Law & Business

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John C. Jeffries, Jr. ’73

THIS ISSUE OF UVA LAWYER INTRODUCES Virginia’s new Law & Business Program. We began this year with basic courses in Accounting and Finance offered in the Law School by distinguished professors from elsewhere in the University. (Both Whit Broome from the Commerce School and Ken Eades from Darden are profiled in these pages.) Next year, we will expand the availability of Accounting and Finance, increase the number of business specialty offerings, and begin revamping our core business law courses. The completed program will be the most ambitious curricular innovation in the history of the Law School and perhaps in the history of legal education.

It may help identify the direction of our ambition to spell out three things that the new Law & Business Program will not do:

First, it will not replace the joint J.D.-M.B.A. Program with Darden. The joint degree program is ideal for students who can commit to the time and expense of an extra year. It graduates students with complete educations in both law and business. Unfortunately, the demands of the joint-degree program restrict it to a handful of exceptionally dedicated students. The new Law & Business Program aims at a much wider audience. Our goal is to graduate 200 lawyers annually with a basic foundation in business.

Second, the Law & Business Program will not detract from the centrality of legal analysis in the Law School curriculum. Especially in the first year, the intellectual and analytic discipline of law will remain our overriding commitment. It will be supplemented, not displaced, by the basics of business analysis. In business law courses, the subtlety and sophistication of legal analysis will be enhanced by a better understanding of the business contexts in which legal issues arise.

Third, the Law & Business Program will not divert resources from other areas. Virginia aims to be the nation’s leading law school, not in business law only but across the board. Consistent with that philosophy, expansion of the business law curriculum should not come at the expense of public law or public service or preparation for a career in litigation. Rather, the Law & Business Program will be funded by new resources and implemented as those resources become available.

We are fortunate indeed to have far-sighted alumni who have enabled us to launch the Law & Business Program now, even as we seek funding for the long term. Over the next few years, we shall fund Law & Business with currently expendable contributions made expressly for that purpose. In addition to the support of Law School alumni, we are grateful for the leadership of Thomas A. Saunders III, a 1967 graduate of the Darden School and member of the University’s Board of Visitors. Tom has generously agreed to help get Law & Business started by underwriting the cost of hiring Darden faculty for the first three years.

We are excited by the possibilities of the new Law & Business Program and by the opportunity to be the national leader in that field. At the same time, we are aware that this is an experiment and that our plans will likely have to be revised in light of experience. Many of our graduates have expertise in this field, and we hope you will give us the benefit of your wisdom and guidance as we go forward with this program.
Dear Editor,

I am prompted to write … because of an article that I read in the Fall Issue of this magazine on Kit Lasher, Law Class of 2002. The article explained that Kit has been chosen as the 2002 Powell Fellow of her Law Class and began work as a legal intern this past September in the Child Advocacy unit of the Riverdale office of Maryland’s Legal Aid Bureau.

As the Program Administrator of Florida’s Broward County’s Legal Aid office, overseeing 25 lawyers and 30 more support staffers in the county with the largest number of poor and the largest city (Fort Lauderdale), I can attest to the challenges, yet great satisfactions, that there are in helping the poor with their legal problems. Until I decided to give something back to the community by joining Legal Aid last year (2001) after spending over three decades working in the private sector in the most privileged circumstances, I had no idea of the need for legal services for the poor and the great value that the Legal Aid offices around the country, and their dedicated Advocates, bring to their respective communities. The Lewis F. Powell, Jr., Fellowship in Legal Services is to be commended as a generous funder of legal services for the poor, and Kit Lasher congratulated for being selected as the 2002 Powell Fellow in her Class. The Law School could not have picked a more deserving law graduate, it would appear.

Robert H. Grogan ’61

Mr. Grogan started his service with Legal Aid after 35 years of practicing law with some of the largest banks, business corporations and law firms in New York, Chicago, and Miami. See the more complete class note from Mr. Grogan in the Class Notes section. —CC

Dear Editor,

I enjoyed your last edition very much, particularly the picture of my old friend, Foster Arnett ’48, on page 50. So I thought I would write to let you know that I retired a couple of years ago, but I seem to be busier now than I ever was while practicing.

Seeing Bobby Kennedy’s ’51 picture on page 49 reminded me of that night in June of 1968 when he was assassinated in the Ambassador Hotel. I was about 30 feet away from him when he was shot—I was with a group of his personal friends, including Steve Smith, his brother-in-law—a night I shall never forget!

Very truly yours,

Franklin Lane ’49

Sadly, Foster Arnett ’48 passed away in December. We know the entire Law School alumni community will miss him. —CC
Centers Sponsor Media Conference on Iraq War Coverage

The Iraqi War now has reporters living with armed forces units as the military returns to a media policy it felt burned by in Vietnam. Reporters, editors, commanders, and lawyers hashed out the ramifications of having “embedded” reporters on the front lines as well as “pooled” at headquarters, along with other longstanding tensions between the press and the Pentagon at the National Press Club in Washington, D.C., during a January 16 conference jointly sponsored by the Law School’s Center for National Security Law and the Thomas Jefferson Center for the Protection of Free Expression. Professors John Norton Moore and Robert O’Neil moderated panels that examined “The Media and the War for the ‘Fourth Freedom:’ Covering the War on Terror.”

The Pentagon is “planning to provide the media the greatest possible access to our troops,” said Bryan Whitman, Deputy Assistant Secretary for Public Affairs for the Department of Defense. “This is the way the media tell us it wants to cover war.”

“It’s going to be quite different,” acknowledged Evan Thomas ’77, assistant managing editor of Newsweek. “The general perception in the Gulf War was that the press was kept away from the front line. The third largest tank battle in history took place and there are no images of it. The press wants people in the tanks. The military has now heard the clamor and whining of journalists. The perception in Vietnam was that the press got too close. The military felt stabbed in the back by the coverage, which they saw as sensationalistic. Now the pendulum is swinging the other way.”

“The military has done a better job of training reporters to go along with the troops.”

Evan Thomas ’77, assistant managing editor of Newsweek, said even with reporters embedded in military units, we’ll see the “same old skits” between military briefers and reporters at press conferences.
added Doyle MacManus, Washington bureau chief for *The Los Angeles Times*. "But one concern I have is that we have not had a long enough dialogue on what the rules will be on the ground. I think we will have more collisions than we need to have."

Tom Bowman, Pentagon correspondent for *The Baltimore Sun*, also approved of the embedding policy. "Reporters shouldn’t just be hanging out at headquarters. The book on the media in the Gulf War was called Hotel Warriors. That says it all. The tragedy of the first four days of the Gulf War was that no reporters were with the troops. Those events are lost to history. It’s important for the American people to know what their soldiers are doing in their name." He faulted media organizations for assigning too many reporters who normally cover non-military beats to war coverage, saying they "clogged up" the Pentagon’s media services with ignorant questions and needs.

Whitman said special training for reporters last month at Quantico marine base in Virginia was designed to give them survival skills so they would not endanger themselves or their [host] units. Media organizations have given him positive responses to the programs and two more sessions are planned that will train a total of 240 reporters. Embedded reporters would not be given weapons training and will dress differently than soldiers so that they can be distinguished in case they are captured. Questions were raised about the likely impartiality of reporters covering men they are living with who are, in fact, protecting them.

“We worry about reporter casualties. Battlefields are very dangerous places,” said Whitman, “even more so if you’re out there looking for engagements.” Embedding is an attempt to stop reporters from freelancing and becoming potential targets because they can’t be properly identified soon enough. In Afghanistan, Whitman noted, American soldiers couldn’t be sure if four-wheel-drive vehicles with armed men inside were al Qaeda or western news crews with local drivers and bodyguards.

Responding to Thomas’ comment fearing delays in getting dispatches out from reporter pools, Whitman said the Pentagon knows that technology allows news organizations to transmit their “products” without assistance from the military. "The Pentagon will allow reporters to use the equipment they are used to. Some information can’t be released until later because of it is potential value to the enemy. But I have never met a reporter who would jeopardize a mission.”

“Especially if he is with the unit,” chimed in Bowman, “I don’t want to get killed.”
A GROUP OF LAW SCHOOL STUDENTS have heeded an unprecedented nationwide call to support affirmative action in their own backyard by signing onto an amicus brief in the Grutter v. Bollinger case, the first Supreme Court case to tackle the legality of affirmative action since Bakke v. Board of Regents in 1978. Peppered with e-mails from supporters asking for help, students from more than 80 law schools are now involved in the drive to gather signatures for the brief, which was written by Georgetown law students under the supervision of professors Julie O’Sullivan and Peter Rubin.

“Our point of being here [in law school] is to learn to argue two sides of an issue,” said Law School drive co-organizer Sarah Baker, a second-year Law student. “It’s hard to do when everybody is arguing from the same point of view.”

The Georgetown brief, which argues that the promotion of diversity in higher education is a compelling governmental interest, may be unique in Supreme Court history if it gathers the hoped for 2,000-plus signatures by the end of the month. No group of students that large has submitted such a brief to the Court. Third-year Law student Dalton Courson heard about it from the National Lawyers Guild and volunteered to help organize the two-day drive, which gathered 88 signatures at the Law School January 22–23. Courson said more have asked to sign since then.

“I feel like law school is a place where we’re talking about issues that impact people’s lives,” said Courson, president of the Law School National Lawyers Guild chapter. When he studied Brown v. Board of Education during his first-year Constitutional Law class, “I remember thinking how important it is that we have people who have different experiences.”

The Grutter case, scheduled to be heard April 1, revolves around Barbara Grutter, whose 1995 application to the University of Michigan Law School was rejected. She later joined two other applicants to sue the school over its admissions policies, which the plaintiffs assert is essentially a quota system. Debate over the issue has heated up in recent weeks as President Bush voiced his opposition to the Michigan policy and Secretary of State Colin Powell openly disagreed, saying he supports both the Michigan policy and affirmative action.

“It’s pretty controversial here,” Courson said. “It’s going to affect law students next year.”

Third-year Law student Crystal Lovett, who also helped gather signatures, said it was important that the Justices hear from current law students. “We are in a position to know how diversity affects the study of law,” she said. “We have a reason to speak about it that other people may not have.”
Maranzano Named Skadden Fellow

**Jennifer Maranzano is among 25 graduating law students nationwide selected as this year’s Skadden Fellows, an award that helps young lawyers enter public service legal careers. Maranzano will represent clients of Bread For The City in Washington, D.C., in domestic violence cases and housing disputes.**

A private, nonprofit organization, Bread For The City takes a “holistic approach” to providing services to the poor in depressed areas of the nation’s capitol, Maranzano said. “They’ll help you with food, clothing, getting to see a doctor, or with legal problems.” Created in 1976 by a combination of Washington churches, it currently feeds about 6,500 people a month. Its legal clinic takes on about 250 cases a year.

“I think this is what I really want to do,” Maranzano said. “I’m really excited to get this opportunity. I expect to be going to court to prevent evictions and handle administrative claims. A lot of Bread For The City’s clients are in public housing.” She said she expects to be working in Southeast D.C.

Regarded as the most prestigious public service fellowship for young lawyers, the Skadden pays fellows $37,500 in salary for two years, plus their law school loan payments. Applicants must have a sponsoring organization and a proposal for how they will help deliver legal services to indigent and underrepresented clients in order to apply. Maranzano called the application process “tough” and competitive.

“The Skadden is the public service fellowship,” said Kimberly Emery, director of the Law School’s Mortimer Caplin Public Service Center. “Over the years, Skadden Fellows have become a national network of public interest lawyers sharing contacts, strategies and other useful information. We are absolutely thrilled to have Jen Maranzano join this network.”

The firm of Skadden, Arps, Slate, Meagher & Flom created the fellowships in 1988 to mark the firm’s 40th anniversary and has extended the program since then. Fellowship choices reflect the promise of students and the proven effectiveness of their sponsoring organizations. After a culling process, semifinalists are interviewed by the firm’s partners and a final group of 25 fellows is selected each December by the Fellowship Foundation’s Board of Trustees. Past fellows from the Law School include Chinh Quang Le in 2001, Tim Freilich and Christine Ellertson in 1999, and Mary Bauer in 1990. The Skadden Fellowship was used as the model for the Law School’s Powell Fellowship in Legal Services, which was awarded this year to Lise Adams and last year to Katherine Lasher.

Maranzano said she’ll be taking the bar exam in July and hopes to travel to Nepal before starting work with Bread For The City in September.
Adams Wins Powell Fellowship, Heading to D.C.

Lise Adams will be working on child support payment enforcement for the District of Columbia Legal Aid Society next year. Lise is the daughter of Glenn R. Adams ’66.

LISE ADAMS IS THE RECIPIENT OF THE Law School’s Powell Fellowship for the Class of 2003. The fellowship provides $35,000 a year for two years for a graduate entering a public service career. Adams will be working on child support payment enforcement for the District of Columbia Legal Aid Society, where she interned in the summer of her second year at the Law School.

Besides representing individual low-income women trying to collect child support, Adams will be doing outreach and training about the collection process as well as working for reforms to the system. She even contemplates the possibility of filing suit against the D.C. Child Support Enforcement Division, if they continue violating federal and local law.

“There are so many different things to do I could never be bored,” Adams said. “The attorneys at Legal Aid work extraordinarily hard, especially with child support cases. Since the welfare reform law, there have been time limits imposed on cash assistance, so child support income has become increasingly important to poor mothers. If they are no longer eligible for welfare, child support payments typically account for a third of their income. And 25 percent of custodial mothers have never seen a dime of the amount the court said they are due.”

Adams said she hopes to stay with Legal Aid for several years. “I really enjoy the direct services work. I came to the Law School because a J.D. gives you one of the most effective tools for effecting social change.”

Created in honor of the late U.S. Supreme Court Justice Lewis F. Powell, Jr., a native of Richmond, the Powell Fellowship is designed to improve the delivery of legal services to the poor. First awarded last year, it provides a fellow’s salary for two years with his or her benefits paid by the sponsoring public interest organization.
In December 2002, under the auspices of the China Law Center of the Yale Law School, Kenneth S. Abraham conducted a workshop on U.S. tort law for representatives of the People's Congress of the People's Republic of China. This is part of a project in which Abraham is advising staff of the People's Congress on the preparation of a Tort Law Code for China.


BeVier, Harrison Studying the State Action Doctrine

CONTINUING HER RESEARCH into the structural limits imposed on government by the U.S. Constitution, Professor Lillian BeVier is now probing the state action doctrine in a paper she is writing with Professor John Harrison. The state action doctrine holds that only governmental actors and not private ones are constrained by the Constitution. Recently, a number of constitutional scholars have argued that, since the government provides the mechanism by which private actors can enforce private choices, enforcement of private agreements constitutes state action and the choices themselves should be subject to constitutional review.

"John and I will argue that there are real differences between state and private actors, and between private law and public law,” says BeVier. “Given these differences, a case can be made that the reach of the Constitution should be limited to particular kinds of governmental actions. In other words, despite the fact that they are backed by state power, most actions in the private sector are rightly regarded as beyond the Constitution’s purview.”

Since she is known for her originalist scholarship, Washington and Lee University School of Law has invited her to debate with W&L Professor Ronald Krotoszynski on the subject of the Supreme Court’s feminism jurisprudence in terms of originalist thought. The debate will take place in March.

BeVier, who spent the fall semester at NYU as a Visiting Professor of copyright and trademark law, is also preparing a paper, “Intellectual Property and Free Expression: On a Collision Course?” which will consider how—and whether—the first amendment applies to intellectual property law. She will present the paper at a conference on Freedom of Expression in April at the Social Philosophy and Policy Center at Bowling Green State University.

Finally, President George W. Bush has nominated BeVier to be a Director of the Legal Services Corporation. Her nomination is pending. The Senate is expected to hold hearings and vote to confirm sometime in late winter or early fall.
Cohen, Other Legal Ethicists Support SEC Rule Changes Designed to Deter Business Fraud

IN A BID TO MAKE lawyers involved in executing corporate transactions more accountable for addressing client fraud, legal ethicists and corporate law specialists have joined in support of a “noisy withdrawal” rule recently proposed by the Securities and Exchange Commission. The rule would require corporate lawyers faced with evidence of a material violation of law to report this evidence up the corporate ladder, and ultimately, in the absence of an adequate response from corporate officers and the board or relevant board committee, to withdraw from the representation, notify the SEC of the withdrawal, and disaffirm any materially false or misleading documents that the lawyers helped prepare.

Professor George M. Cohen, who teaches legal ethics and is a co-author of a forthcoming new edition of the prominent casebook, The Law and Ethics of Lawyering, worked with his co-authors Susan P. Konick of Boston University and Roger Cramton of Cornell University, to respond to the SEC’s draft rules. Their 45-page analysis of the new reporting requirements has been endorsed in principle by 48 other legal academics from around the country, including the Law School’s Richard Balnave.

“That’s a huge response from the legal academy and it cuts across all political and academic ideologies,” Cohen said of the support their recommendations got as they circulated the comments for review to colleagues at many law schools. “I’ve never seen such a positive response from a group this large with such diverse backgrounds. This is a real mix and that’s unusual. The fact that they all gave their general agreement is remarkable.”

When Congress, following Enron’s collapse, passed the Sarbanes-Oxley Act to impose greater accountability structures on publicly held companies, it included a provision requiring the SEC to propose new professional conduct standards for attorneys. The SEC drafted proposed rules, and solicited responses to its proposals. Law faculty, anticipating resistance to the proposals coming from the American Bar Association and other lawyer groups, spoke up.

“We wanted to weigh in because we can come at the problem from a disinterested perspective. The ABA has suggested that we don’t understand the issues, but the fact is, we do understand them quite well,” Cohen said. After Enron imploded, the lawyers who blessed its fraudulent schemes “managed to fly below the public radar,” Cohen said. “But that is changing. Until investors see accountability structures on the legal profession strengthened, they won’t know if they can believe in corporate financial statements.”

“We’re basically backing the direction the SEC is trying to go, especially in the ‘noisy withdrawal’ provision. That’s key and we strongly support it,” Cohen said. “‘Noisy withdrawal’ gives the lawyers the threat leverage that may on rare occasions be needed to induce compliance,” Cohen said. “Moreover, the noisy withdrawal concept is nothing new. The ethics rules of almost every state already permit it, and an ABA ethics opinion says it may be required in some cases to avoid assisting in the fraud.”

