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BAD TIMING, GOOD TIDINGS
• FUNERAL PICKETERS • LAW
FUND • INTERNATIONAL
DEVELOPMENT • RETIRING
LEGENDS • HOLDING COURT



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ON THE COVER

Around the world in 80 frames.
Photo-illustration by WILL CROCKER.



BAD TIMING AND GOOD TIDINGS

BY DEAN LAWRENCE PONOROFF



As I write the letter for this edition of *Tulane Lawyer*, we are in the process of winding up what can only be described as a transformative year at the law school. At this year's commencement we will bid farewell to our last "Katrina class"—the group of extraordinary young men and women from around the country and beyond who began their legal studies on Aug. 22, 2005, only five days before they were instructed to evacuate the city for what would turn out to be the remainder of the fall semester. When they returned in January 2006, most of them completed their first year of law school in unprecedented fashion: two back-to-back 10-week terms with classes meeting six days a week. It was an intense experience, which they endured

careers contemporaneously with the worst natural and worst man-made disaster in our country's history, have the equally bad timing to undertake their professional careers in one of the most challenging environments of economic and global uncertainty and instability that we have witnessed in a generation. However, I have no doubt that they will be up to that challenge and, in very short order, demonstrate to the world that they are ready, willing, and able to assume positions of leadership in their profession and their communities.

As an institution, we also have come a long ways in the last two and a half years, marked initially by recovery and then by a rebirth and renewal. As a consequence of a comprehensive 18-month strategic planning process concluded in spring 2007, we have remade and re-focused this institution with a deliberate emphasis on our students and the quality of our educational product. The centerpiece of this strategy has been a sharp reduction in the size of our entering class, without corresponding cuts in student services, faculty, or the breadth of curricular offerings, so that we now provide an even better personal as well as academic experience than before the storm. I'd like to share with you the mission statement from that strategic plan, which is available in its entirety on our website.

The mission of Tulane Law School is to (1) provide its students with a diverse, intellectually rigorous learning environment in which to acquire knowledge of

THANKS TO THE SUPPORT OF OUR ALUMNI, AS WELL AS OTHER FRIENDS OF THE LAW SCHOOL, WE HAVE REPOSITIONED THIS INSTITUTION IN A FASHION THAT ENSURES OUR CONTINUED GROWTH, LONG-TERM HEALTH, AND INTELLECTUAL VITALITY.

with astonishing character and pluck. It will bind them together in a manner that I am certain will last a lifetime.

And now these courageous young men and women, who had the remarkably bad timing to begin their law school

the law in its broad international, intercultural, and interdisciplinary contexts so that they may acquire the professional skills and ethical grounding to become excellent lawyers and leaders in their communities and chosen professions; (2) to promote knowledge and understanding of the law and related disciplines by providing its faculty with the resources and intellectual environment to excel in teaching and scholarship; (3) to ensure that all members of its law school community have the opportunity, and are encouraged, to provide service to the profession and to the local, national, and international community; (4) to create a community, including our alumni, committed to excellence, honesty, openness, diversity and collegiality; and (5) to support and advance through our teaching, scholarship, and service an institutional commitment to justice, equality, the highest ethical standards and a system based upon the rule of law.

Dare I say this academic year has been a hurricane of activity? We continue to be inspired by the scholarship and other professional contributions of our faculty and take great pride in the accomplishments of our alumni. Just this semester, we have been the venue for a half-day's oral argument by the U.S. Fifth Circuit Court of Appeals, the site of a highly acclaimed symposium on the Problem of Multidistrict Litigation organized by the *Tulane Law Review*, the command center for an army of law students from around the country who traveled to New Orleans during their spring breaks to offer the New Orleans community their skills and expertise, on topics ranging from trial advocacy, to the death penalty, to international human rights trials. And those are just a few of the highlights.

In the pages to follow, you will read not only about some of the achievements of your fellow alumni, but also of honors



Nearly five months after Hurricane Katrina ended the fall 2005 semester, students returned to the law school to resume their legal training.

and rewards bestowed on our students and faculty. You also will read about our new master and doctoral programs in International Development following the merger of the Payson Center for International Development and Technology Transfer into the law school. This union creates enticing new interdisciplinary opportunities for our law students and provides us with a new dimension in our already preeminent identity in international and comparative law. You also will get a glimpse into the quickening pace of the recovery in New Orleans and the role that Tulane is playing in that effort.

From Marrakesh to Nairobi, Tulane Law School alumni are making a difference across the globe. The feature story in this issue of *Tulane Lawyer* focuses on six incredibly unique graduates living, practicing, and making their mark all over the map.

While still consumed with the usual array of internal issues and challenges, I have managed during the course of this year to visit with many of you in Houston, Dallas, Los Angeles, Atlanta, New York, Boston, Washington, D.C., Chicago, and even Salt Lake City. I have during these sojourns been gratified and

touched by the warm reception I have received and the close connection and affinity so many of you have for Tulane Law School. Clearly, I need to spend even more time on the road!

Thanks to the support of our alumni, as well as other friends of the law school, we have repositioned this institution in a fashion that ensures our continued growth, long-term health, and intellectual vitality. I am not unaware that several challenges remain, but I am confident that we will meet those challenges with no less courage and success than we used to overcome the even greater challenges we faced in the immediate aftermath of Katrina. The role played by our alumni has been pivotal, and I encourage those of you who have not yet become involved to do so. I have no doubt you will find it a rewarding experience and take great pride, as I do, in shaping tomorrow's leaders.

As always, please feel free to contact me if you have any questions, or, even better, stop by and see first-hand what your school has accomplished. Monica and I wish each of you and your families a peaceful, productive, and thoroughly enjoyable summer.



JACKSON HILL, SOUTHERN LIGHTS

LETTERS TO THE EDITOR

These days I don't have time to read most of the publications which land on my desk. They pile up over a few months, and then I have to toss them. However, I took a few moments last weekend to peruse the Fall/Winter 2007 edition of the *Tulane Lawyer*, and I must say I found it highly readable and professionally presented. Everything from the dean's message to the faculty profiles to the article on the adjunct professors was first-rate, including the excellent photographs and imaginative use of different colors. Also, the aerial photo of Audubon Park and the university was quite spectacular. Kudos on a job well done.

E. Phelps Gay (L '79)
New Orleans, La.

The 'centerfold' spread of the campus on pages 22 and 23 is a terrific photograph! That photo should be used by the university in every mail-out and recruiting brochure, because it refutes any notion of a Katrina hangover.

J. Michael Veron (L '74)
Lake Charles, La.

Editor's note: We like the photo, too. So much so, we've reprinted it on the top of this page.

The latest issue of *TL* is outstanding. Visually, it is fabulous. And I like the idea of featuring adjuncts. The panoramic photo of the park and the university is pretty stunning. Do we actually live and work in such a beautiful place???

S. Seicshnaydre
Professor of law, Tulane Law School

WE WANT TO HEAR FROM YOU

If you have a comment about an issue of the *Tulane Lawyer* or would like to share an idea for the upcoming issue, please contact the editor, Lauren Vergona, at lvergon@tulane.edu, or via USPS to Tulane Law School, 6329 Freret St., Ste. 210F, New Orleans, LA 70118.

The Tulane Lawyer reserves the right to edit letters for clarity and length, and to eliminate inappropriate language or potentially libelous material. Letters should address subjects related to Tulane Law School or found in an issue of Tulane Lawyer magazine.

CLASSROOM GETS SMART

In the summer of 2007, Tulane Law School saw the installation of its first “smart” classroom. In response to growing demand by faculty for the latest in instructional technology, an existing classroom was modified to accommodate a broad spectrum of audio-visual and communications devices. The 110-seat room is outfitted with two projectors and screens, two remote-controlled cameras, and a wide array of ceiling-mounted microphones. All are connected to a central podium containing a computer, VCR/DVD player, digital video recorder, videoconferencing equipment, document reader, and a whiteboard.

Within hours of the completion of this project, the first professor conducted a class using the computer to project a PowerPoint presentation. Subsequently, the room has been one of our most sought-

after spaces, used for multiple presentations and digital recordings of class sessions from Baton Rouge. This semester, it is being used to allow Tulane to participate in a pilot program taught at New York University, in which students learn international bankruptcy law over the Web from practicing attorneys located in New York.

The new equipment has increased the appetite for distance learning among faculty and students. There has been an increase in the use of videoconferencing for student interviews and faculty recruiting, and a pilot program has been developed to allow Web-based streaming video of some classes and lectures. “This classroom demonstrates how powerful information and communications technology can be for enriching the student experience at Tulane,” says Dean Lawrence Ponoroff. “We have an obligation to keep

up with the legal world in the application of such technologies and we are actively seeking new partners and alumni to help underwrite the costs of retrofitting instructional technology in several additional classrooms in the next two years.”

To learn more about underwriting and naming a classroom technology platform, contact Andy Romero at aromero@tulane.edu, or 504-862-8559.



Interview with Elizabeth Townsend-Gard, associate professor of law

Q. You are one professor who uses room 257, the “smart” classroom. What are your thoughts on it?

A. It’s really wonderful. I’ve worked in other institutions before and have never had the kind of technology I have here. Sure, other places have technology classrooms, but it’s not as new and things are always breaking. This is the one institution where I have taught where everything works perfectly.

Q. Of everything the room is equipped with, what do you use the most? How does it benefit you?

A. From PowerPoint to showing YouTube videos related to property to DVDs, I use it all. And that’s in one class! I showed *Amistad* the other day and it really changed the whole nature of the class. We’re able to look at contemporary issues related to the types of law I teach and it’s just really lovely.

Q. Obviously, only so many professors can be assigned to this classroom in a given semester. What’s the demand like?

A. We definitely need more of these classrooms. I taught intellectual property last semester in a room that wasn’t the smart room and it felt strange...almost primitive in a sense. If I wanted students to pull up something on their personal computers related to the latest cultural epic going on, too often students would be on several different web pages or the server would crash due to overload.

Q. Do smart classrooms make schools more competitive?

A. Completely. Take Seattle [University School of Law] for instance. They are equipped with similar technology in every single classroom. Elementary schools are beginning to go towards this trend with things like smart boards. It’s truly a marker for institutions today.

Elizabeth Townsend-Gard joined Tulane Law School in fall 2007 from the Seattle University School of Law, where she was a visiting assistant professor and a justice faculty fellow at Seattle University’s Center for the Study of Justice in Society in 2006-07. Townsend-Gard specializes in intellectual property, common law property and copyright.



Professor William Lovett

TRIBUTE TO 'A WALKING ENCYCLOPEDIA'

Professor **William A. Lovett** retired this spring after serving on the Tulane Law School faculty since 1969. He has taught a wide array of subjects, varying from aspects of law lying within his doctoral turf of economics and his specialty of international financial institutions and trade to administrative and regulatory law, antitrust, commercial law, energy law, torts, and maritime and security law.

He has been referred to as “a walking encyclopedia”—a renaissance man whose interests and reading cover a broad landscape of intellectual and legal thought. Lovett is the Joseph Merrick Jones Chair of Law & Economics.

Before joining the Tulane faculty, Lovett was a trial attorney for the Department of Justice, Antitrust Division, and staff economist for the Federal Trade Commission. His most

THE END OF AN ERA: PROFESSORS WILLIAM LOVETT AND ATHANASSIOS YIANNPOULOS RETIRE AFTER DECADES OF SERVICE TO THE LAW SCHOOL AND ITS STUDENTS.

recent books are *Inflation and Politics: Fiscal, Monetary and Wage-Price Discipline*, a study of comparative anti-inflation policies; *World Trade Rivalry: Trade Equity and Competing Industrial Policies*, a study of modern trade policy controversies; *US Trade Policy: History, Theory and the WTO*; *Banking and Financial Institutions Law*, a textbook on contemporary financial developments; and *US Shipping Policies and the World Market*. His *Banking and Financial Institutions Law in a Nutshell* is respected by students and practitioners alike.

Lovett has served in Japan and East Asia as a guest professor and lecturer on banking and regulatory policies and has given guest lectures at numerous American law schools. He has also taught in the United Kingdom, Canada, Ireland, France, Germany, Netherlands, Sweden, Finland, Greece, and Australia, and in the Tulane summer schools in Cambridge, Siena, Montreal, and Greece.

Lovett will be spending more time with his wife Claire at their waterfront home in Castine, Maine, where he plays tennis and golf regularly. He will continue to spend part of the year in New Orleans and has agreed to teach certain courses as needed.

AB, 1956, Wabash College; JD, 1959, New York University; AM, 1964, Harvard University; PhD, 1969, Michigan State University

INTERNATIONALLY RENOWNED ACADEMIC BIDS FAREWELL TO THE LAW SCHOOL

Professor **Athanassios Yiannopoulos**, an internationally renowned and respected scholar of civil, comparative, and maritime law, retired from the law school faculty this spring, entering the newest phase of an academic and professional career spanning nearly half a century.

When he joined the Tulane Law School faculty in 1979, he had been teaching for 20 years at the Paul M. Hebert Law Center of Louisiana State University, where he holds the title of professor emeritus. In addition to teaching, Yiannopoulos—better known to friends and colleagues as ‘Thanassi’—has directed Tulane Law School’s highly successful summer programs in Greece since 1980. In 1992, he was named the Eason-Weinmann Chair of Law, and was installed as the head of the Eason-Weinmann Center for Comparative Law a year later. Under his leadership, the center has come to house two institutes of advanced legal study: the Institute of Comparative Law and the Institute of European Legal Studies.

Yiannopoulos has authored three volumes of the *Louisiana Civil Law Treatise* series, now in the fourth edition. He has been in charge of the revision of the Louisiana Civil Code as reporter for the Louisiana State Law Institute and has been the editor of West’s Pamphlet Edition of the Louisiana Civil Code, a mainstay of Louisiana legal practice, since 1980. His redactions include a revision of the Civil



Professor Athanassios Yiannopoulos

Code provisions on possession and prescription, absent persons, quasi-contracts, representation and mandate, deposit and sequestration, and loan. In addition, he has contributed more than seventy articles to law journals here and abroad. Beyond the realm of academia, he has been cited more than 400 times in published opinions (over one hundred of the citations are in opinions of the Louisiana Supreme Court). He has also been cited more than 60 times by federal courts.

Yiannopoulos is currently revising portions of the Civil Code, collecting materials for an admiralty textbook, and working on the next edition of one of his property treatises.

Diploma in Law, 1950, LLD, 1995, University of Thessaloniki (Greece); MCL, 1954, University of Chicago; LLM, 1955, JSD, 1956, University of California at Berkeley; DrJur, 1960, University of Cologne



Professor Cynthia Samuel

PHOTO: PAULA BURCH-CELENTANO/TULANE UNIVERSITY PUBLICATIONS

SAMUEL NAMED '2007 DISTINGUISHED PROFESSOR'

When **Cynthia Samuel** joined the Tulane Law School faculty in 1975, her primary concern, naturally, was how to be an effective teacher. She didn't guess how much more it might lead to.

"I really didn't realize that law professors are called on to help insure we have good laws," says Samuel, who for her efforts both inside and outside the classroom was named the Distinguished Professor by the Louisiana Bar Foundation for 2007.

Samuel, the W. R. Irby Professor of Law, principally teaches in the fields of civil law including those concerning successions, trusts and community property. She became active in law reform projects early in her career as a member of the advisory committee to the Joint Legislative Committee on Louisiana Community Property Reform. She also has served as a member of the Governor's Advisory Committee on Women's Issues and is currently the reporter (principal draftsman) for the Louisiana State Law Institute's committee on trusts and subcommittee on charitable trusts.

"Once I developed expertise in certain areas, I felt naturally drawn to see we have good laws," says Samuel, who received her law degree from Tulane in 1972. "What is more important than the laws we govern ourselves by?"

As both a teacher and legislative reformer, Samuel says she generally has pretty good material to work with. "Louisiana is blessed through the accident of having a French and Spanish colonial heritage through which we inherited a good set of basic private laws — things like family law, community property and contracts, successions and donations."

Along the way, working on legislative reform, as well as writing about it for academic journals, has benefited her teaching. "It helps me think things through, which helps in the classroom," she says.

The Louisiana Bar Foundation is an organization dedicated to preserving, improving and promoting the Louisiana legal system.

