But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States.

—DECLARATION OF INDEPENDENCE, THOMAS JEFFERSON

UPCOMING ALUMNI EVENTS

February 18
Atlanta Luncheon
Four Seasons Hotel

February 18
Birmingham Reception
Birmingham Museum of Art

February 25
NYC Luncheon
Yale Club

March 5
Northern Virginia Reception
Maggiano's

May 8 — May 10
Law Alumni Weekend
Charlottesville

June 11
Richmond Reception
Old City Hall

June 17
DC Luncheon
Mayflower Hotel

FOR LATEST ON ALUMNI EVENTS: www.law.virginia.edu/alumni
In this issue of the UVA Lawyer, we join lawyers throughout the English-speaking world in celebrating the upcoming 800th anniversary of Magna Carta. As Suzelle Smith '83 puts it, Magna Carta is widely recognized as "the keystone of the rule of law." One reason for its enduring power is that the concept of the rule of law is protean; it captures the notion that official power must be constrained by rules but it does not by itself indicate what those rules should be.

Magna Carta's most revered provision, chapter 39, nicely illustrates the point. Its key phrase, forbidding punishment of freemen nisi per legale iudicium parium suorum vel per legem terre (except by the lawful judgment of his peers or by the law of the land), is often interpreted as recognizing a right to trial by jury and other procedural protections that we today call "due process." But that interpretation is Sir Edward Coke's from the 17th century; it was not what King John and his barons meant. Indeed, the use of the word "or" rather than "and" between "judgment of his peers" and "the law of the land" gives us our first hint that the modern reading is not quite right.

In 1215, "the judgment of peers" meant trial in the high feudal court, in which "peers" (barons) sat as judges (not jurors). Although the barons would have preferred that no court other than the high feudal court have personal jurisdiction over them, John was not willing to concede the point. He wanted the right to try them in the new royal courts established by Henry II in the late 12th century. These courts applied the "common" law or "the law of the land" as opposed to the customary law of particular places or tribunals. Thus, at John's insistence, the final phrase was added to ensure that barons could also be tried in the royal, or common law, courts. At that time, juries were not widely used and Magna Carta did not require them. In many cases, trial by battle was considered an appropriate procedure for determining which side's factual allegations were correct.

So, properly read, chapter 39 is a ringing endorsement of the rule of law, just not in the way we are used to reading it. It required the king to proceed against freemen only through formal trials in specified tribunals but did not indicate the procedures to be used in those tribunals. But even with those limitations, chapter 39 was a potent constraint on arbitrary royal power. In the past, kings had simply imprisoned and executed nobles they suspected of treason or disloyalty without any process at all. Requiring a formal legal proceeding even for the most sensitive and politically dangerous cases was a bold step. And Magna Carta accordingly deserves all the credit it receives today as an endorsement of due process, even if the processes it permitted were quite different from those we use now.

That flexibility ensures that Magna Carta is still cited today as authority in U.S. courts. Two of our most accomplished scholars, Professors Risa Goluboff and Fred Schauer, comment on this tendency in these pages. Risa points out the surprising, if small, role that Magna Carta played in the resurrection of substantive due process—now focused entirely on non-economic rights such as reproduction—by some of the same justices who roundly rejected the same concept as applied to economic rights. Fred reminds us that in the Anglo-American system, law is text as interpreted by the courts. Because the federal courts sometimes look to Magna Carta as an aid to interpreting the U.S. Constitution, the Great Charter can rightfully be said to form a part of the American constitutional order.

Our own Professor Dick Howard is one of the world's foremost experts on Magna Carta. In the coming twelve months, he will speak on its meaning, importance, and legacy in multiple venues on both sides of the Atlantic. We can only hope its ideas remain relevant 800 years from now.
FEATURE

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MAGNA CARTA

On the cover: Salisbury Cathedral's Magna Carta (Getty Images News/ Matt Cardy)
Right, visitors tour the Library of Congress exhibit, Magna Carta: Muse and Mentor, in Washington, D.C.
**AWARD PRESENTED | Mary Wood**

Bonnie Leads Effort Urging Support for Young Adults

What it means to be an adult varies depending on if you are registering to vote or renting a car, but a new report led by University of Virginia School of Law professor Richard Bonnie suggests that regardless of when the label applies, youths need support beyond age 18 to successfully transition into independent adulthood.

Bonnie is chair of a National Academies’ Institute of Medicine and National Research Council committee that in October released its report, “Investing in the Health and Well-Being of Young Adults.”

The report offers federal, state, and local policymakers and program leaders, as well as employers, nonprofit organizations and other community partners guidance in developing and enhancing policies and programs to improve young adults’ health, safety and well-being. In addition, the report suggests priorities for research to inform policies and programs for young adults.

“The main message of this report is that very few young people are in a position to make a successful transition to independent adulthood when they turn 18,” Bonnie said. “The IOM report urges state and federal policymakers to recognize the society’s collective obligation to help all of our youth obtain the education and skills they need to become productive members of society. We all have a stake in making this investment.”

Overnight, 18-year-old adults have the right to vote, sign contracts and take on other legal obligations, but they also can’t buy alcohol, rent a car, or be eligible for various jobs or fiduciary positions where the legal age is higher, typically 21. On the flip side, most states allow teenagers to make health care decisions as young as 14 or 16, while some youths charged with certain crimes are eligible to be tried as adults.

“There is no single age of adulthood, and these are policy decisions that depend on the specific context,” he said.

The report defines young adults as those aged 18 to 26. This stage is critical to long-term success, Bonnie said, and “the stakes are high.” About 17 percent of young adults age 16 to 24 are neither in school nor employed. One study following a group of recent high school graduates until they were 25 showed that less than 60 percent had graduated from four- or two-year colleges.

“The only transition that occurs at age 18 is graduation from high school, but this is only the first step on the path to adulthood,” Bonnie said. “What sense does it make for parental support obligations for children of divorced parents to evaporate at 18, as occurs in many states? Fortunately, most parents do whatever they can to provide support that their children need to enroll in higher education, but many divorced fathers do not. What about young people from disadvantaged backgrounds who do not have the advice, technical assistance and financial support available to their peers from more advantaged families?”

Young adults today are also facing substantial barriers in the wake of an economic recession, Bonnie said. The situation is most dire for those without college degrees.

“Young college graduates have employment rates and wage rates that are roughly 30 and 60 percent higher, respectively, than rates for those who completed only high
school, and the earnings gap between people with bachelor’s degrees and a high school education only has doubled since 1980.”

To address some of these challenges, the committee made recommendations ranging from raising completion rates for those in high school and colleges to ensuring that young people are being educated in skills the workforce needs.

The age at which we consider citizens to be adults and whether they age out of social services has ripple effects for youths’ long-term prospects for success, Bonnie said, and reforms are sometimes slow to spread. For example, recent changes to federal law have allowed states to claim reimbursement for foster care up to age 21, but most states still allow young people to age out of foster care at 18.

“Needless to say, young adults who age out of foster care have difficulty achieving financial independence,” he said.

The IOM-NRC committee convened at the direction of the Health Resources and Services Administration and the Office of the Assistant Secretary for Planning and Evaluation in the Department of Health and Human Services, the Robert Wood Johnson Foundation, The Annie E. Casey Foundation and the Department of Defense.

Bonnie also involved students in his Age of Majority seminar in the effort this semester. The students signed confidentiality agreements and helped review the report when it was undergoing the Academies’ own rigorous scientific review.

“Some of the students’ comments and suggestions are reflected in the final report,” he said.

Bonnie is Harrison Foundation Professor of Medicine and Law; Class of 1941 Research Professor of Law; professor of psychiatry and neurobehavioral sciences; director of the Institute of Law, Psychiatry and Public Policy; and professor of public policy at the Frank Batten School of Leadership and Public Policy.

THINKING SMALL | Eric Williamson

First-Year Students Find Community in Small Sections

When he was considering which law school to attend, Mark Gruetzmacher heard a lot of hype about the collegial nature of the community at the University of Virginia School of Law. When Danielle Moore first visited UVA, several students went out of their way to explain how the school fosters a sense of belonging and inclusion. Now a few months into their studies as first-year law students, Gruetzmacher and Moore say what they heard wasn’t exaggerated.

“You could see these people actually meant what they were telling you,” Moore said.

First-year students at the University of Virginia School of Law build close relationships among their classmates, receive friendly guidance from section professors and upperclassmen, and become part of a community through the small-section approach to learning.

Each year, the Law School breaks the incoming class into small groups, or sections. The sections each consist of about 30 students, and this year’s class is comprised of 10 sections. The students take all of their classes along with their section. And while some classes are combined with other sections, two classes each semester are intentionally section-exclusive in order to keep them small.

“Members of your small section tend to be the people you end up in study groups with and talk through issues with,” said Sarah Davies, assistant dean for student affairs and a 1991 graduate of the Law School.

“The nice thing about sections is you get to know those people pretty well. Many of your best friends end up being people in your sections. I’m still in contact with people who were in my section.”

As in years past, the Class of 2017 got to know their section mates right away through activities facilitated by their upperclassmen Peer Advisors during orientation. Davies said each section gets six Peer Advisors so that students always have someone they can relate to and go to for advice.

Gruetzmacher, who is in Section B along with classmate Moore, said orientation was more than just informative. It was an induction into the Law School’s culture.

“We participated in a playfully stressful game called ‘The Island Game’ that’s apparently a tradition,” Gruetzmacher said.

“I want to ensure that I stay in touch with them and remain knowledgeable about their future plans,” says Johnson.

To address some of these challenges, the committee made recommendations ranging from raising completion rates for those in high school and colleges to ensuring that young people are being educated in skills the workforce needs."
regardless of class year, and I know that from personal experience,” she said. “When my mom passed away earlier this year, my advisees were some of the first to send flowers and some of the first to welcome me back to school.”

The sections also benefit from events organized by the Law School’s faculty and administrators. In the fall, each section gets to have lunch with Dean Paul Mahoney. While connecting with students one-on-one, the dean encourages them to ask any questions they might have about the running of the school and how he can help them be successful.

Section B is currently taking Contracts with Professor Alex Johnson, their section leader, and Legal Writing with Professor Ruth Buck. For section professors, their role is more than just teaching students in a classroom. They, too, are forming bonds—relationships that may prove the most influential of all to students’ careers.

“They get, for want of a better term, an intimate learning experience,” Johnson said. “Basically, I serve as their mentor and tell them the first time I meet with them during orientation that, between us, there are no stupid questions—they should feel free and comfortable to ask me anything about law school, UVA, Charlottesville, the legal profession, etc.”

Johnson said he takes his section responsibilities seriously because his advice will ultimately affect the classes students take, the summer work opportunities they pursue and countless other choices.

As in other first-year classes, Johnson’s Contracts includes a midterm that’s not for credit. Instead, he uses the opportunity to meet with students individually and make sure they are understanding key concepts. But he said his door is open for whenever students seek guidance or simply want to “shoot the breeze.”

Recently, per his tradition, Johnson invited his section to his house for dinner, which he said he will do in their second and third years as well.

“I want to ensure that I stay in touch with them and remain knowledgeable about their future plans,” he said.

Moore said having a professor who both interacts with students on a personal level and teaches them to think like lawyers has made the classroom experience less daunting.

“[Johnson] is definitely not easier on us because we’re in his small section, but people are more comfortable participating, I think,” she said.

When Johnson taught Property as his small-section course, he used to participate in the first-year softball competition along with his students. The professor said he looks back fondly on that time. Gruetzmacher said Section B’s winning of this year’s tournament may have served to make their bond with Johnson a little more special.

“Our greatest accomplishment was to get Professor Johnson a 1L champions’ T-shirt,” Gruetzmacher said. “We know we made him proud.”
A new class at the University of Virginia School of Law that examines the rapid development of cyber law and policy is being taught by two experts in the field, including a 1994 alumnus of the Law School.

“We're focusing on these very dynamic, developing law and policy frameworks that are still very much in their infancy,” said lecturer Thomas A. Dukes Jr. ’94, who serves as deputy coordinator for cyber issues at the U.S. Department of State, where he oversees the development and implementation of U.S. international policy in such areas as cybercrime, Internet governance, cybersecurity and national security.

Dukes is teaching the fall seminar with Albert C. Rees Jr., who is a senior counsel in the Computer Crime and Intellectual Property Section, Criminal Division of the U.S. Department of Justice. The section leads the Justice Department’s efforts to address computer and intellectual property crimes worldwide.

Dukes and Rees said laws governing computers and computer networks must consider everything from liability, property and privacy issues to armed conflict and national security concerns. And the old rules that have been developed for the physical world don’t always translate easily, or apply neatly, to cyberspace.

“One of the key challenges for lawyers practicing in this area is sorting out which law (or laws) apply. For instance, where do you bring/defend a lawsuit/claim when you are a company that has data centers in the U.S., Ireland, Japan and other places, with data moving around among them all of the time?” Dukes said. “There are enormous questions about whose laws apply to that information, or if any law applies at all.”

Because information crosses borders, international law is filling in some of these gaps, Rees said.

Among the key topics the course explores is the behavior of state and non-state actors in cyberspace.

“There is a general consensus coming about that international law, particularly international humanitarian law, at the most general level, applies to activities that occur on networks, the Internet and cyber infrastructure,” he said.

Dukes said a U.N.-convened group of government experts from 20 countries, including the U.S., the U.K., Japan, Russia and China, is actively exploring the application of international law in cyberspace, the development of norms of behavior for state actors, and the creation of cyber confidence-building measures.

“In many ways however, that has only started the debate, with differing national views of what that really means, and how it will work in practice,” Dukes said.

The seminar also will include an international negotiation exercise in which students will take on the role of key nations leading the debates on cyber law and policy issues at the United Nations and determine how real-world law might solve complex and controversial issues.

Rees predicted that UVA Law, which offers a course in cybercrime as well, will produce some of the leading cyber law practitioners of tomorrow.

“I think that students graduating from this law school are going to be the ones who advise policymakers and clients on cyber matters and argue these cases in front of the judges who will increasingly rule on these matters,” he said.

Albert Rees of the Justice Department and Thomas Dukes Jr. ’94 of the State Department are teaching a new seminar that surveys the cyber law and policy landscape.
Criminal justice expert Brandon Garrett unveils the downside to the government’s use of deferred and non-prosecution agreements, and makes recommendations for improving them, in his new book.

University of Virginia School of Law professor Brandon Garrett’s new book, *Too Big to Jail: How Prosecutors Compromise with Corporations* published by Harvard University Press, examines the lenient backroom deals federal prosecutors are increasingly forging with big business.

“Prosecutors have had to compromise because of the pressure they face to resolve these cases and the enormous resources these companies have to defend themselves,” Garrett said. “What you see when you unpack these corporate prosecutions is genuinely troubling.”

Garrett, an expert in criminal law, is also the author of the book *Convicting the Innocent: Where Criminal Prosecutions Go Wrong*, an investigation of the cases of the first 250 people to be exonerated by DNA testing. Garrett’s work has been widely cited by courts, including the U.S. Supreme Court, lower federal courts, state supreme courts, and courts in other countries, such as the Supreme Court of Israel and the Supreme Court of Canada.

His new book’s title is a play on the notion that some corporations such as large banks and financial institutions are “too big to fail,” because a conviction might ruin their ability to do business, and in turn affect the economy. But Garrett said the Department of Justice has extended the “too big to jail” concept to businesses as diverse as pharmaceutical, health care, gas and extraction, and manufacturing corporations, too.

The deals, known as non-prosecution and deferred prosecution agreements, allow corporations to avoid conviction if they follow a plan of financial restitution and corrective action, often more lenient than would be mandated through the court system. At times, corporations have avoided fines completely.

“It’s the most privileged public companies, the largest companies, that have disproportionately received these lenient deals,” Garrett said.

He found that in two-thirds of the cases he researched, no corporate employees were prosecuted in association with their crimes.

“[Yet] the companies are admitting they absolutely committed the crimes, and in some cases they describe in great detail the employees who committed the crime,” Garrett said.

He also found that about a quarter of the time, there were no independent monitors supervising corporate compliance following a settlement.

In researching his book, Garrett compiled first-of-their-kind non-prosecution and deferred prosecution databases with the help of UVA Law research librarian Jon Ashley. Garrett supplemented his knowledge of the cases through personal interviews and other research, while working with the UVA Law First Amendment Clinic to request details of shielded settlements through the Freedom of Information Act—a process that continues.

With large corporations willing to spend hundreds of millions of dollars on lawyers to fight their charges, agreements that allow...
Student Pro Bono Clinic Investigates Claims of False Conviction

A new extracurricular pro bono effort at the University of Virginia School of Law is giving students hands-on experience investigating potential false convictions in the state's criminal justice system and supporting the work of the school's Innocence Project Clinic.

The Virginia Innocence Project Pro Bono Clinic recently transitioned from being a student-run organization (the former Virginia Innocence Project Student Group, or VIPS) to an independent clinic, but still operates with the same mission. Students vet claims of innocence from Virginia convicts who have exhausted all other avenues for appeal. The pro bono clinic exists separately from the Law School's for-credit Innocence Project Clinic, and the work is done under the supervision of Innocence Project Clinic interim director Deirdre Enright.

“Corporate prosecutions are themselves combing through court transcripts or working with a private investigator, corporations to avoid a conviction may be the only way to achieve justice,” Garrett said.

While the fines have been relatively lenient, it doesn’t mean they have been small.

“Billion-dollar fines have become the new normal,” Garrett said. “But those fines come from just a few blockbuster cases each year. Even when you look at those few cases, the fines are often much less than the company would have paid had the sentencing guidelines been applied.”

Foreign corporations, he added, are bearing the brunt in the trend toward larger settlements.

“I describe in the book how, disproportionately, the foreign companies tend to plead guilty—maybe because they are less concerned about the collateral consequences in the U.S., or maybe because they’ve committed worse crimes,” he said.

As deferred and non-prosecution agreements continue to be used, Garrett said, the public and the court could benefit from greater disclosure. In July, he asserted via an amicus brief to a federal judge that the court retains unqualified discretion to approve deferred prosecution agreements.

“They’re plea agreements by another name, without the consequences of conviction,” Garrett said. “The judge should have the power to bring the companies in for status hearings—to make sure the company is really complying.”

In this book, Garrett proposes a number of ways that non-prosecution and deferred prosecution agreements could be improved, including by pursuing corporate convictions more often, enhancing supervision by judges, insisting on detailed structural reforms, imposing deterrent fines and increasing the transparency of corporate crime settlements.

Regardless of how the agreements change, he said, they need to evolve in order to serve as a more effective deterrent to future crime.

“Corporate prosecutions are themselves too important and too big to fail,” he said.
THROUGH THE VIRGINIA INNOCENCE PROJECT PRO BONO CLINIC, UVA LAW students submitted more than 300 Freedom of Information Act requests to law enforcement agencies last year to collect information on interrogation policies in Virginia. Professor Brandon Garrett analyzed the research and reported earlier this month that Virginia’s agencies often lack written policies, and only a handful require that questioning be recorded.

Christine Shu Gilleland ’14, who managed the FOIA research with Chris Lisieski ’14 and Katie Clifford ’15, began the process of sending FOIA requests during her first year at Virginia, but put together a team of students during her second year when she realized the magnitude of the project. She described her efforts:

“I came to realize that the VIPS FOIA project was not just gathering information to make it easier and more efficient for us to represent its clients. Rather, it was an exercise in compiling a much-needed database that had never been gathered before. The database would benefit both law enforcement organizations and defenders alike. I was surprised to learn that the law enforcement organizations do not communicate with one another regarding their experiences in implementing these policies. Each organization has its own process and learns from its own experience. As it turns out, the organizations were missing out on a major opportunity to learn from one another’s experiences in writing and implementing these policies.

“Several months after beginning to lead the project, Professor Brandon Garrett contacted our FOIA Project to ask if we would share data with him. He was able to compile the data and analyze the policies and their implementation. His research began a state-wide discussion about policies and sharing information regarding policies. Our project was able to help begin a movement towards sharing information on policies between law enforcement organizations.

“The two most challenging aspects of the FOIA project were collecting the policies and managing the students. We collected policies for hundreds of law enforcement organizations through Freedom of Information Act requests (see sidebar).

The clinic also organizes the Virginia Innocence Project’s yearly fundraisers to help the charitably funded organization meet expenses.
Supreme Court Will Hear UVA Law Clinic Case Involving Gun, Property Rights

The U.S. Supreme Court has agreed to hear a University of Virginia School of Law clinic case that will weigh individual property rights against government limits on firearms possession.

Henderson v. U.S., which likely will be argued in late February, marks the 12th case the Supreme Court Litigation Clinic has taken to Washington. Working in teams, clinic students handle actual cases, from the seeking of Supreme Court review to briefing on the merits.

The case involves former U.S. Border Patrol agent Tony Henderson, a Florida man charged with selling marijuana in 2006.

“While he was being prosecuted, the judge encouraged him to give all his firearms to the government for safekeeping, and he did,” said Professor Dan Ortiz, the clinic instructor who will argue the case.

Henderson gave the FBI his 19 guns and served six months for felony drug offenses.

“Knowing that his conviction barred him from ever possessing firearms himself, he later tried to arrange for the government to transfer the guns to someone who would pay him for them,” Ortiz said.

“The government refused, saying that to do so would somehow attach constructive possession of the guns to our client.”

Ortiz said the case involves an interesting property rights issue: Can the government effectively deny a criminal defendant the value of his property, even when the property has no connection to the crime?

Former clinic student Gillian Giannetti, a 2014 UVA Law graduate, found the case while researching opinions from the 11th U.S. Circuit Court of Appeals.

“It’s incredibly satisfying to see all of the clinic’s work pay off. It’s a fascinating case,” Giannetti said. “I was intrigued by the clear circuit split, as well as the uniqueness of the question. I have never read a case before in which a convicted felon was seeking to transfer firearms he had legally owned prior to his conviction, when the firearms were completely unrelated to the offense committed.”

Though the case had potential, it was not a sure thing, she added.

“While many of the cases that make their way to the Supreme Court also stood out at the appellate level, Henderson was a very short non-precedential opinion, which on its face would make it an unlikely candidate for Supreme Court review,” she said. “Additionally, Mr. Henderson had represented himself in the court below. I think the fact that the court granted certiorari speaks to the talent and ingenuity of the clinic’s participants.”

UVA Law’s Supreme Court Litigation Clinic is taking its 12th case to Washington.
Congressman Kennedy Tells Class of 2014 ‘Fortunes of Country May Depend’ on Their Efforts

In a call to public service, U.S. Rep. Joseph P. Kennedy III told the University of Virginia School of Law Class of 2014 in his commencement address on May 18 that the future of the nation may depend on their contributions as lawyers.

The first-term congressman from Massachusetts said a still-recovering economy, political gridlock and threats to U.S. foreign policy are among the challenges that must be addressed in order to restore faith in the American system of governance.

“Now it would be easy to think that this is not your problem … but folks, this is more than your problem; this is your purpose.” Kennedy quoted Thomas Jefferson, founder of the University of Virginia, who wrote “the fortunes of our country may depend” on the University’s graduates.

“Class of 2014, this is the responsibility and opportunity lying at your feet,” the congressman said.

In total, the Law School conferred 405 degrees to the class: 347 J.D.s, 55 LL.M.s and three S.J.D.s.

Kennedy, a former assistant district attorney who spent two years in the Peace Corps and received his law degree from Harvard University, was elected to the U.S. House of Representatives in November 2012. The Democrat serves on the House Committee on Foreign Affairs, as well as the House Committee on Science and Technology.

The congressman is the son of former six-term congressman Joseph Kennedy II and...
Just a year after it launched, the University of Virginia School of Law’s externships program is thriving and seeking more participants.

“I am inundated with requests from potential externship hosts eager to have UVA Law students,” Director of Externships A. Sprightley Ryan said.

The program offers three paths for students to receive academic credit for working full- or part-time in government and nonprofit positions. This fall, 13 third-year law students are working full-time in Washington, D.C., and taking an evening seminar as part of the UVA Law in DC program. Twelve students are working full-time in other locations around the world (with one in D.C.), and seven have part-time externships and work 10 hours a week locally. (Full list opposite)

“There are externship possibilities almost everywhere,” Ryan said. “I’m happy to help students find the perfect externship for them.”

Host organizations include federal government agencies both large—the Department of Homeland Security and the Department of Justice—and small, such as the U.S. Copyright Office and the Administrative Conference of the U.S.

Direct legal services nonprofits (Legal Aid DC, Catholic Charities, the Child Advocacy Clinic) and advocacy groups (the ACLU, the Pacific Legal Foundation) spanning a political spectrum also seek externs, Ryan said. Part-time placement options are available in Richmond at the Virginia Attorney General’s Office, in Blacksburg at Virginia Tech and in Charlottesville at UVA, including at the General Counsel’s Office, the School of Medicine and the Office of Immigration Services. The Rutherford Institute and the Albemarle County Attorney’s Office are also in town and have hosted externs.
Fall 2014 Externship Placements

**Full-Time, Individualized Externships**

**GOVERNMENT**
Alameda County Public Defender, Alameda, California
City of Chicago Law Department, Chicago
County of Santa Barbara District Attorney’s Office, Santa Barbara, California
International Criminal Tribunal for Rwanda, The Hague, The Netherlands
National Labor Relations Board, San Francisco, California
Suffolk County District Attorney’s Office, Special Prosecutions Unit, Boston
U.S. Department of Housing and Urban Development, Houston
U.S. Securities and Exchange Commission, New York City (2 students)

**NONPROFIT ORGANIZATIONS**
International Bar Association, London
National Public Radio, Washington, D.C.
Rutherford Institute, Charlottesville, Virginia

**Part-Time Externships**

**GOVERNMENT**
Albemarle County Attorney’s Office, Charlottesville, Virginia
Federal Public Defender’s Office, Appellate Section, Charlottesville, Virginia
U.S. Attorney’s Office, Appellate Section, W.D. Va., Charlottesville, Virginia
University of Virginia, Charlottesville, Virginia
   Office of General Counsel
   School of Medicine, Office of Grants and Contracts

**NONPROFIT ORGANIZATIONS**
Rutherford Institute, Charlottesville, Virginia
Southern Environmental Law Center, Charlottesville, Virginia
Veterans Consortium Pro Bono Project, Washington, D.C., and Charlottesville, Virginia

**UVA Law in DC**

**GOVERNMENT**
Federal Communications Commission, Office of Commissioner Clyburn
Federal Trade Commission, Bureau of Competition
Government Accountability Office General Counsel’s Office
Internal Revenue Service, Office of Chief Counsel
Senate Environment and Public Works Committee, Republican Office
U.S. Agency for International Development Office of General Counsel
U.S. Department of Homeland Security, Immigration and Customs Enforcement, Office of the Principal
Legal Advisor, Arlington Office of the Chief Counsel
U.S. Department of Justice
   Criminal Division, Organized Crime and Gangs Section
   Environment and Natural Resources Division, Environmental Enforcement Section
U.S. Securities and Exchange Commission, Division of Economic and Risk Analysis

**NONPROFIT ORGANIZATIONS**
American Cancer Society Cancer Action Network
Student Press Law Center
Tahirih Justice Center

Third-year law students (seated) Amy Herrera, Natasha Reed and Yan Gao are participating in the UVA Law in DC program this semester. Program participants meet for a seminar with Director of Externships Sprightley Ryan (standing) on Monday nights.
Ben Tyson ’14 to Clerk for U.S. Supreme Court Chief Justice John Roberts

Ben Tyson ’14 will clerk for U.S. Supreme Court Chief Justice John Roberts during the 2015–16 term.

