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FALL 2008

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Meet a cross-section of second-year students who represent the wide-ranging demographics of the student body.

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Several dozen alumni can be found all over the world, including Hong Kong, New Zealand and South Korea. Read about a few randomly-selected graduates who chose a temporary—and for some, permanent—life overseas.

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Cover:

Lisa Whitney '71, general counsel for VF Sportswear, Inc.

Correction

On page 40 of the Spring 2008 issue, Michael Kelly '73 was incorrectly identified in a photo of the Buffalo area alumni event.

INBRIEF



John T. Baker

1940 to 2008

John Thomas Baker,
Esq., passed away in his
Bloomington, In., home
Sept. 3, 2008, at the age
of 68. The 13th dean and
president of Albany Law
School from 1991 to
1993, the first and only
African American in the
position, and the first
black law professor on
faculty at Yale University,
Dean Baker's legacy
reflects his vision for legal
education and social justice.

As Albany Law's Dean, he led a successful ABA accreditation inspection, expanded the Albany Law School Clinic & Justice Center—establishing the domestic violence and AIDS clinics—oversaw the completion of a \$14 million facilities renovation, and championed issues of diversity. After stepping down as Dean, he taught until 2003.

Dean Baker's vision sometimes led him into controversial territory which he always faced head-on. He publicly endorsed Clarence Thomas, a former student of his at Yale, for the Supreme Court, reading a detailed statement of several pages at a press conference. In this statement, he denounced the NAACP, presented his opinion on Anita Hill's testimony, and described the situation as "sad."

Internally, he inherited a school budget that demanded



tough decisions. At the same time he sought funding for the School's first faculty chair. As a faculty member, he worked closely with BALSA, set up a pro bono program in conjunction with the local branch of the NAACP, and taught a course on the death penalty because he felt strongly that it needed to be offered.

While dean of Howard University School of Law, he fought a decision to award degrees to several students whom he believed did substandard work.

Dean Baker earned a bachelor's degree in chemistry from Fisk University. Studying to be a doctor, he switched to law after participating in the Civil Rights movement. He graduated magna cum laude in 1965 with an L.L.B. degree from Howard University Law School, where he was editor-in-chief of the *Law Journal* and president of the moot court team. After serving as clerk to the Hon. Harold

R. Tyler Jr., U.S. District Court of the Second District of New York, he joined Winthrop, Stimson, Putnam and Roberts, New York.

He then served as president and general counsel of the New York Urban Coalition Venture Capital Corporation, served on the NAACP Legal Defense and Educational Fund executive

committee, and served on the board of directors for the Upper Hudson Planned Parenthood.

Dean Baker was an associate professor at Yale Law from '73–'78; a visiting professor at New York University from '81 to '82; a professor at Indiana University Law School from '82 to '91; and dean of Howard from '85 to '86. His primary teaching, research, and areas of authorship were corporations, non-profit corporations and civil rights.

Born in Louisville, Ky., in 1940, Baker was the oldest of three children. He is survived by his wife, Eleanor Jones Baker; daughter, Sonya Baker and her husband, Michael Fazio; son, Ivan Baker; brother Houston Baker, Jr. and his wife, Charlotte; brother, William Baker and his wife, Pat; and granddaughter, Mia Baker.



Albany Law School's Newest Tenured Professor







EDUCATION

B.S., University of Illinois J.D., University of Michigan Law School

EXPERIENCE

Lawyers for Children, Manhattan

Legal Aid Society of Nassau County, Hempstead, N.Y.

The Legal Aid Society, Juvenile Rights Division, Brooklyn office, Staff Attorney (New York University Law School, Externship Supervisor)

Child Advocacy Law Clinic, University of Michigan Law School, Clinical Assistant Professor

AWARDS

L. Hart Wright Award for Excellence in Law Teaching, University of Michigan, 2002

Shanara Gilbert Award, American Association of Law Schools (AALS), 2005

Honored by the Children's Center at Albany County Family Court, 2008

COURSES

Children and the Law Domestic Violence (Seminar) Family Violence Litigation Clinic

SELECTED SCHOLARSHIP

"Advancing the Future of Family Violence Law Pedagogy: The Founding of a Law School Clinic," 41 *University of Michigan Journal of Law Reform* 167 (2007) (with Theresa Hughes)

Co-author, New York Law of Domestic Violence 2nd ed., (Thomson-West, 2007) (with Judge Lee Elkins and Jane Fosbinder)

"A Comparative State Analysis: Introducing the Construct of the Jury into Family Violence Proceedings," Chapter 37, pp. 306-312 in Family Law: Balancing Interests and Pursuing Priorities (Lynn D. Wardle & Camille S. Williams, eds.) (Wm. S. Hein & Co., 2007)

"Introducing the Construct of the Jury into Family Violence Proceedings and Family Court Jurisprudence," 13 Michigan Journal of Gender & Law 1 (2006)

Co-author, 2006 Cumulative Supplement to New York Law of Domestic Violence (Thomson-West, 2006) (with Judge L. Elkins and J. Fosbinder) Because Melissa Breger has spent countless hours advocating for children and families in different parts of the country, she's acutely aware of the cultural differences within family court systems. Institutional distinctions between courts are typically very subtle though not always—Breger says, and the advocate must adhere to these varying norms. Characterizing and defining the impact these cultural differences have on case outcomes is one of several topics driving her current research.

"I am also interested in exploring cognitive psychology theories when examining judges and juries, as well as issues germane to institutional lawyering," she said. "If I aggressively challenge the judge today, is my next client going to pay a price in front of that same judge tomorrow?"

Breger is also working on an article currently titled: "Healing the Wounds of Sexually Trafficked Children by Examining Strategies for Childhood Survivors of Family Violence and Sexual Abuse."

Health Law Clinic Gets Award for Innovation

The Albany Law Clinic and Justice Center's Health Law Clinic received a Statewide 2008 Innovative Project Award from the New York State Department of Health's Cancer Services Program in recognition of the Clinic's collaborative advocacy initiatives.

Using a model of collaboration between law students and medical professionals, Clinic students resolve legal disputes that simultaneously improve health outcomes for clients. Since the inception of the Clinic's Cancer Care initiative in 2004, 70 law students have represented 300 clients affected by cancer in 620 cases.

"The Clinic is designed to teach students how to identify and address the legal issues that affect individuals living with chronic health conditions," said Professor Joseph Connors, director of the Health Law Clinic. "The students alleviate a great deal of stress for our clients, allowing them to focus their limited energy on their underlying health problems."

INBRIEF

School Honors 30 Alumni for Excellence in Government; Celebrates 30th Year



Guest speaker Michael J. Garcia '89, U.S. Attorney, Southern District of New York, spoke on government ethics. Garcia spent a day at the School a month later, talking to first-year students, Albany Law Review student-staff, and other groups eager to meet him.

More than 250 people honored 30 Albany Law School alumni for their excellence in government service on June 3, 2008, to celebrate the School's Government Law Center's 30 years of linking law and policy.

The alumni, nominated by their peers and supervisors, represented local, state and federal government offices and agencies—from New Jersey to California to Japan—and are individuals who exemplify the ideals of public service.

Guest speaker Michael J. Garcia '89, U.S. Attorney, Southern District of New York, delivered a pointed speech on government ethics and praised the award winners for modeling the highest standards in public service. "Usually when I stand up to talk about someone's government service, it's with a chart outlining counts in an indictment," he told the crowd. "You are the representatives of public service that the public needs to hear about and appreci-

ate because they see far too many examples of the other kind."

With 16 sponsors, congratulation letters from New York's Governor David Paterson, Senator Hillary Clinton, U.S. Representative Michael McNulty, Albany's Mayor Gerald Jennings and a legislative resolution by Sen. Neil Breslin adopted by the N.Y. State Senate, every judge from the Appellate Division, Third Department, attended the event held at the State Room in Albany.

"We expected to honor our special alumni and the Government Law Center's 30 years in one intimate event," said Dean Thomas F. Guernsey, "but the event attracted so many people, and Attorney Garcia's speech created such an intensity, that the event transcended into a celebration of genuine excellence in service, and a recognition of the results-oriented work the Government Law Center has produced over three decades."







































Presiding Justice Anthony V. Cardona, Third Department, Appellate Division, cheered on Michael J. Novack '71, clerk of the Court since 1983.

of Government Law Center



Award recipient Charlie Johnson '87, left, who flew in from Japan, poses with guest Diana Jones-Ritter, commissioner of the New York State Office of Mental Retardation and Developmental Disabilities.



Dean Thomas Guernsey stands with award winner Sharon Landers '77 (center), Assistant City Manager for the City of Irvine, Calif., and Patricia Salkin, Associate Dean and Director of the Government Law Center.



EXCELLENCE IN GOVERNMENT HONOREES

Top row, left to right:

- Glen T. Bruening '89, general counsel, NYS Office of Parks, Recreation and Historic Preservation
- Kevin A. Cahill '80, New York assemblyman, 101st Assembly District
- Philip F. Calderone '81, deputy mayor, City of Albany
- Robert G. Conway, Jr. '76, director of legal affairs and counsel, NYS Division of Military and Naval Affairs
- Holly O'Grady Cook '87, staff judge advocate, U.S. Army Multi-National Division, Baghdad
- Richard A. Curreri '76, director, NYS Public Employment Relations Board Office of Conciliation
- Brien R. Downes '79, fiscal counsel, NYS Assembly Ways and Means Committee
- Theresa L. Egan '86, deputy commissioner for safety, consumer protection and clean air, NYS Department of Motor Vehicles
- June E. Egeland '91, legislative counsel, NYS Department of Civil Service
- Robert J. Fleury '82, assistant attorney general; bureau chief, Department of Law's Real Property
- Mary Ann Gadziala '78, associate director, Office of Compliance Inspections and Examinations, U.S. Securities and Exchange Commission
- Astrid Glynn '75, commissioner, NYS Department of Transportation
- Andrew D. Goldsmith '83, assistant chief, Environmental Crimes Section, U.S. Department of Justice
- Kristine Hamann '77, former state inspector general
- Charlie M. Johnson '87, staff judge advocate, U.S. Air Force 18th Wing, Kadena Air Base, Japan

Bottom row, left to right:

- George S. King '73, inspector general, Office of the New York State Comptroller
- Sharon L. Landers '77, assistant city manager, City of Irvine, California
- Karen Joy Lewis '74, assistant director, American Law Division, Congressional Research Service
- Mimi C. Mairs '96, staff attorney, New York City Office of the Chief Medical Examiner
- Mitchell S. Morris '76, associate counsel, Local Government Law Unit, Office of the New York State Comptroller, Division of Legal Services
- Robert F. Mujica, Jr. '05, managing director of budget and fiscal analysis, NYS Senate, and Deputy Secretary, Finance Committee
- Michael J. Novack '71, clerk of the court, New York State Supreme Court, Appellate Division, Third Department
- William F. Pelgrin '80, director, NYS Office of Cyber Security and Critical Infrastructure Coordination
- Amelia F. Stern '81, counsel, NYS Governor's Office of Regulatory Reform
- Charles E. Sullivan, Jr. '75, commissioner, NYS Department of Environmental Conservation
- John V. Tauriello '80, deputy commissioner and counsel, NYS Office of Mental Health
- Val E. Washington '75, deputy commissioner, Remediation and Materials Management, NYS Department of Environmental Conservation
- George H. Weissman '79, managing general counsel, NYS Dormitory Authority
- Molly A. Wilkinson '96, chief of staff, U.S. Small Business Administration
- Jamie A. Woodward '80, executive deputy commissioner, NYS Department of Taxation and Finance

INBRIEF

New Strategies in Food Regulation: Restricting Salt Consumption to Reduce Hypertension

Two-dozen professors and policymakers gathered on campus last semester for a conference on food regulation that focused on reducing salt consumption as a strategy for addressing public health concerns over hypertension.

The purpose of the conference was to explore innovative regulatory strategies for food regulation beyond traditional proposals such as labeling, taxation, and advertising restrictions. In recent years, regulatory scholarship—from environmental to health and safety regulation has been moving away from proposals for centralized, topdown regulation and towards more decentralized, marketoriented approaches. Conference participants considered strategies for improving information about the risks of excessive salt consumption, performance-based regulatory approaches that would require food retailers to adopt measures aimed at reducing the rates of hypertension in the areas where they operate, litigation against food manufacturers, and government-sponsored social marketing programs aimed at helping consumers make healthier food choices.

The conference was organized jointly by Albany Law's Timothy Lytton, Albert and Angela Farone Distinguished Professor of Law, Professor Stephen Teret of The Center for Public Health Law at the Johns Hopkins Bloomberg School of Public Health, and Professor Stephen Sugarman of the University of California, Berkeley (Boalt Hall) School of Law. Participants included distinguished academics from Yale, Johns Hopkins, the University of Michigan, the University of Texas, the University of California at Berkeley, the University of Wisconsin, and SUNY and policy specialists from the New York State Department of Health, the New York City Department of Health, the Center for Science in the Public Interest, and the food industry.

The conference is part of ongoing efforts by the Government Law Center to bring leading scholars from around the country to the Law School to explore contemporary issues of law and public policy. Previous conferences have examined gun control, affirmative action, immigration, and medical malpractice.



Prof. Stephen Teret, Johns Hopkins Bloomberg School of Public Health.



Martin Bienstock, Special Counsel, N.Y. State Dept. of Health and adjunct professor at Albany Law School.



Conference organizer Professor Timothy Lytton, Albany Law School.

Taking on the Nation: Mark Zaid's One-Man Battle

Excerpts from his talk delivered at Albany Law School

Mark S. Zaid '92, a national security attorney, presented to Albany Law students last semester, "David vs. Goliath: Challenging the United States Government's Shield of Misconduct with the Sword of Litigation."

Zaid currently serves as the senior civilian defense counsel for Sgt. Frank D. Wuterich, a Marine squad leader charged in an incident that led to the deaths of up to 24 Iraqi civilians in Haditha, Iraq, in November 2005.

This event was sponsored by the Albany Law School Chapter of the American Civil Liberties Union, The Albany Law School Democrats and the Muslim Law Students Association.

My clients are primarily intelligence, law enforcement or military officers who have "crossed," in some fashion, a line with their agency that has brought upon them the force of the government. Many of my clients have a covert status—think Valerie Plame—and I maintain an active security clearance. I also often represent journalists trying to pull information from the government.

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It is far worse when the case involves national security matters. Imagine a world where:

- You can only sue your intended defendant if it gives you permission to do so;
- Statutes exist specifically to proscribe protections and remedies to federal employees but exempt the agencies where many intel/law enforcement personnel work;
- Rules exist to govern internal conduct of the intended defendant but they are viewed as discretionary and often judicially unenforceable;
- You may not be permitted to review, and therefore cannot respond to, the opposing side's legal briefs;
- Even if you could review the

opposing side's briefs you are not allowed to draft a response on your own computer.

These obstacles are, of course, in addition to having to deal with an entity that has unlimited resources and where the individuals you are dealing with whether the lawyers, witnesses or defendants—likely have absolutely no stake or risk whatsoever in the eventual result of the case. They may not and likely do not feel any individual pain of cost, reputation, adverse publicity or any other impact a normal defendant would feel so that there is little to no incentive for them to do the "right thing" or even settle a case as a typical defendant might.

.

Much of the difficulty in bringing these cases arises from institutional attitudes and policies that ebb and flow within each federal agency. One person in a particular position, such as the general counsel, can radically impact the attitude that the agency exudes. A change in presidential administration from that of Democrat to Republican, or vice versa, does not significantly impact my world, at least not in the short term. The biggest long-term impact arises,

not surprisingly, from the judges that are appointed.

.

The law tends to seemingly bend in the eyes of those who create, implement or adjudicate upon it. That is why we have scandal after scandal that reek of hypocrisy across the capitals of our country. And as is often the case, the cover-up invariably becomes worse than the crime. Friends protect friends. Self-interest and preservation prevails over what's right or what's wrong.

Particularly because I represent whistleblowers, I hear all the worst stories from every agency.

Most litigation challenges that I handle are either constitutional in nature (particularly First and Fifth Amendments) or assert an agency has violated its own regulations. The three key magic words that the judiciary focuses on when it comes to suing the Executive Branch—deference, more deference and absolute deference.

.

I do this work because this work needs to be done. If someone does not take progressive action for those who are challenging the system, nothing will ever change.



INBRIEF



Speakers included, from right, Professor Farley, Professor Young, and Alan Rubin, NYSUT.

Rehearing Brown v. Board of Education

In an effort to shed some light on the high degree of racial segregation existing today in New York state's public schools, a panel of educators and lawyers discussed their views on the source of continual separate, unequal and failing schools for students of color and others.

Professor Anthony Farley, the James Campbell Matthews Distinguished Professor of Jurisprudence, attempted to explain the great divide between affluent and poor systems partly by outlining the past 150 years of Supreme Court Decisions from slavery to segregation to desegregation to neo-segregation.

Professor Donna Young spoke on the continuing importance of Brown v. Board of Education and discussed demographic trends in public schools which continue to be among the most racially segregated institutions in the United States. She examined the 2007 Supreme Court decision, Parents Concerned, described by some as one of the most damaging decisions to civil rights laws by the modern U.S. Supreme Court.

Also on the panel was Alan Rubin, Executive Vice President for the New York State United Teachers. Along with the New York State Bar Association, who hosted the event, and the United Teachers, sponsors included the Law School and the Capital District Black and Hispanic Bar Association.

Conference Looks at "Sanctioned Discrimination" Across Generations

Former New York Court of Appeals Associate Judge George Bundy Smith told the crowd in Room 200 exactly where he was when he learned of Martin Luther King's death. Born in New Orleans and raised in Washington, D.C., Smith described his early life during segregation to highlight the Civil Rights gains made in his lifetime. But, he warned, after citing high school drop-out rates and other alarming stats among African-Americans including prison rates, "there is still cause for much concern."

Smith's remarks were part of the Justice Robert H. Jackson Lecture titled "Society, Security and Civil Rights: Examining Sanctioned Discrimination Across Three Generations."

The program tackled the issues through three separate eras: the current state of sexual orientation and the law; race and the law with focus on the Civil Righs era; and national origin and the law, centered on the internment of Japanese-Americans.

Along with outside lecturers, panelists from Albany Law's faculty included: Professor



George Bundy Smith, former associate judge of New York's Court of Appeals.

Anthony Farley, James Campbell Matthews Distinguished Professor of Jurisprudence; Professor Stephen Gottlieb, Jay and Ruth Caplan Distinguished Professor; Associate Professor Nancy Ota; Associate Professor Alicia Ouellette; and Professor Stephen Clark.

The Lecture Series is named after Robert H. Jackson (1892–1954), a U.S. Supreme Court Justice, the chief United States prosecutor at the Nuremberg Trials, and a graduate of Albany Law School.

You can listen to the lectures at www.albanylaw.edu/justice-jackson.

Students Present at State Bar Committee Program

Students from Professor Maria Grahn-Farley's International Child Rights class were invited to present at the N.Y. State Bar Association Committee on Children and the Law's award ceremony last spring. From left: Alexandra R. Harrington '08; Clare M. Wiseman '09; Kathryn Grant Madigan '78, past president of the New York State Bar Association, who received the Committee's Special Recognition Award; Chantima Chokloikaew '08; Prof. Grahn-Farley; Suzanne S. Lee '09; Professor Kathe Klare. Ms. Madigan and Judge Edward O. Spain, who chairs the committee, invited the students.



Faculty in the News

The New York Times

"It appears to me that when it went into the net, it went into the legal possession of the New York Yankees, and if stadium officials retrieve the ball and say 'We'll give it to you'—whoever they're pointing to—they have the right to do that." Paul Finkelman, President William McKinley Distinguished Professor of Law and Public Policy, in an article titled "At the Stadium, Possession Is Some Tenths of the Law," Sept. 24, 2008

Chicago Tribune

"While it's a milestone on one hand, the road ahead is very long," said Timothy Lytton, an Albany Law School professor who wrote Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse. "The cardinal's rhetoric about protecting victims and showing compassion to perpetrators and pastoral concern for incarcerated priests omits the theme on people's minds.... That theme is: What is the institutional church going to do to hold officials accountable?" From an article called "Release of Cardinal George's deposition revealing: Deposition release called a 'milestone'," Aug. 16, 2008

The New York Times

"Some of the things that could be the subject of a C.B.A. may not wind up being in the C.B.A. But that doesn't mean you can't have a C.B.A." Professor Patricia E. Salkin in an article titled "Bronx Groups Demand a Voice in a Landmark's Revival," June 25, 2008

National Law Journal

"You have to ask yourself if there is a demand for lawyers."

Dean Thomas F. Guernsey in an article titled, "A Deluge of Law Schools:

As many as 10 are in the works—but are they needed?" June 4, 2008

Newsday

"You're dealing with an extraordinarily stagnant industry in New York. Interest in racing in New York, especially downstate, has just fallen off the charts." Professor Bennett Liebman in the article titled "Beleaguered NYRA may have future back on track," June 1, 2008

New York Times

"They ripped these services away, and there are families all over this state that have just lost these services and are trying to make do—often times in situations that are critical." Professor Bridgit M. Burke in the article titled, "Ruling Ends Special Services for the Home Schooled," April 20, 2008.

New York Sun

"I can only guess that he wants to put a very bright liberal in the center seat of the court." Professor Vincent Bonventre in an article titled "Paterson Will Pick a New Chief Judge of New York," July 7, 2008.

National Racing and Gaming Institute Focuses on Unstable Racing Future

By Bennett Liebman, Executive Director, Government Law Center

The Government Law Center hosted its eighth annual Saratoga Institute on Racing and Gaming Law on Aug. 5 at the Gideon Putnam Hotel in Saratoga Springs, N.Y. In front of a packed house of 175 people, the leaders of the horse racing world addressed the legal and policy issues affecting the horse racing industry in New York and the United States.

Perhaps the best attended session featured Albany Law School professor Patrick Connors quizzing New York's heavy hitters in a review of the process used to determine which organization will hold the thoroughbred racing franchise in New York State. Professor Connors, in a style familiar to many of his students, addressed numerous direct and pointed questions to C. Steven Duncker, the Chairman of the New York Racing Association, Paul Francis, former Director of State Operations for Governors Spitzer and Paterson, and Steven Crist, the chairman, publisher, and columnist of the

Daily Racing Form.

In other panels, Alex Waldrop, the president and chief executive officer of the National Thoroughbred Racing Association, addressed the overall condition of the racing industry and its response to Congressional concerns about drug use and the health of race horses.

Other panels addressed the use of steroids and other drugs in horse racing, immigration and labor law issues in horse racing, intellectual property and antitrust concerns, the survivability of New York's OTBs and harness tracks, and regulatory and legislative activities in New York state.

The formal program was preceded by a pre-institute program where a panel of trainers and veterinarians discussed the issue of liability for positive drug tests in horse racing. The program was moderated by Dr. Jerry Bilinski, DVM, the co-chairman of the Government Law Center's Racing and Gaming Advisory Committee.



Steven Crist, publisher of the Daily Racing Form, fields pointed questions from Professor Patrick Connors.

INBRIEF

Science & Technology Law Center Gears Up for New Expanded Era



From right, Pamela Ko, Staff Attorney, Annette I. Kahler, Director, Holli Rossi, Administrative Coordinator.

As innovation continues to rapidly drive changes in our society and legal system, the Science & Technology Law Center continues to offer innovative programming and plans to re-launch the Center early next year, including a new name and expanded programs.

The Center continues under the leadership of Professor Annette I. Kahler, who joined Albany Law School in 2006 after returning to the Capital Region from northern Virginia where she specialized in intellectual property and technology law.

