillibrand, previously served as a justice on the New York County Supreme Court, Criminal Term. She currently chairs the board of the Women's Housing and Economic Development Corporation, which provides affordable housing, education and youth development, family support services, and arts programming throughout the Bronx.

PATRICIA C. VAUGHAN was recently elected to the board

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class of: '83

STACY D. PHILLIPS
IN CONTROL

As the founder and managing principal of a small family law firm in Los Angeles, Stacy D. Phillips '83 has represented a long list of celebrity clients in their high-profile divorce, paternity, and custody cases. Phillips' work with Britney Spears landed her in *People* magazine, and she has made many television appearances.

Phillips comes from a family of lawyers. Her grandfather, Louis Phillips, was the founder of the New York law firm Phillips Nizer, while her father, Gerald Phillips, is a prominent entertainment attorney turned mediator and arbitrator.

Because of her family background, it was almost expected that she would become a lawyer, but Phillips never thought she would start her own firm. "I didn't know I had that kind of entrepreneurial drive," she says. "Yet, in high school, I had a business printing custom stationery and invitations. So, in that sense, I was an entrepreneur."

After graduating from Columbia Law School, Phillips clerked at the U.S. District Court for the Central District of California before working at Wyman, Bautzer, Rothman, Kuchel and Silbert, and then at the Beverly Hills boutique family law firm Jaffe and Clemens. She founded the firm that became Phillips Lerner in November 1990.

Representing Darcy LaPier in her high-stakes child-support battle with Jean-Claude Van Damme was Phillips' big break. "I was a very young lawyer, but was successful in achieving for my client the highest-litigated child support award in the country at that time," she recalls. "That opened a lot of doors."

Phillips, who wrote the book *Divorce: It's All About Control* (now in its sixth printing), is a natural-born networker who built upon her initial success by attracting more clients, earning greater publicity, and committing to an array of philanthropic endeavors. "I like to introduce people to people," she says, "and one thing feeds into another."

PHILLIPS COMES FROM A FAMILY OF LAWYERS. HER GRANDFATHER FOUNDED THE FIRM PHILLIPS NIZER, AND HER FATHER IS ALSO A PROMINENT ATTORNEY.

of directors for the African Population and Health Research Center, an organization that facilitates research on issues such as urbanization, overpopulation, reproductive health, and education in an effort to improve the quality of life for people in Africa. Vaughan serves as general counsel and secretary for Population Council, a New York City–based nonprofit organization working to curtail the spread of HIV and AIDS, address environmental problems, and counteract the impact of rapid population growth in developing nations.

1985

LANNY A. BREUER rejoined the Washington, D.C., office of Covington & Burling as vice chair of the firm. For the past four years, he served as the assistant attorney general for the Criminal Division of the U.S. Department of Justice. Prior to working in public service, Breuer co-chaired the firm's white-collar defense and investigations practice group.

INAJO DAVIS CHAPPELL was recently named to *The Best Lawyers in America* list for the third consecutive time. Chappell is a partner in the Cleveland office of Ulmer & Berne, where she serves as chair of the firm's nonprofit group. She also specializes in public law.

FRANCES DI SAVINO recently published the book *The World of Sicilian Wine* (University of California Press: 2013) with her husband, Bill Nesto. The book provides wine lovers with a comprehensive history of Sicilian wine, from its ancient roots to its modern evolution. Di Savino is also a co-founder of Incounsel, which provides general counsel services to venture-backed companies in the information technology and life science sectors.

MICHAEL J. SCHMIDTBERGER received Columbia College's John Jay Award this past spring. The award, which is presented annually, recognizes alumni for their distinguished professional achievement. Schmidtberger serves as a partner in the New York City office of Sidley Austin. He is a global co-head of the firm's investment funds, advisers, and derivatives practice.

DANIELA WEBER-REY, LL.M., was recently named chief governance officer and deputy global head of compliance at Deutsche Bank in Frankfurt, Germany. Weber-Rey, who previously served as a partner at Clifford Chance, is responsible for the oversight of Deutsche Bank's global corporate governance and acts as an adviser to the company's management board. She also recently joined the board of the European Corporate Governance Institute in Brussels, as well as the advisory board of the International Center for Insurance Regulation in Frankfurt.

JAMES A. WILSON was recently recognized among Ohio's top antitrust litigation lawyers in the 2013 edition of *Chambers USA*. He serves as a partner in the Columbus, Ohio, office of Vorys, Sater, Seymour and Pease. Wilson specializes in Hart-Scott-Rodino investigations, criminal investigations and trials, and civil actions.

1986

GREGORY M. STEIN recently published the book *Modern Chinese Real Estate Law: Property Development in an Evolving Legal System*, which examines private ownership of land use rights in Communist China. Stein serves as the University of Tennessee College of Law's Woolf, McClane, Bright, Allen & Carpenter Distinguished Professor of Law. He also serves as associate dean for faculty development.

1987

SHARON L. DAVIES was recently appointed executive director of the Kirwan Institute for the Study of Race and Ethnicity at Ohio State University. The institute works to deepen the understanding of the causes and consequences of racial and ethnic disparities throughout society. Davies serves as the Gregory H. Williams Chair in Civil Rights and Civil Liberties at Ohio State University's Moritz College of Law.

JESSE FEDER was recently named a copyright royalty judge at the Library of Congress. Feder previously worked as director of international trade and intellectual property at Business Software Alliance in Washington, D.C. He has also served as acting associate register at the U.S. Copyright Office and as a special legal adviser in the Library of Congress' office of the general counsel.

JOSEPH A. MENDOLA was recently appointed to the national board of directors of the Log Cabin Republicans, a nonprofit organization that is dedicated to representing the interests of LGBT members of the Republican Party. Mendola currently serves as chief compliance officer and legal counsel at the investment bank M.R. Beal & Company in New York City.

MICHÈLE STEPHENSON
ACTION ORIENTED

Filmmaker Michèle Stephenson '95 started shooting the documentary *American Promise* 13 years ago, when her son Idris began attending the prestigious Dalton School on Manhattan's Upper East Side. Stephenson and her husband, Joe Brewster, turned the camera on their own family to explore how perceived stereotypes surrounding African-American boys can affect academic achievement.

"The challenge is to be as true and transparent as possible, because that's where the power of the stories can be found," says Stephenson, a human rights lawyer.

The film documents Idris and another African-American boy as they struggle with issues of race, privilege, and opportunity. It debuted earlier this year and won a U.S. documentary special jury award at the Sundance Film Festival.

Stephenson discovered her passion for filmmaking after her first year of law school. She spent that summer working in Brazil as a Columbia Law School Human Rights Institute intern at a nonprofit organization focused on fighting racial discrimination in that country. During the workday, Stephenson helped draft legislative initiatives. In the evenings and on the weekends, she filmed young progressive artists in the country's inner-city neighborhoods. Her first short film, *We Choose to Rap*, focused on feminist rap music in Brazil.

Fast-forward two decades, and Idris is now in college. Early next year, Random House will publish a book that further explores the issues raised in *American Promise*.

"For me, [filmmaking has been] about figuring out how to maximize the power of storytelling to have some form of impact that effects change," says Stephenson, "whether on a personal, community, or societal level."

"THE CHALLENGE IS TO BE AS TRUE AND TRANSPARENT AS POSSIBLE, BECAUSE THAT'S WHERE THE POWER OF THE STORIES CAN BE FOUND." —MICHÈLE STEPHENSON

class of: '95

GUY N. MOLINARI joined the New York City office of Kilpatrick Townsend & Stockton as a partner. Molinari focuses his practice on corporate finance, securities, and mergers and acquisitions. He previously worked as a solo practitioner, providing general corporate advice to clients investing in distressed or developing businesses.

LAURA S. PRUITT recently joined the financial services and products group at Alston & Bird in Washington, D.C., where she works as a partner specializing in securities law and market regulation issues. Previously, Pruitt was practice group leader of the securities and futures market regulation group at Schiff Hardin, also in Washington, D.C.

1988

TODD L. CRANFORD joined the Certified Financial Planner Board of Standards as director of government relations. Cranford previously served as of counsel at Patton Boggs in Washington, D.C., and as senior counsel for the U.S. House of Representatives Financial Services Committee.

JON M. GARON helped establish the W. Bruce Lunsford Academy for Law, Business + Technology at Northern Kentucky University's Salmon P. Chase College of Law. The technology-driven, skills-based honors immersion program is operated by the NKU Chase Law + Informatics Institute, which Garon directs. Garon also serves as a professor at Chase College of Law, specializing in entertainment law, informatics, intellectual property, and business law.

