Humanity seems to be learning new lessons about how important working across international boundaries can be,” Fran Slayton ‘94 writes in this edition of UVA Lawyer. Recent examples abound—in the sharing of scientific information during the COVID-19 pandemic, the international response to Russia’s invasion of Ukraine, policy coordination to address climate change and transnational efforts to monitor human rights violations.

Here at UVA Law, faculty and students engage every day with these and other global challenges. You will read in these pages about our International Human Rights Clinic, which has advocated on behalf of eight environmental activists imprisoned without cause in Honduras. You will see the breadth of faculty scholarship on issues ranging from international corporate taxation to national security, from sovereign debt to war crimes. Our new Center for International & Comparative Law, led by faculty directors Mila Versteeg and Camilo Sánchez, facilitates much of this activity.

You will also read about alumni who contribute to the resolution of many of these challenges. They include Mark F. Brzezinski ’91, the U.S. ambassador to Poland, managing a humanitarian crisis on Poland’s border with Ukraine, and Robert Borcherd’99, the Army brigadier general who serves as legal counsel to the chairman of the Joint Chiefs of Staff.

The vitality of the Law School’s engagement with the world beyond Grounds is mirrored by the vitality of intellectual discourse within our own community. We cannot be—nor would we want to be—insulated from the important global and national issues of our times. Indeed, as improved health conditions have made it possible once again to welcome visitors, the Law School has been abuzz with intellectual energy. Student organizations are meeting in person, hosting speakers and exploring ideas across a wide range of perspectives. Featured inside, for example, are visits this spring by Virginia Gov. Glenn Youngkin, who addressed the Federalist Society’s National Student Symposium, and U.S. Supreme Court Justice Stephen G. Breyer, who received the Jefferson Foundation Medal in Law.

These interactions highlight a core strength of this institution: the wide variety of views and approaches to the law and legal practice to which our students are regularly exposed. Fostering an open exchange of ideas is not only one of our strengths—it is essential to our mission. Robust and respectful dialogue is necessary for our democracy to function and our profession to flourish. Learning to consider every argument, explore every idea, argue for one’s side and collaborate with the other enables our students to become exceptional UVA lawyers.

Both Justice Breyer and Gov. Youngkin exhorted our students to take up the important work of understanding views different from their own. I marvel regularly at the intentionality with which our students do so. UVA Law is more diverse and pluralistic than at any other moment in its history. That broad array of perspectives means that we can and do disagree with each other, sometimes passionately. Within that context, our students create and find opportunities for real exchange across their different viewpoints, in and out of the classroom. The student organization Common Law Grounds, for example, supports political dialogue on a host of hot-button topics. Last fall, our Jewish, Christian, Catholic, Muslim and Latter-day Saints student groups held roundtable discussions to better understand their respective faiths.

It is not always easy to speak so that others can listen or to listen when the message is hard to hear. But our commitment to free expression means we aspire to do exactly that. Our commitment to collegiality, to building a community of trust and belonging across our differences, makes that aspiration possible. The global challenges of the future, which will require a new generation of UVA lawyers, scholars, public servants and leaders, make these aspirations more important than ever.
Moving the Needle on Human Rights

In Memoriam: A Pioneer in Procedural Justice

Finding Order in the Court
Nick Roberti ’22 fields a ball at the 39th annual North Grounds Softball Invitational, which welcomed back teams from across the country for the first time since 2019. The event raised a total of $27,500 for local nonprofit ReadyKids and the Public Interest Law Association.
“Given how confidently presidents and analysts make pronouncements about executive privilege, you’d be forgiven if you imagined that the concept is fairly well-defined. In fact, its scope and boundaries are uncertain and deeply contested.”

—PROFESSOR SAIKRISHNA PRAKASH, in an op-ed on former presidents invoking executive privilege (The Washington Post)

“My ancestors truly lived up to a saying we have in Native America, that we should devote our lives to protect and benefit the next seven generations.”

—U.S. JUDGE LAUREN KING ‘08, on being confirmed as the sixth Native American federal judge in U.S. history (Law360)

“So I think some justices do take [public opinion] into account. Even though they are not willing to say they do.”

—PROFESSOR A. E. DICK HOWARD ’61 (Newsweek)

“The reliance on very little research on addiction was a mistake. Opioids have been tremendously profitable and the incentives to develop drugs with fewer negative public health effects have been limited.”

—PROFESSOR MARGARET FOSTER RILEY (Bloomberg Law)

“When I come back to the University and see my jersey in the rafters or on display, it gives me chills. When you’re young, you take a lot of that for granted sometimes, because you think you’re going to be young and flying high for the rest of your life.”

—CATHY GRIMES-MILLER ’88, in an article about her days as a UVA women’s basketball star and law student (VirginiaSports.com)

“Lots of people in politics and beyond I think would say it’s perfectly reasonable to take these contributions. Those corporations employ people, and those corporations make important goods and provide important services … You would be a poor representative if you ignored the needs of businesses in your community.”

—VICE DEAN MICHAEL GILBERT, on federal campaign finance laws and corporate donations (The Washington Post)
“Succession’ is unusual as a corporate law show, because it’s actually pretty accurate.”

—PROFESSOR CATHY HWANG, on her short course The Corporate Law of HBO’s Succession, taught with “Succession” legal consultant Peter Lyons (Reuters)

“You have to keep looking for the next thing. In football the coaches say, ‘If we play next year like we played last year, even in grand final years when we were premiers, we won’t win.’ You’ve got to be ahead of the curve.”

—PEGGY O’NEAL ’76, Richmond Football Club president, on being named Melburnian of the Year (The Age)

“Now there are even theories that there might be other universes. And if that’s the case, who am I to say planet Earth is the only location of a life form that is civilized and organized like ours?”

—NASA ADMINISTRATOR BILL NELSON ’68 (UVA Today)

“The viability framework has always been something of an embarrassment, in large part because viability hinges on medical technology and access to it.”


“As the leader of an institution of higher learning, one that educates new lawyers across the political spectrum for service to and leadership of our democracy, the lessons Justice Breyer taught me are ones I rely on every day. The appetite for dialogue, the optimism, the open minded and open heartedness, and the joy he embodies are what I hope to see every time I look in the mirror. They are what I hope will remain with the court, and the nation, long after he retires.”

—DEAN RISA GOLUBOFF, who clerked for Breyer, in an op-ed (Slate)

“He was just intruding himself into the meeting. He was very assertive.”

—PAUL B. STEPHAN ’77, on meeting Vladimir Putin at Leningrad State University in 1991 (The Daily Progress)
A NEW PIPELINE INITIATIVE at the Law School will offer an unprecedented path to preparing first-generation and low-income undergraduate students to become competitive applicants to the nation’s leading law schools.

The UVA Law Roadmap Scholars Initiative is distinguished by its residential summer program introducing participants to law school and the legal profession, and an internship in the legal industry, with generous financial and counseling support throughout.

“We wanted to make every effort to level the playing field for underresourced students who seek entry into the legal profession,” Dean Risa Goluboff said. “Though there are existing programs that offer pieces of what we are offering with Roadmap Scholars, what sets this initiative apart is how comprehensive it is. We plan to support our Roadmap Scholars at every stage—from learning about law school and gaining first-hand work experience in the law to preparing for high-stakes testing and navigating the law school admissions process. This is a holistic approach to improving outcomes for first-generation and low-income students.”

The initiative has received $200,000 in funding from the Jefferson Trust, a donor-led initiative of the UVA Alumni Association that makes grants to fund innovative ideas that enrich the University and the student experience. An anonymous UVA Law alum also gave $100,000 in support of the program.

The initiative is aimed at first-generation college students, students with limited financial resources, and students who are interested in pursuing a legal career but lack access to opportunities to learn about law school, the admissions process and the legal profession.

Roadmap Scholars will have a residency in Charlottesville for four weeks the summer after their sophomore year to introduce them to law school and the legal profession more broadly. The Law School will fund travel expenses and room and board, and will provide a $3,000 stipend. To get a taste of what being a law student is like, they will take mini-courses on a broad range of topics from the school’s curriculum.

The second stage of the initiative supports the Roadmap Scholars as they prepare to apply for law school, and includes a stipend to take an LSAT preparation course, mentoring from UVA Law students and alumni, advice and counsel from a faculty member at the scholar’s home institution, and monthly meetings with the initiative’s director, Assistant Dean for Diversity, Equity and Belonging Mark C. Jefferson.

The final stage of the initiative takes place after the scholars’ junior year, with scholars attending a two-week application boot camp in Charlottesville followed by a legal internship at a private-, public- or nonprofit sector employer, with housing, travel and stipends provided. During the two weeks at UVA Law, scholars will also participate in an orientation for their internships.

Jefferson, who joined the Law School in 2021, said he is excited to lead the innovative initiative, the design of which he spearheaded.

“This is a dream program for high-achieving students who are interested in law school and want to learn more, and who want to be fully prepared for the highly competitive nature of applying to UVA and other top law schools,” Jefferson said. “This initiative will challenge the Roadmap Scholars to work very hard, and our expectations for their success, as a result, are high.”

Goluboff expects the program to contribute to expanding the applicant pool at UVA and other law schools to students with a wide variety of experiences and backgrounds.

“Our goal is to increase access for these talented students not only to law school but also to the legal profession, which in turn, will redound to the benefit of the profession and society as a whole,” she said.

—Mary Wood
ACCOLADES

1. **Rambert Tyree ’22** was named this year’s recipient of the Gregory H. Swanson Award.

2. **Meredith Kilburn ’22** will work at the Education Law Center as the 21st Powell Fellow in Legal Services.

3. **Chris Baldacci ’22** and **Michael Patton ’22** won the 93rd William Minor Lile Moot Court Competition.

4. **Scott Chamberlain ’23** was named the new editor-in-chief of the Virginia Law Review.

5. **Juhi Desai ’23** was elected president of the Student Bar Association.

6. **Christopher Benos ’22** will pursue a master’s degree in global affairs at Beijing’s Tsinghua University as a Schwarzman Scholar.

7. **Mariette Peltier ’20** will serve as one of five Bristow Fellows in the Office of the Solicitor General at the Justice Department starting this summer.

8. **Nevah Jones ’22** will work at the Charlotte Center for Legal Advocacy as a Skadden Fellow.

9. **Jeffrey Horn ’23** and **Camilo Garcia ’22** received the Carl M. Franklin Prize and Jackson Walker LLP Award, respectively, for having the highest GPAs in their classes after two and four semesters.

10. **Avery Rasmussen** earned the Faculty Award for Academic Excellence by graduating with the highest GPA in the Class of 2021.

11. **Ashley Anumba ’24** broke a UVA record in the discus with her throw of 56.50 meters in the track and field outdoor season opener March 19.
THE LAW SCHOOL remains No. 1 in Best Professors, Best Quality of Life and Best Classroom Experience, according to The Princeton Review’s annual law school rankings, which were released Dec. 14.

As part of the 2022 rankings, the Law School is also No. 3 in Best Career Prospects, No. 4 in Best for Federal Clerkships and No. 5 in Toughest To Get Into, moving up one spot in each category.

The Law School has been ranked No. 1 in Best Quality of Life for eight years and in Best Professors for five years, consecutively. The school has been ranked in the top four for Best Classroom Experience since the 2013 rankings.

The rankings name the top 10 law schools in 14 categories based on The Princeton Review’s surveys of 15,000 current students and administrators at 168 U.S. law schools.

—Mike Fox

A NEW PROGRAM at the Law School will offer additional funding to students working in public service and judicial internships over the summer, with the goal of supporting those located in areas with high costs of living.

The program, PILA+, will be run by the Public Interest Law Association, a UVA Law student organization that raises funds for summer grants and promotes public interest law. Previously, the student-raised funds—nearly $60,000 in a typical year—went to PILA grants, with alumni donations making up the bulk of the grant program. Now the Law School and the Law School Foundation will provide 100% of the funds for summer grants, newly named the UVA Law Public Service Summer Grants, and PILA+ will offer additional money to grant recipients who need more support.

PILA President Elizabeth Harris ’22 said the idea for the new program emerged from knowing the expenses students faced in areas like New York and cities in California—places that also benefit from students’ work on behalf of the indigent.

“We want every student to be able to accept their dream summer placement with less financial stress,” Harris said. “Money should not be an obstacle to students hoping to pursue a career in public service, and we are trying to do our part to make that a reality.”

Last summer, 162 law students received a record $750,000 in grants, with first-year students each receiving $4,000 and second-years $7,000. In the past decade, the Law School has more than doubled funding for PILA grants, and guaranteed grants for all students who meet volunteer requirements. The program also expanded in 2019 to fund judicial internships.

“This is another important step in ensuring that students who want to pursue public service careers can achieve their goals,” Dean Risa Goluboff said. “The Law School is now providing 100% of the funding for guaranteed summer public service grants, and leaders of PILA have put together a wonderful plan to assist students who might need additional funding.”

—Mary Wood
AMERICANS ARE STILL TAKING PART in the democratic experiment Thomas Jefferson launched with the Declaration of Independence. U.S. Supreme Court Justice Stephen Breyer said in remarks April 12 at the Law School while accepting this year’s Thomas Jefferson Foundation Medal in Law.

“We’re in it now, aren’t we? Same experiment,” Breyer said. “Can we make it work?

“We will do it,” he added. “Who’s going to decide whether or not that experiment in trying to achieve those ideals will work? And the answer is simple for me. The answer is simply: you. And I say this to the high school students. I say this to the college students. I will say it to the law students. I will say, ‘My friends. It is you who will decide. It is you who will figure out how to do it.’”

UVA President Jim Ryan ’92 presented the medal to Breyer, who announced Jan. 27 that he will retire this summer after 28 years on the Supreme Court.

“Many of the ideals that Jefferson espoused remain central to the American experiment and remain at the heart of UVA, including the idea of citizen leadership and public service,” Ryan said. “Today, we honor Justice Breyer, a lifelong leader and a public servant whose devotion to upholding the values set forth in our Constitution has touched the lives of every American.”

Following the medal presentation, Dean Risa Goluboff, who clerked for Breyer, quizzed her former boss in a wide-ranging interview, with members of the audience also asking questions.

Throughout, Breyer made his case that people can make a difference in shaping democracy one improvement at a time, by listening to each other and by finding common ground.

Though people disagree on how to get there, the end goal in a country of 330 million citizens is to have “each of those people respect the other person as a person,” Breyer said.

Breyer’s seat will go to another former clerk, Ketanji Brown Jackson of the U.S. Court of Appeals for the District of Columbia Circuit, who was confirmed by the Senate on April 7.

“I feel very good about that,” Breyer said.

From 1980-94, Breyer served as a judge on the U.S. Court of Appeals for the First Circuit, and as its chief judge starting in 1990. He was a clerk for Supreme Court Justice Arthur Goldberg for the 1964-65 term, special assistant to the assistant U.S. attorney general for antitrust from 1965-67, assistant special prosecutor of the Watergate Special Prosecution Force in 1973 and special counsel of the U.S. Senate Judiciary Committee from 1974-75. As chief counsel of the committee from 1979-80, he worked closely with U.S. Sen. Edward M. Kennedy ’59 to pass the Airline Deregulation Act.

Before becoming a judge, Breyer taught law for many years as a professor at Harvard Law School and at Harvard’s Kennedy School of Government.

Breyer’s “belief in deliberation and the importance of relationships have made him the ‘glue’ among his colleagues,” Goluboff said in her introduction. “And his commitment to the court’s unique role in the American constitutional scheme has made him its greatest institutional champion.”

Sponsored jointly by the University of Virginia and the Thomas Jefferson Foundation, the nonprofit organization that owns and operates Monticello, the Thomas Jefferson Foundation Medals are awarded each year to recognize the achievements of those who embrace endeavors in which Jefferson—author of the Declaration of Independence, third U.S. president and founder of the University—excelled and held in high regard. The law medal, and its counterparts in architecture, citizen leadership and global innovation, are UVA’s highest external honors.

Breyer is the ninth Supreme Court justice to receive the Thomas Jefferson Foundation Medal in Law since its inception in 1977.

—Mary Wood

DEAN RISA GOLUBOFF testified March 24 at Senate Judiciary Committee hearings on the nomination of Judge Ketanji Brown Jackson to the U.S. Supreme Court.

Speaking as an expert on constitutional law and in her personal capacity, Goluboff told the Senate Judiciary Committee that the Supreme Court and the nation “will benefit enormously from the keen intelligence, impeccable integrity, broad experience, and intellectual open-mindedness of a Justice Jackson.”

Goluboff has known Jackson personally and professionally since 1998; Goluboff’s husband, UVA Law professor Richard Schragger, served on the Harvard Law Review with Jackson and they have remained friends.

In her testimony, Goluboff compared Jackson to retiring Justice Stephen Breyer, whose seat Jackson would be filling and for whom both Jackson and Goluboff clerked.

In Breyer’s same spirit of collaboration, “She has worked with lawyers from across the political spectrum, and found consensus with her colleagues on the Sentencing Commission and the D.C. Circuit,” Goluboff said.

—Mary Wood
JESÚS PINO

VIRGINIA GOV. GLENN YOUNGKIN encouraged students and others who wish to make a difference in their communities to get involved at the state government level, saying more gets accomplished there than in the federal government.

Youngkin spoke March 4 at the 41st Annual National Student Symposium, sponsored by the UVA Law Federalist Society. The symposium was themed “The Federalists vs. The Anti-Federalists: Revisiting the Founding Debates,” and focused on the arguments surrounding the ratification of the U.S. Constitution to help shed light on the document’s original meaning.

Youngkin, the 74th governor of Virginia, who is now serving in the first year of his four-year term, was the keynote speaker.

Noting he was speaking to the Federalist Society—an organization of lawyers, law students and scholars who support the principles of limited government embodied in the U.S. Constitution—Youngkin focused his comments on federalism, individual rights and the rule of law.

He said he understood how people would be alarmed and discouraged looking at the extremism and dysfunction in Washington.

Youngkin said James Madison, known as the father of the Constitution, “gave us checks and balances, but today in our nation’s capital it often seems like leaders have checked out and the balances in the idea bank have dropped to zero.”

“Most of the time up there is spent in gotcha games,” he said. “It takes forever to get anything done and that oftentimes means it never gets done.”

But the Republican governor also said the framers of the Constitution foresaw this, creating a federal government with limited powers, imparting the true power to the states and with the people. The states, he said, are charting the future.

“Federalism after all is not only a structure that prevents excess and overreach by those who would take away our freedom, federalism is also a structure that empowers people to exercise their freedom,” Youngkin said. “To act together to improve their communities, to make their states a better place to live, work and raise a family, to live a good life and help make life better for others.”

Youngkin compared the government in Richmond versus Washington. He said during his four years in office, the Virginia legislature will likely consider around 14,000 pieces of legislation, of which 3,500 to 4,000 might reach his desk. He compared that to 89 bills the U.S. Congress advanced to the president’s desk last year.

“Each of the bills that comes to me as governor will address a single subject, as our state constitution requires,” Youngkin said. “They aren’t like those massive omnibus bills in Congress that run hundreds of pages and cover thousands of topics with no ability to make individual policy judgments or to approve or reject individual spending items. At the state level, the policy details are not left to legislative staffers, but delegates and senators debate them mightily with passion in committees and on the House and Senate floor.”

Youngkin exhorted young people to get involved.

“If you want to serve and make a difference immediately, pick a state capital and join the front lines of self-government at the state level. Get engaged in the hard work of democracy where democracy is working hard rather than hardly working. Because we could use your help.”

Youngkin was a mechanical engineering major at Rice University, which he attended on a basketball scholarship, and an MBA graduate from the Harvard Business School. He spent 25 years with the Carlyle Group, helping build it into one of the leading investment firms in the world, before deciding to pursue public office.

The governor was introduced at the symposium by Dean Risa Goluboff.

—Matt Kelly
THE INNOCENCE PROJECT at UVA Law has had a busy start to the year, with six clients released from prison, pardoned or both since January.

The project consists of a yearlong clinic that students take for credit, led by Professors Jennifer Givens and Juliet Hatchett ’15, and extracurricular student pro bono efforts. Through the project, students investigate and litigate potential wrongful convictions of inmates throughout the commonwealth.

ERIC WEAKLEY was convicted of second-degree murder in 2001 for the shooting death of Thelma Scroggins, and charged alongside Michael Hash and Jason Kloby, together known as the Culpeper Three.

Weakley spent almost six years behind bars before being released in 2006. The conviction, however, remained on his record until Virginia Gov. Ralph Northam granted him an absolute pardon Jan. 4.

Weakley, who was 15 when the crime took place in Culpeper, Virginia, in 1996, falsely confessed to the murder, implicating Hash and Kloby, who were 16 and 19 at the time of the crime. Kloby was tried and acquitted, and Hash’s conviction was overturned in 2012 with help from the Mid-Atlantic Innocence Project and the Innocence Project at UVA Law—and with Weakley’s recanted confession.

“Eric’s been the odd man out [of the Culpeper Three] for a while,” Givens said. “The federal district court had relied on his recantation and found his recantation to be credible [in Hash’s case]. And if you find his recantation to be credible, then you are effectively saying you believe that his confession and trial testimony were false.”

LAMAR BARNES, who was pardoned by Northam and released Jan. 8, spent 20 years behind bars for the murder of Amy McRae and her unborn child, and the wounding of her fiancé, Mark King. The Innocence Project team was able not only to rebut the commonwealth’s evidence against Barnes but to establish an affirmative alibi as well. All three surviving victims, who were the primary witnesses against Barnes at trial, recanted their testimony.

JERVON TILLMAN was convicted of robbing a pizza delivery man in 2009 and sentenced to 25 years in prison. Tillman’s conviction relied exclusively on the testimony of a single eyewitness, who only saw his disguised attacker for a few seconds in the dark of night at gunpoint. His attorney didn’t present an alibi for Tillman and didn’t cross-examine the victim eyewitness about discrepancies between his description and Tillman’s appearance. Also, Givens said, it appears that the prosecutor failed to turn over exculpatory evidence regarding the victim’s initial description of the assailant. Northam granted Tillman an absolute pardon Jan. 13.

KEVIN “SUZE” KNIGHT was convicted of a 2002 murder in Norfolk, but there was no physical or forensic evidence connecting him to the crime. Knight’s conviction was, in large part, the product of corrupt police work by Norfolk Detective Robert Glenn Ford, Givens said. Ford was subsequently convicted of extortion and conspiracy. Knight was granted a conditional pardon in January.

GILBERT MERRITT was convicted of murder in 2001 based almost entirely on the testimony of a witness who testified that Merritt had confessed to her in detail, and the corroborating testimony of Det. Ford (see Knight case). In 2020, the prosecution’s star witness swore a statement recanting her testimony. Merritt was granted a conditional pardon in January. He had a state habeas petition pending in Norfolk, where he is attempting to overturn his conviction.

“These pardons bolster the claims made by both men (Knight and Merritt) in separate legal proceedings that they never would have been convicted but for the corrupt actions of Detective Robert Glenn Ford,” Givens said.

LAMONT MADISON served 15 years in prison for a 1997 robbery in Virginia Beach to which another man has since confessed. The inmate, currently serving time in federal prison for multiple offenses, including murder, confessed to the robberies on at least three separate occasions, to three different lawyers and to a Newport News police detective who testified on Madison’s behalf at an evidentiary hearing in 2019. Madison was granted parole and released in February.

Both Madison and Knight previously filed petitions for writs of actual innocence and were both denied on largely procedural grounds.

—Mike Fox, with reporting by Mark Bernstein ’89 and Mary Wood
KIM KEENAN ’87 will serve as the school’s commencement speaker for the Class of 2022 in May.

Keenan is a mediator, arbitrator and neutral evaluator at JAMS, a Washington, D.C.-based private alternative dispute resolution provider.

From 2010-14, Keenan served as general counsel and secretary of the NAACP. She provided legal advice related to governance, risk management, civil rights and discrimination litigation, and contracts, as well as defend suits for the NAACP, local NAACP branches and national state conferences. She was the youngest person to hold the position and the second woman to serve in that role.

Ansley Seay ’22 and Caroline Spadaro ’22, Student Bar Association Graduation Committee co-chairs, said in a joint statement that they sought a speaker who shared their ties to UVA Law and the Law School community, and one who could represent the myriad interests and goals of their classmates.

“Her career of advocacy has continued to create spaces for groups underrepresented in the legal field and is exemplary of the impact we all should strive to have after graduating from the law school—creating a legal community that fosters all those who wish to make a positive impact on society through the law, regardless of gender, race, sexuality or socioeconomic background,” they said.

Keenan currently serves as the first female co-chair of the Internet Innovation Alliance and was the first Black female president of the International Women’s Forum for the District of Columbia. She has also served as president of the District of Columbia Bar and the National Bar Association.

Through the Law School Foundation, Keenan has served on the Alumni Council and Law Alumnae Leadership Committee. She is also a lead donor to the Law Alumnae Scholarship and supported the Justice Thurgood Marshall Professorship.

—Mike Fox

THIRD-YEAR STUDENTS Max Ain and Andrew Teal won the Law School’s first Transactional Law Competition on Feb. 25.

Designed to test the negotiating skills of participating UVA Law students, the competition began over winter break, when organizers released a packet of information about clients, possible agreements, the context of the negotiation and other resources. Competitors then drafted a “term sheet”—a nonbinding agreement showing their preferred terms and conditions—to trade with their opposing counsel in January. Two weeks after exchanging agreements, the students participated in the final round: mock negotiations judged by a panel of experts.

The competition assigned pairs of students as either the buyer or seller for a proposed merger agreement. Ain and Teal represented the buyer—a company that builds greenhouses—which had a goal of purchasing the seller team’s proprietary technology. The duo drafted a term sheet that included both financial and legal deal terms that best fit the client’s needs, covering issues including capital structure, voting rights, board structure, equity incentives and closing conditions.

“We put together our term sheet to reflect the fact patterns we were given and made special effort to ensure protections for the current company ownership and flexibility to engage in future financing rounds for the company’s long-term growth,” Ain said.

Ain and Teal were in the same section as first-year students and decided to team up for the competition after working on a similar exercise for lecturer Peter D. Lyons’ mergers and acquisitions course in the fall.

“Max and I were fortunate to have taken UVA Law courses that touch on skills helpful for the competition, including the Transactional Approach to M&A course, and a drafting and negotiation course,” Teal said. “Through both these courses and our experiences while working as summer associates at law firms, Max and I had a rough understanding of the terms we should focus on when negotiating a term sheet.”

After graduation, Ain is planning to work at Massumi + Consoli’s Los Angeles office, focusing on transactional work in the private equity space. Teal will work with Jones Day’s mergers and acquisitions group in Atlanta.

The event was sponsored by the Virginia Law Emerging Companies & Venture Capital Society, the John W. Glynn Jr. Law & Business Program, the Virginia Law & Business Review, the Virginia Law & Business Society, and Rivanna Investments. The competition was financially supported by the law firm Cooley. The winners received a cash prize from Kirkland & Ellis.

Presiding over the competition were Daniel Dubelman ’98 of Massumi + Consoli; Alex Elmore and Eddie Sniezek ’16 of Cooley; Professor George Geis, director of the Law & Business Program; Lyons of Freshfields Bruckhaus Deringer; and David Makarchian ’93 of O’Melveny.

—Mike Fox
IT SEEMED THAT EVERYONE had an opinion about the special counsel investigation into Russian interference in the 2016 presidential election. Despite the largely unprecedented nature of the work, armchair quarterbacks from left, right and center gave their take. The investigation resulted in almost three dozen people being indicted or entering guilty pleas, and culminated in the 448-page Mueller report.

Recently, the leaders of the historic probe taught a short course for a select group of third-year UVA Law students, walking them through the decision points of their investigation. The attorneys, including former FBI Director Robert Mueller ’73 as a guest lecturer, invited students to judge their work and what they might have done better.

“They were being pretty vulnerable in going through their thought process,” said Robert Mathai, who was among the 16 students chosen by lottery to take the course, offered in September and October.

The instructors for The Mueller Report and the Role of the Special Counsel were Aaron Zebley ’96, Jim Quarles and Andrew Goldstein, with Mueller attending all sessions and addressing the class at times.

Zebley, a former FBI agent and federal prosecutor, served as deputy special counsel to the investigation. Quarles, with his previous experience as a prosecutor in the Watergate scandal, was senior counsel to Mueller. And Goldstein, a former federal prosecutor focused on public corruption cases, was senior assistant special counsel.

The attorneys discussed high-profile decisions such as what to do after the attorney general released a letter to Congress interpreting their report’s findings and whether to subpoena the sitting president.

“Oh, that was a fun day in class,” student Madison White said about the subpoena discussion.

The instructors were frank about the challenges they faced in the wrangling to get President Donald Trump to speak in person and on the record. The president had submitted written responses to questions through his attorneys, but the investigative team found them largely unenlightening, they told the class.

To move Trump any further would require a legal order to appear. But the lawyers suspected that would end up in the courts and take many months to resolve.

“It would have been heavily litigated,” White said, potentially wasting time and resources. “And nobody was sure how helpful that testimony would have even been.”

The instructors asked the students what they thought the right course of action would have been. The students were split. Such discussions led them to think about the political implications of every move. Should a special counsel’s office, appointed to the task by the Department of Justice and not elected, reach judgments about whether a democratically elected president committed a crime?

Mathai noted that President Bill Clinton, who was investigated related to sexual impropriety in the Oval Office, perjured himself while honoring a subpoena to appear before a grand jury, leading to his impeachment for perjury and obstruction of justice—a cautionary tale for any president. Clinton was ultimately acquitted.

The Clinton investigation was conducted under an independent counsel, which was authorized under the Ethics in Government Act of 1978 and had more independent authority than today’s special counsel does. The independent counsel statute expired in 1999. In its absence, the special counsel regulations took its place.

The students wrapped up their work for the course with a writing assignment; they could write about a specific decision made by the special counsel’s office and analyze whether it was correct, or they could give their advice for improving the special counsel statute.

In addition to contributing to the conversations for each class, Mueller added somber personal comments about being FBI director during 9/11, the 20th anniversary of which fell during the course. The students said he joked with them at times, too, offering to serve as “second chair” to Mathai in the Prosecution Clinic, and commenting on the last day of class that if everyone is mad at you, you must be doing something right.

The Karsh Center for Law and Democracy sponsored the six-session course. Mueller, Zebley and Quarles are partners at WilmerHale in Washington, D.C., while Goldstein is a partner at Cooley, also in D.C.

—Eric Williamson

ROBERT MUELLER ’73, SPECIAL COUNSEL COLLEAGUES LET STUDENTS BE THE JUDGE
For example, Frost was shocked to learn that for decades, federal law stripped all U.S. citizen women of their citizenship if they married noncitizens. The law—the Expatriation Act of 1907—was challenged in the U.S. Supreme Court by a leading suffragist who lost her citizenship after marrying a Scottish man. Though she lost her appeal unanimously in 1915, Congress quickly repealed most of the law in 1922, soon after women gained the right to vote.

“Congressmen were hyperconscious that these new women voters might throw them out of office if they didn’t support women’s rights,” she said. “Yet they also kept citizenship stripping in place for women who married foreign men of certain races. Finally, a woman was elected in Congress in 1928 who made it her mission to end citizenship stripping for all women.”

Frost’s impact as a public scholar is as broad as her expertise. Her work has been cited by over a dozen federal and state courts, and she has testified several times on Capitol Hill. She regularly contributes to SCOTUSBlog and has written articles for a number of popular media outlets, from The New York Times to The American Prospect.

During her time at American University, she won the law school’s Excellence in Teaching Award (2015) and Elizabeth Payne Cuberly Scholar Award (2009). She also served as acting director of the school’s Immigrant Justice Clinic when the clinical instructor took a sabbatical in 2016-17. Frost has been a visiting professor of law at Harvard, UCLA, Université Paris I in France, and at the European University Institute in Florence, Italy.

Frost’s interest in immigration law was also stoked during a stint as a legislative fellow for U.S. Sen. Edward M. Kennedy ’59 in 2006 as a staffer for the Senate Judiciary Committee.

Frost said she was excited to join UVA Law.

“First of all, the faculty is amazing—just extraordinary—as are the students,” she said. “It’s an amazing community, with very engaged, thoughtful lawyers and law professors.”

—Mary Wood
SCHOOL WELCOMES EXPERT IN INTELLECTUAL PROPERTY, TRADE SECRETS

ELIZABETH A. ROWE, an internationally renowned expert in intellectual property and trade secrets, will join the faculty in the fall.

Currently the Irving Cypen Professor of Law and a Distinguished Teaching Scholar at the University of Florida, Rowe teaches and writes about trade secrets, trademark law, patent law and corporate espionage. She is the co-author of the first and leading U.S. casebook on trade secrets, in addition to a “Nutsell” treatise on trade secrets. Rowe directs the University of Florida’s Program in Intellectual Property Law.

Rowe came to academia after serving as a partner at the law firm Hale and Dorr (now WilmerHale) in Boston, where she developed extensive experience in intellectual property and other complex commercial litigation matters.

“We are so lucky to welcome Elizabeth Rowe to our faculty,” Dean Risa Goluboff said. “She is the authority on trade secret law, and her cutting-edge scholarship on intellectual property has had a tremendous impact on the field. I have no doubt that Elizabeth’s extensive and impressive practice experience, as well as her scholarly accomplishments and award-winning teaching, will greatly benefit the Law School.”

Rowe is a member of the American Law Institute and a member of the Leadership Council for The Sedona Conference, which conducts in-depth study in the areas of antitrust, complex litigation and intellectual property rights to provide nonpartisan consensus-based guidance to courts and attorneys. She also is a fellow of the American Bar Foundation. Rowe earned her J.D. from Harvard Law School, and an M.A. in sociology and B.A. in criminal justice from the University of Florida.

As a law professor at Florida, she has received the Research Promotion Initiative Award, the Jack Wessel Research Excellence Award, and was selected to join the university’s Academy of Distinguished Teaching Scholars because of her exceptional accomplishments in both scholarship and teaching.


Rowe’s path to becoming a lawyer started with a mock trial competition in high school in Gainesville, Florida, her longtime home.

“I enjoyed so much the process of preparing the briefs and making the arguments and being in the courtroom,” she said.

At Hale and Dorr, she began to delve into trademark and patent cases, and eventually trade secret cases.

“They are a wonderful combination between intellectual property and employment law, since most trade secret litigation cases occur in the workplace,” she said. “My practice experience has been extremely valuable, and it adds a lot to my scholarship and to my perspective in the classroom.”

Rowe wrote her casebook on trade secrets, with Sharon K. Sandeen of Mitchell Hamline School of Law, after teaching a course on the subject and realizing there wasn’t a book available.

“We thought a lot about how the book was organized and how the topics were presented, because I had used the materials for many of my classes,” she said.

She also teamed up with Sandeen for several other books, including “Trade Secrets in a Nutshell,” “Trade Secrecy in International Transactions” and the edited collection “Trade Secrets and Undisclosed Information.”

Rowe said new technologies often inspire her scholarship.

“Intellectual property often plays a very important, yet often unrecognized, role in the everyday business applications of these technologies,” she said.

A recent paper, “Regulating Facial Technology in the Private Sector,” published in the Stanford Technology Law Review and selected for Florida’s Research Promotion Initiative Award, focused on a topic that was quickly becoming politicized.