A second point the academics make is that the standards that trigger a lawyer’s duty to report should be objective, and not overly restrictive. In particular, they argue that the SEC’s rules should not use subjective standards,
Also in November, Goluboff presented a paper, “‘We Live’s in a Free House Such as It Is: Class and the Creation of Modern Civil Rights,” at a conference “Law and the Disappearance of Class in the Twentieth-Century United States” jointly sponsored by the law school and the history department at the University of Pennsylvania. The University of Pennsylvania Law Review selected her paper as one of the papers presented at the conference that it will publish in a symposium issue.

In March, Michael J. Klarman spent two days at the DePaul University College of Law as the Enlund Visiting Scholar. He gave a faculty workshop and a lecture to the law school community, as well as taught a class and gave another lunch talk. Later in March, Klarman also gave a lecture at Washington and Lee University on Brown v. Board of Education, as they celebrated its 50th anniversary (a year early).


Monahan’s Research Network Gets $3.9 Million MacArthur Foundation Grant

A program designed to get greater compliance from mentally ill patients whom the courts instruct to get community-based treatment for their conditions has received an additional $1.3 million per year for the next three years from the John D. and Catherine T. MacArthur Foundation. Phase II plans of the Research Network on Mandated Community Treatment will measure which forms of leverage over patients best get their cooperation in maintaining their treatment plans, according to network director John Monahan, a psychologist and professor at the Law School.

“Mandated mental health treatment is the single most contested human rights issue in mental health law and policy today.”

“Mandated mental health treatment is the single most contested human rights issue in mental health law and policy today,” Monahan said. Forty states have laws authorizing outpatient treatment for patients with mental disorders but the public was essentially unaware of them until New York passed “Kendra’s Law” after a woman was fatally pushed under a subway train by a man with a history of untreated mental illness, he said. California’s version of this statute, called “Laura’s Law” after a victim in that state, went into effect on January 1, 2003.

Leverage over patients includes Social Security benefits and subsidized housing controlled by social service agencies, the terms of probation for those with criminal records and the prospect of leniency from mental health courts. Additionally, 15 states have enacted laws that allow patients to make psychiatric advance directives that describe the treatment they want should they later find themselves incapable of making such decisions.

Mandated treatment is becoming increasingly common. In North Carolina one-third of those discharged from psychiatric hospitals are placed on outpatient treatments and in New York more than 2,500 people a year are evaluated for “outpatient commitment,” according to Monahan. Between 300,000 and 450,000 criminal defendants with serious mental disorders are given probation every year and the number of states with mental health courts has grown to 33 from just one in 1997, he said. The goal of the network is to conduct empirical studies of how successfully the shift to outpatient treatments is working.

“It is not unusual for those with mental disorders to resist treatment. In the past, patients were confined and treated in mental hospitals. Now they are out in the community. It’s becoming apparent that the legal framework used in a closed institutional context is not translating as well to less structured, open environments,” Monahan said.

In 1979 the U.S. Supreme Court, in the case of Addington v. Texas, raised the standard of proof necessary for states to invoke inpatient treatment from a “preponderance of the evidence” to “clear and convincing evidence,” stressing an individual’s interest in not being involuntarily confined. “Civil commitment constitutes significant deprivation of liberty that requires due process protection,” the court said.

“This has raised the question of whether states must meet the same standard for
mandated outpatient treatments as they must for inpatient treatment, since no one is being ‘confined’ or deprived of their liberty in the community,” Monahan said. “Currently used concepts are not answering this question. Rather than viewing outpatient commitments as a simple extension of commitment to a mental hospital, we believe that outpatient commitment should be seen as only one of a growing array of legal tools now being used to ensure treatment adherence in the community.”

The network, whose 12 members also include Law School professor Richard Bonnie, will be examining avoidance of loss of money, loss of housing, jail or hospitalization as leverage. Information is also needed on the prevalence of mandated community programs, how they are being implemented, and how the results are being measured.

“The legal status of many forms of mandated treatment is currently uncertain,” Monahan said. “As courts begin to address these issues, empirical research will play a decisive role in judicial deliberations. Furthermore, there are ethical questions. For example, patients may see the money they receive as theirs to decide how to spend, whereas others could see it as taxpayers’ money to be used as the government chooses to.”

The MacArthur Foundation funded Phase I of the Network in 2001. Monahan said results of current research will be reported by 2005.

Thomas B. Nachbar published an article in the Green Bag called “Constructing Copyright’s Mythology.” Nachbar also spoke in February at the Models of Regulation for the New Economy symposium held by the Silicon Flatirons Institute of the University of Colorado on the topic of his next paper, “Judicial Review and the Quest to Keep Copyright Pure,” which will be published in the Journal of Telecommunications and High Technology Law.

As a member of the editorial board, Robert M. O’Neil is co-editor of the current issue of the ABA’s Human Rights (Journal of the Section of Individual Rights and Responsibilities), devoted to Federalism. O’Neil also joined the Board of the National Coalition Against Censorship, based in New York. On January 16, at the National Press Club, his Center and the Center for National Security Law co-sponsored a major national conference on “The Media and the War for the Fourth Freedom: Covering the War on Terror.” O’Neil and John Norton Moore served as co-hosts. O’Neil also spoke at Montpelier on James Madison’s birthday, March 16, in a yearly tribute honoring Madison. O’Neil is also serving on the ABA Working Group on Judicial Campaign Standards, a subgroup of the Committee on Judicial Independence.
Moore Introduces New Paradigm for Predicting War

Incentive theory cites democracy and deterrence as key factors

Professor John Norton Moore is proposing a new paradigm in international relations that offers policymakers an analytical tool for predicting the probability of war and shaping a range of foreign policy decisions. His paper, *Beyond the Democratic Peace: Solving the War Puzzle*, analyzes the prevailing theory on war avoidance, incorporates insights from game theory and "prospect theory," and arrives at an elegantly simple conclusion called "incentive theory." According to incentive theory, leaders of democracies cannot "externalize" the costs of war as readily as can authoritarian regimes, so they need less incentive to deter them from high risk, aggressive behavior. Major international wars, then, begin primarily as a result of a critical interaction between aggressive, non-democratic regimes and a low level of effective deterrence internationally.

According to Moore, empirical evidence shows that non-democratic regimes instigate the large majority of wars. First proposed by Immanuel Kant in 1795, this "democratic peace" reflects the fact that major international war "occurs at an extraordinarily low rate, if at all, among well-established democracies." But the democratic peace, according to Moore, "is by itself incomplete" because the same correlation exists "across a wide variety of human goals," including vibrant economies, clean environments, plentiful food, the rule of law, honest bureaucracies, and population growth. Further, the democratic peace doesn't offer any mechanism for understanding exactly why this correlation exists.

But according to Moore, incentive theory does. It says that fundamental differences between democratic and non-democratic governments produce unique incentives within each that have profound effects on their levels of aggressiveness. Identifying those incentives and weighing their value within the context of the government structure—and how the regime's leaders perceive them within the prevailing international climate—will help policymakers act more coherently and likely lessen the risk of war.

"I think the new paradigm works," says Moore. "It's powerful and builds on the best empirical evidence out there. I was in a lucky spot running the U.S. Institute of Peace for its first five years. My abiding interest in putting all this data together came from asking what do we really know about the origin of wars and what is the real evidence supporting it."

Even in today's international climate, where fanaticism and erratic behavior seem the norm, Moore maintains that incentive theory still works. "There aren't principally mad men starting wars. That's a myth. Saddam Hussein is not at all crazy. Kim Il Song was not crazy. They are ruthless and profoundly evil people, but they are not crazy. They understand their own self-interest and can respond to incentives."

World Unites Against Terror

Since 9/11, Moore sees dramatic change in how the west will now respond to terrorist aggression. "Over the last twenty-five to forty years we've been going through a particularly
Robert E. Scott has been invited to deliver the Cecil A. Wright Memorial Lecture at the University of Toronto Law School. The Wright Lecture is one of the highlights of the academic year. Dean Cecil A. Wright was the founder of the modern Faculty of Law at the University of Toronto, and considered by many to be the father of modern legal education in Canada. The lecture which bears his name is intended to be a lasting memorial to the contribution he made, and is the University of Toronto Faculty’s most significant public lecture. The lecture will be published in the *University of Toronto Law Journal*.

Scott was also invited by the General Board of the Faculties at the University of Cambridge to serve as the Arthur Goodhart Visiting Professor of Legal Science for the 2006–2007 academic year. This Chair was established by a generous benefaction to celebrate the 80th birthday of the late Arthur Lehman Goodhart, K.B.E., LL.D, Litt.D., D.C.L., Q.C., F.B.A., formerly Honorary Fellow of Trinity Hall and Trinity College.

In April, Paul B. Stephan III is delivering one of the principal papers at an American Enterprise Institute conference on Antitrust Policy: Competition and Cooperation. The title of the paper is “Competitive Competition Law? An Essay Against International Cooperation.” On December 14, 2002 he presented a paper, “A Becoming Modesty: U.S. Litigation in the Mirror of International Law,” at a meeting of the International Law in U.S. Courts Interest Group of the American Society of International Law held at Fordham Law School. In November he organized a conference with Sam Estreicher

In early January, George Triantis was a Distinguished Visiting Professor at the Faculty of Law of the University of Toronto, where he taught an intensive course on corporate reorganizations. The class discussed the opportunities for and obstacles to reorganization, both inside and outside bankruptcy, and examined selected aspects of recent high-profile Chapter 11 cases.

Triantis made several presentations at other law schools over the past four months. He presented “Evidence Arbitrage” (a paper co-authored with Chris Sanchirico) at Harvard Law School in November. This paper is part of a larger project investigating how the parties’ anticipation of the resolution of future disputes affects the contract terms. Triantis also presented another paper, “Organizations as Internal Capital Markets,” at several law schools: Berkeley in December, Columbia in February, and Stanford in early March. The paper explores the conditions under which corporate and nonprofit managers should have the discretion to move capital between different projects, and the legal organizations that impede or facilitate such flexibility. In this light, it examines managerial discretion over assets in corporations, trusts, and collateral.

In early February, Triantis participated in a conference on Control Transactions at the University of Pennsylvania Law School. He discussed a paper given at that conference (co-authored by Jennifer Arlen (NYU) and Eric Talley (USC)) which analyzes mechanisms that constrain shareholder choice in control transactions.

G. Edward White is scheduled to give the Quinlan Lecture at Oklahoma City University School of Law on March 27. The title of the lecture is, “Alger Hiss in Prison.” White also wrote an article, “The Constitutional Journey of Marbury v. Madison,” for the Federal Courts panel of the AALS meeting in January.

In January, George K. Yin presented a paper to a tax policy workshop at the University of Michigan Law School. The title of the paper is “Estimating the Effective Tax Rates of the S&P 500.” Yin said that recent corporate governance scandals and continuing concern about corporate tax shelters have renewed interest in the amount of taxes paid by public corporations on the profits they report to their investors. His paper uses financial statement information to ascertain the average or effective tax rates (ETRs) from 1995 to 2000 of the corporations included on the S&P 500 stock index. “During this period, there was little change in either the tax or accounting rules applicable to public companies,” said Yin. “Despite this, I find that the ETRs of the sampled corporations fell almost steadily throughout the six-year period from 28.85% in 1995 to 24.20% in 2000, a 16 percent decline. Eight of the ten industry sectors separately classified by the paper experienced declines.”

Yin said a principal reason for the decline was the different tax and accounting treatment of stock options. In general, the compensation element of stock options reduces taxable income but not reported book profits. When the ETRs of the sample were recalculated after conforming the tax and accounting treatment of stock options, however, there continued to be a decline over the six-year period, but not as dramatic. Book and taxable income changed more or less consistently with one another from 1995 to 1998, but began to grow apart in
1999 and 2000. Yin employed various tests to determine whether the decline might be connected to international tax sheltering opportunities, as some have alleged, but was unable to identify any link.

Also in January, Yin participated in a tax policy panel at the ABA Tax Section meetings in San Antonio, TX. The topic was corporate integration proposals including the Administration’s recommendation to change the taxation of dividends. Yin previously participated in an ALI integration project and published a couple of papers on the subject. Also participating on the panel was the current Deputy Assistant Secretary for Tax Policy at the Department of Treasury, a law professor at UCLA, and some members from the private sector.

GEORGE K. YIN, a noted authority on taxation and the Howard W. Smith Professor of Law at the University of Virginia, has been named Chief of Staff of the U.S. Congress’s Joint Committee on Taxation, one of the most influential tax positions in the country. The ten-member Joint Committee is composed of the five senior members of the House Ways and Means Committee and the five senior members of the Senate Finance Committee. The Joint Committee’s nonpartisan staff assists in every aspect of Congress’s consideration of new tax legislation and oversight of existing tax laws.

“I’m very excited about this opportunity and look forward to the challenge,” said Yin, who will begin working full-time on the Hill when the current semester ends. He will head a 70-person staff, including roughly 50 lawyers and economists. “One reason I took the job is because of the tremendous reputation of the staff,” he said. “It is a real honor and privilege to work with them and lead them.”

Yin said he was first approached with feelers just prior to the start of the semester and indicated that he was committed to teaching until May. The leaders of the Committee, Rep. William Thomas (R-Calif) and Sen. Charles Grassley (R-Iowa), understood Yin’s need to fulfill his academic obligations. “The staff is nonpartisan, and I think that made my academic background plus Hill experience attractive to them.”

Yin served as tax counsel to the Senate Finance Committee from 1983 until 1986, when he joined the law faculty at the University of Florida. He came to UVA in 1994. He has been an advisor to the U.S. Department of the Treasury, the Joint Committee on Taxation, the National Committee on Restructuring the Internal Revenue Service, and the Select Revenue Measures Subcommittee of the U.S. House Committee on Ways and Means. From 1994 to 1999, he was reporter to the American Law Institute’s federal tax project on the taxation of private business enterprises. He has testified before Congress on the tax policy aspects of mergers and acquisitions and on the design of the earned income tax credit program. At UVA he has taught Corporate Tax, Partnership Tax, Federal Income Tax, and International Taxation, and his scholarship has encompassed diverse topics such as corporate tax integration, the earned income tax credit, consumption taxes, partnership taxation, and corporate tax shelters.

Yin will be on leave from the University during his time in D.C., although his commitment to the committee is open-ended. Yin said he took the job primarily because he believes in public service. “It is also shaping up as a very important time in the tax area, with the Bush Administration proposals and continuing concern about tax shelters as evidenced by the recent Enron report.”

Yin and his wife will move to Northern Virginia but they will not sell their home in Charlottesville. “Certainly our hope is to return to UVA,” he said. “Dean Jeffries and the law faculty have been wonderfully supportive throughout this experience. We are very grateful and will deeply miss the community here while we’re away.”
Alumni Drive Need for Intensive Business Instruction

Business Advisory Council Instrumental in Creating New Program

Cullen Couch and Denise Forster

The mega-failure of Enron rocked the business world. It revealed corporate charlatans who wove a fraudulent web of shadow deals meant to deceive almost everyone. Clearly, the lawyers involved either didn't understand the complexities unfolding before them, or they did or should have understood and were guilty of misconduct or negligence. With an uncanny prescience and long before the scandals seriously weakened investor confidence in the integrity of U.S. corporations, the Law School had been quietly building a program under the leadership of Dean John Jeffries ’73 that will ensure that Virginia graduates do, indeed, understand.

Seven years ago, recruiting of alumni began for a Business Advisory Council that could help the school develop instruction in the crossover areas of law and business. Seeking alumni active as CEOs, general counsels, finance professionals, and business executives, former Dean Robert S. Scott and Foundation Director David Ibbeken ’71 knew the Law School could reap long-term benefits from the collective experience and expertise of such alumni.

Since the first of its many meetings in Charlottesville, the Council has urged extended instruction in business basics for Law School students. Members have spoken out about what they
wished they had learned in law school and about the skills and knowledge they would like to see in young alumni.

This view was confirmed in 2001 at the Law School’s 175th Anniversary Conference on “Law Schools, Lawyers, and the Future of American Law.” Many constituencies, including judges, managing partners, law school deans, and clients, discussed the future of legal education in this country. According to Dean John Jeffries ’73, “The conference helped the Law School set an agenda for the next ten years of legal education.” It explored how legal education trains students to think like a lawyer and endorsed the Council’s belief that better business instruction will make Virginia alumni even better lawyers.

Academic Associate Dean Paul Mahoney couldn’t agree more. “The ability to analyze and communicate using numbers as well as words, and to combine legal analysis with an understanding of a client’s goals and obstacles, will make for stronger lawyers.”

Mahoney notes that when transactional lawyers lack a basic understanding of accounting and finance, they miss opportunities to add value by designing better transactional structures. Equally important, they may also fail to play their role in preventing the types of corporate misbehavior that have generated so much recent attention. “If the lawyer can’t figure out that a transaction has the effect of hiding losses or diverting cash to a corporate officer, that lawyer can’t help the corporate client avoid ethical lapses,” he says.

Mahoney has served as faculty liaison to the Council from its inception and has been a strong supporter of expanding the Law School’s offerings in business. As the Brokaw Professor of Corporate Law and Albert C. BeVier Research Professor, his publications and academic endeavors demonstrate expertise in corporations, corporate finance, financial regulation, quantitative methods, and contracts. In his years of practice prior to joining the faculty, he experienced first-hand the relevance and overlap of these two areas. “Successful lawyers don’t just advise on the law. They help their clients structure and negotiate transactions,” he said.

**Formal Proposal Sets Stage**

Early in 2001, acting on suggestions from both the Business Advisory Council and participants of the 175th Conference, Jeffries proposed a Law & Business Program. He circulated for comments a working paper that set out the fundamental structure, objectives, and funding needs of the program—perhaps the most important curricular innovation in Law School history. He received valuable input from many alumni and the Law School formally launched the program in this academic year.

Students electing the Law & Business Program begin with instruction in accounting and finance. Taught by senior faculty from the University, such as Kenneth M. Eades, Professor of Business Administration at Darden and O. Whitfield Broome, the Frank S. Kaulback, Jr. Professor at the McIntire School of Commerce, these foundational courses provide critical skills for new lawyers and introduce students to business fundamentals to set the stage for business law courses.

“To interact effectively with the business world, students need to learn about the fundamental issues facing managers and how they go about solving these problems,” says Eades. “In corporate finance, for example, we consider how a manager can enhance firm value through the choice of financing, or the debt/equity mix, and through the choice of
capital investments, or discounted cash flow analysis. By the end of the course, students are able to apply the analytical techniques to estimate the value of the firm for purposes of a merger.”

Instruction in the core business law subjects, such as Corporations, Securities Regulation, and Bankruptcy will then build on the students’ accounting and finance background. “For the student who wants to be prepared at the highest level, the Law & Business Program offers an unparalleled opportunity,” says Mahoney.