Joining the team this past summer were Pamela Ko, Staff Attorney, formerly of Pitney Bowes Software (previously MapInfo), and Holli Rossi, Administrative Coordinator, who most recently worked at Albany Molecular Research. Recent projects in the Center have focused in the areas of clean energy technologies, forensics, cyber security, entrepreneurship, and women in patent law.

In a joint effort with New York State's Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) and the Multi-State Information Sharing and Analysis Center (MS-ISAC), second-year law student and Center intern Jason Sosa examined state and federal freedom of information (FOI) laws and critical infrastructure and information security assets. The research, which culminated in a draft report entitled FOI Exemptions from Disclosure with Specific Regard to Critical Infrastructure and Information Technology System Records, focused on specific exemptions for records that might compromise the



Jason Sosa '10 presenting his summer research on exemptions from freedom of information laws applicable to critical infrastructure information. The project was conducted in conjunction with the New York State Office of Cyber Security and Critical Infrastructure Coordination.



Standing, from right, Andrew Zacher '10, Angelo Urso '10, Andrew Wilson '10, Jason Sosa '10, Jennie Shufelt '10. Seated, from right, Sarah Thomson '09, Richard Scheunemann '09, Lauren VanBuren '10.

nation's critical infrastructure or information technology systems.

According to the report, under the current FOI laws and acts, the presumption of disclosure exists for all public records. For both the federal government and the states, however, exceptions to the rule exist. Such exceptions include personal information, proprietary information, and law enforcement information. The report delves into these current exemptions, but also focuses on the possibility of federal law superseding state law with regard to exemptions to disclosure.

For more on the Center, go to www.albanylaw.edu/stlc.

Justice Center Gains New Leader for Low Income Taxpayer Clinic

Visiting Assistant Clinical Professor Deborah Kearns, a 2000 summa cum laude graduate of Albany Law School, where she served as the *Law Review*'s executive editor for business, will direct the Low Income Taxpayer Clinic.

Professor Kearns started her legal career as an associate in the Private Clients department of White & Case, LLP, New York, N.Y., and most recently practiced as a senior associate attorney at Lavelle & Finn, LLP, in Latham, N.Y., where she has been since completion of her LL.M. in Taxation at New York University in 2005. Her areas of expertise include tax planning, tax controversy and complex tax preparation matters.

Prior to joining the faculty, Kearns taught financial planning for the elderly as an adjunct professor at Albany Law School and corporate, partnership and trusts and estates taxation at The Sage Colleges. She has lectured



extensively on estate, income and gift taxation. Kearns is the chair of the Taxation Committee of the Trusts and Estates Section of the New York State Bar Association and is involved with a variety of not-for-profit organizations.

Her husband Kenneth Carlson '04 is an administrative Law Judge with New York State's Public Employment Relations Board.

Professor Kearns teaches Introduction to Taxation, Estate Planning II and Financial Planning for the Elderly.



Women's Bar Awards Adams-Keane Distinguished Non-Attorney Award

Helen Adams-Keane (left), Albany Law School's vice president for Institutional Advancement, was awarded the Distinguished Non-

Attorney Member Award this year by the Capital District Women's Bar Association. The award was presented by the Hon. Leslie E. Stein '81, Supreme Court Appellate Division, Third Department, a past president of the Association.

Tim Russert's Commencement Speech Remembered

Tim Russert, the host of "Meet the Press" who died this year, delivered Albany Law School's commencement speech for the Class of 1993. A family friend of some faculty, Russert had visited the school other times beyond Commencement, asking, "What other law school is built around a basketball court?"

Russert urged the graduates to pursue justice that affects the country's "gnawing social problems.... You cannot, you must not ignore these problems," said NBC's Washington, D.C., bureau chief. "The very foundation of our system of jurisprudence, the fabric of our society, is at stake.... Give people a hand, give them hope, give them strength."

He pointed to Poland's Lech Walesa and South Africa's Nelson Mandela as model leaders devoted to making a difference for humanity.

"He was a family friend," said Professor Vincent Bonventre. "I remember inviting him to come up to the school. He didn't hesitate, said he'd be happy to come up.... He was a master of the American political scene. It's not surprising that Senator Moynihan and then Governor Cuomo relied on him so much before he went into the news business. I witnessed this one night when he and his soon-tobe-wife Maureen were over for dinner. He was on and off the phone with Cuomo, helping him prepare his now-famous keynote address to the 1984 Democratic Convention."

Russert, a lawyer, received an honorary degree that day



"He was a master of the American political scene. It's not surprising that Senator Moynihan and then Governor Cuomo relied on him so much before he went into the news."

Professor Bonventre

conferred by Roger Hull, the Union College president and Union University chancellor.

More than the moderator of "Meet the Press," television's popular political talk show, Russert was also the chief of NBC's Washington, D.C., bureau, responsible for the hiring of staff members and directing its operations. He also appeared often on the network's full range of programs, including the "Today" show, NBC's "Nightly News," and on its cable news channel MSNBC.

INBRIEF

Pipeline Strategy Exposes New Populations to Law School Possibilities



New York City LEO fellows at Albany Law. Pershia Wilkins, Albany Law's Diversity Director, front row, left, wearing white.

Eighteen N.Y. Legal Education Opportunity (LEO) Fellows from New York City visited Albany Law School in July, spending time with faculty members, alumni, staff and students. Created by Chief Judge Judith S. Kaye for people historically under-represented in the legal profession, the sixweek program helps qualified candidates who plan to attend law school in New York acquire the practical skills to succeed in law school.

Albany Law School also hosted its second annual Youth Law Day this year, welcoming approximately 100 high school students from throughout the Capital Region to attend mock undergraduate and law school



Albany County District Attorney David Soares eats lunch with high school students from the region before speaking to them about the legal profession.

classes, a seminar on the law school admissions process, and explore career possibilities in the field of law. The event was co-sponsored by the New York State Bar Association and hosted by Kenneth Standard, a partner at Epstein Becker & Green in New York City. Albany County District Attorney P. David Soares '99 spoke to the group

during lunch.

Both events align with the School's Diversity Office efforts to expand the pipeline of young people considering law school. Albany Law's most recent incoming class is the most diverse in the history of the institution, with 25 percent of the new students representing minority groups.



Advancement Officer Leaves Firm Life, and the West

Laura Liebman-Alperson is the School's new Advancement Officer. Most recently an associate with Tonkon Torp, LLP in Portland, Ore., where she practiced labor and employment law and litigation on behalf of clients such as Nike, Costco and Wells Fargo, she also externed full time for the Honorable Robert E. Jones of the U.S. District Court of Oregon. A Niskayuna resident and a native of New York state, she earned a law degree from Northwestern School of Law of Lewis & Clark College, as well as Master of Arts and Bachelor of Arts degrees from Brandeis University.

A Loyal Friend of Albany Law Steps Down as New York's Chief Judge

Friend. Advocate. Albany Law family member. New York State's Chief Judge Judith Kaye has long been an intimate part of the School's community. After 15 years at the State's judicial helm, Judge Kaye will retire this year.

While publicly she is known as a fierce advocate for the judiciary's members—and the institution's integrity—she is also a scholar. Judge Kaye seemed to relish her time spent at Albany Law, enjoying the political refuge while immersing herself in charged academic activity.

"In some ways it felt like Judge Kaye adopted us as her surrogate alma mater," said Professor Vincent Bonventre, a friend of the Judge and author of the blog newyorkcourtwatcher.com

In the last year alone, Judge Kaye spent two full days at the School. This included a talk on former Chief Judge Lawrence Cooke as part of a larger event called "Judges on Judges" (see next page), and at a symposium about state constitutional law and high courts in the 21st century.

A serious student of legal education and women's issues, she was the first woman chief judge for New York, and the first woman to deliver the Commencement address for Albany Law School in 1985. She delivered the Keynote Commencement address again in 2007, urging students to practice with their hearts, as well

as their heads. She wrote often on the legal process, state constitutional law, women in the law, and professional ethics.

"We will continue to extend an open invitation for Judge Kaye to visit, speak, teach and write," said Thomas F. Guernsey, President and Dean of Albany Law. The value of her knowledge and the excitement of her presence on campus won't change a bit when she steps down this year."

A native of Monticello, N.Y., Judge Kaye was appointed by Governor Mario Cuomo in 1993. She will retire this year, the first year of her third seven-year term, due to the mandatory retirement age for judges at 70.



Judge Kaye, right, reacting to Prof. Bonventre's kind words as he introduced her to speak at an event in March. Above, Judge Kaye speaking at '07 Commencement.





The Judges' Favorite Judges

This year's Annual Chief Judge Lawrence H. Cooke Symposium at Albany Law School featured the seven members of the Court of Appeals describing their favorite member of the Court and why. There were only two ground rules: No living judges could be selected and no one could pick former Chief Judge Benjamin N. Cardozo, "about whom mountains have been written," as Chief Judge Judith S. Kaye put it. That left 93 of the 106 judges in the Court's history. The March 14 symposium grew out of a new book, "Judges of the New York Court of Appeals: A Biographical History," that was edited by former Court of Appeals Judge Albert M. Rosenblatt. — *Joel Stashenko*

This event was organized by former Court of Appeals Judge Albert M. Rosenblatt, Professor Vincent Bonventre and Albany Law Review Executive Editor Kelcie McLaughlin '08. The presentations of the judges has been published in the annual State Constitutional Commentary issue of the Albany Law Review. To obtain a copy, visit www.albanylawreview.org

Chief Judge Judith Kaye



Chief Judge Kaye said her choice was an "immensely and intensely" personal one, but also a "no-brainer." Both judges were born and raised in Monticello, Sullivan County.

The chief judge said that the hardest adjustment she made when joining the Court in 1983 as a first-time-ever judge was simply "calling him 'Larry.'"

"For months after I arrived on the Court of Appeals, I didn't address him by name at all," the chief judge said. "I simply cleared my throat when I needed to get his attention."

Judge Lawrence H. Cooke had a "keen" interest in state constitutional law and was a staunch believer in the Court's tradition of trying to carve out protections for New Yorkers under the state Constitution beyond those recognized by the U.S. Supreme Court, Chief Judge Kaye said.

Personal note: Judge Cooke earned his revered position in his community, Chief Judge Kaye said, by "living in the same house for more than 60 years" and by being a "committed volunteer firefighter, a great leader, a patron of the Miss Monticello Diner at dawn, a modest man who always, always, always took the high road."

Recommended reading: Sharrock v. Dell Buick-Cadillac, 45 NY2d 152 (1978); People v. Skinner, 52 NY2d 84 (1980); People v. Rogers, 48 NY2d 167 (1979); People v. Settles, 46 NY2d 154 (1978); Pulka v. Edelman, 40 NY2d 781 (1976).



Lawrence H. Cooke (1914-2000); associate judge, 1974-1979; chief judge, 1979-1984

Judge Carmen Beauchamp Ciparick



While deeply impressed with his judicial acumen and great common sense, Judge Ciparick said, the man some at the Court referred to as "Uncle Vito" was simply "plain fun" to be around.

Judge Vito J. Titone's concerns included the protection of the personal liberties of citizens and wariness of over-intrusive police

searches, Judge Ciparick said. That, in turn, resulted in Judge Titone's reputation as the Court's most liberal member.

"Maybe that is so, if 'liberal' means that he always stood up for what's right and just, [and being] a constant defender of individual rights, a defender of the poor and the powerless, an unflinching commitment to the preservation of the constitutional rights of the accused," she said.

Personal note: "He was fond of celebrating half and even quarter birthdays," Judge Ciparick said. "We racked up many more than seven cakes a year at Jack's [Restaurant] on State Street [in Albany]. Anytime Judge Titone was feeling mischievous, which was often, or just plain wanted dessert, he declared it was someone's birthday. Jack's would go along with it. They brought out the cake, the candles and sang happy birthday. I'm sure after a while they caught onto Judge Titone's playfulness, but they never complained."

Recommended Reading: Tropea v. Tropea, 87 NY2d 727 (1996); People v. Keta, 79 NY2d 474 (1992); Braschi v. Stahl Associates Company, 74, NY2d 201 (1989).



Vito J. Titone (1929-2005); associate judge, 1985-1998

Judge Victoria A. Graffeo



Judge Francis Bergan made an "enduring and remarkable contribution" to the Court, Judge Graffeo said. It included deep respect and knowledge of the Court and led him to write the first history on Court's judges.

The solution Judge Bergan crafted in 1970 in Boomer v. Atlantic Cement Co. to resolve a dispute between a polluting cement

plant and nearby residents employed a trailblazing approach to the emerging field of environmental regulation and litigation.

"The decision was heralded as a prime example of the flexibility of the common law to adjust to the ever-changing needs of a

modern society," Judge Graffeo said.

Personal note: Judge Bergan helped put himself through Albany Law School by reporting for local newspapers. One of his early interview subjects was Daniel O'Connell, ruler of the Albany County Democratic Party machine. Judge Graffeo said the two hit it off thanks to a mutual interest in Civil War history and Dickens novels, leading to Mr. O'Connell's endorsement of Judge Bergan for Albany judgeships at the start of his judicial career.

Recommended Reading: Boomer v. Atlantic Cement Co., 26 NY2d 219 (1970); Dole v. Dow Chemical, 30 NY2d 143 (1972).



Francis Bergan (1902-1998); associate judge, 1964-1972

Judge Susan Phillips Read



Judge John T. Loughran was a scholar whose training as a journalist with a Kingston newspaper later helped him develop a reputation on the Court as an exemplary writer.

"Judge Loughran was renowned as a consummate legal craftsman and wordsmith," Judge Read said. His style used "marked

economy and condensation, telling the reader what the case stood for without wasting his time and getting lost in the telling."

His writings were considered so good, in fact, that future

Judge Francis Bergan wrote a book titled, "Opinions and Briefs, Lessons From Loughran."

Personal note: Judge Loughran graduated summa cum laude from Fordham University School of Law in 1903, and was immediately offered a place on the faculty at age 23. He would be a faculty member for the next 18 years.

Recommended reading: Landsman v. Landsman, 302 NY 45 (1950); Matter of Metropolitan Life Insurance v. New York State Labor Relations Board, 280 NY 194 (1939); Hoyt v. County of Broome, 285 NY 402 (1941).



John T. Loughran (1889-1953); associate judge, 1934-1945; chief judge, 1945-1953

Judge Robert S. Smith



Judge Cuthbert Pound was a deep legal thinker who was a philosophical ally on the liberal wing of the Court with Benjamin N. Cardozo, said Judge Smith.

Judge Pound was a defender of freedom of speech in an era when it was not fashionable, he said. In one case, defending the right

of Socialists to gather, Judge Pound wrote, "Although left-wing Socialism is a menace to organized government, the rights of the best of men are secure only if the rights of the vilest and most abhorrent are protected."

Personal note: Judge Pound's stature was such that he was considered for appointment to the U.S. Supreme Court. Chief Judge William Howard Taft wrote President Warren Harding recommending that he not consider Judge Pound. "Please, don't appoint Pound," Judge Taft wrote, according to Judge Smith. "The man is a dissenter! We can't have that on the United States Supreme Court. We have enough trouble as it is with Holmes and Brandeis. He's as bad as that fellow Learned Hand on the Second Circuit."

Recommended reading: People v. Gitlow, 234 NY 132 (1922); Doyle v. Atwell, 232 NY 96 (1921).



Cuthbert Pound (1864-1935); associate judge 1915-1932; chief judge, 1932-1934

Judge Eugene F. Pigott Jr.



Judge Matthew J. Jasen succeeded through hard work and had a belief that the law must protect the core values of society, said Judge Pigott.

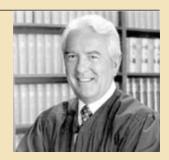
"His concern was always the same," he said. "If you talked to him about his military time, if you talked to him about the time he

was practicing law or his time on the bench, it was always with respect to how the rule of law was going to protect people, protect their rights and do the right thing."

Judge Jasen split with the Court in a series of child pornography and pornography cases in the 1980s.

Personal note: Judge Pigott said Judge Jasen had only two pictures on the wall of his office. One was of the Bishop of Crachow in Poland, Carol Wojtyla, who would become Pope John Paul II. The other was a picture of Judge Jasen that appeared in *Life* magazine during World War II showing grateful French soldiers tossing then-Lieutenant Jasen into the air after his Army unit had liberated a prisoner of war camp. "Matt said, 'That was probably the closest to being injured in the war that I ever was,'" Judge Pigott recalled.

Recommended reading: People v. Ferber, 52 NY2d 674 (1981) (dissenting); People v. PJ Video, 65 NY2d 566 (1985) (dissenting).



Matthew J. Jasen (1915-2006); associate judge, 1968-1985

Judge Theodore T. Jones Jr.



Judge Jones said that as a recent graduate of St. John's University School of Law, Judge Harold A. Stevens, the Court's first black judge, was an inspiration to himself and other black attorneys.

Though the legal establishment universally supported Judge Stevens for election to

a full term on the Court in 1974, he finished third that November in a five-way race for two seats.

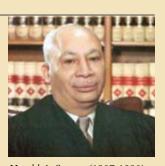
"If 'disappointment' is a word, I don't think I can begin to tell you how let down we were," Judge Jones said.

Judge Stevens was redesignated as presiding justice of the Appellate Division, First Department, where he served until his

retirement in 1977. Judge Stevens' defeat in 1974 was a leading factor in the state's adoption of an appointive system for seats on the Court of Appeals.

Personal note: Judge Jones marveled at Judge Stevens' rise from poverty, segregation and racial violence on his native John's Island, S.C., to becoming a Court of Appeals judge. "You can't really fully appreciate the hardships that he must have had to endure," Judge Jones said. "I am persuaded once again that his accomplishments must be viewed through the prism of the culture and the times in which he grew up."

Recommended reading: Matter of Pell v. Board of Education, 34 NY2d 222 (1974).



Harold A. Stevens (1907-1990); associate judge, 1974



Albany Law's 157th Class Graduates

Two-hundred-and-twenty students from the Class of '08 graduated at Albany Law School's 157th commencement held at the Saratoga Performing Arts Center on May 16.

The keynote speaker, Jeanine Ferris Pirro '75, the former Westchester district attorney



Jeanine Pirro '75



E. Stewart Jones '66

who hosts a new network television show and wrote *To Punish and Protect—Against a System that Coddles Criminals* (Simon & Schuster, 2004), talked about her approach to prosecution as a D.A., and called on the students to answer the high calling of justice throughout their careers.

President and Dean Thomas F. Guernsey announced the retirement of four professors:

- Professor Joseph Baum, who started in 1981, teaching at Albany Law School for 27 years.
- Professor Robert Bowmar, who started 41 years ago, in 1967.
- Professor Harold Dubroff, who started in 1972, and has been at Albany Law for 36 years.
- Professor **David Siegel**, who also started in 1972.

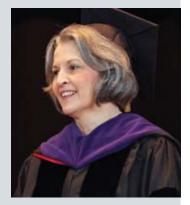
Dean Guernsey also recognized Professor Frank Anderson, who graduated 60 years ago with the class of '48. "He retired as a professor 18 years ago, yet he hasn't stopped teaching until this year," he told the SPAC audience.

2008 Faculty Awards

Professor Dale L. Moore was awarded the 2008 Distinguished Educator for Excellence in Teaching award for her high standards in the classroom, and her enthusiasm, energy and care she gives her students. She has been teaching at Albany Law since 1983.

Professor Patricia E. Salkin '88 received the Faculty Award for Excellence in Scholarship for her academic achievements, which includes numerous articles, chapters in books, and a daily land-use blog that receives 2,000 visitors a week. This year Salkin, the director of the Government Law Center, was named the Raymond and Ella Smith Distinguished Professor of Law.

The Faculty Award for Excellence in Service went to Professor Laurie Shanks. With extensive trial experience, she teaches and trains seminars and trial advocacy workshops throughout the nation. The award also recognizes her significant contributions to the state and local bar in a variety of capacities.



Professor Dale L. Moore



Associate Dean Patricia E. Salkin



Professor Laurie Shanks

Because the use of laptops in the classroom has stirred debate nationally in higher education, AlbanyLaw Magazine asked Professor Nancy Ota to share her thoughts on the topic.

Teaching over Laptops: One Professor's Thoughts

Professor Nancy Ota

Suppose you are beginning your closing argument and the judge drops her eyes to her laptop screen and then grins. You pause momentarily and when you continue, the judge glances up then begins to type frantically, still grinning. You pause again to ask the judge a question and the judge looks up over the screen and asks, "Could you please repeat the question?"

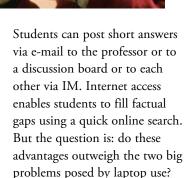
Are students in a classroom better able to focus on multiple tasks such as typing, reading email and listening to how a discussion is shaping up than the fictitious judge in the example above? Perhaps. Nonetheless, last fall I banned laptops in my first-year contracts class to stop verbatim stenography and to reduce distractions. I am not opposed to laptops in the classroom; on the contrary I think that they will be well integrated into teaching environments soon. But for now, the pedagogical style currently existing in the classroom does not seem to be ideally suited for their principle use: note-taking. Class discussions involve thinking through problems from multiple angles. The effort to keep up with typing verbatim transcripts of the discussion coupled with the cacophony of clacking keys often means that many students are not thinking. A distinct lag among the "clackers" compared to the pace of the discussion

becomes evident after the fourth student looks up from his or her laptop and asks, "Could you repeat the question?"

But, let's face it: with or without a laptop, many students are not always paying attention to the discussion or materials presented. Minds naturally wander and classes are not consistently riveting. Within this context, it seems that the laptop creates the false sensation of a private zone leading to interruptions from the triumphant electronic blare of a game, and students who continue to furiously type while "watching" movie clips. In addition, laptops distract students away from class to Internet news, e-mail, social networking pages, games and online chats. To be sure, succumbing to these distractions is similar to drifting away from the classroom in day dreams, doodling or Sudoku.

Do the advantages add up?

Certainly, laptops have some advantages. Many students can type faster than they can write. Many students can read what they have typed better than their own handwritten notes. Readingnotes and outlines are readily available on the laptop for easy reference and instant editing. The laptop can be a mechanism, albeit still somewhat cumbersome method, for varying the modes of participation in the class.



My answer to this question remains ambivalent because I believe that students learn in diverse ways that include good note-taking. I am a bit skeptical about the relative advantages of laptops because apart from illegible handwriting or physical disability, old-fashioned technology still exists to produce useful notes. A laptop ban does not leave students with an unfamiliar means of note-taking.

The challenge for teachers is to alter the classroom by modifying our pedagogical tools so that the laptop in the classroom is not simply a sophisticated writing/recording device. The teacher cannot make such changes alone. Developing and implementing teaching materials takes time, coordination with existing casebooks and harmonization

with infrastructure constraints. The law school has to maintain a continuous investment in rapidly evolving technology and support. All of this investment has the potential to marginally improve efficiency and learning, but we still have to consider whether the improvement outweighs the loss that comes with the intervention of electronic devices between class participants. We are not yet using the devices in a way that improves the class as a whole.

Let's not forget that we are still engaging in human communication. Would any of you conduct an interview with a client while clacking away at your laptop in order to take verbatim notes? Perhaps the judge in the hypothetical above heard all of the argument, but it would have been nice to have had some feedback. Likewise, when we are having conversations or in a classroom together, it is nice to acknowledge or respond to comments with eye contact and other feedback cues. From my perspective, the laptop ban improved attentiveness and class participation was better than in the second semester. Since I cannot attribute these benefits solely to the ban, after the onesemester experiment, I am working toward a compromise for the upcoming school year that will begin to integrate laptops into the classroom experience.