Tyson, who graduated from both UVA Law and the Darden School of Business through the dual-degree J.D.-MBA program, will join a long list of UVA Law graduates who have clerked for Supreme Court justices in recent years. Virginia is fourth in contributing the most clerks to the U.S. Supreme Court from 2005–14, after Harvard, Stanford and Yale. Tyson will serve alongside 2013 graduates Galen Bascom and Jonathan Urick, who will be clerking for Justices Stephen Breyer and Antonin Scalia, respectively.

Tyson and wife, Katherine Tyson ’13 are currently in Washington, D.C., and Ben is clerking for Judge Srikanth Srinivasan of the U.S. Court of Appeals for the District of Columbia Circuit.

“This year with Judge Srinivasan has been amazing, and now this gives me something incredibly exciting to look forward to when my clerkship [with Srinivasan] is done,” Tyson said. “I’m in the middle of a fun two years.

“I’m thrilled about the opportunity and incredibly thankful for all the support UVA has given me,” Tyson said.

In his interview with Roberts, Tyson said he had the opportunity to talk with the chief justice about both the history of the court and the Green Bay Packers. “Two very important things,” he added.

“One of the best things about doing these two clerkships is that you get to cover such different areas of the law. Every day is different, and it’s all extremely interesting to me,” Tyson said. “I haven’t been in the law long enough to actually dislike any area of it, so at this point it’s great to see everything.”

Tyson, who is originally from Mequon, Wisconsin, is the recipient of the Carl M. Franklin Prize, which honors the student with the highest grade point average after the first year of law school, and served on the editorial board of the Virginia Law Review. At graduation, he received the Traynor Prize and Law School Alumni Association Best Note Award for his law review publication. He also received the Faculty Award for Academic Excellence, given to the student with the most outstanding academic record at graduation.

Tyson also took a Supreme Court seminar with Professor A. E. Dick Howard, who said Tyson wrote a paper “that showed an uncommon skill at legal research and analysis—a paper that would do justice to a seasoned scholar.”

“Ben compiled a spectacular record here at the Law School,” Howard said. “He graduated at the top of his class and, at graduation, won both of the Law School’s academic writing awards. My own judgment regarding Ben’s legal acumen is amply confirmed by Ben’s overall record at the Law School, one which has few parallels in the school’s recent history.”

For Tyson, the highlight of his time at UVA Law was the community of students and faculty—and sharing it all with his wife.

“Katherine and I could not have asked for a better place to go to school. We were very lucky,” he said. “My mom and dad [1977 graduates Joe and Renee Tyson] always had such great things to say about their time at UVA. It turns out that they knew what they were talking about.”

Prior to starting law school, Tyson worked at Bain & Company in Chicago as a management consultant for three years. He earned his undergraduate degree from Duke University.

After the clerkship, Tyson says he will probably stay in Washington to practice appellate litigation. Though Wisconsin will always be home, he said, he hopes to return to another special place: “All I want to do is find a way back to Charlottesville.”
Clerkships for the 2014–15 Term
All are members of the Class of 2014 unless otherwise noted.

Benjamin F. Aiken
The Hon. Thomas B. Griffith ’85
U.S. Court of Appeals for the D.C. Circuit

John W. Akin ’13
The Hon. Jerome A. Holmes
U.S. Court of Appeals for the Tenth Circuit

James S. Allred ’13
The Hon. Jerome A. Holmes
U.S. Court of Appeals for the Tenth Circuit

Michael C. Baker
The Hon. Rebecca Beach Smith
U.S. District Court for the Eastern District of Virginia

Grace K. Bielawski
The Hon. Roy W. McLeese III
District of Columbia Court of Appeals

Corbin P. Blackford
The Hon. Harold R. DeMoss Jr.
U.S. Court of Appeals for the Fifth Circuit

Laura Conyers Bower ’10
The Hon. Andre G. Bouchard
Delaware Court of Chancery

Andrew M. Buttaro ’12
The Hon. Eva Guzman
Texas Supreme Court

Cynthia Castillo
The Hon. Philip R. Martinez
U.S. District Court for the Western District of Texas

Simon J. Cataldo
The Hon. William J. Kayatta Jr.
U.S. Court of Appeals for the First Circuit

Christopher Cheek ’11
The Hon. Kathleen M. Williams
U.S. District Court for the Southern District of Florida

Caitlin M. Cipicchio
The Hon. Theresa Carroll Buchanan
U.S. District Court for the Eastern District of Virginia

Megan M. Coker ’13
The Hon. Catharina Haynes
U.S. Court of Appeals for the Fifth Circuit

Marta P. Cook
The Hon. John E. Jones III
U.S. District Court for the Middle District of Pennsylvania

Joseph C. Davis
The Hon. E. Grady Jolly
U.S. Court of Appeals for the Fifth Circuit

Diana G. Dickinson
The Hon. Nancy J. Koppe
U.S. District Court for the District of Nevada

Daniel C. Eagles
The Hon. Julia Smith Gibbons ’75
U.S. District Court for the Sixth Circuit

Lili Sheymajas K. Edwards
The Hon. Liam O’Grady
U.S. District Court for the Eastern District of Virginia

Ronald J. Fisher
The Hon. Michelle T. Friedland
U.S. Court of Appeals for the Ninth Circuit

Francesca S. Fitch
The Hon. Timothy M. Tymkovich
U.S. Court of Appeals for the Tenth Circuit

Kevin M. Gallagher
The Hon. Alice M. Batchelder LL.M. ’88
U.S. Court of Appeals for the Sixth Circuit

Matthew J. Glover ’13
The Hon. A. Raymond Randolph
U.S. Court of Appeals for the D.C. Circuit

Blake C. Goebel ’10
The Hon. Amy St. Eve
U.S. District Court for the Northern District of Illinois

Claire E. Grandy
Virginia Beach (Virginia) Circuit Court

Daniel S. Guarnera
The Hon. Diane S. Sykes
U.S. Court of Appeals for the Seventh Circuit

Ashley C. Brown ’12
The Hon. Bernice B. Donald
U.S. Court of Appeals for the Sixth Circuit

Sarah A. Buckley
The Hon. T. S. Ellis III
U.S. District Court for the Eastern District of Virginia

Duncan G. Burke ’13
The Hon. Howard D. McKibben
U.S. District Court for the District of Nevada
John M. Gunter
The Hon. Jeffrey S. Boyd
Texas Supreme Court

Jacob H. Gutwillig ‘13
The Hon. Loretta A. Preska
U.S. District Court for the Southern District of New York

Jonathan D. Guynn ‘13
The Hon. Kent A. Jordan
U.S. Court of Appeals for the Third Circuit

Jonathan D. Hammond
The Hon. Thomas H. Fulton
U.S. Bankruptcy Court for the Western District of Kentucky

Emily G. Hankin
The Hon. Richard D. Bennett
U.S. District Court for the District of Maryland

Stewart A. Inman
The Hon. Norman K. Moon ‘62 LL.M. ‘88
U.S. District Court for the Western District of Virginia

John Chase Johnson ‘09
The Hon. Edith Brown Clement
U.S. Court of Appeals for the Fifth Circuit

Hunter Joseph Kendrick
The Hon. John G. Heyburn II
U.S. District Court for the Western District of Kentucky

Andrew Gareth Irving Kilberg
The Hon. J. Harvie Wilkinson III ‘72
U.S. Court of Appeals for the Fourth Circuit

David King ‘12
The Hon. David Tatel
U.S. Court of Appeals for the D.C. Circuit

Cameron T. Kirby
Florida Court of Appeals

Leigh Carolyn Kobrinski ‘10
The Hon. Cecilia M. Altonaga
U.S. District Court for the Southern District of Florida

Lyle D. Kossis ‘13
The Hon. Karen LeCraft Henderson
U.S. Court of Appeals for the DC Circuit

Alexander C. Krueger-Wyman ‘13
The Hon. Beverly Reid O’Connell
U.S. District Court for the Central District of California

Emily L. Kveselis
The Hon. Rebecca Beach Smith
U.S. District Court for the Eastern District of Virginia

Sterling LeBoeuf ‘11
The Hon. Lewis Thornton Babcock LL.M. ‘88
U.S. District Court for the District of Colorado

Samuel I. Levin ‘12
The Hon. D. Brooks Smith
U.S. Court of Appeals for the Third Circuit

Meghan E. Loftus
The Hon. James C. Cacheris
U.S. District Court for the Eastern District of Virginia

Justin A. Lollman
The Hon. Kenneth F. Ripple ‘68
U.S. Court of Appeals for the Seventh Circuit

Kyle C. Mallinak ‘13
The Hon. Eugene E. Siler, Jr. ‘63
U.S. Court of Appeals for the Sixth Circuit

James C. Manning
The Hon. Mark D. Martin
North Carolina Supreme Court

Becket B. Marum
The Hon. Stephen J. Murphy III
U.S. District Court for the Eastern District of Michigan

Alexandra M. Meador
The Hon. Donald W. Lemons ‘76
Virginia Supreme Court

Haley S. Morrison ‘12
The Hon. Rosemary M. Collyer
U.S. District Court for the District of Columbia

Ryan O. Mowery ‘13
The Hon. Albert Diaz
U.S. Court of Appeals for the Fourth Circuit

Kate M. Naseef
The Hon. Stephen H. Glickman
District of Columbia Court of Appeals

Thomas J. Ogden
The Hon. Stephen M. Colloton
U.S. Court of Appeals for the Eighth Circuit

Shannon C. Parker
The Hon. Philip E. Haines
New Jersey Superior Court

Stephen C. Parsley
The Hon. Virginia Emerson Hopkins ‘77
U.S. District Court for the Northern District of Alabama

James H. Percival ‘13
The Hon. Emmett Ripley Cox
U.S. Court of Appeals for the Eleventh Circuit

Annalise Peters Lisson
The Hon. Julie E. Carnes
U.S. Court of Appeals for the Eleventh Circuit
Nicholas P. Peterson  
The Hon. Eduardo C. Robreno  
U.S. District Court for the Eastern District of Pennsylvania

Jill S. Pritzker  
The Hon. Stephen C. St. John ’77  
U.S. Bankruptcy Court for the Eastern District of Virginia

Archith Ramkumar ’13  
The Hon. T. S. Ellis III  
U.S. District Court for the Eastern District of Virginia

Kenya Reddy ’00  
The Hon. Mary Stenson Scriven  
U.S. District Court for the Middle District of Florida

Emily M. Renzelli ’12  
The Hon. Robert B. King  
U.S. Court of Appeals for the Fourth Circuit

Anne K. Reser  
The Hon. Robert E. Payne  
U.S. District Court for the Eastern District of Virginia

Kevin T. Richards  
The Hon. Leonie M. Brinkema  
U.S. District Court for the Eastern District of Virginia

Saverio Romeo  
The Hon. Jan E. DuBois  
U.S. District Court for the Eastern District of Pennsylvania

Katherine E. Rumbaugh  
The Hon. Rebecca Beach Smith  
U.S. District Court for the Eastern District of Virginia

Carolyn J. Rumer  
The Hon. Jennifer A. Di Toro  
District of Columbia Superior Court

Caroline S. Schmidt  
The Hon. J. Frederick Motz ’67  
U.S. District Court for the District of Maryland

Chris Schoen ’10  
The Hon. Bruce Howe Hendricks  
U.S. District Court for the District of South Carolina

Katherine Shen ’12  
The Hon. Pamela Harris  
U.S. Court of Appeals for the Fourth Circuit

Sean Michael Solomon ’12  
The Hon. Pamela L. Reeves  
U.S. District Court for the Eastern District of Tennessee

Clinton R. South  
The Hon. Jimmie V. Reyna  
U.S. Court of Appeals for the Federal Circuit

Sean H. Suber  
The Hon. Gershwin A. Drain  
U.S. District Court for the Eastern District of Michigan

M. Theodore Takougang ’13  
The Hon. Eric L. Clay  
U.S. Court of Appeals for the Sixth Circuit

Whitney N. Tantisuwanna  
The Hon. Evelyn J. Furse  
U.S. District Court for the District of Utah

Colin C. Thompson  
The Hon. Norman K. Moon ’62, LL.M. ’88  
U.S. District Court for the Western District of Virginia

Daniel F. Thornton  
The Hon. Carmen H. Alvarez  
New Jersey Superior Court, Appellate Division C

Joshua “Josh” D. Tully  
The Hon. Jerry Smith  
U.S. Court of Appeals for the Fifth Circuit

Susan K. Tvrdy  
The Hon. Danya A. Dayson  
District of Columbia Superior Court

Joseph Benjamin Tyson III  
The Hon. Sri Srinivasan  
U.S. Court of Appeals for the D.C. Circuit

Jonathan D. Urick ’13  
The Hon. Jeffrey S. Sutton  
U.S. Court of Appeals for the Sixth Circuit

Kathleen A. Vea ’13  
The Hon. Arenda L. Wright Allen  
U.S. District Court for the Eastern District of Virginia

Erin H. Ward  
The Hon. J. Harvie Wilkinson III ’72  
U.S. Court of Appeals for the Fourth Circuit

Tyler Welti ’08  
The Hon. Consuelo M. Callahan  
U.S. Court of Appeals for the Ninth Circuit

Philip D. Williamson ’13  
The Hon. Raymond M. Kethledge  
U.S. Court of Appeals for the Sixth Circuit

Jessica L. Wright  
The Hon. Robert G. Doumar ’53, LL.M. ’88  
U.S. District Court for the Eastern District of Virginia

Supreme Court Clerks

Andrew J. Bentz ’12  
The Hon. Anthony M. Kennedy  
Supreme Court of the United States

Gerald Brinton Lucas ’11  
The Hon. Clarence Thomas  
Supreme Court of the United States

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Supreme Court of the United States

Gerald Brinton Lucas ’11  
The Hon. Clarence Thomas  
Supreme Court of the United States
Graduation Awards
The following were recipients of the 2014 graduation awards.

Margaret G. Hyde Award
Sarah Buckley

James C. Slaughter Honor Award
Simon Joseph Cataldo

Thomas Marshall Miller Prize
Caroline Susan Schmidt

Z Society Shannon Award
Benjamin Charles Wood

Law School Alumni Association Best Note Award
Joseph Benjamin Tyson

Robert E. Goldsten Award for Distinction in the Classroom
Stewart Inman

Roger and Madeleine Traynor Prizes
Joseph Benjamin Tyson
Justin Andrew Lollman

Herbert Kramer/Herbert Bangle Community Service Award
Mario David Salas

Mortimer Caplin Public Service Award
Sabrina Asgari Talukder

Edwin S. Cohen Tax Prize
Alexander Brian DeBrie
Isaac Wood

Earle K. Shave Labor Relations Award
Claire E. Kenny

John M. Olin Prize in Law and Economics
Anne Hampton Lippitt

Eppa Hunton IV Memorial Book Award
Hunter Joseph Kendrick

Virginia Trial Lawyers Trial Advocacy Award
Shannon Marie Pollock

Virginia State Bar Family Law Book Award
Meghan Elizabeth Loftus
Multimedia News Offerings at
www.law.virginia.edu/news

A DECADE OF MARRIAGE AND FAMILY LAW
Professor Kerry Abrams addresses the evolution of same-sex marriage rights in the U.S. over the past decade.

REAL OPTIONS, NATURAL RESOURCES AND OFFSHORE OIL
Professor Michael Livermore analyzes the economic and environmental aspects of offshore oil leasing on federal outer-continental shelf lands.

ACCEPTABLE RISKS: RECONCILING PESTICIDE REGISTRATION WITH ENDANGERED SPECIES PROTECTION
EPA General Counsel Avi Garbow ’92 delivers the keynote at the Virginia Environmental Law Journal Symposium.

IMMIGRATION ENFORCEMENT
Doris Meissner, senior fellow at the Migration Policy Institute and former commissioner of the U.S. Immigration and Naturalization Service, keynotes at The Future of Immigration Enforcement Symposium.

THE CHANGING FACE OF NATURE CONSERVATION
Kathryn Fuller, chair of the Smithsonian Institution National Museum of Natural History, presented “The Changing Face of Nature Conservation” for the inaugural Lillian Stone Distinguished Lecture in Environmental Policy.

HOLT V. HOBBS BEFORE THE COURT
Professor Douglas Laycock discusses Holt v. Hobbs, the religious liberty case he argued before the Supreme Court. Professor Micah Schwartzman ’05 provides additional commentary.

SUPREME COURT RUNDOWN
Professors A. E. Dick Howard ’61, Barbara Armacost ’89, Michael Gilbert, and Douglas Laycock analyze and discuss the most important U.S. Supreme Court decisions of the past term.

CASE ANALYSIS AND BRIEFING
Professors Molly Shadel and Anne Coughlin instruct new law students on how to analyze and understand cases.

WELCOME TO THE CLASS OF 2017
Warren Gorrell ’79, corporate partner and former co-CEO of Hogan Lovells, was the featured speaker at orientation for the Class of 2017. Find a Q&A with Gorrell about what it’s like to lead a global law firm at http://bit.ly/uvalaw_gorrell.

ADMISSIONS DEAN ADDRESSES CLASS OF 2017

PROLIFERATION OF WMD
Former NATO weapons of mass destruction policy official Guy Roberts spoke at the UVA Law National Security Law Institute about combatting proliferation.

THE STATE OF UVA LAW
Dean Paul Mahoney discusses the past school year at Law Alumni Weekend on May 10, 2014.

FREE SPEECH IN THE 21ST CENTURY
Professor Leslie Kendrick ’06 reviews recent First Amendment cases, particularly those involving the free speech of businesses.
They say that to do injustice is, by nature, good; to suffer injustice, evil; but that the evil is greater than the good. And so when men have both done and suffered injustice and have had experience of both, not being able to avoid the one and obtain the other, they think that they had better agree among themselves to have neither.

—THE REPUBLIC, Plato (360 BC)

39– No freeman shall be taken, imprisoned, disseized, outlawed, banished, or any way destroyed, nor will We proceed against or prosecute him, except by the lawful judgment of his Peers or by the Law of the land.
40– To no one will We sell, to none will We deny or delay, right or justice.

—MAGNA CARTA (AD 1215)
In June 2015 Magna Carta will turn 800. Its age alone is a wonder. Only by a lucky accident of history did it survive the bloody tumult of its birth, and then centuries of war, revolution, and political upheaval. Magna Carta’s animating principles, derived from ancient concepts of justice, evolved to become the totem for the rule of law in an empire that spanned the globe.

In the 17th century, America’s colonists found in Magna Carta a guarantee. They built legal arguments to redeem it. In the 18th century they fought a war to implement it and wrote a constitution to embed its ideals in a uniquely American form of government. In the 20th century, they stored an early copy of Magna Carta for safekeeping at Fort Knox during World War II. The surviving written copies of the original Charter now reside in damage-proof viewing boxes in Lincoln Cathedral, Salisbury Cathedral, and the British Library, where viewers find inspiration, just as our Bill of Rights to the U.S. Constitution found its inspiration centuries ago.

Magna Carta continues to inspire. Researchers at King’s College London are re-examining rival versions of clauses proposed but ultimately rejected during the negotiations at Runnymede, casting new light on Magna Carta’s meaning. Just this past July a committee of the House of Commons published a report, “A New Magna Carta,” in response to a parliamentary inquiry into the question of a written constitution. And Carlyle Group CEO David Rubenstein paid $21.8 million to own one of the four existing copies.

A. E. Dick Howard ’61, White Burkett Miller Professor of Law and Public Affairs and a noted authority on Magna Carta, is advising the Library of Congress on its forthcoming exhibit, “Magna Carta: Muse and Mentor.” In 2015 Howard will give lectures in London under the auspices of the American Embassy, and will lecture at Oxford’s Bodleian Library, at Salisbury Cathedral (which has one of the four extant copies of the 1215 Charter) and elsewhere in England.

“The 800th anniversary is not so much about celebrating Magna Carta’s origins as it is about explaining how and why the Charter survived and what its legacy is for our time,” he says. “Magna Carta could have died entirely, and yet it didn’t. Instead, it has become a universal symbol of the rule of law, of due process of law, and of limits on government power.”

“Given by Our hand in the meadow which is called Runnymede …”

Magna Carta arose out of the chaotic reign of King John whose profligacy, inept statecraft, and military incompetence had infuriated his barons. Forced by the barons’ might and lacking any popular support, John agreed in 1215 at Runnymede to 63 “chapters” that granted “to all the free men of our realm for ourselves and our heirs for ever, all the liberties written below.”

Almost immediately, John sought to have Magna Carta annulled, and Pope Innocent III issued a papal bull declaring it “null and void of all validity for ever.” The deceit of John and an irate Pope came close to smothering Magna Carta in its crib, but the king died in 1216 of dysentery and a young Henry III succeeded him. Henry’s regents, needing the barons’ support, reissued Magna Carta in 1216 (and again in 1217 and 1225). In 1297 Edward I entered Magna Carta into the statutes of the realm.

It continued to evolve over the centuries through statutory amendments and royal proclamations, some repealing its feudal anachronisms, others restating its fundamental principles (just four of the original chapters remain today—the last few were repealed in 1971).

Magna Carta lay largely dormant during the Tudor period. It was in the seventeenth century that the Stuart kings’ notions of “divine right” brought renewed reliance on the Charter. Sir Edward Coke, the greatest jurist of his time, brought forth Magna Carta as authority for his opposition to the Stuart claims of royal prerogative.

Meanwhile, colonial charter companies were assuring prospective settlers that they would enjoy in America the same rights and privileges of their homeland, understood by them to mean the principles contained in Magna Carta for justice according to “the law of the land.”


Originalism and Historical Meaning

Were the barons who forced a tyrannical king to sign the document thinking of timeless values? No. Were they trying to establish fundamental rights for all? Certainly not. Were their words open to interpretation? Absolutely, and therein hangs a tale.

“It was a bargain struck between King John and the barons who had their own interest at heart,” says Howard. “They were not concerned about posterity, and they certainly weren’t concerned about the common good. A very reluctant King John sealed the document. He would have surely broken his promises. He never intended to keep them.”

Ted White, David and Mary Harrison Distinguished Professor of Law, agrees: “It is less a charter of individual liberties than a rebellion against absolute powers of the monarch by a group of persons interested in preserving their own economic and political and social autonomy against the Crown.”

“Magna Carta was intended to give relief to a handful of angry male barons, but the word ‘barons’ was changed to ‘any freeman,’ and that made all the difference in law,” says Suzelle Smith ’83, co-founder of litigation boutique Howarth & Smith, a visiting fellow at Lady Margaret Hall at Oxford, and an elected fellow and member of the board of directors of the International Academy of Trial Lawyers. “In 1215, there were very few ‘freemen.’ But as time passed, the clause was applied in England to guarantee ‘due process of law’ universally, including to women.”

What Magna Carta’s provisions mean, taking into account their context, is not the same as what Coke understood them to mean when he fashioned his arguments against the Stuart claims. “But the language is broad and a potential source of authority to be interpreted in purposive ways by subsequent interpreters,” says White. “That dimension of Magna Carta can’t be underestimated. It is out there as a legacy of a kind, even though its meaning may not be obvious.”

Magna Carta is interesting for what it meant at the time it was adopted and how it summed up important principles, but its modern legacy flows in part from the uses made of it by later generations. “Magna Carta has been glossed in a way that John or the barons in the 13th century might not recognize,” says Howard, who sees “due process of law” as the actual textual connection between Magna Carta and the U.S. Constitution. The phrase “law of the land” in English history very quickly became interchangeable with due process.

“They’re the same concept,” he says. “Due process has been perhaps the most powerful single organic concept in constitutional law. Throughout the centuries people have poured their contemporary understandings into what due process is all about.

“If I wanted to respect the so-called ‘original meaning’ interpretation of the Constitution, I could argue that, when the framers used the phrase ‘due process of law,’ they understood it to be a constantly evolving concept.”

Unfortunately, the framers of the Constitution never made explicit how they wanted future generations to interpret their document; or put another way, their original intent about original intent. But we know they had a perspective framed by deep study of the rise and fall of governments and civilizations.

“We tend to think of historical change as a qualitative development over time so that the meaning of a provision one day might not be the same at a later date in a different context,” says White. “But the framers’ perception was different. They saw history as a cyclical process that approximates the human condition going from early life to maturity to decay and ultimately disintegration. It’s not progressive change. It’s not qualitative change. Instead, it is the recurrence of fundamental principles as the course of a nation’s history evolves.”

