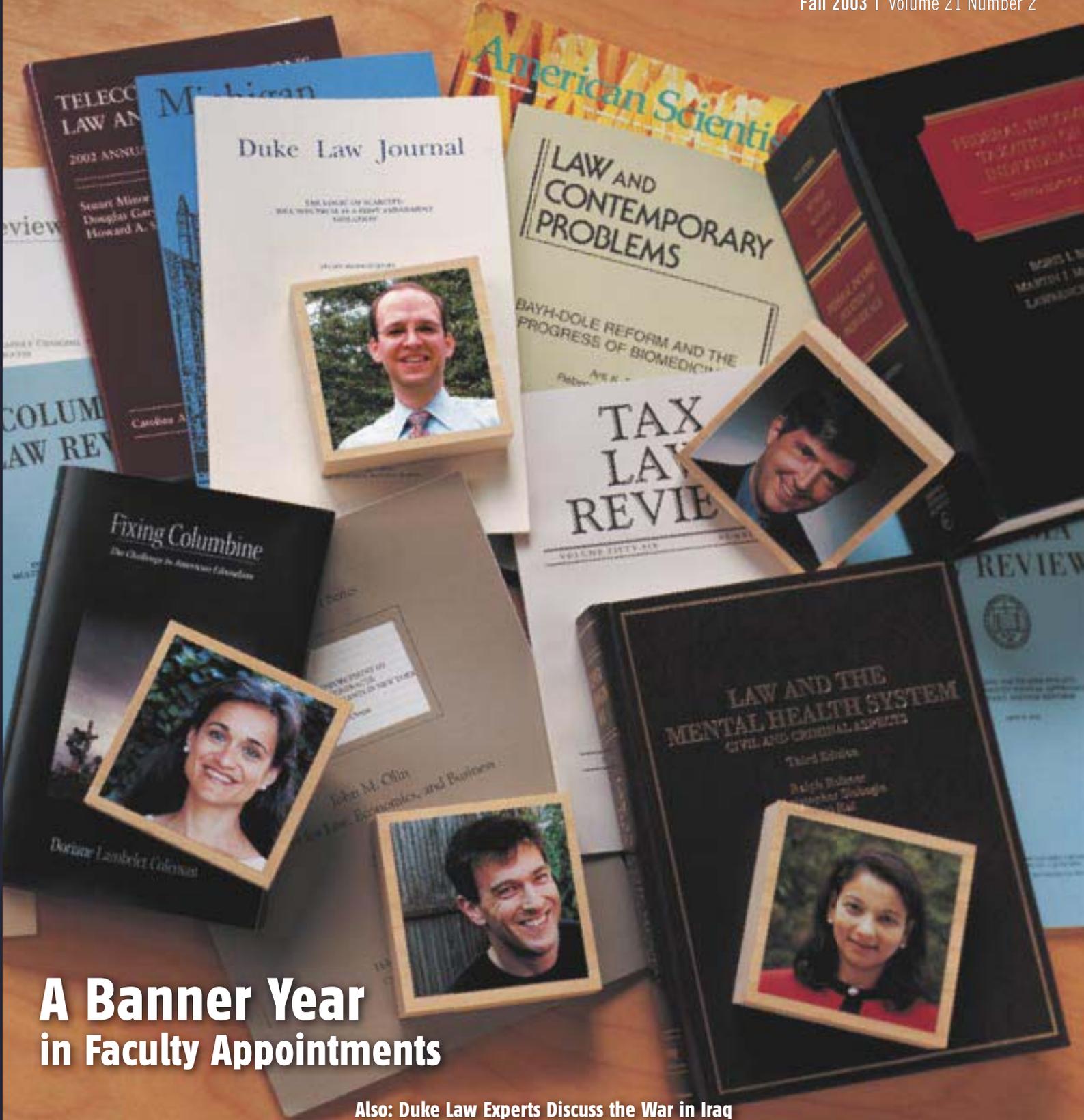


DUKE LAW MAGAZINE

Fall 2003 | Volume 21 Number 2



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A Banner Year in Faculty Appointments

Also: Duke Law Experts Discuss the War in Iraq

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Letters to the Editor

Dear Editor:

Jack Bloom's letter in the spring 2003 *Duke Law Magazine* prompted great memories of the long gone Duke Law cabins.

In 1942 I roomed there with Foster Fludine and later with Mel Taub. The cabins housed 32 students in an arc of four buildings, two on each side of the recreation center, "Equity Hall." Each cabin had a center hall to the bath and shower room and four rooms for two students each. Equity Hall was a great gathering place with its stone fireplace, green leather furniture and outside horseshoe pit.

On a Duke visit in the 1950s I found Equity Hall in a state of disrepair and being used to store lawn-mowing equipment – a sad end. The law cabins and nearby nurses' cabins had been razed.

I will never forget the unique atmosphere the law cabins created for its "Lincolns."

—John W. Bronson

John W. Bronson '44 is a retired probate and juvenile judge. He served six years in Germany with the Army of Occupation and as a Department of Army civilian attorney in the JA sections of 3rd Army, U.S. Constabulary and 7th Army.

Dear Editor:

I am writing to congratulate you on the great spring 2003 edition of the *Duke Law Magazine*. The articles featuring the clinics, pro bono projects, and public interest programs were well-written and informative.

I found it particularly impressive that public interest work and opportunities were featured so prominently since Duke has a reputation for emphasizing high-powered careers in financially rewarding placements. As a Duke Law graduate who has spent almost 30 years in public service work, I am proud to see that my law school also encourages and supports those of us who have chosen careers in which we help to better the lives of individuals with neither money nor power.

Having devoted a large part of my legal career to the representation of indigents

accused of crime and facing a potential death sentence, I found the feature on the Death Penalty Clinic so interesting. In addition, the profile of my long-time friend and colleague Debbie Greenblatt ['80] was just as inspirational as Debbie is in person.

I sincerely hope that we will continue to see more of this emphasis at Duke Law School on public interest programs and careers. I congratulate you again on a wonderful edition of the magazine.

—Mary Ann Tally

Mary Ann Tally '74 is the director of the Trial Assistance Unit of the non-profit law firm, the Center for Death Penalty Litigation, in Durham. She is also associated with her husband John at Tally and Tally in Fayetteville.

Dear Editor:

Kudos to Duke Law for devoting the energy and resources to developing such great clinical and public interest programs! How wonderful to pick up the spring 2003 edition of *Duke Law Magazine* and see that it was devoted to clinical and public interest programs.

I participated in the AIDS Clinic and other public interest activities while at Duke, and they were, without a doubt, the most practical, useful and rewarding parts of my education. It was always a source of frustration for me that there were not more programs like the AIDS Clinic and Death Penalty Clinic to give me more hands-on experience in school. It was fantastic to read about the variety and number of clinics as well as all of the other opportunities to become involved in pro bono and public interest activities.

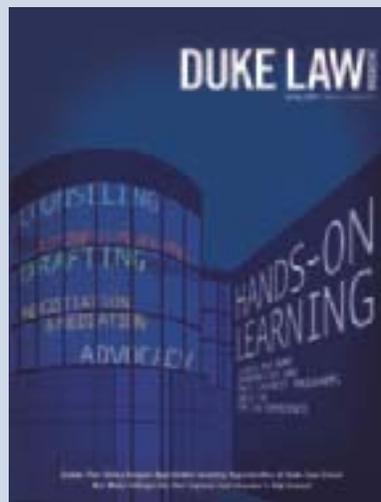
As one of the articles pointed out, many people going in to law school do not have a clear idea what kind of law they want to practice upon graduation. As with most activities, the best way to figure out if you like something is to try it, and that is exactly what the clinical and public interest activities allow students to do. The magazine made clear the positive impact the clinical and public interest programs have on students, alumni and, most importantly, the clients they serve. The

articles and interviews were well done and emphasized the importance of participating in these types of activities.

It is great to see so much change in such a short period of time. I hope Duke continues to make clinical and public interest activities a priority: they benefit everyone.

—Megan Carlyle

Megan Carlyle '98 is an associate with Wilmer, Cutler & Pickering in Washington, D.C.



Available Online At:
<http://law.duke.edu/news/publicat.html>

Letters to the Editor

Duke Law Magazine welcomes letters to the editor. Please email submissions to goldstein@law.duke.edu, or mail to Jonathan Goldstein, assistant director of communications, Duke Law School, Science Drive and Towerview Road, Box 90362, Durham, NC 27708-0362. Letters must include the author's name, address, daytime phone number and email address, should be no longer than 500 words and may be edited.

{ News Briefs

Justice Sandra Day O'Connor, “Just wanted to make a difference,” She Explains in *Great Lives* Interview

In a wide-ranging dialogue with Duke Law Professor Walter Dellinger, Justice Sandra Day O'Connor told an audience of hundreds in the Duke Law Library on March 18 about her rough-and-tumble youth during the 1930s on the Lazy-B Ranch in the Arizona desert, her efforts to find work after graduating as a top student from Stanford Law School, her habit of making the most of opportunities she received in law practice and politics, and her experiences as the first woman to serve on the U.S. Supreme Court.

Often during the discussion, part of the School's *Great Lives in the Law* series, Justice O'Connor returned to the idea of public service, a theme that first piqued her interest in law when she was an undergraduate at Stanford University. A professor at the university convinced a young Sandra Day, who was taking an undergraduate law class, that she could do great things for many people through the law.

“I loved that class and the professor was incredible,” Justice O'Connor said. “He said you can go out there and by your actions and interest alone you can meaningfully affect your community.” As she noted throughout the interview, “I just wanted to make a difference.”

Stanford Law School saw promise in the well-read, inquisitive young woman who had learned to ride a horse, drive a truck and shoot a rifle by the time she was 8 years old, and she was invited to join the handful of women then attending the law school. She graduated in just

two years, having served on the *Stanford Law Review*, earning membership to the Order of the Coif, and finishing third in her class of 102 – two places behind William Rehnquist, now her colleague on the Supreme Court.

Throughout the talk, Justice O'Connor displayed the folksy humor, pragmatism and straightforwardness that have marked her 22 years on the Court. She also discussed the self-sufficiency that was a hallmark of life on the remote ranch in the high desert. Those qualities, along with the knowledge that someone had to pay the grocery bills while her

husband completed law school, helped sustain her as she looked for work in a male-dominated field after her graduation from Stanford Law in 1952.

“I was so naïve,” she said of her initial job search, noting that one firm she had applied to asked if she would take work as a secretary. “I never thought for a moment that I'd have trouble getting a job. But I couldn't get an interview.”

Finally, she found a position as deputy county attorney for San Mateo County in California. Though not her first choice, the job proved to be a blessing, offering work representing a variety of county agencies and officials in many aspects of their work running the local government. Some of her former Stanford classmates, who had taken jobs with big law firms, were doing much less interesting work, she said. “This was heady stuff,” she said. “So I was pretty happy with my job.”

She wasn't there long, though. Her husband, John O'Connor, joined the Judge Advocate General's Corps after his graduation, and the two were sent to Frankfurt, Germany, where Justice O'Connor became a civilian lawyer for the Quartermaster's Corps. The couple returned to Phoenix in 1957, where



JUSTICE SANDRA DAY O'CONNOR VISITS DUKE LAW SCHOOL AND ENGAGES IN A PUBLIC DIALOGUE WITH PROFESSOR WALTER DELLINGER



JUSTICE SANDRA DAY O'CONNOR

“The nation was surprised, but not nearly as surprised as the nominee,” said Justice O’Connor, who described herself as “the first cowgirl on the Supreme Court.”

Justice O’Connor, with a single partner, opened a storefront law firm.

After the birth of Justice O’Connor’s second child, the family’s babysitter moved to California and Justice O’Connor, who eventually had three sons, decided to stay home to care for her family. But her time away from the office was far from idle. She exercised her legal knowledge through volunteer work in a variety of settings, from juvenile courts to the planning and zoning commission and the local Republican Party.

As it turned out, the political work paid major dividends when Justice O’Connor was appointed to the Arizona

State Senate in 1969 to fill a vacancy. She then won two elections to stay in the seat, and in 1972 she became the first woman in the United States to rise to the level of state senate majority leader. Justice O’Connor credits her ascension to that post partially to the fact that she was one of just two lawyers in the state senate, which positioned her to play a key role in developing and shepherding legislation. “I guess they decided they’d give it a whirl,” she said.

Although approached to run for governor, O’Connor declined, she said, not wanting to run a statewide campaign with three children at home. That deci-

sion left her free to pursue other opportunities and, in 1974, she won a judgeship on the Maricopa County Superior Court. In 1979, Arizona’s Democratic governor made her his first appointee to the Arizona Court of Appeals. Less than two years later, President Ronald Reagan nominated her to the Supreme Court to replace the retiring Justice Potter Stewart. The U.S. Senate confirmed the nomination in 1981 by a vote of 99-0.

“The nation was surprised, but not nearly as surprised as the nominee,” said Justice O’Connor, who described herself as “the first cowgirl on the Supreme Court.” At first, she wasn’t sure how to react to President Reagan’s phone call and the unprecedented opportunity before her. She wondered if she had adequate experience and, as the first woman to be nominated, she felt tremendous pressure to succeed. “It’s OK to be the first, but you don’t want to be the last,” she said.

Justice O’Connor soon found her own voice on the Court, writing concurring opinions that helped narrow the scope of many decisions to the matter at hand and preventing sweeping changes to the legal landscape. This approach was not as obvious or inevitable as it might seem. “In 1981 it seemed pretty well established that if you didn’t want to go along, fine – you dissented or wrote a separate opinion.”

Professor Dellinger noted that Justice O’Connor has won praise for her pragmatism and also been criticized for sometimes offering an opinion without stating a broad, clear statement on the law in question. He then asked how she responds to such statements. “I don’t,” she said. “I just decide the next case.” In making her own decisions, Justice O’Connor said her method is to prepare fully for each case by reading everything available on the upcoming topics including all of the legal briefs. Then begins a process of discussion with law clerks, followed by written communications with fellow Justices that help set a direction. “The most common way of working

something out is to write to everybody and to get feedback,” she said. Oral arguments can sway the Court away from an initial leaning on an issue, she added, “but it’s not the usual.”

Justice O’Connor was well prepared for Professor Dellinger’s question about how she’d like her time on the Court to be remembered. “Oh, the tombstone question,” she said, grinning. “I’d like it to say ‘Here lies a good judge.’”

The *Great Lives* series, sponsored by the Duke Program in Public Law, invites to the School lawyers and judges whose lives have been distinguished by substantial legal accomplishments, to reflect on the paths they followed in their careers.

Justice O’Connor was the third Supreme Court Justice to visit Duke Law in an 11-month period. Chief Justice Rehnquist’s inaugural *Great Lives* speech was in April 2002, and Justice Anthony M. Kennedy participated in classes and spoke to students and faculty at the School in November of that year. ♣

Justice O’Connor was well prepared for Professor Dellinger’s question about how she’d like her time on the Court to be remembered. “Oh, the tombstone question,” she said, grinning. “I’d like it to say ‘Here lies a good judge.’”

Jack Valenti Cites “Theft” of Movies in Third Annual Meredith and Kip Frey Lecture in Intellectual Property

Speaking at Duke Law School’s Third Annual Meredith and Kip Frey ’85 Lecture in Intellectual Property on Feb. 24, Jack Valenti, president and CEO of the Motion Picture Association of America, described the growing phenomenon of people illegally downloading movies from the Internet as both a moral challenge and a grave economic threat to the movie industry.

“One value says, ‘Digital technology gives me power to roam the Internet; therefore, whatever is available I can take, no matter who owns it,’” Valenti said. “The other value says, ‘The fact that digital technology gives me power to use doesn’t make it right for me to use it wrongly.’ That is where the collision of values takes place.”

Researchers estimate that as many as 600,000 movies are illegally downloaded every day, many of them by college students. This costs the industry, which relies heavily on videotape and DVD rentals and sales to make films profitable, billions of dollars per year, Valenti said. Throughout his speech, Valenti likened the downloading or illegal copying of movies to theft of any other items.

“Students would never enter a Blockbuster store and with furtive glance stuff a DVD inside their jacket and walk out without paying,” he said. “They know that’s shoplifting, they know that’s stealing Then why would those same young leaders-to-be walk off the Internet with a movie inside their digital jacket? Why? Is it because digital shoplifting is at this moment a ‘no-risk’ activity?”

Valenti spent much of his speech discussing morality and responsibility. He called upon academics to reinforce the idea that taking property – intellectual or

otherwise – without paying for it is wrong. “I am pleased to report the movie industry is now meeting with a committee representing the nation’s colleges and universities,” he said. “The objective of these meetings is to urge the construction of a Code of Conduct for students when they use the university broadband system, a Code of Conduct solely within the confines and the authority of the university.”

He summed up his speech by talking about the great power and responsibility conferred on users of the Internet. “The digital world has the capacity to unlock knowledge hidden behind doors previously only partially open, and mostly closed to all but a few,” Valenti said. “What is yet to be put in place is a clear understanding of how to conduct yourself when you have digital power available to you that you will not use because it causes injury to others.” A lively question and answer period followed Valenti’s lecture. ♣



JACK VALENTI

Student-Organized Intellectual Property Symposium Highlights Technology, Challenges Assumptions

The Second Annual Hot Topics in Intellectual Property Symposium, held at Duke Law School on March 21, joined nine speakers from private practice and from all three branches of government to discuss current issues in copyright and patent law. More than 70 legal practitioners, faculty members and students participated.

The Hot Topics Symposium was organized by the student-run Duke Intellectual Property and Cyberlaw Society (IPCS). “In organizing this event, we tried to bring together a viewpoint-diverse line-up of speakers,” said IPCS President Mike Koenig ’04. “On the morning copyright panel, for example, we brought in both high-protectionists and low-protectionists in order to give a balanced perspective and to spark some stimulating debate. For the afternoon patent session, we tried to achieve an analogous balance by having two cutting-edge case law discussions and two ‘nuts and bolts’ discussions.”

One panel discussion examined the limits of copyright law, and explored whether expanded copyright protection impedes new efforts of creation. “Copyright law only covers an individualized expression of an idea, not the idea itself,” said Alec French, counsel on the House Judiciary Subcommittee on Courts, the Internet, and Intellectual Property. French and Dean Marks, senior counsel for intellectual property at AOL Time Warner, responded to concerns about the effects of the Digital Millennium Copyright Act and technological protection measures on fair use.

Copyright law pioneer and University



“Why has personal use as a constitutional right not been acknowledged?” asked Patterson. “The reason is that it was an integral part of copyright from the beginning; it has always been assumed but not articulated.”

of Georgia School of Law Professor L. Ray Patterson raised the novel theory that personal use of copyrighted material – copying for private, non-commercial use – is protected by the First Amendment. “Why has personal use as a constitutional right not been acknowledged?” asked Patterson. “The reason is that it was an integral part of copyright from the beginning; it has always been assumed but not articulated.”

Joseph M. Beck, a partner at Kilpatrick Stockton in Atlanta, played extensive media clips to illustrate his discussion of the fair use and parody exceptions in copyright law, including Roy Orbison’s “Pretty Woman” back-to-back with a “transformative” parody of that same song by the band 2 Live Crew. The Honorable Stanley Birch of the United States Court of Appeals for the 11th Circuit discussed the utility of copyrights for lawyer-produced work product. The panel was moderated by Duke Law Professor David Lange.

French commented on the copyright panel. “Listening to Professors Lange and Patterson describe the development of the transformative use doctrine from ancient law review articles to judicial footnotes to Supreme Court precedent was riveting.”

Discussion during the patent session ranged from recent Supreme Court decisions on patent law and procedure to tips on succeeding at the trial level. Speakers included David Long, counsel at Howrey Simon Arnold & White in Washington, D.C.; Nicholas P. Godici, commissioner for patents, U.S. Patent and Trademark Office (USPTO); James Lampert, a partner at Hale and Dorr in Boston; and the Honorable Terrence W. Boyle, chief judge for the Eastern District of North Carolina.

Godici, who also has served as acting director of the USPTO since his appointment as commissioner in 2000, is leading the USPTO’s transition to an all-electronic patent application process. “We live in a paper world and need desperately to move to an electronic world,” he said. Godici also has pushed for the USPTO to strengthen credentialing of primary patent examiners by requiring them to take the patent bar exam.

Sponsors of the symposium included the Center for the Study of the Public Domain at Duke, Professor Lange, the law firm of Myers, Bigel, Sibley & Sajovec, the Duke Graduate and Professional Student Council, the Duke Bar Association, the Duke Law Wine Club, and the *Duke Law & Technology Review* ♪

Authorities Agree One Size Does Not Fit All in Professional Sports

Some of the top experts and practitioners from the world of sports gathered at Duke Law School on April 14 to discuss topics such as controlling the costs of running a professional franchise, minority participation in sports management, and the increasingly international nature of sports in America. The conference, called “Challenges and Opportunities for Professional Sports in the 21st Century,” was sponsored by the Law School’s Center for Sports Law and Policy. Paul Haagen, professor of law and co-director of the Center, organized the conference with help from Duke Law students Teddy Werner ’03 and Eddie Moss ’02.

The panelists, some of whom are Duke Law graduates, ranged from player representatives and coaches to league officials, team owners or former owners. They included:

- Tom Werner, chairman and owner of the Boston Red Sox;
- Robert Manfred, executive vice president of labor relations & human resources for Major League Baseball;
- Gene Orza, associate general counsel of the Major League Baseball Players Association;
- Mike Krzyzewski, Hall of Fame coach of the Duke Blue Devils men’s basketball team;
- Arn Tellem, president of SFX Basketball, executive vice president of SFX Baseball and the former general counsel of the Los Angeles Clippers;
- Lon Babby, partner and head of the sports representation group at Williams & Connolly, Washington, D.C. and the former general counsel of the Baltimore Orioles;
- Ken Rosenthal, senior writer at *The Sporting News*;
- Len Simon ’73, partner at Milberg Weiss Bershad Hynes & Lerach, San

Diego and owner of the Lake Elsinore Storm (San Diego Padres Single-A team); and

- Bobby Sharma ’98, director of legal & business affairs for the National Basketball Development League.

“The conference was a great success,” said Haagen. “I had hoped that we at Duke could create an opportunity for the very talented people who are intimately involved in the day-to-day running of professional sports to step back and reflect on their industry. We did.”

Discussion centered on how the professional sports leagues could promote competitive balance among and the financial viability of their member clubs, what teams and leagues can and should do to encourage the inclusion of minorities in management positions, and what the increasing globalization of the sports marketplace will mean for North American professional sports leagues.

The panelists agreed that no single model of cost control was appropriate for all sports. Whatever strategy is adopted needs to be consistent with the culture and economics of that sport.

Most of the panelists agreed that last year’s labor agreement between Major League Baseball’s players and owners, which called for a “luxury tax” to supplement revenue sharing between richer and poorer teams, would make for a more competitive sport. “I think the amount of revenue sharing we do has contributed mightily to competitive balance,” Orza said.

But he and other participants noted that wealthier teams, such as the New York Yankees, still have vast advantages. Estimates put New York’s payroll in the \$150 million range this year, with some teams spending only a half or a quarter of that figure despite revenue sharing. That payroll advantage allows the Yankees and few other wealthy organizations to create deep, powerful teams that can withstand injuries and other episodes of bad luck, Orza said. “There is no question the Yankees possess advantages the Kansas

“There is no question the Yankees possess advantages the Kansas City Royals could never even dream of,” Rosenthal said, adding that baseball could take additional steps to even the financial playing field.



ROBERT MANFRED AND GENE ORZA ADDRESS COST CONTROL IN PROFESSIONAL SPORTS

City Royals could never even dream of,” Rosenthal said, adding that Major League Baseball could take additional steps to even the financial playing field.

The radically different approach of the NBA, noted Tellem and Babby, may not solve the competitive balance problem any more effectively. In fact, largely because of its salary cap structure, the NBA may lock non-competitive teams into a cycle of poor performance as they struggle to overcome problems such as injuries and under-performing players.

Regarding diversity in sports, panelists asserted that the race of managers and



owners should better reflect the makeup of the communities teams inhabit.

However, they disagreed over whether commissioners’

offices or other authorities should require any particular racial quotas. Manfred said he was happy to see the number of minority managers and executives rise in baseball but added that the commissioner’s office does not have the authority to tell teams whom they can hire. “We’re not in a position to dictate,” he said.

Tellem and Orza suggested that leagues should consider various incentives or even penalties to encourage diversity in hiring, with Sharma cautioning that leagues must take great care in their choice of incentives. Allocating draft picks based on diversity goals, for example, could improperly and immediately affect on-field competition.

When the panel turned to the issue of American sports becoming international sports, Krzyzewski noted that the creation of the 1992 U.S. Olympic basketball team, of which he was an assistant coach, cemented the NBA as a worldwide organization. “That was one of the major moves in all of sport in terms of creating a worldwide market,” he said. Baseball, Manfred noted, already has a heavily international labor force. “In cooperation with the players association, we are actively exploring creative ways of extending our markets beyond the U.S.,” he said. ♣

LENS Conference Examines Rationale for Iraq War, Prospects for Peace

With military victory in Iraq virtually assured and post-conflict reconstruction under way, Duke Law School’s Center on Law, Ethics and National Security (LENS) hosted a major conference on April 10 and 11 exploring some of the central legal and policy issues stemming from the hostilities and efforts to rebuild the country.

The conference, held at the Washington Duke Inn and titled “Confronting Iraq: Legal and Policy Considerations,” featured a wide range of prominent academics, national commentators and policy makers, including His Excellency Dr. Hussein Hassouna, the ambassador of the League of Arab States to the United States; C. Dean McGrath Jr., deputy chief of staff to Vice President Dick Cheney; Terence Taylor, president and executive director of the International Institute for Strategic Studies; J. Scott Carpenter, deputy assistant secretary of state for Democracy, Human Rights and Labor; and U.S. Air Force Brig. Gen. Charles Dunlap, the senior attorney for Air Combat Command.

The conference was organized by Duke Professor of the Practice of Law Scott Silliman, executive director of LENS. In addition to Silliman and other guests, several Duke Law professors were among the panelists, including Robinson Everett, who founded the Center, H.B. Robertson, Michael Byers, Madeline Morris and Joost Pauwelyn.

“We had more than 200 people attending this conference, with a large contingent of undergraduate and graduate students who actively participated throughout both days,” Silliman said. “That was especially gratifying to us as we always seek to have our university students involved in our conferences to the greatest extent possible.”

Each of the five panels during the two-day gathering was designed to highlight differing views on such contentious issues as whether weapons inspections still were viable when dealing with a country bent on hiding its weapons of mass destruction; whether a policy link exists between the conflict in Iraq, the Arab-Israeli conflict and overall stability in the region; whether the United States’ reliance on pre-emptive self-defense as a legal justification for invading Iraq comported with international law; whether it was possible or even advisable to establish a new democratic regime in Iraq; and whether war crimes trials against the Iraqi military and governmental leadership should be undertaken, and by whom.

Although many of the conference speakers referred to the “Arab view” with regard to these issues, Silliman was particularly pleased that Ambassador Hassouna was able to speak authoritatively for his constituency. “Whether you agreed with him or not, you had to concede that he spoke with the imprimatur of the League of Arab States,” said Silliman.

“There was quite an impassioned debate among the panelists on the pre-emptive self-defense issue,” Silliman added. Some suggested it is problematic because it could be used by any country against any other country, while others believed it is absolutely necessary in a world in which rogue states and terrorist groups might gain access to weapons of mass destruction.”

In addition to LENS, the conference was co-sponsored by the Law School’s Program in Public Law, the Terry Sanford Institute of Public Policy, the Kenan Institute for Ethics, the Global Capital Markets Center, the Center for European Studies and the Triangle Institute for Security Studies. ♣

International Law and Economics Experts Discuss Challenges of a Globalized Intellectual Property System

Duke Law School's Center for the Study of the Public Domain hosted a major law and economics conference on "International Public Goods and Transfer of Technology under a Globalized Intellectual Property Regime." This conference, April 4-6, focused the attention of 70 leading economic and legal experts on the worldwide picture that is emerging from the strengthening and expansion of international intellectual property rights since the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) of 1994.

In recent years, intellectual property-developing industries have pushed for stronger and more harmonized intellectual property rights within the global economy. While this drive seeks to foster greater innovation, many have raised concerns that it will actually retard economic and technological development by hindering future innovation and healthy competition, shrinking the public domain and impeding international access to essential goods and services covered by intellectual property. Patents may raise the costs of medicines, copyrights may affect the access of libraries and students to new information, and private ownership of new seed varieties may reduce biodiversity, even as these policies raise incentives for innovation. A "one size fits all" model of intellectual property rights may particularly harm developing countries, as well as small- and medium-sized firms and researchers everywhere.

"Thus far, global intellectual property rights have been pushed forward with insufficient attention to the balance of public and private interests that traditionally underlies both intellectual property rights and the national systems of innovation they support," explained Jerome Reichman, Duke Law professor and co-organizer of the conference. "This was

the first major conference to examine, from both a legal and economic perspective, how a globalized intellectual property regime can take account of the larger public interest, minimize social costs and enhance benefits to all countries."

Among the conference participants were leading economists, political scientists, trade specialists and legal scholars, in addition to representatives of such organizations as the World Intellectual Property Organization (WIPO), World Trade Organization, United Nations Conference on Trade and Development, World Bank, Consumer Project on Technology, Quaker United Nations Office, and South Centre. "The conference brought together an extraordinary roster of experts, and the level of interest and participation was exceptionally keen," said Reichman. The conference also attracted a distinguished group of attendees, including eminent scholars as well as representatives of organizations such as WIPO, World Bank, United Nations Development Program, Industry Canada, Social Science Research Council, American Association for the Advancement of Science, Microsoft Corporation, and Syngenta Foundation.

Conference participants both refined existing approaches and delivered fresh ideas on how to establish a workable balance between public and private interests in a wide and crucial range of areas, including health, agriculture, competition, technology transfer, development and culture. The conference generated important insights

into topical issues, including how the global intellectual property system can encourage drug companies to develop new drugs while also providing these drugs to the citizens of developing countries at affordable costs; how to improve and sustain the transnational flow of scientific and technical information necessary for research and technological development; and how developing countries might commercially benefit from traditional knowledge and cultural products without unduly restricting access to communal resources.

The conference ultimately confirmed that intellectual property is increasingly an international rather than a national issue, and that international intellectual property policy will determine the ability of developing countries to further technical progress, economic growth and welfare, as well as the continuing ability of firms in developed countries to innovate in a more protective global environment.

The conference was organized by Reichman, the Bunyan S. Womble professor of law at Duke Law School, and by Keith Maskus, professor and chair of the Department of Economics at the University of Colorado at Boulder and former lead research economist at the World Bank. It was funded by the John D. and Catherine T. MacArthur Foundation, the Rockefeller Foundation, the Center for the Study of the Public Domain at Duke, the Center for the Public Domain, and the McGuire Center for International Studies at the University of Colorado. ♣



SUZANNE SCOTCHMER PRESENTS AT THE TRIPS CONFERENCE

Dr. Leon Kass Takes Strong Stand Against Human Cloning in Second Annual Siegel Lecture

Leon Kass, chair of the President's Council on Bioethics and Addie Clark Harding Professor in the Committee on Social Thought and the College at the University of Chicago, delivered the second annual Rabbi Seymour Siegel Memorial Lecture in Ethics at the Law School on Feb. 4.

With repeated references to Aldous Huxley's *Brave New World* – a 1932 novel that portrays a future humanity descending into soulless mediocrity through genetic manipulation and other applications of biological sciences – Kass offered a scorching indictment of all efforts to clone human beings. In a speech titled "Preventing a Brave New World: Why We Should Ban Human Cloning," Kass advocated for both national and international

regulations to prevent such cloning.

"We are compelled to decide nothing less than whether human procreation is going to remain human, whether children are going to be made to order rather than begotten, and whether we wish to say 'yes' in principle to the road that leads to the dehumanized hell of *Brave New World*," Kass said.



DR. LEON KASS

Kass said most people who are polled find the prospect of human cloning repugnant, which in itself should serve as a warning against the practice.

Kass voiced opposition to cloning for genetic research as well, noting that it would be impossible to control the use of cloned embryos once they are produced.

His solution to the problems presented by cloning is simple in theory: ban the practice. Kass advocates both a national and international ban on human cloning in all forms. Bans might occasionally be violated, of course, but they would curtail the practice.

Kass acknowledged that a ban someday could be proven unenforceable or wrong. If that's the case, it later could be reversed. But a ban of the practice now would require proponents to convincingly prove their case before it could be overturned. "Surely it is only for such a compelling case, yet to be made or even imagined, that we should wish to risk this major departure – or any other major departure – in human procreation," he said.

The Siegel Lecture grew from an annual moot court competition established in 1989 by Duke Law alumnus and Senior Lecturing Fellow Allen Siegel '60, to honor his brother, Rabbi Siegel. Rabbi Siegel, who died in 1988, was a noted scholar in the areas of ethics and theology. The lecture series is made possible by support from Allen Siegel. ♣

Duke Law Relocates Asia-America Institute in Transnational Law to Japan for Summer 2003

Responding to the SARS epidemic of early 2003, Duke Law School relocated its summer Asia-America Institute in Transnational Law from the University of Hong Kong, where it had been since 1995, to Kyushu University Law Faculty in Japan's southwestern city of Fukuoka. Course dates and fees were unchanged.

"Kyushu University has several virtues for the summer institute," said Judy Horowitz, associate dean for international studies. "It has the only LLM program taught completely in English at a Japanese university, and for that reason it has a large staff of professors who can teach and give special presentations at the institute. The location offers students the chance to experience traditional Japanese culture as well as the amenities of a modern city. Fukuoka also is a favorite city of many of our alumni who recommend it highly. Our Japanese alumni are hoping that the summer institute will return to Japan in future summers."

The four-week institute included 45 participants from around the world, including Duke Law JD, JD/LLM, and incoming LLM students, advanced law students from a multitude of countries, and judges, academics and other

professionals. Duke Law faculty teaching at the institute included Professor Trina Jones, Assistant Dean for International Studies Jennifer Maher and Professor Joost Pauwelyn. Professor Donald Horowitz, Dean Judy Horowitz and Lisa Wechsler, director of special international projects, oversaw and managed the program. Summer institute faculty came from such diverse locations as Australia, Belgium, Canada, England, Korea, Japan, Malaysia, South Africa, and the United States.

A distinctive feature of the Institute's academic program was the series of special interactive seminars led by experts from the Kyushu University law faculty on Japanese legal, political and cultural traditions. These seminars were supplemented with visits to local law firms arranged in cooperation with the International Law Division of the Fukuoka Bar Association. Through the efforts of Japanese alumni, eight Duke Law students obtained summer internships at law firms in Tokyo and Osaka prior to the start of the institute.

For additional information, please see the program website at <http://www.law.duke.edu/internat/hkg/>.

CALI Conference Fills Law School for High-Level Technology Discussions

Four hundred technologists, faculty members and librarians from more than 135 law schools attended the 13th CALI Conference for Law School Computing held at Duke Law School from June 19 to 21. The annual conference, sponsored by the Center for Computer-Assisted Legal Instruction, focuses on the use of technology in law schools.

Tracy Futhey, Duke University's chief information officer and vice president of information technology, gave the opening plenary talk. Futhey addressed the convergence of important factors that influence technology's impact in education: environment, savvy users, widespread and pervasive technology. She examined both positive and negative impacts of technology: increased communication among faculty and students as an example of the former, exponential growth of spam, or unwanted email, as an example of the latter. She noted that academic institutions are serving as living laboratories for the integration of new technologies into society and concluded, "There remain more good than bad developers out there who are helping to make sure safe options eventually win out."

The second plenary session was presented by Paul Duguid, research specialist in social and cultural studies in education at the University of California, Berkeley and John Seeley Brown, co-author of *The Social Life of Information*, published by Harvard Business School Press in 2000. His article, "The Social Life of Legal Information: First Impressions" appeared in the online journal *First Monday* in September 2002. Duguid used the theme "The Devil is in the Context." Context, communication and community all affect the use of technology and the interpretations one makes of the information technology helps deliver, he said. Throughout

his talk he related several examples of modern and historical cases in which understanding context is crucial to determining information relevance. Duguid closed with the note that context can be both constraint and resource.

Sessions throughout the conference addressed a wide range of issues facing law schools in their application of technology. These included a debate on the pedagogical value of live Internet access in the classroom, the growing need for instructional technologists, IT security and the design of modern courtrooms.

Several Duke Law staffers presented sessions at the conference. Ken Hirsh, director of computing services and organizer of the conference, Melanie Dunshee, head of reference services for the Law Library, and Wayne Miller, director of educational technologies, discussed the evolution of the Law Library to an information services department that provides traditional and electronic resources, educational technologies in the classroom, and computing and network

services to the entire Law School. The technological underpinnings of file sharing services and the laws attempting to control them were the subjects of a session led by reference librarians Mike Hannon and Valerie Weis. Miller, Web Services Coordinator Nicholas Drury, and Director of Communications Diana Nelson gave an overview of the recent redesign of the Law School's website. Christopher Schroeder, Charles S. Murphy Professor of Law and Public Policy Studies, participated in a discussion of the U.S.A. Patriot Act, and Professor of Law Thomas Metzloff discussed his project for extending distance learning to Chinese law schools.

John Mayer, CALI's executive director, judged the entire event a great success. "It was simply the smoothest running conference in all 13 years of CALI conferences," he said. "The Duke team really stepped up and delivered."

Hirsh, who had been planning the conference for two years in addition to his other duties, said he was pleased with the outcome. "I wanted to host the conference for two reasons," he said. "To showcase our talented information services staff and technology infrastructure and because I thought it would be nice to have '400 friends' over."