MEET PHILLIP McKIE, BLSA'S PRESIDENT



Born: Island of Jamaica

Raised: Moved between Jamaica, Queens, and Kingston, Jamaica

Siblings: Three sisters

Undergraduate: Bernard Baruch College, New York, N.Y.

Major: Accounting

Q: How has your experience been at Albany Law School?

Phillip: It has been largely positive. I'm genuinely a very outgoing person, so I like being able to voice my perspective. I have ideas and in efforts to communicate those ideas it is not unusual for me to meet with the Dean and the Vice President of Student Affairs. Some of BLSA's pet projects this year are brown bag lunches where all races in the student body discuss prevalent cultural issues with selected members of the faculty. If I was unhappy here I would not be able to have my hand in so many projects, keep up with classwork and still smile.

Q: Who are your friends?

Phillip: Friendship is a very serious term and I don't think of it lightly. My friends, especially at Albany Law School, are usually those who are more driven—more passionate—sincere and have some qualities that I would like to adopt.

Q: What is your passion?

Phillip: [laughter, long pause] Can I think about that and get to it later?

Q: No.

Phillip: [pause] I would describe my passion as raw, and as I grow it will constantly remold in something more illustratable. Have you ever felt extremely driven but not in control of the wheel? A part of my passion is knowledge. Not in the sense of learning from a book. I'm talking about that curiosity that can only be satisfied through experience. My judicial internship gives me further insight about the growing

plight of my community. I tutor middle school children, and I feel like I learn more from them than they do me. I TA for contracts, but that's because I just love contracts. Finally, being President of BLSA puts me in a position where I am both teacher and student.

Q: How do you like living in Albany?

Phillip: Albany is definitely better than expected. I have access to all facets of the legal field, and I plan on experiencing most of them while I'm here. It also doesn't hurt that the rent is cheap. If they could get a Trader Joe's up here then that would be perfect.

Q: As president of the Black Law Students Association (BLSA), tell us what we can expect?

Phillip: Expect a lot! Our welcome BBQ was a big success. We will be hosting a debate with the candidates for the District Attorney's Office. We will also host four brown-bag lunches where small groups of students will discuss some thought-provoking topics with some members of the faculty. We will be doing a series of small events to connect personally with our membership. Also, a mock final for 1Ls. Café Night will certainly be something special. More importantly, on the top of the new E-Board's agenda is reconnecting with our BLSA alums. We will be hosting an alumni banquet in April 2009. If you are a BLSA alum please contact myself at PMcKie@albanylaw.edu or Destini Bowman at DBowman@albanylaw.edu.

Ħ, NUMBER

THE CLASS OF

2300 applicants

J.D. candidates

255

M.S. in legal studies with a technology transfer concentration

LL.M. candidates

 $3.27_{\text{Median GPA}}$

Average age

Ages range from 23 to upper 40s.

47% women

Identified themselves as a member of a minority group, making the class the most ethnically diverse in the 158-year history of the School

Where they come from

States, including Puerto Rico

Countries, including China, Nepal, Botswana, Kuwait, France, Canada, Japan, Romania, India, South Africa, Russia, Spain, Brazil, and Zimbabwe.

Colleges and universities

What they've done

38 Waiters and waitresses

Bartenders

Soccer players

Postal carriers

Car dealers

News people including reporters, news producers, editors and an on-air anchor

Coal mine owner

Marine Petroleum Transfer Engineer

Worked with water including: fisherman, trout stocker, rowing coach, kayak instructor, and white water rafting guide

Award-winning Chinese calligrapher





A GLIMPSE OF FOUR STUDENTS IN

Age: 26

Hometown: Lahore, Pakistan.

Came to the United States eight years

ago.

Family: Three siblings all in

Lahore.

Undergrad: Ohio Wesleyan

University

Majors: Political science,

Psychology

Minor: History



Age: 23

Hometown: Colorado Springs,

Colo.

Family: Mother teaches

social studies, father a director of systems support, 20-year-old brother in school and a 26-year-old brother

in the Army.

Undergrad: Denver University

Majors: Philosophy and

international studies.

Why Albany Law School?

I visited Albany twice before finalizing my decision to come here, and was impressed by the student body and the professors that I met. The School's location and status in the Capital District provides us with excellent opportunities.

I like: If not for the generous scholarship I received from this school, I would not have been able to afford a legal education in this country. Second, the Diversity Office at Albany Law provides immense support and encouragement to students.

I dislike: That we do not get a mid-term break any more. I also wish that we had more on-campus recruitment for state agencies and lobbying groups. Lastly, I am sure I speak for every law student when I say the books are very expensive.

Law interest: International law, civil rights, human rights law

Student activities: Vice President of the Muslim Law Students Association; Treasurer for the Amnesty International chapter at Albany Law. Participates in activities of the ACLU.

Hours of study: There is no set formula for how many hours of work to put in. Needless to say, there just aren't enough hours in the day.

Goal for first job: To do something I love and can be proud of. And to make money in the process.

Ultimate goal: To contribute positively to the legal profession and to make my family, friends, and peers proud of all that I have done.

What do you do in your free time? Read books, watch television, go out to eat, explore upstate New York.

Favorite hang-out spot:

The Ginger Man.

Where do you plan to live after law school? Either in New York state or Washington, D.C.

Why Albany Law School?

I wanted to try something new. I have lived in places all over the world and felt that is was time to experience life in New York. I couldn't go to New York City because I knew it would be too much of a distraction. So, I decided to come to Albany where I could get a good education, pass the New York bar, and then move down to New York City. Best of two worlds.

I like: Sense of community and all the co-curricular and extra-curricular activities.

I dislike: That the 1Ls only have to take 13 credits their first semester; and that in the locker room, one row is really close together but the others are far apart.

Law interest: Corporate, specifically Mergers and Acquisitions

Student activities: Government Law Review, Moot Court Board, Women's Law Caucus and Women's Rugby.

Hours of study: About 5-6 hours a day, and 14 hours every day during finals.

Goal for first job: To work for an international firm in New York City.

Ultimate goal: To make partner at an international firm based in the United States, but that does business with China. Hopefully, first-class flights to and from Asia.

How do you unwind? Dinner with friends and a bottle of wine, work-out, cook, travel.

Favorite hang-out spot: The East Foyer of Albany Law School (there's always free food).

Where do you plan to live after law school? New York City or Beijing.

THE CLASS OF







Age: 40

Hometown: Cortland, N.Y.

Family: Wife, three boys

ages 6, 12, 13.

Undergrad: SUNY Cortland

Major: Public administra-

tion, public policy

Former New York State Trooper



Age: 23

Hometown: East Greenbush,

N.Y.

Family: A sister graduating

from SUNY
Plattsburgh this fall
with a degree in
Early Education;
and more than
20 cousins in the
Capital Region.

Undergrad: The College of

Saint Rose

Major: History

Why Albany Law School? I was in Albany often when I was a state trooper teaching at the academy and really enjoyed it. It made sense.

I like: I like the sense of community. You can go anywhere on campus, and someone—an administrator, a fellow student, a professor—will try to help you.

I dislike: It's a long drive from my home. I have an apartment here and go home on weekends.

Student activities? The Italian American Law Student Association (IALSA) and Youth Court: Children under the age of 16 get trained to be youth court prosecutors and defense attorneys, and then hear cases referred to them by Family Court. A juvenile offender can have his or her case heard before Youth Court and that court can impose sanctions including community service, letters of apology and restitution.

Hours of study per day? I hit the gym, then class, then my internships, then to the library for the remainder of the night, which can last several hours.

Goal for first job? Something in public policy, or criminal law. Many of the areas where I patrolled were desolate so I would often have to prosecute crimes where I made arrests as a trooper.

Ultimate career goal: Prosecutor

How do you unwind? When I'm not busy with the kids, I go to the gym, run and play a lot of softball.

Favorite hang-out spot? The Recovery Room

Where do you plan to live after law school? Brockport, N.Y.

Why Albany Law School?

I decided to come to Albany Law because of its high Bar passage rate, small class size, and location.

I like: I like the friendly atmosphere. The students really work together and help one another overcome the pressures associated with law school. I also value the knowledgeable and approachable faculty.

I dislike: The parking situation.

Law interest: Procedural Law.

Student activities: Student Ambassador and a Teaching Assistant.

Hours a day of study: 10

Goal for first job: I would like to get a job with the federal government.

Ultimate goal: To teach law classes.

How do you unwind? I enjoy reading "non-law" books, watching movies, catching up with my friends and walking with my dog.

Where do you plan to live after law school? I plan to stay in Albany.

BACKTHEN

The Schaffer Law Library: So Who Is Harry Schaffer?

By Colleen Ostiguy '03, Electronic Services Librarian



Harry M. Schaffer '21 in 1982.

The Schaffer Stores were eventually sold to Grand Union in 1958, and Mr. Schaffer became a financial and real estate executive.

Libraries appeal to me. More specifically, librarians have always amazed me with their ability to research questions that I had no idea how to answer. Due to this, I decided to get my master's degree in library science to obtain the researching skills librarians have. After completing my master's degree, I realized that my honed researching skills would work well in a legal setting. Thus, I applied to Albany Law School to learn about the law and to carry on the tradition of spending many hours in the library studying and preparing for classes. When I wasn't using the library to study, I worked there as a student assistant.

As an alumna, I quickly realized that the library and staff were an invaluable source of legal information. However, it wasn't until I accepted the position of Electronic Services Librarian in the Schaffer Law Library that I knew how important the library was to alumni throughout the legal community. On any given day, the library staff provides research assistance to alumni in person, via email and over the phone.

Although many alumni use the library, it is doubtful that many know much about Harry Schaffer, after whom the Albany Law School Library is named. I have glanced at his portrait and plaque prominently displayed behind the circulation desk but I never took the time to actually read the plaque or figure out who Harry Schaffer was. Eventually, my curiosity got the best of me—I put my research skills to work.

Harry Schaffer, along with his parents, brother and sister, emigrated from Poland to the United States in 1892 when he was 18 months old. After arriving at Ellis Island, the family decided to settle in Schenectady where Harry's parents opened a grocery store. Obviously the grocery store business was in the Schaffer blood because Henry Schaffer, Harry's older brother, founded the successful grocery store chains Schaffer Stores and Empire Markets. Harry Schaffer did not initially opt for the grocery store route. Instead, he spent time in the Navy during World War I and thereafter received degrees from Columbia University and Albany Law School (class of 1921). After graduating from Albany Law School, he practiced law from 1922 until 1944 when



Author Colleen Ostiguy

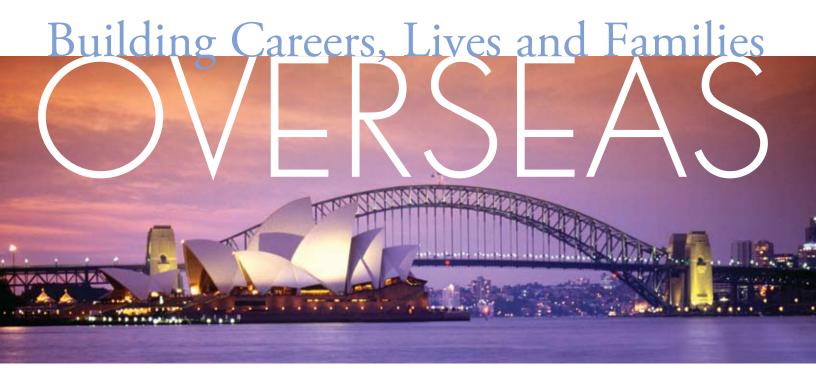
he was named executive vice president of Schaffer Stores. The Schaffer stores were eventually sold to Grand Union in 1958, and Mr. Schaffer became a financial and real estate executive.

As the 1980s approached, the Albany Law School library desperately needed a new building. Lack of shelf space and storage created crowded conditions in the library. In 1981, the Harry M. Schaffer Foundation made the first major gift to the construction of a new library: \$300,000. On Oct. 14, 1981, a dedication ceremony honoring Mr. and Mrs. Harry Schaffer was held. At that time, the library was officially named the Schaffer Law Library and a plaque was mounted bearing the inscription "Schaffer Law Library, In Recognition of the Generosity of Mr. and Mrs. Harry Schaffer, 1981."

Ground was officially broken for the construction of the new law library in 1985 and it was completed in 1986, built by the businessman and philanthropist Lewis A. Swyer. Unfortunately, Harry Schaffer never saw the completion of the law library. He passed away in 1982 at the age of 85. In 1986, the H. Schaffer Foundation made an additional gift of \$500,000 to the law school.

At any one time you can find Albany Law School alumni clustered in commercial hotspots around the globe. At the moment, several dozen graduates work in places like Hong Kong, New Zealand, Canada, Australia, France, Beijing and South Korea.

Some are there for short assignments, others for several years, and a few have made it their home.



Jane '78 and Adrian Mecz '78 have been in London for 26 years, "but who's counting," said Jane. Married while in law school, Adrian was asked to transfer to London in 1982 as an associate to Bigham Englar Jones & Houston, a New York firm specializing in insurance. As in-house counsel to Chemical Bank, she transferred to the London office. She's still with the firm (now JPMorgan Chase

Bank, N.A.) through its four mergers, most recently acquiring Bear Stearns. As he built his reinsurance career—he is a patrner with Chadbourne & Parke, a solicitor and an accredited mediator—they ended up staying to raise their family. With a second home in Steamboat Springs, Colo., they have dual citizenship and consider both countries home.

Li Tang '03 and her husband

Peng Jiang '03 moved to Hong Kong three years ago. They are not sure how long they will stay, though, ultimately, they intend to "end up in their home country of China." Li Tang works for a local firm on foreign investments and commercial transactions. Peng Jiang, fluent in Mandarin, works for Latham & Watkins, a Los Angeles-based firm in 12 different countries, where he is in the corporate department



Li Tang, Peng Jiang, and their daughter Nan Jiang



Iane and Adrian Mecz



James Bellerjeau

"People here show respect to lawyers trained overseas, but you always need to prove yourself."

-Li Tang, Hong Kong

working on securities offerings, mergers and acquisitions and U.S. securities law compliance matters.

James Bellerjeau '93 and his wife Mildred '94 have been in Europe since 1996, starting in Frankfurt, Germany, where they both worked for Cleary Gottlieb. While they had planned to stay for only three years, he couldn't reject the opportunity of general counsel for Mettler-Toledo in Switzerland, a position he holds today, 10 years later.

"I'd like to say I had a master plan," said Bellerjeau, "but I didn't."

Raised in Saudia Arabia and Holland, Bellerjeau was more pre-disposed than most to living outside the United States. With initial experience at Fried Frank's New York office doing M&A and bankruptcy, he moved to Cleary Gottlieb where he did primarily securities work.

David Merson '01 moved to London two years after law school, when he and his wife, an English woman, decided to make their lives in England. Working

"We find it amusing when people meet our family and hear our daughters' British accents. They find it odd that we are from the same family yet sound nothing alike."

-Jane Mecz, London

in real estate law, he had a brief position with a large firm, then joined a small three-partner boutique real estate practice for two-and-a-half years, and then left for his current firm Brecher Solicitors, where he is a partner.

After two-and-a-half years, Michael Odai '96 and his wife left Australia before they had their first child. When his wife was asked by her employer, Google, to help start operations in Australia in 2004, they leaped. Odai turned down firm offers to become general counsel of

Virgin Money Australia, the financial services arm of Sir Richard Branson's Virgin Group. Two-and-a-half years later he became general counsel of their new business focused on renewable energy investments. Today they live in San Francisco where he is general counsel and chief operating officer of Virgin Green Fund, a private equity firm which has invested over \$125 million in solar, biofuels, water purification and waste management.

Practicing Overseas

"Lawyers are much more formal here," said Merson. "Things are rarely done by talking, instead, documents are negotiated through edits.

"Lawyers face somewhat less hostility in the U.K.," said Adrian Mecz. "Lawyers exercise greater civility among themselves here," adding that the culture is less litigious partly because the loser generally pays the legal costs of the winner.

It is easier to practice in Europe, said Bellerjeau. "The



Michale Odai

proliferation of lawyers in the United States has resulted in aggressive competition, class action fraud and a culture of blame.... The number of bad apples is large enough to sour the atmosphere for all U.S. attorneys. In general, this is not the case in Europe."

A few noted that the attorney outside the United States is more confined to legal advice and less expected to integrate their legal expertise with the client's business goals.

For alumni, studying at a U.S. law school can add a certain muscle to their resume, but it's not a magic bullet, they said.

"People here show respect to lawyers trained overseas," said Li Tang, "but you always need to prove yourself."

"There is no doubt that a U.S.-trained lawyer has an edge," said Michael Odai. "Ultimately you are evaluated on your ability to relate to the people of a different culture.... If you show an appreciation for the culture, and engross yourself in it, doors will open."

"There is no doubt that a U.S. trained lawyer has an edge."

-Michael Odai,
Australia

"People tend to think I can move mountains in minutes," Merson said. "They think we are all wheelers and dealers."

Most mentioned that law school gave them the foundation to practice law anywhere, though the discipline and instincts needed on the job could only be learned through real experience.

Balancing Dual Cultures

"We find it amusing when people meet our family and hear our daughters' British accents," said Jane Mecz. "They find it odd that we are from the same family yet sound nothing alike."

"As an American overseas," said Bellerjeau, "I can tell you that locals often associate
America's image with expats.
Being held indirectly responsible for America's image in today's environment is challenging."

Merson, who enjoys London but prefers New York, finds life easier in Europe. "They may make fun of President Bush," he said, "but otherwise they seem to like Americans."



McNeil, with one of his recent projects.

New Zealand and Back Every Three Weeks for Blockbuster Film Work

Michael McNeil '88 alternated homes every three weeks—three in New Zealand, three in the United States.

"That's 26 hours door to door," McNeil said, glad to put those five whirlwind years behind him only months ago. Working for the Weta Companies on movies like "Lord of the Rings" and "King Kong," among other household titles, his projects brought him to cut deals in France, Singapore, Australia and more.

With three kids ages 11, 14 and 17, McNeil—and his wife—thought it was time to slow it down. Today he travels to New Zealand only two times a year, primarily working for Weta Digital, the largest division of the company focused on effects. He's currently working on films directed by Steven Spielberg and James Cameron.

"Now I work out of my home" in Cambridge, N.Y., McNeil said. "Hooray for the Internet."

McNeil focused on business and intellectual property law in school. After school he took a job with a firm in New York City, where he did some international work, including pursuing a fraud ring in England.

On a whim, he sent, half-joking, an email to a New Zealand firm. "With 4 million people, the country only has four large firms."

Coincidentally, Chapman Tripp was recruiting for IP expertise at the time. After an interview via video conference, they flew him and his wife down for 10 days. Born in New Zealand of American parents, McNeil had dual-citizenship, making the logistics one notch simpler. A year into the job, a Weta executive heard McNeil speaking at a seminar and lured him to the company.

"The law school gave me terrific exposure," McNeil said. "I felt prepared to work. I still keep in touch with Professor Hutter." He also noted Professor Dan Moriarty and former professors Bob Tymann, Bill Watkins—"a generous guy"—and Tony Baldwin. "They gave me a great foundation."



Counsel:

FROM COURTROOM TO BOARDROOM, AND EVERYTHING IN BETWEEN

By Paul Grondahl

Mitchell F. Borger '82 never thought dressing up like a clown would be part of his duties as a lawyer. But as divisional vice president and associate general counsel for Macy's since 1995, he's been involved in the Macy's Thanksgiving Day Parade in Manhattan each year, often donning a red nose, exaggerated make-up and garish clothes. Co-workers refer to him as "in-house legal clownsel." A sense of humor, flexibility and the occasional bad pun has served Borger well in his job for the past 13 years.

A broad skill set, eagerness to take on a wide variety of legal assignments and a nuanced understanding of your company's business strategy are required of a general counsel. "You never know what's going to come across your desk on a given day," Borger said of his work with the celebrated department chain of more than 190,000 employees and 800 stores. "I like that variety and the feeling that I'm part of the business decisions. I have a sense of ownership with Macy's."

More than 150 Albany Law School alumni work as general counsels, anchored in some of the most coveted jobs in the legal profession. In-house counsels seem to work in a kind of promised land from the perspective of young associates at law firms. But Borger—who works in an office tower above Macy's 34th Street flagship store and makes use of the perk of a generous employee discount—would be the first to admit that the job only involves clowning around one day a year.

Several alumni working as general counsels candidly discussed their work—including choice job perks such as fine wines and visits to theme parks—though it's not the gravy train that it appears to be.

For proof of the stress and travails of the job, talk to Holly E. Leese '79, vice president, general counsel and secretary of Chrysler LLC, who joined Chrysler 29 years ago. She has worked through the boom times with the giant automaker but in recent years has faced a severe automotive market financial downturn marked by salaried and hourly job eliminations, plant closures and losses. "We're in a very difficult market, with constrained access to the capital markets," said Leese, who oversees a legal staff of 94 among Chrysler's North American workforce of nearly 80,000.

More than 150 Albany Law School alumni work as general counsels, anchored in some of the most coveted jobs in the legal profession.

Michael F. Borger, Divisional Vice President, Associate General Counsel, Macy's, Inc.



Holly E. Leese '79, vice president, general counsel and secretary of Chrysler LLC



Thomas J. Mullin '76, executive vice president and general counsel of Constellation Brands

Much of her time is consumed by transactional work such as the \$35 billion acquisition of Chrysler by Daimler-Benz in 1998 and Cerebrus Capital Management's \$7.5 billion deal in 2007 to purchase 80 percent of Chrysler and to take over its liabilities.

"I didn't know an axle from a camshaft when I started," Leese said. The demands of her job are relentless in these difficult economic times and Leese struggles to find a balance between work and family life with her husband and two children. She is encouraged by the fact that her legal expertise is not only valued, but remains essential to a company struggling amid speculation that Cerebrus is planning to sell off Chrysler's assets in pieces.

Leese's longevity with Chrysler is indicative of her general counsel colleagues, even those who traveled an unexpected career trajectory, such as the path taken by David E. McCraw '92, vice president and assistant general counsel of The New York Times. McCraw earned a degree in journalism and worked as a reporter, editor and columnist at several small daily newspapers and publishing houses. He was teaching at Marist College when he decided to go to law school. He took a one-year leave of absence from teaching, assuming he would return to academia. Instead, he enjoyed his first year at Albany Law School so much that he switched professions. "It

wasn't planned at all," he said. He spent six years at Rogers & Wells (now Clifford Chance) in litigation before returning to journalism by taking a job as deputy general counsel at *The New York Daily News*. After two years, he moved across town to *The New York Times*, where he's been since 2002. He works with a group of 11 lawyers and shares responsibility for newsroom legal issues and litigation with another attorney.

"It's a great job and I'm dealing with high-profile First Amendment issues and the cutting edge of litigation in the industry," said McCraw, who served as counsel for the Times in its recent victory before a U.S. Appeals Court in Richmond, Va., that upheld the dismissal of a libel lawsuit by former Army scientist Steven Hatfill against The New York Times Co. over a series of columns by Nicholas Kristof published in 2002 that Hatfill said implicated him in the 2001 anthrax attacks and caused him emotional distress. The case was back in the headlines in August 2008 after Bruce E. Ivins committed suicide as FBI investigators prepared to arrest the Army biodefense researcher and anthrax specialist in the anthrax attacks that killed five people.

"The Hatfill case occupied a lot of my time, but these are cases I truly care about because they deal with freedom of the press, public affairs and issues that go to the very core of our democracy," McCraw said.