When Chief Justice Marshall wrote in McCulloch v. Maryland that the Constitution is designed to be adapted to the various crises of human affairs, he wasn’t saying that the meaning of the Constitution would change over time. “Instead,” says White, “he meant that the foundational principles of the Constitution will need to be restated in different contexts as the context emerges. The crises that require constitutional interpretation are products of changed circumstances, and the interpreter is supposed to solve those problems by restating the original foundational principles. The problem is that that view of history has been abandoned for over a century.”
The Law of the Land in England

While the bones and sinew of Magna Carta dealt with the immediate and specific grievances of the barons in their feudal role, the heart and soul of the document is its Chapters 39 and 40. Those fifty words became the cornerstone of English common law, a nascent form of what would later inform part of the U.S. Constitution. But it took a long time and many turns to get there.

What does Magna Carta mean by “the Law of the land”? It doesn’t say, but over time it became consistent with the idea of the right to trial by jury of one’s peers, to confront accusers, and to appeal. “That’s important because you could imagine in a monarchy that there is no appeal, that everything is done at the pleasure of the monarch,” says White.

Later, in 1368, a statute of Edward III said if a law was in conflict with Magna Carta, it should be “holding for none,” or null and void, essentially treating Magna Carta as a “superstatute, in other words, as a constitution,” says Howard. “It didn’t turn out to be Marbury v. Madison. England still has Parliamentary supremacy, and they don’t have what we call judicial review, but the idea gets planted.”

But it was the ascent of the Stuart dynasty with James I in 1603 that became a “pivot point” in England and America that refined the meaning of “Law of the land.” The new king’s claim of divine right was clearly not a Parliamentary principle and was not consistent with English constitutional traditions.

In response, Parliament passed a series of acts, particularly the English Bill of Rights, which introduced principles beyond those found in Magna Carta. “Coke and his friends argued that Magna Carta laid down certain precepts which they built upon and enlarged in the quarrels between Parliament and the Crown,” says Howard.

“So, yes, you do have some open-ended language in Magna Carta,” says White, “but it is plain that at the time the United States
declared independence from Great Britain, the British citizens did not have a full panoply of individual rights against the Crown. In fact, the Crown and Parliament are still dominant. The lawmaking authority in England is statutory. The British don’t have separation of powers in the full sense that the Americans do, so I think Magna Carta is susceptible of over-generalization.”

Smith notes another glaring difference. “The bedrock of American judicial process, the Constitutional right to a jury of one’s Peers, is straight from Magna Carta. Yet, the English, with no formal written Constitution, have virtually eliminated the right to a jury in civil cases.”

The Law of the Land in America

While Coke was leading the opposition to the Stuarts in England, the first English-speaking colonies were being planted in America, beginning with Virginia in 1607. The colonial charters introduced principles of Magna Carta by promising that those settlers who immigrated to Virginia would enjoy all the rights they would have had in England.

The promises helped soothe fears that the charter company would become a monarchical fiefdom with absolute power over them if they chose to settle in the new world. Still, “the theory was that these colonies ultimately would be governed by England,” says White, “so these provisions referencing Magna Carta were likely intended to be rhetorical.”

However, the Crown barely governed at all during the time between the original settlements in the early 17th century and the movement for independence that began in the 1750s. The colonies essentially governed themselves during this long period of “benign neglect” by Great Britain.

“By the time that Great Britain attempted to tighten the administrative screws and raise some money [the stamp tax] after the end of the Seven Years War [in 1765], the barn door had been left open too long,” says White. “The colonists had grown used to the freedom to conduct their affairs economically, and to some extent politically, so this was deeply resented,” all of which ultimately led to war and separation.

Magna Carta Moves Temporarily to the Sidelines

After the Revolution, the new government became hopelessly gridlocked under the ineffective Articles of Confederation. Delegates from the 13 states met at the Philadelphia Convention to repair the Articles. But instead they created a new Constitution, which in manifest ways was fresh legal terrain. The frame of government went beyond anything the barons and King John were trying to accomplish, and they had no models to follow. “We are in a wilderness without a single footstep to guide us,” Madison wrote to Thomas Jefferson. “Our successors will have an easier task.”

“The issue in the 13th century and the 17th century was competing notions of who had what power within an existing government,” says Howard. “Nobody was trying to create a new government. In writing the federal Constitution, Americans were exploring new territory.”

Magna Carta resurfaced after the Philadelphia Convention, says Howard. The convention had rejected the proposal that the Constitution include a Bill of Rights. The Anti-Federalists charged that the federal government would be too powerful and threaten civil liberties. “The Federalists realized that they had a problem on their hands so they made the implicit promise that, if the states would ratify the Constitution, the first Congress would move to add a Bill of Rights.”

The political debate that followed was not about civil rights or civil liberties in the modern sense, according to White. The supporters of the 1789 Constitution realized they needed to sell a document that restricted the power of the states more than ever before.

“The debate about the Constitution is really about whether there should be a unit of government, including a judicial branch, that restrains the power of the state legislatures,” he says. “One of the things they do in the Federalist Papers is create this idea that sovereignty resides in the people, so it’s not a matter of transferring power from one set of elites to another. The people were the ultimate sovereign. But that was a rhetorical strategy, not a representation of the reality of American political culture at the time.”

If the Articles of Confederation did anything, they proved that the new country badly needed a stronger central government. “Madison was absolutely right in his diagnosis of the problem: that the states left to their own devices would be prey to European powers,” says Howard. “We had to have a functional central government.” But the Anti-Federalists struck the cautionary note about the temptations of power and threat to liberty from a strong central government that still ignites debate today. “This has been a process of confrontation and cross-examination in debates over what’s the right balance,” says Howard. “It tends to swing back and forth, but I find it a fundamentally healthy process that began with the Federalists and Anti-Federalists.”

Only in America

The American contribution to constitutionalism, and what makes it distinctly American, arose from its several generations of colonial self-government in an environment abundant with natural resources and conducive to explosive economic growth.

White doesn’t find any comparable episode in the history of colonialism where a colony is given that much autonomy to
regulate itself at the same time that it becomes prosperous. “When the British attempted to reassert authority, they were confronting 200 years of American history that tilted in the direction of autonomy for residents of America,” he says. “The British found themselves up against a powerful and singular historical experience.”

Moreover, while building the framework of their local governments, the colonial “creole elites” (third- or more generation settler families) had been listening to Lord Coke’s arguments. His foundational set of treatises, Institutes of the Lawes of England, overwhelmingly populated their libraries. They had time to develop powerful legal arguments supporting their cause.

The American innovation that the authority for government flows directly from the people emerged from the structural necessity of the moment. They needed government. It follows naturally that in forming that government the colonists intended to retain their inherent fundamental rights within it.

“One way of understanding American constitutional law is to realize that it flows from a common law tradition,” says Howard. “It’s not simply legislation. It is organic and has deep roots in English and American constitutional history. It evolves. It’s dynamic. It becomes, to borrow a phrase that today is very controversial, a living Constitution.”

The Stamp Act, the first time that Parliament had tried to impose an internal tax in America, outraged the colonists. They fashioned resolutions and tracts and pamphlets, repeatedly invoking Magna Carta. Echoing Coke, they argued that their ancestors had been promised the rights of Englishmen as found in Magna Carta, and that the tax violated its principles. “Magna Carta was front and center in this battle with the Parliament and the Crown,” says Howard.

Coke’s authority, the rhetoric of the creole elites, and the language in the charters themselves ultimately gave rise to the unique American insistence on a written Constitution based on concepts of natural law, common law, and the English constitutional system, sometimes pulling together and at other times apart, and still controversial today.

A “Baffling” Form of Government

It’s difficult to explain American constitutionalism to Europeans, says Howard. “The English don’t understand federalism because the notion that you can have dual sovereignties escapes them. Our mix of practices and ideas is also baffling to many people in other countries.

“American constitutional law has a dialectical quality. It’s a conversation among people, most of whom share some basic assumptions about liberty and freedom and order but have often very conflicting views of how to make it work.”

The American fealty to a written Constitution, partly British and partly American, comes from a long tradition of putting in writing documents reflecting the terms and balance of government power, from Magna Carta through the Petition of Right and the English Bill of Rights to the colonial charters and state constitutions.

“We like to look at a text and say, ‘There’s the answer,’ ” says Howard. “There’s a certain comfort in the assurance of the written word. But we also carry unwritten ideas about inherent rights, fundamental rights, natural law. We put different labels on them, and a dualism between the written and unwritten continues.”

Further, and particularly in New England, colonial Congregationalists and Presbyterians added to the mix their ideas about covenant theology. Originating in Europe and Scotland, covenant theology was based on a voluntary association between members of a congregation who make a compact between each other and with God. Covenant theology developed its modern form in New England in the 17th century, and the Constitution took on some of its flavor, says Howard.

“I think it helps explains how, when the American Civil War erupted, the North had become committed to the notion of the Constitution as a covenant of the people.
In researching her book on vagrancy law, Risa Goluboff, John Allan Love Professor of Law and Justice Thurgood Marshall Distinguished Professor of Law, came across a revealing artifact in the substantive due process debate in the mid-20th century U.S. Supreme Court.

Vagrancy laws, exported to the colonies from Elizabethan England, addressed the problem of “poor people, wanderers, common drunks and prostitutes, brawlers, rogues, vagabonds or anybody who didn’t fit in,” she says. Over time, local governments began using them to target religious and racial minorities, political dissidents, and cultural non-conformists. Beginning in the 1950s, social reform movements started challenging these laws.

It took the Court over two decades to figure out whether and why the laws were unconstitutional. It was a particularly important issue for Justices Black and Douglas. The Lochner era version of substantive due process still loomed large in their rearview mirror and the two New Deal liberal justices, both Roosevelt appointees, were not about to let it return. “They hated economic substantive due process and the idea of fundamental rights,” Goluboff says. “They fought against it from the ’30s to the early ’60s.

The note from Black to Douglas (left) comes from Court deliberations in Hicks v. District of Columbia, a 1966 vagrancy case about a street musician in DuPont Circle in Washington, D.C. Black had written a majority opinion originally describing due process as the same thing as Magna Carta’s law of the land (right). Douglas had asked him why he was using that language, and Black replied:

“"I suppose I was moved to say what I did about due process and law of the land by Paul Freund’s recent statement that you and I were willing to smuggle in the void for vagueness doctrine knowing it does not fit into the Adamson dissent.”

Black’s dissent in Adamson (joined by Douglas) from 1947 said the Court should incorporate only those rights specifically enumerated in the text of the Bill of Rights. “Apparently Freund accused them of playing fast and loose with substantive rights in conflict with what they had said in Adamson,” says Goluboff. “I think Black was trying to tether the due process clause very closely to its historical procedural protections grounded in Magna Carta so that he could draw quite tight boundaries, a very stark line, between what was procedural and what was substantive.”

Black and Douglas would ultimately part ways over how strictly to interpret the text of the Constitution, and especially the Bill of Rights. This exchange over Hicks reflects one moment in their increasingly separate paths. Douglas found more constitutional room in the words of the document for the “penumbra and emanations” he articulated in Griswold—the contraceptive case—in 1965, and still more space for full substantive due process in the 1973 Roe decision.
that you couldn’t rip apart,” says Howard. “In the South, John C. Calhoun’s compact theory claimed that the states had made the Constitution and were free to leave it. These two fundamentally different ways of thinking about the Constitution are highlighted by the religious fervor of the North in the Civil War. Think of the ‘Battle Hymn of the Republic,’ that God was part of this plan.”

“There are many people today who will tell you that the Constitution was divinely inspired; that is distinctively American,” says Howard. “In most parts of the world, constitutions are thought to be useful but certainly not divine. They don’t have the enduring quality that the American Constitution has had.”

**Still a Touchstone**

Or that Magna Carta still has today. “It would be interesting to do a formal count of how many times Magna Carta has been cited in state and federal opinions,” says Smith. “My guess is hundreds of times. Magna Carta has been referenced as the keystone of the rule of law in many significant opinions in the 21st Century.”

In 2003 Justice O’Connor calculated that the Supreme Court alone had cited Magna Carta 50 times in the past 40 years. In *Hamdi v. Rumsfeld*, the 2004 case involving the holding of suspected terrorists indefinitely without charge or trial, they would do it again. Justice Souter wrote, in partial concurrence and partial dissent:

> ‘[W]e are heirs to a tradition voiced 800 years ago by Magna Carta, which on the barons’ insistence, confined executive power by ‘the law of the land.’”

Later in *Boumediene v. Bush*, another detainee rights case, Justice Kennedy wrote for the majority:

Magna Carta decreed that no man would be imprisoned contrary to the law of the land. Important as the principle was, the Barons at Runnymede prescribed no specific legal process to enforce it. Gradually the writ of habeas corpus became the means by which the promise of Magna Carta was fulfilled.

And he linked it directly to Article I of the U.S. Constitution:

The Framers viewed freedom from unlawful restraint as a fundamental precept of liberty, and they understood the writ of habeas corpus as a vital instrument to secure that freedom. Experience taught, however, that the common-law writ all too often had been insufficient to guard against the abuse of monarchical power. That history counseled the necessity for specific language in the Constitution to secure the writ and ensure its place in our legal system.

Aside from the Supreme Court, politicians and activists of all stripes from the earliest days of the Republic to this day, from the right and the left, have used Magna Carta as a tool to support very different understandings of what “liberty” and “freedom” mean.

“Curiously, I think we have made more use of Magna Carta’s legacy and symbolism in this country than they have in England, where it was first written,” says Howard.

Smith agrees. “My sense is that Americans, led by the Founding Fathers, may have an even stronger reverence than the British for Magna Carta,” she says. “Our dedication to restrictions on government and protection of individual liberty by law is more a part of our societal structure than in Britain.”

If symbols mean anything, then Magna Carta really does mean more to Americans, and understandably so. The settlers leveraged it to build a working government and the framers to build a republic. So it is fitting that the only monument built at the Magna Carta memorial at Runnymede, a white portico cupola in the meadow by the Thames and a short royal barge trip from London, came courtesy of the American Bar Association in 1957.

So happy 800th, Magna Carta. America might have been a very different nation without you.
In November 2013 the Woodrow Wilson International Center for Scholars released a commissioned report by MARGO BAGLEY and Arti K. Rai entitled “The Nagoya Protocol and Synthetic Biology: A Look at the Potential Impacts.” Bagley spoke at a conference about the report at the Center on the day of the report’s release. Bagley also presented the report in June at a side event of the 18th meeting of the Convention on Biological Diversity Subsidiary Body on Scientific, Technical & Technological Advice in Montreal, Quebec.


In July Bagley taught short courses in “Pharmaceuticals and IP” and “Protection of Biotechnological Inventions” at the Max Planck Munich Intellectual Property Law Center in Munich, Germany. She also provided further expert assistance to the government of Mozambique in the World Intellectual Property Organization (WIPO) Intergovernmental Committee (IGC) on Intellectual Property and Genetic Resources, Traditional Knowledge, and Folklore at its 28th session negotiations and in the September 2014 WIPO General Assembly, both in Geneva, Switzerland.

In August Bagley drafted regulations to implement the patent and utility model provisions of a new Industrial Property Act in Namibia, and was part of a team that trained Namibian Industrial Property Office personnel in Windhoek, Namibia on features of the new law and the new regulations.

In September Bagley presented “Intellectual Property: Plurality, Culture, National Interest, and International Harmonization” at a European Science Foundation Workshop at the University of Hamburg in Germany.

KERRY ABRAMS published an article, co-authored with Kent Piacenti ’12, “Immigration’s Family Values” in the Virginia Law Review. She also co-authored an amicus brief in Bostic v. Schaefer, the case that successfully challenged Virginia’s same-sex marriage ban.

In February Abrams organized a panel with Charlotte Patterson of the UVA Department of Psychology analyzing the impact of the Supreme Court’s striking down of the Defense of Marriage Act in Windsor v. United States. Panelists included Deborah Hellman and Professor Nancy Polikoff of the American University Washington College of Law.

In March Abrams served as the local host for the annual meeting of the Association for the Study of Law, Culture, and Humanities, a conference that drew over 200 scholars from around the world to Charlottesville.

In June Abrams joined the University administration as Vice Provost for Faculty Affairs. In that position, she is working to implement policies that will ensure that the University can recruit and retain an excellent faculty.

KENNETH ABRAHAM published “Four Conceptions of Insurance” in the University of Pennsylvania Law Review; “Liability for Bad Faith and the Principle without a Name (Yet)” in the Connecticut Insurance Law Journal; and “Self-Proving Causation” in the Virginia Law Review.
The National Academy of Sciences released two consensus studies chaired by Richard Bonnie ’69 during the fall of 2014. “Investing in the Health and Well-Being of Young Adults” is a comprehensive review of federal and state policies and programs affecting the health, safety, and well-being of young adults, taking account of substantial demographic, cultural, social, and economic changes and scientific advances in developmental neuroscience. The premise for the study, funded by the federal Departments of Health and Human Services and Defense as well as several foundations, is that medical and social science research and public policies and programs typically classify the population in two categories, juveniles/minors (usually under 18) and adults, without providing an integrated look at the extended transitional period of early adulthood. Bonnie taught a seminar entitled “The Age of Majority” and arranged for his students to review the NAS report when it was undergoing scientific review.

The second study, “Reforming Juvenile Justice: The Federal Role,” proposes a strategic plan for the federal government to implement a “developmental approach” to juvenile justice reform. The Justice Department’s Office of Juvenile Justice and Delinquency Prevention, the MacArthur Foundation, and the Annie E. Casey Foundation requested the expedited study after the National Research Council released its influential report on juvenile justice reform in 2013. (That study was also chaired by Bonnie.) Bonnie is also chairing a third study, requested by Congress in the Tobacco Control Act of 2009, that addresses a very specific legal policy issue—whether the minimum age for purchasing tobacco products should be raised to 21. This report is expected to be delivered to FDA and the Congress next February.

Bonnie also made a presentation on tobacco regulation and commercial speech in August to specialists on law and public health at the Centers for Disease Control and Prevention and published with colleagues an empirical study entitled “The Language of Mens Rea” in Vanderbilt Law Review.

George Cohen presented “Productively Participating in Institutional Governance” to the Association of American Law Schools (AALS) Annual Meeting in January, to the University of Nevada Las Vegas on University Governance and Faculty Leadership in April, and in May to the University of Virginia Law Alumni Ethics CLE on Ethics in Litigation (with Rich Balnave).

In the spring he published “The State of Lawyer Knowledge under the Model Rules of Professional Conduct” in the American University Business Law Review.


In October he spoke at the ABA National Institute on International Regulation and Compliance: FCPA, Economic Sanctions, and Export Control in Washington, D.C. His topic was “Ethical Issues for Lawyers Dealing with International Regulation and Compliance.”

In February 2015 Cohen will be presenting a paper at a conference on the American Law Institute’s Principles of Liability Insurance to be held at Rutgers Camden.

Michal Barzuza’s “What Happens in Nevada? Self-Selecting into Lax Law” with David C. Smith (from UVA McIntyre School of Commerce) is forthcoming in the Review of Financial Studies; and her “Directors Interlock and Corporate Governance” (with Quinn Curtis) is forthcoming in the Delaware Journal of Corporate Law.

Barzuza was a panelist at the Conference on Financial Regulation and Comparative Corporate Governance at Tel Aviv University in January; and on “Incorporation and the Nevada Delaware Debate, Power and Control” at the Law School in February.

Barzuza presented “Board Interlock and Indemnification Protection after Schoon,” also co-authored with Quinn Curtis, at the Berkeley law and economics workshop in October and at the Conference for Empirical Legal Studies in November.
In October Harvard Press published BRANDON GARRETT’S “Too Big to Jail: How Prosecutors Compromise with Corporations.”

Translations of Garrett’s “Convicting the Innocent” were just published in Taiwan (New Sharing Publishing Co.) and Japan (Nippon Hyoronsha).


He also served as a committee member on a forthcoming National Academy of Sciences Report—National Research Council, Identifying the Culprit, Assessing Eyewitness Identification (2014).

He also wrote an amicus brief, Memorandum of Law of Amicus Curiae Law Professor, and testified in hearings in September before Judge Emmet Sullivan in the case, U.S. v. Saena Tech Corp.

Garrett gave two workshops (with Kerry Abrams) on “Regulating Genetic Identity” at the Emerging Family Law Conference in May, and at the Law School in June. They presented the paper again at Duke Law School in November.

In June he gave a talk on “Too Big to Jail” at Gibson Dunn & Crutcher’s Washington D.C. office.

In July Garrett spoke at the Mid-Atlantic Innocence Project’s Annual benefit, and gave a talk on “Too Big to Jail” at the Ethics Resource Center Fellows annual conference in Arlington, Virginia.

In August he gave two keynote addresses on “The Law and Science of Eyewitness Memory” and “False Confessions” at the Taiwan Association for Innocence conference, National Taiwan University, Taipei.

In October Garrett spoke on “Eyewitness Memory” and on a panel on “Cognitive Bias and Forensic Testimony” at the Virginia Association of Criminal Defense Lawyers annual conference hosted by the Law School. He also presented data on corporate prosecutions at the American Bar Association National Institute on “International Regulation and Compliance: FCPA, OFAC & Export Control” in Washington D.C.; and gave a UVA Law faculty workshop of a paper entitled “Constitutional Law and the Law of Evidence.”


Garrett continues to advise law enforcement in Virginia on matters related to lineups and interrogation policies.

Next spring he will be a visiting fellow at All Souls College, Oxford (for Trinity Term from April to June, 2015).
In June MICHAEL GILBERT presented a paper titled “The Problem of Voter Fraud” at the American Constitution Society’s Scholars’ Schmooze in Washington, D.C. That paper will be published next spring in the Columbia Law Review.

In December Gilbert’s paper “Disclosure and Corruption,” which he coauthored with Benjamin Aiken ’14, will be published in the Election Law Journal.

Next March Gilbert will speak at a conference at Florida State University commemorating the 50th anniversary of the Voting Rights Act. His current research focuses on campaign finance and relationships between rules, standards, and enforcement.

KIMBERLY FERZAN co-authored (with Larry Alexander) a book chapter, “Confused Culpability, Contrived Causation, and the Collapse of Tort Theory,” in Philosophical Foundations of the Law of Torts, John Oberdiek, ed. The APA Newsletter on Philosophy and Law published Ferzan’s “Moving Beyond Crime and Commitment,” responses to it by Douglas Husak, Gideon Yaffe, and Louis-Phillipe Hodgson; and Ferzan’s reply, arising from a symposium to discuss the article at the American Philosophical Association’s Pacific Division conference proceedings in April 2013 honoring her being awarded the Berger Prize.

Ferzan continues to work on co-editing (with Stephen Morse) “Moral, Legal, and Metaphysical Truths: The Philosophy of Michael S. Moore,” a festschrift for Michael Moore that will be published by Oxford University Press.

Last spring Ferzan presented “The Bluff” to a University of Chicago faculty workshop, a University of Illinois criminal law theory workshop, and a UCLA legal theory workshop.

In October she participated in a two-day conference, sponsored by the philosophy department at the University of Delaware, on the topic of just war theory, including a public panel on “When Should Nations Kill?” She is serving as an adviser for the American Law Institute’s “Project on the Model Penal Code: Sexual Assault and Related Offenses” and attended a meeting to discuss proposed changes to the Model Penal Code.

RISA GOLUBOFF was the lead advisor on the exhibit, “The Civil Rights Act of 1964: A Long Struggle for Freedom,” which opened in September at the Library of Congress to commemorate the 50th anniversary of the act. She is also featured in the accompanying short film, alongside Justice Ruth Bader Ginsburg, Congressman John L. Lewis, and Taylor Branch.

Goluboff spoke in September on a panel about “Saying ‘No’ to War—WWI, the Vietnam War and Conscientious Objectors” as part of a conference at the Woodrow Wilson School at Princeton on “Civil Liberties in Times of War.”

In October she spoke to the Charlottesville Albemarle Bar Association, and also appeared again on the radio show Backstory, speaking about the Civil Rights Act of 1964.

In January, she will speak on a panel organized by Dick Howard about Magna Carta for the Virginia Bar Association.

Last December RACHEL HARMON gave a talk on “Designing Effective and Legitimate Consent Decrees” at the “Models of Police Institutional Reform Litigation Conference” at Columbia University.

She has been and continues to serve on the National Research Council’s “Committee on the Illicit Tobacco Market: Collection and Analysis of the International Experience.”


In June she wrote a post of PrawfsBlawg on the fragility of knowledge in the U.S. Supreme Court’s Wurie/Riley opinion (about whether police may search the cellphone of an arrestee) which was recognized by Green Bag and reprinted in its journal, The Post: Good Scholarship from the Internet.

In July Harmon presented the paper “Federal Public Safety Programs and the Real Costs of Policing” at Rutgers School of Law.
FACULTY NEWS AND BRIEFS

In June LESLIE KENDRICK’S piece “Free Speech and Guilty Minds” was published in the Columbia Law Review. This year she has presented or will be presenting papers at Yale and at the Legal Theory workshops at UCLA and UVA.

In May Kendrick won the Carl McFarland Prize for outstanding scholarship by a junior faculty member.

In September, she provided a Supreme Court preview for the ABA that was televised on C-SPAN.

A. E. DICK HOWARD ’61 has been busy on both sides of the Atlantic as organizations in the United Kingdom and the United States begin preparations for the marking of Magna Carta’s 800th anniversary in 2015. In London, Howard spoke at the House of Commons to the Magna Carta 800th Anniversary Commemoration Committee, a cross-party committee laying plans for 2015. In Oxford, Howard, joined by Suzelle Smith ’83 and Don Howarth, gave the Howarth and Smith Law Lecture at Lady Margaret Hall. Their subject was “From Legem Terrae to Due Process of Law: 800 Years after Runnymede.” The American Embassy, the British Library, Salisbury Cathedral, and Oxford’s Bodleian Library have asked Howard to give lectures on Magna Carta in London in June 2015.

In the United States, Howard has been appointed to advise the Library of Congress on its forthcoming exhibit, “Magna Carta: Muse and Mentor.” In Boston, Howard gave the annual James Otis Lecture, his subject being Magna Carta’s influence on American constitutionalism.

Having assisted other countries in the writing of new constitutions, Howard reflected on that experience when he gave the Dean’s Distinguished Lecture at Wake Forest University School of Law. His topic was “To Begin the World Anew: The Influence of the American Constitutional Experience on Other Countries and Cultures.” As a warm-up for his Wake Forest lecture, Howard covered some of the same ground in a lecture to the University of Virginia’s Jefferson Society. In that talk, Howard emphasized Jefferson’s time as American Minister to Paris in the 1780s.