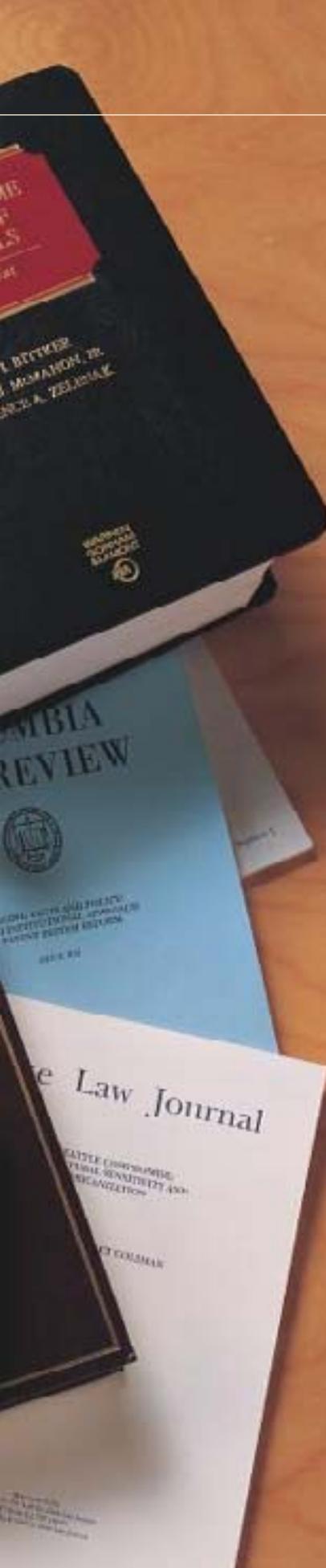
For details about CALI, visit <http://www.cali.org/>. ♣



KEN HIRSH MAKES A PRESENTATION ON COURTROOM TECHNOLOGY

High Powered Scholars





Duke Has Banner Year in Faculty Appointments, Strengthens Science and Technology, Tax

By Jonathan Goldstein

Following its most successful faculty appointments season in years, Duke Law School welcomed four new members to its faculty this summer, strengthening the School's growth and excellence in science- and technology-related fields and making a long overdue appointment in tax. Duke Law also extended tenure to one of its international law faculty and promoted one of its senior lecturing fellows to the tenure track.

The new faculty members are Arti Rai, most recently a professor at the University of Pennsylvania Law School; Stuart Benjamin, a professor from the University of Texas Law School (who is married to Rai); Barak Richman, who has just completed a clerkship with Judge Bruce M. Selya of the U.S. Court of Appeals for the First Circuit; and Lawrence Zelenak, who comes to Duke from Columbia Law School. Receiving tenure this year was Michael Byers, and Doriane Coleman, formerly a senior lecturing fellow at Duke Law, is now a tenure-track professor.

"In these six appointments, the Law School achieved a number of goals it had established in its strategic planning process," said Robert Mosteller, Harry R. Chadwick Sr. professor of law and chair of the faculty appointments committee. "The success, which built on years of work by past faculty appointment committees and involved much of the faculty, reflects a huge effort. The outcome is deeply gratifying."

In The Genes

Arti Rai, Expert in Biotechnology, Strengthens Health Care Law at Duke

Arti Rai knew from an early age that the worlds of science and medicine would play some role in her future. Much of her family worked in the medical field, and her mother, an obstetrician-gynecologist, was a particularly strong influence. Her father was a computer scientist and systems analyst.

Rai, who joins the Duke faculty this fall from the University of Pennsylvania Law School, went so far as to attend medical school for a year before she realized that her role in medicine would involve policy debates and classrooms rather than stethoscopes and examination rooms. It was then that she traded medical school for law school and a career in the law. "I realized that because I didn't want to practice medicine, the training would not be as relevant to my interest in policy as law school would be," she said. "I've always enjoyed the law because it allows for a variety of perspectives on issues and a variety of methodologies for looking at problems."

Still, she has not strayed far from the medical issues and questions that have fascinated her for most of her life, and she has become a celebrated scholar and teacher in her area of expertise. Rai has taught intellectual property in the biotechnology field, health care regulation and patent law related to drug development. She also has studied and taught about access issues related to health care and pharmaceuticals. "I try to encompass both the supply and demand side of health care law," she said.



ARTI RAI

"I realized that because I didn't want to practice medicine, [medical school] would not be as relevant to my interest in policy as law school would be."

-Arti Rai

"Arti Rai is a critically important appointment for us, not only for the further strength she brings to our intellectual property program, but because of the possibilities this opens up for the Law School to be even more integrated into the University's interdisciplinary focus on genomics," said Dean Katharine Bartlett.

"Arti is one of the leading figures in the world on biotechnology issues in the law, and we are extremely fortunate to have her join us at Duke Law School."

Rai's work in biotechnology, bioethics and health care has taken her around the country in the last three years through an impressive series of presentations and honors. Last year alone, she appeared before the President's Council on Bioethics, the U.S. Department of Justice/Federal Trade Commission Hearings on Patent System Reform, Emory University's Sam Nunn Forum on Commercialization of the Academy, the Berkeley Center on Law and Technology Symposium on Patent System Reform and was the Distinguished Speaker in Law and Medicine at St. Louis University Law School.

Jerome Reichman, Bunyan S. Womble professor of law, said Duke Law's intellectual property program, a field of strategic importance at the School, has improved markedly with the addition of Rai. "Arti Rai has done brilliant pioneering work on the problems that patent law is posing for the sharing ethos and related norms of science, with particular regard to genetic research," he said. "She is a gifted and original scholar, well versed in economics, who has become a leading expert in intellectual property protection of biotechnology, and she is also deeply interested in health care issues. She will work with the medical school and our genomic institute and make Duke's IP program the equal of any in the country."

Rai is one of three authors of the third edition of the book *Law and the Mental Health System*, published in 1999. Like much of her scholarship, it cuts across a variety of subjects, including regulation of access to mental health care, criminal and civil aspects of mental health, disability law and the interaction between disability law and mental health. It also examines the interactions of the various legal structures that govern psychiatry and psychology.

James Boyle, William Neal Reynolds professor of law, portrays Rai as a powerful teacher and scholar who will elevate the strength of Duke Law's intellectual property programs. "Arti Rai is a wonder-

ful hire for our intellectual property program, for the University's wider genomic initiatives and, above all, for the faculty and students at Duke Law School," he said. "She is everything you would want in a teacher and a colleague: insightful, charismatic, influential, open-minded, a theoretician of note and an important contributor to public policy debates. Arti's scholarship is some of the most interesting work done by the new generation of biotech patent scholars, but her stature in the field is that of a scholar who has been around for a much longer time."

Rai said she was attracted to Duke Law because of its strong faculty and the resources both within the School and the University as a whole that will allow her to pursue her interest in the life sciences. She doesn't work in an intellectual vacuum, though. To Rai, the point of policy, law and health care is to help people to live better lives. "I believe there are good answers to social problems," she said. "We need people who can step back and try to come up with options that don't represent the interests of just a single group." ♡

Arti K. Rai

PREVIOUS POSITION

Assistant professor of law, University of Pennsylvania Law School

SAMPLING OF RECENT SCHOLARSHIP

"Bayh-Dole Reform and the Progress of Biomedicine," *Law & Contemporary Problems* (2002) (with Rebecca Eisenberg)

"Specialized Trial Courts: Concentrating Expertise on Fact," 17 *Berkeley Tech. L.J.* 258 (2002)

"Comments on Health Care Fraud and Abuse," *Journal of Legal Studies* (2002)

LAW AND THE MENTAL HEALTH SYSTEM, 3rd Edition (1999) (with Professors Ralph Reisner and Chris Slobogin)

LAW SCHOOL ATTENDED

Harvard, graduated *cum laude* in 1991

FAMILY

Husband, Stuart Benjamin

HOBBIES

Avid reader of non-fiction and fiction, particularly Russian literature

Wired In

Stuart Benjamin Pursues Intersection of Law and Technology

When Stuart Benjamin looks to the world of technology, both present and future, he sees fascinating questions of law take shape. For example, he asks, how should the Internet be regulated? Like a newspaper? Like a television station? Or with some new model?

"Part of the appeal of telecommunications law to me is that this is an area that's putting a great deal of pressure on existing institutions," said Benjamin, a premier expert in telecommunications law who joins Duke Law this fall from the University of Texas School of Law. "I have a great interest in technology in general, but particularly in how legal institutions respond to technological change."

In the classroom, Benjamin says, his students are treated as lawyers, better preparing them for the world they'll face after they graduate. With experience that ranges from a U.S. Supreme Court clerkship to legal work for the United States Department of Justice to academia, Benjamin is well prepared to lead such classroom discussions. "I really do see the teaching of law as a dialogue. The questions we face are genuinely hard and often changing, and I always challenge my students because that's how lawyers operate. You kick around ideas with other lawyers and you reason it out."

His teaching career has included positions with the University of Pennsylvania Law School, the University of San Diego School of Law and Texas as well as his new position at Duke.

Dean Katharine Bartlett points to Benjamin's wide range of knowledge and study as well as his success in areas that

Duke Law specifically has focused on developing. "Stuart Benjamin promises to make a real difference at Duke Law School," she said. "He writes broadly across a number of important subject matter areas in addition to telecommunications — he is interested in the many different ways that technology and the law intersect. He also brings enormous intellectual energy to Duke and a commitment to making Duke Law School an even more charged, exciting academic community."

Benjamin points to two formative influences that turned him to the study of law. The first is his own family history. Both of his parents are lawyers, and the law became part of the fabric of his life from an early age. The second was his experience in South Africa in 1986 when he worked offering advice to black South Africans on their rights in areas such as immigration, labor and housing. The apartheid era was coming to an end, and



STUART BENJAMIN

government crackdowns made for a frighteningly oppressive environment. A Yale undergraduate at the time, Benjamin learned from that experience just how much people need lawyers to protect their rights. "It was there that I really got a sense that lawyers could help individuals on a one-to-one level and also to help to bring about more systemic changes." He returned to South Africa in 1992 to serve as a staff attorney at the Legal Resources Centre in Port Elizabeth.

"Duke Law School is the dominant law school in a growing region of the country, and I'm very bullish on its future," he said. "I really think that Duke Law School is poised for ever greater things."

Another experience that shaped him – and readily translates into his classroom performance – was his clerkship for Supreme Court Justice David H. Souter from 1995-96. Benjamin said that clerkship helped him understand the nuances of how the Supreme Court operates, how the Justices interact with one another and how decisions are made. He also learned how the best and most persuasive arguments are crafted and delivered. "Sometimes you have to go back and rethink something about an argument," he said. "This is something I often will stress in class. I tell students to imagine they've just made an argument in court and then to imagine what their opponent would say."

Benjamin says he is excited to join the Duke Law faculty because of the dynamic environment, excellent professors to work with and high-quality student body. "Duke Law School is the dominant law school in a growing region of the country, and I'm very bullish on its future," he said. "I really think that Duke Law

School is poised for ever greater things." Fellow professors at Duke say he will be a part of that growth.

Professor of Law Jeff Powell said Duke has gained an independent thinker and excellent lawyer in Benjamin, who offers creativity, intellect and straightforwardness. Powell and Benjamin came to know one another when they worked together in the Office of Legal Counsel of the U.S. Department of Justice in the mid-1990s. "He knows government institutions from the inside in a way that many lawyers don't," Powell said. "He also is not somebody who marches to someone else's drummer. He has shown that amply through his scholarship."

That scholarship includes *Telecommunications Law and Policy*, the leading casebook in telecommunications law, which he co-authored with Douglas Lichtman and Howard Shelanski.

Benjamin said his approach to writing resembles his approach in the classroom. "I think that the way I get my ideas is to think about questions that I believe are unanswered and often not focused on by other people," he said. "They usually are questions about how legal institutions respond to technology. I try to write my papers the way I reason about that: take a few reasonable starting premises and see where it takes me." ♡

Stuart Minor Benjamin

PREVIOUS POSITION

Rex G. & Edna Baker Professor, University of Texas School of Law

SAMPLING OF RECENT SCHOLARSHIP

TELECOMMUNICATIONS LAW AND POLICY (with Douglas Lichtman and Howard Shelanski) (2001)

"Proactive Legislation and the First Amendment," 99 Michigan Law Review (2000)

"Stepping in to the Same River Twice: Rapidly Changing Facts and the Appellate Process," 78 Texas Law Review (1999)

LAW SCHOOL ATTENDED

Yale Law School, graduated in 1991

FAMILY

Wife, Arti Rai

HOBBIES

Surfing the Internet, playing tennis, hiking, watching plays

The Search Ends

Zelenak Adds Further Excellence in Tax Law to Duke

From Lawrence Zelenak's perspective, he has a pretty easy time providing students with a learning experience they can enjoy more than they might expect. After all, many of them come into his classes on basic tax law expecting something boring and intangible. But what he offers them is insight into the institutions and rules that form the major basis of give and take between most people and the government – a fascinating field.

"People come in thinking the class is going to be like a visit to the dentist," said Zelenak, a nationally known tax expert who joins Duke Law this fall after serving as a professor at Columbia Law School since 2001. "They have very low expectations. But they find, to their surprise, that it is inherently interesting stuff."

In addition to basic tax law and torts, he also teaches a course on corporate tax, which he describes as being at the technical and professional level. "It's a fairly intense course," he said. "It's like a bridge between law school and practice." He intends that students finish the course with many of the skills they'll need to get started in tax practice.

Zelenak's arrival at Duke ends a long search for the right professor to enhance the School's faculty in the area of tax law, said Dean Katharine Bartlett. "A law school cannot be truly strong in business and finance without a greater presence in tax than Duke has had," she said. "For some years, Richard Schmalbeck has been our only full-time tax teacher. Richard, along with the rest of the faculty, is thrilled that we were able to find a tax colleague who is literally at the very top of his field. Larry Zelenak is the culmination of a multi-year search in the tax area, and I couldn't be more pleased that he chose to come to Duke Law School. He was certainly worth the wait."

His distinguished teaching career has included positions at the University of North Carolina School of Law and Lewis and Clark Law School, as well as his recent work at Columbia. He also is a highly sought academic, having presented papers recently at a University of Virginia Law School faculty workshop, a University of Michigan Law School law and economics seminar, a New York University Law School tax policy seminar and Harvard Law School tax policy workshop.

Among his strengths in the classroom, Zelenak is able to inform his students about taxes and tax law from multiple perspectives. As early as 1979 he was



LAWRENCE ZELENAK

“People come in thinking the class is going to be like a visit to the dentist,” said Zelenak, a nationally known tax expert who joins Duke Law this fall after serving as a professor at Columbia Law School since 2001. “They have very low expectations. But they find, to their surprise, that it is inherently interesting stuff.”

working on tax cases as an associate with the Seattle law firm of LeSourd and Patten. He later served on the government side as professor in residence in the Office of the Chief Counsel for the Internal Revenue Service. As an academic, he has written extensively about the subject, made presentations at universities around the country and twice testified before Congress. In addition to many articles on a variety of tax-related subjects, he has co-authored (with Boris Bittker and Martin McMahon, Jr.) the treatise *Federal Income Taxation of Individuals*.

Zelenak said his work with the IRS, which included assisting on policy and regulatory questions, helps him share some hard-to-come-by insight with his students. "I've had the chance to see something of taxes from the private practice side and from the government side," he said. "I think it's helpful for students to hear about what goes on inside the IRS. It can seem like a mysterious black box."

Zelenak said he was excited about the opportunity to teach at Duke Law for a variety of reasons: the quality of the faculty, the relatively small size of the student body and the quality of students attracted by Duke Law. His ties to the Duke faculty include an ongoing collaboration with Schmalbeck on an income tax casebook.

Schmalbeck has great praise for Zelenak, noting that his co-author is a major contributor to the field of tax law. "He is extremely highly regarded among tax professors and in the tax community," Schmalbeck said. "This is a phenomenally successful outcome to this search. I'm just delighted about this." Schmalbeck, who helped with the search to fill the

position, said Zelenak's writings on taxes often bring new insights to the field. "He's known as being somebody who is capable of taking a fresh view of things," Schmalbeck added. "He extends the frontier when he writes."

Zelenak also is no stranger to this part of North Carolina. His professorship at the University of North Carolina took him from 1990-2001, and he was an associate professor there from 1986 to 1990. His wife, Jeanne Moskal, is a professor of English at UNC. Outside of work, Zelenak said, he is an avid college basketball fan. But after so many years at UNC, will he be able to root for the Blue Devils over the Tarheels? That's a question he prefers to put off for another day. 🐘

Lawrence Zelenak

PREVIOUS POSITION

Professor, Columbia Law School

SAMPLING OF RECENT SCHOLARSHIP

"The Income Tax and the Costs of Earning a Living," *Tax Law Review*, 2002

"A Health Insurance Tax Credit for Uninsured Workers," *Inquiry*, 2001

"Doing Something About Marriage Penalties: A Guide for the Perplexed," *Tax Law Review*, 2000

FEDERAL INCOME TAXATION OF INDIVIDUALS, 3rd ed. (2002) (with Boris I. Bittker and Martin J. McMahon, Jr.)

LAW SCHOOL ATTENDED

Harvard, graduated *magna cum laude* in 1979

FAMILY

Wife, Jeanne Moskal; daughter, Alice, 7

HOBBIES

Running, opera, watching college basketball

Ace of Diamonds

Richman Brings Economic Perspective to Study of Diamond Industry, Health Care, Commerce

Barak Richman, who joins the Duke Law faculty as an assistant professor this fall, began his academic career with an eye toward economics. He earned his master's degree in economics from the University of California, Berkeley, and even now he is finishing his work toward a PhD in business administration from Berkeley. But as he studied both economics and law – he earned his JD from Harvard Law School in 2002 – Richman came to realize that many of the most important and relevant debates affecting economic issues take place in the world of law, including in law schools.

“The issues I found really compelling were those being studied in law schools,” said Richman, who recently completed a clerkship with Judge Bruce M. Selya of the First Circuit of the U.S. Court of Appeals in Providence, RI. “Among those areas are government and public policy – issues of public concern. There’s also a greater focus on our public institutions, especially, but not limited to, the courts, and determining what their limitations are and how policy interventions can lead to improvements.”

His study of diamond merchants in New York – and how their business often operates beyond the reach of courts – underscores his fascination with the legal system’s limitations and what certain merchant communities have done to

overcome those limitations. He has written a working paper on the subject titled, “Community Enforcement of Informal Contracts: Jewish Diamond Merchants in New York.”

Richman’s academic interests are highly varied. In addition to law and economics, he has written about health care

policy and the U.S. Supreme Court’s political relationship with Congress. He has a joint appointment at Duke as an assistant professor of political science. Among his other recent working papers are “Incorporating Psychosocial Variables into Health Care Policy: A Behavioral Economic Examination of Medicaid



BARAK RICHMAN WITH DAUGHTER ARIELLA, 2

Expansion,” “Modeling Supreme Court Decision Making: The Congressional Constraint,” “A Transaction Cost Economizing Approach to Regulation: Understanding the NIMBY Problem,” and “The History, Economics, and Political Economics of Regulating Automobile Insurance.”

His broad interests across a spectrum of subjects are, in part, what make him such a strong addition to the faculty, said Dean Katharine Bartlett. “Barak Richman is a real find,” she said. “He joins a cluster of scholars – including Clark Havighurst in the health law area, David Lange, James Boyle and Jerome Reichman in intellectual property, Arti Rai in biotechnology, Stuart Benjamin in telecommunications, and Jonathan Wiener and Chris Schroeder in environmental law – whose research and teaching relate in various ways to science, health and technology. He also further enhances our incredible strength in interdisciplinary studies. Barak was a perfect fit for Duke and will prove soon, I believe, to have been an extremely important junior appointment.”

His teaching experience includes a stint in 2001 as a sophomore tutorial instructor in Harvard University’s economics department, work in 2000 as a negotiation workshop section leader at Harvard Law’s Program of Instruction for Lawyers and a year as a visiting lecturer in economics with the Economics Faculty at Hanoi National University. As an undergraduate at Brown University he taught a class in physics for high school students through a federal program that targets teenagers who would be the first in their families to attend college. Outside of the classroom, he spent three years as a research assistant for the Senate Committee on Finance, then under the direction of Sen. Daniel Patrick Moynihan.

His study of diamond merchants in New York – and how their business often operates beyond the reach of courts – underscores his fascination with the legal system’s limitations and what certain merchant communities have done to overcome those limitations.

Clark Havighurst, William Neal Reynolds professor emeritus of law, says Richman is extremely well suited for the role he has taken on the Duke Law faculty. “His background in behavioral and institutional economics gives him special insight into why firms and industries, including health care, are organized as they are and how they might be organized differently to solve the complex informational and transactional problems they confront,” Havighurst said. “I look forward to learning from Barak as well as to helping him get launched on productive projects.”

Richman, whose wife, Laura, will be a visiting assistant professor in Duke’s Department of Psychology, described Duke as the ideal institution in which he can both teach and learn. Proximity to Duke’s highly rated medical school makes the environment even more attractive, he said, because of his interest in health-related law.

“The faculty at the Law School does

some really exciting research, and Duke is a very engaging and supportive community that my wife and I are excited to be a part of,” he said. “The emphasis on interdisciplinary work and the open-door culture make the whole university amenable to collaborative dialogue and research. And that’s an exceptional opportunity considering the number of top-notch departments and schools that the University has.”

He also is looking forward to a return to the classroom. “I’ve always loved teaching, and even from the beginning of high school I looked for opportunities to tutor. I’ve always found the classroom environment exhilarating and enjoy engaging with students and provoking and being provoked by students. That’s been one of my core motivations to seek a career in legal education.” ♡

Barak D. Richman

PREVIOUS POSITION

Law clerk for Judge Bruce M. Selya of the First Circuit of the U.S. Court of Appeals

SAMPLING OF RECENT SCHOLARSHIP

“Modeling Supreme Court Strategic Decision Making: The Congressional Constraint,” *Legislative Studies Quarterly*, XXVIII (1) (2003)

“Mandating Negotiations to Resolve the NIMBY Problem: A Creative Regulatory Response,” *UCLA Journal of Environmental Law and Policy* (2002)

Working paper for the John M. Olin Center for Law, Economics & Business at Harvard Law School, “Community Enforcement of Informal Contracts: Jewish Diamond Merchants in New York” (2002)

LAW SCHOOL ATTENDED

Harvard, graduated *magna cum laude* in 2002

FAMILY

Wife, Laura; daughter, Ariella, 2

HOBBIES

Late dinners with his wife, early breakfasts with his daughter, hiking, traveling, running, cheering for the Philadelphia Eagles

ALSO

PhD, in business, Haas School of Business at UC Berkeley, anticipated 2003

The Natural

Doriane Coleman's Excellence in Teaching, Research Earns Tenure-Track Appointment



Students in Doriane Coleman's first-year torts class discover quickly that they'll be pushed to learn more than just one piece of the legal puzzle that makes up a Duke Law education. "I focus heavily on teaching the elements and dynamic of the classic legal method that applies to all legal analysis, writing and thinking, and thus that they can use in every one of their classes here at the Law School," said Coleman, who was promoted from senior lecturing fellow to a tenure-track professorship this summer.

"I think one of the reasons I'm successful in the classroom – to the extent that I am – is that every day I make it

clear that students are in my class for two reasons: To learn that method, and also to learn torts." She does this because she wants students both to feel confident in their abilities across disciplines, and to leave her classroom with the feeling that they could walk into legal practice and handle a case. Far more often than not, her students say, she meets that goal.

Coleman's strategy, along with her deep commitment to excellence in teaching, has won her the admiration of current and former students, who regularly come to her for guidance or simply support. She is consistently one of Duke Law's most popular faculty members, having won the Duke Bar Association's

Distinguished Teaching award for the 2001-02 academic year.

"Doriane Coleman was by far one of the best professors I had at Duke Law School," said Mirah Horowitz '00, who served as a law clerk for U.S. Supreme Court Justice Stephen Breyer and now is a third-year associate in the Los Angeles office of Akin, Gump, Strauss, Hauer and Feld. "Not only does she have an impressive command of the law that she teaches, but she is able to explain complicated legal concepts so clearly that everyone can understand both the small details and the larger implications. Doriane seems to know intuitively what her students need, and she responds to them on an individual level."

Current students are equally effusive. "While she can be tough in class – 'I am not prepared,' is not a generally acceptable answer – there is no one at the School who cares more about the well being of her students," said Bryan Wilson '04.

Added Trey Childress '04: "Duke Law's emphasis on training students to deal both theoretically and practically with legal problems is perfectly paired to Professor Coleman's teaching style. Not only does she instill the principles of black-letter law in the classroom – for instance, ask anyone who has had Professor Coleman for torts to say what they remember most and four words will come to mind: "duty, breach, causation, injury" – but also, she challenges students to think outside the box as to the political, practical, social and epistemic underpinnings of the law."

Students, faculty and administrators note that Coleman's contributions to the Law School go well beyond the class-

room. For example, she is the faculty liaison for “Food & Thought,” a program that operates as a forum for discussing topical issues of law and policy that are of interest to the students.

“Doriane Coleman’s program of scholarly research directly confronts dilemmas in conflicting values underlying American liberalism and engagingly demonstrates the policy implications of that dilemma.”

–Neil Vidmar

“Doriane has been an important contributor to the Law School community for some time,” said Dean Katharine Bartlett. “She is a fabulous teacher and mentor for students, and she has undertaken some important initiatives to enhance the quality of intellectual life for students. She also is becoming more and more active as a scholar, especially on issues relating to children. It is her increasingly ambitious role as a scholar that has earned her a position on the tenure track.”

Coleman also has helped develop the curriculum in the area of genetics and the law, which benefited from substantial input

from students. That project in turn contributed to the Law School’s relationship with the University’s Center for Genome Ethics, Law & Policy. “Doriane brings a great deal of enthusiasm, insight and courage to her work as a teacher and scholar,” said Deborah DeMott, David F. Cavers professor of law. “Her students value her commitment to them and her intellectual engagement with what she teaches.”

Her work, especially work related to students, has been recognized repeatedly. In addition to the DBA award, she won the Dean’s Award for Most Contributions to Students’ Intellectual Life in 2002. “Becoming a member of the governing faculty also is a strong affirmation,” Coleman said, “a recognition of the contributions that I’ve made and will continue to make in the future to the institution. This promotion allows me to participate in the governance of the Law School, which is the piece that was missing in previous years. I look forward to that new role.”

Neil Vidmar, Russell M. Robinson, II, professor of law and professor of psychology, describes her writing as deep and insightful. “Doriane Coleman’s program of scholarly research directly confronts dilemmas in conflicting values underlying American liberalism and engagingly demonstrates the policy implications of that dilemma,” he said. “Conflicting liberal values are explored in her book, *Fixing Columbine: The Challenge of American Liberalism*, where she passionately addresses social and psychological dysfunction in America’s adolescent children, especially acts of violence.”

Coleman, an accomplished runner who held the number one world ranking in the 600-yard event in 1979, attended the

Georgetown University Law Center, which offered a fine education as well as an excellent running program. She continued running for years, reaching the U.S. Olympic trials in 1984 and 1988, but it was law that eventually became the focus of her life. A series of Achilles tendon problems in the 1980s finally put an end to her competitive running career. Her legal career, though, was just getting started.

Now, as a professor, she hopes to make an even more significant mark on the Law School. “I want to help to make Duke Law all that it can be, and I want to challenge everyone else to think in the same way,” she said. “It’s not until you’re a full member of the team – a professor – that you can lay a real claim to that mission.” ♣

Doriane Lambelet Coleman

PREVIOUS POSITION

Senior lecturing fellow, Duke Law School

SAMPLING OF RECENT SCHOLARSHIP

FIXING COLUMBINE: THE CHALLENGE OF AMERICAN LIBERALISM (2002)

“Culture, Cloaked in Mens Rea,” *South Atlantic Quarterly* (Spring 2002)

“The Seattle Compromise: Multicultural Sensitivity and Americanization,” 47 *Duke Law Journal* (1998)

LAW SCHOOL ATTENDED

Georgetown University Law Center, graduated in 1988

FAMILY

Husband, James Coleman, senior associate dean for academic affairs and professor of the practice of law, Duke Law School; sons Alexander, 9, and Nicolas, 5

HOBBIES

Playing with her children and running





NOW WHAT?

Duke Law Experts Discuss Rationale for War in Iraq, Consider World Wide Consequences

In the spring of 2003, the United States took a major policy turn when it cited a right to pre-emptive self-defense as a rationale for going to war with Iraq. In the following discussion, two of the country's top experts on national security and international law – Duke Law professors Scott Silliman and Michael Byers – look back at justifications for the war and consider some of the potential consequences of political and strategic decisions. They also consider ramifications for the legal profession and Duke Law students.

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Donald Horowitz Discusses Rebuilding of Iraq and Afghanistan Page 28

Reservist Miguel Eaton '06 Recalls Service in Middle East Page 30



JUNE 24, 2003 BAGHDAD, IRAQ – IRAQI CHILDREN CARRY WATER FROM ONE OF THE FEW SPIGOTS WITH RUNNING WATER IN THEIR NEIGHBORHOOD IN AL RAHMANIA. SINCE THE END OF THE COALITION-LED WAR AGAINST IRAQ, IRAQI CITIZENS HAVE BEEN SUFFERING GRAVE SHORTAGES OF WATER AND ELECTRICITY

Duke Law Magazine: Much has been said of pre-emptive self-defense as a rationale for going to war. Is that the rationale the U.S. relied upon in Iraq, and, if so, how does that conform with current international law?

Silliman: I think that when we look at President Bush's speech of March 17, which was about 48 hours before the bombs started to drop in Baghdad, it was clear to me that the fundamental pillar, the predicate for the use of force by the United States, was pre-emptive self-defense. Interestingly, that is different as I see it from the position of the British, who obviously were our closest ally. The British believed very strongly that the use of force in disarmament was predicated upon Security Council Resolution 1441 and its predecessor resolutions 678 and 687, and that you could link those three (the latter two forming the basis for disarming Iraq in the first Gulf War) and justify the use of force without any further mandate from the Security Council. To some extent, every time President Bush started talking about regime change, you could see Tony Blair's knees knocking together, and that was particularly unhelpful as far as keeping the coalition together. It was, to my knowledge, the first test of this new concept – this new doctrine of pre-emptive self-defense – and I think the jury is still out as far as whether the international community

will accept its use in this instance or whether it will find a way to condemn it.

Byers: There is a sort of twist in the analysis that Scott's given that needs to be drawn out here, and that is how other countries respond to the intervention in Iraq. It's not simply a question of yes or no, but it's a question of, if yes, on what basis? Given that there are two legal justifications out there, the American justification and the British justification, this gives other countries the option of supporting the intervention in Iraq, but on a basis other than that advanced as the

“The pre-emptive self-defense argument so far is looking pretty thin in factual terms. The U.S. and its allies have not found the weapons of mass destruction.”

–Michael Byers

principal justification by the president. This option to go with the British justification means that even widespread support for the intervention in Iraq does not necessarily mean widespread support for

the president's doctrine of pre-emptive self-defense.

Duke Law Magazine: Given those responses, was this war legal in your view?

Silliman: Michael and I have both been asked on many occasions whether the war in Iraq was legal or not under international law, and, as he points out, because there are really two different positions that were advocated, the U.S. position and the British position, that is not an easy question to answer. I think it's easier to argue the linkage of the previous Security Council resolutions than it is to argue pre-emptive self-defense, simply because there has been no development of customary international law which can be used to support the U.S. position.

Byers: There is also the very real post-intervention aspect of the legal claim. The fact that there are two justifications out there means that what has been discovered or not discovered in Iraq in terms of weapons of mass destruction is going to push other countries into preferring one justification over the other in terms of their response to the U.S. The pre-emptive self-defense argument so far is looking pretty thin in factual terms. The U.S. and its allies have not found the weapons of mass destruction. Other countries are looking at this situation and saying, you told us there was an imminent threat and now we don't see it.

Duke Law Magazine: How did the decision to launch a war when other countries wanted more time to search for weapons of mass destruction affect the Security Council and, ultimately, the relationships among those countries?

Byers: The absence of any discovery of weapons of mass destruction indicates that the U.S. and the United Kingdom took far too much of a risk with the U.N. and the international legal system. They subjected the Security Council to that profound disagreement – that rupture among the permanent members – when there was no immediate need to do so. What we now know in retrospect is that the president

“Under pre-emptive self-defense, any country that believes itself threatened, even though the location of the target and the timing of the attack may yet be undetermined, could then respond with force against the threatening state.” –Scott Silliman

and Prime Minister Blair were playing fast and loose with an institution that has served the international community very well for 58 years. And so the absence of any weapons of mass destruction discredits their policy positions.

Silliman: We are both aware of the “document” concerning the shipment of uranium to Iraq, which turned out to be not just a forgery but a fourth-rate forgery. The U.S. and Britain both claimed that the document was evidence of the expanding nuclear program in Iraq, and I think that damaged the credibility of both countries. We know that there are supposedly mobile labs that were uncovered, but there still has been no evidence that those labs were ever used to produce anything. So, the U.S. is still looking for a smoking gun to bolster its credibility.

Byers: I guess what I’m suggesting is that given the very evident threat that arises from the conjunction of terrorism, weapons of mass destruction, and rogue states, you want to have all of your allies pulling together. To alienate key allies like France and Germany for the sake of moving a few weeks or months earlier was too great a risk. There has been damage done to various alliances and to the international system. Had the president and prime minister been prepared to wait until May or June, we would have seen a cohesive group of countries and a cohesive Security Council behind them in disarming Iraq and removing Saddam Hussein.

Duke Law Magazine: What sort of repercussions might the United States and other countries face given what happened and what continues to unfold in Iraq, particularly given the U.S. justification for the war?

Silliman: If in fact nothing happens – there is no condemnation or criticism of what the U.S. did – then I think we have the situation where pre-emptive self-defense could conceivably become a part of the fabric of customary international law and a “tool” available to any country that desires to use it. In that event, there will no longer be an international arbitrator, like the United Nations Security Council under the traditional charter system, to make a judgment on the use of force by one country against another. Under pre-emptive self-defense, any country that believes itself threatened, even though the location of the target and the timing of the attack may yet be undetermined, could then respond with force against the threatening state. For instance, that could involve India and Pakistan, or North Korea and countries on the Asian peninsula.

Byers: Or what could potentially happen between the People’s Republic of China and Taiwan. Or what Russia might wish to do in Georgia. Or what might happen on



MICHAEL BYERS

the border of innumerable African or Latin American states. There is a real sense here that the dam has been broken on pre-emptive self-defense and that the consequences of that could be very widespread.

Duke Law Magazine: So this could prove to be a destabilizing moment in world history?

Byers: Which is why the British – the United States’ closest ally – chose not to embrace the pre-emptive self-defense argument. It said no, we don’t want to go there. We are with you, but we have a better argument that is more consistent with existing international law and the existing institutions.

Silliman: It is destabilizing when you consider that under the U.N. Charter, looked upon by many as the most current articulation of the rules governing when one state can use force against another, the Security Council has been the recognized arbiter. Now, under pre-emptive self-defense, each country makes its own determination. That takes us back to a time when there was no regulation of the international use of force. I think that the British are now urging the United States, in the strongest possible terms, to bring the Security Council back into the picture.

Byers: It’s important to stress at this point that the U.S. very much needs a strong international community that is cooperating with it because we are not simply talking about terrorism and weapons of mass destruction and rogue states. We are talking about the ability of countries to cooperate effectively on international epidemics like SARS. You need to have the cooperation of France, Germany, Russia and China if you are going to deal effectively with SARS. We are also dealing with issues of the international economy. We live in a very tightly integrated interdependent world. And military challenges are only one subset of the various profound challenges that face the U.S. and other countries.

Duke Law Magazine: This then goes well beyond a question of the use of military force?

Silliman: It cuts to the core of international relations because you are not just dealing with use of force issues here. You are talking about a fundamental question of unilateralism versus multilateralism, and this did not start with Iraq. You can go back to the mid-90s and see a very clear path that the United States has chosen with regard to a more unilateralist approach in international relations. You see this in our position not to join other countries in the Ottawa Land Mines Treaty, even though by executive order we were going to do many of the same things that were called for by the treaty, but on a slightly different timetable. Then you had the Rome Statute of the International Criminal Court, and there the U.S. joined such nontraditional political bedfellows as Iraq, Yemen, Libya and Qatar in voting against the treaty. The Kyoto Protocol on global warming is yet another example. The question now is what direction the United States will take in the future.

Byers: The most valuable diplomatic asset is not a strong military or even a strong economy. It is good will. And U.S. diplomats have to be able to go into negotiations with allies and non-allies around the world with a sense of good will being directed back towards them, so as to be able to persuade other countries to help the U.S. accomplish its goals. We need other countries. You cannot freeze financial assets in another country without the

cooperation of that country's government. You can't arrest drug suspects in another country without the cooperation of that government. You can't do a whole host of things that need to be done in our interdependent world unless people are willing to take the extra step because they like you. Now we are at this divide. Is the U.S. going to again be seen as a leader, as a country that other countries want to help, or is it going to slide into a country that is seen, rightly or wrongly, as a bully, as a unilateralist?

“The price tag on rebuilding Iraq is incredibly high and needs to be shared by other countries besides the U.S. and Britain. To some extent, that’s why the role of the Security Council is so important right now.” –Scott Silliman

Silliman: I tend to believe the Bush administration must examine its overall success rate in the war against terrorism. We have recently seen significant attacks in Morocco and Saudi Arabia and a rise in the threat level in the U.S. We are realizing that Al Qaeda is still very much capable of mounting major attacks against the U.S. and its interests. Going back to the question of unilateralism vs. multilateralism, the war on terrorism very much depends upon our working closely with the intelligence communities of moderate Arab states, even those with whom we might otherwise have disagreements. I think the administration is recognizing that. You have to rely on the intelligence sources and the police networks of these other countries to ferret out the terrorist cells, and to do that you need to have some kind of cooperative relationship with them.

Duke Law Magazine: Would you both comment on the legal authority or responsibility that the U.S. now has in the rebuilding of Iraq?

Byers: It started off very badly and the first effort at administering post-war Iraq has been abruptly replaced by a new effort – a more state department- and less Pentagon-oriented effort. But the question of administering post-war Iraq is one that I think would ideally be given to the U.N., which has a wealth of expertise with regard to post-conflict administration. And yet it is quite clear that the U.N. will not be given the lead role. It will be given a parallel and likely subsidiary role. And so what we have at the moment is the U.S. trying to do the job and learning by making mistakes. This is a catastrophe, not for the U.S. necessarily, but for the people of Iraq, because they are being experimented upon by these administrators who don't know what they are doing. The other issue that comes up here is what can be done about controlling the resources of Iraq. And here we are entering into very controversial territory because the U.S. and the U.K. are relying upon the 1907 Hague Convention with regard to the resources of occupied territory. We are relying upon a body of law that is almost a century old and predates the U.N. by almost four decades.

Silliman: You do have a provision in the Fourth Geneva Convention of 1949 that allows for the resources of a country, such as oil revenues, to be used by the occupation forces, but solely for the rebuilding of the infrastructure.