"In private practice I was doing mainly commercial disputes and I felt like I parachuted into a crisis, did my work and left without really getting to know the people," he said. By contrast, he works very closely with New York Times reporters and helps them obtain access to public documents and to closed courtrooms. He also reviews articles in advance of publication to discuss any legal ramifications. McCraw has gotten used to calls from reporters and editors late on Friday nights and on weekends to review stories they're preparing for publication.

"Libel cases have become increasingly rare in the United States, but they're popping up overseas because the Web is causing us to be read in places we previously weren't reaching," said McCraw, who's currently working on libel cases brought against *The New York Times* in China, England, Greece and Indonesia.

When it comes to job perks, consider those of Thomas J. Mullin '76, executive vice president and general counsel of Constellation Brands, a leading producer and marketer of beverage alcohol brands. He receives a product allowance to be used on company brands such as Opus One wine and Corona beer. He also gets to visit picturesque wineries and distilleries throughout the world. Mullin has been with Constellation for nine years after deciding he no longer

David E. McCraw '92, vice president and assistant general counsel of The New York Times

wished to remain in the financial services industry, which required extended assignments outside of Rochester, N.Y. He took the job with Constellation when his three children, who have since graduated from college, were in high school because the company's headquarters are located near his extended family in his longtime home of Rochester.

Mullin works with a core group of five attorneys in each of the operating companies and a workforce of 9,500. He spends up to 70 percent of his time on acquisition work, predominantly outside North America. "The good news is we don't have a lot of litigation for a company our size," said Mullin, who has developed a keen understanding of the business side of the beverage alcohol industry while on the job. An increasing amount of Mullin's time is spent on protecting against trademark infringements overseas. "Our brands are very valuable to us and protecting them is a constant battle," he said.

Lisa Whitney '71, currently the general counsel for VF Sportswear, Inc., which includes the Nautica, Kipling and John Varvatos brands, is no stranger to the position, having served as general counsel for Halston Borghese cosmetics and L.J. Hooker Retail Group, which included B. Altman, Bonwit Teller and Sakowitz department stores. Whitney started her career in legislative affairs for Avon, handling their U.S.



northeast region. She also worked at JCPenney as senior attorney for marketing and trade regulations. Whitney started the legal departments at her last three positions. "They call us generalists, but we're more like sequential specialists," she explained, laughing. "You do everything, and you know what you don't know."

Bringing L.J. Hooker through its bankruptcy was an "eye-opener." The Pittsfield, Mass., native and Manhattan resident called the position challenging, "but it's the best job in the world. Every company I've been with has been honorable and legally compliant. VF Sportswear is very careful about its products."

When Karen L. Colonna '92 tells friends she works in the insurance industry, their eyes sometimes glaze over until she delivers her punch line: "I tell them I started in the New York State Legislature, then worked in the D.A.'s office and ended up in insurance because my first

"Libel cases have become increasingly rare in the U.S., but they're popping up overseas because the Web is causing us to be read in places we previously weren't reaching," said McCraw, who's currently working on libel cases brought against *The New York Times* in China, England, Greece and Indonesia.

Colonna said there's nothing boring about overseeing an eight-person legal staff in a company that provides large commercial property casualty insurance on skyscrapers, oil plants, energy facilities and liability insurance for management at Fortune 500 companies.

two jobs were just not exciting enough for me."

Colonna is vice president and general counsel of U.S. insurance operations for Allied World Assurance Company (U.S.) Inc. She said there's nothing boring about overseeing an eight-person legal staff in a company that provides large commercial property casualty insurance on skyscrapers, oil plants, energy facilities and liability insurance for management at Fortune 500 companies. Her main responsibility is keeping her company in compliance with ever-changing insurance laws in each of the 50 states. "The laws literally change every single day in one or more states and I've got to keep track of it all, as well as working with regulators who are constantly changing in each state," said Colonna, who left private practice after three years. "Working in-house, I've learned to come up with correct legal answers and make decisions quickly. Deals must often be made by the end of the day or the deal gets lost."

Colonna credits Professor Michael Hutter's anti-trust class as an asset to her work. She also likes the fact that she and her husband can enjoy a home life in New Jersey when she leaves her office in Manhattan. "My work day is much more intense than it was in private practice, but if I leave at 6:30 at night, they leave me alone for the most part," said Colonna, whose job perks include regular trips to

company headquarters in Bermuda. "At company functions, I find I want to spend time with them because we actually like each other," she said.

Kathy A. Leo '95, general counsel at United Media, enjoyed doing deals during her two years at Dewey Ballantine. "Going in-house taught me I could be part of preventing problems and helping a business grow instead of papering a deal without truly understanding the underlying rationale for the deal or cleaning up messes on the back-end." Leo credits the employment discrimination course she took with Professor Dale Moore as being helpful in handling human resource issues at her company, where she's been for four years, which syndicates and licenses popular properties worldwide, including Peanuts and Dilbert.

Leo and her husband, Steven Schwartz '93, keep in touch with fellow Albany Law alumni working in New York, even after her husband gave up practicing law for a job as general manager of online business for *Reader's Digest*.

In a strange confluence of Albany Law alumni, unbeknownst to each other among the cast of thousands, Borger and Leo both work on the Macy's Thanksgiving Day Parade: Borger is a clown supervisor and Leo holds the ropes that tether her company's balloons of Snoopy or Charlie Brown.



TIPS FROM KATHY A. LEO, General Counsel, United Media

Generally speaking, you want to be viewed as a "go-to" lawyer by the business. This means that you have a high level of legal expertise in your area, but equally importantly, you are a business partner and understand the law and how to use it to achieve the business objectives, which requires providing practical advice in an understandable way.

Business clients are not concerned with legal theories—they want you to understand their business goals and then partner with you to achieve them. This means identifying risks and helping clients manage those risks and providing alternative solutions when necessary. The legal role is to help the business understand, minimize and ultimately weigh the risks.

Unfortunately, charged with protecting the company, many lawyers become "nay-sayers" rather than helping their clients take measured risk and using creativity to come up with less risky alternatives. Being viewed as a "nay-sayer" will not only make you extremely unpopular and discourage clients from seeking your advice, but you have now become an impediment to the business and not a facilitator.

Lastly, you never want the legal department to be viewed as the department that bogs down the process—a sense of urgency and the ability to prioritize is critical to the success of any in-house lawyer. Of course, clearly communicating lead times and resources helps make for smoother sailing for all involved.

F A L L 2 0 0 8

Publications

Professor Ira Mark Bloom's article "Unifying the Rules for Wills and Revocable Trusts in the Federal Estate Tax Apportionment Arena: Suggestions for Reform," was published by the *University of* Miami Law Review. Also, his revised chapters on Revocable Trust and Will Execution will be published in Klipstein and Bloom, Drafting New York Wills. He is currently working on the preparation of the 4th edition of Drafting New York Wills for publication in 2009. He is the lead author of the work, which will expand to three volumes.

Professor Melissa Breger published an article with St. John's University School of Law Professor Theresa Hughes in the *University of Michigan Journal of Law Reform* entitled "Advancing the Future of Family Violence Law Pedagogy: The Founding of a Law School Clinic."

Professor Raymond H. Brescia's article "Capital in Chaos: the Subprime Mortgage Crisis and the Social Capital Response," was published in the 56 Cleveland State Law Review (2008). He is currently working on a follow-up article, to be published in University of South Carolina Law Review, which will expose the subtle and not-so-subtle discrimination that was present in the subprime mortgage crisis, and will build on

issues discussed in "Capital in Chaos." His article "Sheltering Counsel: the Right to a Lawyer in Eviction Proceedings," will be published in the *Touro Law Review* (forthcoming 2008).

Professor Beverly Cohen's article "Trouble at the Source: The Debates over the Public Disclosure Provisions of the False Claims Act's Original Source Rule," has been accepted for publication in Volume 60 of the *Mercer Law Review*.

Professor Patrick Connors authored three articles in his regular New York Practice column in the New York Law Journal. "The Golden Age of Personal Jurisdiction," published on May 19, discusses recent developments in long-arm jurisdiction. He authored an article for its Special Section published on Sept. 2: "Court of Appeals-The Year in Review." The article, entitled "Court Was Rich with CPLR and Practice Questions," explores recent developments in New York civil procedure from the Court's 2007-08 term, including some lingering issues. He wrote in the *Journal* on Sept. 15 an article called "Issues Remain for Lawyers Not Complying with Part 1215," which looks at various issues faced by lawyers who fail to comply with New York's Letter of Engagement Rule.

Professor James Thuo Gathii published his article "A Critical Appraisal of the International Legal Tradition of Taslim Olawale Elias," in 21 Leiden Journal of International Law, 317 (2008). He also published the following: "Third World Approaches to International Economic Governance," Richard Falk, Balakrishnan Rajagopal and Jacquelin Stevens, International Law and the Third World: Reshaping Justice, 255, 2008; "Popular Authorship and Constitution Making: Comparing and Contrasting the DRC and Kenya," forthcoming 49 William and Mary Law Review, 1109 (2008); "Introduction: The Third World and International Law," 9 International Community Law Review, 331 (2007); Case Concerning Armed Activities on the Territory of The Congo (Democratic Republic of the Congo v. Uganda), (International Decision), 101 American Journal of International Law 142 (2007).

President & Dean Thomas F. Guernsey published the book *Special Education Law 3rd ed.* (Durham, N.C., Carolina Academic Press, 2008) (with Prof. Kathe Klare).

Professor Maria Grahn-Farley's article "Race & Class More Than a Liberal Paradox," will be published in the *Buffalo Law Review* (forthcoming 2008). "Neutral Law & Eurocentric Law Making," will be published as the lead article in the *Brooklyn International Law Journal* (forthcoming 2008).

Professor Peter H. Halewood's article "On Commodification and Self-Ownership" was published in 20 Yale Journal of Law & the Humanities 131 (2008).

Professor Sheldon Halpern wrote the 2008-2009 cumulative supplement to his casebook, Copyright Law: Protection of Original Expression (Carolina Academic Press, 2002).

Professor Kathe Klare published the book *Special Education Law 3rd ed.* (Durham, N.C., Carolina Academic Press, 2008) (with President & Dean Thomas F. Guernsey).

Professor Timothy D. Lytton published the book Holding Bishops Accountable: How Lawsuits Helped the Catholic Church Confront Clergy Sexual Abuse (Harvard University Press 2008). He also authored the following articles: "Using Tort Litigation to Enhance Regulatory Policy Making: **Evaluating Climate-Change** Litigation in Light of Lessons from Gun-Industry and Clergy-Sexual-Abuse Lawsuits," 86 Texas Law Review 1837 (2008) and "Exposing Secrets of the Catholic Church: How Civil Lawsuits Brought the Sex Abuse Scandal to Light," American Sexuality Magazine, August 2008. He was also a guest "blawgger" on Prawfsblawg.blogs.com for the month of July.

F A L L 2 0 0 8

Professor Alicia Ouellette's article "Lawrence v. Texas" was published in Milestone Documents in American History (Finkelman, et al., eds. 2008). Two other articles were accepted for publication: "Eyes Wide Open: Considering the Implications of a Case of Surgery to Westernize the Eyes of an Asian Child," in Hastings Center Review (forthcoming 2008) and "Insult to Injury: A Response to Professor Smolensky's Call for Parental Tort Liability for Preimplantation Genetic Intervention" in 60 Hastings Law Journal (forthcoming 2008).

Associate Dean Patricia Salkin served as editor for Ethical Standards in the Public Sector, Second Edition (American Bar Association Press, August 2008) and 2008 Zoning and Planning Law Handbook (Thomson-West 2008). She co-authored Bordering on Madness: An American Land Use Tale, Companion Reader (with Popper and Avitabile) (Carolina Academic Press, 2008) and Legal Careers in New York State Government, 9th ed. (with Monforte and Lavine) (New York State Bar Association, 2008). The following articles were also published: "Negotiating for Social Justice and the Promise of Community Benefit Agreements: Case Studies of Current and Developing Agreements," 17 Journal of Affordable Housing & Community

Development L.113 (Fall 2007/ Winter 2008) (with A. Lavine); "Sustainability at the Edge: The Opportunity and Responsibility of Local Governments to Most Effectively Plan for Natural Disaster Mitigation," 38 ELR 10158 (March 2008); "The Genesis of RLUIPA and Federalism: Evaluating the Creation of a Federal Statutory Right and its Impact on Local Government," 40 The Urban Lawyer 195 (Spring 2008) (with A. Lavine); "Land Use Law and Active Living: Opportunities for States to Assume a Leadership Role in Promoting and Incentivizing Local Options," 5 Rutgers Journal of Law & Policy 317 (Spring 2008)(with A. Lavine); "Understanding Community Benefits Agreements," The Practical Real Estate Lawyer (July 2008) (with A. Lavine); "Blogging on Land Use Law: Another Legal Research Tool on the Internet," Zoning and Planning Law Report (March 2008).

Professor Evelyn Tenenbaum's article "To Be or To Exist: Standards for Deciding Whether Dementia Patients in Nursing Homes Should Engage in Intimacy, Sex, and Adultery," will be published in the *Indiana Law Review* (forthcoming 2008).

Awards and Achievements

Professor Ira Mark Bloom was named Chair-Elect of the Trusts and Estates Law Section of NYSBA and will become the Chair in January. He was also appointed as a member of the Trusts, Estates and Surrogates Courts Committee of the New York City Bar Association and in that capacity, will be attending monthly committee meetings in New York, N.Y. In addition, he is attending drafting meetings for the Restatement of Donative Transfers and the Restatement of Trusts, as well as American College of Trust and Estate Counsel's fall meeting in his capacity as member of the Legal Education and State Laws Committees.

Professor Patrick M. Connors was appointed as a Reporter for the New York State Bar Association's Special Committee to Review the Code of Judicial Conduct. The Committee, comprised of 20 lawyers and judges throughout New York State, is charged with reviewing the new ABA Model Code of Judicial Conduct and providing recommendations on whether it should be adopted in New York.

Professor James Thuo Gathii was elected to the Executive Council of the American Society of International Law in April.

Professor Annette I. Kahler was named a 2008–2009 Severino Fellow at the Severino Center for Technological Entrepreneurship at the Lally School of Management and Technology, Rensselaer Polytechnic Institute, Troy, N.Y.

Professor Deborah Mann was promoted to Lawyering Professor.

Professor Alicia Ouellette was appointed co-editor of *The Cambridge Dictionary of Bioethics*, Cambridge University Press (forthcoming 2011) (with Laurence McCullough and Robert Baker). She was also named a co-chair of its Board of Editors.

Associate Dean Patricia Salkin was appointed by the president of the New York State Bar Association as a member of the Committee to Review Judicial Nominations. She was also re-appointed as chair of the Committee on Attorneys in Public Service and reappointed as chair of the American Planning Association's Amicus Curiae Committee for 2008-2009 by President Robert B. Hunter, FAICP. The committee filed eight amicus briefs in 2007-2008 in state courts and in the 1st Circuit Court of Appeals. All of the briefs are available at: www.planning.org/amicusbriefs.

Professor Laurie Shanks was named to the New York State Bar Association's Task Force on Wrongful Convictions.

SPOTLIGHT ON SCHOLARSHIP



Publications

Terrorism, Government, and Law: National Authority and Local Autonomy in the War on Terror (Greenwood Publishing Group, 2008) (With Susan N. Herman).

Editor-in-Chief of Milestone Documents in American History: Exploring the Primary Sources that Shaped America (Schlager Group, Inc., 2008).

Co-Editor of Congress and the Emergence of Sectionalism: From the Missouri Compromise to the Age of Jackson (Perspective History of Congress) (Ohio University Press, 2008) (Co-edited with Donald R. Kennon).

"School Vouchers, Thomas Jefferson, Roger Williams, and Protecting the Faithful: Warnings from the Eighteenth Century and the Seventeenth Century on the Danger of Establishments to Religious Communities" was published in the *Brigham Young University Law Review*.

"Dred Scott v. Sandford: The Case that Made Lincoln President" was published in *Lincoln Lore* (Spring 2008).

Supreme Court Review article "James Madison and the Bill of Rights: A Reluctant Paternity" was recently published in "James Madison International Library of Essays in the *History of Social and Political Thought Series*" (Ashgate Publishing, 2008).

Paul Finkelman, President William McKinley Distinguished Professor of Law and Public Policy and Senior Fellow in the Government Law Center

Awards & Achievements

Became a Research and Practice associate at the Institute for National Security and Counterterrorism at Syracuse University.

Presentations

July 28, 2008: Opened the third week of a teachers' institute held at Colgate University, Hamilton, N.Y., with a discussion and lecture on abolitionism and the Underground Railroad.

June 27, 2008: Presented "The Supreme Court and the Expansion of Federal Power, 1801-1812" at the Society for Historians of American Foreign Relations 2008 Annual Meeting in Columbus, Ohio.

May 22, 2008: Provided comments on the conference session titled "Religion, Power and Legitimate Rule" at the 9th Annual Krefeld Historical Symposium in Krefeld, Germany.

May 8, 2008: Served as a member of the Advisory Board for the Center for Advanced Studies on Terrorism Third Annual Conference on Terrorism and Global Security at the RAND Headquarters in Santa Monica, Calif., and co-chair of a session titled "Civil Liberties, Counter Terrorism and Domestic Law."

April 25, 2008: Served as conference director for "Congress and the Crisis of the 1850s" in Washington, D.C., and gave the Keynote Speech, "A Decade in Crisis: The 1850s."

April 24, 2008: Presented "America and the Abolition of the Atlantic Slave Trade: A Bicentennial Perspective, 1808-2008" at Towson University, Towson, Md.

April 22, 2008: Gave a presentation on baseball and the law at Albany Law School's Youth Law Day.

April 17, 2008: Presented "A Well Regulated Militia: The Original Meaning of the Second Amendment" at Eastern Washington University and the Northwest Museum of Arts and Culture, Spokane, Wash.

April 11, 2008: Presented "The Trial of John Brown" at the 2008 Virginia Forum at the University of Mary Washington, Fredericksburg, Va.

April 10, 2008: Presented a CLE program on the constitutional, ethical and legal issues surrounding public displays of religious monuments titled, "Ten Commandments on the Courthouse Lawn," at The Cornell Club, New York, N.Y.

April 4, 2008: Gave a presentation on John McLean at "Judicial Reputation: A Conference on Neglected Justices" at Vanderbilt University Law School, Nashville, Tenn.

April 1, 2008: Participated, via distance learning technology, in a discussion titled "A House Divided Against Itself: Another Look at the Jewish Response to Slavery in America" for the

2008 Central Conference of American Rabbis Convention at Hebrew Union College in Cincinnati, Ohio.

March 31, 2008: Gave a lecture at the Teaching American History Day Inservice "Walk in My Shoes" in Jamestown, N.Y.

March 28, 2008: Participated in "Symposium on America's Constitution: A Biography," honoring the work of Akhil Reed Amar at the Maxwell School of Citizenship and Public Affairs at Syracuse University, Syracuse, N.Y.

March 26, 2008: Participated in the New York Historical Society program "Hamilton, Lafayette, and the Perils of Revolution" in New York, N.Y.

March 15, 2008: Presented "Should a Modern Law School Teach the Law of Slavery" at the Society of American Law Teachers (SALT) Annual Teaching Conference at Boalt Hall School of Law, University of California at Berkeley.

March 14, 2008: Presented
"Ending the Slave Trade in the
United States: The Limits of
Law and Reform under the
Proslavery Constitution" at the
University of Ottawa Symposium
titled "Routes to Freedom:
Reflections on the Bicentenary
of the abolition of Slave Trade."

F A L L 2 0 0 8

Professor Christian Sundquist accepted an invitation to serve as a member of the Junior Faculty Development Workshop committee for the LatCrit annual conference, October 2008.

Presentations

Professor Ira Mark Bloom discussed his revocable trust research at the American Association of Law Schools Section on Donative Transfers meeting in New York, N.Y. He was also invited to speak on revocable trusts at a UCLA symposium on trusts and estates law to commemorate the late Jess Dukeminier.

Professor Raymond H. Brescia conducted continuing legal education programs across New York State throughout the summer. Four separate programs were held in New York, Kingston, Saratoga Springs and Catskill, training legal services attorneys and their volunteer attorney counterparts in the legal ethics issues they face in their representation of lowincome clients.

Professor Patrick Connors
presented a two-day program
on New York Civil Practice at
Washington University School
of Law in St. Louis Missouri
on March 28 and 29. With
Professor Emeritus David Siegel,
he presented a New York Civil
Practice Update to the Justices
and Law Clerks of the Appellate

Division, Third Department on April 11 and to the Onondaga County Bar Association in Syracuse, N.Y., on June 6. He also presented a New York Practice Update to the Federation of Bar Associations of the Fourth Judicial District at its annual meeting in Montreal, Quebec, Canada, on April 26. He delivered an update on recent developments in New York Civil Practice and Professional Responsibility at the Annual Summer Meeting of the Trial Lawyers Section of the New York State Bar Association on June 28. On Aug. 5 he moderated a panel on the future of New York's thoroughbred racing franchise at the Government Law Center's Institute on Racing and Gaming Law in Saratoga Springs, N.Y. On Aug. 8, he presented his annual Ethics Update at Albany Law School's CLE in Saratoga Seminar Series. On Sept. 24, Professor Connors presented a lecture on developments in disclosure to the Judges of the New York Court of Claims at their Annual Update Program in Cooperstown, N.Y.

Professor Maria Grahn-Farley was invited to speak on the opening panel at the International Institute for the Sociology of Law, Onati, Spain, on the role of women in international law, focusing on Bosnian women in war camps during the war in former Yugoslavia. A book chapter, "The Limits of the Free Agency Argument: Women in

Bosnian War Camps," will be published from this presentation, in *Between Resistance and Compliance*, ed., Sari Kouvo and Zoe Peterson.

President & Dean Thomas F. Guernsey, with Professor Nancy Maurer, conducted a panel presentation entitled "Clinic Retreats and Collective Reflection" at the American Association of Law Schools Clinical Section Annual Conference, in Tucson, Ariz., in May.

Professor Peter Halewood presented a paper and chaired a panel on torture and international law at the Research Committee in the Sociology of Law Annual Meeting in Milan, Italy, on July 12.

Professor Sheldon Halpern, at the invitation of the Saloniki Bar Association and the University of Saloniki, Greece, gave a talk in May on matters concerning the U.S. law of defamation. Also in May he discussed the U.S. experience with "fair use" at a seminar in Jerusalem, Israel, for Israeli judges considering the newly enacted Israeli copyright statute.

Professor Lenese C. Herbert was a guest on "Equal Time," a news/talk show on WLUR-FM, a Washington and Lee University student-operated radio station. She discussed her contribution to the forthcoming book *Race to Injustice: Lessons Learned from the Duke University Lacrosse*

Players' Rape Case (Michael L. Seigel, ed.), an interdisciplinary study of the 2006 rape allegations against Duke University lacrosse players.

Professor Michael J. Hutter presented a paper before the Annual Meeting of the Family Law Section of the New York State Bar Association entitled "Electronic Evidence: New Wine in Old Bottles." He also gave Evidence Update presentations to the Albany, Nassau, Suffolk and Ulster County Bar Associations. His Monograph covering the New York courts' interpretation and application of recent U.S. Supreme Court decisions interpreting the Confrontation Clause has been distributed to New York state trial judges.

Professor Annette I. Kahler presented "Women in Nanotechnology" at the NanoBiotech 2008 conference at Rensselaer Polytechnic Institute, Troy, N.Y., on Sept. 15.