Howard’s interest in comparative constitutionalism informed a lecture he gave to Rhodes Scholars at Oxford’s Rhodes House. Talking about “The Idea of a Constitution,” Howard considered the several phases of modern constitution-making from the founding era in France and America to the years since the collapse of communism. Here in Virginia, together with his colleagues, the Law School’s Mila Versteeg and Washington and Lee’s Russell Miller, Howard helped conceive and organize the first annual Comparative Constitutional Law Roundtable at James Madison’s Montpelier. The roundtable drew participants from major law schools around the country. Howard keynoted the roundtable with a talk on the history of Virginia’s Constitution, including tales from the campaign for the Constitution’s ratification.

Always interested in the Supreme Court of the United States, Howard spoke at Mount Vernon to the Virginia Bar Association’s Special Issues Committee on the subject “What’s Happening at the Supreme Court.” Not neglecting the Law School’s own family, Howard made remarks at receptions for alumni of the Law School in Boston and in Charlotte.
In February **Ruth Mason’s** article in *Tax Notes*, “Exporting FATCA,” was cited in the bi-partisan report by senate staffers in the Senate Committee on Homeland Security & Governmental Affairs entitled “Offshore Tax Evasion: The Effort to Collect Unpaid Taxes on Billions in Hidden Offshore Accounts.”

Mason also published “Waiting for Perseus: A Sur-Reply to Professors Graetz and Warren” in *Tax Law Review*; and wrote a U.S. Supreme Court amicus brief in *Maryland State Comptroller of the Treasury v. Brian Wynne, Et Ux.*, arguing that the Maryland state income tax violates the dormant Commerce Clause.

In November she presented a working paper on citizenship taxation at New York University next spring.

This spring **Michael Livermore’s** article “Cost-Benefit Analysis and Agency Independence” was published by the *Chicago Law Review*.

In April he published a comment in *Nature* titled “Improve Economic Models of Climate Change,” co-authored with leading law professors, climate scientists, and environmental economists including Kenneth Arrow (Nobel-prize winning economist; Stanford), Michael Oppenheimer (Princeton, Geosciences Department), and Richard L. Revesz (NYU Law; Director of the American Law Institute).

In August Livermore presented at an interdisciplinary gathering hosted by the Neukom Institute at Dartmouth College discussing the application of new mathematical, statistical, and computational methods to the study of culture, history, and law.

In September he argued a case before the D.C. Circuit, *Center for Biological Diversity v. Jewell* on behalf of an environmental organization challenging the economic analysis that underlies the Department of Interior’s most recent 5-year plan for offshore oil and gas development. The challenge was based in part on his 2013 article “Patience is an Economic Virtue: Real Options, Natural Resources, and Offshore Oil,” in the *University of Colorado Law Review*.

He presented in October at the Vanderbilt faculty workshop a paper on “Parties and Presidential Oversight.” He was also on a panel at the American Bar Association Administrative Law Section fall conference in Washington D.C. on “Acting on Agency Action and Delay.” He discussed his 2013 paper “Regulatory Review, Capture, and Agency Inaction” (with Richard L. Revesz) that appeared in the *Georgetown Law Journal*.

In November he published “Rethinking Health Based Environmental Standards” (with Richard Revesz) in the *New York University Law Review*.

This fall **Greg Mitchell** presented his paper “The Folly of Evidence Law’s Epistemic Rules” at the University of Nevada–Las Vegas and the University of Minnesota. He and colleagues published the paper “Toward a Meaningful Metric of Implicit Prejudice” in the *Journal of Applied Psychology*. 
JOHN NORTON MOORE reports that the 38th annual conference of the Center for Oceans Law and Policy (COLP), which Moore directs, took place in June in Bergen, Norway. The conference topic was “Challenges of the Changing Arctic: Continental Shelf, Navigation, and Fisheries.” It was opened by Ambassador Hans Corell of Sweden, and the keynote speaker was Director General Rolf Einar Fife from the Ministry of Foreign Affairs of Norway. The volume of papers from this conference, which Moore will co-edit, will be published by Martinus Nijhoff in the summer of 2015. The volume of papers from the 37th annual conference, “Freedom of Navigation and Globalization” (forthcoming November 2014), is at press. The 19th session of the Rhodes Academy of Oceans Law and Policy, which is organized by COLP, took place this summer in Rhodes, Greece. Moore taught four classes at the Rhodes Academy.

In June the Center for National Security Law (CNSL), which Moore also directs, hosted its 22nd National Security Law Institute. Moore taught classes at the Institute on Understanding War, Institutional Modes of Conflict Management, and the Use of Force in International Relations. In September Moore moderated the panel “International Rights in National Courts” at the Sokol Colloquium which this year addressed Comparative International Law.

In November CNSL co-sponsored with the ABA the 24th Annual Review of the Field of National Security Law conference in Washington, D.C. CNSL sponsored a panel entitled “The Economic and Financial Threat Domain: Making Smart Sanctions Smarter.”

Finally, Moore is editing the third edition of the casebook National Security Law with co-editors Robert Turner and Guy Roberts. The new edition will be available by summer 2015 and will be published by Carolina Academic Press.

The U.S. Court of Appeals for the Fourth Circuit is sponsoring its first “Career Clerk Summit” on December 9 and has asked KAREN MORAN to give a presentation on "How to Thoughtfully Edit Others’ Written Work.”

In June 2014 DOTAN OLIAR published “Copyright Registrations: Who, What, When, Where, and Why” (with Nate Pattison and Ross Powell ’15) with the Texas Law Review. The paper examines empirically patterns of copyright registrations. Oliar presented the paper at University of Texas law school in January 2014, and it was also selected for presentation at the annual meeting of the American Law and Economics Association in May 2014 at the University of Chicago law school. In September 2014 Oliar met with Maria Pallante, Register of Copyrights, to cooperate on an initiative that would make the copyright registration data publicly available.

In September ROBERT O’NEIL presented two papers at a conference at the Utah Valley University Center for Constitutional Studies. One dealt primarily with free speech and press issues (especially the link between Internet law and social media) while the other addressed religious liberty within the Mormon/LDS community (and was thus of special interest to those in the Salt Lake City area).

Also in September O’Neil gave the keynote speech in Richmond at the annual meeting of the Virginia Mediation Network on the subject of Alternative Dispute Resolution. He drew upon his experience as chairman in 1988-89 of the first Commission on the Future of the Virginia Judicial System, during which much attention was devoted to ADR, reflecting an emphasis on new technologies.

JOHN MONAHAN, along with David Faigman ’86; now John F. Digardi Distinguished Professor of Law at the University of California Hastings College of the Law, and Christopher Slobogin ’77, LLM ’79; now Milton Underwood Professor of Law at Vanderbilt University, published “Group to Individual (G2i) Inference in Scientific Expert Testimony” in the University of Chicago Law Review. In June, Monahan presented a workshop on this topic at the Cardozo Law School National Forensic College.
DAN ORTIZ has been working on a piece with former Law School faculty and now Stanford dean Elizabeth Magill ’95 entitled “Comparative Positive Political Theory and Empirics.” He has also, through his role as co-director of the Supreme Court Litigation Clinic, helped draft the petitioner’s opening merits brief and reply brief in Elonis v. United States, the Facebook threat case; the cert petition and reply in Henderson v. United States; the brief in opposition in Koopman v. Myers; and the merits-stage amicus brief of the National Association of Criminal Defense Lawyers in Prado Navarette v. California. Ortiz also wrote in his personal capacity the cert petition in Roman Catholic Church for the Diocese of Baton Rouge v. Mayeux.

In February SAIKRISHNA PRAKASH presented at a panel discussion at the Stanford Law School conference on “The Role of History in Constitutional Law.”

In March he presented a paper to the Berkeley Law School Public Law Workshop on “Congressional Power during Domestic Wars.”

In June he presented a paper to his Law School colleagues on “Time and the Perfection of Federal Law.”

In November, he participated in a Notre Dame conference on United States v. Bond and the treaty power.


GEORGE RUTHERGLEN is currently working on an article on “Lincoln’s Legacy in Reconstruction,” to be published in a collection of essays by the Oxford University Press next spring.

ROBERT SAYLER and MOLLY SHADEL just published the second edition of Tongue Tied America: Reviving the Art of Verbal Persuasion.

In August FRED SCHAUER spent three weeks lecturing on legal reasoning, on jurisprudence, and on transparency at Alberto Hurtado University, Santiago, Chile.


In October a symposium at Bocconi University, Milan, Italy, was devoted exclusively to his forthcoming book, The Force of Law (Harvard University Press), with speakers from Italy, Spain, France, Germany, Canada, and the United Kingdom, and a response by Schauer. On the next day another symposium about the book, at the Universita Degli Studi di Milano, featured five speakers from five different universities in Italy, followed again with a response by Schauer.

Also in October Schauer spoke on the First Amendment and pharmaceutical advertising and regulation at a conference on “Public Health in the Shadow of the First Amendment” at the Yale Law School; and (with co-author Daniel Ho of the Stanford Law School) on “Testing the Marketplace of Ideas” at a conference on “Empirical Studies of Constitutional Law” at the University of Chicago Law School.

In November Schauer spoke on “Coercion and Force in Explaining the Idea of Law” at the Hans Kelsen Institute in Vienna, Austria; and then on “Freedom of Speech in Comparative Perspective” at the University of Vienna.
In May, **Paul Stephan** was a keynote speaker at the annual meeting of the British Branch of the International Law Association at King’s College, London.

In July he gave a presentation on the Fourth Restatement of Foreign Relations Law at Wilmer Hale, London, which is now available as a webcast.

In September Stephan delivered a paper at the Sokol Colloquium at the Law School. Pierre Verdier, Mila Versteeg, Anthea Roberts (Columbia Law School) and Stephan organized this conference, which was on the topic of comparative international law. Oxford University Press will publish the papers coming out of the conference.

In October Stephan spoke on a panel on the Foreign Account Tax Compliance Act (FATCA) at the annual meeting of the American Branch of the International Law Association in New York.

In November he will deliver a paper at Notre Dame Law School as part of a conference on *Bond v. United States*, a Supreme Court decision last Term concerning the treaty power of the United States. Stephan also will present the latest draft of the Fourth Restatement of Foreign Relations Law—Jurisdiction, to the projects advisers.

**Pierre-Hugues Verdier** recently completed an extensive theoretical and empirical investigation of customary international law, resulting in two articles co-authored with Erik Voeten, a leading political scientist from Georgetown University. The articles are appearing this fall in the *American Journal of International Law* and *International Studies Quarterly*. The articles emphasize the role of precedential concerns—that is, concerns that breaching a rule may create a precedent that leads to widespread abandonment of a desirable rule—in explaining compliance with customary international rules and how they change over time. This phenomenon is illustrated by reference to the transformation of the law of foreign state immunity in many jurisdictions over the course of the 20th and early 21st centuries.

Verdier is now working with Mila Versteeg on a large-scale empirical project on the reception of international law in national legal systems around the world. They presented preliminary results at the 2014 Annual Meeting of the American Society of International Law in Washington, D.C. They are also working on a new paper based on this new data, which explores whether countries whose constitutional law imposes constraints on treaty-making by the executive and makes treaties directly applicable by courts—an increasingly widespread model—are able to enhance the credibility of their promises, thus making them more desirable treaty partners.

Along with Paul Stephan, Mila Versteeg and Anthea Roberts from Columbia Law School, Verdier organized the 2014 edition of the Sokol Colloquium on Private International Law. The colloquium brought together lawyers and scholars from multiple countries under the theme “Comparative International Law” to examine how and why different countries interpret and apply purportedly uniform international law rules in different ways. The contributions to the colloquium will be published in a collective volume by Oxford University Press.

This fall, Verdier is visiting the University of Chicago Law School, where he is teaching Public International Law.

**Ben Spencer** published the fourth edition of his casebook, *Civil Procedure: A Contemporary Approach* and the fourth edition of *Acing Civil Procedure*. He also has a forthcoming article entitled “The Forms Had a Function,” which will be published in the *Nevada Law Review*.

Spencer has been appointed by the Virginia Supreme Court to the Council of the Virginia State Bar as of July 1. He also was recently appointed a member of the Special Committee on the Future of Law Practice, a Virginia State Bar task force looking at a number of regulatory challenges to the legal profession in the face of globalization, technological disruption, and collaboration with non-lawyer professionals. These are in addition to his recent appointment to the Board of Governors of the Virginia Bar Association.
In January **GEORGE YIN** participated in a program on “Tax Reform and the Legislative Process,” at the AALS annual meeting in New York City; and presented a paper at a conference in Malibu, Cal. on “Tax Reform in a Time of Crisis,” co-sponsored by Pepperdine Law School and Tax Analysts. Yin’s paper, entitled “Reforming (and Saving) the IRS by Respecting the Public’s Right to Know,” advocated greater transparency of the IRS’s administration of the exempt organization tax laws in order to help restore public trust in the agency. Yin presented the same paper during the spring at faculty workshops at Tulane, Virginia, and Georgia Tech as well as at the annual meeting of the Virginia Tax Study Group. He also used the paper as the basis for the Fogel Lecture at Temple Law School, which he delivered in Philadelphia in March. The paper was published in volume 100 of the *Virginia Law Review*.

In June, Yin was the keynote speaker at a conference in Washington, D.C. on “Advancing Tax Administration” co-sponsored by the IRS and the Tax Policy Center of the Urban Institute and Brookings Institution. His topic was: “The Most Critical Issue Facing Tax Administration Today—and What to Do About It.”

He is scheduled to deliver a luncheon address in November to the 18th Annual Western Conference on Tax Exempt Organizations in Los Angeles, co-sponsored by the Loyola (L.A.) Law School and the UCLA School of Law.

Finally, he is also scheduled to present next spring at workshops at NYU and Georgetown his current research project involving whether the House Ways & Means Committee broke the law when it released certain tax return information to the public.

**CORRECTION:** The “Science and Policy Roundtable” in the last issue of *UVA Lawyer contained remarks from Jason Johnston. For clarification, he has replaced:

1. “Well, now we have the National Institute for Environmental Health & Safety (NIEHS), which a few years ago approved another $30 million to study exactly the same chemical, funding a completely different set of scientists, and using a completely different methodology to look at Bisphenol-A,”

   with:

   “At the same time, the National Institute for Environmental Health and Safety (NIEHS) a few years ago approved spending $30 million to study exactly the same chemical. They are funding scientists who are using completely non-standard methods—such as injecting the substance directly into rodents, at dose levels that have no relationship to the actual level of human exposure. These methods have been rejected even by European regulators as having no scientific justification, and they seem designed quite intentionally to suggest to the public that Bisphenol-A is harmful even at extremely low doses.”

2. “The FDA’s interest, if anything, seems to be in finding that Bisphenol-A is not as risky as people think. The NIEHS, on the other hand, is trying to find out whether it’s really risky,”

   with:

   “The FDA is employing very standard toxicological methods to investigate the riskiness of Bisphenol-A; the NIEHS, by contrast, is funding methodologically weak studies that seemed clearly to be aimed at creating a perception that this chemical is very risky even at low doses.”
An interview with MORTIMER CAPLIN in which he describes his role as a naval officer in the Normandy invasion on June 6, 1944, is a permanent part of the Library of Congress Veterans History Project. His interview was highlighted in honor of the 70th anniversary of D-Day (see http://www.loc.gov/vets/stories/ex-war-day-2014.html).

1957

RICHARD S. PORTER died on August 24, 2014, at the age of 85. He lived in Topsham, Me. He served as lieutenant in the U.S. Army and worked for Alcan Inc. for 31 years.

1958

By TED TORRANCE

Corresponding Secretary

1955 Windward Way

Vero Beach, FL 32963

e-mail: etorr@cox.net

In response to an often- raised question: in 1958 we numbered 161. As of this writing we number 74, so we have gradually aged into a minority status.

Various of our classmates kindly responded to my summertime plea for news, comments, or anything else appropriate for printing in these columns, as follows:

First, from BILL O’CONNOR:

He sent along his much-appreciated (by me) thanks for these periodic alumni reports, commenting that, “they are the first pages of UVA Lawyer that we all read.”

The perennial nexus between our class and the Law School, FRED GOLDSTEIN, writes of his trying to learn to enjoy the benefits of retirement after an extended hiatus on the sidelines for medical reasons, and he has apparently taken up golf with a vengeance. His minimum standard is “one good stroke per hole, but alas, the course he plays outside Boston has an inherent requirement of three per hole. But Fred obviously has other more consuming and probably more rewarding interests. He reports glowingly of his travels in England this past summer, exploring architecture and indulging his passion for collecting caricatures and illustrated books.

The ever-on-the-move HENRY WILLIAMS recounts his having rendezvoused with the Great Lakes Cruising Club in Leamington, Ontario, and of his plans for cruising this past summer on Lake Ontario eastward to the Thousand Islands on his Niagara 35 sailboat, with a stop at the Wooden Boat Museum in Clayton, N.Y. (“not to be missed”).

MICHAEL KAPLAN writes that he has moved from an “expensive rental in New York City (everything in New York City is expensive) in the middle of four hospitals and attendant sirens” to a presumably quieter co-op on the edge of Sutton Place. By the way, Michael recalls that he was the second- youngest member of our class, having turned 80 this past June, with BERT TAUBER taking the junior championship. On the other hand, JESSE VOGTLE recently noted that he is only 80—so who knows? These three and perhaps others can duke it out to claim junior honors.

STUART (BLUE) JAY says that all is well in Louisville, Ky., although he bemoans the cost of maintaining not only a Labrador but also his wife’s riding horse in regal style. Blue clearly has never heeded the age-old admonition never to buy anything that floats or has four legs.

We welcome submissions for inclusion in Class Notes. Online, submit them at www.law.virginia.edu/alumni; e-mail them to lawalum@virginia.edu; mail them to UVA Lawyer, University of Virginia School of Law, 580 Massie Road, Charlottesville, VA 22903; or fax them to 434/296-4838. Please send your submissions by April 15 for inclusion in the next issue.
BEN PHIPPS is still practicing in Tallahassee “a little less than half-time.” He urges us all to remember the Class of 1958 Hardy Dillard Scholarship Fund, as well as the annual class contribution thereto. You will recall that Ben has been a most generous leader in the development of the Fund.

MARC JACOBSON sent along a summary of his activities over the years, having served in various judicial capacities in Norfolk, including as Chief Judge of the Norfolk Circuit Court. Marc also participated in a broad spectrum of religious and civic activities, among them membership on the Board of Visitors of Old Dominion University.

If any of you have had housing woes in the past, consider this from a telephone conversation I had with FERD SALOMON: This past April the heavens let loose with some two feet (feet!) of rain over his Pensacola home, resulting in the destruction of the house and about everything in it. Ferd’s wife first sensed there was a problem when she felt cold water on her feet as she sat reading. Since then, while repairs are being made, Ferd has been living with assorted pets in an RV in the yard. At the time of our talk, in mid-summer, he had clearly had enough of all that.

BARBARA COPPETO, having had a career capped by her service as a judge on the Connecticut Superior Court, says she is still spending one day a week doing pre-trial work. Her summers are spent on the shorefront in Milford, Conn., with the winters seeing her on Siesta Key, a barrier island adjoining Sarasota, Fla. She invites any classmates in the area to give her a call.

Aging Department: with I guess all of us now having reached age 80, and with many of us well past that age, it is my observation that very few of us, if any, get a free pass to that longevity, with some paying a considerably higher price than others. Witness: Louise, wife of ROD SINCLAIR reports that Rod is in an assisted living facility in Charlottesville, suffering with Parkinson’s Disease.

LOWELL WECKER, probably the most politically prominent member of our class (U.S. Representative and eighteen-year Senator; Governor of Connecticut), sent me a note from which I excerpt: “Interest: politics; health: lousy legs; children: seven boys, six grandchildren, one great grandchild; wife: Claudia—beautiful; age: 83—too old.”

The afore-mentioned JESSE VOGTLE says in a note that he is residing in an assisted living facility in Birmingham while his wife holds down the fort at their long-time home.

A higher price is being paid by CHARLEY BRADLEY, who wrote to say that he is suffering from a rare neurological condition called cortical basal ganglion degeneration, which leaves him confined to a wheelchair, without use of his left arm or hand. I Googled CBGD on the Internet and received an education in one of the many areas of medicine of which I am quite ignorant. Charley recommended I read Christopher Hitchens’ book, Mortality, which I did, in two bites. I in turn enthusiastically recommend it to all, recognizing that none of us (so far as I know) has unlocked the secret to immortality. You will find the book difficult to put down. Charley signed off on his note with “Happy trails to all.”

As always, I am indebted to those who have taken the time and effort to send news of themselves along to me. It’s never too early to start work on the next issue of UVA Lawyer, so I urge all to contact me. My best to all.

OSCAR A. GOTTSCHE, 83, died on September 23 in Bernardsville, NJ. After clerking for Judge J. Gregory Bruce of the U.S. Tax Court, he embarked on a legal career focused on U.S. tax law, particularly its international aspects. He served for many years on the board of directors of the Tax Council; as vice chair of the Tax Committee of the International Chamber of Commerce; and on the tax committees of the American Bar Association and the National Foreign Trade Council.

1960

RUST E. REID is listed in Best Lawyers 2015 in trusts and estates. He is of counsel with Thompson & Knight in Dallas, Tex., where he focuses his practice on estate planning, probate, and fiduciary administration.

RICHARD A. SILVER recently chaired a mediation seminar for the Connecticut Trial Lawyers Association where the Chief Justice of Connecticut was a principal speaker and 30 Connecticut Superior Court judges were in attendance. He plans to chair a seminar on medical malpractice at the Frank H. Netter, M.D. Medical School at Quinnipiac as well. Silver recently hosted Dean Paul Mahoney for a UVA Law alumni event at his home. Silver is senior partner with Silver Golub & Teitell in Stamford, Conn., where

PHILIP VINCENT MOYLES ’60 recently returned to his alma mater, Mount St. Mary’s University, in Emmitsburg, Md., to be inducted into the Dean’s Circle of Excellence. While at Mount St. Mary’s he participated in football, baseball, and Glee Club, worked on the newspaper, and was yearbook manager.

After graduation from the Law School, Moyles practiced in the U.S. Court of Appeals for the Second, Fifth, and Eleventh Circuits and in the State Courts of New York. His dedication to Mount St. Mary’s inspired him to create the Margaret E. and William P. Moyles Award for Excellence in Pre-Law Studies, given each year to the graduate who achieves academic excellence in the pre-law program. He resides in New York.
he focuses his practice on litigation, medical malpractice, and personal injury cases.

1961

Judge RONNIE A. YODER established the Yoder Scholarship in 2007 to advance the study of love as the center of Christian life and theology and explore love as a theme that unifies all religions. Students are invited to submit poems, music, essays, or other creative works that explore the recognition of a God of love. Once restricted to students at Virginia Theological Seminary, the scholarship is now open worldwide to the Anglican community.

1963

WILLIAM WEIDLICH writes that his health prevented his attending his 50th reunion in 2013, but he hopes to someday return for a reunion for many reasons, among them seeing the new campus buildings.

1964

WALTER M. DICKEY reports that he has three grandchildren who are champion soccer players.

WARD ELLIOTT retired in May after 45 years of teaching political science at Claremont McKenna College. He is working on a book on Shakespeare authorship and a new paper on 16 of Shakespeare’s early contemporaries and 25 early anonymous plays. Elliot notes, “Of dozens of possible pairings, only one could be a match: Marlowe and part of Henry VI, Part I. Shocker: Shakespeare’s vocabulary was no larger or richer than yours. His genius was not how many words he knew, but how he put them together.”

EDWARD J. HANDLER III is the executive chairman for The Bronx Project, Inc. Its pharmaceutical molecule C3 continues its promise as a platform for major inflammatory diseases, including Parkinson’s, Alzheimer’s, Lou Gehrig’s, and others. A study in non-human primates with chemically induced Parkinson’s was recently completed, with efficacy and safety resulting.

1965

EVERETTE G. “BUDDY” ALLEN JR. and his wife, Ann Allen, will be honored as Philanthropists of the Year by the Central Virginia Chapter of the Association of Fundraising Professionals on November 11, National Philanthropy Day. The Allens were nominated for their lifetime achievement in philanthropy by Randolph-Macon College, to which they have donated more than $3.7 million over the past 52 years.

ARLAND T. STEIN recently became co-chair of the intellectual property practice at Hahn Loeser in Columbus, Ohio, where he is a partner focusing his practice on intellectual property and litigation. He prosecutes patents and trademarks and negotiates patent and trademark licenses before the U.S. Patent and Trademark Office and before foreign PTOs. He has tried a number of high-profile patent infringement cases and has been retained as appellate counsel in a number of appeals before the Federal Circuit.

1966

BOYD C. CAMPBELL JR. has been named by Best Lawyers 2015 Charlotte Lawyer of the Year in corporate compliance law and is listed in Best Lawyers 2015 in corporate compliance law, corporate law, and mergers & acquisitions law. He is counsel with McGuireWoods in Charlotte, N.C.

1967

LUCIUS H. BRACEY JR. is listed in Virginia Super Lawyers 2014 in estate planning and probate, tax, and estate and trust litigation. He has also been selected for inclusion in Best Lawyers 2015 in trusts and estates. He is counsel with McGuireWoods in Charlottesville.

1968

WILLIAM G. BROADDUS is listed in Chambers USA 2014 in litigation: general commercial-Virginia. He was named in Virginia Super Lawyers 2014 in business litigation, appellate, and environmental litigation. He was named Best Lawyers 2015 Richmond Lawyer of the Year in litigation-municipal and selected for inclusion in appellate practice, bet-the-company litigation, commercial litigation eminent domain and condemnation law, construction litigation, land use and zoning litigation, municipal litigation, and regulatory enforcement litigation. He is counsel with McGuireWoods in Richmond.

GUY FARMER II has been selected for inclusion in both Florida Super Lawyers 2014 and Chambers USA 2014 in employment and labor. He was also recognized in Best Lawyers 2015 in employment law-management, labor law-management, and litigation-labor and employment. He is of counsel with GrayRobinson in Jacksonville, Fla., where he is a member of the labor and employment group.