Duke Law Magazine: So you see serious problems with the initial steps toward rebuilding?

Byers: The U.S. military does not specialize in peacekeeping, in policing, in civilian control. It's a war-fighting military. Other countries emphasize the peace-keeping in their equipment and in their training. And you could have structured an intervention in Iraq that would have seen the war-fighting troops on the front line



SCOTT SILLIMAN

backed up by a peacekeeping policing force that was ready to go in fairly quickly with the support of the U.N. And again, I think part of what happened was that there was a rush to intervene that not only resulted in the deadlock in the Security Council, but also in an absence of that supporting collection of forces.

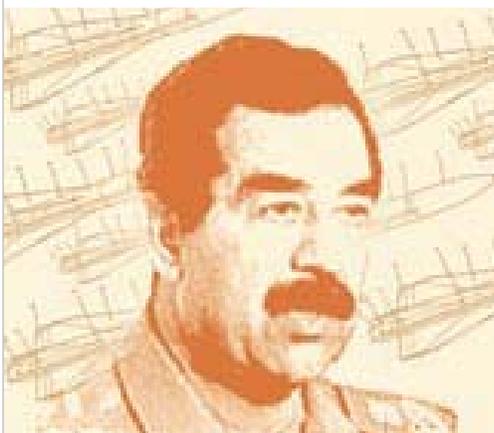
Silliman: I agree, but you can't go back and remake the decision in the Security Council with regard to the use-of-force resolution that would have molded all this together. Looking forward, I think what's crucial now is the question of cost. The price tag on rebuilding Iraq is incredibly high and needs to be shared by other countries besides the U.S. and Britain. To some extent, that's why the role of the Security Council is so important right now. You need not only to have access to the oil revenue to allow that to be poured back into rebuilding the infrastructure, but you need to be able to bring in weapons inspectors and allow for those countries who are better versed in peacekeeping, such as Canada and Poland, to provide troops to maintain some kind of stability in Iraq. The U.S., in making some concessions in the recent debate in the Council, perhaps acknowledged that there are some things it cannot do as well as a coalition of countries.

Byers: There is also a lesson here for the future in terms of other so-called rogue states. The U.S. could easily remove the governing regime in Syria. It would be more difficult, but it also could remove the governing regime in Iran. It would be even more difficult, but still possible, to remove the regime in North Korea. But the military removal of a regime is just step one. And even though the U.S. has the military power to accomplish those tasks, I think the administration is starting to recalculate the previously unforeseen costs of what you do afterwards and the absolute importance of international cooperation after the conflict.

Silliman: It's clear that the administration, and most people in the country, now realize that military force is only one component of national power when deal-

ing with international relations. There needs to be a complementary rebuilding component which follows on. This is where Colin Powell is very important, because as secretary of state and a former chairman of the Joint Chiefs of Staff, he well understands what can be gained through the use of military force, as well as its inherent limitations. He further recognizes that, to a large extent, you must rely on your international partners to complete the job of rebuilding a country after a particular regime has been toppled.

Duke Law Magazine: What are the prospects for democracy emerging in Iraq?



Silliman: I'm not sure there is a legal right to impose a democratic regime through the use of force. Further, I'm not sure that it will necessarily work in that particular culture. Going back to Michael's earlier point, it would be far easier for the U.N., in a more robust role than so far has been envisioned for it, to go in and work with the Iraqi people to try to create a regime of whatever sort that will in fact bring stability to that country and, through that country, to the entire region. That may or may not be a democratic regime.

Byers: Democracy is a dangerous word to use in the context of military interventions. I think it's possible in Iraq that, given the free choice in an election, the Iraqi people might actually elect an Islamic fundamentalist regime that was

committed to never holding another election. What do we do in that scenario? This, you will remember, is what happened in Algeria. We need to be careful about using the language of democracy in these instances.

Silliman: That is not to say that we shouldn't have a long-term goal of having democratic regimes throughout the Middle East, but to get there you may need to go through transitional governments of different types. We saw the same thing in the Soviet Union when it collapsed. We might see it in Iraq and Afghanistan. It may take a series of transitional governments before you eventually have a democratic regime.

Byers: Perhaps more important than democracy, at least in the near future, is encouraging respect for human rights. A stable non-democratic country that respects the basic human rights of its citizens is still a lot better than what we've had in many countries in the Middle East. Encouraging these countries not to torture their citizens, not to detain them without charge, not to persecute people because of their religion or political beliefs is more important than democracy as a short-term goal. And in that context, the U.S. has a long history that it can draw on as a model of what respect for civil liberties can do. At the same time, with respect to civil liberties, we actually are making compromises within this country that don't send the most positive messages – for instance, how we are treating detainees at Guantanamo. We might or might not be doing it correctly, but the message we are sending to the world is that the U.S. does not respect human rights.

Silliman: We must distinguish between the concept of democracy as we know it in this country and self-determination. One could make a plausible argument that under the U.N. Charter there may be the seeds of a right to self-determination. But self-determination could result in exactly what Michael was describing in Algeria, that a people can determine their own form of government, which may or may not be democratic. So to say that

the people of Iraq should be able to determine their own form of government is not also to say that it should be a democratic regime.

Byers: The U.S. has been successful in promoting democracy worldwide. The number of democratic countries in the world has increased dramatically in the course of the last 25 years. But it wasn't done at the point of a gun. It was done through incentives of access to the U.S. market and through the moral and economic support of people committed to change. That is the sort of approach that needs to be taken in a place like the Middle East.

Duke Law Magazine: As a law school and legal community, what does all this mean for us?

“The number of democratic countries in the world has increased dramatically in the course of the last 25 years. But it wasn't done at the point of a gun.”

—Michael Byers

Silliman: I can't think of a more exciting time to be a student or teacher of international law, international relations or national security law. But that excitement is understandably mixed with a bit of anxiety out of concern for what the future holds, not just for this country, but for the global community as well. For our students at Duke Law School, this is an opportunity to deal with some unique and timely issues — questions of law and policy that are necessarily ambiguous and for which there may be no easily discernable right or wrong answers. As with so many other things, we may have to await history's final judgment.

Byers: I think it's more than an opportunity for young American lawyers and law students. It's almost a responsibility. The United States is very much a leader as the most powerful country economically and militarily. It simply isn't an option to pretend that the rest of the world isn't there. In everything that we do there will be an international ramification. In everything that other people and other countries are doing, the same will be true here. Much of this increasingly involves law. We have been talking primarily about the law governing military force, but it could be the law governing international trading relations or international health care issues. So for young lawyers in the U.S. today, if they want to fulfill a role as leaders, as people who are charting the future for their country, this is a key area of expertise. Duke Law students are fully capable of rising to that challenge. They are as able as anyone in the world to grapple with this complexity and to sort out the ambiguity and to help chart a course forward. Quite frankly I don't think international law is optional anymore. For the serious student who wants to be a player in making this country and this world a better place, international law, national security law and international trade are essentially required courses. In this interdependent world, you are going to rub up against international law every day of every month of your career. ♡

For more information about Professors Byers, Horowitz and Silliman, visit faculty profiles at www.law.duke.edu/fac/index.html

Rebuilding Iraq and Afghanistan: Horowitz Sees Tasks of Great Complexity

In a country as heterogeneous as Iraq, building a new nation in the aftermath of the U.S.-led war will be more complex and dangerous than most people realize, says Duke Law Professor Donald Horowitz, a leading expert on ethnic conflict.

“It's much more complex than the press reports,” said Horowitz, the James B. Duke professor of law and political science. For example, he noted, not all of the population in northern Iraq is Kurdish, adding that the Kurds themselves are divided. In fact, most ethnic groups in Iraq, whether relatively large or small in number, are made up of politically disparate subgroups.

Horowitz has been consulted on constitutional and ethnic conflict issues in countries around the world, including Nigeria, Indonesia, Bosnia, Fiji and Afghanistan. An often-cited expert, he is the author of more than 50 articles and eight books. This fall, he is teaching a class called comparative constitutional design that focuses on configurations of political institutions that might be useful for democratizing countries, especially those divided by ethnic or religious affiliations.

“In recent decades, constitution-making has become a much more international and comparative exercise than it



was previously, with the result that democratizing or redemocratizing countries are more open to a wide range of institutions than they were previously,” Horowitz said. “The seminar deals with many of the most common issues confronted by constitutional designers.”

If not addressed properly in a post-Saddam Iraq, ethnic differences could result in awful consequences, especially in areas such as the northern city of Kirkuk, where competing groups will vie to control oil revenue. “That city could become a battleground,” he said.

However, as in Afghanistan and other nations recently torn by conflict, Iraq has a chance to emerge as an inclusive society with autonomy for various ethnic groups. Horowitz, who has consulted with the commission drafting a new constitution for Afghanistan, said a number of questions must be answered in Iraq before an appropriate form of government can be chosen. Those same questions are at play in Afghanistan. Among them:

- Will the country have a strong central government, or will it be more decentralized with greater opportunities for minorities in outlying areas to have a greater degree of control over their own affairs?



HOROWITZ

If not addressed properly in a post-Saddam Iraq, ethnic differences could result in awful consequences, especially in areas such as the northern city of Kirkuk, where competing groups will vie to control oil revenue.

- What model will the highest level of government follow: presidential or parliamentary? If presidential, how will the chief executive be selected? One model for success would require a candidate to win both a plurality of the total vote as well as substantial support in many regions of the country. That method has been used for reconciliation in other divided countries, such as Nigeria. “The Nigerian system took a parochial person who wanted to be president and turned him into a pan-ethnic figure,” Horowitz said.
- Will the overall electoral system favor victories for parties that capture a plurality of the vote, will it be a proportional system, or will it be an electoral system specifically designed for conciliation among groups?

Finally, decisions must be made about the role of Islam in any future government, such as how the laws of that religion will fit with the concept of judicial review. Countries trying to combine religious and secular law often find themselves in difficult situations. “You don’t want the government to say that some statute is repugnant to Islamic law,” he said, citing secular laws that require the payment of interest as a possible conflict with Islamic law. “This is a potentially toxic combination. There are some real questions.”

On the whole, Horowitz said, the process of nation-building in both Afghanistan and Iraq will be onerous, with many forces pulling in various directions. “Don’t count on a beautiful result in either country,” he said. ♪

Reservist Miguel Eaton '06 Recalls Service in the Middle East



MIGUEL EATON POSES OUTSIDE A CONCRETE BUNKER NEAR AN AIRPORT IN KUWAIT

Ay hijo, I think the Marines want you back,” said my mother anxiously in her thick Spanish accent. A certified letter had just arrived at my parents’ door. Unmistakably addressed from the Marine Corps, it read: “Involuntary Reactivation to Active Duty in Support of Operation Enduring Freedom.”

When I entered Duke Law, I thought I had worn my Marine uniform for the last time. As a second-semester student in my first year at the School, I was facing

the same traditional challenges as most of my classmates – summer job hunting, keeping up with classwork, and writing an appellate brief. But on that day in early March, those particular challenges ceased to be a priority.

With a thousand questions running through my head, I called the reserve center. Hanging up the phone, I had more questions than answers. I did learn that I had been assigned to the “combat replacement unit” at Camp Lejeune, NC. My mission: prepare to deploy to the

Middle East in order to replace an injured or killed infantry officer. I had less than 30 days to tie up any loose ends and report. Three weeks after I received these orders, the war began.

My time at Camp Lejeune was consumed by administrative processing, vaccinations and combat refresher training. We became reacquainted with a variety of weapons, communications equipment and chemical protection gear. Then we waited. We waited to find out if our unit would be needed, if there would be any

Marines to be “replaced.”

On April 23, I boarded a plane with more than 100 other Marines bound for Kuwait. We were all combat replacements. We did not know our ultimate destination. Immediately upon landing, we noticed several tangible markers of ongoing warfare: the Patriot Missile Battery, the armored Suburbans surrounding the plane and the countless concrete bunkers. We boarded buses and headed north, away from Kuwait City and far into the desert. After several hours, we reached Camp Coyote.

This expeditionary camp was one of dozens built to house coalition forces. A six-foot-high wall of sand encircled the compound to shield our forces from direct-fire weapons and enemy observation. Only the roofline of a tent city and one waving American flag were visible from the bus. Staggered barriers forced the bus to slow its speed and zigzag to a checkpoint. Several young Marines manned the heavy machine guns at the gate. After checking ID cards, they allowed us to enter the camp.

As the commanding officer of the combat replacement company, I met with Camp Coyote’s senior Marine, Lieutenant Colonel Phillips. After a quick welcome, he informed me that our orders had changed. The Marines recent-

“To most of us, the news was bittersweet. On the one hand, we were glad that our fellow Marines had successfully completed their mission and were returning to the relative safety of Kuwait. On the other, we were disappointed not to have the opportunity to utilize our training.”

ly had turned over their sector of operations in Baghdad to the Army. Now they were in the process of returning to Camp Coyote. Instead of replacing Marines in Iraq, our company would remain in Kuwait. We had missed the war.

To most of us, the news was bittersweet. On the one hand, we were glad that our fellow Marines had successfully completed their mission and were returning to the relative safety of Kuwait. On the other, we were disappointed not to have the opportunity to utilize our training. To Marines, it is analogous to being a lawyer and never advocating for a client, or being a doctor and never seeing a patient. We do not desire war, but, if it is required, we want to be there.

Initially, the Marines in my command helped with menial – but necessary – tasks such as breaking down tents and sorting mail. Fortunately, a short time later, we were tasked with a more substantial mission: serving as the security force for the return of materiel and personnel to U.S. Navy ships. While not the most exciting mission, my Marines were elated. First, this meant no more sorting mail. Second, it meant a chance to support the Marines who had fought the war. They were counting on us to get them safely back on the ships that would take them home.

One of the interesting aspects of security at the camps involved combating the threat posed by local workers. Many of the camps’ services, especially sanitation, were contracted to local companies. Because of the high probability of terrorist attacks on coalition forces, all locals had to be escorted constantly by an armed guard while at the camps. At other camps, local workers had been caught attempting to poison food supplies and smuggle sketches that pinpointed key locations such as command posts and ammunition storage facilities.

Perhaps the most memorable part of my deployment was interacting with Marines who just had fought a war. This made me an unexpected witness to the denouement of war. Whether meeting someone for the first time in the chow hall or seeing someone with whom I had served previously, most were eager to

share their story. I just listened. It will not be easy to forget the sniper who told of shooting an Iraqi soldier and watching him squirm for several hours before dying. He wondered aloud whether it

“With a thousand questions running through my head, I called the reserve center. Hanging up the phone, I had more questions than answers.”

would have been somehow better to shoot him again. Or watching one Marine casually point out another who had returned to Camp Coyote early after the stress of combat caused him to forfeit control of his bodily functions. There was no animosity in his tone, just a statement of fact. Or the countless stories of Marines who demonstrated courage under fire to save a fellow Marine or accomplish the mission. ♣

Miguel Eaton of Lanham, MD is a captain in the U.S. Marine Corps Reserve. He graduated from the U.S. Naval Academy in 1996 and served six years of active duty before coming to Duke Law. He recently returned from the Middle East and remains on active duty in support of Operation Enduring Freedom. He will return to Duke Law as a second-year student in the fall of 2004 and plans to pursue a career in litigation.

{ Faculty Focus

Book Review: Professor Laura Underkuffler's *The Idea of Property: Its Meaning and Power*

by Professor Alon Harel

The power of property rights in human lives is apparent. From the earliest moments of childhood, we claim what is “ours” with vehemence and passion. Whether those claims involve chattels, land, bank accounts, ideas, body parts, cultural icons or other property, we are convinced of their rightness and demand their protection.

The very power of property claims leads, however, to a difficult conundrum. On the one hand, we feel (as citizens) that our property is “ours” and must be protected. On the other hand, we know that absolute and unyielding protection of all property claims would paralyze government and subvert what we – as a society – must otherwise accomplish.

Mediating this tension is what the law of property must accomplish. In recent years, that law has been criticized by commentators (such as Richard Epstein and Bernard Siegan) who believe that property rights have been unjustifiably ignored by courts in their zeal to uphold zoning laws, environmental laws, endangered-species laws, historic preservation laws and other collective controls. The protection of property, it is argued, is constitutionally guaranteed, just like freedom of speech, freedom of religion, equal protection of the law and other rights. Yet, despite this apparent parity in stature, property rights are readily and routinely disregarded with little apparent consequence. How can property have meaning – as a legal idea – when it is swept aside so easily, in pursuit of what



LAURA UNDERKUFFLER

are simply the ordinary goals of government? How can we say that property rights are *rights*, when they are so routinely and readily ignored?

It is this core question that Professor Laura Underkuffler addresses in this eloquently written and powerfully argued book. She sets out to explain and justify the treatment of individual property claims by courts in these and other cases. Drawing upon a general model that explains the presumptive power of rights, she argues that the power that property rights enjoy (or fail to enjoy) in law is the result of clearly identifiable reasons. In particular, the failure of individual property claims when confronted by zoning controls, environmental laws, historic preservation laws or general redistributive laws is, she argues, not an unprincipled or aberrational result – it is an entirely predictable and justified result, once we understand the nature of such rights and their conflicts

with competing public interests.

Underkuffler's analysis begins with the observation that property rights, as we intuitively imagine them, are neither invariably powerful nor invariably impotent. Although we generally assume that titles to land, titles to chattels, patent rights, control of one's body, and like property claims will be vigorously asserted and vigorously protected, our assumptions are far more complex where land-use claims, cultural icons, personal income and other property is concerned. Indeed – the critics above notwithstanding – we tolerate collective interference with property claims to an amazing degree where such property is concerned. For instance, although environmental laws have radically altered land-use rights during the last 30 years, no legal challenge to the fundamental validity of these laws has been seriously entertained by any court. Judges have – in like manner – exhibited remarkable receptiveness to public efforts to protect historic resources and other cultural property, even when those efforts have conflicted with private property rights of a previously well-established nature. Indeed, it is precisely this tolerance of collective redefinition of property rights in these contexts that has upset critics.

Underkuffler argues that although we think of property as “protection,” in truth we do not want property to have uniform power or uniform impotence – we want property rights to sometimes protect vigorously, at other times provide weak protection, and at other times offer no protection whatsoever. As a result, simply choosing a protective or non-protective idea of property (as other theorists have urged) is not the answer to the property conundrum. Rather, we must ask a deeper question. We must ask, “[i]s there any ... way to make sense of this situation? Is there any ... way to explain why title to one's land or control of one's patented drug should have such presumptively powerful protection, while title to one's money (against redistributive taxation) or the use of one's land (in so many circumstances) should not? Is there any way to explain these and other results, other than the simple assertion

that they reflect arbitrary ... judgments, which contradict the (supposedly) unifying idea of property?”

The key, Underkuffler argues, can be found in the reason why we protect rights of any kind. When we assign to an individual demand the presumptive power afforded to rights, we assume that there is a reason for this action – that there is something about the nature of the interests that the demand asserts that justifies this power. The most persuasive rationale for this power of rights is that the claimed right involves values that are (as a *prima facie* matter, at least) different from, and more worthy than, competing public interests. Thus, for example, freedom of speech has been granted rights “status” and power because the values that it involves are different from, and more worthy than, those usually involved in most competing public interests.

Where property is concerned, she argues, this assumption often breaks down. In many cases involving property claims, the individual property claims are, in fact, opposed by public interests which

assert values of the very same kind – which leaves the property claims on the same, rather than a superior, footing. What we really have in these cases is not individual property claims vs. unrelated public interests, rather, we have individual property claims vs. public assertion of the property claims *of others*. She argues that in these situations, there is no reason to privilege the individual property claims. What the critics above miss, she argues, is that property-rights claims disproportionately involve claims of this kind. When an individual’s claimed right to develop land is confronted by public wetlands protection laws, or when an individual’s claimed right to cut down ancient redwood trees is confronted by public preservation claims, or endangered species laws, these cases do not involve property “rights” vs. other (weaker) public interests, but property “rights” vs. concerns that are identical in their nature to those that underlie the very protection of property.

This book is a new, refreshing, and powerful voice in an important social, political and legal debate. By rejecting

the idea that property should always protect or always not, this book embraces a position that resonates deeply with our own intuitive notions of property. By providing an explanation as to *when* and *why* claimed property rights should have such power, this book is a singular achievement in property theory and critical reading for anyone concerned with questions of property and justice. ♣



Alon Harel is Walter E. Meyer Professor of Law at Hebrew University in Jerusalem. He has been a visiting professor at Toronto University Law School, Columbia Law School and University of Southern California Law School. He was a faculty fellow, Program for Ethics and the Professions, at Harvard University for the academic year 2002-03. He has published extensively in the United States and abroad in the areas of legal philosophy and human rights.

Faculty Authors Recognized

Dozens of faculty members, students and staff gathered in the Burdman Lounge on April 15 for the third annual Celebration of Faculty Scholarship, an event that honors faculty for the books they have written during the previous calendar year.

At this year’s celebration, which featured books authored in 2002, a dozen faculty members presented brief overviews of the scholarship of their peers. Dean Katharine Bartlett presented Professor Laura Underkuffler the Dean’s Prize for Faculty Scholarship for her 2003 book, *The Idea of Property: Its Meaning and Power*.



Featured Books included:

Dean Bartlett

Gender and Law: Theory, Doctrine, Commentary (3d ed.)

Principles of the Law of Family Dissolution: Analysis and Recommendation

Doriane Coleman

Fixing Columbine: The Challenge to American Liberalism

Peter Fish

Federal Justice in the Mid-Atlantic South: United States Courts From Maryland to the Carolinas, 1789-1835

Ralf Michaels

Assigning Ownership through Contracts of Sales: Consent, Delivery, ius ad rem in History, Theory and Current Law

Robert Mosteller

Evidence: Cases and Materials (6th ed.)

Jeff Powell

A Community Built on Words: The Constitution in History and Politics

The President’s Authority Over Foreign Affairs: An Essay in Constitutional Interpretation

Our Chief Magistrate and His Powers: William Howard Taft (orig. ed. 1916) (editor)

Thomas Rowe

Federal Courts in the 21st Century: Cases and Materials (2d ed.)

Steven Schwarcz

Structured Finance: A Guide to the Principles of Asset Securitization (3d ed.) (also published in Spanish and Korean editions)

William Van Alstyne

The American First Amendment in the Twenty-First Century: Cases and Materials (3d ed.)

Q&A with Laura Underkuffler

Duke Law Magazine: What is the history of your teaching property law at Duke? What kinds of questions do you address in your classes?

Underkuffler: I have taught the first-year property class since my arrival in the fall of 1990 and land use for the past three years. I also teach an advanced course in property theory. This is a seminar, in which we look at cutting-edge social issues and try to determine whether property is a useful concept for thinking about conflicting claims. For instance, do you have a *property* right in your social security number, banking records, medical records or other personal information? Is the relationship between gamete donors and the human embryos which they have created in an IVF procedure one of *property*, or something else? What does it mean to characterize the cultural claims of indigenous peoples as *property* interests? How does a property theory change the way that we think about these claims?

Duke Law Magazine: How has property, as a law school course, changed in the last decade?

Underkuffler: At the time of my arrival, property as a law school subject was something of an afterthought for most law students. Students expected it to be filled with arcane rules about estates in land. New, young professors also tended to avoid it – I think that it was seen by most as an academic backwater. All of that has completely changed. With the explosion of popular interest in intellectual property and the Internet, biotechnology issues, cultural property claims and so on, many students who come to Duke have targeted property as some-

thing they want to study and as an exciting practice area. These events also have moved questions about the nature and power of property into the center of academic and political debate.

Duke Law Magazine: What, in particular, motivated you to write *The Idea of Property*?

Underkuffler: In the summer of 1994, I was contacted by Professor André van der Walt of South Africa, who was involved in the drafting of the new South African Constitution. Because of the history of apartheid and its effects in South Africa, a particularly contentious issue was whether property should be protected by an entrenched, constitutional guarantee. On this question the drafters faced profoundly conflicting needs. On the one hand, the inclusion of a property clause seemed desirable as a way to underline a commitment to social stability and foreign investment. On the other hand, to simply guarantee the protection of existing property holdings was to freeze into place all of the economic products of the former apartheid regime.

Professor van der Walt and the other drafters were interested in an alternative conception of property that I had previously proposed, one that incorporated the idea of social change. My subsequent involvement with the pressing, real-world issues of the South African situation made me realize that the question of property protection required deeper analysis than my prior work has offered. Wrestling with those issues led to the writing of this book.

Duke Law Magazine: What do you hope this book will contribute to the field of property law?

Underkuffler: The question of what property rights should be is an incredibly important issue. Property is, after all, all

that we see, all material wealth; its existence determines our daily lives, our dreams, even our very physical survival.

We have had a terrible time, as scholars, reconciling the fundamental human need for security through property ownership with the fundamental reality that awarding property to some deprives others of that property. We have had a terrible time explaining when claimed property rights should be honored and when they should not. As a result, we have people at one end of the spectrum who argue that individual property rights are unjustifiably trammled by land-use regulations, environmental controls, cultural property laws, welfare laws, and so on; at the other end of the spectrum, we have people who argue that individual property rights (as a whole) should have little, if any, protection.

I don't think that either approach is useful. I don't think that we can deny the human need for property ownership any more than we can deny the social need to change property entitlements. My goal, through this book, is to change the nature of this debate – to focus our attention on the real human needs that underline property claims and conflicting public interests. The book's goal is to provoke us toward a deeper understanding of what property is and how we should treat property claims in law.

Duke Law Magazine: Do you see any connection between this book and what you teach in your property classes?

Underkuffler: This book simply presents, in a distilled form, fundamental issues that any study of property law involves. We can talk about the rules governing land ownership, but all of those rules are premised on underlying ideas about what property rights are and should be. It is difficult to be a creative lawyer, I think, if you have no idea of what animates the law that you are invoking. It is that vital and exciting connection between *the idea* of law and its practical implementation that I try to bring alive for students. ♡



Professor James Boyle Honored With World Technology Network Award

James Boyle, William Neal Reynolds professor of law, received the World Technology Network's Award for Law in June for his work on the theory and practice of protecting the "intellectual ecology" of the public domain – the ideas and expressions that are free for all to use or build upon.

The winners were announced in San Francisco at the World Technology Awards gala ceremony – the conclusion of the two-day World Technology Summit. The awards, which were instituted in 2000, are sponsored by a range of organizations including the American Association for the Advancement of Science, *TIME* magazine, *Science* magazine, NASDAQ, Microsoft and *Technology Review*. They honor individuals and corporations from 20 technology-related sectors who are selected by their peers as innovators who perform work of the greatest likely long-term significance.

Award categories include biotechnology, space and energy, ethics, design and law. Previous award winners in other categories include Craig Venter, the leader of the private project to sequence the human genome, Tim Berners-Lee, whose work was central to the creation of the World Wide Web, and Linus Torvalds, the creator of the Linux computer operating system.

Boyle, who came to Duke Law in 2000, said he was honored to receive the award. "It is gratifying personally, of course, but I particularly appreciate the award as a recognition of the importance

of the work that I, and colleagues at Duke and around the country, have been doing on the public domain," he said. "Any achievement here is a collective one. It comes at a particularly nice moment because Duke has just created the first ever Center to study the public domain, and I hope that the award will give impetus to our work."

James P. Clark, founder and chairman of the World Technology Network, added: "The World Technology Awards program was created to recognize truly extraordinary innovation on a global scale, the sort of work that could be described as creating our collective future and changing our world. James Boyle's contribution to the field of intellectual property has been outstanding, and the award is just acknowledgment of that fact."

In a series of articles and books since his 1992 *Theory of Law and Information*, Boyle has argued that we have a number of crucial blind-spots in the way we understand information and intellectual property. His 1996 book, *Shamans, Software and Spleens*, focused on the way that ideas about "original" creation neglect the importance of accessing and building upon existing creative works. *Foucault in Cyberspace* argued that too many policy decisions about the Internet are made by entrusting issues to a combination of technology and private enforcement, both of which are immune from

public scrutiny. *A Politics of Intellectual Property* analogized the current politics of intellectual property to the environmental politics of the 1940s and argued that we need to learn from the theoretical and organizational innovations of the environmental movement.

Boyle's recent work has claimed that we face a second "enclosure movement," an enclosure of the "commons of the mind." Boyle argues that this second enclosure movement, an expansion of intellectual property law over everything from facts and business methods to gene sequences and digital content, is unlikely to have the same economic benefits as the first – which fenced off common land and turned it into private property in old England.

Beyond his theoretical work, Boyle has helped to found or to advise a number of organizations dealing with these issues, including Creative Commons, Duke's Center for the Study of the Public Domain and Public Knowledge.

For more information about the World Technology Network, World Technology Awards and World Technology Summit, visit the WTN website at <http://www.wtn.net>. More details about Boyle are available at <http://www.james-boyle.com>. More information about Duke's Center for the Study of the Public Domain can be found at <http://www.law.duke.edu/cspd>. ♪



JAMES BOYLE

Collected Papers Published



We are happy to announce the publication of the collected papers from Duke's Conference on the Public Domain in a volume edited by James Boyle, William Neal Reynolds professor of law. The topics of these papers cover a broad range of public domain study, from the history and theory of the public domain, to the constitutionalization of the public domain, to analyses of the public domain in culture, science and the digital realm. The authors include prominent environmental scholars, appropriation artists, legal theorists, historians and literary critics. For more information on these subjects, and a link to free digital versions of these papers, please visit <http://www.law.duke.edu/cspd>. The special edition volume of these papers is available for purchase at www.amazon.com.

Richard Danner Awarded Rufty Professorship

Richard Danner has been named the Archibald C. and Frances Fulk Rufty Law Library and Information Technology Research Professor in the Law School. The position is supported by a \$1.45 million gift from Frances F. Rufty '45, a long-time supporter of the Law School and Law Library.

Danner, senior associate dean for information services at the Law School, is widely considered one of the most prominent scholars of information technology in the field of law. He has degrees in both law and library science.

"I feel honored and humbled to be awarded a distinguished professorship, and I was very pleased that so many of my colleagues were in attendance at the dinner where the chair was announced," Danner said. "I am particularly happy that the professorship carries the names of Archie and Frances Rufty. Frances worked in the Law Library as a student and early in her career and is a generous long-time friend and supporter of the Library. I consider her and all the members of her family to be personal friends as well."

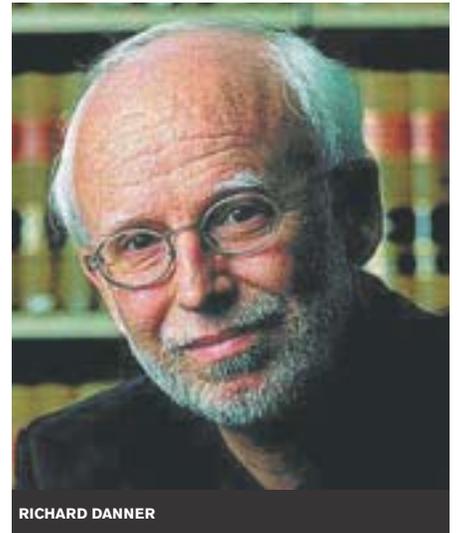
Danner is known internationally for his scholarship on legal education, legislation, legal research and bibliography, and the science of law libraries. His work on issues of electronic publication are path-breaking, and his book *Strategic Planning: A Law Library Management Tool for the '90s and Beyond* is widely considered an essential resource for all law librarians. His leadership, imagination and intellect have helped establish Duke Law School as a national leader in the use of technology to disseminate legal scholarship and to facilitate teaching and learning in the classroom.

In addition to his work as a scholar and teacher, Danner has held a variety of leadership positions in all of the key professional organizations in his field. Among the most important of these, he

has served as president of the American Association of Law Libraries, editor of that organization's *Law Library Journal*, a director of the International Association of Law Libraries, and a member of the Executive Committee of the Association of American Law Schools.

Few research professors have reached the level of distinction and leadership that Danner has achieved in these fields that are of increasing importance to both law schools and research universities.

"This is a well-earned honor for Dick, who is one of the most respected legal academic librarians in the country," said Dean Katharine Bartlett. "There is no better qualified person for this professorship." ♡



Danner joins the following distinguished group of faculty members who hold chaired professorships at the Law School:

- Katharine T. Bartlett, *A. Kenneth Pye Professor of Law*
- Sara Sun Beale, *Charles L.B. Lowndes Professor of Law*
- James D.A. Boyle, *William Neal Reynolds Professor of Law*
- Paul D. Carrington, *Harry R. Chadwick Sr. Emeritus Professor of Law*
- George C. Christie, *James B. Duke Professor of Law*
- James D. Cox, *Brainerd Currie Professor of Law*
- Walter E. Dellinger III, *Douglas Blount Maggs Professor of Law*
- Deborah A. DeMott, *David F. Cavers Professor of Law*
- Clark C. Havighurst, *William Neal Reynolds Emeritus Professor of Law*
- Donald L. Horowitz, *James B. Duke Professor of Law and Professor of Political Science*
- Robert P. Mosteller, *Harry R. Chadwick Sr. Professor of Law*
- Jerome H. Reichman, *Bunyon S. Womble Professor of Law*
- William A. Reppy, Jr., *Charles L.B. Lowndes Emeritus Professor of Law*
- Thomas D. Rowe, Jr., *Elvin R. Latty Professor of Law*
- Christopher H. Schroeder, *Charles S. Murphy Professor of Law and Professor of Public Policy Studies*
- William W. Van Alstyne, *William R. Perkins and Thomas C. Perkins Professor of Law*
- Neil Vidmar, *Russell M. Robinson, II Professor of Law and Professor of Psychology: Social and Health Sciences*

Katharine Bartlett

Lectures and Addresses

- “Can the Law School Curriculum be Disengendered?” Joint AALS/ABA Workshop on Taking Stock: Women of All Color in Law School, AALS Mid-Year Meeting, New York City (June 2003)
- Facilitator, “Deans Are From Venus, Development Officers are From Mars – Bringing the Relationship Down to Earth,” ABA Section of Legal Education and Admissions to the Bar, Jackson Hole VII Conference on Law School Development, Jackson Hole, WY (May 2003)

Other

- Member, 2002-05 Law School Development Committee, American Bar Association Section of Legal Education and Admissions to the Bar

Sara Sun Beale

Lectures and Addresses

- “Research on How Media and Politics Can Affect the Guidelines,” 12th Annual National Federal Sentencing Guidelines Seminar, Miami, FL (May 2003)
- “The Causes and Consequences of Public Support for Punitive Criminal Justice Policies in the 1990s,” Duke University Distinguished Professors Luncheon (April 2003)
- Presentation on the causes and effects of the news media’s coverage of crime, joint program of the Criminal Justice Section and the Mass Communications Section on Media and Criminal Justice, AALS Annual Meeting (January 2003)
- “How the News Media Covers Crime: How, Why and Who Cares,” faculty workshop, The University of Texas (February 2003)
- Panelist at integrity conference, Fordham Law School (February 2003)

Publications

- *The Consequences of Enlisting Federal Grand Juries in the War on Terrorism: Assessing the Patriot Act’s Changes to Grand Jury Secrecy*, 25 Harvard Journal of Law & Public Policy 699 (2002), reprinted as *Assessing the USA Patriot Act’s Changes to Grand Jury Secrecy*, 17 Criminal Justice 43 (Summer 2002) (with James E. Felman ’87)

Other

- Attended workshop, “Incorporating Biology and Neuroscience Into the Law School Curriculum” (and speaker at an informal session) Squaw Valley, CA (June 2003)
- Vice chair, Duke Presidential Search Committee (beginning May 2003)
- Speaker at the U.S. Sentencing Commission/

Federal Bar Association National Seminar on Federal Sentencing Guidelines (May 2003)

- Appeared as commentator on NPR’s *All Things Considered* and quoted in the *Chicago Tribune*

Donald Beskind

Lectures and Addresses

- “Dealing with Disasters at Trial,” North Carolina Association of Trial Lawyers (May 2003)

Francesca Bignami

Lectures and Addresses

- Presented paper, “The Challenge of Cooperative Regulatory Relations after Enlargement,” conference on Enlargement of the European Union, Columbia University (April 2003)
- Presented paper, “Individual Participation in Community Rulemaking Proceedings,” conference on Rights in European Governance, University of Rome, Italy (April 2003)
- Lectured on American administrative law, University of Viterbo, Italy (April 2003)
- Lectured on European Information Privacy Law and the American System of Legal Education, University of Rome, Italy (April 2003)
- “Administering European Privacy Policy,” Columbia European Law Center, Columbia University (January 2003)
- Commentator at colloquium: “Globalization and Its Discontents,” New York University (March 2003)
- Commentator, workshop: “Legitimacy, Democracy and Justice in International Governance,” New York University (October 2002)
- Presented paper, “Independence and the Proper Place for Politics,” conference on “Regulating Transnational Markets: Between State Sovereignty, Integrated Markets, and Transnational Communities,” New York University (September 2002)

James Boyle

Lectures and Addresses

- “Licensing Geographic Data Services,” National Academies Committee Meeting, Washington, D.C. (February 2003)
- Speaker, MIT Dspace Symposium on Scholarly Communication, Cambridge, MA (December 2002)
- Connexions Distance Learning Project, Rice University, Houston, TX (April 2002)
- “The Future of Professional Services,” Center for Business Innovation, Cambridge, MA (December 2002)

Publications

- *The Opposite of Property*, 66 Law & Contemporary Problems 1-32 (Winter/Spring 2003)
- *The Second Enclosure Movement*, 66 Law & Contemporary Problems 33-74 (Winter/Spring 2003)
- Special Editor, *Symposium: The Public Domain*, 66 Law & Contemporary Problems (Winter/Spring 2003)

Keith Brodie

Lectures and Addresses

- Co-chair, NIH Symposium-Catalysing Science Team, Bethesda, MD (June 2003)

Michael Byers

Lectures and Addresses

- “Preemptive Self-Defense: Hegemony, Equality and Strategies of Legal Change,” Liu Institute for Global Issues, University of British Columbia, Vancouver, Canada (May 2003); International Law Association Lecture Series, Oxford University, United Kingdom (March 2003); Department of International Politics, University of Wales, Aberystwyth, United Kingdom (March 2003); and Erik Castrén Institute of International Law and Human Rights, University of Helsinki, Finland (March 2003)
- “Is the War Against Iraq Legal?” Institute for Trade and Security & Dean Rusk Center for International, Comparative and Graduate Legal Studies, University of Georgia (March 2003)

