

DUKE LAW MAGAZINE

Fall 2007 / Winter 2008 | Volume 25 Number 2



Sustainable Advocacy

Duke Law alumni and faculty at the forefront of environmental law and policy

From the Dean

Dear Alumni and Friends,

Having just completed my first semester at this wonderful law school, I take this opportunity to thank all of you for your warm welcome, support, and advice as I have settled into my new role as dean. I have come to appreciate what a strong and vibrant community we have at Duke Law School. The members of our faculty are superb teachers and scholars. It is a great learning experience to hear about their scholarship and various projects. The alumni are accomplished and have pursued a variety of different career paths. We have alumni in all corners of the country and the world. Their loyalty to the Law School, their enthusiasm, and their high expectations both set a high standard and help us to achieve it. Finally, our students are just delightful. They are impressively smart, nice, and idealistic. They want to use their law training to make the world a better place.

Like so many organizations, a law school thrives on leadership. We have been blessed with able leadership from deans, faculty, and alumni. Because of this history of strong leadership, we can and should have ambitious goals for this school. Our overarching goal, supported by the faculty and our alumni leadership boards, is simply stated: We want Duke Law School to be the most exciting place in the country to study law, whether as a member of the faculty or the student body. To do that, and in keeping with the Law School's most recent five-year plan, we must focus on 10 areas:

- 1. Faculty enhancement:** We should expand our exceptional faculty with new hires in the areas of law and business, international and comparative law, law and economics, jurisprudence, criminal law, and legal history. (See Page 34 for a story about our two most recent hires, Ernest Young, a top federalism scholar, and Jack Knight, a renowned political scientist who studies the judiciary, among other topics.)
- 2. Scholarship funding:** To compete for the very best students in the country and the world, we need to offer better scholarship assistance and strengthen our Mordecai Scholars program, which provides full-tuition grants to the very top applicants.
- 3. Endowment for clinics and support for centers:** Our clinical programs offer our students the experiential opportunities an excellent legal education demands. Our centers fuel the vibrant intellectual life of this law school. Both require consistent and ongoing support to flourish.
- 4. Alumni enrichment:** Duke Law should be an institution of life-long learning and engagement. We want to expand opportunities for alumni to share their experience and expertise through participation in conferences and symposia and service as mentors, teachers, and advisers. We also want to provide continuing opportunities for our alumni to learn about legal scholarship and developments in the law, particularly as they contemplate new career directions and possibilities.
- 5. Curriculum:** We will continue to strengthen our legal writing program and expand opportunities for practical skills training, leadership, interdisciplinarity, and creative problem-solving as we prepare our graduates for law practice. We also are seeking ways to help them consider what it means to have a satisfying career in the law.
- 6. Service and leadership:** Our curriculum must give students the skills they need to become effective, ethical leaders, while instilling in them a desire and sense of obligation to serve the community and profession. We will explore permanent funding sources for public interest fellowships and creative new partnerships with community organizations.



7. Diversity: Expanding the racial, ethnic, and gender diversity of the legal profession is important to the profession's ability to lead and serve. Efforts to further diversify our student body and faculty should be coupled with the development of "pipeline" programs to provide academic support and generate interest in legal careers among young minority students. A more diverse student body also will translate — over time and with the right kind of support — into a more diverse faculty.

8. Special projects and centers: Our new center on criminal justice and professional responsibility was announced by Duke President Richard Brodhead last September; we also are exploring options for new clinics, a judicial institute, and a "Duke in D.C." externship program, among other possible initiatives.

9. The international law school: We must respond to the increasing importance and centrality of international law and institutions by working to "internationalize" the Law School. Other parts of the university are establishing new degree-granting campuses abroad. We should consider whether to join in such endeavors. We should increase the number of visiting faculty from foreign institutions and expand upon our summer programs in Hong Kong and Geneva.

10. Joint degrees and interdisciplinarity: We want to ensure that our students can take full advantage of Duke's unique strength in collaborative research across disciplines by reducing financial and administrative barriers to joint degrees and increasing interdisciplinary opportunities more generally.

We can maintain our unique Duke culture while striving for excellence and service across a broad range of activities and study. With the help of our alumni, faculty and many friends, we can accomplish these goals and help Duke Law achieve its full potential.

Thank you, again, for your support and good wishes. I look forward to working with you in the months and years to come.

Sincerely,

David F. Levi

Duke Law School Selected Events Spring 2008

- 1/18 **Second Annual Duke Law Leadership Experience:**
Development of Identity and Professionalism
- 1/28 **Data Privacy in Transatlantic Perspective:
Conflict or Cooperation?**
UNIVERSITY CENTER FOR EUROPEAN STUDIES AND THE CENTER FOR
INTERNATIONAL AND COMPARATIVE LAW
- 2/8 **Sixth Annual ESQ. Career Symposium**
- 2/15 **International Tribunals and the
United States Judicial System**
Duke Journal of Comparative and International Law
Symposium
- 2/22-23 **Family Weekend
Public Interest Law Foundation Auction**
- 2/26 **Siegel Lecture in Ethics:**
Professor Mark A. Rothstein, Herbert F. Boehl Chair of Law
and Medicine, Director of Institute for Bioethics, Health
Policy and Law, University of Louisville
- 2/27 **Paul D. Clement**, Solicitor General of the United States
- 3/10-14 **Southern Justice Spring Break Mission Trip**
- 3/25 **Brainerd Currie Memorial Lecture**
Pamela S. Karlan, Kenneth and Harle Montgomery
Professor of Public Interest Law, Stanford Law School
- 4/3 **Meredith and Kip Frey Lecture in Intellectual Property**
Suzanne Scotchmer, Professor of Economics and Public
Policy, University of California, Berkeley
- 4/10-11 **National Security Conference**
CENTER ON LAW, ETHICS AND NATIONAL SECURITY
PROGRAM IN PUBLIC LAW
CENTER FOR INTERNATIONAL AND COMPARATIVE LAW
- 4/11-13 **Reunion 2008**
- 5/10 **Duke Law School Hooding Ceremony**
Speaker: William Neukom, President,
American Bar Association



Student profile brings back memories

Re: Chris Murray '07: Making Duke Law History (Spring '07) *

Congratulations on a great magazine! I read it cover to cover.

Because it was our dear friend and classmate, E. David White, III, we were all very proud when Dave argued a criminal inmate appeal before the United States Circuit Court of Appeals for the Fourth Circuit in Richmond, Va.

Most of the members of the Class of '73 will no doubt remember the, uh, spirited discussions between Dave and Ray (Raymond Yasser '74) emanating from Lenny Simon's (Class of '73) main floor law library cubicle, as Ray assisted Dave in preparation for the big day. I do not recall if we were cognizant Dave was the first student to so argue before the Fourth Circuit. But I would expect that the other members of the Class of '73 appearing in the Spring '07 issue, Ken Starr, Dan Blue, Ward Greene, Don Mayer, Jeff Nickloy, and Kenny Armstrong, would also recall Dave's feat.

By the way, law clinics were just getting going in the mid-70s. I believe Dave's effort came from the regular Trial Practice Course so wonderfully and ably taught by Dean Tom Read '63.

**Mike Stewart, Class of '73
McLean, Va.**

**Editor's note: Our article stated that Chris Murray, then a student in the Appellate Litigation Clinic, was the first Duke Law student to argue a case in the Fourth Circuit when he argued on behalf of the petitioner in Lyons v. Weisner on Jan. 30, 2007. Whether or not he was the first, his argument was successful. On Sept. 11, the court issued a writ of habeas corpus for the clinic's client, Carl E. Lyons, who is currently serving a 30-year sentence in a North Carolina prison for kidnapping and forcible rape.*

Duke Law Magazine welcomes your thoughts. Please send letters to: editor@law.duke.edu or by mail to: Letters to the Editor, Duke Law Magazine, Duke University Law School, Box 90389, Durham, NC 27708-0389

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Learning from Lacrosse

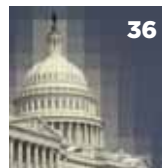
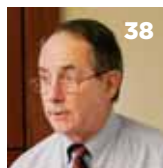
Conference explores practice and ethics of trying cases in the media

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Duke Law Magazine is printed on recycled paper



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News Briefs



Court of Public Opinion

Learning from Lacrosse

CONFERENCE EXAMINES THE PRACTICE AND ETHICS OF TRYING CASES IN THE MEDIA

ALTHOUGH “TRIAL BY MEDIA is as American as apple pie,” it is the responsibility of the bar and the courts, not journalists, to make sure trials are fair. Hodding Carter III offered that observation in his keynote address, which opened “The Court of Public Opinion,” Duke Law School’s two-day conference on the practice and ethics of trying cases in the media, held Sept. 28–29.

Sponsored by the John S. and James L. Knight Foundation, the conference brought together academics, attorneys, jurists, journalists, and bloggers for a series of roundtable discussions on the professional and ethical roles and responsibilities of members of the media, the bar, and the institutions involved in high-profile cases,

along with an in-depth analysis of issues raised by the Duke lacrosse case.

A renowned journalist, former president and CEO of the Knight Foundation, and now University Professor of Leadership and Public Policy at the University of North Carolina at Chapel Hill, Carter offered further observations — and challenges — that helped frame the panel discussions that followed.

The lacrosse case was hardly an isolated instance of a case being tried in the media, Carter said. Journalists routinely engage in “pack journalism” and demonstrate “an arrogant refusal” to acknowledge that their practices have “real effects upon real people, often with negative consequences,” he charged.

Still, “demanding that the media behave like lawyers are supposed to behave is hopeless,” said Carter. “We must demand that cops, prosecutors, judges, and all other organs of justice behave as they are required to do by law and canon.”

The disbarment of a “rogue” prosecutor like former Durham District Attorney Michael Nifong and the exoneration of individuals wrongly accused of crimes should be routine, Carter said, but isn’t. He challenged the bar to offer as much “legal heavy-lifting” on behalf of the many poor people of color — historically the primary targets of “media lynching” — as it did in the Duke lacrosse case, and concluded by quoting the Supreme Court ruling in *Sheppard v. Maxwell*: “We must remember that reversals are but palliatives.’ We need ... to prevent prejudice at its source.”

The playing field: news 24-7

High-profile cases play out in a round-the-clock media environment. This “24-7” news cycle, spawned by cable TV and spurred by the growth of the Internet and “new” media, as well as the commodification of news that blurs the lines between news and entertainment, were key topics for discussion throughout the conference.

Whereas editors used to hold information in order to break it in the morning papers on the premise that they had an

exclusive story, they now post it online immediately, said Malcolm Moran, who teaches media ethics at Pennsylvania State University.

“There’s going to be another [Nifong]. There’s going to be another authority figure who will say something [at a press conference] that is going to be accepted as fact,” said Moran. “What we have lost is the ability to digest [and] to report more ... because of the fear that the ‘bus is leaving town’ and we’re left behind.” Core journalistic ethics such as seeking truth in reporting, minimizing harm, acting independently, and being accountable “are hard enough to hold onto when editors and reporters working on a story have five or six hours to make decisions,” he said. “When you have five or six minutes, the strain becomes even more intense.”

Whether blogs and wikis — the so-called “new media” — harm or help the cause of responsible journalism by increasing the pressure to report was a matter of considerable discussion. Political bloggers Marcy Wheeler, who live-blogged the recent Scooter Libby trial, and KC Johnson, who blogged throughout the Duke lacrosse case, said blogs can serve as an effective complement to the traditional media in covering trials and official proceedings in particular.

“In one of their most basic forms, blogs serve as watchdogs on the press, pointing out contradictions, spin and errors,” Wheeler said, noting that bloggers often take on the role of traditional journalists, sourcing materials and offering open-source investigations. Blog postings might offer timelines, assess public evidence, and raise questions that can point out “holes” in cases, giving readers a way to assess stories for themselves, she said. That was essentially the function of bloggers as the Duke lacrosse case unfolded, according to Johnson, a professor of history at Brooklyn College. For bloggers to have influence, he noted, “you can’t regularly publish incorrect and slanted things.”

Free press v. fair trials

A series of panel discussions highlighted the challenges of litigating high-profile cases, offering views from prosecutors, defense attorneys, and judges, and contrasting the American approach to that of other Western countries.



L-R: JOURNALIST SONJA STEPTOE '85, DUKE LACROSSE COACH KERSTIN KIMEL, UNIVERSITY OF NORTH CAROLINA VICE CHANCELLOR MARGARET JABLONSKI, AND DEAN DAVID LEVI DISCUSS A HYPOTHETICAL SCENARIO.

“Demanding that the media behave like lawyers are supposed to behave is hopeless.” — Hodding Carter III

Criminal defense attorneys were advised to be extremely cautious in dealing with the media. “Trying” a case in the media can harm the client by alienating potential jurors, warned Professor Michael Tigar of American University, whose clients have included convicted Oklahoma City bombing conspirator Terry Nichols, Sen. Kay Bailey Hutchison, R-Texas, and former attorney Lynne Stewart. But a number of his clients, including Nichols, benefited from the intense media interest in their cases, Tigar added. Because witnesses who might be reluctant to speak to his defense team were quite willing to speak to reporters about Nichols, he was able to gain useful information from reading press reports.

Denver attorney Hal Haddon '66, who represented John and Patsy Ramsey and defended Kobe Bryant against charges of sexual assault, agreed that media contact is inevitable in high-profile cases in which first impressions are “indelible.” Still, he called engaging with the media “a very dangerous undertaking” for a criminal defense lawyer, adding that he prefers to commu-

nicate with reporters in writing in order to reduce the possibility for misunderstanding. “And once you [make a statement], shut up and go about your business, which is preparing and presenting your case,” he advised. “Ultimately, the jury determines, based on the evidence, what happens to your client.”

Prosecutors, too, have to remember that “a criminal defendant has the right to be tried in a courtroom, and the media does not have the right to try the case in the press,” said Marsha Goodenow, a veteran assistant district attorney in Mecklenburg County, N.C., who testified against Michael Nifong at his North Carolina Bar hearing. They also must be cognizant that press coverage has an impact on how the public views the justice system, added Hogan & Hartson partner Loretta Lynch Hargrove, a former United States Attorney for the Eastern District of New York. “You have to always stress, even at press conferences, that the charges are allegations only,” she said. “There is this tendency [in the media] to pick a victim, to pick a villain, to tell a



For more information on the conference, visit <http://www.law.duke.edu/conference/2007/publicopinion/>

story and get an answer. Sometimes there is no answer.”

Judges use such tools as protective “gag” orders, change of venue, special jury selection procedures, and jury sequestration to insulate the trial process from corruption, outside influence, and distortion, observed Dean David Levi, introducing a panel of judges who have presided over high-profile trials. “Are these traditional tools adequate in this era in which we live, when the media is no longer traditional? What are judges to do when some of the parties most interested in the litigation are not actually before the court and subject to direct supervision?” asked Levi, who served 17 years as a federal judge before coming to Duke.

While the judges agreed that there is little they can do to minimize pretrial publicity before charges are laid, once a case is in a judge’s hands, he or she has to “take control of the case immediately,” said Judge Reggie Walton, who presided over the trial of Scooter Libby. “You have to be willing to step up to the plate and take a hard-line position if you feel things are taking place that have the ability to compromise the possibility of a fair trial. ... My bottom line is to make sure that the defendant and the government receive a fair trial.”

Gary Hengstler, director of the Reynolds National Center for the Courts and the Media at the National Judicial College, expressed concern that editorial decisions

“If there’s one lesson the world should take from the Duke lacrosse case, it’s the danger of prejudgment and our need to defend against it at every turn.” — Richard H. Brodhead

often are not made in the spirit of public interest, and that protective orders may be wholly ineffective. “In the 24-hour news cycle, if the lawyers and witnesses who have the information are not allowed to talk to the media, who is going to talk? Those who want to speculate. To what extent is that counterproductive in terms of informing the public about the trial process so that they have confidence in judicial integrity?” Hengstler said that his center is attempting “to educate judges about the media, how to respond, and how to have a judicial strategy for the media.”

Panelists offering European and Canadian perspectives on the tension between a free press and fair trial suggested that the American approach too heavily favors freedom of the press.

Gavin Phillipson, a professor of law at the University of Durham in England, suggested that in high profile cases, members of the media often betray the vital role a free press plays in a democracy. “Such examples, to me, represent a betrayal by the press of the First Amendment’s purpose, as lives and liberties are destroyed in the pursuit of stories,” he said. “More importantly,

perhaps, this is accompanied by a stubborn refusal, in most American legal discourse, to reassess the current approach to the First Amendment in the light of such appalling misuses of the license it grants.”

In most Western democracies, noted Phillipson, members of the traditional and new media face criminal sanctions if they publish materials that create a “substantial risk” of prejudice to criminal proceedings. “The persistent refusal of U.S. law to protect individuals from the effect of media coverage on their trials ... [seems] the very opposite of the American respect for the individual and individual liberty,” Phillipson said. “Rather, it looks very much as though the individual and his or her freedoms and rights are being sacrificed to the commercial interests of the media and the curiosity of the majority.”

Institutions can learn and be positively transformed by crises, observed Judith Clair, an associate professor at the Boston College Carroll School of Management. Crises offer organizations an opening for “issue leadership” — the opportunity to share those lessons and create broad changes beyond the borders of the orga-

nization, she said. “Duke is in a position, because of this experience with the lacrosse case, to take leadership around the issues, whether they be issues of class, race, gender, [or] media relations ... in part because of its time in the spotlight. [Duke] has a story to tell and people are interested in hearing about that.”

For Duke, the conference was part of an effort to do just that: to learn from the crisis of the lacrosse case. During one roundtable discussion, participants from all relevant disciplines — university administrators and coaches, students, journalists, and community leaders — dealt with an unfolding hypothetical scenario with parallels to the lacrosse case. Another panel featured members of the Duke and Durham communities who had “lived through lacrosse” as university decision-makers, reporters, and observers, who shared their reflections on the case.

LaTisha Gotell Faulks, an assistant professor at North Carolina Central University School of Law, noted that “what happened here happens all the time. Our public policy is to ignore the possibility of other [cases],

and that’s inappropriate,” she said. “This is an opportunity for the media to take advantage and find these other stories and bring them to light, to redeem themselves.”

The lacrosse case did, in fact, highlight “crucial problems of our culture — problems of achieving justice in a media-saturated society, problems of fundamental fairness to individuals, and problems in the way the American public is informed and misinformed about the world we live in,” Duke University President Richard H. Brodhead said in an address.

Making his first public comments in the case since the disbarment and resignation of former Durham District Attorney Nifong, Brodhead reflected on the lessons he took from the lacrosse case and apologized on behalf of the university for, among other things, failing to more strenuously defend the presumption of innocence and reach out to lacrosse team members and their families.

“When I think back through the whole complex history of this episode, the scariest thing to me is that actual human lives were at the mercy of so much

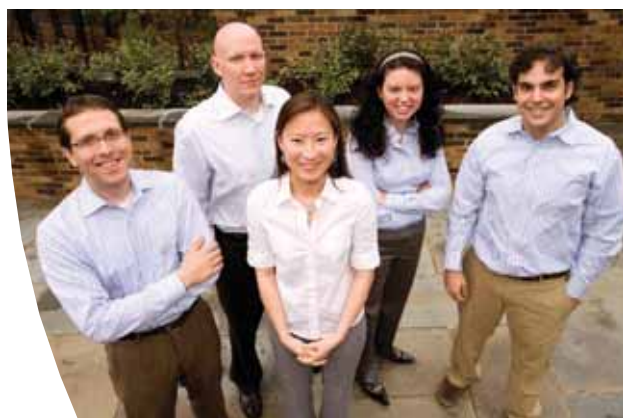
instant moral certainty, before the facts had been established,” said Brodhead. “If there’s one lesson the world should take from the Duke lacrosse case, it’s the danger of prejudice and our need to defend against it at every turn. Given the power of this impulse and the forces that play to it in our culture, achieving this goal will not be easy. But it’s a fight where we all need do our part.

“Much of me hopes the Duke lacrosse case will be forgotten someday,” Brodhead said. “But if it is remembered, let’s hope it is remembered the right way: as a call to caution in a world where certainty and judgment come far too quickly.” ♫

CLE ONLINE

“The Court of Public Opinion: The Practice and Ethics of Trying Cases in the Media” is available online for CLE credit from Duke Law School and West LegalEdcenter.

For a full list of Duke Law online CLE offerings, visit www.law.duke.edu/cle



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Sixth Annual Frey Lecture in Intellectual Property

Stiglitz discusses economic foundations of intellectual property

ACCORDING TO NOBEL Laureate Joseph Stiglitz, the current innovation system relies too heavily on patents, and the patent system is poorly designed, inefficient, and prone to distortion. Delivering the sixth annual Meredith and Kip Frey Lecture in Intellectual Property last spring, Stiglitz argued that intellectual property should be viewed as just one part of a societal innovation system that includes a broader portfolio of instruments, such as prizes and university and government supported research.

University professor, chair of the Committee on Global Thought, and executive director of the Initiative for Policy Dialogue at Columbia University, Stiglitz chaired President Clinton's Council of Economic Advisers and served as chief economist and senior vice president of the World Bank. He received the 2001 Nobel Prize in economics for his groundbreaking analysis of markets with asymmetric information. In his recent work, he has focused on the ways in which intellectual property protections might impede both innovation and world development.

Intellectual property rights have become one of the major issues in our global society, said Stiglitz. "Globalization is one of the most important issues of the day, and IP is one of the most important aspects of globalization. As we talk about the knowledge economy, how we regulate knowledge and rights to knowledge becomes the center of how well this knowledge economy works: who benefits, distributional issues, and efficiency issues." It's efficient to have knowledge distributed freely to everybody in order to create more knowledge, he added. "The problem is that intellectual property circumscribes its use and, thus, almost necessarily causes inefficiency.

"Not only does intellectual property cause distortion by restricting the use of knowledge, it does something even worse: It creates monopoly power," said Stiglitz. The social costs of this distortion or inefficiency are particularly high when they



"Not only does intellectual property cause distortion by restricting the use of knowledge, it does something even worse: It creates monopoly power." — Joseph Stiglitz

impede access to life-saving drugs in developing countries, he said.

This distortion can hamper innovation by helping leverage further monopoly power, he added. "The most obvious example is Microsoft, where it has used its monopoly power in intellectual property in operating systems to generate monopoly power in applications," he said, likening the monopoly profits through which the system is financed to a sort of distorted tax. "Raising revenues for finance and research through the granting of monopoly power is not a method that can be justified by any principles of public finance."

Stiglitz further criticized the patent system for slowing innovation by restricting access to knowledge — a critical input for the creation of further knowledge. A disparity and gap in knowledge, as well as resources, separates developing from developed countries, he observed.

In addition to calling for a redesign of the intellectual property regime to increase its benefits and reduce its costs, Stiglitz argued in favor of strengthening other incentives to innovation. He advocated including a prize system in an innovation portfolio; if well-designed, prizes could offer innovation incentives as strong as those in the patent system, he said. ♡



“... [T]here are 27 ethnic communities in Iraq. It is impossible to think that if you divide it into three parts everyone would fall in line.” — Prince Zeid Ra’ad Zeid Al-Hussein

Conference explores strategies for confronting terrorism

NEW METHODS for confronting terrorism were examined in detail during a two-day conference in April. “Confronting Terrorism Here and Abroad: Which Way Forward” brought together experts from the top levels of the military, diplomatic, intelligence, legal and academic communities to discuss U.S. strategy and policy in the Middle East, domestic spying, the limits of interrogating alleged terrorists, and the detention and trial of alleged terrorists, among other topics.

Co-sponsored by the Center on Law, Ethics and National Security (LENS), the Center for International and Comparative Law, and the Program in Public Law, the conference also featured three prominent keynote speakers who offered their unique insights into strategic options for the U.S. in these contexts.

“We’re placing a greater emphasis on early prevention and disruption to try to stop another devastating attack,” said Benjamin Powell, general counsel for the Office of the Director of National Intelligence (ODNI). “There is a robust conversation going on about privacy in America and civil liberties. We want to respect that at the same time that we balance it against the need of the American people for security.”

Created by Congress in the Intelligence Reform and Terrorism Prevention Act of

2004, ODNI has budgetary and “tasking” authority over all 16 agencies in the U.S. intelligence community, along with a responsibility to ensure their legal compliance, which Powell oversees. “We focus our efforts and resources on integration and collaboration, information sharing, acquisition of new systems, and development of new processes,” he said.

Powell asserted that human intelligence is critical to winning the war on terror, adding that while ODNI is making “tremendous increases” in this regard, success is incremental. “The learning of new languages and acclimation to new cultures takes time, and field experience is expensive.”

Echoing the need for better human intelligence in his address, retired U.S. Naval Adm. Dennis Blair suggested that every Navy midshipman be required to study the language and culture of a particular area, skills that over time would build and become transferable to other areas of focus.

“No longer are our forces split by diplomatic, intelligence, and military categories,” said Blair, past-president of the Institute for Defense Analysis. “We need to ensure that across these groups, resources, power, and human intelligence are integrated.”

Although the organizational and operational challenges facing U.S. forces are great, ideological and public relations

challenges may be greater, said Blair, who served as commander in chief of the U.S. Pacific Command. “Public rhetoric from the U.S. must be ‘just right’ around the world.” He suggested that an open approach is best — one that “cannot be characterized as propaganda or public relations, but ... [that] promotes tolerance and individual freedoms.” America’s leaders could do a “better job,” privately and publicly, of supporting moderate Muslim groups capable of isolating extremists, he said.

There is room for improvement across the board in America’s current approach to confronting terrorism, said Blair. “We are doing good work against terrorist groups. We will get it right. But the frustration is that we also have to get it [done] fast.”

Prince Zeid Ra’ad Zeid Al-Hussein, Jordan’s permanent ambassador to the United Nations, added personal reflections and an international perspective on confronting terrorism in his keynote address.

“Essentially, there is no ‘neutral,’” he said. “If you don’t move forward, you are moving backward.”

Al-Hussein likened the war on terror to a chess match. “But while there are millions of variables in chess, here there are billions,” he said. “We generally are, unfortunately, very poor examiners of these variables — we don’t know which ones will become paramount when.”

Calling the current challenge facing the U.S. “absolutely enormous,” Al-Hussein cautioned against any “panic-driven” withdrawal of troops as well as any partitioning of the country into distinct Shia, Sunni, and Kurdish areas.

“In fact, there are 27 ethnic communities in Iraq,” he said. “It is impossible to think that if you divide it into three parts everyone would fall in line. Both practically and morally it’s just not the right thing to do.”

Principally organized by Professor Scott Silliman, executive director of LENS, the conference also received support from Duke University’s vice provost for International Affairs and Development, the Terry Sanford Institute for Public Policy Studies, the Center for International Business Education and Research, and Warren and Faye Wickersham. ♡ — D.N.

Brainerd Currie Memorial Lecture

Siegel probes changing anti-abortion arguments

IN SHIFTING AWAY from a strict focus on the fetus to asserting that abortion harms women, anti-abortion advocates have marked a “dramatic expansion” of the assault on *Roe v. Wade*, according to legal and social historian Reva Siegel. The Nicholas deB. Katzenbach Professor of Law and Professor of American Studies at Yale University, Siegel delivered the 40th annual Brainerd Currie Memorial Lecture in March.

“‘Women-protected’ arguments unfortunately obscure the actual reasons that women seek abortion while offering little alternative resources for relief,” argued Siegel. “Criminalizing choice does not love, guide, or support women [but] restricts, degrades, and endangers them. This type of sex-based state action reinforces constitutionally prohibited gender stereotypes against women, suggesting that the government knows better than women what ‘real’ women want.”

Many in the anti-abortion movement resisted women-protected arguments when they were first raised in the early 1980s, as leaders drew on emerging theories of post-traumatic stress disorder relating to Vietnam War veterans to assert a post-abortion syndrome, said Siegel.

“They ... believed such claims to be without medical backing and, notably, the wrong moral focus for the [anti-abortion] cause,”



she said. “They chose to focus instead on the rights of the unborn child.” Over time, however, the notion that a pregnant woman’s “rights and needs” matter as much as the life of the unborn child became a new strategic focus, she said.

Women-protected arguments were at the heart of a report from the South Dakota Task Force to Study Abortion, which found that women were misled and abortions provided in the state amounted to coercion, since “it is so far outside the normal conduct of a mother to implicate herself in the

“‘Women-protected’ arguments unfortunately obscure the actual reasons that women seek abortion while offering little alternative resources for relief.”

—Reva Siegel

killing of her child,” said Siegel, quoting the report. A resulting highly restrictive abortion ban was rejected by South Dakota voters in 2006.

Speaking six weeks before the United States Supreme Court issued its 5-4 decision upholding federal restrictions on late-term abortions in *Gonzales v. Carhart* and *Gonzales v. Planned Parenthood Federation of America*, Siegel declined to speculate about how the Court would rule, but predicted that the spread of stronger women-protected arguments might offer a “path to new law.”

The annual Currie Lecture honors the late Duke Law scholar Brainerd Currie. Past lecturers include Nancy King, Robert Nagel, Sanford Levinson, Robert Post, Robert Litan and Martha Minow. ♣ — D.N.



GERALD BARD TJOFLAT '57, SECOND FROM LEFT, IS PRESENTED WITH THE FEDERALIST SOCIETY'S NEW BANNER

FEDERALIST CHAPTER, ALUMNI HONOR JUDGE TJOFLAT

THE DUKE LAW CHAPTER of the Federalist Society has been renamed the Judge Gerald Bard Tjoflat Chapter. The honor to Judge Tjoflat '57, of the U.S. Court of Appeals for the Eleventh Circuit, was made possible through a generous gift to the Federalist Society by anonymous alumni donors.