WILLIAM H. KING JR. is listed in Chambers USA 2014 for litigation: products liability-Virginia and in Virginia Super Lawyers 2014 in personal injury defense: products; business litigation; and civil litigation defense. He has also been listed in Best Lawyers 2015 in bet-the-company litigation, commercial litigation, litigation-regulatory enforcement (SEC, Telecom, Energy), personal injury litigation-defendants, and product liability litigation-defendants. He is counsel with McGuireWoods in Richmond.
**ALLEN C. GOOLSBY** is co-author of *Goolsby and Haas on Virginia Corporations*, 5th Edition, published by LexisNexis (see In Print). This edition provides a comprehensive review of laws that govern stock corporations in Virginia and gives a fascinating picture of the complex balance of power between boards and shareholders. Goolsby is an expert in his subject. He oversaw the General Assembly’s overhaul of the Virginia Stock Corporation Act in the 1980s and has led the way on revisions since then.

His first book on this subject was published in 2002; this 5th and most recent edition was co-authored with **Steven M. Haas ’04**, a leading attorney in matters of corporate governance and mergers and acquisitions. Goolsby has been a mentor to Haas. Though their time at the Law School was decades apart, both worked on the *Virginia Law Review*. Both were also influenced in important ways by the late Professor Michael P. Dooley. “The fingerprints of our dear friend and mentor, Mike Dooley, run through our dear friend and mentor, Dooley. “The fingerprints of late Professor Michael P. Goolsby has been a mentor to Haas. Though their time at the Law School was decades apart, both worked on the *Virginia Law Review*. Both were also influenced in important ways by the late Professor Michael P. Dooley. “The fingerprints of our dear friend and mentor, Mike Dooley, run through our dear friend and mentor, Dooley. “The fingerprints of late Professor Michael P. Goolsby has been a mentor to Haas. Though their time at the Law School was decades apart, both worked on the *Virginia Law Review*. Both were also influenced in important ways by the late Professor Michael P. Dooley. “The fingerprints of our dear friend and mentor, Mike Dooley, run through our dear friend and mentor, Dooley. “The fingerprints of late Professor Michael P. Goolsby has been a mentor to Haas. Though their time at the Law School was decades apart, both worked on the *Virginia Law Review*. Both were also influenced in important ways by the late Professor Michael P. Dooley. “The fingerprints of our dear friend and mentor, Mike Dooley, run through our dear friend and mentor, Dooley. “The fingerprints of late Professor Michael P. Goolsby has been a mentor to Haas. Though their time at the Law School was decades apart, both worked on the *Virginia Law Review*. Both were also influenced in important ways by the late Professor Michael P. Dooley. “The fingerprints of our dear friend and mentor, Mike Dooley, run through our dear friend and mentor, Dooley. “The fingerprints of late Professor Michael P. Goolsby has been a mentor to Haas. Though their time at the Law School was decades apart, both worked on the *Virginia Law Review*. Both were also influenced in important ways by the late Professor Michael P.

**ROSEWELL PAGE III** is listed in *Chambers USA 2014* in litigation: general commercial-Virginia and in *Virginia Super Lawyers 2014* in general litigation and health care. He has been selected for inclusion as well in *Best Lawyers 2015* in commercial litigation, bet-the-company litigation, litigation-environmental, product liability, and personal injury litigation. He is counsel with McGuireWoods in Richmond.

**JERRY BUCKLEY’69** recently joined the board of directors of the Global Good Fund, a non-profit organization that supports the development of young leaders and entrepreneurs who are working on global social issues.

He is a founding partner of BuckleySandler in Washington, D.C., where he focuses his practice on assisting clients with business formation and acquisition, risk management, and matters involving federal and state regulations. He is one of the nation’s leading attorneys advising financial services companies.

Buckley will provide business expertise and strategic advice to the Global Good Fund as it transitions from a donor-driven model to one that draws revenue from services focused on leadership development of entrepreneurs. He will also help the fund establish connections with the Washington, D.C., business community. Buckley has been an informal mentor to Carrie Rich, the CEO and co-founder of the Global Good Fund, for more than a decade.

He is an adjunct associate professor of law at the Washington College of Law at American University. Buckley is listed in *Super Lawyers 2014* in banking, consumer law, and administrative law and in *Chambers USA 2014* as a senior statesman in consumer finance-compliance. He has been selected for inclusion in *Best Lawyers 2015* in banking and finance law, financial services regulation law, and litigation-banking and finance.

**1969**

In the past five years, **MICHAEL FOX** and his partner, Kenny Radcliffe, have traveled to the Galapagos Islands, China, Turkey, England, Thailand, Australia (twice), Peru, Tibet, Nepal, and Bhutan. They’ve also gone on two civil rights tours, in 2012 and 2014—the first with Julian Bond, sponsored by UVA, and the second sponsored by the University of Washington—through Georgia, Alabama, Mississippi, Arkansas, and Tennessee.

**FREDERICK A. HODNETT JR.** writes that he and his wife, Lyn, thoroughly enjoyed participating in his 45th Law School Reunion in May. “The Law School tour was particularly enlightening,” he writes, “since I had never had the opportunity to view the expanded facilities. Quite impressive!” They are proud grandparents to two beautiful granddaughters, Brenna Cameron, age 28 months, and Emery Katherine, 4 months. “What a special assignment to be a grandparent!”

**THOMAS G. SLATER JR.** was appointed by Virginia Governor Terry McAuliffe to the Board of Trustees of the Virginia Outdoors Foundation. He will serve a four-year term. Slater is special counsel with Hunton & Williams in Richmond, where he focuses his practice on complex litigation matters with emphasis on antitrust and intellectual property.
He was selected for inclusion in Best Lawyers 2015 in antitrust and corporate litigation.

1970

Harvey E. Bines has been named Best Lawyers 2015 Boston corporate compliance Lawyer of the Year. He is with Sullivan & Worcester, where he is a partner in the corporate finance and investment management practice groups.


W. Carter Younger is listed in Chambers USA 2014 in labor and employment-Virginia. He was also named in Virginia Super Lawyers 2014 in employment and labor. He is listed in Best Lawyers 2015 in employment law-management, labor law-management, labor law-union, labor and employment litigation, and intellectual property litigation. He is counsel at McGuireWoods in Richmond.

1971

Dean M. Hasseman retired on April 1 as general counsel and chief compliance officer of CITGO Petroleum Corporation. He was general counsel for 8 years and was employed by CITGO for 23 years. He spent a total of 42 years as an attorney in all aspects of the “downstream” business of the oil industry. Before joining CITGO, he worked for Sun Oil Company and with Williams Pipe Line Company.

Daniel J. Mulcahy, senior counsel at Cadwalader Wickersham and Taft, recently advised the government of the British Virgin Islands in the negotiation of an intergovernmental agreement with the United States to implement the Foreign Account Tax Compliance Act, commonly known as FATCA.

1972

Mark E. Sullivan received the American Bar Association’s Grassroots Advocacy Award in April for his longstanding support of military service members and their families. He has focused his trial practice on family law since 1981 and is a frequent speaker at programs concerning military and family law. He is a regular lecturer on family law at the Army JAG School and the Naval Justice School. Sullivan is principal of Sullivan & Tanner in Raleigh, N.C.

Stephen T. Bolton has been elected to serve a three-year term as District 13 Representative on the Board of Governors of the Ohio State Bar Association. He is a shareholder with Manchester Newman & Bennett in Youngstown, Ohio, where he is a member of the civil litigation, tort, and insurance defense section. He focuses his practice on commercial litigation and oil and gas law.

George W. House was recognized in Chambers USA 2014 in environmental law and is listed in Best Lawyers 2015 in environmental law, litigation-environmental, mining law, natural resources law, and water law. He is a partner with Brooks Pierce in Greensboro, N.C., where he concentrates his practice on environmental and construction law and litigation.

1973

Ross C. Reeves passed away on July 3 while on vacation with his family on Cape Cod. He was 65. He was a native of Raleigh, N.C. At Law School he served on the editorial board of the Virginia Law Review and was a member of Order of the Coif.

After serving in the U.S. Navy Judge Advocate General’s Corps, he and his wife moved to Norfolk, where he began his legal career with Kaufman, Oberndorfer & Spainhour. In 1984 he joined Willcox & Savage, where he was partner and chair of the creditors’ rights and business bankruptcy practice group. He was chair of the business laws section of the Virginia Bar Association and a founding director of the Virginia Venture Capital Forum. He served on the governing board of the bankruptcy law section of the VBA and was appointed to the American Bar Association’s ad hoc committee on partnerships in bankruptcy. He was also elected a fellow in the American College of Bankruptcy. He was the foremost authority on receivership law in Virginia, and wrote and spoke often on the subject.

Reeves was deeply involved in the development of the Hampton Roads area, serving on boards involving the arts, the Norfolk Historical Society, the chamber of commerce, and other community organizations. He was also committed to mentoring young people in law, business, and education. He is survived by his wife, Robin Neuschel Reeves.

The eulogy at the memorial services was given by John Jeffries ’73, former dean of the Law School, childhood friend, and classmate at both Yale and UVA Law. Both of Reeves’s children and his son-in-law are graduates of the Law School: Peter Campbell Reeves ’07 and Cameron Reeves Poynter ’02 (daughter) and William Ruger Poynter ’02 (son-in-law).
1974

NATHALIE GILFOYLE filed an amicus brief that was cited no fewer than seven times in the recent Supreme Court ruling in *Hall vs. Florida*. She filed the brief on behalf of the American Psychological Association, where she is general counsel, and a group of related professional associations.

The case dealt with the question of whether it is constitutional for the State of Florida to execute a convicted murderer using an IQ cutoff score to determine whether he is mentally competent. There is a consensus among scientists and professional organizations, wrote Gilfoyle, that adaptive functioning—which someone functions in life—must be taken into consideration as well as test scores in determining whether someone is mentally competent enough to qualify for the death penalty.

Florida had one of the strictest definitions for mental disability, an IQ score of 70 or below, and anyone with a higher score was not allowed to give other evidence of low function. A 5-4 majority of the Supreme Court agreed that Florida’s use of a fixed cutoff for IQ score was based on a misunderstanding of how IQ scores should be interpreted, exactly the argument made in Gilfoyle’s brief. Hall and his lawyers could present additional evidence of his mental disability, the Court ruled, before the state could call for the death penalty.

Gilfoyle has been with the American Psychological Association since 1996.

EDWIN KNEEDLER received the Samuel J. Heyman Service to America Medal at a gala ceremony in September. The Career Achievement Medal is given to a federal employee for significant accomplishments throughout a career in public service.

Kneedler is Deputy Solicitor General at the Department of Justice. He has been at the Justice Department for nearly 40 years, through the administrations of Gerald Ford, Jimmy Carter, Ronald Reagan, George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama. He has argued 125 cases before the Supreme Court, more than any other attorney currently practicing law. He argued the U.S. government’s position on whether the Cuban refugee Elian Gonzalez should be returned to his father and whether Paula Jones’ sexual harassment case against President Clinton should take place while the President was in office. He supervised the briefing in the Supreme Court case on whether the Affordable Care Act was constitutional, which he says was the biggest case he ever participated in. Colleagues note his high standards for integrity and diligence in protecting the long-term interests of the United States.

STEPHEN PRICE of the Leesburg bar was selected for inclusion among the 2013 Legal Elite by *Virginia Business* Magazine. Price is a past president of the Loudoun County Bar Association and served on the board of governors of the Virginia Bar Association.

1975

CLIFFORD A. CUTHCHINS IV JD/ MBA is listed in *Virginia Super Lawyers* 2014 in mergers and acquisitions, corporate governance and compliance, and securities and corporate finance, and listed in *Chambers USA 2014* for corporate/M&A-Virginia. He is also recognized in *Best Lawyers 2015* in corporate governance law, corporate law, and mergers & acquisitions law and as Richmond Lawyer of the Year in corporate governance law. He is a partner with McGuireWoods in Richmond, where he represents and advises clients as corporate counsel and business advisor in corporate matters, including mergers and acquisitions, leverage buyout, and financial and corporate financings.

JOHN H. QUINN has been selected for inclusion in *Best Lawyers 2015* in litigation-intellectual property, litigation-patent, and trade secrets law. He is a partner with Armstrong Teasdale in St. Louis, Mo., where he is co-leader of the intellectual property litigation practice group and member of the litigation practice group.

JAMES H. WALSH was named *Best Lawyers 2014* Richmond Lawyer of the Year in litigation-antitrust. He is listed in *Virginia Super Lawyers 2014* in business litigation and in *Best Lawyers 2015* in antitrust law and litigation-antitrust. He is a partner with McGuireWoods in Richmond.

1976

DON P. MARTIN is recognized in *Chambers USA 2014* in litigation: general commercial. He is a partner with Quarles & Brady in Phoenix, Ariz., where he is national chair of the lender liability task force.

PETER E. BROADBENT JR. has been elected board chair for the Library of Virginia. He has held three board terms by gubernatorial appointment and previously served as chair in 2003-04. In addition, Broadbent was named to the 2014 *Virginia Super Lawyers* list in utilities law. He is a partner at Christian & Barton in Richmond, where his legal practice focuses on telecommunications, intellectual property, business law, and governmental relations law.

WILLIAM P.H. CARY is listed in *Best Lawyers 2015* in employment law-management, labor law-management, litigation-labor and employment. He is a partner with Brooks Pierce in Greensboro, N.C.

JANE E. GENSTER has been elected president and CEO of the Cristo Rey Network, a national network of 28 Catholic college-preparatory high schools that provides a rigorous academic program.
grounded in faith. Genster brings extensive experience in law, education, and non-profit governance to her new position. She is a longtime champion of Catholic education and better access to educational opportunities for low-income students.

Genster has been at Georgetown University for 14 years, serving as vice president and general counsel and as senior counselor to the president of the university. In her role as senior counselor, she was a leader working on educational access issues, equity, and academic success for low-income and first-generation college students. She worked on the programs at Georgetown that helped expand access to education, including a partnership with the Cristo Rey Network.

Genster was a leader in the development and operation of Georgetown’s three-week summer immersion program that serves as a bridge to college for exceptional Cristo Rey and KIPP (Knowledge is Power Program) high school students. She has helped mentor the 74 Cristo Rey alumni who have come to Georgetown as undergraduates. Of those 74 young people, 53 are currently students at Georgetown and 21 have graduated with undergraduate degrees.

**JAMES M. HINGELEY** received the Virginia Bar Association’s prestigious Roger D. Groot Pro Bono Publico Service Award this summer. The award is given in honor of exceptional pro bono and community service. Hingeley has served on the VBA board of governors, as chair of VBA’s criminal law section council, advocate for the VBA’s legislative agenda before the General Assembly, and as an organizer and teacher for VBA’s capital defense workshop, in which capital defense counsel from around the Commonwealth receive crucial training.

Hingeley was in private practice before becoming public defender for the City of Lynchburg in 1991. He is currently public defender for Albemarle County and the city of Charlottesville, and has served in that position for 16 years. He is a fellow of the Virginia Law Foundation and a Wasserstein Public Interest Fellow at Harvard Law School. For the past several years he has taught a criminal defense clinic at UVA Law School.

**JONATHAN W. IGOE** has been selected for inclusion in *Best Lawyers 2015* in trusts and estates. He is a partner with Armstrong Teasdale in St. Louis, Mo., where he is a member of the tax, employee benefits, and trusts and estates practice group.

**W. JOSEPH OWEN III** is listed in *Virginia Super Lawyers 2014* in general litigation and *Best Lawyers 2015* in litigation-health care and litigation-insurance. He is a partner with Owen & Owens in Midlothian.

**ANN MARGARET POINTER** has been selected for inclusion in *Best Lawyers 2015* in labor and employment law. She is a partner with Fisher & Phillips in Atlanta, Ga., where she has represented management in labor and employment matters for more than 30 years. Pointer teaches pretrial litigation at Emory University Law School.

**ELIZABETH RITVO** has been named a member of the Boston Bar Association Council for a three-year term. She is of counsel in the litigation and arbitration practice group with Brown Rudnick, and represents newspapers, television stations, publishers, and other media in libel, invasion of privacy, access, First Amendment, and copyright matters before state and federal trial and appellate courts.

**DONALD J. SHULLER** is listed in *Chambers USA 2014* in real estate and *Best Lawyers 2015* in real estate law. He is a partner with Vorys, Sater, Seymour and Pease in Cincinnati, Ohio, where he is a member of the finance, energy, and real estate group.

**STEPHAN K. TODD LL.M.** has been appointed vice chair of the disciplinary board of the Supreme Court of Pennsylvania. He has been a member of the board, which assists the court in all matters that involve attorney licensing and discipline in Pennsylvania, since January 2009.

Todd retired from the U.S. Steel Corporation as vice president of law and environmental affairs in 2007. He retired from the Army Reserve with the rank of colonel. He is the mentor coordinator for the Butler County Veterans Court and is on the board of Gwen’s Girls, an organization that encourages girls to have productive futures.
On July 22 the White House honored CHRISTINE L. OWENS as a Champion of Change for her efforts to raise wages for workers throughout the United States. For more than two decades she has been a strong voice for strengthening employment rights and increasing opportunities for all low-wage and unemployed workers.

Owens is executive director of the National Employment Law Project (NELP), a non-partisan, non-profit workers’ advocacy group based in Washington, D.C. The organization fights for increasing the wages of millions of full-time workers who struggle to get along on their meager pay.

“Inequality in the work force mirrors and contributes to growing inequality in our society overall,” says Owens, and notes that since 1973, the ratio of CEO-to-worker compensation has grown more than tenfold, while over roughly the same period, real wages for America’s lowest paid workers have fallen. “The corrosive effect of inequality undermines our capacity to build an inclusive economy with broadly shared prosperity,” Owens says. “We all have a stake in challenging inequality. We can’t afford not to.”

Owens is a longtime employment and civil rights attorney. In 1995 she founded the Worker Options Resource Center, where she was a leading force in bringing together a coalition of national and grassroots organizations to gain passage of the 1996 federal minimum wage increase to $7.25. She joined the AFL-CIO in 1997 as a senior policy analyst focusing on equity issues and became director of policy there in 2001.

She joined the National Employment Law Project in 2008, where she currently leads a group of lawyers, policy analysts, and employment specialists in research and advocacy for disadvantaged workers. The National Employment Law Project enforces the rights of workers, helps the unemployed regain a foothold in the economy through better benefits and services, and promotes policies that help create good jobs.

NELP plays a key role in the current campaign to raise the federal minimum wage to $10.10 an hour, the baseline wage that would lift full-time workers just above the poverty line. NELP’s efforts also extend to state and local efforts. In the past year, there have been significant victories: 16 states and 10 cities and counties have passed increases in the minimum wage. Some states have approved hourly wages of more than $10 per hour, and Seattle and San Francisco have implemented a $15 per hour minimum wage.

Owens went to law school because she thought that would make her a more effective advocate for social and economic justice. “At UVA I had a close circle of friends—including the classmate I married, Sandy Newman—with similar passions and priorities,” she recalls. “These friendships helped deepen my career preferences as a student and have reinforced my career choices over the years. I was also very fortunate in that, although internships for academic credit were fairly uncommon when I was a student, the Law School approved internships for Sandy and me at the Center for Law & Social Policy. That experience laid the foundation for many of the opportunities I’ve had throughout my career.”
Graduation day in May was a very special day for JOAN EHRENWORTH ERDMANN ‘77 and her daughters: Elizabeth Erdmann Burnett, BA History; Hope Ehrenworth Erdmann, BA Linguistics; and Grace Rebecca Erdmann, MA Middle Eastern and South Asian Languages and Cultures. The graduates are granddaughters of the late A.M. Ehrenworth (Med ‘51).

those skeptics that this one will last. He intends to travel, ride his motorcycles all over the world, and generally refuse to act his age. “Good plan,” he adds.

1978

DAVID T. DOUTHWAITE recently retired after 15 years as a vice president and general counsel from the Northwest office of the national firm JE Dunn Construction Company. Previously, he practiced with Baker & Botts in Washington, D.C., and Lindsay, Hart, Neil & Weigler in Portland, Ore., and served as the government relations manager for the Oregon-Columbia chapter of the Associated General Contractors. He resides with his wife, Mary, in St. Helens, Ore.

MICHAEL P. HAGGERTY is listed in Best Lawyers 2015 in real estate law. He is partner and co-head of the finance practice group with Jackson Walker in Dallas, Tex., where he focuses his practice on finance, real estate, and public finance.

PETER S. KAUFMAN’s Gordian Group, an investment bank in New York City that provides financial advice in distressed situations, was named Investment Bank of the Year at the 2014 ACG New York Champion’s Awards, and Boutique Investment Bank of the Year by the M&A Advisor at its annual Turnaround Awards earlier this year. Turnarounds & Workouts named Gordian an outstanding investment banking firm for 2014. Gordian Group has also been named a finalist in five categories for the 13th annual The M&A Advisor awards, including firm of the year.

Kaufman and his partner, Henry Owlsley, were profiled in the Turnarounds & Workouts March/April newsletter (see www.gordiangroup.com/wp-content/uploads/2014/09/TWTrendsMarchApril2014.pdf). Kaufman also appeared recently on Fox Business News to discuss interest rates, bank regulations, and the regulatory market. He is president of Gordian Group in New York City, and heads the restructuring and distressed M&A practice.

HAL K. LITCHFORD is listed in Florida Super Lawyers 2014 in business litigation. He has been recognized as Best Lawyers 2015 Orlando Lawyer of the Year in antitrust law and is listed in Best Lawyers 2015 in antitrust law, appellate practice, bet-the-company litigation, commercial litigation, and antitrust litigation. He is a shareholder with Baker Donelson in Orlando.

GEORGE N. MÉRÓS JR. has been recognized by Florida Trend in its list of the 2014 Legal Elite in the civil trial area. He is a shareholder with GrayRobinson in Tallahassee, Fla., where he concentrates his practice in regulatory & administrative law, complex litigation, and government affairs.

JAMES P. MONACELL recently published Georgia Public Finance Law Handbook, a comprehensive legal resource on bond and public finance matters. Monacell is a partner and head of the bond and public law practice with Smith, Gambrell & Russell in Atlanta, Ga. (See In Print.)

1979

DAVID J. BODNEY recently joined Ballard Spahr in Phoenix, Ariz., where he leads the media law group. He advises clients from the communications industry on issues including the defense of defamation, privacy, and intellectual property claims to the prosecution of open government actions. He was previously with Steptoe & Johnson.

MICHAEL KUHN is listed in Best Lawyers 2015 in real estate law. He is a partner with Jackson Walker in Houston, Tex., where he focuses his practice on commercial real estate with emphasis on office and retail leasing within the firm’s real estate group.

Ely A. Leichtling is recognized in Chambers USA 2014 in labor & employment. He is a partner with Quarles & Brady in Milwaukee, Wisc. where he focuses his practice on employment and labor law that emphasizes defense of discrimination and wrongful discharge claims.
DANIEL M. McGILLYCUTTY has joined Morrison Cohen as partner in the white-collar defense and investigations practice group in New York City. He was previously a partner with Bingham McCutchen.

MICHAEL J. SCHEWEL is listed in Virginia Super Lawyers 2014 in mergers & acquisitions and in Best Lawyers 2015 in corporate law, economic development law, energy law, and mergers & acquisitions law. He is a partner with McGuireWoods in Richmond.

LYDIA STEFANOWICZ was recently elected a Fellow of the American College of Real Estate Attorneys. She is a partner with Edwards Wildman in Morristown, N.J., and New York City, and concentrates her practice in commercial lending, real estate, and public finance.

RANDALL A. UNDERWOOD is listed in Best Lawyers 2015 in financial services regulation law and real estate law. He is a partner with Brooks Pierce in Greensboro, N.C.

GEORGE C. HOWELL III has been selected as chair-elect of the American Bar Association’s Section of Taxation, the nation’s largest professional association of tax lawyers. He will automatically become section chair in August 2015. He is a partner with Hunton & Williams in the Richmond and NYC offices and head of the tax and employee benefits practice.

NANCY R. LITTLE is listed in Chambers USA 2014 in real estate and in Virginia Super Lawyers 2014 in real estate, banking, and business/corporate law. She has also been listed in Best Lawyers 2015 in corporate law and real estate law. She is a partner with McGuireWoods in Richmond.

C. STEVEN MASON is listed in Best Lawyers 2015 in real estate law. He is a partner with Smith Anderson in Raleigh, N.C., where he concentrates his practice on commercial real estate, lending transactions, and corporate law.

C. CRAIG WOODS is listed in Best Lawyers 2015 in litigation-environmental; commercial litigation: civil; commercial disputes; complex litigation; environmental; intellectual property; large case litigation; and product liability. He is a partner with Squire Patton Boggs in Columbus, Ohio.

BRAD BAILEY has been named a 2014 Massachusetts Super Lawyer in the practice area of white-collar criminal defense for the fifth time. He has also been recognized in New England Super Lawyers. His criminal defense practice is based in Boston, Mass., but he also defends high-end state and federal criminal cases in New York, throughout New England, and elsewhere in the U.S. A few of his notable jury trials include USA vs. O’Brien, et al, (racketeering, mail fraud, and bribery charges involving the Massachusetts Probation Department); Com vs. Cahill (conflict of interest and fraud/larceny by False Pretenses charges against a former State Treasurer); State of California vs. Christian Gerhartsreiter, aka Clark Rockefeller (murder 1); and NH vs. Sheila Labarre (double murder/insanity).

1981

1982

1983
Karen Henize Geiger ’81
Access to Justice: A Path Out of Poverty
By Rebecca Barns

As the U.S. slowly recovers from the recession, there is a great need for lawyers who provide free services to people who cannot afford to pay. In her work with the Georgia Legal Services Program, KAREN HENIZE GEIGER helps disadvantaged people get access to justice in ways that can ultimately lead to their finding a way out of poverty.

In August the Georgia Legal Services Program received the prestigious 2014 Hodson Award for Public Service from the American Bar Association at its annual meeting in Boston. The work Karen and her colleagues do was described in the nomination as “innovative, strategic, and effective in addressing critical civil legal problems.”