“When I look at issues like that, I often end up somewhere in the middle, as I try to take a more nuanced view of the issues,” she said. Often, with new technologies, she wrestles with “the way in which existing law applies to these areas, whether changes in the law might offer better guidance, considerations that might lead to better outcomes in terms of regulation, or how courts might consider particular applications of new technologies.”

Rowe said she is looking forward to working with colleagues like John Duffy, a fellow intellectual property expert; LawTech Center Director Danielle K. Citron; and many others.

“I’m excited I will be able to have down-the-hall exchanges with colleagues working on similar issues,” she said, and “The word on the street is that UVA Law students are the happiest students on the planet, so I am excited to be part of that too, and to share in their joy of being in law school, because I really love being in the classroom as much as I love being a scholar.”

—Mary Wood

#Spring2022 #UVA LAWYER
ORIANS JOINS FACULTY AS DIRECTOR OF NEW DECARCERATION CLINIC

KELLY ORIANS joined UVA Law in January as director of a new clinic focused on decarceration and helping the formerly incarcerated transition to new lives.

Orians comes from New Orleans, where she most recently served as co-director of The First 72+. The group helps formerly incarcerated people support each other upon release by providing free transitional housing, reentry coaching and mentorship, aid with finding work, access to health care, free legal assistance and other services designed to prevent reincarceration.

Orians’ semester-long Decarceration and Community Reentry Clinic draws on her experiences to deploy law students in support of similar goals.

The clinic provides students opportunities to develop legal skills oriented towards helping clients get out of prison and stay out. For third-year students with practice certificates, that may include direct representation in some instances.

She said the majority of people in the prison system are caught up in a cycle of reincarceration for various reasons, and they often don’t have adequate support in the days and years following release.

“The first 72 hours after someone is released are particularly crucial because that is when all of your important needs as a human come due,” Orians said. “You need to have a place to sleep at night, clothes, food, hygiene products, access to transportation. The second your sentence ends and you’re released, you don’t have access to any of those things as a matter of right. So either you’re welcomed home, or you’re going to have to hustle to survive.”

Dean Risa Goluboff said Orians and her clinic will add to one of the most robust criminal justice learning experiences for students in the nation, with faculty teaching a wide range of related hands-on, doctrinal and policy courses.

“Kelly brings deep knowledge from the field about how to help formerly incarcerated people reenter society and prevent recidivism,” Goluboff said. “She is a nationally recognized community collaborator and institutional and legal innovator. Our students and the Charlottesville area will greatly benefit from her expertise and energy, and from this new clinic.”

Orians’ career interest in helping the incarcerated and formerly incarcerated started in her youth in Colorado. She had a family member who was incarcerated.

“A lot of people I was growing up with didn’t know what we were going through,” she said. “We kind of hid it.”

Through the ordeal, she realized that not all families in similar situations have the same experience.

“As much as my family struggled, we also enjoyed certain privileges that the average family impacted by incarceration do not,” she said. “And so it was through that lens that I really started to understand the role that economic privilege and racial privilege play in the United States, especially when it comes to who does and who does not end up in jail or prison.”

Even before earning her law degree from UCLA in 2015, Orians was a change agent for issues that concerned her. She worked for four years at the Juvenile Justice Project of Louisiana, where she helped coordinate public policy and impact litigation strategies, including the implementation of a U.S. Supreme Court decision that made juvenile life without parole unconstitutional in non-homicide cases. The two holdout states had been Louisiana and Florida.

After law school, she worked for a year as a staff attorney with the Orleans Public Defenders in their special litigation division, focused on providing reentry legal services to people recently released from prison.

Simultaneously, from 2015-19, she served as executive director of Rising Foundations, a community development corporation that she created to help the formerly incarcerated own their own businesses and homes, and as a staff attorney for The First 72+, assisting clients with resolving reentry legal needs. In 2019, she merged Rising Foundations with The First 72+.

Orians is also author of several law review articles, and a forthcoming book chapter, which she co-authored with a formerly incarcerated colleague.

Orians has won numerous awards during her career, including an Echoing Green Fellowship to launch Rising Foundations. She has also received the Richard Carnuelle Award for Social Entrepreneurship from the Manhattan Institute, a fellowship from the Global Good Fund and the Michael Rubinger Fellowship for Community Development from the Local Initiatives Support Corporation. In 2019, she was named a “leader in law” by New Orleans City Business, and she was awarded a J.M.K Innovation Prize from The J.M. Kaplan Fund in 2020.

—Eric Williamson
A jury convened by the U.S. District Court for the Western District of Virginia found the defendants liable under Virginia law, for both civil conspiracy and racial, religious and ethnic harassment. The result was an award of more than $25 million for the nine plaintiffs.

Judge Norman K. Moon ’62 presided over the trial.

Although the jury deadlocked on a verdict for two federal conspiracy claims centering on the Ku Klux Klan Act of 1871, the plaintiffs can return to court to pursue those claims.

Among the more than two dozen accused individuals or groups in the civil suit were primary organizers Jason Kessler and Richard B. Spencer, both of whom received undergraduate degrees from UVA.

The nonprofit Integrity First for America worked with lead attorneys Roberta Kaplan, a partner at Kaplan, Hecker & Fink, and Karen L. Dunn, a partner at Paul Weiss, to represent the plaintiffs, who provided evidence that they suffered mental and physical trauma from a conspiracy to commit violence. The conspiracy resulted in the death of a local woman, Heather Heyer, and injuries to the plaintiffs and others due to an attack by car on Aug. 12, 2017, and in various other street brawls. The violence began the day before, when defendants helped lead a throng of protestors who stormed UVA’s campus. The group wielded tiki torches and chanted racist slogans such as “Jews will not replace us!” They cornered and fought counter-protestors.

In January, Sines joined a Zoom panel hosted by the school’s Center for the Study of Race and Law to talk about holding the white supremacists accountable. Now an attorney at Venable in Baltimore, she explained why she decided to participate in the lawsuit.

“It felt like I was in a position to be able to stand up and use my voice to speak out against this hatred,” she said. “And I felt like I should do that in any forum or in any way that I could, whether that be counterprotesting or joining this lawsuit. And I knew that there would be people who couldn’t join this lawsuit—who didn’t feel comfortable for safety concerns.”

Two were close friends with Heyer. After the victory in court, Sines wrote in an email to the Law School, “I am so grateful for the never-ending support the UVA Law community has shown me over these four years. It has meant the world to me and made me all the more proud to be a UVA Law alum.”

—Eric Williamson
LIZ MAGILL ’95 has been chosen to serve as the ninth president of the University of Pennsylvania, an Ivy League institution that traces its founding back to 1740 and—like UVA—features a history intertwined with the growth of the nation.

Magill served as UVA’s executive vice president and provost from August 2019, when she became the first woman to hold the position, through Feb. 28, 2022, shortly after being named to her new role at Penn. She is currently senior adviser to the UVA provost and president. Magill previously was the Richard E. Lang Professor of Law and dean of Stanford Law School. Before Stanford, she was on the UVA Law faculty for 15 years, serving as vice dean, the Joseph Weintraub-Bank of America Distinguished Professor of Law, and Elizabeth D. and Richard A. Merrill Professor.

Working in partnership with President Jim Ryan ’92 and his executive team, Magill during her time as provost has advanced UVA’s academic mission, supported the continued rise of the research enterprise, guided efforts to strengthen ties with the local community and led the ongoing response to the COVID-19 pandemic.

“I am tremendously excited and humbled to help write the next chapter at the University of Pennsylvania, one of the country’s great comprehensive universities,” Magill said. “At the same time, I am grateful for my time at the University of Virginia, a place and community that have truly changed my life. I have been privileged to work alongside so many inspiring colleagues—many of whom I am proud to call my friends.”

Once formally elected by the university’s governing board, Magill begins her role as Penn’s president on July 1. She succeeds Amy Gutmann, who announced last year that she would conclude her tenure after leading Penn for 17 years.

“Liz Magill took on an academic leadership position at a critical time for UVA, helping us to launch several key initiatives from our strategic plan and moving them forward even throughout the pandemic,” said Ryan, who originally became colleagues with Magill when both were serving on the Law School faculty.

“She has been an incredible partner to me, to our faculty and deans, and to the University’s leadership team. Although she’ll be greatly missed here on Grounds, it’s heartening that she will bring her considerable talents to Penn, which I know will flourish under her leadership. I’m deeply grateful for Liz’s service and her friendship—and I know she’ll always be a Hoo at heart.”

Ian Baucom, the Buckner W. Clay Dean of the College and Graduate School of Arts & Sciences, has succeeded Magill as executive vice president and provost for UVA.

—Brian Coy

SCHOOL WELCOMES ADMINISTRATORS IN PUBLIC SERVICE CENTER, STUDENT AFFAIRS

MEGAN DURKEE ’15, a former public defender, has joined the Law School as director of student affairs.

“Durkee mentors and work with students and student organizations under the supervision of Sarah Davies ’91, assistant dean for student affairs.

Durkee served for four years at the Federal Public Defender’s Office for the Eastern District of Virginia. She clerked for two years for U.S. Judge Arenda L. WrightAllen of the Eastern District of Virginia.

“My goal is to help each one of our students and our alumni find their dream job,” Davison said, “that thing that both fulfills whatever personal and professional goals they have and to help them feel confident in that search.”

She will work under the direction of Assistant Dean for Public Service Annie Kim ’99, who leads both the Mortimer Caplin Public Service Center and Program in Law and Public Service. Davison joins directors Leah Gould and Amanda Yale as a counselor for those seeking to start or advance public service careers, or who simply wish to add public service experience to their portfolio.

Before joining the Law School, Davison was a senior staff attorney with the Virginia Capital Representation Resource Center.

—Mike Fox
THE WORLD WATCHED the harrowing scenes of desperate families trying to get out of Afghanistan this summer before the government fell to the Taliban. In the Charlottesville area, just as elsewhere across the United States, residents with family ties to the country are still doing everything they can to rescue loved ones from the repressive regime.

UVA Law students this fall helped local Afghan families who hold special immigrant visas to fill out paperwork they hope will reunite them with their loved ones.

“A birthday in 1997 means they are as old as I am,” said first-year student Daniel Elliott, regarding one of the imperiled people on whose behalf he’s been working. “The people you’re filling out this paperwork for are not just information on a page.”

Special immigrant visa holders typically are here because they helped the U.S. in some capacity, such as by providing translation services. They are eligible to seek humanitarian parole for stranded family members, a process with which students have been assisting since late September. The parole gives family members permission to enter the U.S.

Making the case for the government’s help requires exacting detail and a strong argument on paper, which is where law students come in. How much is the person at risk? Will they have financial support from family if they come here? The students then pass the application on to a licensed immigration attorney for final processing.

Elliott was among the four students who comprised the pro bono effort’s “first wave,” as organizers are calling it, which occurred shortly after the end of U.S. military operations.

“We had two clients, one with 10 family members and one with four,” Elliott said of the initial assignments. “In the course of a week, we turned over the first wave.”

The initial activity demonstrated that students could handle the challenge. The Charlottesville-Albemarle Bar Association’s pro bono coordinator, Kristin Clarens, launched the effort, in coordination with the Legal Aid Justice Center and the Law School’s Pro Bono Program.

The students have been working under the supervision of attorney Tanishka Cruz, who previously co-taught the Law School’s Immigration Law Clinic.

“Students are taking the lion’s share of the paperwork,” said Clarens, who praised Cruz for adding the supervision to her already busy workload.

“It’s really hard work when you think about collecting information on someone who is fleeing Afghanistan. Humanitarian parole is not usually used on a large scale like this. This is kind of an unprecedented demand, up 1,000% right now.”

Jina Shin, another first-year law student, joined the second round of volunteerism, which has grown to 12 students handling about six application packets each. Shin said the parole paperwork, despite its monotony at times, can be personally meaningful.

“I feel like maybe I can help in one small way,” she said. “I mean, obviously I personally can’t get a plane to get these family members out of Afghanistan, but I can help with one piece.”

The process after an application has been filed can often be long and uncertain. But if a person can get out of the country—through private charter or across the mountains into Pakistan as two possibilities—documents showing the U.S. will receive them are their tickets to being sent here.

The Law School’s International Refugee Assistance Project chapter, led this year by second-year student Ariana Smith, has been participating in the ongoing effort. IRAP is also helping asylees who are already here in the community apply for permanent residency, an International Rescue Committee project.

“While we work with clients who are coming from a variety of different countries, this year there is, of course, an especially large need to assist Afghans,” Smith said.

“Although humanitarian parole allows for lawful presence within the United States, it doesn’t confer any immigration status or provide parolees with a path to lawful permanent residence. Thus, once parolees arrive in the U.S., they must take additional steps before their parole expires to ensure that they can legally remain in the U.S. once the period of humanitarian parole has ended.”

—Eric Williamson
“ONE OF MY TASKS as the pre-law fellow was to help moot attorneys for their oral arguments at the Fourth U.S. Circuit Court of Appeals, Supreme Court of Virginia and the U.S. Supreme Court. In 2019, while then-Solicitor General Toby Heytens [a 2000 UVA Law graduate and then a faculty member] prepared to argue a case in front of SCOTUS, I sat in a crowded conference room, surrounded by incredibly accomplished lawyers. I watched then-Solicitor General Heytens answer every question thrown at him intelligently and confidently. But because I had not yet gone to law school, many of the questions and words being thrown around simply did not make sense. It was in that moment that I decided I wanted to go to law school.”

—NATALIA HEGUABURO ’23

“The first 100 days of a new presidential administration are incredibly intense, especially during a pandemic, and even more so when there are such drastic changes in policies. I had two main functions in my role [as deputy White House liaison at the Environmental Protection Agency]. The first was personnel and hiring political appointees by determining the needs of the agency and the White House’s vision for the agency. I conducted interviews and created the system where we tracked the hiring process.

“The second part of my job was providing a report to the White House based on the updates from the different program offices. It was truly incredible to see all the work the EPA does day in and day out, much of it going unnoticed but all of it critical to ensuring not only the well-being of our planet but to our own public health.”

—FERNANDO MERCADO-VIOLAND ’24

was appointed to the Virginia Council on Environmental Justice on Sept. 17
HOLDING OTHERS ACCOUNTABLE

BY MARK F. BERNSTEIN '89
WITH THE APPOINTMENT LAST NOVEMBER of Erica Y. Williams ’98 as chair of the Public Company Accounting Oversight Board—as well as three other new members—the board achieved a milestone: It marked the first time the agency had a nonwhite majority, and Williams is the first person of color to lead the board.

“I always think it is important for regulators to reflect the people they represent,” she said, “so I’m really proud that this is the most diverse board in PCAOB history.”

Members of the PCAOB, a nonprofit corporation established under the Sarbanes-Oxley Act of 2002, are appointed by the Securities and Exchange Commission, which oversees its operations. Williams assumes the chair with nearly 12 years of experience working at the SEC amid stints in private practice and one at the White House. She takes office with a lot on her plate. As its name suggests, the PCAOB’s mission is to oversee accounting for all publicly traded companies and registered broker-dealers in the United States and in more than 50 countries.

“We audit the auditors,” is how Williams put it, but the PCAOB’s full portfolio is broader than that. Indeed, it does ensure that accounting firms and broker-dealers comply with the latest accounting standards, but it also defines those standards for the industry and enforces violations.

“We want to further the public interest in preparing accurate independent and informative audit reports,” Williams said. “We want to make sure that when investors see the audits of public companies, they can rely on those audits and therefore rely on the financial information they receive from the public companies they are investing in.”

One current challenge Williams and the board face comes from companies based in China and Hong Kong, which trade in American markets but do not allow the PCAOB to audit their auditors. The Holding Foreign Companies Accountable Act of 2020 requires all companies listed on American stock exchanges to certify that they are not owned or controlled by the Chinese government. Furthermore, companies that do not allow the PCAOB to review their audits could be barred from selling on American exchanges. Williams says that negotiations with the Chinese government are ongoing and hopes that an agreement can be reached to resolve the dispute.

High-level accounting and securities work is not where Williams thought her career would lead, she admits. A Double Hoo who majored in sociology at UVA as an undergraduate, she was active in the Black Law Students Association and credits Professor Anne Coughlin, and a course Coughlin taught on feminist jurisprudence, for making her more confident and more of a critical thinker.

“I had more fun in law school than I think anyone is supposed to have,” she added.

Williams joined the D.C. office of Arnold & Porter as a litigation associate after graduation, but her desire for more trial work impelled her to take a job as assistant chief litigation counsel at the SEC in 2004. She rose through the ranks, serving as counsel to the chair and eventually becoming the SEC’s deputy chief of staff in 2012.

Williams might have remained at the SEC had she not gotten a job in the Obama administration in 2015. Williams worked as a special assistant associate counsel, advising the National Economic Council, the Council of Economic Advisors and other groups within the executive branch on financial and economic matters. One project that she said stood out was the Puerto Rico Oversight, Management, and Economic Stability Act, which created a financial oversight board to help the Puerto Rican government restructure its debt. When the Obama administration ended, she returned to private practice as a partner at Kirkland & Ellis before moving back into government and the PCAOB.

As chair of the PCAOB, Williams won’t have many opportunities to get into court, and she says she misses that. “When people ask me what my favorite job was at SEC,” she reflected, “my fondest memories are of standing up in court, saying, ‘Erica Williams on behalf of the Securities and Exchange Commission,’ and litigating cases to try to bring people to account for harming investors.”

“I’m just really glad to be back in public service, working to protect investors.”
ANNA CASEY ’17
ASSOCIATE
GIBSON DUNN
WASHINGTON, D.C.

DESCRIBE YOUR WORK: Most of my work involves labor and employment matters in which our firm represents employers in different federal district and appellate courts and before the Equal Employment Opportunity Commission and other state agencies. In addition to my labor and employment practice, I have also worked on antitrust matters. I really enjoy how people-centric my work is. Whether it is preparing a new witness for a deposition, thinking through how a judge will receive a piece of evidence, or trying to understand how a client’s workforce operates day to day, I spend a lot of my time thinking about the law and people.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? I like exploring new restaurants in D.C. and trying to keep my high-maintenance plants alive. I also like to read, especially contemporary fiction, and I’m an avid fan of my Baylor Bears. And, of course, I love being an aunt, and I treat spoiling my nephews and niece like a hobby.

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? Certainly not! For one, I did not expect to spend so many of the early years of my legal career working remotely. I had my first oral argument in federal court over Zoom—which is something I never would have seen coming in 2017.

WHAT DO YOU LIKE ABOUT YOUR LIFE 5 YEARS AFTER LAW SCHOOL? After five years, I am thankful that I still really like being a lawyer. I like the quiet days I spend alone drafting a brief or motion, but I also like the busy days with back-to-back Zooms and calls. Equally important, I am happy that I still count so many UVA Law alums as dear friends.
DESCRIBE YOUR WORK: I work for George Mason University’s Institutional Compliance Office. We keep track of the laws university employees need to follow, and make sure we have a plan to stay on the right side of them. My focus is on ethics rules and laws about employees’ financial interests, especially Virginia Code Section 2.2-3100 and what follows. Our goal is that no one at Mason accidentally breaks the rules and that we’ll find out if someone breaks them on purpose. (Which can be harder than it sounds!) Day to day, I investigate claims of ethics violations, train and advise employees, and oversee our conflict of interests program. There’s always some unexpected question coming up! I also just taught my first course as an adjunct professor, on higher education law.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? My family loves to travel together, and we’ve been planning for when we can see the world again! Next on our list is a road trip around France to visit all the cathedrals I studied as a UVA undergrad. I also love watching true crime documentaries and relentlessly discussing them with my friends, skiing and gardening.

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? Not at all! Other than working in public service, nothing could be more different from my original plan to become a prosecutor. I never expected that my Kennedy Law Fellow gig at Mason would lead to a career in compliance and ethics, much less that I’d write university policy, be a Freedom of Information Act officer, do Equal Employment Opportunity investigations or serve as interim Title IX coordinator along the way. But I’ve had incredible experiences, met irreplaceable colleagues and friends, and learned so much. I’m truly thankful for the plans that didn’t work out as much as the ones that did.

WHAT DO YOU LIKE ABOUT YOUR LIFE 10 YEARS AFTER LAW SCHOOL? I love applying my legal skills in unexpected ways. I’m also grateful for the opportunity to pass on my knowledge to others, so I can start to pay forward the help my mentors gave me. I’m able to spend time doing the things I enjoy. And I’m coming up on my 10 years in public service for the Public Service Loan Forgiveness Program.
DESCRIBE YOUR WORK: I lead diversity, equity and inclusion initiatives at Jenner & Block, a large law firm. I have been at the firm for over six years and it is incredibly rewarding to be able to enact change at both a micro and macro level. My team focuses on recruiting, retaining and advancing diverse lawyers and on creating an inclusive culture at the firm. Through this work, I have the opportunity to work across the organization, and while it has been particularly difficult over the past two years, it also has been deeply rewarding to be able to help lead my firm through these incredibly challenging times.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? I love traveling and learning more about different cultures. I also enjoy running and often combine the two—a good vacation where I have the opportunity to run a race or two is always fun! I also really love karaoke and never pass up the chance to hop on a microphone!

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? Absolutely not. I had no idea jobs like mine existed when I graduated from law school. My path was certainly unique, but while it was unexpected, I absolutely love my career and I don’t take that lightly. As far as my personal life, I love living in D.C. and certainly didn’t predict that I’d end up in a big city. I have lived here for over 13 years and it has come to feel like home. I have somehow managed to carve out a meaningful life full of friends, family and lots of small joys that add up to a good life. While I couldn’t have planned it, I am happy I’m here.

WHAT DO YOU LIKE ABOUT YOUR LIFE 15 YEARS AFTER LAW SCHOOL? Fifteen years out, I love how confident I am in my choices and decisions. I feel like I found fulfilling and meaningful work, and I have lots of love in my life. I love staying connected to law school classmates—I just took a short trip with one of my roomies and we’re just as close as we were in 2007. I feel grateful for still being connected to UVA and for living close enough that I can visit every so often. Despite some hard times, life is good!
DESCRIBE YOUR WORK: I am the West Coast emerging growth practice leader for Morgan Lewis, based in Silicon Valley. Our emerging growth practice covers seed to late-stage venture financings, merger and acquisition transactions, and public offerings for company and investor-side clients on both coasts and globally. My practice focuses on venture financings with an emphasis on corporate venture capital. I enjoy working with strategic investors since, in addition to the financial terms, you have to think through the governance and control issues from a corporate partner perspective, and you can delve into the technology aspects of a large corporate partnering with a startup to develop new product categories. In that role, it’s immensely rewarding to help each side bridge the legal, technical and cultural gap that exists between the incumbents and the innovators.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? Living in the Bay Area makes a great launch point for biking, trail runs and swimming year-round with my two daughters. We share a place in Aptos on Monterey Bay, which is convenient for weekend beach trips and has been well used during the pandemic. Also, I volunteer as a mentor at a STEM magnet school in East Menlo Park located near the Facebook campus. Working with high school students on their resumes and elevator pitches is a lot of fun, and I have learned a lot myself about the importance of keeping your skills current.

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? Amazingly, yes, the hard work and time spent building the practice and long-term relationships with colleagues and clients have really paid off, so that it’s hard to see the lines between work, friends, family and community.

WHAT DO YOU LIKE ABOUT YOUR LIFE 25 YEARS AFTER LAW SCHOOL? I love being in this role of adviser, mentor, father, helper and listener; you have the opportunity to keep learning and growing by sharing knowledge and insights that hopefully make a difference in peoples’ lives.
AN UNLIKELY YOUTUBE STAR

BY ERIC WILLIAMSON
employer. Goldman Sachs is a multinational investment bank and financial adviser with a market capitalization estimated at almost $130 billion. Donovan joined Goldman in 1993, making partner in 2000. He provides counsel to many of Goldman’s largest corporate and individual clients, placing him within an ever-expanding sphere of influence.

His responsibilities “can involve everything from routine maintenance to complex negotiations and working alongside the expert team at Goldman Sachs to help them with whatever services the client requires, whether that be selling their company or hedging their currency risk,” he said.

In 2017, Donovan’s profile rose as President Donald Trump’s nominee for deputy secretary of the treasury. Although Donovan withdrew from consideration, he later accepted an appointment on the President’s Intelligence Advisory Board.

He currently serves on the board of the Foundation for the National Institutes of Health. He also has been a trustee of the Dana-Farber Cancer Institute. An avid runner, he participates in road races to raise money for cancer prevention and treatment.

Donovan views sharing his knowledge as part of his overall public service. He’s been teaching at the Law School for 14 years.

“Teaching is my favorite thing to do, and I am so fortunate to be able to do it at UVA,” he said. “I love UVA, the campus, the faculty and the students here. As I always say, it is a school where the students like the faculty, the faculty like the students, the students like each other and the faculty like each other. That collegial environment is unique.”

Donovan is so dedicated to the Law School that he’s never cashed a paycheck. Rather, he forwards his teaching stipends to a Law School Foundation need-based scholarship fund.

“One template for becoming a YouTube star involves the over-caffeinated approach, cranking out content low on substance and high on salesmanship, with the “personality” inevitably closing each video with an appeal to like, share and subscribe.

Another approach simply involves being yourself and presenting information of value, and the audience follows.

Jim Donovan, an adjunct professor at the Law School and vice chairman of global client coverage at Goldman Sachs, is of the you-do-you variety. He stars in only two videos on UVA Law’s YouTube channel, yet they have racked up a collective 2.6 million views and counting.

“I am surprised and humbled that people have taken an interest in what I have to say,” Donovan said.

The channel, with more than 63,000 subscribers, has over 7 million lifetime views, but its most-viewed video by far is Donovan’s “Are You Destined to Deal?” The talk focuses largely on the skills that Donovan views as essential to pursuing a successful career as a dealmaker. “Managing Client Relationships,” meanwhile, identifies behaviors that endear and retain clients.

In both, the plainspoken Donovan speaks candidly to a lecture room full of students. He’s not putting on a motivational perfor-

mance. The talks, instead, arise from courses he teaches on business strategy and leadership, which are part of the John W. Glynn, Jr. Law & Business Program. His most recent offering was the short course Corporate Strategy, presented last fall.

“I really like these types of videos,” one commenter states under the deals talk. “No feel-good motivation, straight to the facts.”

A second says, “[T]his is probably the most helpful talk about investment banking I’ve seen.”

Donovan, a Harvard-trained lawyer, suspects that the secret to his videos’ success may have something to do with the feeling that a veil has been lifted.

“As a field, investment banking tends to be a bit enigmatic to those who aren’t familiar with it,” he said. “I hope I provided insights that perhaps were somewhat demystifying, while simultaneously recognizing it’s a highly sought-after profession for a reason. It’s always nice to feel like you are being brought into the process and behind the curtain.”

Some of his YouTube viewers, no doubt, may also be drawn to the instructor himself and the mystique that surrounds his influential

ADJUNCT PROFESSOR JIM DONOVAN OF GOLDMAN SACHS DONATES KNOWLEDGE—AND 14 YEARS OF PAYCHECKS—TO STUDENTS
ONE ASPECT OF THE U.S. SUPREME COURT’S OSHA VACCINATION DECISION REALLY SURPRISED ME: its disregard of equitable discretion, to the point of denying that it exists. If taken at face value, this aspect of the court’s ruling represents a major break from settled practice.

The statutory question was whether OSHA had authority to promulgate a conditional vaccination requirement for many employees. The court answered in the negative, but that did not end the case. The court then had to go further and decide whether to grant a stay or injunction of the government’s temporary regulation. That sort of relief is equitable in nature and usually guided by a series of factors that include not just the merits but also whether there is irreparable injury, whether the balance of equities favors relief, and whether relief is in the public interest. See, for example, Nken v. Holder (2009) and Alabama Association of Realtors v. Department of Health and Human Services (2021) (with Justice Brett Kavanaugh concurring). More broadly, equity has long been viewed as a source of judicial discretion, allowing courts to smooth over the law’s harder edges.

In the OSHA case, there was a strong argument that equity precluded broad relief. If it accepted the executive branch’s view that thousands of lives were at stake, the court would be hard-pressed to deny that both the balance of equities and the public interest counseled against interim relief.

Yet here is the entirety of what the court said, with the operational sentences in bold:

THE EQUITIES DO NOT JUSTIFY withholdNG INTERIM RELIEF. We are told by the States and the employers that OSHA’s mandate will force them to incur billions of dollars in unrecoverable compliance costs and will cause hundreds of thousands of employees to leave their jobs. See Application in No. 21A244, pp. 25-32; Application in No. 21A247, pp. 32-33; see also 86 Fed. Reg. 61475. For its part, the Federal Government says that the mandate will save over 6,500 lives and prevent hundreds of thousands of hospitalizations. OSHA Response 83; see also 86 Fed. Reg. 61408.

IT IS NOT OUR ROLE to weigh such tradeoffs. In our system of government, that is the responsibility of those chosen by the people through democratic processes. Although Congress has indisputably given OSHA the power to regulate occupational dangers, it has not given that agency the power to regulate public health more broadly. Requiring the vaccination of 84 million Americans, selected simply because they work for employers with more than 100 employees, certainly falls in the latter category.

The court appears to be saying that its “role” is not to consider the “equities.” Importantly, the court does not claim that any remedial statute has cabined its equitable discretion. Instead, the idea appears to be that the court, because of its function or nature, cannot “weigh...tradeoffs.” Again, however, equity is about doing just that. And equitable discretion is not only recognized in the court’s case law but part of a tradition that dates back centuries and is named in the Constitution.

Perhaps the passage above is somehow the unfortunate result of hasty writing by justices focused on the merits. The court may actually have engaged in an equitable analysis, or thought a remedial statute cabined its discretion, or otherwise believed that stays of regulations are exempt from the normal demands of equity. The best reason to adopt one of those heroic readings is that it is hard to believe that the court would intentionally reject equity in such an elliptical and spontaneous way.

Even if the passage wasn’t intended to repudiate equity, however, the court does seem to be tilting against it. Weighing hard tradeoffs is the heady work of elected officials, the passage seems to be saying, not humble judges like us.

Yet the choice to curtail judicial discretion, or to promote the law’s determinacy, is itself intensely value-laden. So judicial efforts to rigidify equitable discretion are not actually humble. Even more importantly, equitable discretion is not just a power but a burden, too. Sloughing off equitable principles can therefore liberate judges, including by making judicial decisions seem more self-executing and automatic.

The court may not have wanted to take responsibility for the discretionary choice to block the regulation. But equity required it to do so.

RICHARD M. RE is the Joel B. Piassick Research Professor of Law. This essay was originally published in his blog, Re’s Judicata.
THE WEIGHT OF THE WORLD
If the world has learned one thing from the COVID-19 virus, it’s that pandemics know no borders.

When the virus hit in early 2020, nations adopted various—and often conflicting—domestic policies and procedures to prevent its rapid spread. But the interconnectedness of the modern global village worked to the virus’ advantage. It spread precisely because of it.

Interconnectedness, however, cuts two ways. The World Health Organization leveraged this same global village to bring scientists from across the world together to share information that would result in life-saving vaccines produced in an unprecedentedly short amount of time.

Humanity seems to be learning new lessons about how important working across international boundaries can be. The same observation can be made about Russia’s war in Ukraine. While nations’ foreign policies vary, the international community has come together in unprecedented ways to condemn Russia’s invasion and support Ukraine.

A U.N. General Assembly motion demanding Russia immediately withdraw from Ukraine drew support from 141 of the U.N.’s 193 member nations. The International Criminal Court launched a war crimes investigation at the behest of nearly 40 countries. Russia is now the most widely sanctioned country in the world, surpassing North Korea and Iran.

The international responses to the pandemic and the war in Ukraine point to the need for more discussion about the role of international institutions in preventing and solving global problems, according to Professor Camilo Sánchez, who directs the Law School’s Center for International & Comparative Law with Professor Mila Versteeg.

“Nationalist governments claim their domestic institutions should make decisions and take action without any interference or control by international bodies,” he said. “On the other hand, multilateralism advocates defend a leading role for international institutions, even though they admit that their current performance is far from perfect.”

What exactly, then, should the relationship be between domestic and international institutions that are both working to solve the same global issues?

Faculty members at UVA Law are looking at questions about the challenging relationship between national and international institutions—both public and private—from many angles in their research.

“The depth of our faculty’s engagement on these important issues is remarkable,” Dean Risa Goluboff said. “They bring to light so many ways in which international relationships are more relevant, and more complex, than ever.”
Many countries responded to the COVID-19 pandemic by declaring states of emergency, enabling them to enact a wide range of extraordinary legal controls, including lockdowns, data collection and border controls in attempts to slow the spread of the virus. Such policies have been successful in some contexts, but are also subject to abuse.

“Experience shows the importance of exercising such powers with extreme caution,” Professor Camilo Sánchez says in a co-authored article published by the London School of Economics blog Women, Peace and Security.

“Such measures have been used to consolidate governmental power and to weaken the opposition,” he says, “often using the health crisis as a pretext.” Militarization of the crisis has also been used to impede democratic elections and limit other rights.

For example, in Colombia, the government has promulgated hundreds of new regulations to confront the virus, Sanchez writes in an article published on New York University School of Law’s Just Security blog. The sheer number of new directives makes it hard for the country’s legislative and judicial branches—or international human rights institutions—to monitor what is happening in the country.

Although the Colombian government has not resorted to extreme authoritarian measures during the pandemic, Sánchez says, it has attempted to unilaterally reform the 2016 peace agreement, substituted virtual hearings for in-person meetings with marginalized communities, and engendered corruption by granting powers to governors to choose vendors and agree to prices without control or supervision.

Nations’ use of emergency powers needs to be monitored and evaluated to respect human rights and prevent abuse, Sánchez writes on the LSE blog.

“Placing restrictions on rights is governed by very strict rules, and enacting states of emergencies is limited by international law,” he says.

One positive thing to come out of the COVID-19 crisis has been the rapid development and implementation of monitoring tools that track state of emergency data and policy responses by national governments.

“These databases will be tremendously useful for international human rights organizations in monitoring the wide variety of measures to determine if governments are complying with their human rights obligations,” Sánchez says.

CAMILO SÁNCHEZ directs the school’s International Human Rights Clinic and Human Rights Program, in addition to the Center for International & Comparative Law.
Successfully addressing global climate change will likely require contributions from every nation on Earth.

Countries struggling with debt, however, are unlikely to be able to devote financial resources to mitigate the effects of climate change, UVA Law professor Mitu Gulati, Lee Buchheit and several other scholars say in their new paper, “Environmental Protection and Sovereign Debt Restructuring.”

Belize, for example, is a tropical paradise. A Central American country with miles of beaches bordering the Caribbean Sea, Belize’s barrier reef is a World Heritage Site and a snorkeler’s dream. Its unsustainable debt levels, however, are far from utopic, having required the country to undergo debt restructuring negotiations five times in the past 15 years.

Belize’s latest restructuring deal, however, conferred unexpected benefits on the environment.

“Belize’s debt restructuring in 2021 is a rare example of a deliberate attempt to incorporate environmental protection features in a sovereign debt workout,” the scholars write.

While sovereign debt restructuring can take many forms, this method allows the debtor country to discharge a portion of its debt by “paying the equivalent amount in local currency to fund environmental and conservation projects within its own territory,” Gulati and Buchheit say in a 2021 opinion piece published in the Financial Times.