Publications

- *Preemptive Self-Defense: Hegemony, Equality and Strategies of Legal Change*, 11 Journal of Political Philosophy 171-90 (2003)
- *Letting the Exception Prove the Rule*, 17 Ethics & International Affairs 9-16 (2003)
- *Changing the Rules about Rules? Unilateral Humanitarian Intervention and the Future of International Law*, in HUMANITARIAN INTERVENTION: ETHICAL, LEGAL AND POLITICAL DILEMMAS 177-203 (J.L.Holzgrefe & Robert Keohane eds., Cambridge University Press, 2003) (with Simon Chesterman)
- UNITED STATES HEGEMONY AND THE FOUNDATIONS OF INTERNATIONAL LAW, Cambridge University Press (2003) (co-edited with Georg Nolte)

Other

- Visiting Scholar, Liu Institute for Global Issues, University of British Columbia, Vancouver, Canada (April-May 2003)

Paul Carrington

Lectures and Addresses

- Texas Bar Association, Section on Litigation (June 2003)
- University of Maastricht, Conference on Delay in Court, Berlin, Germany (April 2003)
- ABA Conference on Judicial Independence, Raleigh (March 2003)
- "Fair Bargains," Arkansas House of Representatives, Little Rock (February 2003) (videotaped)
- "Private Law Enforcement in the U.S.," Stiftung Gesellschaft für Rechtspolitik, Bitburg, Germany (January 2003)

Publications

- *Self-Deregulation, The "National Policy" of the Supreme Court*, 3 Nevada Law Journal 259 (Winter 2002/2003)
- *A Eulogy to Harriet Joyner Wigmore*, 6 Green Bag 2d 229 (2003)

Other

- Harvard Law School Oral History Project, two-hour audiotope for Harvard Library (February 2003)

Denise Chapin

Lectures and Addresses

- "Everything I Need to Know About Legal Writing I Learned in Kindergarten," Third Annual Carolinas Legal Research and Writing Colloquium, Duke Law School (May 2003)

Other

- Produced two videotapes; "May It Please the Court: Tips for Effective Brief Writing" and "May It Please the Court: Tips for Effective Oral Advocacy"

George Christie

- Chaired session on Hate Speech, The Quadrennial International Congress of Comparative Law, Brisbane, Australia (July 2002)

Charles Clotfelter

Lectures and Addresses

- "School Resegregation in North Carolina," Closing the Achievement Gap Conference sponsored by the Department of Public Instruction, Greensboro, NC (March 2003)

Publications

- *Alumni Giving to Elite Private Colleges and Universities*, 22 Economics of Education Review 109-120 (April 2003)

James Cox

Lectures and Addresses

- "Professions after Enron," Duke University (April 2003)
 - "The Public and Private Enforcement of the Securities Laws: An Empirical Inquiry," Duke-Institute for Law and Economic Policy Conference, Coronado, CA, (April 2003) (with Randall Thomas and Dana Kiku)
 - "Do Lead Plaintiffs Contribute to Better Settlements of Securities Class Action Frauds," Vanderbilt University Law and Business Conference (March 2003) (with Randall Thomas)
 - Moderator and presenter in breakout session for Directors' Education Institute at Duke (March 2003)
 - "The Ill Effects of Environment on Being a Professional," Notre Dame University Law and Ethics Speakers Series (February 2003)
 - Presenter, F. Hodge O'Neal Conference on Financial Disclosure Practices, Washington University (February 2003)
 - Moderator, "Accounting Standards in the Aftermath of the Financial Scandals of 2002," UNC School of Law (February 2003)
 - "Improving Corporate Governance After Enron," Virginia State Bar Meeting, Williamsburg, VA (January 2003)
 - Moderator, Public Law Program, Duke University (December 2002)
 - Panel moderator and breakout session discussant, Directors' Education Institute at Duke (October 2002)
 - "Boardroom Culture and the Illusive Quest of Diversity, Fuqua Diversity Conference Institutional Failings that Made the Accounting and Financial Scandals of 2001/02 Possible," NC State Attorney General Conference, Raleigh (September 2002)
 - "Some Musings About What We Have Learned from Enron," Duke Law Miami Alumni Association (September 2002)
 - "Institutional Failings That Made the Accounting and Financial Scandals of 2001/02 Possible," Sydney University, Australia (July 2002)
- ### Publications
- 2003 SUPPLEMENT TO SECURITIES REGULATIONS SUPPLEMENT (3d ed. 2001)
 - *Leaving Money on the Table: Do Institutional Investors Fail to File Claims in Securities Class Actions?*, 80 Washington University Law Quarterly 855-81 (2002) (with Randall Thomas)

- *The Paradoxical Corporate and Securities Law Implications of Counsel Serving on the Client's Board*, 80 Washington University Law Quarterly 541-67 (2002)
- *The Expanding Scope of the Director's Fiduciary Duty of Loyalty in the U.S.* (University of Southern Denmark, 2003)

Other

- Convener and chief planner for Duke-ILEP conference entitled, "Administrative Agencies, Private Initiatives and Economic Justice," San Diego, CA (April 2003)

Richard Danner

Lectures and Addresses

- "Issues in the Preservation of Born-Digital Scholarly Communications in Law," Conference on Preserving Legal Information for the 21st Century: Toward a National Agenda, Georgetown Law Center (March 2003)
- "Student Computing in the 21st Century Law School," American Bar Association Bricks & Bytes Conference, Boston, MA (March 2003)
- "Law Librarianship Past and Present: The Ever-Challenging Threat of the Available," Annual meeting of the Southeastern Chapter of the American Association of Law Libraries, Lexington, KY (April 2003)

Publications

- *Electronic Publication of Legal Scholarship: New Issues and Models*, 52 Journal of Legal Education 347-64 (2002)
- Law School Libraries, in *Encyclopedia of Library and Information Science* 1503-12 (2d ed. 2003)

Other

- Named the Archibald C. and Frances Fulk Ruffy Research Professor of Law (effective July 1, 2003)
- Consultant, Columbia Law School (February 2003)

Deborah DeMott

Publications

- Reporter, RESTATEMENT (THIRD) OF AGENCY (Tentative Draft No. 4, 2003)

Other

- Serving three-year term as a member of the Executive Committee of the Order of the Coif, including drafting work on a revision of the Order's constitution
- Presented and defended Tentative Draft No. 4 of Restatement (Third) of Agency to American Law Institute's Annual Meeting, which voted tentative approval for Chapter 6 (May 2003)

Diane Dimond

- Coordinator, Third Annual Carolinas Legal Research and Writing Colloquium, Duke Law School (May 2003) (with others)

Robinson Everett

Lectures and Addresses

- Participant, ABA Mid-Year Meeting Panel for IRR Section on "War with Iraq," Seattle, WA (February 2003)
- Participant, AALS Panel on "Military Tribunals," Washington D.C. (January 2003)
- Speaker, Fort Bragg, NC (May 2002)
- Speaker, Senior Lawyers Association Program of NC Bar Association (Spring 2002)
- Speaker, Judge Advocates Association Conference on Military Law, Washington, D.C. (Fall 2002)

Other

- Attended annual meetings of the ALI, NCCUSL, and Fourth Circuit Judicial Conference
- Co-authored an *amicus* brief for the NC Supreme Court in the redistricting case of *Stephenson v. Bartlett*

Peter Fish

Publications

- *James Louis Petigru: 1789-1863* in GREAT AMERICAN LAWYERS: AN ENCYCLOPEDIA, 553-60 (John R. Vile ed., ABC-CLIO, 2001)
- FEDERAL JUSTICE IN THE MID-ATLANTIC SOUTH: UNITED STATES COURTS FROM MARYLAND TO THE CAROLINAS: 1789-1835 (Administrative Office of the United States Courts, 2002)
- *Mowe (German Navy Ship, 1914)* in 2 NAVAL WARFARE: AN INTERNATIONAL ENCYCLOPEDIA 717 (Spencer C. Tucker ed., ABC-CLIO, 2002) (with Douglas Peifer)
- *Trent (British Mail Steamer, 1841)*, in 3 NAVAL WARFARE: AN INTERNATIONAL ENCYCLOPEDIA 1029-31 (Spencer C. Tucker ed., ABC-CLIO, 2002)

Other

- Participant, Commission on Colleges of the Southern Association of Colleges and Schools meeting, Asheville, NC (June 2002) and San Antonio, TX (December 2002)

Paul Haagen

Lectures and Addresses

- Commentator, "The Coming Crisis in Mandatory Arbitration: New Perspectives and Possibilities," The Roscoe Pound Institute (October 2002)

Other

- Organizer, Conference on Professional Sports, Duke Law School (April 2003)
- Board member, *Sports Law Reporter*

Clark Havighurst

Publications

- *An Apology for Professionalist Regimes* (Book Review of Eliot Freidson, PROFESSIONALISM: THE THIRD LOGIC) 28 Journal of Health Politics, Policy & Law 159-63 (2003)

Other

- Argued appeal, and drafted cert. petition (pending), in *Viazis v. American Association of Orthodontists*, 5th Circuit (December 2002)
- Joined National Advisory Committee for the Robert Wood Johnson Foundation's Investigators Award program

Donald Horowitz

Lectures and Addresses

- "Constitutional Design for Severely Divided Societies," Rutgers University, and the University of California (2003)
- "Rethinking Ethnicity and Nation-Building: Malaysia, Sri Lanka and Fiji" Universiti Kebangsaan Malaysia in Bangi, Malaysia (February 2003)

Publications

- *The Cracked Foundations of the Right to Secede*, 14 Journal of Democracy 5-17 (April 2003)

Other

- Consulted on several projects concerning the new Afghanistan constitution including: RAND on the role of Islam; Constitutional Commission on electoral systems; and Princeton-based group on federalism/devolution
- Submitted a memorandum, "Electoral Systems and Their Goals: A Primer for Decision-Makers," to a consulting body for the Constitutional Commission sitting in Kabul, Afghanistan. A report of a study group in which he participated (and is co-author) on the place of Islam in the Afghan constitution being developed, "Democracy and Islam in the New Constitution of Afghanistan," was sent to President Hamid Karzai (February 2003)

Trina Jones

Lectures and Addresses

- "Diversity," Howard University, sponsored by the ACLU (March 2003)
- "2003 Martin Luther King Address," Vanderbilt Law School (January 2003)

Other

- Member, Duke Harassment Review Board and Women's Faculty Development Task Force (since January 2003)

Ted Kaufman

- Board of Directors, WHYY Inc. and Children and Families First (2003)

Robert Keohane

Lectures and Addresses

- Participant, panel on compliance, The American Society of International Law, Washington, D.C. (March 2003)
- Participant and co-organizer, "Ironies of Sovereignty: The European Union and World Order," sponsored by the *Journal of Common Market Studies*, conference on persuasion in world politics, Florence, Italy (April 2003)
- Presented the Winchester Lecture at Oxford and the Miliband Lecture at the London School of Economics (May 2003)
- Participated in conference on accountability at the London School of Economics and gave a paper on the concept of accountability (May 2003)
- "The Globalization of Informal Violence, Theories of World Politics, and the Liberalism of Fear" American Political Science Association (August 2002)
- Presented paper on accountability, Virginia Tech University (September 2002)

Publications

- HUMANITARIAN INTERVENTION: ETHICAL, LEGAL, AND POLITICAL DILEMMAS (Cambridge University Press, 2003) (editor with J.L. Holzgrefe)
- *The Globalization of Informal Violence, Theories of World Politics, and the Liberalism of Fear*, in UNDERSTANDING SEPTEMBER 11 (Craig Calhoun, Paul Price & Ashley Timmer eds., New Press 2002) reprinted in POWER AND GOVERNANCE IN A PARTIALLY GLOBALIZED WORLD, chapter 12 (2002)
- POWER AND GOVERNANCE IN A PARTIALLY GLOBALIZED WORLD (Routledge 2002)
- *International Commitments and American Political Institutions in the Nineteenth Century*, in SHAPED BY WAR AND TRADE (Ira Katznelson & Martin Shefter eds., Princeton University Press, 2002)

- *Intergovernmental Organizations and Garbage Can Theory*, 12 *Journal of Public Administration Research & Theory* 155-160 (April 2002)
- *Ironies of Sovereignty: The European Union and World Order*, 40 *Journal of Common Market Studies* 743-765 (2002)
- *Moral Commitment and Liberal Approaches to World Politics*, in *THE GLOBALIZATION OF LIBERALISM* (Eivind Hovden & Edward Keens eds., Palgrave, 2002)
- *The Public Delegitimation of Terrorism and Coalition Politics*, in *WORLDS IN COLLISION* (Ken Booth & Tim Dunne eds., Palgrave Macmillan, 2002)
- *Rational Choice Theory and International Law: Insights and Limitations*, 31 *Journal of Legal Studies* S301-320 (2002)
- 'Commentary' on *the Democratic Accountability on Non-Governmental Organizations*, 3 *Chicago Journal of International Law* 477-479 (2002)
- *Power and Interdependence and Neo-Realism and Its Critics*, translated in Chinese editions (Peking University Press, 2002)
- *After Hegemony*, translated in Chinese (Shanghai Group) and Japanese (The English Agency) (2002)

Other

- Director of Graduate Studies, Department of Political Science, Duke University
- Advisor to Jim Lehrer Productions for "We the People" deliberative poll of foreign policy (January 2003)
- Review research proposals for the National Science Foundation and the National Humanities Center
- Board Member, *International Organization*
- Chaired an external review of the structure, mission and performance of the Center for International Studies, Princeton University (December 2002)

David Lange

Lectures and Addresses

- Panelist on digital copyright issues, Copyright Society of the United States 50th Anniversary Annual Meeting, Lake George, NY (June 2003)
- Panelist on discussion of differences between the academy and practitioners on issues affecting protection and the public domain, Copyright Society of the United States annual meeting, NY (June 2003) (with Pamela Samuelson and others)
- Panelist on current issues in copyright, Association of the Bar of New York (May 2003)
- Panelist on fair use issues, New York City (May 2003)
- Comment on Traditional Knowledge and

Folklore, symposium on "International Public Goods and Transfer of Technology Under a Globalized Intellectual Property Regime," Duke Law School (April 2003)

- "Reimagining the Public Domain" seminar on classic works in the literature of intellectual property, Boston University Law School (February 2003)
- Keynote speaker on fair use in the entertainment industry, Vanderbilt Law School (February 2003)
- Panelist and lecturer on fair use in digital rights contexts, College Art Association, New York City (February 2003)
- "Comment on *The New York Times v. Tasini*," Case Western Reserve University Law School (November 2002)

Publications

- *Reimagining The Public Domain*, 66 *Law & Contemporary Problems* 463-83 (Winter/Spring 2003)

Sarah Ludington

Lectures and Addresses

- "Effective Lesson Planning in the Legal Writing Classroom," Third Annual Carolinas Legal Research and Writing Colloquium, Duke Law School (May 2003)

Martin Lybecker

Lectures and Addresses

- "Informal Remarks on the Implementation of the Gramm-Leach-Bliley Act," 2003 Trust Management Association, Inc. Seminar, White Sulphur Springs, WV (May 2003)
- Co-Chair, "Corporate Governance after Sarbanes-Oxley," Banking Law Committee, ABA Spring Meeting, Los Angeles, CA (April 2003)
- Speaker, "Regulatory Overload?" U.S. Institute Washington Forum, Institutional Investor, Washington, DC (March 2003)
- Co-Chair, "Financial Services Modernization 2003: Implementation of The Gramm-Leach-Bliley Act," ALI-ABA Course of Study, Washington, D.C. (February 2003)

Carolyn McAllaster

Lectures and Addresses

- "HIV Status and Confidentiality" Consumer Advocacy Training: A Grassroots Approach to Legislative Change, Raleigh, NC (February 2003)
- "Permanency Planning for Children of HIV-Infected Parents," Guardian ad Litem Volunteers, Rocky Mount, NC (January 2003)
- "Work of the AIDS Legal Assistance Project," Durham County Kiwanis Club (January 2003)

- Address at Veteran's Administration Medical Center World AIDS Day Celebration (December 2002)

Publications

- *Issues in Family Law for People with HIV*, in *AIDS AND THE LAW* (2002 and 2003 Supplement), (with Carol Suzuki & Jeffrey Selbin)
- *Legal Issues for HIV-Infected Children*, in *TEXTBOOK OF PEDIATRIC HIV CARE* (Cambridge University Press, 2003)

Other

- Co-advisor, *Journal of Gender Law & Policy*
- Faculty representative, University Harassment and Grievance Board

Francis McGovern

Lectures and Addresses

- "Understanding Mass Torts," Mealey's Wall Street Forum Mass Torts, New York, NY (July 2003)
- "Bankruptcy Negotiation," Mealey's Asbestos Conference, Philadelphia, PA (June 2003)
- "Mediating Water Rights Disputes," University of Colorado School of Law, Boulder, CO (June 2003)
- "Asbestos Legislation," Federal Jurisdiction Committee, U.S. Judicial Conference, Charleston, SC (June 2003)
- "Asbestos Legislation," Standing Committee on Rules, U.S. Judicial Conference, Philadelphia, PA (June 2003)
- "Judicial Alternative Dispute Resolution," Montenegro Law School, Sveti Stefan, Montenegro (June 2003)
- "The Mass Tort End Game," Advisory Committee on Rules, U.S. Judicial Conference (May 2003)
- "Asbestos Legislation," University of Tennessee Law School, Knoxville, TN (April 2003)
- "Proposed Asbestos Legislation," Pepperdine Law School, Malibu, CA (April 2003)
- "Asbestos Bankruptcies," Litigation Section, American Bar Association (April 2003)
- "PPA Litigation," Stanford Law School, Palo Alto, CA (April 2003)
- "Mediating or Evaluating Claims Resolution Facilities," DePaul Law School, Chicago, IL (April 2003)
- "Mass Tort Litigation," University of Tennessee Law School, Knoxville, TN (March 2003)
- "Social Issue Torts," Sonoma State University, Sonoma, CA (February 2003)
- "Resolving Mass Torts," Association of American Law Schools, Washington, D.C. (January 2003)
- "The Future of Asbestos Litigation," Standing Committee on Rules, U.S. Judicial Conference, Phoenix, AZ (January 2003)

- “Cooperation Among Judges,” Conference of Chief Justices, Williamsburg, VA (January 2003)

Other

- Advisor, Working Group on Mass Torts, Judicial Conference of the United States
- Board Member, Celotex Asbestos Settlement Trust
- Distinguished Lecturer, University of Tennessee Law School
- Senior Advisor, National Center for State Courts

Thomas Metzloff

Lectures and Addresses

- “Classroom Design,” ABA Bricks & Bytes Conference, Boston, MA (March 2003)
- Presented Distinctive Aspects project at Computer Assisted Legal Instruction conference, Duke Law School (June 2003)
- Presented paper on empirical information relating to punitive damages at South Eastern American Law Schools meeting, Amelia Island, FL (July 2003)

Publications

- *The Process of Managing Medical Malpractice Cases: The Role of the Standard of Care*, 37 Wake Forest Law Review 877-902 (2002) (with Ralph Peeples & Catherine T. Harris)

Other

- Organized the L&CP symposium on the development in mandatory arbitration (Scheduled for October 2003)
- Chair, Duke University Faculty Compensation Committee

Ralf Michaels

Publications

- *Book Review*, 4 German Law Journal 411-417 (Issue 4, 2003) (reviewing *RETHINKING THE MASTERS OF COMPARATIVE LAW* (Annelise Riles ed., 2001))
- *Die Auslegung und Fortbildung ausländischen Rechts* [Judicial Interpretation and Development of Foreign Law], 116 Zeitschrift für Zivilprozess 3-56 (2003) (with Nils Jansen)
- Hamburg Group for Private International Law, *Comments on the European Commission's Draft Proposal for a Council Regulation on the Law Applicable to Non-Contractual Obligations*, 67 *Rabels Zeitschrift für ausländisches und internationales Privatrecht* 1-56 (2003) (with others)

Other

- Appeared on MSNBC's *Nachman Show*, commenting on how an American whose wife died in the Sept. 11 attack on the Pentagon has been allowed to play a role in the prosecution

- of a terrorism suspect in a German court (November 2002)

Madeline Morris

Lectures and Addresses

- “Unilateralism, Universalism, and the Politics of Atrocity,” symposium on U.S. Unilateralism: International Law, Security, and Policy Post-9/11, Cornell Law School, Ithaca, NY (March 2003)
- “Judgment and the Assertion of Power: The Jurisdiction of the International Criminal Court,” Conference on Sovereignty and Intervention, Tufts University, Boston, MA (February/March 2003)
- “The Law of Genocide: Content and Connotation,” conference on the Role of Justice in Building Peace, Case Western Reserve University, Cleveland, OH (February 2003)
- “Prosecuting Terrorism: The Quandaries of Criminal Jurisdiction and International Relations,” conference, Terrorism and the Military: International Legal Implications, International Society for Military Law and the Law of War, The Hague, The Netherlands (November 2002)
- Briefing on international criminal jurisdiction presented to the U.S. National Security Council, Office of the Director for Democracy, Human Rights, and International Operations, Washington, D.C. (May 2002)

Other

- Featured on NPR program concerning the Special Court for Sierra Leone

Robert Mosteller

Publications

- *Victim Impact Evidence: Hard to Find the Real Rules*, 88 Cornell Law Review 543 (2003)
- 2003 Supplement (covering 4 years of developments) to *McCormick on Evidence* (5th ed. 1999)

Other

- Chair, Duke University Faculty Hearing Committee, 2002-03

Joost Pauwelyn

Lectures and Addresses

- “Examining Alternative Remedies for Violations of International Trade Law,” Annual WTO Conference of the British Institute of International & Comparative Law, London (May 2003)
- “The Nature of WTO Obligations,” Jean Monnet Working Paper, NYU School of Law (2002)
- Presented paper on “Global System of Governance of Trade and Sustainable Development,” The Berlin Workshop (December

- 2002) (paper presented in absentia, entitled “The Role of Public International Law in the WTO”)

Publications

- *Proposals for Reform of Article 21 of the DSU*, in Improvements and Clarifications of the WTO Dispute Settlement Understanding, WTO Negotiators Meet Academics (European University Institute, 2003)
- *Does the WTO Stand for ‘Deference to’ or ‘Interference with’ National Health Authorities when Applying the (SPS) Agreement on Sanitary and Phytosanitary Measures?*, in INTELLECTUAL PROPERTY: TRADE, COMPETITION AND SUSTAINABLE DEVELOPMENT, 3 World Trade Forum Series, Petros Mavroidis & George Bermann eds., University of Michigan Press (2003)
- *A World Environment Court*, International Environmental Governance (Gaps and Weaknesses/Proposals for Reform) UN University, Institute of Advanced Studies, Working Paper (2002)

Jeff Powell

Lectures and Addresses

- Conference of Judicial Independence, in honor of retiring Chief Justice Carrico, Supreme Court of Virginia (March 2003)

Other

- Counsel of record on *amicus* brief to the U.S. Supreme Court in the case of *Eldred v. Ashcroft*, decided in January 2003. Professor David Lange also helped prepare the brief and Professor James Boyle was a principal author.

Jo Ann Ragazzo

Lectures and Addresses

- “Fun Can be Motivating,” Third Annual Carolinas Legal Research and Writing Colloquium, Duke Law School (May 2003)
- “The TPR Hearing: Words of Wisdom” (from the perspective of parents’ attorneys); “Strategy: Before the TPR Petition and Procedural Aspects of Termination Cases” (facilitation of group discussion among parents’ attorneys) and “Strategy: Grounds for the TPR, Adjudication, Best Interest and Disposition” (facilitation of group discussion among parents’ attorneys): Termination of Parental Rights Training sponsored by the North Carolina Guardian Ad Litem Program and Office of Indigent Services, Chapel Hill, NC (May 2003)

Jerome Reichman

Lectures and Addresses

- “Database Protection in a Global Economy,” University of Sydney Faculty of Law, with Intellectual Property Research Institute of Australia (IPRIA) (December 2002)
- Speaker, Workshop on Open Access to Information, Australian National University (November 2002)
- Speaker, Symposium on Database Protection in a Global Economy Institute of Australia (IPRIA), University of Melbourne (November 2002)
- Expert, Rockefeller Foundation Meeting on Empowering New Intellectual Property Policy Leadership, 2002 Bellagio Series on Development and Intellectual Property Policy, Bellagio, Italy (November 2002)
- Speaker, United Nations Conference on Trade and Development (UNCTAD) and International Center for Trade and Sustainable Development (ICTSD), Workshop on Nonvoluntary Licensing of Patented Inventions, Geneva, Switzerland (November 2002)
- Lecturer, Copyright Course, Seoul National University Law School, Seoul, Korea (October 2002)
- Lecturer, Judicial Training Institutes, Seoul, Korea (October 2002)
- Speaker, Seoul National University Law School, (Inaugural Speaker, Duke - SNU Project) (October 2002)
- Guest Expert, Industry Canada [Canadian Government, Department of Industry], Open Lecture on the TRIPS Agreement in Review, plus closed consultations with executives, Ottawa, Canada (September/October 2002)
- Presenter, Annual Meeting of CODATA (The National Academies), Montreal (September 2002)
- “Commercialization of Human Genomics: Consequences for Science and Humanity” Duke Law School (September 2002)
- Guest Lecturer, University St. Gallen (Switzerland), MBL Program, Berlin, Germany (September 2002)
- Presenter, Framework Papers II and IV, Workshop on the Role of Scientific and Technical Data in the Public Domain, the National Academies, Washington, D.C. (September 2002)
- Host Scholar (Intellectual Property Rights), U.S. State Department Foreign Experts Program, (government experts from Muslim countries) (May 2002) (experts from Germany) (July 2002)
- Guest Lecturer, International Intellectual Property Law Course, University of San Diego (April 2002)

- Presenter, Intellectual Property Colloquium, Law and the Human Genome Project, Washington University in St. Louis (April 2002)
- Presenter, Symposium on Access to Essential Medicines, University of Wisconsin (March 2002)
- Commentator, Workshop on the Publication of Scientific Research, The National Academies, Washington, DC (February 2002)
- “Legal Protection of Traditional Knowledge,” Cardozo Law School, (February 2002)

Publications

- *A Contractually Reconstructed Research Commons for Scientific Data in a Highly Protectionist Intellectual Property Environment*, 66 *Law & Contemporary Problems* 315-462 (Winter/Spring 2003) (with Paul F. Uhlir)
- *Database Protection in a Global Economy*, 2002 *La R.I.D.E.: Revue Internationale de Droit Economique* 455-504
- *Non-Voluntary Licensing of Patented Inventions: Historical Perspective, Legal Framework under TRIPS, and an Overview of the Practice in Canada and the United States of America*, UNCTAD/ICTSD Capacity Building Project on Intellectual Property Rights and Sustainable Development (September 2002) (with C. Hasenzahl)
- *Non-voluntary Licensing of Patented Inventions: The Canadian Experience*, UNCTAD/ICTSD Capacity Building Project on Intellectual Property Rights and Sustainable Development (October 2002) (with C. Hasenzahl)
- *From Free-Riders to Fair Followers: Global Competition Under the TRIPS Agreement* 29 *NYU Journal of International Law & Policy* 11-93 (1996), republished in *IV THE ECONOMICS OF INTELLECTUAL PROPERTY LAW* 445-530. (R. Towse & R. Holzhaner eds., International Library of Critical Writings in Economics, 2002)
- *The TRIPS Agreement in Review*, Study Guide for the Executive M.B.L. - HSB Course, St. Gallen University, St. Gallen, Switzerland (2002)

Other

- Co-organizer, Conference on International Public Goods and Transfer of Technology Under a Globalized Intellectual Property Regime, Duke Law School (April 2003)
- Appointed member of the Scientific Advisory Committee, Tito Rava` Institute’s, Post Graduate Program in Law of the Market Economy, Italy
- Founding Member, Center for Innovation, Fuqua School of Business
- Consultant to Doctors Without Borders on access to essential medicines

- Consultant to the National Academies on intellectual property issues
- Appointed to Editorial Advisory Board, *Journal of International Economic Law*

William Reppy

- Served as lead counsel before North Carolina Court of Appeals re: *Justice for Animals v. Robeson County*, involving the issue of whether a county can assert sovereign immunity to evade the statute unique to NC empowering animal welfare organizations to enjoin continuing acts of cruelty

Horace Robertson

Publications

- *Self-Defense against Computer Network Attack under International Law*, in *COMPUTER NETWORK ATTACK AND INTERNATIONAL LAW* 121-145 (76 U.S. Naval War College International Law Studies, Michael Schmitt & Brian O’Donnell eds., 2002)
- *Commentary (on The Road Ahead)*, in *LEGAL AND ETHICAL LESSONS OF NATO’S KOSOVO CAMPAIGN* 457-462 (78 U.S. Naval War College International Law Studies, Andru Wall ed., 2002)

Thomas Rowe

- AALS Member, Planning Committee, Workshop on Federal Courts and Professional Development Committee, Washington, D.C. (May 2002)
- Chair, Faculty Hearing Committee (Spring 2003)
- Visiting Professor of Law, UCLA (Fall 2002)

Richard Schmalbeck

Lectures and Addresses

- Speaker, Tax Court Judicial Conference, Nemocolin, PA (April 2003)
- “The Future of the Federal Estate Tax (If Any),” Loyola Law School, Los Angeles, CA (February 2003)

Publications

- *Many Unhappy Returns: Estate Tax Return of Married Decedents*, 21 *Virginia Tax Review* 361-86 (2002), republished in 53 *Monthly Digest of Tax Articles* 27-39 (Nov. 2002) (with Jay Soled)
- *Unnecessary Estate Tax Returns: Removing the Residue of the “Widow’s Tax,”* 94 *Tax Notes* 235-40 (Jan. 14, 2002) (with Jay Soled)
- *Does the Death Tax Deserve the Death Penalty?*, 48 *Cleveland State Law Review* 749 (2000) republished in 53 *Monthly Digest of Tax Articles* 37-51 (Feb. 2003)

Other

- Taught short course on International Tax, Mexico City Instituto Tecnico Autonomo de Mexico (May 2003)

Christopher Schroeder

Publications

- *Military Commissions and the War on Terrorism*, 29 *Litigation* (Section of Litigation, ABA) 28 (Fall 2002)
- *Chevron, State Farm, and EPA in the Courts of Appeals During the 1990s*, 31 *Environmental Law Reporter* 10371 (2001) (with Robert Glicksman), selected by peer review for reprinting in, 32 *Land Use & Environment Law Review* 327-68 (2002)
- *Prophets, Priests and Pragmatists*, 87 *Minnesota Law Review* 1065 (2003)

Steven Schwarcz

Lectures and Addresses

- "Securitization Post-Enron," *Cardozo Law Review* symposium on Threats to Secured Lending and Asset Securitization, New York City (April 2003)
- Keynote speaker on off-balance sheet financing, Annual meeting of the National Economics Research Association (NERA) (July 2002)
- Chaired one-day workshop on "Securitization in Asia: Developments and Outlook," sponsored by the Asian Institute of International Financial Law (March 2002)
- Presentation on Enron at the ABA Annual Meeting in Washington, D.C. (August 2002)

Publications

- *Commercial Trusts as Business Organizations: Unraveling the Mystery*, 58 *Business Lawyer* 559 (February 2003)
- *Private Ordering*, 97 *Northwestern University Law Review* 319-49 (2002)
- *Enron and the Use and Abuse of Special Purpose Entities in Corporate Structures*, 70 *University of Cincinnati Law Review* 1309 (2002), republished in *AEI-Brookings Joint Center for Regulatory Studies, Joint Center Update* 02-10, and 9 *The Financier* (Issue 1-4) (2002)
- *STRUCTURED FINANCE, A GUIDE TO THE PRINCIPLES OF ASSET SECURITIZATION* (3d ed. 2002); republished in Spanish translation by Universidad Finis Terrae Facultad de Derecho, as *GUIA SOBRE LOS PRINCIPIOS DE SECURITIZACION DE ACTIVOS* (Nov. 2002); republished in Korean translation by Maeil Business Newspaper (2003)
- *Book Review*, 38 *Canadian Business Law Journal/Revue Canadienne du droit de com-*

merce 150-56 (Feb. 2003) (reviewing *CROSS BORDER COLLATERAL: LEGAL RISKS AND THE CONFLICT OF LAWS* (R. Potok ed., 2002))

- *Taking Charge: Authorizing Most Credit-Rating Agencies Could Increase Economic Efficiency*, 116 *L.A. Daily Journal* 6 (Mar. 13, 2003) (OpEd)

Other

- Testified, United States Senate Judiciary Committee about the policy implications of section 912, a "safe-harbor" for securitization, of the proposed bankruptcy reform act
- Gave oral and written testimony to the United States Securities and Exchange Commission at its November 2002 "Hearing on Credit Rating Agencies based on *Private Ordering of Public Markets: The Rating Agency Paradox* article
- Appointed associate editor of *The Journal of Restructuring Finance*
- Appointed to the Editorial Board of *The Journal of Business Law Education*
- Visiting Professor at the University of Geneva Faculty of Law (May-June 2002 and 2003)

Scott Silliman

Lectures and Addresses

- "National Security and Civil Liberties," North Carolina State University, Raleigh NC (April 2003)
- "War in Iraq," Durham Lions Club, Durham, NC (April 2003)
- Co-sponsor and speaker, "Confronting Iraq: Legal and Policy Considerations" Durham, NC (April 2003)
- "Legal and Policy Issues Relating to the War in Iraq," luncheon panel for the Board of Visitors, Terry Sanford Institute for Public Policy (April 2003)
- Speaker, "Democracies and Dirty Wars: Hard Cases in Military Ethics," Cantigny Center, Chicago, IL (March 2003)
- "Use of Force Issues Under International Law," Duke undergraduate student group (March 2003)
- "Law of War and the Accountability of Commanders for War Crimes," JFK Special Warfare Center, Fort Bragg, NC (February 2003)
- Brown Bag luncheon speaker at Duke Law focusing on potential legal predicates for the use of force against Iraq (February 2003)
- "National Security Law Update," UNC Law School's 13th Annual Festival of Legal Learning, a CLE program at the Friday Center, Chapel Hill, NC (February 2003)
- "Use of Force in International Law," West Triangle Chapter of the United Nations Association, Chapel Hill, NC (January 2003)
- "New Developments in National Security Law,"

Triangle Retired Officers Association, Durham, NC (January 2003)

- "Terrorism and the Law," Kiwanis Club, Durham NC (January 2003)
- Co-sponsor and speaker, "International Law and Weapons of Mass Destruction," London, England (December 2002)
- "Law on International Law issues and the War on Terrorism," class in the Peace, War and Defense Curriculum, University of North Carolina, Chapel Hill, NC (November 2002)

Other

- Served as chair for a luncheon program at Duke Law consisting of a panel of Asian students discussing the crisis involving North Korea (January 2003)
- Served on a panel on international law issues for Duke Law admitted students during the Admitted Students Weekend (March 2003)
- Participated in a special program for international law students on the "crisis" facing Venezuela, Duke Law School (March 2003)
- Faculty Sponsor, Christian Legal Society
- Hundreds of national/local television (especially CNN), national/local radio and national/local print media interviews regarding the war on terrorism, the recently concluded war with Iraq, and other military/law of war issues

Laura Underkuffler

Lectures and Addresses

- Speaker, Constitutional Theory conference, Vanderbilt Law School (April 2003)
 - Presented a paper at the Pew Forum on Religion and Public Life, UNC School of Law on the topic of constitutionality of so-called Blaine Amendments (state constitutional amendments restricting funding of religious schools) (March 2003)
 - Speaker "point/counterpoint" on the *Zellman* case and vouchers, Duke Federalist Society program (March 2003) (with Clint Bolik)
 - Presenter, AALS Joint Program of the Sections on Property Law and State and Local Government Law, "Balancing the Categorical: Conceptions of Property, Government, Community and Regulatory Takings after Tahoe-Sierra Preservation Council" Washington, D.C. (January 2003)
 - Commencement speaker, University of Maine Law School (May 2002)
- #### Publications
- *Moral Rights, Judicial Review, and Democracy: A Response to Horacio Spector*, 22 *Law & Philosophy* 335-52 (2003)

William Van Alstyne

Publications

- Academic Freedom and Tenure: University of South Florida, AAUP Report on the Dismissal of Professor Sami Al-Arian, 39 *Academe* 59-73 (May-June 2003) (available at: <http://www.aaup.org/Com-a/Institutions/USF.htm>)
- *Civil Rights and Civil Liberties in China: Whose Rule of Law?*, 11 *William & Mary Bill of Rights Law Journal* 623 (2003)
- *Reconciling What the First Amendment Forbids with What the Copyright Clause Permits*, 66 *Law & Contemporary Problems* 225-38 (Winter/Spring 2003)
- 2003-04 Supplement to THE AMERICAN FIRST AMENDMENT IN THE TWENTY-FIRST CENTURY (3d ed. 2002)

Neil Vidmar

Lectures and Addresses

- Speaker on the Medical Liability Insurance Crisis with Dr. Paul Lee, Duke Medical School (February 2003)

Publications

- *Juror Discussions During Trials: Studying an Arizona Innovation*, 45 *Arizona Law Review* 1-82 (2003) (with Diamond, Rose, Ellis & Murphy)
- *Case Studies of Pre-and Midtrial Prejudice in Criminal and Civil Litigation*, 26 *Law & Human Behavior* 73 (2002)
- *Juries and Jury Verdicts in Medical Malpractice Cases: Implications for Tort Reform in Pennsylvania*, Report for the Pennsylvania Trial Lawyers Association (January 2002)

Other

- Testimony on "Juries and Medical Malpractice Litigation," North Carolina Senate's Select Committee on Insurance and Civil Justice Reform, Raleigh, NC (May 2003)
- Testimony regarding Medical Malpractice Litigation before Field Hearing of Energy and Commerce Committee: Oversight and Investigation Subcommittee, Langhorne, PA (February 2003)
- Drafted brief *amici curiae* of Certain Leading Social Scientists and Scholars in Support of Respondents in *State Farm Mutual Automobile Company v. Campbell*, Supreme Court of the United States, No. 01-1289 (October 2002) (with Eisenberg)
- Academic Advisory Board, *Journal of Empirical Legal Studies* (2002)
- Numerous media interviews, including CNN, NBC Nightly News, *Wall Street Journal*, *New York Times*, *Los Angeles Times* and local papers in many states

Stephen Wallenstein

• Program Director, Directors' Education

Institutes, (March 2003 at Duke, September-October 2003 in London)

Valerie Weis

Lectures and Addresses

- "Napster and Its Progeny: The Technology, the Law and Computer Administrators Caught in the Crossfire," CALI Conference for Law School Computing, Duke Law School (June 2003)
- "Legal Research Exercises: More Than Just Talk," Third Annual Legal Research and Writing Colloquium, Duke Law School (May 2003)

Publications

- *Book Review*, 31 *International Journal of Legal Information* 112 (reviewing I.A. Stamatoudi, COPYRIGHT AND MULTIMEDIA PRODUCTS: A COMPARATIVE ANALYSIS (2002))

Other

- Organized and Moderated "Confidentiality and the Patriot Act: What's a Librarian to Do?" Duke Librarians Assembly, Professional Affairs Committee (March 2003)

Jane Wettach

Lectures and Addresses

- Lectured on the rights of children in school, UNC School of Law (Spring 2002)
- Lectured to a special education law class, NC Central University (Spring 2003)

Other

- Participated in The Education Law Task Force of Legal Aid of North Carolina, and presented a continuing legal education program (Fall 2002)
- Drafted pro bono *amicus* brief in a school-related case pending in the North Carolina Supreme Court, *In Re Roberts*, and, along with others, represented 11 other organizations. Also interviewed and quoted by *Education Week* on same case and organized a moot court for an Asheville attorney who argued the case successfully.
- Member, NC Bar Association's Juvenile Justice and Children's Rights Section Council (July 2003)

Jonathan Wiener

Lectures and Addresses

- "Risk Analysis and the Precautionary Principle," First World Congress on Risk, Brussels, Belgium (June 2003)
- Speaker and co-organizer, "Precaution and Risk Management in a Complex World," Third Transatlantic Dialogue on Precaution, Berlin, Germany (June 2003)
- Speaker and organizer, "Reconstructing Climate Policy: Moving Beyond the Kyoto Impasse," Duke University (May 2003)

Other

- Co-organized the conference on "The Malaria-DDT Dilemma," with the Duke Toxicology Program, Duke University (November 2002)
- Co-organized the Second Annual Duke Environmental Leadership Forum, "Dealing with Disasters: Prediction, Prevention and Response" held by the Nicholas School and several other parts of Duke University (November 2002)
- Holds secondary cross-appointment by the Sanford Institute of Public Policy, and joint appointment (with voting rights) in the Nicholas School of the Environment and Earth Sciences

{ Around the Law School

Tom Hadzor Joins Duke Law as Associate Dean for External Relations

As associate director and executive director of development for the Duke Comprehensive Cancer Center, Thomas B. Hadzor led a capital campaign with a \$50 million goal that will conclude at the end of the year. To date, the campaign has raised more than \$110 million, and Hadzor expects that number to rise before New Year's Eve.