In addition to these introductory business law courses, the school offers advanced training, including intensive seminars such as this spring’s Constructing the Deal taught by Council member Mike Ross ’77, former General Counsel for Safeway, Inc.

“Students who take the opportunity to learn how legal principles fit into the planning, structuring, and negotiation of transactions will have a head start toward becoming effective business lawyers. Even a short seminar gives students an understanding of some of the terms used, and issues often confronted, by their future clients and colleagues. The emphasis on business realities should enhance students’ ability to make difficult decisions and give practical legal advice,” said Ross.

According to Jeffries, alumni bring special skills to the classroom. “They bring a level of sophistication and knowledge … and a wealth of practical experience that no academic can hope to match. Equally important, they bring to the classroom the perspective of the senior lawyer or client. Few young lawyers have an immediate and intuitive grasp of the art of serving the client.”

The final phase of the Law & Business Program will offer joint classes for Law and Darden students, jointly taught by both Law and Darden faculty. The courses will be case-based and team-intensive.

As the Law School builds on the program, Council members will leaven it with their expertise and breadth of experience, ensuring that the school stays abreast of the current business climate and that the program remains relevant. Successful business lawyers necessarily learn the language of business over time, but the Law & Business Program will give Virginia students an important head start.

Ernest E. Monrad ’56  
John R. Purcell ’59  
John R. Glynn, Jr. ’65  
A. Macdonald Caputo ’66  
John R. Towers ’66  
Thomas A. Decker ’71  
Christopher J. Murphy III ’71  
Robert W. Riordan ’73  
Sharon M. Owlett ’75  
Charles E. Rappold II ’77  
Michael C. Ross ’77  
Jeffrey L. Humber, Jr. ’78  
Thomas J. Sidman ’79  
Catherine A. Lawton ’84  
Bradley A. Handler ’95

THE LAW SCHOOL IS VERY GRATEFUL TO THOSE LISTED BELOW who have provided initial support for the Law & Business Program. Sincerest thanks to Thomas A. Saunders III (Darden ’67) for agreeing to provide significant seed money to fund the Darden faculty members who will teach in the program.
VENTURE CAPITAL EXPERT DIRECTS LAW & BUSINESS PROGRAM

Triantis Teaches Quantitative Analysis Skills

APRIL TRIANTIS KNOWS THAT CORPORATE governance is on everyone’s mind. As the
director of the Law & Business Program, it is her job to know. It is also her job to develop the
Program and help brand it as an important part of what the Law School has to offer its
students.

Fresh from the practice of transactional law, Triantis is an expert on venture capital
financing, mergers, and acquisitions. After earning a graduate degree in corporate law at
New York University, she focused on mergers, acquisitions, and securities regulation at Brown &
Wood in New York and private equity at Kirkland & Ellis in Chicago.

As director of the Program, Triantis is keenly aware that the language of business differs vastly from the language of law, but because the two disciplines often intersect, students who graduate with a law degree but without business fundamentals may find their career paths narrower as a result.

“Virginia students are smart and want to be good lawyers,” Triantis said from her office in Withers-Brown Hall. “They are hearing that to practice transactional or corporate law, or to be successful on the partner track, they must be able to distinguish themselves. A familiarity with the language of business, namely, the basic skills of quantitative analysis, could give an attorney a much desired edge.”

The Legal Community Speaks

“As Dean Jeffries has noted, alumni have said the lack of quantitative skills is a gap we can and should fill when educating law students. He and [Associate Dean] Paul Mahoney have spent substantial time and effort working with Law School faculty to create the Law & Business Program,” she continued.

With Accounting and Finance as foundational courses, students will learn the language of business before intensifying their study of business law. Students who wish to take advantage of the Program would then turn their attention to core courses in Corporations, Bankruptcy, Securities Regulations and Secured Transactions, as well as specialized seminars in Mergers and Acquisitions, Venture Capital, and Corporate Governance and Finance.

Triantis finds transactional law practice “challenging, stimulating, and intriguing.”
mostly third-year students who take her courses get caught up in the excitement. In her Venture Capital and Corporate Control Transactions courses, Triantis brings alumni and friends of the school from both corporate law and business into the classroom, thanks to a bequest from the estate of Richmond alumnus T. Justin Moore, Jr. ’50. Additional gifts from Moore’s widow, Jeannette, and his son, T. Justin Moore III ’83, and several friends and colleagues who wanted to pay tribute to Mr. Moore’s legacy of corporate leadership, helped the Law School Foundation create the T. Justin Moore, Jr. ’50 Lectureship Fund.

This endowment generates an annual income that supports curricular enhancement by enabling practitioners and executives to team with a resident faculty member to teach corporate governance and finance. These visitors are key contributors to Triantis’s Venture Capital and Corporate Control Transaction classes.

Real-World Demands

After as much as ten hours of advance preparation time, the visitors come to Charlottesville and join Triantis before an eager audience of students waiting to dive into the nuances of real-world decisions and corporate dealings.

The issues covered in class depend upon the “guest list” and issues experienced at their firm or agency. Triantis creates mini-case studies prior to each guest’s arrival. Last fall, when Wall Street and Washington were tackling corporate self-dealing and debating the transparency of stock options, Doug Bain ’74, Boeing’s General Counsel, accepted an invitation to conduct a lesson plan on the structure of Boeing’s executive contracts and its treatment of stock options. Prior to his arrival, students read relevant articles in academic journals, as well as actual Boeing financial statements.

Students wrote a short paper analyzing Boeing’s Proxy Statement, answering Triantis’s questions: “Does the company’s executive compensation package adequately align interests (and minimize agency costs) between managers and shareholders? What are some alternatives which might provide better incentives to managers? Do you see any evidence of ‘managerial power’ at work in the Boeing compensation package?”

When Bain arrived in the classroom, students were ready for him. The students were conversant in both the theoretical framework driving executive compensation structures, as well as Boeing’s plan in particular. Bain was able to lead and engage the students in a discussion about Boeing’s compensation model and recent trends in executive pay, and he walked the students through the details and rationale behind Boeing’s complicated packages. Bain’s visit featured the best of what the Law & Business
This semester, Tim Koogle (Engineering ‘73), the former CEO and Chairman of Yahoo!, joined students in the Venture Capital class. When Yahoo! received its initial venture capital funds, the dozen or so employees needed to choose a chief executive and they picked Koogle, who eventually took the company public.

Koogle provided an insider’s perspective on the growth of an internet pioneer—from market entry to one of the most successful IPO launches in history. To prepare for his visit, students studied the purpose and strategies surrounding IPOs, as well as the many cycles in the venture capital process. Students were able to analyze Yahoo!’s prospectus and compare it to another filed by a company just about to go public.

The visitors to Triantis’s classes are expert practitioners and industry leaders. (See sidebar.) Not surprisingly, student course evaluations have been overwhelmingly positive. Students have expressed enthusiasm for the opportunity to analyze real transactions, handle original source materials, and meet key players in corporate America. Several students have found that their experience has helped them gain a running start in corporate law. And the visitors have been similarly impressed by their experience in the classroom and the opportunity to discuss a particular transaction with well-informed and bright students.

Triantis isn’t surprised at the positive reactions. “We expose students to the brightest minds in legal academia here, and by the time they come to my classes they have been exposed to a lot of theory. They are then able to take that theory and put it into context; it’s very helpful to them and they have fun with it.”

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<tr>
<th>Practitioner (alphabetically)</th>
<th>Case Study</th>
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<tr>
<td>Joseph W. Armbrust, Jr. ’68, Partner and Member of Management and Executive Committees at Sidley Austin Brown &amp; Wood in New York City</td>
<td>Corporate governance reform and the Sarbanes-Oxley Act</td>
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<tr>
<td>Doug Bain ’74, Senior Vice President and General Counsel of The Boeing Company</td>
<td>Boeing’s executive compensation package</td>
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<td>Michael Duran, Vice President of Ripplewood Holdings L.L.C.</td>
<td>Contractual analysis of a leveraged buyout transaction</td>
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<td>Kevin R. Evanich and Donald E. Rocap ’80, Partners at Kirkland &amp; Ellis in Chicago</td>
<td>Structuring and documenting leveraged acquisitions</td>
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<td>Weaver H. Gaines ’68, Chairman and Co-founder of Ixion Biotechnology, Inc.</td>
<td>Public company accounting issues and fiduciary duties of controlling shareholders.</td>
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<td>Brad Handler ’95, first in-house counsel for eBay and former Associate General Counsel for Law &amp; Public Policy. He is now General Partner and General Counsel for Exclusive Resorts LLC</td>
<td>The initial public offering of eBay common stock</td>
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<td>Chris Holden and Randy Castleman, Managing Partners of Court Square Ventures</td>
<td>The valuation of a venture capital investment in the context of a down-round financing</td>
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<td>Peter S. Kaufman ’78, Managing Director of Gordian Group, LLC</td>
<td>Board of director duties in connection with the sale of Ben &amp; Jerry’s Homemade, Inc., and the restructuring of Pinnacle Towers</td>
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<td>Jim Kingdon ’98, Co-founder, Kestrel Ventures, LLC and current Executive Vice President, Corporate Strategy, Musicoday, Inc.</td>
<td>Fund formation and the structure of Kestrel Ventures, LLC search fund</td>
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<tr>
<td>Tim Koogle, Eng ’73, former Chairman and CEO of Yahoo!, Inc.</td>
<td>The initial public offering of Yahoo! common stock</td>
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<td>Byron Marchant ’87, Executive Vice President, Chief Administrative Officer and General Counsel of BET Holdings, Inc.</td>
<td>The going-private transaction of Black Entertainment Television</td>
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<td>Allen Morgan ’81, General Partner of the Mayfield Fund</td>
<td>To Be Announced</td>
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<tr>
<td>Frank Morgan ’78, Partner with Dewey Ballantine in New York</td>
<td>To Be Announced</td>
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<tr>
<td>Tom Sidman ’79, former General Counsel, Nextel Communications, Inc.</td>
<td>Governance implications of a proposed merger transaction</td>
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<td>Howard Widra, Former Group President and Executive Vice President of Heller Financial/GE Capital</td>
<td>The governance structure of debt in the context of a loan to a non-profit hospital</td>
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*As of March 1, 2003*
KENNETH M. EADES, PROFESSOR OF Business Administration and head of Darden’s First Year Finance course, teaches Corporate Finance for the Law & Business Program at the Law School. Often called as an expert witness in corporate litigation, Eades knows firsthand the differing mindsets that lawyers and business people apply to a given set of circumstances. Each valid in their own right, they can also cause miscommunications between the two that could be cured by some cross-training on both sides.

For example, in some recent litigation, he developed a valuation theory that supported a large claim for damages. But he found it difficult to translate the theory in a way that the lawyers could use to support their case. “My challenge was to do the analytics and figure out what this number was, but more importantly, to communicate it in a way that the lawyers could use,” said Eades. “I was spending all this time explaining to them my thought process and it was very clear to me that if we both had an education that allowed us to get closer in terms of how we think about things, we could do this much more efficiently. The lawyers had a different mindset and a view for a different set of details. We were pretty far apart and it took time to get together.”

Eades also believes that when a lawyer looks at the business matters for which they’re providing counsel, they will be much more effective if they “have a better appreciation of the kind of pressures and trade-offs that their clients experience on the path that got them there, and if they understand what a company is about and how managers interact to make the company what it is.”

When the Law School invited him to teach finance to law students as part of the Law & Business Program, it dovetailed perfectly into what he sees as an educational need. “I was grateful for the opportunity. I really believe there is a lot of value added for law students to get a little bit of insight into how business people think. If the lawyers who hired me had several of these types of courses, things could’ve gone a lot faster. They could have also helped my thinking and we could have arrived at the end result a lot more efficiently.”

Eades is adapting his Corporate Finance course to the style of instruction he believes will resonate best with law students. “Since law students are not trained in business case study like the students at Darden,” says Eades, “I’ll give them a mix of the main pedagogies in business school, a blend of theory reinforced with problem sets, following up with their practical application through case study.”

Eades sees the Law & Business Program as an education growth opportunity with an excellent business model. “I think it could evolve from these basics into more specific electives both in finance and accounting, and we could offer a broader set of disciplines, such as marketing, strategy, operations, and ethics, and a higher order of electives. As we move forward, student and faculty feedback will tell us where we need to go.”

Eades Teaches Business “Mindset”
WHIT BROOME, FRANK S. KAULBACK JR. Professor of Commerce at the University’s McIntire School of Commerce, enjoys teaching the conceptual framework of accounting and the content of financial statements to Law School students. “Business and finance become more challenging every year. Contracts become more complex. It is important for lawyers to know what financial accounting and financial statements do and do not represent,” he said.

“Lawyers who are going to handle the practical dealings of their corporate clients, such as IPOs, regulatory filings, and financial disclosure documents, need to understand the financial accounting framework and terminology to do their jobs,” he explained. “When lawyers understand the context and terminology of the statements,” Broome added, “they will be able to work more comfortably with them and squeeze more information from them.”

According to Broome, financial statements serve two main functions: the first is to serve as a check on the stewardship of management—a means of evaluating past performance; the second is to serve as a basis for making decisions by using the statements as a guide to future performance. “A company’s past actions provide guidance for future decision making—when one knows how to read and analyze the statements.”

“Although some students can be number-phobic,” said Broome, “the Law School students I teach are very serious about gaining a knowledge of financial accounting and reporting. They know that this knowledge is crucial to practice in business. I don’t teach the Law students bookkeeping or the debits and credits used in accounting. For future lawyers, it’s more about knowing how to interpret the financial statement numbers and knowing the methods used to derive them,” he said. The person who knows how and why assets, liabilities, revenues, and expenses are represented on financial statements will have the strategic business advantage.

The 75 students taking Financial Accounting this semester are spending time on General Mills’s hardcopy and online financial statements. Broome asks the students to analyze the statements and derive important information, such as what are the company’s major sources and uses of cash for the year. The class is discovering that General Mills’s statements and notes from the past year are particularly interesting since the company just acquired Pillsbury for $9.7 billion.

As the business environment becomes more complex, financial statements will contain even more information. How does a company account for complex issues and financial instruments? If one looks at Enron for instance, and what Broome terms its “very complex corporate transactions and entities,” neither the attorneys nor the CPAs seemed to understand the full ramifications of the company’s actions. “You’ve got to protect yourself by being able to understand and analyze financial statements and the notes to them,” Broome added.
THE SMOKING WRECKAGE OF THE DOT-COM boom still smolders, and the brash twenty-something, overnight gazillionaires now work a day job. As the hyperbole that inflated the internet phenomenon loses gas, it is easy to think that the bubble was only about money, hubris, and greed. And for many, it was. But for the real pros, the Silicon Valley venture capitalists who for decades have helped fuel technological innovations that have transformed mankind and our society, the boom only served to obscure the vision of the real companies that continue to create tomorrow’s new products and new markets.

John Glynn is a 32-year venture capital veteran of the Silicon Valley world. His office at 3000 Sand Hill Road in Menlo Park, California, scarcely reflects the undercurrent of effort it takes to impact a portfolio of some 20 early stage companies that Glynn’s firm currently manages. A soft-spoken, refreshingly modest man with a knack for judging talent and markets, he has helped bring to market such giants as Intel, Sun Microsystems, and Silicon Graphics. Integrating the intellectual rigor of his Law School education with the analytical framework he developed earning his MBA at Stanford University put Glynn right where he loves to be: at the creation stage of a new business that could become a major factor in its industry.

“I like to be on the leading edge of what’s going on,” he says. “I like people who are thinking about innovation, about what’s new, about how to build a successful company with long-term intrinsic value. I like the challenge of creating a culture that attracts good people and keeps them. Being early in the lifecycle of a successful, rapidly growing company certainly requires some luck, but also some vision and some great execution. I like that combination.”

Glynn says that investing early in the lifecycle of a new business is of course risky, and necessarily yields great financial reward when successful. But his real reward is in seeing one of his companies become a leader in an exciting new or growing industry.

“When our companies go public, that’s a moment of real joy,” he says. “I take pride in being associated with companies run by people who are trying to build real businesses. I measure myself by my success in helping launch companies that I think have a chance of having a major long term impact on society. Making money is a byproduct of accomplishing that objective.”

A Love of Law; A Life in Business

When Glynn graduated from the Law School in 1965, he landed a good job with McCutchen, Doyle, Brown & Enersen in San Francisco. He had the skills of a young attorney, and quickly learned to draft the documents that defined the transactions of his firm’s corporate clients. But he felt uncomfortable sitting on the sidelines of the deals his clients were negotiating.
“No matter how grim the situation in the world, you feel very good when you spend a couple of hours in class twice a week with bright, young people who ask terrific questions and who have dreams and values that excite you. It has given me even more hope and confidence for the future of our country.”
“I was involved in some merger and acquisition deals where I just sat in a room and took notes,” says Glynn. “I didn’t have much to say because I didn’t have a lot to offer. I was more an observer of the negotiation than a player or a real resource the client could tap.”

“I loved law school and the study of law,” he adds. “But as I gained experience I found that my skills, my interests, the things that I really wanted to commit myself to in the professional sense, were on the business side of the table and I could not get there with just the traditional law degree.”

To reach his goals, Glynn knew he had to add a business framework to his legal training. He decided to leave the firm and attend the Stanford Graduate School of Business. He earned his MBA there in 1970 and went to work for a venture capital firm and then, in 1974, started his own venture capital business. At that time, the Dow Jones average was about 575, the country had just gone through the worst bear market since the Depression, and people were standing in line at gas stations to get rationed fuel. Economists feared a worldwide breakdown of banking and financial systems.

“It was a scary time,” Glynn recalls. “But I was young and frankly, I didn’t have a lot to lose. I knew I could get a job somewhere else if it didn’t work out, so I figured I would give it a shot. The first few years were a struggle. It was a great time to invest, but it was very difficult to raise money. But finally, we built up our asset base to a point where we could cover our operating expenses and be a player in the entrepreneurial world.”

Bringing Business into Law School

Glynn credits his success in backing some great companies early to the combined skill sets that both law and business training gave him. “Law and business are different,” he says, “but they’re also complementary and the combination of the skill set of the two is better than either separately.”

Further, he believes that the job of today’s attorney has expanded beyond just preparing the paperwork reflecting a business transaction. It requires cumulative experience and judgment to help the business person think through and understand the reality of the transaction that they are proposing. That’s why he strongly supports the new Law & Business Program at the Law School.

“I think our profession today could use a little revitalization,” he says. “Our Law & Business Program can give our young people the tools and an analytical framework that will make them better lawyers and more effective with their clients—as advisors, as sounding boards, and as partners—than their predecessors ever had a chance of doing. In fact, I wish I had some fundamental training in business disciplines when I was a Law School student. I went out in the business world and found that there was a whole dimension to working effectively with executives on business transactions that I wasn’t very well prepared for.”