Using this technique, Belize paid off its “superbond” at 55 cents on the dollar in an agreement with The Nature Conservancy, a non-governmental organization which funded the buyback. In return, Belize agreed to expand its marine conservation program, including funding an endowment account to be used in perpetuity.

Similar debt-for-nature swaps have existed for over 30 years, but historically have involved relatively small amounts owed to other countries, Buchheit told The Economist in a 2021 article.

Belize’s deal, on the other hand, realized $250 million in debt reduction on a $553 million liability to commercial investors. Significantly, creditors received a “greenium” on the deal in the form of public good will for supporting green projects.

Marrying sovereign debt relief and environmental protection may soon prove beneficial for other debt-ridden countries.

Creative application of the technique could potentially neutralize the impact of the International Monetary Fund’s contentious surcharges in Argentina’s ongoing debt negotiations, the scholars say.

“Surcharges could, at the sovereign debtor’s option, be discharged by the funding of one or more pre-approved and independently monitored environment-friendly projects in the debtor country.”

The approach could “sweeten the pot” during negotiations for investors and sovereigns alike.

With 14 countries currently paying surcharges on their IMF loans, it’s an idea that could positively impact the environment for years to come.

MITU GULATI, the John V. Ray Research Professor of Law, focuses his teaching and writing on sovereign debt restructuring and contracts, and explores how to help countries in financial distress.
During the 20th century, nations competed for tax revenue in a brick-and-mortar economy and countries unilaterally set their own tax rates. Bilateral treaties designed to prevent double taxation permitted countries to tax companies only if the company had a physical presence within the country. This nexus requirement aimed to ensure companies had meaningful contacts with the countries that taxed them.

Fast forward to October 2021, when more than 130 countries agreed to new international tax rules. In addition to establishing a new nexus rule, the agreement focuses on preventing under-taxation of companies, setting a global minimum tax of 15 percent.

What happened?

No less than “The Transformation of International Tax,” according to Professor Ruth Mason, in an article published in 2020 in the American Journal of International Law.

“International tax involves a collective action problem,” Mason writes. “To attract inbound business and investment, countries lowered their tax rates—some to near zero. By appearing for tax purposes to earn income in these low-tax jurisdictions, companies avoided significant tax.”

During the 2008 financial crisis, infuriated voters cried foul. “Suddenly, voters were paying attention to corporate tax and that meant politicians had to pay attention, too,” Mason explained in her 2021 chair lecture in September at the Law School.

The G-20 heeded the call, delegating to the Organization for Economic Cooperation and Development the task to fix corporate tax avoidance. The OECD and its member states made major advances in curbing corporate tax avoidance, but it wasn’t enough. Countries remained unsatisfied with the old physical-presence nexus rule, and countries could still compete on tax rates.

That dissatisfaction led to major defections from the international tax regime, which, in turn, motivated countries to come together once again at the OECD to do more to modernize the tax system and curb tax competition. The new deal’s two-pronged approach establishes a global minimum tax rate of 15 percent and makes it harder for the world’s most profitable companies to avoid taxation in countries where they do business but have no physical presence.

While the fine points are still being agreed upon, the deal is a watershed in international tax cooperation, Mason said.

“The big story here is that 136 countries agreed on anything. And even though the number of companies affected is small, this deal may be just the starting point.”

RUTH MASON, the Edwin S. Cohen Distinguished Professor of Law and Taxation, co-edits Kluwer’s Series on International Taxation, and is a member of the editorial board of the World Tax Journal. Her recent work considering multilateral efforts to reform corporate taxation includes “The 2021 Compromise,” “The Transformation of International Tax” and “Digital Battlefront in the Tax Wars.”
U.N. guidelines suggest multinational corporations “should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.” Nonetheless, international law does not require countries to impose human rights responsibilities on corporate nationals.

How can nations be persuaded to implement U.N. guidance regarding corporations and human rights?

Until recently, the United States permitted victims of worldwide human rights violations to sue corporations civilly for relief under the Alien Tort Statute. This litigation put control in the hands of victims, but relied on vague international rules governing private behavior, and heightened international tensions because of jurisdictional objections.

Recent Supreme Court cases “severely curtailed the reach of the ATS, making it nearly impossible to hold multinational corporations accountable in the United States for grave human rights violations overseas,” according to a 2021 article published in the Boston University Law Review by Professors Pierre-Hugues Verdier and Paul B. Stephan ’77.

Currently, no other viable mechanisms of enforcement exist. “If the United States is to address the problem of corporate complicity in human rights violations,” Verdier and Stephan write, “new legislation is needed.”


“In that field, antibribery law, the United States staked out a leading international position, eventually inducing other important home states of multinational corporations to join it in suppressing corruption of foreign officials,” they say.

Modeling legislation on the criminal provisions of the FCPA, they argue, would lead to clear rules, link jurisdiction to U.S. capital markets, and “give the United States a tool with which to goad other states to cooperate in human rights enforcement.” The strategy, they say, could potentially lead to adoption of a new international convention, as it did in the case of the FCPA.

The proposal could also incentivize multinational corporations to adopt compliance programs, investigate potential violations, discipline the individuals involved and report violations to prosecutors—all byproducts of the FCPA—which could reduce human rights violations worldwide.


PAUL B. STEPHAN is the John C. Jeffries, Jr., Distinguished Professor of Law and the David H. Ibbeken ’71 Research Professor of Law. His forthcoming book is “The World Crisis and International Law: The Knowledge Economy and the Battle for the Future.”
States and nongovernmental organizations are not the only entities working alongside international institutions to solve global issues.

Because court enforcement of international law has been curtailed in the United States (see p. 37), other organizations, including corporations, are filling in the gaps.

A 2021 paper by Professor Jay Butler, “The Corporate Keepers of International Law,” examines the ways in which corporations are enhancing the effectiveness of international law.

An example of this, Butler writes, is when dozens of U.S.
Corporations are enhancing the effectiveness of international law.

A recently updated paper co-authored by Professor Kevin Cope has laid the groundwork for a new line of empirical research on how states interact when negotiating multilateral treaties.

“The Limits of Information Revelation in Multilateral Negotiation: A Theory of Treatymaking,” authored with James Morrow of the University of Michigan, uses mechanism design, which is derived from game theory, to examine what information states will reveal to each other during treaty negotiations.

Because states ultimately can opt out of the treaty, conciliators must be able to successfully “distinguish between state demands that are sincere deal-breakers and those which are idle threats,” Cope said.

Focusing on treaties that set common standards, Cope and his co-author show the conditions under which countries reveal their true preferences for a particular set of treaty terms.

Specifically, Cope said, states will reveal the direction they would like the treaty to move in but will not reveal exactly how far it must move to secure their ratification. States requiring concessions to ratify may exaggerate the size of the concession required; states intending to ratify without concessions may nonetheless signal concessions are required.

The paper also concludes that states deriving “large utility” from the treaty as proposed tend to reveal that information; states that would oppose any plausible version of treaty will likely reveal this as well, because they have nothing to lose.

KEVIN COPE is an associate professor at the Law School, an associate professor of law and public policy at the Batten School of Leadership and Public Policy, and a faculty affiliate at UVA’s Woodrow Wilson Department of Politics. His research focuses on the measurement of legal and political phenomena.

MEASURING INTERNATIONAL LAW

companies announced that, despite President Donald Trump’s decision to withdraw from the Paris Climate Accords, they would still voluntarily reduce emissions to ensure U.S. compliance with the accord’s key provisions.

Such corporate decision-making “represents the potential of transcending the state not in favor of lawlessness, but instead in order to adopt an alternate regulatory regime provided by international law,” Butler writes.

Why would corporations do this? In some cases, external motivators such as legal requirements or sanctions imposed by the state influence them, Butler says. In other cases, internal motivation prompts action that is often—but not always—aligned with corporate profit.

“In the example of the Paris Climate Accord,” Butler writes, many companies have explained their actions “according to a sense of fidelity to the Paris Accord and the desire to see it enforced.”

He says corporate behavior in the international sphere is profit-driven and many corporations have committed violations of international law in addition to looming large in the history of imperialism.

Nevertheless, corporate decision-making is already supporting international norms in a wide range of areas, Butler says, including the death penalty, internet governance and technology, the arms trade, international investment and the environment. Questions arise, however, when corporations use economic coercion in the form of doing—or limiting—business with countries whose policies they disagree with.

“Limiting business involvement with a state essentially makes the businesses agents of the international legal system,” Butler says. “A company that no longer markets certain goods in a state has essentially become an enforcer of international law.”

“The Corporate Keepers of International Law” was awarded the American Journal of International Law’s Francis Deák Prize in 2021.

JAY BUTLER, who joined the faculty in 2021, focuses his scholarship and teaching on international law, corporations and contracts.
Foreign relations law is one mechanism countries use to balance national sovereignty with international law when addressing global issues such as security, trade and environmental protection.

A new paper by Professors Mila Versteeg, Kevin Cope and Pierre-Hugues Verdier shows nations’ legal origins and colonial legacies drive their foreign relations choices, to a surprising degree.

In their article, “The Global Evolution of Foreign Relations Law,” published this year in the American Journal of International Law, the trio examine the most comprehensive dataset of foreign relations law ever assembled, using a statistical technique called ideal point analysis to analyze, track and compare 108 countries’ foreign relations choices over a period of almost 200 years.

Countries’ constitutional architecture for making and enforcing international law—whether such power resides in the country’s executive, legislature, judiciary or some combination thereof—is “at the heart of foreign relations law,” according to the trio. These constitutional rules reflect fundamental design choices for how each country interacts with the rest of the world.

Their data show that a small number of models of foreign relations law emerged in the 19th and early 20th centuries in Western Europe, where they solidified, later spread through colonial channels, and usually survived decolonization. Even in the 21st century, “foreign relations law continues to be shaped primarily by legal origins and colonial legacies,” they write.

Their findings challenge prominent functional political science theories that understand foreign relations law as a strategic tool deployed to further countries’ domestic and international interests.

“Whether a country has civil law or common law legal origins strongly predicts its foreign relations law choices,” the professors say. “Our findings suggest that foreign relations law is far less deliberate and strategic than many theories assume.”

Hewing so closely to the models of their former colonizers means countries “may be missing strategic opportunities,” the professors write. For example, they note that young democracies might make their international commitments more credible by involving their legislatures in treaty ratification and by giving courts greater power to enforce international law.

Such changes could require constitutional amendments, however, which can be difficult to achieve because executive officeholders are hesitant to give up the foreign relations power already vested in them.

For this reason, while increased legislative or judicial involvement may benefit the state, the professors write, “government leaders are engaged in a ‘two-level game’ in which they must weigh the international objectives of the state against their own domestic political goals.”

“Inevitably,” the trio conclude, “the latter often win out.”

MILA VERSTEEG is the Henry L. and Grace Doherty Charitable Foundation Professor of Law, director of the Center for International & Comparative Law, and director of the Human Rights Program at the Law School.

KEVIN COPE is an associate professor of law at the Law School, an associate professor of law and public policy at the Batten School of Leadership and Public Policy, and faculty affiliate at the Woodrow Wilson Department of Politics.

PIERRE-HUGUES VERDIER, the John A. Ewald Jr. Research Professor of Law, specializes in public international law, banking and financial regulation, and international economic relations.
Increasing conflation of U.S. economic and national security interests has set the stage for national security mechanisms to expand, affecting global corporate deal-making and influencing national security processes in other countries, say Professors Kristen Eichensehr and Cathy Hwang in their new paper, “National Security Creep in Corporate Transactions,” forthcoming in the Columbia Law Review. The paper was recently selected for presentation at the Harvard/Yale/Stanford Junior Faculty Forum.

“For several decades,” the pair write, “CFIUS [the Committee on Foreign Investment in the United States] has reviewed investments into the United States for security concerns. The scope of that review, however, has increased in recent years.”

Today, the United States’ broader conception of national security encompasses industries that were not traditionally understood to implicate national security, such as companies that hold sensitive personal data of U.S. citizens. This broader understanding of national security has prompted the U.S. government to order foreign companies to divest their investments in, for example, the dating app Grindr and the video sharing app TikTok. The United States has also barred U.S. entities from investing in companies linked to China’s military and surveillance industry.

While concepts of national security are in flux, the pair argue, their expansion has a number of scholarly and practical implications for national security and contract law, including prompting more challenges by affected companies, increasing skeptical judicial review and affecting corporate contract design costs.

The authors also note the United States is “actively encouraging other countries to establish CFIUS-like processes to review foreign investments implicating national security,” and numerous countries including the European Union, United Kingdom and Australia, have adopted or tightened security reviews of foreign investment in recent years.

“Diffusion of CFIUS-like processes,” they warn, “may heighten the risk of nationalism in investment screening decisions and of blowback for investors from some countries, including the United States, that attempt to invest abroad.”

KRISTEN EICHENSEHR is a Martha Lubin Karsh and Bruce A. Karsh Bicentennial Professor of Law, and director of the school’s National Security Law Center. She is also a member of the U.S. State Department’s Advisory Committee on International Law.

CATHY HWANG, the Barron F. Black Research Professor of Law, teaches and writes on business law topics. Three of her articles have been voted as among the top 10 corporate and securities law articles of the year.
CONFLICT IN
One of the surprising outcomes so far in the conflict in Ukraine has been how the international community has united so resoundingly against Russia and its president, Vladimir Putin.

Just as many didn’t foresee Russia launching a full-scale invasion of all of Ukraine, many doubted the international community would mount much of a response to a possible incursion, given its dependency on Russian energy and its weak response to Russia’s invasion of Crimea in 2014.

Those expectations so far have mostly been proven wrong, with the West and other nations united in lobbing a series of severe financial sanctions at Russia and cutting off business in the country, a goal broadly supported by private industry. That’s left some asking—what other surprises are around the bend?

“I think the last few years are just a list of things that we would have previously thought were unthinkable,” said Professor Kristen Eichensehr, director of UVA’s National Security Law Center, at a March 30 event at the Law School. “And to me, one of the lessons I’m taking away from that is that we’re really not thinking hard enough or creatively enough. And we need to learn to adjust to a world where previously unthinkable things are happening with some frequency.”

Hosted by the Virginia Journal of International Law and moderated by Professor Mitu Gulati, the event offered a snapshot of faculty reactions to a fluid situation.

Professor Pierre-Hugues Verdier said the financial sanctions against Russia—such as imposing sanctions on Russia’s central bank and cutting off Russian commercial banks from international payments—have been “much more sweeping” than in the past and have “never been used or ramped up so rapidly.”

As sanctions are added, he said, “to what extent does it incentivize not only the targets of the sanctions to find ways around them, but third countries that want to keep dealing with them to find ways around the sanctions?”

India has already set up a ruble payment system with Russia, a move that was controversial even among its own citizens.

Professor Paul B. Stephan ’77 suggested the change in attitude toward cooperation was due to a newfound anxiety in the West. He pointed to Brexit and the 2016 presidential election, which “made us feel less resilient, less confident, less sure about this international order and system of international rules that we believe in, so that when we have a rerun of [Russia’s invasion of Crimea in] 2014, now we’re anxious. Now we feel threatened. And we do respond.”


He said the war would take a huge toll on Russia, economically and for the “morale of their human capital,” as well as on Ukraine.

“Ukraine is suffering terribly. I mean, not all the 4 million people who’ve emigrated so far are going to come back,” Stephan said.

Verdier added that the trend in the international community over the past several decades toward greater integration
and interdependence, and of bringing countries with divergent interests into multilateral institutions like the World Trade Organization, may be at a crossroads.

“On the one hand, [that interdependence] means we can sanction the Russian banks, and it has a big impact on Russia because Russia has, for the past 30 years, integrated itself in the world economic system,” Verdier said. “But it also means that everyone from that point on has an interest in cutting these ties and becoming more autarchic, less interdependent. The Germans have all the incentives in the world now to try to reduce their energy dependence on Russia. And if they manage to do that—which will take years and will be hard, but once it’s done, it’s done, and the world will not be the same—there will not be the same incentives to have the kind of political, legal, economic ties as there were before.”

Similarly, once Russia creates paths to work around sanctions—by shifting exports from the West to China, for example—those changes will be difficult to take back.

“I think this is a reorganization of the world economy that’s been going on for a few years, but is being accelerated by this,” Verdier said. “And it’s really going to change the world we live in unless it’s reversed much quicker than I anticipate.”

Lecturer Richard N. Dean ’80, a partner at law firm Baker & McKenzie who is an expert on business in Russia, agreed it was likely to be years before normalcy can be restored there. In pointing out the challenges companies connected to Russia are facing, he noted the number of sanctions Putin has instigated in response to the West’s sanctions.

“More legislation is pending on the Russia side that would put enterprises whose operations have been suspended by foreigners under administration. This is code word for, ‘We’re going to steal your business,’” he said. “You can see how difficult it is for companies to navigate this, both on the U.S. and the Russian side. And it’s a mess—just a mess.”

Eichensehr said the international legal system has a chance to grow and hold Russia accountable not just for starting a war of aggression, but to prosecute perpetrators of war crimes.

Global Impact of Russian and Ukrainian Debt

When the international financial forecast turns ominous, Professor Mitu Gulati gets busy.

A leading expert on the law of sovereign debt restructuring and contracts, Gulati said the COVID-19 pandemic alone “sent up the warning flag for those of us who study financial markets,” and now the conflict in Ukraine is adding more stress.

After horrific human rights violations in Bucha, Ukraine, came to light, the U.N. General Assembly on April 7 suspended Russia’s participation in the U.N. Human Rights Council. In recent weeks, the International Court of Justice ordered provisional measures against Russia, arguing that Russia’s invasion was an unlawful abuse of its obligation to prevent genocide under the Genocide Convention. The European Court of Human Rights has taken similar action for human rights violations by Russian troops, and the International Criminal Court and the U.N. Human Rights Council have open investigations.

“I think the international system is facing a tremendous amount of stress. It is more fragile than we thought,” she said. “But I think it may also have a chance to shine, eventually, in the aftermath of this. So I think we need to think more creatively about how to protect the institutions and values we care about, internationally and domestically.”

An expert in the law of cyberattacks, Eichensehr said that despite some activity against Ukraine’s satellite internet service, Russia so far has not been successful at, or attempted, as much cyberwarfare as expected.

“Is that because Russia tried and failed? Or is it because Russia didn’t try? I think either one of those things is pretty interesting,” she said.

It’s possible the lack of attacks is due to Russia’s incompetence, or because the U.S. and others are mounting strong defenses.

Or perhaps cyberattacks are “just not that valuable.”

“If you’re facing an adversary that’s willing to bomb TV towers, bomb communications infrastructure, bomb all sorts of horrible things, then maybe cyber is just not that useful. Cyber is better when you’re trying to be deniable, when you’re trying to be precise, when you’re trying, maybe, not to be escalatory.”

More action on the cyber front could be forthcoming, she said, noting that President Joe Biden recently warned U.S. critical infrastructure to ramp up their defenses.

Global Impact of Russian and Ukrainian Debt

“When the international financial forecast turns ominous, Professor Mitu Gulati gets busy.

A leading expert on the law of sovereign debt restructuring and contracts, Gulati said the COVID-19 pandemic alone “sent up the warning flag for those of us who study financial markets,” and now the conflict in Ukraine is adding more stress.

After horrific human rights violations in Bucha, Ukraine, came to light, the U.N. General Assembly on April 7 suspended Russia’s participation in the U.N. Human Rights Council. In recent weeks, the International Court of Justice ordered provisional measures against Russia, arguing that Russia’s invasion was an unlawful abuse of its obligation to prevent genocide under the Genocide Convention. The European Court of Human Rights has taken similar action for human rights violations by Russian troops, and the International Criminal Court and the U.N. Human Rights Council have open investigations.

“I think the international system is facing a tremendous amount of stress. It is more fragile than we thought,” she said. “But I think it may also have a chance to shine, eventually, in the aftermath of this. So I think we need to think more creatively about how to protect the institutions and values we care about, internationally and domestically.”

An expert in the law of cyberattacks, Eichensehr said that despite some activity against Ukraine’s satellite internet service, Russia so far has not been successful at, or attempted, as much cyberwarfare as expected.

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More action on the cyber front could be forthcoming, she said, noting that President Joe Biden recently warned U.S. critical infrastructure to ramp up their defenses.

“Potentially, Russia and Ukraine is the bad thing that is not going to allow the global economy to recover,” he said.

Gulati expects Russia to default on its debt soon.

“That would probably lead to the prices for Russian and Ukrainian bonds—and those of companies in those countries that were also borrowing on the international markets—crashing. And then, if investors get panicked about other countries, the implications are dire for a very fragile global economy,” he said. “These are a set of dominoes. Once there is panic, things can turn ugly very quickly.”

The Ukrainian sovereign debt is double that of the Russian debt, Gulati said, and Ukraine was on the brink of defaulting even before the invasion, so Ukraine will likely default soon as well, barring unforeseen circumstances. Under various scenarios Gulati and co-author Lee Buchheit outline in an article for the Financial Times, Russia is likely, under international law, to soon be obligated for the Ukrainian debt, making it potentially on par with some of the largest sovereign defaults in history—conservatively, upward of $150 billion.

The possible fate of Ukraine’s debt is important as a matter of international law, Gulati said, adding that the relevant law
dates back to the late 1880s to mid-1900s.

“That’s when countries used to invade each other and take each other’s territory with impunity,” he said. “It’s an indication that we are seeing something that we didn’t ever expect to see in our lifetimes. At least, I didn’t.”

In a normal sovereign default, the country might negotiate to alleviate its debt in order to repay some parts of it over time.

“This is going to be much more like when the czar was overthrown in the early 1900s and the new government just said, ‘No, we’re a new country. We’re not paying anything,’” Gulati said. “We haven’t seen this kind of thing since the early 1990s. Most investors holding those Russian debt instruments still have not been paid.”

War Crimes in Ukraine

**Professor Thomas Nachbar**, who leads the Law School’s Innovating for Defense class as well as courses in antitrust and contracts, has also written on war crimes and is a judge advocate in the U.S. Army Reserve. Among other assignments, he served in Iraq during the fight against ISIS and has edited the Army’s “Rule of Law Handbook.”

In recent weeks he has been featured in the media to help explain the law of war crimes.

In the UVA Miller Center article “Ukraine and the Future of War Crimes,” he explains why Ukraine’s actions also matter in a potential case holding Russia responsible for war crimes.

“The war in Ukraine is a particularly high-profile example of a decreasingly frequent event: a conflict governed by Common Article 2 of the 1949 Geneva Conventions. That is, it is a war between two or more states, all of whom are parties to the Geneva Conventions,” he writes. Wars in recent years have often featured more irregular or mixed conflict, involving state and nonstate actors, like al-Qaida and ISIS.

“In Common Article 2 conflicts, different and clearer rules apply than in irregular wars, which makes it comparatively easier to determine if there’s been an actual war crime,” he writes.

Nachbar said Ukraine could help make it easier to prosecute any alleged Russian war crimes by ensuring nonstate actors like informal insurgent groups don’t get involved in fighting.

“If nonstate actors—such as informal insurgent groups—start taking part in the conflict, the war will become a mixed one, and it will be comparatively hard to determine which rules apply in which circumstances.”

Nachbar noted that the law of armed conflict imposes an obligation to “not only distinguish between military and civilian targets, called ‘offensive distinction,’ but also to distinguish their own forces from civilians, known as ‘defensive distinction.’”

“Russian bombardment of cities is a violation of offensive distinction if Russia fails to distinguish between military and civilian targets, but strikes in populated areas have been a necessary part of many irregular conflicts because irregular forces so frequently fail to engage in defensive distinction.”

He pointed to ISIS’ common practice of hiding among civilians and using human shields as a failure of defensive distinction—a war crime.

“The Ukrainians, by keeping their military forces distinct, can remove the cloud of doubt that shrouds so many inquiries into civilian casualties. Defensive distinction is costly, but not only is it a legal obligation, it enables accountability by making offensive distinction violations all the more clear,” he said.
TWICE A DIPLOMAT
Mark F. Brzezinski ’91, confirmed by the U.S. Senate on Dec. 18 as the ambassador to Poland, was in a whirlwind of activity.

Though this will be his second such post—he served as U.S. ambassador to Sweden under President Barack Obama from 2011 to 2015—the Law School alumnus still had much to prepare for. He received extensive background briefings and attended ambassadorial school for three weeks in January. His classmates included former Chicago Mayor Rahm Emanuel (Japan); former Republican Sen. Jeff Flake (Turkey); Cindy McCain, widow of U.S. Sen. John McCain (U.N. food agencies); and dozens of other confirmed officials.

“We were all together in a room at the Foreign Service Institute,” he said. “A humongous room, I should say.”

He also brushed up on his Polish. As a Fulbright scholar in Warsaw after graduating from the Law School, he swapped language lessons with fellow students because “my Polish was very weak.” Still, he noted, “In the State Department rankings of difficult languages, Polish is near the top of the list, even though it uses a Roman alphabet.”

And then he was packing up his household, preparing to ship belongings by sea and air, and readying his daughter, Aurora, 12, for the adventure of a lifetime. Accompanying them is their 112-pound German shepherd, Teddy, who will have his own diplomatic mission as the official @AmbassadogTeddy.

(About a month after Brzezinski arrived, his job changed course, as Russia invaded Poland’s neighbor, Ukraine. See sidebar.)

Speaking by phone from his home in Alexandria, Virginia, before departing for Warsaw on Jan. 20, Brzezinski sounded exhilarated, despite all the duties and tasks ahead.

“I am so excited about this mission,” he said. “It links to something I started at UVA in 1990, and that was writing about Poland’s long-term constitutional heritage. When the Poles created their constitution in 1791, it was only the second country in world history to adopt a written constitution.” The first, of course, was the United States.

The son of Polish-born Zbigniew Brzezinski, President Jimmy Carter’s national security adviser, and brother of Mika Brzezinski of MSNBC’s “Morning Joe,” Mark Brzezinski came to UVA Law after majoring in government at Dartmouth College. What attracted him to UVA?

“Where UVA is situated is very beautiful, but it was really the commitment to public service,” he said. “So much of what UVA stands for is public service and giving back to a larger set of goals. I wanted to be part of that community.”

What he remembers most about the Law School was how rigorous the curriculum was, but also how willing classmates
were to “jump in and help each other.”

“That’s the amazing, beautiful, wonderful thing about the UVA Law School, and it was a huge teachable moment for me,” he said.

And that, he said, is also the ethos of diplomacy. “Challenges like pandemics and economic uncertainties are not just American challenges, they’re international challenges. The essence of diplomacy is to bring collective impact to a challenge.”

Brzezinski’s new post is a homecoming of sorts. From 1991 to 1995, he was a Fulbright scholar at the Polish Constitutional Court, an Oxford-Soros Lecturer at the University of Warsaw and a National Forum Foundation Fellow at the Warsaw-based Helsinki Foundation for Human Rights.

His 1997 book, “The Struggle for Constitutionalism in Poland,” was the outcome of his Oxford University doctoral thesis. “It has 400 footnotes!” he said. “The research and the interest I have is personal.”

The book had its roots at UVA. “It evolved from a note I wrote in the Virginia Law Review, ‘Law v. Power: The Case of Poland,’” Brzezinski recalled. “I dove into research into the steps taken by Poles over the centuries to wrestle with constitutionalism.”

He said he remains grateful to David A Martin, Warner-Booker Distinguished Professor of International Law Emeritus, and A. E. Dick Howard ’61, who currently holds that chair, for their insights and guidance.

More than two decades later, Poland still faces significant challenges. Its government, under the Law and Justice Party, has consistently moved the country to the right, clamping down on immigration, protest, media freedom, freedom of speech and LGBTQ+ protections.

“There’s a difference,” Brzezinski said, “between a constitution and constitutionalism. The former is a document, the latter a state of mind. Power can only act within a constitution. One of my missions is to convey that America embraces equality, America embraces democracy and America embraces the rule of law.”

He is undaunted by the political situation in Poland.

“Two things can be true at once,” he said. “First, the United States stands foursquare with Poles over their sovereignty and security, NATO Article 5”—which ensures mutual defense—“and their freedom and independence.

“A second thing is also true: The United States is commit-
LESS THAN TWO MONTHS AFTER MARK BRZEZINSKI ’91 began his role as U.S. ambassador to Poland, his already-demanding job ramped up considerably. With Russia’s invasion into Ukraine spurring broad international condemnation and drawing attention to the region, Poland has been ground zero for diplomatic efforts. In an interview with Yahoo News’ “Skullduggery” podcast, Brzezinski had harsh words for Russian President Vladimir Putin, calling him a “thug,” while affirming NATO’s importance to Poland.

“I cannot imagine how uncertain and anxious the Polish people would be if Poland were not in NATO—and I would say that for all the East European states that are in NATO—because Putin is proving the thesis that these countries needed to be secure because he’s on a killing spree to the east,” he said.

Over the past few months, Brzezinski has hosted a train of U.S. and international officials, from President Joe Biden to Vice President Kamala Harris to British Prime Minister Boris Johnson. He’s steered diplomatic efforts related to NATO and helped smooth out issues relating to Poland’s offers to provide fighter jets to Ukraine.

He’s a superbly qualified ambassador, and he’s the right man at the right time,” said Daniel Fried, a former U.S. ambassador to Poland who spoke to Politico about Brzezinski.

Another significant challenge for Poland to navigate is the more than 2 million Ukrainian refugees. “I’m here to put eyes on the synchronicity between the Polish military, the NATO frontier and the American military here, and then to develop contingencies regarding this humanitarian mass that is crossing over our border,” Brzezinski told “Skullduggery.”

Brzezinski said he was impressed with the way young Poles have organized on social media to help refugees at the border. “These folks are running towards the fire, not away from the fire, to help those fleeing the fire.” —From news reports

Polish President Andrzej Duda vetoed the law on Dec. 27. “President Duda himself was enforcing the rule of law,” Brzezinski said. “It was an important signal by the Polish president about the protection of private property.”

In a sense, Brzezinski’s appointment closes a circle that began with his paternal grandfather, Tadeusz Brzezinski, a Polish diplomat and consular official. “He was consul general in Lyon, Leipzig and Lviv, Ukraine, and in 1938 he was deployed to Canada,” he said. “That probably saved his life, because the Nazis went out of their way to kill diplomats.”

After serving as consul general in Montreal until the Communist takeover of Poland after World War II, Tadeusz sold insurance door to door. “He would have loved to have been ambassador,” said his grandson, who bears a striking resemblance. “Because of his memory, I will not take this role for granted. I am profoundly grateful to President Biden for giving me this opportunity to put into practice his policies in terms of security, advancing shared values, and bringing our countries closer together.”

Brzezinski also plans to bring his ambassadorship closer to UVA. He said he’s been in touch with Dean Risa L. Goluboff and others at the University about how to build bridges between UVA and Poland—much as he did during his ambassadorial years in Sweden.

“Poland is innovative and filled with potential,” he said. “UVA gave me gifts I can never repay, but I can share knowledge and competencies with its students.”

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HONDURAN COURT TOSSES ACTIVISTS’ CONVICTIONS AFTER CLINIC INTERVENES

In addition to benefiting from a highly experienced faculty well-versed in international law, national security, comparative law and human rights, students at the Law School have the opportunity to take action and gain experience themselves through the International Human Rights Clinic.

In a case recently brought to light by the clinic, the Supreme Court of Honduras in February overturned the convictions of six environmental activists that drew the ire of the international community.

In 2018, eight environmental activists in Guapinol were arrested after setting up a camp to protest an iron ore mining project in Carlos Escaleras National Park that threatened the village’s water supply. The community denounced the mining company and its allied security forces had instigated violence against the protesters.

“The innocent defendants spent more than two years in pretrial detention while the prosecutor had no proof of their culpability for the crimes of which they were accused,” said Professor Camilo Sánchez, the clinic’s director.

In September 2020, the clinic published a report detailing the factual background of the case and provided a legal analysis of the situation, the history of violence and harassment of human rights defenders in Honduras.

At the time, this was the first report by an international organization on the case, according to Sánchez, and the report brought the issue to the attention of other international organizations and governments.

Members of Congress cited the clinic’s report in a letter asking the U.S. State Department to pressure Honduras to protect human rights and the defenders. Subsequently, the United Nations and Amnesty International confirmed information in the clinic’s report.

The Honduran Supreme Court’s Constitutional Chamber unanimously sided with the defendants and threw out their case on Feb. 10, the day after six protesters were convicted. Two had been acquitted.

“The defenders were tried, for example, by a court with jurisdiction over serious crimes, explicitly created in Honduras to combat organized crime gangs,” Sánchez said. “The court found that this violated defendants’ right to a fair and public hearing by a competent, independent and impartial tribunal established by law. Consequently, the case must go back to the beginning of proceedings for a competent judge to remedy these procedural violations.”

For the past three years, the clinic has partnered with the American Bar Association Center for Human Rights, especially the center’s section in charge of trial monitoring.

“The ABA received a request to monitor the trial from the Guapinol community,” Sánchez said. “They invited us to monitor the proceedings, given the importance of addressing a pervasive pattern of harassment of human rights defenders in Honduras.”

Katherine Krudys ’22, who drafted an amicus brief on behalf of the Guapinol community with Kathryn Neuhardt ’22, said clinic students helped draw attention to the case through updates, letters to lawmakers, and amicus briefs in cooperation with local and international advocates and lawyers. She said she’s thankful that Sánchez provided the opportunity to have a broader picture of human rights work.

“Throughout the process, I witnessed how many human rights organizations became involved, so for the human rights community this victory is a recognition of all that cooperation,” Krudys said.

Monique Alavi ‘23 and Matt Walchuck ’22 drafted two amici briefs for the Honduran Supreme Court.

“We got great firsthand exposure to the process of drafting work products while balancing the interests of other international organizations and the circumstances of an ever-evolving case,” Walchuck said. “It feels even better to have played a role in the liberation of a group dedicated to protecting the environmental health of their community.”

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**MOVING THE NEEDLE ON HUMAN RIGHTS**

**Students in the International Human Rights Clinic** partner with nongovernmental organizations, human rights practitioners and law firms in the United States and abroad. Their recent projects include:

**TRIALWATCH:** The TrialWatch Program is a global initiative established by the Clooney Foundation for Justice and the American Bar Association’s Center for Human Rights that lays the foundation of a playbook toward gender justice in the world of soccer. The report applies a human rights lens to the pervasive issue of gender discrimination, and documents recent efforts and historic successes toward gender parity in the sport. The report’s findings were featured on the UVA Law podcast “Common Law.”

**GENDER EQUITY IN SPORTS:** The clinic has supported gender-equity litigation and advocacy for female soccer players in Colombia. Among other activities, the clinic produced a report that lays the foundation of a playbook toward gender justice in the world of soccer. The report supports gender-equity litigation and advocacy for female soccer players in Colombia. Among other activities, the clinic produced a report that lays the foundation of a playbook toward gender justice in the world of soccer. The report lays the foundation of a playbook toward gender justice in the world of soccer. The report lays the foundation of a playbook toward gender justice in the world of soccer.