MICHAEL J. HARRINGTON was recently named senior vice president and general counsel at Eli Lilly and Company in Indianapolis. Harrington joined the pharmaceutical company in 1991. He previously served as managing director of Eli Lilly New Zealand, as general counsel for Eli Lilly's Asia Pacific operations, and, most recently, as deputy general counsel responsible for all of the company's litigation, manufacturing, environmental, and human resources matters.

MARGARET-ANN F. HOWIE was recently named "Maryland Pro Bono Attorney of the Year" by the Tahirih Justice Center, a nonprofit organization that works to protect immigrant women and girls from gender-based violence through legal services, advocacy, and public education programs. Howie was recognized for her support of immigrant women and children. She currently serves as general counsel for Baltimore County Public Schools.

STEPHEN E. OLDER was recently named partner in the New York City office of McGuireWoods. Older focuses his practice on corporate and securities law. He previously served as a partner at McDermott Will & Emery.

LLOYD M. RICHARDSON recently published the spy novel *Dragon's Paw*, the first book in a trilogy set around a possible nuclear war between India, Pakistan, and China. In the book, Richardson builds upon and dramatizes some of his experiences in the international relations realm, including positions at the U.S. State Department and as a U.S. Foreign Services officer in Taiwan. Richardson serves as a partner at Williams Mullen in Washington, D.C. He focuses on infrastructure finance and public-private partnerships. Richardson also works as an adviser to the U.S. Treasury Department.

BRIAN D. ROBBINS accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Robbins serves as a partner in the New York City office of Simpson Thacher & Bartlett. He is head of the firm's executive compensation and employee benefits practice.

1989

GARTH D. ADAMS was recently elected president of Belin McCormick in Des Moines, Iowa. Adams' practice focuses primarily on venture capital law, mergers and acquisitions, and general corporate law.

GEORGE S. CANELLOS was named co-director of the U.S. Securities and Exchange Commission's division of enforcement, the body tasked with investigating possible violations of securities laws. Canellos previously served as acting director and deputy director of the division. He also worked as director of the SEC's New York regional office.

CAROLYN HOCHSTADTER DICKER recently served as a judge for the annual Benjamin Franklin Invitational, a high school mock trial tournament hosted by the University of Pennsylvania. Hochstadter Dicker, a lecturer at the Wharton School, also works as a solo practitioner. She specializes in business law and bankruptcy.

WADE LEAK accepted a nomination this past summer to serve another term on the Columbia Law School Association Board of Directors. Leak currently works as

deputy general counsel at Sony Music Entertainment.

STEPHEN ORNSTEIN recently joined the Washington, D.C., office of Alston & Bird as a partner in the firm's structured finance and securitization practice. Ornstein specializes in banking and real estate law, with an emphasis on federal and state regulation of real estate. He previously served as a partner at SNR Denton.

SIMONE WU was recently awarded the Asian American Legal Defense and Education Fund's 2013 Justice in Action Award. Wu, who serves as senior vice president, general counsel, and corporate secretary at Choice Hotels International, was recognized for her dedication to promoting diversity in the legal profession.

1990

MONICA JAHAN BOSE began a collaborative printmaking and storytelling project in Bangladesh titled "Her Words: Storytelling with Saris." Bose, who is Bangladeshi-American, and 12 Bangladeshi women are working together to make 24 large-scale woodblock prints on sari fabric. The women will also write and record their oral histories on the saris. The finished saris, along with photos and videos documenting the project, will be exhibited throughout the world.

RUDY CARMENATY accepted a nomination this past summer to serve another term on the Columbia Law School Association Board of Directors. Carmenaty works as a deputy county attorney bureau chief for Nassau County, N.Y., and as the director of legal services for the Nassau County Department of Social Services.

JEANNE M. HAMBURG was recently part of a team that successfully represented the Cointreau Corporation in a trademark dispute, winning a preliminary injunction against a company selling a product similar to Cointreau's orange liqueur. She also recently participated in a panel discussion on copyright enforcement in social media that was hosted by the New York chapter of the Copyright Society of the USA. Panel members examined the implications for owners, posters, and websites that make use of copyrighted material on social media sites. Hamburg currently serves as chair of the internet law practice at Norris McLaughlin & Marcus in New York City.

ANIKA RAHMAN accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Rahman serves as president and CEO of the Ms. Foundation for Women, which is based in New York City.

1991

JAMES I. COHEN was recently named to *The Best Lawyers in America* list for 2013. Cohen, who is a partner at Verrill Dana in Portland, Maine, was chosen based on his administrative law and regulatory law expertise. He was also recently recognized as one of Maine's top attorneys by *Super Lawyers* magazine.

SHAZIA KHAWAJA recently moved to the New York City office of StormHarbour Securities, after working in Singapore for eight years. Khawaja serves as a managing director for StormHarbour, an independent global markets and financial advisory firm. She previously served as a director at DA Capital Asia.

CHARLES LI recently agreed to continue serving as the chief executive officer for Hong Kong Exchanges and Clearing Limited. Li, who was named CEO in 2010, is credited with helping to make Hong Kong one of the world's largest markets for initial public offerings. His new term will continue until October 2015.

CHARLES A. WEISS was recently named partner at Holland & Knight. Weiss serves as head of the firm's New York City intellectual property group. He previously served as a partner at Kenyon & Kenyon.

1992

BARBARA P. ALONSO joined the Miami office of Squire Sanders as a partner. Alonso is a member of the firm's financial services practice. She specializes in domestic and international corporate matters, including corporate and project finance, debt and equity capital markets, and bank and broker-dealer regulatory issues. Alonso previously served as a shareholder at Greenberg Traurig.

ROY J. LARSON recently received the "Client Choice" award from the International Law Office and the online legal analysis company Lexology. The award recognizes law firms and partners that provide excellent client care and high-quality service. Larson serves as a partner in the Miami office of Baker & McKenzie. His practice focuses on mergers and acquisitions, as well as on public and private equity offerings.

JONATHAN D. LUPKIN recently co-founded Rakower Lupkin, a boutique litigation firm in New York City. The firm specializes in complex commercial disputes. Lupkin previously served as a partner at Flemming Zulack Williamson Zauderer. He has also served as chair of the New York State Bar Association's commercial and federal litigation section.

LYNNE HOBBS SMITH was appointed to a judgeship at the Los Angeles County Superior Court by California Governor Jerry Brown. Prior to the appointment, Smith served as a Los Angeles County deputy district attorney. She also volunteers as treasurer of the Los Angeles chapter of The Links, Inc., an international service organization dedicated to the enrichment and preservation of African-American culture.

CARL STYCHIN, LL.M., was named dean of The City Law School at City University London. Stychin previously served as a professor of law, pro-vice-chancellor, and dean of the faculty of economic and social sciences at the University of Reading in Reading, England. His most recent scholarship focuses primarily on sexuality and gender law, and he has written extensively on civil partnerships, same-sex adoption, sexual orientation, and religious freedom issues.

1993

JONATHAN L. ISRAEL joined the New York City office of Foley & Lardner as a partner. Israel is a member of the firm's sports industry team, as well as part of its labor and employment practice. He previously served as a shareholder at Greenberg Traurig.

SALOMON TORRES was recently appointed executive director of the Economic Development Corporation of San Benito, Texas. Torres served as the city's economic development director from 2001 to 2002.

1994

SARKIS JEBEJIAN recently joined the New York City office of Kirkland & Ellis as a partner in the firm's corporate practice group. Jebejian previously served as a partner at Cravath, Swaine & Moore, also in New York City. He specializes in domestic and cross-border mergers and acquisitions.

THOMAS H. YANG was named partner at Akin Gump Strauss Hauer & Feld in Dallas. Yang is a member of the firm's corporate practice. He specializes in complex mergers and acquisitions, as well as in capital markets and securities matters.

1995

PETER J. EKBERG was recently elected managing partner at the Minneapolis office of Barnes & Thornburg. Ekberg is a partner in the firm's corporate practice, and he also serves as a member of the firm's management committee.

MARCIA ELLIS recently rejoined Morrison & Foerster as a partner in the firm's Hong Kong office. She focuses her practice on private equity transactions, as well as on complex mergers and acquisitions involving companies located in Asia. Ellis previously worked as a partner at the firm from 2007 to 2008. She also served as a senior vice president at the D.E. Shaw Group from 2008 to 2011, and as a partner at Ropes & Gray from 2011 to 2013.