Understanding business issues and the analytical framework for handling them will help the attorney become an integral part of thinking through and structuring transactions, instead of simply defining in documents a business transaction as handed down by business executives. “That’s been our traditional role,” says Glynn. “Now, I think we’ve got to be able to step further upstream and be involved in the vision and the creation and the definition of that business transaction to be a more effective advisor to our clients.”

Glynn sees the Law & Business Program as...
an excellent alternative to the four-year Joint Law/MBA program. Though an outstanding program, the joint JD/MBA is not for everyone. “It’s four years of a young person’s life and not every student is prepared to give up that time or incur the costs to finance that education. Our Law & Business Program is another way to provide a fair amount of the content and the fundamental understanding of business issues, but in a fashion that can be integrated into our traditional three-year law program.”

According to Glynn, the Law & Business Program will take time to validate itself, and the Law School will have to set reasonable objectives and measure progress and accomplishment over a period of time, adapting the program to the feedback it receives from students, faculty, and employers.

But Glynn is certain that the Law & Business Program will succeed. “We have an excellent law school, one of the best in the country. We’ve got resources to back up our teaching, and we’re clear in our vision as a first class provider of a legal education. Now, we’re taking on a little more risk. We are in waters that we don’t completely understand and we don’t have decades of history to rely on. It is clear that we need to be willing to take some risk with our Law & Business Program. The acceptance of the point that ‘Failure is O.K.’ is a fundamental tenet behind the success of the Silicon Valley. We need to focus our talents to deliver value in our Law & Business course offerings that will make a difference over time to our students and their employers.”

A Time to Give Back

A passionate supporter of higher education, Glynn has been a generous contributor to the Law School Foundation, serves as a Trustee and Chairman of the Investment Committee, and is a member of the Law School’s Business Advisory Council. For over a decade, he has taught a course on Venture Capital and the Entrepreneurial World at both Stanford and Darden, and has also been a Visiting Lecturer at Cambridge University. He teaches for two reasons. One, it’s a way to share some of his experience with those who will follow, and two, is the energy he derives from spending time with young people on the threshold of their professional lives.

“I reached a point in my professional career where I wanted to give back something to younger people; share my knowledge and my experience,” he says. “I found that teaching is a wonderful way to do that, and is a very energizing and personally rewarding experience. No matter how grim the situation in the world, you feel very good when you spend a couple of hours in class twice a week with bright, young people who ask terrific questions and who have dreams and values that excite you. It has given me even more hope and confidence for the future of our country.”

Leaning back in his chair and gazing out on the sun-dappled landscape outside his corner office, Glynn is the picture of contentment. While many of his contemporaries have retired, Glynn soldiers on with a zeal borne out of a true passion for his work. Working hard at managing his venture capital portfolio, teaching graduate business school courses on both coasts, and actively engaging in philanthropic work, Glynn’s calm demeanor belies the engine driving him within. It’s an engine fueled by pure belief in the value of what he does and its potential to positively impact others.

“When they write the history of the twentieth and twenty-first centuries of America, the Silicon Valley will be one of the great positive phenomena in that story. Its impact on mankind, the level and pace of its technical innovation, the vision that people have, the acceptance that failure is okay and you can pick yourself up and start all over again and be successful the next time … that’s a culture that I’m glad I had a chance in my lifetime to be exposed to. It has been an incredible experience for me and I thank God for giving me the opportunity to participate.”

Law & Business
Class Notes

Send Us Your News

Tell us the important things that happen in your life! 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 June 15, 2003 for inclusion in the fall issue.

1940

Robert E. Goldsten has created and chairs the newly organized General Funding Corporation based in Washington, D.C., specializing in financing developers of single-family housing.

1941

The New York County Lawyers’ Association presented Louis Auchincloss with its inaugural Law and Literature Award in October. Although a practicing attorney most of his life, Auchincloss has authored more than 50 fiction and nonfiction books, including The Rector of Justin, The Partners, Tales of Manhattan, and Manhattan Monologues. He is recognized as the chronicler of the patrician class of the twentieth century. As The Chicago Sun-Times noted, “There is no novelist now writing who knows and delineates the civilized rich, the East Coast establishment … with more breadth and understanding than Louis Auchincloss.” The New York Review of Books commented, “He is the only one who tells us how our rulers behave in their banks and their boardrooms, their law offices and their clubs … things that we don’t often meet in fiction.”

1948

Reunion Year

Last summer, at age 83, S. Eason Balch and his wife Betsy traveled 6,300 miles through the Deep South from Alabama to Texas, through the Southwest from New Mexico to Utah, up to the mountains of Montana and Wyoming, through the farmlands of Nebraska and Kansas, down through Missouri and Illinois, and back to the South again in Kentucky and Tennessee. They did all of this in 33 days, visiting national parks such as the Petrified Forest, the Grand Canyon, and Yellowstone National Park, and other sites such as Westminster College in Fulton, MO. They have four children and nine grandchildren, aged 33 years through 19 months.

1952

Since retiring in 1995, Richard N. Harris has been teaching Virginia and American history to adults and school children at the Richmond History Center in the Valentine Museum and the
Virginia History Center at the Virginia Historical Society in Richmond, VA. Harris majored in history at Hampden-Sydney College before attending the Law School.

1957

E. Jackson Boggs recently stepped down as president and chairman of the board of his 180-lawyer firm (now called Fowler, White, Boggs, Banker PA) and has been given the title chairman of the firm.

Charles Peters retired in 2001 after 32 years as editor of the Washington Monthly. That same year he was selected for the Hall of Fame at the American Society of Magazine Editors. In 2002 Peters taught in the graduate school of journalism at Columbia University as the Times-Mirror David Laventhal Visiting Professor. Currently Peters serves as Public Scholar of the Woodrow Wilson Center in Washington, D.C. He continues as president of Understanding Government, a foundation dedicated to better reporting and scholarship about government.

Arthur Taylor, chairman of the YMCA Camping Services Board of Managers, was presented with the YMCA of Greater New York's Order of the Red Triangle in April 2002. This honor is the YMCA's highest volunteer service award. Taylor is the executive vice president and general manager of MG North America Holdings, and has volunteered with the YMCA for over 40 years.

1958 Reunion Year

Robert K. Dorsey of Las Vegas has retired.

Bayard “Bob” Hochberg has retired from active practice of law after 45 years in the Baltimore-Towson, MD, area and has moved back to Charlottesville with his wife Arlene. He can be reached at 434-978-4822 and arlbob@earthlink.net.

Karl H. Velde, Jr., still enjoys managing municipal bond portfolios. He reports he has a “great group of clients” and sees “no reason to retire.” He writes, “After all, it was John Pershing’s seminar, third year, that got me started on this career 45 years ago.”

1959

James H. Harvell III retired February 28 after more than 31 years as a General District Court Judge for the Seventh Judicial District of Virginia in Newport News, VA.

1960

Manfred W. Leckszas has been recognized in The Best Lawyers in America 2003–2004 for his significant contributions in the area of maritime law. He is one of only 5,787 lawyers who have been listed in Best Lawyers for ten years or more. Leckszas practices with Ober Kaler PC in Baltimore, MD.

1961

In 1996 Robert H. Grogan retired as senior vice president and general counsel of Republic National Bank of Miami after 35 years practicing law with some of the largest banks, business corporations, and law firms in New York, Chicago, and Miami. He enjoyed the challenges and diversity of a consulting practice for four years before returning to full time employment again—this time with Broward County (FL) Legal Aid Service, where he administers the program. (See his letter in InBox, page 32.)
1962

James G. Apple has been selected for inclusion in the 2003 *Who's Who in America*. He is the founder, chairman of the board, and president of the International Judicial Academy, a Washington, D.C.-based nonprofit institution dedicated to providing educational programs for judges, court administrators, and legal professionals from other countries to promote the rule of law and spread of democracy around the world.

Frank B. Miller III has been named in *The Best Lawyers in America 2003–2004*, one of only 5,787 lawyers who have been listed in *Best Lawyers* for ten years or more. Miller practices in the business and professional litigation practice group of Sands, Anderson, Marks & Miller PC in Richmond, VA. He has been practicing law for more than 35 years and has tried hundreds of cases before judges and juries at every level of Virginia’s state and federal courts.

1964

David O. Whittemore writes that he recently took “a delightful two-week trip” from Memphis, TN, through the mid-South, including Vicksburg and Natchez in Mississippi, Alabama, and New Orleans.

1965

Gary B. Garofalo was inducted as a “Knight of Honor” into Notre Dame High School in West Haven, CT, on November 2. The Knights of Honor Dinner was established in 1986 as a way to pay tribute to and preserve the memory of individuals who have brought distinction to Notre Dame High School by making a contribution to the school community or have lived the ideals of the “Notre Dame Code.”

1968

Donald C. Greenman has been honored in *The Best Lawyers in America 2003–2004* for his contributions in the area of maritime law. *Best Lawyers* has listed him every year since 1989. Greenman focuses on admiralty matters and general litigation, commercial transactions, and international law issues in his practice at Ober Kaler PC in Baltimore, MD. He has served as editor of *American Maritime Cases* since 1993.

John Ridley reports that he recently changed law firms. He now co-chairs the labor and employment practice group at Drinker Biddle & Reath LLP in Florham Park, NJ.

1969

Vinny Giles is still playing golf and competing in tournaments. Thirty years after winning the United States Amateur championship, and 25 years after winning the British Amateur, Giles advanced to the quarterfinals of the USGA Senior Amateur championship, reported the *Jacksonville Times-Union* on October 2.

Guy E. O’Brien specializes in the defense of capital cases as the senior attorney in the Los Angeles County Alternate Public Defender’s Office in Pasadena, CA.

Peter Stackhouse and his wife Carol welcomed their eighth child, Graham, in August 2002, just days after their oldest, Chad, took the Virginia Bar Exam. “Graham’s arrival was another nail in the coffin of any early retirement plans,” Peter writes.

1971

Correction: *UVA Lawyer* published a class note in its fall 2002 issue about John A. McVickar and the recognition of his father, a World War II veteran, by the city of Ettelbruck, Luxembourg.
The note reported that McVickar practiced law in Bar Harbor, ME. Actually, McVickar, who now lives in Richmond, VA, never practiced law in Maine, although he did volunteer land title investigations for Acadia National Park.


*Virginia Business* magazine has named John W. Sills III the top attorney in Virginia in real estate and construction. The magazine polled thousands of Virginia lawyers for its December article, “The 2002 Legal Elite.” According to the magazine, Sills says his most important job is “to make the deal happen. . . . When you’re doing real estate and other transaction work, if your clients end up in litigation, then you’ve failed,” he was quoted as saying. “The best deal is one where everyone walks away from it happy.” Sills serves as managing partner at Timberlake, Smith, Thomas & Moses PC in Staunton. In the article his firm partner P. Donald Moses ’68 says Sills has created “a very loyal following by doing thorough, competent work. He built this amazing practice by word of mouth, by his reputation, not with a lot of drum rolling or fanfare on his part. People know he is so dependable and gets things done with great efficiency.” An avid hiker and canoer, Sills came to Staunton in 1971 after clerking for Virginia Supreme Court Justice George M. Cochran ’36. He and his wife Anne have two children, Erin and Jennifer.

The Massachusetts Supreme Judicial Court has appointed Alan D. Rose to the Board of Bar Overseers for a four-year term beginning December 31. Rose, who is listed in *The Best Lawyers in America,* is the managing partner of Rose & Associates, which he co-founded with his son, Alan D. Rose, Jr., in Boston in 1995. From 1980–1995 he was a partner at Nutter, McClennen & Fish LLP. He also served for five years as an Assistant U.S. Attorney.

*1972*

Gregory L. Murphy and his wife Monica, who were married on June 27, 1999, welcomed their daughter Anna Carina to the world on October 24, 2001. She joins her two brothers and two sisters. Murphy has joined Vorys Sater Seymour and Pease LLP and manages the firm’s Alexandria, VA, office.

James G. Dickinson has been listed in *The Best Lawyers in America 2003–2004* for his expertise in trusts and estates. Less than three percent of all U.S. attorneys were selected for this honor. Dickinson practices with Calfee, Halter & Griswold LLP in Cleveland, OH.

Frank C. Morris, Jr., recently completed 15 years as an adjunct professor at George Washington University Law School teaching employment law.

George T. Yates III was named Chevalier of the Legion of Honor by the French government in a Thanksgiving Day ceremony at the Travellers Club in Paris. French President Jacques Chirac signed the decree awarding the honor on July 14, 2002. Yates received the honor for his more than 27 years of assisting French companies investing in the United States and American companies investing in France. The managing partner of Coudert Brothers LLP in Paris, Yates specializes in mergers and acquisitions. He resides in Paris with his wife Helene. His daughter Marie-Thérèse is a third-year student at the Law School. His son George IV and daughter Alexandra reside and work in New York.
IN AN EXTRAORDINARY EXAMPLE OF
effective philanthropy, Tom Murray’s Future of
Russia Foundation is building a health care
facility designed to be the model for radically
reforming Russia’s maternity care system. Named
the Balashikha Project for the town near Moscow
in which it is located, the facility will address one
of Russia’s most intractable problems: a declining
population.

At a celebration near Sandusky, Ohio, where
Tom Murray ’65 is a partner in his family law
firm, Murray & Murray, former Soviet President
Mikhail Gorbachev dedicated the Balashikha
Project, saying “The idea behind this project is
now being implemented in real, concrete terms,
and when this happens, I say, ‘It’s under way.’”

“I’ve been enormously impressed with the
things Tom has been doing as a philanthropist,”
said Professor John Norton Moore, the Law
School’s Walter L. Brown Professor of Law, who
has worked on a project with Murray’s World
Law Institute to develop techniques that use civil
litigation to fight terrorism. “His is just pure,
thoughtful philanthropy and he’s been a success
story his whole life.”

According to the Future of Russia
Foundation, nearly half of Russia’s babies are
born unhealthy. Many women are not well
enough to bear healthy children, and maternal
and newborn care is extremely poor, if not non-
existent.

“Everyone in Russia knows this is their most
urgent problem,” says Murray. “It was President
Putin’s lead topic in his first address to the
Russian people. And they know they can’t
succeed without fundamental and radical reform
of Russia’s medical services system. We think the
best way to do it is to bring the public and
private sectors together.”

Balashikha has three basic components:
training and educating the obstetricians and
pediatricians; administration and management;
and finally building the facilities themselves. This
is a working partnership where Russia will be
able to reform the maternity care system throughout the entire country by using the Balashikha facility as the model.

Murray’s passionate embrace of Russia and her people goes back almost 30 years, when the governments of the Soviet Union and the United States glared menacingly at each other through their nuclear shields. A lifetime devotee of Russian literature and a student of history, Murray viewed with growing alarm the dangerous and deteriorating relationship between the two countries. What Americans were hearing from the Soviet government did not square with what he had learned, through their literature, about the Russian people.

“I was interested in the Cold War and communism in general,” he says, “and became more and more concerned about the runaway arms race. I felt I had to go to the Soviet Union to see for myself what was going on. The more I learned, the more I became overwhelmed with the tragedy that was happening.

“Three early impressions have never left me. The first is that the Soviet communist system was far more oppressive and harmful and destructive of human dignity than I could have imagined before I went over there. The system was truly evil at its roots in the effects it had on people’s lives.

“The second was that the primary victims of communism were the Russian people. The system imposed by the Bolsheviks under Lenin and Stalin was really a perversion of western ideas: economics, philosophy, sociology. They had hijacked, co-opted the natural Russian sense of solidarity with other people, of brotherhood, of oneness with the world. The Russian people deserved our compassion and friendship and, for the most part, were innocent victims of a system they had nothing to do with establishing.

“My final impression was that the system was so flawed, the contradictions within the system were so great, that it was doomed to fail.”

Murray learned to speak Russian fluently and traveled there often throughout the 80s and 90s. During that time, he began developing working relationships with officials in the Institute of World Economy and International Relations, or IMEMO, its Cyrillic acronym. IMEMO is one of the most prestigious branches of the Russian Academy of Sciences and played a major role in Gorbachev’s efforts to reform the Soviet system.

“I finagled a meeting with their Director and then started developing very good friendships. From them, I got the inside story of what was happening in Russia. I began to sense tremendous possibilities there for real change. Gorbachev, who I had not met at that point, was for real. There was something momentous happening. I came back from an ’86 trip with great hopes and expectations, and I began trying to figure out how I might make a contribution to the changes that Gorbachev was trying to bring about.”

In the ensuing years, Murray spoke at universities, on radio and television, at rotary clubs, following his passion to share the truth with others and his desire to draw the American and Russian people closer together. “I really felt that I was acting as a trial lawyer, a fact-finder,” he says, “and I was trying to meld what I had learned firsthand about communism with the desire of people here to better understand the reality of life there.”

The idea and implementation of the Balashikha Project gelled over a period of six months last year, culminating in the launch of the project this past November. It is the capstone to over two decades of Tom Murray’s work to help the Russian people emerge from a long nightmare that threatened global security and defiled human dignity.

“They are a warm, earthy, generous, kind people, and unfailingly hospitable to me. They have a wonderful sense of humor, very much like Americans. One of the great tragedies of the Cold War period was that our two peoples were kept apart by what had occurred. But now, I’m hopeful.”

For more information about the Balashikha Project, contact Maureen DeVito, the Future of Russia Foundation, 440/570-8657, or go to www.futureofrussia.org.
Gorbachev Rode the Tiger

EVEN SHAKESPEARE WOULD HAVE HAD TROUBLE conjuring up a character like Mikhail Gorbachev. A beguiling mixture of charm and strength, Gorbachev rose from farming roots in Privolnoye, Russia, finessed the byzantine workings of the Communist party, and soared into the Kremlin as the youngest Politburo member in history (and Russia's only President). Then, in 1991, the victim of what some experts say was a colossal misread of political reality, Gorbachev plummeted into quiet disgrace in his beloved country. Arguably the most influential statesman of the 20th century, Gorbachev instituted policies which ended the Cold War, reunified a fractious Europe, and stopped communism's historically brief, but ruinous, role in world history. Recognized throughout the world for his contributions to world peace, he won the Nobel Peace Prize in 1990.

But Gorbachev became a pariah in his own country. His policies of glasnost and perestroika drew back the curtain, but he couldn’t replace the cast on stage, and the play closed to terrible reviews. In 1996, he attempted a political comeback, running for president as a moderate and experienced candidate. He earned just one-half percent of the vote.