BARRON FETED AS HONORARY ALUMNUS

Paul Barron, a member of the law school faculty for more than 30 years and the Class of 1937 Professor of Law, was one of five Tulane employees honored by the university's alumni association as "Honorary Alumni" at a reception in February. Barron served the university twice as the interim senior vice president for academic affairs and provost, and now serves as chief information officer and vice president for technology. He was cited for lending "his colossal experience and perspective to President Scott S. Cowen's cabinet."



Professor Paul Barron

PHOTO: SALLY ASHER

LOUISIANA/SCOTLAND PROJECT COMPARES JURISDICTIONS

In April, the Eason-Weinmann Center for Comparative Law hosted the Louisiana/Scotland Project, in which 15 scholars collaborated on an unprecedented effort to compare the private law of these two mixed jurisdictions. The team of academics, which consisted of nine Scottish law professors from Edinburgh, Aberdeen and Glasgow and six law professors from Tulane, Loyola and Louisiana State University, delivered their papers during a two-day visit at Tulane. Edinburgh

University Press will publish a compilation of the papers in early spring 2009.

In November 2008 the center will host an international colloquium celebrating the 200th anniversary of the enactment of the 1808 Louisiana Civil Code.

Professors Vernon Palmer and Athanassios Yiannopoulos are the organizing chairs. The center has received funding from the university to publish the papers delivered by scholars at the colloquium.

In 1981, an endowed gift from John

Giffen Weinmann (L '52) and his wife Virginia Eason enabled the university to establish the center, as well as the Eason-Weinmann Chair, recognized as the premier academic position in comparative law in the United States.

The center offers graduate degree programs, a regularly sponsored colloquium, visiting lectureships, academic exchanges and symposia in comparative law, and is at the forefront of research and publication in the field.

SYMPOSIUM EXPLORES TRENDS IN CHOICE OF LAW

*In February, the Tulane Law Review and Duke Center for International and Comparative Law held a symposium in Durham, N.C., entitled *The European Choice-of-Law Revolution — A Chance for the United States?* The symposium brought together leading scholars from the United States and Europe to engage in debate and comparative examination of approaches taken in the two regions, with an eye toward renewing interest in the field here in the United States. Methodological issues discussed included federalization of choice of law, choice of law as an instrument of market regulation and methodological approaches. Substantive issues included choice of law in family, tort, contract, and corporate law.*

Below, recent law grad Mary Nagle (L '08), who assisted in organizing the symposium, provides insight into the symposium's focus and poses some of the questions that sparked the interest of attendees.

In a globalizing world of interdependent legal systems, determining which laws apply to international private transactions is crucial. Choice of law, the field that deals with these questions, was once so vibrant in the United States that we spoke of a veritable choice-of-law revolution in the '60s and '70s. At that time, Europeans watched, with a mixture of

fascination and disdain, these developments by Americans that brought them to the forefront of scholarship in the field.

Now, the pendulum has swung. The field is in a crisis in the U.S., unattractive to scholars, and disliked by courts. By contrast, it is thriving in Europe. The most important choice-of-law questions are being addressed wholesale in the European

Union. Rules are being unified in Europe-wide codifications, especially two regulations promulgated in 2007 and 2008 dealing with contractual and non-contractual obligations, respectively. The European Court of Justice is rendering important decisions and academics are engaging in active discussions and debates.

After the American choice-of-law revolution, are we now observing a new European choice-of-law revolution? Can European developments incite reforms and rekindle excitement in the U.S., as earlier American developments incited reforms in Europe? Alternatively, are European developments a model of how things should not be done?

—Mary Nagle



Dean Geoffrey Stone, Harry Kalven, Jr., Distinguished Service Professor of Law at the University of Chicago

THE FUTURE OF CONSTITUTIONAL LAW

“CONSTITUTIONALISM IS NOT MECHANICAL, IT IS NOT MINDLESS, IT IS NOT VALUE-FREE. IT REQUIRES JUDGES TO EXERCISE JUDGMENT. IT CALLS UPON THEM TO CONSIDER TEXT, HISTORY, PRECEDENT, VALUES AND EVER-CHANGING SOCIAL AND CULTURAL CONDITIONS. IT REQUIRES RESTRAINT, HUMILITY, CURIOSITY, WISDOM, AND INTELLIGENCE. PERHAPS ABOVE ALL, IT REQUIRES INTELLECTUAL HONESTY, COURAGE, A RECOGNITION OF THE JUDICIARY’S UNIQUE STRENGTHS AND WEAKNESSES, AND A DEEP UNDERSTANDING OF OUR NATION’S MOST FUNDAMENTAL CONSTITUTIONAL ASPIRATIONS.”

Geoffrey Stone, Phelps Lecture, Oct. 22, 2007

A day of severe weather this last fall wasn’t enough to keep students and faculty away from the Phelps Lecture featuring Dean **Geoffrey R. Stone**, Harry Kalven, Jr., Distinguished Service Professor of Law at the University of Chicago. Widely recognized as one of the foremost authorities on the First Amendment and an editor of the *Supreme Court Review* since 1991, Stone gave a lecture entitled “The Roberts Court, *Stare Decisis*, and the

Future of Constitutional Law.”

Beginning with *stare decisis*, which he calls “a bedrock principle of the rule of law,” Stone asserted that by this standard John Roberts and Samuel Alito cannot be seen as being committed to the rule of law. He argued that both justices abandoned the principle of *stare decisis* in case after case during the 2006 Term.

“Their technique is to purport to respect a precedent while in fact cynically interpreting it into oblivion,” said Dean Stone,

who concludes that Roberts and Alito seem to have been driven by nothing more than their own desire to reach results they personally prefer.

To explain why in his view the Supreme Court is by no means “balanced,” he clarified the meanings of the terms “conservative” and “liberal,” concluding that by historical standards, the current Supreme Court is not composed of four conservative judges, four liberal judges, and one moderate, as they are often labeled, but rather of

GAUTHIER LECTURER DEBUNKS ‘LITIGATION EXPLOSION’

Arthur R. Miller—one of the nation’s most distinguished legal scholars in the areas of civil procedure, copyright, and privacy and a renowned commentator on the law and society—delivered this year’s Gauthier Lecture to a full audience in February at Weinmann Hall. His lecture entitled “The Litigation Explosion—*Myth*

or Reality?” focused on the underlying exposures and realities of litigation, and explored the illusion that lawsuits are flourishing in the United States.

A professor at New York University School of Law and the NYU School of Continuing and Professional Studies, Miller was previously the Bruce Bromley Professor of Law at Harvard Law School,

where he taught from 1971 until joining the NYU faculty in 2007.

Miller is a critically acclaimed legal writer and commentator, having contributed to numerous media outlets, including ABC and PBS. For many years, Miller was the legal editor of ABC’s “Good Morning America” and hosted a program on the Courtroom Television Network.

“five conservative justices, four of whom are very conservative, and four moderate justices, one of whom, Ginsburg, is moderately liberal.” Stone maintained that there seem to be four approaches to constitutional interpretation—judicial passivism, originalism, conservative activism and what is called by some “liberalism” or “judicial activism.” Clearly espousing this last approach, he rejected the use of either of those common labels. He said a better and more descriptive name would be “constitutionalism,” describing it as an approach whose central mission is to “embrace the responsibility the framers imposed upon the judiciary to serve as a check against the inherent dangers of democratic majoritarianism and to maintain the vitality of fundamental individual liberties in a constantly changing world.”

“Constitutional law is about precedent, and text, and history, and law, but it is also about values and vision,” said Stone, issuing a challenge to his audience at the conclusion of his lecture. “I ask you, what is your vision for the constitutional future of our nation?”



Arthur Miller, professor at New York University School of Law



(From left to right) Judge Rhesa H. Barksdale, Judge Jacques L. Wiener, Jr. (L '61), and Judge James L. Dennis convened at the law school to hear oral arguments for three cases that are currently before the Fifth Circuit Court of Appeals.

FIFTH CIRCUIT VISIT

It is a rare day when one can hear a pin drop on the floors of Weinmann Hall, but this was the case in January, when students and faculty members piled into room 110 for this year's visit from the Fifth Circuit panel. Three judges from the United States Court of Appeals for the Fifth Circuit convened to hear three oral arguments before a standing-room-only crowd. Those who didn't make it in spilled into the adjacent student lounge, which had been set up to provide closed-circuit television.

“It is always a pleasure for us to have a panel of the U.S. Court of Appeals for the Fifth Circuit sitting here at the law school,” said Dean Lawrence Ponoroff. “It is a unique opportunity for our students to observe appellate arguments first-hand and to see in an applied way the doctrine and skills they are being exposed to and learning in the classroom.”

The first case, *United States v. Lash*, dealt with the question of whether the federal government violated the defendant's Due Process and Sixth Amendment rights in obtaining a confession, and whether the federal district court erred by allowing the confession into evidence.

The second case, *Murray v. Blazey*, involved an interlocutory appeal of the District Court's order denying qualified immunity to several local government officials, including an assistant district attorney, in a 1983 civil rights action.

In the third and final case, *Langhoff Properties, LLC v. American Oil Co.*, the court was asked to determine whether a lessee's obligations were extinguished and released by a subsequent lease agreement between the lessor and a new lessee.

Prior to the afternoon sessions, the judges and their clerks attended a faculty luncheon in the Berkett Multipurpose Room. The judges expressed their appreciation for being able to visit the law school and for the hospitality of the staff and students who helped coordinate the sittings.

ENTERTAINMENT LAW ESSAY LEADS TO GRAMMYS



Abbott Jones was one of five finalists in a writing competition focusing on issues concerning entertainment law.

New alum **Abbott Jones** (L'08) received some exciting news in February. She was awarded a scholarship as one of five finalists in the Entertainment Law Initiative (ELI) writing competition established by the GRAMMY Foundation.

In addition to the scholarship, the award included roundtrip airfare and hotel accommodations in Los Angeles for a series of "GRAMMY Week" events. According to Jones, the finalists attended a luncheon with "some entertainment law big-wigs," where the top winner, who received an additional scholarship, was announced. "We also went to the person of the year dinner, where Aretha Franklin was honored," adds the 24-year-old Birmingham, Ala. native. To top it all

off, winners attended the star-studded GRAMMY award ceremony itself.

Neil Portnow, President/CEO of The Recording Academy and President of the GRAMMY Foundation, explains that the goal of the competition is to bring together promising entertainment law students with seasoned professionals in the field. Co-sponsored by the American Bar Association, the national legal writing contest and scholarship program is one of the premier annual educational activities of the initiative. Law students from across the country are invited to research, analyze and submit 3,000-word essays on important legal issues facing

the entertainment community.

Jones submitted a greatly expanded section from a directed research paper she did as a 2L under the supervision of Glynn Lunney, professor of law. Her essay entitled "Yours, Mine, and Ours: The Joint Authorship Conundrum for Sound Recordings" focuses on issues that may arise when joint authors begin exercising their termination rights in 2013.

Given her positions as the senior managing editor of the *Tulane Maritime Law Journal* and member of the moot court team this past academic year, it seems unlikely that Jones found herself with much time to pursue hobbies, but she says that like many she came into contact with at the GRAMMYS, she is an avid musician and writer herself.

Jones currently is clerking for Judge Karon Bowdre of the United States District Court for the Northern District of Alabama. After her clerkship, she hopes to practice entertainment law.

FRIENDS OF THE PRO BONO PROJECT

In advocating on multiple levels for the rights of Spanish-speaking members of the New Orleans community, Tulane Law School's *Alianza del Derecho* proved itself to be one of the most organized and dedicated pro bono student groups of the year. The New Orleans Pro Bono Project recognized Alianza as a "Friend of the Pro Bono Project" in a December volunteer-appreciation event, calling it a "one-stop-shop for translators." Group members consistently organize volunteers to staff the monthly Kenner Hispanic Clinic visits, serve as volunteer interpreters to pro bono attorneys, and organize employment law cases with Spanish-speaking workers.

Tulane Law student **Peter Ryan** was also honored at the event as a stand-out volunteer in and around the Pro Bono Project office. Ryan has received high praise from Pro Bono Project staff, who credit him with a willingness to do anything asked of him, a charge which has taken him all over the city. His work at the Ozanam Inn, a homeless shelter where the project holds clinic, was described by one of the staff attorneys as "amazing." Staff say Ryan's "can-do" attitude has opened countless doors, preparing the way for successful resolutions of many client cases. His assistance in obtaining



Dan Centner (right), who was named the Fifth Circuit Distinguished Student, stands with Mark Wessman, the law professor who nominated him for the honor.

LAW STUDENT BANKS ON FUTURE

This spring, the American College of Bankruptcy (ACB) selected third-year law student **Dan Centner** as the Fifth Circuit Distinguished Student for 2008. Centner was nominated by Tulane Law School professor Mark Wessman and chosen among nominees from law

schools in Texas, Louisiana and Mississippi for his demonstrated talent and interest in bankruptcy law.

“We are delighted Mr. Centner has been honored with this award. It is richly deserved,” says Wessman, who nominated Centner based on his leadership, distinguished overall academic record

and demonstrated dedication to the field of bankruptcy. “We join Mr. Centner in thanking the American College of Bankruptcy for its distinguished work and for this opportunity.”

The ACB’s program identifies students like Centner, inviting them to attend the college’s induction ceremony—a prestigious black tie event held every spring at the United States Supreme Court Great Hall. A special reception for the regional Distinguished Students was held as a part of the two-day induction event held in mid-March.

“Meeting the nation’s leading bankruptcy practitioners, judges, and law professors was inspiring, to say the least,” says the 2008 law school graduate. “Being around so many accomplished individuals was an experience I won’t soon forget.”

Dan Centner graduated in May 2008 and currently is working for the law firm of Vinson & Elkins in New York City.

succession-related city records for Road Home applicants and out-of-state volunteers handling cases remotely was described as “invaluable,” given the volume and complexity of successions the project has been challenged to handle since the storm.

7TH ANNUAL ABA LAW STUDENT TAX CHALLENGE

Tulane law students **Lauren Zimmerman** and **Drew Harpool** finished as the third place team in the J.D. division at the 7th annual ABA Law Student Tax Challenge in Lake Las Vegas, Nev. Rankings were determined through evaluation of oral and written arguments in semi-final and final competition rounds at the ABA Tax Section Midyear Meeting, held in January. The tandem’s faculty sponsor was Stuart Lazar, a visiting professor.

For more information on student life at Tulane Law School, visit law.tulane.edu/tlsStudentLife.

Right: Peter Ryan’s work in tracking down important city records for clients was an invaluable assist to the Pro Bono Project. Below: Visiting professor Stuart Lazar (left) provided guidance to law students Lauren Zimmerman and Drew Harpool during their “tax challenge.”



FUNERAL PICKETERS AND FIRST AMENDMENT HISTORY

THE LAST CENTURY IS REPLETE WITH NATIONAL DRAMAS THAT LED TO THE ESTABLISHMENT OF SPEECH PROTECTIONS.

BY CATHERINE HANCOCK



Catherine Hancock is the Geoffrey C. Bible & Murray H. Bring Professor of Constitutional Law at Tulane Law School. This essay is adapted from the draft of a longer work-in-progress, which was presented at the third First Amendment Forum on Hate Speech at the University of Louisville School of Law on Dec. 14, 2007.

In the Internet age, demonstrators may attain national notoriety more rapidly than in the past, and when their tactics and speech provoke public outrage, legislatures may respond by enacting novel restrictions on the rights of speech and assembly.

In 2006 and 2007, this kind of legislative action was triggered by the picketing activities of a single religious group in Topeka.¹ Even though long-established laws prohibit conduct that disrupts a religious service, at least 40 new state statutes and two federal laws now ban demonstrations in a “fixed buffer zone” within a specified distance from a funeral site. A few lower court cases have reached conflicting results as to the constitutionality of these laws, and a continuing parade of First Amendment challenges undoubtedly lies ahead.²

Before examining historical analogies, it is useful to consider the nature of the Topeka group’s picketing activities and the reactions they have provoked. The group condemns Catholics, Jews, Muslims, many Protestant sects, LGBT (lesbian, gay, bisexual and transsexual) people, and others.³ Group members avow a religious belief that all LGBT people will “burn in Hell” along with those who do not condemn them.⁴ Beginning in the 1990s, group members started picketing at a variety of venues and events with signs saying, “God hates [LGBT people].”⁵ In 2005, they sought to obtain more publicity by picketing at

the funerals of young soldiers killed in the Iraq War, with signs saying, “God hates dead soldiers” and “Your [son or daughter] is going to hell” or other inflammatory phrases.⁶ These slogans reflect the group’s belief that war deaths are divine retribution for the military’s tolerance of LGBT people.