**TRANSPARENCY AND ACCESS TO PUBLIC INFORMATION:** In partnership with the Jordan chapter of Transparency International, the clinic is conducting legal research on standards of freedom of expression—especially concerning public figures—and access to public information. The project seeks to provide input for strategic litigation to protect the rights of activists and journalists prosecuted in libel trials in Jordan and other Middle Eastern countries.

**Putting Human Rights Into Action**

By Mike Fox
John Harrison, Danielle Citron, Risa Goluboff, Greg Mitchell and Cathy Hwang co-host the newest season of the UVA Law podcast.
Four professors have joined the fourth season of the Law School’s podcast, “Common Law,” as co-hosts with Dean RISA GOLUBOFF.

The show returned Feb. 3 with Goluboff and CATHY HWANG serving as the first episode’s hosts. DANIELLE K. CITRON, JOHN C. HARRISON and GREGORY MITCHELL are also rotating through co-hosting duties this season, which is called “Co-Counsel.”

Goluboff’s co-host for the first three seasons, professor Leslie Kendrick ’06, is taking a break from podcasting. To fill that gap, Goluboff wanted to feature professors with diverse experiences who would help choose guests and topics for the show.

“That’s why we decided to call this season ‘Co-Counsel,’” Goluboff said. “All our co-hosts are bringing their own expertise to the table and adding their own flavor—and it’s been so much fun to record.”

Guests this season include UVA law professors ADITYA BAMZAI, QUINN CURTIS, KRISTEN EICHENSEHR, MITU GULATI, ANDREW HAYASHI, JOHN T. MONAHAN and MEGAN T. STEVENSON. Graduates DORIANE NGUENANG ’21, an associate at Baker McKenzie, and NEIL RICHARDS ’97, a professor at Washington University in St. Louis School of Law, will also be featured. Other legal scholars scheduled to appear as guests include Anita L. Allen of the University of Pennsylvania Carey Law School, Tara Leigh Grove of the University of Alabama, Elizabeth F. Loftus of the University of California at Irvine, Jennifer Mascott of the George Mason University Antonin Scalia Law School and Tom R. Tyler of Yale Law School.

Episodes will post every two weeks throughout the spring and summer.

“We’ll have episodes on law and psychology, privacy, national security law, administrative law, constitutional law, tax, sovereign debt, financial regulation and more,” Goluboff said. “There’s so much variety, and it’s been a pleasure to meet legal scholars who were influential to our own faculty here at UVA Law.”

ABOUT THE NEW CO-HOSTS

CITRON, a MacArthur Fellow, is the Jefferson Scholars Foundation Schenck Distinguished Professor in Law and Caddell and Chapman Professor of Law at UVA, where she writes and teaches about privacy, free expression and civil rights.

HWANG’S research and teaching focus on business law, including mergers and acquisitions, corporate contracts and corporate governance. She is the Barron F. Black Research Professor of Law.

HARRISON, who has worked in various roles for the U.S. State and Justice departments, teaches constitutional history, federal courts, remedies, corporations, civil procedure, legislation and property. He is the James Madison Distinguished Professor of Law and the Thomas F. Bergin Teaching Professor of Law.

MITCHELL teaches courses in civil litigation and law and psychology. He is the Joseph Weintraub–Bank of America Distinguished Professor of Law and the Joseph C. Carter, Jr., Research Professor of Law.

—Mary Wood
writing support for Gov. Ralph Northam’s Commission to Examine Racial Inequity in Virginia Law and its successor, the Commission to Examine Racial and Economic Inequality in Virginia Law. Thanks to the work of his students, the commissions produced two reports, in February 2021 and January 2022, laying out in great detail “the disparate and negative impacts that Virginia’s centuries of intentional discrimination and racial oppression continue to have on people of color across all areas of life—from education to economic opportunity,” he said.

To respond to these disparities, the students also helped develop a range of policy proposals—both legislative and budgetary—for the commissions’ consideration and approval. The proposals exerted a strong influence on Northam’s policy agenda. Block served as vice chair of both commissions. Student activities in the clinic included policy research and bill drafting, negotiating with stakeholders and other legislators, testifying before legislative committees, authoring op-ed, conducting interviews with members of the press and presenting to various other governmental bodies.

The second year of the clinic is now underway, with students again working on a range of bills covering a diverse set of issues, including public health, education, state procurement and government accountability.

In addition to this work, under Block’s supervision, clinic students and summer research assistants provided research and edented pressures on the emergency services system and the criminal justice system involving persons with acute mental illness. He challenged students in his fall seminar, Decriminalization of Mental Illness, to help solve the problem. Specifically, he invited them to help craft legislative proposals to divert persons arrested for criminal offenses to a new channel of civil commitment. He then passed the baton to students in ANDREW BLOCK’s State and Local Government Policy Clinic to draft proposals for the Virginia General Assembly’s Behavioral Health Commission, aiming to prepare a full proposal for the 2023 session.

Bonnie is simultaneously working with the General Assembly to develop better data relating to people with mental illness who are involved in both the mental health and criminal justice systems. Bonnie and the Institute of Law, Psychiatry and Public Policy also joined hands with the American Bar Association Commission on Aging to conduct a study of the treatment of people with dementia in the criminal justice system, especially in light of the aging of the baby boom generation. The study was funded by the Retirement Research Foundation and co-sponsored by the American Psychiatric Association and the American Academy of Neurology. The report is scheduled for release in March 2022. One key finding is that increasing numbers of people with dementia are becoming involved in the criminal legal system. Most of them are adults serving long sentences who develop dementia while incarcerated. The report recommends that properly designed facilities be developed and funded to care for those with dementia who are perceived to present a threat to public safety, whether or not they have been involved in the criminal system.

As a member of the National Academy of Medicine, Bonnie also served on a panel to assist the White House “drug czar” in improving access to methadone by persons with opioid addiction. Bonnie previously chaired two National Academies panels on addiction research in 1996 and FDA opioid regulation in 2017.

In December, Bonnie joined with approximately 100 death penalty opponents at the Omni Charlottesville Hotel to celebrate the abolition of capital punishment in Virginia, and she spoke at Washington and Lee University School of Law in February about the gradual process through which it was abolished. Bonnie presented lectures at Case Western Reserve University School of Law in March and Texas Tech University School of Law in April on his proposal to divert mentally ill offenders to a new legal channel of civil commitment. In January, he spoke at the American Association of Law Schools Annual Meeting with colleagues from the ILPPP on impediments to the use of advance directives in mental health care.

C. McClain) in the Georgetown Journal of Gender and the Law; and “Uncoupling” (with Carbone) in the Arizona State Law Journal. She also co-organized and presented a paper at the Third Nonmartial Roundtable held at Washington University School of Law in October, and co-organized and presented at a parent conference at Fordham University School of Law in November. She participated in a panel on guardianship, sponsored by the Federal Reserve Bank of Atlanta, in October. She also co-presented a paper at a conference on “The Body,” sponsored by the University of Chicago Legal Forum (CRAIG KONNOTH and KIM KRAWIEC also presented). She co-presented at the Seton Hall Colloquium on Law and the Technologies of Life in the fall.

RICHARD BONNIE ’69 is actively involved in ongoing legislative efforts in Virginia to address unpre-
Professors MICHAEL DORAN, JOHN DUFFY, RUTH MASON, RICHARD SCHRAGGER and PIERRE-HUGUES VERDIER were elected as members of the American Law Institute.

There are now 31 members of the UVA Law faculty currently affiliated with ALI.

The institute, formed in 1923, produces scholarly work meant to update or otherwise improve the law. The organization includes judges, lawyers and law professors from the U.S. and around the world who are “selected on the basis of professional achievement and demonstrated interest in improving the law,” according to the institute’s website.

Doran is The Honorable Albert V. Bryan Jr. ’50 Research Professor of Law. His research interests include tax policy, executive compensation and legal ethics. A member of the UVA Law faculty since 2014 and from 2005–09, Doran teaches courses in tax, property, legal ethics, federal Indian law, Native American law and employee benefits law. Before turning to academia, he was a partner at Caplin & Drysdale in Washington, D.C. He also served twice in the Office of Tax Policy at the U.S. Treasury Department.

Duffy, who joined the faculty in 2011, is the Samuel H. McCoy II Professor of Law and the Paul G. Mahoney Research Professor of Law. He has written articles in numerous prominent law reviews on a wide variety of subjects, including administrative law, constitutional law, law and economics, patent law and legal innovation. He is also co-author of five editions of the widely used casebook “Patent Law and Policy: Cases and Materials” and of the American Bar Association’s “A Guide to Judicial and Political Review of Federal Agencies.”

Mason, who joined the faculty in 2013, is the Edwin S. Cohen Distinguished Professor of Law and Taxation and Class of 1941 Research Professor of Law. Her research focuses on taxation, especially issues related to cross-border taxation—including citizenship-based taxation and taxation within federations and common markets. Her recent work considers multilateral efforts to reform corporate taxation. Mason’s work on the dormant commerce clause and tax discrimination has been cited by the U.S. Supreme Court.

Schragger, who joined the faculty in 2001, is the Perre Bowen Professor of Law and Martha Lubin Karsh and Bruce A. Karsh Bicentennial Professor of Law. His scholarship focuses on the intersection of constitutional law and local government law, federalism, urban policy, and the constitutional and economic status of cities. He also writes about law and religion. A faculty senior fellow at UVA’s Miller Center of Public Affairs, he is the author of seven books and more than 150 articles, book chapters, and encyclopedia entries.

Verdier, who joined the faculty in 2009, is the John A. Ewald Jr. Research Professor of Law and director of the Graduate Studies Program. He specializes in public international law, banking and financial regulation, and international economic relations. Verdier’s current research focuses on the reception of international law in domestic legal systems, foreign state immunity and customary international law. He is the author of the book “Global Banks on Trial: U.S. Prosecutions and the Remaking of International Finance.”

Alumnae LISA S. LOO ’85 and E. FARISH PERCY ’91 were also elected to the American Law Institute (see p. 87).

—Mike Fox
Justice and Law.

As director of the Center for the Study of Race and Law, Ford-Mazrui organized a panel on Jan. 25 titled “Inside Sines v. Kessler: A Case Holding White Supremacists Accountable.” The event featured key plaintiffs, lawyers and an expert witness from the case that successfully sued white supremacist leaders who planned the violence in Charlottesville on Aug. 11-12, 2017. The event began with the annual presentation by RISA GOLUBOFF of the Gregory H. Swanson Student Award. Named after the first Black student at UVA and the Law School, the award recognizes a law student who exhibits courage, perseverance and a commitment to justice. The 2022 honoree is RAMBERT TYREE ’22. The panel and award presentation were part of the UVA-wide Community MLK Celebration. The center also sponsored five short courses over the past four semesters: Race, Law, and Democracy, taught by BERTRALL ROSS (fall 2020); Reproductive Rights and Justice, with Khiaari Bridges of the University of California, Berkeley, School of Law (January 2021); Latinos and the Law, with Juan Perea of Loyola University Chicago (spring 2021); Racial Ambiguity Blues, with Camille Gear Rich of the University of Southern California Gould School of Law (spring 2021); and Islam, Race and the Law in the Americas, with MOHAMMAD FADEL ’99 of the University of Toronto Faculty of Law (spring 2022).

Michael Gilbert’s book, “Public Law and Economics,” co-authored with Robert Cooter of the University of California, Berkeley, School of Law, is forthcoming from the Oxford University Press. He published “Conflicts Among Rights: An Economic Approach” in the Revista Facultad de Jurisprudencia. A Spanish translation of his article “Constitutional Law and Economics,” co-authored with Robert Cooter, was published in the same journal. He presented “Information and Compliance” at the Pontificia Universidad Católica del Ecuador, and he gave a keynote address to the Latin American and Caribbean Law and Economics Association titled “Law for Angels,” which was based on a paper co-authored with ANDREW HAYASHI. Gilbert and Hayashi presented the paper at UVA Law and the Maryland Carey Law Virtual

GOLUBOFF AND JEFFRIES ’73 JOIN UVA KARSH INSTITUTE BOARD

Dean RISA GOLUBOFF was named vice chair of UVA’s Karsh Institute of Democracy inaugural advisory board. Professor JOHN C. JEFFRIES JR. ’73, EFG International co-founder LAWRENCE HOWELL ’79 and Karsh Family Foundation co-founder MARTHA LUBIN KARSH ’81 also joined the board.

The Karsh Institute of Democracy was established in June with founding support from Martha and BRUCE A. KARSH ’89. The institute builds on the success of the Law School’s own Karsh Center for Law and Democracy, which was founded as part of a $44 million gift from the Karshes that also expanded the school’s premier scholarship program and funded endowed professorships. The center, established in 2018, promotes democratic dialogue, civic engagement and citizenship, and respect for the rule of law. Overall, UVA is planning a $100 million investment in nonpartisan work intended to strengthen democracy.

Chaired by political science professor Larry J. Sabato, the Karsh Institute advisory board includes 26 members who collectively will provide guidance to the work of the institute, which was established for the study, teaching and promotion of democracy. Sabato is founder and director of UVA’s Center for Politics and University Professor of Politics.

“I am grateful to the advisory board for their willingness to serve the Karsh Institute and its mission,” UVA President JIM RYAN ’82 said in a statement announcing the board Dec. 9. “As the University continues to lead in addressing the challenges facing democracy, the accomplished board members will bring critical experience and a broad diversity of viewpoints from across the political spectrum to help us stay at the forefront of this important work.”

The public-facing institute will foster participation and civil debate on issues of national importance; support and amplify research, study and discussion about the underpinnings of democracy; and engage in public outreach focused on practical impact and action for students, community members, policymakers and other local, state and national leaders.

Its work will include augmenting and accelerating collaboration among several highly regarded UVA schools and centers already dedicated to the study of democracy, including the Center for Politics, the Democracy Initiative in the College of Arts & Sciences, the Frank Batten School of Leadership and Public Policy, the Karsh Center for Law and Democracy, the Miller Center of Public Affairs, the Weldon Cooper Center for Public Service, and the teaching and research of many faculty members across Grounds.

Martha Karsh said in a statement that she is “thrilled about the new advisory board members, and both energized and inspired by the role they will play in advancing the Karsh Institute. “Simply put, this board is a world-class ‘brain trust,’ and I am confident it will help steer the work of the institute in strategic and impactful directions.”

— Charity Boudouris
Professors Frederick Schauer and Rachel Bayefsky were recognized by the Association of American Law Schools for their scholarship in legal theory.

Schauer won the Hart-Dworkin Award in Legal Philosophy, given annually to a scholar who has made significant and lasting contributions to the philosophical understanding of law, according to the AALS.

Schauer is a David and Mary Harrison Distinguished Professor of Law at UVA, and he is among the most recognizable names in the legal academy. His expertise has been demonstrated in hundreds of books, book chapters, articles, essays, classes and personal appearances. Schauer is a world-renowned expert in the areas of constitutional law, evidence, legal reasoning, freedom of speech, and jurisprudence and the philosophy of law.

In 2020, Schauer was elected a corresponding fellow of the British Academy in recognition of his distinguished contributions to academic thought. He received an honorary doctorate from the Vienna University of Economics and Business in 2019. Among his other accolades, he is a fellow of the American Academy of Arts and Sciences, a recipient of a Guggenheim Fellowship, and has been chair of the Section on Constitutional Law of the AALS and of the Committee on Philosophy and Law of the American Philosophical Association.

From 1990-2008, he was Frank Stanton Professor of the First Amendment at Harvard University, from which he earned his J.D. in 1972, and was previously professor of law at the University of Michigan.

Bayefsky won Best Untenured Article on Federal Jurisdiction for her paper “Remedies and Respect: Rethinking the Role of Federal Judicial Relief,” published in the Georgetown Law Journal. She argues that “a remedy that takes effect by expressing respect for the party whose rights were violated is a constitutionally legitimate, normatively desirable, and practically feasible exercise of federal judicial authority.”

Bayefsky, who joined the faculty in the fall, writes about constitutional law, federal courts, civil procedure and legal theory. Her work addresses both the practical workings of legal institutions and underlying philosophical ideas such as dignity and equality.

Bayefsky clerked for U.S. Supreme Court Justice Ruth Bader Ginsburg. She also taught at Harvard Law School as a Climenko Fellow and Lecturer on Law, and worked as a litigator at Akin Gump Strauss Hauer & Feld in Washington, D.C. She earned her J.D. from Yale Law School, where she was editor-in-chief of the Yale Law Journal, and her D.Phil. from the University of Oxford, where she studied as a Rhodes Scholar.

The awards, announced Dec. 22, were presented in January during the virtual AALS Annual Meeting.

—Mike Fox
FACULTY HONORS IN BRIEF

BUTLER WINS UVA RESEARCH AWARD

JAY BUTLER became the first UVA Law faculty member to win the University’s Research Achievement Award. Launched in 2019, the third annual Research Achievement Awards Program was held Jan. 28 online. Butler won a Research Excellence Award, which recognizes faculty members who have generated sufficient volume of scholarship of high quality and are emerging in their fields as leaders and acknowledged as such by their peers. Butler focuses his scholarship and teaching on international law, corporations and contracts. He previously won the Francis Deák Prize, awarded by the board of editors of the American Journal of International Law, for his paper “The Corporate Keepers of International Law.”

BOOK BY STEPHAN ’77 RECOGNIZED

PAUL B. STEPHAN ’77 won the Robert E. Dalton Award for Outstanding Contribution to the Field of Foreign Relations Law, presented by the American Society of International Law, for his book, “The Restatement and Beyond: The Past, Present, and Future of U.S. Foreign Relations Law,” co-edited with Columbia University law professor Sarah A. Cleveland, provides analysis, context and criticism of the American Law Institute’s “The Restatement (Fourth) of U.S Foreign Relations Law.” Professors ASHLEY DEEKS, JOHN C. HARRISON, GEORGE RUTHERGLEN and G. EDWARD WHITE each contributed a chapter to the book. Stephan is an expert on international business, international dispute resolution and comparative law. He has served as counsel on international law in the State Department and as special counsel to the general counsel in the Department of Defense. He is the John C. Jeffries, Jr., Distinguished Professor of Law and the David H. Ibbeken ’71 Research Professor of Law.

CITRON WINS 4TH PRIVACY PAPERS AWARD


LAYCOCK RECEIVES HONORARY DEGREE

DOUGLAS LAYCOCK received an honorary degree in laws from Michigan State University, at which he earned his undergraduate degree. He addressed the colleges of Arts and Letters, Communication Arts and Sciences, and Social Science at the school’s fall commencement Dec. 18, saying his proudest career achievement has been defending “the rights of all sides in America’s culture wars.”

“I defend the rights of people that I think are profoundly wrongheaded on fundamental matters. I often oppose those people politically, but I defend their right to live their own lives by their own deepest values,” he said.

Laycock has served as lead counsel in six cases at the U.S. Supreme Court, and is a life member of the American Law Institute and a fellow of the American Academy of Arts and Sciences. Laycock’s writings have been republished in a five-volume collection, “Religious Liberty.” He is the Class of 1963 Research Professor in honor of Graham C. Lilly and Peter W. Low, the Robert E. Scott Distinguished Professor of Law and a professor of Religious Studies at UVA.

STEVENSON ELECTED TO ALEA BOARD

MEGAN T. STEVENSON was elected to the American Law and Economics Association board of directors, effective Sept. 1. The association is dedicated to the advancement of economic understanding of law and related areas of public policy and regulation. Stevenson, an economist and criminal justice scholar, has conducted empirical research in various areas of criminal justice reform, including bail, algorithmic risk assessment, misdemeanors and juvenile justice. Her research on bail was cited extensively in a landmark federal civil rights decision, O’Donnell v. Harris, and has received widespread media coverage.

—Mike Fox
DEBORAH HELLMAN


Hellman also gave a number of talks and presentations. In October, she gave a presentation at Oxford University to the Algorithmics at Work group; in November, she discussed her work on algorithmic fairness with students and faculty at Dartmouth College; in January, she presented her paper “Rationing and Disability” to the Law and Philosophy workshop at the University of Pennsylvania and her forthcoming paper “The Algorithmic Leviathan” to the Legal Studies department at The Wharton School. In April, she presented her new draft paper “Disparate Treatment Reexamined” to the Analytic Legal Philosophy Conference at the University of Pennsylvania Carey Law School. She also gave a talk on algorithmic discrimination in April, as part of the Navy Center for Applied Research in Artificial Intelligence symposium series.

CATHY HWANG

presented “Collaborative Intent,” forthcoming in the Virginia Law Review, as the John Kidwell Memorial Lecture at the University of Wisconsin Law School and presented “National Security Creep in Corporate Transactions,” co-authored with KRISTEN EICHENSHR, at the University of Minnesota faculty workshop. She signed a contract with Foundation Press for a new casebook, “Business Associations: A Modern Approach,” co-authored with Paolo Saguato at George Mason University Antonin Scalia Law School. She was elected chair of the AALS Committee on Transactional Law & Skills. Last year and in February, she co-organized three diversity panels with the University of Chicago Law School: one on teaching, one on scholarship, and one on diversity and inclusivity in investing. She also published “Cleaning Corporate Governance” in the University of Pennsylvania Law Review.

DOUGLAS LAYCOCK

spoke in Washington, D.C., on the First Amendment at the Cato Institute’s Constitution Day program and on “Religious Exemptions from the Founding to Today” for a podcast jointly sponsored by the National Constitution Center and the University of Notre Dame’s Center for Citizenship and Constitutional Government. He spoke on “The Future of Religious Liberty” in a conversation at UVA Law with Dallin H. Oaks, president of the Quorum of the Twelve Apostles of the Church of Jesus Christ of Latter-day Saints.

MICHAEL LIVERMORE

recently launched a podcast, sponsored by the Law School’s Program on Law, Communities and the Environment, called “Free Range with Mike Livermore.” On the podcast, Livermore interviews guests on topics related to the environment, law, politics, philosophy and science. Guests include CAMILO SÁNCHEZ, director of the Law School’s International Human Rights Clinic; Professor Emeritus JONATHAN CANNON; Karen Bradshaw of Arizona State University; and Madison Condon of Boston University. The podcast is available at law.virginia.edu/place and on SoundCloud, Apple Podcasts, Google Podcasts and Spotify. This spring, Livermore also presented on his recent book, “Revising Rationality: Saving Cost-Benefit Analysis for the Sake of the Environment and Our Health,” co-authored with Richard L. Revesz, at the University of Houston Law Center and Washington University at St. Louis Weidenbaum Center. In February, he presented ongoing research on racial and gender representation on the federal courts at the law and economics workshop at New York University School of Law.

CRAIG KONNOLL

published “Health Data Federalism” in the Boston College Law Review. The article offers a history of development of the nation’s health data networks and charts the federal-state-private relationship moving forward, based on a model he developed in a piece in the Harvard Law Review last year. He also gave a lecture at King’s College, London, titled “Law and Medical Oppression,” as a follow-up to his article “Medication and the New Civil Rights” in the Stanford Law Review.

JULIA D. MAHONEY

presented “Eminent Domain and the Twilight of the New
IN MEMORIAM: W. LAURENS WALKER III
A PIONEER IN PROCEDURAL JUSTICE

PROFESSOR EMERITUS W. LAURENS “LARRY” WALKER III, a pioneer in the field of procedural justice and in the use of social science in courts who served on the Law School faculty for 33 years, died April 13 of natural causes. He was 85.

Known for his kind demeanor, infectious laugh and talent for helping students understand the complexities of civil procedure and litigation, Walker retired as the T. Munford Boyd Professor of Law in 2011.

Early in his career he partnered with two psychologists, former University of North Carolina professor John Thibaut and UVA Law professor JOHN T. MONAHAN, to produce scholarship that has had a lasting impact on the legal academy, the justice system and beyond. With Thibaut, Walker conducted widely influential empirical research on procedural justice, which explores why fair processes matter in law and across a variety of fields. With Monahan, he wrote the casebook “Social Science in Law,” now in its 10th edition, and developed the first comprehensive system to manage the use of social science in court. Those guidelines shape how expert testimony is conducted in courts around the world today.

“My professional life is linked to these truly great scholars,” Walker said in a story marking his retirement. “We managed to create new corners of interest, one in psychology and one in law.”

Before joining the Virginia faculty, Walker was the Paul B. Eaton Professor of Law at the University of North Carolina. There, he met Thibaut, a social psychologist. After Walker learned of Thibaut’s interest in jurisprudence, they launched a 10-year research program designed to distill fundamental models of legal procedure and examine them through the lens of psychology. The experiments yielded more than 25 articles and ultimately a landmark book, “Procedural Justice: A Psychological Analysis,” published in 1975.

UVA Law professor GREG MITCHELL, who holds both a J.D. and Ph.D. in psychology and who later co-authored with Walker, said Walker and Thibaut’s work “gave birth to the concept of procedural justice.”

“Procedural justice theory is now one of the most important tools we have for understanding why citizens do, or do not, accept government institutions as legitimate sources of authority,” Mitchell said. “When I was a graduate student in psychology, Larry’s work on procedural justice literally changed the course of my career because it inspired me to change my focus from the study of the executive branch and foreign policy to a study of legal institutions, and to do that I realized that I needed a law degree.”

Professor and former Dean JOHN C. JEFFRIES JR. ’73 said Walker identified the psychological value of good procedures. “His insight was that procedures not only guide and constrain substantive decisions, but also help perceptions of fairness by the participants. Larry’s writings spawned a whole school on what is called the ‘dignitary’ value of procedure,” Jeffries said.

Walker was also a prolific writing partner with Monahan;
together they published 20 articles and developed the concept of social frameworks, which offered a new kind of evidence to courts—expert testimony that provides context by drawing on a body of research.

Mitchell said Walker and Monahan’s work on the proper uses of social science research in the law “provides the framework that courts and scholars now use to understand the limits and possibilities of social science as a legal tool.”

“For instance, Larry and John explained how evidence sampling techniques can be used to prove damages in mass tort cases where proving individualized damages would prove too costly,” Mitchell said. “This innovation has now been used in multiple cases and is the subject of spirited debate among class-action scholars and lawyers. Larry is that rare scholar whose work has had tremendous theoretical and practical influence.”

Walker came from a long line of educators. In 1849, his ancestor, the Rev. Newton Pinckney Walker, founded what is now the South Carolina School for the Deaf and the Blind, and the family continued to lead the school, which later expanded to care for a wider range of children with special needs, for several generations. It was one of the first schools for deaf and blind children in the United States.

After graduating from Spartanburg High School in South Carolina, Walker received a full scholarship to attend Davidson College, where he majored in English and history. He studied at the London School of Economics for a time before turning to a planned career in journalism in his hometown. Earning a full scholarship to Duke Law School, he didn’t initially intend to become a lawyer. He wanted to be a journalist with a law degree.

But “I decided that after a while I would like to be involved in the decision-making rather than reporting the decision,” he said in 2011.

After graduating law school as a member of the Order of the Coif in 1963, he served as a lieutenant and captain in the U.S. Army, mostly stationed in Würzburg, Germany. Once his service concluded, he joined the Atlanta tax firm Sutherland Asbill & Brennan, and later was counsel to another Atlanta firm, Long, Aldridge & Norman.

Though he had a successful practice, he decided to turn to academia. He pursued an S.J.D. at Harvard Law School to prepare, graduating in 1970. After teaching at UNC for several years, he joined the Virginia faculty in 1978. Two years later, Monahan, who holds a Ph.D. in psychology, joined too, and their partnership began.

“Larry was an ideal colleague and a magnificent friend,” Monahan said, noting the 10 editions of their book together occurred consistently in Larry Walker’s classroom.

One of Walker’s best friends is Judge J. HARVIE WILKINSON III ’72 of the Fourth U.S. Circuit Court of Appeals.

“I have never known anyone more universally beloved than Larry Walker,” Wilkinson said. “Kind, warm, unfailingly considerate to others, decent to his very core. Larry was too modest ever to acknowledge his place as a pathbreaking interdisciplinary scholar, but that was he. He and John Monahan showed the way social science could inform the law before many others had even thought of the subject.”

Walker is survived by his wife, Sharon Louise Walker; his stepbrother, R. Wiley Bourne Jr. (Elinor); and three children, Margit Walker Nelson (Rob), HELGI C. WALKER ’94 (Maldwin); and Carina Smith Severance (Ryan). He also is survived by three grandchildren.

Helgi Walker, also a partner at Gibson Dunn, said she was often reminded of her father’s impact at the Law School when interviewing UVA Law students for summer associate or associate positions.

“On many an occasion, I could see them looking at the name plate on my desk, the UVA Law School degree hanging on the wall in my office, and then studying my face—I could see the wheels turning. Finally, they would blurt out, ‘You’re not Mr. Walker’s daughter, are you? I loved him!’”

—Mary Wood
**JOY MILLIGAN** delivered the Ellen Maria Gorissen Lecture at the American Academy in Berlin on “The Constitution and Racial Repair” in November. She spoke at the New York University School of Law Colloquium on Constitutional Theory on “Remembering: The Constitution and Federally Funded Apartheid” in November; at the Law & Society Institute at Humboldt University, Berlin, on “Racial Inequality and the American Administrative State: Can the Past be Undone?” in December; and at the John F. Kennedy Institute at Free University, Berlin, on “Racism, the American State, and the Constitution” in January. Her article “Remembering: The Constitution and Federally Funded Apartheid” was published in the University of Chicago Law Review.

**KELLY ORIANS** wrote the chapter, “Community-Based Re-entry: Breaking the Cycle of Recarceration,” with Troy Rhodes, a colleague at The First 72+ who is formerly incarcerated, for “Transforming Criminal Justice: An Evidence-based Agenda for Reform,” forthcoming by NYU Press.

**JOHN T. MONAHAN** recently published the 10th edition of his casebook, “Social Science in Law: Cases and Materials,” co-authored with W. LAURENS WALKER. He also co-authored an article in Criminal Justice and Behavior titled “The Empirical Case for Pretrial Risk Assessment Instruments.” Monahan directs a research project for the John D. and Catherine T. MacArthur Foundation on ways to improve pretrial risk assessment. He also serves on the Advisory Board of Advancing Pretrial Policy and Research, supported by Arnold Ventures.

**SAINKRISHNA PRAKASH** had two articles published in the fall: “Necessary and Proper Executive Privilege and Immanities” in the Supreme Court Review and “Prosecuting and Punishing Our Presidents” in the Texas Law Review. He was a panelist in a program sponsored by the Kluge Center at the Library of Congress, the American Enterprise Institute and the Brookings Institution on “The Pillars of Democracy: The Precedent was wrong and that they are legally innocent of the crime of conviction. He also filed a cert petition in Flowers v. United States, which asks whether conduct that is consistent with either lawful or unlawful behavior, and in which law-abiding members of the general public routinely engage, can establish reasonable suspicion justifying a Terry stop merely because it occurs in a high-crime area; and a cert petition and cert reply in Struve v. Iowa, which asks whether police officers in states that prohibit drivers from sending text messages on a cellphone but allow them to use their cellphones for other purposes, such as navigation or playing music, have reasonable suspicion under the Fourth Amendment to initiate an investigatory traffic stop when they observe a driver briefly holding and manipulating a cellphone. He also spoke at the Supreme Court Roundup sponsored by the UVA Law Federalist Society and presented a paper at the Journal of Law & Politics symposium commemorating the 50th anniversary of the 1971 Virginia Constitution.

**MARGARET FOSTER RILEY** was appointed the Dorothy Danforth Compton Professor at the Miller Center, where she will work to build out the center’s new focus on health policy. In addition, she is part of a working group studying the effects of artificial intelligence on biomedicine. That working group is part of her membership on NEXTRAC, a Federal Advisory Committee Act committee that advises the National Institutes of Health director about emerging biotechnologies.

A new book from Abraham and White reveals how judges and social change played a central role in the evolution and expansion of tort law over the past 175 years.

“Tort Law and the Construction of Change: Studies in the Inevitability of History” covers little-known turning points in the history of torts. A tort relies on common law legal precedents made by courts, rather than legislators. What plaintiffs could sue over—what was considered a “cause of action”—has radically expanded over time as the body of common law grew. As late as the middle of the 19th century, there was limited liability for causing tangible physical harm and very little liability for causing intangible harm.

Abraham and White’s book takes a close look at exactly how judges weighed existing case law against social pressures that pointed to the need for change. What they found will educate readers, they said.

“Lay audiences in the U.S. sometimes understand judicial decisions as simply the outcomes of political agendas,” Abraham said. “And lawyers sometimes understand judicial decisions to be largely driven by legal rules and doctrines that are the products of technical legal forces. We are suggesting that neither of those views adequately captures what is going on when judges make decisions in torts cases.”

Two of the many turning points the book covers are the rise of liability for inflicting emotional distress and the invasion of privacy.

“Those new developments were actually radical breaks with the past, but the courts always contended that they were continuous with the fundamental principles underlying past precedents about other issues,” White said.

Johnston has written a new book that—although not skeptical of the fact that human activity contributes to climate change—questions several of the assumptions being used to justify some policies that address climate impacts.

“The great irony is that the policy is supposedly based on science,” said the law professor, who also holds a Ph.D. in economics. “But the policy has been so politicized, so moralized, that for many people now this isn’t even about the science; it’s about the moral issue of doing the ‘right thing’.”

At UVA, Johnston serves as director of the John M. Olin Program in Law and Economics and the Henry L. and Grace Doherty Charitable Foundation Professor of Law. He has written and taught courses on environmental regulation and land use, and those experiences served as a partial basis for his interest in climate change policy, he said.

The more he learned about how related facts and figures were being presented in climate change discussion aimed at the public, the more he thought it would be valuable to compile his observations into book form.

“It bothered me that people were not being given an accurate picture of what’s known and not known,” he said. “The same is true with the economics. People were not being given enough information to know where these numbers are coming from.”
A new book edited by Law is designed to help scholars and students alike understand constitutional law around the world by conveying the full diversity of the world’s legal and political systems.

“Constitutionalism in Context” covers legal systems frequently overlooked by comparative constitutional law books, including systems in Asia, the Global South and the Muslim world.

Law was inspired to assemble a constitutional law book that better represented the world’s legal and political diversity after teaching at National Taiwan University and Seoul National University.

“One of the things that became obvious is that the materials that people usually use to teach comparative constitutional law don’t have much to say about Asia, even though it’s half the world’s population,” Law said. “A focus of this book is exposing people to the full diversity of constitutionalism around the world.”

He added that comparative constitutional law books typically emphasize the same dozen or so countries—including Canada, South Africa, Israel, India and parts of Western Europe.

“When you cover these countries, you cover the usual topics like freedom of expression, freedom of religion, with a lot of emphasis on civil and political liberties,” he said. “You focus more specifically on liberal constitutional democracies with judicial review. Frankly, that doesn’t describe a lot of the world.”

In his new book, Schauer looks at evidence in a variety of contexts and finds it pervades our lives well beyond the legal system.

Schauer, a preeminent legal theorist who has taught evidence for more than 40 years, had long planned on writing a book on the topic, but was spurred to finally get started following the 2020 presidential election and the events of Jan. 6, 2021, “which put questions of evidence on the front page of the newspapers every day and in the front of everyone’s consciousness.”

“Just as they say that ‘if you have a hammer, every problem looks like a nail,’ I became increasingly aware of the issues of evidence and proof in almost everything I saw, did or read about,” Schauer said. “And most of this was not about law with a capital ‘L,’ but about public policy, politics, science, art, sports and pretty much everything I was interested in.”