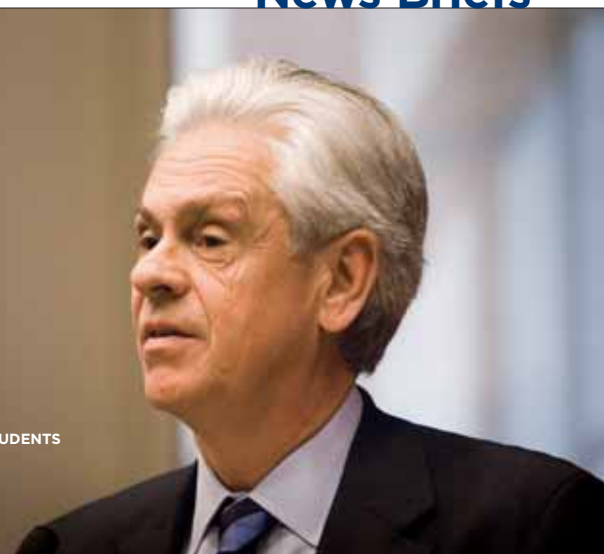
Judge Tjoflat attended the February renaming ceremony, delivering a talk to mark the event entitled “Ethics, Professionalism, and Civility in the Administration of Criminal Justice.”

Treating the Duke lacrosse case — then ongoing — as a hypothetical, Tjoflat told his

student audience that it presented “a marvelous teaching tool for a host of subjects in law school,” including ethics, professionalism, constitutional law, the function of the grand jury in the Anglo-American system of law, and the tension between a free press and a fair trial. He used the press reports of the case and the complaint filed by the North Carolina Bar against former Durham District Attorney Michael Nifong as the basis for a comprehensive hour-long master class, in which he essentially predicted the eventual outcome of the bar complaint. ♣



GARY LYNCH '75 SPEAKS TO STUDENTS AT THE ESQ. CONFERENCE



ESQ. 2007

Be open to “accidental” opportunities, Lynch '75 tells students

OVER THE COURSE of his remarkable career, Gary Lynch '75 has worked at a small law firm, headed the Enforcement Division of the Securities and Exchange Commission, held a partnership at Davis, Polk & Wardwell, served as executive vice chairman of Credit Suisse First Boston, and is now chief legal officer and executive vice president of Morgan Stanley. Yet Lynch characterized his as an “accidental career” when he delivered the keynote address at the Business Law Society’s fifth annual ESQ. Career Symposium.

Lynch advised Duke Law students to use change and transformation to their benefit. Success, he said, is achieved through a balance of initiative and flexibility — and possibly a few “accidental” steps.

As a 3L, Lynch said, he thought he knew what he wanted. “I knew I never wanted to work for a very large law firm. Of course, 15

years later I became a partner at Davis, Polk & Wardwell. And I also knew that I never wanted to work for a very large company, and now I’m chief legal officer of a company with 53,000 employees.

“The theme that emerges from today is how many careers are accidental, how difficult it is to plan a 30- or 35-year career, how important it is to find a job that is interesting, that intrigues you, and to stick with it. And then take opportunities as they present themselves,” he said.

Lynch attributed his success to the ability to learn from unique experiences in a broad range of practice areas and having the courage to seek out new opportunities. “Controlling your own destiny,” or making the right move at the right time is essential, he said, telling students to take a lesson from his career and those of the other practitioners and

business leaders they met during the symposium.

Lynch also noted that both law practice and business are now heavily influenced by the forces of globalization and require a workforce of professionals from diverse backgrounds who are willing to work globally. “There was a time when the U.S. markets were the preeminent markets in the world. That’s no longer the case,” he said.

Chaired by Max Rakhlin '08, ESQ. 2007 brought together more than 250 students and leading practitioners for a day of wide-ranging and informal career advice. The event was sponsored by Gibson, Dunn & Crutcher, Davis Polk & Wardwell, and Sullivan & Cromwell.

ESQ. 2008 will be held Feb. 8–9, 2008. Alan Bender '79, founder, executive vice president and general counsel of T-Mobile USA, Inc., will be the keynote speaker. *Ψ — K.R.*

WE THANK THE FOLLOWING PARTICIPANTS WHO SHARED THEIR EXPERTISE AT ESQ. 2007:

Alfred G. Adams, Jr. '74, Sutherland, Asbill & Brennan
Sheryle Dirks, Fuqua School of Business
Michael Dockterman '78, Wildman Harrold
Adrian Emmett Dollard '95, Credit Suisse First Boston Corp.
Thomas E. Dunn '92, Cravath, Swaine & Moore
Christopher D. Dusseault '94, Gibson, Dunn & Crutcher
J. Holt Foster III, Thompson & Knight
David E. Friedman '88, Austin Capital Management
Stuart N. Goldstein, Cadwalader, Wickersham & Taft
Donna Coleman Gregg '74, Federal Communications Commission
Susanne Haas LLM '85, JD '87, Honeywell International Inc.
Kathleen M. Hamm '88, Promontory Financial Group
John L. Hardiman '82, Sullivan & Cromwell
Michael R. Hemmerich '85, MBA '94, Fuqua School of Business
G. Courtney Holohan '98, Kirkland & Ellis
Vernon L. Francis, Dechert
Nora M. Jordan '83, Davis, Polk & Wardwell

Peter J. Kahn '76, Williams & Connolly
Robert Krakow '81, Gibson, Dunn & Crutcher
Gary G. Lynch '75, Morgan Stanley
Linda H. Martin '96, Simpson, Thatcher & Bartlett
Christopher D. Mangum '85, Alston & Bird
Gary E. Mason '87, White & Case
Margaret K. Pfeiffer BA '67, Sullivan & Cromwell
Susan Prosnitz '89, Boston Executive Office of Public Safety
Russell B. Richards '74, King & Spalding
Laura Sizemore '96, White & Case
Meme Stowers, Cleary Gottlieb
Jeffrey Tabak BA '79, JD '82, Weil, Gotshal & Manges
Keith Wexelblatt '93, Reebok International
Andrew Widmark, Mark Properties, Fuqua School of Business
Julian E. Whitehurst '82, National Retail Properties, Inc.
Scott Wilkinson AB '85, JD '88, Atlanta Spirit



Chief Justice Warren's "legacy of moderation"

THROUGHOUT HIS LONG CAREER — as a county prosecutor, California attorney general and three-term governor, and United States chief justice — Earl Warren was a man of principle who protected the dispossessed and who empowered the government to address inequity without intruding on personal liberties, according to biographer Jim Newton.

Having received a recess appointment to the Supreme Court in 1952 from President Eisenhower, Warren assumed the post of chief justice after arguments were heard in *Brown v. Board of Education*. His skill at winning and wielding power served him well as he took the helm of a court seriously divided in the case, said Newton.

A long-time reporter and editor for the *Los Angeles Times*, Newton discussed Warren's life and legacy, and his book, *Justice for All: Earl Warren and the Nation He Made*, during a spring event sponsored by the Program in Public Law.

"Warren made it clear to his new colleagues that he would vote against segregation," said Newton. "Slowly, patiently, he brought the dissenters along to reach a compromise that would forever change the course of civil rights in this country."

Many "Warren court" rulings, like the voting rights case of *Baker v. Carr*, which the chief justice viewed as his most important, imposed a higher level of professionalism on public servants, Newton observed; various landmark decisions prohibited use of illegally seized evidence against an accused at trial, gave economically-disadvantaged defendants the right to counsel, and gave all criminal suspects a "right to remain silent" under the law.

"His was a great legacy of moderation, a center we have lost and should reclaim. ... It is one, I submit, of justice for all," said Newton. ♡ — *D.N.*



Levinson: Nation must come to terms with Constitution's flaws



WHILE THE UNITED STATES CONSTITUTION HAS A GREAT PREAMBLE that sets out admirable and inspiring goals, constitutional scholar Sanford Levinson calls much of what follows "significantly dysfunctional," and believes that a serious national conversation about how to fix it is required.

The W. St. John Garwood and W. St. John Garwood Jr. Centennial Chair and Professor of Government at the University of Texas at Austin School of Law, Levinson discussed his book, *Our Undemocratic Constitution: Where the Constitution Goes Wrong (and How We the People Can Correct It)*, in a presentation sponsored by the Program in Public Law.

Among the Constitution's most serious failings, Levinson asserted, are its "functional impossibility of amendment;" an electoral college "that regularly sends to the White House people who do not get the majority of the vote" and causes battleground states to be the sole focus of campaign strategy; life tenure for Supreme Court justices; the right of a presidential veto on policy, as opposed to constitutional, grounds; and the distribution of power in the Senate.

Levinson urged lawyers to lead the discussion about constitutional flaws and solutions. "Lawyers play an inordinate role in civic leadership, and one of these roles ought to be to engage in cogent discussion of what is good and what is problematic about the Constitution," he said. "We need to 'balance our portfolio,' between the amount of time we spend on issues that are open to interpretation, as it were, and the 'hard-wired' parts that ... are not open to interpretation. They constitute our political system in the most profound way, and we ought to spend much more time thinking about them than we do." ♡

BROWER: GLOBAL ADJUDICATION A BURGEONING BUSINESS

THE DIVIDING LINE between national and international adjudication systems is becoming increasingly blurred and private international arbitration is now "an enormous, burgeoning business," Judge Charles Brower told Duke Law students in March.

"Major international disputes of a commercial or business character are increasingly being withdrawn from national court systems," said Brower, attributing the trend to a search for neutrality and impartiality in the resolution of transnational disputes and to the privatization of businesses following the fall of communism.

"There is also a general appreciation in the relevant user community that they are guaranteed

knowledgeable, high-class judges," said Brower. "They are able to choose arbitrators from the available pool." A single dispute can easily involve arbitrators from several different countries, adding to the perception of neutrality and fairness, he pointed out, noting that it amounts to "the promotion of a true legal world order."

A practicing international arbitrator based in London, Brower serves as a judge of the Iran-United States Claims Tribunal and as an ad hoc judge of the Inter-American Court of Human Rights, in addition to serving on other tribunals and panels. His talk was sponsored by the Center for International and Comparative Law. ♡ — *B.C.*

Litman: IP reform must consider “copyright liberties”

ENJOYING A MUSIC MIX ON AN IPOD, backing up a hard drive, or modifying a Nintendo game to make it more interesting for an individual player are all common activities that exemplify copyright liberties, said Jessica Litman, a law professor at the University of Michigan. While implicit in the copyright scheme, all of these manipulations fall outside a literal reading of the current statute, which gives copyright owners the exclusive right to reproduce, adapt, publicly distribute, perform, or display their works, but should all be considered in any statutory revision, she said.

The scope of protected rights has expanded significantly since the Copyright Act was enacted in 1976, said Litman, who delivered an “Information Ecology” lecture in March. “Technology has made it possible for individuals to make a variety of valuable uses of copyrighted works, and copyright owners have understandably wanted to make claims to control these new uses. They have argued for broad construction of their rights under Section 106 [of the Copyright Act] and . . . some courts have gone along.”

Copyright should secure enough owner control to make it worth the owners’ while to undertake creation and distribution “and should preserve their abilities to exploit their works commercially far enough to make releasing them worthwhile,” said Litman, calling for a “robust public discussion” on the issue. While copyright holders’ interests must be considered, she said, “it makes no sense to allow them to expand to the point where copyright owners’ rights interfere with our ability to enjoy their works by reading, listening, watching, playing, and building them.”

The Information Ecology lecture series is sponsored by the Center for the Study of the Public Domain. ♪

Center for International and Comparative Law

EC official offers European view on data protection, war on terror

PETER JAN KUIJPER, principal legal adviser for External Relations at the European Commission in Brussels, told a Duke Law audience in April that issues around privacy and the ongoing war against Al Qaeda are two broad areas of difference between the European Community and the U.S. Kuijper oversees all legal issues between the EU and the United States, including trade disputes, the “open skies” initiative intended to boost the volume of intercontinental flights, and the controversial practice of “extraordinary rendition.”

In addition to concern over apparently unlimited detention of individuals by the U.S. military at Guantanamo Bay, the notion of a war against Al Qaeda — “basically a war that goes on everywhere” — raises implications that are “difficult to swallow for European governments,” said Kuijper, a former director of the Legal Service of the World Trade Organization (WTO).

“One [implication] is that if a cell of Al Qaeda is [suspected of] operating in Brussels or Copenhagen, you would be able to use your helicopter gunships and do something about it in the center of those cities,” he said, noting that while U.S. officials have offered assurances that that won’t happen, they have not offered criteria for decision-making “bolstered by any objective rule of international law.”

Data protection is basically considered a human right within the European Community, Kuijper explained, contrasting with a more private law approach taken by the U.S. Privacy Act.

“On this issue . . . it is the European Community that is the aggressive regulator . . . with a clear public law approach to this issue,” he said. Independent watchdogs guard data privacy in each country, and are bolstered by an office guarding data protection at the European level, he said.



These strict data protection requirements “clash” with the passenger name records required by the United States and imposed on foreign air carriers following the Sept. 11 terrorist attacks; these require airlines to transfer U.S.-bound travelers’ data to the Department of Homeland Security before planes take off from foreign soil, said Kuijper, noting that transatlantic negotiations on the issue are ongoing.

“We know we can’t fully impose the protection outside the borders of the [European] Community, but we can do so in a way where we demand ‘adequacy’ [on the part] of our partners in such a transfer of data,” he said. “The level of protection of data must be adequate to the protection in the European directive.” Kuijper also observed that European public opinion was “shocked” at the extent to which international banking transactions were opened to U.S. scrutiny following 9/11.

Kuijper’s talk was presented by the Center for International and Comparative Law. ♪

Women in combat: Pilot challenges Defense Department ban

APIONEERING FEMALE AIR FORCE PILOT took issue with the long-standing Department of Defense policy that excludes women from ground combat when she spoke at Duke Law School last spring.

“It’s okay for women to be in defensive fire fights,” said Col. Martha McSally, USAF, making it clear she was expressing personal views only. “But you can’t give a woman an M16 and give her a

job that is offensive in nature. They can’t actually go and kick down doors and try and root out the enemy, but it is okay for them to kill the bad guys *after* they get ambushed. We need to unemotionally evaluate people when they show up to serve in the military for what they bring to the fight.” No law bans women from ground combat, she added.

Enforcing the no-fly zone over Iraq in 1994, McSally became the first female Air Force pilot

to fly in a combat mission and the first to lead a combat squadron, which deployed to Afghanistan in 2004. Her April talk was co-sponsored by the *Duke Journal of Gender Law & Policy*, the Program in Public Law, and the Center on Law, Ethics and National Security. McSally is a contributor to the May 2007 issue of the *Duke Journal of Gender Law & Policy* entitled “Gender, Sexuality & the Military.” ♪ — B.C.

L&CP symposium tackles problem of odious debts

“ODIOUS DEBTS” are those incurred by despotic or corrupt regimes that do not benefit the citizens bound to repay them, yet whose non-payment cripples the country’s future ability to borrow. More than 25 leading international scholars and practitioners offered a variety of approaches to defining and resolving the problem of odious debts and state corrup-

tion during the *Law & Contemporary Problems (L&CP)* 2007 symposium. The participants’ perspectives were informed by expertise in international law, economics, human rights, and by U.S. domestic law, which is increasingly being employed to scrutinize individual contractual liabilities of debtor countries.

Long an issue of concern in international law and finance, odious debt has

gained political notice in recent years, fueled by such developments as Iraq’s efforts to restructure foreign debt incurred by Saddam Hussein’s regime, which was once supported by the United States and other western lenders, and by Norway’s 2006 announcement that it would unilaterally cancel certain of its Third World debt claims that it deemed illegal.



Professor Daniel Tarullo of the Georgetown University Law Center, who served as a senior domestic and international economic policy advisor to President Clinton, and Lee Buchheit, a sovereign debt specialist with Cleary Gottlieb in New York, who currently represents the government of Iraq in its debt restructuring, served both as moderators and speakers. Duke Professor Mitu Gulati chaired the student-organized conference and serves as special editor of the upcoming *L&CP* symposium issue on the topic of odious debt.

The symposium was co-sponsored by Duke’s Center for International and Comparative Law and Global Capital Markets Center. ♣

SADDAM HUSSEIN’S IMAGE ON OLD IRAQI CURRENCY

SYNTHETIC BIOLOGY WORKSHOP: NEW TECHNOLOGY v. INTELLECTUAL PROPERTY

SYNTHETIC BIOLOGY PRESENTS an important case study of the challenges that new technology can pose for intellectual property, observes Duke Law School Professor Arti Rai. “Because it operates at the intersection of biology and information technology, many of the issues regarding patent thickets and intellectual property, particularly in standard-setting, that have come up in information technology may come up in synthetic biology as well,” she says. “At the same time, patents — and royalties — may be essential to attracting venture capital.”

Rai and William Neal Reynolds Professor of Law James Boyle hosted a March work-

shop on intellectual property rights in synthetic biology, in conjunction with the Duke Center for Public Genomics and the Massachusetts Institute of Technology. The workshop involved leading synthetic biology scientists as well as legal academics, lawyers, business people, and economists.

In a recent paper in *PLoS Biology*, “Synthetic Biology: Caught between Property Rights, the Public Domain, and the Commons,” Rai and Boyle define synthetic biology as “the attempt to construct life starting at the genetic level.” Synthetic biologists treat biology as a true engineering discipline, they write.

“In the same way that electrical engineers rely on standard capacitors and resistors, or computer programmers rely on molecular blocks of code, synthetic biologists wish to create an array of modular biological parts that can be readily synthesized and mixed together in different combinations,” they write. Among the “fruits” of synthetic biology, Rai and Boyle point out, are bacteria that can be programmed to take photographs; cells that can count the number of times they divide; and the possibility of inexpensive, plentiful drugs for neglected diseases like malaria. ♣

DUKE LAW JOURNAL DELVES INTO FOOD REGULATION

EXPERTS HAVE KNOWN FOR DECADES that chips, cookies, candy, and soft drinks available in schools are competing with the nutritious foods students are served.

"[A]most since the inception of the school lunch program, we have all been grappling with the problem of 'competitive' foods in one form or another," said Ellen Fried of the Department of Nutrition, Food Studies & Public Health at New York University, speaking at the *Duke Law Journal's* 37th Administrative Law Conference in February. "The question facing legislators is how we can move forward in a way that helps us learn from the past and avoid making the same mistakes."

How administrative regulation might address America's epidemic of childhood obesity and risk of diabetes, along with the role the Food and Drug Administration and other agencies should have in regulating and labeling conventional, organic, and genetically modified foods were explored in depth during the student-organized conference. Presenters' papers were published in Volume 56 of the *Duke Law Journal*. Ψ — B.C.



Photo: Heidi Anglesey

JENNIFER AVERY '08 AND JULIA GERMAN '09



Students launch leadership symposium

THE DUKE BAR ASSOCIATION has launched an annual symposium designed to help students develop strategies for incorporating leadership experiences into their professional lives. 2006-07 DBA Leadership Committee chair Jennifer Avery '08 spearheaded the inaugural "Duke Law Leadership Experience." The second, chaired by Julia German '09, is to be held Jan. 18, 2008.

At the inaugural event, keynote speaker Nadine Strossen offered insights on leadership informed by her work as a civil libertarian, as president of the American Civil Liberties Union, and as a professor at New York University Law School. Having worked with people from across the political and ideological spectrum, Strossen identified five essential qualities for effective leaders:

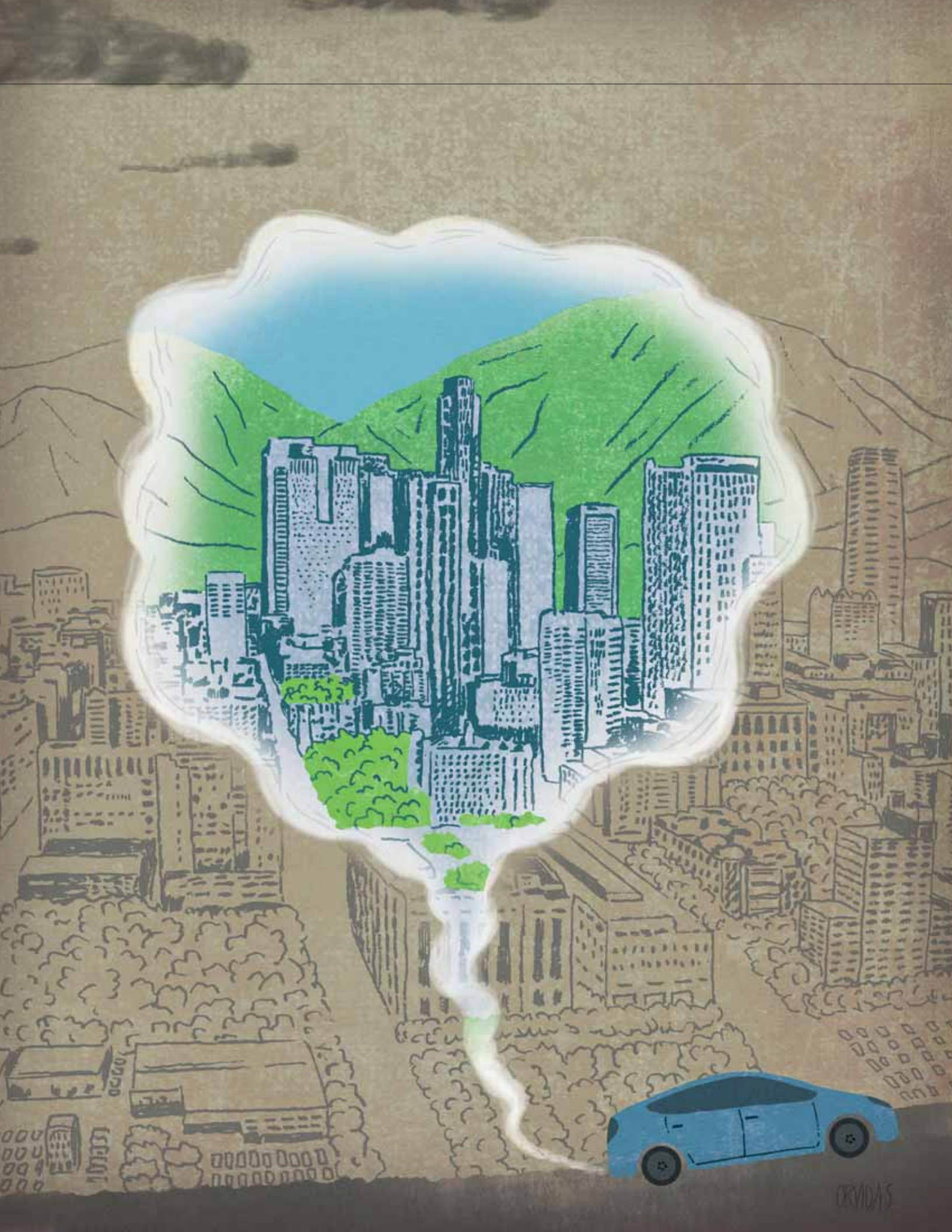
- a passion for one's pursuit and a view of one's work as a mission and calling;
- commitment to telling people the truth, even when it's hard;
- commitment to personal action in order to serve as an example and inspiration for others;
- commitment to treating others with respect and compassion; and
- comprehensive understanding of the area in which one leads and the ability to communicate it effectively.

Strossen also stressed the importance of "standing by established truths and principles in the face of economic, technological, social, political, and other new developments, and resisting the pressure to abandon time-honored truths that might seem temporarily inconvenient in light of changing circumstances."

A panel discussion focused on effective leadership in law practice and public service. Calling himself a lifelong student of leadership, Paul Geneder '94, a partner at Hughes & Luce in Dallas, said that true leaders don't just spot problems — they take action. "The true purpose of leadership is to make things better," added Candace Carroll '74, a partner at Sullivan, Hill, Lewin, Rez & Engel in San Diego, who has served as president of California Women Lawyers, among many other leadership posts.

CNN Headline News host and jury consultant Paul Lisnek shared strategies for crafting, expressing, and interpreting effective messages during an interactive workshop.

"I am delighted our students took the initiative to organize this symposium," said Jill Miller, associate dean of student affairs. "It's a testament to the fact that leadership development and training are an integral part of the Duke Law School experience." Ψ



CRV/DAS

With vision and vigilance, Duke Law alumni have helped build, protect, and refine the laws and programs that underpin national and international environmental law and policy.

Sustainable Advocacy

The planet scored a huge victory in Montreal in late September, says Durwood Zaelke '72. For the first time, all developed and developing countries agreed to mandatory greenhouse gas reductions.

With an adjustment to the 20-year-old Montreal Protocol on Substances that Deplete the Ozone Layer — considered by many to be the most successful environmental treaty in history — 191 countries agreed to turn the ozone treaty explicitly into a climate treaty as well, and to accelerate by 10 years the phase-out of hydrochlorofluorocarbons. HCFCs, as they are known, are ozone-depleting chemicals that also are potent greenhouse gases, thousands of times more powerful than carbon dioxide at warming the planet. The treaty phases out 96 chemicals used in nearly 250 industry sectors, and provides for funding their replacement with less-damaging alternatives.

by Frances Presma

For Zaelke and his environmental non-governmental organization, the Institute for Governance & Sustainable Development, the agreement reached in Montreal last fall capped nearly two years of nonstop efforts to educate governments and build support for measures that protect the climate by strengthening protection of the ozone layer. “We worked hard to convince governments that accelerating the HCFC phase-out would buy us some much-needed time to avoid the ‘tipping point’ for abrupt changes to the climate, which has been estimated to be just 10 years away,” says Zaelke.

The Montreal Protocol’s phase-out, first of chlorofluorocarbons (CFCs), and then of HCFCs and more than 90 other ozone-depleting substances, will have reduced greenhouse gas emissions by the equivalent of 135 billion tons of carbon dioxide between 1990 and 2010. By comparison, the Kyoto Protocol’s initial commitment period from 2008 to 2012 mandates emission reductions of five billion tons, Zaelke explains. Scientists calculate the delay in climate change that will result from the Montreal Protocol’s success to be about a decade, he adds. “The climate mitigation under this treaty has literally saved the planet from the tipping point for abrupt climate change.”

Now Zaelke and his team are seeking to leverage their success in Montreal in the negotiations for a climate treaty to succeed the Kyoto Protocol; they are advising various governments and organized side-events at the opening negotiations in Bali in December 2007. “The success of the Montreal Protocol shows that global environmental problems can be solved through international cooperation when the right governance tools are used for the right parts of the problem,” says Zaelke. “It is critical to take a disaggregated approach that breaks the climate problem down into manageable pieces so we can design appropriate governance mechanisms for each piece, with financial and technical assistance for developing countries.”

Behind the scenes, the negotiations in Montreal showcased the stunning reach of Zaelke’s 35-year career in environmental law and policy, which began in the field’s nascent years and has included public service, scholarship, teaching, and private practice, along with seminal work in both international environmental litigation and sustainable development. More than a dozen international environmental leaders, including Argentina’s Environment Minister and her deputy, who emerged as chief advocates for the HCFC adjustment, were his former LLM students at American University’s Washington College of Law. A number of his close colleagues and co-authors were also key participants.

Zaelke’s leadership and legal creativity on a diverse range of environmental issues over a span of decades is characteristic of many in the Duke community. Using vision and vigilance to reach moral and practical solutions to complex problems, Duke Law alumni have helped build, protect, and refine the laws, regulations, and programs that underpin national — and international — environmental law and policy.

Present at the creation

“People have to realize that the country’s environmental infrastructure — public policy and law alike — is under 40 years old,” says Douglas P. Wheeler ’66, a partner at Hogan & Hartson in Washington, D.C., who served as California’s secretary for resources

from 1991 to 1999. Richard Nixon ’37 was the Duke Law alumnus “who had the most profound effect on America’s environmental policy,” according to Wheeler, who joined the U.S. Department of the Interior in 1969 and later became the deputy assistant secretary of Fish and Wildlife and Parks.

In addition to creating the Environmental Protection Agency by executive order, Nixon oversaw passage of the 1970 National Environmental Policy Act (NEPA), which provides the framework for evaluating the environmental impact of all federally sponsored or supported projects, “and [which] laid the groundwork for all that has followed since,” says Wheeler.

“Nixon was not an avowed environmentalist, but he recognized environmental protection as an emerging issue of public concern,” he adds. While Nixon was moved emotionally by two 1969 events that offered dramatic demonstrations of the cumulative effects of development — the blow-out of an oil well off the California coast near Santa Barbara that devastated waterfowl populations, and a fire sparked on the badly polluted Cuyahoga River in northeast Ohio — his policy was politically motivated, says Wheeler: the president anticipated facing Sen. Edmund Muskie, then chairman of the Senate’s Environment and Public Works Committee, in his 1972 bid for re-election.

Still, the effect was a flurry of groundbreaking environmental laws, including the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act, and the Endangered Species Act, which Wheeler helped draft. NEPA’s express provision for public information and comment on federal projects, along with similar laws subsequently enacted by states, gave evidence that a new era of law and policy was officially underway.

A few visionary public interest attorneys, troubled by the effects of rampant development, waste dumping, and air pollution, already were trying to effect environmental policy through litigation. One of these was John Adams ’62, who co-founded the Natural Resources Defense Council (NRDC) in 1970, now an organization boasting more than 1.3 million members, with 300 attorneys and scientists on staff.