The speech of these funeral picketers violates the unspoken but powerful taboo against disrespectful behavior at and around funerals. However, previous appearances by the picketers at the funerals of LGBT people and others did not trigger a national wave of legislative restrictions before 2005.⁷ It was the picketers’ violation of both the funeral taboo and the taboo against dishonoring the nation’s war dead that produced a groundswell of official support for laws “insulating families and loved ones from [their] hateful messages.”⁸ Some of these laws also created new defamation remedies and one jury awarded nearly \$11 million to a marine’s father who sued four picketers for common law privacy tort damages.⁹

The picketing of veterans’ funerals also triggered grass-roots political action by counter-demonstrators. Initially, a small group of veterans and motorcycle enthusiasts offered to ride to the funeral of any veteran in order to shield families from potential picketers. Now there are more than 130,000 members of the Patriot Guard Riders (PGR) who perform dozens of “mission rides” every few



A funeral motorcade is escorted by Patriot Guard Riders, who act as “First Amendment bouncers,” protecting grieving families from the provocative and disrespectful behavior of protesters.

days.¹⁰ In effect, the riders operate as invited First Amendment bouncers, encircling the funeral attendees, holding up American flags to block their view of any picket signs, and revving their motorcycles to drown out any sounds made by picketers. Many of the men who ride are Vietnam veterans with beards, tattoos and long gray hair in ponytails, bandanas or do-rags; but PGR membership is open to anyone, “whether you’re a ‘hawk’ or a ‘dove’” and “you don’t even have to ride.”¹¹ There are hundreds of pages of messages on the PGR website, reflecting a narrative of public approval and gratitude for the caring of strangers.¹² It is easy to imagine that the First Amendment controversies of our era are unique. But our history is replete

with examples of national dramas that led to the establishment of speech protections whose origins are now lost to public memory. When assessing the constitutionality of the funeral picketing laws, it is helpful to recall the public passions of earlier eras that fueled restrictions of hateful speech. Doctrinal legacies from these eras will frame the litigation over funeral picketing, and the interpretation of these legacies will determine the validity of the new laws.

Almost 70 years ago, when a group of believers took to the streets to spread their gospel, they encountered more than counter-demonstrators. Thousands of Jehovah’s Witnesses were prosecuted during the 1930s and 1940s for crimes such as breach of the peace and

THE NEW FUNERAL
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GRIEVING FAMILIES,
AND PATRIOTISM
IN WARTIME.

WHEN TARGETED COMMUNITIES
FAIL IN THEIR LEGISLATIVE
ATTEMPTS TO SUPPRESS
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leafleting without a permit. Violent mob actions and hundreds of attacks against Witnesses occurred in 1940, following the Supreme Court's decision that Witness children could be expelled from school for refusing to salute the flag.¹³ The extreme public hostility toward the Witnesses was fueled by their confrontational tactics for publicizing hateful messages about other faiths. They described other believers as "imposters" and "racketeers" controlled by Satan and they singled out the Catholic Church for especially vituperative condemnations.¹⁴ Their proselytizing activities included campaigns that targeted Catholic neighborhoods, sending Witnesses to ring the doorbell of every house in order to distribute literature that insulted the Catholic religion.¹⁵

The Supreme Court used many Jehovah's Witness cases to cement First Amendment protections for sidewalk speakers, preserving the liberties

"essential to enlightened opinion" in a democracy by protecting even those who resorted to "exaggeration," "vilification," and "false statements" about other groups.¹⁶ The Court also gave constitutional protection to abusive language that might provoke a fight, unless a speaker actually directed such words "to the person" of a hearer in a face-to-face confrontation.¹⁷ In other contexts, the Court required unwilling listeners to ignore the hateful speech that offended or angered them.¹⁸ Laws that regulated the "time, place or manner" of speech were invalidated because they imposed overbroad or arbitrary limits on expression.¹⁹ The flag salute enactments that swept the country in 1940 soon fell. On Flag Day in 1943, the Court recognized that under the First Amendment, "no official, high or petty, can prescribe what may be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein."²⁰

When targeted communities fail in their legislative attempts to suppress hateful speech, their members may experience empowerment in discovering that the public passion for tolerance is on their side. In 1977 a small group of American Nazi Party members sought to demonstrate in Skokie, Ill., the home of many Jewish residents and several thousand Holocaust survivors. Most residents and most Americans opposed the recognition of First Amendment protection for the right of these demonstrators to appear in Skokie.²¹ But the lower courts recognized the legacies of the Jehovah's Witnesses cases and invalidated the ordinances that were enacted to stop the Nazis.²² The residents prepared for this result by nationwide organizing that brought thousands of supporters to Skokie. Even when the Nazis moved their demonstration to Chicago, several thousand counter-demonstrators appeared there. Interfaith demonstrations



By ensuring the right of Jehovah's Witnesses to express ideas and sentiments found to be offensive by mainstream society, the U.S. Supreme Court in the 1930s and '40s strengthened First Amendment protections.

were held in other cities.²³ The Holocaust survivors fought the Nazis again and discovered they were not alone, as a national discussion of the evils of anti-Semitism led to an “outpouring of support for Jewish rights.”²⁴

In recent precedents the Supreme Court has recognized that the privacy interests of “unwilling listeners” may trump the speech rights of protestors in the context of legislative use of “buffer zones” to keep anti-abortion protestors away from clinic entrances and patients.²⁵ It may be that similar zones will be upheld as a narrowly tailored means for protecting funeral attendees from being disturbed during services by the noise of picketers. Even so, other features of some of the new laws do not satisfy First Amendment requirements that are rooted in the Jehovah’s Witnesses precedents. It remains to be seen whether those requirements will hold.

The new funeral picketing laws are the product of a potent mixture of emotions, including revulsion and anger for hateful speech, pity and respect for grieving families, and patriotism in wartime. One connection between patriotism and the First Amendment appears in the reflection of a pastor in Florida. When asked to comment on the imminent arrival of picketers at the memorial service for a young soldier, the pastor noted with poignant equanimity that, “He died so even groups like that could stand across the street at his own memorial service and protest. I think he understood that. We understand that and they have a right to be there.”

NOTES

1 <http://www.splcenter.org/intel/intelreport/article.jsp?aid=742>.

2 Stephen R. McAlister, “Funeral Picketing Laws and Free Speech,” 55 *U. Kan. L. Rev.* 575, 579-83, 602-06 (2007).

3 http://www.adl.org/special_reports/wbc/wbc_on_christians.asp.



When a neo-Nazi group announced its intentions to march in the Chicago suburb of Skokie in the late 1970s, the American Civil Liberties Union successfully defended the group’s right to free speech.

4 *id.* at 575 n.1 (citing group’s website describing beliefs).

5 http://www.adl.org/special_reports/wbc/wbc_on_gays.asp.

6 McAlister, *supra* note 2, at 575.

7 http://www.adl.org/special_reports/wbc/default.asp.

8 <http://www.governor.ks.gov/news/newsrelease/2007/nr-07-0412a.htm> (quoting Kansas governor’s comments when signing new funeral picketing law).

9 *Snyder v. Phelps*, Civil Action No. RDB-06-1389 (D. Md., Feb. 4, 2008) (reducing jury award to \$5 million; an appeal from the judgment is expected).

10 <http://www.patriotguard.org>.

11 <http://www.patriotguard.org/ALLForums/tabid/61/Default.aspx>.

12 <http://www.patriotguard.org/LettersofAppreciation/tabid/62/Default.aspx>. The PGR name is linked to 540,000 online sources compared to 490,000 links for the funeral picketing group. See Google search on March 5, 2008.

13 *Minersville School District v. Gobitis*, 310 U.S. 586 (1940); William Shepard McAninch, “A Catalyst for the Evolution of Constitutional Law: Jehovah’s Witnesses in the Supreme Court,” 55 *U. Cin. L. Rev.* 997, 1019-21, 1027 (1987) (describing events

following *Gobitis* decision).

14 Samuel Walker, *Hate Speech: The History of an American Controversy* 65-66 (1994).

15 Compare *Douglas v. City of Jeannette*, 319 U.S. 157, 166, 171-172 (1943) (Jackson, J., concurring) with McAninch, *supra* note 15, at 1013-14, 1027.

16 *Cantwell v. Connecticut*, 310 U.S. 296, 310 (1940).

17 *Cantwell*, 310 U.S. at 309; see also *Chaplinsky v. New Hampshire*, 315 U.S. 568, 573 (1942).

18 *Martin v. City of Struthers*, 319 U.S. 141, 147 (1943).

19 *Schneider v. New Jersey*, 308 U.S. 164 (1939).

20 *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1942).

21 Donald Alexander Downs, *Nazis in Skokie: Freedom, Community, and the First Amendment* 117 (1985).

22 *Collin v. Smith*, 578 F.2d 1197 (7th Cir. 1978).

23 Philippa Strum, *When the Nazis Came to Skokie: Freedom for Speech We Hate* 142-43 (1999).

24 Downs, *supra* note 21, at 115.

25 *Hill v. Colorado*, 530 U.S. 703 (2000). <http://www.wftv.com/news/15376126/detail.html>.



Adeno Addis recently published “Constitutionalizing Deliberative Democracy in Multilingual Societies” in *Berkeley Journal of International Law* and “The Concept of Critical Mass in Legal Discourse” in *Cardozo Law Review*. His article “Informal Suspension of Normal Processes: The ‘War on Terror’ as an Autoimmunity Crisis,” was published in the *Boston University Law Review* as part of a symposium entitled Extraordinary Powers in Ordinary Times.



Adam Babich published “Ambitious Goals, Political Realities” in *Environmental Forum*.

Alan Childress published “Revolving Trapdoors: Preserving Sufficiency Review of the Civil Jury After Unitherm and Amended Rule 50” as the lead article in *Review of Litigation*. His entry on lawyers was included in volume two of *Encyclopedia of Law and Society: American and Global Perspectives*. Childress also is serving as co-editor of The Legal Profession Blog, at http://lawprofessors.typepad.com/legal_profession.

Last fall, **Claire Dickerson** spoke at conferences in Douala, Cameroon and in Paris, France. The paper she presented in Paris has been accepted for publication in *La Revue Internationale de Droit Comparé*. She also participated in the Africa Section panel at the annual meeting of the American Association of Law Schools in New York in January 2008. Her presentation was “Business Laws: Tools for Access to Justice.”



Onnig H. Dombalagian presented his paper, “Choice of Law and Capital Markets Regulation,” at Duke University School of Law in February 2008, as part of a symposium organized by its Center for International and Comparative Law entitled, “The European Choice-of-Law Revolution: A Chance for the United States?” The paper will be published as part of the proceedings of the symposium in a forthcoming issue of the *Tulane Law Review*. He also presented “Hock the Vote: Share Lending and Shareholder Primacy,” at the 2007 meetings of the Canadian Law and Economics Association in Toronto. This paper was presented as a work in progress earlier this year at the Southeastern Association of Law Schools Conference in Amelia Island, Fla.

Joel Friedman conducted a mediation skills training program for U.S. district and magistrate judges in Redondo Beach, Calif., last September. He presented “Handling Employment Discrimination Cases” at the Phase II training program for newly installed U.S. magistrate judges, held in Washington, D.C., last October. In the same month he presented on technology in the classroom at the Teaching the Teachers Conference held at University of Texas Law School. Louisiana State University Press will publish Friedman’s biography of Judge John Minor Wisdom in fall 2008.

Steve Griffin contributed “Constituent Power and Constitutional Change in American Constitutionalism” to *The Paradox of Constitutionalism: Constituent Power and Constitutional Form*, a volume published by Cambridge University Press in summer 2007. Griffin was also the sole editor for the third edition of *Constitutional Theory: Arguments and Perspectives*, published by Lexis. His article “Rebooting Originalism” was designated a “Download of the Week” on Lawrence Solum’s Legal Theory Blog and has been accepted for publication by the *University of Illinois Law Review*.



Günther Handl made a presentation entitled “Boarding of Foreign-Flag Vessels Under International Law” to the National Research Council, Committee on Maritime Security Partnerships, at Woods Hole in June 2007. Last fall in Geneva, Handl made a presentation to the United Nation’s Environment Programme Advisory Expert Group on Liability and Compensation for Environmental Damage, a group to which he has been appointed for 2007-08. His recent publications include “International Accountability for Transboundary Environmental Harm Revisited: What Role for State Liability?,” *Environmental Policy and Law*; “Transboundary Impacts,” in D. Bodansky, J. Brunnée & E. Hey, eds., *Oxford Handbook of International Environmental Law* (Oxford University Press, 2007); “Maritime Security Partnerships: The International Legal



Framework,” in *National Research Council, The Role of the United States Navy in Maritime Security Partnerships* (The National Academies Press, 2007); a book review of *Environmental Liability in International Law—Towards a Coherent Conception* (R. Wolfrum, C. Langenfeld & P. Minnerop, eds.) in *Review of European Community and International Environmental Law*; and a report to the UNEP (with M. Fitzmaurice), “Guidelines for the Development of National Legislation on Liability and Compensation for Environmental Damage.”



Oliver Houck has several new publications, including “Beauty and the Beast Within: On the Special Nature of Natural World Law,” *Washington Law Review*; “Standing on the Wrong Foot: A Case for Equal Protection,” *Syracuse Law Review*; “Light From The Trees: The Stories of Minors Oposa and the Russian Forest Cases,” *Georgetown International Environmental Law Review*; “The

Scientists Speak: Gaming the Louisiana Coast,” *National Wetlands Newsletter*; and a book review of Jared Diamond’s *Collapse* in *Environmental Law Reporter*.



Jonathan Nash presented “Legal Defeasibility in Context” at a workshop on “Defeasibilism,” held in March at Oriel College, Oxford University. He also spoke at “Beyond Kyoto: A Symposium Addressing the Future of International Climate Change Policy,” held at the University of California–Davis School of Law in February. Nash also participated in a panel entitled “Transparency Outside the Courthouse” as part of the symposium “Tradeoffs of Candor: Does Transparency Erode Judicial Legitimacy?,” held at New York University School of Law in March. Finally, Nash presented his paper, “Packaging Property: The Effect of Paradigmatic Framing of Property Rights,” as part of a panel on property and psychology at the annual meeting of

the American Psychology Law Society. His paper, “Trading Species: A New Direction for Habitat Trading Programs,” which was first published in the *Columbia Journal of Environmental Law*, has been selected for republication, in condensed form, in the inaugural issue of the *Environmental Law and Policy Annual Review*. Nash also has been invited to submit a chapter for the book, *Essays on Legal Defeasibility*. His article “Economic Efficiency Versus Public Choice: The Case of Property Rights in Road Traffic Management” will be published in the *Boston College Law Review*, and his essay, “Standing and the Precautionary Principle,” will be published in the *Columbia Law Review*. His paper, “Environmental Law Through the Looking Glass: The Curious Political Economy of Conservation Easements and Tradable Degradation Permits,” was selected for presentation at the annual meeting of the Midwestern Law and Economics Association.

Based on a paper proposal, **Elizabeth Nowicki** has been invited to participate in a symposium on “The Delaware General Corporation Law for the 21st Century,” at Widener Law School in May. The paper will eventually be published in the *Delaware Journal of Corporate Law*.

Brooke Overby's article, "Mortgage Foreclosures in Post-Katrina New Orleans," appeared in *Boston College Law Review*.

Larry Ponoroff made a presentation in December on "The Limits of Bankruptcy Purposes and Policy: Religious Organization Filings" at the Oklahoma Bar Association's Advanced Bankruptcy Seminar in Oklahoma City.