In examining the issues at stake, Schauer relies on probabilistic thinking and analysis.

“One of the implications of thinking probabilistically is that what might appear as weak evidence is still evidence, and might be good enough depending on the context and the consequences,” he said. “We properly require proof beyond a reasonable doubt to convict someone of a crime, but how much evidence does a physician need to recommend an experimental drug for patients with afflictions for which there is no other remedy? How much evidence was necessary for historians to conclude that Thomas Jefferson was the father of the children of Sally Hemings?”

The book, as a result, offers new insights on both the challenges of finding the truth and why people often reason poorly.

“What is needed is more of an ‘overseas’ approach to the organization of a soccer league, featuring self-imposed limits on salaries, the building of soccer-specific stadiums, and a conception of league franchises as business partners as well as on-the-field competitors,” he said in an interview with UVA Today.

Despite some missteps, soccer is the fourth-most popular sport in the U.S. in terms of participation, and the number of female players has increased every decade since the 1980s.

The success of women’s soccer internationally has only helped raise awareness of the game, he added.

“The growth of women’s soccer has helped grow the men’s game in the U.S. because the American women’s national team has had notable success internationally, in both the World Cup and Olympic games, since the 1990s, while the men’s national team has struggled,” he said. “As more Americans have begun to follow the fortunes of the women’s national team, especially during World Cup competitions, the interest in soccer as a spectator sport has grown as well, especially among casual fans.”

White predicted it was still possible for soccer to join the major American sports—football, baseball and basketball—in popularity, especially given its rampant popularity abroad.

Ross completed his service on the Presidential Commission on the Supreme Court of the United States that produced a report delivered to President Joe Biden in December. His article “Passive Voter Suppression: Campaign Mobilization and the Effective Disfranchisement of the Poor,” co-authored with Douglas Spencer, was cited by Judge A. Wallace Tashima of the U.S. Court of Appeals for the Ninth Circuit.

His article “Challenging the Crown: Legislative Independence and the Origins of the Free Elections Clause” was published in the Alabama Law Review, and Ross was recently interviewed on voting rights issues by various media outlets.

FREDERICK SCHAUER’S book “The Proof: Uses of Evidence in Law, Politics, and Everything Else” will be published by the Harvard University Press in May.

He delivered the lecture “Rules of Order” at the University of Vienna, with a written version to be published in the volume “Vienna Lectures in Legal Philosophy.” He also lectured on “Constitutionalism” at the University of Graz. Schauer gave the lecture “Constitutionalism as Constraint” as the annual Legal Theory Lecture at the University of Lisbon School of Law. He lectured on “Early Origins of Legal Positivism” in the Legal Theory Master Course at Goethe University in Frankfurt, Germany.


GEORGE RUTHGERRING and co-authors completed new editions of casebooks on “Employment Discrimination,” “Civil Rights Actions” and “Transnational Civil Litigation.” He also agreed to serve as an amicus in Smith v. Trump, a civil rights action arising out of the Jan. 6 riot at the U.S. Capitol.

RICHARD C. SCHRAGGER spoke about the need for greater city autonomy to the Virginia First Cities Board, the Aurora Highlands Civic Association and at a conference on home rule at the University of North Carolina Law School. He gave presentations on “Federalism and the Pandemic” for the U.S. State Department; “The First Amendment and Property Rights” for the Brigham-Kanner Property Rights Conference at William & Mary Law School; “The Failure of Home Rule Reform in Virginia” at a commemoration of the 50th anniversary of Virginia’s 1971 Constitution; and on “Cities in Federal Theory” at a conference of the International Society of Public Law. His article “Localism All the Way Up: Federalism, City-State Conflict, and the Urban-Rural Divide” was published as part of a symposium in the Wisconsin Law Review.

MOLLY BISHOP SHADEL had two articles published in the Virginia Law Review Online in February as part of their pedagogy symposium. The first, co-authored with J.H. VERKERKE and Sophie Trawalter, is titled “Gender Differences in Law School Classroom Participation: The Key Role of Social Context.” It reports on an empirical project launched in June 2013 in which the authors followed four cohorts of law students throughout their time at UVA, and also analyzed data from class recordings of required first-year courses to explore gender gaps in classroom participation. They show that these gaps are not fixed, but result from particular contexts and pedagogies. The second, co-authored with ANNE COUGHLIN, is titled “The Gender Participation Gap and the Politics of Pedagogy.” It explores problems with cold-calling to teach topics such as rape law, arguing that while it is important to close gender gaps in participation, it is equally important to do so in a way that does not disempower students.

At the AALS annual meeting earlier this month, SARAH SHALEF ’02 was elected to the executive committee of the AALS Clinical Section and was also reappointed as co-chair of the Membership Committee for the Clinical Legal Education Association at the CLEA annual meeting, which coincided with AALS. The Charlottesville City Council appointed Shalef to the Monticello Area Community Action Agency board Sept. 20. She co-taught Poverty Law, Advocacy and Policy with NAOMI CAHN in the fall.

PAUL STEPHAN ’77 received the Office of the Secretary of Defense Medal for exceptional public service in the Office of the General Counsel in 2020-21. He has taken part in amici briefs in Cassirer v. Thyssen-Bornemisza Collection Foundation, which was argued before the Supreme Court on Jan. 18, and Shanghai Yongrun Investment Management Co. v. Kashi Galaxy Venture Capital Co., pending before the Appellate Division of the Supreme Court of New York.

Two of his works are expected to be published in the spring: the book chapter “Antibribery Law” in “Change in the International Order” and the article “The Crisis in International Law and the Path Forward for International Humanitarian Law” for the International Review of the Red Cross. He appeared on the podcast “Clauses and Controversies,” hosted by MITU GULATI and Mark Weidemaier of the University of North Carolina Law School.

MEGAN T. STEVENSON was elected to the board of directors of the American Law and Economics Association. She gave a keynote address to the Harvard Data Science Initiative on “Algorithmic Risk Assessment in the Hands of Humans” and a keynote address on “Conviction, Incarceration and Reintegration” at the Latin American and Caribbean Law and Economics Association annual meeting.

She also gave talks at the University of Southern California, Tulane University, the Latin American Workshop on Law and Economics, George Mason University, the UVA Applied Economics Workshop, and the AALS Session on Law and Economics. She published a short article on Inquest called “Measuring the Human Costs of Criminal Justice Involvement.”

G. EDWARD WHITE published “The Inward Turn and the Future of Tort Theory,” co-authored with KENNETH S. ABRAHAM, in the Journal of Tort Law. He also co-authored “Tort Law and the Construction of Change: Studies in the Ambiguity of History” with Abraham; the book was published by the University of Virginia Press in February.

White authored “Soccer in American Culture: The Beautiful Game’s Struggle for Status,” published by the University of Missouri Press in March.

J.H. “RIP” VERKERKE co-authored a paper about the Chinese Labor Contract Law with WENWEN DING S.J.D. ’19 that was accepted at Denver Law Review and will be coming out next year. His empirical paper about gender differences in law school classroom participation, co-authored with MOLLY BISHOP SHADEL and Sophie Trawalter, was published in the Virginia Law Review Online, and the authors submitted another paper on the topic to the journal Sex Roles. He also presented another co-authored paper with Rachel Arnow-Richman at the annual COSELL conference, which was hosted online this year by Vanderbilt Law School. This paper has now been split into two separate articles. The first offers a legal history and critical analysis of current employment contract doctrine. The second will present the authors’ effort to reconstruct the doctrine on a more coherent and stable foundation.
Finding Order in the Court

JUDGE ERIC C. TAYLOR ’88 SITS IN FRONT OF A GREEN SCREEN AT HIS COMPUTER IN HIS CHAMBERS AND AT HOME NOW INSTEAD OF AT THE HELM OF A COURTROOM, BUT HIS WORK HAS NEVER BEEN MORE IMPORTANT.

The Law School graduate is the presiding judge of the Los Angeles Superior Court—the largest unified trial court in the United States, with 39 courthouses...
Taylor was told that his election was unlikely because “our court would not elect two people of color at the same time.” The more I heard that, I decided, ‘that’s exactly the reason to run, so no one will say it again.’

Taylor has had to balance public health and the ongoing business of the court throughout. In February he gave the order for civil and criminal trials to recommence, after some stops and starts “during ebbs and surges.” He estimates there are more than twice as many criminal preliminary hearings waiting to take place than usual, and about a 30% increase in civil case inventories due to pandemic backlogs. Those numbers would be even more overwhelming had the court not launched a robust settlement program, with much of the negotiation taking place online.

“We’re trying to manage our resources with every wave of COVID, and I think our supervisors, bench officers and employees have really been responding well,” he said.

A typical day for Taylor includes being on video calls and responding to emails from the court’s 12 districts, while managing six disciplines ranging from complex civil to family law, felonies and traffic court.

“My job is 24-7 now. The court built an office in my house and gave me a shiny new iPhone, which I thought was really cool until I realized, well, that’s so you can work at midnight too,” he said. “This job has been extremely exhausting but rewarding at the same time.” Now, he might “appear” at five different places on the same day, and his calendar is filled with meetings with bar leaders, associations, fellow judges and staff. Taylor’s path to the bench began as a youth with the A Better Chance program, which helped him earn a scholarship to the Cate Preparatory School in Santa Barbara. Though he became a first-generation college student when he matriculated at Dartmouth, his parents had successful professional careers. His mother, Joan E. Taylor, rose from her role as a part-time clerk at an apartment rental company to managing many large apartment complexes in Los Angeles. His
father, John C. Taylor, was a Freedom Rider in Mississippi during the civil rights movement. He later deployed his interest in organizing as a Teamster under Jimmy Hoffa, and eventually as a lobbyist.

Despite his accomplishments, Taylor’s father acutely felt the pain of not being able to attend many colleges due to segregation, and as an adult, being kept out of segregated private clubs in California, his son said. “That was what he lived and breathed— inclusion and equality.”

As a Dartmouth student, Taylor spent some of his college years living in Spain and majored in Spanish with a math minor. After graduation, he worked as a translator for the 1984 Olympics in Los Angeles and clerked for two major law firms. Intrigued by friends who had gone on to study law, he went to a law school fair and met former UVA Law admissions dean Jerry Stokes. Soon he was applying to UVA. After a visit and a friendly hallway encounter with S. Bernard Goodwyn ’86, now the chief justice of the Supreme Court of Virginia (see p. 88), Taylor chose Virginia.

“It was remarkable that Bernard took the time during exams to show me around the school,” he said. “That first friendly and welcoming interaction with a UVA student greatly impacted my impression about Virginia.”

During Taylor’s time at UVA, Dayna Bowen Matthew ’87, now the dean of George Washington University Law School and a former UVA Law professor, became the first Black editor on the Virginia Law Review. Things seemed to be going in the right direction on inclusion, Taylor said. But the school was not as diverse as it is now, he added, and he recalled that many study groups formed without Black students, making him and others feel excluded. Instead, he relied on a tight-knit group of African American classmates who supported each other.

“It was a reminder of where we stood at the time,” Taylor said. “But, you know, I’d already experienced that at private school, and at Dartmouth to some degree. All in all, I did really enjoy my time at the school, my friends and professors. And I could not have asked for a better legal education.”

He recalled advice from Professor Stanley Henderson on how important it was to cultivate a good reputation. In one of his Contracts classes, “he talked to us about being the voice of reason”—a critical skill for a judicial officer.

In his first summer during law school, Taylor clerked for California Supreme Court Justice Allen E. Broussard, the only African American on the court at the time. The next summer he worked at Pettit & Martin, which he joined full time after law school, and then for Sonnenschein, Nath & Rosenthal (now the Denton firm). In 1992 he made the move to public service, with a job at the Los Angeles Office of the County Counsel litigation unit, where he represented the board of supervisors, the department of public works and the sheriff’s department, among other government entities.

“I wanted to get into court more, to improve my skills,” he said.

By the time he was 35, he was the youngest judge appointed to the Municipal Court bench. He cut his teeth on landlord-tenant and civil cases before moving to the criminal docket.

When he decided to run for assistant presiding judge in the footsteps of his friend, Kevin C. Brazile, who was the first African American to serve as presiding judge, Taylor was told that his election was unlikely because “our court would not elect two people of color at the same time.”

“The more I heard that, I decided, ‘That’s exactly the reason to run, so no one will say it again.’”

Along the way he raised a daughter, who now works in the entertainment industry in New York. While she was growing up, he became engaged in community activities with her and at her schools. He served on the board of the Cate School, as an Alumni Council representative for Dartmouth and as president of the California Judges Association for two terms. (He remains the only judge to serve twice in that position.)

Taylor also carves out time to teach a Popular Culture and the Law course to undergraduates at Loyola Marymount, helping students understand more about what lawyers really do to help them decide if it’s a profession they want to pursue.

One of the things Taylor makes sure to pass on is to keep an open mind about law as a career path.

“One of the things I’ve learned is that whatever you think your career will be, it won’t be anything like that,” he said. “So many opportunities that one could never imagine are revealed during your legal careers.”

—Mary Wood
PUBLIC SERVANT
ALSO MEMBER OF GAME OVER COMMISSION

Prosecuting Sensitive Cases
Elyssse Stolpe ’14

ELYSSSE STOLPE ’14 WATCHED WITH FRUSTRATION AS FOUR MEDAL-WINNING GYMNASTS TESTIFIED BEFORE THE SENATE JUDICIARY COMMITTEE ON SEPT. 16, RECOUNTING THE FBI’S MISHANDLING OF THEIR SEXUAL ASSAULT CHARGES AGAINST LARRY NASSAR, A USA GYMNASTICS TEAM DOCTOR.

Now an assistant commonwealth’s attorney for the city of Waynesboro, Virginia, Stolpe specializes in prosecuting cases involving domestic violence, sexual assault, child sex abuse and sex trafficking. In addition, she serves as a commissioner on the Child USA Game Over Commission, which formed in the wake of revelations that Nassar had abused young women, possibly hundreds of them, under the guise of “medically necessary treatment.” Stolpe is also chairwoman of the board of directors for New Directions Center, a nonprofit dedicated to assisting survivors of domestic violence and sexual assault.

A few days after the testimony, Stolpe submitted a 20-page response to the commission, detailing what she identified as the FBI’s multiple failures. The commission released its final report in January, and Stolpe is now a member of the Child USA board of directors.

“They could have asked another doctor about the so-called treatment,” she said. “If I had a case like this, I would call up a medical member of my multidisciplinary team to see if it’s legitimate medical practice.”

That collaborative approach—involving not only law enforcement, but also social workers, child advocates and medical experts in preparing her cases—is what also leads Stolpe to successful prosecutions in the commonwealth attorney’s office and gives her the satisfaction of knowing she’s helping her community, she said.

“The types of victims you work with in that type of crime are at a particularly vulnerable stage,” she said. “We take an evidence-based approach to prosecution, and that requires a lot of interdisciplinary collaboration. How do we make that victim’s life better? And how do we get the offender treatment as well, in order to make the community safer?”

One of her collaborators is a 6-year-old therapy dog, Clue, a corgi who accompanies Stolpe to work daily. “I’ve had her since she was 9 months old,” Stolpe said. “I knew I wanted her to work with victims and witnesses, so I found a breeder whose dogs have the disposition to help.”

Clue’s first case involved a retired magistrate prosecuted for sexually abusing a 16-year-old child. “In the sentencing hearing, the girl wanted to be present,” Stolpe recalled. “I read her impact statement while Clue sat with her in the gallery, licking the tears off her face.”

Stolpe didn’t begin her career as a prosecutor. She had an offer to join McKenna Long and Aldridge in Washington, D.C., after law school.

But during her third year, the Prosecution Clinic placed her in the office of the Waynesboro commonwealth’s attorney. “Within two weeks of starting, I was handling cases on my own,” she said. “I realized, even as a law student, I was making a difference in the community. It felt good to work with real people.”

Still, after graduation, she accepted the firm’s offer, passed the bar and started working that fall on cases involving international arbitration and complex litigation. The next summer, McKenna Long merged with Dentons US. Her firm went from 600 attorneys to 6,000, making it the largest in the world.

“I came to realize that, if I looked at myself in 10 years, that wasn’t where I wanted to be,” she said.

Meanwhile, her supervisor in the Prosecution Clinic, David Ledbetter, who had earned his undergraduate degree at UVA in 1990, had become commonwealth’s attorney in Waynesboro. In fall 2015, he reached out to Stolpe and said he had an opening for an assistant commonwealth’s attorney.

“By November 2015, I was back in the commonwealth attorney’s office, taking a big pay cut in exchange for quality of life,” Stolpe said.

She benefited from the UVA Law loan forgiveness program, aimed at helping alumni in public service careers, which requires a graduate to go into a qualifying job within two years.

Job flexibility was a major draw, too. “People ask me how I manage the stress of what I do,” Stolpe said. “I, bring my dog to work, and B, I ride horses.”

“Ride horses” is an understatement. She owns a 9-year-old Belgian warmblood, Leia, and the two spend every weekend together, competing in show-jumping up and down the East Coast.

Originally intending to pursue equine law, Stolpe said Professor Rachel Harmon, who directs the Center for Criminal Justice, got her interested in criminal law.

One of Stolpe’s most satisfying cases involved a perpetrator who was able to abuse his victims for years before his conviction. A judge recently upheld his 27-year sentence.

“It took a village to prosecute that case,” she said. “I connected with the jury in explaining the trauma, why this victim might not have cried out the first time, how he was able to keep her silent. We are helping the victim rebuild her life, and we helped bring closure to the other people against whom he had committed crimes.”

—Marian Anderfuren
Adapting on Command
Robert Borcherding ’99

BY ANY MEASURE, IT WAS AN EXCEPTIONALLY BUSY WEEK.

On Aug. 9, Robert Borcherding ’99 was promoted to Army brigadier general and confirmed by the U.S. Senate to his new post as legal counsel to the chairman of the Joint Chiefs of Staff. He started his new job at the Pentagon on Aug. 13. The United States began its final withdrawal of troops from Afghanistan on Aug. 14, and Kabul fell to the Taliban just days after that. That left Borcherding little time to get up to speed.

“We quickly became consumed with all things Afghanistan,” he said.

The new legal counsel to the Joint Chiefs is nothing if not adaptable, and a quick study as well. “My first few weeks were dominated by fairly complex interagency crisis management,” he said. “Since then, the pace has leveled off a bit, but it’s regularly punctuated by emerging national security issues.”

But perhaps the best way to describe what he does is to explain what his boss, Gen. Mark Milley, the chairman of the Joint Chiefs of Staff, does. The Joint Chiefs chairman is the principal military adviser to the president, the secretary of defense and the National Security Council, as well as the various U.S. military commands around the world. When the Joint Chiefs are called upon to make policy recommendations, one question that often arises, Borcherding said, is whether a certain course of action is legal. That often goes hand in hand with a second question: Even if something is legal, is it wise to pursue?

Borcherding and his staff of 20 military lawyers attempt to provide the Joint Chiefs with answers to those questions. It is a unique feature of the American military that each of its 11 combatant commands also has a legal team, and Borcherding and his staff advise them, as well. That’s a lot of clients to serve. “The days are long, but the weeks seem to fly by,” he said.

After graduating from West Point in 1993, the Chino Hills, California, native spent three years with the Army Corps of Engineers. He might have continued a career as an engineer, but law and international relations had always interested him. Borcherding attended UVA Law under the Army’s Funded Legal Education Program and earned a master’s degree in foreign affairs from the Graduate School of Arts and Sciences at the same time. He has since earned another master’s degree, in strategic studies, from the U.S. Army War College.

Over the course of his 28-year career in the military, Borcherding has been deployed overseas seven times. In his previous posting before his current job, Borcherding was stationed in Baghdad as staff judge advocate to the Combined Joint Task Force as part of Operation Inherent Resolve. Previously, he served in the judge advocate general’s Corps around the country and the world: for the 10th Special Forces Group and 4th Infantry Division in Fort Carson, Colorado; the 1st Infantry Division in Fort Riley, Kansas; the Joint Special Operations Command in Fort Bragg, North Carolina; and in Iraq. He also served as deputy chief for national security law to the U.S. Africa Command based in Stuttgart, Germany, and as executive officer to the U.S. Army Legal Services Agency at Fort Belvoir, Virginia.

In announcing Borcherding’s nomination to be legal counsel to the Joint Chiefs, Lt. Gen. Stuart W. Risch, the judge advocate general, said, “His selection represents the best of our regiment’s deliberate effort to train, mentor and grow exceptional operational judge advocates with the versatile experience, extensive legal expertise and proven leadership to advise the Joint Force. Colonel Borcherding’s strength of character and strategic vision will allow him to excel in this prominent and pivotal assignment.”

Borcherding is the second UVA Law graduate to serve as legal counsel to the chairman of the Joint Chiefs, following in the footsteps of retired Brig. Gen. Richard Gross ’93, who held the post from 2011-15.

Military families are famous for their resilience and Borcherding extends that credit to his wife, Anne, who has moved with him 14 times during their marriage, and to their three daughters.

“We view our service in the military community as a vocational calling,” he said. “It doesn’t make the challenges any easier, but it does put them in perspective when you’re convinced that you’re doing what you’re supposed to be doing with your life.”

That is true even if Borcherding often can’t discuss exactly what he is working on.

“I basically tell them, read the news,” he said of his family. “If it gets your attention and it’s military-related, we’re probably talking about it and involved.”

—Mark F. Bernstein ’89
FORMER HOMICIDE PROSECUTOR MITIGATES RISK FOR MICROSOFT

Making Connections in the Cloud
Edna Conway ’82

LIKE THE MICROSOFT CLOUD SERVICE SHE SUPPORTS, EDNA CONWAY ’82 IS CONSTANTLY MAKING CONNECTIONS.

Conway is the vice president and chief security and risk officer for Microsoft’s Intelligent Cloud infrastructure, which supports services to more than a billion user accounts. She is responsible for the security, resiliency and governance of the cloud infrastructure and supply chain upon which Microsoft’s cloud business operates.

In a nutshell, her job is to manage a complex digital matrix constantly undergoing stress so that the cloud doesn’t merely endure change but thrives amid flux.

Users of the cloud might be leveraging it for a variety of business applications: a business sourcing goods and services, a factory checking its sensors on a moment-to-moment basis, researchers collaborating on the latest vaccine. Meanwhile, the numerous applications and services businesses increasingly rely upon—are simultaneously operating in the cloud environment.

“Despite that complexity, we strive to have the right balance of resiliency,” she said.

Understanding the connections interlacing the third parties that work with Microsoft is part of Conway’s specialty. Using the security and resiliency ratings that she devised based on approximately 300 controls, she has established “tolerance levels” to help abate risk. It’s a model that benefits both Microsoft and the third parties who partner with them, she said.

Conway has built a career on synthesizing what others might otherwise miss. Having added advanced supply chain, executive leadership and security credentials from MIT, Stanford, Carnegie Mellon and New York University following law school, she is always learning, and not just out of necessity for her work. Her interests are broad. In fact, she earned her bachelor’s from Columbia University in medieval and Renaissance literature.

After obtaining her law degree, Conway served as a prosecutor focused on homicide cases as a New Hampshire assistant attorney general. That experience honed her ability to gather information and parse relevant arguments, which won her at least one case in private practice in California before she even opened her mouth, on the merits of her brief.

She knew that because the judge told her she was winning and asked if she really wanted to address the court with an oral argument. A quick study, she rapidly said, “No, your Honor,” and sat right back down.

Returning to New Hampshire, she became partner in an international legal practice. She was entrusted with some of the firm’s most complex cases, and her exposure to multiple forms of practice resulted in a client, Cisco Systems, asking her to come in-house.

She joined the tech giant in 2000, rising to chief security officer of the global value chain, where she drove a comprehensive security architecture across Cisco’s third-party ecosystem.

Technology has come a long way in more than two decades, as have the threats to it. By today’s standards, risks such as the Y2K bug seem quaint. With all the change, Conway has maintained an approach to her career that leverages the power of technology to allow her to say yes to opportunities. First and foremost, she runs toward challenges others might find daunting.

“Seeing connections, saying yes, trusting your colleagues will help you take a risk, and building something that didn’t exist before have all been integral,” she said.

Ironically, as an early adopter of technology, she was working remotely before working remotely was cool.

Although Conway doesn’t currently serve as an attorney, she still often has to think like one. Companies must carefully vet potential partners, she noted. Brand and intellectual property protection, and other legal and risk mitigation concerns, must be considered.

The winner of numerous awards for her career contributions as a leader in the tech industry, Conway has also served on a number of boards and councils, not the least of which involve advising the U.S. Department of Homeland Security Cybersecurity & Infrastructure Security Agency, NATO, and other global and government defense departments. Blending technology, legal risk and business acumen led her to be invited to join the Fortune Most Powerful Women’s community.

Conway said she is a firm believer that “the combination of a curious mind and a great legal education can take you anywhere.”

—Eric Williamson
WENDY WAN-LONG SHANG ’94, AN AWARD-WINNING CHILDREN’S BOOK AUTHOR, HAS STORIES TO TELL ABOUT BEING OF ASIAN DESCENT. ONE OF THEM IS THAT OF CORRINE TAN, AMERICAN GIRL’S 2022 GIRL OF THE YEAR.

American Girl is a juggernaut of the toy industry, producing 18-inch dolls that come with rich personal histories and challenges, along with extensive wardrobes and accessories. Responding to the rise in violence and discrimination against Asian Americans over the past two years, the company determined that its 2022 Girl of the Year would be Asian American, and that Shang was the writer to tell her story.

Although surefooted and brave, Corinne must find her balance as she adjusts to her new blended family and finds the courage to speak up when faced with xenophobic comments. A boy at the local skating rink picks on her, telling her she has “kung flu.”

“When I was a kid and I had to deal with comments … you’re just in shock,” Shang said. “Part of the reason I became a writer is that I wanted to have every snappy comeback that I didn’t have as a kid.” Shang also views her books as an opportunity for readers to think about how they might respond to similar situations.

Shang, a daughter of Chinese immigrants, grew up in northern Virginia. Before college, she was one of only a half-dozen Asian American students in a large public high school.

She then came to UVA as an undergraduate—an Echols Scholar double-majoring in psychology and government, and found community.

“Undergrad was the first time I had an Asian American community of my own choosing,” Shang said. “The Asian Student Union built friendships and showed me what we had in common.”

At the time, Asian characters in the books...
and movies with which she was familiar were the supporting cast, not the stars. Shang said a showing of “Red Sorghum” in the basement of Newcomb Hall came as a revelation. The 1988 film tells the story of a young woman married off to a much older man who owns a winery. When he dies, she finds herself taking over the business and standing up to Japanese invaders. It marked the screen debut of Gong Li, who went on to become one of China’s best-known actresses.

“Seeing Gong Li’s face flit across the screen finally affirmed to me the beauty of my own people,” Shang told an interviewer a few years ago. “I was finally able to enjoy fully realized women taking charge of their own lives.”

In a roundabout way, that epiphany led Shang to a career writing children’s books that have as their protagonists young Chinese Americans struggling with cultural identity, family, xenophobia and bullying. Her first book, “The Great Wall of Lucy Wu,” came out in 2011. The book won the Asian Pacific American Librarians Association, Children’s Literature Award, and is on the official reading lists of nine states.

In June, she will publish her ninth book, “The Secret Battle of Evan Po.”

Her track record landed her the gig of writing two books about Corinne Tan. The books are based on an American Girl doll who “lives” in Aspen, Colorado, with her mom, sister and stepdad, loves skiing and ice skating, and is training her puppy to become a search-and-rescue dog. “Corinne” and “Corinne to the Rescue” were published in January, coinciding with the debut of the doll. She was brought into the project early enough to contribute to the creative process of making the doll itself a reality. American Girl designers consulted with Shang and an advisory committee on several features, including Corinne’s hair style and color, skin tone and eyes.

But the pandemic kept Shang from leaving home in northern Virginia and going to Aspen for the book’s geographic research. Fortunately, two of the advisers helped fill in the details.

“One had grown up in Aspen and the other had raised kids in Aspen,” Shang said. “Otherwise I might not have known that Corinne’s school could have a ski lift right outside.”

Before coming to UVA in 1986, Shang hadn’t intended to go to law school. But undergraduate courses on the Supreme Court with UVA government professor Henry Abraham changed her mind.

“I loved his classes, loved learning about Supreme Court cases and what they meant to the United States,” she said. Abraham, who died in 2020 at age 98, taught in what is now the Woodrow Wilson Department of Politics for 25 years.

Shang took a year off after graduation and, inspired to go into law, applied to several schools. UVA Law was always her top choice, because “you get spoiled when you live in Charlottesville.”

“I was an unusual student at the time,” she said. “There was very much more emphasis on law firm jobs, and I figured out pretty early on that’s not how I wanted to use my law degree.”

She became a research assistant to Professor Elizabeth “Buffie” Scott ’77, whose focus at the time was the decision-making rights of minors in medical situations.

Shang got an internship at the National Center for Youth Law and became more focused on the rights of children. At the time, she said, job prospects for law graduates weren’t great, so she took some time off, trained as a CASA—or Court Appointed Special Advocate, who represents the interests of abused or neglected children in legal proceedings—and worked for an attorney in Arlington. She went on to work as a lawyer for the American Bar Association Juvenile Justice Center, working on the representation of children in juvenile proceedings.

She also married David Harrington ’94, a fellow Double Hoo now with the U.S. Department of Justice. “We were both working and started having kids,” Shang said. She left her work at the ABA to raise their children full time. The couple has three children.

When she was invited to her 20th high school reunion, she asked herself, “Have I not done that I always wanted to do?” And the answer was: “Write a children’s book.” She took a class starting in 2006, began writing and won a new author’s grant based on the first 50 pages of “The Great Wall of Lucy Wu.”

“That gave me a lot of confidence,” she said. “It took me a year to write the first 50 pages and six months to write the next 100.”

While continuing to write, Shang went back to her legal roots in 2016, working part time at the Baltimore-based Pretrial Justice Institute as a research and communications associate. As part of her work there, Shang has been working on racial equity in pretrial systems.

“I would say that my work at PJI has empowered me to write the stories I’m writing now. Talking about race and racism in a thoughtful way has become an important focus in the children’s literature world. I’m grateful I have jobs that enrich each other.”

—Marian Anderfuren
IN TURN TO NONFICTION WITH "WASTELANDS." AUTHOR UNCOVERS STORY OF SMITHFIELD SUIT

Writing for Justice
Corban Addison ’04

NOVELISTS FROM CHARLES DICKENS TO ÉMILE ZOLA TO JOHN STEINBECK HAVE USED FICTION TO ILLUMINATE BRUTAL SOCIAL CONDITIONS AND EXPOSE INJUSTICE, GRABBING AUDIENCES BY THE HEART WHERE MORE JOURNALISTIC ACCOUNTS MIGHT HAVE STOPPED AT THE HEAD.

Corban Addison ’04 has followed in that path. His first two novels, “A Walk Across the Sun” (2011) and “The Garden of the Burning Sand” (2013), exposed the horrors of child sex trafficking in India and Zambia, respectively. “The Tears of Dark Water” (2015) was set against a backdrop of piracy off the coast of Somalia. “A Harvest of Thorns” (2017) addressed the exploitation of workers in the sweat shops of Bangladesh.

His books have regularly made best-seller lists both in the U.S. and abroad, and have received acclaim for weaving gripping tales that also make a broader point. Kirkus Reviews, for example, praised “The Tears of Dark Water” as a “fast-paced thriller that puts its humanitarian moral at the forefront.” Oprah Winfrey’s O magazine hailed “A Walk Across the Sun” as “a pulse-revving novel with a serious message.”

His latest book, “Wastelands: The True Story of Farm Country on Trial,” which will publish in June, packs a similar punch but marks a significant departure. It is his first work of nonfiction, one that author and lawyer John Grisham, who wrote the foreward, calls “a story I wish I had written.”

Many lawyers turn to creative writing later in life, but Addison’s writing and legal careers have nearly overlapped. A native of Carlsbad, California, he majored in mechanical engineering at California Polytechnic State University, San Luis Obispo, but had no desire to build widgets for a living. Instead, he entered UVA determined, he said, “to use the law to change the world.” Even during a busy first year, Addison also managed to finish a draft of a novel, which he had begun in college. “It was terrible,” Addison says now, “but you have to start somewhere.” Undeterred, he wrote another book during his third year of law school and it, too, went nowhere.

After clerking for U.S. Magistrate Judge B. Waugh Crigler, Addison joined the Charlottesville firm Scott Kroner still hoping to change the world, one way or another. He wrote a third unpublished novel at night while practicing law but was now receiving enough positive feedback from agents that he was encouraged to keep trying.

His creative breakthrough came from an unexpected source. In 2008, Addison and his wife, Marcy, saw the film “Trade,” starring Kevin Kline, about international child sex trafficking. The film made a life-changing impression on both of them. Marcy, whom Addison calls his fairest critic, suggested that he take on the subject for his next novel, blending his talent for storytelling with his passion for justice.

Recognizing that he would have to immerse himself in that seamy world in order to describe it on the page, Addison approached the International Justice Mission, a nonprofit group dedicated to fighting modern slavery, which agreed to send him to India for six weeks. Taking a leave of absence from his firm and scrumping money...
wherever he could, Addison traveled to Mumbai and went undercover to tour brothels posing as a customer. The trip was extremely dangerous and deeply affecting. Addison still remembers riding the train back to his hotel after one visit.

“It was one of those moments when the thoughts in my head about what I was writing met the real world and caused a kind of moral supernova,” he recalled. “I realized that I couldn’t do anything to help the girls I saw in those brothels. But what I could do is write the best book I could to speak to the consciences of people worldwide, and maybe the broader culture could change. Maybe other children could be saved from a similar fate.”

None of that would happen, though, unless the book, which became “A Walk Across the Sun,” found a publisher. Even with support from Grisham, whom Addison had met through friends and who loved the manuscript, this proved difficult. U.S. publishers praised the book but passed on it anyway, calling the subject too disturbing for a novel. After many more months, the U.K.-based firm Quercus finally agreed to publish the book.

Asked why he chose to tell his stories through fiction, Addison said that he had grown up reading historical fiction and found it far more compelling than straight histories, in part because the author could take necessary dramatic liberties to get the spirit of a story right. To Addison, the proof that he struck the proper balance in his work came in the praise he received from people in the places he wrote about.

“I went to their communities with open hands and an open heart and wanted to learn,” he said. “My greatest moments as a writer have come not from reviewers, but rather from people who know the subject saying, ‘You captured it. You did right by us.’”

In “Wastelands,” Addison found a story that, to use an overworked phrase, was almost stranger than fiction. He put in three years of research, attending several trials, interviewing scores of people, and visiting small communities in the North Carolina coastal plain to understand that world and tell their story. The book is also full of complex legal and political machinations. And when the U.S. Court of Appeals for the Fourth Circuit finally affirms a jury’s award of compensatory and punitive damages against Smithfield in 2020, Addison turns the mic over to Judge J. Harvie Wilkinson III ’72, who wrote in a stirring concurrence that the award was not only legally sound but “essentially a just one.”

Though Addison left behind a career in law, writing about the lawyers in the Smithfield case reminded him about the impact they can have.