Professor Mary Lynch spoke on a panel entitled "Unspoken Opportunities to Teach Students in a Clinical Environment" at the American Association of Law Schools Clinical Section Annual Conference, in Tucson, Ariz., in May. She addressed the issue of how "Best Practices in Legal Education" argues for law school clinics to institute and model best practices in clinic administration and in law firm protocols. On May 13, she was

FACULTYNOTES

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the moderator for a conference at the New York State Bar Association. The event was co-sponsored by the Fund for Modern Courts and the New York State Bar Association, and was titled "Challenges to Justice in Domestic Violence Cases in New York State: Gaps, Successes and the Future"

Professor Timothy Lytton was a guest on the Kojo Nnamdi Show "Guns and the Courts" on American University's WAMU Radio, Washington, D.C., on May 28. He spoke about his book, Holding Bishops Accountable, on the Capital District Forum, WQAR Radio, Saratoga Springs, N.Y.; at the Annual Conference of the Survivors Network for those Abused by Priests (SNAP) in Chicago, Ill., on July 13; and at the Annual Conference of the American Association for Justice (AAJ), Philadelphia, Penn., on July 14.

Professor Nancy Maurer presented "Potential Problems with Power in Placements" at the National Externship Conference—Externships 4— A Bridge to Practice, at Seattle University School of Law in February. She also conducted, with President & Dean Thomas F. Guernsey, a panel presentation entitled "Clinic Retreats and Collective Reflection" at the American Association of Law Schools Clinical Section Annual Conference, in Tucson, Ariz., in May.

Professor Alicia Ouellette presented "Decisionmaking for Children at the Bioethics Honors Grand Rounds," at Albany Medical College, on April 3; "Hernandez v. Robles and its Aftermath, Society, Security, and Civil Rights: **Examining Sanctioned** Discrimination Across Three Generations," at a symposium sponsored by The Justice Robert H. Jackson Lecture Series at Albany Law School on April 4; "Youthful Indiscretion: Teenagers and Cosmetic Surgery" at the 2008 Health Law Professors Conference on June 6 in Philadelphia, Penn.; and "Law and Bioethics, an Introduction" at Union/Mt. Sinai School of Medicine Program in Bioethics Proseminar on August 6. She was also an invited participant in the Bioethics Summer Retreat, an intensive four-day gathering of leading bioethics scholars, hosted by Stanford University's Center for Bioethics.

Associate Dean Patricia Salkin moderated a national audio conference on Planning Law for the American Planning Association in June. She participated on a panel at the ABA Annual Meeting in August, sponsored by the Law Student Division on "Communication with the Administration." Also in August, Salkin participated as a faculty member at the ALI-ABA Land Use Institute in Boston where she presented

papers on smart growth and green development; ethics in land use planning; regulating adult business uses; and an update on federal legislative initiatives impacting local land use planning.

Professor Emeritus David
Siegel with Professor Patrick
Connors presented a New York
Civil Practice Update to the
Justices and Law Clerks of the
Appellate Division, Third
Department on April 11 and to
the Onondaga County Bar
Association in Syracuse, N.Y.,
on June 6.

Professor Laurie Shanks taught at the National Criminal Defense College in Macon, Ga., in July, where she lectured and gave a demonstration of the "Cross-Examination of a Snitch."

Professor Christian Sundquist presented a paper entitled "Some Realism about Integration" on a panel entitled "The Future of Racial Integration" at the annual Society of American Law Teachers (SALT) Conference, held at the School of Law of the University of California-Berkeley in March. He also presented a paper entitled "Forensic Genetics and Contemporary 'Race Science': Establishing the Inadmissibility of Racial DNA Probability Estimates" on a panel entitled "Law and Biomedical Technologies" at the annual conference of the Research Committee for the Sociology of Law

(RCSL), held at the University of Milan, Italy, in July.

Professor Evelyn Tenenbaum, with Jonathan Cohn '08, was a guest speaker on WSLR 96.5 LPFM radio, Sarasota, Fla., on April 11, where they discussed elderly drivers. She presented "Should Nursing Homes Permit Intimacy and Adultery When the Nonresident Spouse Objects?" at the American Society of Law, Medicine and Ethics Health Law Professors Conference in Philadelphia, Penn., on June 6. She also presented "Adultery between Dementia Patients in Nursing Homes: Intimacy for the Lonely or Deplorable Violation of Marital Vows?" at the Midwest Family Law Conference in Indianapolis, Ind., on June 13.

Professor Donna Young presented a paper on domestic violence and the spread of HIV/AIDS among women in Uganda at the Research Committee in the Sociology of Law Annual Meeting in Milan, Italy, on July 12. She also attended the "World Congress of the International Society for Criminology" in Barcelona, Spain, from July 19-25.

Law, Social Capital and Trust: The Subprime Mortgage Crisis Put in Perspective

Visiting Assistant Professor Raymond H. Brescia

Prof. Brescia was previously Associate Director of the Urban Justice Center in New York, N.Y., where he coordinated the provision of legal representation for grassroots, community-based institutions in areas such as housing, economic justice, workers' rights, civil rights and environmental justice. He has been an adjunct professor at New York Law School, staff attorney at New Haven Legal Assistance and the Legal Aid Society of New York, and law clerk to the Honorable Constance Baker Motley, Senior U.S. District Court Judge for the Southern District of New York.



The subprime mortgage crisis is, in many ways, the product of a market in transition. Deregulation, the spread of mortgage products to previously untapped markets, the increase in available mortgage products and lenders, and the influx of capital through securitization that resulted in the globalization of the home mortgage market: these all came together in a "perfect storm." With the severance of the traditional borrowerlender relationship, which undermined the value that social capital1 brought to that relationship, potential borrowers who might not have had sufficient contacts or networks on which to rely for information about

the mortgage process were victimized by brokers and lenders looking for a quick payday through the securitization process.

Some have instituted litigation to try to weed out and punish brokers and lenders who discriminated against subprime borrowers. Congress, the Bush Administration and some banks have explored potential responses to the subprime mortgage crisis, though much of them have the air of palliative care: making the inevitable less painful, if not less swift. Furthermore, the Bush Administration's recently announced proposed changes to the manner in which the federal government regulates financial markets indicate that, while expanding the scope of covered entities and practices is one goal of those changes, further deregulation and federal preemption are still driving forces behind the proposal. As this volume goes to print, however, because of the political fallout from the Fed's intervention in the collapse of financial giant Bear Stearns, bi-partisan support seems to be mounting on Capital Hill for more serious interventions in the subprime market, notably increasing funding support for housing counseling: a development that is certainly

welcome and might indicate more comprehensive reforms are possible.

What can the absence of legal protections tell us about the effect of law on this market? Prior to this market's collapse, many might have hailed the triumph of deregulation and economic markets over attempts to legislate against discrimination. The loosening of restrictions on certain types of lending through deregulation, federal pre-emption of some state efforts to combat predatory lending, and a web of laws designed to discourage "old fashioned" discrimination in mortgage lending, encouraged subprime lending in previously "redlined" communities. Subprime lenders filled that void and exploited that market. And thus, discrimination in mortgage lending was no longer a problem. A strong housing market was the solution to housing discrimination. Lending disparities in communities of color were a result of lenders concerned about their bottom line, not motivated by bias against borrowers or certain communities. Let the market do its job and discrimination will turn out to be inefficient. At least that was the theory.

It is true that the relentless drive to securitize pushed lenders

Social capital is defined as "social networks and the associated norms of reciprocity and trustworthiness" that go along with them. Robert D. Putnam, E Pluribus Unum: Diversity and Community in the Twenty-first Century, 30 Scandinavian Pol. Stud. 137, 137 (2007).

into previously underserved communities in an effort to maximize profits. Tragically, the brokers and lenders who brought these products to these communities found themselves with both an informational advantage over their customers and with no accountability to their investors. Ultimately, this mix has proven toxic. And the laws designed to root out discriminatory practices have proven dull weapons against "reverse redlining": the infusion of mortgage products in previously underserved markets. Indeed, laws like HMDA and the Community Reinvestment Act are designed, respectively, to monitor, through disclosure, mortgage rejection and approval patterns and the failure of covered banks to meet the credit needs of the communities they serve. In these ways, they primarily target the failure of banks to extend loan products to communities of color. The Fair Housing Act, on the other hand, although its primary purpose is to prohibit the rejection of loan applications based on race, also prohibits the imposition of different and less favorable loan terms based on the race of the borrower. In litigation under the FHA, however, as with many other anti-discrimination laws in

the area of mortgage discrimination, causation is often difficult to prove.

Deregulation and a legacy of mortgage discrimination meant that there were certain communities that were likely targets for new mortgage products and aggressive lenders. Given the nature of anti-discrimination laws that were designed primarily to prevent mortgage rejections, a Community Reinvestment Act that was easily circumvented, and a cadre of mortgage purveyors that were largely unconstrained, unsophisticated borrowers from previously untapped markets fell prey to the promise of homeownership through subprime products. When the subprime lenders did come to town, borrowers could not rely on networks of information from other borrowers to help them steer clear of harmful loan terms. Trust was present in all of these transactions: too much trust, and trust that was not backed up by law. In these ways, the legal institutions in place were not designed for the changes that occurred, leaving a legal vacuum.

Perhaps tightly knit communities with deeply embedded norms of trust and cooperation can function well without much recourse to the law. But in

markets in transition, where traditional relationships of trust have broken down and been replaced by more impersonal communications and where the laws in place do not respond to the changes in these relationships, norms of trust and the sanctions that might otherwise enforce them prove illusory. Information asymmetries and the prospect of moral hazard abound. Without a legal response to such market transformations, where law can help to shore up these relationships in transition and insulate them from the harsh consequences of the departure of social capital, trust is replaced by predation.

Law can restore trust, and with it, social capital, however: in one example, by the creation of fiduciary duties that may help to offset information asymmetries. Market responses like better consumer education can also help to offset such market distortions. Judicial responses that attempt to rebuild social capital in dispute resolutionlike the problem-solving courts described here—can also help rectify structural impediments to negotiations to reach mutually beneficial ends.

Tragically, the brokers and lenders who brought these products to these communities found themselves with both an informational advantage over their customers and with no accountability to their investors. Ultimately, this mix has proven toxic.



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Albany Law School Alumni Events

Alumni gather throughout the country to speak with the Dean, as well as meet and mingle with other alumni, faculty and staff. Current and prospective students who attend these events witness firsthand the strength of our alumni network. Contact Christina Sebastian, Director, Alumni Affairs, to get involved in your area. cseba@albanylaw.edu; 518-445-3361.

Binghamton Club, Binghamton, N.Y. March 12, 2008



Hon. Mary Anne Lehmann '83, Hon. Judith F. O'Shea '77, Gregory A. Gates '78



Kathryn Grant Madigan '78, Frederick J. Meagher '39

Capital Region Recent Graduate Happy Hour McGeary's, Albany, N.Y. March 13, 2008



Adrienne D. Bonilla '03, Ann E. McBride '03



Ross F. Goodman '07, Joshua L. Oppenheimer '06



Melissa Byrne '05, Robyn B. Nicoll '04, Thais M. Triehy '05, Heather Burke '05

Spring Capital Region Alumni Reception with Current Students and Accepted Applicants, Hosted by the Classes of 2003–2007; Albany Law School, April 4, 2008



Andrew H. Wood '05, Glinnesa D. Gailliard '07, Alexis Brown, Ricja D. Rice '05



Kevin Blackwell '09, Justin D. Myers '07, Erin N. Walsh '06

Rochester Constellation Brands, Fairport, N.Y. April 8, 2008



Breanne S. Skivington '04, Shannon L. Slavin '06



Adriana Formoso '06, Jason R. Pastore '06, Amanda L. Ordyk '06



Hon. Gary E. Smith '58, Michael J. Duffy '58

12th Annual Day at the Races, Saratoga Race Course, Aug. 17, 2008



Alumni, faculty, staff and friends joined in the Winner's Circle to celebrate the running of the Albany Law School race, which was the 3rd race on Sunday, Aug. 17, 2008.



Prof. Nancy M.
Maurer takes
notes for the
'best hat' contest
to share with
the other judges.
Madeleine M.
Jester Carlson
'92 won with
her hat, named
Dolce Vita.

ALUMNINEWS

F A L L 2 0 0 8

25 Alumni Sworn into the High Court, Enjoy Memorable Time in D.C.

Greg Lesko '88 has been following one case through the court system for the past few years, given its direct impact on his work as CEO of Lesko Financial Services, Inc., Binghamton, N.Y.

"I knew the case made it to the Supreme Court, but I didn't expect to be in the room while Justice Souter read the decision," Lesko said, referring to the Department of Revenue of Kentucky v. Davis addressing state taxation of municipal bond interest.

Lesko was with 24 other Albany Law School alumni May 19, 2008, getting sworn in to the Supreme Court.

Before the ceremony, Justice Souter read the Kentucky decision while Justices Thomas and Breyer chatted between themselves. Justice Scalia then read a decision regarding a pornography case, explaining the Court's position in lay terms to the small audience. Chief Justice



William F. Pendergast '72



Judge Randolph Treece chatting with his law clerk Robyn Hoffman '02.

Roberts read the third and final decision of the day before beginning the swearing-in ceremony.

The Hon. Randolph Treece, '76, U.S. Magistrate Judge for the Northern District of New York, made the motion of admission to Justice Roberts, then named the new members from five different states, including Colorado and Illinois.

"While standing in front of the Court, I had planned to say a few words to them," Treece said afterwards, laughing. "Given the tenor of the room, the intense scrutiny, and the fact that they handed me a script that barely had seven words, I thought it best to follow their rules."

While each member received a welcoming nod and an occasional friendly comment from Justice Roberts, Justice Thomas showed no interest in the ceremony, and Justice Alito leaned "[I]t is the lawyers who practice before this honorable Court who actually push the agenda and set the tone and the tenor of those rules."

Judge Randolph Treece

back in his chair with his eyes closed for a portion of the event.

"Sure it's a bit of a stretch for me right now to think I'm going to argue a case before the Supreme Court," said Jeffery Pechow, '01, whose parents accompanied him from New Jersey, "but I had a feeling this would be an interesting experience." "You never know what the next client brings," said Gene Anton '99.

Judge Treece on the Original Admittees

Following the ceremony, the group gathered for lunch and a talk by Judge Treece who traced the history of Supreme Court swearing-ins, comparing the first sworn-in class of 1790 to the newest group.

Recognizing the nine judges as brilliant, "whether we agree with the Court's decision or not...it is the lawyers who practice before this honorable Court who actually push the agenda and set the tone and the tenor of those rules. Think about it for a moment. I submit that both the litigators and the court forged the contours of the law and not just the justices, as appearances would have it."

He cited landmark decisions driven by advocates like Thurgood Marshall, Floyd Abrams and Ted Olsen to restate his point: "The advocate has not always received his or her proper due in shaping the law."

"So now you stand on the precipice of shaping the law... all that stands in your way is the right client with the right issue at the right time and you could have the honor of a lifetime to address the Supreme Court on important matters for our nation, community, and our time."

-DS

ALUMNINEWS

F A L L 2 0 0 8



U.S. Supreme Court Admittees

Bottom row, from left: Soraya Ruiz Abderrashman '03, New York, N.Y.; Dr. Ann Willey '00, Albany, N.Y.; Richard Rivera '91, Albany, N.Y.; Janine Daniels Rivera '89, Albany, N.Y.; Kelly McKenney '90, Aspen, Colo.; Rachelle Cohen '88, Utica, N.Y.; Judge Randolph Treece '76; Paul Boylan '65, Le Roy, N.Y.; William Ward '61, Schenectady, N.Y.

Middle row, from left: Gregory Lesko '88, Binghamton, N.Y.; Michael Griffin '87, Boston, Mass.; Linda Davis '81, Washington, D.C.; Thomas Callahan '84, Norwell, Mass.; Winkle Hong '03, Chicago, Ill.; James Moyle '91, New York, N.Y.; Louis Callea '85, Greene, N.Y.; Robyn Hoffman '02, Albany, N.Y.; Gene Anton '99, Huntington, N.Y.

Top row, from left: Ennio Corsi, Albany, N.Y.; Matthew Ryan '01, Albany, N.Y.; Joseph Granich '97, Albany, N.Y.; Christine Caputo Granich '93, Albany, N.Y.; Jeffrey Pechow '01, Elmwood Park, N.J.; Alexis Santoro '00, New York, N.Y.; Richard Reilly '04, Albany, N.Y.; Edward Rowley '76, Albany, N.Y.



William Ward, at age 91, Gets Sworn In

William Ward '61 retired from private practice in 1999, at the age of 83. Now, 91, he still wants a few things off his list.

"This is something I always wanted to do," Ward said, as he moved through the tedious security process on his way into the Supreme Court swearing-in ceremony. "I've been very lucky with my health, so I thought this would be a nice time to come down to Washington, D.C."

"No wheel chair, no special treatment on line, he's too stubborn for that," said his partner for the past 30 years, Sandra Stake. "His doctor said he needs new knees but he refuses. He won't even take aspirin."

A graduate of Mount Pleasant High School, Schenectady, N.Y., where he played football and baseball, Ward worked as a union bricklayer for many years. His last job was as foreman on the Knolls Atomic Power Labs in Niskayuna, N.Y. He quit to go to Albany Law School.

"It was tradition to cement a coin at the top of the chimney of large jobs," Ward explained. "My penny is still up there."

During his 30s, Ward attended Siena College in the evenings while working construction jobs in the day. After graduating, he started law school in 1958, at the age of 38.

Together they own a two-family house in Schenectady and they have traveled extensively to Europe, Hawaii and Alaska. They also enjoy trips to a beachfront condo on Lewis Bay, in Hyannis, Mass.

"He has had an incredible life, but he rarely speaks about it because he is so humble," Stake said.

"That's the first time someone has called me humble," said Ward. –DS

ALUMNINEWS

{ FALL 2008 }

Inaugural Alumni Volunteer Recognition Day



From left, Dean Guernsey, Hon. Victoria A. Graffeo '77, Barbara Cottrell' 84

There are many ways for Albany Law alumni to stay connected with the Law School. We are fortunate to have an active and supportive body of alumni who give their time and talent to volunteer, serve on boards, judge moot court competition, mentor students and support the school financially, just to name a few ways alumni are involved. On May 2, volunteers gathered in the 1928 Building's East Foyer to celebrate the great work and dedication of Albany Law alumni.

Connect Online with Classmates

Stay connected to your classmates and friends and Albany Law School; register by visiting www.albanylaw.edu/alumni, and click on Online Alumni Community.

Register and:

- Search for your classmates
- Update your information
- Submit class notes
- Register for alumni events
- Make a gift to the Albany Law School Fund online

Want online help?

Contact Ariane Garwood, Alumni Affairs Associate at 518-445-3220 or agarw@albanylaw.edu.

2009 Travel Program

California's Wine Country: July 10–16, 2009

Featuring San Francisco, Napa and Sonoma Valley \$2,749 per person rate, double

Southern Italy & Sicily: October 29–November 8, 2009 Featuring Taormina, Amalfi Coast and Rome

\$3,699 per person rate, double

Contact Christina Sebastian, Director of Alumni Affairs at cseba@albanylaw.edu or 518-445-3361 to learn more.



Lynelle K. Bosworth '06



From left, Lisa E. Brown '96, Hon. Christine M. Clark '96, Daniel J. Stewart '88

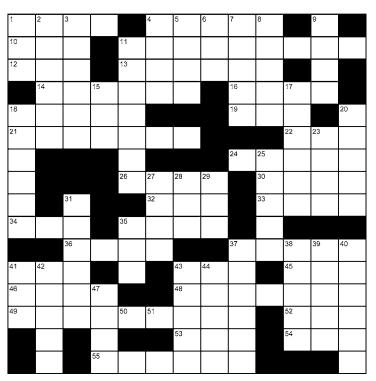


Alumni volunteers gather in the 1928 Building's East Foyer to celebrate.



From left, Jill A. Dunn '93, John F. Queenan '96, Professor Rosemary Queenan.

The Albany Law School Crossword



Across

- 1. Stoneman chair holder
- Prof. Preiser or Halewood
 Federal withholding on
- your 1040
 11. Closest to the moon's center
- while orbiting
- 12. Carbohydrates, scientifically
- 13. Can hold no more
- 14. Spontaneous comedy
- 16. Academic CEO
- 18. December gift-giving surname
- 19. Engl. as second language
- 21. Parts of a course
- 22. You pass this to practice law
- 24. Albany Law co-founder with 55 across
- 26. Belonging to Ferragamo
- 30. Think about it; sleep _____.
- 32. Retired acronym for Albany Law
- 33. Russian river
- 34. Uses gas and road
- 35. It leads to OPQR
- 36. Gershwin and Prof. Bloom
- 37. The field for lawyers
- 41. UHA member
- 43. By land or
- 45. Iron _
- 46. Gabrielli ____ Court Competition
- 48. A civil action
- 49. The court system
- 52. Serve again, in tennis
- 53. Class for lawyers
- 54. NALP's Directory of Legal Employers
- 55. Co-founder of this School, with 24 across

Down

- 1. Fast-food chain
- 2. A measure of time
- 3. Guernsey
- Spanish conjunction for contrast
- 5. Enterprise Resource Multi-Value
- 6. File format for images
- 7. Avoid
- 8. The ____ of law
- 9. Tilt
- 11. Alumnus who chairs Time Warner
- 15. Part of an immune response
- 17. Your law school location
- 18. Where law students first practice
- 20. Prof. David
- 23. More people than Europe
- 25. Prof. Dale
- 27. Law school association
- 28. Master's for lawyers
- 29. Identifying no.
- 31. Camera legs
- 35. Katherine, to friends
- 37. Advocate
- 38. An early creator of legal education
- 39. Disney's mermaid
- 40. Literal interpretation of law
- 41. Magazine covering management theory
- 42. Legal forum
- 43. Not tight
- 44. Supreme Court Judge Bastow, Class of '19
- 47. Transitional Ind. Living Plan



The first five alumni to correctly name anyone in either photo win an Albany Law School cap. The first two to correctly name all in either photo, including graduation year, win a Law School sweatshirt.

Submit your answers to Christina Sebastian, Director of Alumni Affairs, at 518-445-3361 or cseba@albanylaw.edu.









Who are they? Answers from the last issue.

- < Lillian S. Friedman '58, William R. Holzapfel '58, Harrison F. Turner '58 and William E. Henry '58
- < David S. Rothenberg '84, Sharon K. Rogler Tromp '84 and Theodore (Ted) P. Robinson '84

CLASSNOTES

FALL 2008

1949

Francis T. Longe is retired. He resides in Herkimer, N.Y., with his wife, Kathryn, and has one son, one daughter and three grandsons.

Robert Winne is retiring after 50 years as counsel to the Village of Rhinebeck.

1954

Alan J. Gould of Pleasant Hill, Calif., volunteers his time for veterans with claims before the U.S. Court of Appeals for Veteran Claims.

1959

Louis T. Brindisi has been certified as a member of the Multi-Million Dollar Advocates Forum. To be a member one must have acted as principal counsel in at least one case that has resulted in a multi-million dollar verdict, award or settlement.

1965



Peter V. Coffey, Englert Coffey McHugh & Fantauzzi, LLP, has

been elected chair of the Real Property Law Section of the New York State Bar Association.

Eugene L. Nicandri has been asked by New York Governor David Paterson to serve as a member of the Board of Trustees of the New York Power Authority.

1966

Hon. Frederic B. Rodgers was recently elected as chair-elect of the National Judicial College's (NJC) Board of Trustees.
Rodgers, a judge in Colorado's First Judicial District since appointment by the governor in 1987, will become chair in June of 2009.

1970

Michael J. Tommaney has been named partner at the law firm of Tully Rinckey PLLC in Albany, N.Y.

1971

Richard A. Hanft will lead Albany, N.Y.-based firm Tully Rinckey PLLC's new municipal law practice area.