“Gorbachev is a believer in the truth,” says Tom Murray ’65, who has known Gorbachev for many years. “His greatest moral achievement was to recognize that the system wasn’t working, that it had failed so badly that it needed radical reform. He had the courage, and the ideas, and the strength to make his case to the Politburo. He rode that tiger for six years.”

For the first three or four years of that ride, Russians considered him a heroic figure, according to Murray. “He brought hope to people. He brought tremendous changes. Those three words—perestroika, democratization, and glasnost—were not just slogans. They were reality. He opened up discussion and put in motion the events that led to the real changes that are now starting to bring results.”

But Gorbachev’s policies went too far for some, and not far enough for others. He put in place conditions that eroded the Soviet system without offering anything else to replace it. “Living conditions continued to worsen and he didn’t have any answers for that,” says Murray. “His attempt at reforming the Communist party fell on deaf ears.”

On August 19, 1991 while vacationing at his dacha, a group of Communist conservatives at the highest levels attempted a coup. “He didn’t know if he was going to live or die,” says Murray. “It was terrifying. Here is a man of real depth who enjoyed being on the world stage and now his life was at risk.” The coup collapsed, but Gorbachev’s political career was over while the one of brusque, populist, and drunk Boris Yeltsin, who emerged a hero for his public resistance to the coup, took off.

After his fall from power, Gorbachev founded Green Cross International and the Gorbachev Foundation. In 1999, Gorbachev lost his wife, Raisa, to leukemia. According to their daughter, Irina, it took him almost three years to recover fully from his grief. Today, he and Irina live in Moscow. “He leads a very private life,” says Murray. “He doesn’t go out in public very much. I would love to see his reputation rehabilitated, but I don’t think it will happen in his lifetime. Certainly, I think the tide is turning in his favor, especially among the young people in Russia. They are beginning to appreciate what he accomplished and they’re capitalizing on the opportunity that Gorbachev made possible.”
**1975**

*Virginia Business* magazine has named **Thomas R. Bagby** the top attorney in Virginia in labor and employment law. The magazine, which polled thousands of Virginia lawyers to determine “The 2002 Legal Elite,” reports that Bagby’s colleagues often compare his practice to his favorite sport—the game of basketball, which he played for UVA. According to the magazine, colleagues say “his style of play on the court … mirrors the way he practices labor and employment law—with precision, drive, competitiveness and team work.” After four years as a trial attorney at the U.S. Department of Justice’s Civil Rights Division and 14 years in private practice at two Washington law firms, Bagby returned home to Roanoke in 1995 and joined Woods, Rogers & Hazlegrove PLC, where he serves as chairman of its labor and employment law practice. “His knowledge of employment law is unparalleled,” Tom Winn, a partner in Bagby’s practice area, is quoted as saying in the December article. “He can name any issue and give the entire line of cases from District Court to Supreme Court history.”

**Tina Swent Byrd** serves as a litigation partner at Irell & Manella in Los Angeles. She writes that she finds she is in great demand as an arbitrator in commercial matters, national and international.

**James M. Mullendore, Jr.**, reports that he has retired from Division 1-A football officiating. He spent each fall of his Law School years officiating at high school football games in the Charlottesville area. Upon moving to Michigan in 1975, he commenced a career that allowed him to officiate high school, small college (Division II and Division III), USFL, Mid-American Conference, and the last 15 years of the Big Ten Conference. During that time he worked nine bowl games, including the national championship in the Orange Bowl on New Year’s Day in 1995. Mullendore continues to practice law in a small general firm, Carr & Mullendore, in Greenville, MI.

**Thomas P. Preston** has joined Blank Rome LLP in Wilmington, DE, as a partner in the corporate litigation practice group. Preston previously served as office managing partner and partner in charge of litigation in the Wilmington office of Reed Smith LLP, where he practiced in the areas of commercial and corporate litigation. Preston joined Reed Smith in March 2000 when he was recruited to form the firm’s Delaware office.

**1976**

A Virginia Leadership Association, Leadership Fairfax, honored **Michael Caplin** with a 2002 Northern Virginia Leadership Award, *The Washington Post* reported in November. The award recognizes Caplin’s leadership in launching a public-private partnership to improve child abuse intervention and prevention. Caplin led the effort to establish the newly opened Childhelp USA Children’s Center of Virginia. The Fairfax facility provides on-site child abuse assessment, investigation, intervention, and treatment services, all in one location. The center primarily serves suspected victims of sexual abuse. Caplin expects the new center to evaluate and treat 400 young victims of sexual abuse each year. By locating all the various agencies that must respond to an abuse report in one building—law enforcement, Child Protective Services, prosecution, and mental health and medical services—the Center hopes to coordinate response and reduce secondary trauma to the child victim.

**Winfield P. Crigler** began a new job in April 2002 as the executive director of the Student Loan Servicing Alliance, a trade association made up of 30 organizations which provide cradle-to-grave student loan servicing for over 21 million student and parent borrowers.

**James Hingeley** recently served a one-year term as president of the Virginia College of Criminal Defense Attorneys. Under his leadership VCCDA joined with other citizen and lawyer groups to
form the Virginia Indigent Defense Coalition. The coalition began a campaign to reform Virginia’s indigent defense system. “I enjoy working in Charlottesville again, this time as head of the local public defender office,” Hingeley writes. Hingeley was recently featured in Charlottesville’s Daily Progress for his work as the City’s public defender.

Daniel J. Hoffheimer serves as chair of the board of trustees of the Cincinnati Symphony Orchestra in Cincinnati, OH. He recently had the honor of accepting the orchestra’s induction into the American Classical Music Hall of Fame, based on the nomination of the New York Philharmonic, the only other orchestra to have been inducted. In his legal career Hoffheimer recently became board certified in Ohio as a specialist in estate planning, trust, and probate law.

The Best Lawyers in America 2003–2004 has recognized M. Hamilton Whitman, Jr., for his contributions in the area of maritime law. He is one of only 5,787 lawyers who have been listed in Best Lawyers for ten years or more. Whitman serves admiralty practice chair for Ober Kaler PC in Baltimore, MD.

1977

In late-January G. Steven Agee was elected to the Supreme Court of Virginia by the Virginia House of Delegates and the Virginia Senate. Agee fills a vacancy on the seven-member bench created by the retirement of the longtime chief justice.

Tom Melo was elected a Fellow in the College of Labor and Employment Lawyers in October. Melo co-chairs the labor and employment section of Bracewell & Patterson LLP’s Houston office. He is the immediate past chair of the Labor and Employment Law Section of the Houston Bar Association and the statewide secretary of the Texas Association of Business.

David L. Sfara reports that he and his wife Veronique were married in Toulouse, France, on September 22, 2001.

1978 Reunion Year

Dale S. Ditto and his law partner, Anthony D. Brewer, have formed A Helping Hand Adoptive Agency that over the last several years has handled more than 400 Chinese adoptions. In summer 2002 Ditto led a mission team to an orphanage in Western China to work with handicapped children. Ditto works with UBS Paine Webber in Lexington, KY.

Bill Harrison recently finished his second four-year term on the Virginia Beach City Council. He now practices with Williams Mullen in Virginia Beach where he is a partner specializing in public finance, public-private partnerships, and complex commercial real estate transactions.

Jon Hines focuses on large-scale oil and gas investment projects as a partner in the Moscow office of LeBoeuf, Lamb, Greene & MacRae LLP. He writes that he’s been practicing in Moscow for two years and “sees no end in sight.” His wife, Olga Dyuzheva, is a professor of civil law at Moscow State University.

Blake D. Morant continues to teach at the Washington and Lee University School of Law. During a fall 2001 sabbatical he served as a visiting fellow at University College, Oxford, England. In summer 2002 he was appointed the John S. Stone Visiting Professor of Law at the University of Alabama School of Law. In October he was invited to present at Lewis & Clark Law School’s Eighth Annual Business Law Forum.

1979

Aubrey Ford currently serves as co-chair of the Coalition for a Greater Richmond, a nonpartisan, multi-racial political support group that seeks to
promote a new vision of leadership for the Greater Richmond, VA, area.

Former Georgia Governor Roy Barnes appointed Lewis E. Hassett to the board of commissioners of the Georgia Commission on Equal Opportunity. The commission is responsible for promoting fair employment practices and diversity programs in government and reviews the effectiveness of the state’s programs. Hassett chairs the insurance and reinsurance dispute resolution group at Morris Manning & Martin LLP in Atlanta.

1980

Andrea L. Bridgeman was recently elected to the Bar Council from Virginia’s 19th Judicial Circuit. She also was selected for the boards of directors of both Legal Services of Northern Virginia and the Potomac Legal Aid Society. She has been practicing in Freddie Mac’s legal division since 1988.

Glenn A. Gundersen has been elected to the board of directors of Philadelphia Volunteer Lawyers for the Arts (PVLA). Founded in 1978, PVLA is a nonprofit legal services organization that provides pro bono legal assistance and basic business counseling to local artists and cultural organizations. PVLA’s volunteer lawyers negotiate performing contracts for actors, dancers, and musicians; prepare by-laws for newly formed nonprofits; negotiate short- and long-term workspace leases and exhibition agreements; secure protection of artwork; and set up new community-wide arts initiatives. A partner with Dechert LLP, Gundersen co-chairs the intellectual property practice and focuses on trademark, copyright, and licensing law. A nationally known authority in his field, he has been named repeatedly in professional surveys as a leading member of the trademark bar. The second edition of his book Trademark Searching was published in 2000, and he is a co-author of the book Intellectual Property Assets in Mergers and Acquisitions published by John Wiley in 2002.

Virginia Governor Mark Warner has appointed Bill Nusbaum chair of the Virginia College Building Authority. This body issues tax-exempt bonds to fund facilities for public and private college and universities in the Commonwealth of Virginia.

1981

John B. Boatwright III has been named capital defender for Central Virginia by the Public Defender Commission of Virginia. Boatwright’s office will handle trial-level representation of indigent capital defendants in 35 counties and eight cities.

Tyco International Ltd. appointed Timothy E. Flanigan general counsel, corporate and international law, in November. He directs corporate and international legal functions for Tyco, including corporate governance and compliance programs. A former law clerk to the late Chief Justice Warren Burger, Flanigan previously served as deputy counsel and deputy assistant to President George W. Bush. Prior to that appointment, he was a partner with White & Case LLP.

Mark Hudak currently chairs the Burlingame, CA, Chamber of Commerce. He practices with Carr, McClellan, Ingersoll, Thompson & Horn PC, one of the oldest firms on the San Francisco Peninsula, where he is a director in the civil litigation and dispute resolution practice group.

Terence Murphy currently chairs the board of governors of the Virginia State Bar construction and public contracts law section. He practices with Kaufman & Canoles PC in Norfolk, where he is a partner in the litigation section and chairs the construction and government contracts law practice group.
Roger Creager ’82 Played Central Role in Law Change

There are few things litigators prize more highly than the chance to make new law that benefits not only the litigants but a large number of similarly situated parties. Roger Creager ’82, of the Virginia law firm of Marks & Harrison, PC, had exactly that type of opportunity recently and made the most of it. Creager played a central role in a four-year-long struggle which successfully defended Virginia’s “Collateral Source Rule,” which provides that a tortfeasor cannot use benefits which an injured person receives from collateral sources, such as health insurance, to reduce the compensation the tortfeasor owes to the injured person.

Beginning in 1996, defense lawyers in Virginia developed a new argument to challenge the application of the Collateral Source Rule to medical bills in tort actions. Virginia trial courts were initially receptive to the new argument, and limited the recoverable medical expenses accordingly.

The Virginia Trial Lawyers Association (“VTLA”), whose 2500-plus members primarily represent plaintiffs, formed a special committee to address the growing problem. Creager was in the vanguard of that legal fight, publishing three articles in Virginia legal journals which advanced the arguments and authorities in support of the plaintiff’s position.

When the issue finally reached the Virginia Supreme Court, Creager co-authored the VTLA’s amicus curiae brief which contended that the established principles of the Collateral Source Rule supported the rejection of the defense position. In Acuar v. Letourneau, 260 Va. 180, 531 S.E.2d 316 (2000), the Virginia Supreme Court agreed.

Plaintiff’s lawyers across the state brainstormed, networked, shared ideas, e-mailed briefs, and faxed new trial court opinions. Creager says that the long struggle was well worth it, both because it protected the rights of injured people, and because it validated his belief formed in law school that lawyers who work hard together can make the law work, even for ordinary citizens, and even for those who are weak or injured. For his work on the “write-offs” issue, Creager received the VTLA’s Courageous Advocate Award. It had been 17 years since the VTLA honored anyone with that award.

Creager serves on the Board of Governors of the VTLA. The President of the Virginia State Bar recently appointed Creager to serve on the Standing Committee on Legal Ethics, which issues published ethical opinions for the guidance of Virginia attorneys. This past summer, Creager was selected to join the Boyd-Graves Conference, a statewide group of Virginia attorneys and judges who consider and propose changes to Virginia law and procedure.
Friends See Napolitano ’83 Sworn in as Governor of Arizona

WHEN JANET NAPOLITANO ’83 WAS SWORN in as Governor of Arizona on January 6, she looked out at hundreds of her constituents. Mixed in with the crowd of Arizonian citizens were several familiar out-of-state faces: those of eight of her Law School classmates.

As soon as he learned that Napolitano won her bid for governor, Kent Alexander ’83 called his long-time friend to offer his congratulations and to say that he was considering heading to Phoenix for her inauguration. Napolitano encouraged him. “The more the merrier!” she said. He e-mailed some other old friends from Law School who he thought would be game for an inauguration trip—and every one of them showed up.

They traveled from Washington, D.C., Philadelphia, Colorado, Seattle, San Francisco, Atlanta, and Los Angeles, meeting in Phoenix the night before the ceremony. All were invited to a pre-inauguration dinner for Napolitano’s family and friends. The group included members of the Class of 1983: Alexander, Steve Edelson, Alice Hill, Mark Kantor, Joan Markman, Elaine Meltin, Dave Mushinski, and a member of the class of 1984: John Youkilis.

Napolitano’s ties to Alexander, Mushinski, and Kantor were forged as the four spent two of their Law School years as housemates at a 300-acre Albemarle County estate called Broom Hollow. Serendipity played a part in fostering the friendship between Napolitano and Alexander, when then U.S. Attorney General Janet Reno chose both for her advisory committee made up of 15 of the total 93 U.S. Attorneys.

After serving as U.S. Attorney, Napolitano was elected the first female Attorney General of Arizona in 1998. As a Democrat she now faces a challenge in governing a state with two Republican houses and a deficit of more than $1.3 billion. [See related Class Note on Mark Winkleman ’83.]

Los Angeles Superior Court Judge Alice Hill was a member of the group of friends showing Napolitano support. “I can attest that in addition to being a legal genius,” said Hill, “she has remarkable personal and political courage and the ability to get things done even when the odds are heavily against her. She is also a lot of fun. In short, Arizona is one lucky state.”

The Law School will also benefit from Napolitano’s experience in public service when she delivers the keynote address at the Fourth Annual Conference on Public Service and the Law in Charlottesville on March 14.

After her inauguration speech, the group met up with Napolitano for the post-inaugural celebration at the Phoenix Science Museum. They so enjoyed their Arizona get-together that they are hoping to regroup with many more members of the Class of 1983 in Charlottesville for their 20th reunion in May. Governor Napolitano’s reservation is already in.
Fairfax County, VA, Circuit Court Judge Jane Marum Roush will oversee the capital murder trial of Lee Boyd Malvo (formerly known as John Lee Malvo), the 17-year-old accused of last fall’s sniper shootings that left 10 people dead in the Washington, D.C. metro area. A circuit court judge since 1993, Roush previously was a commercial lawyer in Hogan & Hartson’s D.C. office. The Washington Post reports that Roush “could face a variety of new legal issues because Malvo is charged in part under an anti-terrorism law passed after September 11, 2001.”

1982

Wendell Fleming just returned to the United States after a year of living in Paris. “It’s tough to re-enter!” she writes. She quit practicing law five years ago and has been spending time writing. She writes that life with husband Stephen Cunningham and three sons is “never dull!”

Keith Hemmerling has created and serves as president of The Hemmerling Foundation, which finances films and organizations supporting the mentally ill, the homeless, the physically disabled, and children rescued from street prostitution. Last year, films underwritten by the foundation opened in London, New York, Chicago, India, and the Philippines and appeared in international film festivals from Paris to New York. The films will also air on PBS in 2003. Hemmerling wrote, directed, produced and acted in A Computeristic Fairy Tale, which is the sixth most watched film out of 2,500 films on Hollywood.com Indie Films. His book, Manic Impression, self-published in July 2002, detailed his multi-decade triumph over manic depression, including hospitalizations and homelessness. It has appeared in book festivals worldwide from Frankfurt, Germany, to Philadelphia. A film about his experiences, Manic Depression Interview: Dr. Baker, is being used at the Medical University of South Carolina and debuted on Hollywood.com Indie Films last fall. Hemmerling, who is also a musician, has appeared on MTV’s “Blind” with The Talking Heads, on Saturday Night Live’s “Handsome Man” sketch with Mike Myers, starred in a national Minolta ad, and appeared Off-Broadway in his one-man show, “Law School Suicide.” His avant-garde acoustic CD, Fairies and Figurines, is available at www.cdbaby.com. He can be reached at picodreams@aol.com.

Kenneth R. Lee has moved from Mexico City to Milan to become an executive partner at the newly opened offices of White & Case in Milan and Rome.

William H. Lindsey was recently appointed to the Roanoke City School Board for a three-year term as trustee. Lindsey is a sole practitioner in Salem, VA. He currently represents two death row inmates in habeas corpus proceedings, along with his general litigation practice.

J.B. Ruhl has been named the Joseph Story Professor of Law at Florida State University, where he has been on the faculty since 1999. (For more news, see Ruhl’s entry in In Print.)

Raymond G. Truitt has been honored in The Best Lawyers in America 2003–2004 for his work in commercial real estate financing, leasing, and restructuring. Truitt serves as administrative partner in the Baltimore office of Ballard, Spahr, Andrews & Ingersoll LLP, and as a partner in the real estate department, the energy and project finance group, and the transactional finance group. He also serves as vice-chair and chair-elect of the real property, planning, and zoning section of the Maryland State Bar Association.

1983 Reunion Year

Jim Cauthen recently moved from Ridgewood, NJ, to Greensboro, NC. He teaches in the political science department at the University of North Carolina-Greensboro.
Latham ’83 Enjoys Olympics Role

According to Latham, rugby was an Olympic sport until 1924, when the atmosphere surrounding, and perhaps the results of, the France-USA gold-medal match—won by the Americans in Paris—soured the Olympic Committee on the rowdy sport. He hopes that today’s committee is ready to give rugby another chance. “There are plenty of skilled American players out there who would love to have the chance to defend our country’s title in the 2008 Olympics,” he said with a smile.