“We saw an opportunity in some very troubling issues and developments, though we didn’t know exactly what that opportunity was at the time,” says Adams. “We were there to help write the laws and regulations, and then to enforce them by bringing suits. We saw that as our mandate: to make sure that all of these great statutes — NEPA, the Clean Air Act, and the Clean Water Act, which significantly included the citizens’ right to sue for serious infraction — had ‘teeth’ and would clean up America.”

Jim Moorman ’62 was another early environmental advocate. Along with colleagues at the non-profit Center for Law and Social Policy, Moorman had launched a pre-NEPA challenge to the registration of the pesticide DDT, which had devastated bird populations. He also found new opportunities for environmental protection in NEPA’s provisions.

One early success Moorman recalls was the Supreme Court’s acceptance, in 1972, of his group’s construction for granting citizens standing in environmental disputes, which was advanced in an amicus brief filed in *Sierra Club v. Morton*. The Court held that to have standing, a party’s interest in an environmental issue has to extend beyond the merely intellectual, but need not be monetary. In that

case, the Court found campers' recreational interests in a Northern California valley sufficient to oppose the construction of a ski resort.

As a follow-up, Moorman helped secure the first significant decision under NEPA — an injunction, on behalf of the Wilderness Society, against the proposed Trans-Alaska Pipeline. “The federal government had not prepared an adequate environmental impact statement, and the courts had review,” recalls Moorman, who later became the first executive director of the Sierra Club Legal Defense Fund (now Earthjustice). “These were key decisions at the outset of

the environmental era,” he says. “It was an entirely new ballgame, and we proved NEPA was effective.”

With new and as-yet unregulated issues coming up frequently, the environmental era called for continual legal innovation.

As assistant attorney general in charge of the Lands Division of the Department of Justice during the Carter administration, Moorman launched 50 actions relating to hazardous waste sites. Because there was no statutory prohibition against toxic waste dumping, Moorman's team, which included Durwood Zaelke



Durwood Zaelke '72

PRESIDENT AND FOUNDER, INSTITUTE FOR GOVERNANCE & SUSTAINABLE DEVELOPMENT IN WASHINGTON, D.C., AND GENEVA

DIRECTOR, SECRETARIAT FOR THE INTERNATIONAL NETWORK FOR ENVIRONMENTAL COMPLIANCE & ENFORCEMENT

PARTNER, ZELLE HOFMANN VOELBEL MASON & GETTE

CO-FOUNDER AND CO-DIRECTOR, PROGRAM ON GOVERNANCE FOR SUSTAINABLE DEVELOPMENT, BREN SCHOOL FOR ENVIRONMENTAL SCIENCE & MANAGEMENT, UNIVERSITY OF CALIFORNIA, SANTA BARBARA

A groundbreaking environmental litigator domestically during his early career, in 1989 Zaelke co-founded the Center for International Environmental Law to help bring the strategies of the U.S. public interest environmental law movement to the international sphere. As a litigator, scholar, teacher, author, advocate, and activist, he has been inventive — and indefatigable — in his focus on issues that relate, in particular, to the developing world which, he emphasizes, must be brought into climate-policy solutions as quickly as possible on terms that are perceived to be fair by all parties.

“When you move from domestic to international environmental law, you quickly recognize that your responsibility is broader than just protecting the environment — it's sustainable development, which also is a human rights issue. Three million people die each year from the want of clean water. We have to protect the environment while ensuring its development and equitable use for all, including the poorest of the poor.

The U.S. environmental movement benefited from our strong legal system and our history of public interest movements. Early on, we said to industry, ‘This is what you *shall* do and when you *shall* do it.’ It worked, because of our strong rule of law. Enforcement of environmental laws involves detection of violators, prosecution of violators, sanctioning of violators, and deterrence of future violations.

If you leave OECD [Organization for Cooperation and Development] countries, you encounter progressively weaker rule of law — weak states, struggling states, and failed states. Many, including wonderful countries like Kenya, have weak government institutions and must fight widespread corruption. There is no regard for the rule of law in countries like Somalia or Sudan, let alone Iraq or Afghanistan. It is critical to understand different cultures and the way they perceive the rule of law.

In the developing world you have to broaden your approach to include non-litigation strategies, and focus more on compliance assistance, including assistance to help improve the performance of the government institutions that should form a country's rule of law architecture. Voluntary compliance works best when it's within a strong rule of law system with strong sanctions.

We need to consider how to incorporate strong human rights approaches, starting with an expanded approach to the rights of access to justice and to remedy. There will always be bad actors who need to be hammered by the law, and even those who comply voluntarily need the assurance that they aren't being naive.

In the absence of strong legal and governance institutions at the national level, you can't assume treaties will be complied with. We have to devote more resources to helping national governments build capacity for treaty compliance. The Montreal Protocol did a great job of this. The United Nations Environment Programme's Ozone Secretariat established and funded ozone offices in 145 developing countries. They shared good practices. The local staff became valued members of the international community. And the developed countries funded the incremental cost for the technologies that developing countries needed for compliance. This is a key reason for the ozone treaty's extraordinary success — as a well-funded partnership it was perceived as fair by all parties.

To mitigate climate change, it's essential to get developing countries, especially China and India, involved, along with the U.S., of course. The bottom line is that we know a good deal about designing an effective climate treaty and now we need to start in earnest, and then ensure that the treaty evolves as quickly as the political will and the technological solutions allow. We're in a race. On one side, we've got the ‘positive feedback mechanisms’ that are accelerating climate change and pushing us closer to the tipping point for abrupt change. On the other, we've got the accelerating innovations in technology that are pulling us to the tipping point for a climate-safe energy system. Law is the key to which side will win. ”

in a leading role and Steven Shimberg '78, brought the actions under the emergency provisions of the Resource Conservation and Recovery Act of 1976 (RCRA). Those actions, which included the now-infamous Love Canal litigation, hastened the passage of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) — the “Superfund law” — in 1980, and were amended to continue under that statute, says Moorman. Now president of Taxpayers Against Fraud, Moorman practiced environmental law as a partner with Cadwalader, Wickersham & Taft for 20 years and remains involved in some environmental law matters.

“Second generation” strategy: Science, markets, and sustainability

For the most part, each of the early laws addressed a single environmental problem, regulating a single medium such as water or air, or targeting a single species, Wheeler points out. “This was really the only approach we could take early on, both with regard to science and our technical capability,” he says. “But we have come to realize that these problems are more complex than they first appeared and need to be dealt with comprehensively. They required — and still require — policy solutions which correspond to those complexities.”

The Endangered Species Act, which he helped draft, offers a good example. “When it was enacted in 1973, it was probably the



John Adams '62

**FOUNDING DIRECTOR,
NATURAL RESOURCES
DEFENSE COUNCIL**

CHAIR, OPEN SPACE INSTITUTE

The public interest law firm that Adams co-founded in 1970, and which he led as president until 2006, now has 300 attorneys and scientists on staff and a new office in Beijing. *Fortune* calls the Natural Resources Defense Council “one of the country’s most powerful players in corporate America’s efforts to go green,” referring to its advisory relationship with sports leagues and corporate giants — such as Wal-Mart — regarding environmentally sound business practices. NRDC also recently facilitated the buyout of energy giant TXU by private equity investors, securing the purchasers’ commitment to vastly scale back plans for new coal plant construction and to support federal global warming legislation. Adams, who also chairs the Open Space Institute, reflects on these initiatives geared at changing corporate behavior.

“Wal-Mart gets a lot of its products from China. If Wal-Mart can force its Chinese manufacturers to produce their goods in more sustainable ways, it will have a huge impact.

Sectors that are part of pop culture also help people understand environmental issues. That’s why we’re showing people that the Academy Awards and sports arenas can be ‘green,’ and that Warner Records can use paper packaging from renewable sources. While we address complicated, technical issues with the coal and oil companies and with car manufacturers, it helps to have Al Gore and Laurie David [executive producer of the documentary, ‘An Inconvenient Truth’] and others who reach the popular culture to be out there talking about these issues and encouraging people to make lifestyle changes.

We have to come up with political solutions for big coal producing and automobile manufacturing states which are afraid of losing their market share. For instance, on coal, we have to find a way to help [producers] to move into carbon capture and sequestration. That would make coal viable. They won’t do it on their own. All of those things are on the agenda now in Washington, and NRDC has a full team of advocates involved.

If 50 percent of the world’s energy comes from coal, we aren’t going to get rid of it, so we have to figure out how to make it work — from a strictly environmental point of view, of course. We have to persuade [producers] that it’s in their interests to move toward carbon capture, which is a viable and necessary option to get the level of emission reductions we need. The head of our Climate Center, David Hawkins, has spent more than three years specifically addressing coal issues, helping investors understand that coal plants that lack the ability to capture carbon are not good investments as we move quickly into a carbon-constrained world.

We also have been working to convince legislators, investors, and coal companies that making liquid fuels from coal will not work — it just burns carbon twice. They need to get moving in the opposite direction. It’s slow and steady work. We aren’t screaming at people, but letting them know there are alternatives.

We have created the ‘Center in Market Innovation’ in order to assist sectors that are going to have to control greenhouse gas emissions — to assess how much it will cost, and find ways to get it done so that they remain profitable. It’s important to do whatever it takes to get these controls and move these companies forward. Companies such as TXU, Dupont, and Caterpillar have joined with us in supporting a carbon cap regime, in fact.

This country has just woken up to climate, largely due to what happened in New Orleans. With states like California and others from Maine to Maryland passing new laws regulating greenhouse gas emissions and a change of congressional leadership, I don’t think we’ve ever been in the position we are in right now to see real progress on climate.”

most stringent environmental and land-use law ever enacted, in that it regulates private activity with regard to the use of land in order to protect individual species threatened with extinction. We have since come to understand that individual species function as parts of larger ecosystems, and so we have to focus on habitat protection as a preventive measure as well." Courts have ruled that the statute applies to ecosystem and habitat loss, and it was later amended to provide for habitat conservation planning.

"In the original law, if you wanted to build a road that would destroy a couple of red-cockaded woodpecker nests, the answer was simply that you couldn't do it," says Steven Shimberg. Now of counsel at DLA Piper in Washington, D.C., Shimberg helped design and write habitat conservation plans into the Act while serving as counsel to the U.S. Senate Committee on Environment and Public Works. "Habitat conservation plans allow you to set aside habitat elsewhere in such a way as to have a net benefit to the species. It's

not just a 'save one, destroy one' trade-off, but a qualitative improvement that more than offsets the harm caused by building the road."

As California's secretary for resources, Wheeler worked with the federal government to wed the notion of habitat conservation planning to similar state requirements in a program called "Natural Communities Conservation Planning," essentially a regional land-use planning initiative with habitat preservation as its focus. One county plan, for example, drew on the combined power of state and federal authorities to protect approximately 500,000 acres of habitat for threatened and endangered species and candidate species. "It gave us the opportunity to address the needs of species before they were in decline." [See Wheeler, below.]

Having spent the better part of a decade testing and strengthening the environmental regulatory system through litigation, John Adams and his colleagues also were expanding their approaches in light of scientific developments.

“Preventative habitat and ecosystem protection is essential to species preservation so that we can address the needs of species before they are in decline. Congress recognized this in the 1980s with amendments to the Endangered Species Act that allowed for habitat conservation plans. If a landowner's plan could be shown to protect habitat and, in fact, to enhance the status of species, then the incidental loss of an individual or two would be excused.

As secretary for resources in California, I encouraged the federal government to work cooperatively with the state to devise a program we called 'natural communities conservation planning,' in part to help resolve a substantial development conflict in California. It wed the idea of habitat conservation plans under the federal Endangered Species Act to a counterpart state program in order to provide a procedure for regional land-use planning with habitat conservation as its focus. Perhaps the best example is the Riverside County Multiple Species Habitat Conservation Plan, which today protects about 500,000 acres of habitat for threatened and endangered species and candidate species.

Conservation banking, which was adapted from wetlands mitigation banking, allows a developer to acquire mitigation credits from a bank of land that has been set aside to meet the habitat needs of a particular species. Because the bank can encompass a larger area — perhaps containing an entire ecosystem — it is likely to sustain a species more effectively than if the developer was required to protect a smaller on-site parcel as mitigation for development impacts.

Conservation banking facilitates large-scale conservation that could not be achieved solely through a regulatory program. The agency with regulatory authority, however, qualifies the bank and helps to establish the market for credits through its regulatory requirements. Essentially it works like this: If a specific parcel of real estate has high habitat value, the regulatory agency can agree to its protection in perpetuity. The landowner is required to restrict its use, protecting habitat values, and then sell 'credits' to another party which might be required, through regulation, to offset the impacts of its development project.

In mitigation banking we see, for the first time, a realization that wildlife habitat, in and of itself, provides an ecosystem service that is truly valuable, and for which a market will recognize a price that is set in the marketplace. By establishing a market for such ecosystem services, we can assure their protection in a market-oriented economy.”



Doug Wheeler '66

PARTNER, HOGAN & HARTSON

The broad range of federal regulatory issues Wheeler handles in his practice, including land use and growth management, along with resource, habitat, wetlands, and watershed management, draws on expertise honed over three decades in public service. Having served in the Department of the Interior — at one point overseeing the Fish and Wildlife Service and the National Park Service — in leadership positions with various national conservation groups such as the Sierra Club, and as California's secretary for resources from 1991 to 1999, Wheeler helped design many of the programs and strategies that are now central to national conservation and environmental policy. Among these are innovations in habitat conservation planning and "mitigation banking," a market-based approach to habitat conservation.

“It was clear that the issues were getting more complex,” says Adams. “Even in the ’70s we realized that climate was becoming a real problem — it wasn’t just about air pollution.” NRDC began adding scientists to its staff to help assess, to the best extent possible, “the big picture,” he says. Anticipating that international research institutions would focus on climate, his group focused on a related issue: how to compel utilities to reduce energy use through regulation and changes in business practices, while still remaining profitable.

“We assembled teams of people to deal with specific issues such as energy costs, efficiency, and conservation,” says Adams. “As we looked at strategies on climate change, we knew that power plants and cars were major contributors. So we decided to work at reducing pollution from those on a state-by-state basis and [facilitating] energy savings. We also took a hard look at coal: at the viability of

carbon capture as a means of reducing emissions and how to send a clear message to the coal and electric utility industries — through litigation and regulation — that they have to clean up their entire production chains, [eliminating] outrageous practices like mountain-top removal.”

A key set of “second generation” legislative initiatives were found in the bipartisan 1990 amendments to the Clean Air Act. “The case can be made that the 1990 amendments created the most sweeping and effective environmental statute in history,” says Gregory Wetstone ’78, who played a central role as chief counsel to the House Energy and Commerce Committee’s health and environment subcommittee along with other Duke alumni then on Capitol Hill, Shimberg and Stephen Roady ’76. “We changed the way that gasoline was formulated; established a new regime to reduce urban smog in our cities; tightened tail-pipe emission standards; phased



Gregory Wetstone '78

**SENIOR DIRECTOR,
GOVERNMENT AND PUBLIC AFFAIRS,
AMERICAN WIND ENERGY ASSOCIATION**

After law school, Wetstone focused on air and water pollution at the Environmental Law Institute, writing a manual on pollution law as well as a groundbreaking book on acid rain. He was able to address law and policy in depth over 12 years as chief environment counsel to the House Energy and Commerce Committee’s Health and Environment Subcommittee. After leaving Capitol Hill in 1995, Wetstone served as the first legislative director and then, for 11 years, as director of advocacy at the Natural Resources Defense Council. In his current post with the American Wind Energy Association, Wetstone is working to rally support among legislators for a new national renewable energy standard — a requirement that at least 15 percent of the nation’s electricity come from renewable sources, like wind and solar power.

“There are a large number of states — 24 at last count — that have renewable electricity standards of their own already in place. They have been very successful in securing dramatic growth in wind power and other clean alternative energy sources. Building on the states’ success to achieve a national program is a key priority right now, and can help to put us on a cost-effective path to reduce global warming.

This is a hopeful time in Washington, when clean energy is a key part of the environmental agenda, particularly as we look to domestic energy sources that can help reduce our contribution to global warming. There is strong support for a national renewable standard from across the political spectrum.

I think the success of the acid rain trading program [mandated by the Clean Air Act amendments of 1990] offers a good model for the current global warming issue. In 1990, we saw a variety of scientific reports that led to an effective regime using the first market-based regulatory system in environmental law. Climate change is a complex issue, but I am optimistic that once we get the political will — and I think we are very close — we can put an effective regime in place.

And I feel lucky to be promoting that agenda on behalf of an association of companies that produce pollution-free power in a way that is cost-competitive. It’s great to be able to advocate for green power in a way that emphasizes the economic gains, the opportunity to create jobs, and the reality that the ‘green agenda’ is not one that requires us to give up economic development. Our industry is proof that we can promote domestic economic growth and create jobs while we protect the climate.

It’s a dream job. I especially enjoy working with the tremendous network of public advocates that support us. It is not easy to suddenly change the energy mix in this country. But with the high level of public support for renewable energy, I think we can get there.

The first step in [combating] global warming is to make sure we don’t move from denial to despair. Wind power offers that hope. The technology works cost-competitively right now, so we can get started reducing carbon very quickly. That preserves our options to take other steps to deal with global warming down the line as technology develops. And we’re saving money. We have studies that show a saving to consumers of \$100 billion, because if we’re using wind-generated electricity, we are using less natural gas, lessening the demand for natural gas, and bringing prices down. ”

out the ozone-depleting chemicals that were [later covered by the Montreal Protocol]; and instituted a new — and very successful — trading program to reduce acid-rain pollutants.

“The 1990 Clean Air Act Amendments changed the way toxic air pollutants were regulated in this country by shifting to industry-specific approaches that were based on the best available technology,” adds Wetstone, now senior director for Government and Public Affairs at the American Wind Energy Association. “For the most part, every one of those programs has worked as well or better than anticipated. As a result, we’ve seen a reduction in toxic air pollution and acid rain, and dramatic improvements in the air quality in cities across the country.”

Manifest in the amendments, and characteristic of what Wheeler calls the “second generation” of approaches to environmental law and policy, is the emergence of market-based solutions that work in concert with a strong regulatory regime.

“Regulations are negative incentives in that they prohibit and proscribe, but do not encourage and [offer incentives], as markets do,” says Wheeler. “Lawsuits, too, can generally be brought only after the fact, at a point when the damage, by and large, has been done. Market mechanisms are well-attuned to anticipating the needs of the environment and incorporating them into plans for economic development. But it’s not an either-or proposition — both are essential. You wouldn’t have an incentive in the marketplace for, say, cap and trade or wetlands mitigation, if you didn’t also have a regulation which required that certain standards be met.”

Market-based solutions are now as central as regulation to environmental policy, used in everything from the conservation of wildlife corridors and fish stocks to wetlands preservation and, in energy bills currently before Congress, in the development of “clean” energy sources. These approaches are key to any resolution on climate change, the

“Everything I learned about public policy and how Washington works and how to deal with people — how to be fair, how to be in public service, how to negotiate — I learned from Sen. Chafee. He focused on reaching workable solutions that were not going to unfairly penalize anybody or be overly stringent, yet would adequately get the job done.

Now, in my governmental affairs practice, I tell clients that if they want to ‘sell’ a proposal on the Hill and garner the votes that will get it passed, they have to create unlikely supporters by meeting people halfway. But I also know that much of what has to be done in the environmental arena involves the balancing of risks and figuring out where money will be best spent. Sometimes the regulatory folks don’t see it that way — they just look at their own piece of it and say ‘This is what you have to do,’ regardless of the cost and without regard to whether limited funds might be better applied to a different environmental problem.

The threat of going out of business, closing factories, and laying people off was something I heard on a daily basis when I was on the Hill. I don’t think I ever succumbed to these threats, but you have to recognize the limit to which you can push people. There is very rarely a simple answer and a clear right and wrong position in this area.

Helping negotiate and ratify the Montreal Protocol were among my most satisfying achievements on the Hill. It was phenomenal to reach a global agreement to phase out a whole class of chemicals that were used everywhere by everyone — to set standards and then to find ways for meeting them. It represented the first time Congress had taken actions based on a vision of results that were 30 years out.

The key to the success of the Montreal Protocol, I think, was the fact that the major producer of CFCs at the time, Dupont, came to the realization that ‘Yes, we can do this; we can move to the next generation of safer chemical compounds.’ And they had a vested interest in making it happen. If there is a sufficient economic interest in getting something done, it will happen.

We’re seeing that kind of interest in addressing global climate change from a growing number of companies. Working with then-Sen. Al Gore, we tried to get the climate issue higher on the agenda in the early- and mid-’80s, as we worked on the Montreal Protocol. Now the issue is resonating with the public and some companies are realizing that they have an economic interest in getting something done and in place, and so will try to make it happen. That combination of public and economic support is really what it takes. ”



Steven Shimberg '78

OF COUNSEL, DLA PIPER, WASHINGTON, D.C.

Having started his career in the environment and natural resources division of the U.S. Department of Justice where he worked on the earliest toxic dumping cases, Shimberg was counsel to the U.S. Senate Committee on Environment and Public Works from 1980 to 1997, serving for several years as chief counsel and as staff director to its chair, Sen. John Chafee, R-R.I., Shimberg played a key role in the enactment of virtually every major environmental law in that period. He also played an integral role in the international negotiation and Senate approval of the Montreal Protocol in 1988 and the 1990 London Amendments to the Protocol, and was an active participant in the process that led to U.S. support for the United Nations Framework Convention on Climate Change (UNFCCC). In 1992, he served as an adviser to the U.S. Senate Observer Group at the United Nations Conference on Environment and Development in Rio de Janeiro — the “Earth Summit.” From 2001 to 2005, Shimberg helped lead the EPA’s national and regional enforcement and compliance programs as associate assistant administrator for the Office of Enforcement and Compliance Assurance.



Jim Moorman '62 helped launch a pre-NEPA challenge to the registration of DDT, which had devastated bird populations. He also found new opportunities for environmental protection in NEPA's provisions.

hottest topic on the environmental agenda. Cap-and-trade programs for greenhouse gases, currently used regionally in the United States and in Europe, are seen as a likely cornerstone of any national policy and international initiative on greenhouse gases.

Market forces are also central to the very notion of international sustainable development, which seeks to integrate poverty alleviation with protection of the resource base, Zaelke points out. "Development is essential, both to honor human rights and to reach political agreement between the more developed and the less developed countries of the world. We'll never achieve global consensus if our only strategy is to preserve the world as a wilderness." [See Zaelke, Page 17.]

The best part is that law can direct the market to respond by setting strict standards that send clear market signals, says Zaelke, offering as evidence the enormous success of the Montreal Protocol. The mandatory phase-out schedules for ozone-depleting chemicals "signaled that those who developed substitutes that were better for the environment would be guaranteed a market," he says, adding that he would like to see some of the chemicals currently covered under the Kyoto Protocol moved to the Montreal treaty for that reason. "The market would respond, as it always has, and we would get better results for climate and the ozone layer." Zaelke catalogued some of those innovations in his 2003 book, *Industry Genius: Inventions and People Protecting the Climate and Fragile Ozone Layer* (with Stephen O. Andersen).

Having stepped down as president of NRDC in 2006 but still active as founding director, Adams maintains that litigation still counts, and is proud of the many lawsuits his organization continues to bring against governments and polluters, as warranted, to enforce laws and regulations. But he also is convinced that industry is part of the solution to environmental problems and is actively engaged, through NRDC, in shaping corporate practices, views, and votes through a variety of initiatives. A June 2007 article in *Fortune* called NRDC "one of the country's most powerful players in corporate America's efforts to go green." [See Adams, Page 18.]

Wheeler also sees corporate engagement with environmental issues in his law firm practice. "Increasingly I'm being asked by investors — coming to me through our corporate and finance groups — about the implications of their investments for the environment," he says. "Growing concern about emissions of greenhouse gases and carbon controls has caused virtually every investor to be concerned about the consequences of their actions and the ways in which new investments can be made to enhance sustainability here and around the world."

Developments at Duke

Having attended law school at a time when few, if any, environmental law classes were offered (or invented), these alumni are delighted by the interdisciplinary research, scholarship, and educational opportunities that are now available and ongoing at Duke.

"Duke's combined strengths in law, public policy, and the natural sciences give it a huge comparative advantage in this area," says Wheeler, referring to the close ties between the Law School, the Nicholas School for the Environment and Earth Sciences, and the Nicholas Institute for Environmental Policy Solutions, led by Tim Profeta JD/MEM '97.

Three of the leading scholars in national and international environmental law and policy — Christopher Schroeder, Jonathan Wiener, and James Salzman — now make up the Law School's core faculty in this area. With deep experience in policymaking in the executive and legislative branches and in the corporate and non-profit spheres, and with cross appointments to Duke's Terry Sanford Institute for Public Policy and the Nicholas School, they bring essential interdisciplinary approaches — and diverse perspectives — to their scholarship and teaching. Experts in such areas as risk assessment and greenhouse gas emissions trading, ecosystems services markets, and issues relating to health, each of these scholars is actively engaged in developing environmental policy domestically and internationally. [See research profiles, Pages 28, 29, 30]

"These individuals are all doing critical work and making key connections between science and law," says Adams. "They have chosen fields that are putting Duke academically on the forefront of understanding the problems we face."

Duke's program in environmental law and policy has been further bolstered by alumni who serve as advisers and adjunct faculty; Wheeler and Zaelke both have taught at the Law School, and Stephen Roady, a senior attorney with Earthjustice, regularly teaches classes on ocean and coastal law and policy, as well as on environmental litigation. Adams, like Wheeler, is a life member of the Law School's Board of Visitors, and chairs the advisory board of Duke's new Environmental Law and Policy Clinic, which allows students from both schools to work together on complex regional issues in this area. [See Clinic, Page 27.]

"The clinic represents a fabulous opportunity for in-depth training and will help create the new leadership that is going to be needed on these issues," Adams says. "Duke is in the process of turning a whole group of young, well-educated, talented Americans into people who care about the environment — who understand the science behind environmental problems and who will truly make a difference."

"One thing that has become clear to me during my career is that environmental law has got to be a dynamic process to keep up with the accelerating nature of problems like climate change. We've got to learn how to adjust at a much faster pace, and we've got to learn how to make law more effective in speeding development of the technology solutions the world needs," says Zaelke. "Duke is making that possible. If you are lucky enough to go to Duke today, you are likely to emerge as one of the best-trained environmental lawyers in the world." ♡

**Sustainable
Advocacy:**

The Next Generation



**Meet more Duke alumni and
students who have taken up
the environmental torch.**



Margaret Spring '92

DIRECTOR, CALIFORNIA COASTAL AND MARINE PROGRAM,
THE NATURE CONSERVANCY

Margaret Spring served, from 1999-2007, as Democratic counsel to the U.S. Senate Commerce, Science, and Transportation Committee. Previously an associate in the environmental practice group at Sidley Austin in Washington, D.C., she took a lead role in enacting into law more than 10 major ocean and coastal initiatives, including the Oceans and Human Health Act, the Tsunami Preparedness Act, the Oceans Act of 2000, the Marine Debris Research, Prevention, and Reduction Act, and the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006.

"Bipartisan cooperation is essential to building effective legislation," says Spring. "The senators I worked for — Sen. Fritz Hollings, D-S.C., and Sen. Daniel Inouye, D-Hawaii, and Sen. Ted Stevens, R-Alaska, on the other side of the aisle — were focused on trying to forge consensus around marine issues and figure out strategies that worked. In each of the bills I worked on, there was no luxury of saying, 'I'm right and you're wrong.' You had to work through a conflict to get the bill done.

"Fortunately, ocean and coastal topics have not traditionally been treated as Republican or Democratic issues, but as regional issues," she observes. "There can be a surprising amount of agreement on both sides of the aisle regarding certain goals. How you get there is always the question."

Spring is particularly proud of the negotiation and passage of the 2006 reauthorization of the Magnuson-Stevens Act. The statute, first passed in 1976 and extensively amended in 1996, establishes a framework for regulating the management of U.S. fisheries, which includes fishing by U.S. vessels within the 200-mile exclusive economic zone, as well on the high seas, with goals that include limiting harvest, protecting habitat, and developing scientific assessments of fish stocks, she explains.

In addition to comprehensively targeting international overfishing and bycatch problems for the first time, the 2006 amendments sought to ensure that conservation goals added in 1996 were "real and enforceable and flexible enough to deal with regional differences," says Spring. She and her colleagues had to balance the needs of the various stakeholders in the regions, in science, and in industry, she adds. "If you understand what motivates different groups, you can find a place to have a conversation. And you have to demonstrate that you are hearing them."

Spring, who co-founded the *Duke Environmental Law and Policy Forum*, anticipates that her new position at The Nature Conservancy in Monterey, Calif., will both build on and benefit from the skills in consensus and collaboration she developed in the Senate. "The Conservancy also operates by trying to come to consensus with different groups working in collaboration," she observes, adding that she relishes the opportunity to see how policy works in practice.



Michelle Nowlin JD/MA '92

SENIOR ATTORNEY, SOUTHERN ENVIRONMENTAL LAW CENTER

Michelle Nowlin's current public interest practice involves environmental litigation, policy and regulatory development, public education, media work, and coalition-building on issues that range from coastal development, the protection of water resources, and military training to the governance of factory farms.