SETH T. GOLDSAMT joined the New York City office of Lowenstein Sandler as a partner. Goldsamt is a member of the firm's specialty finance practice. He focuses on public and private securities offerings, as well as on private equity and mergers and acquisitions. Goldsamt previously served as a partner at McDermott Will & Emery in New York City.

CRISTINE M. SAPERS recently joined the New York City office of Loeb & Loeb as a partner in the firm's trusts and estates department. Sapers specializes in sophisticated estate and tax planning for high–net worth individuals, the preparation of wills and trusts, and the administration of large trusts and estates. She previously served as counsel at Debevoise & Plimpton.

1996

CHRISTINE P. BELLON was named a 2013 "In-House Leader in the Law" by *Massachusetts Lawyers Weekly*. The recognition is reserved for in-house counsel or staff attorneys who demonstrate innovative and practical business and legal skills. Bellon serves as vice president of legal affairs at Blueprint Medicines, a biotechnology company based in Cambridge, Mass.

ALEXANDER KHUTORSKY was recently named managing director at the Valence Group, a specialist investment bank in New York City. Khutorsky was also recently named to the board of directors of Meadow Bay Gold Corporation. He served as interim CEO of the corporation in 2012. Khutorsky previously worked as managing director at Dahlman Rose.

class of: '96

ERIC MICHAEL DAVID
TECH MATTERS

In a relatively short amount of time, scientists at Organovo can create functional human liver tissue using a 3D bioprinter. The company's co-founder and chief strategy officer Eric Michael David '96 J.D., '02 M.D. admits that Organovo's work has been compared to something that would be seen on *Star Trek* or other shows about the distant future.

"It's a very cool technology, and it sounds very science fiction," David explains, "but [we are careful to explain] what it can do now, what it can do in two to five years, and after that." Currently, pharmaceutical companies want to use the bioprinted tissue to test new drugs in clinical trials prior to human testing, and David says that Organovo's long-term goal of printing fully composed, functional organs is about a decade away.

A graduate of both Columbia Law School and Columbia University's College of Physicians and Surgeons, David did not initially plan on studying medicine. He notes that a Law School seminar on the legal issues involved in organ transplantation taught by Professor Harold S. H. Edgar helped inspire his interest in the field.

"I looked around and saw so much cutting-edge technology and was fascinated by the questions dealing with how you bring that to market, commercialize it, get it out of the lab, and make the world a better and more productive place," he says.

David went on to serve as the assistant chief resident in internal medicine at New York Presbyterian Hospital before working as an associate partner at the consulting firm McKinsey & Company. He co-founded Organovo in 2007.

Now, as the only lawyer among a staff of 35, David balances a wide variety of responsibilities, including overseeing the company's intellectual property filings and its business development efforts. "What we're doing is truly at the intersection of science, business, and the law," he says. "Wearing all these different hats really keeps me sharp."

PHARMACEUTICAL COMPANIES WANT TO USE ORGANOVO'S BIOPRINTED HUMAN TISSUE TO TEST NEW DRUGS IN CLINICAL TRIALS.

ERNESTO P. MACEDA JR., LL.M., was elected president of the Philippine Association of Law Schools, an organization comprised of more than 100 of the country's legal institutions. Maceda, who also serves as dean at the University of the City of Manila College of Law, is a former vice mayor and city councilor in Manila.

JOSEPH B. MANN was named a partner at Vorys, Sater, Seymour and Pease in Columbus, Ohio. Mann is a member of the firm's tax group. He specializes in federal taxation, including tax planning, taxable and tax-free corporate mergers, acquisitions, divestitures, and restructurings.

BRAD MELTZER will publish the book *History Decoded* (Workman Publishing Company: 2013) in October. The book ranks history's top 10 conspiracies and includes removable facsimile documents, which are replicas of evidence used in the cases. Meltzer, who hosts the television show *Brad Meltzer's Decoded* on History, is a *New York Times* best-selling author. He also recently published *The Fifth Assassin* and *Heroes for My Daughter*.

JENDI REITER and her husband, Adam R. Cohen, recently welcomed their new son, Shane Steven Cohen. Reiter is a co-founder and vice president of Winning Writers, a website for writers and poets. She is also the award-winning author of several poetry books, including *A Talent for Sadness* and *Barbie at 50*.

JOHN C. TANG joined the San Francisco office of Jones Day as a partner in the firm's securities litigation and SEC enforcement practice. He previously served as a partner and co-chair of the securities litigation practice at the Silicon Valley office of Latham & Watkins. Tang is also president of the board of directors for the Asian Law Alliance, a San Jose–based nonprofit that provides legal services to that area's Asian Pacific Islander community.

1997

YEN D. CHU accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Chu serves as vice president-corporate and global compliance counsel at Ralph Lauren in New York City.

DAVID DICKSTEIN recently joined the New York City office of Katten Muchin Rosenman as a partner. Dickstein represents broker-dealers, investment advisers, investment companies, and hedge funds in connection with a variety of regulatory, compliance, and operational matters. He previously served as a partner at K&L Gates, also in New York City.

CHIU-TI JANSEN received the Trailblazer Award from the U.S. Pan Asian American Chamber of Commerce Northeast Chapter during the third annual Top Ten Asian American Business Awards ceremony this past spring. Jansen, who serves as publisher of *YUE* magazine, a Chinese-English lifestyle magazine she helped found, was recognized for her leadership and vision in building a sustainable business.

ARTHUR F. McMAHON III was recently named a "Leading Lawyer" by *Cincy* magazine. McMahon serves as a partner in the business and finance practice at Taft Stettinius & Hollister in Cincinnati, Ohio. He specializes in corporate governance and securities matters.

STANFORD A. RENAS was recently named partner at Katten Muchin Rosenman in New York City. Renas is a member of the firm's structured finance and securitization practice. He previously served as a partner at Linklaters.

1998

MARC H. AXELBAUM was recently named partner at Pillsbury Winthrop Shaw Pittman in San Francisco. Axelbaum is a litigator specializing in white-collar criminal defense matters, SEC enforcement actions, and corporate investigations. He also represents indigent defendants in federal criminal cases as a member of the Criminal Justice Act trial panel.

BINTA NIAMBI BROWN accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Brown was also recently named to *CNNMoney*'s "40 Under 40" list of business leaders. She was recognized in part for her fundraising efforts on behalf of political, cultural, and humanitarian initiatives. Brown is currently a fellow at the Harvard Kennedy School's Mossavar-Rahmani Center for Business and Government. She is researching issues related to the intersection of business and human rights. Brown previously served as a partner in the corporate practice at Kirkland & Ellis.

JAKE J. CHO recently joined the New York City office of Blank Rome as of counsel. Cho serves as a member of the firm's financial services group. He previously worked as senior

director and analytical manager in the structured credit group at Standard & Poor's.

JENNIFER FRIEDMAN serves as executive director of the Pace Community Law Practice, a legal residency program that provides affordable legal services to clients in Westchester County, N.Y., and the Hudson River Valley area. She also serves as the first director of Pace Law School's Public Interest Law Center, which was formed in 2008.

ANN RICHARDSON KNOX was named partner at the New York City office of Mayer Brown. Knox, who specializes in complex secured loans and financings on behalf of major financial institutions and non-traditional lenders, is a member of the firm's banking and finance practice. She was previously a partner at Haynes and Boone.

WENSENG "WENDY" PAN was named partner at O'Melveny & Myers in Shanghai. Pan is a member of the firm's transactions department. She specializes in mergers and acquisitions, as well as in technology-based transactions and strategic partnerships. Pan has worked with both state-owned enterprises and privately owned emerging companies in China.

JASON WIESENFELD accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Wiesenfeld serves as a vice president in the investment management division at Goldman Sachs in Miami.

1999

MATT GALSOR was named chairman of the entertainment group at Greenberg Glusker Fields Claman & Machtinger in Los Angeles. In addition to entertainment law, Galsor specializes in celebrity and talent representation.

JORDAN B. LEADER was named senior counsel at Proskauer Rose in New York City. Leader's practice focuses on sports law and international arbitration, namely the representation of professional sports leagues in antitrust and competition matters, arena leases, and general contractual issues.

ELIZABETH LENAS recently advised TPG Capital, a global private investment firm, on its formation of TPG Opportunities Partners II, a special situation fund, and TPG Growth II, a growth-equity fund. Lenas serves as a partner at Cleary Gottlieb Steen & Hamilton in New York City.

BANU K. RAMACHANDRAN recently joined the Portland, Ore., office of Barran Liebman as an associate. Ramachandran is a member of the firm's employment law advice and litigation practice, as well as its higher education practice. She previously served as a research and writing attorney in the Office of the Federal Public Defender in Portland.