1972

Miriam M. Netter received the Inaugural Ruth Miner '38 Award from the Legal Aid Society of Northeastern New York on June 5, 2008.

Brian Starer has joined the global law firm of Squire, Sanders & Dempsey L.L.P. as partner in its New York office.

Dale M. Thuillez, special counsel to the law firm of Thuillez, Ford, Gold, Butler & Young, LLP, Albany, N.Y., has been appointed to the board of directors of the Tech Valley School Foundation.



Mimi Netter, left, with the Society's executive director Lillian Moy.

Legal Aid Society Honors Netter '72 with New Ruth Miner '20 Award

The Legal Aid Society of Northeastern New York inaugurated a new award—the Ruth Miner Award—to celebrate its 85th year. Miner, who graduated Albany Law in 1920, was the Society's first attorney when it opened its doors in 1923.

The award was given to Miriam "Mimi" Netter '72 at the Society's "Justice with Jazz" event June 5, 2008. Netter served on the Society's board starting in 1976 that led to her presidency from 1984-86. Netter worked with Pattison, Sampson, Ginsberg & Griffin for 18 years, and served as general counsel for Rensselaer Polytechnic Institute, Russell Sage, Upper Hudson Planned Parenthood and MapInfo Corp.

The award honors Miner, who earned \$50 a month for her part-time work for the Society, which was raised by passing a hat around at board meetings. Her secretary earned \$12 a week, which was raised by collecting 25 cents from any client who could afford it. Today, 31 attorneys and 17 paralegals serve people in the region who struggle to access the legal system.

1974

Karen J. Lewis has been named the assistant director of the American Law Division at the Congressional Research Service, in Washington, D.C.

1975

Courtenay W. Hall, a Saratoga County Family Court judge, announced plans to run for re-election in November 2008 to a second 10-year term.

Hon. Thomas J. Vilsack was designated by Harvard University's Institute of Politics as a Resident Fellow at the Kennedy School of Government for the fall semester.

1976

Hon. W. Dennis Duggan, Albany County Family Court judge, was recently named Family Court Judge of the Year by the New York State Family

Court Judges Association.

Christine C. Kopec is working at Skidmore College, focusing on academic, administrative law/regulatory and government law.

William G. Todd is a principal at McKool Smith, P.C., New York, N.Y.

1977

Terence A. Zemetis has been nominated for a seat on the Connecticut Superior Court bench by Gov. M. Jodi Rell. He is president of the Meriden, Conn., law firm of Delaney Zemetis & Triplett, where he has worked since 1977.

1978

Katherine H. Wears has been named associate dean of the Clarkson University School of Business. She will be leaving her position of corporation counsel for the city of Ogdensburg, N.Y., which she has held since 1980.

1979

Jeffrey R. Armstrong has been named a partner at Whiteman Osterman & Hanna, LLP, Albany, N.Y.

Thomas G. Butler was listed in the 2008 Who's Who in Tax & Bankruptcy Law. He is a certified public accountant and attorney and is tax partner and Long Island tax practice leader at Grant Thornton's Melville, N.Y., office.

1980

Martin J. Barrington has been named executive vice president, chief compliance officer and chief administrative officer at Altria Group, Inc. Altria is the parent company of Philip Morris.

Carl Copps was promoted to special counsel at the New York State Worker's Compensation Board.

Edward B. Downey opened a new practice in Norwich, N.Y., after 26 years in the insurance business.

Maureen Henegan has been named one of the 50 Most Influential Women in *Irish Voice* magazine.

Barry Brown's Running Records Continue to Grow—Posthumously

Barry Brown '69 has been dead for 16 years. At the time of his death, he held numerous records, including the American masters for the marathon at 2:15 in 1984, as well as holding records for the 8k, 10k, half-marathon, and 20-mile race.

This year he earned another record when his son, Darren, a senior at the University of Texas, ran the mile in under four minutes, making Barry and Darren the first U.S. father-son team to break the four-minute mile.

Darren's race in April put Barry Brown's name back in the running news across the country, retelling the sad story of Brown's achievement and impact on the running world for 20 years, while entangling himself in financial messes that eventually led to suicide.

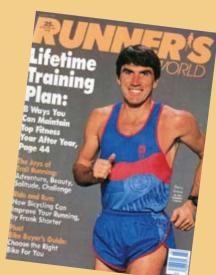
"I'm just so happy for my father, that I can honor him one more time," Darren Brown told the *Austin American-Statesman* after his Texas relay race where he logged in at 3 minutes, 59.99 seconds. (Brown has since broke this record with a time of 3:58 in Dublin, Ireland.) Brown was seven-years-old when his father died.

Barry Brown was famous for running 100-plus miles every week for decades, through injuries and bad health. Brown was a core part of the Florida Track Club, where the nation's running boom started in the early '70s.

Olympic gold medal legend Frank Shorter told *Newsday* that "bad breaks and bad timing" kept Brown off the Olympic team, not talent. About 300 people from around the country walked a lap of a Gainesville track in his tribute after his funeral. Another group ran a trail near Lake George—Black Mountain Point—to scatter his ashes, as he requested.

These were running friends from whom Brown funded some business deals through his company Equity Planning Services. These propositions, as an insurance agent and investor, sometimes came to fruition, but also collapsed.

Darren Brown carries a bookmark that has a photo of his dad. He drinks from a coffee mug with his dad's photo, and carries a list of all his father's track records. "I want to beat every one of them," Brown has said. "I know my father's best times were in his 30s. I plan to stay in the race." –DS



Barry Brown on the cover of the March 1991 Runner's World. He took his life the following year. This year he's back in the news with a new record.

N.Y. Family Court Judges Name Duggan Judge of the Year



Dennis Duggan '76

W. Dennis Duggan '76 sits at the bench in Albany County Family Court from 9 a.m. to 5 p.m. at least four days a week, often without a lunch break. Before and after his bench time, he writes decisions and weeds through requests for adjournments, and case-related reports from agencies, psychologists, attorneys and others. Almost all of that work is done at home.

His docket is always overflowing. Then there are the walk-ins, like an arraignment on a warrant, or applications for emergency orders of protection. Fourteen years on the bench has earned Duggan the first Family Court Judge of the Year designation by the New York State Family Court Judges Association.

"This is a great job," Judge Duggan said like someone who just started the position. "You can save a kid, you can turn lives around. There's a lot of failure in Family Court but the occasional successes make it all worth it."

Since his start, Duggan has watched his caseload double. That means less time to spend on each case, and longer waits before parents and children can have their cases heard.

"And at the same time the cases have become much harder to resolve," Duggan said. "Half my custody cases involve parents who never married, and often never lived together. We try to glue something back together that's good for the child, but often there's not a lot of material to work with."

A trial that lasts two weeks means that several hundred other cases will await his attention to another time. In noting the difference between criminal court and family court, Duggan described a drug trial he presided over. "It struck me that in the time another teenager was adjudicated a criminal and sent by me to prison, I would have had the chance to help 200 families in family court."

For all the good parts of the job, Duggan feels troubled by the caseloads carried by every judge across the state. "Not only does each judge deal with more cases every year, the process has become more complicated and time consuming. The number of Family Court judges in New York—just under 150—has remained almost stagnant for the last 20 years."

"For example," Duggan said, "they now have family offense jurisdiction over cases involving persons involved in 'intimate relations,' meaning boyfriends and girlfriends. We are required to check the domestic violence registry, criminal history records and the sex abuse registry before

"Half my custody cases involve parents who never married, and often never lived together. We try to glue something back together that's good for the child, but often there's not a lot of material to work with."

issuing any order of custody. No resources were allocated for the family court to comply with these new laws—certainly not any new judges to handle the increase in case load. Learning how to keep your head above water has real meaning for a family court judge," Duggan said.

Judge Duggan is a graduate of the University of Notre Dame and a 1976 graduate of Albany Law School. He is a past president of the New York State Family Court Judges Association and the Association of Family and Conciliation Courts, New York Chapter. He has served on the boards of the American Judges Association and the American Judicature Society. He is currently a trustee of the National Council of Juvenile and Family Court Judges.

-DS

Lawrence A. Siegel has been included in Who's Who in Tax & Bankruptcy Law for 2008. He is a partner at Davidow Davidow Siegel & Stern LLP in Islandia, N.Y.

Jamie A. Woodward has been named the New York State Taxation and Finance Executive Deputy Commissioner.

1982

Timothy A. Barker has joined First Republic Bank, a subsidiary of Merrill Lynch, as senior managing director in New York, N.Y.

Richard A. Kaplan has been named a vice president of the America-Israel Chamber of Commerce Chicago (AICC). He is a trial lawyer with Brinks Hofer Gilson & Lione, Chicago, Ill.

1983

William J. Delaney is an attorney at Reavis Cianciolo LLC, Providence, R.I. He is also an adjunct professor at Roger Williams University School of Law where he has published several articles in the *Law Review*.

Timothy J. Fennell was elected to serve as member-at-large on the New York State Bar Association's executive committee. He practices at Amdursky Pelky Fennell & Wallen PC in Syracuse, N.Y.

Joan Leary, New York State Department of Environmental Conservation, has been elected chair of the Environmental Law Section of the New York State Bar Association.

Louis W. Pierro has been selected for inclusion in the New York Area's Best Lawyers.

Caruso and Daniels Provide Legal Engine For Price Chopper Since '80s

"I wanted to be a lawyer when I was 10 years old," said David Caruso '76.
"I don't know why. I just knew I wanted to be one." And so it was.

For more than two decades Caruso has been working side by side with Christine Daniels '81 at the Golub Corporation, overseeing the legal work needed to run 118 Price Chopper Supermarkets which operates with 25,000 employees in six northeastern states.

"We pretty much handle every aspect of law you can think of," said Daniels, explaining that it is this diversity in the work that makes her love her job.

The legal issues facing the company include real estate, employment law, government regulatory issues, environmental law, anti-trust compliance, intellectual property, consumer protection, general liability issues and employee benefits. What has helped to keep things fresh over the years is that Daniels and Caruso have swapped responsibilities from time to time. For example, where Caruso used to be primarily responsible for the real estate work, now Daniels handles it. Where Daniels used to manage litigation, now Caruso is in charge of it.

Still in growth mode, the company builds or acquires two to four stores a year. Daniels is currently doing the legal work



Christine Daniels '81 and David Caruso '76

for the construction of the company's new Schenectady headquarters, a \$27-million building being built as part of the New York State Brownfield Program. She also drafts and assists in the negotiation of store leases, as well as leases for the in-store banks and other corporate tenants.

Since the Golub Corporation is self-insured for general liability, Caruso manages a staff of four in-house claims adjusters who handle the customer accidents that come with the territory in the supermarket business. On the regulatory front, Caruso, who is the registered lobbyist for the company, is looking to allow N.Y. state supermarkets to sell wine, and to shift the point for

recycling beverage containers away from the retailer. "On the federal level, implementing country-oforigin labeling is a big issue now," Caruso said. "The federal law which became effective at the end of September 2008 requires retailers to notify customers of the identity of the country where fresh meat and produce are raised or produced. We sell fresh product from several continents so we can provide the products our

customers want all year round. However, at certain points in the year we may have grapes from California and Chile or tomatoes from Mexico and Florida in the store at the same time. Keeping the required signs and records accurate is a challenge."

Intellectual property does not come to mind when one thinks of a supermarket company. However, Golub Corporation has applied for a business method patent for the system they use to process checks at the register. "Of course, our major intellectual property matter is the protection of the Price Chopper trademark," Daniels said, noting that Golub has had a federal registration for it since the company changed the name of

its stores from Central Markets in 1973.

"Bill Kenneally, Golub Corporation's general counsel, has confidence in our ability to do our jobs," said Daniels. The three attorneys make up the entire legal department. "We handle very complicated deals in house and use outside counsel when necessary."

Their Beginnings

After graduating from Albany Law, Daniels worked for Fairlee, Armstrong and Cooper in Schenectady. She also represented the town of Niskayuna planning and zoning boards. Caruso worked for a company in Newark, N.J., before returning to the region for good. Both touted the company's policy that encourages community service. Daniels is chair of the Schenectady Salvation Army Advisory Board, was board president of Girls Inc. of the Greater Capital Region and chaired Niskayuna's zoning board. Caruso's volunteer list is long as well, highlighted by his past service as vice chair of the Capital District YMCA and current service as the chair of the Community Hospice.

"As a kid I probably wanted to be in the courtroom as a litigator," Caruso said. "But this is a good place to be a lawyer. We have a client who wants to do the right thing. It's great."

-DS

1984

Maureen Brady has been promoted to regional attorney of the Region 9 office of the N.Y.S. Department of Environmental Conservation. She lives with her husband and two children in Buffalo, N.Y.



Timothy E. Casserly,
Burke &
Casserly,
P.C., has
been elected
chair of the

Elder Law Section of the New York State Bar Association.

Carol A. Hyde, a founding partner of Iseman, Cunningham, Riester & Hyde, LLP, a law firm with offices in Poughkeepsie and Albany, was elected the firm's first managing partner at the partners' annual planning retreat in January 2008.

1985



Elaine Crosson has been named vice president for legal services and University

counsel at Long Island University in Brookville, N.Y.

Thomas W. Peterson and Alison C. Thomas '98 have formed Peterson & Thomas, P.C. in Round Lake, N.Y. The firm is a general practice law firm which concentrates in estates, litigation (state and federal), real estate and municipal law.

Ed J. Thompson is the first African-American to serve as head of the state attorney general's regional office in Syracuse. He

was named to the post by state Attorney General Andrew Cuomo '82.

1986

Geoffrey E. Stein continues to be a full-time painter in New York, N.Y., and is represented at The Cynthia Corbett Gallery. He and his wife, Patricia A. Poglinco '86 recently celebrated their 19th wedding anniversary.

1987

Michelle S. Marcus has been appointed to the position of administrative law judge for the Social Security Administration. She will serve in its Albany, N.Y., office of Disability Adjudication and Review.

Margaret C. Tabak was elected to the Board of Directors of the Albany County Bar Association.

1988

Dr. Alan L. Baum has been appointed principal of Ward Melville High School in East Setauket, N.Y.

1989

Janine Daniels Rivera, assistant Medicaid inspector general for health, and an attorney in the state Office of the Medicaid Inspector General, was admitted to practice before the U.S. Supreme Court.

Cynthia A. Platt became the first recipient of the Kimberly A. Troisi-Paton Leadership Award, presented by the Capital District Women's Bar Association.

1990

Jon A. Dorf, The Dorf Law Firm, LLP, was recently honored with the prestigious 2008 "Pace Setter" Award. This award, sponsored, in part, by Pace Law School, honors his overall excellence in professional and community work, and prominence in the Westchester, N.Y., area legal profession.



Margaret Surowka Rossi has joined the Albany office of Hiscock &

Barclay, LLP as of counsel.

1991

Brian E. Ferguson, partner in Weil Gotshal's patent litigation practice—specializing in high technology patent disputes in Washington, D.C.—has been named one of *IP Law & Business*' "Top 50 IP People Under 45."

1992

Robert A. Heverly has accepted a professor of law visitorship position at Michigan State University's College of Law beginning in January.

Kevin P. Quinn has been named a partner at Whiteman Osterman & Hanna, LLP in Albany.

1993

Kathryn Clune has been named one of the "Top 50 IP People Under 45" by American Lawyer magazine.



Jacqueline Phipps Polito has been named a partner in the law firm of Phillips

Lytle LLP in Buffalo, N.Y.

Alexander A. Preiser has been appointed president of Real Estate for Quintess, The Leading Residences of the World, in Broomfield, Colo.

1994



Michelle L. Haskin is the new president of the Capital District Women's Bar

Association. She is a principal with McNamee, Lochner, Titus & Williams P.C. in Albany, N.Y.

Joseph T. Johnson was named a partner at the New York, N.Y., law firm of Eaton & Van Winkle LLP, where he specializes in commercial litigation.

Matthew R. Mager was featured in *Real Estate Weekly* magazine as managing director of Besen Retail, a budding retail division of Besen & Associates. He also serves as general counsel to the Besen Companies.

Jill R. Muratori recently joined Barrett Associates as its new vice president and counsel.

Kathy Ann Wolverton is personnel director for the city of Oneonta, N.Y.

Debra Zeschke Kathman is director of planned giving at The Madeira School, a girls' boarding and day school in McLean, Va.

1995

Jessie A. Aitcheson is the new president of the Columbia County Bar Association.

Kathleen A. Boland is an assistant attorney general for the New York Attorney General Andrew Cuomo's '82 Medicaid Fraud Unit.

Robert M. Gach, partner with Whiteman Osterman & Hanna LLP, has been named to the "40 Under Forty" list by the Capital District's *Business Review*.

Kenneth A. Rosenberg has been elected as partner with Fox Rothschild LLP in Roseland, N.J. He was also named "40 under 40" by the *New Jersey Law Journal* and was nominated by New Jersey's Super Lawyers as "Rising Star."

1996



John M. Bagyi has been named deputy managing attorney of the Albany

office of Bond, Schoeneck & King, PLLC.



Bonnie S. Baker, an associate with the Albany law firm of Deily, Mooney

& Glastetter LLP has been appointed as chair of the Committee on Consumer Bankruptcy of the American Bar Association's Section of Business Law.

Janet Schwarzenegger has been recognized in Columbia County, N.Y., media outlets as serving as a law guardian, representing children in juvenile delinquency, custody and other cases.

Richard A. Sherman has accepted a position as administrative law judge with the Office of Hearings and Mediation Services for the N.Y.S. Department of Environmental Conservation.

David H. Verbraska has been appointed vice president for Worldwide Public Affairs and Policy at Pfizer Inc., New York, N.Y.

Ferguson's Work Rewires a Few Standards

With an electric engineering degree, Brian Ferguson '91 can argue tech-related IP issues at the savviest level for giants like Seagate, Sprint and National Semiconductor, commanding knowledge of complex semiconductor integrated circuits, computer hardware/software, and telecommunications technology.

But the most visible case he won recently, which contributed to IP Law and Business naming him one of the top 50 IP lawyers under 45 (also, see Kathryn Clune's '93 class note on page 48), ended with two rulings that jolted the paradigm for lawyers operating in the field. First, the Court of Appeals for the Federal Circuit in D.C. changed the standard for proving willful infringement, raising the bar against "patent trolls" who, Ferguson explained, search for patents to assert with no intent other than to hold hostage companies attempting to commercialize the technology.

"The Court heard the case *en banc*—10 judges participated, and voted 100% in favor of our client," Ferguson said, noting the significance for him.

Equally significant, the Court also determined that the attorney-client privilege waiver, when a defendant chose to rely on the advice-of-counsel defense to a claim of willful infringement, did not extend to trial counsel. Ferguson wrote about this case in the New York State Bar Association's spring/summer '08 magazine, titled "Seagate Changes the Equation."

Practicing law didn't occur to



Brian Ferguson '91

Ferguson until late in his junior year at Union College, when a professor talked about alternative professions for electrical engineers.

"I've always enjoyed the English classes—reading, writing and other non-technical subjects—but wasn't able to take many as an engineering major," Ferguson recalled. "So I took the LSATS, did pretty well, and started applying to law schools."

From law school he took a job at a boutique IP firm in D.C., Brinks Hofer. "There were 16 of us, and we all left together to launch the IP practice in D.C. for McDermott Will & Emery. "Yes, you can imagine it caused commotion at the time." After 12 years there, he moved with 10 other attorneys to Weil, Gotshal & Manges earlier this year.

Ferguson described another case of his that resulted in a landmark decision over the rights to a patent between Boston Scientific Scimed and his client Medtronic Vascular, Inc. Both filed for a similar

patent simultaneously, so Boston Scientific tried to buy the patent in a foreign market to claim rights to the patent domestically, he explained. "On appeal, we successfully showed that you can't simply give a patent to the highest bidder."

"The great thing about this kind of work, particularly since I work a lot on appeals," Ferguson said, "is that it combines cutting-edge technology with cutting-edge legal issues. I have to stay current on all this great stuff."

Ferguson, who grew up outside of Potsdam, N.Y., lives in Bethesda, Md., with his wife Audrey, an attorney-on-hiatus as a stay-at-home mother, and three young children all under age 7. –DS

The Court also determined that the attorney-client privilege waiver, when a defendant chose to rely on the advice-of-counsel defense to a claim of willful infringement, did not extend to trial counsel.

Traill, in Appeal Bureau, Chooses Shaping Law after Prosecuting Homicides

Johnnette Traill '92 talked about a case she prosecuted 14 years ago, while in the Homicide Investigations Bureau, involving a drunk driver who hit and killed two girls and their mother, injuring the father while the young brother watched. "Just talking about that still gives me goose bumps," Traill said. "Those cases stand out. My job is far less dramatic now. But now we play a part in shaping the law."

As Deputy Chief of the Queens County District
Attorney's Appeals Bureau for the past eight years, she's focused on "saving the convictions."
Her success on this front has earned her the 2007 Thomas E. Dewey Medal, an award given each year by the New York City Bar Association to "the best prosecutor" in each of the City's five boroughs.

Traill's list of victories are long at the federal level, the N.Y. Court of Appeals and the Appellate Division. "There are areas of law that have never been written on. There was a kidnap and rape trial," she recalled, "and the judge had emergency medical issues in the middle of the trial. Can another judge step in? I argued yes, that there was no law to prevent a new judge. The Court of Appeals had to make law."

Offering Traill a defendant or victim's name jarred her memory instantly, regardless of the years that passed. "They all mean something," she said. "Even non-violent crimes, like stealing items from inside your



Johnnette Traill '92, holding her Thomas E. Dewey Medal with Queens District Attorney Richard Brown. The photo appeared in New York's Daily News.

car, even that affects you, invades your space."

Traill moved from the island of Jamaica in 1981 to Queens. She attended Hamilton College, took a year off to work and then went to Albany Law and back to Queens. "I love Queens," she said. "The Queens D.A.'s office was my first choice."

At that office she's moved through the bureaus of Intake, Domestic Violence, Narcotics, Homicide Investigations, and finally to her current spot in the Appeals Bureau.

"I manage a lot, but I also have my own caseload," she said. "I love to write. In the Appeals Bureau, we also try to keep in touch with the victims, especially the families of homicide victims. Most defendants appeal, so we keep the families

informed of the status of the appeal. Imagine if they learn about an overturned conviction from a newspaper article."

Traill and members of her bureau also advise on homicide, domestic violence and special victims cases and others. "While the trial prosecutor focuses on trying the case, we offer legal advice in order to limit appealable issues after any conviction."

Traill has visited Albany Law four years in a row—before her daughter was born last year—to recruit students. She also keeps a fondness for the teachings of professors Michael Hutter and Jack Welch.

"I always wanted to work in public service, and Albany Law School prepared me well for this work," Traill said.

–DS

1997

Traci A. Boris has been appointed legal counsel at St. Elizabeth Medical Center, Utica. N.Y.

Sarah L. Fifield has joined Silverberg Zalantis LLP in White Plains, N.Y., as of counsel.



John T.
McManus
joined the
law firm of
Harris Beach
as a partner
in the Albany

office, thus expanding its Energy Industry Team and Environmental Law Practice Group.

L. Micha Ordway Jr. was elected membership in the firm of Green Seifter Attorneys PLLC.

Thomas Owens has been appointed to the Capital District Transportation Authority Board. He continues with his private practice and is part-time counsel to the Albany Port Commission.



Lisa S.
Shreiber,
a member
with Cozen
O'Connor's
downtown
New York,

N.Y. office, recently lectured on "Insurance Coverage for Food Liability Claims" for the American Conference Institute's (ACI) Food-Borne Illness Litigation: Advanced Strategies for Managing and Defending Food Contamination Claims Conference.