Fresh from that success, Hadzor brings his more than two decades of fundraising experience to the Law School, where this summer he replaced outgoing Associate Dean for External Relations Linda Steckley. Steckley, who led the successful Campaign for Duke Law School, departed for a position at The Brookings Institution in Washington, D.C.

"Linda Steckley's departure is a big loss for the Law School, but we are fortunate to have found a terrific replacement in Tom Hadzor," said Dean Katharine Bartlett. "Tom has brought extensive experience and talents as a fundraiser to Duke Law School."

Hadzor said his approach to fundraising will be straightforward: communicate the successes and plans of the Law School to alumni and other key constituencies and invite their help in meeting the School's goals. "It's a matter of communicating well," he said. "You have to spread the word about all of the important things going on here and then connect people with the ambitions of the School."

His methods have worked repeatedly and consistently in his previous positions.



TOM HADZOR

In addition to the capital campaign at the Cancer Center, for example, he helped increase annual giving from 6,000 gifts per year in 1996 to 15,200 gifts in the last fiscal year. In that same period, he helped increase fundraising from \$6 million per year to nearly \$24 million per year in pledges.

Hadzor said he looks forward to the intellectual challenge of shifting from his work at the Cancer Center to joining the Law School administration. "This is a whole new area for me, and it will be stimulating to learn more about it," he said. "When you think about the rule of law, you begin to think about how societies begin, the rules by which we interact with each other. The law is something that's fundamental to how we organize life."

"When you think about the rule of law, you begin to think about how societies begin, the rules by which we interact with each other. The law is something that's fundamental to how we organize life."

-Tom Hadzor

Before starting work at the Cancer Center in 1996, Hadzor spent a decade at Wilkes University in Wilkes-Barre, PA, where he rose from director of the capital campaign to executive director of development to vice president for alumni, development and university relations. Previously, he was director of the capital campaign and then director of development at Scranton Preparatory School in Scranton, PA. He began his development career as director of annual giving at one of his alma maters, The Mercersburg Academy (PA). Hadzor is married to Susan Cranford Ross, also a development officer at Duke, and they have six children. ♡

Bruce Elvin '93 Leads Career Services

Bruce Elvin '93 became Duke Law's assistant dean for career services in August, replacing Bob Smith, who started a legal search and consulting firm in June but maintains ties to Duke Law.

Elvin was most recently a consulting associate at Heidrick & Struggles, an executive recruiting firm in New York City. Through the work of helping law firms grow, as well as finding the right lawyers to fill new jobs, Elvin came to realize that many young lawyers and law students lack direction for their careers. He hopes to help Duke Law students find that direction. "Even a little bit of guidance can make a big difference," he said. "The key is to know yourself and your values. Then you are more likely to choose the kind of career you'll enjoy. If you're naturally engaged in your work, you will excel."

Following graduation from Duke Law, Elvin worked at the University of Munich, Germany, for two years in the areas of finance and tax law. He then worked for two major international law firms in New York, Baker & McKenzie and later White & Case, for close to four

"The key is to know yourself and really reflect on yourself and your values. Then you are more likely to choose the field you'll enjoy. If you're naturally engaged in your work, you will excel." -Bruce Elvin



years. He subsequently worked in a business role at two high-tech firms, including JumpStart Wireless, a developing software company.

Elvin pursued a position at Duke Law because of his positive experiences as a student and later as a participant in various activities at the School, such as the Directors' Education Institute. "I believe in the values and the culture of the School," he said. "It's a very collaborative environment and a very open environment between and among students and faculty."

Dean Katharine Bartlett finds Elvin is a perfect fit for the job. "Bruce brings everything we were looking for in a new career services director," she notes. "He is one of our graduates who knows the Duke system well. He brings a commitment to the values of professionalism and personal growth that is becoming the hallmark of a Duke law education. He knows the major law firm markets and he brings special expertise to cultivating opportunities for our students wishing to practice abroad, and for our students from abroad seeking to practice for a year or two in the United States. He sees the potential in a continuing relationship with our outgoing dean of career services, Bob Smith, for the provision of placement services to our graduates and law firms who hire our graduates. Bruce is enthusiastic, knowledgeable, creative and ambitious. I am delighted he has agreed to join the Duke Law School administrative team." ♣

Smith Offers Alumni Career Counsel

After nine years at Duke Law School as assistant dean for career services, Bob Smith returned to the legal search and consulting field on June 1 as the principal of Robert Smith Legal Consulting. Introducing Duke Law alumni to his employer clients will form the backbone of Smith's venture. "The volume of alumni contacting my office has probably increased fourfold since 2001," notes Smith. Smith plans to offer a significant fee discount to employers of Duke Law graduates who use his search services. His venture also will provide career coaching and self-assessment tools for lawyers seeking alternative careers.

"I believe Bob's efforts to assist Duke Law alumni, whether as employees or employers, will be a valuable asset in terms of our alumni career services," said Dean Katharine Bartlett. "While the Law School can't act as a headhunter, Bob Smith's stepping into this consulting role independently may go a long way to achieving our goal of facilitating lateral moves for Duke lawyers and providing useful placement services for Duke Law employers," Bartlett added.

Smith may be reached at 919-490-9880 or rsmith@robertsmithlegal.com. ♣



Comings & Goings

Admissions:

Sandra Dillahunt joined the office of Admissions and Financial Aid as a secretary in June. She previously worked at Duke Temporary Services in several other University offices and has a background in office management and real estate. She replaced **Phillip Long**, who left in May to become the director of court services at Carolina Dispute Settlement Services.

Career Services:

Anne Micheaux Akwari '85 joined the Office of Career Services as a career counselor in February. In this newly created position, Anne focuses on counseling students who seek careers in public service and encouraging students to pursue post-graduation fellowships. Anne graduated from the Law School in 1995 and is also a graduate of Sarah Lawrence College and Howard University Medical School. Before returning to Duke, she practiced medical device and pharmaceuticals litigation at Hunton & Williams.

External Relations:

Kelly Scarbeau has joined the staff as administrative coordinator. She worked previously on Duke Law School's faculty support staff, and also at Giorgio's Hospitality Group. She has a bachelor's degree from Covenant College. Kelly replaced **Saundra Dockery**, who left to become an administrative coordinator with the Sullivan Commission to Increase Diversity in the U.S. Physician Workforce, which is being administered by the Duke University Medical Center.

Jeanine Holland joined the staff in April as assistant director of development, focusing on reunion class gift fundraising. Jeanine was formerly the program coordinator and special events planner for Perkins Library. She holds a bachelor's degree in fashion and retail management from Johnson and Wales University and a master of business and tourism administration from George Washington

University. **Karen Pinckney**, alumni relations coordinator, left the Law School in March to become senior associate for policy and planning with the American Red Cross in Alexandria, VA.

Faculty Support:

Maya Jackson joined Duke Law in April as the faculty assistant for Professors Bignami, Culp, Jones, McGovern and Rowe. She obtained her bachelor's degree in environmental studies at San Jose State University in California. Before coming to Duke, Maya lived in Germany and was a management assistant with the Department of Defense for the U.S. Army. Maya replaced **Kelly Scarbeau**, who accepted a position in the Office of External Relations. **Kelly Gallenstein** transferred to the Law School from the Fuqua School of Business where she was an administrative secretary for the Weekend Executive, Global Executive and Cross Continent MBA Programs. She received her bachelor of arts degree from Greensboro College in North Carolina. Kelly is the faculty assistant for Professors Haagen, Michaels, Mosteller, Powell, Vidmar and Weistart. **Fran Hamacher** retired from the Law School as a staff assistant in May after more than five years in her job. She worked with many faculty members during that time, including Professors Beskind, Dellinger, Dimond, Haagen, Michaels, Mosteller, Powell, Vidmar and Weistart. She also assisted with the Contracts Video project led by Professor John Weistart. Fran now is spending more time with her family, pursuing charity work, playing the piano and reading. Before coming to the Law School, she was administrative assistant to the U.S. attorney in Harrisburg, PA. She attended Lebanon Valley College in Lebanon, PA.

Publications:

Kelly Smith joined the Publications Department in May as its new production assistant. A native of Burlington, NC, Kelly is a graduate of Campbell University, where she studied business administration with a concentration in computer information systems. Kelly's primary focus at Duke Law is assisting

our six print journals with article conversion and other layout-oriented tasks, in addition to converting the published articles into Web documents for posting online. Kelly replaced **Kristen Swaringen**, who held the production assistant post for four-and-a-half years and left the Law School to pursue a degree from Duke Divinity School.

Student Affairs:

This fall **Chris McLaughlin '96** joined the Office of Student Affairs as the director of academic advising. In this new role, he is responsible for a variety of student academic issues, including assisting JD and joint-degree students with course selection and degree progress, exam procedures and honor code matters, and encouraging student intellectual engagement with Law School faculty and the greater university.

John Spencer joined the Office of Student Affairs in April and was named director of student activities in July. He primarily has been working as an advisor for student organizations, with major responsibility for summer and fall orientation. John, who goes by "Spencer," was previously employed at the Fuqua School of Business. He holds a bachelor's degree in English from Wake Forest University and a master's degree in religion from Yale University. Spencer replaced **Kate Melcher**, who left the Law School in July to pursue a career in graphic design and communications in Chicago, which is nearer her family. Kate graduated from Duke University with a bachelor's degree in English in 1994. She had worked in the Law School for five years.

Reunion Weekend 2003

Gann Portrait Unveiled

Nearly 600 people gathered for Reunion Weekend 2003, which was held April 11-13. A major highlight was the dedication and unveiling of the portrait of former Dean Pamela B. Gann '73. Gann, now president of Claremont McKenna College, was dean of the Law School for 11 years, beginning in 1988.

Law Alumni Association awards went to Robert E. Stipe '53, Jaime E. Aleman '78, Duke Law's Associate Dean for Academic Affairs Theresa A. Newman '88, and Frank T. (Tom) Read '63. The weekend also featured presentations on the topics of sports law, financial law and media relations by Professors James Cox, Scott Silliman, Christopher Schroeder, Paul Haagen and James Coleman.



TOP: Kate Bartlett, Pam Gann '73, Nancy Shaw '73, Lanty Smith '67
BOTTOM LEFT: Susanne Haas '87, president of the LAA Board and Theresa Newman '88, recipient of the Young Alumni Award
BOTTOM RIGHT: Rebecca and Bruce Elvin '93



TOP LEFT: Hon. Jin Gyeong Cheong LLM '98 and wife Kyeong-Joo Yoo
 TOP RIGHT: David Ross '93 and Amy Gillespie '93
 BOTTOM: Jim Stuckey II '93, Byron Hugee, Jacquelynn Broughton Hugee '93, Theresa Deloateh Bryant '93, Bernita W. Stuckey

Alumni Awards

The Charles S. Murphy Award honors an alumnus or alumna whose career reflects the ideals exemplified in the life and career of Charles S. Murphy T '31 L '34, a Duke Law graduate who devoted his life to public service. This year's recipient was Robert E. Stipe '53 who has been instrumental in the drafting and passage of local, state and federal legislation and programs in historic and cultural preservation.

The International Alumni Achievement Award was established to honor an international alumnus or alumna who has given distinguished service to his or her profession and home country and has maintained strong ties with Duke Law School. This year's recipient was Jaime E. Aleman '78, of Panama, a member of the Law School's Board of Visitors from 1994-2000 and now an Honorary Life Member of that group.

The Young Alumni Award is designed to recognize a young alumna or alumnus who has made significant contributions of leadership and service both professionally and to Duke Law School. This year's recipient was Theresa A. Newman '88, associate dean for academic affairs at Duke Law School.

The A. Kenneth Pye Award honors the life, work and character of former Law School Dean and Duke University Chancellor A. Kenneth Pye and recognizes contributions to the field of legal education by Duke Law alumni or other members of the Duke Law School community. This year's recipient was Frank T. (Tom) Read '63, known as a serious and thoughtful advocate of legal education who has served as dean at five law schools over a period of 29 years.

Graduation 2003

Students Earn Hoods, Degrees on May 10

Heralded by pomp and ceremony including the sharp tunes of Scottish bagpipes at Cameron Indoor Stadium, 185 Duke Law students graduated with JD degrees and another 68 students graduated from the one-year LLM Program in American Law on May 10. Eighteen of the JD students also were awarded an LLM degree in international and comparative law at the Hooding Ceremony, and one student was awarded an SJD.

Speakers at the ceremony included Dean Katharine Bartlett; Board of Visitors Chair Peter Kahn '76; Dhamian Blue '03, who represented JD students; and Yair Zorea '03, representing LLM students. Blue and Zorea were elected by their peers to represent their classmates at the event.

In her opening remarks, Bartlett extolled the efforts of this "spectacular" class. "You have changed this Law School – by what you stand for, who you are, and all that you have contributed in and out of class," she said.

Throughout her speech, Bartlett emphasized the public service efforts and intellect of the class of 2003. She also noted how the School had left its mark on the departing students. "It is inevitable that this Law School has changed you," she said. "You have, I hope, tighter, more rigorously analytic minds; the ability to express yourself well, both orally and in writing; the ability to build a legal case, to negotiate and to counsel."

Blue, a Raleigh native and son of Duke Law graduate the Honorable Daniel T. Blue '73, reflected on his notions of the American legal system both before and after attending the Law School. "Like many of you, before I



WHITNIE HARDY AND JENNIFER FOWLER, 2003 GRADUATION

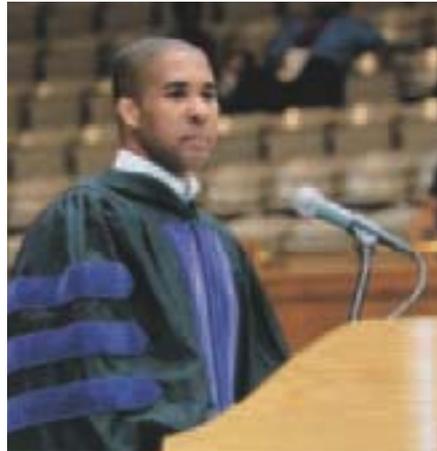
came to law school I very much believed that 'equal justice under the law' was the most important aspect of the American tradition ... my three years at Duke Law School have not changed that."

Zorea, who came to Duke Law from Israel, spoke of friendship and "tenacity of purpose" as the hallmarks of his Duke career. "Friendship for me is not just a word. In Hebrew there is an old saying – 'It is better to have a neighbor friend than a distant brother.'"

On May 11, Law graduates participated in university-wide commencement exercises at Wallace Wade Stadium. ♣

"You have changed this Law School – by what you stand for, who you are, and all that you have contributed in and out of class."

–Dean Katharine Bartlett



TOP LEFT: Larissa Meli LLM '03 of Italy, Senior Associate Dean Jim Coleman

MIDDLE: Dhamian Blue '03 addresses fellow graduates

TOP RIGHT: Kimberly L. Edwards '03

BOTTOM: Lee McKeithen L '35, one of the first female graduates of Duke Law School and its oldest living female graduate, is pictured with Dean Bartlett and Mrs. McKeithen's granddaughter, Emma McKeithen T '03

{ Profiles

Rod Smolla '78 Takes Reins of University of Richmond School of Law

By Matt Christensen '05

Following a distinguished career that has carried him back and forth from the courtroom to the classroom, Rodney A. Smolla '78 recently was named dean of the University of Richmond School of Law. He assumed the deanship after five years as the George Allen Professor of Law at Richmond and, before that, a position as the Hanson Professor of Law at the College of William and Mary, where he also directed that school's Institute of Bill of Rights Law.

Smolla, who became dean on July 1, is known as a prolific writer and accomplished First Amendment scholar. He has penned more than 40 law review articles and authored or co-authored 11 books, including two casebooks and three treatises, even as he continued to argue cases. Most of his writing has been in the area of First Amendment law, constitutional law and advertising law. Smolla's treatise *Smolla and Nimmer on Freedom of Speech* is the preminent volume on First Amendment

“Students need a greater emphasis on professionalism — on the sense that a lawyer plays an important role in serving society as leaders.”

— Rod Smolla



issues. His book *Free Speech in an Open Society* won the William O. Douglas Award as the best monograph on freedom of expression of 1992.

Colleagues and students from Duke Law and Richmond were quick to celebrate Smolla's latest career move, noting his accomplishments as a lawyer and a teacher. “Rod Smolla is one of the people who makes doing law fun,” said Walter Dellinger, Duke's Douglas Blount Maggs Professor of Law and a long-time mentor and friend to Smolla. “He has a real zest for debating, thinking about, and arguing legal issues.”

Said Philip Stupak, a 2004 graduate of the Richmond School: “It is a rare blessing when you encounter a lawyer who is both a teacher and practitioner. Dean Smolla is one of these rare individuals, and all of his former and future students are better prepared through learning from a man who practices what he preaches.”

Smolla, who was a visiting professor at Duke Law in 1992, is well versed in the operation of courts at all levels. He has argued more than 25 cases in U.S. courts and, in December 2002, he argued his first case before the U.S. Supreme Court. The case, *Virginia v. Black*, dealt with a Virginia statute prohibiting cross burning. Smolla argued on behalf of three people in two cases that had been consolidated by the Virginia Supreme Court. Smolla originally became involved through the Virginia ACLU representing a Ku Klux Klan member who had burned a flag. Another Duke Law alumnus, Michael Dreeben '81, argued a different side of the case for the U.S. Department of Justice.

Smolla's client, Barry Elton Black, led a KKK rally in August 1998. At the end of the rally a cross was ignited and the hymn “Amazing Grace” was played. The cross was visible from a nearby highway, where a sheriff had positioned himself to monitor the rally. Black was arrested for violating the Virginia statute, which prohibited burning a cross in a public place with the intent to intimidate. The statute also stated that the burning of the cross itself could constitute *prima facie* evidence of the intent to intimidate.

Smolla urged the Court to find that the Virginia statute was unconstitutionally broad, and, in the alternative, that the provision allowing the mere burning of the cross to constitute *prima facie* evidence was unconstitutional.

“This oral argument was exceptionally dramatic, in large part due to the intensity of Justice Thomas' historical remarks regarding the social impact of cross burning,” Smolla recalled. “I savored every minute of the argument and would do it again in a heartbeat.”

On April 7, 2003, the Supreme Court announced its decision in the case — Smolla had won.

As dean, Smolla said, he plans to continue practicing law as long as the issues at stake are significant and he feels that he can contribute something meaningful to the argument.

Not only does Smolla argue his own cases, but he also helps others in preparing their oral arguments. Smolla has

assisted Dellinger in preparation for several Supreme Court arguments. Dellinger, who regularly appears before the Supreme Court, explained that he has asked for Smolla's assistance because of his "lively intellect and extraordinary capacity for persuasion" as well as his sense of strategy about presenting arguments. "At Duke, Rod was one of those students who contributed materially to the success of the class by the way in which he engaged and debated ideas," explained Dellinger.

Jaime Aleman '78, who was Smolla's housemate for their last two years at Duke and now is a partner in a law firm in Panama, remembers Smolla as "an extremely talented student who made some incredibly intelligent and insightful observations in class."

Smolla's love of First Amendment law took root in his first year at Duke, when he studied constitutional law with Professor William Van Alstyne. This first class introduced him to a topic with which he has built a close relationship. As dean, Smolla plans on teaching the class each year to new students.

As a professor, Smolla emphasized to students the need to view the law as a human enterprise linked to movements in our culture. "Students should be encouraged to see the importance of lawyers being engaged in civic life and in national discussions over issues," he said.

"As dean, these same issues will be my focus, although I will have different forums than the classroom in which to teach these principles."

In addition to retaining teaching responsibilities and arguing the occasional case, Smolla plans to focus on improving the whole of legal education. "The first year is very idealistic and hopeful," he said. "At the end of the first year, there is some alienation and disillusionment. Some of that idealism gets stripped away. I'd like to do what I can to counteract that effect.

"Students need a greater emphasis on professionalism – on the sense that a lawyer plays an important role in serving society as leaders," Smolla added. "I'm going to look for innovations that encourage more pro bono work and public service by students to help understand this role." ♣



Matt Christensen '05 is a JD/LLM student and co-chairperson of the International Law Society. He recently was appointed as the law student representative to the Coordinating Council of the ABA's Center for Professional Responsibility. Upon graduation, he plans to work on international trade law issues.

Mohamed Sarhan '99 Riding a High-Tech Wave into the Unknown

Soon after his graduation from Duke Law School, Mohamed "Monty" Sarhan '99 observed an unprecedented economic boom unfold, and he feared it was passing him by. For three years, he had watched the Internet and high-tech industry create a slew of new millionaires, companies evolve seemingly from thin air and ideas become reality overnight.

Always a big thinker, Sarhan wanted a piece of the action. He knew if he could find the right idea, he'd be able to build his own company and shape his future to a degree beyond any of his previous expectations. Sarhan had landed a solid job as a corporate lawyer in New York City after graduation from Duke Law, but an inner drive was pulling him to explore uncharted territory. "I just had this thirst to do something more," Sarhan said. "Investors were giving young people with ideas millions of dollars to go run with it. This was a moment in history, and I wanted to be a part of it."

By day, Sarhan worked as a corporate lawyer, helping other entrepreneurs secure funding and bring their ideas to market. By night, he toiled on his own business plan, building financial models and working on his own fundraising. The winning idea came to him late in 2000, the idea that would send him to the other side of the world two years ago to launch a company with great potential.

Working with a friend who attended Harvard Business School, Sarhan started Amwal, a financial services company that brings together technology, investment expertise and financial advisory services to the Arab world. His title at the com-

Duke Law Alumni at the Helm

When he became dean of the University of Richmond School of Law this summer, Rodney A. Smolla '78 joined a number of Duke Law graduates in leadership roles at law schools across the country, including here at Duke. Here is a listing of some of his peers:

Harry J. Haynsworth '64, President and Dean, William Mitchell College of Law

Jeffrey E. Lewis '69, Dean, St. Louis University School of Law

Gail Levin Richmond '71, Associate Dean for Academic Affairs, Nova Southeastern University Law Center

Janice L. Mills '77, Dean, NC Central University School of Law

Karen Jackson Vaughn '78, Assistant Dean for Career Planning, Temple University School of Law

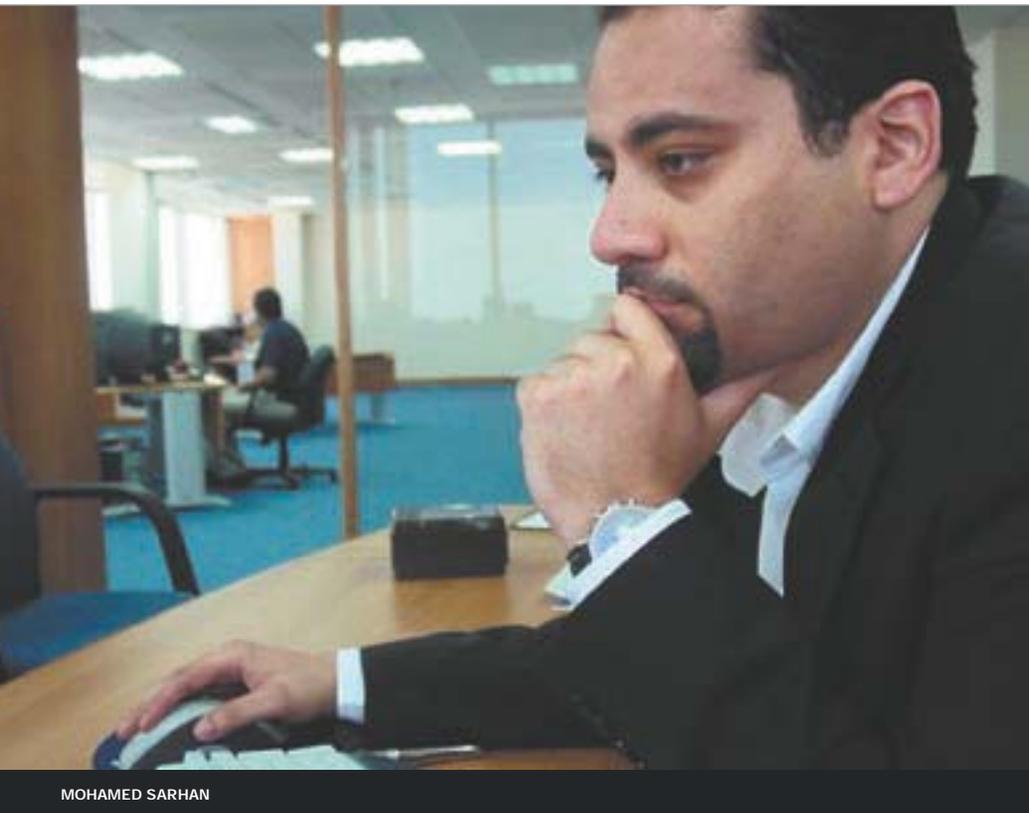
Adrienne M. Fox '79, Associate Dean, NC Central University School of Law

Jennifer D'Arcy Maher '83, Assistant Dean for International Studies, Duke Law School

Charles E. Smith '83, Associate Dean, NC Central University School of Law

Theresa A. Newman '88, Associate Dean for Academic Affairs, Duke Law School

Bruce A. Elvin '93, Assistant Dean for Career Services, Duke Law School



MOHAMED SARHAN

pany, based in the tiny island nation of Bahrain just east of Saudi Arabia, is co-founder and managing director.

With little more than the clothes he was wearing and seed money from investors, Sarhan set up shop in Manama, Bahrain's capital. He had spent virtually no time in the Middle East previously. Although he has family in Egypt and had visited there a few times, that was little help in an ambitious business venture on the far side of Saudi Arabia. Far more significant was the fact that he saw an unmet need and moved to fill it.

The big move came as no surprise to James Cox, Brainerd Currie professor of law and an expert in international securities law. "Monty was a truly memorable student," Cox said. "He always saw the world in a wider lens than the rest of us and with the bent of an savvy entrepreneur."

The company already has made significant achievements. Amwal has secured the exclusive rights to partner with the online brokerage Ameritrade in offering trading technology throughout the Middle East. The company also has entered into an exclusive relationship with IndigoMarkets, a subsidiary of

NASDAQ, to provide technology to the exchanges and stock markets of the region. An eventual goal is to link the entire Middle East with online trading using local currencies and markets and the Arabic language.

“It really would be a dream come true to make that happen. Just think of it – no financial institution has ever addressed the Arab market as a whole, and you’ve got more than 250 million people here speaking the same language. We want to be the ones to do this.”

– Mohamed Sarhan

“It really would be a dream come true to make that happen, he said. “Just think of it – no financial institution has ever addressed the Arab market as a whole, and you’ve got more than 250 million people here speaking the same language. We want to be the ones to do this.”

Amwal recently announced an initiative to create one of the first private equity funds that would invest in business opportunities throughout the Arab Gulf region, including in Iraq. He hopes the fund, expected to be at least \$150 million, will help rebuild Iraq following the war and years of suffering, while at the same time offering a substantial return to investors. “It’s a worthwhile goal because you’re bringing in capital to rebuild this country and to fund and create businesses on the ground,” he said. “This is a way to channel investment to rebuild Iraq.”

Sarhan works long hours, generally until about 10 p.m., six days each week – a necessity with an international business of such high ambition. “My hours haven’t improved quite yet,” he joked. “I’m on Arab time, London time and New York time all day, every day.”

But he also points out a number of advantages to living in Bahrain, which he describes as fully Westernized. The weather is warm, palm trees beautify the landscape, and he was able to trade in his cramped New York apartment for a three-room villa and a convertible.

More importantly, he’s pursuing a goal he set for himself, and that makes all the difference. “My company is really a labor of love,” he said.

Sarhan’s advice to other young lawyers: look for unusual opportunities, and have the courage to take advantage of them. “We really live in exciting times,” he said. “You only have to look around and see what it is that the world needs. People at Duke Law are smart and creative. They just have to see where they can make a difference and seize that opportunity.” ♡

More information about Sarhan’s company is available at www.amwal.com.

Amy Mason '05: Kiev to Durham to Brussels to Experience International Law and Development

By Jay Barasch '05

Duke Law School is full of students with prior work experience – students who tell interesting tales of their “past lives” and how those lives led them to seek a legal education at Duke. Among the most compelling of these stories can be told by Amy Mason '05, who came to Duke Law via a diplomatic post in Ukraine as a Mordecai Scholar and since has become a leader in the Duke Law community.

After graduating from Johns Hopkins University with a degree in international relations in 1999, Mason joined the U.S. Department of State as a foreign service officer in Kiev, Ukraine. In total, Mason spent two years there. In her first position, after completing extensive training, she worked on visa applications and headed the embassy's fraud prevention unit. She then was transferred to the State Department's Ukraine Economic Section, where she was responsible for intellectual property rights, privatization, and the development of small and medium-sized businesses in Ukraine.

Mason's work entailed working closely with both Ukrainian and foreign lawyers to help develop a framework for democracy and a market economy in Ukraine. It was thanks to this experience that Mason decided to become a lawyer, never having considered it previously.

“We take our legal system for granted in the U.S.,” Mason said. “In Ukraine, investment and economic growth is discouraged by a legal system that is inefficient and often corrupt. I became interested in law after being involved in this process.”

“We take our legal system for granted in the U.S. In Ukraine, investment and economic growth is discouraged by a legal system that is inefficient and often corrupt.”

–Amy Mason

Upon deciding to attend law school, Mason immediately was attracted to Duke. “I was impressed with Duke's commitment to international law. I think the existence of the JD/LLM program brings a lot of internationally minded students to Duke. I knew there would be a lot of opportunities to engage in dialogue on international issues. Plus, I was impressed with the diversity of Duke's curriculum in this area as well as the clinical and study abroad opportunities.”

However, Mason was not yet certain whether she wanted to come back to the United States for law school immediately or serve another tour in the Foreign Service first. The latter option became more attractive when she was offered a highly sought assignment to the U.S. Mission to NATO in Brussels, Belgium.

The offer of a prestigious Mordecai Scholarship to attend Duke Law clinched her decision to attend the School rather than accept the job in Brussels. The merit-

based scholarship is more than a simple financial boost, she said. She also relies on the award to keep up her morale, remembering that the scholarship committee saw qualities in her that convinced them she was worthy of the honor.

“The first year of law school can be somewhat overwhelming, and there were definitely moments when I wondered if I was up to the pressure,” she said. “In those moments of wondering, I tried to keep in mind that the scholarship committee had confidence in me as a potential law student.”

Mason is grateful to have received the scholarship, and she feels a need to give back to Duke Law to express that gratitude. In her first year, she offered to give Law School tours for applicants. She also took part in prospective faculty interviews and participated in Public Interest Law Foundation fundraising efforts.

Her contributions to the Duke Law community continue to expand. She was elected to be the academic chairperson for the Duke Bar Association for the 2003-04 school year, charged with helping to make students' academic experience at Duke Law as fulfilling as possible. Mason began to pursue that goal by organizing a survey of first-year students to gauge their perceptions of their first-



AMY MASON

year experience, receiving a remarkable 50 percent survey response rate. She spent part of the summer compiling the results to help her focus her efforts as academic chair during the school year.

But her primary focus during the summer was a job at the firm of Van Bael & Bellis in Brussels. The firm has more than 50 lawyers from around the world, and it was a natural fit for Mason because of its focus on trade law and competition law in the European Union, two areas of special interest for her.

As for her future, Mason hopes to work in U.S. trade law with foreign clients. She also is interested in antitrust law in the global market. She is looking forward to practicing in these areas for a firm after earning her JD. Eventually, though, Mason would like to return to the government, perhaps the Department of Commerce or the U.S. Trade Representative's Office. Later, Mason said, she would like to return to a developing country to assist with legal and economic reform, much as she did in Ukraine.

Such an endeavor would bring Mason's career back to where it began, but with experience gained from Duke Law as well as her work following graduation. Thus, she would be able to accomplish more in the area of legal reform than she could have done when she was with the Foreign Service. She concluded: "As I see the many ways in which students and faculty at Duke are using the law to better the world around them, I become more confident in my own decision to pursue a legal career with the goal of eventually assisting developing countries." ♡



Jay Barasch '05 is communications chair for the Duke Bar Association. He is interested in pursuing appellate work after graduation.

Vik Patel '05 Leads by Example

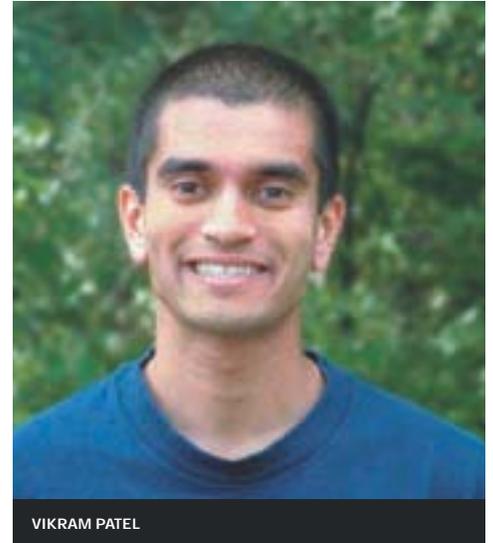
By Michael Koenig '04

It is difficult to spend much time at Duke Law School without hearing about – or being recruited for – some program or activity led by Vikram Patel '05. But it is not through self-promotion that Patel has cemented a reputation as a leader in the Law School community. Rather, it is through continuous service to that community as well as his pursuit of academic excellence.

Born in New York City and raised in Los Angeles, Patel came to Duke Law School after receiving his undergraduate degree in physics from Pomona College in southern California. Although he considered several law schools, he decided on Duke because he "wanted to be at a place that was characterized as 'cooperative' more often than 'competitive.'" So far, he says, Duke has lived up to that reputation.

Shortly after beginning his Law School career in June 2002, Patel learned of the Dedicated to Durham community service program and immediately signed up. Organized by the Law School's Community Service Board, Dedicated to Durham is a voluntary program in which hundreds of students participate. Volunteers are divided into groups of 10-15 students, and each group spends an afternoon working on a project to benefit various groups and individuals in Durham. Projects range from cleaning up a non-profit nature conservancy to spending time with the elderly. The first project Patel worked on was painting the walls and a staircase at the Durham School of the Arts, after which he had a turpentine shine on his hands for a week. "I had such a good time and was so impressed that something like Dedicated to Durham even existed at my law school, I decided to apply to the Community Service Board," says Patel.

But simply joining the board was not enough, and in the spring he became the Duke Bar Association (DBA) community



VIKRAM PATEL

"You can't change the entire world in one afternoon, but the few things you do can mean a lot to the people affected – and can mean much to the people who make the changes as well." –Vik Patel

service chair. Having already coordinated a Dedicated to Durham event in March 2003, he will run two more events in the current school year. Patel, working with the rest of the DBA Community Service Board, also will oversee a number of other service-oriented activities, including "Make a Difference Day" and several charitable drives for food, clothing and blood.

This type of effort is nothing new for Patel. At the age of 24, he already has a significant history of community service. His resume of good deeds includes tutoring school children, volunteering at food pantries and hospitals, participating in speech therapy programs, serving on the community service board of his high school, and coaching a half-dozen youth basketball teams.

Patel describes all of this work as necessary repayment to the community for what he considers the many blessings in

his own life. "You can't change the entire world in one afternoon," explains Patel, "but the few things you do can mean a lot to the people affected – and can mean much to the people who make the changes as well."

As for the future, Patel's dream job is to be a stay-at-home father with four or five children. But he realizes that this is not a practical goal "at least without an extremely understanding spouse."