"My docket is wide-ranging," says Nowlin. "I spend a significant amount of time crafting effective regulatory programs, effective incentives, and trying to influence public thinking and individual behavior."

In the 12 years she has been at SELC, pollution and community impacts from intensive livestock production have become specialties for Nowlin. She has worked with coalitions throughout the country to develop state and federal legislation and regulatory programs to protect the environment from industrial farms, and has spoken and written widely and testified before the Senate Committee on Agriculture on the issue. Legislation that she drafted resulted in North Carolina's imposition of a 10-year moratorium on the development of new factory hog farms, the nation's first. She also helped craft a precedent-setting public-private partnership to develop and implement new technologies for the treatment and disposal of manure from the farms.

Nowlin is involved in an ongoing lawsuit against the U.S. Navy, challenging its decision to build a jet training facility in eastern North Carolina adjacent to a wildlife refuge that serves as the winter home to more than 100,000 migratory waterfowl, and harbors hundreds of species of ducks and migratory songbirds, as well as black bears and the endangered red wolf. After being handed a negative ruling in the Fourth U.S. Circuit Court of Appeals, the Navy is redoing its environmental studies and looking for alternatives. Nowlin is also closely monitoring the Navy's plans to establish a range for sonar and mine warfare training in the Mid-Atlantic.

"In adopting our current laws, Congress placed the environment on par with other issues of national importance and made clear that, except in national emergencies, the military must comply with laws protecting the environment. Wildlife and marine life and family farms are part of our heritage that we must defend and preserve," Nowlin explains.

Also focused on the use and development of water resources, Nowlin recently filed a suit against North Carolina challenging the diversion of millions of gallons of water each day from the Catawba and Yadkin Rivers to the Rocky River in central part of the state. She helped draft the regulations governing conservation of water during droughts that recently took effect, and is now developing policy recommendations for better management and allocation of water supplies.

In addition to her legal work, Nowlin, who co-founded the *Duke Environmental Law and Policy Forum* and helped establish the joint-degree program between the Law School and Nicholas School for the Environment and Earth Sciences, sits on the boards of other public interest organizations around the state. She says she views building a strong movement to promote change and environmental values as an integral part of her work.



Kristin Grenfell JD/MEM '05

CALIFORNIA GLOBAL WARMING SOLUTIONS ADVOCATE,
NATURAL RESOURCES DEFENSE COUNCIL

Long determined to forge a career in energy policy, Kristin Grenfell says she landed her dream job in early 2007, when she joined the Natural Resources Defense Council's energy team. Based in San Francisco, Grenfell is primarily focused on issues relating to the implementation of California's 2006 Global Warming Solutions Act, generally known as AB 32, which sets the goal of reducing the state's greenhouse gas emissions to 1990 levels by 2020. Exactly how that goal is reached is left up to the state's regulatory agencies, says Grenfell.

"Having been involved in getting the bill passed, we are working closely with the various regulatory agencies to make sure that it is implemented in a way that will achieve the maximum environmental benefits and be sustainable over the long term," says Grenfell, who worked in the environmental law department at Howrey in Los Angeles prior to joining NRDC. This involves participating in public hearings and, for Grenfell, addressing the legal questions that arise around implementation.

"Because this is so new, the agencies don't always know exactly what they can and cannot do, and don't always have the resources to address all the potential legal issues that arise," she says. "We've been trying to anticipate and address some of these legal questions, and are briefing the agencies on how they might approach them to avoid legal trouble down the road."

Helping implement the new law is "especially exciting," says Grenfell, because of its broader implications. "What we do here could really determine the course of national and international policy. If California is successful, it makes it that much more likely that other states and the federal government will get on board. And if California stumbles, then other governments might hesitate to take similar action. It's terribly important that we get it right."

Grenfell is also looking into how the natural gas market and regulatory structure works in her state, in order to formulate recommendations as to how to incorporate that sector into a cap-and-trade program. Because any such program would not be implemented until 2012, the collection of accurate data will be vital to the cause, she says.

Her current position allows her to be exactly where she wants to be, Grenfell says: straddling law and science on the cutting edge of global warming and energy policy. "There has been a big sea change in public opinion relating to global warming in the last year. California and others are finally starting to take action, but there is still not a lot of experience in how to actually tackle the problem and reduce emissions," she says. She anticipates a "revolution" in the energy paradigm in the near future, with a move away from decentralized sources that can have negative environmental impact and pose delivery risks, such as fuel-tanker leaks and easily damaged electricity grids. "I think we're going to see smaller, cleaner, more smartly distributed power where there are less negative impacts and sources are local. I hope to be on the cutting edge of making that revolution a positive one."



Alejandro Posadas LLM '95, SJD '03

DIRECTOR, OFFICE FOR NORTH AMERICA, SEMARNAT —
MEXICAN ENVIRONMENTAL SECRETARIAT

An expert in international economic law and international affairs and former dean of CIDE Law School in Mexico City, Alejandro Posadas took a leave from his academic post to join Mexico's environment ministry early in 2007. Based in the Mexican embassy in Washington, D.C., Posadas focuses his efforts primarily on environmental issues that closely concern Mexican relations with its partners in the North American Free Trade Alliance (NAFTA).

"The Mexico-Canada-U.S. partnership has grown as a result of NAFTA and is still growing into diverse areas," he says. "Because of our long border with the United States, we have particularly strong cooperation on environmental matters and are building institutions to address these issues." Among the collaborators he mentions are the North American Development Bank, which finances environmental infrastructure projects along the border; the Commission for Environmental Cooperation, established to help prevent potential trade and environmental conflicts and to promote the effective enforcement of environmental law among the NAFTA partners; and Border 2012, a combined effort of federal, state, and local authorities and civil society to clean up badly-polluted U.S. Mexico border areas, partly through increased compliance with and enforcement of environmental laws.

"My job is to facilitate communication and strengthen the relationship in our cooperative programs, as well as to serve as a [resource] for conflict resolution with the United States and Canada," says Posadas. In that sense, he is returning to territory he encountered in international trade issues.

"When I worked in arbitration, under NAFTA Chapter 11, more than half of the disputes I dealt with were environmental, involving such issues as solid waste and landfills or the environmental impact of development," he says. "These issues involved our international environmental agreements and how they related to investment law."

More broadly, international environmental cooperation is a natural offshoot of his legal specialty, observes Posadas. "The connection between economic development and sustainability is unquestionable. Sustainable conservation of resources and development are only becoming more closely intertwined as trade and economic relations are globalized."

Sustainable conservation is a priority for the Mexican government, which faces such environmental challenges as water pollution, deforestation, and degradation of its biodiverse reef areas. Posadas is particularly pleased with Mexico's recently unveiled national strategy on climate change, which puts Mexico in a leadership position, especially among developing nations, in its efforts to solve the challenge of climate change. The blueprint calls for an ambitious reforestation program, projects to promote methane capture, and the creation of a national registry of emissions — "currently voluntary, but quite successful, so far," says Posadas — among other initiatives.



Robert Phocas '97

ENVIRONMENTAL ATTORNEY, CITY OF CHARLOTTE, N.C.

Rob Phocas became Charlotte's first environmental attorney in October 2006 and says the position offers him exactly what he was looking for: a chance to deal with traditional environmental law issues while crafting environmental policy for the future.

Now with a population of more than 660,000, Charlotte's population is expected to top one million by 2010. The city's explosive growth has made environmental policy a priority for city officials, and Phocas is working with the five City Council members of the newly formed Environment Committee, helping them understand the issues and explore solutions. Growth has an impact on "almost every air, land, and water" policy, he says.

"We have to address conservation of green and park space, on the land-use side of things," he says. "Because Charlotte has a history of flooding incidents, we have to look at how growth impacts storm water runoff and find ways to minimize impervious surfaces. We're currently undertaking a review and revision of our storm water ordinance. We face air pollution issues which can impact the health of citizens in the greater Charlotte area — we are under direction from the Environmental Protection Agency to lower our ozone levels."

Charlotte has not put a moratorium on growth or instituted "green" building standards, as some municipalities have, Phocas notes, but he anticipates that at some point these considerations might come up for discussion. "Things are really in their infancy now, which makes it exciting for me," he says. "It's hard for a city to be 'all growth' or 'all green.' I'm coming on board at a time when these issues are being addressed holistically for the first time."

Phocas started his career with the law firm of Beveridge & Diamond in Washington, D.C., where he was exposed to a wide variety of environmental practice areas. He then worked for Hale & Dorr and EPA Region I in Boston before settling in Charlotte. He practiced with Womble Carlyle Sandridge & Rice prior to taking his post with the city.

"I love the range of clients I have here," says Phocas. "On the legal side, I'm helping them deal with their state and federal obligations, and enforcing the city's sewer use, soil erosion, and tree ordinances. I have far more direct client contact than I had at the EPA. And I love being involved with a city in transition."



Marjorie Mulhall '08

EDITOR IN CHIEF,
DUKE ENVIRONMENTAL LAW & POLICY FORUM

Marjorie Mulhall was helping shape environmental law in North Carolina before she even got to law school. As coordinator of a campaign jointly launched by Environmental Defense and the Southern Alliance for Clean Energy, Mulhall spent 16 months working to pass the North Carolina Global Warming Act, helping that bill take shape and rallying stakeholder and legislative support. In fact, she spent her first month of law school squeezing in campaign conference calls between classes, writing "action alerts" to spur voter comment whenever she found a few moments, and "making many, many trips" between Duke and the state capitol.

Ratified by the General Assembly in August 2005 and subsequently signed into law by Gov. Mike Easley, the Act represented the first major step by any Southeastern state to address the issue of global warming.

The Act establishes a legislative commission to investigate ways North Carolina can reduce its global warming pollution while capitalizing on economic opportunities, such as those generated through emerging emissions trading markets and renewable energy technologies. The 34-member commission is also evaluating the risks global warming poses to the state and investigating realistic goals for reducing global-warming pollution.

Mulhall signed on with the campaign just as it was getting started, relocating to Raleigh from Olympia, Wash., to satisfy a long-standing interest in environmental law and policy. "At that time, global warming was not on the radar of most citizens, businesses, and decision-makers in North Carolina, and many of those who had heard of it questioned the science," she said. Traveling across the state raising awareness with public meetings, the media, and stakeholders such as foresters, hog farmers, tourism representatives, scientists, and community leaders, Mulhall said she quickly learned the importance of balancing information about the hazards of global warming with a positive economic message.

"Global warming can cause extensive economic harm — coastal tourism could suffer with sea-level rise, and changing climate might imperil the mountain ski industry or the growth of tree species on which the forestry sector depends. But it was exciting to also deliver a message of hope and good common sense. The state's hog farmers and forestry sector could benefit from carbon credits in an emerging carbon marketplace," said Mulhall. She recalled one meeting with hog farmers at a barbecue restaurant in eastern North Carolina.

"We sat there, talking about methane capture from hog waste lagoons, talking about our common interests — 'you are out to make a living, and we're out to protect the environment, and in this instance, our interests coincide.' It was great to see the dawn of mutual understanding."

Mulhall, who interned with the National Resources Defense Council during her 1L summer, will join the litigation practice group of Shearman & Sterling in New York following her law school graduation.

Duke launches interdisciplinary Environmental Law and Policy Clinic

THE LAW SCHOOL'S new Environmental Law and Policy Clinic welcomed its inaugural class with the start of the fall semester. A collaborative venture between the Law School and Duke's Nicholas School for the Environment and Earth Sciences, the clinic allows students from each school to work together to address complex issues of law and policy with tools and insights from an essential mix of disciplines: law, policy, and science.

"In the search for technological solutions to environmental problems, lawyers must be able to communicate with research scientists and engineers in meaningful ways," says Clinic Director Ryke Longest. "Our interdisciplinary approach will facilitate that communication and better inform the law with the science and the science with the law."

Having come to Duke after 14 years in the Environmental Division of the North Carolina Department of Justice, Longest says that he has long admired — and periodically relied upon — the unique blend of legal and scientific expertise among faculty at Duke.

"We have top-notch faculty and scholarship in environmental law — our faculty members literally wrote the textbooks," he says. "And in the Nicholas School, Duke has a wonderful set of experts in the environmental sciences. It is the perfect place to teach students how to harness that knowledge and understanding of the natural processes to help shape effective policy."

The clinic will work with a wide range of clients, including local, state, and national nonprofit organizations with an environmental or conservation focus. Among other projects, students are currently working to develop new policy and legal tools to promote environmentally sustainable businesses in the state, and assisting the North Carolina Watershed Alliance, a coalition of nonprofit groups, on water quality issues.

"Sedimentation, largely caused by runoff from development, is the number one source of water pollution in the state," says

Brian Buzby, executive director of the North Carolina Conservation Network, whose organization coordinates the Watershed Alliance. "The clinic offers much-needed assistance on issues arising from sediment handling and pollution." The Watershed Alliance recently identified a pressing need for increased legal capacity in the state to assist with enforcement of water quality laws, so the launch of the clinic is particularly timely, Buzby adds.

Complex issues of environmental law and policy generally involve multiple stakeholders and take years to resolve, Longest says, adding that each stage of that process offers valuable opportunities for students to master essential skills such as interviewing and counseling clients, policy analysis, and legal research, writing, and drafting.

James Salzman, Samuel F. Mordecai Professor of Law and Nicholas Institute Professor of Environmental Policy, serves as faculty adviser to the clinic and headed the yearlong, national search for its director.

"I signed up for the clinic for its blend of practical and substantive experience — the opportunity to interact with real clients and work on timely and pressing environmental issues. It will help me prepare for a future career in environmental law."

— Sean Roberts '08

He lauds Longest's willingness to mentor young lawyers as well as his depth of experience in environmental law and policy.

"One thing that impressed me was the number of stories I heard of young attorneys he had mentored with whom he had no formal relationship — he just thought it was important to be a mentor," Salzman says. "He has a great reputation and amazing connections in the legal and environmental community. He really is a natural fit for this position."

At the state Department of Justice, Longest served as lead counsel to state environmental agencies, boards, and commissions, litigating cases before administrative



RYKE LONGEST

agencies and all levels of state and federal courts. He also drafted laws and regulations and advised agencies on rule-making.

Michelle Nowlin JD/MA '92, a senior attorney with the Southern Environmental Law Center, says Longest has been her "go-to" person for administrative law questions for more than a decade. She calls

him an excellent choice for clinic director. "He is a gifted attorney with a strong passion for environmental issues. I have always counted on him for direction if I was encountering a new area of environmental law."

John Adams '62, founding director of the Natural Resources Defense Council and Open Space Institute and chair of the clinic's advisory board, hopes the clinic will provide fresh leadership in the growing field of environmental law.

"The clinic represents a fabulous opportunity for training and will help create the new leadership that is going to be needed on these issues," says Adams. ♡

Jonathan Wiener

On greenhouse emissions, think globally, act globally

“**T**HINK GLOBALLY, ACT LOCALLY” MAY BE GOOD ADVICE for many problems, but it could actually frustrate effective solutions to global climate change, says Jonathan B. Wiener, Perkins Professor of Law and Professor of Environmental Policy & Public Policy Studies. Recent state initiatives to curb greenhouse gas emissions — such as California’s Global Warming Solutions Act of 2006 or the Regional Greenhouse Gas Initiative (RGGI) of several northeastern states — are understandable responses to the lack of federal policy action, he suggests, but they are not likely to mitigate climate change and could even exacerbate the problem.

“We need a global regime to combat climate change,” says Wiener, who has advocated a comprehensive international greenhouse-gas emissions trading system since 1989. He commends the states (and several pending bills in Congress) for adopting emissions trading, or cap and trade — a market-based policy tool that he has long argued has distinct advantages over alternatives (such as taxes and traditional regulation) for addressing climate change. But he worries that adopting any of these policies at the state level is too narrow. “It’s a global problem. The sources of greenhouse gas emissions are spread worldwide. These emissions have essentially no local impacts, only a global effect and the sources can move from one jurisdiction to another. There are serious problems with regulating this kind of pollutant at the local level.”

Wiener reviews these problems and argues in favor of a global regime in “Think Globally, Act Globally: The Limits of Local Climate Policies,” recently published in the *University of Pennsylvania Law Review*. The states face a variety of political and legal obstacles to implementing their plans, he says. While these new policies may yield global benefits, they will incur local costs, so it’s somewhat surprising that states are acting at all, he observes. And as they try to avoid impairing their own competitiveness, they run into legal limits on state power such as the Dormant Commerce Clause and the Dormant Treaty Clause of the U.S. Constitution.

More important, he argues, the state and regional plans may even be counterproductive. First, local emissions regulations may induce “leakage.” “If one jurisdiction regulates greenhouse gas emissions, then the sources of emissions are likely to shift — or leak — to other, unregulated jurisdictions,” Wiener explains. “Such leakage may mean relocation of entire facilities, but it can also occur more subtly, through changing world prices for fuels and materials.

“Studies of leakage vary. Some find that it would be modest, while others find that it could wipe out the emissions reductions in the regulating jurisdictions, and could even make things worse if the activity that shifts turns out to emit even more in the unregulated jurisdiction than it had emitted in the regulated jurisdiction.”

A second problem with the state initiatives, he argues, is that they will become difficult to mesh into a uniform national regime. Each state’s emissions trading market, for example, may adopt rules and allocate allowances in different ways, complicating the task of establishing a national emissions trading market.

While he cautions that state-by-state approaches are not ideal, Wiener acknowledges that they reflect “creative legal strategies” aimed at achieving significant environmental goals, and may, in fact, be helpful in three ways: stimulating technological change which could spread outside each state; spurring industry to lobby for federal action in order to head off a patchwork of inconsistent state policies; and providing a model whereby state-level policy experiments can inform future national and international policy design.

The better strategy, which Wiener advances in his book *Reconstructing Climate Policy*, is a global policy regime with participation by the major emitting

countries, using allowance allocations to make participation attractive to countries such as China, India, Indonesia and Brazil.

How universal must a program be to overcome leakage and ensure a net reduction in greenhouse gas emissions? “Global action need not be fully universal,” Wiener states, noting that many of the world’s countries have little influence on aggregate emissions. “But a policy that omits major sources, such as the largest developing countries, will suffer leakage and hence will not succeed environmentally in protecting the climate. Nor will it be ratified by two-thirds of the U.S. Senate, which voted 95 to 0 against the Kyoto Protocol for just this reason.”

Leakage can be substantially prevented, suggests Wiener, through a treaty amongst all major current and future emitters — including at least the U.S., China, the European Union, Russia, India, Indonesia, Japan, Canada, Australia, Brazil, and Mexico — and ideally joined by others, including countries undergoing significant deforestation. Key environmental goals also could be accomplished, at least for a time, by a “plurilateral” system involving all the major emitting countries grouped into several parallel regimes, Wiener says.

“Before the U.S. states go too far with local policies that yield leakage and impede a broader system,” he says, “the time is ripe for broader global action using a cap-and-trade approach to minimize costs and to engage major developing countries.” ♣



Jonathan Wiener

Recent scholarship related to global climate change

Think Globally, Act Globally: The Limits of Local Climate Policies, 155 *University of Pennsylvania Law Review*, 1961-1979 (2007)

Incentives and Meta-Architectures: Comments on Jeffrey Frankel, in *ARCHITECTURES FOR AGREEMENT: ADDRESSING GLOBAL CLIMATE CHANGE IN THE POST-KYOTO WORLD* ch. 2.2 (Robert N. Stavins & Joseph E. Aldy, eds., Cambridge University Press, 2007)

Better Regulation in Europe, 59 *Current Legal Problems* 447-518 (2006)

RECONSTRUCTING CLIMATE POLICY: BEYOND KYOTO (American Enterprise Institute Press, 2003) (with Richard B. Stewart).

Christopher Schroeder

At the intersection of environment and public health

SPECIFIC CORE BELIEFS are evident in a review of Christopher Schroeder's cross-disciplinary work in environmental law and policy, environmental health, and health policy: The federal government has a crucial role to play in regulating these areas; policy delivery instruments must be well-designed and carefully monitored; and the health and well-being of real people is always the ultimate goal. Clean air, clean water, responsible hazardous waste disposal, reduction of global warming, and improved drug safety all translate into healthier children, fewer seniors with asthmatic conditions, secure resources for future generations, and other essential public goods.

The Charles S. Murphy Professor of Law and Public Policy, Schroeder is a founding director and vice president of the Center for Progressive Reform (CPR), a virtual think-tank of top national scholars in law, science, and economics who are dedicated to preserving and updating what he calls an essentially sound structure of environmental laws and regulations.

Schroeder is helping craft a progressive agenda on environmental and health-related issues for a new administration. "Among other things, we're developing a concrete set of suggestions as to how some of the core environmental statutes, such as the Clean Air Act and the Clean Water Act, can be updated," notes Schroeder, who co-edited CPR's first book, *A New Progressive Agenda for Public Health and the Environment*, released in 2005.

"The Supreme Court held last term in [*Massachusetts v. EPA*] that the EPA has the authority to regulate carbon dioxide as a greenhouse gas. A reform of the Clean Air Act could create the right regulatory structure to begin to address the greenhouse gas problem," he says.

Schroeder is currently collaborating with Sid Shapiro, a CPR colleague at Wake Forest University School of Law, on proposals to reform regulatory agencies' approach to regulatory impact analyses. These would de-emphasize strict cost-benefit analysis in favor of public values such as environmental justice or preserving resources in ways that are hard to value monetarily, as well as greater public participation.

"Cost-benefit analysis quickly becomes an arcane technical exercise that intimidates many people and that chases greater and greater numerical precision to answer questions that are really value questions, like 'how much is a human life worth?' We think the decision-making process would be more transparent if agencies did not hide behind such analysis, but rather said, 'If we don't take this action, 100 more kids are likely to have asthma in this community over the next 10 years. There will be costs: industry isn't going to grow as fast, [and] there may be some out-migration from a community because the economic base is not able to grow fast enough, but we think those risks are worth taking in order to reduce the incidence of asthma.' Then the relevant community can debate whether or not they agree with that."

Schroeder also directs the Environmental Policy Research Core, part of Duke University's National Institutes of Health-funded Environmental Health Sciences Research Center. This group is helping design sound policy instruments and institutions that can effectively ameliorate adverse health effects identified by medical and scientific researchers. Along with Marie Lynn Miranda, a colleague at Duke's Nicholas School for the Environment and Earth Sciences, Schroeder is wrapping up an analysis of the federal government's treatment of children's health, an area, he is finding, which tends to attract more rhetoric than action.

Schroeder was a member of the Institute of Medicine (IOM) Committee that recently reported on the state of the U.S. Drug Safety System at the request of the Food and Drug Administration (FDA).

The two fundamental messages of the report, published in 2007 as "The Future of Drug Safety," are these, says Schroeder: "First, it is impossible to think about safety independent of efficacy; and second, each must be continually assessed throughout the lifecycle of a drug."

"The nature of drug development, drug testing, and the public interest in making therapeutic drugs available to populations that can benefit from them means that drugs will go to market without every conceivable adverse effect having been thoroughly investigated," he says. "That means approval of a drug by the FDA does not signify the end of uncertainty about a drug, and continued monitoring is necessary."

The committee found an imbalance in the regulatory attention and resources available before and after a drug's approval, Schroeder explains. Staff and resources devoted to pre-approval functions in the FDA's Center for Drug Evaluation and Research (CDER) are substantially greater than those available for post-approval functions.

"The new drug review process involves sophisticated clinical trial design and execution," he says. "After approval, few high-quality studies are designed, conducted, and completed, and in general, the data available is quite limited. Before approval, regulatory authority is well-defined and robust, but once a drug is marketed, FDA's ability to regulate and enforce becomes much diminished. Many of the committee's recommendations are intended to bring some of the strengths of the pre-approval process to the post-approval process in order to ensure ongoing attention to a drug's performance."

The committee's 25 recommendations are directed at making post-marketing surveillance and evaluation a more prominent aspect of the FDA's overall mission, and at giving the FDA explicit regulatory tools to act effectively when new knowledge indicates that post-marketing adjustments are indicated, says Schroeder. ♣



Christopher Schroeder

Recent environmental scholarship

ENVIRONMENTAL REGULATION: LAW, SCIENCE, AND POLICY (Aspen Publishers, 5th ed. 2006) (with Robert Percival, Alan Miller & James Leape)

A NEW PROGRESSIVE AGENDA FOR PUBLIC HEALTH AND THE ENVIRONMENT (Carolina Academic Press, 2005) (editor with Rena Steinzor)

ENVIRONMENTAL REGULATION: LAW, SCIENCE AND POLICY (4th ed. 2003) (with R. Percival, A. Miller and J. Leape)

Federalism's Values in Programs to Protect the Environment, in STRATEGIES FOR ENVIRONMENTAL SUCCESS IN AN UNCERTAIN JUDICIAL CLIMATE 247-258 (Michael Allan Wolf ed., ELI 2005)

The Story of American Trucking: The Blockbuster that Misfired, in ENVIRONMENTAL LAW STORIES 321-348 (Richard J. Lazarus & Oliver A. Houck eds., 2005)

ENVIRONMENTAL REGULATION: LAW, SCIENCE AND POLICY (3d ed. 2000) (with others)

The complete report is available through the National Academies Press
http://www.nap.edu/catalog.php?record_id=11750

James Salzman

Ecosystem services markets take off

IN HIS 2006 ARTICLE, “Field of Green? The Past and Future of Ecosystem Services,” Jim Salzman laid out the case he and others have been building since 1997: that wild lands, forests, and waterways provide essential and economically valuable services that sustain life — water purification, biodiversity, carbon sequestration, and flood control, to name just a few.

Having written the piece shortly after floodwaters devastated New Orleans in the wake of Hurricane Katrina, Salzman offered the tragedy as a clear illustration of natural assets’ value beyond development.

“For years, the wetlands around New Orleans were destroyed to lay pipes and for development, for the most part without a second thought. As real estate, swamp and marsh have minimal value,” says Salzman, the Samuel F. Mordecai Professor of Law and Nicholas Institute Professor of Environmental Policy. “But when you factor in the value of the service of storm buffering, the value of that service becomes clear. It was storm surge, not rains, that devastated New Orleans, and there is no question they would have been buffered by wetlands.”

Salzman argued in his article that farmers and other stewards of the land should be properly compensated for providing these services through an “explicit arrangement” of payments. Farmers who manage their land through streamside vegetation, for example, should be paid to “grow the crop of water quality,” just as others are paid to grow corn. “Put another way,” he wrote, “why not treat farmers’ provision of ecosystem services as no different from their provision of other marketable goods?”

That idea has, in fact, caught on with policy makers. The Bush administration’s 2007 Farm Bill, currently before Congress, pledges \$50 million to spur the development of ecosystem services markets by establishing a monetary value for agriculture and forestry conservation practices. The bill anticipates paying producers for conservation credits, which could then be sold to further environmental goals such as endangered species protection.

The bill’s proposal to establish institutions that would facilitate ecosystem services transactions between private actors, such as credit registries and audit procedures, is unique, Salzman says, and a heartening example of how the idea of service payments has moved into mainstream policy debates. Having studied a wide range of such markets all over the world, he observes that many involve some type of government funding. Salzman and his colleagues at “The Katoomba Group,” a

worldwide, nonprofit network of market makers, are helping stimulate private enterprise with the online “Ecosystem Marketplace,” now in its third year of operation at ecosystemmarketplace.com.

“One of the fundamental barriers to market creation is information flow,” says Salzman. “Buyers and sellers need to know about each other quickly and at low cost.” The Ecosystem Marketplace offers an up-to-date repository of articles and policy papers and, most importantly, an ecosystem services “ticker” that tracks service sales around the globe. “Our ambition is to make the Marketplace the ‘Bloomberg’ for ecosystem services.”

Having spent a decade writing about the theoretical basis for these markets, Salzman is now turning his attention to designing the actual rules, laws, and policy tools that make it work, such as the design of water utility rates that take into account the value of lands that do not produce conventional income. He also has been working with officials at the U.S. Forest Service, who see potential in ecosystem services markets as a way to make up for the decline of timber production in national forests.

“It’s been amazing to watch the rise of this idea of ecosystem services markets,” says Salzman, who spent late May touting the concept to Brazilian magistrates, prosecutors, and gatherings of international environmental scholars on a speaking tour organized by the U.S. State Department.

Salzman is quick to credit the contributions of academics around the country with whom he has collaborated on the issue of ecosystem services markets, such as Gretchen Daily at Stanford, who introduced him to the concept from an ecological perspective, and law professors Buzz Thompson at Stanford and J.B. Ruhl at Florida State. He is particularly excited by the level of research at Duke across the entire campus.

“Ecosystem services markets are wonderfully interdisciplinary,” Salzman says. “Ecology, law, economics, business — these all come into play in designing and making markets that allow nature to pay its way. A decade ago, none of us really thought this curious idea would be taken up by so many others in government, nonprofits, business, and academia. Ironically, my concern now is that people may think too much of service markets. There’s a real danger of unrealistic expectations — because service markets will not work in all settings — but hopefully our research will provide a solid grounding for when, how, and where service markets make sense.” ♣



James Salzman

Recent environmental scholarship

CONCEPTS AND INSIGHTS IN ENVIRONMENTAL LAW (2d ed., Foundation Press 2007) (with Barton Thompson, Jr.)