1998

Alison C. Thomas and Thomas W. Peterson '85 have formed Peterson & Thomas, P.C. in Round Lake, N.Y. The firm is a

general practice law firm which concentrates in Estates, Litigation (State and Federal), Real Estate and Municipal Law.

Kathleen M. Toombs and her business partner, Christina Meier, founded Toombs & Meier, PLLC with the express purpose of focusing on Elder Law. The firm is located in Schenectady, N.Y.

1999

Barry E. Breen has joined the London office of Sidley Austin LLP as counsel in the Investment Funds, Advisers and Derivatives practice.

Lynn Coles-Zaklukiewicz is an associate at Morris & McVeigh LLP, Albany. She was recently featured as an "Up & Comer" in the Albany *Times Union*.

Ian S. MacDonald has joined the firm of Daniels and Porco LLP.

Jennifer M. McDonnell has joined the New Hartford, N.Y., branch of the Estate Planning Law Center. She is the director of legal services, focusing on estate and trust administration and special needs.

Patrick M. Sheehan has been named the head of business development at the Ulster County Development Corp.

2000

Catherine Hedgeman has been named to the board of the Albany-based Community Foundation for the Greater Capital Region.

John R. Vero has been named a partner in the Albany firm of Couch White LLP in its commercial transactions and litigation practice groups.

A Winding Path from Lawyer to the White House to Pfizer

Ready to transition to the private sector after working directly with N.Y. Governor Mario Cuomo for almost six years, David Verbraska '96 got a once- in-alifetime invitation to work at The White House.

"For two years, I worked fulltime for Gov. Cuomo while in law school full time," Verbraska said. "I'd run from the Capitol to class, and then back to the Capitol. The great part was that both experiences fed each other, the classes and the job. It was an amazing experience that demonstrated the real-word application of legal training, but I didn't sleep. After graduating from law school, I figured my public service was done."

Despite this feeling, Verbraska couldn't turn down the opportunity to service in the Clinton Administration. "Law school ended, the Governor's term was up, I was 29, so how could I resist. Working in the East Wing of The White House was an everyday thrill."

Fast forward from his D.C. experience, Verbraska applied his legal education in a variety of private sector experiences. During the next eight years, in rapid-fire succession, he practiced law at Wilson, Elser, Moskowitz, Edelman & Dicker, served as lobbying director for the New York City Partnership, at the time chaired by Time Warner chair Richard Parsons '71, and was in corporate communications leadership positions at Delta Air Lines and Cardinal Health.

"It's been quite a journey and every step of the way I learned



David Verbraska '96

and grew," Verbraska said of his climb to vice president of world-wide public affairs and policy at Pfizer, the world's largest pharmaceutical company with \$48 billion in revenue last year.

"Regulators across the globe hold the fate of public health and the pharmaceutical industry in their hands," Vebraska explained. "My team operates in more than 50 countries because we have to be able to work with all of them, respond instantly to public criticism, explain the science, promote innovation, and ensure that drug risk is communicated in balance with benefit."

"Rumors and false information spread like a virus, practically instantly," Verbraska described. "And the world is no longer small so what happens in India can impact our business in the United States, Germany and Brazil." He cited rival-Merck's withdrawal of Vioxx, a house-hold name now, to show the depth of damage unexpected issues can create. "While we do manage a lot of crises, there is plenty of time for thoughtful proactive work to improve

medical innovation and access worldwide."

The global nature of Pfizer's business keeps Verbraska on the road often, spending, for instance, three weeks in July traveling to Japan, China and Australia. "Learning the regulations of diverse nations," said Verbraska, "and negotiating with foreign governments has been rewarding."

Does law school matter now? Verbraska believes that a legal education has been crucial to his success in corporate affairs despite not practicing law directly. "In law school you learn so much about so many disciplines that you can broadly understand business from a variety of perspectives. And the analytical way of thinking, the writing and verbal communication skills, are useful every day."

He told the story of working with outside counsel on a billion-dollar acquisition that was facing legal challenges while the communications director at Cardinal Health. "One of the partners said to me after the deal closed, 'You really get this stuff, maybe you should think about becoming a lawyer.' I laughed."

Verbraska lives with his wife and two children ages 8 and 11 in Bergen County, N.J.

–DS

"Rumors and false information spread like a virus, practically instantly."

Timothy P. Welch has joined Phillips Lytle, LLP as an associate in its Rochester and Buffalo offices' litigation practice.

2001



John R.
Higgitt was
presented
with the
Distinguished
Young
Alumni

Award by the SUNY Cortland Alumni Association.

2002

Elsie J. Chun has joined the N.Y.S. Department of Health, Office of Governmental & External Affairs, as legislative counsel.



Amy. J.
Maggs joined the Albany office of
Hiscock &
Barclay, LLP as of counsel.

Maggs focuses her practice in the area of trusts and estates and currently acts as associate counsel for the Judiciary Committee in the NewYork State Assembly.

Tara Anne Pleat has become a partner in the law firm of Jones Wilcenski & Pleat PLLC. She was recently featured as an "Up & Comer" in the Albany *Times Union*.



Jeremy H. Speich was awarded an LL.M. in Taxation from the New York

University School of Law in January of 2008. He is currently an associate with the law firm of McNamee, Lochner, Titus &

Williams, P.C. in Albany, N.Y., and is a member of the firm's Business and Tax Department.

Derrek Thomas has joined the Oneida Indian Nation's Legal Department. He will represent the Nation and its enterprises and affiliates in commercial and governmental matters.

2003

Christopher R. Bombardier, of Patricia Lynch Associates, has been named one of the "40 Under Forty" by the Capital District's *Business Review*.

Lisa M. Bonacci has recently been promoted to deputy counsel for the New York State Liquor Authority.

Jeanique Greene has been nominated as a member of the State Liquor Authority. She is currently a senior court analyst with the Office of Court Administration, focusing on continuing legal education. Her appointment requires Senate confirmation.

Nicole M. Helmer has been accepted to the fall 2008 Citizens' FBI Academy in Albany, N.Y.

Meghann Hennigan-Cohen has joined the Law Offices of Shawn Flaherty in Albany, N.Y. She specializes in adoption, domestic violence, family and matrimonial law.

Kiley D. Scott was named partner at Tully Rinckey PLLC. He specializes in criminal law.

Lee M. Zeldin is running as a candidate in New York's First Congressional District in November 2008. He is a former Army JAG captain and Iraq veteran.

2004

Anthony J. Brindisi of Utica, N.Y., has been certified as a member of the Million Dollar Advocates Forum.

Sarah K. Delaney received the Outstanding New Lawyer Award from the Capital District Women's Bar Association.



Charles Z. Feldman has joined the Albany office of Hiscock & Barclay, LLP

as an associate.

Andrew C. Fogarty has been hired as the director of government affairs at The New York Health Plan Association.



Peter J. Glennon was a recipient of the *Daily Record's* 2008 Up and Coming

Attorney Award in Rochester, N.Y. The award is given to attorneys who have distinguished themselves from their peers by demonstrating a strong commitment to the legal profession and the community.

Barrett D. Mack was honored by the Capital District Women's Bar Association with its Pro Bono Award in recognition of his commitment to pro bono legal services.

Heena Shaikh has been nominated by the Capital District Women's Bar Association for the Women's Bar Association of the State of New York's 2008 Doris S. Hoffman Outstanding New Lawyer Award.

Rita M. Young has relocated her practice in Saratoga Springs, N.Y., due to significant growth. She specializes in criminal, matrimonial and family law, real estate and bankruptcy cases.

2005

Gina L. Decker joined Tully Rinckey PLLC, Albany, N.Y, as an associate attorney. She will focus her practice on federal and private sector employment discrimination law.

Constantine "Gus" F.
DeStefano, joined Tully
Rinckey PLLC, Albany, N.Y.
He will focus his practice in the
fields of criminal, appellate, and
family law.



Joshua D.
Hecht is an attorney with Caplan, Hecht and Mendel,
LLC in New

Haven, Conn. He practices in the areas of real estate, environmental, hotel/restaurant, personal injury, estate planning and business law. He also serves on the executive board of the New Haven County Bar Association Young Lawyer Section and on the executive committee of the Connecticut Bar Association Young Lawyer Section.

2006

Brian D. Carr is an associate with Couch White LLP's energy and litigation practice groups.

Michael E. Catania is an associate with Newburgh, N.Y., firm of Tarshis, Catania, Liberth, Mahon & Milligram PLLC.

Giovanna A. D'Orazio has been named an associate at the Albany law firm of Whiteman Osterman & Hanna LLP.

Miller Postpones Law Firm Life, Rolls Dice on Music to Score a Hit...or Two

When Tim Miller '01 arrived at his law firm's office early one morning after a late night of work, the red voicemail light prompted new concerns: "What new fire do I have to put out this morning?" he remembered thinking. The message was from his girlfriend Heather, now his wife of six months: "She had listened to some of my old recordings and was telling me to drop everything and try to make it in music or else I'd always regret it."

In May 2008 Miller released his second CD, "Adelaide," a series of 13 well-polished pop songs, mostly simple, lofty melodies that unravel intimate stories without tricks. While his full-time work now centers around his first passion—music—much of his time is not spent writing or playing, but building the business.

A glance at his Web site shows a heavy touring schedule through many states to promote the CD. "I love performing. I love writing. But I'm building a business and it takes time," said Miller. "Booking shows is brutal work. I reach out to a lot of clubs, send them music samples, point them to my online marketing material, and hope for a positive response."

At home in Dallas, Miller performs with his band. On the road he plays solo with his acoustic guitar to keep costs affordable. He uses "street teams" in major cities to pull people into the show. "About 100 people showed at the Hard Rock Café in Boston last week," he said,

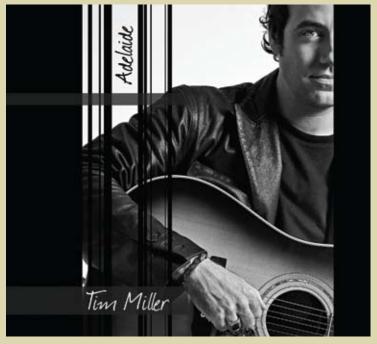
citing a typical scenario.

"It's real hard to make a living like this. I have to be patient and keep working. It's starting a business from the ground up." Short of scoring a hit and ascending to the next level—or, as Miller would have it, skipping the next five levels with a large hit—it's about building a steady fan base.

"The work ethic demanded of me from law school has helped get me this far," he reasoned. "For example: after my first CD, I thought, 'now what? I completed the CD, now how do I get it out there?' The confidence to work through unfamiliar and somewhat daunting scenarios is something I acquired in law school."

On another front, his legal training has helped him manage the umpteen contracts he finds himself signing. Recently he secured license deals with a few MTV shows, including "Real World," "Road Rules," "My Super Sweet 16" and "The Challenge." While this doesn't amount to much money, it can contribute to the fan base he needs to build, as well as generate radio play, downloads on iTunes, and other critical elements for pop success.

Raised in Clifton Park, N.Y., Miller, the son of Albany Law Trustee Robert Miller '68, graduated Ithaca College, then enrolled in the four-year joint-J.D./M.B.A. program with Rensselaer Polytechnic Institute. "To make it through the four-year program, I mainly suppressed my music," Miller said,



Miller's most recent release "Adelaide."

noting that he managed to write a bit, and perform around the Capital Region, particularly at the Elbo Room, a hang-out for his colleagues.

After school he took a job with Bickel & Brewer, where he had previously worked as a summer intern. He spent time in the New York and Dallas offices, but it was Dallas where he met his future wife, determining his home-base in Texas.

So at what point does Miller—with his marketable J.D. and M.B.A., and now newly married—trade in the dream for a steady day-job?

"At some point I might have to bow out gracefully," Miller said, laughing. "There is a time limit."

Maybe so, but it's doubtful that clock has started ticking just yet. –DS

Recently he secured license deals with a few MTV shows, including "Real World," "Road Rules," "My Super Sweet 16" and "The Challenge."



Courtney M.
Merriman
joined the
Syracuse,
N.Y., office
of Hiscock &
Barclay LLP

as an associate in the real estate and financial institutions, and lending practice areas.

2007

Caroline B. Ahn will be working with Heslin Rothenberg Farley & Mesiti P.C. as a litigation attorney.

Matthew S. Blank has joined Lewis & Greer, PC, in Poughkeepsie, N.Y., as an associate attorney.

Rhonda M. Corcoran has joined Hancock & Estabrook, LLP in Syracuse, N.Y., as an associate.

Glinnesa D. Gailliard has received a two-year Equal Justice Fellowship funded by the Legal Aid Society of Northeastern New York and Greenberg Traurig for her "Owning is Power" program. This program's mission is to assist low-income residents to obtain and maintain home ownership.

S. Jay Goodman has joined Couch White LLP, in Albany, N.Y., as an associate in its energy and environmental practice groups.

Jonathan E. Hansen has joined Girvin & Ferlazzo, P.C., in Albany, N.Y., as an associate. He will practice in the areas of civil litigation, labor & employment and education law.

Donald J. Hillmann is an associate at Couch White LLP, in Albany, N.Y., focusing on construction, commercial transactions and litigation.

Annette Hollis has been admitted to the Connecticut and New York State bars. She is an attorney with the firm of Bailey, Kelleher & Johnson in Albany, N.Y.

Stuart L. Kossar is an associate attorney with the New Windsor, N.Y., law firm of Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd PLLC.

Catherine J. Kwan is a prosecutor in the Queens District Attorney's office.

Ryan P. Mullahy will practice labor & employment and education law as an associate at Girvin & Ferlazzo, P.C., in Albany, N.Y.

William C. Robertson is employed by White & Case LLP in New York, N.Y.

MARRIAGES, BIRTHS AND ADOPTIONS

2002

William Conboy III and Kelly Stuto were married on Sept. 29, 2007, in Albany, N.Y.

Ryan T. Donovan and his wife, Brooke, welcomed their son, Matthew Lansing Donovan on May 16, 2008.

Brandy B. (Tucker) Murphy and her husband, John, welcomed their son Connor Finnegan on March 11, 2007.

2003

Matthew W. Hawkins and Caitlyn Brazill were married on August 29, 2008, in Aquebogue, N.Y.

2004

Ifshan "Ashu" Hayat and Robert W. Hobkirk were married March 23, 2008, in Gilbert, Ariz.

Julie N. Perez married Carmelo M. Laquidara on August 18, 2007, in Albany, N.Y.

2005

Meghan R. Keenholts and Doug Keenholts had a daughter, Ellie Knight, on April 27, 2007.

Noelle E. Lagueux-Alvarez and Juan Carlos Alvarez welcomed their first child, Christopher Aidan Alvarez on March 26, 2008.

2006

Jeffrey M. Hulbert and Pamela Toscano were married on Nov. 9, 2007, in Valley Stream, N.Y.



Gravesite Memorial to Sustain Stoneman Legacy

A memorial plaque was unveiled at Kate Stoneman's gravesite in Albany Rural Cemetery, where the state's first female admitted to the bar more than 120 years ago resides. Led by Mimi Netter '72, a founding member of the Kate Stoneman Committee and a 1996 recipient of the Kate Stoneman Award, Netter conceived the concept and pursued funding for the memorial.

The plaque reads: "Kate Stoneman was the first woman admitted to practice law in New York State. After training in a private firm, her application to join the bar was rejected because of her gender. She then successfully campaigned to amend the Code of Civil Procedure to permit the admission of qualified applicants without regard to gender or race. Her admission to the NYS Bar in 1886 paved the way for thousands of women and minorities who followed. Ms. Stoneman continued her legal education by attending Albany Law School and in 1898, became the first woman to graduate."

Kate Stoneman died on May 19, 1925, at the age of 84.

INMEMORIAM

F A L L 2 0 0 8

1932

Paul F. Eaton, Sr., a long-time Walton, N.Y., attorney and former mayor, passed away March 31, 2008. During World War II, he served as the chief enforcement officer in the Binghamton bureau of the U.S. Office of Price Administration. He had his private practice in Walton, N.Y. For a short time he was a partner of N.Y. State Supreme Court Justice Carl J. Mugglin and later counsel to his son Paul's firm of Eaton Griffith & DeGroat. He is survived by two sons, five grandchildren and three great-grandchildren.

1933



Albert
Berkowitz of
Granville,
N.Y., passed
away on
March 5,
2008. Upon

graduation from Albany Law School he was selected to be a member of the Justinian Honorary Scholastic Society and received scholastic awards, including the Trustees Award for the highest marks in his senior year. He practiced law for over 70 years. Senator Berkowitz embarked on a long career of public service holding offices that ranged from Washington County district attorney to judge, and then serving in the N.Y. State Senate from 1957 to 1965. He was later appointed chairman of the state Corrections Commission in 1974. He is survived by his wife of 73 years, Rena Solomon. They have five

children, 12 grandchildren and nine great-grandchildren.

1938

Edmund L. Shea, retired state Supreme Court Justice, died May 8, 2008, at Claxton-Hepburn Medical Center in Ogdensburg, N.Y. Surviving are two daughters and their husbands, five sons and three daughters-in-law, 10 grandchildren and three great-grandchildren.

1939



Burrel Samuels passed away on May 4, 2008. During World War II he worked as

an inspector for the Savage Arms Corporation. He established his own law firm in 1944. His son, Harris, became a partner with him in the Samuels & Samuels Law Firm in Utica, N.Y. He is survived by two children, two grandchildren and several nieces and nephews.

1942



Edgar Blumberg died on April 30, 2008, in San Diego, Calif. He practiced law

in Albany for 39 years, retiring as a partner from his firm in 1984. He graduated as valedictorian from Albany Law School in 1942. He rose to the rank of major in the U.S. Army, serving in the antiaircraft division from

1942 to 1946. He is survived by his wife of 53 years, Pearl Blumberg, two children, three grandchildren.



James T.
Taaffe died
on March 5,
2008. He
was a World
War II Army
Air Force vet-

eran, and spent 13 months as a prisoner of war in Germany. He was awarded the Purple Heart for wounds received. He worked for the Veterans Administration for his entire career. In retirement, he helped resettle Vietnamese refugee families in Northern Virginia. He and his wife started and ran a meals ministry for Christ House in Arlington, Va., for 11 years. He is survived by his wife of 65 years, Margaret Kinney Taaffe, seven children, 11 grandchildren, two great-grandchildren, and two sisters.

1946

James C. Cooper died unexpectedly in North Carolina on Jan. 22, 2008. He served with the U.S. Army during World War II. He was a senior attorney with the State Controller's Office, retiring after 20 years of service. He is survived by a sisterin-law, Betty Cooper, and a brother-in-law, Maurice (Nancy) Lynch, and nieces and nephews.

1947

Miller Fay Moran died on Sept. 21, 2008, at the Carthage Area Hospital. He graduated from Colgate University and then served as captain with the Army Air Corps during World War II. He practiced law in Carthage for many years retiring in the early 1980s. He was the attorney for the villages of Deferiet and Carthage and the town of Wilna. Surviving are his wife, Eleanor, a daughter and her husband, Susan and James Cervini, two granddaughters, a grandson, and five great grandchildren.

1948

James J. Lyons of Wappingers Falls, N.Y., passed away on June 20, 2008. He was a veteran of World War II, having served in the Coast Guard. He had a private practice for many years in Wappingers Falls, Beacon and Poughkeepsie. In addition, he serves as attorney to the Town of Wappinger, Village of Wappingers Falls Police Justice and Village Attorney. He was class valedictorian and editor of the Albany Law Review. He was an avid outdoorsman who enjoyed hunting, hiking and fishing. He is survived by three children, four grandchildren, two great-grandchildren, his sister and brother-in-law, three sisters-in-law and many nieces and nephews.

1951

Joseph J. Micare, a retired administrative law judge with the Social Security Administration, died Tuesday, Aug. 19, 2008. Before being appointed a judge, he served as assistant attorney general with the state of New York and for many years he was the chief counsel for the New York State Liquor Authority. He was a U.S. Navy veteran of World War II. Survivors include his wife of 35 years, Sharleen Micare, one son, two daughters, two step-children, two sisters, 10 grandchildren, and six great-grandchildren.

1953



Marjorie S. MacCollom died on April 4, 2008, in Ormond Beach, Fla., at age 100.

She moved to Florida in 1955 from Schenectady. She was active in Democratic politics.

Edward M. Zabielski died April 13, 2008, in Schenectady, N.Y. During World War II he held an electrician's rating as an enlisted man in the U.S. Navy's submarine service. He later served as a captain in the U.S. Army Reserve and the U.S. Air Force Reserve. He served more than 35 years as confidential law clerk to three Schenectady County New York State Supreme Court justices. He retired from the court system in 1990. He drafted the first human donor transplant law on behalf of the Rotterdam

Lions Club that was passed by the New York State Legislature and signed into law by Gov. Nelson Rockefeller in 1957. He is survived by his wife, Catherine, three children, three grandchildren, one sister, one brother and several nephews.

1958

Thomas W. Brown died on June 19, 2008. He was a trial lawyer in his longtime partnership with Pentak, Brown & Tobin in Albany. Later, he practiced with his daughter at Brown & Brown. He served in the U.S. Army. He enjoyed public service as a state assemblyman, a county legislator, and briefly as a city court judge. He leaves his wife, Kathleen Bergan Brown, and five children and their families.

1959



Betty N. Millea of Seattle, Wash., died on May 24, 2008. She practiced as

an attorney until her retirement in 1979. She served as a youth minister at St. Elizabeth Parish in Ridgeley, Md., during the 1980s. She moved to Seattle almost three years ago. She enjoyed sharing meals with her family and friends. She is survived by her son and two grandchildren.

1962

John R. Harder died on March 16, 2008. He was a U.S. Navy veteran and had practiced law, primarily in state government, until his retirement from the State Office of Alcoholism and Substance Abuse Services in 1990. He is survived by his wife, Pamela, four children and nine grandchildren, also by two brothers and many nieces, nephews and cousins.

1976



Ellen (Kelly) Carol Baker, of Saratoga Springs, N.Y., passed away on April 19, 2008. After

passing the bar she entered private practice in the law firm that became Pozefsky and Baker in Gloversville, N.Y. She was the second female county district attorney in the history of New York state in 1979, returning to private practice after her term ended. Since 1992, she lived in Saratoga Springs and served on the boards of the Spring Hill Waldorf School and the Saratoga Springs Preservation Foundation. She is survived by her husband, Hunt Sutherland, two children, her parents, three sisters, two brothers and several nieces and nephews.

1982

Mary E. Dreyer, Saratoga Springs, N.Y., passed away Aug. 7, 2008. Mary practiced law in Albany and Saratoga Springs until 1992, when she retired to raise her three children. Mary had a lifelong love and devotion to Lake George and for several years she was executive director of The Fund for Lake George. She was active until her death in environmental causes related to the lake. She was an avid sailor and was also a devoted long distance runner. She is survived by her three children, four sisters and her step-mother.

Kevin A. Conine died unexpectedly on Sept. 11, 2008. He was employed at Harry W. Hawley, Inc. in Delhi, N.Y., as a vice president of title operations. Survivors are his wife, Betty, his son, Jacob, and step-daughters, Julie and Jennifer.

1984



Carol M.
Mitchell
died June 20,
2008. Prior
to graduating
from Albany
Law School,

she attended Lemoyne College. She was an attorney for Maynard, O'Connor and Smith and the State of New York before choosing to be a full-time mother to her three children. She is survived by her husband of 23 years, Joseph D. Mitchell '84, three children, her mother, four sisters, and one brother.