The Georgia Legal Services Program is a statewide non-profit group that serves people in 154 counties in Georgia who cannot afford to hire a lawyer. Karen is managing attorney of the GLSP Piedmont regional office located in Atlanta. She first learned about the organization when she worked in Americus, Ga., in the law firm of Millard Fuller, the founder of Habitat for Humanity. The firm sometimes shared its office with GLSP attorneys and their clients, and she became familiar with the work they did. Later, when she moved to Atlanta, she was delighted to get a job with the organization.

Funded through the federal government and grants, GLSP serves 15 counties that lie just outside Atlanta’s metro area. Nearly 200,000 potential clients live within those borders, and their cases are assigned to just seven attorneys and two paralegals. All the civil needs of low-income residents cannot be met for lack of resources, so the main focus is on basic needs such as food, housing, health care, and safety. Despite economic pressures and decreased funding, the program manages to stabilize most of its clients’ living situations.

The staff helps clients get and maintain food stamps, Medicare, Medicaid, subsidized housing, and unemployment compensation. They represent clients who are victims of domestic violence and help people deal with burdensome debt. GLSP also seeks cases that have potential to solve problems common to many of its clients.

Because education is key to finding a way out of the cycle of poverty, Karen and her colleagues put much of their effort into representing students who have been discriminated against in school and unfairly punished or even expelled. Racial stereotyping is not uncommon in the Georgia school system.

One memorable case of discrimination stands out for her. An 11-year-old African American girl was bullied by a white girl into writing the word “Hi” on a locker and vandalizing another student’s shoes with a marker. The white girl confessed to what they’d done, her mother paid for her share of the damage, and her child returned to school after a brief suspension. The African American girl’s grandmother thought the proposed expulsion of her grandchild wasn’t fair, and they couldn’t afford to pay the $150 in damages. A lawyer from GLSP represented the child at a hearing, and she was able to return to school.

“For people at the bottom of the ladder, the rungs are broken,” notes Karen, “and being poor in Georgia is particularly difficult.” Public transportation is not very good, even in Atlanta. In the surrounding counties Karen’s program serves, it’s almost non-existent. People pawn the title to their car for $70 for an immediate need, and when they lose the car, the domino effect comes into play: You can’t get to work and you lose your job, you can’t pay rent and can’t buy food.

One woman’s situation seemed particularly hopeless. Her careworn face looked 20 years older than her age. She was fired from her job because she couldn’t lift heavy boxes and was living out of her car. She had mental health problems, no medication, and lived in constant fear. Karen helped her get Social Security and Medicaid, which enabled her to have needed surgery on her leg, and she moved into public housing. Her life has evened out on medication and she is paying off her debts. Her world has at last turned right side up.

“I went to law school knowing I wanted to do this kind of work,” Karen says. Time and again she’s seen how powerful a tool law can be in the quest to ensure that everyone has equal access to the opportunities they deserve.

There are great success stories, but it’s an uphill battle with no end in sight. In the best of times, legal aid programs are hard-pressed to serve even the most needy. More than 70 percent of Georgia’s lawyers are in the Atlanta metro area; some of the poorest counties in Georgia are without a single one.

More help is always needed. Karen encourages other lawyers to contribute financially and provide pro bono assistance to their local legal aid organizations.
MARK DAVIDSON was recognized in Chambers USA 2014 in corporate/M&A and is listed in Best Lawyers 2015 in corporate law, mergers and acquisitions law, securities/capital markets law, and tax law. He is a partner with Brooks, Pierce, McLendon, Humphrey & Leonard in Greensboro, N.C., where he concentrates his practice on corporate, tax law, and trusts and estates.

JEFFREY E. OLEYNIK was recognized in Chambers USA 2014 in antitrust and litigation: general commercial, and is listed in Best Lawyers 2015 in antitrust law and bankruptcy and creditor debtor rights/insolvency and reorganization law. He is a partner with Brooks, Pierce, McLendon, Humphrey & Leonard in Greensboro, N.C., where he focuses his practice on commercial litigation and commercial bankruptcy.

JOHN M. SHEFTALL has been selected for inclusion in Best Lawyers 2015 in litigation-trusts and estates and trusts and estates. He is a partner with Hatcher, Stubbs, Land, Hollis & Rothschild in Columbus, Ga., and concentrates his practice on fiduciary law, including estate planning, estate administration, and fiduciary litigation.

STEVEN W. SLOAN is listed in Best Lawyers 2015 in employment law-management and labor law-management. He is of counsel with Thompson & Knight in Dallas, Tex., where he concentrates his practice on representing management in litigation regarding equal employment opportunity statutes, employee benefits, ERISA, and other labor and employment laws.

1984

ARTHUR E. ANDERSON II is listed in Virginia Super Lawyers 2014 in bonds/government finance, tax, and government/cities/municipalities. He is also listed in Best Lawyers 2015 in public finance law. He is a partner with McGuireWoods in Richmond, where he focuses his practice on matters of public finance and federal, state, and local taxation.

JORY H. FISHER moved to Bel Air, Md., in 2012, where she serves as a professional coach and mentor. She specializes in helping Christian women throughout the U.S. discern their true purpose and achieve optimal health in body, mind, and spirit. You can find out more about her services at www.JoryFisher.com.

MARtha Cox Gammill works as senior corporate counsel for the new startup company, Zoetis Inc., which focuses on the health and welfare of animals by discovering and developing new animal health drugs.

K.C. GREEN has been named in Best Lawyers 2015 in mass tort litigation/class actions-defendants; and mass tort litigation/class action-product liability litigation. He is a partner with Ulmer & Berne in Cincinnati, Ohio.

1985

KURT J. KRUEGER is listed in Virginia Super Lawyers 2014 in business/corporate and mergers and acquisitions. He has been named Best Lawyers 2015 Charlottesville Lawyer of the Year in corporate law. He is a partner with McGuireWoods, where he focuses his practice on working with public and private closely held corporations, as well as partnerships and limited liability companies.

CHARLES SANDERS McNEW moved with Proskauer Rose to Boca Raton, Fla., in 2010. Two years ago, he decided to open his own commercial litigation firm in south Florida. “It’s been a great success,” he reports. For the first time, he is enjoying the business of law as much as the practice itself. He has largely abandoned hourly engagements in the belief that a client is hiring him to fix a problem, not to burn time on it. “Life is good,” he adds.

GRAY NEwMAN retired from Morgan Stanley in May. He focused on Latin America for two decades, first from Mexico City and then from New York, and has been Morgan Stanley’s chief economist for the Latin American region since 2000. He plans to stay involved in Latin American economics, possibly as a teacher.

JOHN RAGosta was one of the lead historians on an amicus brief submitted to the Supreme Court in Town of Greece, New York v. Galloway et al., in which it was argued that beginning legislative sessions with prayers is a violation of the First Amendment. His most recent book, Religious Freedom: Jefferson’s Legacy, America’s Creed, is being released in paperback by UVA Press in October.

Ragosta is a visiting assistant professor of history at Oberlin College for the 2014–15 academic year. While not teaching, he will be engaged in various symposia on religious freedom, which was the topic of his first two books, and researching Patrick Henry and the formation of political parties in the early republic.

DAVID M. ROSENBERG has been named in Best Lawyers 2015 in nonprofit/charities law. He is a partner with Thompson & Knight in Dallas, Tex., where he concentrates his practice on federal, state, and local taxation of corporations, partnerships, individuals, and nonprofit organizations.

MARY NASH RUSHER was named chair of the board of directors of the YMCA of the Triangle—which has 13 branches in Raleigh and Durham, plus Camps Kanata, Seafarer, and Sea Gull—in October 2013. She continues to be the managing partner of the Raleigh office of Hunton & Williams, where her practice focuses on public finance and innovative financing techniques, including new market tax credits.

THOMAS E. DONILON has stepped down as President Obama’s National Security Advisor and has returned to O’Melveny & Myers in Washington, D.C., where he is senior partner, vice chair, and member of the policy committee. He is also senior managing
As fate would have it, the special election for Virginia’s 48th House of Delegates seat in August was a UVA Law “insider fight.” DAVE FOSTER ’81 ran against RICHARD “RIP” SULLIVAN ’87 in a race covering Arlington and Fairfax counties. Sullivan won. The General Registrar for Fairfax County was another law alum, CAMERON QUINN ’86. Quinn reports that unlike many races in Northern Virginia, this one reflected the Law School’s values, with a lack of mudslinging between the candidates.

director at the BlackRock Investment Institute. He counsels business executives, entrepreneurs, and company boards to help them develop strategies concerning business, legal, and policy issues they face in the U.S. and abroad. He continues to serve as a member of the CIA’s External Advisory Board, the Defense Policy Board, and the Secretary of State’s Policy Advisory Board. For the past year he has been a Distinguished Fellow at the Council on Foreign Relations and a senior fellow at the Harvard Kennedy School Belfer Center for Science and International Affairs.

Donilon has been awarded the Secretary of State’s Distinguished Service Award, the National Intelligence Distinguished Medal, the Department of Defense Medal for Distinguished Public Service, the Chairman of the Joint Chiefs of Staff Distinguished Civilian Service Award, and the CIA Director’s Award. He lives in Washington, D.C., with his wife, Cathy, and their children Sarah (17) and Teddy (15). Cathy serves at the State Department as U.S. Ambassador at Large for Global Women’s Issues.

MARTHA N. DONOVAN is listed in Chambers USA 2014 in environmental law. She is a member of Norris McLaughlin & Marcus in Bridgewater, N.J., where she co-chairs the environmental law group. She concentrates her practice on environmental law and complex litigation with emphasis on the defense of environmental property damage and toxic tort claims.

KEITH LANGLEY opened the Phoenix office of Langley LLP in December 2013, and in August 2014 opened an office in Miami (Coconut Grove). The firm continues to practice commercial litigation, commercial bankruptcy, construction, surety, and fidelity. Langley took the Florida bar last year and passed. “It was indeed a painful experience to take a bar exam 28 years after taking the Texas bar,” he noted.

KEVIN OHLSON was nominated by the President, and was recently confirmed by the Senate to serve as a federal judge on the U.S. Court of Appeals for the Armed Forces. He previously served as chief of staff and counselor to the Attorney General. Judge Ohlson lives with his wife and two children in Northern Virginia.

STEVE M. PHARR was selected by peers to be included in Best Lawyers in America 2015 in construction law and litigation—construction. Pharr practices in Winston-Salem, N.C.

CHRIS TOLL was inducted as a Fellow of the American College of Trial Lawyers in March. He continues to practice as a commercial litigator with Holland & Hart in Denver, Colo., where he started 27 years ago. He also experiments with practicing law via telecommute from southern Spain for a month each year.

AMELIA BLAND WALLER was recently promoted to Senior Assistant Attorney General representing the Abingdon, Virginia District Office of the Division of Child Support Enforcement. She regularly represents the division in courts in ten counties and the City of Bristol.

1986

KATINA DORTON has been appointed to the board of directors of US Ecology, Inc. She was also appointed to the board’s audit committee. She is a partner at Coresse Co., a merchant and banking advisory firm, where she consults with public and private companies in the areas of M&A and strategic finance.

BRADLEY R. KUTROW has been named Charlotte Lawyer of the Year in product liability litigation—defendants and is listed in Best Lawyers 2015 in bet-the-company litigation, commercial litigation, personal injury litigation, product liability litigation, securities litigation, banking & finance litigation, and First Amendment law. He is a partner with McGuireWoods in Charlotte, N.C., where he chairs the financial services litigation department and co-chairs the appeals and issues practice. “Irving Brenner and I are fortunate to have practiced with the same group in Charlotte for nearly 27 years,” he notes.

WILLIAM M. RAGLAND JR. has been named Best Lawyers 2015 Atlanta Lawyer of the Year in technology law. He is a partner with Womble Carlyle Sandridge & Rice in Atlanta, where his practice concentrates on intellectual property, intellectual property litigation, and patent law.

DEAN B. ROBERSON JD/MBA has launched American Onshore Legal Services, which provides cost-effective support services to law firms and businesses in real estate, financing, and corporate transactions. American Onshore is based in Charlotte, N.C., where Dean has worked with Bank of America for the past 13 years.

DANA RUST is listed in Virginia Super Lawyers 2014 in employment and labor and employee benefits/ERISA. He has also been selected for inclusion in Best Lawyers 2015 in employment law-management, labor law-management, and labor and employment litigation. He is a partner with McGuireWoods in Richmond, where he is a member of the finance committee.
1987

**Stephen E. Fox** has joined Polsinelli in Dallas, Tex., as an equity shareholder in the labor and employment and the commercial litigation practices. His counseling and trial practice focuses on complex business litigation and employment litigation. He was previously with Fish & Richardson.

**Timothy S. Goettel** is listed in *Chambers USA 2014* in corporate/mergers & acquisitions law and in *Best Lawyers 2015* in corporate law and mergers & acquisitions law. He is a partner with Smith Anderson in Raleigh, N.C., where he handles complex acquisitions and divestitures in a range of industries, advises clients on corporate governance issues, and represents issuers in public and private offering and finance transactions.

In May **Nancy McFadden** received an honorary Doctor of Laws degree from San Jose State University, her alma mater, and gave the commencement address. “I hope you live life not for the accolades but for the experience itself,” she advised graduates. “Climb the mountain not to plant the flag but to embrace the challenge, enjoy the air, and behold the view. Climb it so you can see the world and not so the world can see you.” McFadden is Governor Jerry Brown’s chief of staff and a former member of the Clinton administration.

**Scott C. Oostdyk** is listed in *Virginia Super Lawyers* in business litigation, environmental litigation, and legal aid/legal services. He is also listed in *Best Lawyers 2015* in commercial litigation, bet-the-company litigation, and litigation-environmental. He is a partner with McGuireWoods in Richmond.

**Robert W. Saunders** is listed in *Best Lawyers 2015* in litigation and controversy-tax, non-profit/charities law, and tax law. He is a partner with Brooks, Pierce, McLendon, Humphrey & Leonard in Greensboro and Raleigh, N.C.

**Thomas J. Stallings** has been named Best Lawyers 2015 Richmond Lawyer of the Year in health care law and is listed in *Virginia Super Lawyers 2014* in health care. He is a partner with McGuireWoods.

**Randy Tinsley** is listed in *Chambers USA 2014* in antitrust and litigation: general commercial and in *Best Lawyers 2015* in environmental law and litigation-environmental. He is a partner with Brooks, Pierce, McLendon, Humphrey & Leonard in Greensboro, N.C., where he focuses his practice on environmental and natural resources law and water rights.

**Fred Wagner** recently rejoined Beveridge & Diamond in Washington, D.C., having served as chief counsel at the Federal Highway Administration since his appointment by President Obama in January 2011. He will chair the natural resources and project development practice group. Fred and his wife, Mary Deborah Phillips Wagner, live in Rockville, Maryland.

1988

**John Cooper** was re-elected to chair the Federal Employers Liability Act (FELA) litigation group of the American Association of Justice at the AAJ conference in Baltimore, Md. in July. FELA was enacted in 1908 to protect and compensate railroad workers injured on the job. He has chaired the group since 2011. Cooper was also recently re-elected as a district governor from the Virginia Beach/Norfolk area to the Virginia Trial Lawyers Association Board of Governors. He is a founding partner with Cooper Hurley in Norfolk, focusing his practice on plaintiff-side injury law.

**Elizabeth H. Garrett** has been named the next president of Cornell University, and will assume her new position in July. She will be the first woman to lead the university. As she takes the helm, Cornell will be in the midst of building a $2 billion technology campus in New York City.

Garrett currently serves as provost and senior vice president for academic affairs at the University of Southern California, and has held her current position since 2010.

She is also the Frances R. and John J. Duggan Professor of Law, Political Science, Finance and Business Economics, and Public Policy. Her scholarly interests include legislative process, the design of democratic institutions, tax policy, and the federal budget process. She is co-author of an influential casebook on legislation and statutory interpretation, *Cases and Materials on Legislation, Statutes and the Creation of Public Policy*, now in its fifth edition. Garrett will be a tenured
Garrett has a strong record of public service. In 2005 President George W. Bush appointed her to the bipartisan Advisory Panel on Federal Tax Reform. She was a commissioner on the California Fair Political Practices Commission and co-chaired its Subcommittee on the Political Reform Act and Internet Political Activity from 2009–13. Before her career focused on academics, she was budget and tax counsel and legislative director for Senator David L. Boren of Oklahoma and clerked for Supreme Court Justice Thurgood Marshall.

1989

MICHAEL S. DENNISTON is listed in Who’s Who of Competition Lawyers and Economists 2014. He is also listed in Best Lawyers 2015 in antitrust law, franchise law, and copyright law, and recognized as Birmingham’s Lawyer of the Year in antitrust law. Denniston is a partner with Bradley Arant Boult Cummings in Birmingham, Ala., where he concentrates his practice on antitrust law, competition law, and intellectual property issues. He also litigates those issues.

1990

BERNIE ELLIS practices civil litigation with the McNair Law Firm in Greenville, S.C. His wife, Susan Barnes Ellis, serves as a volunteer in various capacities at their children’s school, most recently as a member of the school’s Board of Trustees. Their daughter, Elizabeth, graduated from high school in May and is currently a first-year student at UVA, along with the daughters of Andy Parker and Brian Henebry. Their son, Ladson, is a freshman in high school and has mixed feelings about suddenly being an only child.

GREG MASSING was sworn in as an Associate Justice of the Massachusetts Appeals Court by Governor Deval Patrick in September. He began his legal career as a law clerk to the late U.S. District Court Judge A. David Mazzone, followed by two years in the litigation department at the Boston firm of Ropes & Gray. He joined the Massachusetts Attorney General's office in 1993, where he worked in the Appellate Division of the Criminal Bureau. Massing continued working on appellate litigation for the next eight years, including six years at the Essex County District Attorney's office and two years at the Boston firm of Laredo & Smith. He served as general counsel in the Executive Office of Public Safety and Security from 2007 to 2011. He has been executive director of the Rappaport Center for Law and Public Service at Suffolk University Law School since 2012.
On May 19, 2014, the day Judge Michael McShane struck down Oregon’s ban on same sex marriage, and after nearly 17 years together, Jane Paulson ‘90 and Helen White were able to legally marry in Oregon. Their son, Grady, was happy to be pulled out of school for the event.

Todd and his wife, Chris, have two daughters, Meagan (18) and Maddie (14). Meagan is a freshman at James Madison University. Maddie is a 9th grader and is looking forward to following in her sister’s footsteps in high school and AAU volleyball.

Reed Smith partner Catharina Y. Min has been appointed vice chair of the firm’s global business and finance department. Min, who also leads the firm’s global Korea practice, will step out of her role as the Silicon Valley office managing partner to devote more time to her busy cross-border transactions work and to tackle her new responsibilities in the business and finance department, which comprises half of the firm’s more than 1,800 lawyers in 25 offices throughout the U.S., Europe, Asia and the Middle East. Min is also chairwoman and founding director of the Council of Korean Americans, and past overseas president and director of the International Association of Korean Lawyers, among numerous other involvements in regional and international Asian American business communities.

Stan Perry joined Reed Smith in Houston in February 2013 as a founding partner. He practices toxic tort and environmental litigation.

He and his wife, Stacy, live in Houston, where Stacy is an interior design consultant. Their daughter, Anna, is finishing a master’s of accounting and general business degree in Houston and will join PwC in 2015. Their son, John, entered Baylor University as a freshman this fall. Stan and Stacy will not be empty nesters, however, because they have two dogs—Fig, a dachshund, and Winston, “the greatest English Bulldog of all time.”

Chuck Rosenberg is chief of staff and senior counselor to FBI Director James Comey. He was previously a partner with a Washington, D.C. firm. He has served as U.S. Attorney for the Eastern District of Virginia and U.S. Attorney for the Southern District of Texas, and in several senior positions at the Department of Justice, including chief of staff to Deputy Attorney General Jim Comey, counsel to Attorney General John Ashcroft, and counsel to FBI Director Robert Mueller.

Christine A. Samsel was recently appointed to serve on the Rocky Mountain Children’s Law Center board, which strives to prevent child abuse and help at-risk children through legal advocacy, education, and public policy reform. She is a shareholder at Brownstein Hyatt Farber Schreck, where she focuses on advising companies on all aspects of labor and employment law nationwide, with emphasis on California and Colorado.

Richard E. Sarver LL.M. is listed in Chambers USA 2014 as a leading lawyer in Louisiana in litigation: general and commercial and in Best Lawyers 2015 in commercial litigation, environmental law, and product liability-defendants. He is a founding member of Barrasso Usdin Kupperman Freeman & Sarver in New Orleans, where he specializes in defending toxic tort, environmental, and product liability cases.

Russell S. Sayre has been recognized among Leaders in their Field in Chambers USA 2014 in litigation: general commercial practice area and was named Best Lawyers 2015 Cincinnati Lawyer of the Year in appellate practice. He was also selected for inclusion in Best Lawyers 2015 in appellate practice, commercial litigation, and litigation-banking & finance. He is a partner with Taft Stettinius & Hollister in Cincinnati, Ohio, where he co-chairs the litigation group. He focuses his practice on litigation, arbitration, and dispute resolution.

Judge Thomas F. Shebell Jr. has retired from the New Jersey Appellate Division and resides with his wife, Pat, in West Palm Beach, Fla. He has a New Jersey company, The Mediation Expert, LLC, through which he personally handles the mediation and arbitration of litigated cases. He is of counsel to Shebell & Shebell of Shrewsbury, N.J., a partnership of his son and brother. His son is a trial attorney handling personal injury and medical malpractice litigation, while his brother handles workers’ compensation cases.
Diane Pulley Flannery recently joined McGuireWoods as partner in Richmond, Va., where she practices in the product liability department. She was previously with Jones Day.

Vern Inge is practicing with LeClairRyan in its Richmond, Va., office in the areas of commercial litigation and bankruptcy. He leads the firm’s sports law practice and represents primarily professional athletes and agents in sports related matters. He is also the leader of the firm’s Commercial Litigation team, in which he represents lenders and other commercial enterprises in disputes. He is very happily married to Darcy and has three boys, ages 13, 15 and 17. Vern and Darcy are hoping that their oldest will be attending school in Charlottesville in a couple of years.

Kevin Martingayle was sworn in as president of the Virginia State Bar for 2014-15 in June with his wife, Elisabeth, and children Harrison, Doria, and Jackson by his side. Virginia Supreme Court Justice S. Bernard Goodwyn ’86 administered the oath.

Martingayle was the subject of a feature article in the June/July issue of Virginia Lawyer Magazine (see http://www.vsb.org/docs/vlawyermagazine/vl0614-martingayle.pdf) His first column as president of the state bar appeared in the same issue (see http://www.vsb.org/docs/vlawyermagazine/vl0614-pres-msg.pdf). He is owner and partner with Bischoff Martingayle in Virginia Beach.

Texas State Senator Ken Paxton is the Republican candidate for Texas Attorney General after receiving his party’s nomination during the 2014 primary election. The general election will be in November 2014. Senator Paxton has served five terms in the Texas House of Representatives and is currently finishing his first term in the Texas State Senate.

Paxton owns and operates a private practice specializing in estate planning, probate, real estate, and general business matters. He and his wife, Angela, reside in McKinney, Tex., with two of their teenage daughters. Their son is a senior at Baylor University and their daughter is a sophomore at Baylor University.

Rodney A. Satterwhite is listed in Virginia Super Lawyers 2014 in employment and labor and intellectual property litigation. He has also been selected for inclusion in Best Lawyers 2015 in employment law, management information technology, and labor law. He is a partner with McGuireWoods in Richmond.

Gayle Morrell Braley passed away away from complications of cancer on August 23. She was 48. She moved to Concord, N.H., after graduating from the Law School, and clerked for the New Hampshire Supreme Court. Braley later focused her practice on trusts and estates with a private firm in Manchester. She was accomplished in the performing arts, especially theater, music, and dance, and met her husband in a church choir in Charlottesville.

Sarah Davies has returned to the Law School as Assistant Dean for Student Affairs after 23 years of private practice in Philadelphia, Pa.

1991

Mark Trank recently joined Henderson, Franklin, Starnes & Holt in Fort Myers, Fla. in the workers’ compensation practice area where he represents insurance carriers, third party administrators, and employers in defense of workers’ compensation claims.

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**SUSAN EBERLE STAHLFELD** is listed in *Washington Super Lawyers 2014* in employment and labor. She is a partner with Miller Nash in Seattle, where she leads the employment law and labor relations practice group.

**AMY ELIZABETH STEWART** was elected to the American College of Coverage and Extracontractual Counsel by unanimous vote of the ACCEC Board of Regents in January. She was also recently the subject of a profile article in *Super Lawyers Texas 2014* for her prowess in the courtroom, and for being acknowledged as an “expert on insurance coverage issues who quite literally wrote the book, or at least a book, *Texas Insurance Coverage Litigations, The Litigator’s Practice Guide*, used as a reference by other attorneys.”

Stewart is founder and managing shareholder of Amy Stewart PC in Dallas, where she represents policyholders exclusively in disputes with their insurance companies.

**JEFFREY F. SWIATEK**, a partner at Hodgson Russ in Buffalo, N.Y., co-leads the firm’s education law practice. He concentrates his practice on municipal law, education law, and labor & employment law.

**JIM BLACK** recently joined Smith Gambrell & Russell as a partner in Washington, D.C. His practice focuses on advising German, Austrian, and Swiss companies on their business activities in the United States. He spent the past ten years working in Germany, most recently as the partner in charge of the U.S. practice in Germany at White & Case. After 18 years at large, global law firms, he enjoys building his U.S.-based practice in his new, more entrepreneurial environment.

**PATRICK J. JOHNSON** is listed in *Best Lawyers 2015* in corporate law and mergers and acquisitions law. He is a partner with Brooks Pierce in Raleigh, N.C.

**ETHAN SHENKMAN** started a new job in May as Deputy General Counsel with the U.S. Environmental Protection Agency after four years as a political appointee in the Justice Department’s Environment and Natural Resources Division. He is excited to join forces with EPA general counsel Avi Garbow ‘92.