Negligence in the Air: The Duty of Care in Climate Change Litigation, 156 University of Pennsylvania Law Review 101-154 (2007) (with David Hunter)

THE PRACTICE AND POLICY OF ENVIRONMENTAL LAW (Foundation Press, 2007) (with J.B. Ruhl & John Nagle)

Food and Agriculture Organization of the United Nations, *The State of Food and Agriculture 2006* (contributing author)

INTERNATIONAL ENVIRONMENTAL LAW AND POLICY (Foundation Press, 3d ed. 2006) (with D. Zaelke & D. Hunter)

A Field of Green? The Past and Future of Ecosystem Services, 21 Journal of Land Use & Environmental Law 133-151 (2006) — reprinted as one of the best environmental law articles in 2006 in Land Use and Environmental Law Review

In Defense of Regulatory Peer Review, 84 Washington University Law Quarterly 1-48 (2006) (with J.B. Ruhl)

Thirst: A Short History of Drinking Water, 17 Yale Journal of Law & the Humanities 94-121 (2006)

Duke's Nicholas Institute for Environmental Policy Solutions Practical approach results in legislative success



TIMOTHY PROFETA JD/MEM '97, director of Duke's Nicholas Institute for Environmental Policy Solutions, testified before a subcommittee of the U.S. Senate Committee on Environment and Public Works on July 24, 2007, as it considered various legislative approaches to reduce the United States' greenhouse gas emissions.

In addition to identifying a cap-and-trade system as an effective policy design, Profeta offered two proposals that have been incorporated into the America's Climate Security Act (S.

2191), sponsored by Sens. Joseph Lieberman, I-Conn., and John Warner, R-Va. The legislation passed the Environment and Public Works Committee on Dec. 5, 2007 and is slated to be considered by the full Senate early in 2008.

One proposal aims to "re-level" the economic playing field, should the costs inherent in a national climate program threaten to put the U.S. at a competitive disadvantage with non-capped countries. The other, described in the excerpt that follows, offers market protection from runaway prices for greenhouse gases. The proposal was developed by four Senate offices — two Democratic and two Republican — in consultation with the Institute in a process aimed at finding new and innovative means of providing protection against unforeseen economic costs of a cap-and-trade system:

FUNDAMENTALLY, THE PROPOSAL PROVIDES the market with cost-relief measures and an oversight board to employ them. The measures are focused on adjusting the market to relieve sustained — not short-term — high prices that threaten economic harm. The oversight board, which would be called the Carbon Market Efficiency Board, would have the discretion to use these measures to influence the market price for greenhouse gases. It would operate in a manner similar to the Federal Reserve, charged with protecting the market from runaway prices while preserving the market's stability and continuity for investors.

Specifically, the proposal would empower the board with [these] authorities to administer relief when it finds that economic conditions require it to act:

First, the board would be given the authority to increase companies' flexibility in determining when and how to meet their emissions reduction goals — by broadening their ability to borrow permits against future years. This lets individual firms make decisions based on the availability of technology that is expected to come online and give the flexibility to make a transition to new technology with timing more in-line with their own capital planning. For example, if a company is having trouble meeting a current year's goal, but is investing in a low-carbon solution that will be ready in years hence, it might decide to borrow a little more against those years. This remedy would increase the company's ability to do that, by increasing the amount of allowances it is permitted to borrow, lengthening the time into the future from which an allowance can be borrowed or altering the interest rate that applies to the payback of the allowances.

The second lever at the board's disposal would be the ability to adjust the pace of national emissions reductions temporarily — while still achieving overall reductions over time — by increasing emission allowances available in the short term. Again, this remedy would be employed by borrowing against a future year or years, but at a nationwide level, guided by the board, rather than

at a firm level, and always keeping in mind overall reductions in the long term. Increases in allowances in the short term would result in reduced allowances available in later years, thus preserving the long-term environmental goal while providing short-term economic relief. ...

Each of these measures would be taken incrementally, minimally, and temporarily by the board to preserve market certainty and continuity.

... The board would be required to report quarterly on the status of the market — on investment trends, technology availability, and economic effects in different regions of the country. This type of information should greatly aid the market in seeking out the best efficiencies, calm the market from overreaction to short-term changes, and aid Congress in understanding the effect of the program.

... [U]nder the proposal, the board's primary mission would be to uphold the ultimate environmental and investment goals of the legislation while having the ability to make market corrections as needed to protect the economy. It would not be empowered to change the goals of the underlying legislation, or engage in administering relief to individual firms or sectors.

To carry out these goals, the board would be appointed by the president and serve full-time terms in which it would behave similarly to the Federal Reserve. It would observe and report regularly to Congress on the status of the market, and it would be empowered with these limited tools to help regulate the market when necessary.

Moreover, the proposal provides an initial period in which the board could study the market to learn its trends, but still provide some means of relief. Thus, to avoid overreaction to normal short-term price spikes, and to preserve investment certainty, the proposal recommends using an estimated price range as a benchmark during the first two years, with the intention of applying the market remedies only when spot market prices are sustained on average above the range.

To establish the range, the proposal requires that Congress request an estimate of expected price ranges during the first two years of the market, estimated through trusted economic models and based on the terms of the underlying legislation. It was our view collectively that the range of numbers that the Congressional Budget Office (CBO) could provide would be the most appropriate on which to base the program, as those numbers would be based on the economic studies that were before Congress when it chose to pass a mandatory climate policy. ...

That, in sum, is the offices' economic protection proposal: (1) to create market-based measures for cost relief, and (2) to create an independent market overseer that will provide market information critical to keeping costs low and which is to be empowered to mitigate unacceptably high costs in the economy without undercutting the program's environmental performance or motivation for investment in solutions.

... At bottom, it is the first proposal for cost containment that does not claim to know the unknowable. We cannot know right now what the proper price of a carbon allowance will be that will successfully balance the desire to make environmental and technological progress and not harm our economy. ...

So this plan cleanly addresses the need to make decisions under this unavoidable uncertainty. It provides the levers necessary to stop economic harm without requiring new Congressional action, and does so in a way that preserves and enhances the market, heightens its transparency, and maintains both its environmental integrity and the stimulus for long-term investments. ♡

Faculty Focus

Trina Jones

Scholar calls for “forthright” discussion of discrimination, diversity

TRINA JONES LOOKS FORWARD to the day when this country will be “less racist, less sexist, less homophobic, less oblivious to socio-economic disadvantage, and a lot more loving.” This day will only happen, she says, if we tackle discrimination with a level of forthrightness that she finds sadly lacking in public and legal discourse.

“What is discrimination? What is equality? What are the goals of anti-discrimination law in the 21st century? Is that law still animated by corrective and distributive justice principles? Does it, can it, account for implicit bias?” Jones asks. “In a world of Jim Crow racism, ‘White Only and Colored Only’ signs defined the immediate targets and goals of anti-discrimination law. But in a changing social context, where actions are driven as much by unconscious bias as by overt prejudice, where intra-group screening is replacing the more blatantly exclusionary practices of the past, the answers to these questions have become more pressing,” she says.

Jones has searched the Supreme Court’s equal protection jurisprudence for a coherent definition or understanding of discrimination across cases dealing with race, gender, sexuality, and class. “It’s not there,” she writes in “The Limits of *Loving*: Coherence or Chaos in Antidiscrimination Law,” a scholarly work in progress. Instead, she finds a court mired in formulae that dictate the level of judicial scrutiny to be applied to a set of circumstances and that essentially dictate outcome.

Beginning with *United States v. Carolene Products Company*, the 1938 ruling that first articulated the Court’s inclination to apply higher levels of scrutiny to legislation affecting politically vulnerable groups, Jones traces the evolution of the Court’s methodology for identifying protected classifications and the three-tiered framework of review —

one not mandated by the 14th Amendment — the Court employs in assessing equal protection claims.

Having stated that racial classifications were suspect in its 1944 ruling in *Korematsu*, the Court firmly established that they are “presumptively illegitimate” and began to identify the bases upon which it would determine the status of other groups in a series of cases in the 1960s and 1970s, Jones explains. “The Court began systematically to set forth and to rely on five factors — pervasiveness, majority/minority status, relevance, immutability, and visibility — to determine which classifications would receive what level of judicial scrutiny,” she says. “Over time these criteria hardened and were used to cement the status of race, sex, sexuality, and class on an equal protection hierarchy.”

Evident in the case law, Jones points out, is that as the number of variables increases, so too does the level of review. “Because race is immutable or unchangeable, irrelevant [to ability], and highly visible, and because race has been used on a pervasive basis historically to oppress politically powerless racial groups, race is subject to a heightened level of review or ‘strict scrutiny,’ meaning that racial classifications must serve a compelling state interest and the means utilized to pursue that interest must be narrowly tailored. This level of review reflects skepticism about whether racial classifications can ever be used for legitimate purposes,” she says.

In contrast, classifications involving gender are subject to “intermediate scrutiny;” they must further an important governmental objective and the means employed must be substantially related to achievement of that goal. “Sex is for the most part immutable and visible, though women are not a numerical minority,” Jones points out.



“More importantly, some people — more critically, some justices — still believe that sex may be a relevant and legitimate distinction in certain circumstances.” Sexuality and class-based distinctions are considered presumptively lawful and accorded the lowest standard of review, subject only to a “rational basis” test. Implicit in this standard is the controversial notion that sexuality and socio-economic class, at least to some extent, are matters of choice, she observes.

“The Court is caught up in formulas. It looks at the classification, decides on the level of review, and reaches an outcome,” says Jones. “What is not coming through in the cases is a coherent theory of discrimination and a clear and consistent articulation of the goals of equal protection. This is because the Court is not really focused on defining what discrimination is and when it should be proscribed.

“I don’t disagree with the proposition that groups are differently situated and that we must be attentive to these differences,” she adds. “What I take issue with is the idea that we can only account for these differences by adopting varying review levels that are largely driven by five factors. Should the absence of one or more of these factors mean the discrimination isn’t as problematic or that

"The Court is caught up in formulas. ... What is not coming through in the cases is a coherent theory of discrimination."

— Trina Jones

the analytical framework ought to change or be ratcheted down?"

Jones would like to see the Court focus on what is actually happening to people. She recommends adopting a single standard of review for alleged equal protection violations, one that approximates intermediate scrutiny. "Such a standard would not render classification schemes presumptively unlawful, but would require an examination of and focus on context before any conclusions about legality are reached."

For Jones, whose teaching focus includes civil procedure, employment discrimination, and race and the law, and whose research interests include examinations of prejudice based on socio-economic factors and skin color as distinct from race, "The Limits of Loving" is the latest in a series of scholarly projects that analyze the limits of modern approaches to civil rights protection.

In a 2006 collection of essays, which she co-edited with Duke Law Professor Paul Carrington, Jones' focus is socio-economic inequality. "Law and Class in America" exposes the way in which legal reforms over the last 25 years have systematically harmed poor people," she says. "The book doesn't simply focus on education, welfare, and crime. It also explores areas that are not as frequently associated with socio-economic justice, like corporate law, antitrust, tort law, civil procedure, and international law, among others." An upcoming symposium issue of *Law and Contemporary Problems*, which Jones is co-editing with Professor Terry Smith of Fordham Law School, will expand upon this work by examining the symbiotic relationship between race and class.

In her 2005 article, "The Diversity Rationale: A Problematic Solution," Jones critiques the 2003 rulings in *Grutter v. Bollinger* and *Gratz v. Bollinger*, cases involving race-based admissions policies at the University of Michigan, when the Supreme Court found that "educational benefits flowing from a diverse student body constitute a compelling state interest, and that colleges and universities may consider race in order to secure these benefits."

"Diversity's vagueness, combined with its forward-looking orientation ... leads people to approach diversity in an a-historical and an a-contextual manner," Jones writes, arguing that diversity advocates should focus on groups that have been historically excluded and eliminate barriers to their inclusion. "While a racially diverse student body benefits everyone, what is really being sought through these admissions policies is access for racial minorities to institutions from which they have been and still are systematically and disproportionately excluded because of racism. Thus, the real problem is historical and contemporary racism. Lack of diversity is its consequence."

Grutter and *Gratz* also were central to Jones' 2006 article, in "Brown II: A Case of Missed Opportunity?," in which she argued that in American society and jurisprudence there is "an embrace of lofty principles coupled with a simultaneous inability or unwillingness to undertake the messy work of devising and implementing effective solutions. ... Instead of looking directly at the complex nature of discrimination and trying to devise effective solutions, the Court has elected to hide behind abstractions."

A clarion call for a frank and forthright public discussion — as well as a commitment to substantive equality as opposed to merely formal equality — runs through all Jones' scholarship. It also informs other initiatives she has undertaken at the Law School, including the Jean E. and Christine P. Mills Conversation Series on Race. The series, funded by Amos Mills III '72, has brought prominent academics and activists — including professors John Hope Franklin and Charles Ogletree, and former ambassador to South Africa James Joseph — to the Law School to lead discussions on race and racism. "We are continuing the series in spring 2008 with a stellar line-up of academics who will address topics ranging from race and immigration reform to the influence (if any) of hip-hop culture on various forms of inequality," she says.

A call for honest discussion also informs Jones' teaching. In an orientation-week address, she challenged students to not

merely celebrate diversity in the abstract, but also engage it on the ground, taking risks and reaching across boundaries to break down barriers of race, religion, gender, and class. "I invite you to venture beyond the invisible moat surrounding Duke University and to interact with the blue-collar and racially diverse community of Durham, to go to a synagogue with a friend, even if you are not Jewish, to attend a WLSA function, even if you are not a woman," she told students.

"My late colleague and friend, Professor Jerome Culp, taught me to always remember that the law is ultimately about people. Behind every doctrine, every statute, every decision is a real person," Jones observes. "At day's end, I want the Court and those who are concerned about inequality to have an honest and informed conversation about what's happening to people in our society — to people of color, to women, to gay and lesbian individuals, and poor people. Unless we actually acknowledge that racism, colorism, and other forms of discrimination exist — unless we acknowledge the problem of discrimination for what it is and look at its historical roots and the harm it has caused, we will not eradicate it in this country. If we have a frank conversation about inequality, we can come up with meaningful solutions." ♡

Trina Jones Recent scholarship

The Limits of Loving: Coherence or Chaos in Antidiscrimination Law (in progress)

Proving Colorism and Other Forms of Intragroup Discrimination: Unexamined Complexities (in progress)

The Case for Legal Recognition of Colorism Claims, in *SHADES OF DIFFERENCE* (Evelyn Nakano Glenn ed., forthcoming 2008, Stanford University Press)

Law Made in Skyboxes: An Evolution in American Law, in *LAW AND CLASS IN AMERICA: TRENDS SINCE THE COLD WAR* (Trina Jones & Paul D. Carrington eds., 2006) (with Carrington)

Brown II: A Case of Missed Opportunity?, 24 *Law & Inequality* 9-30 (2006)

The Diversity Rationale: A Problematic Solution, 1 *Stanford Journal of Civil Rights & Civil Liberties* 171 (2005)

Duke Law welcomes two more top scholars

CONSTITUTIONAL SCHOLAR Ernest A. Young and political scientist and legal theorist Jack Knight are the latest in a line of strong lateral hires at Duke Law School.

Young, formerly the Charles Alan Wright Chair in Federal Courts Law at the University of Texas at Austin, joined the Duke Law School faculty in January 2008. One of the nation's preeminent scholars on federalism, Young also earned a reputation for teaching excellence and service to students during his eight years on the University of Texas faculty.

Knight, the Sidney W. Souers Professor of Government at Washington University of St. Louis, will join Duke's law and political science faculties next fall. A renowned political scientist and legal theorist, Knight's scholarly work focuses on modern social and political theory, law and legal theory, and political economy, with particular emphasis on judicial behavior. He will hold appointments at the Law School and in Duke's Trinity College of Arts and Sciences, where he will teach in Trinity's Politics, Philosophy and Economics Program. At the Law School, he will teach courses on social science approaches to law and courts, as well as courses on the political economy of social institutions.

"We are delighted to welcome both of these distinguished scholars to Duke," said Dean David F. Levi. "They are scholars and teachers of the highest caliber who will strengthen our standing as one of the strongest and most intellectually diverse public law programs in the country. Their decision to join our faculty adds further momentum to Duke Law's forward progress."

"It's a privilege to join the Duke Law faculty, which has great traditions of strength across the board and in my areas of interest," Young said. "I've been extremely impressed by the institutional culture that [former] Dean [Katharine T.] Bartlett has done so much to build here, and I'm excited by the opportunity to work with Dean Levi to build on that foundation."

"I am very excited about the move to Duke," Knight said. "Duke's faculties of law and political science are among the very best in their respective fields. The opportunity to pursue interdisciplinary research



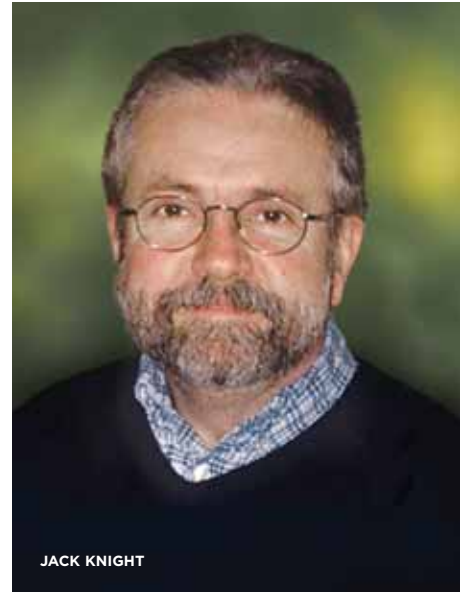
on questions of law and the judicial process with members of both faculties was simply too good to pass up."

Young: an authority on federalism, Constitution

A native of Abilene, Texas, Young graduated from Dartmouth College in 1990 and Harvard Law School in 1993. He was a law clerk to Judge Michael Boudin of the U.S. Court of Appeals for the First Circuit and to Justice David Souter of the U.S. Supreme Court. Prior to joining the faculty at the University of Texas at Austin, Young practiced law with Cohan, Simpson, Cowlshaw, & Wulff in Dallas, and at Covington & Burling in Washington, D.C., where he specialized in appellate litigation. He is a member of the American Law Institute.

Young has written extensively on the "Federalist Revival" of the U.S. Supreme Court under the late Chief Justice William H. Rehnquist. He is a frequent commentator on issues of foreign affairs law that relate to the interaction between domestic and international courts and the application of international law by domestic courts. Young's scholarly interests also include constitutional interpretation, constitutional theory, maritime law and comparative constitutional law.

"Ernie Young's writings about federalism have shaped, and no doubt will continue



for many years to shape, scholarly understanding of the most basic constitutional questions about the relationship of nation and state," said Daniel J. Meltzer, the Story Professor of Law at Harvard Law School. "Well-known also as a gifted teacher, he would be an outstanding addition to the faculty of any law school."

At the University of Texas at Austin, Young won the Texas Exes Teaching Excellence Award and the Federalist Society's Paul M. Bator Award for excellence in teaching, scholarship, and public service. For his service to students as a judicial clerkship adviser, he received the Robert Murff Excellence Award (with Tony Reese) from the Texas Campus Career Council. He also has been a visiting professor at Harvard Law School and Villanova University School of Law, as well as an adjunct professor at Georgetown University Law Center.

In addition to his scholarly work, Young is actively involved in both public and private litigation in his areas of interest. On behalf of leading constitutional and international law scholars, he wrote a brief in *Medellin v. Texas*, argued in the Supreme Court in the fall, concerning the extent of presidential power over state court proceedings in cases under international treaties. He also co-wrote a scholars' brief in *Gonzales v. Raich*, a recent Supreme Court

case concerning federal regulation of medical marijuana. He argued a private securities law appeal in the U.S. Court of Appeals for the Seventh Circuit in September.

“Ernie Young is one of the nation’s preeminent scholars of federalism, constitutional law, and federal jurisdiction and a pioneer in the increasingly important study of the relationship of American courts to international institutions,” said Curtis Bradley, senior associate dean for academic affairs and the Richard and Marcy Horvitz Professor of Law and Professor of Public Policy Studies at Duke. “Some of his most innovative scholarship has involved the application of federal courts and constitutional principles to issues of foreign relations law and international law, areas of particular interest to me, and I have long been an admirer of his work. This is a terrific hire for Duke.”

Knight: a keen observer of judicial, political behavior

Knight is recognized for research on the problem of the rules and norms that organize human activities in nations. In addition to studying the motivations and decisions of judges, he has examined the effects of the norm of extensive prior judicial experience as a prerequisite for service on the U.S. Supreme Court, as well as several other aspects of how courts make decisions and how judges choose their positions in opinions.

“His work on the strategic behavior of judges and understanding institutions has caused paradigm shifts in the way we understand the relationships between institutions and human behavior,” said Professor Mitu Gulati who is an expert in, among other things, judicial behavior. “It took some time for law professors to apply the work that Jack Knight and others like [Northwestern political scientist] Lee Epstein have done, but now it’s almost unacceptable not to take their insights into consideration when studying judicial behavior. It’s quite tremendous that he has joined our faculty. Having Jack Knight in our midst is going to improve the work that all of us do at the Law School.”

Levi said Knight will further enhance the School’s interdisciplinary study of law.

Knight is the author of several books — *Institutions and Social Conflict* (Cambridge University Press, 1992), *Explaining Social Institutions* (with Itai Sened) (The University of Michigan Press, 1995), and *The Choices Justices Make* (with Lee Epstein) (Congressional Quarterly Press, 1997), which won the American Political Science Association’s C. Herman Prichett Award for the best book published on law and courts. He co-edited *Courts, Judges and Politics* (McGraw-Hill, 6th Edition, 2005) and has published numerous articles in journals and edited volumes on such topics as democratic theory, the rule of law, judicial decision-making, and theories of institutional emergence and change.

Knight holds a bachelor’s degree and JD from the University of North Carolina at Chapel Hill. He holds an MA and a PhD in political science, both from the University of Chicago. He is a visiting professor at the International Center for Business and Politics of the Copenhagen Business School

and has served as a visiting scholar with the Russell Sage Foundation and the Max Planck Institute in Bonn, Germany.

At Washington University, Knight served as chair of the Department of Political Science from 1999 to 2002 and 2003 to 2004. He is a fellow of the university’s Center for Political Economy and a member of the Committee on Social Thought and Analysis, and he has served as member and chair of the Faculty Council, on the executive committee of American Culture Studies, as secretary of the Senate Council and Faculty Senate, and as a member of the Fulbright Grants Committee, among many others. He joined the Department of Political Science in Arts and Sciences at Washington University in 1988.

Prior to joining Washington University’s faculty, Knight taught at the University of Chicago and the University of Michigan and was an attorney with the Peninsula Legal Aid Center in Hampton, Va. ♣

— Melinda Vaughn

Chemersinsky to be founding dean of new California law school

ERWIN CHEMERINSKY, Alston & Bird Professor of Law and Professor of Political Science, has been named founding dean of the new Donald Bren School of Law at the University of California, Irvine. He will assume the post July 1, 2008.

A Duke faculty member since 2004, Chemersinsky is one of the nation’s top scholars of constitutional law and the federal courts, as well as a leading appellate advocate. Also a beloved teacher, Chemersinsky was named Duke’s 2006 University Scholar/Teacher of the Year.

Catherine Fisk, Douglas B. Maggs Professor of Law, also will join the new law school as a founding faculty member. The most recent recipient of the Duke Bar Association’s Distinguished Teaching Award, Fisk is a top teacher and scholar of labor and employment law and a legal historian.



Dean David Levi noted that their departure was the source of sadness mixed with pride. “We wish Erwin and Catherine well as they begin this new adventure,” he said. “Although we will miss having them here with us at Duke, we will always have a special bond to each of them and will follow their future work with keen interest and pride. I will look forward to working with Erwin as a fellow dean.” ♣

Faculty Focus

Professors Steven Schwarcz and Arti Rai shared their expertise on two critical issues facing lawmakers this year: the threat to the financial markets posed by the sub-prime lending crisis and patent royalties on federally-funded university research. Excerpts from their written testimony follow.

Having their say on Capitol Hill

Professor Steven L. Schwarcz
Stanley A. Star Professor
of Law and Business

U.S. House of Representatives Committee on Financial Services, Oct. 2, 2007

Schwarcz addressed the issue of systemic risk and the ability of the current financial regulatory structure to respond to threats to the financial system. Schwarcz reviewed and assessed a range of regulatory approaches and made recommendations to the committee. In doing so, he took into account the goals of regulating systemic risk — efficiency and stability — and the cost of regulation based on those goals.*



Ensuring liquidity ... at least in theory, could facilitate stability in two ways: by providing liquidity to prevent financial entities from defaulting (or to prevent defaulting financial entities from failing), and by providing liquidity to capital markets as necessary to keep them functioning.

There are at least two possible regulatory ways to ensure liquidity: creating a lender/market-maker or, more generically, liquidity provider of last resort ... and imposing entity-level liquidity requirements. Economists argue that panic will not usually become contagious (and thus systemic) when a lender of last resort provides adequate liquidity.

Establishing a liquidity provider of last resort could be an expensive proposition, potentially creating moral hazard and shifting cost to taxpayers. Nonetheless, these costs may be controllable.

The moral-hazard cost could be controlled, for example, by following a policy of “constructive ambiguity” under which the liquidity provider of last resort would have the right but not the obligation to intervene, and the rules by which it decides which to do would be uncertain to third parties.

Any shifting of costs to taxpayers could also be controlled. Rather than using taxation to establish the pool of funds from which the liquidity provider of last resort could make advances, the pool could be funded, for example, by charging “premiums” to market participants, not unlike insurance. FDIC deposit insurance, for example, is financed in this way. ...

Yet another way to avoid shifting liquid-

ity-provider-of-last-resort costs to taxpayers is to privatize the role of liquidity provider of last resort, or at least to reallocate the source of loan-funding from taxpayers to private credit and other capital markets.

... Although providing liquidity to capital markets for that purpose is different in several ways from making advances to reduce institutional systemic risk, the moral-hazard and taxpayer-cost problems are again surmountable. The liquidity provider of last resort could purchase market securities at a deep enough discount to ensure ultimate repayment. Buying at a discount would also help to reduce moral hazard without the need for a policy of constructive ambiguity to the extent prices stabilize well below the levels paid by speculating investors. The only question would be whether market prices stabilize at a sufficient level to preserve a robust market if the necessary discount is very large.

Based on my research, I propose regulation to establish a liquidity provider of last resort. The liquidity provider of last resort would provide liquidity to help prevent critical financial intermediaries from defaulting and to help prevent defaulting critical financial intermediaries from failing. It also would provide liquidity to capital markets as necessary to keep them functioning. ...

... This approach should be supplemented by a market-discipline approach, under which regulators would attempt to ensure that market participants exercise the type of diligence that enables the market to work efficiently. ...

I propose that the Federal Reserve be given the power to act as, or to arrange for, a liquidity provider of last resort along the lines discussed above. This needs to be “in place” because market collapses can occur rapidly and without warning.

... Because financial markets and institutions increasingly cross sovereign borders, a systemic collapse in one country inevitably will affect markets and institutions in other countries. Regulatory approaches in the United States thus should be coordinated with approaches in other countries, including the possibility of international regulation. It may well be appropriate, for example, to have an international liquidity provider of last resort. Ignoring the cross-border nature of the problem invites inefficiencies, including the possibility of a regulatory race to the bottom. ♡

* Schwarcz's forthcoming paper, "Systemic Risk," can be found at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1008326.

Professor Arti K. Rai

U.S. Senate Committee on the Judiciary,
Oct. 24, 2007

Rai addressed the role of federally-funded university research in the patent system, a key focus of her own research for the past 10 years, as Congress considered whether to change statutory provisions governing patent royalties earned by government-owned, contractor-operated facilities (GOCOs).

Under the existing provisions of the Bayh-Dole and Stevenson-Wydler Acts, GOCOs such as the Ames laboratory operated by Iowa State University must pay back to the U.S. Treasury a percentage of the royalties they earn on any patented invention. Specifically, they must pay back 75 percent of the net amount they earn in excess of 5 percent of their annual budget. ...[M]ost universities that operate government labs would like the amount of the recoupment to be smaller.



In order to understand whether there should be “more” or “less” royalty recoupment, it is useful to understand the background of Bayh-Dole and Stevenson-Wydler. Both of these statutes aim to commercialize federally funded research through the use of patents. The theory is that if federally funded research is patented, then private sector firms will have a powerful financial incentive to seek exclusive licenses to the research and commercialize it. ...

... The argument for royalty recoupment is straightforward – without recoupment, the public has to pay twice, once for the research itself and once again through the monopoly pricing that the patent affords. ... Relatedly, one might argue that the federal government should get a return on its investment. In fact, California’s recent \$3 billion stem cell research initiative (Proposition 71) was promoted in part on the promise that the state would receive a large royalty stream from the licensing of technologies that emerged from the state-funded research. ...

There is little evidence, however, that the federal government would be likely to

recoup significant sums from its long-term investment in federally funded research. In fiscal years 2003 and 2004, U.S. universities had net licensing income that represented only 2.5 percent of their sponsored research expenditure. ...

In fact, there are good reasons to expect relatively low direct financial returns on the type of basic research the federal government typically funds. ... [E]ven though basic research generates significant economic dividends, these dividends are too long-term and diffuse for any single party to capture. Indeed, the argument for government support of basic research emerges from the insight that it is valuable economically but will not be generated by ordinary private sector financial incentives. ...

Moreover, aggressive attempts to use patents to capture gains from basic research, whether by universities or by the government, may create obstacles to development and commercialization. I have already mentioned situations where universities appear to have used software patents to “hold up” commercializing firms. Additionally, particularly in the information technology industries, aggressive patenting may cause licenses to multiple university inventions to become necessary, with the result being significant transaction cost hurdles to development. ...