"I realize that 40 years of earning a paycheck instead of staying home full-time with my kids likely will be in my future," says Patel. As a means to earning that paycheck, Patel is paving the way for himself by coupling his law degree with a master's degree in electrical and computer engineering. Patel sees this joint degree as an opportunity to increase his knowledge base as well as his attractiveness to employers. Although he's keeping his options open, Patel says he is leaning toward becoming a patent prosecutor or intellectual property litigator.

Contemplating his career aspirations, community service is never far from his mind. Patel understands the heavy time demands of the legal profession, which could take a toll on his ability to perform community work and spend time with family. "But I have faith in myself that I can strike a good balance," he says. The key, predicts Patel, will be to use pro bono work to create such good press for his firm that his supervisors will insist he do more of it.

In the meantime, Patel is busy balancing his ambitious academic and service-oriented goals. And he has started on the path to his ultimate goal of "hopefully doing enough right that I don't end up with too many regrets." ♣



Michael Koenig '04 is executive editor of external content for the Duke Law & Technology Review and is the former co-chairman of the Intellectual Property & Cyberlaw Society. He is from Madison, WI where he attended the University of Wisconsin and received degrees in electrical engineering and computer science. He plans to become an intellectual property litigator.

Chao '04 and Teammates Score High in Entrepreneurship Competitions

Frank Chao, '04, loves the law, but there's also a lure to the world of business and invention that he finds undeniable. Thus, when Duke Start-Up Challenge organizers held an informational meeting in the last school year about their annual contest for entrepreneurs, Chao was there with an open mind and a few equally interested friends from schools throughout Duke.

The Start-Up Challenge is a University-sponsored entrepreneurial competition that encourages teams of students from throughout Duke to propose business and marketing plans and provides seed capital to top-scoring teams. Judges, drawn from the world of business and entrepreneurship, rate teams on the likelihood of their ideas to succeed in the marketplace.

Chao became part of a seven-member team that developed a business and marketing plan for a proposed medical device to aid with certain heart surgeries. The team placed among the top five in the Start-Up Challenge, which drew more than 50 teams, winning \$20,000 in seed money. The team won another \$100,000 for its project from the Carrot Capital Business Plan Challenge. That competition is run by a non-profit corporation related to Carrot Capital LLC, a New York-based venture capital firm. Chao's team came in fourth in that competition, which attracted hundreds of entrants and also is judged by business leaders.

Chao and his teammates hope to push on with the work of developing a business, but that will require more money and more time to work out. For now, they're basking in the success of placing well in two demanding competitions. "We were very excited to actually have been in the finals of the competitions," Chao said.

The team, called IntraCardia, hoped to market and sell a device that would help doctors, in a minimally invasive surgical procedure, repair holes that sometimes form in children's hearts. If left untreated,

the holes, called atrial septal defects, can cause life-threatening complications.

Dr. Jim Schroeder, a pediatric cardiologist from San Antonio, TX conceived the device. But the product itself was secondary in the competitions to plans to build a company that would market and sell it, and that work was left to the students. Throughout the semester the students worked individually and also gathered as a



FRANK CHAO

group regularly – sometimes for just a few hours but sometimes pulling all-nighters – to talk about what they had learned about

medical research on the subject, insurance implications, patents and other topics that would be vital to creating a business plan for the competition.

Chao said he learned even more than he anticipated about law, business and medicine throughout the process. That was no surprise to Duke Law Professor Jerome Reichman, who taught Chao in intellectual property law. "What this shows is the wonderful interdisciplinary ethos we have here," said Reichman, the Bunyan S. Womble Professor of Law. "It was great to see them ride this all the way to the top."

Chao said the IntraCardia team will use the seed money from the competitions to start obtaining a patent and building a prototype. Millions of dollars will be needed to carry the project through development, government approval, marketing, manufacture and distribution, so the team also will have to raise far more money. But Chao said he and his teammates have plenty of time to think about those issues and still are flush with their early success. "We're certainly proud to have made it this far," he said. ♣

1955

Editor's note: In the spring 2003 issue of *Duke Law Magazine* David C. Goodwin's name was misspelled. We regret the error. The item is reprinted here.

David C. Goodwin, a commercial litigator who is of counsel in the Miami office of Akerman Senterfitt, was listed for the 20th consecutive year in *The Best Lawyers in America*, a publication that rates the abilities of lawyers throughout the United States based on the results of a peer-review survey of leading attorneys in their areas of specialization. In the 2003 edition, David is listed under the litigation section. Out of the million-plus attorneys in the United States, he is one of just 1,880 to be listed in every edition since the first publication in 1983.

1956

Russell M. Robinson II was named to the "Legal Elite Hall of Fame" list by *Business North Carolina* magazine.

1963

John B. Gordon retired in 1998 after teaching business law for 12 years in the College of Management at North Carolina State University. He and his wife, Sylvia, who also retired in 1998 after 29 years as a reader's advisor at the North Carolina Library for the Blind and Physically Handicapped, have been married for 47 years. They have two children.

1964

Richard H. Rogers, president of Richard H. Rogers & Associates, has been re-elected as chairman of the Washington Township (Dayton, OH) Zoning Commission. After directing U.S. participation on the "Great Manmade River Project" in Libya in the 1980s, he now practices business, real estate and international law.

1967

Thomas A. Jorgensen was named in *The Best Lawyers in America*, a legal resource for lawyers and consumers in search of the nation's top legal talent. Thomas was designated specifically for appearing in the listing for 10 or more years.

David W. Pancoast has joined the Cleveland office of Thompson Hine. He is of counsel in the real estate practice group.

1968

Michael Angelini has become a fellow of the American College of Trial Lawyers. The College recognizes experienced trial lawyers who have mastered the art of advocacy and whose professional careers have been marked by the highest standards of ethical conduct, professionalism, civility and collegiality. Michael is the chairman of Bowditch & Dewey, in Worcester, MA.

Tommy Boroughs, a partner in the Orlando office of Holland & Knight, has been appointed to the American Public Power Association's Policy Makers Council. APPA is the Washington, D.C.-based national service organization representing the nation's 2,000 not-for-profit, community-electric utilities.

1971

Randolph J. May, senior fellow and director of communications for policy studies at the Progress & Freedom Foundation, has been elected vice chair of the ABA's Section on Administrative Law and Regulatory Practice. He became chair-elect of the section in August 2003 and will be chair in August 2004.



Steven Naclerio has been appointed as an adjunct faculty member of Nova Southeastern University's Shepard Broad Law Center in Fort Lauderdale, FL. He continues to practice corporate, business litigation, regulatory, and intellectual property law with Shook, Hardy & Bacon in the firm's Miami office.

Mike Warren received an honorary doctor of laws degree from Birmingham-Southern College at commencement ceremonies in May 2003. He is a member of Birmingham-Southern's Board of Trustees and past chairman of the college's Norton Board of Advisors.

1972

Charles R. McManis has been named the inaugural Thomas and Karole Green professor of law at Washington University in St. Louis.

1973

Philip Pfaffly was named a Top 40 Personal Injury Law "Super Lawyer" by *Minnesota Law & Politics* magazine. Philip, a partner at the Minneapolis law firm Rider Bennett was chosen by a vote of his peers.

Durwood Zaelke has joined Zelle, Hofmann, Voelbel, Mason & Gette in Washington, D.C. An environmental law specialist, Durwood focuses on plaintiffs' environmental torts cases involving toxic chemicals and other threats to health and the environment.

1974

Colin Brown has been promoted to president and CEO of JM Family Enterprises, Inc., a billion-dollar diversified automotive company headquartered in Deerfield Beach, FL. It is ranked by *Forbes* as the 13th largest privately-held company in the U.S.

Donna Coleman Gregg has been named vice president, general counsel and corporate secretary of the Corporation for Public Broadcasting.

Thomas E. McLain has been elected as a trustee of the Asia Society, headquartered in New York City, and as a member of the organization's Executive Committee. He also became chair of the Asia Society Southern California Center in Los Angeles. Thomas continues as an attorney specializing in international business transactions, with an emphasis on Asia, at Sidley Austin Brown & Wood. He resides in Los Angeles with his wife, Celeste Pinto, and their two sons, John Thomas and Brannack.

1976

Raymond J. Etcheverry, president and CEO of Parson Behle & Latimer in Salt Lake City, has been elected a member of the Salt Lake Chamber Board of Governors. An active member of the Litigation, Antitrust and Intellectual Property Sections of the ABA, he also has served on the United Way Board of Directors.



Jim Kizziar of San Antonio, TX, a partner with Bracewell & Patterson, has become chairman of the board of directors of the American Heart Association, San Antonio Division. He will serve through June 2004. In his practice, Jim represents management in all aspects of labor and employment law before federal and state agencies and courts.

Eugene Schwartz was appointed senior vice president and general counsel of Columbia Bank in Fairlawn, NJ.

1977

Mark Bookman recently formed a new law firm, Lovett Bookman Harmon Marks, after leaving Reed Smith in Pittsburgh. The new firm is a boutique specializing in wills, trusts, estates and related matters.

Gary E. Meringer has relocated from Erie, PA to Sarasota, FL and taken a position as vice president-business development/assistant general counsel with VenVest, Inc., a venture capital firm specializing in providing consulting services to contractors in the home services business.

1978

David C. Kohler, formerly senior vice president and general counsel at CNN, has been appointed director of Southwestern University School of Law's National Entertainment and Media Law Institute and professor of law.

John McMillen has joined Linsalata Capital Partners in Mayfield Heights, OH, as senior vice president.

1979

Gray McCalley has been named vice president and deputy general counsel of Coca-Cola Enterprises, the largest bottler of Coca-Cola products in the world. Gray and his family have moved back to Atlanta after 10 years with the Coca-Cola system in Europe.

1981



Jeffrey P. Libson, a partner with Pepper Hamilton and head of the firm's life sciences practice, recently received the Entrepreneurial Advocate Award from the Ben

Franklin Technology Partners of Northeastern Pennsylvania at its annual Innovation Awards ceremony. He was recognized for being a dedicated, tireless and valued champion of northeastern Pennsylvania's entrepreneurial community.

David Sturgess was appointed president/managing partner of Updike, Kelly & Spellacy in Hartford, CT.

1982

Dale D. Cook has joined Wiles, Boyle, Burkholder & Bringardner in Columbus, OH as an associate. Dale will serve in the firm's business and corporate law practice area.

Julian Whitehurst has joined Commercial Net Lease Realty, Inc. in Orlando, FL as executive vice president and general counsel. Julian was previously a partner at Lowndes, Drosdick, Doster, Kantor & Reed.

1984

Finesse G. Couch and **Tony Taibi '90** have joined together in a new law partnership, Couch & Taibi, located in Durham. They maintain a diverse trial practice in personal injury and commercial litigation, and also provide small business and community development consulting.

1985

Janet Ward Black has been named to a three-year term on Z. Smith Reynolds Foundation's 16-member advisory panel. In its advisory role, the panel helps the Foundation better understand issues affecting North Carolina and opportunities for making more effective grants.

Charna Gerstenhaber joined the New York office of Morgan, Lewis & Brockius where she is of counsel, following the dissolution of Brobeck, Phleger & Harrison.

1986

Stephen Labaton, a writer with *The New York Times*, was among the 2003 recipients of the prestigious Gerald Loeb Awards for Distinguished Business and Financial Journalism. Stephen's award was in the category of beat reporting for his stories about the Securities and Exchange Commission and the leadership of former Chairman Harvey Pitt.

Danny Schnur and his wife, Debbie, announce that their son, Sam, is a freshman at Duke University this fall.

1987

Xuan Yan has joined Microsoft Corporation as the deputy general manager for corporate affairs for the company's Beijing-based China subsidiary. He is responsible for leading the company's government relations, policy and regulatory matters and community outreach operations. His wife, Delphine, and their 8-year-old son, Matthew, joined him in Beijing this summer.

1988

David L. Dukes has published a trilogy of novels: *The First Black President Blues*, *The Zebra Confessions*, and *The Last White Soldier*.

Michael P. Scharf has been appointed director of the Frederick K. Cox International Law Center at the Case Western Reserve University School of Law.

1989

Kimberly A. Brown, a partner with Thorp Reed & Armstrong, in Pittsburgh, was recently elected to serve as one of five governors on the Allegheny County Bar Association's Board of Governors. She is a member of the firm's corporate & commercial litigation practice group, and also serves as coordinator of the firm's pro bono program.

Sean Callinicos married Carolina Leal on May 24, 2003, in Guadalajara, Mexico. The couple resides in Washington, D.C., where Sean is director of global government relations for StorageTek, a Colorado-based high-tech multinational company, and Carolina works for the U.S. Hispanic Chamber of Commerce.

Michael D. Mayes has joined Evans & Dixon as a senior associate. Located in Springfield, MO, Evans & Dixon is one of the largest insurance defense firms in the United States.



Allyson Duncan '75 CONFIRMED FOR 4TH CIRCUIT

Allyson Duncan '75 was confirmed this summer as a judge on the U.S. Court of Appeals for the 4th Circuit, becoming the first African-American woman ever to serve in that capacity. The U.S. Senate confirmed the nomination in July by a vote of 93-0.

Duncan, elated with the outcome, said merely being nominated was a fantastic experience. "It was very exciting and very humbling," she said. "It was the greatest honor imaginable." Duncan was nominated along with fellow Duke alumnus Claude A. Allen '90, among others.



Duncan, most recently a partner at Kilpatrick Stockton living in Raleigh, said she loved the idea of returning to the bench and taking on legal questions from an objective point of view. "This will be the pinnacle of a legal career," she said. "I love the prospect of wrestling with legal issues and having the time to review and analyze them and not be bound to one side – not to have your position predetermined as you do in private practice."

Her confirmation for the seat on the 4th Circuit wasn't the only honor – or first – of

the summer for Duncan, though. She also became the first African-American president of the North Carolina Bar Association.

Duncan previously served on the North Carolina Court of Appeals and later as commissioner of the N.C. Utilities Commission. She was president-elect of the North Carolina Bar Association before taking on the presidency this summer. Two other Duke Law alumni took major roles with the Bar Association this summer as well.

Gray Wilson '76 of Winston-Salem was named president-elect. Wilson is a partner in the firm of Wilson and Iseman. Ted Edwards '94 of Raleigh was named chair of the Young Lawyers Division. He is a partner with Kilpatrick Stockton. ♡

Gregg Melinson has been elected chairman of the board of the Eastern Division of the Pennsylvania Economy League. Gregg is a partner at the Philadelphia-based law firm Drinker, Biddle & Reath, and is the youngest chair in the Economy League's 70-year history.

Kenneth Murphy, a shareholder in Miller, Alfano & Raspanti, recently was appointed as a trustee of the Presbytery of Philadelphia. The committee preserves and enhances the physical and monetary assets of member churches in the Philadelphia area. It also advises and acts upon any legal matters involved with the Presbytery. Ken currently is serving as president of the Barristers' Association of Philadelphia and was a panelist at the recent ABA National Conference for the Minority Lawyer. He spoke on litigation of predatory lending class actions and mortgage fraud.

Matthew Sawchak was named to the "Legal Elite Hall of Fame" list by *Business North Carolina* magazine.

1990

Brad Furber has been named a Top Lawyer by *Seattle* magazine.

Daniel A. Kent has joined the intellectual property litigation practice in the Atlanta office of Jones Day. He focuses on all aspects of IP litigation, including patent, copyright, trademark and trade secret cases.

Bradley A. Krouse was recognized by the *Philadelphia Business Journal* as one of the "40 Under 40" who are making their mark in their professional fields and communities. The chairman of the real estate and finance department at Klehr, Harrison, Harvey, Branzburg & Ellers, his practice includes a full range of real estate activities, including acquisition, sale, leasing, financing and development.

Charlie Lucas and his wife, Mimi, announce the birth of their third son, Pearse Lucas, born Jan. 6, 2003.

Kip Plankinton has joined Fulbright & Jaworski, in Houston, TX, as counsel. He is a member of the energy and real estate practice group, focusing on domestic and international oil and gas transactions. Kip formerly served as counsel for Exxon Mobil Corporation in Houston.

Tony Taibi and **Finesse G. Couch '84** have joined together in a new law partnership, Couch & Taibi, located in Durham. They maintain a diverse trial practice in personal injury and commercial litigation, and also provide small business and community development consulting.

1991

John Guidry has been named senior vice president and legal counsel for Reckitt Benckiser, to be located in the corporate headquarters in Slough, England, west of London.

Anne Harper and Rick Ronald announce the birth of their son, Robert Cooper, born Dec. 4, 2002. Cooper joins brother Jackson, 2. Anne is a staff attorney at the national headquarters of Earthjustice, an environmental non-profit organization in Oakland, CA.

Ken Schifman was promoted to general attorney at Sprint Corporation, supervising a staff of attorneys that represent Sprint before state public utility commissions in 15 states. His wife, Lisa, gave birth to their third child, Charles Ian Schifman, on March 17, 2003. He joins brothers Jared, 6, and Drew, 4.

1992

Monica Felder-Rodriguez was married to Jose Rodriguez on Jan. 23, 2003. The couple resides in Miami, FL, where Monica is a member of Dresnick, Ellsworth & Felder.

Monique Garris-Bingham and her husband, Galen, announce the birth of their first child, Landis Rachelle, on Sept. 21, 2002.

Jeanne Meyer has been deployed as part of Combined Joint Task Force 180 to Afghanistan as a legal advisor.

Glenn Sarno and his wife, Grace, announce the birth of twins, Evan and Sophia, on Dec. 31, 2002.

Mark D. Scheinblum has joined the corporate law department of Lowndes, Drosdick, Doster, Kantor & Reed in Orlando. Mark focuses his practice on business and corporate law, corporate finance, private equity and venture capital, mergers and acquisitions, structured finance and securitizations and licensing.

1993

Alex M. Gonzalez, a partner in the Miami office of Holland & Knight, has been appointed to the Florida Bar Admiralty Law Committee.

Robin Green Harris recently joined the Indianapolis firm, Ice Miller Legal & Business Advisors, in its collegiate sports practice group. Prior to joining Ice Miller, Robin worked for the NCAA for nine years. She served as the NCAA's associate (and assistant) chief of staff for Division I, and as the governance liaison to the NCAA Executive Committee. Robin was also the NCAA's director for the Committee of Infractions.

Julio Pereira and his wife, Veronica Undurruga de Pereira, announce the birth of their son, Julio Pereira Undurruga, on March 13, 2003 in Santiago, Chile.

Lennaert Posch became a partner in the Dutch/Belgian firm, Stibbe, effective Jan. 1, 2003, and will return to the firm's New York office later this year.

Peter J. Roth is a second-year real estate/leasing partner in the Century City, CA office of Allen Matkins Leck Gamble & Mallory. He represents institutional landlords and nationally recognized tenants in commercial leasing and related estate transactions. Pete and his wife, Laura, live in Marina Del Rey.

Philip Strauss and **Simona Gurevich Strauss '96** announce the birth of a daughter, Tatiana Sarah, on Jan. 24, 2003. Philip is assistant general counsel at Brio Software in Santa Clara, CA and Simona is a litigation associate at Simpson Thacher & Bartlett in Palo Alto.

1994

Paige Tobias Button and her husband, Timothy Button, announce the birth of their third child, Jack Hemenway, on Nov. 8, 2002.

Kenneth Diamond recently joined Nova Investments, Inc. of Boulder, CO as vice president of development and general counsel.

Kelly Evans was elected partner in the Las Vegas, NV office of Snell & Wilmer.

Dwayne Fulk and his wife, Tammy, announce the birth of their daughter, Madeleine Lona, on April 11, 2002.

Paul Genender joined Hughes & Luce, in Dallas, as a partner in its trial and dispute resolution section. He was previously a partner in the business and commercial litigation section of Strasburger & Price.

Reena Glazer has been named a partner at Shea & Gardner in Washington, D.C.

Andrea Hayworth has been named counsel in the firm of Sutherland Asbill & Brennan. She focuses in the areas of corporate mergers and acquisitions, securities issues and general corporate matters, and is located in the Atlanta office.

Carol Williams Lally and **Kevin Lally** announce the birth of their son, Cameron Williams Lally, on May 15, 2002. Kevin is an assistant United States attorney in the terrorism and organized crime section of the Criminal Division for the Central District of California. Carol is taking a leave of absence from her career as an intellectual property attorney to raise Cameron and his sister, Ciara.



John S. (Jack) Lord has been promoted to partnership with Foley & Lardner. Jack is a member of the firm's litigation department, as well as its labor and employment practice group, and is located in Orlando, FL.

John Nurkin and his wife, Suzy, are living in Charlotte, where John is a partner at Moore & Van Allen. They have two daughters, Ansley and Paige.

Hazel Landwehr and her husband, Greg, announce the birth of their son, Ryan James, on Aug. 15, 2002. He joins his older sister, Lauren, 2. They reside in Dallas.

Lisa Toth Simpson was named partner at Orrick, Herrington & Sutcliffe, effective Jan. 1, 2003. Lisa practices in Orrick's New York litigation group with an emphasis on intellectual property and product liability. She and her husband, **Alex Simpson '93**, a partner in King & Spalding's corporate finance group, reside in New York City with their one year-old daughter, Shae.

James W. Smith III was promoted to the rank of major last year and was the chief of criminal law for the U.S. Army Military District of Washington. He then accepted a position at Florida A&M

College of Law as an associate tenure-track professor, which began in July.

Michael Sorrell, a director in the Dallas office of the international political consulting firm, Public Strategies, Inc., has been named one of Dallas' "40 Under Forty" by the *Dallas Business Journal*.

1995

Cristina Arumi was named a partner at Hogan & Hartson in Washington, D.C.

Laurent Campo and his wife, Lysa, announce the birth of their daughter, Katherine Alycia, on Jan. 19, 2003. Laurent recently joined the Washington, D.C. office of Howrey Simon Arnold & White, where he will continue his corporate and transactional practice.

Daniel Ettinger was named partner in the Grand Rapids-based firm of Warner, Norcross & Judd. Daniel focuses his practice in litigation, including commercial, employment, appellate, real estate and intellectual property litigation.

Marc Eumann, judge at the Bonn District Court, is on temporary leave from the bench to be of counsel to the State Justice Department Legislation Division. He represented his home country, Germany, at the Worldbank's Global Judges Forum "Commercial Enforcement & Insolvency Systems" in May at Pepperdine Law School.

Carl Koller married Alicia Fernandez on April 26, 2003 in Mexico City. Among the Duke Law alumni in attendance were **Niels Mulder**, **Andres** and **Maria Mercedes Halvorsen**, and **Patti Gibbon**.



From left: Niels Mulder '95, Hunter Farrell, Andres and Maria Mercedes Halvorsen (both '95) Alicia Fernandez, Carl Koller '95, Annegien Krugers and Patti Gibbon '95 at the wedding of Carl and Alicia Koller on April 26.

Pamela Schmidt-Fischbach is the director of the legal department at Consors Discount-Broker AG, a company of the PNP Paribas Group and one of the leading online brokers of Europe.

1996

Barry Auskern recently was promoted within the Northwestern District Attorney's Office of Massachusetts. He also is training for the upcoming London Marathon. Barry successfully competed this past fall in the National Masters Cross-Country Championships in Sacramento, where he represented the Greater Springfield Harriers.

Marifrances Bolger recently left private practice to join Employment Practices Solutions, a nationwide human resources consulting firm. Employment Practices Solutions offers employment practices training, conducts workplace investigations, facilitates mediations and provides expert witnesses services to support attorneys and human resources professionals in the public and private sectors.

Norifumi Chimoto and his wife, Fumi, announce the birth of their son, Masashi, on March 21, 2003. He joins his older brother, Kosuke, 3. In February 2003, Norifumi was transferred to the legal division of ITOCHU Corporation in Tokyo, Japan.

D. Brent Lambert has been named chief intellectual property counsel of Lexmark International, Inc. Founded in 1991, Lexmark is a leading developer, manufacturer and supplier of printing solutions for offices and homes in more than 150 countries.

Jennifer L. Slone has joined the Orlando, FL, office of Shutts & Bowen. Jennifer is a member of the real estate practice group, and she represents developers, financial institutions and governmental entities.

Simona Gurevich Strauss and **Philip Strauss '93** announce the birth of a daughter, Tatiana Sarah, on Jan. 24, 2003. Simona is a litigation associate at Simpson Thacher & Bartlett in Palo Alto, CA, and Philip is assistant general counsel at Brio Software in Santa Clara.

Lovita Tandy was recently elected to partnership at King & Spalding in Atlanta, effective January 2004. Lovita joined the firm in September 1997 and is a member of the labor and employment practice group. She concentrates on traditional labor law, employment discrimination litigation and employment related contractual disputes.

Joshua Teague moved to Sweden last summer, where he has joined Hammarskiold & Co. in Stockholm. His practice focuses on intellectual property, information technology and commercial law.

Pierre Tourres and his wife, Catherine, announce the birth of their daughter, Susanne, on March 13, 2003. She joins older sister Celine, 2.

1997

Jason M. Anderman started in April as an associate in the New York office of Paul, Hastings, Janofsky & Walker.

Brian Beck joined Oaktree Capital Management, as vice president, legal. Oaktree is a Los Angeles-based investment management firm.

Brian Bouffard was honorably discharged from the U.S. Navy JAG Corps after serving more than five years as both prosecutor and defense counsel in Marine Corps courts-martial at Camp Pendleton, CA. Brian has accepted a position with Baron & Budd, in Dallas, as a trial associate, representing plaintiffs in toxic tort personal injury and wrongful death cases.

Keith Hasson was married to Elizabeth Moore Smith at Duke Chapel on June 1, 2002. The couple resides in Atlanta.

Geoffrey Krouse and **Anne Emmert** were married on April 12, 2003, in Indianapolis, IN. Among the attendees were the father of groom, **George Krouse '70**, the sister of the groom and bridesmaid, **Alison Krouse Morello '00**, groomsman **Phillip Allen**, bridesmaid **Julie Russell**, **Tom Koltis**, **Christopher Bass**, **Robert O'Leary**, **Scott Seewald**, **Scott Ryan**, **Elizabeth Napjus**, **Katherine Quigley Denham** and **Aaron Tehan '98**. Anne is an associate at Paul, Weiss, Rifkind, Wharton & Garrison, and Geoff is an associate at Vinson & Elkins, both in New York.



Elizabeth C. Stone has joined the Milwaukee law firm, von Briesen & Roper, as an associate in the health care practice group. Her practice includes advising the firm's health care clients on HIPAA and other regulatory compliance matters, fraud and abuse, patient care/risk management and health records and information systems. She resides in Madison, with her husband, Brian.



Andy Slutkin '91

Jennifer Yelton married Kyle Henry in Dallas, on May 24, 2003. Jennifer is a commercial litigator with McKool Smith, and Kyle works in the finance field for Capital Analytics. They reside in Dallas.

1998

Joseph Beach and his wife, Susannah, announce the birth of their son, Joseph Watson Beach, on Jan. 15, 2003.

Jonathan Brumer joined the U.S. Department of Health and Human Services Office of General Counsel in Washington, D.C.

Caitlyn and **Thomas Fulghum** announce the formation of The Fulghum Law Firm, in Durham. Thomas, formerly of the Orange County Public Defender's Office, will focus his practice on criminal defense and immigration. Caitlyn will continue to concentrate her practice on employment discrimination and personal injury. The couple also welcomed an addition to the family. Their daughter, Leila Esmé, was born Jan. 13, 2003. She joins her older brother, Niall, 2.

Tilman Thomas Gates was married to Sherard Anne Rawson on Dec. 7, 2002. The couple resides in Charlotte.

David R. Lowman was married to Tyra Arrowood of Stone Mountain, GA on Dec. 31, 2002. David is a litigation attorney in Atlanta and Tyra is an executive with Neill Coporation.

Jesus Villa and his wife, Kelly, announce the birth of their daughter, Rosalia Guadalupe Villa, on Dec. 12, 2002. Jesus practices labor and employment law with Michael Best & Friedrich in Waukesha, WI.

Carol Von Urff received her LLM in taxation from New York University School of Law in May 2002. In October 2002, she married Lt. Edward J. Kelley (USN) and relocated to Alexandria, VA. She recently joined the Washington, D.C. law firm, Silverstein & Mullens, a division of Buchanan Ingersoll, as an associate in its estate and trusts group.

Alison (Hoyle) and **Darren Wall** announce the birth of their first child, Halle Lindsey, on March 4, 2003. Darren is a venture capitalist with Cross Atlantic Partners and Alison is corporate counsel for Sungard Data Systems. They reside in the suburbs of Philadelphia.

Andy Slutkin '91, recently helped win a case that resulted in one of the largest verdicts ever awarded in a Maryland state court. The verdict, which since has been appealed, resulted in a \$276 million (\$200 million in punitive damages, \$76 million in compensatory damages) judgment against First Union National Bank in favor of Steele Software, a small software company.



The six-week trial in Baltimore Circuit Court hinged on Steele's contract with First Union to provide the banking company with a method of centralizing and automating the title and appraisal process for home equity loans. Slutkin's team argued that the bank, after entering into a long-term contract with Steele and learning how that company executed the process, terminated the contract and created its own company to do the same work. Slutkin, a partner in Baltimore's Snyder Slutkin Lodowski & Kopec, worked with two other partners as well as other lawyers on the case, which required six months of preparation.

Slutkin is used to working on multi-million dollar cases – he's been doing that sort of work for a decade, mostly in the area of medical malpractice and catastrophic injuries – but the result of this case was beyond any of his experiences. "It was just exhilarating to work so hard preparing something like this and seeing it through," he said.

Despite his years of experience in the courtroom, Slutkin said his education at Duke Law School still is a cornerstone of his ability to do his job and effectively represent his clients. "Duke Law really prepared me," he said. "My critical thinking skills and work ethic came from there."

Slutkin also is an adjunct professor at the University of Baltimore School of Law, where he teaches litigation process. ♣



Mark Pryor '02

Chased by a members of violent paramilitary group, a Colombian journalist and her 6-year-old son hurriedly made their way to the United States. As she left Colombia, the woman learned from a former colleague – who had been kidnapped and tortured – that she had a price on her head because of the work she had done. The journalist (not named in this story to protect her identity) realized that she could never return to Colombia.

After reaching the United States and an unsuccessful hearing with an immigration officer in Houston, she turned to the Texas-based Human Rights Initiative (HRI) for help gaining asylum. The organization sought help from **Mark Pryor '02**, who had become an associate at Vinson & Elkins in Dallas. Along with fellow associate Ryan Pierce, Pryor worked to win asylum for the frightened woman and her son.

The two soon arranged a hearing before a federal immigration judge. Armed with extensive evidence, including affidavits from the journalist's colleague and friends, the woman's own testimony and U.S. State

Department documents, Pryor helped convince the judge to grant asylum.

As a Duke Law student, Pryor participated in the School's Death Penalty Clinic, where he learned many of the skills needed to represent clients in dire straits.

His client from Colombia wrote a heartfelt letter to

Pryor's firm, explaining that she would be "forever grateful for [the] unwavering support in moments of great uncertainty for us." Responding to the letter, Pryor's managing partner circulated a message to the rest of the firm, stating that his efforts in this pro bono case were an example of "making a dramatic difference in an individual's life."

Pryor is continuing his work with HRI, now with a case involving a newspaper editor from Pakistan who had been tortured by religious extremists and also is seeking asylum in the United States. ♪



1999

Brian Fowler has joined LeClair Ryan in Richmond, VA as an associate. He will practice litigation with the medical malpractice defense group.

Tamara Free recently left the technology transactions group at Wilson Sonsini Goodrich & Rosati in Palo Alto, CA. She joined the legal and business affairs group at Industrial Light & Magic (a division of Lucas Digital Ltd.) in San Rafael, CA.

Manfred Ketzer received a doctorate degree with distinction in April 2003 from the University of Salzburg School of Law. His doctoral thesis was titled "Allotment of Shares in Public Offerings."

Jenni Kinsley was an adjunct professor at the University of Cincinnati College of Law during the spring 2003 semester. She taught *habeas corpus* and other post-conviction remedies with H. Louis Sirkin.

Cynthia O'Neal has joined Penry Riemann in Raleigh, NC. The firm tries, arbitrates and appeals a variety of commercial cases for general contractors, sureties, investors, brokers, policyholders and other companies.

Hollee Schwartz Temple joined the faculty of the West Virginia University College of Law in August 2003. She is teaching legal research and writing in her first year and will later add estates and trusts.

Dara Steele-Belkin completed her clerkship with the Honorable Colleen Kollar-Kotelly, United States District Judge for the District of Columbia, in November 2002. Dara and her husband, Jeff, have since moved to Atlanta, where Dara joined Sutherland Asbill & Brennan as a litigation associate.

Jennifer Sullivan recently was named the 2003 recipient of the Boulder County CO Bar Association's Young Lawyer of the Year Award. The award recognizes pro bono and community service work.

Jeff Welty has formed his own practice in Durham, handling capital cases and federal criminal matters, both at the trial level and on appeal.

2000

Alison C. Conlon has joined the Chicago office of Wildman Harrold as an associate. She joins Wildman Harrold's litigation practice after working two years at the City of Chicago's Law Department.

Michael Heath has left Dow & Lohnes in Washington, D.C., and returned home to the Pacific Northwest, where he will clerk for Justice Mary Fairhurst of the Washington Supreme Court.

Christoph Kellerhals and his wife, Liliane Ruprecht, announce the birth of their second child, Noel Louis, on Oct. 16, 2002.

Vanessa Cheyney Stoffels was married to Garrett Bryan Stoffels on April 13, 2002 in Fort Lauderdale, FL. Several Duke Law classmates attended. Vanessa and Garrett currently reside in New York City.

Stephan Strnad left Freshfields to join the law firm of Sattler & Schanda. The Vienna, Austria firm is renowned for its expertise in intellectual property and energy law and also has a general business practice. Stephan also began to teach a course on "The Language of the Law" to young lawyers in Austria.

Frances Turner was married to Kevin Mock on May 10, 2003 in Chapel Hill, NC. Frances will continue to live in Brown's Summit, NC and work at Smith Moore in Greensboro.

2001

Sandra Alley began working as a staff attorney for the North Carolina General Assembly in April.

Fernando Fresco has returned to Argentina after completing an internship with the capital markets department of Simmons & Simmons in London. He has joined Pluspetrol, an Argentinian oil and gas multinational company with a strong presence in South America. He works for the holding company and is in charge of finance work for the legal department.

Preetha Gist and her husband, Robert, announce the birth of their daughter, Riley Brynn Gist, on Nov. 19, 2002.

Shawn and Jennifer Kennedy announce the birth of their son, John Mark Kennedy, on Sept. 24, 2002.

Jean-David Larson has joined the Seattle law firm of Hillis Clark Martin & Peterson as an associate. His practice will emphasize a wide range of business-related matters.

Meggan Loudon resigned from an associate position at Jones Day to clerk for Judge John Adams in the U.S. District Court for the Northern District of Ohio.

Antony Sanacory and **Kamla Alexander** were married on May 17, 2003 in Montego Bay, Jamaica. **Shymeka Hunter** was a maid of honor and **Robert Joseph '03** was a best man. **Demetria Titus** and **Jessie Fontenot, Jr.** were masters of ceremonies at the reception. Wedding guests also included **Monty Garside '02**, **Nathalina Hudson**, **Yolanda Oliver** and **Jamila Hoard**. The couple resides in Atlanta.



Antony Sanacory and Kamla Alexander at their wedding in Montego Bay, Jamaica, on May 17, 2003.

Carlo Viacava is practicing law in Lima, Peru at the Estudio Olaechea Law Firm.

Tzi-Sheng Wu has joined Justus Law Offices in Taichung, the largest firm in the central part of Taiwan, as director of foreign affairs and public construction.

2002

Matias Avila-Nores recently returned to Argentina, where he was hired as a senior associate in the corporate law department of the firm BKG in Buenos Aires.

Cristiano Bernarde and his wife, Fabia, announce the birth of their son, Eric, on Dec. 16, 2002. The family resides in Sao Paulo, Brazil, where Cristiano works as senior counsel at Siemens-Brazil.

Livia Daisy Birtalan has joined the Vienna law office of CMS Legal Services Strommer Reich-Rohrwig Karasak Hainz as an associate.

Allena Cano is an associate in the Dallas office of Fulbright & Jaworski.

Jessica Carter was named to the National Online Hotline Advisory Board for the Rape, Abuse & Incest National Network (RAINN). RAINN is the nation's largest anti-sexual assault organization and was cited as one of "America's 100 Best Charities" by *Worth Magazine* in 2001.

Jay Eckhardt and his wife, Cara, announce the birth of their son, Aidan Nathaniel Eckhardt, on Jan. 31, 2003.

Mathilde Houet-Weil joined the law firm of Weil & Associés in Paris, France in February.

Christine Son is an associate in Fulbright & Jaworski's Dallas office.

Let us know what you've been doing!

Send us your news by Dec.15 for the Spring 2004 issue of *Duke Law Magazine*. Notes are also available online at www.law.duke.edu/alumni/classnotes.html

Submissions should be sent to Jean Brooks, alumni notes editor, Box 90389, Durham, NC 27708 (fax 919-613-7170).

Submissions may also be made online at www.law.duke.edu/alumni/alumdir/update.html

1931

David M. Marshall, 96, died Feb. 27, 2003 in San Diego, CA. Born July 20, 1906 in Pittsburgh, PA, Mr. Marshall attended Wooster College and Beloit College before graduating from Duke Law School in 1931. A long-time trial attorney, Mr. Marshall also served in the merchant marine during World War II. He was a member of Point Loma Community Presbyterian Church and the Optimist Club. Survivors include his wife, Margaret; daughters Ann Nelson of San Diego and Meg Paquette of Bowdoinham, ME; sons David of Henniker, NH, James of Seattle, John of La Jolla, CA, Michael of Olympia, WA, and Charles of San Diego; and six grandchildren.

1933

Allston J. Stubbs, 93, died May 16, 2003 at his home. Born Oct. 21, 1909 in Sumter, SC, Mr. Stubbs attended UNC-Chapel Hill, where he earned a bachelor of arts degree in 1930 and a bachelor of law in 1932. He attended Duke Law School the following year and received a masters of law in 1933. Mr. Stubbs was a founding member of Stubbs, Cole, Breedlove, Prentis & Biggs law firm and practiced law in Durham for 54 years. He served in World War II as a naval officer. An active member of his community, Mr. Stubbs was a member of the Durham Kiwanis Club for 53 years and served as club president; a member of the Durham City School Board; a director of NC National Bank; past president of the Durham County Bar Association; past secretary-treasurer of the NC Bar Association; and he was twice named Durham's "Father of the Year." He also was dedicated to the Boy Scouts organization, and he served as scoutmaster at Trinity United Methodist Church. Surviving are his wife of 63 years, Hazel Mangum Stubbs; his three sons and their wives, Allston and Jean Olive Stubbs of Winston-Salem; Stanley and Sherry Stubbs of Durham; and Tom and Linda Stubbs of Charlotte; and seven grandchildren.