Tort Symposium, sponsored by the Louisiana State Bar Association, October 2007; "The Future of Asbestos Litigation in America," at the AEGIS Roundtable for Insurance Attorneys and Utility Officials, held in Newport Beach, Calif., October 2007; "Dispute Resolution Processes to Remedy Injuries to Consumers in the Global Economy" at the annual meeting of the Law & Society Association in Berlin, July 2007; "Katrina Litigation: Who Is Liable" and "Issues of Causation, Insurance Coverage and Governmental Liability" at the Federal Judicial Center's conference on disaster recovery at Tulane Law School, May 2007; and on "ADR in Post-Katrina Disputes: The Promise and Hazards of Mediation Programs" at the ABA annual conference on dispute resolution in Washington, D.C., April 2007. He has been appointed as reporter to the newly created ABA Task Force on Disaster Insurance. He has published "Transnational Perspectives Regarding the Federal Rules of Civil Procedure" in the *Journal of Legal Education*, and "Dean Pound's Dissatisfaction With the 'Sporting Theory of Justice': Where Are We a Hundred Years Later?" in the *South Texas Law Review*. Sherman also put in final form (from his previous drafts as reporter for the ABA task force on asbestos) proposals and reports for a model case management order, statute of limitations, and standards for asbestos screening. These were presented at the annual meeting of the National Conference of State Chief Justices, where they were approved and sent with recommendations to the states. Finally, Tulane Law School's chair selection committee has recommended that the vacant W.R. Irby Chair should be awarded to Sherman.

Vernon Palmer delivered a paper titled "Immaterial Damages" in June 2007 to the Edinburgh Faculty of Law at a jointly sponsored Louisiana/Scotland Project, and delivered the Wainwright Lecture at McGill University in April 2008. The lecture series is devoted to the study of Civil Law in Canada. Palmer's new book, written in collaboration with Mauro Bussani, *Pure Economic Loss Beyond Europe: New Horizons in Comparative Law*, will be published by Routledge-Cavendish this year. Palmer also has had several new articles published, including "Mixed Legal Systems and the Myth of Pure Laws," *Louisiana Law Review*; "Two Rival Theories of Mixed Legal Systems," *The Journal of Comparative Law*; "The Louisiana Supreme Court in Question: An Empirical and Statistical Study of the Effect of Campaign Money on the Judicial Function," *Tulane Law Review*; "Historical Notes on the Early French Laws and Legal Institutions of Louisiana," *Liber Amicorum* for Saul Litvinoff; and "Immaterial Damages, The Law of Contract and the Protection of Personality: The Passing of a Prejudice?" in a volume honoring Konstantin Kerameus.

Last November, **Stacy Seicshnaydre** served as moderator of a state and local election forum at which candidates seeking political office answered questions regarding the role of housing in the region's recovery. The forum, entitled "The Rebuilding and Recovery of Housing in New Orleans," was sponsored by the Greater New Orleans Housing Alliance and the Louisiana Housing Alliance, and was held at the Tulane University School of Architecture. Her Katrina symposium essay, "The More Things Change, the More They Stay the Same: In Search of a Just Public Housing Policy Post-Katrina," previously published in the *Tulane Law Review*, was reprinted in part in *Poverty & Race*. Her article, "Is the Road to Disparate Impact Paved with Good Intentions?—Stuck on State of Mind in Antidiscrimination Law," was published in the *Wake Forest Law Review*.

Edward Sherman gave several presentations: "Class Action Fairness Act: Two and a Half Years of Fairness" at the ABA conference "The Future of Class Action Litigation in America," held in Washington, D.C., October 2007; "The Class Action Fairness Act: What Are the Current Jurisdictional Implications?" at the seventh annual Class Action/Mass



Elizabeth Townsend-Gard presented a paper, “Vera Brittain, Section 104(a) and Section 104A: A Case Study in Sorting out Duration of Foreign Works under the 1976 Copyright Act,” at the seventh annual Intellectual Property Scholars Conference, held at DePaul University School of Law, August 2007. She presented a second set of case studies, focused on the copyright status of radio,

television and film in a paper, “The Impossibilities of a Usable Past: Struggling with Copyright Duration in the Basement at the New Orleans Public Library,” at the Works in Progress Intellectual Property Conference at American University, September 2007. She has been invited to give a talk, “Recent Developments in Copyright for Historians” for the faculty and graduate

students in the UCLA history department in October. In July 2007, Townsend-Gard was the subject of an innovator profile at the law school Innovation Blog for her work on the intersection of concepts of modern and virtual property. She has been awarded a Research Enhancement Fund Grant.

HEADLINERS

FACULTY COMMENTS APPEARING IN NATIONAL MEDIA



Every year since 1989, U.S. Rep. John Conyers (D-Michigan) has introduced a bill calling for an examination of how the United States might atone for slavery, its aftermath and legacy. And every year, the bill fails to advance to a floor vote.

The plight of HR 40, which would establish the Commission to Study Reparation Proposals for African-Americans, encapsulates the controversy over how, or whether, the U.S. government should deal with the legacy of slavery. The bill, brought forth this year by Rep. Conyers, is modeled after the restitution process for victims of the mass incarceration of Japanese-Americans during World War II.

Robert Westley, professor of law and a leading reparations advocate, said that while the mandate of HR 40 is simple, the political establishment’s resistance shows the complexity of the nation’s race politics.

“The Conyers bill, in a way, is about telling the truth of racial oppression. For the United States government to say that reparations for African-Americans is absolutely an untouchable topic to even discuss... maintains those racial wounds and those racial inequalities, and deepens them and brings them forward into the future.”

Robert Westley, as quoted in *The New Standard* article “Bill to Study Slavery Reparations Still Facing Resistance,”
March 8, 2007

Insurance companies may have paid out \$11 billion to Louisianians in the nearly three years since Hurricane Katrina, but they also have been the villain in the tales people tell about the slow recovery here.

The extensive damage done by the storms of 2005 has sharply raised the cost of homeowners’ insurance in the region—for those who can find a policy at all. Dean Lawrence Ponoroff explains that those costs have become a major impediment to recovery.

“It makes it very difficult for people, particularly those of marginal means, who want to come back, to rebuild. It is very tough on institutions and on attracting new business to the area.”

Lawrence Ponoroff, as quoted in *The New York Times* article “Insurers Bear Brunt of Anger in New Orleans,”
Sept. 3, 2007

Since 2006, New Orleans Saints running back Reggie Bush has faced accusations that he and his family took as much as \$300,000 in cash and goods during the time he was attending the University of Southern California. While Bush could lose his Heisman Trophy if the allegations are substantiated, it is USC—not Bush—who may wind up the big loser, says Gabe Feldman, professor and director of the sports law program at Tulane. If investigators conclude that university officials knew about the activities or ignored warning signs, USC may be forced to forfeit games, return championship money, lose scholarships, or be banned from postseason play.

“There’s a lot more at stake for USC. And that’s often the criticism of these NCAA investigations, that the people who really committed the act of wrongdoing aren’t the ones being punished.”

Gabe Feldman, as quoted in *The New York Times* article “Lawsuit May Force Ex-USC Star to Talk,”
Feb. 10, 2008



THE RETURN OF THE ST. CHARLES STREETCAR LINE SIGNALS THE RETURN OF WHAT PASSES FOR NORMALCY IN THIS VIBRANT, IMPROBABLE CITY. WHILE SECTIONS OF NEW ORLEANS HAVE YET TO FULLY BOUNCE BACK, WE ARE FORTUNATE THAT THE UPTOWN AREA SURROUNDING THE UNIVERSITY AND LAW SCHOOL IS BACK ON TRACK AND MOVING FULL SPEED AHEAD.

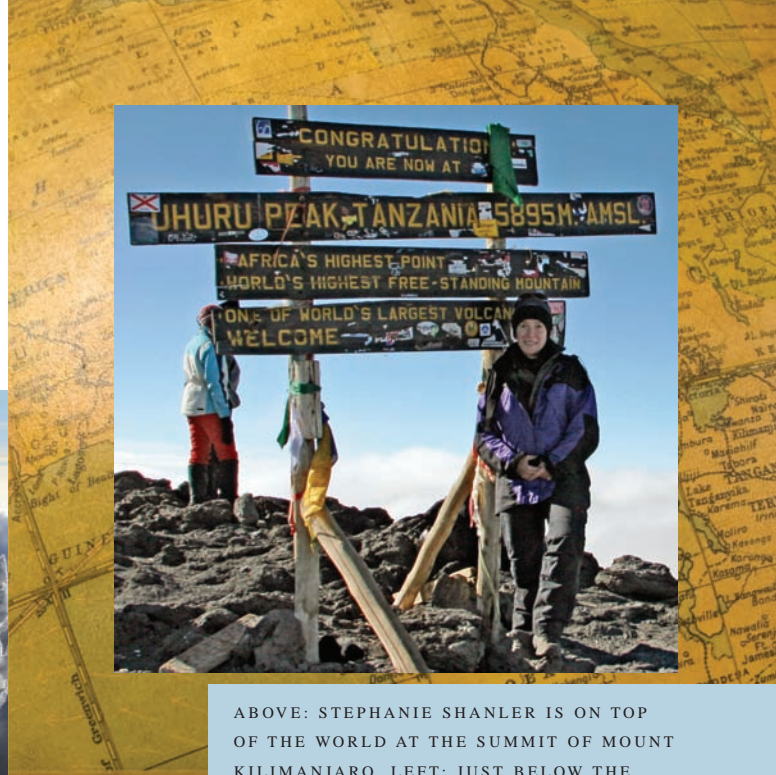


GOING GLOBAL

BY LAUREN VERGONA

They say travel broadens the mind. In this issue, *Tulane Lawyer* profiles alumni who are living and working in Australia, Germany, Kenya, Kosovo, Morocco, the Philippines. Not all are practicing law, and as it turns out, not all are living in “foreign” countries. In fact, outside of attending Tulane Law School, they might not have that much in common if it weren’t for the fact that all have dared to embrace the unfamiliar and have been changed by the experience.





ABOVE: STEPHANIE SHANLER IS ON TOP OF THE WORLD AT THE SUMMIT OF MOUNT KILIMANJARO. LEFT: JUST BELOW THE SUMMIT AT CRATER CAMP, SHANLER TOOK PHOTOGRAPHS OF THESE ICE FORMATIONS.

THE HUMANITARIAN

STEPHANIE SHANLER (L'02)

PROJECT OFFICER, CHILD PROTECTION (EMERGENCY), NAIROBI, KENYA

On more than a few occasions, people have responded to Stephanie Shanler with surprised laughter when she tells them where she was born. “Hackensack? New Jersey?” Having spent most of her childhood in Thailand, Indonesia and Turkey, Shanler says she did not feel like a U.S. resident until her first year at Mt. Holyoke College in Massachusetts.

In 1970, when Shanler was just nine months old, her father, who worked in the oil industry, accepted a position in Thailand, occasioning the first of several relocations the family would make within the developing world.

“The disparity between the ‘haves’ and the ‘have nots’ in many developing countries results in expats living behind high walls embedded with glass shards or lined with razor wire,” says Shanler. “It is easy to grow up in a developing country, and live in a large city like Jakarta or Bangkok, and shuttle from one air conditioned environment to another without ever actually experiencing what the country has to offer culturally or understanding the dynamics of the political and economic environs. My parents, however, made sure my brother and I understood where we were living—the politics, the economics, the history.”

As Shanler’s personal, academic and professional life unfolded, what she learned about life in developing countries would progressively coalesce into a worldview of her own.

After completing her undergraduate education at Mt. Holyoke in politics and economics, Shanler experimented with jobs in the financial sector, but found herself thinking that she wanted to work in the world differently. She just was not entirely sure how.

“So I grabbed a backpack and went to India for three months to reevaluate.”

She traveled by train and saw children playing on the tracks at station stops. “No shoes, threadbare clothes, obvious nutritional deficiencies, bellies swollen, not in school, hands outstretched either asking for something or trying to sell something,” she recalls. “I thought my goodness, this is unjust.”

Shanler spent time among Tibetans in northern India and witnessed for herself what it meant for people to live as refugees, a condition that struck her as deeply inhumane.

By the time she returned from India, she was determined to “reconfigure my life so that I felt better about living on this planet, and see if I could right some wrongs and eliminate some pain.”

Taking a position with “normal work hours” in hospital administration, Shanler got involved with refugee and immigrant populations in the Boston/Cambridge area as a volunteer, helping them navigate a new existence in the United States. Her next move was to obtain a Masters of Public Health in International Health and Development at Tulane. Her studies included coursework at Mahidol University near Bangkok that led to an internship with the United Nations Children’s Fund (UNICEF) in Thailand, and in turn, to a consultancy with World Vision in Burma (Myanmar) conducting a situational analysis concerning street and working children.

Her increasing awareness of the nexus between human rights and development led her to decide to pursue a legal education. “If there are no substantive or procedural legal parameters for accessing rights, or if the legal framework is in the nascent stages of creation, or if the state does not allow, or is incapable, of guaranteeing persons protection of the law, or if the state does not recognize, or lacks the capacity to deliver on certain obligations to its populace, well then, you have a whole set of challenges in front of you in pursuing rights-based development. I wanted to become more engaged in the humanitarian field, but in a position to influence policy as well as implement programs.”

After graduating from Tulane Law School with a resume that included work with the Juvenile Advocacy Clinic and summer sessions in

international humanitarian law at McGill University in Montreal, Shanler joined the office of the United Nations High Commissioner for Refugees (UNHCR) in Bangkok hearing asylum claims and working on prevention and response to sexual and gender-based violence (SGBV), principally among Burmese refugees living in urban Bangkok and in the refugee camps on the Thai-Burma border. After two years in Bangkok, she moved to Geneva, Switzerland to work at the UNHCR headquarters on SGBV issues at the global policy level, and then finally—as a last assignment with UNHCR—to Northwest Frontier Province in Pakistan as part of the international humanitarian response to the 2005 earthquake.

Shanler currently works with UNICEF as a program officer for Child Protection in Kenya, specifically in the context of emergencies. “Essentially, I help put in place programs that address issues such as separated and unaccompanied children, prevention and response to sexual violence, and the provision of psycho-social support, largely in the form of child-friendly spaces,” she says, and adds that she is the focal point in her section for emergency preparedness and response. In this context, “emergencies” refers to both natural disasters and conflicts that result in internally displaced persons and refugees.

“I get to talk to a lot of people, particularly children, who are in pretty dire straights,” she says. “I am constantly amazed by their resilience and perseverance in the face of total adversity.”

At the same time, she says she is “amazed and horrified” by the abuse of power that perpetuates poverty and the public apathy that tolerates it.

“I love being in a position to assist, but at the same time recognize that so much of what is wrong is mired in circumstances that will take many years, decades, to fix. It is that reality that is exhausting, but it is also that reality that drives us to make the necessary programmatic and political waves.” ■



ABOVE: LIVING CONDITIONS IN A CAMP FOR DISPLACED PERSONS IN WESTERN KENYA. RIGHT: ACACIA TREE STANDS JUST OUTSIDE THE CITY OF GARISSA IN NORTHEASTERN KENYA. BELOW: ZEBRAS SEEK WATER IN NORTHERN TANZANIA.





LEFT: JOHN ALLELO
REVIEWS A NEWLY PRINTED
NEWSLETTER PUBLISHED BY
A USAID PARTNER.



ALLELO WAS AMONG THE FEW INTER-
NATIONAL GUESTS TO ATTEND THE
SIGNING CEREMONY OF THE KOSOVO
DECLARATION OF INDEPENDENCE.

THE BIRTH OF HOPE

JOHN ALLELO (L'87)

SENIOR RULE OF LAW ADVISOR FOR USAID/KOSOVO

I've often said that I like being a lawyer much more than I like practicing law," quips John Allelo. It's a distinction honed while logging too many billable hours as a litigator and one that allowed Allelo to be particularly open to a mid-life career shift that would give him a part to play in establishing the continuity of law in developing nations.