ERIC SAVE was named partner at Pillsbury Winthrop Shaw Pittman in San Francisco. He is a member of the firm's corporate and securities practice, with a focus on Latin American transactions. Prior to joining Pillsbury, Save worked in Mexico City for four years as an executive and in-house lawyer at a Mexican software company that he co-founded.

IMRE SZALAI recently published his first book, *Outsourcing Justice: The Rise of Modern Arbitration Laws in America* (Carolina Academic Press: 2013). The book explores the history of arbitration agreements, relying on never-before-seen archival materials—many from Columbia University's Rare Book & Manuscript Library—to explain the evolution of modern arbitration laws. Szalai serves as an associate professor of law at Loyola University New Orleans College of Law, where he teaches civil procedure and alternative dispute resolution.

2000

JONATHAN LINDABURY was recently named senior counsel at Simpson Thacher & Bartlett in New York City. Lindabury previously served as vice president and associate general counsel at Goldman Sachs.

JOHN S. RHEE was recently named to the *Pacific Business News* "Forty Under 40 Class of 2013" list, which honors young business and community leaders in Hawaii. Rhee serves as of counsel at Alston Hunt Floyd & Ing in Honolulu. He specializes in commercial litigation and civil rights litigation. Rhee previously served as a partner at Hinshaw & Culbertson in Illinois.

2001

CRISTINA CORONADO was recently named president-elect of CREW Utah, the state's chapter of the Commercial Real Estate Women Network. She will begin serving as president of the organization in 2014. Earlier this year, Coronado was also named to a list of Utah's leading real estate lawyers by *Utah Business* magazine. She is a member of the real estate development and complex transactions group at Ballard Spahr in Salt Lake City.

LANCE W. LANGE joined the Des Moines office of Faegre Baker Daniels a partner in the firm's litigation and advocacy group. Lange previously served as special counsel at the firm. He specializes in complex commercial litigation, consumer lending and consumer protection litigation, antitrust and trade regulation, appellate litigation, and corporate internal investigations.

RUTH M. MOORE recently was named of counsel at Weingarten Brown, a Los Angeles–based business and entertainment litigation firm. Moore specializes in complex business litigation, including entertainment law and intellectual property law matters.

CATHERINE MORENO was recently named partner at Wilson Sonsini Goodrich & Rosati in Palo Alto, Calif. Moreno specializes in securities litigation and counseling, including the representation of companies and their directors and officers in class-action lawsuits, derivative actions, and mergers and acquisitions litigation.

CHRISTIAN MORETTI, LL.M., joined the New York City office of Carter Ledyard & Milburn as a partner and co-chair of the firm's European cross-border practice. Moretti specializes in corporate matters, including stock and asset acquisitions and dispositions, auctions, private placements, securities offerings, corporate reorganizations, and private equity transactions.

DANIEL P. RAGLAN, LL.M., was named partner at Kelley Drye & Warren in New York City, where he specializes in corporate advisory matters, mergers and acquisitions, and private equity. Raglan previously served as a partner at Torys, also in New York City.

DANIEL SEROTA recently joined the New York City office of Greenberg Traurig as a shareholder in the firm's corporate and securities practice. Serota specializes in mergers and acquisitions, with an emphasis on corporate governance matters and private equity transactions. He previously served as counsel at Linklaters.

CIARA TORRES-SPELLISCY was named to the Lawyers of Color "50 Under 50" list this past spring. The list recognizes minority professors who are making an impact in legal education. Torres-Spelliscy teaches election law, corporate governance, and constitutional law at Stetson University College of Law, and currently serves as a member of the board of directors of the National Institute on Money in State Politics.

2002

ELISSA ALBEN recently joined the Democratic Finance Committee as international trade counsel. Alben previously served as a deputy assistant U.S. trade representative responsible for enforcement and monitoring in the Office of the United States Trade Representative.

DARRELL S. CAFASSO was named partner in the New York City office of Sullivan & Cromwell. Cafasso is a member of the firm's litigation group. His practice focuses on the representation of financial institutions in complex commercial litigation, as well as the representation of corporations in regulatory and criminal investigations.

JACOB M. KAPLAN was named a partner at Baker & McKenzie in New York City. He is a member of the firm's litigation practice. Kaplan specializes in both domestic and international commercial litigation, as well as in arbitration matters. He currently serves as secretary of the International Arbitration Club of New York.

KARINA LENGLER, LL.M., was named partner at Araújo e Policastro Advogados in São Paulo, Brazil, where she serves as a member of the firm's corporate practice division. Lengler moved to Brazil after working at Shearman & Sterling in New York City, and at Bryan Cave in St. Louis.

RUSSELL M. STEINTHAL was named a partner in the New York City office of Axinn, Veltrop & Harkrider. Steinthal is a member of the firm's antitrust practice. He specializes in litigation, mergers and acquisitions, and corporate counseling.

2003

DAVID CHANG and his wife, **JANE (YANG) CHANG '03**, recently welcomed their second child, Claire Naomi. The couple, who met at Columbia Law School and were married in 2004, have an older daughter named Audrey.

RAMIN FATEHI married Mary Beth Pennington this past summer in Chesapeake, Va. Fatehi currently serves as an assistant commonwealth attorney in Norfolk, Va., prosecuting fraud and white-collar crime cases. He previously worked as a special assistant U.S. Attorney for the Western District of Virginia.

DEBORAH KOVSKY-APAP was named a partner at Pepper Hamilton in Detroit. She specializes in bankruptcy insolvency and out-of-court debtor-creditor

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class of: '97

YEN D. CHU
STYLISH PURSUITS

Yen D. Chu '97 readily admits that she felt a bit out of place during her first days as corporate and global compliance counsel for the luxury fashion brand Ralph Lauren.

"I'm sure everyone looked at me thinking, 'Ugh, the suit is here,'" Chu recalls, adding that she quickly modified her standard corporate business attire with more fashionable options. "When you work for a company like this, you have to really understand your business," she explains. "You have to adjust and work to build credibility."

Fortunately, Chu, a native of Vietnam, is no stranger to adapting, even in the toughest of situations. At the end of the Vietnam War, she and her family fled their homeland by boat, floating at sea for days before being rescued by the Philippine Coast Guard. A young girl at the time, Chu sought refuge with her mother and father through a church in Minnesota and eventually settled there. The experience, she says, has always motivated her to overcome obstacles and learn from each challenge.

Now, 38 years after leaving Vietnam, Chu says she regularly calls on these abilities in her work as an in-house counsel at Ralph Lauren. Not only does she manage the company's governance and compliance—including federal securities regulations, anti-bribery, and international trade—she also provides advice to its senior management (including Ralph Lauren himself) and its board of directors. Chu also advises the Polo Ralph Lauren Foundation, a private nonprofit organization.

"You are expected to connect the dots and understand the different pieces of the company," Chu says. "You live with [the brand] from day to day, and as the company evolves and the law evolves, you have to keep both on a parallel track."

"WHEN YOU WORK FOR A COMPANY LIKE RALPH LAUREN, YOU HAVE TO REALLY UNDERSTAND YOUR BUSINESS." —YEN D. CHU

agreements. Kovsky-Apap is a member of Pepper Hamilton's corporate restructuring and bankruptcy practice. She is also a member of the American Bankruptcy Institute.

RADU A. LELUTIU was named a principal in the New York City office of McKool Smith. Lelutiu focuses on commercial litigation. He specializes in bankruptcy disputes, as well as in cases involving patent, antitrust, and securities issues.

WILLIAM MACK III married Dr. Lian Sorhaindo in the autumn of 2012 in Brooklyn. Mack is currently principal counsel at the Financial Industry Regulatory Authority. He previously served as the director of the executive secretariat at the Office of the United States Trade Representative.

FARSHAD E. MORÈ was recently named partner at Gibson, Dunn & Crutcher in Los Angeles. Morè is a member of the firm's real estate practice. He specializes in the acquisition and development of commercial assets, complex construction matters, and joint ventures.

ALISON L. PLESSMAN was recently recognized by *The Recorder* as one of 50 "California Lawyers on the Fast Track." She was also named a "Rising Star" of Southern California by *Super Lawyers* magazine earlier this year. Plessman, a partner at Irell & Manella in Los Angeles, specializes in complex litigation. She also serves as vice-chair of the firm's summer committee, and as a member of the firm's hiring and women's committees.