1935

Editor's note: In the spring 2003 issue of *Duke Law Magazine*, James Mullen's obituary incorrectly stated his name and failed to mention his deceased son, the Honorable James N. Mullen. We regret the errors. The item is reprinted here.

James Mullen, 92, died Dec. 29, 2002 in Gastonia, NC. Born May 11, 1910 in Lancaster, SC, Mr. Mullen attended Duke University, where he was a member of the football team, served as senior class president and was a Rhodes Scholar nominee. He earned a bachelor's degree in history in 1932, continued on at Duke Law School and graduated with honors in 1935. Mr. Mullen practiced law in Gastonia for more than 50 years. Along with long-time friend, **J. Mack Holland, Jr. L '37**, he co-founded the firm that became Alala, Mullen, Holland and Cooper. Mr. Mullen served in the Counter Intelligence Branch of the Army Air Corps during World War II and was awarded the Bronze Star. He is survived by three sons, **the Honorable Graham C. Mullen I '69**, Dr. Patrick B. Mullen, and Captain Peter L. Mullen. His son **the Honorable James N. Mullen I '67** passed away in 1995.

1959

Robert White Hutchins, 77, died Jan. 21, 2003, at home in Grifton, NC. Born July 9, 1925 in Winston-Salem, NC, Mr. Hutchins attended Duke University and received a bachelor of arts degree in 1947. A retired lawyer, he was a past-president of the NC Bar Association and a member or chairman of several committees with the World Association of Lawyers. Mr. Hutchins was active with the Methodist Church, serving on the board of Plymouth Methodist Church and as a trustee of the Elizabeth City District of the Methodist Church. He also served as a naval aviator during World War II. Mr. Hutchins is survived by his daughters, Randi Russum and her husband, Bob Russum, of Pahoia, HI and Elise Smith and her husband, Scooter, of Plymouth, NC; his son, Charlie and wife, Joni Hutchins of Winterville, NC; three grandsons and a great-granddaughter.

1962

R. Allen Claxton, 71, died June 7, 2003, at his home in Fernandina Beach, FL. Born Aug. 12, 1931 in Davenport, IA, he graduated from Duke University in 1953 with a degree in business administration, followed by a JD in 1962. He served in Korea in the United States Air Force. He was secretary-counsel for Purolator Inc. in New Jersey and then corporate counsel for Tele-Communications, Inc., after which he became a sole practitioner. Mr. Claxton is survived by his wife of 46 years, Connie; children, Pamela Moffatt of New Jersey; Richard Claxton of Arizona, and Jennifer Randall of Arkansas; and four grandchildren.

1971

Michael J. Mulligan, 57, died June 16, 2003 in Durham, NC. Born Feb. 12, 1946 in Rochester, NY, Mr. Mulligan attended Boston College and graduated in 1968. Upon graduating from Duke Law School in 1971, he became associate general counsel for GTE. Mr. Mulligan later became a partner with the law firm of Harriss, Mulligan, Embree, Herbert and Derr. He had been a sole practitioner since 1984. Mr. Mulligan is survived by his wife, Gail Mawson Mulligan; daughter Kimberly Mulligan Curtis and husband, Walter "Buck" Mason Curtis IV; sons, Michael Jeffrey Mulligan II and wife, Cansas Phipps Mulligan, and Ryan Patrick Mulligan; two sisters and two grandchildren.

1972

Robert E. Stagg, Jr., 56, died June 16, 2003 in Atlanta, GA. Born Dec. 15, 1946 in Dallas, TX, Mr. Stagg graduated from Emory University in 1969 before attending Duke Law School. After graduation, Mr. Stagg practiced law in Atlanta for 30 years. He is survived by his wife, Judy Broome Stagg; his mother, Dorothy Stagg of Augusta, GA; a sister, Sally French of Atlanta; stepchildren, Kim Molina of Panama City FL, Travis Rolan of Key West FL, and Wes Rolan of Los Angeles, CA; one nephew, Robert Avery of Atlanta; and one niece, Beth Ryan of Baltimore, MD.

THE CAMPAIGN

FOR DUKE LAW SCHOOL

Jeroll Silverberg: Giving Back in Appreciation of a Great Legal Education



**JEROLL SILVERBERG AND HIS WIFE,
JACQUELINE SEGALOFF**

Jeroll Silverberg '46 had no idea what to expect when he hopped into his 1934 Chevy 60 years ago and drove the 550 miles from New Canaan, CT to Durham to see Duke Law School for the first time. Living so far away, Silverberg had not considered Duke Law until a family friend, who was close to the Law School dean, suggested he give Duke a look.

What Silverberg found was a beautiful school with an excellent faculty, an exciting intellectual environment, and a student-teacher ratio that was so small he often felt he was receiving private lessons. His decision to attend the School wasn't hard to make after that overwhelming first impression.

"It was so different being in the South, and I just loved the School," he said. "I knew that's where I wanted to go."

Now, six decades later, Silverberg is giving back in a big way to the School he credits with launching his highly successful legal career. The retired Connecticut lawyer, who specialized in divorce law and remains active in professional associations, has worked with Duke Law to create a \$1 million gift that eventually will fund two full-tuition scholarships. Specifically, he created a "life income gift" – a charitable remainder trust – that produced an immediate income tax deduction for him when he started it in 2002 and will pay him an annual income for life. Silverberg serves as the trustee of this fund so he can oversee its investments. The money remaining at his death will

create the Jeroll R. Silverberg Scholarship Endowment to provide scholarships for talented Duke Law students with financial need.

"As I got older and I acquired assets and income and property, I started to do some thinking about to whom I owed an obligation other than a wife and children," said Silverberg, who built one of the premier divorce-related practices in his home state and is known both nationally and internationally in the field. "The first thing that came to mind was the Law School because I received an excellent education there. I feel very indebted to them for the quality of education and experiences I received there, both educationally and generally."

The gift is a perfect way to give back to the Law School, says Dean Katharine Bartlett. "Our continued quality depends on our ability to attract top students, many of whom cannot afford the tuition," she said. "The School is extremely grateful to Jeroll Silverberg for his generosity, and I hope others also will want to express their loyalty in this way."

Former Associate Dean for External Relations Linda Steckley, who worked with Silverberg to help arrange the gift, agreed that his example is wonderful. "Jerry wants to be sure that young men and women of the 21st century will have the chance to experience the vibrant educational community that so influenced his career and life," said Steckley, who left the Law School in June for a job at The Brookings Institution in Washington, D.C. "At the same time, Jerry will continue to receive income from his investments."

Silverberg, 79, said he vividly remembers many of the lessons he learned from his Duke Law days. He also remembers the unusual experience of attending Law School during World War II, when many would-be students were fighting overseas. Despite his willingness to join the war effort, a few minor medical problems kept him out of the armed forces.

He and a relative handful of students lived in a group of cabins on campus and attended tiny classes

– often with fewer than 10 students per professor. The School was so empty at the time that the U.S. Army Finance Corps was able to share a significant portion of the building. Yet those small classes made for an especially dynamic education.

"It was like being privately tutored," Silverberg said. He graduated at mid-year with just one other student – Ivan Rutledge, who went on to become dean of Ohio State University's law school. Rutledge's half brother, Wiley Rutledge, became a U.S. Supreme Court justice.

After his graduation, Silverberg took a job with a law firm in New Jersey but soon returned to Connecticut. In 1948 he married Marion Stern, and the two opened their own firm. His wife was one of just five female lawyers in the county at the time. They had four children before divorcing in 1966. He now is married to Jacqueline Segaloff, and between them they have a family of six children, their spouses and 10 grandchildren.

Silverberg was a founder and first president of the Connecticut chapter of the American Academy of Matrimonial Lawyers, and he eventually became vice president of the national organization. He continues consulting work and remains involved in the International Academy of Matrimonial Lawyers.

Now nearing the end of his career, Silverberg said he wants his contribution to Duke Law to help deserving students enter the field of law. He feels fortunate to have attended the Law School at a time when a top-tier legal education was inexpensive – astonishingly so by today's standards. Silverberg recalls paying \$205 per semester for tuition and housing during the mid-40s. At most top law schools today, annual costs are well beyond the \$30,000 mark.

"I'd like to see somebody who is well qualified but needs the money be able to get an education there."

And as far as Silverberg is concerned, there's no place like Duke Law to receive that education. "To me it's probably the best law school in the country," he said.

Duke Law School Campaign Committee

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Honorary
Marcella E. Poe P'67 †

† deceased

Thank You

Dear Alumni and Friends,

It impresses me, as a newcomer, that the Duke Law School has reached another milestone in its record-setting fundraising campaign. In 2002-03, generous alumni and friends contributed a total of \$7,359,427 million to the Law School. The 2002-03 Annual Fund was the most ambitious and most successful ever, raising \$1.721 million in unrestricted support. Thank you for your wonderful support.

With your help, our Campaign has topped the \$63.131 million mark and we have met and surpassed the Annual Fund goal of \$12 million, an important part of the larger Campaign. On behalf of the entire Duke Law community, thanks for your stewardship of the Law School.

The Campaign already is making a difference: 44 new scholarships have been established, including 18 full-tuition Mordecai scholarships. Scholarship support enables Duke to continue to offer admission without regard for a student's financial status. New endowments offer summer stipends to students who decide to work in unpaid public

interest positions during their Law School summers. A revised loan forgiveness program provides assistance to graduates who decide to forego the salaries of the private sector in favor of public interest or government jobs.

Duke Law's planning efforts center on building a world-class faculty in four specific areas: intellectual property and related science and technology fields; business and finance law; constitutional law; and international and comparative law. We will add four new faculty members in the coming year, three of them recruited from our peer schools – Penn, Texas and Columbia. These new appointments add strength in tax, telecommunications, biotechnology, health care law and anti-trust, and build on previous appointments to the international and comparative law and intellectual property faculty.

We now have four "in-house" legal clinics, offering services to clients, and training for students, in business and tax law, education law, death penalty defense work, and benefits, estates and guardianship work for clients who are HIV-positive. In addition, our International Human Rights Clinic gives students hands-on experience preparing legal memoranda for the government of Sierra Leone as that country sets up its unique form of war crimes tribunal.

Special programs such as the Program in Public

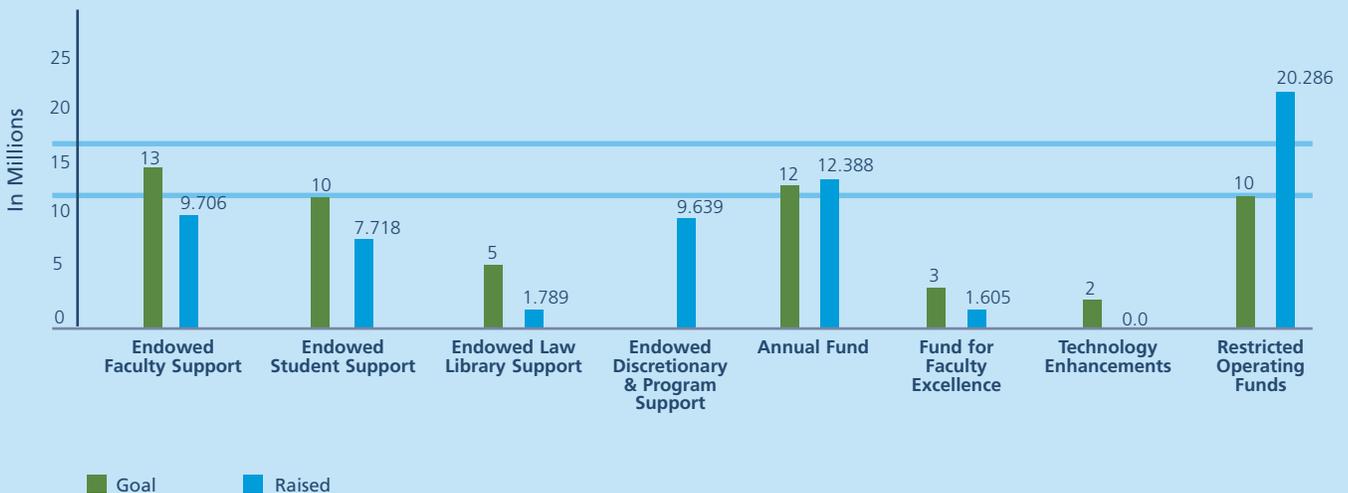
Law, the Global Capital Markets Center, the Center on Law, Ethics and National Security, the Center for the Study of the Public Domain, and the Center for Environmental Solutions have strengthened our curriculum, faculty research, and on-campus conferences and special speakers for students.

Despite the breadth of our successes, and the splendid fundraising leadership of my predecessor, Linda Steckley, there are some unmet objectives in the Campaign, and an emerging list of needs, which will continue to inspire our efforts. Additional support of faculty chairs and student financial aid, for instance, remain challenges to our continued evolution. As we look back, we want to say thank you for your wonderful advocacy and support of this place. As we look forward, let us work even more diligently to grow and strengthen Duke Law.

Sincerely,
 Thomas B. Hadzor
Associate Dean for External Relations

The Campaign for Duke Law School

Total Commitments (in millions) \$63.131 million
 June 30, 2003



Honor Roll of Donors

Honor Roll of Donors

This report gratefully acknowledges the generosity of the many alumni and friends who provide vital support to Duke Law School. The Law School operates on a fiscal-year calendar and gifts listed in this report were received between July 1, 2002 and June 30, 2003. Every effort has been made to avoid errors, and we apologize for any that might appear. Please contact us with corrections:

Ann Sundberg, director of development
Tel: 919-613-7217 fax: 919-613-7170
Tel: 888-LAW-ALUM email: sundberg@law.duke.edu

Barrister Donor Society

The Barristers are a distinguished group of Duke Law Alumni and friends who share a commitment to the future of the Law School and its students. Members of the Barrister Donor Society contribute over 90% of the dollars donated to the Law School each year.

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Fredericka S. Sholtz
Michael C. Sholtz '88
David Alexander Shuford '02
Mark A. Simmeljaer '02
Alexander Jackson Simmons,
Jr. '86
Halcyon E. Skinner '73
Amy Beth C. Slutkin '91
Andrew G. Slutkin '91
Gibson L. Smith, Jr. '65
James Dale Smith '83
Michael Stephen Smith '85
Stephen T. Smith '03
Albert Lee Sneed, Jr. '73
Brian A. Snow '66
Christine E. Soares '03
Sarah Kathleen Solum '98
Michael J. Sorrell '94
Phillip K. Sotel '62
Patricia Ann Speth '84
John Clay Spinrad '83
Robert E. Spring '77
Carl K. Staas '61
Alicia P. Starkman '03
Kenneth G. Starling '73
Susan P. Starling '72
Linda G. Steckley
Lawrence D. Steckmest '75
James E. Stephenson '76
Kathleen A. Stephenson '76
Kristen Larkin Stewart '86
Sandra Paine Stewart
William R. Stewart '68
Caroline P. Stoel '37
Thomas B. Stoel '37
Donald B. Strickland, Sr. '56
Donald R. Strickland '84
Kathy Brooks Strickland
Walter A. Stringfellow III '71
Ann E. Sundberg
Marinos T. Svolos '60
Sebastia L. Svolos
Richard Rockwell Swann '63
Mark B. Sweet '03
Jeffrey E. Tabak '82
Marilyn D. Tabak
Hiroyuki Takai
J. Alexander Tanford '76
Ioannis Tassopoulos '87
Robert C. Taylor '52
Richard Eric Teller '74
C. Brooke Temple III '96
Edward P. Tewkesbury '78
F. Roger Thaler '63
N. Imogene Thaler
Roger P. Thomasch '67
Adrienne T. Tietz
Paul H. Tietz '75
Gerald B. Tjoflat '57
Joel B. Toomey '82
Diane Rowley Toop '79
Richard Scott Toop '80
Bellanne M. Toren '85
Ernest C. Torres '68
Rebecca L. Torrey '90
Michael B. Treisman '00
Triangle Community
Foundation, Inc.
Samuel J. Trueblood '63
Robert W. Turken '80
Meredith L. Turner '02
Amanda M. Uliano '03
Nwabundo Enuma
Ume-Nwagbo '02
Sue Ellen Utley '70
Mark T. Uyeda '95
Egerton van den Berg '59
Edward C. Vandenburgh III '40
Darrell R. Van Deusen '85
Paul R. Van Hook '85
Jeremy M. Veit '00
Julie T. Ottoboni Veit '00
Jason S. Veloso '03
Michael K. Vernier '87
William Robert Vezina III '81
Neil Vidmar
Richard H. Vincent '65
Charles Donald Vogel '79
Edward Walter Vogel III '76
Jane Dees Vogel
John D. Volk '73
Oliver von Schweinitz '03
Patricia H. Wagner '74
Caroline E. Wainright '03
Xianping Wang '91
Kathryn Gray Ward '80
Taylor D. Ward '88
Robert S. Warwick '69
Sharon K. Wasserman '81
Steven D. Wasserman '79
Peter D. Webster '74
W. Edward Meeks, Jr.
Diana Marti Weed '02
Peter A. Weitzel
Anne R. West
William K. West Jr. '62
J. Lofton Westmoreland '71
Gerald T. Wetherington '63
Douglas P. Wheeler '66
Claire K. White '96
Edward H. White '96
Dennis E. Wiczorek '77
Wiener and Garg, LLC
Beth D. Wilkinson '88
T. Scott Wilkinson '88
Breckinridge L. Willcox '69
Frederick L. Williams Jr. '95
Mary K. Newcomer Williams '96
Mary Ellen C. Williams '77
David Wisen '88
John J. Witmeyer III '71
David J. Wittenstein '81
Aaron T. Wolfson '03
Erna Womble
William F. Womble '39
William F. Womble, Jr. '67
Womble Carlyle Sandridge
& Rice
Richard A. Wood, Jr. '62
Sarah M. Wood '03
Susan Elizabeth Wood '02
C. Thomas Work '77
Carol Wren
Sarah A. Wright '03
Robert A. Wrzosek '97
James Frank Wyatt III '82
Yan Xuan '87
Yancey Bros. Co.
Jennifer L. Yelton Henry '97
Jon Carl Yergler '79
James F. Young '54
Michael R. Young '81
Rolando A. Zambrana '02
Clifford J. Zatz '79
Jonathan Marc Zeitler '93
Danian Zhang '89
Winston Zhao '88
Bradley T. Zimmer '03
James B. Zimpritch '73
Meredith Zinnani '03
Nancy L. Zisk '83
Robert Louis Zisk '83

**Alumni Donors
by Class****1923**

The Estate of Richard Elton
Thigpen, Sr.*

1933

William B. McGuire*

1935

Lee S. McKeithen

1936

Louise Maxwell Barr

1937

The Estate of Sigrid Pedersen
Foley*

Richard W. Kiefer †
Harland F. Leathers
H. Hale McCown
Helen Lanier McCown
Caroline P. Stoel*
Thomas B. Stoel*

1938

Carmon J. Stuart

1939

R. Campbell Carden
William F. Womble*

1940

Margaret A. Harris
Alex R. Josephs*
Benjamin Dimmick Raub
Edward C. Vandenberg III*

1941

Aute L. Carr
James R. Mattocks
Numa Lamar Smith, Jr.*
Norman L. Wherrett

1942

Donald Johnston Berkemeyer
John B. Breckenridge
Henry Walton Morrow*
Frederick Nelson
Adolph H. Ralston*

1944

Nathaniel R. Johnson, Jr.*
Melvin S. Taub*

1945

Elwood M. Rich
Frances F. Ruffy*
Julian D. Sanger*

1946

Elizabeth Parker Engle*
Jeroll R. Silverberg*

1947

R. Cecil Boutwell, Jr.
Jack D. Hawkins*
Linton R. Lovett

Henry A. McKinnon, Jr.*
Jonathan Zachariah McKown
Robert F. Moore
Lillard H. Mount
Henry F. Sherrill
Harold D. Spears
John A. Speziale

1948

Robert P. Barnett*
Frank R. Buonocore
Frank W. Dailey
Willis H. Flick*
Edwin P. Friedberg*
William H. Gray
Lorraine Boyce Hawkins*
Shelby E. Horton, Jr.
Richard T. Marquise*
Edward Rocap
John M. Turner
Dan Edward Walton
William Sidney Windes

1949

Clifford Charles Benson
Charles F. Blanchard*
Robert Franklin Clodfelter
Bueford G. Herbert
Duncan W. Holt, Jr.*
Ben Franklin Johnson, Jr.
Hugh A. Lee
Ben H. Logan
William J. Lowry*
Sidney W. Smith, Jr.*
David K. Taylor, Jr.*
Elaine Kupp Wick
Silas Williams, Jr.

1950

Arthur L. Alexander
James G. Cate, Jr.
Robert L. Clifford*
W. Warren Cole, Jr.*
Robert I. Cooper
Robert R. Gardner*
Arbor W. Gray
C. Frank Griffin*
Roy J. Grogan, Sr.*
Thomas G. Hart*
Reverend J. William Hoyle III
Oren Walsh McClain
Hugh E. Reams
William R. Winders

1951

Grace C. Boddie*
Robert L. Clement, Jr.
Wood M. De Yoe
Ned P. Everett
J. Carlton Fleming*
Robert Watson Foster
Frank D. Hall*
J. Allen Harrington
Frederic M. Klein †
Edward A. Loeser*
John Earl Marsh, Jr.
Edward E. Marx
Arnold B. McKinnon
William I. Millar
Milly D. Peters*

Frederick D. Rosenberg
Robert L. Styers
George B. Thomasson
James Toombs Thomasson, Jr.

1952

James S. Byrd
Charles A. Comer
Robert L. Elkins
Fred Folger, Jr.*
Joe W. Gerstein*
J. Bruce Gilman, Jr.
Ray Graves
Edward W. Hautanen
Wallace T. Marlowe
Robert C. Oshiro*
James Chesley Rehberg
E. Norwood Robinson*
William J. Rokos, Jr.
Peter B. Scuderi
Thomas W. Seay, Jr.
John Michael Specia
Robert C. Taylor*

1953**\$13,765 Reunion Class
Gift Total**

Val C. Brooks*
C. Lee Butler
Harry R. Chadwick, Jr.*
Julius J. Gwyn
George Lee Hudspeth
Hugh G. Isley, Jr.*
John D. Shaw, Jr.
L. Stacy Weaver, Jr.

1954

Abraham I. Gordon
Paul Hardin III*
Robert L. McFadden*
Charles E. Rushing
James F. Young*

1955

Hans Wolfgang Baade
William G. Bell, Jr.
Trent C. Bowen
William D. Branham
John A. Carnahan*
J. Peter Friedrich
John F. Kuffner
David Shapiro
Clarence W. Walker*

1956

David H. Allard*
Lloyd C. Caudle*
Frederic E. Dorkin
Robert L. Felts
Francis M. Fletcher, Jr.
Vincent T. Hall
John D. Hamilton, Jr.*
John D. Johnston, Jr.*
Alfred R. Mays*
Duncan O. McKee*
John S. Neely, Jr.
Carlyle C. Ring, Jr.*
Russell M. Robinson II*
Gary S. Stein
David Boyette Stevens

Donald B. Strickland, Sr.*

1957

Robert H. Beber*
Winslow Drummond
Charles A. Dukes, Jr.*
David A. Friedman*
G. William Hackett
Elliott T. Halio
Donald C. Knickerbocker
William Gerard Louis-Dreyfus*
Marvin M. Moore
Edward P. Pizer
Arnold H. Pollock
Herbert S. Savitt
Gerald B. Tjoflat*
Stephen D. Walsh

1958**Reunion Chair:
John F. Lowndes
\$44,175 Reunion Class
Gift Total**

Larry Ivan Bogart
Robert L. Burrus, Jr.*
D. Pierre G. Cameron, Jr.
August William Fischer
William H. Grigg*
John F. Lowndes*
William Kellam Oden, Jr.
Edward Ernest Rieck
W. Donald Sparks
Robert D. Stewart

1959

Leif C. Beck*
Robert B. Berger*
Harrison K. Chauncey, Jr.
Davis W. Duke, Jr.*
J. Terry Emerson
Robinson O. Everett*
Arthur Goodman, Jr.
Robert Carnahan Hudson
Robert W. Hutchins †
John J. Lack
David C. Newman
Charles England Plunkett
Ronald William Sondée
Egerton van den Berg*
Julian W. Walker, Jr.
James E. Westbrook

1960

Robert B. Bell
James E. Buck*
Richard E. Cooley
Herbert O. Davis*
Joel I. Keiler
William S. McLean
Joseph M. Parker, Jr.*
Wade H. Penny, Jr.*
William R. Shebey
Allen G. Siegel*
Marinos T. Svolos*
Maynard F. Swanson, Jr.
Newton C. Taylor
Richard R. Weidman

1961

Robert F. Baker

Harold W. Booth
Robert Norman Davies*
Donald P. Dietrich*
Francis V. Gay*
Joseph M. Griffin*
William D. Grubbs*
Jeremy R. Johnson
George H. Maclean
William Yates Manson
Robert E. Mitchell*
James E. Moore
Joseph Charles O'Rorke
Llewelyn G. Pritchard*
Carl K. Staas*
Stanley Albert Star*
James W. Tarlton III
L. Neil Williams, Jr.*
David R. Willson

1962

John Hamilton Adams*
C. Thomas Biggs*
William H. Bradford, Jr.
Allen G. Burgoyne
William A. Chesnutt
Thomas C. Dorsey
J. Marne Gleason
Alan E. Johnson
Johnnie L. Joyce, Jr.
Robert E. Lockhart
David L. Maynard*
Richard W. Metz
Thomas R. Nesbitt, Jr.
Garrett Power
Peter L. Roda
Vincent L. Sgrosso*
Phillip K. Sotel*
John M. Tudor
Charles O. Verrill, Jr.*
William K. West, Jr.*
Richard A. Wood, Jr.*

1963**Reunion Co-Chairs:
Glenn E. Ketner, Jr.
Marvin D. Musselwhite, Jr.
\$73,488 Reunion Class
Gift Total**

Thomas L. Bass
Donald Ray Billings*
E. Lawrence Davis III*
Thomas M. Dole
Stuart E. Duncan*
Mark B. Edwards
John Boyd Gordon
Harry L. Griffin, Jr.*
John G. Grimsley*
Harold Robert Hampson
Jerone C. Herring*
Clayton W. Jones*
Glenn E. Ketner, Jr.*
William J. Kinnamon, Jr.
Daniel K. McAlister*
Alexander Ward McKeithen*
Marvin D. Musselwhite, Jr.*
William J. O'Neill
Charles W. Petty, Jr.*
Frank T. Read*
Edward Scott Robe
Edgar J. Roberts, Jr.*

Myong-Joon Roe
Thomas E. Rohricht*
J. Bowen Ross, Jr.
J. David Ross*
Richard Rockwell Swann*
F. Roger Thaler*
Samuel J. Trueblood*
Emerson D. Wall
Michael R. Walsh*
Gerald T. Wetherington*
John W. Wilcox

1964

Thomas J. Andrews
Theodore M. Armstrong
William B. Armstrong
Samuel P. Bell III
Kenneth G. Biehn*
Jay Darwin Bond, Jr.
B. Frederick Buchan, Jr.
William T. Buice III*
John C. Carlyle*
Stephen G. Crawford*
David Nesbit Edwards, Jr.*
W. Erwin Fuller, Jr.
Anton Henry Gaede, Jr.*
David L. Grigg
Harry J. Haynsworth IV
William A. Hirsch*
Lindsey W. Ingram, Jr.
Thomas Swain Kale*
Arnold J. Kohn
William A. Kyler
Charles W. Mertel*
Robert K. Montgomery*
Robert K. Payson*
Walter W. Pyper, Jr.
James P. Riley
Anthony F. Sauber
Robert E. Shoun

1965

Peter B. Archie*
Robert Angell Bogle, Jr.
Joseph J. Brigati*
Peter Ogden Brown
Charles G. Campbell
Patrick C. Coughlan*
William M. Curtis
Thomas A. Edmonds
Donald B. Gardiner*
Peter S. Gilchrist III*
Thomas W. Graves, Jr.
Jeffrey P. Hughes*
Frank W. Hunger*
Thomas C. Kleinschmidt*
William H. Lear*
David L. Lougee
Douglas F. MacPhail*
Thomas P. Meehan*
Donald M. Mewhort, Jr.
Charles B. Mills, Jr.
Richard M. Morgan
Jay Edward Moyer
Geoffrey R. Myers
Gary T. Nelms
Roy T. Parker III
Gordon P. Peyton
C. Nicholas Revelos*
Ronald Seeber

Edgar Holland Sims, Jr.
Gibson L. Smith, Jr.*
S. Berne Smith
Carter H. Strickland
Edan G. Unterman
Richard H. Vincent*

1966

Andrew E. Adelson*
Richard M. Allen*
William J. Alsentzer, Jr.
Charles D. Axelrod
David B. Blanco
Barrington H. Branch
Richard W. Buhman*
Christine Yarrington Denson
Judson W. Detrick
Michael W. Field
Jerold A. Fink
Henry H. Fox
John Ganotis
Eura D. Gaskins, Jr.
Harold A. Haddon*
Anthony S. Harrington*
L. Mifflin Hayes
Andrew S. Hedden*
Christopher J. Horsch
Jonathan T. Howe*
E. Jeremy Hutton
James Cary Jacobson*
F. Sherwood Lewis
Don Boyden Long, Jr.*
Michael F. Lynch
James B. Maxwell*
Ralph L. McCaughan*
Daniel M. McDonald*
Peter J. Michel*
Roy W. Moore III
Thomas H. Morgan*
Joel J. Morris
David D. Noble*
Sidney J. Nurkin*
Carolyn M. Osteen*
Richard A. Palmer*
Thomas B. Pitcher*
T. William Porter III*
Edward B. Robin
Brian A. Snow*
Robert W. Spangler
K. Morgan Varner III*
Douglas P. Wheeler*
Dale A. Whitman
Donald F. Woodcock

1967

Richard G. Bacon*
W. Christopher Barrier
Daniel F. Bernard*
John T. Berteau*
Carl E. Bolch, Jr.*
Stephen M. Chiles*
Roger M. Clark
Calvin J. Collier*
Norman G. Cooper*
Donald B. Craven*
Reverend James B. Craven III
Linwood L. Davis*
William A. Davis II
Douglas A. Faulkner
Joseph A. Fink

Haley J. Fromholz*
Curtis D. Genders*
Richard A. Gordon*
Thomas J. Gormley
George G. Guthrie*
Robert J. Hackett*
Thomas A. Jorgensen*
Peter K. Lathrop
Donald R. Lincoln*
John A. Lockwood
George R. Mahoney, Jr.*
Antonio Mendes*
David Meyers
David W. Pancoast*
Nathaniel G.W. Pieper*
F. Raine Remsburg
Wayne A. Rich, Jr.*
Robert W. Rieder, Jr.
William L. Riley
Homer G. Sheffield, Jr.
Lanty L. Smith*
William H. Steinbrink*
Roger P. Thomasch*
William F. Womble, Jr.*

1968

Reunion Chair: Donald B. Brooks \$103,315 Reunion Class Gift Total

Carl F. Bianchi
J. A. Bouknight, Jr.*
Donald B. Brooks*
Garrett E. Brown, Jr.
Thomas J. Clarke
William E. Eason, Jr.*
Paul B. Ford, Jr.*
Stuart M. Foss
Robert K. Garro*
Gilbert L. Gates, Jr.
David A. Harlow
Randall L. Hughes*
Charles O. Ingraham*
Lawrence M. Kimbrough*
John D. Kirby
Rosemary Kittrell
Walter O. Lambeth, Jr.*
Carl F. Lyon*
Kent E. Mast
Donald H. Messinger
Martin J. Miller*
Walter G. Moeling IV
Fred H. Moore
Stephen H. Palmer
William L. Patton*
Stephen P. Pepe*
David E. Prewitt
Gordon S. Rafter, Jr.*
Edward A. Reilly*
James R. Safley*
Charles F. Sampsel
Michael S. Scofield
Henry E. Seibert IV*
William B. Settlemeyer
Ronald V. Shearin*
Jerrold Shenkman
James L. Smith III
William R. Stewart*
Joe T. Taylor III
Ernest C. Torres*

Marlin M. Volz, Jr.
Lynn E. Wagner
William F. Wright*

1969

James P. Alexander*
Joseph R. Beatty
Charles L. Becton*
J. Sidney Boone, Jr.*
John A. Canning, Jr.*
George A. Costello
Katherine M. Crowe
James P. Davenport*
Norman E. Donoghue II
James W. Dunlap
Charles M. Firestone
David E. Foscue
Howard G. Godwin, Jr.*
Gerald R. Haddock
John M. Harmon*
Robert M. Hart*
Robert P. Herendeen
Paul A. Hilstad*
John O. Hoos*
Jerry R. Jenkins
M. Scott Johnson*
R. Norman Junker
Michael J. Kane*
David G. Klaber*
Joel M. Lasker*
David D. Laufer*
Edward R. Leydon
Robert S. Luttrell
James R. Moore*
Graham C. Mullen*
Leonard M. Murphy, Jr.
Donald B. Myers, Jr.
Alexander D. Newton
Michael F. O'Brien
Wilson D. Perry
David M. Powell
Robert B. Pringle*
Robert G. Randall
Michael C. Russ*
Dudley Saleeby, Jr.
Toby L. Sherwood*
Young M. Smith, Jr.
R. Keith Stark
Wayne R. Vason
Joseph L. Waldrep
Robert S. Warwick*
Peter A. White
Breckinridge L. Willcox*

1970

Stephen I. Ahlquist
Howard J. Alpern
Terry R. Black
Victor A. Cavanaugh*
Jean C. Coker*
Eugene E. Derryberry
Raymond Buck Ferguson*
Donald A. Frederick
James C. Frenzel*
James K. Hasson, Jr.
George R. Krouse, Jr.*
Jeffrey R. Lopic*
Albert H. Larson III
Michael A. Pearlman*
Robert J. Shenkin*

William F. Stevens*
Richard F. Stokes
George L. Thompson
Sue Ellen Utley*

1971

Arthur A. Abplanalp, Jr.
J. Ernest Baird
John H. C. Barron, Jr.*
R. Kennedy Bridwell
Arthur W. Carlson
W. Dayton Coles, Jr.
Donald A. Daucher*
John D. Dillow*
Kenneth F. Dornbush
Christine M. Durham*
James R. Fox*
Karla Harbin Fox*
Robert F. Gerken
Richard S. Harwood
Christopher N. Knight*
Philip C. Larson*
Randolph J. May*
Patrick C. McGinley
H. Todd Miller*
Douglas B. Morton*
Henry J. Oechler, Jr.*
Richard L. Osborne
Jerry P. Peppers*
Gail Levin Richmond*
James A. Rydzal*
Peter R. Seibel
Bryan E. Sharratt*
David L. Sigler
Walter A. Stringfellow III*
David L. Vaughan*
Brian D. Vaughn
W. Michael Warren, Jr.
Barry J. Wendt
J. Lofton Westmoreland*
John J. Witmeyer III*
David B. Wuehmann

1972

Thomas J. Azar
Thomas C. Barbour
Thomas W. H. Barlow*
William C. Basney
Robert B. Breisblatt*
Robert T. Brousseau*
W. Pitts Carr*
Joseph E. Claxton
John D. Englar*
Ronald W. Frank*
William J. Gallwey III*
Charles D. Ganz*
Jeffrey P. Garton
Paul A. Gottlieb
William T. Graves, Sr.*
Rebecca T. Halbrook
C. Marcus Harris
Frederick E. Henry III*
Harry L. Hobgood
A. Everett Hoeg III*
Richard D. Huff*
Samuel W. Johnson*
Hiram Knott
Glenn W. Letham*
Cym H. Lowell*
Paul C. Madden*

* Barrister

Walter W. Manley II
 Martin P. Marta
 Ivan Matusek
 Charles R. McManis
 Joseph A. McManus, Jr.*
 Amos T. Mills III*
 Cary A. Moomjian, Jr.
 Eugene C. O'Leary
 Glen A. Payne*
 Jeffrey S. Portnoy
 Richard W. Ragsdale
 Ronald L. Reisner*
 Richard J. Salem*
 Thomas H. Sear*
 John A. Sherrill*
 Karla W. Simon
 Richard C. Snider
 Susan P. Starling*
 Michael L. Tanchum*
 James W. Ummer*
 John R. Wester*

1973

Reunion Co-Chairs:
Daniel T. Blue, Jr.
Kenneth W. Starr
\$216,918 Reunion Class
Gift Total

Sarah H. Adams*
 William Henry Agee
 Kenny Washington Armstrong
 Robin Thomas Baker
 William Heywang Bayliss*
 Daniel T. Blue, Jr.*
 Dana G. Bradford II*
 Donald Hess Brobst
 Jackson B. Browning, Jr.*
 B. Bernard Burns, Jr.*
 Donald Allen Burns
 John Richard Carney, Jr.
 Theodore E. Corvette, Jr.
 William Thomas Fahey II
 Donald James Fitzgerald*
 E. Cole FitzGerald III
 Mark Stephen Foster*
 Carl H. Fridy*
 Pamela Brooks Gann*
 James David Garrison*
 Robert Thomas Gradoville
 S. Ward Greene*
 Larry George Haddy*
 Charles R. Holton*
 Daniel John Hostettler*
 William S. Jacobs
 Malcolm D. Johnson
 Patrick Wayne Kelley
 Raeburn Gleason Kennard
 Richard M. Kennedy
 Dennis L. Kennelly
 Eleanor D. Kinney*
 J. Michael Lamberth*
 G. Thomas Love III
 James E. Luebchow*
 Phillip R. Mattox
 Joseph W. Moyer
 David J. Naftzinger*
 Jeffrey Scott Nickloy
 Philip A. Pfaffly
 Calvin R. Phelan*
 Michael H. Pope