After nearly 18 years of practicing law in the New Orleans and Baton Rouge areas, Allelo in 2004 accepted a pro bono position as liaison for the Central European and Eurasian Law Initiative (CEELI) in Sofia, Bulgaria, and began a new career in international development. CEELI is a public service project of the American Bar Association that advances the rule of law in the world by supporting the legal reform process in Central and Eastern Europe, Eurasia and the Middle East. Bulgaria, which had been in the Soviet Union's sphere of influence from 1946 to 1990, adopted a new constitution in 1991 and joined NATO in 2004 and the European Union in the following year.¹

Allelo's job was to support the development of the country's independent Bar and the newly established profession of mediation. While Allelo had practiced alternative dispute resolution back in the United States, he had no international experience. This role allowed him to partner with the Supreme Bar Council

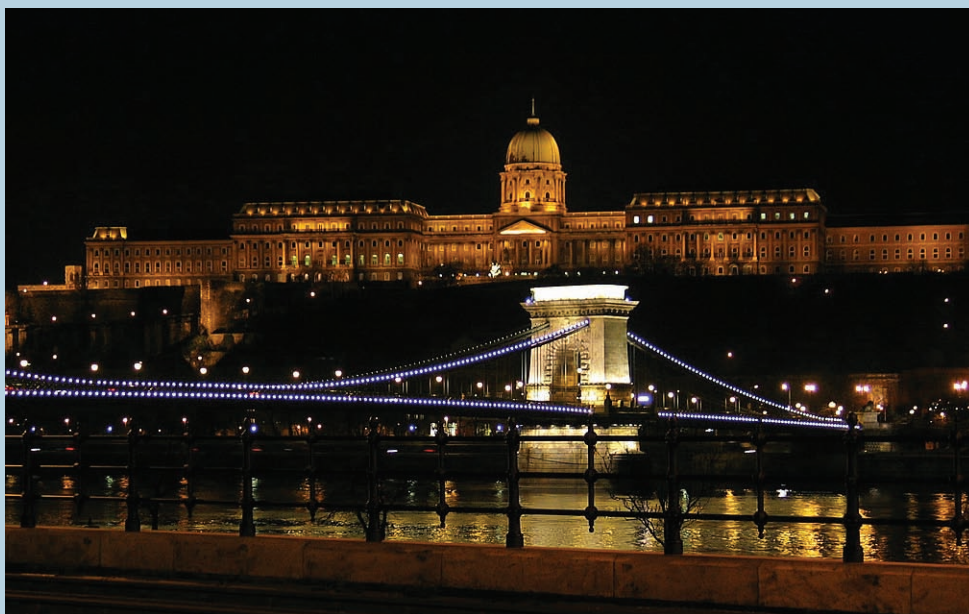
and a new independent mediation center that was created under the CEELI program.

"The move was tough," Allelo wrote in a CEELI newsletter published in fall 2004. "Fear enveloped me as I descended the stairs to the tarmac. Fear of the unknown, fear of failure, fear of being lost and alone. ..."

As he set to work training lawyers and judges in mediation skills, he discovered that while customs and cultures differ across the globe, most people share the same goals—"to live peacefully and productively and to provide more for their children than they themselves had."

After a year, Allelo was hired by the United States Agency for International Development, first as its rule of law advisor for Bulgaria and then in his current position as the senior rule of law advisor for Kosovo, which declared its independence from Serbia in February 2008. Kosovo had been under the control of the United Nations since 1999, when Serbian forces were forced to withdraw by NATO, leaving its political status undetermined.

Kosovo is a unique place for many reasons, says Allelo. "It is a place that wishes to dutifully remember its history, but to passionately look toward its future. Kosovo truly wants to be the new independent democracy it pledged to become in its



ALLELO, WHO SAYS THE WORLD IS AN "INFINITELY INTERESTING PLACE," CAN FIND MUCH TO ENJOY IN THE CULTURE, HISTORY, ARCHITECTURE AND PEOPLE OF CENTRAL EUROPE. ABOVE LEFT: THE CHAIN BRIDGE IN BUDAPEST, HUNGARY, CROSSES THE DANUBE. ABOVE RIGHT: CHURCH STEEPLES IN SALZBURG, AUSTRIA, RISE NEAR THE BOYHOOD HOME OF AMADEUS MOZART. RIGHT: A SHEPHERD IS GOAT HERDING NEAR THE WINE REGION OF KOSOVO. BELOW: A SUMMER PALACE BUILT BY THE ROMANIAN QUEEN MARIA IN WHAT IS NOW BALCHIK, BULGARIA.



Declaration of Independence. The country not only acknowledges that it has much to learn, but welcomes the opportunity to work with and learn from the international community."

The lack of exposure and involvement in government experienced by Kosovars for the years prior to the conflict may have hindered the development of Kosovo, says Allelo, but it has not hindered the spirit of the Kosovars.

"We have grown fond of saying the only thing certain in Kosovo is the level of uncertainty," says Allelo, who has assisted in the development of the country's new constitution and has participated in drafting laws. "With so many international actors and so much being done to stabilize the country, things are constantly changing. This makes long-term planning very difficult."

Instilling a culture of rule of law does not happen overnight, he admits, but improving rule of law and the public's trust in the judiciary will inspire confidence among investors and businesses looking for security, he says.

American assistance is critical to developing countries such as Bulgaria and Kosovo, says Allelo. "Our ability to interact with and be good neighbors to other countries is essential to our own development and economy."

The world is an infinitely interesting place, he says.

"There is much good in the world, wonderful people, interesting places, beautiful architecture and amazing history."

Allelo says he feels privileged to have been in Kosovo on the day it declared its independence. "One who witnesses the birth of hope does not soon forget it." ■

1 In March, 2007, ABA/CEELI was consolidated with the other ABA international programs to become known collectively as the ABA Rule of Law Initiative.

A TALE OF TWO COUNTRIES

GALAHAD PE BENITO (LLM '03)

PROFESSOR OF LAW, FAR EASTERN UNIVERSITY—
INSTITUTE OF LAW, MANILA, THE PHILIPPINES

Talk about comparative law. Through both his legal education and his practice, Galahad Pe Benito has experienced how differently the rule of law can be expressed in two different cultures.

After acquiring his LLM from Tulane in 2003, Pe Benito, a Philippine native who received his JD from Ateneo Law School in Manila, started a practice in California where he handled criminal, family law, immigration and real property cases. There he witnessed how differently law enforcement was handled in the United States.

“In the U.S., laws are enforced strictly,” says Pe Benito. “You cannot drive recklessly without getting a citation ticket in return. You cannot just litter or dirty the street without getting a corresponding penalty. I do think people have their own way of doing things arising from their training, attitudes and upbringing.”

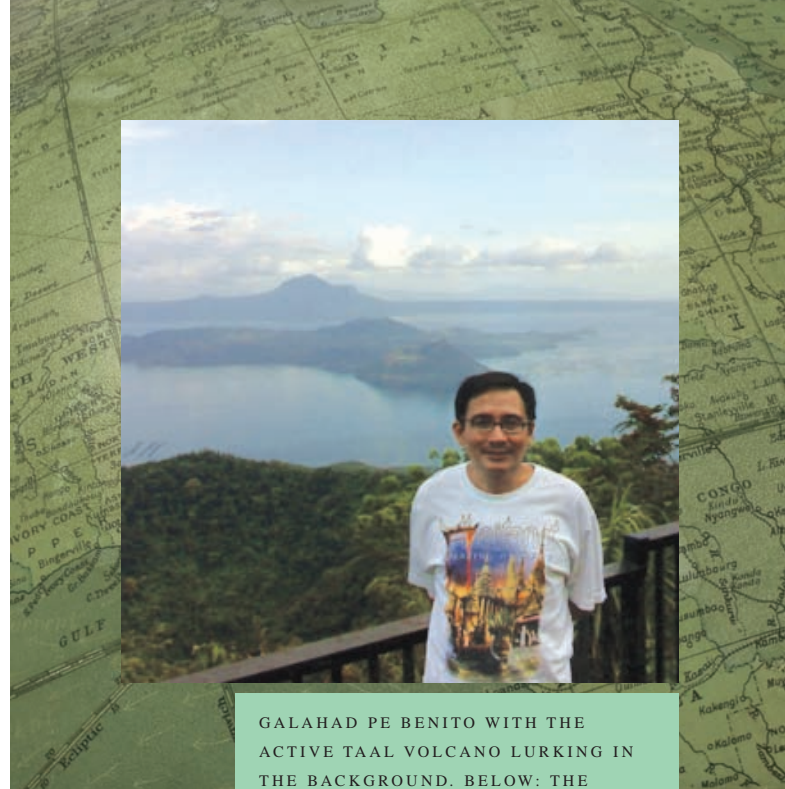
The attitudes of Filipinos are in good measure shaped by the country’s social and political ills, says Pe Benito. “The poverty of the people has stunted their growth and well-being. The most pressing issues are corruption, good governance and the environment.”

Currently, Pe Benito serves as a professor of law at Far Eastern University–Institute of Law in Manila, where he instructs students in environmental law, a concept that he says is new to most of his students.

“We need to educate the people about the ways of good governance and environmental protection,” he says, noting that the Philippines has passed a number of environmental-protection statutes, which the general population supports, but the enforcement of which has been “difficult.”

Beset by a relentless string of coups, presidential scandals, bombings and instances of political violence, democracy has struggled in the Philippines, and while his native country hasn’t “attained the level of maturity to run a government efficiently,” Pe Benito can point to areas of progress.

“We are more conscious of the evils of corruption and



GALAHAD PE BENITO WITH THE ACTIVE TAAL VOLCANO LURKING IN THE BACKGROUND. BELOW: THE MAYON VOLCANO IN FAR-AWAY ALBAY PROVINCE IN THE PHILIPPINES.

inefficiency,” he says.

“You open our newspapers and you can read about it freely, unlike before when people were afraid or indifferent.”

Aspiring to one day enter the judiciary or political office, Pe Benito criticizes “people in high places” who are corrupt and inept. “You cannot inspire people if you cannot set the example for your followers,” he says.

At the same time, Pe Benito says his native country does not struggle with the kind of social inequality he witnessed in the United States.

“I think the U.S. society in general—and the U.S. legal profession in particular—still have a long way to go with respect to race and gender equality,” he says. “In the Philippines we do not have this problem. We’ve had two female presidents in a short span of time while the U.S. is still yearning for one.”

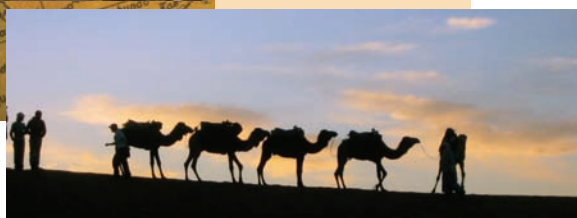
In addition to lecturing at the university, Pe Benito is affiliated with a U.S. firm operating in the Philippines and says he still travels to the United States regularly to take CLE courses. He remains philosophical about the differences between the two countries.

“You have your ways of doing things in the U.S. and we have ours in the Philippines,” he says. “Some are good, some are bad. It’s important that one learns the good ones so that one can apply them to his or her native land. You must always bring home the good things you learn abroad.” ■





LISA BEESON POSES WITH HER BROTHER-IN-LAW AND HER HUSBAND'S BEST FRIEND. THE TWO ARE DONNING THE TRADITIONAL BLUE GANDORAS OF THE TUAREG TRIBE FROM THE SAHARA.



CULTURAL EXCHANGE

LISA BEESON (L '96)

EXECUTIVE SECRETARY OF THE BOARD OF DIRECTORS OF THE AMERICAN CULTURAL ASSOCIATION, MARRAKESH, MOROCCO

Lisa Beeson's life changed in an instant. It just took a while for her to know it.

"From the moment the airplane's cabin door opened I knew I had just been transported to a completely different world," says Beeson of her first trip to Morocco. "I remember how exotic everything was, how overwhelmed my senses were, how thrilling each experience was."

The initial impressions of Marrakesh that Beeson gathered as a vacationing tourist nearly 10 years ago swept her off her feet and in time would help coax her to leave her employment, pack up a few boxes of her belongings and move half-way around the world. That was in 2003, and Beeson still recalls the move with a touch of astonishment.

"It took me four years to take the plunge and leave my law career in

California to move to a developing country, an African country and Muslim country," she says.

She got a big assist in deciding to take that plunge from a relationship that had begun on that first fateful trip to Morocco.

"I moved to Marrakesh initially to get married but knew I would be there for an indefinite period of time and that I would be starting a new life there," says Beeson. "I didn't know what my future held professionally but somehow knew I'd find my way."

Initially, her career took a back seat to the process of getting settled into her new city—planning the wedding, hunting for an apartment and "learning how to live in Marrakesh."

She eventually began to establish a network of friends and acquaintances in the American community, which led to a

job offer to teach legal English to a group of commercial appellate court judges through the American Language Center (ALC) of Marrakesh.

"I spent the next months teaching two groups of judges and then took on a regular course load teaching English to students of all ages and levels from beginning to advanced, from 11 years old to professionals and those of retirement age," says Beeson.

The job afforded her the freedom to get to know Morocco even better, as well as start a family.

Today, Beeson is in the thick of the cultural exchange between her country of origin and her adopted home. She sits on the board of directors of the American Cultural Association, a non-profit group that not only specializes in English education in Morocco, but also promotes cultural and intellectual understanding between the two countries. It also serves as the parent organization to 10 American Language Centers that are distributed throughout the country.

In addition, the association receives U.S. State Department funding to provide English classes to impoverished Moroccan students and works with other American organizations to provide Arabic language lessons and cultural exchange programs for American students, including Fulbright scholars.

Along with the normal duties of secretary of the board, Beeson serves as the liaison between the board of directors and the ALCs. In that capacity she ensures uniformity among the centers in terms of facilities, curriculum and business and financial management. She also handles human resources, employment and financial issues that require board attention or need to be handled at the board level and outside the individual centers.

While she's not practicing law, Beeson says she relies on her legal knowledge and training virtually every day.

"Tulane Law School has served me well and enabled me to work toward a goal of global understanding and communication," she says.

"What could be better?" ■

HALF A WORLD AWAY

SUZANNE DICKEY (L '95, LLM '00)

HEAD OF THE ENVIRONMENT AND CLIMATE CHANGE PRACTICE AT THE
FINLAYSON LAW FIRM, ADELAIDE, AUSTRALIA

Suzanne Dickey misses her family, New Orleans, NPR radio, 24-hour shopping and all the things that relocating half a world away can remove from your life. One of the things that did travel with her when she moved to Adelaide, Australia, in 2005 was the passionate belief that society should act responsibly in interacting with the environment.

Though she made the move for personal reasons (to support her husband's ambition to be a winemaker), Dickey quickly landed a job that well suited her interests. She is head of the environment and climate change practice at the Finlayson law firm, where she is a partner. Her team provides strategic advice to corporate clients, government agencies, land owners and developers, as well as advising clients on how climate-change regulations may affect them in the future.

Dickey is a founding member of Finlayson's Roundtable on Greenhouse, which she describes as "a diverse group of lawyers, 'corporates' and academics that get together to discuss climate change, adaptation, and response."

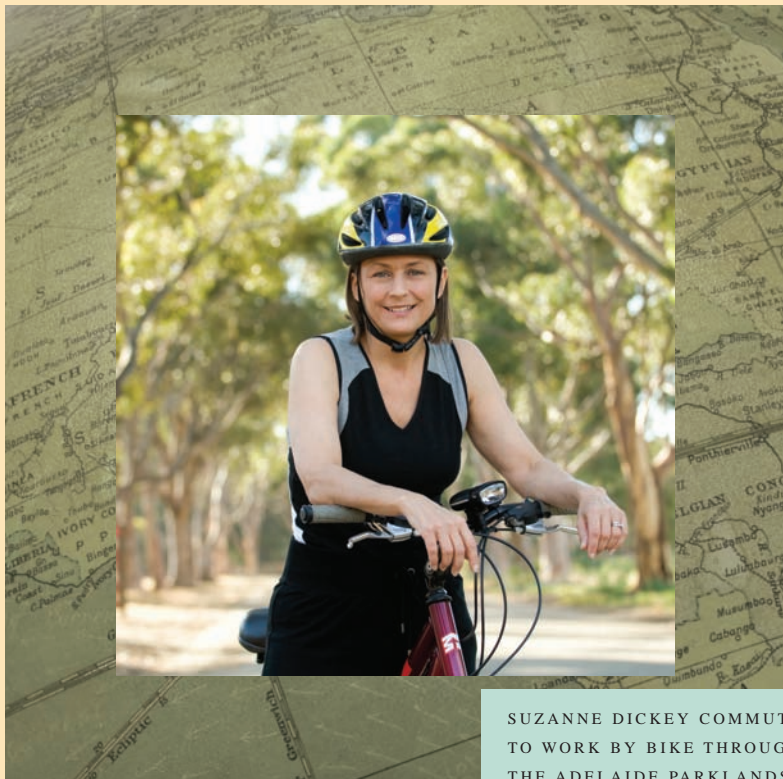
She also serves on the management committee of the Environmental Defenders Office of South Australia, which is a non-profit community-based organization providing legal assistance in issues relating to the environment.