But he is quick to acknowledge that the 117 USOC board members do much more during meetings than lobby for their favorite sports. Created by federal legislation to be the moving force behind the Olympic movement in the United States, the USOC has a broad mission. It is charged with training U.S. teams and underwriting their expenses in the Olympic and Pan American Games, operating three training centers, approving team selections, and supporting the bids of U.S. cities to host the Games.

Latham acknowledges that his legal training serves him well when, for example, the board determines how to implement fair drug-testing policies for athletes. Yet he sees his role on the board as “an extracurricular job” made easier by understanding Jackson Walker colleagues who are also encouraged to pursue their passions. “The support the firm gives to attorneys in their pursuits outside the law makes it a much more interesting place to work,” he said.

Latham’s excitement about his involvement with the USOC is contagious. “The Olympic Games are a real feel-good event and people like to have a connection with them,” he noted. “I believe they are the greatest peaceful cultural gathering on the planet.”
George Gerachis has been named one of the top five tax advisors in the central United States by the London-based International Tax Review in its annual survey of the “World’s Leading Tax Advisors.” A partner with Vinson & Elkins LLP in Houston, TX, Gerachis was the only law firm-based tax expert included in the top five individual advisors.

Steven P. Hollman reports that he made an unsuccessful bid for a state senate seat in Maryland with a platform that focused on “education funding and social justice, activities that have been at the core of my pro bono work for the past 20 years.” Hollman writes that he was motivated to run for public office by the Jeffersonian maxim that “a man is judged not by what he is given but by what he gives” and by “the sense of obligation for public service that is so much a part of the Law School culture.”

Jeff Horner has been named head of the public law section of Bracewell & Patterson LLP in Houston, TX. The section has 25 lawyers in three cities, and concentrates on the representation of school districts, colleges, cities, counties, and other public entities. Texas Lawyer magazine named Horner one of five “go to” lawyers in the area of school law. Only 135 Texas attorneys were accorded the designation of “go to” attorney by the magazine.

Virginia Business magazine has named Neil L. Rose one of Virginia’s “Legal Elite” for 2002 in the area of business law. The magazine polled thousands of Virginia lawyers for nominations in 10 practice categories and published the results in its December issue. Rose practices with Wolcott, Rivers, Wheary, Basnight & Kelly PC in Virginia Beach.

IP Worldwide magazine has selected Terry Ross as one of the seven best U.S. intellectual property trial lawyers under the age of 45. The article on the “The Magnificent Seven: IP’s Best Young Trial Lawyers” appeared in the magazine’s October issue. Ross continues to practice with Gibson, Dunn & Crutcher LLP in Washington, D.C.

Janet Napolitano, newly elected governor of Arizona (see related sidebar), recently named classmate Mark Winkleman as State Land Commissioner of Arizona. As such, Winkleman will head the Arizona Land Department, which manages state Trust lands and resources. Experienced in commercial real estate, Winkleman was previously a managing partner at MGS Realty Partners, a firm he founded in 2000.

1984

Warren Dance returned to Fairfax, VA, in July after a stint in Singapore. Dance still works with Exxon Mobil, but is now with Exxon Mobil Fuels Marketing Company.

Catherine Currin Hammond serves as chair of the board of directors of St. Andrew’s School in Richmond, VA.

Joseph E. Lynch was elected to the partnership of the Vinson & Elkins LLP in December. Lynch practices in the health practice area of the firm’s Washington, D.C., office. He has represented academic medical centers, hospitals, physician practices, healthcare e-commerce companies, managed care organizations, provider networks and other healthcare providers in structuring, negotiating and implementing a broad range of clinical and administrative transactions.

1985

James A. Barker, Jr., is happy to announce his first baby, James McGowan Barker, was born on February 10, 2002.
Virginia Law Alumni Events

A HOST OF COCKTAIL RECEPTIONS AND luncheons provided outlets for law alumni to reunite this past fall and winter.

On October 15 Charlottesville alumni gathered for a cocktail reception in Scott Commons, the expansive common area of the Law School’s Student-Faculty Center. Alumni were invited to see the new addition for the first time, and Dean John Jeffries ’73 spoke to the more than 55 alumni who attended.

Thirty-five alums attended the Tidewater-area luncheon held on November 21 at the Harbor Club in Norfolk. Assistant Dean Bill Bergen gave a virtual tour of the latest changes to the Law School. Alumna Alison McKee ’84 helped the Alumni Association coordinate this event.

On February 13, nearly 100 Richmond-area alumni listened to the Speaker of the House of Delegates, William J. Howell ’67, at the Commonwealth Park Suites Hotel at Capitol Square. The evening was held in honor of those alumni who were appointed to the Governor’s Cabinet: Whittington W. Clement ’74, Secretary of Transportation; W. Tayloe Murphy, Jr., ’60, Secretary of Natural Resources; Michael J. Schewel ’79, Secretary of Commerce and Trade; and members of the Virginia General Assembly: Delegate William K. Barlow ’65; Delegate Robert B. Bell ’95; Senator John S. Edwards ’70; Delegate William R. Janis ’99; Delegate Bradley P. Marrs ’85; Delegate J. Chapman Petersen ’94; Delegate Gary A. Reese ’69; and Delegate Clifton A. Woodrum ’64.

On February 18, an annual Atlanta luncheon, for approximately 70 alumni, took place at the Four Seasons Hotel. Dean Jeffries was introduced by classmate J. Kirk Quillian ’73, partner at Troutman Sanders in Atlanta. Later that evening a cocktail reception in Birmingham was sponsored by John Hagefstration ’86 at Bradley Arant for 35 area alumni.
Troutman Sanders Dedication
The brick area situated in front of the new Student Faculty Center was dedicated to the Law School in October as the Troutman Sanders Terrace. Partners and alumni of the Atlanta-based Troutman Sanders LLP (which merged January 1, 2001 with Richmond-based Mays & Valentine LLP) donated the funds for the space.

BLSA Reunion
The Black Law Students Association (BLSA) held an alumni weekend February 21–23 as a celebration of Black History month. This year’s theme was *Lifting Our Voices, Spreading Our Wings*. The weekend kicked off on Friday with a social mixer. Saturday started with breakfast and remarks from Dean Jeffries, followed by a two-credit Continued Learning Education course in Ethics. Afterward, alumni enjoyed a luncheon featuring the Honorable John Charles Thomas ‘75, former Justice on the Supreme Court of Virginia, as the keynote speaker. Alumni then participated in a panel discussing the future of affirmative action as a result of *Hopwood v. Texas* and the pending University of Michigan case before the U.S. Supreme Court. The weekend concluded on Sunday with a farewell breakfast.

The BLSA has a mission to articulate and promote the professional needs and goals of black law students; foster and encourage professional competence; and focus upon the relationship of the black attorney to the American legal structure.

Left to right: James W. Addison ’71 and Robert W. Webb, Jr. ’75, of the Troutman Sanders’s Atlanta office, and Mark S. Shiembob ’82 from the Richmond office, at the dedication of the Troutman Sanders Terrace at the Law School.

Law Alumni Weekend May 2–4, 2003

Area alumni are invited to take advantage of complimentary CLE offerings:

**Ethics**, 2-credit course taught by Professor George M. Cohen, Edward Howrey Research Professor of Law

Or

**Trusts and Estates**, 2-credit course taught by Charles D. Fox IV ’80, Partner, Schiff Hardin & Waite in Chicago

Both offered 3–5 p.m. at the Law School

RSVP: lawalum@virginia.edu or 434-924-3588

Deadline to register: April 25
Julie Ashworth Glover works as a privacy compliance manager for Intel Corporation in Portland, OR. She and her husband Jeff have two boys, Tyler, 11, and Henry, 9. She writes that she climbed Mt. Kilimanjaro in Tanzania in January 2002.

The American Lawyer recognized Joseph Leccese as one of 45 highest performing lawyers in the country under age 45 in its January cover story “45 Under 45.” These 45 lawyers from 18 cities, “the ones we chose to single out as the profession’s next generation of leaders,” are “first-chairing the headline cases, controlling big books of business apart from their firms’ institutional clients, and most importantly, marking themselves as unique in a business swarming with Type As,” the magazine wrote. The magazine said Leccese, a partner with Proskauer Rose LLP in New York City, has “become known as a prime-time player in the world of sports business law.” Leccese’s corporate practice emphasizes professional sports leagues, teams, and companies. He represented Jeffrey Lurie in his acquisition of the Philadelphia Eagles, Robert Wood Johnson in his acquisition of the New York Jets, and the Eagles in the lease, development, and financing of their new $500 million stadium.

President George W. Bush named David G. Leitch deputy counsel and deputy assistant to the President on December 10. Former chief counsel for the Federal Aviation Administration, Leitch most recently served as counsel to the Transition Planning Office of the Department of Homeland Security in the Office of Management and Budget. Before joining the Bush administration, Leitch was a partner with Hogan & Hartson LLP in Washington, D.C.

Finance industry veteran Kent Reynolds recently joined Midwest BankCentre as senior vice president-trust services. He previously worked for eight years with A.G. Edwards as an investment banker and stock research analyst.

Virginia Governor Mark Warner has named James Wheaton chairman of the Virginia Public School Authority.

1986

Rosemary Daszkiewicz was appointed to the Group Health Cooperative’s Board of Trustees January 1. Daszkiewicz is a partner and chair of the employment law group at Cairncross & Hempelmann PS in Seattle, WA. Founded in 1947, Group Health is the nation’s largest consumer-governed health care organization, serving nearly 600,000 people in Washington and Idaho. The nonprofit organization consists of medical centers, hospitals, an associated physician group practice, a research center, and a charitable foundation.

John D. Fowler, Jr., was elected president and a director of Large Scale Biology Corporation, a publicly traded biotechnology company based in California’s Bay Area, in November 2001. He previously served as a managing director in healthcare investment banking at J.P. Morgan & Co., and as managing director and head of Salomon Brothers’ healthcare investment banking practice. In 2002 he also was elected a director of Beverly Enterprises, the largest publicly traded nursing home company. He continues to live in New York City.
In October former State of Michigan Commissioner of Revenue June Summers Haas joined Honigman, Miller, Schwartz and Cohn LLP as a partner in Lansing. She advises clients on a nationwide basis on multistate tax strategies, resolving tax disputes, and litigating state tax cases. Haas gained national recognition while serving as director of the Multistate Tax Commission National Nexus Program for three years. She designed and taught a Nexus School and has testified before Congress as a nexus expert.

John E. Hagefstration, Jr., recently was elected to the American College of Real Estate Lawyers. In addition, The Best Lawyers in America has named Hagefstration in its 2002–2003 edition. A partner with Bradley Arant Rose & White LLP, Hagefstration chairs the firm’s real estate practice group in Birmingham, AL. The leader of the Law School’s fundraising efforts in the Birmingham area, Hagefstration recently completed a four-year term as his firm’s building committee chairman, an endeavor that culminated in a move into new headquarters.

As a senior partner with Hale and Dorr LLP in Washington, D.C., Louise Nicholson Howe represents medical device manufacturers and other clients who have products regulated by the Federal Drug Administration in hearings before the FDA. She and her husband Mark welcomed their third son, Nicholas, in October of 2001.

Marc E. Montalbine, his wife Melissa, and their two children, Mary Katherine, 9, and Elizabeth, 6, live in Sarreguemines, France. Montalbine works in the German office of deKieffer & Horgan. He can be reached by email at montalbine@dhlaw.de.

Liz Espin Stern chairs the business immigration group at Shaw Pittman, which Washington Magazine recently recognized. She writes that she enjoys spending time with her husband Michael and two sons—Alex, 8, and David, 3.

1987

IP Worldwide magazine named Bill Brewster one of the “The Magnificent Seven: IP’s Best Young Trial Lawyers” in its October issue. The article highlights what it calls the seven top U.S. intellectual property trial lawyers under age 45. Brewster is the managing partner at Kilpatrick Stockton in Atlanta and former leader of its intellectual property practice group. He also is listed in the Best Lawyers in America. He teaches trademark law as an adjunct professor at Emory University School of Law and also has served as an adjunct professor at the Law School.

Paul Enzinna recently received the Kenneth R. Mundy 2002 Lawyer of the Year Award from the District of Columbia Association of Criminal Defense Lawyers. The award recognized Enzinna’s successful efforts to found the Innocence Project of the National Capital Region and to secure a full pardon for Marvin Anderson of Hanover, VA. Anderson was convicted of rape and sentenced to more than 200 years in prison in 1982. He became the first person to obtain favorable test results and win a full pardon under Virginia’s recently enacted legislation that allows individuals convicted of felonies to bring forward new DNA evidence more than 21 days after trial. Enzinna practices as a partner with Baker Botts LLP in Washington, D.C. His wife, Maureen Enright ’88, serves of counsel to Collier Shannon Scott PLLC, also in Washington, D.C. The couple lives in Bethesda, MD, with their three children, Peter, 11, Clair, 6, and Lily, 3.

In September JP Morgan Private Bank promoted Catherine Murphy Keating to global head of its wealth advisory and fiduciary services. Now based in New York City, Keating previously worked in Philadelphia as head of the bank’s Mid-Atlantic region.

Sue Ressel Kumleben reports that she recently ran into fellow alumni Kevin Dent ’88 and George Hagerty ’88. Kumleben writes, “I just laughed when I walked on to Wormwood Scrubs..."
playing fields in West London (that’s right, the prison’s fields) to have my very English boys try baseball” and saw Dent and Hagerty attempting the same with their children.

**Richard L. Locke** just completed his first year with his new firm, Locke & Partin PLC. After more than 14 years with a medium-sized Richmond, VA, firm, Locke co-founded Locke & Partin, which focuses its practice in the areas of personal injury, family law, and commercial litigation. In November Locke celebrated his eighth wedding anniversary with Julie. The couple has two daughters, Addie, 4, and Gracie, 2.

**Neil V. McKittrick** recently joined Goulston & Storrs in Boston as director of its employment law practice. A partner in both the employment and business litigation groups, McKittrick represents employers in state and federal courts on all types of discrimination claims and employment contracts. In 2001 he received both the American Bar Association Pro Bono Publico Award and the Massachusetts Bar Association Access to Justice Pro Bono Publico Award.

**Yvonne Facchina Mizusawa** and her husband, Bert, reported that they were expecting a third son to join older brothers Mark and Michael in November.

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**1988 Reunion Year**

**Maureen Enright** serves of counsel to Collier Shannon Scott PLLC in Washington, D.C. Her husband, **Paul Enzinna ’87**, practices as a partner with Baker Botts LLP, also in Washington, D.C. The couple lives in Bethesda, MD, with their three children, Peter, 11, Clair, 6, and Lily, 3.

**Susan Stevens Mullen** and **Kevin P. Mullen** are the proud parents of Haley Elizabeth, 6, and Hannah Marie, 4. Sue serves as special counsel in the commercial real estate group of Cooley Godward LLP. Kevin practices as a partner in the government contracts group of Piper Rudnick LLP. The Mullens reside in Arlington, VA.

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**Puget Sound Business Journal** has named **James F. Williams** to its “40 Under 40” list for 2002. The newspaper describes the program as a way to celebrate rising young stars in the local business community and recognize young leaders “who have—despite the bumpy economy—demonstrated that they have a vision for the region's business future, business savvy beyond their years and the passion to take risks and make their dreams happen.” Williams serves as a partner in the Seattle office of Perkins Coie LLP.

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**1989**

*The American Lawyer* recognized **Bruce R. Braun** as one of 45 highest performing lawyers in the country under age 45 in its January cover story “45 Under 45.” These 45 lawyers from 18 cities represent “our magazine’s view of the next generation of legal superstars,” said Aric Press, the magazine’s editor-in-chief. “They’re first-chairing the headline cases, controlling big books of business apart from their firms’ institutional clients, and most importantly, marking themselves as unique in a business swarming with Type As,” the magazine wrote. Braun, a partner with Winston & Strawn in Chicago, practices commercial, appellate, and white-collar litigation.

**Cynthia Gibson** has been elected to serve on the management and compensation committees of Katz Teller Brant & Hild in Cincinnati, OH. Gibson is the firm’s first female partner and is the first woman to serve on these committees. She practices employment and health care law.
John Guynn practices as a shareholder with Workman Nydegger & Seeley in Salt Lake City. He was recently awarded a U.S. patent as a sole inventor for Patent 6,016,812.

Michael R. McAlevey was named chief corporate and securities counsel of General Electric Company in November. McAlevey was a partner with Alston & Bird, LLP in the Washington, D.C. office. From 1998–2001 he served as deputy director of the Security Exchange Commission’s Division of Corporation Finance. McAlevey teaches a graduate course in mergers and acquisitions at the Georgetown University Law Center and has taught insider trading law, securities regulation, and corporate governance in the executive MBA program at Emory University in Atlanta.

Susan Camp Stocks reported that her older children Christopher and Sydney welcomed baby sister Allison on July 16, 2002. “She’s sweet as can be!” Stocks writes.

J. Frank Williams recently took a position in Port-au-Prince, Haiti, as program director for World Vision International. Williams previously worked in New York City as vice president of finance for The Christian Herald. Williams lives in Port-au-Prince with his wife June, son Trevor, 13, and daughter Dawn, 6.

1990

Sharon D. Aizer and her Jack Russell terrier Dixie won the 12-inch Pre-Elite Division at the 2002 North American Dog Agility Council’s Championships, earning Dixie the title of Grand Champion. When she isn’t playing with Dixie, Aizer continues to practice as a sole practitioner in Shakopee, MN.

Tracey Beck and his wife Kathy write that they were blessed with an early Christmas present when their second daughter, Alexandra Leone, arrived December 2. She joins big sister Lauren Marie, 2. The family lives in Chester, NJ. Beck is senior counsel with Kraft Foods in East Hanover, NJ. He can be reached at Tracey.Beck@kraft.com.

Gerard St. Ours continues to work at Johns Hopkins University in Baltimore, MD, where he serves as associate general counsel. He focuses on employment and labor matters and student and faculty issues. He, his wife Barbara, and their daughters, Molly, 4, and Rachel, 2, recently moved to the Greenspring Valley area to “a nice old house with a big front porch.” St. Ours writes, “We are enjoying the change.”

1991

Cheryl Hesse and her husband, Donald Fong, welcomed baby number three in May 2002. “Conner Matthew is thriving despite overzealous affection from his brother and sister,” Hesse writes. “Our lives are very full!”