R E P O R T O F G I F T S 2 0 0 7 - 2 0 0 8

THE REPORT OF GIFTS ACKNOWLEDGES THE GENEROUS SUPPORT OF CONTRIBUTORS TO ALBANY LAW SCHOOL DURING JULY 1, 2007–JUNE 30, 2008. EVERY EFFORT IS MADE TO ENSURE ACCURACY OF OUR DONOR LISTINGS. WE REGRET ANY ERROR OR OMISSION; FOR QUESTIONS, CONTACT JAMES KELLERHOUSE, DIRECTOR OF DEVELOPMENT, AT 518-445-3219.



Dear Alumni and Friends,

Thank you for making a difference at Albany Law School. And what a difference it was this year! Total gifts to the law school reached an all time high—\$4.6 million. Your generous support made it possible to offer more financial assistance to our students than ever before.

We feel especially grateful given the uncertain economic climate of the past year. And although we saw a slight decline in our alumni participation rate, we still maintain a high place among other law schools. Moreover, 100% of our faculty and 75% of our staff contributed to the Albany Law School. These are unprecedented numbers and demonstrate the confidence felt by those closest to the school.

In addition, we are most proud of the participation from the Class of 2010. Through their own initiative, the class leaders created the Student Legacy Fund to establish, early on, the tradition of giving back. The class raised \$20,000 at a single event to launch the fund.

I would like to thank Michael Kelton '77 for his leadership of the Albany Law School Fund this past year. As a parent of a recent Albany Law graduate, Michael knows first hand the importance of a strong annual fund and how it benefits our students.

Again, on behalf of the students, faculty and staff of Albany Law, thank you for your continued support.

Thank you again,

Helen Adams-Keane Vice President for Institutional Advancement



Dear Fellow Alumni and Friends:

It was my pleasure to serve as the 2007-2008 National Chair of the Albany Law School Annual Fund. This year we celebrated the accomplishments of our faculty and the caliber of our students as we appealed to you for support for the Fund through phone and mail solicitations, volunteer programs and

the Internet. Thank you for helping us raise close to \$1 million for the Albany Law School Annual Fund.

Over the past three years I have been fortunate to see firsthand the impact the Annual Fund has on the delivery of the fine legal education for which our Law School is known. My son, Justin, graduated in May 2008. His experience at Albany Law School opened my eyes to just how much the institution has changed since my time there. The Albany Law Clinic & Justice Center, the Government Law Center, several Moot Court competitions and an outstanding student life program have enhanced the Albany Law School experience. Our gifts support these curricular enhancements so that all Albany Law School graduates, like Justin, are well equipped to excel in the legal community.

Thank you to all who supported our efforts in 2007-2008. Our graduates, our students and our alma mater are all better because of it. And if you ever have a question about how your gift has an impact on the law school, plan a visit to Albany Law to see firsthand how you make a difference...or better yet, send your children or grandchildren to school there!

Thank you again,

Michael S. Kelton, Esq. '77, P'08

National Chair, Albany Law School Fund

Giving Levels

THE BARRISTER SOCIETY

The Barrister Society recognizes leadership gifts to Albany Law School. It is those gifts that make a great impact on the legal education provided to our students. The Barrister Society levels are named after prominent members of the Albany Law School family whose history, service and philanthropy have shaped the institution Albany Law is today.

The Barrister Society consists of five giving levels designed to recognize gifts of \$1,000 or more in a single fiscal year. Recent graduates of the last 10 years have the opportunity to join the Barrister Society at a reduced rate of giving.

THE DEAN'S CABINET \$10,000 AND ABOVE

Just as the position of Dean is the premier at Albany Law School, members of the Dean's Cabinet are the premier donors to the institution in a given year. Each year, Dean's Cabinet members are listed on a special plaque in the Board of Trustees conference room in the 2000 Building to honor their philanthropy to Albany Law School. The Dean's Cabinet members are subdivided into three philanthropic levels:

DEAN'S CABINET PLATINUM CIRCLE: \$50,000 AND ABOVE

DEAN'S CABINET GOLD CIRCLE: \$25,000-\$49,999

DEAN'S CABINET SILVER CIRCLE: \$10,000-\$24,999

THE JUSTICE ROBERT H. JACKSON 1912 SOCIETY \$5,000-\$9,999

Widely considered one of the greatest Supreme Court Justices in history, Justice Jackson also served as U.S. Attorney General and chief prosecutor for the Nuremburg World War II trials. Donors who give to Albany Law School at this level recognize the need to perpetuate Justice Jackson's legacy ensuring that today's law students receive the best education possible.

THE JUSTICE DAVID J. BREWER 1858 SOCIETY \$2,500-\$4,999

Just three years after graduating from Albany Law School, Justice Brewer began his distinguished career in public service. Serving for 20 years on the U.S. Supreme Court as an Associate Justice, his cases illustrated a strong commitment to the protection of individual liberties as well as international peace. Donors at the Brewer 1858 level also show their commitment to supporting Albany Law School students in their legal endeavors.

THE KATE STONEMAN 1898 SOCIETY \$1,000-\$2,499

Katherine "Kate" Stoneman 1898 was the first female graduate of Albany Law School and the first female to be admitted into the New York State Bar. She was also a lifetime educator and renowned women's rights suffragist. Donors to the Kate Stoneman 1898 Society idealize the values of Kate Stoneman as a pioneer in the field of law and help provide students with the resources to do the same.

GRADUATES OF THE LAST DECADE (G.O.L.D.)

Young alumni within 10 years of graduation may join the Kate Stoneman 1898 Society at a reduced rate:

CLASSES OF 1997-2001: \$500+ CLASSES OF 2002-2006: \$250+

STUDENT BARRISTER SOCIETY

Students in the classes of 2008, 2009 and 2010 who make a gift of \$100 or more become members of the Student Barrister Society.

THE FOUNDERS CLUBS

The Founders Clubs recognize alumni and friends who give to Albany Law School between \$100 and \$999. Named in memory of Amos Dean, Ira Harris and Amasa Parker—the three individuals who founded the Law School in 1851—these founding fathers understood the need to provide a place to formally study law in the Albany area.

THE AMOS DEAN CLUB \$500-\$999

Amos Dean was a graduate of Union College and founding father of Albany Law School. Dean was a noted educator, appointed professor at Albany Law School and was chair of medical jurisprudence at Albany Medical School. He later became the first president of the University of Iowa.

THE IRA HARRIS CLUB

Ira Harris was a graduate of Union College and founding father of Albany Law School. He was also Justice of the New York State Supreme Court and a U.S. Senator. Harris spent the last eight years of his life as a professor at Albany Law lecturing on equity jurisprudence.

THE AMASA PARKER CLUB \$100-\$249

Amasa Parker was a graduate of Union College and founding father of Albany Law School. He had a distinguished career in the New York State Assembly, United States Congress and Justice of the New York State Supreme Court.

The Barrister Society

DEAN'S PLATINUM CIRCLE

\$50,000 and above

DEAN'S GOLD CIRCLE

\$25,000-\$49,999

DEAN'S SILVER CIRCLE

\$10,000-\$24,999

JUSTICE ROBERT H. JACKSON

\$5,000-\$9,999

JUSTICE DAVID J. BREWEF

\$2,500-\$4,999

THE KATE STONEMAN

\$1,000-\$2,499

G.O.L.D. BARRISTER

Classes of 1998–2002: \$500 + Classes of 2003–2008: \$250 +

STUDENT BARRISTER

Classes of 2008-2010: \$100 +

THE FOUNDERS CLUBS
Amos Dean Club

\$500-\$999

Ira Harris Club

\$250-\$999

Amasa Parker Club

\$100-\$249

- * Deceased
- **Denotes a gift-in-kind In-kind contributions of goods and services provide Albany Law School with many vital resources.

The McKinley Society

THE MCKINLEY SOCIETY RECOGNIZES ALUMNI AND FRIENDS OF ALBANY LAW SCHOOL WHOSE CUMULATIVE GIFTS TOTAL \$100,000 OR MORE. THESE, OUR MOST PROMINENT SUPPORTERS, HAVE SET AN EXAMPLE BY THEIR PHILANTHROPY AND HAVE PLAYED A VITAL ROLE IN SHAPING THE FUTURE OF THE LAW SCHOOL AS WELL AS ALLOWING US TO THRIVE AND COMPETE WITH THE BEST LAW SCHOOLS NATIONALLY.

\$1,000,000 AND ABOVE

Madalyn Bellinger-Bryant*
Angela T. Farone*
Magdeline Farone*
Lillian Friedman '58*
M. Sherry Gold, Benjamin D.
Gold '06 & Sari Gold
LexisNexis-Matthew Bender
The A. Lindsay & Olive B.
O'Connor Foundation
Richard D. Parsons '71
Morris Silverman '36*
Harold Slingerland '26*

\$500,000-\$999,999

Anonymous
Robert V. Gianniny '53
E. Stewart Jones Jr. '66
Eleanor Lieberman*
H. Schaffer Foundation
Raymond G. Smith '33*
& Ella Smith*

\$250,000-\$499,999

Mary Bastow*
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Shah, a native of Glen Rock, N.J., graduated from Rutgers University—New Brunswick, with a major in English and minors in history and psychology. At Albany Law, Shah is currently Executive Secretary of the Student Bar Association, a member of the Women's Rugby Club and Phi Alpha Delta.

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Albany Law School Director of Diversity Pershia Wilkins was among the record breaking 75% of the staff who made a gift to Albany Law in 2007–2008. Celebrating her fifth consecutive year of support was important to Wilkins. "I contribute to the Annual Fund because I believe in our mission and very much support our student scholarship fund," she said. "Albany Law School invested in me



Pershia Wilkins

and I feel the need to give back, as every bit donated makes a difference in someone's life—ask any student whose loan burden was reduced because of a scholarship. It is heart warming to see so many of my colleagues reach deep into their pockets in support of our students and our institution."

Wilkins is a graduate of the University of Albany. She began work at Albany Law School 15 years ago, and has worked in three different offices. Prior to accepting her current position as head of the Diversity Office, she was Assistant Director for Student & Recent Graduate Services in the Career Center.

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Beating Cancer, Legac Chases Her Goal: Lawyer by 30

Just before graduating from Boston University, Sita Legac '10 learned she had cancer.

Today, after successful treatment, the Staff Scholarship recipient is well into her second year of law school. With cancer and a spinal fusion behind her, this Glens Falls resident still insists she's "just another law student."



Sita Legac '10

The 28-year-old, who keeps busy with her classes, working on *Government*

Law Review, and a 20-hour-a-week internship with General Electric, is fast-approaching her goal—being a lawyer by age 30.

"After college I knew I needed a job, any job, with health benefits to pay for the cancer treatments," Legac recalled. "I took the first job I got, a receptionist at a law firm." After six months at Casey and Casey, Clifton Park, N.Y., she was elevated to paralegal. "I went through a lot of treatment while there, and the people at the firm were wonderfully supportive," Legac said, noting the support of father/daughter partners Ann J. Casey '85 and Arthur F. Casey '69.

"By this time I knew I wanted to be a lawyer. When I gained my health back, I knew I needed to start the process to reach my goal," Legac said.

Legac still needed to address another medical situation that had caused her years of pain and was keeping her from enrolling: she needed a spinal fusion. At first, she put off the invasive surgery. "Then someone mentioned that if I did not go to law school soon, I would not be a lawyer before I was 30. So within the span of six months I took my LSATs, had my fusion and enrolled at Albany Law School."

Legac likes to point out the things she's thankful for, noting her house in Glens Falls, her beloved pets, her health, and her experience at Albany Law School. "I don't tell my story for sympathy. I share my road bumps because I want people to realize without low points in life you cannot appreciate the high points. I appreciate every day here and know this is where I am supposed to be. All the nonsense I have been through has brought me here and also gave me the insight to appreciate everything."

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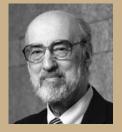
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Proud to Give for 22 Consecutive Years

Stephen Gottlieb, the Jay and Ruth Caplan Distinguished Professor of Law, is proud to be counted among the 100% of full-time faculty who made a gift to Albany Law School in 2007-2008.

Professor Gottlieb's leadership and longevity transcends the classroom and legal arenas, as he has been a financial supporter of the Law School



Professor Stephen Gottlieb

since 1986. "I'm proud," he says. "I'm proud of the school, proud of the way it just keeps getting better, and proud to play a part."

A graduate of Princeton University and Yale Law School, Professor Gottlieb practiced with a New York City law firm, served as assistant general counsel, Legal Services of New York, and as a U.S. Peace Corps Volunteer in Iran before joining the faculty at Albany Law in 1979. He has held chairs for distinguished visitors at Akron, Marquette, Cleveland-Marshall, and Suffolk schools of law.

Professor Gottlieb's most recent book is *Morality Imposed:* The Rehnquist Court and Liberty in America (New York University Press, 2000). He teaches Constitutional Law, Comparative Constitutional Law, Constitutional Convention of 1787, and U.S. Supreme Court Watch. Gottlieb is also a member of the Board of the New York Civil Liberties Union.

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From Omaha to Albany, Scholarship Recipient Plans to Stay

Omaha, Neb., native Alejandro Taylor moved east to study anthropology at Cornell University. Today, after moving through a variety of experiences since then, including an influential time in the Albany Law Clinic & Justice Center, the Staff Scholarship recipient is looking to stay in the Capital Region to serve the personal and business tax needs of clients in the



Alejandro Taylor

areas of tax administration, transaction advising and estate planning.

Before law school, Taylor joined a New York City marketing firm performing qualitative research on branding for Fortune 500 companies. He moved upstate in 2003 to pursue graduate studies at University of Albany in information science, but the job he landed at a small law firm in Hudson, N.Y., helped change his mind. He moved to Albany in 2005 and worked for the AIDS Council of Northeastern New York while applying to Albany Law.

Once at Albany Law, he was drawn to the Low Income Taxpayer Clinic, strengthening his decision to pursue a career in tax law and administration.

A member of the executive boards of the Latin American Law Student Association and OUTlaw, Taylor plans to perform pro bono tax work for underserved populations in the area after he passes the bar.

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James Campbell Matthews, Class of 1870, was the first African-American graduate of Albany Law School and the first black judge in New York State. In 1872, his first major lawsuit resulted in a victory which forced the City of Albany to desegregate its public schools. The professorship named in his honor was funded through an anonymous bequest.

CHRISTOPHER S. CHOW '93 SCHOLARSHIP

The Christopher S. Chow '93 Memorial Scholarship was endowed by Mrs. Mei Y. Chow in memory of her son, Christopher S. Chow. It is intended for students in good academic standing with financial need.

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Recognizing the importance of promoting diversity at the law school, Dean Thomas F. Guernsey and Professor Kathe Klare endowed the Klare-Guernsey scholarship and designated it for underrepresented students as defined by Albany Law School guidelines for diversity scholarships. Students must have financial need and be in good academic standing.

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Beatrice M. Karp, retired Albany Law School staff member, established this prize in memory of her husband, Eugene M. Karp, Class of 1956, in order to support the vision of the law school to provide awards to students who have distinguished themselves in specific disciplines of law. The fund will provide a Commencement prize for the student having the highest standing in the subject of Trusts & Estates.

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Class of 2010 Legacy Fund

In the fall of 2007, members of the first-year class approached the Albany Law School staff with an idea to launch a student philan-thropy initiative to benefit the school. By spring, the idea had grown into the Class of 2010 Legacy Fund. The program, which educates students about the necessity for fundraising to keep the law school strong and provides networking opportunities for those who provide financial support, quickly took on a life of its own. At a two-hour kickoff event at the Fort Orange Club, members of the class secured commitments from a surprising 30% of the class and raised an astonishing \$10,000. Dean Thomas Guernsey and Professor Kathe Klare offered to match all gifts made that evening, leveraging a total of \$20,000. All funds from the Class of 2010 Legacy Fund will count towards the class' senior gift.

Organizers and student trustees of the Legacy Fund hope that subsequent classes will continue this student tradition of "giving back." They also hope that student giving will motivate others. As Robert Salkin '10 said during the kickoff party, "We want our alumni to know how much we value our law school education. We hope that our giving will encourage them to also give."

Special thanks to the Trustees of the Class of 2010 Student Legacy Fund who rallied their class and achieved such success to advance the mission of Albany Law School: Joshua Boone, Jeremy Cooney, Stephanie Hughes, Ken Jello, Amy Ottaviano, Mitchell Pawluk, Meredith Perry, Rob Salkin, Guinevere Seaward, Krupa Shah and Lisa Ugelow.

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Each year Albany Law School awards more than \$4 million in scholarships funded by alumni, friends and other sources. Fellowships and assistantships are also awarded. Deans' and Founders' scholarships are awarded on the basis of academic promise as demonstrated by the candidate's undergraduate grade-point average and LSAT score. Diversity scholarships are awarded to students with unusual backgrounds including those who historically have been underrepresented in the legal profession. These three-year scholarships, established by the Board of Trustees for entering students, honor Justice Kenneth S. MacAffer, former chairman of the Board of Trustees; former deans Andrew V. Clements, Harold D. Alexander, J. Newton Fiero, and Samuel M. Hesson; and Justice Isadore Bookstein, lecturer and former trustee.

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Established by alumni of Albany Law School employed by The Ayco Company of Albany, preference for this scholarship is to students with an interest in tax or tax-related areas who have demonstrated this interest through prior work experience, college and law school course credits, or other means.

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Established in 1994 through a bequest by Mary E. Bastow, in memory of her husband, Judge Bastow, and his mother.

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Created with a grant from the Dewar Foundation, Inc., this scholarship is awarded to deserving students based on their financial need and/or academic merit. Recipients must be graduates of Oneonta, N.Y., Senior High School.

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Established by Elizabeth and Russell Freeman in 1997, this scholarship is designed to assist students with financial need.

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Established in 2006 by M. Sherry Gold with her children, Ben '06 and Sari, in memory of her late husband, this endowment—the largest ever given to the Albany Law Clinic & Justice Center—funds efforts to focus on representation of low-income clients with cancer or other chronic medical conditions. It also provides training on legal rights for clients, advocates, health care staff, physicians, and law and medical students.

JUDGE R. WALDRON HERZBERG '33 AND RUTH MILLER HERZBERG MEMORIAL SCHOLARSHIP

Established by the bequest of Ruth Miller Herzberg, this scholarship is awarded to a student demonstrating financial need.

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Constance Jones was a woman of boundless energy who was devoted to many worthwhile community causes. Upon her passing, her husband, E. Stewart Jones Jr. '66, established this medallion scholarship in her memory. The Constance Jones Scholarship will provide perpetual support to students, preferably women, who live in the Capital Region area.

E. STEWART JONES SR. '35 MEMORIAL SCHOLARSHIP

This medallion scholarship was established by the family and friends of E. Stewart Jones Sr. '35, a distinguished lawyer of national renown whose career spanned 60 years. Jones Scholars will be chosen on the basis of merit with preference given to applicants from Rensselaer, Albany or Saratoga counties.

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Established by bequest of Eleanor Lieberman in 1995 in memory of her husband, Percy Lieberman '25. This fellowship benefits students pursuing public and municipal law.

ARTHUR F. MATHEWS '62

This medallion scholarship honors Arthur F. Mathews '62, former trustee, and preeminent securities law practitioner. It was established by family and friends, with special support from his colleagues at Wilmer, Cutler & Pickering.

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The fellowship, funded through an anonymous bequest, was named in honor of James Campbell Matthews, Class of 1870, the first African-American graduate of Albany Law School and the first black judge in New York State.

THE SINGLETON SCHOLARSHIPS

Established in September 1996, by bequest of Stephanie Singleton Huested in memory of her husband, Harry H. Singleton, Class of 1927. These scholarships provide assistance to Albany Law School students based on financial need and academic merit.

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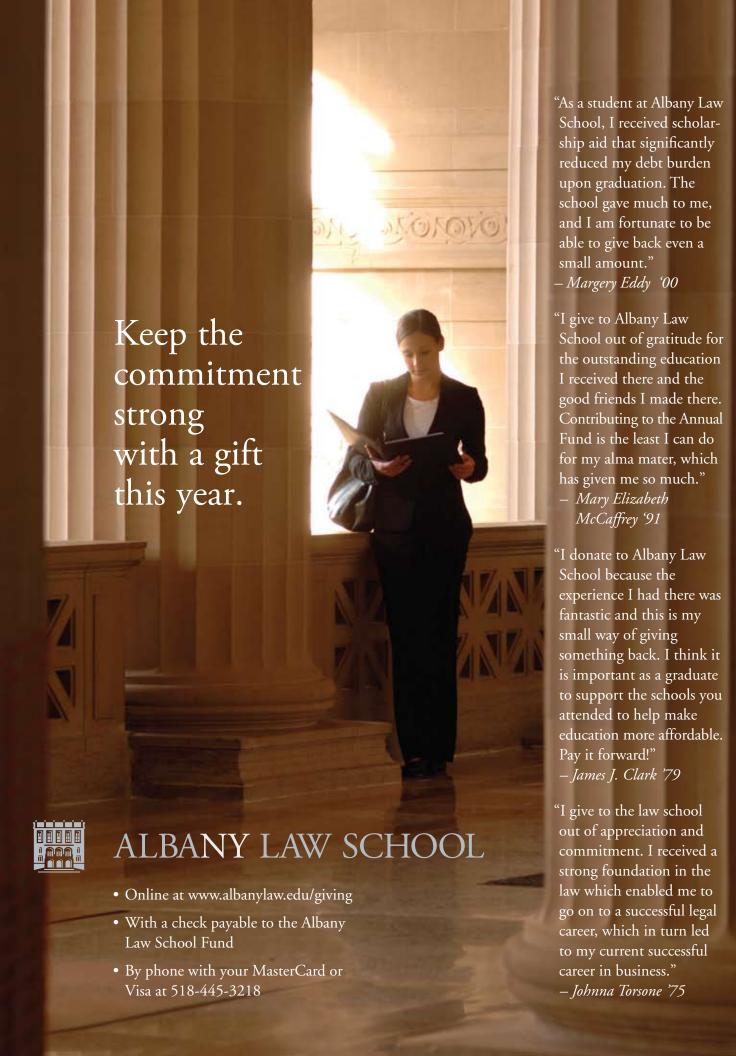
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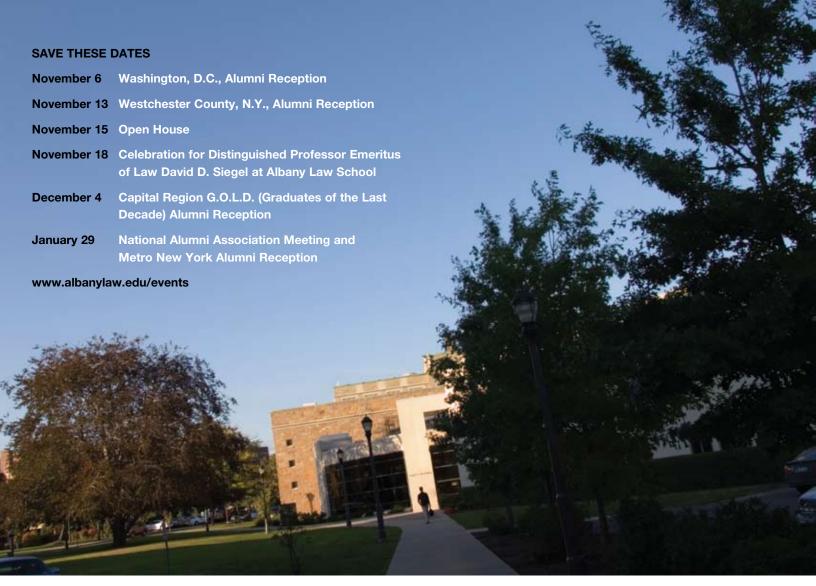
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