In the best-case scenario, universities (and the government) might make some money through licensing royalties that operate as a modest tax on commercialization. The famous Cohen-Boyer patent on recombinant DNA, which made hundreds of millions for the universities involved, arguably operated in this fashion. ... But even in that case, it is worth asking whether broad-based taxation of the income generated by the many firms that have been formed or have flourished based on public research might be a better way of recouping the public’s investment.

...[T]here is little reason to believe we need a major overhaul of the current system of technology transfer. ... [G]iven the early-stage nature of the research that the federal government funds, we should be cautious about viewing technology transfer as a mechanism for raising revenue. ♡



Dean Levi inducted into American Academy of Arts and Sciences

DEAN DAVID F. LEVI was inducted into the American Academy of Arts and Sciences on Oct. 6, at the Academy’s headquarters in Cambridge, Mass. The former Chief U.S. District Judge of the Eastern District of California, Levi was one of eight new law fellows among a class of 203 fellows and 24 foreign honorary members.

Fellows and foreign honorary members are nominated and elected to the august institution by its current members — scholars and practitioners from a wide range of disciplines. Other members of the 2007 Class of Fellows include former Vice President Albert Gore, Jr.; former Supreme Court Associate Justice Sandra Day O’Connor; and New York Mayor Michael Bloomberg.

A leader in law reform, Levi was appointed by former Chief Justice William Rehnquist to the Advisory Committee on the Federal Rules of Civil Procedure in 1994, and as chair of that committee in 2000. In 2003, Rehnquist appointed Levi to chair the Judicial Conference Committee on Rules of Practice and Procedure, which oversees all federal rule-making conducted by the Judicial Conference, the body charged with revising and crafting rules and practice for approval by the U.S. Supreme Court. Levi is a member of the Council of the American Law Institute (ALI) and has served as an adviser to the ALI’s Federal Judicial Code Revision and Aggregate Litigation projects. ♡



A fond send-off for Professor Rowe

THOMAS D. ROWE JR., Elvin R. Latty Professor of Law, retired from the faculty at the end of the fall term. Duke Law faculty, students, and staff toasted him at an impromptu reception on Nov. 29, following his last class. A retirement party is planned for the spring.

An expert in civil procedure, complex litigation, judicial remedies, and constitutional law, Rowe joined the faculty in 1975. He served as associate dean from 1981 to 1984, and senior associate dean from 1995-1996.

Duke Law Dean David Levi described Rowe as “brilliant, generous, and a person of great good will.”

“[Tom] is one of those people who cares very much about the details, which is incredibly valuable, but he also feels — to paraphrase Justice Holmes — the great forces at work behind the details,” Levi said.

Deborah DeMott, David F. Cavers Professor of Law, toasted her colleague of more than 30 years as “a beloved friend and colleague ... [who] is steadfast in integrity and loyalty. He has been dedicated for many years to excellence in teaching and scholarship. For many of us this is a bittersweet occasion. We are losing a valued colleague, but sweet because he is manifestly one of the happiest people we know.”

Rowe called himself lucky to have been a part of Duke Law. “I feel like I hitched a ride on a rocket ship with all that has happened at Duke Law School and Duke University in the 32-and-a-half years I have been a member of the faculty,” he said. “I will always be a proud emeritus member of the Duke Law faculty.” ♡ — *T.W.B.*

University of Athens honors Professor George Christie

GEORGE C. CHRISTIE, James B. Duke Professor of Law, received an honorary degree from the University of Athens on April 30. Christie was honored with the title *doctor honoris causa* — the highest given by the institution — as a distinguished scholar “who, through outstanding work, has greatly advanced our understanding and appreciation of critical issues in the broad field of law,” according to the university’s rector, Professor Christos N. Kittas. Christie was nominated for the honor by the Faculty of Law at the university’s School of Law, Economics and Political Science. Christie delivered an academic address entitled “Challenging Issues in the Adjudication of Human Rights,” based on a scholarly project in which he is currently engaged, following the public ceremony.

A Duke faculty member since 1967, Christie is an expert in the areas of torts and jurisprudence, and widely published in both. He is the editor of a casebook on jurisprudence published in 1973 and now in its second edition, another on torts, first published in 1983 and now in its fourth edition, and a third on advanced torts, published in 2004. In addition to many articles, he is also the author of two monographs: *Law, Norms and Authority* (1982) and *The Notion of an Ideal Audience in Legal Argument* (2000), which has been translated into French. ♡

Former Dean Katharine T. Bartlett was honored by alumni and friends with the establishment of a distinguished chair. See Page 59.

Professors Fisk and Salzman honored with distinguished chairs

PROFESSORS CATHERINE FISK AND JAMES SALZMAN have been named to distinguished professorships. Catherine Fisk was named the Douglas Blount Maggs Professor of Law, and Jim Salzman was named the Samuel F. Mordecai Professor of Law. Duke University President Richard H. Brodhead announced the chairs on April 25.

Salzman, who has a joint appointment in the Nicholas School of the Environment and Earth Sciences, where he is the Nicholas Institute Professor of Environmental Policy, is one of the leading scholars in environmental law today, well-known for his groundbreaking work in developing markets for ecosystems services (see Page 30). His

casebook on international environmental law, now in its third edition, is the leading text in the field and is now being used at more than 140 law schools. Salzman came to the Duke faculty in 2004 from the Washington College of Law at American University.

An expert in labor and employment law and a legal historian, much of Fisk’s interdisciplinary scholarship focuses on the intersection of intellectual property law and labor law, specifically the rights of employees to own their inventions and creative work. She also has published extensively on issues relating to workplace regulation of appearance, make-up, and dress, and those involving low-paid workers, such as janitors and immigrants, frequently

acting as a pro bono advocate on their behalf. Fisk came to the Duke Law faculty in 2004 from the University of Southern California’s Gould School of Law. She will become an inaugural faculty member of the Donald Bren School of Law at the University of California, Irvine, in July 2008.

Fisk and Salzman are popular in the classroom, and students honored both with teaching awards. The Duke Bar Association recognized Fisk with its Distinguished Teaching Award for the 2006-2007 academic year. Salzman received the “Outstanding Faculty of the Year” Award for 2006-2007 from students at the Nicholas School for the Environment and Earth Sciences. ♡

Faculty Notes

January–June, 2007

Sara Sun Beale

The Fifth Amendment and the Grand Jury, 22 Criminal Justice 4-8 (Spring 2007) (with James E. Felman)

Reporter and representative, Criminal Rules Advisory Committee, Meeting of Judicial Conference Standing Committee on Practice and Procedure, Scottsdale, Ariz., January 2007

Speaker, Duke Alumni Lunch, Phoenix, January 2007

Expert Witness on United States Law, Extradition Hearing, Magistrate's Court, London, England, February 2007

Speaker, "Prosecution of Terrorists in Federal Courts," Federal Judicial Center Training Program on Law and National Security in the War on Terrorism, Duke Law School, March 2007

Panelist, "Solutions: What Reforms, If Any, Are Necessary?," Corporate Criminality Conference, Georgetown Law Center, Washington, D.C., March 2007

Reporter, Criminal Rules Advisory Committee meeting, Brooklyn Law School, April 2007

Speaker, "Proposed Changes to the Criminal Rules," Federal Criminal Practice — Spring 2007 Seminar for Criminal Justice Act Panel Attorneys, McKimmon Center, Raleigh, April 2007

Speaker, Panel on Post-Booker Sentencing, Third Circuit Judicial Conference, Philadelphia, April 2007

Commentator, "Intuitions of Justice," Conference on Law, Behavior, and the Brain, Gruter Institute, Squaw Valley, Calif., May 2007

Speaker, Panel on Guideline Departures and Variances Outside the Range Under § 3553(a)(1), Federal Bar Association and U.S. Sentencing Commission, National Seminar on the Federal Sentencing Guidelines, Salt Lake City, May 2007

Reporter and representative of Criminal Rules Advisory Committee, Meeting of Judicial Conference Standing Committee on Practice and Procedure, Washington, D.C., June 2007

Speaker, "The News Media's Influence on Criminal Justice Policy: How Market Driven News Promotes Punitiveness," Conference of the International Society for the Reform of Criminal Law, Vancouver, Canada, June 2007

Law School representative, Duke University Academic Council

Chair, Clerkship Committee, Duke Law School

Board member, Center for Law, Ethics and National Security

Jennifer Behrens

Book Review, 99 Law Library Journal 430-432 (2007) (reviewing JOANNA DEMERS, STEAL THIS MUSIC: HOW INTELLECTUAL PROPERTY LAW AFFECTS MUSICAL CREATIVITY (2006))

Hire Learning, 10 Law Librarians in the New Millennium 5 (March/April 2007)

Donald Beskind

Lecturer, "Case in Chief: Lay Damages Witnesses," American Association for Justice, Miami, February 2007

Demonstrator, "Case in Chief: Direct Examination of a Damages Expert," Damages College, American Association for Justice, Buckhead, Ga., February 2007

Lecturer, "Techniques of Controlling an Adverse Witness," Virginia Trial Lawyers of America, White Sulphur Springs, W.Va., April 2007

Lecturer, "What Drives Damages," Civil Justice Foundation Inc., Connecticut Trial Lawyers of America, May 2007

Listed as "North Carolina Legal Elite," *Business North Carolina*, 2007

Vice president, Roscoe Pound Institute for Civil Justice

Francesca Bignami

European versus American Liberty: A Comparative Privacy Analysis of Antiterrorism Data Mining, 48 Boston College Law Review 609-698 (2007)

Privacy and Law Enforcement in the European Union: The Data Retention Directive, 8 Chicago Journal of International Law 233-254 (2007)

Protecting Privacy Against the Police in the European Union: The Data Retention Directive, in LE DROIT À LA MESURE DE L'HOMME (Mélanges en l'honneur de Philippe Léger) (Yves Bot et al. eds., Pedone 2006)

Le reti trans-governative e la democrazia: il caso della rete europea per la protezione dei dati personali [Transgovernmental Networks and Democracy: The Case of the European Data Protection Network], in IL CODICE DEL TRATTAMENTO DEI DATI PERSONALI [The Data Protection Code] 837-894 (V.

Cuffaro, R. D'Orazio & V. Ricciuto eds., 2007)

Towards a Right to Privacy in Transnational Intelligence Networks, 28 Michigan Journal of International Law 663-686 (2007)

Presenter, "Two Worlds of Democracy: Accountability in French and American Administrative Law," American Association of Law Schools (AALS) Annual Meeting, Washington, D.C., January 2007

Presenter, "The Right to Privacy in Transnational Intelligence Networks," Symposium on State Intelligence Gathering and International Law, University of Michigan Law School, Ann Arbor, February 2007

Presenter, "The U.S. Privacy Act in Comparative Perspective," Public Seminar on PNR/SWIFT/Safe Harbour: Are Transatlantic Data Protected?, European Parliament, Brussels, March 2007

Presenter, "European versus American Liberty: A Comparative Privacy Analysis of Antiterrorism Data Mining," Faculty Workshop, Boston College School of Law and Boston University Law School, March 2007

Presenter, "Towards a Right to Privacy in Transnational Intelligence Networks," International Legal Studies Colloquium, Boston College School of Law, April 2007

Presenter, "European Rights: Change and Continuity," Conference on European Constitutionalism: National, Transnational, and International Perspectives, University of Washington, Seattle, April 2007

Presenter, "The Americanization of European Law? Some Contrary Evidence from the Data Protection Directive," Biennial Conference of the European Union Studies Association, Montreal, Canada, May 2007

James Boyle

Cultural Environmentalism and Beyond, 70 Law & Contemporary Problems 5-21 (Spring 2007)

Google and the Rocks in the Web's Safe Harbours, Financial Times (FT.com), March 15, 2007

The Inefficiencies of Freedom, Financial Times (FT.com), New Technology Policy Forum, June 30, 2007

Mertonianism Unbound?: Imagining Free, Decentralized Access to Most Cultural

Faculty Notes

and *Scientific Material*, in *Understanding Knowledge as a Commons* 123 (Charlotte Hess & Elinor Ostrom eds., 2007)

Promoting Innovation, Protecting Intellectual Property: Towards Evidence Based Policy, in *G8 SUMMIT 2007: GROWTH AND RESPONSIBILITY* 34 (Newsdesk Communications, 2007)

Smarter than Jefferson?, *Financial Times* (FT.com), May 20, 2007

Special Editor, *Symposium: Cultural Environmentalism @ 10*, 70 *Law & Contemporary Problems* (Spring 2007) (with Lawrence Lessig)

Synthetic Biology: Caught Between Property Rights, the Public Domain, and the Commons, 5 *PLoS Biology* e58 (March 2007) (with Arti K. Rai)

Text is Free, We Make Our Money on Volume(s), *Financial Times* (FT.com), January 21, 2007

Curtis Bradley

Enforcing the Avena Decision in U.S. Courts, 30 *Harvard Journal of Law & Public Policy* 119-125 (2006)

The Military Commissions Act, Habeas Corpus, and the Geneva Conventions, 101 *American Journal of International Law* 322-344 (2007)

Military Commissions and Terrorist Enemy Combatants, 2 *Stanford Journal of Civil Rights & Civil Liberties* 253-257 (2006)

The International Legal Order and the Federal Judicial Power, 2007 *Supreme Court Review* 59-113

Parsing the Commander in Chief Power: Three Distinctions, 100 *American Society of International Law Proceedings* 331-332 (2006)

Presidential Signing Statements and Executive Power, 23 *Constitutional Commentary* 307-364 (2006) (with Eric A. Posner)

Sosa, Customary International Law, and the Continuing Relevance of Erie, 120 *Harvard Law Review* 870-936 (2007) (with Jack L. Goldsmith & David H. Moore)

Panelist, "The Bush Presidency and the Constitution," AALS Annual Meeting, January 2007

Panelist, "Congressional Power and the Military Commissions Act of 2006," AALS Annual Meeting, January 2007

Commentator, "The Law and Politics of International Cooperation," Winter Roundtable, Vanderbilt Law School, January 2007

Speaker, "Unratified Treaties, Domestic Politics, and the U.S. Constitution," *International Law Workshops*, University

of Georgia School of Law, February 2007; Stanford Law School, March 2007; Georgetown University Law Center, March 2007

Panelist, National Press Club Briefing on the Military Commissions Act and International Law, Washington, D.C., March 2007

Presenter, "Detention and Habeas Issues," Federal Judicial Center Training Program on Law and National Security in the War on Terrorism, Duke Law School, March 2007

Moderator, "Detaining Terrorists: Habeas Corpus Concerns," Conference on Confronting Terrorism Here and Abroad: Which Way Forward?, Duke University, April 2007

Presenter, "Military Detention in the War on Terrorism," University of Chicago Law School, May 2007

Paul Carrington

Asbestos Lessons: The Consequences of Asbestos Litigation, 26 *Review of Litigation* 583-612 (Summer 2007)

Foreign Plaintiffs in U.S. Courts: Private Enforcement of Public Law, 9 *Waseda Bulletin of Comparative Law* 149 (2007)

Mandatory Constitutions, 1 *Bucerius Law Review* 31-38 (2007)

Presenter, "Transnational Corruption," *Law and Contemporary Problems* conference on Odious Debts and State Corruption, Duke Law School, January 2007

Presenter, "Should America Have Democratized the Ottoman Empire?," Institute of Bill of Rights, William and Mary Law School, Williamsburg, February 2007

Presenter, "The Responsibility of the Supreme Court Itself for Current Threats to Judicial Independence," Conference on Judicial Independence, Southern Methodist University, Dallas, March 2007

Lecture, "Chief Justice Thomas Cooley," Supreme Court of Michigan Historical Society, Detroit, April 2007

Erwin Chemerinsky

FEDERAL JURISDICTION (5th ed., Aspen Publishers 2007) (treatise)

An Overview of the October 2005 Supreme Court Term, 22 *Touro Law Review* 873-896 (2007)

The Incredible Shrinking Docket, 43 *Trial* 64-65 (March 2007)

Injunctions in Defamation Cases, 57 *Syracuse Law Review* 157-173 (2007)

More Questions About Punitive Damages, 43 *Trial* 72-74 (May 2007)

Presidential Powers Including Military Tribunals in the October 2005 Term, 22 *Touro Law Review* 897-916 (2007)

Rediscovering Brandeis's Right to Privacy, 45 *Brandeis Law Journal* 643-657 (2007)

The State-created Danger Doctrine, 23 *Touro Law Review* 1-26 (2007)

Who Should Be the Authoritative Interpreter of the Constitution? Why There Should Not Be a Political Question Doctrine, in *The Political Question Doctrine and the Supreme Court of the United States 181-197* (Nada Mourtaba-Sabbah & Bruce E. Cain eds., 2007)

Workers Win in Retaliation Case, 43 *Trial* 58-59 (January 2007)

A Bad LAPD Decision, Squared, *Los Angeles Times*, Jan. 12, 2007, at 23

Abandoning the Promise, *Baltimore Sun*, July 5, 2007, at 15A (with Charles Clotfelter)

A Break With Precedent On Abortion, *Newark Star-Ledger*, April 23, 2007, at 15

Conservative Justice: Forget the Promises — Roberts and Alito Delivered High Court Ideology, *Los Angeles Times*, June 29, 2007, at A35

The Death of Segregation, *Raleigh News & Observer*, July 3, 2007, at A10 (with Charles Clotfelter)

High Court Must Allow Review For Guantanamo Detainees, *Orlando Sentinel*, Feb. 22, 2007, at A15

Historical Parallel To Attorney Firings?, *San Diego Union-Tribune*, March 27, 2007, at B7

Judges Know Best: Debating 'Gonzales v. Carhart', *Los Angeles Daily Journal*, May 15, 2007, at 6 (with Catherine Fisk)

Letter Imperfect, *Los Angeles Daily Journal*, April 19, 2007, at 6 (Forum Column)

Off Base, *Los Angeles Daily Journal*, Feb. 13, 2007, at 6

On the Senate Grill, Gonzales Defiant: For His Lies to the People, AG Must Go, *Los Angeles Daily Journal*, April 20, 2007, at 1

Partial Birth Decision Shows Court Will Overrule Precedent, *Chicago Sun Times*, April 23, 2007, at 43

Prisoners of the Rule of Law, *Boston Globe*, Feb. 22, 2007, A9

Rehnquist Revelation, *Los Angeles Daily Journal*, January 10, 2007, at 8

Silencing Profanity Wastes Government Time, *Los Angeles Daily Journal*, June 12, 2007, at 6

Smoky Logic, *Los Angeles Daily Journal*, March 15, 2007, at 6

A Well-Regulated Right to Bear Arms, *Washington Post*, March 14, 2007, at A15

Seminar speaker, "Police Abuse Litigation," Loyola Law School, Los Angeles, January 2007

Counsel, *Balboa Village Inn v. Lemen*, California Supreme Court, January 2007

Speaker, "Separation of Church and State," Anti-Defamation League, Houston, February 2007; William and Mary University, Williamsburg, Va., April 2007

Speaker, "The Relationship between United States Constitutional Law and Foreign Law," Florida International University, Miami, February 2007

Speaker, "Threats to Freedom of the Press," ABA Section on Communications Law, Key West, Fla., February 2007; University of Colorado, April 2007

Speaker, "Commercial Speech and the First Amendment," Loyola Law Review symposium, Los Angeles, February 2007

Counsel, *McDonald v. Virginia*, Virginia Supreme Court, February 2007

Speaker, "The Roberts Court and the Future of Constitutional Law," Samford Law School, Birmingham, Ala., March 2007

Speaker, "Pending Supreme Court Cases," Conference for Law Clerks, Pepperdine University, Malibu, March 2007

Speaker, "Federalism and the Supreme Court," Loyola Chicago Law School, March 2007

Speaker, "Privacy and the Constitution," North Carolina Central University Law School, Durham, March 2007

Participant, Mock Oral Argument, *Dred Scott v. Sanford*, Harvard Law School, April 2007

Speaker, "Why the Supreme Court was right in *Roe v. Wade*," Tulsa Law School, April 2007

Speaker, "Recent Supreme Court Developments," National Conference of Bankruptcy Judges, Baltimore, April 2007

Speaker, "Recent Developments in Civil Rights Litigation," National Meeting of ACLU Staff Attorneys, St. Louis, Mo., April 2007

Speaker, "Recent Developments in Constitutional Law, Workshop of Federal Magistrate Judges, Austin, Texas, April 2007; Conference of Nevada Judges, Reno, April 2007; Alaska Bench/Bar Conference, Fairbanks, May 2007; Wisconsin Bar Convention, Milwaukee, May 2007; Sixth Circuit Conference, Asheville, N.C.; United States District Court for the Western District of Missouri, Kansas City, June 2007

Speaker, "Recent Developments in Civil Rights Law," Chicago-Kent Law School, April 2007; Conference of Federal Judges, Suffolk Law School, Boston, June 2007; Missouri Judges' Conference, University of Missouri, June 2007

Counsel, *Wilson v. Cheney*, United States District Court for the District of Columbia, May 2007

Speaker, "Recent Developments in Criminal Procedure," National Conference of Federal Public Defenders, Miami, May 2007

Speaker, "Recent Supreme Court Decisions," United States District Court for the District of Massachusetts, June 2007

George Christie

Justice and the Law, in JUSTICE IN PARTICULAR: FESTSCHRIFT IN HONOUR OF PROFESSOR P.J. KOZYRIS 67 (Ant. N. Sakkoulas Publishers 2007)

Recipient, Honorary Doctorate, and speaker, "Challenging Issues in Human Rights Adjudication," University of Athens, Greece, April 2007

Keynote speaker, 50th Reunion, Class of 1957, Columbia Law School, New York, May 2007

Presenter, "International Human Rights Adjudication," Doshisha University, Kyoto, Japan, May 2007; German-American Law Association, Erlangen, Germany, June 2007; German-American Law Association, Jena, Germany, June 2007

Visiting professor, "American Law on Dignitary Torts," Friedrich-Alexander University, Erlangen-Nuremberg, Germany, June-July 2007

Charles Clotfelter

Abandoning the Promise, Baltimore Sun, July 5, 2007, at 15A (with Erwin Chemerinsky)

The Death of Segregation, Raleigh News & Observer, July 3, 2007, at A10 (with Erwin Chemerinsky)

High Poverty Schools and the Distribution of Teachers and Principals, 85 North Carolina Law Review 1345-1379 (2007) (with Helen F. Ladd, Jacob L. Vigdor & Justin Wheeler)

HOW AND WHY DO TEACHER CREDENTIALS MATTER FOR STUDENT ACHIEVEMENT? (NBER Working Paper No. 12828, January 2007) (with Helen F. Ladd & Jacob L. Vigdor)

Patron or Bully? The Role of Foundations in Higher Education, in RECONNECTING EDUCATION & FOUNDATIONS: TURNING GOOD INTENTIONS INTO EDUCATIONAL CAPITAL 211-248 (Ray Bacchetti & Thomas Ehrlich eds., Jossey-Bass 2007)

Seminar, "Teacher Mobility? Enemy of Equity?," New York Federal Reserve Bank, New York, April 2007

James Cox

Presenter, "Convergence in Corporate Law," "Finding Law in the Corporate Convergence Debate," Kyushu University, Fukuoka, Japan, February 2007

Convener, "Roundtable Discussion on Reform of Securities Class Action Reform," Institute of Law and Economic Policy, Duke University, February 2007

Co-author, amicus brief, *Tellabs Inc. and Richard Notebaert v. Makor Issues & Rights, Ltd.*, U.S. Supreme Court, February 2007

Panelist, "The Competitiveness of U.S. Capital Markets," National Association of State Securities Administrators Program, Washington, D.C., March 2007

Co-convener, "Financial Services Regulation in a Global Marketplace," Duke Global Capital Market Roundtables, Washington, D.C., April 2007

Presenter, "Lead Plaintiffs in Securities Class Actions," Vanderbilt University-Institute for Law and Economic Policy Institutional Investor Activism conference, Cabo San Lucas, Mexico, April 2007

Panelist, "Concentration and Competitiveness in the Accounting Industry," IOSCO Roundtable on the Accounting Profession, Paris, June 2007

Co-author, amicus brief, *Stoneridge Investment Partners LLC v. ScientificAtlanta, Inc. and Motorola Inc.*, U.S. Supreme Court, May 2007

Member, AALS Audit Committee

Member, ABA Business Law Section, Committee on Corporate Laws

Chair, University Priorities Committee, Duke University

Member, Central Campus Planning Committee, Duke University

Member, Master Plan Oversight Committee, Duke University

Member, Business and Finance Committee, Duke Trustees, Duke University

Richard Danner

Academic Freedom Issues for Academic Librarians, 25(4) Legal Reference Services Quarterly 13-35 (2006) (with Barbara Bintliff)

Editor, LEGAL INFORMATION AND THE DEVELOPMENT OF AMERICAN LAW: FURTHER THINKING ABOUT THE THOUGHTS OF BOB BERRING, 99 Law Library Journal (2007)

Legal Information and the Development of American Law: Writings on the Form and Structure of the Published Law, 99 Law Library Journal 193-227 (2007)

Panelist, "Open Access and the Future of Legal Scholarship: Copyright, Print Journals

Faculty Notes

and Electronic Repositories," AALS Annual Meeting, Washington, D.C., January 2007

Member, ABA Accreditation Self-Evaluation Team, University of Michigan Law School, March 2007

Re-elected, first vice president, International Association of Law Libraries, May 2007

Anne Dellinger

Appointed, director of Adolescent Health Programs, National Partnership for Women & Families

Walter E. Dellinger III

The Purse Isn't Congress' Only Weapon, New York Times, March 14, 2007, at A23 (with Christopher H. Schroeder), republished as *Options for Congress Managing War*, International Herald Tribune, March 15, 2007 at 7

What Congress Gets to Know: How to End the Standoff on Executive Privilege and the U.S. Attorney Scandal, Slate.com, March 26, 2007 (with Christopher H. Schroeder) at: <http://www.slate.com/id/2161448/>

Witness, "Exercising Congress' Constitutional Power to End a War," United States Senate Committee on the Judiciary, Washington, D.C., January 2007

Deborah DeMott

Disloyal Agents, 58 Alabama Law Review 1049-1067 (2007) (Meador Lecture Series)

Presenter, "The First Restatement of Agency: What Was the Agenda?," for program "Did the First Restatements Implement a Reform Agenda?," AALS Annual Meeting, Washington, D.C., January 2007

Presenter, "Agency by Analogy: A Comment on Odious Debt," Conference on Odious Debts and State Corruption, Duke Law School, January 2007

Panel organizer and moderator, "Dimensions of Disney," Section on Business Associations, AALS Annual Meeting, Washington, D.C., January 2007

Commentator, "The Role of Assurance Services in Global Commerce," Faculty Workshop, University of North Carolina School of Law, March 2007

Participant, American Law Institute Advisers' Meetings on Restatement (Third) of Economic Torts and Related Wrongs and Restatement (Third) of Employment Law, Philadelphia, June 2007

Faculty co-chair, Committee on Facilities and Environment, Duke University

Member, Trustee Committee on Building and Grounds, Duke University

Bruce Elvin

Presenter, "Dealing with Conflict & Difficult People", The Tisch Brain Tumor Center at Duke University Medical Center, May 2007

Participant and author, "Are we at the end of 'work' as we know it?" Career Summit at Duke University, March 2007

Robinson Everett

The Role of Military Tribunals Under the Law of War, 24 Boston University International Law Journal 1-14 (2006)

Participant, Coalition for Diversity Committee meeting, ABA Midyear Meeting, Miami, February 2007

Attendee, American Judicature Society Board of Directors Midyear Meeting, Washington, D.C., February 2007

Attendee, North Carolina Institute for Constitutional Law Board of Directors meeting, Raleigh, March 2007

Participant, Robinson O. Everett White Collar Crime Symposium, Duke Law School, March 2007

Attendee as board member, American Inns of Court National Conference, Richmond, Va., April 2007

Counselor, ABA Standing Committee on National Security Law business meeting, Washington, D.C., May 2007

Attendee, Annual Committee Meeting, Judicial Conference of the U.S. Court of Appeals for the Armed Forces, and the Annual Dinner of the Judge Advocates Association, May 2007

Chair, Legal Assistance to Military Personnel (LAMP) Committee, North Carolina State Bar

Catherine Fisk

Foreword: Making Makeup Matter, 14 Duke Journal of Gender Law & Policy 1-11 (2007) (with Devon Carbado & Mitu Gulati)

Judges Know Best: Debating *Gonzales v. Carhart*, Los Angeles Daily Journal, May 15, 2007, at 6 (with Erwin Chemerinsky)

The Story of 'Ingersoll Rand v. Ciavatta': Employee Inventors in Corporate Research and Development — Reconciling Innovation with Entrepreneurship, in EMPLOYMENT LAW STORIES 143-177 (Samuel Estreicher & Gillian Lester eds., 2007)

Presenter, "Attribution, Authenticity, and the Corporate Production of Culture, 1900-1930," Association for the Study of Law, Culture, and the Humanities Conference, Georgetown University Law Center, March 2007

Presenter, "Corporate Management of Science and Scientific Management

of Corporations, 1890-1930," UCLA IP Scholarship Colloquium, February 2007

Presenter, "Free Labor and the Culture of Work, 1885-1920," Triangle Legal History Seminar Series, National Humanities Center, Research Triangle Park, N.C., February 2007