Melissa Jones Pelczynski, her husband Tony and her son Ben, 2, welcomed baby Maura Hope on October 2. The family lives in Valrico, FL, just outside Tampa, while Tony works for U.S. Central Command. They plan to move to Huntsville, AL, in July.
Lorrie Lizak Hargrove and her husband David announce the birth of their second son, David “Lleyton,” born November 19. Lleyton joins big brother, Paul Michael, who turned 2 in September. The Hargroves live in Birmingham, AL.

Mike Hirshland reports that the Hirshland family continues to expand as it settles into New England life in Wellesley, MA. In December of 2001, Henry, 7, Maggie, 5, and Olive, 3, welcomed baby sister Lucy to the world. “Lucy, now 11 months, is up and walking and defending herself against her (sometimes) well intentioned siblings,” Hirshland wrote in October. He continues to enjoy life as a venture capitalist at Polaris Venture Partner, while his wife Adria ’91 has her hands full on the home front.

Amy Yager Jenkins and Matt Jenkins announce the birth of their second child, Jenna Virginia, born September 3. Amy is a partner with Nelson Mullins Riley & Scarborough LLP in Charleston, SC.

Bill Kincaid and his wife Missy celebrated the birth of their daughter Sydney on June 9 in Fayetteville, NC. Kincaid reports that Sydney and Missy are both doing well, and that 3-year-old Emory is a model big brother.

Kevin M. Rose has started a solo practice in Harrisonburg, VA. Rose previously was a partner with Wharton Aldhizer & Weaver PLC, where he had practiced since graduation. Rose’s primary areas of practice are environmental law, construction law, eminent domain, and general civil litigation. He and his wife Karen have two children, Lucy, 7, and Lettie, 5. Karen is a doctoral student in UVA’s nursing program.

After practicing in Florida and California, Christopher Scott and his wife Susan are happy to have returned to Virginia, where Scott has joined Wilcox & Savage in Norfolk of counsel. Much to their delight, the couple is expecting their fourth child and first daughter in February.

Zeb Anderson practices in the areas of employment and commercial litigation as a partner with Smith Anderson Blount Dorsett Mitchell & Jernigan LLP in Raleigh, NC, where he lives with his wife, Deanna Davis Anderson.

Lorie Almon Bompey and Mitchell Bompey are happy to announce the birth of their son, Wilton Samuel, on April 5, 2002.

Pascale Bissainthe Centola and her husband Mark welcomed their first child, Isabelle, on August 18. The family lives in Vienna, VA. Pascale serves as senior vice president and general counsel-commercial finance for GE Healthcare Financial Services in Chevy Chase, MD.

John S. Decker was elected to the partnership of Vinson & Elkins LLP on December 2. He practices in the energy practice area of the firm’s Washington, D.C. office, representing companies in regulatory and transactional matters.

Alexander S. Glovsky has been elected partner of Nutter McClennen & Fish LLP in Boston. Glovsky’s practice focuses on corporate and securities law, including mergers and acquisitions with both private and public companies. A fourth-generation attorney practicing in Massachusetts, he lives in Ipswich with his wife Cheryl and sons Nicholas and William.

Ann Hebert became a partner at Akin, Gump, Strauss, Hauer & Feld LLP in Houston, TX, on January 1. She practices commercial litigation. In April 2002 she married Robert Stephens.
Rebecca Cole Moore and Randy Moore report “a big year for the Moore family!” Randy became a partner with Alston Bird in January 2002, and Rebecca was elected a partner with King & Spalding beginning in 2003. Both practice in Atlanta. “Most importantly, we gave birth to a healthy, bright-eyed boy named Nathan on July 4 and have been enjoying parenthood immensely,” they write.

Jeffrey L. Schultz married Claudia Fonrodona Parra on August 18 in Aruba, West Indies. They now reside in Cambridge, MA, where Jeff is in his first year of the MPA program at Harvard’s Kennedy School of Government.

Craig Silliman still works with WorldCom “despite the tribulations,” he writes. He lives with his wife Kate Ransom-Silliman and two sons, Ransom, 4, and Gabriel, 2, in Washington, D.C.

1995

Andrea Hanneman Boyack celebrated the birth of her first child, Bowen Richard Boyack, on January 16, 2002.

Jennifer Eilers Klepper and her husband Bryan welcomed their second child, Audrey O’Donovan Klepper, into the world on January 12. The Klepper family lives in Sherwood Forest, outside Annapolis, MD.

Bradley P. Williams recently became a partner with Baker Botts LLP in Dallas, TX. He practices in the intellectual property practice group.

Tull R. Florey became a partner with Baker Botts LLP effective January 1. He practices corporate and securities law in Houston, TX.

Jeffrey Goss is happy to report that, effective January 1, he was elevated to the partnership of Crosby, Heafey, Roach & May PC in Los Angeles. His firm combined practices the same day with Reed Smith LLP. Thus he is now a partner with Reed Smith Crosby Heafey LLP, where he represents clients in entertainment and complex commercial litigation matters in the firm’s Century City office.

Janice S. Johnston continues to live and work in New York City as a television news producer for ABC’s Good Morning America. She was honored in 2002 for her stories on Alzheimer’s disease and on special needs adoption, as well as sharing two awards ABC News won for its coverage of the September 11 events. She also received her first Emmy nomination as a producer of Good Morning America’s “Super Baby Tuesday—Live Births,” which covered several births live on the air, a first-time event for network television.

Norah Dabney Molnar and her husband Yancy welcomed their first baby, Bryce Oliver Molnar, on August 16.

Andy Zappia has been elected to partnership with Nixon Peabody LLP. His practice focuses on intellectual property and franchise law. He lives in Rochester, NY, with his wife Tanya and their son Peter Justin, born September 9, 2001.

1996

John Calkins has been promoted to counsel with Bingham McCutchen LLP, where he focuses on intellectual property litigation, prosecution, and counseling in the firm’s San Francisco office.

Robert P. Howard, Jr., and his wife Susan announce the birth of Thomas Robert on January 4, 2002. Howard has been promoted to partner with LeClair Ryan PC in Washington, D.C. His practice focuses on securities litigation, compliance, and enforcement. The family lives in Falls Church, VA.

Kevin Mottley and his wife Tricia celebrated the birth of their second child, Sarah Ann, on November 1, 2001.
Simon Scott and his wife, Blythe Sadler Scott ’98, moved to a home in Norfolk about two weeks after their third child, Jessica Jean, was born. Simon writes, “Super mom is already back at work with Shaheen & Shaheen PC, focusing on real estate. Ashley Brynne, 4, and Davis Ellison, 2, are really enjoying the new addition and the new house.”

Richard S. Starling married Debra Seymour of Charlotte, NC, on January 12, 2002. The couple was expecting their first child, a boy, on January 25.

1997

Jeffrey A. Bartos and his wife Sheryl welcomed their second daughter, Sarah Gabrielle, on August 15. Sarah and big sister Emily are doing well.

Ned Durden reports that he and his wife Laurie have a daughter Jane who is 19 months old.

Emily Clayton Feder and Greg Feder just bought a house in Arlington, VA, after a long 18-month search. They report that the house is perfect and they love it. They celebrated with an open house and visited with fellow law alums Josh Nickerson and Katie Heine Nickerson ’96, Cathy Ziobro, Bob and Ellie Swennes Kennedy, and David Pearson and his wife, Debbie. Emily currently works as a legal recruiter for Mazie & Company in Washington, D.C. She reports the lack of billable hours and completely flexible schedule are much to her liking. Greg still practices as a financial services and e-commerce associate at Mayer, Brown, Rowe & Maw in Washington, D.C., and loves every minute of it. They hope to hear from other classmates at gandem@att.net.

Bob and Ellie Swennes Kennedy welcomed their first son, Michael, on July 11. The family is now living in Kensington, MD. Bob still practices with Hughes, Hubbard & Reed LLP. Ellie was planning to return part-time to Hogan & Hartson LLP after a six-month maternity leave.

Jennifer McClellan has joined Verizon Communications as regulatory counsel in Richmond, VA. She was previously an associate with Hunton & Williams. McClellan also serves as vice chair of development and organization for the Democratic Party of Virginia.

Tara Castro Narayanan has been named president-elect of the Barrister’s Club in San Francisco. A division of the Bar Association of San Francisco, the Barrister’s Club is comprised of attorneys in their first ten years of practice who are committed to professional growth and community service, and who serve as advocates for its members. Narayanan practices complex commercial litigation as an associate with Carroll, Burdick & McDonough LLP in Walnut Creek, CA. She will begin her six-month term as Barrister’s Club president in July.

1998 Reunion Year

Mark B. Arthur joined Fralin, Feinman, Coates & Kinnier PC as an associate in Lynchburg, VA, in October.

Nancy Epstein married Josh Korff on September 1 in Cleveland, OH. Law School alumni in attendance included bridesmaid Elizabeth Stockman, as well as John Frutkin and Mike Levy. The new Nancy Epstein Korff practices as an associate with Sidley, Austin, Brown & Wood LLP, while Josh is a partner with Kirkland & Ellis. The couple resides in New York City.

Brian D. Flagler became vice president and general counsel of Multnomah Publishers Inc., a leading Christian book publisher, in October. He, his wife Amy, and one-year-old son Patrick have moved to Sisters, OR, a small resort town in the Oregon Cascades.
Gary M. Gansle recently received the Bar Association of San Francisco’s Outstanding Volunteer in Public Service Award for the second year in a row for his legal work with nonprofit organizations. Gansle has also been recognized within his firm, Wilson Sonsini Goodrich & Rosati, for establishing and managing an international employment law training practice that has taken him across the United States and Canada to as far away as Bangalore, India. Gansle and his life partner, Jeff Ramsden, continue to reside in the San Francisco Bay Area.

After three years in the Navy Judge Advocate General Corps, Jim Livesay now practices as a civilian lawyer with Osborne/Craig PLC, a small firm in Manassas, VA. He specializes in family law. “I’d be happy to discuss either practice as a military JAG, or as a lawyer in the small firm environment with any UVA Law students or alumni,” he writes. He and Tracey Howard Livesay live in Woodbridge, VA.

Joe Palmore finished his clerkship with Justice Ruth Bader Ginsburg of the U.S. Supreme Court in July. He has joined the litigation group at Sidley, Austin, Brown & Wood LLP in Washington, D.C.

Blythe Sadler Scott and her husband, Simon Scott ’96, moved to a home in Norfolk, VA, about two weeks after their third child, Jessica Jean, was born. Simon writes, “Super mom is already back at work with Shaheen & Shaheen focusing on real estate. Ashley Bryne, 4, and Davis Ellison, 2, are really enjoying the new addition and the new house.”

Richard Traynor writes he has had a “busy year.” He was married in Dallas, TX, in October of 2001 and moved back to New Jersey to continue his land use practice with Porzio, Bromberg & Newman PC in Morristown, NJ. At the time he wrote he and his wife Amy were expecting their first child.

1999

Stephen Keeley joined Tabet, DiVito & Rothstein LLC in October in Chicago. He practices complex commercial litigation.

Megan Owen married Stan Barry on November 2 in Fairfax, VA. Prior to her marriage, Owen left her position as special assistant to the Virginia Secretary of Health and Human Resources to join Reed Smith LLP as a government relations attorney. Her new husband is the sheriff of Fairfax County.

2000

After completing a federal district court clerkship, David Ball and his wife Alexis moved to Denver, CO, where he practices as a litigation associate with Holme, Roberts & Owen LLP.

Amy Becker and Marc Strauss were married on January 11 in Newport Beach, CA. Kate Connelly, Kate Fitzgerald Garland, David Schumacher, and Will Doyle were members of the wedding party, and several other classmates were in attendance. Mr. and Mrs. Strauss live in New York, where Amy practices as a labor and employment associate at Hogan & Hartson LLP and Marc is attending Columbia Business School.

Ryan Clinton recently began a new job as assistant solicitor general for the State of Texas. Clinton, who lives in Austin, previously practiced with Vinson & Elkins LLP.

Scott Danzis and his wife Katharine Morrison celebrated the birth of their daughter, Isabel Allyn Danzis, on September 13, 2001.

Toby Heytens is a law clerk to Associate Justice Ruth Bader Ginsburg. Heytens previously clerked for Chief Judge Edward Becker of the U.S. Court of Appeals for the Third Circuit.
Rohit Kumar left his job as legislative director/chief counsel for U.S. Senator Phil Gramm in June to take a position as counsel/senior policy advisor to U.S. Senator Trent Lott for the Republican Leader’s office. After “the sea change” that occurred in the Republican leadership, he is still working in what is now called the Majority Leader’s Office for Senator Bill Frist. He is responsible for handling finance committee, banking committee, and homeland security issues for the Majority Leader’s Office.

Wendy Rockafellow McCord and her husband, Dodge, welcomed their first child, “a beautiful baby boy” named Maxwell Ryan McCord, on July 4. McCord practices business law with Sherman & Howard LLC in Denver, CO.

Gregory Montero recently left the corporate department of Williams Mullen to start his own firm, Arness & Montero PC, with his law partner, Frank Arness.

Matthew Wells served as a delegate to the American Council on Germany’s Young Leader Conference in Berlin and Hamburg, Germany, during the summer of 2002. He continues to practice law with Wilson Sonsini Goodrich & Rosati in Salt Lake City, UT. In May his son Nathaniel was born, joining sisters Eliza and Madeline.

Noble Black recently joined McKee Nelson LLP in its New York office.

Howard Chang married UVA graduate Vanessa Schreiber (Arts & Sciences ’00), in Virginia Beach on September 7. “We took a trip to see Rome, Florence, and Venice for our honeymoon,” Chang writes. The couple now resides in Falls Church, VA.

After completing a clerkship with U.S. District Judge Bernice Bouie Donald, Forrest Christian entered the Attorney General’s Honor Program at the U.S. Department of Justice, where he will serve as a trial attorney with the constitutional torts section of the civil division.

Erin Dugan began working in the Commonwealth’s Attorney office for the City of Hampton, VA, in April. As Assistant Commonwealth’s Attorney, she specifically works with the Division of Child Support Enforcement to establish, modify, and enforce child support orders. With recent state budget cuts, she also is handling more traditional criminal dockets as well, mostly DUI prosecutions. Dugan is marrying Jeff Wheaton in May.

Alisa Mlyn Ivers Leventis married James C. Leventis (Arts & Sciences ’94), in Palo Alto, CA, on October 6. The new Mrs. Leventis practices intellectual property law, while her husband practices labor and employment law, both in the San Francisco Bay area.

Caleb Jaffe married UVA graduate Katie Geer (Medicine ’03) on October 13 at Katie’s home in Charleston, SC. Demian Jackson served as a groomsman and Erik Bodenhofer gave a reading during the ceremony. Other Law alumni at the festivities included Ann O’Connell, Connor Crook ’99, Dave Turk ’99, and Henry Smythe, Jr. ’76. Jaffe serves as law clerk for Judge Roger Gregory of the Fourth Circuit Court of Appeals in Richmond, VA.
Lisa Pierce Laughon recently began practicing with Johnson, Ayers & Matthews in Roanoke, VA, following a one-year clerkship with Justice Cynthia D. Kinser of the Supreme Court of Virginia.

Sarah H. Ostergaard welcomed the birth of her son Jack on May 24. “Quite a bundle of joy!” she writes.

Lakshmi Paranthaman is engaged to Jeff Wyatt and will be married on August 9 at the Bellagio in Las Vegas.

2002

Nadia Batcha joined Saul Ewing LLP in December. She practices in the litigation department in Baltimore, MD.

Christian DeFrancia has joined Hillis Clark Martin & Peterson PS in Seattle, WA, as an associate. His practice emphasizes a wide range of business-related matters.

Neely Fedde recently joined Blackwell, Sanders, Peper & Martin LLP in their Kansas City, MO, office. She practices as an associate in the litigation department.

Elizabeth Davis Hall has joined Adams, Kleemeier, Hagan, Hannah & Fouts PLLC as an associate in Greensboro, NC. She concentrates her practice in the areas of estate planning, business, and tax.

In October Thomas M. Jeon began practicing in the securities litigation department of Clifford Chance US LLP in San Francisco, CA.

Benjamin Kringer joined the Washington, D.C. office of Baker Botts LLP as an associate. A leading international firm, Baker Botts is recognized for its energy, intellectual property, and corporate and trial practices.

Stefan E. Teichert has joined Brobeck, Phleger & Harrison LLP, a leading international law firm with more than 550 attorneys in 14 offices. Teichert practices in the intellectual property group in San Diego, CA.

After graduation Karin E. Valaas served as a legislative intern for U.S. Senator Patty Murray. She then worked as a paralegal specialist in the Honors Program with the U.S. Department of Justice, Antitrust Division, in Washington, D.C. She now practices with Lane Powell Spears Lubersky LLP as an associate in the employment group in Seattle, WA.
LL.M.

1971

Cees Flinterman has been elected to a four-year term on the United Nations Committee on the Elimination of Discrimination Against Women (CEDAW). CEDAW has 23 independent members and is mandated to supervise the implementation of the UN Women’s Convention, a convention ratified by 170 states around the world.

1984

Willis P. Whichard recently received the 2002 Christopher Crittenden Award from the North Carolina Literacy and Historical Association for his contributions to the preservation of North Carolina history. Whichard, a former state Supreme Court justice, is Dean of Campbell University’s Norman Adrian Wiggins School of Law in Buies Creek, NC. Whichard was elected to the North Carolina House of Representatives in 1970 and the North Carolina Senate in 1974. He served on both of the state’s appellate courts and as associate justice of the North Carolina Supreme Court from 1986–1998. (For more news, see Whichard’s entry in In Print.)

1986

President Judge Emeritus Stephen J. McEwen, Jr., of the Superior Court of Pennsylvania has been elected by the Council of Chief Judges of State Courts of Appeal to serve as President-Elect of the Council for the 2003 term.

1995

John Cornyn III was sworn in to the U.S. Senate on December 2, 2002. The former Texas Attorney General Cornyn is the first alumnus of the Law School’s Graduate Program for Judges to be elected to the Senate. After completing six years as a District Court Judge in San Antonio, Cornyn served as a justice on the Texas Supreme Court from 1990 until he resigned to run for Attorney General.

Bill Vance was elected to a third six-year term on the Tenth Court of Appeals of Texas in November. The court hears both civil and criminal appeals and sits in Waco.