For Dickey, these efforts ultimately relate to climate change, which she sees as the most pressing issue of the day.

"In New South Wales," she says, "there have been cases where developments have been challenged, whether it's the opening of a coal mine or building a golf course or retirement village, if they fail to consider the effects of climate change or the effect that this development will have on climate change."

In February, Dickey spoke at the International Solar Cities Congress, a gathering of speakers from more than 30 countries who addressed different aspects of how urban areas can support United Nations energy and climate policies. Her topic was "emissions trading," a market-based mechanism for addressing air pollution that requires companies to either purchase permits to pollute or reduce the amount of pollutants they produce. Companies who reduce emissions beyond what they must account for can sell their excess permits to others.

Her interest in emissions trading developed during the three years she spent as a supervising attorney for Tulane Law School's Environmental Law Clinic. During that time, the clinic successfully sued the U.S. Environmental Protection Agency for



SUZANNE DICKEY COMMUTES TO WORK BY BIKE THROUGH THE ADELAIDE PARKLANDS. BELOW: A VINEYARD IN ONE OF THE FAMED WINE REGIONS OF SOUTH AUSTRALIA.



RIGHT: DICKEY AND HER HUSBAND
ON THE BROWN HILL SUMMIT
OVERLOOKING ADELAIDE. BELOW:
CLIFFS AT PORT NOARLUNGA
BEACH IN SOUTH AUSTRALIA.



failing to enforce the Clean Air Act in Louisiana.

Dickey, who also served two years as a prosecutor for the City of New Orleans, moved to Australia when her husband, a native of the country, was accepted into a winemaking program at the University of Adelaide. That was just two months before Hurricane Katrina slammed into the city.

Dickey says it was then that the growing ramifications of climate change literally hit home, showing her only too well the complexity and urgency of issues facing government, business and the wider community.

“Watching the city fall to pieces after the levees broke was devastating,” says Dickey, who agonized about the welfare of her parents, sister and friends she could not contact in the immediate aftermath of the storm.

“It was a very difficult time as I walked around Adelaide and went to work and had to pretend my life was normal and that this enormous tragedy was a distant event,” she says.

While she wanted desperately to go back and help the ‘city she loves and still calls home,’ as she puts it, “someone had to pay the bills while my husband attended school.”

In times like these, living Down Under can be difficult, she says. Yet there are ways to cope.

“I found comfort in my two friends from New Orleans who also live in Adelaide. [After Katrina] we had a cathartic candlelit meal of all our favorite New Orleans food, poured our hearts and tears out and comforted each other.”

And if she’s discovered one thing since going global, it’s this: “Just relax and things will work out.”

It’s a philosophy that pairs well with a glass of red wine. ■

ONE TEAM, ONE FIGHT

JOHN L. LONG (L ’77)

COUNSEL FOR THE DEFENSE LOGISTICS
AGENCY, EUROPE

John Lee Long fondly remembers the “intellectual battlefield” of legendary Tulane law professor Ben Yancey’s classroom.

“Yancey was in his 80s,” recalls Long. “He would come into the classroom and go from student to student and match his intellect, memory and analytical skills against yours. It could be terrifying but it was also exciting because he was one of the world’s great experts on admiralty and he was teaching tugs and towage to you. What a privilege.”

The discipline, focus on detail and ability to analyze complex information that are developed by a legal education give lawyers a unique perspective on the interplay of law, government and commerce. With that, says Long, comes certain responsibilities.

“Lawyers need to see themselves as fulfilling a broad role of service to society rather than just representing a single client,” says Long, a retired colonel in the U.S. Army. Service, he says, is a duty of citizenship.

In 1981, after fulfilling an initial four-year military commitment as an air defense artillery officer, Long opted not to leave active duty and signed on with the Judge Advocate General’s Corps. For the next 25 years, he served his country as legal counsel in a number of capacities. He’s tried hundreds of courts-martial, including murder cases; represented the United States before the Armed Services Board of Contract Appeals in multi-million dollar contract disputes; and worked on major procurement programs for the Pentagon.

After retiring from the Army as its chief contracts attorney in Europe in 2006, Long became the financial and business attorney for the Army’s V Corps, headquartered in Heidelberg, Germany. Most recently, he moved to be the counsel for the Defense Logistics Agency’s European branch in Wiesbaden, Germany,



IN THE NEARLY 20 YEARS SINCE THE END OF THE COLD WAR, JOHN LEE LONG HAS SEEN MANY CHANGES TAKE PLACE IN GERMANY. BELOW: A CROWD GATHERS BEFORE THE GRAFFITIED BERLIN WALL AS THE BORDER BETWEEN EASTERN AND WESTERN GERMANY OPENS IN NOVEMBER 1989.

providing legal support to the Department of Defense's logistics efforts in Europe and Africa.

Life in Germany in the 21st century is quite different from when Long was stationed there in the late 1970s and early '80s, during the last decade of the Cold War.

"The entire country was an armed camp," says Long, referring to the political tension that kept the U.S., British and West German forces on constant alert. "We all knew that the Soviets could make war on short notice."

The unification of East and West Germany was unthinkable in 1979, says Long, who notes the many changes that have taken place in Europe since the fall of the Soviet Union in 1991.

"The transformation in personal communication and access to information and popular culture—at every level of business and society across Europe—has accelerated the transformation of European society into something that looks much more like the U.S. than it did 30 years ago."

At the same time, the European Union is gradually creating a homogenous body of social and commercial law that will lead to "a seamless commercial—and ultimately social—network across all the member states," he says.

Long, however, also sees parallels between the Cold War years and the present in terms of the cost of lives, effort and money engendered by conflict. "I still think that the huge expenditure for military forces is a tragedy," he says, "but sadly one that we cannot now avoid. This huge diversion of resources that could make the world a better place makes me angry at our Islamic terrorist enemies who have caused it—much the same as I was angry at the Soviets in 1980."

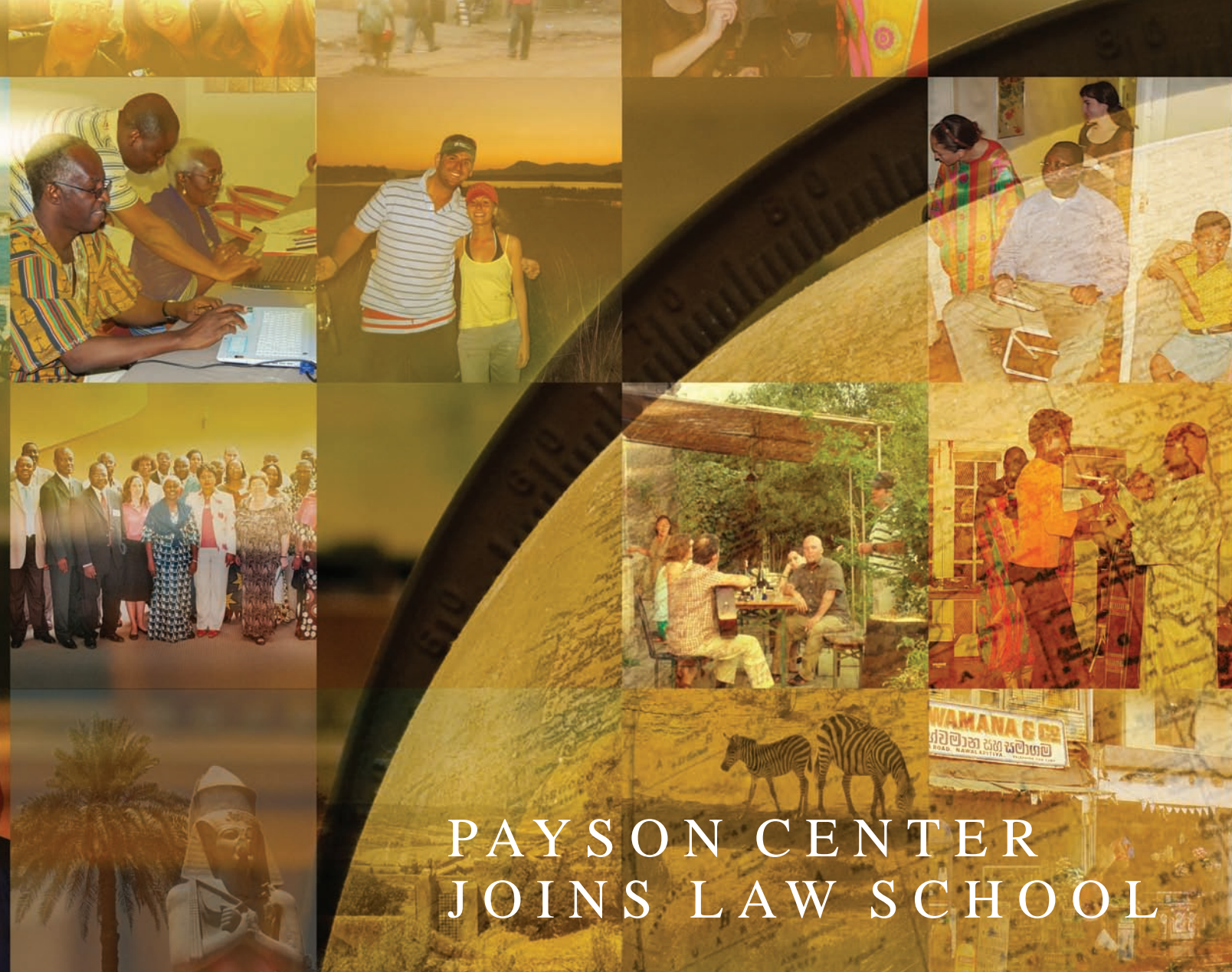
Because the world is rapidly changing, the United States needs to be "smarter as to how we live and act in a world in



which we are unable to isolate ourselves," says Long.

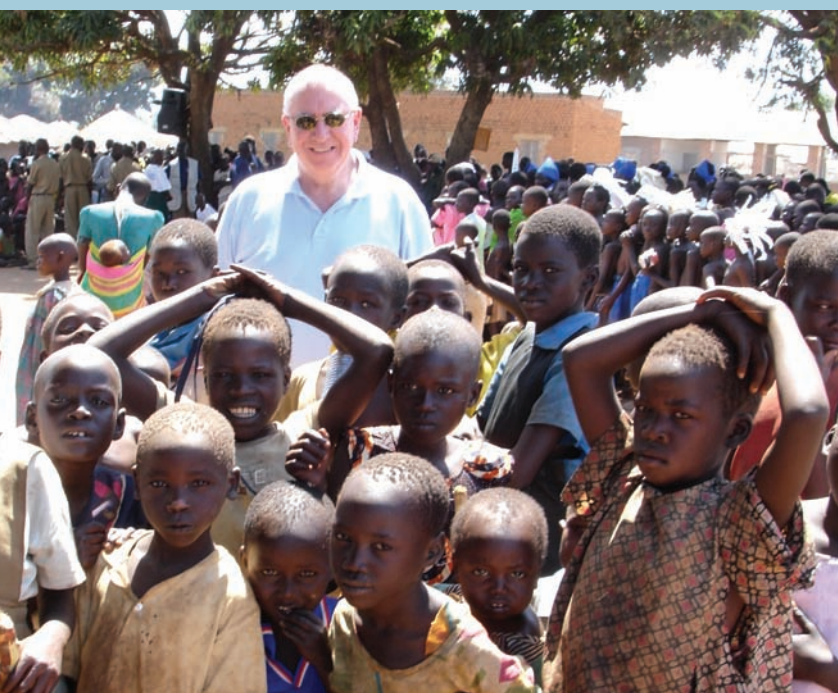
"We are irrevocably part of the global community that is increasingly interconnected. Regardless of the two oceans that still separate us, we are a global power with global interests and need to act like it."

Long says he's been privileged to represent his countrymen overseas and though he's now retired from active service, he and his family still actively embrace the "one team, one fight, one future" philosophy of the Army. ■



PAYSON CENTER JOINS LAW SCHOOL

BELOW: THE PAYSON CENTER'S DR. EAMON KELLY IN THE TOWN OF PADER IN NORTHERN UGANDA, WITH REFUGEES OF THE LORD'S RESISTANCE ARMY.



This fall, the Tulane University Senate approved a proposal to have Tulane's Payson Center for International Development formally become a part of the law school.

The Payson Center was formed in 1998 by former Tulane president Eamon Kelly and William Bertrand, a tenured member of the faculty of the Tulane School of Public Health & Tropical Medicine and former vice president for information technology. The center's founding mission was "to enhance the impact of information on social development and the development of less economically advantaged populations," through innovation, research, implementation, and evaluation. Because of its focus on sustainable human development, the Payson Center is fundamentally interdisciplinary, drawing on economics, environment, law, public health, sociology, and various other academic fields. Although initially research- and project-based, the Payson Center soon received accreditation to offer graduate



and undergraduate degrees in international development.

International development is an emerging field; presently, the only comparable programs are at Columbia, Harvard, MIT, Tufts, and Johns Hopkins. The Payson Center is the first program of its kind to be affiliated with a law school. Many of the center's projects have legal components related to transitional justice, conflict resolution, human rights, sustainable environmental development, sexual violence, child labor, and regulation of economic industries. With this new organizational structure, the Payson Center will gradually shift both its curricular focus and its field work to further emphasize the core legal aspects of international development. Moreover, the Payson Center will fund an additional position for a faculty member who will teach courses within the law school's regular JD curriculum as well as support the Payson Center. Law students will now have the opportunity to register for new cross-listed Payson Center courses focused on international law and development, as well

as to participate in summer externships working abroad on legal aspects of center projects. In addition to the JD/MS joint degree program currently available through the center, additional dual-degree programs are being developed.

While the Payson Center continues to be housed outside of Weinmann Hall, the merger offers the law school a wholly mature new dimension in its international presence and reputation. Finally, from a research perspective, law school faculty members will have the opportunity to participate in existing and new law-related Payson Center grants and contracts, as well as to develop their own grants and contracts in the international field drawing on the resources of the Payson Center.

In sum, this new relationship will benefit the students and faculty of Tulane Law School and its reputation in this country and abroad. Moreover, the Payson Center's new affiliation with the law school will promote its growth and ability to attract prospective international development students. ■

CLASS NOTES

1952

Edward B. Benjamin Jr., an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008** for tax law and trusts and estates law.

1953

Robert B. Acomb Jr., an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008** for legal malpractice law, maritime law and personal litigation.

1959

Charles W. Lane III, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008*** for antitrust law and commercial litigation.

1961

J. Dwight LeBlanc Jr., a partner at Chaffe McCall, has been appointed as president of the World Trade Center of New Orleans for 2007. Dwight has served as a long-time member of the World Trade Center board of directors, as well as chairman of the World Trade Center's Transportation Committee. He also has served as chairman of the New Orleans Port Safety Council.

1967

Edward F. Martin, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008** for employment benefits law and trusts and estates law.

1968

James "Buddy" Caldwell was elected attorney general of Louisiana. Caldwell assumed his duties Jan. 14, 2008.

1970

Harry S. Hardin III, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for appellate law and commercial litigation.

1971

John J. Broders, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008** for maritime law.

Robert R. Casey, an attorney at the Baton Rouge office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008** for tax law and trusts and estates law.

Gerard Morales serves as a partner at Snell and Wilmer in Phoenix. Previously, he served as an adjunct professor at the University of Arizona College of Law.

On Jan. 25, 2008, President Bush announced his intent to nominate Morales to a five-year term as a member of the National Labor Relations Board.

1972

David F. Edwards, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008*** for trusts and estates law.