FRANCISCO RIVERO joined the Houston office of Reed Smith as a partner. Rivero serves as a member of the firm's commercial litigation practice and as global co-chair of its Latin America business team. He also teaches as an adjunct professor at the University of Houston Law Center. Rivero was previously an associate at Haynes and Boone.

SAMIR N. SHAH joined Intrepid Investment Bankers as a vice president. The firm, based in Los Angeles, specializes in mergers and acquisitions, as well as in corporate finance advising. Shah previously served as a managing director in the investment bank division at Guggenheim Partners.

VIRGINIA F. TENT was named counsel at Latham & Watkins in New York City. Tent specializes in litigation, with a focus on trade regulation and antitrust issues, including civil antitrust matters, government investigations, and cross-border issues.

CLIFFORD G. TSAN was named a partner at Bond, Schoeneck & King in Syracuse, N.Y. Tsan is a member of the firm's litigation practice, as well as its e-discovery and information management practice group. He specializes in both federal and state litigation, as well as in arbitration and mediation.

2004

STEPHEN B. AMDUR was named partner at Latham & Watkins in New York City. Amdur represents public and private companies in mergers and acquisitions, public and private financing matters, tender offers, and joint ventures.

ELIZABETH R. GONZALEZ-SUSSMAN married Bradford Jay Sussman this past January at the Angel Orensanz Foundation for Contemporary Art in New York City. Gonzalez-Sussman is a partner at Olshan Frome Wolosky in Manhattan. She specializes in capital-raising transactions, tender and exchange offers, mergers and acquisitions, and general corporate law matters.

SCOTT P. MARTIN was named partner at Gibson, Dunn & Crutcher in Washington, D.C. Martin practices in the firm's litigation department and is a member of its appellate and constitutional law practice group. He represents clients in a variety of matters, including those that involve constitutional law, securities regulations, and class-action proceedings.

BENJAMIN A. NAFTALIS recently received the U.S. Attorney General's Award for Distinguished Service—the Department of Justice's second-highest honor for employee performance—for his participation in the investigation and prosecution of an al-Qaeda operative. Naftalis serves as an assistant U.S. Attorney in the terrorism and international narcotics unit for the Southern District of New York.

KENJI P. TANEDA recently joined the Tokyo office of Morrison & Foerster as a partner in the firm's corporate practice. He specializes in initial public offerings and mergers and acquisitions transactions. Taneda *(continued on page 88)*

class of: '99

NYAGUTHII CHEGE
INTERNATIONAL IMPACT

One look at the faculty listing for Peking University's School of Transnational Law (STL) is enough to show that Columbia Law School has planted strong roots in Shenzhen, a city northwest of Hong Kong. In just a few short years, five Columbia Law School graduates have joined STL's faculty of 24 full-time professors and lecturers, and **Nyaguthii Chege '99** signed on as the school's first director of career services in the summer of 2012.

STL was founded five years ago, and, since then, several Law School graduates have served as C.V. Starr Lecturers in its Transnational Legal Practice Program. The program helps non-native English speakers master legal research.

The transition from the Morningside Heights campus to Shenzhen came quickly for **Travis Annatoyn '10**, who taught as a Starr lecturer months after graduating from the Law School. During his year at STL, Annatoyn spoke with **Andrew Jensen Kerr '11** about the merits of the job. Kerr now serves as a Starr senior lecturer in STL's Transnational Legal Practice Program, and he helped persuade **Juan Gonzalez '07** to join the same program.

Sang Yop Kang '07 LL.M., '11 J.S.D. teaches corporate law, securities law, and corporate governance at STL, which was the first law school in China to offer a joint English Juris Doctor degree and Chinese Juris Master degree.

In addition, **Mark Feldman '99** teaches contracts, treaty arbitration, and international business transaction law. Feldman served as chief of NAFTA/CAFTA-DR arbitration in the U.S. State Department's Office of the Legal Adviser before moving to Shenzhen with Chege, his wife.

"I imagine that working at STL is similar to being in a start-up organization," says Chege. "This is such a new endeavor, so we all feel that we're on an adventure together."

FIVE COLUMBIA LAW SCHOOL GRADUATES HAVE JOINED THE FACULTY OF PEKING UNIVERSITY'S SCHOOL OF TRANSNATIONAL LAW SINCE IT WAS FOUNDED IN 2008.

previously served as a special counsel in the Tokyo office of Sullivan & Cromwell.

HEATHER VON ZUBEN was named a managing director at Goldman Sachs in New York City. Von Zuben previously served as a vice president in the company's investment management division's alternative capital markets group.

2005

CARA S. ELIAS recently joined the Denver office of Brownstein Hyatt Farber Schreck as an associate. Elias specializes in employee benefits and compensation matters related to mergers and acquisitions, public offerings, and debt financings. She previously served as a director at Shareholder Representative Services and as an associate in the New York City office of Latham & Watkins.

JUSTIN FAIRFAX was named to the "Nation's Best Advocates: 40 Lawyers Under 40" list by the National Bar Association and IMPACT-DC, a Washington, D.C.–based organization that promotes civic engagement and leadership. The list recognizes African-American lawyers under the age of 40 for their professional and philanthropic work. Fairfax, who recently ran for the office of attorney general in Virginia, served as an assistant U.S. Attorney for the Eastern District of Virginia from 2010 to 2012, and as an associate at WilmerHale in Washington, D.C., from 2006 to 2010.

NICK GREENWOOD recently joined the Salt Lake City office of Parsons Behle & Latimer as an associate. He serves as a member of the firm's corporate transactions and securities department. Greenwood's practice focuses on corporate formations, debt and equity financings, mergers and acquisitions, and corporate restructurings, among other areas. He previously worked as an attorney at Gibson, Dunn & Crutcher in New York City and Los Angeles.

RONNIE ROY recently joined Weingarten Brown in Los Angeles as a partner. Roy, who specializes in mergers and acquisitions, public offerings, securities law, and corporate governance, serves as chair of the firm's corporate transactions group. He previously worked as an associate at Irell & Manella, also in Los Angeles.

ANNA (WAGNER) ST. JOHN was recently named to the "Top 99 Under 33" list by the *Diplomatic Courier* and Young Professionals in Foreign Policy. The list includes the world's most influential foreign policy leaders under the age of 33. St. John is an associate in the Washington, D.C., office of Covington & Burling, where she focuses on international trade and investment matters, data privacy and security issues, and insurance coverage.

2006

REBECCA L. AVITIA was recently named a "Rising Star in Business Litigation" by *Super Lawyers* magazine. Avitia, who serves as a shareholder at Montgomery & Andrews in Albuquerque, N.M., was also named to *Albuquerque Business First*'s "40 Under Forty" list earlier this year. That list recognizes 40 of the most outstanding young professionals in New Mexico.

LISA A. PARRINGTON was recently named assistant general counsel in the law department of the Northwestern Mutual Life Insurance Company in Milwaukee. Parrington previously served as a senior associate in the securities department at WilmerHale in New York City.

COURTNEY L. WEINER was elected by the District of Columbia Bar membership to be its under-35 delegate in the American Bar Association House of Delegates. Weiner, who serves as an associate at Lewis Baach, is one of just six members representing the D.C. Bar. She previously served as counsel to the assistant U.S. Attorney in the U.S. Justice Department's antitrust division, and as a special assistant U.S. Attorney for the Eastern District of Virginia. Weiner is a member of the D.C. Bar Foundation's Young Lawyers Network Leadership Council.

2007

ANDREW COHEN recently joined Burford Capital Limited, a financial litigation advisement company, in New York City. Cohen serves as a vice president in the company's underwriting and investment division. He previously worked as a senior litigation associate at Debevoise & Plimpton.

GREGORY C. PADGETT married Katherine Penberthy in September of 2012 in Chevy Chase, Md. Padgett is

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LUIS ALBERTO ANINAT
IN ASCENSION

Like many international lawyers who earn graduate legal degrees in the United States, Luis Alberto Aninat '00 LL.M. returned home to practice. As a founding partner of Aninat Schwencke & Cía in Santiago, Chile, he advises corporate clients, oversees litigation, and manages a growing law firm. "It has been an incredible ride," says Aninat, who worked as a foreign associate at Cameron & Hornbostel in Washington, D.C., and as a partner at Aninat & Cía, his family's law firm, before venturing out on his own.

Aninat teamed up with Juan Pablo Schwencke '97 LL.M. in 2005 to discuss the possibility of forming a firm with national roots and international reach. The partners combined their savings, and they opened Aninat Schwencke & Cía in early 2006.