2000

Juan Antonio Castro has returned to Peru to help form the new democratic system there. After graduation, Castro joined Wilmer, Cutler & Pickering’s Latin American practice group. But in 2001 Peruvians witnessed the end of a ten-year dictatorship under Alberto Fujimori and a return to a democratic system. Castro was asked to return to Peru as an advisor to Minister of Economics and Finance Pedro Pablo Kuczynski. Castro accepted “as a moral duty to my country.” When he and his family returned to Peru, they found that, even though democratic presidential elections had been held, “the democratic system was still weak and the governability factor was at risk,” Castro writes. To strengthen the system the main political parties organized by the Prime Minister’s office began preparing a National Accord “to guide the country through a democratic path for the next 20 years.” Castro joined the Prime Minister’s team as chief of staff and participated actively in the process of organizing, negotiating, and executing the National Accord, which now serves as the main agreement between the political parties, civil organizations, and the government.
In Memoriam

Buist M. Anderson ’26
Farmington, CT
August 10, 2002
Foster D. Arnett ’48
Knoxville, TN
December 8, 2002
Grasty Crews II ’52
Arlington, VA
December 12, 2002
Howard Carlton Marchant ’31
December 25, 1984
Carter J. Lynch, Jr. ’48
Chattanooga, TN
September 24, 2002
James J. Williams ’53
Lynchburg, VA
December 27, 2001
Thomas Walter Blake, Jr. ’33
Houston, TX
September 18, 2001
Harvey G. Pope ’48
Courtland, VA
October 1, 2002
Covington Shackleford ’54
Lake Forest, IL
August 24, 2002
William S. Moffett, Jr. ’36
Staunton, VA
August 20, 2002
Walter C. Scott ’48
Savannah, GA
August 30, 2002
Richard E. Viar ’54
Roanoke, VA
October 18, 2002
David G. Blalock ’41
Newport News, VA
June 9, 2002
Charles W. Yeager ’48
Summersville, WV
October 27, 2002
David B. Danforth ’60
South Dennis, MA
June 26, 2002
Lewis W. Oehmig ’41
Lookout Mountain, TN
September 24, 2002
Charles E. Chamberlain ’49
Leesburg, VA
November 25, 2002
Roger M. Cain ’61
Lebanon, NJ
October 17, 2002
Fitz William Sargent III ’41
October 18, 2002
Edgar F. Heffner III ’49
Arlington, VA
May 27, 2002
Lawrence C. Lawless ’63
Norfolk, VA
November 8, 2002
Sewell C. Biggs ’42
Wilmington, DE
January 16, 2003
Rufus Barringer ’50
Old Lyme, CT
November 17, 2002
Charles M. Newell ’71
Westhampton Beach, NY
October 11, 2002
Joseph A. Massie, Jr. ’46
Winchester, VA
December 16, 2002
William L. Matheson ’50
Hobe Sound, FL
December 21, 2002
William E. Michaels, Jr. ’75
Washington, D.C.
October 15, 2002
John F. Anderson ’48
Winchester, VA
December 22, 2002
Joseph Edward Baker ’52
Norfolk, VA
December 15, 2002
Wesley Reid Bobbitt ’76
Cedar Crest, NM
September 15, 2001
LAW SCHOOL ALUMNI HAVE WRITTEN AND PUBLISHED books on a wide variety of topics. If you have written a new book and want to tell us about it, please send all pertinent information to: UVA Lawyer, 580 Massie Road, Charlottesville, VA 22903; or lawalum@virginia.edu.

Fiction

The Christmas Train
David Baldacci ’86
Warner Books

The Christmas Train, Baldacci’s eighth novel, takes the reader from Washington, D.C., to Los Angeles via railway. Booklist calls the novel a sweet holiday tale in which “Tom Langdon is a former war reporter who now writes feature articles for various magazines. Banned from flying after a hostile incident at an airport security checkpoint, Langdon is forced to take a cross-country train … to Los Angeles, where his girlfriend is waiting to spend Christmas with him.” Over 33 million copies of Baldacci’s books are in print in more than 80 countries. CastleRock Entertainment made his debut novel, Absolute Power, into a major motion picture in 1996. Follow Baldacci’s latest at www.david-baldacci.com.

The Bone Vault
Linda Fairstein ’72
Scribner

“The latest adventures of Assistant DA Alex Cooper bring readers behind the scenes of New York’s most magnificent and mysterious institutions,” according to Scribner. Fairstein’s novel, The Bone Vault, is fifth in a series featuring UVA Law School graduate Alexandra Cooper. “Cooper is pulled out of a party at the Metropolitan Museum when a young researcher’s body is found, perfectly preserved, in an ancient Egyptian sarcophagus. … Many of her colleagues at the Museum seem like they’re hiding something—why is the director of the Natural History Museum so reluctant to help?” Amazon.com’s review says, “Fairstein’s thrillers offer an in-depth tour of truly off-the-beaten-path Manhattan as well as solid plotting, well-drawn characters, and snappy dialogue. What the DA’s office lost when the author retired to write full-time is the mystery fan’s biggest gain!”
In his fifth novel, Huston again weaves the military and government together for a timely and politically charged thriller. In The Shadows of Power a military pilot is “vectored to intercept Algerians who are defending their newly claimed 200-mile territorial limit,” writes the publisher. “During a dramatic, high-stakes dogfight, the Algerians open fire and Stovic shoots down one of the Algerians’ MiGs, its pilot tumbling to a fiery death in the Mediterranean. … The brother of the deceased Algerian pilot is in the U.S. on a student visa. … While attending his brother’s funeral—the biggest event in Algeria in a decade—Ismael is coerced by a group of Islamic radicals to seek revenge for his brother’s death. … Unknown to either of these two men, Kent Rathman has been assigned by a highly placed government official to watch them. Working in the shadows, Rat moves easily among government agencies and is ordered by his White House contacts—including the President and the NSA director, who has plans to bring about a change of power on her own—to stop the Algerian.” Powells.com says, “James W. Huston has crafted a spellbinding tale worthy of the best. … His crisp, energetic writing keeps the reader enthralled throughout this multilayered story of military action, personal courage, international intrigue, and true-life events.” Some of Huston’s earlier novels include Balance of Power, and Fallout.

The Great Moonshine Conspiracy Trial of 1935
T. Keister Greer ’48
History House Press

“The longest jury trial in Virginia history, the historic explanation of why ‘moonshining’ flourished in this part of the world, the actual words of the people on trial: the definitive study of ‘The Great Moonshine Conspiracy Trial of 1935’,” according to Blue Ridge Traditions Magazine. The Great Moonshine Conspiracy Trial intimately follows the story of Virginia’s longest trial in history, based on the records and transcripts around the case.

Nagle’s The Law of Biodiversity and Ecosystem Management
John Copeland Nagle and J.B. Ruhl ’82
Foundation Press

According to the West Group, “This law school casebook defines biodiversity, outlines factors in choosing among different policy approaches for its protection, and finds appropriate levels of administration for implementing those policies.”

Covering Your Assets: A Guide for Bank Directors in the New Millennium
Christopher J. Sumner ’71
Garn Institute of Finance of the Eccles School of Business

“Replete with helpful insight and practical tools that will help current directors contribute more effectively to the success of their institution and will help prospective directors understand what will be required of them in their new directorship. The
book gives readers a director's perspective which is unique in works of this type," according to the publisher. The book is available via email: assets@business.utah.edu.

Sport: Law and Practice
Edited by Jonathan Taylor LL.M. ’90 and Adam Lewis
Butterworths

Butterworths calls this “a major new textbook on Sports Law in the UK that consolidates guidance across all the major practice areas of interest to sports lawyers.” The book has chapters covering the realm of sports in Europe, including Taxation of Sports Entities, Financing, Risk Management, Venues, Broadcasting, New Media, Sponsorship and Supply Agreements, and Licensing/Merchandising.

The Future of the American Labor Movement
Hoyt W. Wheeler ’61
Cambridge University Press

“Coming at a time of profound change in the global conditions under which American organized labor exists, the Future of the American Labor Movement describes and analyzes labor's strategic alternatives,” according to Cambridge University Press. “The analysis is broadly cast, taking into account ideas that range from the current European Social Dialogue to the methods of the nineteenth century American Knights of Labor. There are a number of intriguing strategies that have potential for reviving the labor movement in the United States, of which worker ownership and labor capital strategies are examples. This book demonstrates the necessity for a number of diverse strategies to be pursued simultaneously. For this to work, one has to think in terms of a broad movement of labor, consisting of diverse parts, held together by a clear idea of its purpose and a new structure.”

Justice James Iredell
Willis P. Whichard LL.M. ’84
Carolina Academic Press

*Justice James Iredell* was named a CHOICE Magazine Outstanding Academic Title for 2001. “James Iredell sailed from England to the English colony of North Carolina in 1768 to be a customs officer at the port of Edenton,” according to the publisher. “While serving King George III at the port of Edenton, Iredell studied law under Samuel Johnston, who would become his brother-in-law, mentor, and friend. Iredell became a superior lawyer and the leading essayist in his region in support of American independence. Following the American Revolution, he was the foremost advocate in North Carolina for adoption of the proposed federal Constitution and later served on the Supreme Court after ratification. In *Justice James Iredell*, Whichard traces the life of this public servant from customs officer to lawyer to eminent statesman and concludes with a description of the man himself: his family, friends, finances, slaves, and religion. It is the only biography chronicling the achievements of this important figure in North Carolina and American history.”
No Profession is More Honorable Than the Law

Bob Wright ’68

Editor’s Note: Mr. Wright gave the commencement address at the Law School’s graduation ceremony on May 19, 2002. The text of the address appears below.

DEAN JEFFRIES, MR. DAY, DISTINGUISHED faculty, honored graduates, family members—good afternoon and thank you for including me in this wonderful day of celebration. I am honored to be here.

I’ve learned that you should never give a speech that lasts more than 20 minutes—because in 20 minutes, any audience of average intelligence will figure out you don’t know what you’re talking about. Given the intelligence of my audience today, I’ll hold my remarks to ten.

I loved my time here at UVA, and I hope you did, too. I had wonderful friends, great times, and the most awe-inspiring, intimidating and, since it was the mid-60s, the worst-dressed professors one could imagine.

Here, in my Law School seminars, I learned the difference between a fact and an assumption, between reasoning and guessing. Plus, I was a newlywed, which meant that at home, I was learning the difference between a fact and an assumption, between reasoning and guessing.

My wife, Suzanne—the main breadwinner at the time—was the assistant to the manager at the Monticello Hotel. We lived in married housing—Copeley Hill. Or Copulation Hill, as it was called back then.

So returning to Charlottesville brings back lots of memories—of first building a life together with the woman I love, of stretching a small paycheck with peanut butter and jelly, of countless hours of blood, sweat, and tears—not to mention books, papers, and beers—of earning the degree that qualified me to join a
profession of honor and distinction and integrity.

And make no mistake: no profession is more honorable than the law. The defenders of the Constitution, the guardians of our liberty, the advocates of just causes, no matter how unpopular, the protectors of the powerless, the wise counselors of our society—that is the role of America’s lawyers. This is what you have trained to become.

Once you become flexible with your principles, as an individual or a society, your moorings are lost, and allegiance to liberty and justice is impossible.

Why, then, if you type lawyer into a search engine, do you come up with a million web sites devoted to lawyer jokes?

No doubt you were at least dimly aware of this already. But it seems there is a disconnect between the function lawyers serve, and how they are perceived by the public.

A few weeks ago, a friend of mine in Chicago, Robert Clifford, sent me the results of a new study about the public perception of lawyers in America. One of the top litigators in the nation, Clifford is the current Chair of the ABA Section of Litigation. He commissioned the study, the results of which were just made public last month.

The findings are sobering: The legal profession ranks as one of the least reputed institutions in American society, just above the media, in fact. Which means, of course, that the study is deeply flawed. Still, we need to consider its findings.

• Only 19 percent of Americans say they are extremely or very confident in the legal profession or lawyers.
• 74 percent think lawyers are more interested in winning than in seeing that justice is served.
• Nearly three-quarters think lawyers are greedy and manipulative.

As a result, most individuals who have an occasion to hire a lawyer do not actually hire one—putting themselves and their families at unnecessary risk.

And, all this data was collected before the Enron scandal.

Perpetrated by executives, accountants, and lawyers, the Enron fiasco in a matter of weeks utterly destroyed Arthur Anderson—a nearly 90-year-old firm which less than a year ago had thousands of employees around the world and millions of dollars worth of goodwill. Now, the name is less than worthless. At Enron, the life savings of thousands of employees evaporated, and shareholders lost nearly $25 billion—shareholders who believed in the integrity of earnings statements and security filings signed off on by accountants and lawyers.

Where were the lawyers? Well, they were at the table—with the accountants and the executives.

Where are they now? Well, they’re at the table, sitting before Senate hearings and in federal courtrooms, answering questions about shredding. Shred bad term papers, credit card offers, wild frat party photographs—but never shred evidence.

The legal issues involved here will take years to unravel. But it seems to me the ethical issues are quite clear. Two weeks ago, federal regulators released e-mails written by Enron lawyers describing business practices that, while perhaps not illegal, certainly raise serious ethical questions. One lawyer wrote that “Enron gets paid for moving energy to relieve congestion without actually moving any energy or relieving any congestion.”

Where were the lawyers? Were they complicit in supporting, justifying, and condoning trading tactics that are at best
unethical, and at worse, illegal? Did greed trump their sense of fairness and justice?

Now, it may turn out that some Enron lawyers—such as Stephen Hall, whose e-mails have been made public—were in fact the heroes, blowing the whistle on potentially criminal activity. But no matter what transpires with the Enron scandal, all professionals—accountants and lawyers alike—are tarnished.

Unfortunately, you—young soon-to-be lawyers about to embark on exciting careers—end up paying the price. You pay the price in having a public that thinks they don’t want or need your services, and a public that doesn’t trust your ethics or your honesty.

Now that you are thoroughly depressed and ready to give up on the law before you even begin, let me say that if this were the whole story, you should be depressed. And this would be the most pathetic law school commencement speech in history. But this isn’t the whole story.

Because for every high-profile instance of a lawyer behaving less than admirably, there are many, many untold stories of lawyers giving their all to see that justice and fairness prevail.

Lawyers who devote countless hours to pro bono work to make sure that the wrongly accused are not jailed, that innocent lives are not ruined, that the weak are not preyed upon. Lawyers who fight daily for fairness, who are intolerant of injustice, who live and work with unimpeachable integrity.

And for every example of a lawyer failing the system, there are young people like yourselves, eager to put their energy, knowledge, and integrity to the test, young lawyers who will seize the opportunity to make a difference.

We are a nation united by just a few powerful pages of parchment—the U.S. Constitution—the language of which was influenced so much by Thomas Jefferson, the great defender of liberty who founded this university.

“Lay down true principles and adhere to them inflexibly,” Jefferson wrote. He understood what I hope all of us will remember, and what some Enron lawyers apparently forgot: once you become flexible with your principles, as an individual or a society, your moorings are lost, and allegiance to liberty and justice is impossible.

Now, I know that not everyone receiving a degree today will have a career as a lawyer. Some, like me, will find themselves drawn to the business world. Others will devote themselves to education, or philanthropy, or the arts. The possibilities are endless. And the education you’ve acquired here will help you excel in any field, at any profession.

Don’t watch Law & Order and think courtrooms and law offices are the only places people with law degrees belong. But don’t misunderstand me: Do watch Law & Order—especially this Wednesday because it’s sweeps. Just know that there are other ways to use your education to spread the message of justice and fairness.

With this ceremony, you are marked as different. You take on a responsibility above and apart from the rest of society. You accept new obligations, standards, and principles.

Think of Gandhi and Nelson Mandela. Think of John Grisham, David E. Kelly, and Monty Python’s John Cleese. Law school graduates, each of them. Six of our nation’s U.S. senators are alumni of one of the best law schools in the nation: UVA. So is Tom Finchem, commissioner of the PGA Tour.

Whether you head for a large law firm or become a public servant, whether you hang out your own shingle, head into business, or start making TV shows, you can forge a path of your own making. Your training here will serve you well. Just remember that your ultimate allegiance is to a set of principles—not to the profits or perks of any profession.
Most of you will eventually be sworn in by a judge as members of the bar. You may, in fact, be sworn in more than once. In my case, I enjoyed the ceremony so much I went through it five separate times: in the states of Virginia, New York, Massachusetts, New Jersey, and again for the Department of Justice.

With this ceremony, you are marked as different. You take on a responsibility above and apart from the rest of society. You accept new obligations, standards, and principles. And as Jefferson said, you must adhere to them inflexibly.

If your values are not in sync with these obligations, do yourself and society a favor, and don’t join this profession. If your value system does match the code, then I couldn’t welcome you more enthusiastically.

And remember too, when you are sworn in, the set of principles and obligations you accept becomes part of your life forever, whether you remain a practicing lawyer or not. For the rest of your days, you and your actions will be judged in this light—in light of your education and your status as a member of this profession.

What a burden, some may say. Yes, but what an honor. What an honor.

You may find yourself put to the test quite soon. In a matter of months, some of you will be in meetings with colleagues who chose business school over law school. Remember that the real bottom line is the one you draw, not necessarily the one advocated by associates who don’t have your training and your obligations. “Lay down true principles and adhere to them inflexibly.”

Many years from now, you’ll be judged not based on your degrees and medals, but on your scars. The questions asked will be these: How hard did you fight? How much did you risk? How willingly did you suffer so that others might overcome?

You’re getting the questions to your judgment-day test early—so decide now how you want to answer them, and live out the answers through your actions the rest of your lives.

More than 100 years ago, Oliver Wendell Holmes expressed his belief that no profession was as rewarding as the law. In what other profession, he asked, “does one plunge so deep into the stream of life, so share in its passions, its battles, its despair, its triumphs.”

So plunge deeply. You have a terrific future ahead of you.

Something tells me that a generation of new ideas and talent is about to change the world. It’s the only thing that ever does.

Bob Wright joined the National Broadcasting Company as president and chief executive officer on September 1, 1986, and became chairman and chief executive officer on June 4, 2001. According to the GE website, Wright has had one of the longest and most successful tenures of any network chief executive. He is also vice chairman of the board, executive officer and a member of the Corporate Executive Office of the General Electric Company. Prior to his association with NBC, Wright served as president of General Electric Financial Services and, before that, as president of Cox Cable Communications.
Upcoming Alumni Events

**April 8** Northern Virginia Cocktail Reception  
Maggiano’s at Tysons II

**May 2–4** Law Alumni Weekend  
Law School

**May 17** Reception for Class of 2003  
Law School

**May 18** Graduation  
Law School

**July 14** D.C. Alumni Luncheon  
Hotel Washington

For the latest on alumni events see the Law School's homepage: [www.law.virginia.edu](http://www.law.virginia.edu)
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