Awarded distinguished chair, Douglas Blount Maggs Professor of Law, Duke University, April 2007

Recipient, Duke Bar Association Distinguished Teaching Award 2006-2007, May 2007

Selected, Professional Schools Fellow for the Franklin Humanities Institute 2007-2008 Seminar, Duke University

Joel Fleishman

THE FOUNDATION: A GREAT AMERICAN SECRET—HOW PRIVATE WEALTH IS CHANGING THE WORLD (Public Affairs Books, 2007)

CASEBOOK FOR THE FOUNDATION: A GREAT AMERICAN SECRET (Public Affairs Books, 2007) (with Scott Kohler and Steven Schindler)

Speaker, "The Foundation: How Private Wealth is Changing the World," Forum of Regional Associations of Grantmakers, Washington, D.C., March 2007; Council on Foundations Board of Trustees dinner meeting, Greensboro, N.C., March 2007; Franklin Street Partners Hedge Fund Summit, Chapel Hill, April 2007; Robert Wood Johnson Foundation Board of Trustees meeting, Princeton, N.J., April 2007; Annual Conference of New Jersey Grantmakers, New Brunswick, N.J., May 2007; Forum hosted by the Foundation for the Carolinas, Charlotte, May 2007; California Community Foundation Board of Trustees meeting, El Monte, Calif, June 2007

Panelist, "Transparent and Accountable: Policing America's Foundations," Urban Institute Forum, Washington, D.C., March 2007

Panelist, "Reshaping the Nonprofit Sector: Paradigm Shift or Evolutionary Change," moderated by Judy Woodruff, Commonfund Forum 2007, Orlando, March 2007

Speaker, "How Foundations Succeed and Fail," 2006-07 Distinguished Speakers Series, The Center on Philanthropy and Public Policy, University of Southern California, Los Angeles, March 2007

Panelist, "Reexamining the Public Charity/Private Foundation Distinction," American Bar Association Section of Taxation, Washington, D.C., May 2007

Speaker, "What Universities Should Know About How Foundations Make Their Decisions," Annual Conference for

Corporate and Foundation Relations Officers, Council for Advancement and Support of Education, San Francisco, June 2007

Speaker, "A Model of Transparency for American Foundations," Bill and Melinda Gates Foundation, Seattle, June 2007

Andrew Foster

Appointed associate editor, *Journal of Affordable Housing and Community Development Law*

Mitu Gulati

Contracts Without Law: Sovereign Versus Corporate Debt, 75 University of Cincinnati Law Review 977-1004 (2007) (with George G. Triantis)

Foreword: Making Makeup Matter, 14 Duke Journal of Gender Law & Policy 1-11 (2007) (with Devon Carbado & Catherine Fisk)

Ranking Judges According to Citation Bias, 82 Notre Dame Law Review 1279-1309 (2007) (with Stephen Choi)

The Dilemma of Odious Debts, 56 Duke Law Journal 1201-1262 (2007) (with Lee C. Buchheit & Robert B. Thompson)

Paul Haagen

Speaker, "Duke Lacrosse Case," Torch Club, Chapel Hill, February 2007

Speaker, "Doping and Due Process," Annual Conference, International Society for Mental Health and Law, University of Padua, Italy, June 2007

Hannover Ruck Guest Professor of American Law, Faculty of Law, Georg August University, Goettingen, Germany, June 2007

Chair, Duke University Academic Council

Donald Horowitz

Constitutional Courts: A Primer for Decision Makers, 17 Journal of Democracy 125-137 (October 2006)

The Iraq Alternative, Wall Street Journal, Dec. 4, 2006, at A16

Unifying Iraq, Wall Street Journal, June 19, 2007, at A16

Presenter, "Islamic Law in the Constitutions of Muslim States," AALS Annual Meeting, Section on Islamic Law, Washington, D.C., January 2007

Speaker, "Constitutional Processes," Conference on Constitutional Change in Taiwan, American Enterprise Institute, Washington, D.C., January 2007

Keynote speaker, "Choices in Establishing Constitutional Government," Conference on Transformations in New Democracies, Taiwan Foundation for Democracy, Taiwan, January 2007

Presenter, "Conciliatory Institutions and Constitutional Processes," Conference on Constitution Drafting in Post-Conflict States, William and Mary Law School, Williamsburg, Va., February 2007

Speaker, "The Iraq Constitution and the Rule of Law," Politics, Law, and Economics Lecture Series, Campbell University, Buies Creek, N.C., March 2007

Discussant, "Proposed Revisions in the Thai Constitution," to a delegation of Thai officials, academics, party leaders, and civil society, Durham, March 2007

Speaker, "Federalism and Ethnic Conflict," Center for American Progress, Washington, D.C., March 2007

Speaker, "Federalism: Foresighted, Foregone, and Forsaken," Drake University Constitutional Law Annual Symposium, April 2007

Speaker, "If Not Democracy, Then What? Ethnicity, Religion, and Politics in the Middle East," Pew-Hudson Capitol Hill series for senior Senate and House staff, Washington, D.C., April 2007

Invited discussant, "Iraq Policy," with President Bush and Vice-President Cheney, Oval Office, White House, Washington, D.C., May 2007

Commentator, "Southeast Asia," Conference on Administrative Law and Judicialized Governance in Asia, Law Faculty at Hong Kong University, June 2007

Elected president, American Society for Political and Legal Philosophy

Judith Horowitz

Member, Postgraduate Legal Education Committee, American Bar Association, 2007-08

Member, Placement Committee for the Palestinian Rule of Law Program, Open Society Institute, Spring 2007

Sapna Kumar

Enforcing the GNU General Public License, 2006 University of Illinois Journal of Law, Technology & Policy 1

Synthetic Biology: The Intellectual Property Puzzle, 85 Texas Law Review 1745-1768 (2007) (with Arti K. Rai)

David Lange

INTELLECTUAL PROPERTY: CASES AND MATERIALS (3d ed. 2007) (with Mary LaFrance & Gary Myers)

Teacher's Manual to INTELLECTUAL PROPERTY: CASES AND MATERIALS (3d ed. 2007) (with Mary LaFrance & Gary Myers)

Martin Lybecker

New Developments in Bank Securities Regulation, 114 ABA Trust & Investments 30 (November-December 2006)

Resolving the Bank/Broker Impasse: Proposed Regulation R Represents Joint Effort by SEC and Federal Reserve Board, 124 Banking Law Journal 144 (February 2007) (with Soo J. Yim, Cristie L. March & Brian M. Johnson)

Sequel to the Definition of Investment Company: A Riddle Wrapped in a Mystery Within an Enigma, 14 The Investment Lawyer 1 (July 2007) (with Matthew A. Chambers)

Speaker, "Collective Investment Funds," Subcommittee on Trust and Fiduciary Activities, Banking Law Committee, Section of Business Law, ABA Spring Meeting, Washington, D.C., March 2007

Moderator, "Hedge Funds: Proposed SEC Regulations and Your Advice to Managers and Investors," ALI-ABA Teleseminar & Audio Webcast, May 2007

Speaker, "Equity Index Annuities: Insurance versus Securities," Senior Investors, Annuities, and Suitability Rules, FRC's 8th Annual Investment Adviser Compliance Forum, New York, May 2007

Reappointed as member, Task Force on the Gatekeeper Regulation and the Profession, American Bar Association

Appointed as member, Standing Committee on Government Affairs, American Bar Association

Profiled in *Chambers USA: America's Leading Lawyers for Business*, Investment Management, 2007 edition

Selected by peers for inclusion, *Best Lawyers in America 2007* (Mutual Fund Law, Banking Law)

Jennifer Maher

Panelist, "Serving Our International Students: Supporting Excellence and Success," AALS Annual Meeting, Washington, D.C., January 2007

Carolyn McAllaster

Presenter, "Working Together to Advocate for HIV-Infected Clients in Disability Claims," Staff Workshop, University of North Carolina Infectious Diseases Clinic, February 2007

Presenter, "Access to Healthcare for HIV-Infected Individuals," 28th Annual Minority Health Conference, University of North Carolina School of Public Health, February 2007

Presenter, "Wills, Advance Directives, and Guardianship Planning," Workshop for Duke

Faculty Notes

Addictions Program participants, Durham, March 2007

Presenter, "Legal Issues in HIV," 2007 Community Forum on HIV, March 2007

Presenter, "Legal Needs of HIV-Infected Clients," workshop for HIV peer mediators, Duke Infectious Diseases Clinic, May 2007

Francis McGovern

Filings By Companies With Asbestos Liabilities, 24 Delaware Lawyer 18-23 (Winter 2006)

Speaker, "Designing Facilities for Awarding Reparations in History," Cour De Cassation, Paris, February 2007

Seminar leader, "The Class Action Fairness Act," University of San Francisco School of Law, March 2007

Presenter, "Mediator's Tips, Tools and Techniques," Association of Attorney-Mediators, Santa Fe, N.M., March 2007

Presenter, "Mediation Developments," sessions for practitioners and judges, ALI-ABA's Civil Practice & Litigation Techniques in Federal and State Courts, St. Thomas, U.S. Virgin Islands, March 2007

Presenter, Arbitration Education Conference, American Arbitration Association, Washington, D.C., April 2007

Presenter, Louisiana Association for Justice, Baton Rouge, La., April 2007

Presenter, "Movies and the Law," The Bohemian Club, San Francisco, April 2007

Seminar leader, "United Nations Compensation Commission," Stanford Law School, April 2007

Seminar leader, "Dispute Resolution System Design," Stanford Law School, March 2007

Seminar leader, "Alternative Dispute Resolution," Harvard Law School, March 2007

Presenter, "Business In and Between India and the United States," IACC / CAIL / ALI-ABA, New Delhi, India, May 2007

Panelist, "Fact-Finding in Civil Law Countries: Lessons for Simplifying the U.S. Discovery Process," Federal Judicial Center, Washington, D.C., May 2007

Thomas Metzloff

Following The Script: An Empirical Analysis of Court-Ordered Mediation of Medical Malpractice Cases, 2007 Journal of Dispute Resolution 101-118 (with Ralph Peeples & Catherine Harris)

Voices of American Law Video Project: *Lynch v. Donnelly* (2007) (with Sarah Wood & Todd Shoemaker, videographer)

Ralf Michaels

Comments on the European Commission's Proposal for a Regulation of the European Parliament and the Council on the Law Applicable to Contractual Obligations (Rome I), 71 *Rabels Zeitschrift für ausländisches und internationales Privatrecht* 225-344 (2007) (co-author, Working Group on Rome I, Max Planck Institute for Comparative and International Private Law)

Globalizing Savigny? The State in Savigny's Private International Law and the Challenge from Europeanization and Globalization, in *DEZENTRALISIERUNG. AKTUELLE FRAGEN POLITISCHER UND RECHTLICHER STEUERUNG IM KONTEXT DER GLOBALISIERUNG* 119-144 (Michael Stolleis & Wolfgang Streeck eds, Nomos, 2007)

Private Law and the State: Comparative Perceptions and Historic Observations, 71 *Rabels Zeitschrift fuer auslaendisches und internationales Privatrecht* 345-397 (2007) (with Nils Jansen)

Private Law Beyond the State? Europeanization, Globalization, Privatization, 54 *American Journal of Comparative Law* 843-890 (2006) (with Nils Jansen)

Presenter, "Evolution and Differentiation of Legal Systems — Towards a Constructal Theory of Law?," International Workshop: Constructal Theory and Social Dynamics, Duke University Dept. of Engineering, April 2007

Recipient, Dean's Award for Scholarship, Duke Law School, April 2007

Madeline Morris

International Humanitarian Law: State Collusion and the Conundrum of Jurisdiction, in *INTERNATIONAL LAW AND INTERNATIONAL RELATIONS: BRIDGING THEORY AND PRACTICE* 194-103 (Thomas J. Biersteker et al. eds., Routledge 2007)

Robert Mosteller

Police Deception Before Miranda Warnings: The Case for Per Se Exclusion of an Entirely Unjustified Practice at a Particularly Sensitive Moment, 39 *Texas Tech Law Review* 1239-1273 (2007)

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Presenter, "Expertise in the Courtroom: Scientists and Wizards," Villanova Law School, October 2006

Presenter, "Crawford, Davis and The Right of Confrontation: Where do We Go from Here," Regent Law School, Virginia Beach, October 2006

Presenter, "Crawford and Beyond," Brooklyn Law School, September 2006

Speaker, "Testing the Testimonial Concept and Exceptions to Confrontation: 'A Little Child Shall Lead Them,'" AALS Evidence Section Annual Meeting on Children and Evidence Law: Special Rules of Competence, Hearsay and Confrontation, Washington, D.C., January 2007

Speaker, "Police Deception before *Miranda* Warnings: The Case for a *Per Se* Prohibition of an Entirely Unjustified Practice at the Critical Moment," symposium on Citizen Ignorance, Police Deception, and the Constitution, Texas Tech School of Law, April 2007

Jonathan Ocko

Interpretive Communities: Legal Meaning in Qing Law, in *WRITING AND LAW IN LATE IMPERIAL CHINA: CRIME, CONFLICT AND JUDGMENT* 261-283 (Robert E. Hegel & Katherine Carlitz eds., 2007)

Qingdai sifa zhidu yu sifa wenxue jiaoliao [Interaction Between the Judicial System and Legal Literature in the Qing], 2006/1 *FASHI XUEKAN* [Chinese Journal of legal History (published by the China Legal History Society)] 139-159

H. Jefferson Powell

A Teacher, 105 *Michigan Law Review* 1393 (2007) (Tribute to Professor J.B. White)

A Tribute to Lewis H. Larue, 63 *Washington & Lee Law Review* 14 (2006)

Conference co-chair and speaker, "Law as a Tool: The Consequences for American Government," Conference on Law and Democracy in the Empire of Force, University of Michigan Law School, April 2007

Jedediah Purdy

People as Resources: Recruitment and Reciprocity in the Freedom-Promoting Approach to Property, 56 *Duke Law Journal* 1047-1117 (2007)

Property and Empire: The Law of Imperialism in Johnson v. M'Intosh, 75 *George Washington Law Review* 329-371 (2007)

Presenter, "American Freedoms: Presentation of a Manuscript in Progress," New America Foundation, Washington, D.C., January 2007

Presenter, "Property and Empire: Rereading *Johnson v. M'Intosh*," Harvard Law School History Colloquium, April 2007

Presenter, "Some Chords of Freedom," Conference on Law and Democracy in the Empire of Force, University of Michigan Law School, April 2007

Presenter, "Contexts, Choices, and Values: Freedom and Institutional Design," UC Hastings Law School, April 2007

Visiting Assistant Professor, Harvard Law School, Spring 2007

Fellow, Safra Center for Ethics, Kennedy School of Government, Harvard University, 2006-07

Arti Rai

The Ends of Intellectual Property: Health as a Case Study, 70 *Law & Contemporary Problems* 125-130 (Spring 2007)

Synthetic Biology: Caught Between Property Rights, the Public Domain, and the Commons, 5 *PLoS Biology* e58 (March 2007) (with James Boyle)

Synthetic Biology: The Intellectual Property Puzzle, 85 *Texas Law Review* 1745-1768 (2007) (with Sapna Kumar)

Jerome Reichman

The Case for Government Oversight and Government Funding of Clinical Trials, 4 *Economists Voice* (Iss. 1 Art. 3, January 2007) (with Tracy Lewis & Anthony So) at: <http://www.bepress.com/ev/vol4/iss1/art3/>

Co-author and reporter to European Union, "Access to Essential Medicines: Lessons Learned since the Doha Declaration on the TRIPS Agreement and Public Health Policy Options for the EU," June 2007

William Reppy

Special editor, *SYMPOSIUM: ANIMAL LAW AND POLICY*, 70 *Law & Contemporary Problems* (Winter 2007) (with Jeff Welty)

Broad Exemptions in Animal-Cruelty Statutes Unconstitutionally Deny Equal Protection of the Law, 70 *Law & Contemporary Problems* 255-324 (Winter 2007)

Speaker, "Recent Developments in North Carolina Animal Law," Festival of Learning, University of North Carolina School of Law, February 2007

Judge, National Center for Animal Law Moot Court Competition, Harvard Law School, February 2007

Speaker, "Estate Planning for Pets," Society for the Prevention of Cruelty to Animals of Wake County N.C., February 2007

Barak Richman

Speaker, "The King of Rockingham County and the Original Bridge to Nowhere," Braxton Craven Inn of Court, Durham, February 2007

Presenter, "Patterns in Health Care Consumption: Do You Get What You Pay For?," John Hope Franklin Center, Duke University, March 2007

Organizer and presenter, "The Antitrust of Private Ordering," Triangle Law & Economics Conference, Duke Law School, April 2007

Speaker, "Rebuilding Illinois Brick: A Functionalist Approach to the Indirect Purchaser Rule," American Law & Economic Association Annual Meeting, Cambridge, Mass., May 2007

Presenter, "Robin Hood, Robber Baron, or Rubik's Cube? How Fair is the Distribution of Benefits in the U.S. Health-Care System?," American Enterprise Institute, Washington, D.C., May 2007

Thomas Rowe

CONSTITUTIONAL THEORY: ARGUMENTS AND PERSPECTIVES (3d ed., LexisNexis 2007) (with Michael J. Gerhardt & Stephen M. Griffin)

FEDERAL COURTS IN THE TWENTY-FIRST CENTURY (3d ed., LexisNexis 2007) (with others)

2007 Supplement to *CIVIL PROCEDURE* (1994) (with Suzanna Sherry & Jay Tidmarsh)

Speaker, "Federal Jurisdiction: Selected Significant Topics and Recent Developments," Judicial Clerkship Institute, Pepperdine University School of Law, March 2007

Speaker, "State and Foreign Class-Action Rules and Statutes: Differences from — and Lessons For? — Federal Rule 23," Western State University College of Law Symposium on State Civil Procedure, April 2007

Panelist, "Restyled Federal Rules of Civil Procedure," LexisNexis "Webinar," May 2007

Consultant, U.S. Judicial Conference Advisory Committee on Civil Rules

Member, American Law Institute Members' Consultative Groups on *Principles of the Law of Aggregate Litigation* and *Restatement (Third) of Restatement and Unjust Enrichment*

Member, Board of Editors, *Federal Courts Law Review*

James Salzman

CONCEPTS AND INSIGHTS IN ENVIRONMENTAL LAW (2d ed., Foundation Press 2007) (with Barton Thompson, Jr.)

Negligence in the Air: The Duty of Care in Climate Change Litigation, 156 *University of Pennsylvania Law Review* 101-154 (2007) (with David Hunter)

THE PRACTICE AND POLICY OF ENVIRONMENTAL LAW (Foundation Press, 2007) (with J.B. Ruhl & John Nagle)

Contributing author, *FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, THE STATE OF FOOD AND AGRICULTURE 2006*

Keynote presentation, "How to Think About Ecosystem Services," Texas Forest Service conference, Houston, March 2007

Presenter, "Thirst: A Short History of Drinking Water," Faculty Workshop, University of Minnesota, April 2007

Presenter, "The Law and Policy of Ecosystem Services," School for Prosecutors, Porto Alegre; School for Magistrates, Porto Alegre; Conference on the Environmental State, Porto Alegre; and Conference on Lawyers for a Green Planet, Sao Paulo, U.S. State Department speaking tour, Brazil, May 2007

Presenter, "Climate Change Litigation," School for Prosecutors, Porto Alegre in Curitiba, U.S. State Department speaking tour, Brazil, May 2007

Honored by students as "Professor of the Year 2006-07" for classes over 30 students, Nicholas School of the Environment and Earth Sciences, May 2007

Awarded distinguished chair, Samuel F. Mordecai Professorship, Duke University, April 2007

Appointed member, Board of Advisors, Bren School of Environmental Science and Management, University of California at Santa Barbara

Richard Schmalbeck

FEDERAL INCOME TAXATION: CASES AND MATERIALS (2d ed., Aspen Publishing 2007) (with Lawrence Zelenak)

Moderator, "Folklore of the Rankings: Games, Morals, and the Effects on Legal Education," AALS Annual Meeting, Washington, D.C., January 2007

Presenter, "Thinking of the Estate Tax as an Income Tax Surcharge," Critical Tax Theory Conference, University of California-Los Angeles, April 2007

Faculty, International Tax, Instituto Tecnico Autonomo de Mexico, Mexico City, May 2007

Member, AALS Membership Review Committee

Member, LSAC Test Development and Research Committee

Christopher Schroeder

The Purse Isn't Congress' Only Weapon, *New York Times*, March 14, 2007, at A23 (with Walter Dellinger), republished as *Options for Congress Managing War*, *International Herald Tribune*, March 15 at 7

What Congress Gets to Know: How to End the Standoff on Executive Privilege and the U.S. Attorney Scandal, *Slate.com*,

Faculty Notes

March 26, 2007 (with Walter Dellinger) at: <http://www.slate.com/id/2161448/>

Panelist, "Presidential Signing Statements," Conference on The Constitutional Implications of Presidential Signing Statements, Institute of Bill of Rights Law, William and Mary Law School, Williamsburg, Va., February 2007

Panelist, "Military Commissions Act of 2006," Program in Public Law, Duke Law School, February 2007

Panelist, "Impact of the *Kelo* Decision," Program in Public Law, Duke Law School, February 2007

Speaker, Symposium on Drug Discovery, Development and Translation, Institute of Medicine, Washington, D.C., March 2007

Speaker, "Emergency Powers and the Constitution," New York Chapter of the Anti Defamation League, New York University School of Law, March 2007

Instructor, Federal Judicial Center Training Program on Law and National Security in the War on Terrorism, Duke Law School, March 2007

Speaker, "Global Climate Change: National Security Implications," Triangle Institute for Strategic Studies, Chapel Hill, March 2007

Guest, "Congress' War Powers," Newshour with Jim Lehrer, PBS, April 2007

Speaker, "Domestic Spying," Annual National Security Conference, Duke University, April 2007

Speaker, "President Truman and the Administrative Procedure Act," Annual Truman Conference — President Truman and the Environment, Truman Library, Key West, Fla., June 2007

Steven Schwarcz

Automatic Perfection of Sales of Payment Intangibles: A Trap for the Unwary, 68 Ohio State Law Journal 273-279 (2007)

Explaining the Value of Transactional Lawyering, 12 Stanford Journal of Law, Business & Finance 486-535 (2007)

Substantive Consolidation of Corporate Groups in Insolvency Situations and Delaware Limited Liability Companies in the Zone of Insolvency, 81 Australian Law Journal 15 (January 2007)

Presenter, "To Make or to Buy: In-House Lawyering and Value Creation," Faculty Workshop, American University Law School, Washington, D.C., February 2007

Moderator, "From the Courtroom to the Boardroom: Life as an In-House Counsel," Fifth Annual Duke Law ESQ. Career Symposium, March 2007

Presenter, "Systemic Risk," Duke Law School Early-Stages Workshop, April 2007

Visiting professor, University of Geneva Faculty of Law, Master of Business Law Programme, May-June, 2007

Presenter and panelist, "Hedge Funds: The New Masters of the Bankruptcy Universe," 7th Annual Meeting, International Insolvency Institute, New York, June 2007

Appointed adviser, American Bar Association Business Law Section

Scott Silliman

Presenter, "The War on Terrorism," Duke University Library's Engaging Faculty Series, January 2007

Presenter, "National Security Law Update," and panelist, "Ethics in a Time of Terror," Festival of Legal Learning, the University of North Carolina School of Law, February 2007

Presenter, "Legal Issues in the War on Terrorism," North Carolina Bar Association, Cary, February 2007

Lecturer, "Issues in Military Law," Duke University Air Force ROTC Program, February 2007

Organizer and lecturer, "Military Commissions and Interrogation Techniques," Federal Judicial Center Program on Law and National Security in the War on Terrorism, Duke Law School, March 2007

Keynote presenter, "Update on Legal and Policy Issues in the War on Terrorism," North Carolina Central University Law School's Law Journal Spring Symposium, Durham, March 2007

Convener and panel chair, "Military Commissions," Conference on Confronting Terrorism Here and Abroad: Which Way Forward, Duke University, April 2007

2007 Heath Lecturer, "Current Issues in the War on Terrorism," Heath Lecture Series, Goldsboro Rotary Club, Goldsboro N.C., April 2007

Lecturer, "The Torture Debate," Upper School of Durham Academy, April 2007

Presenter, "The War on Terrorism," Rotary Club of High Point, N.C., April 2007

Presenter, "Understanding the War on Terrorism," Duke Club of Hilton Head, S.C., May 2007

Presenter, "Legal and Policy Issues in the War on Terrorism," The Forest at Duke, Durham, June 2007

Lecturer, "Current Legal Issues in the War on Terrorism," JD/LLM Lunch and Learn Series, Duke Law School, June 2007

Carol Spruill

Appointed chair, Loan Repayment Assistance Committee, North Carolina Bar Association, June 2007

Chair, Education Working Group, North Carolina Equal Access to Justice Commission

Member, North Carolina Equal Access to Justice Commission

Member, Equal Justice Works National Advisory Committee

Member, North Carolina Bar Association Law School Liaison Committee

Member, North Carolina Bar Association Public Service Advisory Committee

Member, Women's Forum of North Carolina

Michael Tigar

THINKING ABOUT TERRORISM: THE THREAT TO CIVIL LIBERTIES IN TIMES OF NATIONAL EMERGENCY (American Bar Assoc., 2007)

Panelist, "Trying Cases in the Media," Duke Law School, January 2007

Panelist, "Conflict and Post-Conflict Situations and the Ensuing Need for Justice," Duke Law School, February 2007

Lecturer, "Universal Competence and Penal Responsibilities of Heads of State," Université Paul-Cezanne, Faculty of Law, Aix-en-Provence, March 2007

Lecturer, "Protection of Fundamental Rights in France and the United States," Université Paul-Cezanne, Faculté de droit, Aix-en-Provence, March 2007

Panelist, "Ethics Issues in the Duke Lacrosse Case," Duke Law School, April 2007

Lecturer, "A Closer Look at 'Terrorist' Groups," Asser Institute, The Hague, Netherlands, June 2007

Lecturer, "Immunities: From Augusto Pinochet to Slobodan Milosevic," Asser Institute, The Hague, Netherlands, June 2007

Laura Underkuffler

Human Genetics Studies: The Case for Group Rights, 35 Journal of Law, Medicine & Ethics 383-395 (2007)

Kelo's Moral Failure, 15 William & Mary Bill of Rights Journal 377-387 (2006)

Through a Glass Darkly: Van Orden, McCreary and the Dangers of Transparency in Establishment Clause Jurisprudence, 5 First Amendment Law Review 59-81 (2006)

Neil Vidmar

AMERICAN JURIES: THE VERDICT (Prometheus Books, 2007) (with Valerie P. Hans)

Presenter, "Theory, Data, and Ecological Validity," Conference on Law and Mind Sciences, Harvard Law School, March 2007

Discussant, Symposium on Genuine Tort Reform, Papitto School of Law, Roger Williams University, April 2007

Participant, Conventions in Science and the Law, Coronado Conference IV, Bretton Woods, N.H., May 2007

Presenter, "How Juries Decide: Expert Evidence," Joint Meeting of the Australian and New Zealand Association of Psychiatry, Psychology and Law, The Australian and New Zealand Forensic Science Society, and the Criminal Lawyers Association of Western Australia, Perth, Australia, June 2007

Lecturer, "Judging the Jury: What We Know and What Might be Done," Biannual conference of Australian and New Zealand County and District Court Judges Conference, Freemantle, Western Australia, June 2007; Supreme Court Judges of Western Australia, Perth, June 2007

Stephen Wallenstein

Participant, Hills Program on Governance Academic Council Meeting, Center for Strategic and International Studies, Washington, D.C., April 2007

Participant, Global Strategy Institute Advisory Committee, Center for Strategic and International Studies, Washington, D.C., April 2007

Panelist, "The Role of Outside Advisers in Board Governance," Annual Boardroom Summit, Corporate Board Member Academic Council Roundtable, New York, May 2007

Participant as member, Financial Times Stock Exchange Americas Committee, Board Meeting, New York, June 2007

Alan Weinberg

Participant, 2007 Judicial Conference of the United States Tax Court, Williamsburg, Va., April 2007

Panelist, "Incorporating Video Technology into Clinical Legal Education," Center for Instructional Technology Seventh Annual Technology Showcase, Duke University, April 2007

Moderator, "Working with Appeals in Docketed Cases," Low Income Taxpayer Committee, American Bar Association Tax Section, Washington, D.C., May 2007

Panelist, "Working Classification for Employment Tax Purposes, American Bar Association Tax Section, Washington, D.C., May 2007

Jeff Welty

Special editor, ANIMAL LAW AND POLICY, 70 Law & Contemporary Problems (Winter 2007) (with William A. Reppy, Jr.)