Robert E. Portune
 James C. Ray
 Roger A. Reed*
 Andrew Fred Reish
 Cheryl S. Rome
 Leonard B. Simon*
 Halcyon E. Skinner*
 Leslie E. Smith
 Albert Lee Sneed, Jr.*
 Kenneth G. Starling*
 Kenneth W. Starr*
 Richard Williams Stewart
 Letty M. Tanchum*
 Robert L. Titley
 Hugh Martin Turk
 John D. Volk*
 James R. Warner, Jr.
 Michael E. Weddington
 Donald R. Williams
 John Turner Williamson
 Paul E. Zimmer
 James B. Zimpritch*

1974

Alfred G. Adams, Jr.*
 Kenneth P. Adler
 Edna Ball Axelrod
 John Philip Bailly, Jr.
 Susan Elizabeth Barco
 John Calvin Beane
 Brenda B. Becton*
 William P. Bennett
 James Wilson Berry, Jr.*
 William Pomeroy Borchert
 John M. Bremer*
 Colin Wegand Brown*
 David L. Buhrmann
 Candace M. Carroll*
 Robert P. Cochran*
 Philip Gary Cohen
 Curtis L. Collier*
 John A. Decker
 Anne Maxwell Dellinger*
 Stephen Neal Dennis
 Raymond Craft Dryer
 John Vincent Dwyer, Jr.
 John W. Edwards II
 James Robert Eller, Jr.
 Stuart F. Feiner*
 Fred William Fulton
 Johnnie L. Gallemore, Jr.
 James Garfield Good
 Donna C. Gregg*
 Robert Edgar Gregg*
 James C. Hardin, III
 David Richard Hillier
 David Edward Horvath
 Ronald Robert Janke
 Jerry W. Jernigan
 Mark D. Kaufman, Sr.*
 Craig D. Leister
 Edward John Lesniak
 Jay Jordon Levin*
 James J. Locher
 Donald John Logie, Jr.*
 Ronald Moore Marquette
 Patrick Henry Martin
 Kenneth W. McAllister*
 Edward A. McDermott, Jr.*
 S. Lynn McLain*

Thomas E. McLain*
 Dean A. Messmer
 John Roberts Moffat
 R. Wade Norris
 Rory R. Olsen*
 Stephen Lewis Parr
 Steven Donald Pierce
 David R. Poe*
 Gregory Vincent Powell
 C. Richard Rayburn, Jr.*
 Ronald D. Reemsnyder
 Russell Bachman Richards*
 William L. Rosenberg
 Robert L. Rubin
 Ira Sandron
 Peter Frederick Schenck
 Andrew Shaw
 Larry W. Shelton
 Larry Joseph Skoglund
 Thomas C. Stevens*
 Richard Eric Teller*
 Patricia H. Wagner*
 Peter D. Webster*
 Tommy Joe Williams
 Thomas W. Winland*
 Frances Anne Zwenig

1975

Margaret I. Adams
 Lawrence Harris Babich
 Richard J. Baxter
 Robert Andrew Baxter
 Richard Alan Bogue
 Martina L. Bradford
 Terry Walter Calderwood
 James H. Carl*
 Jack M. Combs, Jr.
 George W. Dennis III
 Michael Fabian Fink
 James L. Fogle*
 Paul Jay Fukushima
 Jean Mihelich Gerval
 James L. Hohnbaum
 John A. Howell*
 Gary G. Lynch*
 James W. Mertzluft
 John R. Miller
 Carney W. Mimms III
 Glenn R. Moran
 Francis H. Morrison III*
 Ashmead P. Pipkin*
 Thomas Edwin Prior
 Danae Kay Prousis*
 Michael C. Quillen
 Clinton D. Richardson
 Thomas S. Richey*
 Lee Gene Schmudde
 Richard C. Siemer
 William P. Simmons
 Lawrence D. Steckmest*
 Paul H. Tietz*
 William J. Trull, Jr.
 David M. Wiesenfeld

1976

James Robert Acker
 Harris R. Anthony*
 H. Ross Arnold III*
 Todd Hunter Bailey*
 Linna M. Barnes*

John Cole Beeler
 Peter Coleman Buck*
 John Arthur Busch*
 Denise Caffrey*
 John Francis Callender
 Betsy Ida Carter
 Kenneth S. Coe, Jr.
 Dean M. Cordiano*
 W. Robinson Deaton, Jr.*
 Daniel James Dugan
 Raymond J. Etcheverry*
 Ralph B. Everett*
 Gail W. Feagles*
 Prentiss Eric Feagles*
 Russell M. Frandsen
 Karen Louise Gearreald
 Daniel William Gepford
 G. Richard Gesch
 John Bernard Gontrum
 Eric H. Halvorson*
 Eric Peter Hansen
 Thomas Arthur Hanson*
 L. Keith Hughes
 Jimmie L. Huit, Jr.
 Kenneth Charles Hunt*
 Peter J. Kahn*
 Reeve Withrow Kelsey
 James H. Kizziar, Jr.
 Constantine Hanna Kutteh
 James Andrew Lewis
 Thomas D. Magill*
 Kent L. Mann*
 Robert Edward McCorry, Jr.
 John Thomas McFerrin
 Miguel Agustine Orta
 Karen B. Pancost*
 Ellen Rust Peirce
 Michael Francis Perley
 David Bruce Post*
 Celia A. Roady*
 Stephen E. Roady*
 Aron Morris Schwartz
 Harry Joseph Smith
 James E. Stephenson*
 Kathleen A. Stephenson*
 Debra Jo Stuart
 J. Alexander Tanford*
 Clay B. Tousey, Jr.
 Samuel E. Tucker
 Daniel Franklin Van Horn
 Edward Walter Vogel III*
 G. Gray Wilson

1977

Ronald Evan Barab
 Donald Haskell Beskind*
 Philip A. Bjorlo*
 Mark Bookman
 Peter Brian Bothel
 Jeffery Mason Cook
 Larry Edward Coploff
 Lea Courington*
 Timothy J. Curry
 Karen Dee Cyr
 Michael L. Eckerle*
 David M. Eisenberg*
 Donald M. Etheridge, Jr.
 Jeanne T. Faubell
 Harold I. Freilich*
 Marsha T. Gepford

Raymond Hayes Goodmon III*
 Maxine P. Gordon
 Brent S. Gorey
 Croley W. Graham, Jr.*
 John Michael Hartenstine
 Edward T. Hinson, Jr.
 Stephen Franklin Hogwood
 Jay Roderick Hone*
 Bruce Edward Johnson
 Lauren Evans Jones
 Michael H. Kahn*
 Carolyn Kuhl*
 Amy T. Levere
 Paul Vincent LiCalsi
 Susan Burnett Mansfield*
 Craig Robert Mariger
 William A. Meaders, Jr.
 W. Edward Meeks, Jr.*
 Timothy Elmer Meredith*
 Heloise C. Merrill*
 Christian J. Mixer*
 Albert Garver Moore, Jr.*
 David Eugene Morrison*
 Robert G. Moskowitz*
 Kenneth J. Nussbacher*
 Susan Freya Olive*
 James Wilson Parker
 William H. Pauley III*
 Andrew J. Peck*
 David C. Pishko*
 Gary A. Poliner*
 David C. Quast
 Charles L. Revelle III
 Stephen Clay Rhudy
 Paul Newton Riddle
 Neil Tobias Rimsky
 Melinda Mits Sakioka
 Ralph Vincent Seep
 James Moran Shuler
 Paul Thomas Sorensen
 Robert E. Spring*
 Rachel L. Steele
 Alan King Steinbrecher
 John L. Walker*
 William Earl Whitney
 Dennis E. Wiczorek*
 Mary Ellen C. Williams*
 C. Thomas Work*
 John Edward Zamer

1978

Reunion Co-Chairs:
Susan L. Edelheit
Mark A. Fishman
\$320,269 Reunion Class
Gift Total

Jaime Eduardo Aleman*
 William George Anlyan, Jr.
 Kenneth F. Antley
 Benita S. Baird
 Robert M. Blum
 Brook Dennis Boyd
 Susan Brooks
 Richard W. Brunette, Jr.
 David W. Clark
 Reginald J. Clark*
 Jana Banahan Cogburn*
 Richard E. Connolly
 Michael R. Dockterman*
 Steven R. Dottheim

* Barrister

Susan L. Edelheit*
 Mark A. Fishman*
 Steven R. Gilford*
 J. Andrew Goddard
 Barbara S. Gontrum
 Robert J. Gronnek*
 Jonathan Matt Gross
 Nancy Hope Halleck
 John Hasnas
 Michael P. Horan
 Richard Alan Horvitz*
 Marilyn H. Howard
 David W. Ichel*
 Bruce Donald Jaques, Jr.*
 James T.R. Jones
 Linda L. McCall Kangeter
 Homer Michael Keller
 Leslie P. Klempner
 Howard L. Levin
 Gregory Scott Lewis*
 Jane Makela*
 Alan Mansfield*
 CoraLynn H. Marshall*
 Lawrence G. McMichael*
 Suzanne J. Melendez*
 Arthur Madden Miller
 Renee J. Montgomery
 Mark Richard Morano
 William A. Nickles III
 Richard G. Niess
 Michael John O'Connor
 James E. Padilla*
 David King Perdue*
 Wendy C. Perdue*
 Robert D. Phillips, Jr.
 Susan G. Phillips
 Chris A. Rallis*
 Peter David Rosenberg*
 John Richard Simpson, Jr.
 Stuart M. Stein*
 Sarah Holzweig Steindel
 Robert David Stets
 Edward P. Tewkesbury*
 Mark Dee Tucker
 Karen Jackson Vaughn
 Gregory S. Wetstone
 Arthur Charles Zeidman

1979

Jean T. Adams*
 Daniel David Addison
 Louis Jay Barash*
 Alan R. Bender*
 Philip Ross Bevan
 Anthony H. Brett*
 Valerie T. Broadie*
 Lorynn A. Cone*
 Jeffrey C. Coyne*
 Laura B. Di Giantonio*
 Richard Ellingsen*
 Sharon Robinson Ellingsen*
 Elizabeth Hoyes EINHART
 Carol M. Finke
 Richard Charles Finke
 Andrew W. Forsyth III
 Adrienne M. Fox
 Richard Mark Gergel
 Kevin P. Gilboy
 Janis C. Gordon
 Richard Lee Grossman

Robert T. Harper*
 Jerry H. Herman*
 Mark R. High*
 John Richard Holzgraefe*
 Seth Harry Hoogasian*
 Gary W. Jackson*
 Margo E. Jackson
 Sara B. Keller
 Benjamin C. Kirschenbaum
 Thomas Joseph Leclair
 Michael B. Lichtenstein
 Amy W. Liss
 Michael D. Lorton
 Gray McCalley, Jr.*
 Mark S. McCarty
 David Welsh Morgan*
 Nancy A. Nasher*
 Solveig Jan Overby
 Michael James Pearce
 John Andrew Pelehach
 Peter R. Pendergast
 L. Timothy Portwood
 Neil Philip Robertson
 Steven Kerry Robison
 Gail E. Ronan
 Carl J. Schuman
 Barbara Ann Sprung
 Juliann Tenney
 Diane Rowley Toop*
 William Paul Tuberville
 Brian Thomas Tucker
 Pamela J. Uhl
 Charles Donald Vogel*
 Steven D. Wasserman*
 J. William Widing III
 David Hilleary Wilder
 V. L. Woolston
 Jon Carl Yergler*
 Clifford J. Zatz*

1980

Nat Salvatore Amadeo
 Barbara D. Anderson
 Kim J. Barr
 Ellen J. Bickal*
 Daniel S. Bowling III*
 G. William Brown, Jr.*
 Blain B. Butner*
 Robert Allan Carson
 Gale Ciceric-Payne
 Neil Peter Clain, Jr.
 Anita W. Coupe
 John Lawrence Crocker
 James T. Crouse
 Dara Lyn DeHaven*
 David Dreifus
 J. Scott Dyer*
 Lori Joan Dym
 Stephen Q. Giblin
 Thomas William Giegerich*
 John Edward Glancy
 Deborah F. Greenblatt
 Linda Boyd Griffey*
 Bruce V. Hillowe
 Eric James Holshouser*
 Lori Terens Holshouser*
 T. Patrick Jenkins
 Karl W. Kindig
 Jeffrey P. King
 Elizabeth F. Kuniholm

Stefan Lanfranconi
 W. Alan Lautanen
 James N. Leik
 Clifford B. Levine
 William B. Miller III*
 Michael Paul Mirande*
 Andromeda Monroe
 Claire Louise Moritz
 Kirk H. Nakamura
 Carol Grant Opferman*
 Paul J. Pantano, Jr.*
 Happy R. Perkins*
 Donald Lee Pilzer
 Mark J. Prak*
 Robert E. Rigler
 Fredric Alton Rollman
 Edward J. Schneidman
 Marjorie Stripling Schultz*
 Lisa Margaret Smith
 Madison Stockton Spach, Jr.
 Michael Stewart Thwaites
 Richard Scott Toop*
 H. Glenn Tucker*
 Robert W. Turken*
 Kathryn Gray Ward*
 Elizabeth M. Weaver
 William L. Webber
 Sally Brenner Wolfish

1981

David S. Addington
 Marshall S. Adler
 Mark Alan Beatrice
 Thomas A. Belles*
 Nancy T. Bowen*
 Phillip W. Campbell
 Gregory John Cioffi
 Jonathan E. Claiborne*
 John J. Coleman III*
 Thomas E. Cone*
 Glenn Edward Cravez
 Michael Richard Dreeben
 Ted B. Edwards
 Patrick B. Fazzone
 James Albert Fieber
 David Alan Fine
 Linda Cox Fornaciari*
 Russell Howard Fox
 Carl R. Gold
 Abigail Teresa Reardon Gosnell
 David Douglas Gustafson
 David Lawrence Hankey
 L. Cecily Hines*
 Brian J. Hostetler
 Ben Burke Howell
 Jon Mark Jenkins
 Evan Walter Johnson
 Kenneth A. Jones
 John Daniel Kearney
 Stephen V. Kern*
 Steven Robert Klein
 Robert B. Krakow*
 Jeffrey Paul Libson*
 Michael Lee Lieberman
 Alan S. Madans
 Gary D. Melchionni
 Craig Benton Merkle*
 Paula Krahn Merkle*
 David Edward Nash
 Robin P. Nash

Kimberly Sue Perini
 David H. Potel*
 Donald J. Rendall, Jr.
 Jane F. Rodas
 Susan Peters Rosborough
 Jennifer P. Rose*
 Leo Rose III*
 Mark William Ryan*
 Bruce H. Saul
 James E. Schwartz
 Pamela K. Silverman
 D. Charles Stohler
 Paula Jamell Storeygard
 Richard Lee Strouse
 David Elliot Sturgess
 Neil R. Tucker
 Robert Allen Useted
 William Robert Vezina III*
 Richard Palmer Vornholt
 Michael Ward
 Barry Elias Warhit
 Sharon K. Wasserman*
 Kevin David Wilkinson
 David J. Wittenstein*
 Cynthia Leigh Wittmer
 Peter G. Wright
 Michael R. Young*

1982

Clifford R. Adler
 J. Bradford Anwyll*
 Wade Edward Ballard
 James Edison Bauman*
 Gary L. Beaver
 A. Fleming Bell II
 Lorraine Shook Berkowitz
 Karen Koenig Blose
 Patricia A. Casey*
 David Barry Chenkin
 Dirk G. Christensen
 Lawrence S. Connor, IV
 Peter A. Cotorceanu
 J. Michael Dalton*
 Michael Martin Darby
 E. Brian Davis
 Valerie Robinson Dinkins
 Stephen Melvin Dorvee
 Robert L. Dougherty*
 Ruth Harriet Dukelow
 P. Brooks Eason
 Morris Arthur Ellison
 Barbara Sara Esbin
 Thomas M. Ewing
 Vernon Allen Fagin
 David Samuel Felman
 Harry J. Finke IV*
 Jean Swofford Firestone*
 Richard Hugh Foster
 Sharon M. Fountain*
 Elizabeth Agnew Galloway
 Margaret Hayba Gonzales
 Thomas Roland Grady*
 Charles Scott Greene
 Gail E. Griffith
 Thomas Andrew Hale*
 Andrew S. Halio
 John L. Hardiman*
 James B. Hawkins*
 Martha J. Hays*
 Reynolds Walker Holding

Mitchell Alan Horwich
 Richard Louis Horwitz*
 Larry D. Irick*
 Sean Patrick Kennedy
 Michael Hugh Krimmingier
 Jennifer Putman Kyner
 Donald C. Lampe*
 Ronald Barry Landau
 Mary Howell Friday
 Leadbetter*
 Thomas W. Logue
 Ann L. Majestic*
 Margaret Delong Martin
 Douglas L. McCoy
 Susan K. McKenna*
 Nina C. Merten
 Stanley T. Padgett*
 James Russell Peacock III*
 Susan Jean Platt
 Frederick Robinson*
 Elizabeth Roth
 Peter Alan Sachs
 Hideyuki Sakai*
 Steven Alan Schneider
 Michael J. Schwartz*
 Andrea Tracy Shandell
 Mark D. Shepard
 Thomas Lee Spinar
 Jeffrey E. Tabak*
 Joel B. Toomey*
 T. Richard Travis
 Mary Ann Tyrrell
 David Michael Underhill
 Julian E. Whitehurst
 James Frank Wyatt III*
 Joseph Richard Young

1983

Reunion Co-Chairs:
Michael T. Petrik
Sally S. Reilly
\$232,066 Reunion Class
Gift Total
 Jeffrey Michael Anders
 Dean W. Baker
 Kathryn Marie Battuello
 Coralyn Meredith Benhart
 Gary L. Benhart
 James Lawrence Berger*
 Patrice Travers Billings
 William A. Blancato
 David L. Blish*
 Neal Stephen Brody
 Duane E. Brown*
 Mark Steven Calvert
 Jean G. Carter
 David B. Chaffin*
 Angela Diane Davis
 Lynn Rosenthal Fletcher*
 Robert Parker Fletcher*
 Seth Lee Forman
 Benjamin Eagles Fountain III*
 Dieter Fuellemann*
 Robert W. Fuller III
 John B. Garver III
 Nathan Douglas Goldman
 Daniel Francis Gourash
 Susan Bennett Green
 Rondi R. Grey
 R. Douglas Harmon

* Barrister

Scott Dean Harrington*
 Kate Sigman Hendricks
 Paul Anders Hilding
 Craig A. Hoover
 Dawson Horn III*
 Charles Wilson Hurst
 Deborah J. Hylton
 William D. Jones III
 Nora M. Jordan*
 Daniel Franklin Katz*
 Christopher Charles Kerr
 John R. Knight*
 Kenneth J. Kornblau
 Gregory E. Lindley
 Dianne C. Magee
 Richard David Magee, Jr.
 Jennifer D'Arcy Maher*
 Michael Patrick Manning
 Christopher M. Mason*
 Valerie S. Mason*
 Beth Willard Miller
 Robba Addison Moran
 Patrick Timothy Navin
 Jerry Hale Owens
 Carlos E. Pena
 Stephen C. Peters*
 Michael T. Petrik*
 Marianne Philip*
 Deborah Ann Phillips
 Omer G. Poirier
 Marc P. Press
 Rebecca Davis Prince*
 C. Scott Rassler
 Sally S. Reilly*
 James C. Reilly*
 W. Allen Reiser III*
 Richard Franklin Riley, Jr.
 Bruce Jay Ruzinsky
 Laurence Jay Sanders
 Jeffrey S. Schloemer
 Per Haakon Schmidt*
 Richard Neal Sheinis
 Thomas Arthur Simser, Jr.
 Charles E. Smith
 James Dale Smith*
 John Clay Spinrad*
 Robin B. Taub
 Laura Stuart Taylor
 M. Edward Taylor
 John R. Welch
 Jay Warren Williams
 Susan M. Wyngaarden
 Rosemary Hsuen Yeoh
 Nancy L. Zisk*
 Robert Louis Zisk*

1984

Sol W. Bernstein
 Gary Paul Biehn
 Thomas J. Blackwell
 Michael Francis Burke
 Jeffrey Drew Butt
 Margaret Carter Callahan*
 Leslie Wheeler Chervokas
 Ronald Louis Claveloux*
 Gardner Fabian Davis
 Jonathan L. Drake*
 Joseph Davis Fincher
 Bruce M. Firestone
 Donald Ray Fitzgerald

Amy Marie Flick
 Kurt W. Florian Jr.
 Ann Margaret Gales
 Duane M. Geck
 Mark Jay Goodman
 Ellen Elizabeth Hausler
 Mitchell I. Horowitz
 Gary Adamson Jack
 Michael Gerard Jarman
 Lauren W. Jones*
 Gregory J. Kerwin
 Katharine Lord Klein
 Paul Allyn Kramer
 Patricia B. Lehtola
 Scott David Livingston
 David M. Lockwood
 Christopher Wendel Loeb
 Ellen G. London
 Jeffrey Lewis London
 Lee Douglas Mackson
 Loren B. Mark
 Pope McCorkle III
 Mark E. McGrady
 Mark Harris Mirkin
 Gordon Matthew Orloff
 Stevan Joseph Pardo
 Peter Petrou
 Steven D. Plissey*
 Briget M. Polichene
 Edward G. Redlich
 Margaret Jean Reinsch
 Cynthia Lynn Rerucha
 David Paul Rhodes
 Paula M. Rhodes
 John F. Rigney*
 Robert P. Riordan*
 R. James Robbins, Jr.
 Howard Eric Schreiber
 Nancy Lee Ebert Scott
 Lori S. Smith
 Richard Stanley Smith, Jr.
 Patricia Ann Speth*
 Jeffrey Alan Stonerock
 Donald R. Strickland*
 Edward Sueta, Jr.
 Shuji Taura
 Kathryn A. Underhill
 C. Geoffrey Weirich
 Elizabeth Blackwell Wright
 William Emerson Wright

1985

Arthur H. Adler
 Amy McCabe Baker
 Carla Jane Behnfeldt
 Janet Ward Black*
 Allan Armistead Capute
 Anna S. Chacko
 John L. Charvat, Jr.*
 James S. Christie, Jr.
 John W. Connolly III*
 Tia Lynn Cottey*
 M. Frances Durden*
 Jonathan Bruce Ealy
 Caroline E. Emerson*
 Brenda Hofman Feis
 William Wallace Ford III
 Cassandra Small Franklin
 Randy Marc Friedberg
 Charna L. Gerstenhaber

Thomas J. Gorman*
 Cameron S. Hamrick*
 Michael Richard Hemmerich*
 William W. Horton*
 Arthur J. Howe*
 Eric Alan Isaacson
 Joel Kaufman
 Carolyn V. Kent
 Hidefumi Kobayashi
 J. Mitchell Lambros
 Marianne Owens La Rivee
 Gerald Anthony Lee
 James Peter Lidon
 David Samuel Liebschutz
 Elizabeth H. Liebschutz
 James Edward Lilly*
 George Robert Loxton
 Christopher D. Mangum*
 Davia Odell Mazur
 Neil Douglas McFeeley
 John J. Michels, Jr.
 James Robert Moxley III
 Jeffrey D. Nakrin
 Jonathan Paul Nase
 Nathan E. Nason
 Marshall David Orson*
 Alan B. Perper
 William Keith Reidy*
 Peter Glatz Rush
 Elizabeth Y. Schiff*
 William Adser Schwennesen
 Andrew Lewis Shapiro
 Kenneth D. Sibley*
 Michael Stephen Smith*
 Charles Vuille Stewart
 Bellanne M. Toren*
 Leslie Campbell Tucker III
 Darrell R. Van Deusen*
 Paul R. Van Hook*
 Peter G. Weinstock

1986

Elyce Stuart Abraham
 Charles Edward Adams
 Paula Marie Anderson
 Catherine D. Barshay
 Clifford A. Barshay
 Karen Lisa Brand
 Antonio B. Braz*
 John D. Briggs, Jr.*
 Rachelle Bromberg
 Benjamin Andrew Brown
 Janine Brown*
 Patrick Joseph Butler, Jr.
 Kathleen Jean Byrnes
 Michael C. Castellon*
 Ellen S. Coffey
 Ronald T. Coleman, Jr.*
 Jane S. Converse
 Mark D. DeSantis
 Brett D. Fallon
 Ellen K. Fishbein*
 Benjamin R. Foster
 Elizabeth A. J. Gustafson*
 Mark Daryl Gustafson*
 Lyndall Jay Huggler
 Michael S. Immordino*
 Jeffrey D. Jones
 Peter Joseph Juran
 Christopher G. Kelly*

Christopher Mark Kelly*
 Frederick Kennedy, III
 Kermit Brian Kennedy
 M. Elise L. Kennedy
 Gordon F. Kingsley, Jr.
 Kelly J. Koelker
 Alexandra D. Korry*
 Lisa Ann Krupicka
 Stephen A. Labaton*
 Cristin C. Lambros
 Jeffrey T. Lawyer
 Jessica E. Lorden
 Karen Louise Manos
 Elizabeth C. McColl
 Margaret Lauren McGill
 John W. McNamara
 John Donald Methfessel, Jr.*
 Margaret D. Misiak
 Stephen C. Mixter*
 Francis Joseph Mootz III
 Matthew Talbot Murphy
 Robin Panovka*
 Barry G. Pea
 Thomas W. Peterson
 Mark D. Reeth
 Margaret N. Ruxton
 Michael P. Sampson
 Robert Allen Scher
 Daniel R. Schnur*
 Caren A. Senter
 Alexander Jackson Simmons, Jr.*
 James D. Smith*
 Paul Thomas Stagliano
 Adrian Steinbeisser
 Kristen Larkin Stewart*
 Richard P. Virnig
 Richard H. Winters

1987

Michael J. Andreana
 Amy Merrill Appelbaum
 David J. Berger
 Sara J. Biden
 Axel Bolvig III
 Deborah D. Brown*
 Richard W. Brown*
 ToNola D. Brown-Bland
 Harry Eugene Bruns
 Wayne Chatham
 Steven Jewett Davis
 Frank Edwin Derby
 James C. Dever III
 Deborah Anne Doxey
 James E. Felman
 Ross Carey Formell*
 R. Wilson Freyermuth, Jr.
 James Alec Gelin
 Lawrence Jonathan Goode
 Charles L. Grizzle, Jr.
 Susanne I. Haas*
 Margaret Ellen Harper
 Robert E. Harrington*
 Karis A. Hastings
 Amy F. Hecht
 Eve Noonberg Howard
 Jasper Alan Howard
 John Richard Keller
 Jeffrey T. Kern
 Kevin Michael LeWinter
 David H. Lorig

Stephanie A. Lucie
 Cynthia B. Maddox*
 Robert L. Maddox, III*
 Gary Edward Mason*
 J. Parker Mason
 Louis G. Massouras
 Bart Anton Matanic
 Cynthia Ellen Webb Milstead
 Gregory E. Neppel
 Paul G. Nofer*
 Marleen Arleen O'Connor
 Wendy Beth Oliver*
 Bart James Patterson
 Katherine S. Payne
 Christopher J. Petrini*
 Julie O. Petrini*
 Alice H. Prater*
 Harlan I. Prater IV*
 Bruce L. Rogers*
 John Randolph Read
 Jane Emily Rindsberg
 Richard S. Robie III
 Bruce L. Rogers*
 Joseph Paul Rosh
 Brian Lloyd Rubin
 Susan Gwin Ruch
 Cheryl Feik Ryan*
 A. Daniel Scheinman*
 John Francis Sharkey*
 Karen Wallach Shelton
 Laurel Ellen Solomon
 E. Blaine Stanley
 Ioannis Tassopoulos*
 Sherri W. Tatum
 Penelope C. Trowbridge
 Michael K. Vernier*
 Lorraine L. Wilson
 Yan Xuan*

1988

Reunion Co-Chairs:
Jay B. Bryan
Mark E. Golden
\$108,462 Reunion Class
Gift Total
 Erik O. Autor
 Timothy Andrew Baxter*
 Susan L. Beesley
 Bradley Howard Blower
 Jay B. Bryan
 Douglas Robert Christensen
 Diane F. Covello
 Timothy John Covello
 Jonathan Michael Crotty
 Jody Kathaleen Debs
 Mark R. DiOrio*
 Ida P. Dorvee
 David M. Feitel
 Margaret Ann Force
 David E. Friedman*
 Don Joaquin Frost, Jr.
 Kodwo P. Ghartey-Tagoe*
 Scott Glabman
 Marc E. Golden*
 Richard L. Gulino
 Kathleen M. Hamm*
 Paul Edwin Harner*
 George Randolph James
 Jonathan Robert Kamisar
 Emily V. Karr

Susan Elizabeth Kinsella
 Martha Schauer Klinker
 Louis David Lappen
 David Aaron Leff*
 Mary Kathryn Mandeville*
 Karen M. Moran
 Robert J. Nagy*
 Theresa A. Newman*
 Philip Martin Nichols
 Frank Paiva, Jr.
 Suzan D. Paiva
 David Anderson Payne
 Mario A. Ponce*
 Lisa Lee Poole
 John David Prather
 Emily D. Quinn
 Thomas M. Rohe
 Gregory James Ruffa*
 Michael Paul Scharf
 Steven R. Shoemate*
 Michael C. Sholtz*
 Roger H. Stein*
 Terri L. Stein
 Barbara G.H. Stewart
 Christopher J. Supple
 Amy Leah Wadsworth-Platt
 James Walker IV
 Melissa P. Walker
 Taylor D. Ward*
 Susan K. Weaver
 Jill A. Whitworth
 Beth D. Wilkinson*
 T. Scott Wilkinson*
 David Wisen*
 Young-Gak Ken Yun*
 Winston Zhao*

1989

Scott A. Arenare*
 John Stephen Barge
 Kathleen Barge
 Alyse Sue Bass
 Hyla Bondareff
 Steven T. Breaux*
 Kimberly A. Brown
 Michael Brian Carroll
 Brian C. Castello
 Achamma Sheba Chacko
 Lisa M. Crotty
 David Manning Driscoll
 Richard A. Ejzak
 Peter Andrew Evett
 Scott Alan Falk
 Lorin Monroe Feitel
 Craig B. Fields
 Kimiko T. Fields
 Deborah S. Flannery
 Michael L. Flynn
 Donna Elena Frosco
 Michael Grundei
 Sharon Carr Harrington*
 Eric L. Hiser*
 Michael K. Hoffman
 Robert M. Howard*
 Irwin Townsend Hyatt III
 Kenji Kuroda
 David M. Lieberman*
 Wendy Sartory Link
 David Dillion Marshall
 Gregg R. Melinson*

Robert S. Michaels
 Scott Allen Moehrke
 Eric Keith Moser*
 Kenneth Alonzo Murphy
 John E. Pelletier*
 Jeffrey Stevens Perlee
 Irene B. Ponce*
 Susan M. Prosnitz
 Katherine McKusick Ralston
 Rose Kriger Renberg
 Thaddeus T. Rieger
 Mark J. Rosenberg
 Julie Anne Sandel
 Claude Iilan Schoenberg
 Patricia R. Schoenberg
 Marny Lundy Solazzo
 John Reed Stark
 Kate Susan Stillman
 Paul K. Sun, Jr.*
 James E. Tatum, Jr.
 Dominique N. Vandeperre
 Malcolm Andrew Verras †
 Danian Zhang*

1990

John W. Alden, Jr.
 Barbara A. Baccari
 David Michael Battan
 Gregory S. Baylor
 Renee Elizabeth Becnel
 Todd Wilson Booher
 Karen R. Cashion
 Steven R. Chabinsky
 Bernard H. Chao
 John Sabine DeGroote*
 Henry De La Garza
 Elizabeth Gallop Dennis
 Donald P. Dietrich II
 Kristyn E. Dietrich
 Lisa Anne Eichhorn
 Michael D. Evers
 Jay Martin Fisher
 Anne T. Fitzgerald
 Peter R. Franklin
 Bradley B. Furber
 James R. Glenister
 Caroline B. Gottschalk*
 Jill Cheryl Greenwald
 Michael William Gregory, Jr.
 John R. Hairr III
 Thomas A. Hanusik
 Susan Schweinberg Jackson*
 Lisa Combs Jern*
 Daniel A. Kent
 Alfred L. Kossmann
 Amy Beth Kraham
 Jeffrey Harris Lichtman*
 Charles C. Lucas III*
 Heather MacKenzie
 Audrey LeVine Manicone
 Sally J. McDonald
 Michele A. Mobley
 Peter Francis Murray
 Walter Niehaus*
 Donald M. Nielsen
 Charles Mark North
 Deanna T. Okun*
 William Thomas O'Neil
 Mark A. Redmiles
 Martin Schaefermeier

Julia Stephanie Shields
 Jacqueline O. Shogan
 Lawrence D. Silverman
 Brian Michael Simkin
 Laura Lynn Smith
 Jeffrey C. Snapp
 Rhonda Joy Tobin
 Rebecca L. Torrey*
 Anne Marie T. Towle
 Robert A. Van Kirk
 Debra M. Watton
 Michael J. Watton
 Joseph Camden Wilson IV
 Michele Jordan Woods
 John Joseph Wright

1991

Cynthia F. Adcock
 Juan F. Aleman*
 Amanda E. Allen
 W. Iris Barber
 Calvin B. Bennett, III
 Thomas J. Biafore*
 William Lee Bostleman
 Douglas L. Brooks
 James Robinson Cannon
 Wen-Yueh Chin*
 Louis S. Citron
 David T. Cluxton
 Anne E. Connolly*
 Colm F. Connolly*
 John Mark Coulson
 Dawn F. Craig
 Bonnie Freeman Davis
 Charles Santo Detrizio
 Spruell Driver, Jr.
 Erica Lynn Edwards
 Melissa M. Engelberth
 C. Barr Flinn
 Takaaki Fujimoto
 Stanley Martin Gibson*
 Douglas R. Gooding
 Maurice O. Green
 David Allen Greene
 John R. Guidry
 Jennifer G. Hays
 Pamela Lohr Hendrix
 Lillian Hou
 Evy M. Jarrett
 Karen B. Johnson
 Aaron W. Kann
 Koji Kawai
 Gregory Michael Kobrick
 Ronald J. Krotoszynski, Jr.*
 Gregg Allen Landau
 Joseph Hwan-Yul Lee
 Eric Neil Lieberman
 Trent William Ling*
 Maureen Gimpel Maley
 Barbara Caridad Matthews*
 Tait Owen Norton
 Douglas S. Phillips
 Therence O. Pickett
 Rita K. Purut*
 Andrew Michael Ray
 Andrew Neil Rosenberg
 James S. Rowe*
 David S. Sager
 Amy Beth C. Slutkin*
 Andrew G. Slutkin*

Juraj Strasser
 Jason Frederick Trumbour
 Xianping Wang*

1992

Ernest Edward Badway
 Daniel Scott Berman*
 Karen Ann Bussel Berman*
 Landis Cox Best
 Jay S. Bilas
 Kara S. Blakeslee
 John J. Bowers
 Laura L. Bradley*
 Hans J. Brasseler*
 Jayne H. Chapman
 Kristin Ramsey Clyde*
 Thomas MacIver Clyde*
 Kenneth Duncan Crowder
 Christopher A. Donesa*
 Kevin Edward Flynn
 Sandra J. Galvis
 John D. Gardiner*
 Martina M. Garris-Bingham
 James Anthony Gleason
 Mary Lynne Grigg
 B. Brett Heavner
 Craig Eugene Hughes
 Douglas H. Jackson
 Catherine M. Kirk
 Julia K. Kirkendall
 Jennifer D. Knapke
 Norbert B. Knapke II
 Deborah R. Kurzweil
 Jonathan Gardner Lasley
 Troy Matthew Lovell
 Spruell Driver, Jr.
 Stanley Charles Macel IV
 Omar Y. McNeill
 Eugene Lester Miller
 Sean Patrick Moylan
 Jay Brian Must
 Leisl N. Must
 John Douglas Nachmann
 Michael A. O'Hara
 David Keith Park
 Sandra Gail Rosen
 Glenn R. Sarno *
 Samuel Edward Shapiro
 Scott Woodard Stevenson
 Deirdre C. Thomas
 Edward H. Trent
 Paul S. Veidenheimer
 Sheryl A. Wilbon

1993
Reunion Co-Chairs:
Fritz L. Duda, Jr.
Lynn Halpern Lederman
\$42,482 Reunion Class
Gift Total
 Syed Nadeem Ahmad*
 Sofie Maria Margaretha
 Ameloot-Camp
 Jeffrey Alan Benson
 Seth Adam Blum
 Mark C. Brandenburg
 Jennifer Buchanan Machovec
 Norma C. Buckley
 Mary E. Case
 Philip Adam Cooper

Thaxter Angenilla Cooper
 Rebecca A. Denson Nelson
 Kelly Capen Douglas
 Fritz L. Duda, Jr.*
 Lawrence Slade Eastwood, Jr.
 Bruce A. Elvin*
 Craig Howard Factor
 Catherine Stanton Flanagan
 Alan M. Gallatin
 Amy Ruth Gillespie
 Terrie Victoria Hagler-Gray
 Lisa A. Harig
 Robin G. Harris
 Cynthia Ming-Wai Ho
 Jacquelynn Hugee
 John S. Kaplan
 Gordon M. Kessler
 Katherine A. Kessler
 Joon S. Kim
 Lynn Halpern Lederman
 David J. Lender
 Cosmas N. Lykos*
 Mary Margaret Ogburn
 Craig Amos Pederson
 Kresimir Pirsli*
 Frances H. Pratt*
 Larry W. Ramsey
 Roxane Frances Reardon
 Todd M. Reed
 Alexander Grant Simpson
 Timothy P. Smith
 Thomas R. Sparks
 David H. Steinberg
 Philip R. Strauss
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New York Stock Exchange
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Selected Fall 2003 Events

September 15-20

International Week

September 16

*Third Annual Herbert L. Bernstein
Memorial Lecture in International
and Comparative Law*

Dr. Christian Joerges, European
University Institute

October 10-11

Leadership Weekend

Meetings of the Board of Visitors, Law
Alumni Association Board of Directors
and the Future Forum

October 31

*Duke Law hosts Fourth Circuit Court
of Appeals hearings*

October 31-November 1

*Duke Law hosts Southeastern
Conference of Pre-Law Advisors
Annual Meeting*

November 3

Great Lives in the Law
The Honorable Dennis Archer,
President of the American Bar
Association

November 13

Brainerd Currie Memorial Lecture
Professor Robert Nagel,
University of Colorado School of Law

November 17-21

Honor Week