Seven years later, Aninat Schwencke has grown to include 40 attorneys, a number that may not sound so large by U.S. law firm standards, but one that ranks highly in a country where few firms employ more than 50 lawyers. "Chile is a very isolated and far-away country, and so we have really worked hard to be connected, mainly with the U.S., but also with some jurisdictions in Europe," Aninat says.

Aninat, who is married with three daughters, has become an expert at balancing his roles at the law firm, as a professor at Universidad de Chile School of Law, and as a founder of the online newspaper *El Dinamo*. His leadership at Aninat Schwencke & Cía has paid off in spades. "In only seven years, which for me, looking back, looks like seven centuries," Aninat says, "we have managed to become one of the top 10 or 12 law firms in the country."

"IN ONLY SEVEN YEARS, WE HAVE MANAGED TO BECOME ONE OF THE TOP 10 OR 12 LAW FIRMS IN CHILE."
—LUIS ALBERTO ANINAT

class of: '00

an associate at Covington & Burling in Washington, D.C. He specializes in complex commercial disputes, including technology, antitrust, and intellectual property matters.

MANMEET SINGH, LL.M, was recently named partner at the New Delhi office of Luthra & Luthra. Singh specializes in infrastructure and project finance, aviation matters, and private equity.

RODRIGO SURCAN DOS SANTOS, LL.M. '07, J.D. '11, accepted a nomination to join the Columbia Law School Association Board of Directors this past summer. Surcan dos Santos serves as an associate at Simpson Thacher & Bartlett in New York City. He is a member of the firm's mergers and acquisitions practice, as well as its corporate practice.

2008

ANTONIA ABRAHAM married Thaddeus Pitney in August of 2012 in Garrison, N.Y. Abraham is the chief financial officer at Chartbeat, a New York City company that charts audience usage for website owners. She was previously vice president of finance and operations at Betaworks in Manhattan.

HUGO LOPEZ COLL, LL.M., was named a shareholder at Greenberg Traurig in Mexico City. Lopez Coll previously served as a senior associate at the firm. He specializes in corporate and securities law, mergers and acquisitions, and real estate law.

CAROLINE K. SIMONS was selected as a member of the Boston Bar Association's 2013–2014 Public Interest Leadership Program. Through the program, Simons will work with local community leaders and program alumni to execute public service activities that benefit the Boston community.

2009

ELIZABETH L. FRIEDMAN recently joined the New York City office of Robins, Kaplan, Miller & Ciresi as an associate. Friedman is a member of the firm's antitrust and trade regulation practice, and she specializes in complex antitrust litigation. Friedman previously served as an associate at Labaton Sucharow.

ROHAN K. GEORGE, LL.M., joined the Chennai, India, office of Narasappa, Doraswamy & Raja as a partner. George serves as chair of the firm's intellectual property practice and is also co-head of the Chennai office. He previously served as an intellectual property associate at Ali Associates in Chennai.

MIKHAILE P. SAVARY joined the Los Angeles office of Kaufman Dolowich & Voluck as an associate. Savary focuses his practice on insurance matters, general commercial litigation, real estate law, and employment law. He previously served as an associate at Mendes & Mount.

ROBERT A. WEINSTOCK was recently named an associate at Barnes & Thornburg in Chicago. Weinstock, who previously served as a law clerk for Judge Victor Marrero of the United States District Court for the Southern District of New York, is a member of the firm's environmental practice.

2010

JENNIFER A. COFFEY joined the Tampa office of GrayRobinson as an associate. Coffey is a member of the firm's real estate practice. She previously served as an associate at Arent Fox in New York City.

JOANNE T. PEDONE recently joined the Syracuse, N.Y., office of Bond, Schoeneck & King. Pedone previously served as an associate at Weil, Gotshal & Manges in New York City. She specializes in civil litigation.

NILANJANA SINGH, LL.M., was named partner at AZB & Partners in Mumbai. Singh specializes in corporate mergers and acquisitions. She previously served as a senior associate at the firm.

2011

JONATHAN A. BERRY, a former legal adviser to Mitt Romney's

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presidential campaign, was named to *Forbes* magazine's "30 Under 30: Law & Policy" list for 2012. The list is comprised of 30 lawyers, company founders, economists, and advisers younger than the age of 30 who are helping shape U.S. and international law and policy. Berry serves as an associate in the new lawyers group at Jones Day in Washington, D.C.

EVAN MOITOSO married Kaylan Marie Scagliola this winter in New York City. Moitoso serves as an associate at McLaughlin & Stern. He focuses his practice on corporate and securities litigation.

2012

PARKER ZHOU recently published *Financial Investing: A Beginner's Guide to What the Rich Already Know*. In the book, Zhou advises first-time and amateur investors and outlines a basic financial vocabulary. *Financial Investing* is available in a Kindle edition.

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KENT AFFILIATES
THE 1754 SOCIETY

in memoriam:

The Columbia Law School community extends its deepest sympathy to the loved ones of recently deceased alumni, faculty, and friends

Arthur Chaskalson

DECEMBER 1, 2012

Arthur Chaskalson, a longtime Columbia Law School visiting professor, was an international champion of human rights and the first president of the South African Constitutional Court. He passed away on December 1, 2012, at the age of 81.

Chaskalson was born on November 24, 1931, in Johannesburg. He earned his law degree from the University of the Witwatersrand in 1954, and in 1963 he was chosen to be part of a defense team representing Nelson Mandela and other members of the African National Congress who had been charged with sabotage. The defendants were found guilty, but they did not receive the death penalty, and following the trial, Chaskalson established himself as one of the most successful barristers in South Africa.

Soon after, Chaskalson met Columbia Law School Professor **Jack Greenberg '48**, who was then serving as director-counsel of the NAACP Legal Defense and Educational Fund (LDF). Inspired by the work of the LDF, Chaskalson left his law practice in the late 1970s to help create the Legal Resources Centre, a law firm focused on ending apartheid through legal methods. A few years later, Greenberg invited Chaskalson to spend a year at the Law School as a visiting professor. He taught numerous courses and seminars, including Legal Responses to Apartheid.

In the early '90s, Chaskalson served as one of the principal draftsmen of the new South African constitution. In 1994, Mandela won the South African presidency and appointed Chaskalson president of the newly created Constitutional Court.

Chaskalson presided over a number of landmark equality cases, fostering a more just society and building foundations for a democratic South Africa. After 10 years on the court, he retired as chief justice of South Africa but continued to serve on a number of international human rights commissions and courts.

Chaskalson again joined the Law School faculty in 2004, co-teaching a course on comparative constitutionalism. His enduring relationship with Columbia Law School helped ensure that Law School students received the opportunity to work as interns at the Legal Resources Centre for decades.

Chaskalson is survived by his wife, Dr. Lorraine Chaskalson; his two sons, Matthew and Jerome; and several grandchildren.

Edwin M. Zimmerman '49 LL.B.

OCTOBER 6, 2012

Edwin M. Zimmerman '49 LL.B. was an antitrust law expert who served as head of the U.S. Justice Department's antitrust division in the late 1960s. He passed away on October 6, 2012, at the age of 88.

Zimmerman, a native New Yorker, graduated from Columbia College in 1944. He served in the U.S. Army as a radio officer during World War II before enrolling at Columbia Law School. After graduating in 1949, Zimmerman worked as a law clerk for Judge **Simon H. Rifkind '25** of the U.S. District Court for the Southern District of New York, and for U.S. Supreme Court Justice Stanley F. Reed one year later.

Zimmerman focused on antitrust law as part of the litigation group at Sullivan & Cromwell before accepting a faculty appointment at Stanford Law School in 1959. In 1965, he took a leave of absence from Stanford to become director of policy planning for the antitrust division of the U.S. Justice Department. Later that year, he was promoted to deputy assistant attorney general, and, in 1968, he was chosen to lead the division.

Moving back into private practice, Zimmerman became a partner at Covington & Burling in Washington, D.C., in the late 1960s and continued to specialize in antitrust law. Outside of his legal practice, Zimmerman held a wide range of interests. He was a published poet, and his work has appeared in various journals. His collection, *A Piercing Happiness*, was published in 2011. Zimmerman was also a dedicated rug collector, and he served as president of the board of trustees of the Textile Museum in Washington, D.C.

Zimmerman is survived by his wife, Caroline; his two daughters, Sarah and Miriam; his son, Lyle; and his granddaughter, Rebecca.

Thomas Scheuer '53

JULY 27, 2013

Thomas Scheuer '53 was a widely respected, highly skilled attorney and an active member of the Columbia Law School alumni community. He passed away on July 27, 2013, at the age of 85.