“I have often looked over my shoulder at my classmates who stayed in a far more predictable and generally solvent career and thought to myself, was I the fool?” he said. “I have always believed that the law is a noble profession and ultimately it is defined by the people practicing it.”

Still, he knows that he is lucky. Addison’s teenage son once complained to him that he doesn’t like to get up and go to school on Mondays. The remark hit home.

“What I can say,” Addison admitted, “and I say it with gratitude, is that for all the ups and downs of what I’ve done, I’ve never felt that way on Monday morning.”

“And that’s a gift.”

—Mark F. Bernstein ’89
IN MEMORIAM: LEIGH MIDDLEDITCH ’57, SORENSEN INSTITUTE FOUNDER WHO WORKED TO END GERRYMANDERING IN VIRGINIA

LEIGH MIDDLEDITCH JR. ’57 (COL ’51), who worked behind the scenes to end partisan divides in Virginia, including in gerrymandering, while also improving his alma mater and the Charlottesville community, died Oct. 4 at 92.

He is perhaps best known for co-founding the Sorensen Institute for Political Leadership at UVA, which trains leaders in the art of political negotiation and nonpartisan cooperation, and for helping to end the state’s decades-old partisan redistricting process by launching a successful constitutional amendment campaign.

“If anyone was the father or parent of nonpartisan redistricting in Virginia, it was Leigh,” said CHARLES “SKIP” FOX ’80, a retired partner at McGuireWoods who worked with Middleditch for decades.

Middleditch’s resume of social contributions was robust. In fact, according to his friends, they were so numerous as to make them nearly impossible to quantify and order. He was a serial founder and member of boards and charitable projects, including having served on the UVA Board of Visitors from 1990-94 as an appointee of Gov. Douglas Wilder. His civic commitments, most often focused on governance, filled almost every moment outside of his work in tax law.

Middleditch eschewed the spotlight, so he refused to assert ownership over his many claims to fame.

“He would not want credit for any of it,” said Bob Gibson, a former executive director of the Sorensen Institute who recently retired from UVA as communications director of the Weldon Cooper Center for Public Service.

Recognizing growing national and state political divides, Middleditch co-founded the institute in 1993 as the Virginia Institute of Political Leadership, in collaboration with Charlottesville-based investor and environmentalist Michael Bills. The goal was fairly straightforward, Gibson said: “Bring Republicans and Democrats together.”

Among the more than 2,000 graduates of the institute’s various programs, alumni include Gov. Ralph Northam and dozens of members of the Virginia General Assembly, including 27 current members, and hundreds of other leaders, who serve in local government or other roles.

In the interest of political comity, one of Middleditch’s many initiatives was OneVirginia2021: Virginians for Fair Redistricting. The group set out to overhaul gerrymandering in the state—a redrawing...
of voting districts that typically happens after a party has gained power, all done behind the scenes. Critics viewed the historical process as a way of artificially manipulating future elections, distorting how pockets of the state actually voted. One Virginia 2021's efforts led to the successful state referendum in 2020 that established an advisory commission and new redistricting rules.

“He was the prime motivator behind the effort, which sponsored the longshot amendment,” Gibson said. “It passed with overwhelming public support and approval.”

Though the effort was not a total victory, Gibson said, because partisan appointment still plays a role in the new scheme, “It ends gerrymandering by one party through backroom dealing and introduces transparency into the process.”

Middleditch was born Sept. 30, 1929, in Detroit. He completed his bachelor’s from UVA, where he was a member of Omicron Delta Kappa, before embarking on military service. He returned to the Law School through the ROTC program, and after graduation became an associate of JAMES H. MICHAEL JR. ’42 from 1957-59, then a partner at Battle, Neal, Harris, Minor & Williams from 1959–68. He joined McGuire, Woods, Battle & Boothe (now McGuireWoods) in 1972, only retiring from the firm in 1983.

Throughout his professional career, he was also devoted to helping UVA.

Middleditch served as the University’s legal adviser and special counsel from 1969-72, during the shift to coeducation in undergraduate study. In addition to later serving on the Board of Visitors, he served as president of the Law School Alumni Association from 1979-81; served on the UVA Alumni Board of Managers from 1994-2001, including as president from 2000-01; chaired the UVA Health Services Foundation (now UVA Physicians Group) from 1988–97; chaired the Virginia Health Care Foundation from 1997-98; was foundation president of the Miller Foundation, which runs Monticello, and James Madison’s Monticello.

Other major volunteering included directing the U.S. Chamber of Commerce and service on the boards of the American Bar Association, Virginia State Bar, Virginia Health Care Foundation, Virginia’s Secure Commonwealth Panel and the Virginia Council on Economic Education. He was president of the Charlottesville-Albemarle Bar Association from 1979-80.

He was a former trustee for the Thomas Jefferson Foundation, which runs Monticello, and James Madison’s Montpelier.

Co-author of the first edition of “Virginia Civil Procedure” with professor emeritus Kent Sinclair, Middleditch taught as a lecturer at UVA’s graduate School of Business from 1958-1990, and at the Law School for two decades starting in 1970.

Although he reluctantly accepted a few awards over the course of his life, including the Sorensen Institute’s Founder’s Award in 2019, Middleditch found the work itself to be his reward, according to friends. Friends said he instilled in his fellow lawyers that pro bono and public service were to be considered not just the occasional good deed, but a way of life.

In bringing others along, then standing behind them, “He did a lot for a lot of other people get credit for,” Fox said. The key to his lasting successes was his persistence.

“I thought something, he was going to keep after you.” Middleditch is survived by his wife, Betty Lou, and three children, among other family members.

—Eric Williamson

1958

BY LARRY GRIM
CLASS SECRETARY
jlawrencegrimm@gmail.com

JIM ATKIN writes: “Now in my 90s, I found out that after two decades of background investigation, I have been accepted by the Santa Rosa Police Department as a member of their volunteer group. I find that when one is willing to stand up and help support the local community, there’s still room for us guys. I have always liked to participate where I live, this is something I learned in my days at Clark Hall. Thank you for asking!”

Terriice, Jim! Really great to know. Your secretary’s lady, Kathy O’Dea, 81, and several of her pals put in hours of volunteer community work, so she’s impressed: “Such a good use of a lawyer’s talent!” she says.

.........

LEN COOPER died Dec. 18 at age 93, not waking after a stroke. He was high school senior class president and letterman in track and football, Rutgers University Student Council vice president and captain of the mile relay team. After Officer Candidate School, he served two years as line officer on a destroyer/nine sweater in the Korean War before law school. After graduation, he joined a D.C. firm and did antitrust litigation for municipalities at the highest levels. He chaired the Pro Bono Committee of the D.C. Bar Association and was awarded a medal for the year for his pro bono work. Your secretary tried to email his excellent full obituary to everyone in the class, but if you did not get one or would like one, email me. His favorite hobby was horseback riding. Here’s what his lovely wife, Vickie, tells about how she married him:

“I’m a West Coast girl from The Dalles, Ore. After I graduated from college (Portland State University, BS Econ), I went to work for a real estate startup company in Portland. It was fun but I wanted to see more of the country. I saw an ad for a management internship with the U.S. Department of Commerce in Washington, D.C., and applied. Surprisingly, I got the job! I went to D.C. and after a year at the department, I moved to the National Oceanic and Atmospheric Administration.

“I had always been a horse lover and soon after arriving at NOAA I met a woman who was taking horseback riding lessons at the Potomac Horse Center. I decided to give it a try and that’s where I met Len, who was also taking riding lessons there. We struck up a conversation and soon were meeting up after our lessons and having these long conversations. This went on for weeks and I had just about given up hope of anything romantic developing when he finally asked me out. We had a wonderful time on our first date, but I had a business trip to Colorado scheduled for the next week, so he decided to come and watch my riding lesson and then take me to the airport to catch my plane.

“Now I was in a beginning jumping class (you could trip over the jumps), but we hadn’t even started to jump. We were just warming up. I was riding an older school horse and when I asked for the canter, she slipped on the new dirt flooring of the arena and fell. Instead of being thrown clear, I went down with her. As she scrambled to get up, she stepped on my leg and kicked me on the temple. I fell face down into the new dirt floor and was covered from head to toe. Len rushed to my side and helped me up, but I was morbidly, and I was sure that this was the end of our relationship.

“Len tried to talk me out of going on my business trip, but I didn’t want to let my team down and I insisted on going. On the four-hour plane ride, I began to have second thoughts. My leg stiffened up and I developed a pronounced limp. My temple turned purple, and I got a big black eye. When I arrived in Denver and limped off the plane, my team met me with choruses of ‘What happened to you?’ On the 25-minute car ride to Boulder (our destination), I got very depressed. I had given Len a copy of my itinerary and when I checked into our hotel and went to my room, there on the table was a big bouquet of yellow roses! I decided right then that this was the man for me, and I have loved him ever since and always will.”

BOB DORSEY says no COVID but “broke and had surgery for my right femur ... my two Las Vegas-based sons have been taking care of me. It is great at this time of my life to really get to know them. My life here is quiet, the glamour of Las Vegas wore off a long time ago. I still drive and can do the things I want, attend meetings and go to church. It is hard for me to imagine what Charlottesville is like today. Ben Phipps and I shared a rooming house for a while ...”

BILL EDWARDS and WALTER JERALD FORD shared tales of the D.C. Monroe as ROTC lieutenants. Bill didn’t know Jerry’s first name was Walter, but recalls vividly the number of higher-ranking officers,
as he was secretary/treasurer of [Bachelor of Applied Arts], “which was in fact a transient officers luxury hotel where all the visiting officers stayed and where we lieutenants lived. I always wondered how the lieutenants ended up with the best living conditions. I was a post special services officer and as such had the additional burdens of running the movie theater, fishing boats, duck blinds, skeet range and other play toys. And I was also assigned to coach the traveling sports teams which included basketball, bowling, softball, and swimming and diving… (I had mostly college boys who had just returned from the Olympics.)

Always dependable: BILLY GRIESSAR and his wife, Jane, spent from late May to early September as usual in “Chamberlain, Maine, where we were visited by several of our children and grandchildren—the coast there being a natural magnet for young and old alike. And, of course, we ate lobster often and, for those who don’t know the area, some of the best-tasting oysters in the world harvested by the Damariscotta River…”

JOE HILTON reports: “Yesterday I met with my old friend [real estate developer] Larry Silverstein who rebuilt the World Trade Center. I am 87 and Larry is a few years older. Both of us are of old school minds and still doing real estate deals. Yes, our hearing and sight are not perfect but we’re still having fun; each married for 50 years. Poor girls!! That’s all.”

DOUG MACKALL invites: “All members of the class of ’58 are welcome to have a drink with me and on me at Farmington when in Charlotte. The All-American football player at the University during our time, Jim Bakhtiar, known as ‘The Persian Prince,’ just died.” Born in Tehran, Iran; Bakhtiar died a day after his 88th birthday on Jan. 8. (Secretary’s Note: Robert Kershner, ’58—UVA quarterback hero, Rhodes Scholar, awardee of the Croix de Guerre and political science professor to many of us in the College—championed masculinism in athletics and had UVA drop athletic scholarships so UVA football’s teams lost something like 27 straight games in the 1950s, the only bright spot being Jamsheid Abol Hassan Bakhtiar’s reign on and off the field. He went on to play Canadian professional football then returned to UVA Medical School, where he played rugby. Your secretary served in the military with First Troop Philadelphia City Cavalry and on its rugby team, playing at about 30 age against Bakhtiar on the field near the gym. In a scrum, my neck was severely twisted. Fellow Phi Gamma Dr. Jim Hunter took me to the ER for X-rays with one of the skull to show me: no brain.)

HOBART McWHORTER died Jan. 6 after a brief illness complicated by COVID. Hobart was an Eagle Scout, awardee of the Ruskhton Cup—the highest honor at Birmingham University School—a graduate of Phillips Exeter Academy and of Yale University in 1953, where he was on the swim team. He served as a lieutenant and battery commander for artillery forces in Hokkaido, Japan, during World War II. Then he graduated from UVA Law and joined the Birmingham firm of Bradley Arant Rose & White, where he was a fearless trial lawyer. Your secretary tried to email his excellent full obituary to all in our class; I found did not receive one or would like one, email me a request. Here is what his wonderful wife of 25 years says: “When I was very young, I first met Hobart and his former wife when my former husband and I came up from Mobile to a party my great-aunt gave in Birmingham. Since Hobart and his wife were 10 years older, I debated whether to say ‘yes’ and ‘yes sir’ to them!! Later I would see them when we would come up to Birmingham to these very fancy tennis tournaments at the Mountain Brook Country Club. Years later, having been single for years, out of the clear blue, I received a letter from Hobart. It took me weeks to decipher his handwriting because he wrote like someone who signed the Declaration of Independence!

My dearest Ellen, I am writing to invite you to be my date for the weekend and tennis partner for the regional meeting of the American College of Trial Lawyers which is October?? 1987 at 6 p.m. at the Grand Hotel in Point Clear, Alabama, I sincerely hope you will be able to join me. I am anxiously await your response. Your devoted servant, Hobart A McWhorter Jr., Esq.

“How in the world could I ever respond in like-manner to that adorable letter? I started trying to call him on the telephone. He did not have an answering machine!!! (Nor a color TV!!!) After about two weeks, I finally reached him at midnight (unbeknownst to me, he was slightly filled up with spirits) and he thought I had expected his invitation for the whole weekend. But no, he talked me into coming to the cocktail party Thursday night, but I already had plans for the weekend. He heard ‘yes’ to the cocktail party but did not understand that I couldn’t stay; so he was ‘surprised’ and not happy when I said I had to leave that evening. Even though we had a great time that night, I didn’t hear a word from him afterwards.

“The next summer, a mutual friend said to me, ‘You need to go out with Hobart McWhorter.’ I replied, ‘Been there, done that, didn’t take forget it.’ She said, ‘You’ve got to go, We’re going to have a rerun on that! You two were made for each other.’ She and her husband hosted us and this time the date ‘took!’ That weekend was the beginning of ‘us’ I have loved that man since Dec. 2, 1988, until the day he died on Jan. 6, and I will continue to love him forever! He roared like a lion but had the heart of a puppy. That’s my man!!!”

Ellen L. McWhorter, January 2022

TOM OTIS says “Mina and I are keeping a low profile at Round Hill, in hope of ducking COVID-19: Delta, Omicron and other variants thereof. Golf will resume in April and I am looking forward to tennis and pickelball with elderly friends this summer. Our daughter, Elise, put on an extravagant 90th birthday party for my family and friends in September here at Round Hill. Mina’s brothers from Oregon and Connecticut cut attended and Mina had a great reunion with them.” He closed with his customary courteous invitation to Kathy and me to visit. I’d like to see my Farmington suitemate and his bride again…

Bert Sachs, 92, passed away peacefully on Friday, Jan. 7. He was a beloved husband, father, grandfather, great-grandfather, uncle and friend. He is preceded by his wife, Sarita, his granddaughter, Shira Furman ’14, Shira writes, “Dean Mahoney was kind enough to allow my grandfather to be hooded with me at my 2014 graduation ceremony, as he missed his own graduation. He was such a proud graduate of UVA and cherished his time there.”

Bert Sachs, Deland, FL, to the late Benjamin Sachs and Sara Weiss Sachs. He was raised in Lexington, VA, as his family moved there when he was less than a year old, where he attended the Lexington Public School System. He attended the University of Virginia but resigned from his studies in December 1950 to enlist in the U.S. Air Force, where he served for four years, including one year in Korea. In 1955, he returned to UVA to attend law school. Upon finishing law school, he moved to Norfolk, VA, in 1959. Bert served as law clerk to the Honorable Judge Walter Hoffman, the U.S. District Judge in Norfolk, VA, during which time he represented clients in various types of litigation, including civil and voting rights cases. He was elected judge of the General District Court of the City of Norfolk in 1980, and in 1985 he was appointed to the Circuit Court of the City of Norfolk until he retired in June 1994. He was known as “the peoples’ judge” and he prided himself on upholding the integrity of the law while treating all people fairly. He lived proudly by the mantra “I would do unto others as I would have others do unto me.”

More than anything, he loved spending time with his beloved wife, Sarita, their children and their families, whether they were in Norfolk, Florida or traveling to see them. Bert had many passions, including traveling, art, history, photography, birds, music and reading. He
was a longtime congre-
gant of Temple Israel in
Norfolk, and he was very
involved in the Anti-
Defamation League as well as many other organizations. He lived his final years at Beth Sholom Terrace in Virginia Beach, Va., where he was lovingly cared for by all. May his memory be a blessing to all who loved him.

KARL VELDE: So far so good on COVID for Sandra and me … On the happy news front, I celebrated my 90th birthday with five birth-
day cakes over the period of late-July until mid-
October (actual birthday August 9), clim-
axing with a dinner at the Harvard Club in
Boston (remember I went to Princeton), but it
was a convenient loca-
tion to have my chil-
dren and grandchil-
dren present for a great
picture on the staircase. 

HENRY WILLIAMS died
Nov. 29, age 91, in Scotts-
ville, NY. He is survived
by his wife, Barbara, six
daughters, 14 grand-
children and two great-
grandchildren. He had a
distinguished career prac-
ticing “village law,” as “Williams Law
Offices,” active in local
government as major-
ity leader of the Monroe
County Legislature, oc-
casionally as judge in small claims court. A 
‘52 Dartmouth College
graduate, he was a U.S.
Navy navigator and ex-
cutive officer, 1952-55. At UVA Law, he was
Order of the Coif, Raven
Society, ODK, on Vir-
ginia Law Review and
sang in the Libel Show. He
began sailing age 10 and never stopped—
racing in Newport to
Barbuda classics. A
50-year member of
Great Lakes Cruis-
ing Club, he earned
their Admiral Byfield
Award for sailing each
of the Great Lakes. Last
summer, he raced his
Niagara 35, “Walter Mitty,” and was
called “Bly” by his crew. He was also an avid skier
serving the Eastern Di-
vision of U.S. Ski Patrol
as legal counsel. Your
secretary tried to email
his full, excellent obit-
uary to everyone in the
class. If you did not get
one, email me a request.
Here is what his wife
of 15 years, Barbara
Dinnick, tells of their
romance:
“As a small child I
wanted to be a cowgirl
and a writer. Before I
could hold a pencil, my
mother obligingly wrote
down my stories. Once
I conquered using a
pencil, writing was my
soul. I wrote plays for
my friends to perform,
poems, stories and
funny anecdotes. At the
same time, I rode horses
and took a year off from
majoring in English
at college to ride and
study at Morven Park
International Equest-
rian Institute. The
program was modeled
after the cavalry instruc-
tor’s program at Sand-
hurst in England and
was directed by a retired
British officer, who ex-
pected us to be able
to ride any horse (no
matter how difficult)
any time, on the flat or
galloping and jumping
cross-country. In short,
it was and remains the
most challenging, in-
structive and difficult
year of my life.

“Over the next years
I taught riding and
college writing. I wrote
constantly; my dream
of course was publica-
tion, and sure enough I
became ‘an overnight
success’ at age 40, with
the publication of my
first novel, ‘In the
Presence of Horses.’ It
was widely translated
and became a best-seller in
Germany.

“Another novel and
tales followed. I became
a visiting pro-
fessor at Dartmouth
and began teaching cre-
ative writing. I enjoyed
my oak-paneled office
on the third floor of an
old college; my very
bright and some later
extremely successful
students, my writing
colleagues and beautiful
walks across campus.

“One spring I was
asked if I would teach
writing course for my
alums as part of alumni
summer college week.
Despite dire warnings
from my colleagues
about alumni egos and
sometimes outrag-
ous demands, I said yes.

“Henry graduated
from Dartmouth in 1952.
(I hadn’t been born yet.)
And he loved returning
for reunions and asked
me to college.

“True story: I walked
into my writing class-
room the first day of
alumni college to find
three male doctors on
their feet disparag-
ing another one. The
general doctor called
the radiologist ‘a shadow
doctor’ and proclaimed
that ‘real doctors cut
flesh.’ Whereupon the
third doctor announced
he was an orthopedic
surgeon—only to be in-
formed he was ‘a mere
carpenter.’

“Since my young
and ready year at
Morven Park, I’d always
assumed I could pretty
much handle any-
thing. What’s a human
being compared to
1,000 pounds of horse
flesh with a steel shoe
nailed to each hoof? But
these three were out of
control.

“So, I did normal
professor things. I sat
in an empty chair, which
happened to be next to
a man leaning intently
forward, trying to talk
to the warring doctors.
I dropped my books on
the table with a bit of a
thump. The doctors
still argued like eight-year-olds. I
called for attention and
began to speak, feeling
somewhat protected by
the man beside me.

The doctors were
lifting their chins at each
other, posturing, so I
shoved my chair back
and left the room, quickly
closing the door behind me.

“And I tried a trick
learned from a sea-
man’s wife for high
mahogany. I locked myself
in the ladies room and
planned to bloody well
stay there until I felt
like going back. I stayed
20 minutes, and sure
even though my class
was now and worried.

“Where had she gone?
Would she ever return?

“The man with the
quiet, intelligent pres-
ence beside me was
Henry, of course. He
leaned toward me and
whispered, ‘Are you
alright?’ I nodded, went
to the blackboard and
started writing. The
room was silent until a
question, and

gingerly we got to work.

“The next day ‘the
surgeon’ didn’t come
to class and our group
became. Henry
and I had a distinct
spark between us. We
had a lunch few times
and sat together at the
final dinner. But after-
wards when he sug-
gested we might see
each other again, I re-

tained him he was
(even if unhappily)
moved. I said goodbye
quite firmly.

“A year passed. He
sent me a few modest
gifts. These made me
uncomfortable; I re-

sponded with ice-cold
thank-yous. Commu-
nication ceased. I was
relieved he’d gotten the
message.

“The following
summer, I walked into
the same classroom to

teach the very same
course, and lo and behold,
his marriage fin-
ishing, there was Henry.

“Once again, my
writing group became
close-knit, so now it was
especially difficult for
Henry and me to find
10 minutes alone together.
Try to slip out for lunch?
For a drink after class? A
Try to slip out for lunch?

“A ha!’ he said, all

smiles. ‘I thought some-
thing was in the air.’ We
saw him to secrecy.

“Fourteen months
later, we were married in
the Old Chapel at Central
Moravian Church in
Bethlehem, Pa.

“When I told my
Dartmouth College de-
partment chair I was
resigning and why, he
was astonished. ‘You’re
choosing personal hap-
piness over a position in
the Ivy League? Is that
wise?’

“Yes, I said … And
it was?

Alas, dear classmates,
I am sorry to bear so
many sad tidings. I’d like
a moratorium on fine
friends passing away.
I tried to send the full,

excellent, well-written
obituaries to all by blast
email. If you’d like a copy,

email me a request. Also,
I forwarded some won-
derful funny, poignant
memories about Hobart
McWhorter from the
lawyers in his firm that
were sent to me by his

sister, Eileen. Copies
also available.

Please share these
notes with your spouse
and/or significant other;
email me any comments.
Respectfully Submitted,

Larry Grim, Secretary

—LARRY GRIM, (215) 896-1120
jlawrencegrimr@
gmail.com

1960

UVA Law recently
named the RICHARD A.
SILVER Scholar. CAMILO
A. GARCIA ’22. Garcia is
the top student in the
Class of 2022, with the
highest GPA after two
years. He is editor of the
Virginia Law Review;

a mentor in the St.
Thomas More Society
and the Latin Ameri-
can Law Organization,
and participated in the
Supreme Court Litiga-
tion Clinic. The schol-
arship was established
by Silver, who has been
long recognized as a
leader in the litigation
bar in Connecticut. He is
senior partner at the
law firm Silver Golub
& Teitel in Stamford,
where he is still actively
practicing in the areas
of medical malpractice,
serious personal injury,

birth injuries, complex
civil litigation, traumatic
and acquired brain inju-
ries, spinal cord injuries
and wrongful death.

1964

ANTHONY PANTALEONI
passed away, accord-
ing to family, peace-
fully at the home where
he spent his very first
summer, surrounded by
his family and listening
to his favorite music.

Pantaleoni is sur-
vived by Emily, his wife
of 60 years; his chil-
dren, Tom and Téa; and
daughter-in-law, Alessandra; “the lights
of his life,” grandchil-
dren West and Kyd; his
brother, Mike, and “so
many nieces, nephews
and spectacular friends
whom he loved and

counselled and cele-
btrated whenever he
could.”

The family said that
“after a less than stellar

1962

SAM POLK submitted
the following news: “Since
my graduation from the
Law School: one firm;

one wife, two children;
four grandchildren—a
good life!”

1964
run through Buckley, Milton and Harvard, Pantaleoni found his lifelong passion at the Law School.

“For him, legal briefs on the weekends were like Sunday comics to a kid.”

Pantaleoni was a partner for almost 50 years in the New York firm that is now Norton Rose Fulbright.

“He could have practiced law for another 50 years, he very likely would have done so,” family members added.

Pantaleoni was on the Board of UNICEFUSA, originally the U.S. Committee for UNICEF, which his mother co-founded in 1947. During his tenure as chair of the board, UNICEFUSA raised over $2 billion for the parent organization.

A gifted and graceful athlete, Pantaleoni was a memorable tennis player “who never lost his balance and rarely his humor on the court.”

“Patato,” a nickname from his grandchildren, “had an infectious laugh and could always find joy in the smallest of life’s pleasures; he loved screened porches anywhere, being with family and friends anytime, and all cheeseburgers and martinis. Maybe more than anything, he loved rolling up the rug and jetting up with Emily. “His even-keeled nature and sage advice got many of us through life’s most difficult times. He will be sorely missed.”

**MICHAEL JAMES VIENER**

December 31, 1925 – March 20, 2020

Michael James Viener died Sept. 14 at Williamsburg Landings, Williamsburg, Va., after living with Parkinson’s disease for many years. He was 80.

Viener was born in Richmond in 1941 to Reuben and Thelma Kurtz Viener. He attended Thomas Jefferson High School, where he played tennis for legendary coach Sam Woods at Byrd Park, who led his players to 11 consecutive state championships, and under whose coaching Viener was a top-ranked doubles player.

He attended the University of Pennsylvania, where he was a varsity letterman in squash, and then went on to receive his law degree from UVA.

While working in New York City, Viener met his future wife, Karen (née Marschak), and they soon moved to Darien, Conn., where they lived for 25 years and raised their family. Viener’s talent and interests led him to business law and eventually corporate development with Richardson-Vicks, where he was vice president for acquisitions.

In this role, he earned a reputation for creativity and goodwill in transactions, and for his clear vision on strategy.

In a later career chapter, Viener would apply his experience to the formation of an entrepreneurial vehicle, purchasing two companies, White Lightning Products Inc., sold to Sherwin-Williams; and Maritime Wood Products in Stuart, Fla., where he and Karen retired before moving to Williamsburg to be closer to family.

According to family, “Viener is remembered as a sportsman and a gentleman, gifted with persistence and purpose; never seeking the spotlight, and quietly working to ‘be the best he could be’ every day. He set an example in the peak fitness he maintained throughout his life, and in his equanimity as a husband, father and entrepreneur. Often found behind a camera lens, his passion for photography was a constant, documenting his love of family, friends, humor, nuance and the natural world. He and Karen enjoyed many ranch vacations and scenic hiking trips in the U.S. and abroad.”

Viener was survived by his wife of 51 years, Karen Viener; sons Justin (Cindy) and Hardy (Shona); and three grandchildren.

**1966**

GLENN ADAMS wrote, “Thanks for the wonderful tribute in the Fall 2021 UVA Lawyer magazine to Law School Foundation President Emeritus DAVID IBBEKEN ’71, my 1963 classmate at Princeton. David truly deserves this recognition for his tireless efforts over many decades benefiting UVA Law. Princeton is equally proud of him.”
1972

GEORGE HOUSE was recognized as a leading lawyer in environmental law, environmental litigation, mining law, natural resources law and water law by Best Lawyers in America. House practices with Brooks Pierce in Greensboro, N.C.

1974

CHARLES A. GILMAN shared the news that his daughter, Kate, and one of her Princeton classmates won a six-figure grant from the nonprofit RxHome to design, build and install an exhibition elevating the issue of homelessness in New York City. “The result was an interactive maze that led visitors through navigating the bureaucratic, time-consuming and demoralizing process of moving through the city’s homeless shelter system on the way to permanent housing.” The Way Home maze was on display for a week outside Brooklyn Borough Hall and for a week in lower Manhattan; a video tour of the maze can be found at: rxhome.nyc/the-way-home.

Professor JIM O’REILLY began his 42nd year of teaching at the University of Cincinnati. His 57th textbook, “Vaccine Risks, Benefits and Compensation” was published in October and his 233rd article appeared in Food and Drug Law Journal.

1975

CHARLES T. BOWYER (COL ’69) of Lake of the Woods, Va., died Nov. 27. A member of the NROTC Unit at UVA, he served three years on USS Ranger (CV-61) during the Vietnam War. His family writes that Bowyer loved his service with the Navy but decided to follow his father in the practice of law. After law school he joined Miles & Stockbridge in Baltimore, where he worked for 38 years in estates and trusts. Bowyer was active in his community and loved golf, playing the piano, and collecting and playing classical guitars. He is survived by his wife, Linda, his brother, William B. Bowyer (Col ’72), and his son, JAMES F. BOWYER ’08.

CHARLES HOWARD retired as general counsel of Shipman & Goodwin in Connecticut in 2019. One of the areas of his practice had been representing organizational ombuds programs at multinational corporations, universities, government agencies and other organizations. He had written the leading treatise in the field. Soon after that retirement, he had the opportunity to become the inaugural executive director of the International Ombudsman Association, an offer he said he found “impossible to refuse.” Before he left that position early this year, he wrote another book, “A Practical Guide to Organizational Ombuds: How They Help People and Organizations,” which the American Bar Association published in December.

SHARON OWLETT was a panelist at the UVA Alumni Association’s Diversity, Equity, Inclusion, and Belonging: Leveraging the Power of Your Organizational Culture conference in September. The panel of alumni experts spoke to defining success, avoiding mistakes, and practical steps for beginning and sustaining this organizational journey. Owlett serves as an executive partner with William & Mary’s Mason School of Business.

1976

BILL CARY was recognized as a leading lawyer for employment law (management), labor law (management), labor litigation and management in Best Lawyers in America. Cary practices with Brooks Pierce in Greensboro, N.C.

PEGGY O’NEAL was appointed chancellor of the Royal Melbourne Institute of Technology’s University Council in October. The council is the university’s governing authority. RMIT has three campuses and two sites in Australia, two campuses in Vietnam, and a research and industry collaboration center in Spain. In 2021, O’Neal was named the Melburnian of the Year. As president of the Richmond Football Club, O’Neal was the first woman to occupy the role for an Australian football club. Additionally, she serves on the boards of Women’s Housing Ltd., Australia Dementia Network Ltd. and Fulbright Australia. O’Neal is a consultant with Lander and Rogers, and specializes in superannuation and financial services law. She was made an officer of the Order of Australia in 2019.

GIBBONS ’75 RECEIVES U.S. JUDICIARY’S SERVICE AWARD

Judge JULIA SMITH GIBBONS ’75 of the U.S. Court of Appeals for the Sixth Circuit received the 2021 Edward J. Devitt Distinguished Service to Justice Award.

According to an Oct. 7 press release, the Devitt Award honors an Article III judge who has achieved a distinguished career and made significant contributions to the administration of justice, the advancement of the rule of law and the improvement of society as a whole.

Recipients are chosen by a committee of federal judges, which in 2021 was chaired by U.S. Supreme Court Justice Neil M. Gorsuch and included Judge Thomas M. Hardiman of the U.S. Court of Appeals for the Third Circuit and Judge Christine M. Arguello of the District of Colorado.

“Judge Julia Gibbons is a trailblazer and role model in the legal profession,” Gorsuch said in a statement. “In addition to discharging her judicial duties, for nearly 30 years Judge Gibbons has also played a vital role in the governance and administration of the federal judiciary nationwide.”

In 1981, Gibbons became the first female trial judge in Tennessee. Two years later, she was appointed by President Ronald Reagan to the U.S. District Court for the Western District of Tennessee. President George W. Bush nominated Gibbons to the Sixth Circuit in 2001. “I am honored to receive the 2021 Devitt Award,” Gibbons said in a statement. “I am humbled that the selection committee and others believed me worthy of this recognition.”

As a federal judge, Gibbons chaired the U.S. Judicial Conference’s Budget Committee from 2004-18 and the Judicial Resources Committee from 1994-99. She also was a member of the Judicial Panel on Multidistrict Litigation. Gibbons testified 16 times before Congress in her role as Budget Committee chairwoman.

“Serving with federal judicial colleagues and staff for the past 38 years, as we have conducted trials, decided cases and done the work of judiciary governance, has given me great faith in the federal courts as an institution,” she said. “Given this context, being the representative of the third branch to receive the award this year is deeply meaningful.”

—Mike Fox
time), he is working on several projects with various entities, including Princeproduc
tions and Fraser U. He resides in Nevada and has homes in California and Hawaii, as well as a ranch in Wyoming.

1977

JULIAN D. BOBBIT JR. was recognized for his work in health care law in Best Lawyers in America. Bobbitt prac
tices with Smith Ander
ranch in Wyoming.

tices with Smith Ander-
and Hawaii, as well as a

PAMELA ROLLINGS '79

In 1991, STEVEN A. STAN-
DORD left the U.S. At-
torney's Office in the
Southern District of
New York, after nine
years as an assistant U.S.
attorney, to become a
licensed clinical social
worker in New York
state, specializing in
treating professionals
suffering from anxiety
and depression. He con
tinues with that practice.

RANDY UNDERWOOD

Randy Underwood was recognized for fi
nancial services reg
ulation law and real
estate law in Best
Lawyers in America.
Underwood practices with Brooks Pierce in
Greensboro, N.C.

1979

With his wife at his side, NEAL BREND  "lost his last match against an intractable cancer" on Aug. 5, according to family. Brendel was born on Sept. 12, 1954, in McKeensport, Penn., the son of the late Joseph A. and Olga D. Brendel. Growing up, Brendel at

attended Serra Catholic
High School, graduat
ing in 1972. He took up
wrestling in ninth grade
and was recruited by
Yale University. At Yale,
Brendel met his wife,
PAMELA ROLLINGS '79,
during their senior year.
After law school, the
couple made their way
to Pittsburgh, where
Brendel joined Kirkpat
rick, Lockhart, Johnson
& Hutchison (now K&L
Gates), while Rollings
joined the firm now
known as Buchanan
Ingersoll & Rooney.
Both later became part
ners of their respective
firms and they married
in 1988.

Brendel had a deco
rated career as a colle
gate wrestler at Yale,
concluding his career
as an All-American at
the 190-pound weight
class. As a senior, Yale
awarded him the
William Neely Mallory
Award as the athlete
"who most represents the highest ideals of
American Sportman
ship," and he remains
the only wrestler to have
won that award. After
wrestling, Neal took up
rugby and he was se
lected to play for the na
tional team—the United
States Eagles—from 1983 to
1987. He competed in the
inaugural Rugby World
Cup in Australia in 1987, while remain
ning a full-time partner
at K&L. He also led the
Pittsburgh Rugby Foot
ball Club (now the Pitts
burgh Forge) as captain
and president during the
club's most success
ful years in the 1980s.
He was the first national
team player to serve as
chairman of the USA
Rugby Football Union,
and he also served as the
North American West
Indies representative to
the International Rugby
Board (now World
Rugby).