L. Richards McMillan II has been named senior vice president and general counsel of Freeport-McMoRan Copper and Gold. McMillan joined the mining company after a 30-year career with the law firm of Jones, Walker, Waechter, Poitevent, Carrère and Denègre. McMillan is listed in *The Best Lawyers in America 2008** for corporate law, leveraged buyouts and private equity law, mergers and acquisitions law, securities law and venture capital law.

Thomas T. Steele is the managing shareholder of Steele, Watson and Benner, PA, a Tampa-based law firm specializing in litigating unfair competition disputes. Listed among *The Best Lawyers in America*, Steele is a former president of the Federal Bar Association's Tampa Bay Chapter. He is also a mediator certified by the Florida Supreme Court.

1973

Joseph Hansen was appointed chief financial officer of Pacific Ethanol this past January. Previously, Hansen served as chief financial officer of Joseph Scott Properties, National RV Holdings and Zacky Farms Co.

Thomas M. Nosewicz, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for environmental law.

1974

Lane A. Carson of Covington, La., was recently named secretary of the Department of Veterans Affairs by Louisiana Gov. Bobby Jindal. In 1976, Carson became the first Vietnam veteran to serve in the Louisiana House of Representatives, where he served until 1982. In 2001, Carson was appointed to the Louisiana Veterans Affairs Commission representing the Military Order of the Purple Heart.

Pauline F. Hardin, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for commercial litigation.

1975



Robert B. Neblett III, an attorney with Jackson Walker in Austin, is listed in *The Best Lawyers in America 2008* for commercial litigation.

Sanford Teplitzky, chair of Ober Kaler's health law practice, received "exceptional recommendations" from his clients and peers according to *Chambers USA*. The publication further noted his valuable government experience and excellent reputation, referring to him as a "major national player."



Thomas Trotter is one of six attorneys named a 2008 "Ohio Super Lawyer." Trotter is of counsel in the Vorys Akron office and a member of

the corporate and finance group.

IN MEMORIAM

James J. Coleman '35

New Orleans, La.

Nov. 25, 2007

Gordon B. Hyde Sr. '37

New Orleans, La.

Sept. 7, 2007

Harry Cohen '49

Tuscaloosa, Ala.

Oct. 7, 2007

Hon. Eleanor L. Schockett '59

Ashville, N.C.

Jan. 19, 2008

Charles A. Bristow '64

Barre, Vt.

Oct. 16, 2007

1976

Brian M. Dolan was appointed as a commissioner of the Tampa Port Authority by Florida Gov. Charlie Crist and confirmed by the Florida Senate for a three-year term effective July 31, 2007. Dolan spent seventeen years working in the ocean transportation industry and was selected for the appointment in recognition of his lifetime achievements in the maritime industry and the maritime legal community.

He was also elected the 2007 President of the Tampa Club, a 1,200-member business and social organization.

1977

Rudolph R. Ramelli has been re-elected to the board of directors at Jones, Walker, Waechter, Poitevent, Carrère and Denègre. Ramelli is a partner in the tax, trusts and estates practice group and works from the firm's New Orleans office. His practice concentrates on

corporate and partnership federal income tax issues.

Ramelli is listed in *The Best Lawyers in America 2008** for tax law and employee benefits law.

1979

J. Kelly Duncan, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for gaming law and maritime law.

Grady S. Hurley, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for commercial litigation, maritime law and personal injury litigation.

1980

Robert T. Lemon II, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for maritime law.

1981

James "Jim" L. Murphy III, former staff attorney, ethics officer and secretary of the board of directors at Trinity River Authority (TRA), was recently hired by the Guadalupe-Blanco River Authority (GBRA) as its new executive manager of water resources and utility operations. Murphy will oversee the GBRA water resource division's planning, budgeting, programming operations and engineering. In addition to his work at TRA, Murphy has been an attorney for the Texas Department of Banking and the Texas Water Commission.

1982

Thomas A. Casey Jr., an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for commercial litigation.

Col. Robert S. Hough of El Paso, Texas, relinquished command to Lt. Col. Barry Robinson during the 1st Legal Support Organization (1st LSO) change of command July 14, 2007. Col. Hough had commanded the 1st LSO since July 2004.

1983

David B. Pogrund (Stone, Pogrund and Korey) was recognized in 2007 as one of Illinois's thirteen "Super Lawyers" in the field of employment litigation defense. Pogrund and his wife, Cindy, have been married for 22 years. Their son, Brian, is at the University of Michigan, and their daughter, Emily, is in high school.

Emmet J. Schwartzman of Carlton Fields was recognized in the aviation chapter of *Who's Who Legal: Florida 2008*.

1984

Lisa Avery-Peck, formerly of Kaitz and Associates, recently joined the firm Sherin and Lodgen in Boston.

1985

Jon E. Abramczyk, a partner at the Wilmington law firm Morris, Nichols, Arsht and Tunnell, was recognized for legal excellence in the 2007 Best Lawyers Annual Guide to Corporate, Mergers and Acquisitions, and Securities Law, a prestigious list published in *Corporate Counsel Magazine*.

Abramczyk is also a member of the firm's corporate and business litigation group. His practice focuses on litigation arising from corporate mergers and acquisitions and disputes relating to the governance and control of Delaware

business entities. He also is listed in *The Best Lawyers in America 2007*.

Carlos A. Gavilondo, former general counsel for Niagara Mohawk, a National Grid company, joined the Syracuse office of Hiscock and Barclay. As counsel to the firm, Gavilondo focuses on serving energy producers, developers and electric, gas and telecommunication clients while pursuing a further concentration in the merging of environmental policy and technology with energy policy



University of New York, College of Environmental Science and Forestry.

Sidney F. Lewis V, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for labor and employment law.

Leila N. Sadat, the Henry H. Oberschelp Professor of Law at Washington University School of Law, has been appointed director of the Whitney R. Harris Institute for Global Legal Studies. The institute is a center for instruction and research in international and comparative law with the goal of preparing lawyers for the professional challenges of the 21st century.

Robert B. Worley Jr., an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for labor and employment law.

1987

Steven R. Jacobs was named one of San Antonio's "Best Lawyers" in the August



2007 issue of *Scene in SA Monthly*. Jacobs, a partner in the business transactions section of Jackson Walker, was named in the corporate

and securities law category.

In addition, Jacobs is listed in *The Best Lawyers in America 2008* for corporate law.

1989

Douglas N. Currault II, an attorney at the New Orleans office of Jones, Walker, Waechter, Poitevent, Carrère and Denègre, is listed in *The Best Lawyers in America 2008* for securities law.

Lucas T. Elliot has left Fulbright and Jaworski after 19 years with the firm. He and a group of his partners who specialize in patent and commercial litigation have since joined the Houston office of Morgan, Lewis and Bockius.

Pauline E. Higgins, a partner and chief diversity officer at Thompson and Knight, has been appointed to the 2008 board of directors of the Texas Diversity Council (TXDC). The TXDC, a member of the National Diversity Council, is an organization committed to providing a learning environment for organizations to grow in their knowledge of diversity and inclusion by offering opportunities to learn from some of the top corporate leaders.

The Jan. 14, 2008 issue of *Texas Lawyer* features a column Higgins wrote entitled "The Power Behind Diversity and Inclusion." This is the first of her quarterly "Diverse Pursuits" columns for the publication.

In November 2007, Higgins was recognized as a Bank of America "Local

Hero.” As part of the 2007 Houston Neighborhood Excellence Initiative, five community heroes are selected annually based on their achievements and leadership on local issues which significantly contribute to neighborhood vitality. In addition to the honor, Higgins received a check for \$5,000 to direct as a contribution toward an eligible nonprofit organization of her choice.

Higgins was also a featured speaker at The Globalization of Diversity Summit recently held in London, a first-of-its-kind event organized to bring together leaders in the international legal profession to address diversity.

David Saacks, a prosecutor in the Durham, N.C., district attorney’s office for 15 years, would prefer to be in the courtroom than tending to administrative duties. But for the next 16 months, the lawyer who has generally steered clear of the political arena will be at the helm of a district attorney’s office that has been very much caught up in politics over the past year and a half. Saacks was recently sworn in as the county’s third district attorney in a year.

1990

Tyron Picard was selected in January 2008 to be on the Board of Directors for the Council for a Better Louisiana (CABL).

1991

David G. Bates, an attorney with Gunster, Yoakley and Stewart representing the West Palm Beach office, was named a top lawyer in *South Florida by South Florida Legal Guide 2008*. Shareholder and co-chair of the firm’s technology practice group and emerging company practice group, Bates was named a top corporate and technology lawyer.

In addition, Bates is listed in *The Best Lawyers in America 2008* for technology law.

Luis A. Leitzelar was elected to partnership in the law firm of Jones, Walker, Waechter, Poitevent, Carrère and Denègre. Leitzelar is a member of the business and commercial litigation practice group in the firm’s Baton Rouge office. He practices in the areas of environmental and toxic torts, energy, insurance and construction litigation, and has represented plaintiffs and defendants in complex commercial litigation for more than 16 years.

Robert Wilbert (LLM), a Jacksonville Area Legal Aid (JALA) consumer attorney, was selected from 2,500 attorneys as the National Association of Consumer Bankruptcy Attorneys’ November member of the month for his dedication to protecting the rights of consumers in bankruptcy. Wilbert, an attorney in JALA’s Predatory Lending Unit, represents consumers in all manner of predatory consumer lending practices including illegal foreclosures and debt collection practices. From 2005-2006, he was part of JALA’s consumer team that



defended more than 300 homeowners in northeast Florida from foreclosure, saving \$10 million in real estate.

1992

Bernadette D’Souza, managing attorney for New Orleans Legal Assistance, received the Michaelle P. Wynne Professionalism Award from the Association for Women Attorneys. The award honors the memory of the late Magistrate Judge Wynne.

Melissa J. Fox was appointed President of 1031NetEx.Com, a California-based online platform for 1031 property exchanges. Fox is also a licensed California real estate broker.

Newell Normand, for 12 years the chief deputy of the Jefferson Parish Sheriff’s Office in Louisiana, was sworn into office as Jefferson’s new sheriff in October 2007. Normand, whose career with the sheriff’s office began in 1980 on the day former Sheriff Harry Lee took office, took his own oath of office on the day of Lee’s death. Normand also previously served as the sheriff’s office comptroller.

Peter Pierce is co-chair of the litigation department at the law firm of Richards, Watson and Gershon in Los Angeles. In addition, he is an adjunct professor at the University of Southern California Law School where he teaches a course in civil litigation every spring. In 2006, Pierce became one of fewer than 250 attorneys in California to be certified as a specialist in appellate law by the California State Bar Board of Legal Specialization. He was later appointed to the California State Bar Committee on Appellate Courts. In connection with his appellate work, he was recently on the cover of *Los Angeles Lawyer* magazine for the feature article he co-authored.

1993

Manuel A. Garcia-Linares, managing shareholder at Richman Greer in Miami, has been elected a vice president of the Cuban American Bar Association, a non-profit, nonpartisan, voluntary bar association established to serve the community and to improve the legal profession through greater diversity and equality of opportunity throughout Florida. Garcia-Linares practices in the areas of commercial and class action litigation as well as corporate and transactional matters. He

also handles inland marine (cargo claims) defense matters for the firm.



Amy Goldstein gave birth to 6-pound, 12-ounce Aidan on Oct. 15, 2007, at 11:54 p.m. Both mom and baby boy are “doing great.”

Dee Anne Sjögren, a partner with Thompson Coburn’s corporate and securities group, received the 2008 *St. Louis Business Journal* “40 Under 40” award, which honors young professionals who are becoming newsmakers in the St. Louis business arena. Sjögren and her fellow honorees were selected from a field of nearly 350 nominees by a panel composed of previous recipients of the award and editors of the publication.

1994

Shauna Johnson Clark, a partner with Fulbright and Jaworski’s Houston office, was named a Texas “Super Lawyer” for 2007.

Tim Griffin and wife, Elizabeth, welcomed Mary Katherine Elizabeth Griffin into the world on July 27, 2007. Baby Griffin was born in Hot Springs, Ark. The proud new dad has accepted a position as general counsel and managing director of Mercury Public Affairs, a New York-based company with offices in New York City, Washington, D.C., Sacramento, St. Louis, Austin, Minneapolis and Little Rock. Tim is opening and managing the Little Rock office. He previously served as the U.S. attorney for the Eastern District of Arkansas.

Michelle P. Wimes joined Shook, Hardy and Bacon in Kansas City to serve as the firm’s national director of strategic diversity initiatives. Working closely with SHB’s diversity committee and women’s management council, Wimes will coordinate diversity initiatives across the firm’s nine offices in the United States and Europe.

1995

Nimrod “Rod” Chapel Jr., who was recently appointed as the director of the Missouri Department of Labor and Industrial Relations, will be leaving the governor’s cabinet to fill a six-year term as an administrative hearing commissioner for the state. He and two other commissioners will be assigned the state’s highest administrative review of more than a hundred statutes.

Most recently, Chapel, who resides in Jefferson City, Mo., was nominated to fill a vacancy on the Missouri Court of Appeals, Western District, left by the governor’s appointment of Judge Patricia Breckenridge to the Supreme Court of Missouri.

Robert N. Kamensky, a partner in Thompson Coburn’s Chicago office, was selected as an “Illinois Rising Star” for 2008. No more than 2.5 percent of the lawyers in any given state are named to the “Rising Star” list. Nominees must be 40 years old or younger and have been in practice for 10 years or less.

Jennifer L. Thornton has become a member of the law firm of Stanley, Flanagan and Reuter in New Orleans.

1996

Alan T. Dickey was elected to partnership at Patton Boggs in the Washington, D.C., office this past January. Dickey advises banks, corporations and foreign governments in large-scale, international litigation disputes and counsels clients on matters involving commercial litigation, computer and software performance, business torts, commercial contracts, fraud and commercial and residential construction. Before he was a lawyer, Dickey served in the United States Marine Corps and participated in operations Desert Shield and Desert Storm.

Trent Walker was appointed as a special judge by the Mississippi Supreme Court in February 2008. In his 11-month term, Walker will assist Hinds County with its crowded criminal docket. He is expected to serve as a special judge through the end of 2008, though the appointment could be extended. Walker also served as a staff attorney on the Governor’s Commission on Recovery, Rebuilding and Renewal. He has worked in private law practice since 2005.

1997

Ceri Jones has been elected as the first female president of the social club Alta, which only began admitting women in 1987. Jones, a third-generation member, traces her ties to the club back through her physician father, Roger Jones, and her grandfather, Joseph Jones, a co-founder of Salt Lake law firm Jones Waldo Holbrook and McDonough. She joined in 2000, shortly after Joseph Jones died.

Jonathan Pressment, an experienced litigator focused on complex commercial



litigation matters, has joined the business litigation practice of Haynes and Boone as of counsel in its New York office. Formerly with Hughes

Hubbard and Reed,

Pressment has served as lead trial and appellate counsel in federal and state courts.

1998

Bryant S. Carroll III, wife, Kelly Venable Carroll (N '93), and big brother, Bryant IV, welcomed Robert Benjamin on Nov. 9, 2006. Bryant is a staff attorney with the 5th Circuit Court of Appeals, and Kelly works at Tulane as director of the Office of University Services negotiating and managing contracts. Young Bryant is a precocious 3-year-old who divides his time between playing in the sand box at Newcomb Childcare Center and practicing to be a rock and roll drummer.

Russell L. Cooper was named director of legal affairs at Resolute Solutions Corp., a business and technology consulting firm. In his new role, Cooper will advise the company on regulatory matters and play an integral role in negotiating contracts and business transactions for the rapidly growing company.

Graham Hill is a principal and founding member of Ice Miller Strategies in Washington, D.C. He is responsible for the firm's overall management as well as providing direct counsel and government affairs services to clients on legislative and regulatory issues.

Jason Holleman was elected to serve as the 24th District councilman on the Metro Council for the Metropolitan Government of Nashville and Davidson County in September 2007. In addition to his work on the Metro Council, he serves as of counsel to the law firm of Farmer and Luna. He and his wife, Margaret (L '03), live in the Sylvan Park neighborhood in Nashville, Tenn., and are the proud parents of one daughter, Cecilia Charlotte, who was born on March 12, 2007.