Scheuer was born in April of 1928. He studied economics as an undergraduate at American University in Washington, D.C., earning a bachelor's degree in 1950. Three years later, he graduated from Columbia Law School.

Scheuer served as a private practice attorney for 21 years, including time as a partner at both Wolf Haldenstein Adler Freeman & Herz, and Bernstein & Scheuer, before beginning a fruitful and productive period of work as director, vice president, and general counsel at the Louis Dreyfus Holding Company, part of the Louis Dreyfus Commodity Group—a commodities merchandising and trading conglomerate. Scheuer served in that capacity from 1976 to 1996. Thereafter, he took on the role of senior counsel at the company for the next 13 years, before retiring in 2009. During his career, Scheuer also served as chairman of the National Committee for an Effective Congress, a political organization that seeks to elect progressive candidates to Congress.

Scheuer stayed close to his roots at Columbia Law School throughout his life. In 1987, he established the Thomas Scheuer Scholarship, which was given annually to outstanding Law School students. He also founded the Thomas Scheuer Human Rights Internship in 1998. Scheuer served as a member of the Columbia Law School Association Board of Directors for more than 30 years, and was a member of the Law School's Board of Visitors for nearly 20 years. In 1999, the Columbia Alumni Association honored Scheuer with its Alumni Medal, which recognizes graduates for distinguished service to the University.

Scheuer is survived by his wife, Ann; his children, Todd, Gwenn, and Chris; his stepchildren, Carl, Rindy, and Jerry; and 11 grandchildren.

Alfred J. Boulos '59

JANUARY 31, 2013

Alfred J. Boulos '59 was an expert negotiator and adviser to governments and oil companies throughout the world. He passed away on January 31, 2013, at the age of 82.

Boulos was born in Port-au-Prince, Haiti, in 1930. He graduated from Marquette University in 1954 and was commissioned as an officer in the U.S. Navy upon graduation. After serving as a line officer aboard U.S. aircraft carriers, he enrolled at Columbia Law School, where he was a Harlan Fiske Stone Scholar, and graduated in 1959. Boulos also earned an M.B.A. in business administration from New York University.

Boulos was named senior international counsel for Mobil Oil Corporation in 1964, working in both New York City and London. Five years later, he became senior director of international exploration and production for Conoco Inc. In that role, he directed the company's international negotiations with governments and oil companies. At that time, Boulos also served as chairman of the legal committee of the Oil Industry Group, an organization that negotiated prices, currency exchanges, and equity participation with OPEC. He would later found the European Petroleum Negotiators Group—which represented more than 200 oil companies—and serve as president of the Association of International Petroleum Negotiators in Houston.

In 1987, Boulos was awarded the Columbia University Alumni Medal. After retirement from Conoco in 1993, he founded Boulos International and served as a consultant to gas and oil companies in the U.S. and abroad.

Boulos is survived by his wife, Mary; six children: Mary, Elizabeth, John, Peggy, Katie, and Suzie; and 11 grandchildren.

Audrey L. Goldberg '59

FEBRUARY 21, 2013

Audrey L. Goldberg '59 was a longtime in-house counsel for Pan American World Airways and one of the company's first female corporate officers. She passed away on February 21, 2013, at the age of 78.

Goldberg graduated from Smith College and enrolled at Columbia Law School in 1956. She was one of just 12 women in the 1959 graduating class.

Goldberg began her legal career as an assistant attorney general for the state of New York. She then served as a staff attorney for the Columbia University Project for Effective Justice, a Law School organization that conducted research into the civil justice process. In 1966, Goldberg was named associate director of the project.

In 1970, she joined the legal department of Pan American World Airways (Pan Am). She was named senior attorney three years later, before being elected secretary of Inter-Continental Hotels, a subsidiary of Pan Am. Upon her election, Goldberg became the company's first female corporate officer.

Goldberg spent four years working as assistant general counsel at the Gimbel Brothers department store after leaving Inter-Continental in 1976. She returned to Pan Am as assistant general counsel in 1980, and retained the same position with Inter-Continental when Pan Am sold the hotel company in 1981. Goldberg was named a vice president at Inter-Continental in 1983.

Goldberg also dedicated nearly 10 years of her career to working as deputy general counsel at Phoenix House, a national drug-rehabilitation organization, in New York City. She retired in 2002.

Goldberg is survived by her husband, **Ralph Goldberg '59**; her children, Judy and David; and four grandchildren.

Julius L. Chambers '64

AUGUST 2, 2013

Julius L. Chambers '64 LL.M. was a dedicated champion of civil rights and the former director-counsel and president of the NAACP Legal Defense and Educational Fund (LDF). He passed away on August 2, 2013, at the age of 76.

Chambers was born in Mount Gilead, N.C., in 1936. He earned his bachelor's degree from North Carolina College (now North Carolina Central University) in 1958, and went on to earn a master's degree in history from the University of Michigan one year later. In 1962, Chambers was one of the first African-American students to earn a law degree from the University of North Carolina at Chapel Hill. He graduated first in his class and served as editor-in-chief of the *North Carolina Law Review* during his time there.

Chambers served as a teaching associate at Columbia Law School in the early 1960s, earning an LL.M. from the Law School in 1964. While in Morningside Heights, he was selected by Thurgood Marshall to serve as an intern at the LDF, laying the foundation for Chambers' career as a civil rights lawyer. After graduating from the Law School, Chambers returned to North Carolina, where he founded a practice that would later become the state's first integrated law firm. Chambers worked alongside the LDF on many desegregation cases, including *Swann v. Charlotte-Mecklenburg Board of Education*, which upheld busing programs as a suitable way to promote racial integration in public schools. Chambers also won Supreme Court cases for clients challenging employment and voting-rights discrimination.

In 1984, Chambers was named the third director-counsel and president of the LDF, following the tenures of Marshall and Columbia Law School Professor **Jack Greenberg '48**. Chambers established the LDF's Poverty Justice program, focusing on the economic issues impacting minorities as a result of racial discrimination. After leaving the LDF in 1993, Chambers was named chancellor of North Carolina Central University. He returned to his law practice in 2001.

Chambers was predeceased by his wife, Vivian. He is survived by his son, Derrick; his daughter, Judy; and three grandchildren.

Michael Marks Cohen '65 LL.B.

DECEMBER 1, 2012

Michael Marks Cohen '65 LL.B. was an expert in admiralty and maritime law, as well as a longtime lecturer-in-law at Columbia Law School. He passed away on December 1, 2012, at the age of 75.

Cohen graduated from Columbia College in 1959. He served as a lieutenant in the U.S. Navy for three years before receiving his J.D. from Columbia Law School in 1965. During his time at the Law School, Cohen worked as managing editor of the *Columbia Law Review*.

From 1965 to 1967, Cohen served as a law clerk for **Stanley H. Fuld '26 LL.B.**, chief judge of the New York Court of Appeals. In 1967, he turned his interests toward admiralty and maritime law as a trial attorney for the admiralty and shipping section of the U.S. Department of Justice. After three years, Cohen transitioned into private practice at Burlingham, Underwood & Lord in New York City. There, he proceeded to expand his focus on admiralty litigation, maritime arbitration, and marine insurance matters. (Cohen continued working at Burlingham, Underwood & Lord until 2002.)

In 1975, Cohen began teaching as a lecturer at Columbia Law School. He taught admiralty law biennially for the next 30 years. Cohen also served as editor of the *Index and Digest of Award Service of the Society of Maritime Arbitrators*, as the special features editor of *American Maritime Cases*, and as editor of several volumes of *Benedict on Admiralty*, widely considered the most comprehensive American text on admiralty law. He served as a titular member of the Comité Maritime International and was named the 2013 recipient of the American Bar Association's Leonard J. Theberge Award for his distinguished, longstanding contributions to the development of private international law.

Cohen is survived by his wife, Bette; his son, Daniel; his daughter-in-law, Jill; and his grandson, Caleb.

Frank J. Macchiarola '65 LL.B.

DECEMBER 18, 2012

Frank J. Macchiarola '65 LL.B. was a former chancellor of New York City schools who served many of the city's academic institutions throughout his life. Macchiarola passed away on December 18, 2012, at the age of 71.

A New York City native, Macchiarola graduated from St. Francis College in 1962 and enrolled at Columbia Law School. He earned his LL.B. in 1965 and received his Ph.D. in political science from Columbia's Graduate School of Arts and Sciences in 1970. Macchiarola joined the faculty of Columbia Business School that same year and was named assistant vice president for academic affairs at Columbia University in 1973.