Brendel was elected to
partner at K&L in
1986 and became re
nowned as a litigator of
large and complex dis
putes in court
rooms in states across
the country. In 2009,
he transitioned his
statewide practice and
founded the K&L Gates
office in Dubai, United
Arab Emirates. Over the
course of a decade in the
Middle East, he de
veloped an active practice in
international arbitra
tion and simultaneously
built the office to critical
mass in a strategic and
highly competitive legal
market.

Brendel retired from
K&L Gates in 2019, con
cluding a 40-year career at
the firm. He continued
working as a me
diator and arbitrator
until his illness made
it impossible. An avid
traveler, naturalist and
sportsman, Brendel
cultivated native trees
and plants at his home
in Fox Chapel, north
of Pittsburgh, and
enjoyed bird hunting
trips around the U.S.
and abroad. His family
noted, “He cherished
his colleagues, friends
and family, and will be
deePLY missed.” He was
the husband of Pamela
for 33 years, the father
of Ross (Capel) and Kurt,
and the grandfather of
Clara Brendel.

in 1980

JOHN F. BRENNER retired as the senior vice presi
dent at Becton, Dickin
son and Company.

BARBARA DIXON RYAN

BARBARA DIXON RYAN self-published a booklet
titled “When Someone
You Love Is Addicted To
Something You Hate.” In
the booklet, which can be
found on Amazon,
Dixon Ryan asks and
answers—referencing
neuroscience, and her
professional training and
personal experience—
the why and how of
addiction, and what
to do about it. Dixon Ryan is a
Certified Family
Peer Recovery Specialist
and Certified Substance
Abuse Counselor-A
in Northern Virginia.
She can be reached at
WhenSomeoneYouLove@g
mail.com.

WILLIAM R. VAN BUREN
III continues to serve as
chairman and president
of Kaufman & Canoles
in Norfolk, Va., practic
ing corporate, mergers
and acquisitions, and
health law.

After retiring from
Squire Patton Boggs
at the start of 2022,
C. CRAIG WOODS started
Woods Law & Dispute
Resolution in Grand
view Heights, Ohio.

ROBERT SEABOLT was
named to the Virginia
Lawyers Hall of Fame
Class of 2022 by Virginia
Lawyers Weekly. Started
in 2018, the Hall of Fame
class celebrates attorneys
who have made lasting
marks on the legal field
across the common
wealth of Virginia. Crite
ria for selection include
career accomplishments,
contributions to the pro
fession, contributions to
the development of the
law, contributions to the
bar and the common
wealth and efforts to in
crease access to justice.
Seabolt is the chief op
erating officer of IST
Management Services in
Richmond.

1982

ROGER T. CREAGER was
recognized in 2021
by the Virginia Trial
Lawyers Association's
with its Lifetime
Achievement Award. Twenty years earlier, in
2001, Creager received the VTLA's Courage
ous Advocate Award for his leading role in
defending Virginia’s Collateral Source Rule in
the context of per
sonal injury claims.
He is the first person
to receive both awards
from the VTLA. In
bestowing the 2021
award, the association
stated that Creager's lifetime of work has
benefited the trial bar
as well as thousands of clients impacted
through his work with attorneys
throughout Virginia. Creager and his wife,
Marie F. Shoffner (M.E. '79, M.Ed. '90, Ph.D. '96),
live in Richmond.

JAMES E. PFANDER's
latest book, ”Cases
Without Controversies:
Uncontested Ad
judication in Article III
Courts,” was published in
2021. Pfander is
spending the spring se
mester in Lisbon at the
University of Portugal, teaching the
course Suing the State.

RAYMOND TRUJT, an
attorney known for his
work on commercial
real estate financing,
leasing, development and restructur
ing, has been elected secretory of the
American Bar College of Real Estate Lawyers,
a national association of
approximately 1,000 distinguished real
estate lawyers.
A partner based in
Ballard Spahr’s Bal
timore office, Truitt
serves as the firm’s
managing partner of
finance and operations, a
member of the man
agement committee's
executive team and a

1981

TRAVIS BROWN wrote to
share his thanks to
STAN JOYNES and his
family for hosting the
unofficial 40th reunion
dinner at their
in Afton, Va. “It was a
pleasure to see so many
classmates assembled.
I’m very grateful to
have attended the Law
School with such re
markable and inter
esting classmates,” he
writes.

MARC TAEYMANS LL.M.
published the fourth
revised edition of his
Standard Business Con
tracts with Intersentia
Ltd. in Cambridge, U.K.

STAN JOYNES

1980

was awarded the William
J. Brennan, Jr. Defense
of Freedom Award last
fall. The Media Law
Resource Center an
nounced Wall received
the honor for “her inspi
rational leadership in de
fending a free press, her
exceptional strategic and
practical skills as a First
Amendment lawyer, and
her steadfast promotion
and support of women
in the media bar.” Wall
is the first woman to
win the Brennan Award
singularly.

Wall currently serves
on the board of direc
tors of Gannett Co. Inc.
She joined the legal staff
of Gannett in 1985, was
named chief legal officer
in 2015, and served as
interim chief operating
officer in 2019 before
retiring and joining
the board in January 2020.
Wall has taught commu
nications law at George
Washington and Ameri
can universities. In 2012
she received the First
Amendment Award from
the Reporters Commit
tee for Freedom of the
Press, and in 2020 she
awarded the ABA's Cham
pion of Freedom Award by the Ameri

1981
BARTLEY J. BREININ joined Norris McLaughlin as a member of the Business Law Practice Group in New York. Breinin has served as both outside and in-house counsel for large and small companies, professional and financial services organizations, and private equity and venture capital firms. He has extensive experience in mergers and acquisitions, and has advised on hundreds of domestic and international deals, including acquisitions, divestitures, joint ventures and strategic alliances.

MARK DAVIDSON was recognized as Lawyer of the Year for closely held companies and family business law in Best Lawyers in America. He was also listed for business organizations (including LLCs and partnerships), corporate mergers and acquisitions, securities/capital markets and tax law. Davidson was listed in North Carolina Super Lawyers for his work in business and corporate law. He practices with Brooks Pierce in Greensboro.

MARK DAVIDSON was recognized as Lawyer of the Year for closely held companies and family business law in Best Lawyers in America. He was also listed for business organizations (including LLCs and partnerships), corporate mergers and acquisitions, securities/capital markets and tax law. Davidson was listed in North Carolina Super Lawyers for his work in business and corporate law. He practices with Brooks Pierce in Greensboro.

R. BRADFORD BAILEY was recognized for his expertise in white-collar criminal defense in Best Lawyers in America. Bailey has also been repeatedly named in New England and Massachusetts Super Lawyers. His Boston-based firm, Brad Bailey Law, handles state and federal criminal matters in all courts.

JEFF OLENYK was recognized as a leading lawyer for antitrust law and bankruptcy and creditor-debtor rights/insolvency and reorganization law in Best Lawyers in America. Oleynik was included in North Carolina Super Lawyers for his work in business bankruptcy law. He practices with Brooks Pierce in Greensboro.

JEFF OLENYK was recognized as a leading lawyer for antitrust law and bankruptcy and creditor-debtor rights/insolvency and reorganization law in Best Lawyers in America. Oleynik was included in North Carolina Super Lawyers for his work in business bankruptcy law. He practices with Brooks Pierce in Greensboro.

STEVE HOLLMAN has spent much of the pandemic on two pro bono projects: vindicating the role of science and fact in administrative decision-making in connection with an environmental project and expanding the rights of individuals with disabilities to vote. Hollman represented Trout Unlimited in federal court in Alaska and the 9th Circuit in a challenge to an EPA decision to withdraw a Clean Water Act ban on permitting the Pebble Mine in Bristol Bay, Alaska, without considering the “mountain of scientific evidence showing that the mine would have a cataclysmic impact on this beautiful, unspoiled natural resource that is the spawning ground for some 40 percent of the world’s sockeye salmon,” he writes. “As the second, I worked with West Virginia and Virginia to enable voters with print disabilities who cannot vote via a paper ballot to use technology already available for uniformed overseas voters to cast their ballots privately and independently like other voters, as mandated by the Americans with Disabilities Act. I found West Virginia very accommodating to this concept; Virginia took a bit more convincing. I was pleased to have this work acknowledged by the American Bar Association, which recognized my firm, Sheppard, Mullin, Richter & Hampton as the recipient of its Pro Bono Publico Award for 2021, as the top law firm pro bono program in the country. My prior firm received the same recognition when I was a senior associate in its pro bono program in 1991. I am proud to be able to say that the arc of my career has bent towards justice.”

JULIE E. GREEN joined Weintraub Tobin as of counsel in the corporate group after the firm’s merger with Salem & Green. Based in Sacramento, Calif., Green’s practice focuses on counseling clients on business transactional, governance, securities, and merger and acquisition matters. Her clients include real estate, health care and technology companies. Since 2001, Green has served as outside general counsel to a privately held Delaware limited liability company in the real estate industry that was an SEC-reporting company from 2001-07.

LISA S. LOO ‘85 and E. FARISH PERCY ‘91 were elected to the American Law Institute.

ALUMS ELECTED TO AMERICAN LAW INSTITUTE

LISA S. LOO ‘85 and E. FARISH PERCY ‘91 were elected to the American Law Institute.

As vice president for legal affairs and deputy general counsel at Arizona State University, Loo focuses on special projects and initiatives, commercial transactions, procurement, real estate and immigration matters. Prior to joining ASU in 1993, Loo was in private practice for eight years. She is a member of the executive council of the National Conference of Bar Presidents and served as president of the State Bar of Arizona from 2016-17. The State Bar recognized Loo in 2008 for Outstanding Achievement in Advancing Equal Opportunity in the Profession and as the 1993 Outstanding Young Lawyer. She is a founding board member of the Arizona Asian American Bar Association.

Percy joined the University of Mississippi School of Law faculty in 2001 after practicing with the Tollison Law Firm in Oxford, Miss., for eight years. She teaches Torts, Civil Procedure II, Insurance, Evidence and Complex Litigation. She acted as the reporter for the Civil Procedure and Complex Litigation Subcommittees of the Mississippi Supreme Court Advisory Committee on Rules from 2006-2021 and offers an annual continuing legal education course to the Mississippi bar that focuses on recent developments in state civil law. While engaged in private practice, Percy concentrated in tort litigation, commercial litigation and appellate practice. She tried numerous civil cases in state and federal courts in Mississippi, and briefed and argued several appellate cases before the U.S. Court of Appeals for the Fifth Circuit and the Mississippi Supreme Court.

Professors Michael Doran, John Duffy, Ruth Mason, Richard Schragger and Pierre-Hugues Verdier were also elected to the American Law Institute (see p. 54).

—Mike Fox
GOODWYN ’86 SUCCEEDS LEMONS ’76 AS CHIEF JUSTICE OF VIRGINIA

S. BERNARD GOODWYN ’86 succeeded DONALD W. LEMONS ’76 as chief justice of the Supreme Court of Virginia on Jan. 1. Lemons retired from the court Feb. 1, ending a 25-year career on the bench.

The justices announced Goodwyn’s election Dec. 20. Goodwyn was appointed to the state Supreme Court by Gov. Tim Kaine in 2007 to fill a vacancy and was elected by the General Assembly in 2008 and reelected in 2020. He is the second Black chief justice.

Previously, Goodwyn served as a judge of the Circuit Court for the city of Chesapeake for over 10 years and also served as a judge of the General District Court for Chesapeake for two years. Prior to his election, he served as a research associate professor at the Law School from 1994-95 and a litigation partner at Willcox & Savage in Norfolk. A native of Southampton County, Goodwyn earned his undergraduate degree in economics from Harvard University in 1983.

Lemons had served as chief justice since 2015. His last duty as chief justice was presiding over legislative redistricting efforts the court adopted from the state Redistricting Commission. The General Assembly elected him to the state Supreme Court in 2000 and reelected him in 2012. In 1998, he was elected to the Court of Appeals of Virginia after serving for three years as a judge in the Circuit Court of the city of Richmond. Lemons was assistant dean and assistant professor of law at UVA from 1976-78 before entering private practice.

“[Lemons] was always approachable, thoughtful, polite and considerate, and he made it clear that he truly appreciated the volunteer work that so many Virginia lawyers do for our self-regulating profession,” said KEVIN MARTINGAYLE ’91, former president of the Virginia State Bar and co-founder of Bischoff Martingayle in Virginia Beach. “His work on wellness issues and professionalism improved the legal system and set the course for future advances. Every lawyer and judge in Virginia should be grateful for his service.”

The Supreme Court of Virginia is comprised of seven justices, each elected by a majority vote of both houses of the General Assembly for a term of 12 years. The chief justice is currently chosen by a vote of the seven justices for a term of four years. The statutory mandatory retirement age for Virginia jurists is 73 (the law would not have applied to Lemons this year).

—Mike Fox
1985

MELISSA WEAVER was recognized as a leading lawyer for employee benefits (ERISA) law in Best Lawyers in America. Weaver practices with Brooks Pierce in Greensboro, N.C.

1986

SUE LIEMER said that at a time when many classmates are thinking about their retirement path or at least getting to work from home more, she made the opposite transition. After three decades of a professor’s flexible work schedule and then spring 2020 lockdown, Liemer writes she was asked to step up to a position that requires her to be in the office five full days a week. In summer 2020, she started serving as the associate dean for academic affairs at the Elon University School of Law in Greensboro, N.C. Any classmates passing through Greensboro are welcome to stop in.

1987

ELIZABETH “LIZ” ESPÍN STERN was appointed managing partner of Mayer Brown’s Washington, D.C., office. Since joining the firm in 2014, Stern has held several key leadership roles. As head of the firm’s Global Mobility and Migration practice, she leads a team of lawyers that helps clients establish and maintain global compliance and management programs to move executive and professional work corps across borders around the world. Notably, she has built one of the firm’s most inclusive practice groups: The team is multigenerational and multilingual, and includes women, LGBTQ and ethnically diverse lawyers. Additionally, she is a member of the firm’s global partnership board and serves as a co-leader of the firm’s COVID-19 Global Response Team. In these roles, Stern coordinates with members of the firm’s leadership, as well as lawyers across four continents and multiple disciplines.

1988

FRANZ J. HEIDINGER LL.M. is the secretary general of the Women in Law Initiative’s Justitia Awards program. The initiative connects female legal professionals (and their male allies) from around the world, organizes international conferences and presents the annual international awards. Based in Vienna, Heidinger practices international business law as well as teaches at the University of Vienna. He was co-initiator of the Women in Law Initiative and has been involved in anti-discrimination law for more than 15 years. The 2022 Women in Law conference is scheduled for Sept. 15-17, when pressing topics for women in the legal professions will be addressed via more than 50 international speakers and panels, workshops and networking.

1989

PAUL COMPTON was listed as a leader in banking and finance law, corporate law, financial services regulation law, real estate law, and securitization and structured finance law in Best Lawyers in America. Compton is a founding partner of Compton Jones Dresher in Birmingham.

1990

In 2016, SUZAN ONEL BICKEL left K&L Gates, where she was chair of the global Food and Drug Administration practice. She writes she is now enjoying life at a boutique law firm that specializes in FDA and Federal Trade Commission law. Her husband, Keith, continues his work in mortgage policy at Bank of America. Their daughter is in the Czech Republic on a Fulbright scholarship and their son is a junior at the University of Pittsburgh.

SUCCESS STORIES

SUZAN BICKEL

SUZAN BICKEL

SUZAN BICKEL

SUZAN BICKEL

SUZAN BICKEL

SUZAN BICKEL
In recent months, President Joe Biden chose several alumni to fill high-profile positions in the executive branch and in the courts, in roles that require Senate confirmations.

EXECUTIVE BRANCH

**MARK BRZEZINSKI ’91** was sworn in as U.S. ambassador to Poland in January. He is founder and former principal of Brzezinski Strategies. Previously, he was managing director at Makena Capital Management, where he focused on responding to the growing demand for environmentally and socially responsible investment portfolios. Prior to Makena, Brzezinski served as the first executive director of the White House’s Arctic Executive Steering Committee and before that was the U.S. ambassador to Sweden between 2011-15. Earlier, Brzezinski was a partner at McGuireWoods in Washington, D.C. From 1999-2001, he served on the Clinton administration’s National Security Council, first as a director for Russia and Eurasia, and then as a director for the Balkans (see p. 44).

**NEIL MACBRIDE ’92** was confirmed in February to serve as counsel for the U.S. Treasury Department. He was formerly a litigation partner at Davis Polk & Wardwell, where he worked as head of its Washington, D.C., office and co-head of the firm’s government investigations practice. Before entering private practice, he served in the Obama administration, first as an associate deputy attorney general for criminal enforcement in the U.S. Department of Justice and then as the U.S. attorney for the Eastern District of Virginia. MacBride earlier served as chief counsel to then-Sen. Joe Biden on the Senate Judiciary Committee and as a federal prosecutor in the U.S. Attorney’s Office for the District of Columbia.

**DOUG PARKER ’97** was confirmed in October to lead the Occupational Safety and Health Administration as assistant secretary for occupational safety and health. He previously served as chief of California’s Division of Occupational Safety and Health since 2019. Prior to his appointment to Cal/OSHA, Parker was executive director of Worksafe, an Oakland, Calif.-based legal services provider. He also served in the Obama administration as deputy assistant secretary for policy in the Department of Labor’s Mine Safety and Health Administration, and was a member of the Biden administration transition team, focusing on worker health and safety issues. He has held positions as a senior policy adviser and special assistant at the Department of Labor.

**GARY M. RESTAINO ’96** took office as U.S. attorney for the District of Arizona in November. Formerly an assistant U.S. attorney, he has held various leadership positions in the office, including chief of the Criminal Division from 2012-16 and chief of the White Collar Crime Section from 2008-09. From 2009-10, Restaino was detailed as a trial attorney to the Public Integrity Section of the Department of Justice. Restaino was a civil rights lawyer at the Arizona Attorney General’s Office from 1999-2003 and previously represented migrant and seasonal farmworkers at Community Legal Services Inc. He also served with the Peace Corps in Paraguay from 1991-93 before law school.

**MARY BOYLE ’91** was nominated for a seat on the U.S. Court of Appeals for the Fourth Circuit (see p. 98).

**MICHAEL S. NACHMANOFF ’95** received his commission to the U.S. District Court for the Eastern District of Virginia in November. He had served as a U.S. magistrate judge for the Eastern District of Virginia since 2015. Before his appointment to the bench, Nachmanoff served for 13 years in the Office of the Federal Public Defender for the Eastern District of Virginia, serving as chief federal public defender from 2007-15, acting federal public defender from 2005-07 and first assistant public defender from 2002-05.

**TOBY HEYTENS ’00** was confirmed in November to the U.S. Court of Appeals for the District of Columbia.

**PATRICIA TOLLIVER GILES ’98** was confirmed in October to the U.S. District Court for the Eastern District of Virginia. She had served in the U.S. Attorney’s Office for the Eastern District of Virginia since 2003 and as managing assistant U.S. attorney. She previously was an assistant U.S. attorney in the Major Crimes Unit from 2003-19. She also served on the attorney general’s Transnational Organized Crime Task Force, MS-13 Subcommittee. From 2000-03, Giles was an associate at Cooley Godward.

**GARY M. RESTAINO ’96, PATRICIA TOLLIVER GILES ’98, MICHAEL S. NACHMANOFF ’95**

FEDERAL COURTS

**MOHSIN RAZA SYED ’08 (COL ’02)** serves as assistant secretary of government affairs at the U.S. Department of Transportation. He previously worked as principal deputy assistant secretary for congressional affairs at DOT. Before that, Syed served for six years on Capitol Hill, including as majority chief counsel for the House Committee on Transportation and Infrastructure, minority staff director for the Subcommittee on Aviation Operations, Safety and Security within the Senate Committee on Commerce, Science and Transportation, and legislative counsel for Sen. BILL NELSON ’68.

PENDING CONFIRMATIONS

Several more alumni have pending nominations as of press time. Updates will be posted in the next issue.

**MARY BOYLE ’91** was nominated to serve as commissioner of the Consumer Product Safety Commission.

**M. TIA JOHNSON LL.M. ’02** was nominated for the U.S. Court of Appeals for the Armed Forces.

—Mike Fox
diverse and women lawyers. He serves on the firm’s global partner promotion committee to ensure that diversity and inclusion principles are incorporated into partner promotion decisions. He is responsible for the development and implementation of diversity and inclusion policies for all the firm’s U.S. offices.

DeBerry was named a 2021 Notable Black Leader and Executive by Crain’s New York Business and a 2019 Equality Trailblazer by the National Law Journal.

DIANE PULLEY FLANNERY was listed on the Influential Women of Law list by Virginia Lawyers Weekly. Flannery is the department chair for McGuireWoods’ products, environmental and mass tort litigation department in Richmond, Va.

VERNON E. INGE JR. was recognized for his work in civil litigation by Legal Elite-Virginia’s Best Lawyers, as well as for construction law by Benchmark Litigation. Inge was also recognized as a leading lawyer in commercial litigation; and in litigation relating to banking and finance, bankruptcy, construction and municipal matters in Best Lawyers in America. Inge practices with Whiteford, Taylor & Preston in Richmond.

Troutman Pepper partner JOHN S. WEST was recognized as a leading lawyer in Best Lawyers in America, West handles all phases of government and internal investigations, and advises clients on regulatory compliance matters in Richmond, Va.

Last summer, BILL KINCAID served as acting chancellor for the University of Arkansas during a period of transition. Kincaid has since returned to his role as managing associate general counsel. He writes that his son is graduating from Arkansas this spring and will begin law school at the University of Georgia in the fall. His daughter is a sophomore at University of Georgia.

1991
Mayer Brown partner and Director of Diversity & Inclusion JER- EMAH DEBERRY has been named a Distingui- shed Leader as part of the New York Law Journal’s 2021 New York Legal Awards. The award recognizes attorneys in leadership roles who achieved impressive results in the past year. An active proponent of diversity in the legal profession for more than 20 years, DeBerry oversees all aspects of the firm’s efforts to recruit, hire, develop and promote diverse and women lawyers. He serves on the firm’s global partner promotion committee to ensure that diversity and inclusion principles are incorporated into partner promotion decisions. He is responsible for the development and implementation of diversity and inclusion policies for all the firm’s U.S. offices.

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1992
BRIAN CULNAN was named a leading lawyer for labor litigation and employment in Best Lawyers in America. Culnan’s practice covers health care and health care controversies, labor and employment law, and commercial litigation. He is a partner with Barclay Damon in Albany, N.Y.

1993
 Last summer, BILL KINCAID served as acting chancellor for the University of Arkansas during a period of transition. Kincaid has since returned to his role as managing associate general counsel. He writes that his son is graduating from Arkansas this spring and will begin law school at the University of Georgia in the fall. His daughter is a sophomore at Arkansas.

1994
 ZEBULON D. ANDERSON was listed as a leading attorney in the areas of employment law (management), labor litigation and employment in Best Lawyers in America. Anderson practices with Smith Anderson in Raleigh, N.C.

1995
 JASON G. MOYERS was named president of the Virginia Association of Defense Attorneys at its annual meeting in October. Moyer’s partner with Franki Miller Webb & Moyer in Roanoke, has been a member of VADA since he passed the bar in 1995. Moyer’s represents insurers, individuals and businesses in the defense of automobile, commercial carrier, product liability and premises liability cases in state and federal courts throughout Virginia. Among his areas of practice is an emphasis on the development and deployment of autonomous vehicles and autonomous vehicle technology. Moyer was
KIM ’99 WINS LITERARY AWARD FOR POETRY

ANNIE KIM ’99, assistant dean for public service at the Law School, won the 2021 Library of Virginia Literary Award for poetry at a virtual ceremony Oct. 16.

The award recognized Kim’s poems in the book “Eros, Unbroken,” which explores the complicity between art, intimacy and violence between two musicians in 18th-century Spain. Kim’s first collection, “Into the Cyclorama,” won the Michael Waters Poetry Prize. “Eros, Unbroken” won the Washington Poetry Prize and was a finalist for the 2020 Foreword INDIES Poetry Book of the Year.

“Year after year, we marvel at the incredible authors and books that come out of—and are inspired by—Virginia,” said Joseph Papa, who co-chaired the Literary Awards Committee along with Jordana Kaufman. “It’s a thrill to be a part of honoring these works that shine a light on forgotten histories, take prose to new heights, and give readers an escape.”

The Library of Virginia established its annual Literary Awards program in 1997 to honor Virginia writers and celebrate their contributions to the literary landscape of the state and the nation, according to the organization’s website.

Kim directs the Mortimer Caplin Public Service Center and the Program in Law and Public Service at the Law School. Prior to joining the Law School, Kim practiced for 12 years as a litigator and in-house counsel, representing Virginia school districts and local governments.

Kim has taught graduate legal research and writing to LL.M. students at the Law School, legal writing to undergraduates at the UVA College and Graduate School of Arts & Sciences, poetry writing to undergraduates at Virginia Commonwealth University, and many writing seminars to community members throughout Charlottesville. Currently at the Law School she teaches the courses Law and Public Service, Public Interest Law and Advocacy Skills, and Postgraduate Public Interest Fellowships.

Kim has served in many leadership positions with the Virginia State Bar and the Local Government Attorneys of Virginia. She taught newly barred Virginia lawyers on the faculty of the state bar’s mandatory Justice Harry L. Carrico Professionalism Course, and has taught hundreds of local government attorneys, paralegals, school administrators and teachers, police officers and emergency communications workers on topics ranging from Fourth Amendment use of force and qualified immunity to legal ethics.

—Mike Fox

Last year, RAYMOND E. PATRICO was appointed as a U.S. magistrate judge for the District of Idaho, one of four federal District Court judges in the district. In April, he became the chief U.S. magistrate judge for the district. Previously, he served as an assistant U.S. attorney for 21 years in the Eastern District of Virginia and District of Idaho.

1996

TREY HANBURY joined Jenner & Block as a partner in the Washington, D.C., office, after nine years as a partner with Hogan Lovells. Previously, Hanbury was director of government affairs at Sprint. Prior to that, he held various policymaking positions at the Federal Communications Commission, including working on satellite and international telecom matters in the International Bureau. Hanbury also served as special counsel in the Office of General Counsel, where he was responsible for providing policy and legal advice on wireless issues to the Office of the Chairman.

1997

LORI D. THOMPSON received the President’s Lifetime Achievement Award as a commenda-
tion for her dedication to community service. In 2003, the President’s Council on Service and Civic Participation founded the President’s Volunteer Service Award Program to recognize the important role of volunteers in America’s strength and national identity. The Roanoke Bar Association became a certifying organization for the program in 2006, and Thompson has received a President’s Volunteer Service Award every year since.

This year, Thompson hit an important milestone when she surpassed 4,000 hours of community and pro bono service. Thompson has assisted in the provision of pro bono legal services as a board member of the Roanoke Valley Legal Aid Society, as a Virginia Bar Association Pro Bono Taskforce member, as a board member and past president of the Virginia Poverty Law Center, and as a member of the Virginia Supreme Court’s Access to Justice Pro Bono Committee. She also has provided pro bono legal representation as a volunteer with Blue Ridge Legal Services and the Virginia Bar Association’s Veterans Initiative.

For the past 15 years, Thompson has organized the Roanoke Law Foundation’s “Santa at the Station” event, which is a free holiday party for families living in homeless shelters in the Roanoke Valley.

Thompson has volunteered with the Virginia Bar Association’s mentor program and the Roanoke Bar Association’s Barrister’s Book Buddies program in Roanoke City Public Schools. She also has been an active volunteer within the public school system, assisting with fundraisers and organizing events.

Thompson has a litigation practice with Spilman Thomas & Battle.
COLBY WALTON and Jason Meyer have acquired Cooksey Communications in Dallas. Walton, who began his public relations agency career at Cooksey in 1998, was named a partner in 2015 and most recently served as president. He now serves as chairman and CEO. During his 23-year tenure at Cooksey, Walton helped establish and grow the agency’s proficiency in professional services marketing and municipal communications for clients facing an array of complex, high-stakes public relations issues.

The firm Mandelbaum Salsburg changed its name to Mandelbaum Barrett to recognize the contributions of CEO WILLIAM S. BARRETT. The rebrand represents the first time in 42 years that a name has been added.

Since Barrett was named CEO in 2018, the firm’s revenue has grown year over year, and the firm has expanded its practice offerings to keep pace with client needs. In recent years, the firm has expanded its dental, veterinary, health care and emerging markets groups, as well as added to its cannabis, elder law and special needs practices.

In addition to serving as CEO, Barrett co-chairs the corporate law practice. With 25 years of experience, he specializes in mergers and acquisitions, and provides strategic advice to companies of all sizes from formation to dissolution and every stage in between. Barrett often serves in the role of outside general corporate counsel to his clients and advises them on issues concerning contracts, policy development, executive compensation programs and agreements, and business succession and related planning.

BRIAN COLOMBARO LLM was recognized by the New York Chapter of the National Academy of Distinguished Neutrals for excellence in her arbitration practice. Colombaro is a former court of appeals judge and now a full-time arbitrator and mediator working primarily with the American Arbitration Association.

2001

PEIRCE MOSER, who until recently worked as a prosecutor with the New York County District Attorney’s Office, serves as corporate secretary and chair of the governance committee of the board of trustees for Helen Keller International. The nonprofit, a global health organization started by Helen Keller, works to eliminate preventable vision loss, malnutrition and diseases related to poverty, primarily in the United States, Africa and Southeast Asia. Moser has spent time with the organization’s programs in Ivory Coast, Myanmar, Nepal and Tanzania.

2004

Allison Lefrank joined Pixalate, the market-leading fraud protection, privacy and compliance platform for connected TV and mobile advertising, as senior vice president of public policy, ads privacy and Children’s Online Privacy Protection Act compliance. She leads a new division that engages with policymakers and stakeholders to advocate for consumer privacy. Prior to joining Pixalate, Lefrank spent nine years at the Federal Trade Commission, first in the privacy division and later in the Office of International Affairs.

2005

AZISH FILABI was named chair-elect of the New York State Bar Association’s International Section. She will become chair of the section in June. Filabi is the executive director of the
The Atlanta-based Southern Center for Human Rights promoted Terrica Redfield Ganzy ‘02 to executive director. Ganzy served as deputy director since 2018 and previously worked for four years as SCHR’s development director, fueling a fundraising strategy that helped double the nonprofit’s budget.

In 2004, she began her nine-year tenure as a staff attorney in the Capital Litigation Unit, where she represented people on death row in Georgia and Alabama. During that time, she served for five years as the National Association of Criminal Defense Lawyers’ death penalty resource counsel, providing training and resources to capital defense attorneys across the country.

“Terrica has dedicated her career to SCHR, first as a capital defense attorney, then as development director, and most recently as deputy director,” SCHR Board Chairman James Kwak said in a statement announcing the promotion on Dec. 13. “She has been instrumental to our successes, and I look forward to working with her for many years to come.”

Ganzy previously served for two years as president of the board of the Georgia Legal Services Program, and serves as vice president of the Center for Death Penalty Litigation’s board of directors, vice president of the Georgia Association of Black Women Attorneys, and as mentoring co-chair for the Atlanta chapter of the Association of Fundraising Professionals. Her roles also included serving as vice president of the State Bar of Georgia’s Professionalism Committee and as a member of the State Bar’s Seeking Equal Justice and Addressing Racism and Racial Bias Committee. Additionally, she is a member of the Judicial Council of Georgia’s Access to Justice Committee.

“I am honored to build on the vision of SCHR’s founders and leaders, people who make a habit of seeking out, disrupting, and dismantling injustice,” Ganzy said in a statement. “I am a native Southerner, a descendant of people who chose to stay and fight. I consider it my duty to carry that legacy forward, and I am grateful to do so by advancing SCHR’s ongoing efforts towards equality, dignity, and justice.”

—Mike Fox

Cary M. Maguire Center for Ethics in Financial Services, the Charles Lamont Post Chair of Business Ethics, and associate professor at the American College for Financial Services in King of Prussia, Pa. From 2015-19, Filabi was the executive director of Ethical Systems, an organization housed at the New York University Stern School of Business.

Jerry Ben-Aaron

Jennifer Banner Sobers was elevated to of counsel at Pomerantz, a firm specializing in litigating securities class actions. Banner Sobers lives in New York, “with her wonderful husband and two girls,” she writes.

Richard C. Wetzel III was named deputy general counsel with Dominion Energy. He leads a team of attorneys who advise on the company’s securities, corporate finance, commercial transactions, and mergers and acquisitions matters. Wetzel previously served as managing counsel for the company’s commercial transaction matters.

2006

In June, Kathryn “Kate” Duval joined Charlottesville’s Piedmont Court. Appointed Special Advocates as president and CEO.

Joe McMullen and his friend and co-counsel Michael Marrinan obtained the largest jury verdict in California for a surviving victim of police excessive force in 2020. The verdict ranked among the top 50 plaintiff verdicts in any type of case in California last year. In February 2021, a post-trial settlement of $2.5 million was approved, which The San Diego Union Tribune reported as “one of the largest payouts in San Diego history.”
2007

JAMIE BURRO is now a chief prosecutor and supervisor in the adult sex crimes and human trafficking division of the Harris County District Attorney’s Office in Houston. In her role, Burro works to protect victims of the high-volume route for sex trafficking, stretching from Central and South America to the Southwestern United States and beyond.

AUSTIN CURRY was selected as a leading lawyer for intellectual property litigation and patent litigation in Best Lawyers in America. Curry practices with Caldwell Cassady & Curry in Dallas.

2008

JOEY PONZI was recognized as a leading attorney for commercial litigation in Best Lawyers in America. Ponzi practices with Brooks Pierce in Greensboro, N.C.

MATT BERDE was promoted to counsel with Weil, Gotshal & Manges. Berde practices banking and finance law in Dallas and advises borrowers and leading private equity sponsors in a variety of financing transactions, including first and second lien credit facilities, middle market and large cap financings, cross-border and domestic acquisition financings, and debt restructuring transactions.

DAMIEN Lyster was promoted to partner at Vinson & Elkins. Lyster advises clients on numerous transactional and state and federal regulatory issues related to the production, gathering, transportation and storage of natural gas; the transportation, terminaling and storage of liquid hydrocarbons; power sales and marketing; and the sale or acquisition of natural gas, oil and electric power commodities and assets. He has represented companies in negotiating commercial agreements and pursuing applicable authorizations from the Federal Energy Regulatory Commission and the Texas Railroad Commission. He practices in both Houston and Washington, D.C.

2009

CHRISTOPHER H. LANGBEIN died on May 5, 2021, in Chicago, after a three-year struggle with sarcoma cancer. He was survived by his wife, Becky, whom he married in 2016, and their two children. In 2001, Langbein graduated from Johns Hopkins University with a double major in economics and English. He joined the Washington office of National Economic Research Associates, a consulting firm specializing in market share analysis and similar projects for companies involved in regulatory proceedings before the federal antitrust agencies. In 2005, he began a four-year joint-degree program in the business and law schools at UVA. He then joined the Chicago office of Kirkland & Ellis, specializing in bankruptcy and corporate restructuring. In 2013, Langbein moved to the Chicago office of the international investment banking firm Lazard, where he continued his career in restructuring troubled companies. Besides being a devoted husband and father, Langbein was a skilled photographer and a determined golfer. During his married years, he became an accomplished cook and baker.