Mark W. Leach has been elected to membership in Stites and Harbison at the firm's Louisville, Ky., office. Leach is a member of the business litigation service



group, where his practice focus is business litigation, construction disputes and public procurement matters. Leach is admitted to practice in Kentucky, the

U.S. District Court for the Western District of Kentucky and the U.S. Court of Appeals for the 1st Circuit.

Diene Hernández-Rodriguez has been appointed as a member of the Supreme Court of New Jersey Ethics Committee.

Brian Kilmer (L '98) was recently honored as Tulane's 2008 Volunteer of the Year.

Kilmer is a partner at Powell Goldstein in Dallas where his practice focuses on representing unsecured creditors' committees, debtors and secured bondholders in complex Chapter 11 cases in a wide array of industries.

1999

Rachel Stoffa Bowman and her husband David are pleased to announce the birth of their second daughter, Sarah Mae Bowman. Sarah arrived on Nov. 2, 2007. Her big sister, Maggie, is now two. The family resides in Richmond, Va.

Christopher K. Ralston made partner at Phelps Dunbar in January 2008 at the firm's New Orleans office. Ralston is a member of the firm's commercial litigation practice group.

2000

Eric W. Kristiansen has been elected to partnership with the national law firm of Baker and Hostetler in its Houston office. Kristiansen is a member of the litigation group and concentrates his practice in commercial and personal injury litigation.



William M. Ross has become a member of the law firm of Stanley, Flanagan and Reuter in New Orleans.

2001

Jonathan C. "Jay" Augustine, a partner in the Baton Rouge office of Montgomery, Barnett, Brown, Read, Hammond and Mintz, was elected vice president of the East Baton Rouge



Parish School Board in January 2008. Augustine was initially elected to the board during Louisiana's 2006 elections and sworn into office in January 2007. He is the most junior board member in recent history to be elected to a leadership position.

Jennifer R. Cooney recently made partner at Choate, Hall and Stewart. As a partner in the firm's business and technology group, Cooney will continue to focus her practice on the public and private placements of equity, debt and convertible securities, implementation of Sarbanes-Oxley reporting requirements for public companies and other SEC compliance matters.

Julie Caruso Haines was promoted to major in the U.S. Army in May 2007—two years ahead of schedule. She continues to serve as an appellate defense counsel for soldiers convicted at courts-martial. Haines was recently reassigned to her hometown of St. Louis and is thrilled to be back.

Heather Hodges accepted a counsel position at Crowell and Moring in their products liability group. Counsel is an intermediate step between senior associate and partner in the Crowell system.



Michael T. Reilly joined the law firm of Norris McLaughlin and Marcus as an associate. Reilly is with the firm's real estate and land use and cooperative and condominium law groups. Previously, Reilly worked at Braverman and Associates, assisting with contracts of sale for multi-family, condominium and cooperative apartment buildings.

2002

Ishaq Kundawala recently accepted an offer from Nova Southeastern University as a tenure-track assistant professor.

2003

Wiley Richmond Beevers (LLM) has joined U.S. Customs and Border Protection, Office of International Trade in Washington, D.C., as an attorney-advisor (customs). His practice concentrates in intellectual property rights, international trade law and admiralty and maritime law. Prior to his joining customs, Beevers served in excess of three years on active duty with the Louisiana Army National Guard, including service in Kosovo, on the Joint Staff in Washington, D.C., and at the Defense Intelligence Agency. In October 2007, he married the former Miss Mara Kaminowitz in Lutherville, Md. The couple resides in Columbia, Md.

Angelina "Angie" Christina joined McGlinchey Stafford in January 2008. Christina is an associate, practicing in the commercial litigation section of the firm's New Orleans office. Christina's practice focuses primarily on insurance defense and coverage and consumer finance matters.

Melissa Elwyn received an LLM in international business and trade law from Fordham University School of Law in May 2007. Elwyn says she happily works in French commercial litigation at a large international law firm in New York City. On a personal note, she and Joshua Slavin were married in New York City at the end of July 2007. They currently reside in Weehawken, N.J.

Emily Maw has been named the University of Edinburgh's Alumnus of the Year 2007. Maw, a U.S.-based lawyer who specializes in fighting miscarriages of justice, is director of the Innocence Project New Orleans (IPNO). Over the past six years, IPNO has overturned 12 wrongful convictions for men sentenced to life without parole in Louisiana and Mississippi, states with the U.S.'s highest incarceration rates.



Raven Moore, a commercial litigation attorney at Reed Smith Sachnoff and Weaver, received the Abraham Lincoln Marovitz Lend-A-Hand Program's

"To err is human; to forgive, divine." —Alexander Pope

Every effort has been made to proofread the various Class Notes. If, for any reason, you submitted information and it is not included, your name has been omitted or misspelled, or there is an error related to your latest news, please accept our sincere apology.

Please remember this list includes Class Notes received between Aug. 1, 2007 and Jan. 31, 2008. If we received your information after that date, we will publish it in our next issue.

Making a Difference award for 2007. The award, which honors members of the legal profession for outstanding contributions to tutoring or mentoring organizations, was presented Aug. 7, 2007, as part of the program's fourth annual My Hero awards luncheon in Chicago. Moore was recognized for mentoring third- to eighth-grade students at the Nino Heroes Elementary School, located in an underserved neighborhood.

2004

Andria Harraway Beckham has worked as a lawyer in Bricker and Eckler's creditor rights and bankruptcy department since August 2007. She is responsible for consumer and commercial debtor and creditor representation, as well as Chapter 7 trustee representation. Previously, she was a clerk for federal bankruptcy court Judge Charles M. Caldwell and was summer clerk for the National Football League's management council.

Adrienne B. Sawyer has joined Carr Allison as an associate in its litigation practice.

Alexander Sikoscow recently joined Cozen O'Connor's New York Downtown office as an associate in the general litigation department. Prior to joining the firm, Sikoscow was an associate with Garson, Gerspach, DeCorato and Cohen in New York, N.Y. Sikoscow has experience in managing medical malpractice cases, conducting depositions involving complex medical conferences, defending physicians at deposition, and conducting numerous client and expert issues.

2006

Daniel J. Carr joined the law firm of Stanley, Flanagan and Reuter in New Orleans as an associate. Daniel and wife Rebecca had their first child, a son, in February 2008.

Ross E. Miller recently joined Cozen O'Connor's Chicago office as an associate in the insurance department. Miller focuses his practice on matters involving enterprise risks, and has experience in preparing appellate briefs, drafting pleadings and motions and deposing clients and witnesses for trial. Prior to joining Cozen O'Connor, he served as a law clerk for the New Orleans City Attorney's Office. Miller is a resident of Chicago.

Brian L. Radcliffe is an associate with the firm of Provosty and Gankendorff where he focuses his practice primarily on insurance defense, environmental law, corporate law, commercial litigation, toxic tort litigation, maritime law and intellectual property.



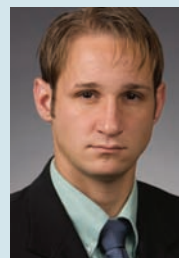
2007

Carolyn Barton has been named an associate attorney with the law firm of McDonald Sanders in Fort Worth, Texas.

Kevin Kushner is one of 17 new associates at the international law firm of Thompson and Knight. Kushner joined the firm's real estate and banking practice group in Houston.

*Alum has been listed in *Best Lawyers* for at least 20 years

** Alum has been listed in *Best Lawyers* for at least 10 years



These 2007 graduates have joined the New Orleans office of the law firm of Jones, Walker, Waechter, Poitevent, Carrère and Denègre as associates. Pictured above, left to right: **Michael B. DePetrillo**, litigation; **Kathleen A. Harrison**, litigation; **Joseph R. Hugg**, labor and employment; **Eric M. Liddick**, litigation; and **Avery B. Pardee**, litigation.

HOMECOMING WEEKEND AND REUNIONS 2007



*Class of 1962
45th Reunion
Commander's Palace
Sat., Oct. 27, 2007*



*Class of 1967
40th Reunion
Savvy Gourmet
Fri., Oct. 26, 2007*



*Class of 1972
35th Reunion
Galatoire's
Fri., Oct. 26, 2007*



*Class of 1977
30th Reunion
Galatoire's
Sat., Oct. 27, 2007*

*Class of 2002
5th Reunion
The Bourbon Vieux
Sat., Oct. 27, 2007*



*2007 Law School Homecoming Party
John Giffen Weinmann Hall
Fri., Oct. 26, 2007*

*Above: Class of 2002 alumni Blair Rothstein,
Gary Carter, Eric Royal, Sherri Hutton,
Martavious Thomas and Gregory McGhee.*

*Left: Sheila Lambert (L '82), William R.
Forrester Jr. (L '68), Susan Talley (L '81)
and James Gulotta Jr. (L '76).*

GIFTS TO ENDOWMENT SUPPORT STUDENTS & FACULTY

To endow a faculty position or a student scholarship at the law school is to make a permanent and enduring investment in the success of the institution. No business succeeds without working capital, and in the business of higher education, the most important working capital comes from endowment. Income from endowed funds is recurrent and recession-proof. Endowed gifts are pooled and invested with a strategic goal of capital preservation and boasted a return of 11.9 percent for 2007. Annual payments from endowed gifts provide capital to invest in the law school's two most profound resources—faculty and students. Tulane Law School is grateful to the following alumni and friends for their recent gifts of endowed support:

Mr. David Boies, parent of Jonathan A. Boies (L '97) and Carol Louise Boies Reilly (L '87), has established the David Boies Distinguished Chair in Law.

Mr. and Mrs. William Christovich (L '50) have established the William K. Christovich Endowed Professorship.

Mr. Harry Connick Jr. established the Harry and Anita Connick Endowed Scholarship to honor his father, who graduated from the law school in 1961, and his mother, who graduated in 1965.

The George Denègre Professorship was established by the **Coypu Foundation** and has been supported by many friends of the late Mr. Denègre (L '48), as well as the Jones Walker law firm.

Mr. Calvin Fayard and **Ms. Cynthia Felder** have endowed the Felder-Fayard Professorship in Law.

The Friends of the Corporate Law Post-Katrina Endowed Scholarship Fund has been established through the generosity of several law firms to support students from areas affected by Hurricanes Rita and Katrina.

The Senator John J. Hainkel Scholarship has been endowed by family and friends of the late senator, who graduated from the law school in 1961.

Mr. Fred Heebe (L '78) has established an endowed scholarship in honor of retiring Professor Yiannopoulos. (See the related article in this section for more details on this unique legacy.)

Mr. Robert C. Hinckley (L '76) has endowed the Hinckley Scholarship.

The law firm of **Porteous, Hainkel, and Johnson** has endowed the William A. Porteous III Scholarship in honor and memory of William A. Porteous III (L '62).

Mr. Thomas W. Staed (L '58) and **family** have endowed the Clarence J. Morrow/Staed Family Scholarship in honor of Mr. Staed's graduating class and the late Professor C.J. Morrow.

Mr. and Mrs. Bobby Tudor (L '87) have endowed the Tudor Scholarship to support Louisiana students.

Mr. Ike Spears (L '86) and **Hon. Sonja M. Spears** (L '91) have established the Paul Stephen Adams Memorial Scholarship.

WHAT DOES IT COST TO ENDOW A FUND AT TULANE LAW SCHOOL?

The law school's development staff is always available to help donors think through their strategy for making a tax-advantaged gift to create an endowed fund in support of faculty, students, or law school programs. Often, donors do not realize these gifts may be fulfilled over several years, or over a lifetime, depending on the strategy employed to fulfill their philanthropic goal. Following below are some of the types and levels of endowed gifts and other named gift opportunities that may be established at the law school.

Dean's Chair Endowed Fund	\$5 million
Faculty Chair Endowed Fund	\$2 million
Faculty Professorship Endowed Fund	\$500,000
Visiting Faculty Endowed Fund	\$250,000
Program Endowed Fund	\$50,000 and up
Technology Classroom (Named)	\$150,000
Full Law Scholarship Endowed Fund	\$750,000
Law Scholarship Endowed Fund	\$50,000 and up



THE RETIREMENT OF
LONGTIME FACULTY MEMBERS
WILLIAM LOVETT AND
ATHANASSIOS YIANNPOULOS
HAS INSPIRED THE CREATION
OF TWO NEW ENDOWED
SCHOLARSHIPS.

ENDOWMENTS HONOR RETIRING LEGENDS

Tulane Law School has announced the endowment of two new law scholarships named in recognition of Tulane professors William Lovett and Athanassios Yiannopoulos, donated in honor of their retirement.

The William A. Lovett Law Scholarship was launched by an anonymous donor. "I appreciate Bill Lovett as a friend, as well as what he taught me and all the support and encouragement he has given me over my career," says the benefactor.

Frederick Riley Heebe (L '75) made a gift to create the A.N. Yiannopoulos Law Scholarship

and then went two steps further. In appreciation of the internationally recognized expositor of comparative law's particular passion for Louisiana civil law, he asked that the scholarship be used to support students from Louisiana and issued a wider challenge to the Tulane Law community to participate in increasing the size, and therefore the impact, of this endowed fund.

To add your support in honor of either or both Professors Lovett and Yiannopoulos, please contact Andy Romero in the law school's development office, at 504.862.8559, or aromero@tulane.edu.

TULANE LAW FUND RETURNS HOME

The 2007-08 academic year marked an important fiscal milestone. Suspended since 2005, the Tulane Law Fund has now been restored at the law school. What do we mean by that? Where did it go before?

For most of the period 2005-07, all annual fund support to the various academic units of the university was pooled into a rebuilding fund to help fuel the university's recovery from the effects of Hurricane Katrina. It was a critical decision for the fiscal health and academic future of the university as a whole, and it worked. This was one of the set of decisive actions that saved Tulane as we know it.

With the start of this fiscal year, the law school's annual fund (now called the Tulane Law Fund) returned to its proper home at Weinmann Hall.

What does that mean to you? Importantly, it means that each time you give to support the law school, your donation will stay at the law school and be invested in our two most important assets: students and faculty. Many times our law alumni have commented that they have their own undergraduate institutions to support, and they want to see their donations to the law school specifically support the law school. The message has been clear, and we are pleased to report this is again our policy.

ALWAYS DESIGNATE "TULANE LAW FUND"

One of the other questions we often receive is, "How can I make sure my gift goes to the law school?" The answer is easy: whether you send your check in with a gift card or make your gift online, ALWAYS DESIGNATE "TULANE LAW FUND" WHEN YOU MAKE YOUR CONTRIBUTION TO THE LAW SCHOOL. Contributions to Tulane that lack specific designation by the donor often end up supporting the wider university—not a bad investment, mind you, but one that many law alumni feel does not best represent their intention.

Giving to the law school has never been easier. Included with this and every issue of *Tulane Lawyer* is a gift card to accompany your contribution by check, credit card or pledge. Alumni may also visit the law school's website to donate online, an option that offers such choices as monthly payments from a checking account. Donors who prefer to make a tax-wise gift of appreciated securities should contact the law school's development office to learn more about this process.

For more information on how to give and other ways to support Tulane Law School, please contact Andy Romero, senior director of development, at aromero@tulane.edu, or by telephone, 504-862-8559.

I would like to allocate my gift as follows:

Tulane Fund Allocations

\$ ☒ **Tulane Law Fund**

\$ _____ Tulane University General Support

\$ _____ Tulane Rebuilding Fund

\$ _____ Other _____

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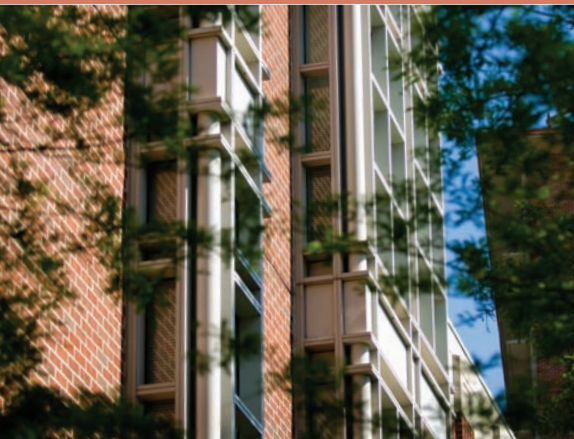
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