**ERIK SWANSON** is still, to his continuing surprise, living in Frankfurt, Germany, where he manages the local office of the Chicago IP firm Leydig, Voit & Mayer. Shelley, his wife, manages everything else in his life, including the house, vegetable garden, fruit trees, chickens, dog, cat, etc. His three girls, Beatrix, Eleanor, and Isabel, attend German schools. The European vacations are still great, but they spend every fall break in Florida when it’s gray and rainy in Europe.

**ROBERT THOMSEN** has moved his residential real estate practice from Weichert Realtors in McLean, Va., to Keller Williams in Falls Church, and he has established Team Thomsen with his wife, Sonia, to serve their clients throughout Northern Virginia.

**JONATHAN T. BLANK** is listed in *Virginia Super Lawyers 2014* in energy & resources, business litigation, and construction litigation. He is also listed in *Best Lawyers 2015* in commercial litigation. He is the managing partner of the McGuireWoods Charlottesville office and co-chair of both the energy litigation group and the real estate and construction marketing team.

**CHARLES H. BROWER II** is listed in the 2015 global edition of *Who’s Who Legal: Arbitration*, to be published in November by *Global Arbitration Review* and *Who’s Who Legal*. *Global Arbitration Review* is a leading international arbitration news resource based in the United Kingdom. He was one of only ten U.S. academics to make the list.

Brower is a full-time professor of law at Wayne State University Law School, where he teaches international commercial arbitration, investment treaty arbitration, contracts, and the law of armed conflict. He is of counsel and a member of the international dispute resolution section with Miller Canfield in Detroit, Mich.

**TREY COX** is listed in the 2014 edition of *Benchmark Litigation* as a litigation star and is listed in *Chambers USA 2014* in litigation: general commercial. He is also listed among the Top 100 in *Texas Super Lawyers* and named in *Best Lawyers* 2015 in commercial litigation. He is a founding partner with Lynn Tillotson Pinker & Cox in Dallas, Tex., where he focuses his practice on business litigation, intellectual property litigation, and appellate law.

Lynn Tillotson Pinker & Cox celebrated several notable accomplishments this year, including a $319 million verdict—the largest in North Texas history. The firm also earned a Tier 1 ranking in the 21st edition of *Best Lawyers* and was named a Top Commercial Litigation Firm in Texas by *Chambers*.
JIM GIBSON recently became Associate Dean for Academic Affairs at the University of Richmond School of Law. “I decided not to let Erik Lillquist and Liz Magill hog all the jobs in law school administration,” he says. He will also continue to teach intellectual property courses at the Law School.

STEVE MAHLE and Professor Charles J. Goetz were faculty presenters for the Florida College of Advanced Judicial Studies CJE course “Interpreting and Applying Daubert Standards to Expert Testimony in Florida” in June. They taught the principles and application of Florida’s new Daubert law for admission of expert testimony to a standing-room-only group of about 50 Florida judges. Steve was counsel to the primary private group that advocated for Florida passing the Daubert expert testimony standard. He litigates scientific expert testimony matters throughout the U.S. for a client base that is mostly law firms and commercial entities.

1996

KEN BARTHOLOMEW is a shareholder and chair of the health care law group at Rath, Young and Pignatelli in Concord, N.H. Ken celebrated his marriage to Wendy Savlen, originally of Plymouth, Mass., on August 2, and they had a honeymoon in Key West and the Dominican Republic.

MARK A. KNUEVE is listed in Chambers USA 2014 in labor & employment and Best Lawyers 2015 in employment law-management and litigation-labor and employment. He is a partner with Vorys, Sater, Seymour and Pease in Columbus, Ohio, where he is a member of the labor and employment practice group.

LEEZIE KIM is recognized in Chambers USA 2014 in corporate/M&A. She is a partner and of counsel with Quarles & Brady in Phoenix, Ariz., where she assists clients in navigating the laws of national security and international business transactions, as well as health care and restaurant business transactions.

GAVIN E. HILL is listed in Texas Super Lawyers 2014 in civil litigation: defense and business litigation. He is a shareholder with Godwin Lewis in Dallas, where he represents clients in business disputes and complex commercial litigation in a range of issues, including breach of contract and business-related torts.

SCOTT ORCHARD joined the law department of Johnson & Johnson in April 2013 and practices in the J&J Boston Innovation Center in Cambridge, focusing on early stage health care innovations across all three sectors of J&J (pharmaceuticals, medical devices, and consumer health care). His practice consists of venture capital transactions, intellectual property licensing, research & development collaborations, option deals, and sponsored research agreements in connection with J&J’s partnerships with biotech companies and academic institutions. His practice also includes business-related torts, breach of contract and other matters.

JENNIFER PARHAM practiced real estate and corporate law with Florance Gordon Brown and Williams Mullen following Law School. She then served as the director of women’s ministry at a non-profit for nearly 12 years, which she describes as a “dream job.” This spring she decided that it was time to return to law, so she accepted a position as company counsel at Capital Center, a non-bank mortgage lender, where she has discovered “the joys of complying with all things CFPB.” Five years ago she moved to the inner city of Richmond, where she serves on the boards of an affordable housing non-profit and several other organizations.

1997

JEFF BARTOS received the Ernst & Young Entrepreneur of the Year Greater Philadelphia Award for 2014 in the clean tech category. The award goes to entrepreneurs who demonstrate excellence in innovation, success in financial performance, and personal commitment to their business and community. Bartos is CEO of Mark Group, a company that assists home and business owners in Pennsylvania, New Jersey, Delaware, Maryland, and New York in reducing energy costs and improving the comfort of their property. Since he joined the company as the first U.S. employee in August 2010, Mark Group has opened seven offices and served thousands of home and business owners.

SIMON H. BLOOM has been named the new chair of the Georgia Department of Community Affairs board. He was previously the board’s vice chair. Bloom is a trial attorney and founding partner at Bloom Sugarman Everett in Atlanta, where he specializes in real estate law.
PATRICK D. CORNELIUS is listed in Best Lawyers 2015 in corporate law. He is a partner with Squire Patton Boggs in Columbus, Ohio.

In April STANFORD K. McCLOY joined the Motion Picture Association for Europe, the Middle East, and Africa as senior vice president and regional policy director, headquartered in Belgium. He will provide strategic policy advice on issues involving copyright, with a focus on the opportunities and challenges of the digital world. He was previously Assistant U.S. Trade Representative for intellectual property and innovation.

JAMES F. NEALE is listed in Virginia Super Lawyers 2014 in personal injury defense: general, civil litigation defense, and personal injury plaintiff: general. He has also been selected for inclusion in Best Lawyers 2015 in product liability litigation. He is a partner and trial lawyer with McGuireWoods in Charlottesville. He was elected a Fellow of the Virginia Law Foundation this year.

After more than four years at the Office of the Solicitor General, where he argued ten cases in the Supreme Court on behalf of the United States, JOSEPH R. PALMØRE has joined Morrison and Foerster as a partner and co-chair of the firm’s appellate and Supreme Court practice group in Washington, D.C.

GUERINO “JODY” CALEMINE is general counsel of the Communications Workers of America, AFL-CIO. Prior to his return to labor law practice, Jody spent more than a decade working in the U.S. House of Representatives on labor and education policy, where he was most recently Democratic staff director for the Committee on Education and the Workforce.

STEPHANIE CHANDLER was included among the 2014 Best San Antonio Lawyers in S.A. Scene Magazine in the area of securities & corporate finance, mergers & acquisitions, and business & corporate law. She is a partner with Jackson Walker in San Antonio, Tex.

DAVID E. FINKELSON is listed in Chambers USA 2014 in intellectual property-Virginia. He has been named Best Lawyers 2015 Richmond Lawyer of the Year in patent law and listed in Best Lawyers 2015 in copyright law, litigation-intellectual property, litigation-patent, and patent law. He is a partner with McGuireWoods in Richmond, Virginia, where he concentrates his practice on intellectual property litigation.

CHRISTOPHER M. MICHALIK has been named a rising star in employment and labor for 2014 in Virginia Super Lawyers. He is a partner with McGuireWoods in Richmond.

RYAN CLINTON recently became a shareholder with Davis, Gerald & Cremer, where he leads the appellate practice and the Austin, Tex., office. He was previously a partner with Hankinson.

ERIC CONN is a founding partner of Conn Maciel Carey, a boutique firm launched in September in Washington, D.C., that focuses on OSHA, labor & employment, and litigation. He is chair of the OSHA workplace safety practice group and concentrates his practice exclusively on matters that involve occupational health and safety law. See www.connmaciel.com.

CHRIS CONVERSE is included in M&A Advisor’s 40 under 40 list of legal advisors and recognized in Best Lawyers 2015 in corporate law. He is a partner with Gardere Wynne Sewell in Dallas, Tex., where he is chair of the securities and corporate rate governance team and a member of the private equity industry team. He focuses his practice on mergers and acquisitions,
recapitalizations, financings, and public and private offerings of debt and equity.

KANDICE KERWIN HULL has been elected chair of the Appellate Advocacy Committee of the Pennsylvania Bar Association, and will serve a two-year term. She has also been listed in Best Lawyers 2015 in appellate practice. She is a member of McNees Wallace & Nurick in Harrisburg, Pa., where she is co-chair of the appellate and post-trial practice group and part of the litigation group. She concentrates her practice on the representation of corporate clients in business disputes.

BRIAN MURRAY has joined Wilkinson Barker Knauer, a communications law boutique in Washington, D.C., as a partner. His practice focuses on telecommunications and media regulatory issues, with a particular emphasis on broadband services. He was formerly a partner in the communications group of Latham & Watkins.

CARRIE NIXON recently launched Healthcare Solutions Connection, a network of experts in the health care industry. HSC is the consulting arm of Carrie’s law firm, Nixon Law Group, which focuses primarily on health law and Affordable Care Act implementation. She lives with her husband, Dmitri, and their daughter, Danica, in Northern Virginia.

DAVE PINTO JD MBA ’01 was elected a state representative in Minnesota. See www.davepinto.com for the latest news. He is a prosecutor in the Ramsey County attorney’s office. Note: Although Pinto graduated in ’01, he identifies with class of ’00.

BRIAN WISE founded Advance Health, a health care company, in 2010. Advance Health provides old-fashioned house calls to members of insurance companies and ACOs. In 2014 the company will make almost 200,000 of these visits. “CARRIE NIXON and I catch up every couple of months because she founded a law firm that specializes in this area of the law,” he writes. “I often see NATHAN and EMILY VITAN and BART EPSTEIN ’99 at their homes or ours. I have three children (8, 5, and 3) who keep me very busy.”

2001

MELISSA DAVIS BALOUGH is an associate in the intellectual property litigation practice group with Pepper Hamilton in Boston, Mass. She and her husband, Matt, welcomed their first daughter, Anna Katharine, on February 27.

AMY ASHTON SHAW ’00, with her husband, Tony, welcomed Karie Amy Shaw on April 24, joining big brother Bradford (4). Amy is in private practice at Griffin Fletcher & Herndon in Cincinnati, Ohio, where she specializes in real estate transactions, leasing, and general corporate law.

MATTHEW P. BOSHER was named among the 2014 Leaders in the Law by Virginia Lawyers Weekly. He is a partner with Hunton & Williams in Richmond and Washington, D.C., and member of the securities litigation practice focusing on disputes and investigations relating to financial reporting and corporate governance matters.

TILLMAN J. BRECKENRIDGE received the National Bar Association’s Trailblazer Under 40 Award at a gala event in Atlanta, Ga., in July. The award is inspired by the brave civil rights workers who participated in getting out the vote during Freedom Summer fifty years ago. Breckenridge is of counsel with Reed Smith in Washington, D.C., and Richmond, Va., where he is a member of the appellate group and leads the appellate practice for the Washington, D.C., and Virginia offices.

CHRIS CHORBA was recently named partner in charge of Gibson, Dunn & Crutcher’s Los Angeles and Century City offices. He practices complex civil litigation and specializes in defending consumer class actions in California. Chorba lives in Altadena, Calif., with his wife and son, age 8.

AMY J. COLLINS is a founding partner of Nicolaides Fink Thorpe Michaelides Sullivan, a new law firm with offices in Chicago, Los Angeles, and San Francisco that focuses on representation of insurance companies. She also represents asylum applicants and handles child custody and support cases on a pro bono basis. Collins plays saxophone with the Chicago Bar Association’s Big Band and Symphony Orchestra, spends time volunteering at the no-kill shelter PAWS Chicago, and enjoys traveling the world with friends and family.

RYAN COONERTY was recently elected Santa Cruz County Supervisor. He will continue teaching law and politics at UC Santa Cruz and serve as cofounder of the growing coworking company NextSpace. Coonerty and his wife, Emily, have a two-year-old daughter named Daisy and are expecting a child later this year.

JASON R. DUGAS stepped into the role of Assistant Dean of Academic Services and Registrar at the Law School at the end of September.
After seven years of practice in the energy group at Skadden, Arps in Washington D.C., LEBAWIT (LILY) GIRMA left the firm in 2009 to launch a career in travel writing and photography. In 2012 she became a published author, with two travel guidebooks for Moon Travel Guides (Perseus Books): Moon Belize and Moon Belize Cayes. Lily’s travel articles and photographs have also appeared in numerous outlets, including CNN Travel, Every Day with Rachael Ray, BBC Travel, New York Magazine, AFAR, and MorningCalm Magazine, among others. She splits her year between Washington, D.C., and the Caribbean/Central America.

In January 2014 NESTOR GOUMANIS became regional counsel for Asia-Pacific for Stepan Company after almost nine years as managing partner at China Solutions, which provides legal and operational solutions in China. Still with a heavy focus on China, he now also oversees legal and regulatory matters in India, Philippines, Singapore, and other APAC countries. Based in Shanghai, Gounaris also continues to teach Chinese business law at Georgetown Law, and remains involved with China Solutions in a founding partner role.

STEVEN M. KLEPPER was principal author of a certiorari petition for Williams vs. Johnson that was granted by the Supreme Court in July. The petition was filed on behalf of a California inmate serving a life sentence, asking the Court to vacate a lower court ruling that further consideration of the inmate’s Sixth Amendment claim was foreclosed. The Supreme Court vacated the lower court’s judgment and remanded for further adjudication by the U.S. Court of Appeals for the Ninth Circuit.

The August 11 issue of The National Law Journal featured an article in which Marcia Coyle reported on Klepper’s Supreme Court victory, his appellate practice, and his Maryland Appellate blog. The article includes comic book action-hero avatars for Supreme Court Justices he created for the National Law Journal (ie. Chief Justice John Roberts as Captain America, Justice Ginsburg as Wonder Woman). See www.nationallawjournal.com/id=120266155594/The-Supreme-Judges-League-of-America-mdash-One-Lawyers-View

Klepper is a principal with Kramon & Graham in Baltimore, Md.

LEE DUNHAM ’03 married Michael Hickman in Lexington, Va., on July 12. In attendance were David Zetoony, Gretchen Zetoony, née Fair, Donald Wells, Stuart Shapley, Kathleen Shapley, née Zvarych ’04, and Susan Burgess. John Whitfield ’81 rocked out at the reception with his band, Little Walter and the Convictions. Dunham is a bankruptcy attorney in solo practice, and Hickman is the CTO of TextUs.biz, a Boulder, Colorado-based technology company. The couple resides in Boulder.

2002

AFI JOHNSON-PARRIS has been elected to the North Carolina Bar Association Board of Governors and will serve a three-year term. She is with Ward Black Law in Greensboro, where she concentrates her practice on divorce and family law and veterans’ disability law.

BRIAN T. STANSBURY has joined Akerman as a partner in the litigation practice group in Washington, D.C. He focuses his practice on complex litigation, toxic tort litigation, environmental litigation, and white-collar criminal and government investigations.

MICHAEL L. WHITLOCK received the National Bar Association’s Trailblazer Under 40 Award at a gala event in Atlanta, Ga., in July. The award is inspired by the brave civil rights workers who participated in getting out the vote during Freedom Summer fifty years ago. Whitlock is with Bingham McCutchen in Washington, D.C., where he is a partner in the antitrust and white-collar practice groups.

2003

JOHN D. ADAMS is listed in Chambers USA 2014 in litigation: white-collar crime and government investigations-Virginia. He is also listed in Virginia Super Lawyers 2014 in criminal defense: white collar, civil litigation defense, and appellate law. He is a partner and chair of the government, regulatory, and criminal investigations department with McGuireWoods in Richmond.

2004

MEGHAN M. CLOUD has been recognized as a rising star for 2014 in civil litigation, personal injury-products, utilities in Virginia Super Lawyers for 2014.
Lawyers. She is counsel with McGuireWoods in Charlottesville, where she represents corporations in state and federal courts in products liability cases and commercial litigation.

STEVEN M. HAAS is co-author of Goolsby and Haas on Virginia Corporations, 5th Edition, published by LexisNexis (see In Print). This edition provides a comprehensive review of laws that govern stock corporations in Virginia and gives a fascinating picture of the complex balance of power between boards and shareholders. He also co-edited the two-volume Corporate Governance: Law and Practice, the only treatise devoted to corporate governance.

Haas is a partner with Hunton & Williams in Richmond, where he represents clients on mergers and acquisitions, securities laws, and corporate governance matters.

ELLIOT A. HALLAK has been elevated to partner at Fox Rothschild in West Palm Beach, Fla. He focuses his practice on commercial litigation, including life insurance litigation, banking litigation, class actions, business disputes and torts, collections, foreclosures, and commercial landlord/tenant matters.

CHRISTINA M. JONES is a partner at McGuireWoods in Richmond, Va., where she practices civil litigation. She has been named a rising star for 2014 in personal injury defense: products; business litigation; and civil litigation defense in Virginia Super Lawyers. Christina wed Douglas Edward Middlebrooks on September 27.

Judge M. YVETTE MILLER LL.M. received the Jurist of the Year Award from the National Bar Association, Women Lawyers Division, during the 89th annual convention in July in Atlanta, Ga. She serves on the Court of Appeals of Georgia.

JOHN NEWBY was recently appointed Deputy Secretary of Veterans Affairs & Homeland Security by Virginia Governor Terry McAuliffe.

ANDREA MAHADY PRICE has been recognized by Louisiana Super Lawyers as a 2014 rising star and was selected for the New Orleans CityBusiness Leadership in Law Class of 2014. Andrea is a partner at Barrasso Usdin Kupperman Freeman & Sarver in New Orleans. She primarily represents manufacturers in products liability and toxic tort lawsuits, insurers in coverage and bad faith disputes, and oil and gas companies in environmental matters.

CHRIS RICHARDSON will be moving to Abu Dhabi in the United Arab Emirates to join Mubadala Petroleum, where he will head a multinational legal team as general counsel. Mubadala Petroleum, a wholly owned subsidiary of Abu Dhabi’s sovereign wealth fund, is an oil & gas exploration and production company with assets across the Middle East, Africa, and Central and Southeast Asia. Chris will be joined by his wife, Andi, and their two boys Campbell (age 7) and William (age 3). He previously worked with Vinson & Elkins in Hong Kong and Houston and was most recently with Occidental Petroleum Corporation.

2006

KATHERINE K. DELUCA has been recognized as a rising star for 2014 in securities and corporate finance in Virginia Super Lawyers. She is an associate with McGuireWoods in Richmond.

CATHERINE ROSS DUNHAM LL.M. currently serves as Professor of Law at the Elon University School of Law in Greensboro, N.C. Dunham joined Elon Law as a member of its charter faculty and served as the Associate Dean for Academic Affairs from 2008 to 2013. Dunham teaches courses focused on civil litigation, including civil procedure and complex civil litigation. She also publishes on topics related to civil litigation, gender equity, and legal education, including Skills and Values: Civil Procedure, published by Lexis and the forthcoming North Carolina Civil Procedure Deskbook published by Carolina Academic Press.

RITSUKO NOMA LL.M. and Yoshikazu Noma LL.M. ’03 welcomed their second son, Yujiro, on February 6. They thank their LL.M. ’03 and ’06 friends for the warm congratulations. The family lives in Tokyo. Yoshikazu has finished a three-year tenure as a faculty member in the Legal Research and Training Center of the Supreme Court of Japan where he gave lectures on Trial Advocacy, Contracts, and Legal Writing as well as served as advisor in Moot Court Competitions. He currently works for TMI Associates as a partner representing clients on finance transactions.

WILLIAM I. SANDERSON has been named a rising star in estate planning and probate, closely held business in 2014 Virginia Super Lawyers. He focuses his practice on estate planning and estate and trust administration. He is an associate at McGuireWoods in Washington, D.C., where he is a member of fiduciary advisory services and private wealth services practice groups.

2007

In April JASON BEATON was sworn in by United States Attorney for the Northern District of Florida, Pamela Marsh, and he currently serves as an Assistant U.S. Attorney in the Northern District of Florida.

Two years ago STEVE GLASGOW and MATT WATSON teamed up to create CountryClubPrep.com—a preppy clothing and accessories online retailer with goods for men, women, and children. After much success on the online retail side, the team opened its first bricks and mortar store on The Corner in Charlottesville. Their second store is in Lexington, Ky., and they plan to open 8 more stores over the next three years. Country Club Prep is based in Atlanta, where the two were each practicing law before launching the business. Jezebel magazine says the duo “are poised to become the new faces of bow ties and brights.”

JOEY PONZI has been made partner at Brooks Pierce in Greensboro, N.C., where he focuses on environmental and business litigation.
Sean Coughlin ’09 and FaithStreet

By REBECCA BARNS

When SEAN COUGHLIN moved to New York City to work for a law firm, he looked for a church, and was surprised that there wasn’t a good online source he could use to find one. It was harder than it should have been, he thought. He asked others who had been looking for a faith community, and they reported the same experience. Later he found that churches were frustrated, too, at not being able to reach people through the Internet.

The discovery of those two things and the desire to create something new led to leaving his corporate law job in 2011 to launch a startup company called FaithStreet (see www.faithstreet.com) that helps people find their own church community and enables churches to reach potential members. Cofounder RYAN MELOGY has since left to start a new business venture.

Early on, Coughlin and his team were invited to take part in a three-month program with TechStars, a high-profile startup incubator that connects new tech companies with investors and mentors. That support provided a huge boost at the outset. FaithStreet soon signed up 500 churches in New York, and that number has grown to more than 15,600 faith communities in 50 states, Canada, and Mexico. Eventually the site will include mosques, synagogues, and temples.

The timing for the innovative company couldn’t be better. Forward-thinking church leaders acknowledge the importance of communicating in new ways, and many embrace the idea. Pope Francis and the Dalai Lama have their own Twitter accounts; their tweets are followed by millions every day. Social media has become as important a tool for congregations as the printing press was in Martin Luther’s promotion of the Protestant Reformation.

Still, many churches lag behind, either because they have a Web site that’s so bare bones it’s not useful, or because they don’t have a site at all. That leaves word of mouth or the sight of an impressive church building to draw new members into a congregation—and many interesting new churches are in temporary or unexpected locations that aren’t highly visible. For young people especially, the ability to access a faith community through social media makes all the sense in the world.

FaithStreet users fill out a personal profile and can ask for and obtain further information about a church on the site. The range of churches on FaithStreet is impressive, from traditional houses of worship to churches in airports, on beaches, and in bars. There are congregations comprised mostly of college students, people living alternative lifestyles, and conservative middle-class families. Coughlin is convinced that when people looking for a faith community see how many different ways people worship, they will be able to find one that feels right for them.

Churches sign up on FaithStreet at no charge and create a profile that describes their denomination, location, service times, the size of the congregation, style of music, whether there’s a youth group, and other key facts. The site also includes a platform that facilitates online giving. Churches pay a subscription fee to use a mobile app that allows followers to tithe online. The company also collects a small fee for processing transactions. The company has acquired a blog called OnFaith that was founded by Sally Quinn of the Washington Post. The thoughtful content includes a wide range of different perspectives on faith. Coughlin hopes that, too, will help inspire seekers to find their way to a church they can call their own.

Going to church has always been an important part of Sean’s life. He doesn’t think that virtual contact with a church will ever substitute for actually hearing the music, sharing stories, and worshipping together in the same place. “Our mission is driven by the idea that the world is a better place when people participate in faith communities,” he says. “We can even help people who don’t like church find a church. I believe that 95 percent of people have a faith, and that faith just needs to find a home.” FaithStreet is a way to get them there.
KATIE TOWNSEND recently became the litigation director for the Reporters Committee for Freedom of the Press in Washington, D.C. Among other things, the RCFP, along with the Thomas Jefferson Center and the D.C. office of Baker Hostetler, runs the First Amendment Clinic at UVA Law. She was previously with Gibson Dunn and Crutcher in Los Angeles, Calif.

2009

MATTHEW D. FENDER has been named a rising star for 2014 in business litigation in Virginia Super Lawyers. He is an associate with McGuireWoods in Richmond, where he represents clients in litigation matters with a focus on antitrust, commercial matters, and real estate litigation.

JAMAAL W. STAFFORD was named to the Lawyers of Color annual Hot List. He is an associate at Barrasso Usdin Kupperman Freeman & Sarver in New Orleans, where he focuses his practice on construction-defect litigation, complex commercial litigation, and extra-contractual bad-faith insurance litigation relating to bodily injury and property damage claims.

SABINA VAYNER has been named one of Georgia Trend’s 40 Under 40 for 2014. Vayner focuses her practice on trademark, copyright, and advertising issues for Kilpatrick Townsend in Atlanta. She regularly practices before the Trademark Trial and Appeal Board. In 2013 and 2014 Vayner was recognized as a Georgia rising star in the area of intellectual property litigation by Super Lawyers magazine.

HILLARY H. STEENBERGE has joined Brownstein Hyatt Farber Schreck as an associate in Santa Barbara, Calif. Steenberge is a member of the natural resources department. She focuses her practice on environmental transactional and litigation work, including complex land use and real estate matters, regulatory compliance and site remediation efforts, and groundwater issues. She was previously with Latham & Watkins.

2010

GREG S. HILLSON and his work on a pro bono landlord-tenant case was featured in the September issue of Washington Lawyer. See http://bit.ly/19umOL. The case involved a residential housing dispute in which the landlord sued to evict a family that hadn’t paid rent due to their sub-standard housing conditions. Hillson was part of the legal team from Williams & Connolly that ultimately won a verdict in the family’s favor. He is listed in Washington, D.C. Super Lawyers 2014 in general litigation.