2010

ULRICH KLOCKENBRINK LLM. was promoted to partner at Latham & Watkins. Klockenbrink practices finance law with the restructuring and special situations practice. He navigates clients through complex restructuring, distressed mergers and acquisitions, and enforcement situations, both in and out of court.

KRISTEN P. POOLE was promoted to partner with Gibson, Dunn & Crutcher in the New York office. Poole’s practice focuses on mergers and acquisitions and private equity. She represents both public and private companies, as well as financial sponsors, in connection with mergers, acquisitions, divestitures, minority investments, restructurings and other complex corporate transactions.

LATIF ZAMAN was promoted to equity partner of Hudson Cook. Based in Hanover, Md., Zaman works closely with financial services providers at various stages of growth to develop, maintain and expand nationwide consumer and commercial credit and funding. Zaman is a member of the Alternative Finance Bar Association and the American Bar Association’s Business Law Section, formerly serving as a young lawyer liaison with the Consumer Financial Services Committee. Zaman is a contributing editor for the Business Law Section’s digital publication, Business Law Today.
JHAVERI ’15, SHAH ’09, SILVERSTEIN ’13 RECEIVE SHAPING JUSTICE AWARDS

SEJAL JHAVERI ’15, NITIN SHAH ’09 and THOMAS SILVERSTEIN ’13 were honored for their public service work at the Law School’s sixth annual Shaping Justice conference Feb. 4.

Shah received the Shaping Justice Award for Extraordinary Achievement. He is general counsel of the U.S. General Services Administration.

As GSA’s chief legal officer, Shah oversees all legal matters arising before the 12,000-employee agency and manages a nationwide office of 170 attorneys and staff. In September, President Joe Biden appointed Shah to the Council of the Administrative Conference of the United States. At ACUS, he serves on the governing board of the federal agency charged with recommending improvements to administrative processes.

Prior to his current government service, Shah was legal director for the Biden administration transition team, where he was responsible for legal review of proposed executive actions and appointments for the incoming administration.

Jhaveri and Silverstein received Shaping Justice Rising Star Awards. Jhaveri is a trial attorney in the Voting Section of the Civil Rights Division of the U.S. Department of Justice, and Silverstein is associate director of the Fair Housing and Community Development Project at the Lawyers’ Committee for Civil Rights Under Law.

In the Voting Section, Jhaveri investigates and litigates violations of suffrage statutes such as the Voting Rights Act of 1965, the Help America Vote Act and the National Voter Registration Act.

Prior to joining the Voting Section in August, Jhaveri was a trial attorney in the Immigrant and Employee Rights Section of the Civil Rights Division. While working at IER, she investigated and litigated cases where employers discriminated against individuals based on their citizenship status or national origin in violation of the Immigration and Nationality Act. She joined the Department of Justice through the Attorney General’s Honors Program.

At the Lawyers’ Committee, Silverstein oversees the project’s impact litigation docket, using the Fair Housing Act to foster the development of inclusive communities, expand access to opportunity and fight displacement. He also provides technical assistance to states, local governments and public housing authorities seeking to comply with the duty to affirmatively further fair housing.

Prior to serving as associate director, Silverstein was counsel in the Fair Housing and Community Development Project. He began his legal career as the Lawyers’ Committee’s 2013-14 George N. Lindsay Civil Rights Legal Fellow. —Mike Fox

2011

JEFFREY CHANG joined Fox Rothschild in Princeton, N.J., as a partner in the real estate department. Chang guides clients’ projects through the land use approval process and provides strategic advice on a broad range of commercial and residential purchase, sale, leasing and financing transactions.

TIMOTHY A. COOK was elevated to partner at WilmerHale in Boston. Cook’s practice focuses on pharmaceutical and life sciences patent litigation. He has represented innovator companies in trials under the Hatch-Waxman Act, disputes under the Biologics Prices Competition and Innovation Act, appellate proceedings before the U.S. Court of Appeals for the Federal Circuit, and inter partes review proceedings before the Patent Trial and Appeal Board. Cook also maintains a general intellectual property and commercial litigation practice, and has represented and advised companies in copyright, trade secret and licensing disputes.

Earlier this year, DEVIN DEBACKER returned to the Department of Justice as chief of the Foreign Investment Review Section in the National Security Division. He leads DOJ’s work to protect national security in foreign investments and transactions, telecommunications, the information and communications technology and services global supply chain, and related aspects of cybersecurity, data privacy and supply chain security. Previously, DeBacker was deputy assistant attorney general in DOJ’s Office of Legal Counsel, associate counsel and special assistant to the president in the White House Counsel’s Office, and a litigation partner at Kirkland & Ellis. He lives with his wife, Rachel, and their five children in Maryland.

CHARLES C. HARRIS was elected partner with McGuireWoods’ health care transactions team in Richmond, Va. Harris advises private equity investors in the health care sector, physician practice management companies, and owners of medical practices and ambulatory surgery centers across the United States with respect to a wide range of merger and acquisition activity, joint ventures and regulatory matters.

Bankruptcy and restructuring attorney TAMARA K. MANN was promoted to special counsel with Morris, Nichols, Arshe & Tunnell in Wilmington, Del. She represents international, national and regional clients, including debtors, official and ad hoc committees, asset purchasers, debtor-in-possession lenders, secured and unsecured creditors, petitioning creditors in involuntary bankruptcy filings and other parties in interest.

2012

LUCAS E. BEIRNE received a 2021 Special Achievement Award from the Federal Reserve Board, where he is a senior counsel in the Legal Division.
ALLISON JUEBERT joined Quinn Emanuel’s Austin, Texas, office. Huebert, who practices complex commercial litigation and arbitration, splits her time between Chicago and Austin.

ROSS E. COE was elected of counsel with Blank Rome. Based in Washington, D.C., Coe’s practice assists clients across the real estate spectrum to maximize their value and mitigate risk in purchase, sale, and leasing transactions involving retail, industrial, office, and multifamily assets.

DAVID MERRITT was promoted to partner at Faegre Drinker in Minneapolis. Merritt represents clients in advertising, trademark and other intellectual property disputes throughout the country.

JASON ZACHARY GOLDSTEIN was promoted to partner in the New York office of Gibson, Dunn & Crutcher. He is a member of the business restructuring and reorganization practice group. Goldstein represents companies, secured lender groups, sponsors, and other parties-in-interest in a wide range of in-and-out-of-court restructuring transactions, including Chapter 11 cases.

DELLINGER GILDSTEIN was invited to become a partner of Morris, Nichols, Arsht & Tunnell in Wilmington, Del. She represents clients in a variety of technological fields, particularly pharmaceuticals and chemicals. Her experience also includes inter partes review proceedings. Prior to attending law school, Dellinger worked as a research and development chemist for a specialty chemical manufacturer, developing new synthetic products and optimizing existing manufacturing processes.

CAITLIN POE was elected partner with Williams Mullen in Raleigh, N.C. Poe represents defendants in criminal and civil cases involving securities regulation, intellectual property, consumer protection, environmental compliance, health care fraud and financial fraud. She also represents business entities and individuals in connection with government and internal investigations, and manages complex civil litigation matters.

Ferguson ’12 named solicitor general of Virginia

ANDREW FERGUSON ’12 was named solicitor general of Virginia, representing the state in major cases, including before the U.S. Supreme Court and the Supreme Court of Virginia. Jason Miyares announced the appointment Dec. 8 as attorney general-elect.

“Andrew is a public servant, cares deeply about the United States Constitution, and will be a key asset to both my administration and Virginians,” Miyares said in a statement. “I am proud to have him on our team.” Ferguson served as chief counsel to U.S. Sen. Mitch McConnell from 2019-21. In that role, he was McConnell’s judicial confirmation strategist, including on the confirmation of U.S. Supreme Court Justice Amy Coney Barrett.

“Andrew Ferguson is a brilliant and dedicated lawyer with a passion for public service,” McConnell said in a statement. “Virginians will have an all-star Solicitor General to defend their rights and fight for the rule of law.” Ferguson also served as senior special counsel to then-Judiciary Committee Chairman Sen. Chuck Grassley during the confirmation of Justice Brett Kavanaugh, and as chief counsel for nominations and the Constitution to then-Judiciary Committee Chairman Sen. Lindsey Graham. He previously worked in Washington, D.C., as an appellate litigator at Bancroft, and practiced antitrust and competition law at Covington & Burling.

Ferguson clerked for Justice Clarence Thomas and Judge Karen LeCraft Henderson of the U.S. Court of Appeals for the District of Columbia Circuit. As a law student, he interned for Judge Norman K. Moon ’62 of the U.S. District Court for the Western District of Virginia.

At UVA Law, Ferguson, of Harrisonburg, Virginia, was part of the Supreme Court Litigation Clinic and was articles editor for the Virginia Law Review, as well as a research assistant for Professors A. E. Dick Howard ’61 and Saikrishna Prakash. He also earned his bachelor’s degree from UVA.

“I am excited for this opportunity to serve my beloved home state, protect Virginians’ constitutional rights, and defend the rule of law in the Commonwealth,” Ferguson said in a statement.

—Mike Fox

PAIGE ANDERSON was promoted to partner with Vinson & Elkins in Richmond, Va. Anderson’s practice focuses on the federal income tax aspects of business transactions, particularly in the real estate industry. She advises real estate investment trusts, private equity sponsors (continued on p. 99)
Heytens' first clerks include Reedy Swanson '16, Jessica Merry Samuels, Marcella Coburn (Col '14) and Megan Keenan '18.

**HEYTENS ’00 BEGINS SERVICE AS FOURTH CIRCUIT JUDGE**

Former Law School professor **Toby J. Heytens ’00** was confirmed by the U.S. Senate as a judge on the Fourth U.S. Circuit Court of Appeals and received his commission in November.

Heytens is the second UVA Law resident faculty member appointed to a federal appeals court while serving on the faculty. The first was Judge **J. Harvie Wilkinson III ’72**, who has served on the Fourth Circuit since 1984.

Since 1939, 15 federal judges taught at the Law School before taking the bench, including U.S. Supreme Court Justices Amy Coney Barrett and Antonin Scalia. Over 130 alumni are serving as judges nationwide.

Heytens was nominated the same day as **Patricia Tolliver Giles ’98** and **Michael S. Nachmanoff ’95**, who were confirmed to serve on the U.S. District Court for the Eastern District of Virginia in October.

“Based on their fairness, temperament, and integrity, we believe they will all serve Virginia and the country with distinction,” U.S. Sens. Tim Kaine and Mark Warner of Virginia said in a statement. Heytens’ nomination received bipartisan support, garnering praise from Republicans on the Senate Judiciary Committee. Chuck Grassley of Iowa called Heytens “a mainstream nominee” who “could serve as a moderating force on the Fourth Circuit,” and **John Kennedy ’77** of Louisiana said Heytens had a “well-established” intellect.

Heytens was on leave from the Law School faculty from February 2018 to August 2021 to serve as Virginia’s solicitor general.

“One of the things that’s so significant about government service is the knowledge that you’re never just representing an individual in the way that you sometimes are in private practice,” Heytens said at his federal confirmation hearing in July about having served as solicitor general. “You are representing the commonwealth as a whole.”

In his role as solicitor general, Heytens successfully argued before the U.S. Supreme Court twice and represented the state on numerous other matters in the Supreme Court of Virginia and federal circuit courts. In 2019, he and his colleagues won the National Association of Attorneys General’s Supreme Court Best Brief Award for the brief filed in *Virginia House of Delegates v. Bethune-Hill*.

Heytens first joined the faculty in 2006 and then rejoined in 2010 after taking leave for three years to serve in the Office of the U.S. Solicitor General, during which he argued six cases before the Supreme Court.

At the Law School, Heytens served as one of the directors of the Supreme Court Litigation Clinic. He is an expert in civil procedure, constitutional torts, criminal procedure and remedies. Dean Risa Goluboff said Heytens brought much to the Law School community as a faculty member.

“Toby is a stellar teacher and legendary mentor, as well as an accomplished advocate and scholar,” Goluboff said. “The Fourth Circuit is gaining a brilliant judge who will bring distinction to the bench and humanity and wisdom to the operation of the law. Though we will miss him sorely, we are excited for his next steps and proud of his public service.”

Before joining the UVA Law faculty, Heytens worked in the law firm O’Melveny & Myers’ Supreme Court and Appellate Practice Group in Washington, D.C. After graduating from law school, he clerked for then-Chief Judge Edward R. Becker of the Third U.S. Circuit Court of Appeals, served as a Bristow Fellow in the Solicitor General’s Office and clerked for U.S. Supreme Court Justice Ruth Bader Ginsburg.

During law school, Heytens served as articles development editor of the Virginia Law Review and received the Alumni Association Award for Academic Excellence for having the highest grade point average in his graduating class. His student note, “School Choice and State Constitutions,” received the Alumni Association Best Note Award.

Heytens served as head coach of UVA’s undergraduate trial advocacy team, which won its third national championship during the 2016-17 season. He won a Raven Award in 2015 for “excellence in service and contribution to the University of Virginia” and an All-University Teaching Award in 2016.

Heytens received his B.A. from Macalester College in 1997. **Mike Fox**
and investors on a variety of tax matters, including the formation of public and private REITs, tax planning associated with equity and mortgage REITs, qualified opportunity zones, capital markets transactions and initial public offerings, mergers and acquisitions, joint ventures, reorganizations, financings and tax aspects of foreign investment in U.S. real estate.

BENJAMIN HERIAUD was elevated to partner with Simpson Thacher & Bartlett. Heriaud has a capital markets practice in New York City.

ANA MARÍA IBARRA OLGUÍN LL.M. S.J.D. ’18 took part in the VII International Conference on Constitutional Law in Mexico City in September. Ibarra Olguín spoke on proof of discrimination. UVA Law professor Frederick Schauer was a keynote speaker on “Statistical Discrimination” and professor Deborah Hellman was a panelist on the “Philosophical Foundations of Discrimination Law.” Ibarra Olguín is director of the Centro de Estudios Constitucionales of the Suprema Courte de Justicia de la Nación in Mexico.

JASON S. MCMANIS was named a partner at Houston litigation boutique AZA (Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing) in December. McManis has extensive experience handling high-stakes patent, trade secret, employment and business disputes across the oil and gas, health care, commercial and residential real estate, automotive and aviation industries. He also represents plaintiffs and defendants in catastrophic personal injury and wrongful death cases.

JENNIFER A. MIGLIORI was promoted to partnership with Duane Morris in Miami. MigliorI’s practices focuses on domestic and international taxation and business transaction planning. She assists multi-jurisdictional clients with tax-minimization strategies and has experience developing and implementing tax-efficient investment structures. She has developed a focus on the various international information sharing arrangements and regularly advises clients and their advisers on issues arising under tax treaties, the Foreign Account Tax Compliance Act, exchange of information agreements and the Common Reporting Standard. In addition, she frequently assists clients with expatriation and pre-immigration tax planning and tax controversy matters, including audit representation and voluntary disclosures.

CASSIE MYATT was named general counsel at Lakefield Veterinary Group—a family-owned veterinary hospital acquisition company with clinic locations in nine states and headquartered in Seattle. Myatt manages the company’s ongoing acquisition endeavors and provides counsel to company leadership regarding human resources, real estate, general corporate and compliance matters. She was previously associate general counsel.

RYAN WOESSNER was promoted to partner with Faegre Drinker in Minneapolis. Woessner counsels clients on corporate matters, focusing on capital markets transactions, securities regulation, mergers and acquisitions, and emerging companies.

JASON S. McMANIS 

2014

ANDREA CANFIELD was elevated to the partnership of Stoel Rives, based in Anchorage, Alaska. She has an extensive mergers and acquisitions practice and is experienced in a wide range of industries. Canfield represents clients with diverse ownership structures, including Alaska Native corporations, large public institutions, middle market companies, as well as privately held and emerging businesses. Canfield was selected as one of America’s Leading Lawyers for Business (Alaska) by Chambers USA (Corporate/M&A), Associates to Watch, 2020-21, and is a member of the National Black Lawyers Top 40 Under 40. She is a member of the University of Alaska Anchorage’s Legal Studies Program.

Advisory Committee, a member and former president of the Anchorage Association of Women Lawyers, and serves on the board of Abused Women’s Aid in Crisis, the largest domestic violence safe shelter in Alaska.

RONIKA CARTER joined the Women's Tennis Association as corporate counsel in 2021. Founded by Billie Jean King, the WTA consists of more than 1,650 players representing 85 nations and is the principal organizing body of women’s professional tennis. The WTA Tour is comprised of over 50 events and four Grand Slams, spanning six continents and nearly 30 countries and regions, with a global audience of over 700 million.

MICHAEL CHAO was elevated to partner with Simpson Thacher & Bartlett. Chao practices mergers and acquisitions law in New York City.

KEN HOOVER was named principal with Fish & Richardson in Austin, Texas. Hoover’s practice focuses on U.S. and foreign patent prosecution and post-grant proceedings in the fields of software, business methods, speech recognition, networking, semiconductor technologies, wireless communications, medical devices and heat transfer technologies.

CODY S. ROGERS joined Stinson in Washington, D.C., as a partner in the tax credit finance practice group. Rogers’ practice focuses on community development finance and New Markets Tax Credit transactions.

as an associate in the tax controversy and international tax practice groups in the firm’s Washington, D.C., office.

2016

ANN CZYZEWSKI joined Hollingsworth in Washington, D.C. Czyzewski practices in the complex litigation, pharmaceutical products, and toxic torts and products liability groups.

2019

WADE C. FOSTER joined Stoel Rives’ Environment, Land Use and Natural Resources group in Boise, Idaho. Foster previously served as a law clerk to U.S. District Court Judge B. Lynn Winmill of Idaho and, prior to law school, worked for a national fertilizer industry trade association.

2020

SIMONNE BROUSSEAU joined Faegre Drinker as an associate in the government and regulatory affairs practice in Washington, D.C.

2021

MARIA DOWNHAM joined Faegre Drinker as an associate in the business litigation practice in Indianapolis.

ELEANOR (SCHMALZL) VANDERMEULEN joined Caplin & Drysdale
THE FIGHT FOR CLIMATE AFTER COVID-19
ALICE C. HILL ’84
OXFORD UNIVERSITY PRESS

After years of working alongside public health and resilience experts crafting policy to build both pandemic and climate change preparedness, Hill exposes parallels between the underutilized measures that she says governments should have taken to contain the spread of COVID-19—such as early action, cross-border planning and bolstering emergency preparation—and the steps leaders can take now to mitigate the impacts of climate change.

Hill, a former special assistant to President Barack Obama, is the David M. Rubenstein Senior Fellow for Energy and the Environment at the Council on Foreign Relations. During the Obama administration, she served as a senior counselor to Department of Homeland Security Secretary Janet Napolitano ’83 and later worked on anticipating and responding to natural disasters, including climate change, at the National Security Council.

Is discussing her new book, Hill told the podcast New Security Broadcast that taking preventative steps is critical.

“Even as we see the ferocity of events increase, we are seeing that our systems just have not accounted for the future risk, and that is what we need,” Hill says.

Preparing for climate impacts and cutting harmful pollution are two pieces of the problem that need equal attention, she argues.

“When these events hit the developing world, it can cause a family just to spiral into poverty very quickly,” Hill says. “We need to make deep investments to help these countries understand their risks and warn their populations in advance.”

WHY PRIVACY MATTERS
NEIL RICHARDS ’97
OXFORD UNIVERSITY PRESS

Neil Richards ’97, the Koch Distinguished Professor in Law and director of the Cordell Institute at the Washington University in St. Louis School of Law, explores what privacy is, what it isn’t and why it matters in his new book.

Richards aims to show how the fight for privacy is a fight for power that will determine what our future will look like, and whether it will remain fair and free. He highlights how companies collect information and use it in advertising, how the National Security Administration screens communications for signs of radicalism, and how social media companies collect and share information on consumers, to name a few of several examples the book explores.


Businesses interested in collecting information offer consumers some choices through privacy controls, but the controls are not necessarily the ones you want, like “stop tracking everything I do on the internet.”

“We’re given the illusion of control and then we don’t exercise it and we feel guilty and we feel complicit in the fact that all this data processing is happening,” he said in the interview, which is scheduled to air June 23. “And that’s a really cynical—and in terms of efficacy, highly effective—con that companies have placed on us.”

He argues that if we want to build a digital society that is consistent with our hard-won commitments to political freedom, individuality and human flourishing, then we must make a meaningful commitment to privacy.
Revival to Kentucky and the American West, and in the process imparted a template of architectural and professional dignity for others to follow. Over the course of a half-century career distinguished by a considerable body of projects, he became one of the state’s—and the era’s—most important architects.

FICTION

AND TYLER NO MORE
STAN HAYNES ’83
SELF-PUBLISHED

In 1844, President John Tyler is weeks away from submitting to the Senate a treaty for the annexation of the Republic of Texas into the Union, doubling the enslaved territory in the country and giving the Southern states a majority in the Senate. Monty Tolleriv, a former top aide to an influential senator, and his best friend, Ben Geddis, a naval officer and an abolitionist, plan to assassinate Tyler, an unelected president who, in their view, has already committed multiple transgressions. Filled with the political intrigue of the 1840s, the book explores the battle between morality and legality, and between loyalty and betrayal, and confirms that dysfunction in Washington is not a modern American phenomenon.

18 HOLES WITH BELICHICK AND BRADY
BENJAMIN PLAUT ’94
SELF-PUBLISHED

In February 2014, Bill Belichick and Tom Brady played in the same pair in the PGA Tour’s Pebble Beach Pro-Am. Weather kept the galleries small for the Friday round. Except for Brady’s parents (all 18 holes) and Belichick’s girlfriend (for 12 of the 18 holes), their caddies and pro partners, only Plaut saw every shot. Spend a day by the Pacific Coast with Brady, Belichick and those closest to them in this unique glimpse at a rare moment in history.

THE VOW
Ted Born’s Last Trial
THAD LONG ’63
SELF-PUBLISHED

This is the second in a series of “Ted Born” novels involving a lawyer who happens to attract very challenging lawsuits. Born becomes a defendant against claims that could ruin him financially and destroy his reputation after he is named manager of the affairs of his impaired but wealthy philanthropist client, Alexander Carr. A judge who seems likely to preside over the upcoming trial seems skeptical of Born’s position, and possibly hostile. To complicate matters further, Born’s own law firm and his firm’s malpractice insurance carrier are unhappy with this mess situation and want Born to leave the case. With the client’s family seemingly united against Born, he has to decide what course to take in accordance with his own values and ethics.

THE REDSHIRT
JORDAN SILVERSMITH ’13
GIAL PRESS

In this dystopian novel, when a prisoner in an unnamed labor camp finds his journal of memories taken from his cell, he sets out to console himself and perhaps find in his past a way to reclaim his freedom by again writing down what he can remember. As the prisoner writes and passes through the vivid world of a distant life, he is eventually confronted by a strange memory that may be his own or, somehow, someone else’s.

CORINNE
WENDY WAN-LONG SHANG ’94
AMERICAN GIRL

In the first book in her series, Corinne Tan, American Girl’s 2022 Girl of the Year, is snapping on her skis and taking a deep breath of crisp mountain air. She and her sister, Gwynn, have always called Aspen home, but moving in with their new stepdad, Arne, changes everything. Sure, there are perks—a fancy bedroom and a new puppy named Flurry whom Corinne trains to do search and rescue. Still, Corinne feels uncomfortable in her new family and hides the truth from her best friend. The facts finally come out in the most disastrous way, and Corinne runs to the only place left that feels like home. But when she becomes lost on the mountain, will her survival skills be enough to save her? (For more on Shang, see p. 74.)
<table>
<thead>
<tr>
<th>Name</th>
<th>City</th>
<th>Date</th>
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<tbody>
<tr>
<td>George A. Van Pelt ’49</td>
<td>New York</td>
<td>June 1, 2021</td>
</tr>
<tr>
<td>James C. Stickles ’50</td>
<td>Bowling Green, Ky.</td>
<td>Aug. 26, 2021</td>
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<td>Robert G. Tritsch ’50</td>
<td>Pelham Manor, N.Y.</td>
<td>July 12, 2021</td>
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<tr>
<td>Edward G. Cortright Jr. ’52</td>
<td>Madison, Miss.</td>
<td>Aug. 11, 2021</td>
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<tr>
<td>Stanley S. Harris ’53</td>
<td>Bethesda, Md.</td>
<td>Aug. 13, 2021</td>
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<td>William C. Lickle ’53</td>
<td>Greenville, Del.</td>
<td>Aug. 29, 2021</td>
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<tr>
<td>Thomas Bog Slade III ’54</td>
<td>Jacksonville, Fla.</td>
<td>Nov. 29, 2021</td>
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<tr>
<td>Donald R. Williams ’56</td>
<td>Naples, Fla.</td>
<td>Sept. 13, 2021</td>
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<td>Fredric L. Adler ’57</td>
<td>New York</td>
<td>Aug. 20, 2021</td>
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<td>Warren T. Braham ’57</td>
<td>Ashburn, Va.</td>
<td>Nov. 22, 2021</td>
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<td>Stuart Brunet ’58</td>
<td>Mendham, N.J.</td>
<td>Jan. 26, 2022</td>
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<td>Lenox G. Cooper ’58</td>
<td>Bethesda, Md.</td>
<td>Dec. 18, 2021</td>
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<td>Hobart A. McWhorter Jr. ’58</td>
<td>Birmingham, Ala.</td>
<td>Jan. 6, 2022</td>
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<td>John W. Sause Jr. ’58</td>
<td>Annapolis, Md.</td>
<td>Nov. 28, 2021</td>
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<tr>
<td>Henry W. Williams Jr. ’58</td>
<td>Scottsvile, N.Y.</td>
<td>Nov. 29, 2021</td>
</tr>
<tr>
<td>Henry H. McVey III ’60</td>
<td>Williamsburg, Va.</td>
<td>July 26, 2021</td>
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<tr>
<td>W. Taylor Murphy Jr. ’60</td>
<td>Warsaw, Va.</td>
<td>Sept. 15, 2021</td>
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<td>J. Clifton Barlow Jr. ’61</td>
<td>Atlanta</td>
<td>Jan. 10, 2022</td>
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<tr>
<td>Donald L. Kovach ’61</td>
<td>Newton, N.J.</td>
<td>Oct. 14, 2021</td>
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<td>Edward J. Seaman ’61</td>
<td>Edison, N.J.</td>
<td>July 20, 2021</td>
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<tr>
<td>Benjamin S. Warren III ’63</td>
<td>Gaithersburg, Md.</td>
<td>July 16, 2021</td>
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<tr>
<td>Frank K. Bynum ’64</td>
<td>Mountain Brook, Ala.</td>
<td>Jan. 14, 2022</td>
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<td>Gilbert C. Cox Jr. ’64</td>
<td>Naples, Fla.</td>
<td>Sept. 23, 2021</td>
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<tr>
<td>Anthony Pantaleoni ’64</td>
<td>New York</td>
<td>Oct. 28, 2021</td>
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<tr>
<td>Richard K. Rudolph ’64</td>
<td>Naples, Fla.</td>
<td>Aug. 28, 2021</td>
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IN MEMORIAM

Peter L. Koff ’65
Salem, Mass.
Sept. 11, 2021

Dexter E. Martin ’65
Welches, Ore.
June 27, 2021

Arland T. Stein ’65
New Albany, Ohio
Aug. 14, 2021

John K. Whelan ’65
Bronxville, N.Y.
Feb. 4, 2021

Jerome M. Rothschild ’66
Columbus, Ga.
Aug. 16, 2021

Michael James Viener ’66
Williamsburg, Va.
Sept. 14, 2021

Richard C. Manson Jr. ’68
Richmond, Va.
Aug. 16, 2021

Kenton Leslie Cobb ’69
Durham, N.C.
Oct. 8, 2021

Harry E. Jennings Jr. ’69
Redmond, Wash.
Sept. 17, 2021

Ralph H. Scheuer ’70
Santa Fe, N.M.
Dec. 12, 2021

Priscilla Rassin Toomey ’70
Bronxville, N.Y.
Jan. 11, 2022

Paul Whitehead Jr. ’70
Lynchburg, Va.
Nov. 9, 2021

H. Randolph McLean ’71
Charlotte, N.C.
Nov. 11, 2021

Michael T. Newton ’72
Alberville, Ala.
Sept. 26, 2021

Ruurd C. Segaar ’72
Woodville, Va.
July 27, 2021

James A. Winstead ’72
Chesapeake, Va.
Aug. 6, 2021

Eugene H. Bayard ’74
Rehoboth Beach, Del.
Oct. 10, 2021

T. Jeff Wray ’74
Hendersonville, N.C.
Aug. 10, 2021

Charles Thomas Bowyer ’75
Locust Grove, Va.
Nov. 27, 2021

Douglas K. Baumgardner ’76
Washington, Va.
Nov. 30, 2021

Martha Wolfe Verscaj ’77
Bronxville, N.Y.
Nov. 6, 2021

Neal R. Brendel ’79
Pittsburgh
Aug. 25, 2021

Frederick T. Heblich Jr. ’82
Charlottesville
Nov. 2, 2021

Anne Strassfeld ’82
Beachwood, Ohio
Oct. 25, 2021

Constance Mae Subadan ’83
Miami
Oct. 12, 2021

Katherine Dudley Garner ’89
Charlottesville, N.C.
Oct. 7, 2021

Andrew W. Pickholtz ’89
Cupertino, Calif.
Aug. 16, 2021

John W. Bateman ’90
Dunkirk, Md.
Oct. 20, 2021

Douglas B. Robelen ’90
Glen Allen, Va.
July 23, 2021

Kay Morgan Stockwell ’92
Virginia Beach, Va.
Sept. 13, 2021

Luke D. Martin ’06
Birmingham, Ala.
Oct. 4, 2021

Alan Chandler Kingsley ’07
Fort Lauderdale, Fla.
Nov. 23, 2021

Bryce Schunke ’10
Long Island City, N.Y.
Aug. 9, 2021

Charlotte B. Lauren ’12
Arlington, Va.
Dec. 18, 2021
Henry Su’90
PARTNER, BRADLEY

CAN YOU TALK ABOUT CUTTING YOUR TEETH as a lawyer in the U.S. District Court for the Eastern District of Virginia?

This was the first federal court to which I was admitted, and I was encouraged by my law firm at the time to check the box on the admission application indicating that I would accept appointments under the Criminal Justice Act. I am so glad that I did, because almost right away I was in court arguing and trying both civil and criminal cases. I learned so much—and so quickly—about what it takes to be an effective and ethical trial lawyer in that forum. The Eastern District of Virginia already had garnered the reputation of being the “Rocket Docket,” and in that environment I developed a keen appreciation of the ancient maxim that “justice delayed is justice denied.” No gamesmanship, no foot-dragging, no excuses. Just work diligently and get your case ready for trial.

HOW DID YOU END UP GOING from the Old Dominion to Silicon Valley (and back)? What did you learn?

My legal career has been a journey in so many ways, including geographically. There came a point in my practice when I realized that my increasing focus on antitrust law, intellectual property law, and their intersection meant that I needed to gain exposure to burgeoning client issues and disputes in that cradle of high technology called Silicon Valley. I therefore somehow mustered the initiative and discipline to listen to bar review cassette tapes at night and sit for the California bar exam. During my time in Silicon Valley, I learned how challenging it can be for the law—and for lawyers—to keep up with technological innovation. I then came back East, to Washington, D.C., when an opportunity arose to enter public service. (Also, a few months later, the law firm I was with imploded and went into bankruptcy. But that’s a story for another day.)

YOU’VE SERVED AS AN ADVISER AND MENTOR both in and out of the workplace. Why is that important to you?

As a lawyer, I recognize and take seriously certain obligations that I owe to my profession and the public as “a public citizen having special responsibility for the quality of justice,” as described in the preamble to the ABA Model Rules of Professional Conduct. One such obligation is to improve our profession, and one way I fulfill that is through my service as a program director and faculty for the National Institute for Trial Advocacy, training fellow lawyers and legal professionals to be skilled and ethical advocates, which in turn improves our adversarial system of justice. Another obligation is to further the public’s understanding of and confidence in the rule of law, and one way I fulfill that is through my service as a writing tutor and a guest speaker on civics and government to high school students in my community.

YOU MADE THE COVER OF VIRGINIA LAWYER for your pro bono work. Tell us more about your efforts.

The Virginia Lawyer story concerned a legal proceeding that I helped a Virginia senior citizen to initiate, after encountering her issue on a virtual legal advice clinic called Virginia Free Legal Answers. Specifically, she did not have a birth certificate and needed one to renew her driver's license. The Office of Vital Records in Richmond denied her request for a birth certificate because she did not have the required paperwork, and her only recourse was to petition a court, which we did successfully. In addition to doing my share of pro bono work as a volunteer, I also contribute to closing the “justice gap” as an educator—training fellow lawyers who provide legal services to the underserved and underrepresented to be more effective advocates, and as a leader—championing the delivery of pro bono as a member of the ABA Standing Committee on Pro Bono and Public Service.

YOU HAVE THE LAST WORD. What do you want to say?

For me, the practice of law has truly been a calling, not just a job or a career. I credit the Law School for setting me on that path over three decades ago.
Events

DEC. 6 WASHINGTON, D.C.
Metropolitan Club
6:30-8:30 P.M.  HOLIDAY RECEPTION

DEC. 13 CHARLOTTESVILLE
Greencroft
6-7:30 P.M.  HOLIDAY RECEPTION

JAN. 22 LOS ANGELES
Craft
6-7:30 P.M.  RECEPTION

JAN. 23 SAN FRANCISCO
The Olympic Club City Clubhouse
11:45 A.M.  RECEPTION  12:15 P.M.  LUNCH

JAN. 23 PALO ALTO
The Village Pub
6-7:30 P.M.  RECEPTION

FEB. 7 ATLANTA
W Atlanta Midtown
11:45 A.M.  RECEPTION  12:15 P.M.  LUNCH

FEB. 7 BIRMINGHAM
City Club Birmingham
6-7:30 P.M.  RECEPTION

FEB. 21 NEW YORK CITY
Yale Club
11:45 A.M.  RECEPTION  12:15 P.M.  LUNCH

MARCH 21 NORTHERN VIRGINIA
The Ritz-Carlton Tysons Corner
6:30-8 P.M.  RECEPTION

JUNE 4 WASHINGTON, D.C.
The Willard
11:45 A.M.  RECEPTION  12:15 P.M.  LUNCH

JUNE 13 RICHMOND
Jefferson Hotel
6-7:30 P.M.  RECEPTION

JUNE 9 CHARLOTTESVILLE
Orzo Kitchen & Wine Bar
6:30-8:30 P.M.  RECEPTION

JUNE 14 NORTHERN VIRGINIA
Top of the Town Arlington
6-7:30 P.M.  RECEPTION

JUNE 17 VIRGINIA BEACH
Sheraton Oceanfront
8 A.M.  VIRGINIA STATE BAR ALUMNI BREAKFAST

CONNECT WITH ALUMNI AT AN EVENT NEAR YOU.
law.virginia.edu/alumni