During the next eight years, Macchiarola served in multiple roles for the City University of New York, and as deputy director of the New York State Emergency Financial Control Board for New York City, an oversight body created during the financial crisis of the 1970s.

Macchiarola grew to be a key adviser to the mayor's office, and he was Mayor Ed Koch's choice to take over as schools chancellor in 1978. During his five-year tenure, the standardized test scores of New York City students steadily improved and the number of crimes committed against teachers decreased.

Macchiarola left the chancellorship in 1983 to become president and CEO of New York City Partnership, a conglomerate of business organizations that worked to improve economic and social conditions within the city. In 1991, he was named dean at the Benjamin N. Cardozo School of Law, where he also taught legal process, contracts, and legal writing. Macchiarola returned to his alma mater, St. Francis College, as president in 1996. During his 12 years in that role, he led a $40 million fundraising campaign and helped establish 150 endowed scholarships. In October 2012, Pope Benedict XVI bestowed a pontifical order of knighthood upon Macchiarola.

Macchiarola is survived by his wife, Mary; his three sons, Joseph, Michael, and Frank; and seven grandchildren.

Richard M. Fairbanks III '69

FEBRUARY 6, 2013

Richard M. Fairbanks III '69 was a former U.S. ambassador in charge of facilitating peace discussions between Israel and Egypt in the early 1980s. He passed away on February 6, 2013, at the age of 71.

Fairbanks, who was born in Indianapolis in 1941, was the great-grandson of former U.S. Vice President Charles Fairbanks. He graduated from Yale University in 1962 and served four years in the U.S. Navy before enrolling at Columbia Law School. He earned his J.D. in 1969.

Fairbanks spent much of his early career working for the United States government. From 1971 to 1972, he served as a special assistant to Environmental Protection Agency Administrator William Ruckelshaus, and as a staff assistant for the White House Domestic Council. He became a

founding partner of Beveridge, Fairbanks & Diamond in 1974, but returned to public service when President-elect Ronald Reagan named him head of his transition office's natural resources, energy, and environment division in 1980.

After Reagan entered office, Fairbanks began his first job in the U.S. State Department as assistant secretary for congressional relations. Just more than a year later, he was called upon to lead peace negotiations between Egypt and Israel as a special adviser to Secretary of State Alexander Haig. Reagan named Fairbanks an ambassador at large in 1984.

Fairbanks returned to private practice in 1985, and continued to serve on various federal committees during the next several years. In 1992, he began work with the Center for Strategic and International Studies, a public policy research institution in Washington, D.C. He would serve as the organization's president, CEO, counselor, and trustee throughout the next decade. Fairbanks founded Layalina Productions in 2002. The company is a nonprofit organization focused on producing television and media programming for distribution in the Middle East.

Fairbanks is survived by his wife, Ann; his two sons, Woods and Jonathan; and his six grandchildren.

Michael P. Madow '82

APRIL 8, 2012

Michael P. Madow '82 was a professor at Brooklyn Law School, as well as a renowned authority on First Amendment law and mass media law. He passed away on April 8, 2012, at the age of 62.

Madow graduated summa cum laude from Amherst College in 1971. He earned the school's Rufus B. Kellogg University Fellowship, which afforded him the opportunity to study philosophy at Balliol College at Oxford University from 1972 to 1974. When he returned to the United States, Madow enrolled at Harvard University and earned a master's degree in political science in 1978. He went on to study at Columbia Law School, graduating at the top of his class in 1982.

After serving as a clerk for Judge Henry J. Friendly of the U.S. Court of Appeals for the 2nd Circuit, Madow worked as a litigation associate at Williams & Connolly in Washington, D.C. In 1985, he was named an assistant professor at the University of Pennsylvania Law School.

In 1987, Madow accepted a faculty appointment at Brooklyn Law School, where he would teach for the next 25 years. Madow wrote extensively on First Amendment law and mass media law. His 1993 *California Law Review* article "Private Ownership of Public Image: Popular Culture and Publicity Rights" is still cited by judges and practitioners.

Outside of the classroom, Madow served on the due process committee of the ACLU and as a member of the media law committee of the New York City Bar Association.

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

PLEASE EMAIL

In Memoriam notifications to *magazine@law.columbia.edu* with "In Memoriam" in the subject line.

As part of this email, please be certain to include the full name of the deceased, the year of graduation from the Law School, and the approximate date of death.

JOHN S. HARRISON '38
October 22, 2012

ALBERT D. JORDAN '41
October 29, 2012

HOWARD G. LAW '41
May 14, 2012

MATTHEW P. MCDERMITT '41
December 6, 2011

EDWARD C. BIELE '42
November 3, 2012

FRANCES S. MARTINSON '45 LL.B.
October 7, 2012

EDITH F. KAPLAN '46
August 11, 2012

WILLIAM M. MILES '46
December 7, 2012

CHARLOTTE SMALLWOOD-COOK '46
January 26, 2013

THERESA B. STUCHINER '47
January 7, 2013

SEYMOUR SHERMAN STEINBERG '48
December 2, 2012

BORIS S. BERKOVITCH '49
May 23, 2013

FREDERICK C. CARVER '49
November 26, 2011

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January 25, 2012

RUSSELL K. CASEY '50
October 10, 2011

MICHAEL SUDARSKY '50
February 18, 2013

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September 19, 2012

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March 13, 2012

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October 20, 2012

ALLEN L. FEINSTEIN '52
December 21, 2012

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July 10, 2012

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February 4, 2013

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October 30, 2012

JAY KUSHNER '53
October 11, 2011

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December 24, 2012

IRVING YORK '53
March 6, 2012

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January 28, 2013

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November 29, 2011

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November 11, 2012

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January 3, 2013

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December 20, 2012

DAVID C. REYNOLDS '56
January 10, 2013

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February 1, 2013

LEONA FREEDMAN '58
February 11, 2013

NEIL GRUNDMAN '58
November 8, 2012

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February 4, 2012

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December 20, 2012

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May 23, 2012

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May 30, 2012

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December 17, 2012

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September 10, 2012

BRUCE G. SODEN '63
February 10, 2013

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October 23, 2012

THEODORE T.N. SLOCUM '64
November 5, 2012

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October 26, 2012

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April 25, 2012

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December 8, 2012

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October 20, 2012

ARNOLD J. RABINOR '68
September 6, 2012

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October 26, 2012

SIDNEY H. LEHMANN '71
November 15, 2012

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May 2012

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June 30, 2012

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January 28, 2013

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July 2, 2012

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January 1, 2013

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February 26, 2013

MARTIN A. WRIGHT '86
April 24, 2012

DWAYNE MARC BROWN '87
February 12, 2013

THERESA V. GORSKI '90
January 9, 2013

B. MAGNUS ERIKSSON '93 LL.M.
September 2012

JAMES R. SISSMAN '03
December 20, 2012

EREZ ELKON '05
February 2, 2013

Michael A. Cardozo ’66

Michael A. Cardozo ’66 has served as the corporation counsel for New York City since 2002. He oversees the New York City Law Department’s 17 legal divisions and 690 lawyers who are responsible for representing the city, elected officials, and various agencies.

WHO HAS BEEN YOUR GREATEST INSPIRATION?
JFK. Although in hindsight perhaps imperfect, he captured my generation’s hope, energy, and imagination.

HOW DO YOU DEFINE SUCCESS? Having a loving family and good friends, and spearheading progress in the workplace, in government, and in society.

WHY DID YOU GO TO LAW SCHOOL? In addition to my name, which seemed to ordain that I would become a lawyer, I was attracted by the opportunity to learn skills that might enable me to solve problems and effect change.

WHO IS YOUR FAVORITE LAWYER OF ALL TIME? Cyrus Vance Sr., former secretary of state. As a young attorney, I worked with him when he was president of the New York City Bar Association and chair of a state task force on court reform. I observed firsthand his integrity, courage, leadership, and consensus-building abilities. He inspired me to seek to improve society in both the public and private sectors.

FINISH THIS SENTENCE: YOU WOULDN’T CATCH ME DEAD WITHOUT . . . My BlackBerry.

ONE THING YOU ABSOLUTELY MUST DO BEFORE YOU DIE?
Fulfill my childhood dream of playing shortstop for the Yankees.

THING FOR WHICH YOU ARE MOST THANKFUL?
My wife, Nancy; my children; my grandchildren; and the satisfaction gained from practicing law, particularly serving as New York City corporation counsel.

PHOTOGRAPHED BY PATRICK HARBRON

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