SERGE MARTYN joins Credit Agricole Corporate and Investment Bank in London as a Director of Legal Capital Markets in November.

2011

MATTHEW J. PIEHL recently joined Faegre Baker Daniels in Minneapolis, Minn., as an associate in the health care group. He will focus his practice mainly on regulatory compliance and matters associated with federal and state laws, including the U.S. Food and Drug Administration. He was previously with Crowell & Moring.

EMILY G. ROTTIER is an associate with Butler Rubin Saltarelli & Boyd in Chicago, Ill., where she focuses her practice on complex commercial litigation. She was previously with Mayer Brown.

2012

CHARLES W. THROCKMORTON and STEPHANIE T. MOORE were recently engaged. “We were in the same 1L section,” writes Moore, “and wanted to share our happiness with our lovely UVA family.” They reside in Miami, Fla., where Throckmorton is an associate at Carlton Fields Jorden Burt and Moore is an attorney with Disability Rights Florida.

2013

ANDREW L. STOTTS recently joined Winstead as an associate in the corporate, securities, mergers & acquisitions practice group in Dallas. He was previously with Patton Boggs.

2014

TOM OGDEN and his wife, Dawn, lost their son, Francis Aaron Ogden, in September. He was less than three months old. Francis was born on June 10 in Charlottesville, and his service was in Des Moines, Iowa, where his parents live.
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<tr>
<th>Name</th>
<th>City</th>
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<td>George I. Alley ’48</td>
<td>Columbia, S.C.</td>
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<td>April 7, 2014</td>
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<td>J. Wilmot Thomson, Jr. ’48</td>
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<td>W. Shepherd Drewry, Jr. ’51</td>
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<td>James R. Jorgenson ’84</td>
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<td>J. Frank George III ’69</td>
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<td>Stuart B. Young ’60</td>
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<td>Martin R. Hoffmann ’61</td>
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<td>Kevin J. Walsh ’74</td>
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<td>Cameron Matthew Hall ’04</td>
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<td>Donald W. Devine ’58</td>
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<td>Ronald W. Hartley ’64</td>
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<td>D. Christopher Ohly ’75</td>
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<td>Robert T. Bosserman, Jr. ’76</td>
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Corporate Governance After the Financial Crisis
Stephen M. Bainbridge '85
Oxford University Press

In the past decade, economic crises resulted in two important statutes that affect corporate governance. In the wake of the dotcom bubble, Congress passed the Public Company Accounting Reform and Investor Protection Act of 2002 (the Sarbanes-Oxley Act). That act targeted basic aspects of corporate governance. Later, when the housing bubble burst and the subprime mortgage crisis erupted, the United States suffered the worst economic downturn since the Great Depression. In reaction, Congress passed the Wall Street Reform and Consumer Protection Act of 2010 (the Dodd-Frank Act), which made great changes in the way finance is regulated.

Previously, the states held more say in the regulation of corporations. But increasingly, the federal government is involved in this domain. In Corporate Governance After the Financial Crisis, Stephen Bainbridge assesses whether changes brought about by Congress have actually improved corporate governance and whether increasing federal involvement will lead to better outcomes. He covers corporate fraud and disclosure, executive compensation, shareholder activism, corporate democracy, and the decline of U.S. capital market competitiveness.

The author is William D. Warren Distinguished Professor of Law at UCLA, where he teaches business associations, advanced corporation law, and a seminar on corporate governance.

International Human Rights Law Sourcebook
Alice Beauheim Borene '09
American Bar Association

Beauheim Borene is an attorney and expert on human rights, intelligence issues, civil liberties, privacy, and counter-terrorism. While in Law School, she interned with the Office of the Prosecutor of the State Court of Bosnia-Herzegovina assisting in building war crimes cases.

International Humanitarian Law (Law of Armed Conflict) Sourcebook
Alice Beauheim Borene '09
American Bar Association

The International Human Rights Law Sourcebook explains the current laws and rules governing human rights policy, and will serve as an invaluable resource for activists and others interested in promoting human rights. The volume brings together important human rights documents that provide access to current laws and international rules, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and United Nations documents.

The International Humanitarian Law (Law of Armed Conflict) Sourcebook is an excellent reference that gathers key source documents on international humanitarian law for lawyers, policymakers, nongovernmental organizations, military leaders, and academics around the world.

Jim Crow and Me: Stories From My Life as a Civil Rights Lawyer
Delores R. Boyd '75 and Solomon Seay Jr.
NewSouth Books

Solomon Seay was one of only ten black lawyers in Alabama when he began to practice law in 1957. He was a civil rights lawyer working through the turbulent times of Jim Crow South. His memoir is presented in a collection of powerful vignettes, including dramatic courtroom scenes and well-drawn descriptions of the personalities he dealt with in and out of the courtroom: victims, heroes, and the oppressors.

For two decades Seay fought for justice in a system stacked against him, a trailblazer for black lawyers during that time. He was the son of a mother who taught school and a father who was a preacher of the liberation gospel, a man who was a mentor to Martin Luther King Jr. and Fred Gray Sr., an icon of civil rights law.
and law partner of Seay’s. His parents always put a high value on education and reinforced the idea that everyone should have equal rights and opportunities—even when equal justice for all seemed like a distant dream. No other lawyer in Alabama worked harder to do away with segregation in public schools.

Boyd interviewed Seay for an archival project, and after hearing his stories about his law practice, convinced him that they should be told to a larger audience. She helped shape his recollections into the 26 narratives in Jim Crow and Me.

Delores Boyd practiced law in Montgomery, Alabama, before serving as a municipal court judge and a U.S. Magistrate Judge. She is currently a mediator.

Goolsby & Haas on Virginia Corporations, Fifth Edition
Allen C. Goolsby ’68 and Steven M. Haas ’04
LexisNexis

This is the definitive guide to Virginia corporate law. The authors present a clear and comprehensive treatment of the role of boards of directors, including the risks and responsibilities involved. They also highlight the complex balance of power between corporate boards and shareholders, and how their relationships are changing.

Goolsby and Haas explain how some recent shifts in the balance could be signs of trouble on the horizon. The strengthening of shareholders’ authority and reduction of the authority of the board of directors, for example, make directors mainly agents of shareholders, and that tends to improve short-term, rather than long-term, results. On another front, Congress and federal regulators are getting involved in matters that used to be handled by the state. They also cite the “fuzzing up” of the corporate mission, which has traditionally been to develop sustainable profit for long-term owners, when corporations are expected to be environmentally sustainable.

The pace of change in corporate law and corporate governance in the past 25 years seems to be accelerating, Goolsby and Haas note, and some of the changes could have negative effects on corporate boards, turn the focus toward short-term results, and get in the way of pursuing sustainable wealth. “Boards and management must do a better job of defending our traditional model of corporate governance,” they write. Their book provides an in-depth analysis of corporate governance in Virginia—and a gaze into its future.

The authors’ knowledge of corporate law and corporate governance is unparalleled. Allen Goolsby was the lead drafter of Virginia’s current corporate code. He oversaw the General Assembly’s overhaul of the Virginia Stock Corporation Act in the mid-1980s and led the crafting of updates to the statutes in the following decades. Goolsby’s original work, Goolsby on Virginia Corporations, was published in 2002. This latest 5th edition, co-authored by fellow UVA alumni Steven Haas, adds Haas’s expertise as a leading attorney in the field of mergers and acquisitions and corporate governance.

“The fingerprints of our dear friend and mentor, Mike Dooley, run throughout,” notes Allen Goolsby.

The author is special counsel and Steven Haas is a partner at Hunton & Williams.

The Rule of Nobody: Saving America from Dead Laws and Broken Government
Philip K. Howard ’74
W.W. Norton & Company

The Rule of Nobody opens with a straightforward example of how regulation can get in the way of common sense. In 2011 in a New Jersey township, a tree fell into a creek and caused flooding. It was a Class C-1 creek that required approval before a tractor could pull the tree out. The flooding continued. Twelve days and $12,000 later a permit granted the right to remove the obstruction.

The author argues that obstruction is the norm in American governance, and people in positions of power are unable to get things done. “Nothing much works,” he writes, “because no one is free to make things work.” Of course laws can help prevent fraud or help ensure that a factory is safe. But it doesn’t make sense when myriad laws dictate written contracts or exactly how factories should be built. Innovation and practical solutions are grinding to a halt in America, he warns, and we are paying a heavy price. “Philip K. Howard has always struck me as an eminently reasonable, articulate advocate for commonsense solutions. No wonder no one listens to him,” quips Jon Stewart of The Daily Show.

Howard, who advises political leaders on legal and regulatory reform, including Vice President Al Gore and a number of governors, proposes that nothing less than a remaking of American government will solve such serious and pervasive problems. Simplified, adaptable codes must be established,
he explains, and a “Bill of Responsibilities” added to the Constitution to mend the problems within the executive, legislative, and judicial branches of government. He sets forth his proposed amendments to the U.S. Constitution in the appendix of this book.

“Amid the liberal-conservative ideological clash that paralyzes our government, it’s always refreshing to encounter the views of Philip K. Howard, whose ideology is common sense spiked with a sense of urgency,” notes a review in the The Wall Street Journal.

Philip Howard is a partner with Covington & Burling in Manhattan. In 2002 he formed Common Good, a nonpartisan national coalition aiming to restore common sense in America. This is his fourth book.

**The MBA Slingshot for Women: Using Business School to Catapult Your Career**

Nicole Lindsay ’00 JD/MBA
Praeger

Even though women have been in the workforce for decades and attended the top graduate schools for years, they fill just 15 percent of corporate boards and a mere 3 percent of CEO positions. Are there career roadblocks in their way, or are they undercutting their own advancement somehow?

“There is much that women can do in business school to close the gender gap in pay, access, and satisfaction,” writes Nicole Lindsay in the introduction to *The MBA Slingshot for Women*. The author, an expert in career development and diversity in graduate management education, presents a roadmap for how women can make the most of their graduation school experience to get the most from their professional careers.

*The MBA Slingshot for Women* is divided into four themes: how to maximize social networking in graduate school; how to deal with the kinds of issues women face as they get ahead; how to use connections to advance a career; and how to create an effective personal brand.

The author is director of leadership development for the ZOOM Foundation in Connecticut and founder of DiversityMBAPrep.

**Georgia Public Finance Law Handbook**

James P. Monacell ’78
Available on Lulu.com

*Georgia Public Finance Law Handbook* is an essential resource for attorneys on the subject of bonds and public finance in Georgia.

The book includes guidance on the constitutional, statutory, and case law pertaining to the issuance and usage of debt and other public financing by municipalities, counties, districts, and other authorities in Georgia. Tax-exempt financing and other tax-advantaged financing, historical development, case law, statutes, the Constitution, regulatory issues, and procedural requirements are also addressed.

James Monacell heads the bond and public law practice at Smith, Gambrell & Russell in Atlanta, and is a frequent lecturer on public law and finance. He has practiced in this field for more than 35 years.

**The Drama of DNA: Narrative Genomics**

Karen H. Rothenberg ’79 and Lynn Wein Bush
Oxford University Press

The human genome was first sequenced a decade ago. In the wake of that accomplishment, scientists and healthcare workers struggle to deal with the challenging issues that inevitably come up when new technology and everyday life intersect.

Recent advances in the technologies for analyzing the human genome and reading the sequence of DNA have enormous implications for understanding human health and disease. How will the wealth of this new information, which yields information not just about individuals but also blood relatives and ancestors, be shared?

In *The Drama of DNA: Narrative Genomics*, the authors present dramatic narratives that bring to life these complex issues in a way other methods cannot. The response they received to a short play they wrote and presented at a conference on genomic research inspired them to write a number of additional ones on a range of issues involving genetic science. A number of their vignettes are compiled in this book.

These dramatic narratives create a way for lay readers, scientists, and healthcare workers to better understand the kinds of challenges that lay ahead in the rapidly developing field of genomics.

Karen Rothenberg is an advisor to the director of the National Human Genome Research Institute, visiting scholar at the department of bioethics at the National Institutes of Health, Marjorie Cook Professor of Law and founding director of the law and health care program at the University of Maryland Carey School of Law, and visiting professor at Johns Hopkins Berman Institute of Bioethics.
Political scientist David Alistair Yalof examines a fundamental question about our democracy: Can politically appointed, high-ranking Justice Department officials properly investigate wrongdoing within their own administration? Or should they call for an independent counsel?

As the highest-ranking law enforcement officer, the Attorney General of the United States has to hold colleagues—even the President—accountable. When allegations arise, the Attorney General must make sure that even those who appointed him to his position are investigated thoroughly.

Yalof analyzes a number of cases of real or alleged corruption in the executive branch that happened from the Nixon administration to that of George W. Bush. The cases range from the well known and highly publicized Watergate and Whitewater scandals to others that never drew nearly as much attention. Can the executive branch guarantee due process when it’s charged with investigating and prosecuting accusations of its own corruption? When the media and the public get involved, the task can be daunting.

In all of these cases, large and small, the Attorney General and other officials in the executive branch had the task of assessing the case and deciding the path to take going forward. In only a handful of cases was an independent counsel called in.

The author is associate professor of political science at the University of Connecticut.

FICTION

The Garden of Burning Sand
Corban Addison ’04
Quercus Publishing

In Zambia a little girl named Kuyeya is the victim of sexual abuse on the streets of Lusaka. She has Down’s Syndrome and lives in a culture in which special needs children, often neglected and cast off by their families, are usually easy prey for predators.

No doubt Kuyeya would have been just another silent victim if Zoe Fleming, a smart and determined human rights lawyer, had not taken up her case and taken the tortuous path to its conclusion. Fleming, an American, had just begun to settle into a new life in Zambia, far away from her estranged father and her own difficult past.

Tradition conspires to protect Kuyeya’s abuser, and Fleming engages the help of Zambian police officer Joseph Zabuta, who she convinces to let her shadow him on the case.

The case becomes much more dangerous when they find a violent connection between the little girl and a powerful Zambian family.

As danger mounts during their investigation, Zoe and Joseph Zabuta are drawn together, and she has to face the past she could never really outrun.

The Garden of Burning Sand moves from the impoverished streets of Zambia to the offices of the powerful in Washington, D.C., to breathtaking Victoria Falls, a gripping story that grabs readers and carries them along while bringing to light a terrible social injustice.

This is Corban Addison’s second novel. His first, A Walk Across the Sun, portrayed the harsh reality of human trafficking. He hopes his writing will create awareness of social injustice and help increase support for the work that seeks to end it.


The Target
David Baldacci ’86
Grand Central Publishing

In David Baldacci’s latest entry in the Will Robie series, the President of the United States orders the assassination of the leader of North Korea. If the attempt fails and he’s found out, the President’s decision could lead to impeachment.

To improve the odds for the mission’s success, he selects highly skilled assassins Will Robie and Jessica Reel for the deadly assignment. The two will follow orders—if conscience and scruples don’t get in the way. If and when they complete their task against incredible odds, they, too, must be eliminated—the President and his entourage think it’s too risky to let them go free.

The shady director of the CIA puts Robie and Reel in a high-tech training facility called the “burner box” in an attempt to break them down both mentally and physically. Surviving the burner box is by no means the most difficult part of the many tests they face, and sudden plot twists propel readers with a kind of g-force through their harrowing adventure.
“Baldacci knows how to get readers to turn the pages,” notes one reviewer, “and he’s in top form here.”

David Baldacci’s novels have been translated into 45 languages and sold in more than 80 countries. He and his wife, Michelle, have established the Wish You Well Foundation, a nonprofit that supports programs to support literacy in the United States.

Terminal City
Linda Fairstein ’72
Dutton

Linda Fairstein’s latest Alex Cooper thriller takes place in and around the Grand Central Terminal in New York City.

When a young woman’s body is discovered in the tower suite of the Waldorf Astoria, NYPD detectives Mercer Wallace and Mike Chapman race to the crime scene to investigate. Soon after they arrive they’re joined by Alex Cooper, the assistant district attorney for the sex crimes unit. Within days another murder takes place. With the imminent arrival of the President of the United States for a meeting at the UN, the pressure is on to bring the perpetrator to justice.

Within days another murder takes place. With the imminent arrival of the President of the United States for a meeting at the UN, the pressure is on to bring the perpetrator to justice. Working side-by-side in their race against time to find the killer, Alex and Mike have another challenge—how to handle their relationship, which seems to be turning into something more than they ever planned for.

Grand Central Terminal, nicknamed “Terminal City” in its early days, has hidden staircases, towering catwalks, and rooms never meant to show up on a blueprint that make great hiding places for criminals. As with her other detective novels set in New York City, the author instills this one with a vivid sense of place. In Terminal City, she describes Grand Central in vivid detail and reveals fascinating and little-known facts about the site and its history.

“The tour of Midtown, both above and below ground, is alone worth the price of admission,” notes a review in Publishers Weekly.

Fairstein’s decades-long career as chief of Manhattan’s sex crimes unit is the inspiration for Alex Cooper’s character.

Leonardo da Vinci Gets a Do-Over
Mark P. Friedlander, Jr. ’57
Science, Naturally!

Nothing brings history alive like going to the places where history happened. And what if one of the most brilliant men who ever lived stepped out of his century to come along? That’s what happened when three American middle school students and their teachers experience the adventure of their lives on a school trip to Florence, Italy.

Soon after they arrived in the city, they spot a tall, bearded man dressed in 16th century clothes walking through the famous Piazza della Signoria. He must be a reenactor, thought their history teacher, who impulsively decided that bringing him along would help make Renaissance history come alive. The man called himself Leonardo and insisted that he was the real Leonardo da Vinci. He didn’t remember dying, he said, and had a feeling he’d been born centuries too early.

He’d come back to invent something new for the betterment of humans. But he wanted 21st-century guides to learn what the modern world really needed before he could set to work. Max, Tad, and Gina teach Leonardo about modern science, art, math, and culture, and Leonardo gives them an insider’s perspective on life, art, and scientific innovation in Renaissance Italy. Together they time-travel, a fascinating journey every step of the way.

Leonardo da Vinci Gets a Do-Over, part of the Innovators in Action series, will appeal to upper elementary and middle school students and immerse them in a fun blend of social studies, science, art, engineering, math, and history. “A fascinating and well-written story,” notes Daniel Bisaccio, Director of Science Education at Brown University.

Mark Friedlander is in private practice in McLean, Va. He has written more than a dozen non-fiction books.
fans it takes to make a great sports program. Her passion for college sports comes through on every page.

“I’ve read all of Emily Giffin’s novels, but The One & Only is my favorite,” writes Ralph Sampson, NBA Hall of Famer and three-time college player of the year. “Emily conveys all the emotions and heart in sports while creating colorful characters you really want to pull for. I would have loved to have Coach Carr and Shea on my ‘team.’”

The Siegel Dispositions
David E. Grogan ’87
Camel Press

After serving 22 years as a Navy JAG, Steve Stilwell begins his second career as a civilian attorney with what seems a routine update of a will. The will is for Felix Siegel, a 70-year-old professor and Auschwitz survivor. Siegel’s adopted daughter, Michelle, will inherit his fortune—that is, what’s left after the first $1.5 million goes to three of his wartime friends.

Before long, Felix Siegel dies a violent death, and the mundane business of updating the will has taken a frightening turn. Stilwell sets out to find the friends named in the will, and discovers that two of them have already died under suspicious circumstances. German police investigating the murder of one of the friends are convinced that Michelle was involved.

Stilwell looks for answers and for the third beneficiary. There’s a cold-blooded killer out there, it seems, and the attorney’s life and the life of the missing beneficiary are dangling in the balance.

The Siegel Dispositions is David Grogan’s first book, and the first in a series of mystery/thrillers featuring attorney Steve Stilwell. The author’s 26-year career in the Navy, including his tours of duty as a Navy JAG, inform his writing.

The text contains an unedited version of Genesis that denies Islam’s claim to the Promised Land. An archaeologist vouches for the scroll’s authenticity, and the contents have the potential to turn the Middle East upside down.

That night Mimi is kidnapped while walking alone in the city, and Ike disappears with the scroll. Mimi’s kidnappers demand the Ishmael scroll in exchange for her safe return, and Liam scrambles to find Ike and the document, desperate to save the life of the woman he loves. Finding Ishmael takes readers on a harrowing chase through the storied landscape of Old Jerusalem, down narrow dusty streets, across the desert, and into the minds and hearts of the people who would stop at nothing to lay final claim to it.

This is Michael Henry’s seventh novel. He served as a district attorney for 22 years before he turned to writing full time.

The Closing
Ken Oder ’75
Skipjack Publishing

Nate Abbitt was a successful prosecutor who lost his wife, his career, and his self-respect because of his drinking. By the time he got sober he was on his own, and criminal defense was the only work he could find. His client, Kenneth Deatherage, is clearly an even more hopeless case. He faces the death penalty for the rape and murder of a young woman, and the evidence against him seems overwhelming. Deatheridge claims he was falsely accused and that the judge and his first lawyer conspired against him.

When Abbitt’s appointed to represent Deatherage in an appeal, it looked like a straightforward case in which he’d merely be going through the motions; his client seemed headed for the electric chair. But his investigation found corruption within the county justice system, and suddenly his life is in danger, too. He finds himself fighting for justice and the redemption that could help win back his wife.

This legal thriller focuses on corruption in the justice system. “Whatever side of the issue you are on, The Closing should inform your view about capital punishment,” writes one reviewer.

The Closing is set in rural Virginia in the 1960s, and was inspired by a death penalty appeal Oder worked on decades ago. This is the first novel in the author’s Whippoorwill Hollow series, each volume of which is set in the Blue Ridge Mountains near the Shenandoah National Park.
It is widely believed that the United Kingdom has no constitution. Or that it has no written constitution. But legal philosophers and most constitutional theorists know better. They know that the United Kingdom has a constitution and that it is, in large part, written. But what the United Kingdom, like New Zealand and Israel but no other developed countries, does not have is a single-document written constitution. The constitution of the United Kingdom is a collection of writings, understandings, and seemingly ordinary statutes that are accepted by British judges, by British officials, and by much of the British population as having constitutional status. Moreover, it is this very acceptance that serves to elevate these writings and understandings to constitutional status—to make them the standards by which people and officials evaluate the permissibility of the various ordinary actions that those officials do or do not take on a regular basis.

Among the understandings that comprise the British constitution are the way in which no legislation becomes law except by vote of both houses of Parliament and signed approval by the Queen, but also that the Queen is not to withhold her approval of any law duly approved by Parliament. In addition, the constitution includes the principles of freedom of speech and press and certain procedural rights that the British call the principles of natural justice and Americans think of as procedural due process—especially the principles of *audi alteram partem* (hear the other side) and *nemo debet esse in judex sua propria causa* (no man should be judge of his own cause).

In the United Kingdom, these principles share their constitutional status with some number of historical documents and Parliamentary enactments, including the Bill of Rights of 1689, the Habeas Corpus Act of 1679, and, most relevantly here, Magna Carta. For Parliament or a British official to take an action inconsistent with Magna Carta is to act unconstitutionally, and other officials, commentators, and often the public will condemn as unconstitutional any action thought to violate the provisions of that ancient document. And although the general absence of judicial review in the United Kingdom (although things have changed slightly with British acceptance of the European Convention on Human Right and membership in the European Union) means that judicial invalidation is not the typical remedy for unconstitutional actions, it remains the case that unconstitutionality according to Magna Carta and the various other documents and understandings will be grounds for criticism. Moreover, the belief that certain actions would violate the constitution is often sufficient for officials to refrain from taking actions that they might otherwise prefer on political or policy grounds. In this sense, the various components of the British constitution genuinely operate as second-order constraints on first-order policy or political preferences, and thus satisfy the fundamental criteria of what a constitution does, and just what a constitution is.

Once we understand that Magna Carta has constitutional status in the United Kingdom (and also New Zealand), we can better appreciate the full nature of the Constitution of the United States. The Constitution that sits behind three inches of glass at the National Archives is, as a first cut, the Constitution of the United States. But even if I were to write such a constitution, and even if it were valid according to its own terms, it would still not be the Constitution of the United States. And that is because neither the people nor the officials in the United States would accept it as such. Despite the fact that both the document in the National Archives and my
hypothetical constitution could be valid according to their own terms, only the former would be accepted by the people and by officials, and it is this fact of acceptance, and not the formal requirements within the document, that is the ultimate touchstone of legal and constitutional validity.

Once we understand that the constitutionality of the Constitution, as it were, is ultimately a function of the raw fact of acceptance, we can see Magna Carta, even in the United States, in a different light. The Constitution of the United States, as it now exists, consists of most of what is in the document in the National Archives, but not all of it. Some of its provisions, such as the guarantee of a “republican form of government,” are treated by the courts as judicially unenforceable. And others, most prominently the provisions dealing with slavery, are treated by courts and officials as relics of the past, with no contemporary legal import. Conversely, some norms that are nowhere to be found in the document in the National Archives are treated as having constitutional status. For some these include certain canonical writings, such as those of Madison, Jay, and Hamilton in the Federalist Papers. For others they include long-accepted presidential practice, especially in areas of war, national defense, and foreign policy. And still others would add certain widely-shared norms of congressional practice, such as a degree of deference to members of Congress with respect to federal judicial appointments from their own state.

We are now in a position to appreciate the constitutional status of Magna Carta in a new light. A constitutional argument relying on Magna Carta, whether in court or in Congress or in public debate, would be no more inherently out of bounds than a constitutional argument relying on something in The Federalist Papers, or relying on a presidential practice going back to George Washington, or Abraham Lincoln, or Franklin Roosevelt. Even in the United States, the constitutional status of Magna Carta, whether all of it or only some of it, is a function of it being treated, by judges or other official or the public, as having constitutional status. That Magna Carta is not in exact words contained in the document in the National Archives is not dispositive of its constitutional status. As long as an argument from Magna Carta is understood as being an argument from something higher or deeper than ordinary law, it has a kind of constitutional status. Just as Magna Carta is part of the British constitution, so too might some or even all of it, now or in the future, be part of the constitution of the United States as well.