Foreword: *Animal Law: Thinking About the Future*, 70 Law & Contemporary Problems 1-8 (Winter 2007)

Humane Slaughter Laws, 70 Law & Contemporary Problems 175-206 (Winter 2007)

Jonathan Wiener

Precaution, in OXFORD HANDBOOK OF INTERNATIONAL ENVIRONMENTAL LAW 597-612 (Daniel Bodansky, Jutta Brunnee & Ellen Hey eds., 2007)

Think Globally, Act Globally: The Limits of Local Climate Policies, 155 University of Pennsylvania Law Review 101-119 (2007)

Speaker, "Comparing Risk Regulation in the U.S. and Europe," Georgetown University Law School, September 2007

Visiting professor, University of Chicago Law School, Spring 2007

Lawrence Zelenak

FEDERAL INCOME TAXATION: CASES AND MATERIALS (2d ed., Aspen Publishing 2007) (with Richard L. Schmalbeck)

2007 Supplements No. 1 & 2 to FEDERAL INCOME TAXATION OF INDIVIDUALS (3d ed. 2002) (with Martin J. McMahon, Jr.)

Presenter, "Justice Holmes, Ralph Kramden, and the Civic Virtues of a Tax Return Filing Requirement," Faculty Workshop, Georgetown University Law Center, April 2007

Eric Lieberman '91: Washington Post counsel fights to protect reporters' sources



THE RIGHT OF REPORTERS to keep their sources confidential was at the heart of the federal investigation into the 2003 leak of CIA agent Valerie Plame's identity to the press. Special Prosecutor Patrick Fitzgerald blanketed political reporters in Washington with grand jury subpoenas; Judith Miller of *The New York Times* spent 85 days in jail after refusing to disclose her source.

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As the investigation into the Plame leak unfolded, Eric Lieberman '91, then in-house counsel for *The Washington Post*, worked — successfully — to make sure that *Post* reporters maintained the promises of confidentiality made to their sources and avoided a confrontation with the federal courts and the special prosecutor. Eventually sources released the *Post* reporters to give deposition testimony about their conversations.

Lieberman, who became the *Post's* vice president and general counsel on Sept. 1, says, “[I spend] much more time than I ever thought possible” dealing with subpoenas that seek to discover the identity of reporters' confidential sources. He is working

with other media organizations to press Congress for a “shield law” that would provide reporters with a qualified right not to identify confidential sources in federal court proceedings.

In 2002, Lieberman was involved in a precedent-setting case that established a qualified privilege for war correspondents called to testify before an international tribunal. The issue arose when the prosecutor at The Hague-based International Criminal Tribunal for the Former Yugoslavia summoned a former *Post* foreign correspondent to testify about a conversation that he had with an alleged war criminal while reporting on the Yugoslavian conflict in the early 1990s.

“No protection for reporters had been formally recognized by the tribunal,” Lieberman explains. “We argued that such a privilege was key to the safety of journalists who report in war zones — they could be in danger if they were seen as [non-neutral] potential witnesses in war crime prosecutions,” he recalls. “We also feared that if reporters could be routinely called to testify about what they saw in combat zones, they would lose access to those areas, and the public would, ultimately, be less informed about important conflicts.”

The tribunal's Appeals Chamber ultimately ruled that journalists who investigate or report on conflicts from inside the conflict zone cannot be subpoenaed unless the evidence is essential to determine a key issue in the case and cannot reasonably be obtained in another way.

In addition to reviewing *Post* articles prior to publication, Lieberman has also focused on helping journalists gain access to public records. “[That] is a challenge, no matter who's in power,” he says. “Government is always a bit suspicious when the press starts requesting information from them. In this post-9/11 world, there's a higher degree of concern about providing that information to the media,

and there are obviously differences of opinion as to how valuable that transparency is.”

Earlier this year, Lieberman was involved with a nationwide test of access to public records. During “Sunshine Week,” testers approached government offices around the country requesting copies of local emergency response plans, which, according to federal law, should be public information. Only a handful of testers in Maryland were immediately able to review the documents. The results indicate a clear need to educate government employees and agencies about public records laws, says Lieberman, who also serves on the boards of the Maryland-Delaware-District of Columbia Press Association, the Virginia Press Association, and the Council for Court Excellence.

Lieberman snared a rare opening on the *Post* staff in 1998, moving from Williams & Connolly, where he had represented the newspaper as outside counsel on occasion. He describes himself and his two in-house colleagues as “generalists, who advise the advertising and circulation departments just as we advise the newsroom on issues related to content.” Though he originally planned on a career in labor law after working on Sen. Edward Kennedy's Labor Committee staff following his Harvard graduation, Lieberman says he's found his calling at the *Post*.

“It's been much more than I expected in terms of job satisfaction. The work is as interesting as I thought it would be and the people, even better.” Particularly fun, says Lieberman, who lives in Bethesda, Md., with his wife Lauren, and their children, Sarah and Josh, is having an office two doors down from *Post* legend Ben Bradlee.

“He's one of the most amazing people I've ever met — he has such energy and electricity about him, and a passion for good stories that's really inspirational,” says Lieberman. Only one thing might be as much fun, adds the Durham native and die-hard Duke basketball fan: getting such easy access to Coach K. ♣ —Debbie Selinsky

Fatima Hassan LLM '02: Activist on HIV/AIDS

FATIMA HASSAN JOINED a public impact litigation group in Johannesburg, South Africa, following her 1994 graduation from law school, simply hoping to earn enough money for a vacation. Instead she established her specialty working on legal issues pertaining to HIV and AIDS and stayed on. Today, Hassan is one of South Africa's leading practitioners in both AIDS and constitutional law, and was named in 2004 as "one of the 20 under 40-year-olds to influence the country in the next 10 years" by Johannesburg's *Mail and Guardian* newspaper.

"I studied law because I wanted to do social justice work," says Hassan, now a senior attorney at the AIDS Law Project in Cape Town. "There had been very little legal work done on HIV/AIDS and I was working with some of the leading lawyers on the issue. And the constitution was brand new, so every case we worked on was groundbreaking."

Five-and-a-half million South Africans live with HIV or AIDS, yet only 300,000 of them receive treatment, Hassan says, with evident frustration. She lays the blame for "unnecessary death and suffering" on South Africa's leaders — President Thabo Mbeki long denied that HIV causes AIDS, and a long-serving health minister actively opposed anti-retroviral drugs. "Government inaction has cost us thousands and thousands of economically active lives [and] has undone many of the gains that we've made as a society moving into a democracy," Hassan says.

The irony, she adds, is that South Africa possesses the framework to be the leader in the developing world in the fight against HIV and AIDS, with top-flight researchers, an active civil society, the rule of law, and a "fantastic" constitution in which access to health care services is an entrenched right, a tenet at the core of all of her cases.

"Our courts have recognized that 'health care services' includes access to medicines," she says. She notes that however "denialist" it may be about AIDS, the government's respect for the rule of law is genuine. She also sees some hope in the recent negotia-

tion of a five-year national strategic plan on AIDS policy and programs that aims to bring treatment to one million infected people by 2011.

A second-generation South African of Indian descent, Hassan developed her passion for social justice while growing up in apartheid Johannesburg, in what she calls "an Indian world." "You were only allowed to live in an Indian neighborhood, only allowed to go to Indian movie houses, parks and beaches. You went to Indian schools and had Indian friends." She recalls, as a 7-year-old, seeing police chase a group of elderly black housekeepers, her family's among them, and arresting those who could not produce papers allowing them to venture into non-black neighborhoods. "It was clearly dehumanizing for those women," she says.

Hassan entered the liberal University of the Witwatersrand in the last days of apartheid — Nelson Mandela was released from prison during her freshman year. She admits to rarely being in class during her last year of law school; instead she was working to educate voters as South Africans prepared for their first multi-racial elections.

Her career path has kept Hassan's activist instincts sharp as she and her colleagues have adapted some tactics from the anti-apartheid struggle to the fight for progress on HIV and AIDS. They also have been creative in the courtroom.

To secure access to essential medicines at affordable prices, they charged pharmaceutical giants GlaxoSmithKline and Boehringer Ingelheim, among others, with anti-competitive behavior. "There were no drugs in the public sector, so we went after prices in the private sector," Hassan says. "It was a very backdoor way of getting what we wanted, but at the time it was the only way we could do it." It worked. In 2003, the companies settled the case by granting multiple voluntary licenses for the production of patented pharmaceuticals — "and people got drugs," she says.

The success of that litigation and other actions have benefited from international



alliances, Hassan says. "Activism isn't just about the law or one case. It's about international and local mobilization and literacy around the case — and really about naming and shaming the companies into making concessions and negotiating agreements that pave the way for people throughout the developing world to get access to life-saving medicines."

After five years of intense focus on HIV and AIDS law, a period during which most of her clients died, Hassan took a "break" with a yearlong clerkship at South Africa's Constitutional Court, the country's highest judicial body. "It was an amazing experience to work there when the top judges were reshaping our common law, bringing it in line with our constitution, and bringing in concepts and values that were new, such as human dignity, equality, and nondiscrimination — all things that were foreign to us," she says. Following up the clerkship with her year of study at Duke, Hassan returned to South Africa and the fight against HIV and AIDS.

Ever the activist — and now married to Kabir Bavikatte, an attorney and activist in human rights and environmental law — Hassan "can't see any other way but to use law to lead and forge new territory." Issues relating to HIV and AIDS continue to offer that opportunity, she says. "Besides, it's a great time to be a constitutional lawyer." ♡

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Jim Carr '94: Promoting character on the court and beyond



“Champions of Character” program, which stresses five principles that he believes are crucial aspects of competition: sportsmanship, respect, responsibility, servant leadership, and integrity. All NAIA member schools not only teach these values, but also practice them, both on and off the field. “Of course there are exceptions,” Carr says, “but in general our student athletes don’t talk trash to one another, our coaches don’t

shout at the referees, and our fans don’t taunt the opposing players.”

In addition, the rule book for the NAIA is noticeably thinner than the NCAA manual. “Theirs is 20 times thicker than ours,” Carr says. “That doesn’t mean that we have lower standards, it just means that we operate under a trust-based system, and that as long as our schools are treating their athletes the way they treat the rest of the student body, they are complying within NAIA rules.”

Carr is the first to admit that the stakes for NAIA schools are not nearly as high as those of many NCAA Division I programs — including Duke’s.

“Of course the big-money, high-pressure programs in Division I universities need to have a more sophisticated and expansive manual,” he says. “The better comparison to make here is with the NCAA Division II and Division III programs, who are not, in general, televised, and whose coaches usually do not have to produce astronomical winning records in order to keep their jobs.” Those schools still have to adhere to the same complex NCAA standards that Division I schools follow, which can be burdensome for the smaller colleges in the association.

Even so, the NAIA has lost a number of members to the NCAA’s second and third divisions over the past decade, a trend that Carr hopes to reverse by increasing his organization’s revenues — not through

television contracts and endorsements, but through the financial backing of corporations and foundations.

“We are going to organizations and asking them to sponsor our Champions of Character program because we want to change the direction sports are taking in our society,” Carr says. The Buffalo Funds, an investment management firm located in Mission, Kan., became the program’s first major corporate sponsor earlier this year.

Carr points out that the message of character and courage he is promoting has a long history in his conference. As a young basketball coach at then-NAIA member Indiana State University in 1947, the future UCLA legend John Wooden refused to allow his team to play in the conference tournament until the association allowed African Americans to participate. The NAIA broke the color barrier a few years before the NCAA integrated, and two decades before the Atlantic Coast Conference did so.

John Wooden likely would approve of Carr’s emphasis on character as well as competition, teaching, and coaching in the NAIA. And at least one major NCAA figure has taken notice: At a recent ceremony at West Point, an

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NCAA Division I school that has adapted the NAIA’s

Champions of Character program, Army alum and Duke University basketball coach Mike Krzyzewski presented the first annual “Coach K Teaching Character Through Sport” awards to a coach and a cadet. Carr, who was integral to the creation of the award, notes with pleasure that Duke’s coach epitomizes the NAIA’s vision of a perfect coach — one who emphasizes character and emotional development off the court as well as winning strategies on it.

But if Krzyzewski were ever to switch organizations, he would have to adjust to one more discrepancy between NAIA and NCAA Division I policies: “Most of our schools pay their coaches slightly less than they do their tenured professors,” Carr says. “We’re just on a completely different continuum than big-time Division I schools.” ♣

— Paula Edelson

IN 1937, JAMES NAISMITH, the inventor of the sport of basketball, met with a couple of cronies in Kansas City, Mo., and organized what would become the longest continuous collegiate hoops tournament in history. Naismith’s creation was neither the National Collegiate Athletic Association (NCAA) tournament that now fuels “March Madness,” nor the less prestigious National Invitational Tournament (NIT). Rather, the eight schools that played in that initial competition were the small colleges that would become the charter members of the National Association of Intercollegiate Basketball (NAIB).

Seventy years later, the tournament still exists, as does the conference now known as the National Association of Intercollegiate Athletics (NAIA), which is headed by Jim Carr '94. Still based in Kansas City, the NAIA has 287 member colleges and runs 23 intercollegiate sports.

Carr’s vision is to position the NAIA, where he served as counsel for eight years before taking over as president and CEO in 2006, as a smaller, more flexible, and less commercially obsessed alternative to the NCAA. That positioning, Carr says, is crucial to the survival of his association. “The fact is, if we don’t offer a completely different approach to college sports to what the NCAA currently has, there’s no real reason for us to exist,” he says.

Central to Carr’s campaign is his

Sonja Ralston Elder '09: Determined to improve education law

A PASSION FOR EDUCATION led Sonja Ralston Elder to try her hand as a teacher — and ultimately led her to law school.

After graduating from Texas Tech University with degrees in Spanish and theatre arts, Ralston Elder taught a bilingual first grade class for two years in Richmond, Calif., as a Teach for America volunteer. She describes the experience as both fulfilling and frustrating, and believes that certain problems are firmly rooted in laws that “frustrate the overarching purpose of education.”

California law, for example, requires all students who turn 6 by Dec. 1 of a given school year to be enrolled in first grade. This inflexibility doomed some to fail, says Ralston Elder, recalling children who had just arrived in the United States without any kindergarten pre-literacy experience in English or Spanish, and who simply couldn't meet the first-grade standardized goal of learning to read chapter books. “My curriculum didn't meet their needs, and we couldn't put them in kindergarten based on an assessment of their needs.

“I'm sure it was part of some legislator's well-intentioned plan to get every child into school to [meet] ambitious expectations,” she adds, “but it was clearly written by someone who had never been to a low-income school and had never spoken to a first-grade teacher.” Collective agreements, too, sometimes kept ineffective teachers in the classroom without offering incentives to other “amazingly talented” ones Ralston Elder worked with, she says.

Perceiving that her own talents lay in analytical thinking, oratory, and debate as opposed to teaching, she decided that she could best serve students and teachers through a career in education law. “We need people writing and interpreting and improving the laws who understand both the law and the realities of teaching,” she says.

Pursuing a master's in public policy through Duke's Terry Sanford Institute of Public Policy as well as her JD, Ralston Elder has seized every opportunity to gain

theoretical and practical training in education law, the latter through the Children's Law Clinic. She published two scholarly pieces this year — a note in the *Duke Law Journal* and an article in *Educational Law and Policy Forum* — which focus on state educational legislation and school financing lawsuits.

She gained further practical training as a summer associate at Hogan & Hartson in Washington, D.C., where she researched issues and wrote legal memoranda for K-12, higher education, tax, and regulatory practice groups, and at the North Carolina Department of Public Instruction, where she conducted public policy research on teacher retention. This fall, Ralston Elder organized a two-day symposium on recent Supreme Court decisions regarding school integration, which was co-sponsored by the Education Law and Policy Society, an organization she helped revive at Duke in the last academic year.

Ralston Elder doesn't confine her activities at Duke to education law, however.

Her list of achievements and activities seems impossibly long: *Duke Law Journal* articles editor; Moot Court Board secretary; Mock Trial Board member and multiple award winner; teaching assistant; Association of Law Students and Significant Others president; Duke Law Drama Society member and director of the spring 2007 production of “The Laramie Project;” Volunteer Income Tax Assistance program participant; and Admissions Council of Student Advisors member. She is helping to strengthen the American Constitution Society at Duke as a chapter board member, and at other law schools as one of the organization's inaugural “National Next Generation Leaders.” And she has even established a Duke Law quilting circle.

Ralston Elder is also a Duke Law LEAD fellow, one of a select group of students who have demonstrated uncommon leadership and commitment to Duke Law during their first and second years of law school. As a LEAD fellow, she is charged with bringing her considerable experience



to bear as she mentors a small group of first-year law students, offering guidance as needed and organizing monthly gatherings with the group to foster a sense of community and shared values.

“It has been great getting to meet all the new students, getting them excited about being a part of our community, and being able to pass on the values that I think make Duke Law as strong as it is,” Ralston Elder says. “As a small school, we have a fabulous opportunity to be a tight-knit community, and I think we capitalize on it well, particularly by fostering a sense of cooperation instead of competition.”

Whenever she thinks she has too much going on, Ralston Elder says she draws inspiration from her older brother, an outdoorsman, author, and motivational speaker. Aron Ralston gained international renown in 2003 when he amputated his arm to free himself after being pinned by a boulder for five days in a remote Utah canyon. But Ralston Elder is quick to point out that her long-standing admiration for him comes from a different source: “He has more energy than anyone. When I feel I can't get something done because there aren't enough hours in the day, I think, ‘What did Aron do today?’” It probably involved hiking a 14,000-foot Colorado peak before breakfast, she says with a laugh. “He quit his job as an engineer to do what he really loves, which I always thought was amazing. It takes a lot of courage to give up safety and security to follow your dreams.” ♡

STUDENT PROFILE

Charles Becton '69: Next NCBA chief says injustice is powerful motivator

FOUR DECADES in the courtroom have proven to Charles Becton '69 that injustice is a key motivator. "People have been arguing about the meaning of justice for thousands of years, but injustice is different. It makes people want to right a wrong," he told first-year Duke Law students in October, as the keynote speaker at their "career kick-off" event. To involve jurors and judges, to make them listen, remember, and motivate them take action — the essence of advocacy — "find the injustice in each case," he advised.

It's an approach that Becton has honed during a highly successful career as a litigator focused on civil rights and criminal defense work, first at the NAACP Legal Defense Fund in New York and then at the Charlotte firm founded by attorney and activist Julius Chambers; as a judge on the North Carolina Court of Appeals from 1981 to 1990; representing plaintiffs in personal injury and medical malpractice cases at the Raleigh firm he co-founded, Becton, Slifkin & Bell; and as an award-winning teacher of trial advocacy at the University of North Carolina School of Law, as well as at Duke, and nationally and internationally through the National Institute for Trial Advocacy and other professional organizations.

Becton is confident that pointing out injustice will enable him to influence his fellow attorneys when he becomes the 114th president of the 15,000-member North Carolina Bar Association (NCBA) in June 2008.

"I want to find ways to stamp out injustice, inequality, and intolerance, but in order to do that I have to help make people see these [problems]," he says of his plan for the leadership post. "If you are aware, then you have choices and can make changes."

Inequality can be found throughout the legal system, he observes, beginning with insufficient diversity on the bench and in the leadership of professional organizations. Many minority attorneys are solo practitioners or law firm associates and may not have the time or resources to participate fully

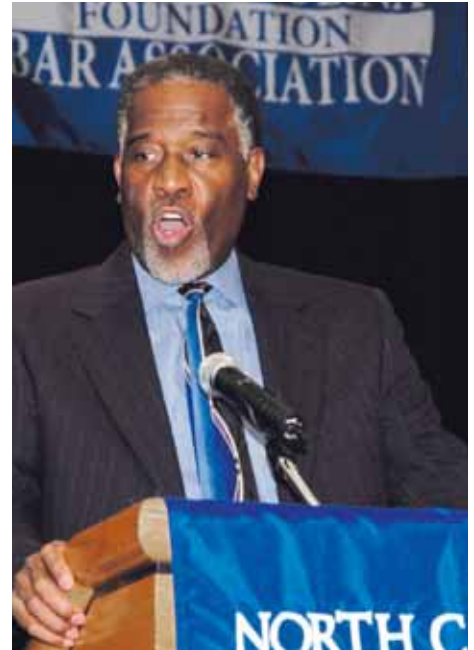
in voluntary organizations, so those groups need to reach out to them, says Becton, who will be the first black man to lead the NCBA. "When women and minority attorneys attain partner status in firms or become more senior — and therefore feel more secure — they will be able more fully to participate."

Becton is a staunch supporter of the NCBA's participation in a joint task force on judicial selection, convened to consider replacing the current electoral method of selecting appellate judges in North Carolina with a system of merit screening, followed by a nonpartisan election. He cautiously favors merit selection, essentially the system that put him on the bench; he was appointed by former Governor Jim Hunt to the North Carolina Court of Appeals in 1981 and then elected, without opposition, to serve a full term that ended in 1990. He was named North Carolina Appellate Judge of the Year in 1985.

"People feel that minorities fare better in an appointment/retention-election type of system, but that assumes the 'blue-ribbon' panels that make the appointments are fairly constituted," he says. "I have lingering concerns that our judiciary will not be as diverse if [the selection panels] aren't diverse."

Becton is also passionate about furthering NCBA initiatives to promote judicial independence by increasing public and legislative awareness of the importance of an impartial and independent judiciary, locally, nationally, and internationally. He wants the NCBA to quickly counter attacks on the judiciary wherever they occur. "Attacks on the judiciary and efforts to vilify lawyers raise social justice concerns," he says. "A judge's job is to not bend to political whims."

He also wants the bar associations and the North Carolina State Bar to be "out front" in making inquiries into the actions of prosecutors who demonstrate what he calls "a will to win, as opposed to a will to see that justice is done. I want the State Bar to be as vigilant in inquiring into the misdeeds of others as they were [into those of



former Durham District Attorney Michael] Nifong," he says.

Becton has the highest praise for the NCBA's current president, Janet Ward Black '85, who launched a campaign to address the unmet legal needs of North Carolina's poor. The "4All" initiative includes a new endowment to support Legal Aid of North Carolina, a renewed commitment to pro bono service by members of the legal community, legislative lobbying to secure better state and federal support for Legal Aid, and efforts to promote awareness of the problem of poverty in the state.

"There are 1.28 million people in North Carolina who can't afford legal representation and only 122 Legal Aid lawyers in the state," Becton says. "When you look at that and understand how many people don't have access to the courts, you are moved to act."

Married to Brenda Becton '74, whom he met while both were students protesting another injustice — a Durham country club's refusal to allow Duke's first black football players to attend their team's banquet at the facility — Becton clearly loves fighting injustice through law, and is eager to share his passion with fellow attorneys (including daughter, Nicole Becton '98) and students alike.

"Law pumps joy into every vein, every alley, every fiber of my body," he told his law-student audience in October. "I want you to love what you do and feel like it matters. If you get involved with what law can do and what you can do with law, you will." ♣

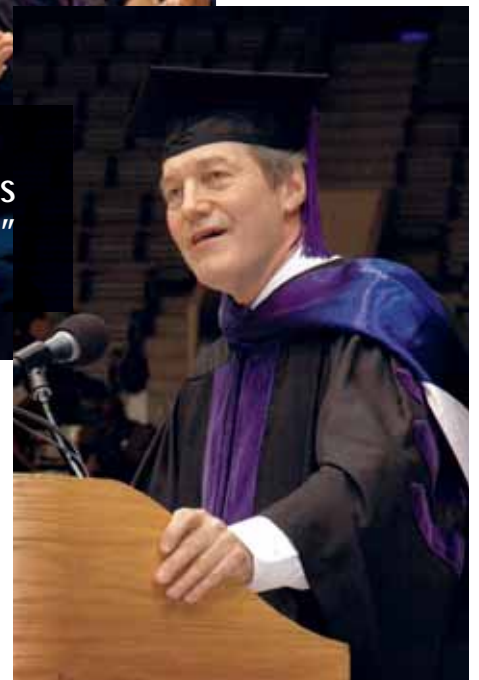
ALUMNI PROFILE

Around the Law School



“Write your own story — it is the greatest story you will ever tell. You can’t change the ending, but what happens in between where you are now and the end is up to you.”

— Charlie Rose '68



Sending off the “spectacular” Class of 2007

JOURNALIST CHARLIE ROSE '68 challenged Duke Law graduates to take risks, act on their dreams, pursue their passions, and face inevitable setbacks with resilience when he addressed them at the Law School's 2007 hooding ceremony. The event in Duke's Cameron Indoor Stadium honored 294 graduates — 219 who earned the JD degree, 25 who also received an LLM in international and comparative law, 29 who also received master's degrees from other Duke schools, and 75 international attorneys who received an LLM in American law.

“Define yourself — don't let anybody tell you who you are,” said Rose. “Define your values and know what you stand for.” Noting that his own career, which began in investment banking, has been defined by risk and his natural curiosity, Rose, an Emmy and Peabody Award-winning journalist, said, “write your own story — it is the

greatest story you will ever tell. You can't change the ending, but what happens in between where you are now and the end is up to you.”

Rose also advised graduates to cultivate an appreciation of family, friends, and community. “People matter. Relationships matter. Colleagues matter and friends matter. You will find that at times the only voice that understands and comforts will be that of a friend,” he said.

“Give voice to the voiceless”

Speaking on behalf of the JD class, Chris Richardson praised his classmates' talent and service in fighting “for those imprisoned in Guantanamo, for the educational rights of children, and the legal rights of HIV/AIDS patients,” among many other activities and achievements. He asked them to continue to “give voice to the voiceless.”

“Our obligation is to stand with those who cannot stand by themselves, and to choose to cede that obligation is a betrayal, not only of our law degrees but a betrayal of our own selves,” said Richardson. “Such talent cannot be wasted just being ‘another lawyer.’”

Recalling his mother's comfort and support when, as a teenager, his life was threatened by cancer, Richardson told his classmates “that the end of the journey is nothing — what matters is the journey itself, and ultimately who stands with you on that journey.” In the face of challenge, “focus on what is truly important,” he added. “Learn to let go of those things you can't control in order to live with those things you can. ... I ask that you live as we cancer survivors have lived: You live for your own individual passions and not what the world tells you are your passions.”

Around the Law School

Class of 2007 honorees

The **Justin Miller Awards** honor members of the graduating class who Duke Law students indicate have made enormous contributions to the Law School community. 2007 recipients were: Leah Nicholls (citizenship); Brettiny Hardy (leadership); Linton Mann III (integrity); and Nathan Chapman (intellectual curiosity).

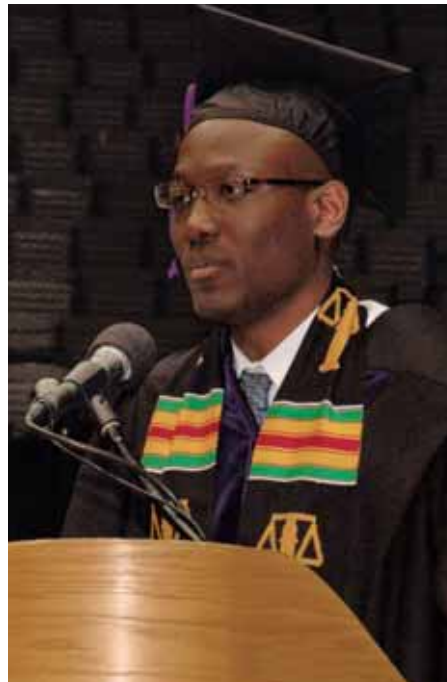
The student-initiated **LLM Award for Leadership and Community Participation** was shared by Roy Guy-Green (Israel) and Alejandro Sanchez-Mujica (Mexico).

Faculty awards for student service and intellectual contributions:

- Linton Mann III and Amy Roy (advocacy)
- Julia Kohen (community service)
- Lauren Mandell (pro bono service)
- Erin Gerrard Ching and Christopher Richardson (public service)
- Amy Curry (administrative practice and government regulation)
- Ryan McLeod (business organization and finance)
- Jai Damle and William Laxton Jr. (commercial transactions and bankruptcy)
- Julian Yap (constitutional law and civil rights)
- Christian Dysart and James Markham (criminal law and procedure)
- Yolanda Brock (dispute resolution)
- Justin Wilson (family law)
- Samantha Jameson (intellectual property and technology)
- Steven Schindler (interdisciplinary studies)
- Gregory Sergi (international transnational and comparative law)
- Nathan Chapman (legal theory)
- Ryan Hudson (property law)
- Stacey McGavin (taxation and estate planning).



L-R: LLMS MARIAN DUVEN, SABINE VAN DE MOSSELAER, AND YASMIN ZOHAR



JD SPEAKER CHRISTOPHER RICHARDSON



KANEEDRECK ADAMS AND DAUGHTER

Federico de Aceval, an attorney from Buenos Aires, spoke on behalf of the 75 international LLM graduates. While the academic rigor he found at Duke far exceeded his high expectations, what truly stood out was the accessibility of the faculty and administration and the strong friendships forged of a shared experience, he said. "This LLM was not only about studying law. More importantly, it was people, classmates and friends we met here and who we will never forget." The privilege of a Duke degree also carries responsibility, de Aceval added. "We can never forget where we came from. Now, each of us has a more special duty to the people and futures of our countries."

A "spectacular" class

Members of the "spectacular" Class of 2007 set records in terms of initiating top-level conferences, dedication to pro bono community service, moot court tournament victories, and the high quality of their journals. Former Dean Katharine T. Bartlett named these as just a few of their achievements in her remarks to the graduates.

"No class has put more energy and creativity into the summer public interest fellowship program, or taken more seriously the class gift effort," said Bartlett. "This class led the University's Hurricane Katrina relief efforts and won bar association awards for various student activities. Bottom line: No class before has exhibited more leadership, more

engagement, or a greater sense of community."

Bartlett urged the graduates to be generous with the valuable "currency" of their legal training. "I hope ... that no matter in what arena you use your legal training, you'll do your part to give access to the legal system to those who would not otherwise have it," she said, also encouraging them to "recognize and absorb the value of other, complementary currencies" — those of compassion, honesty, generosity, creativity, hard work, imagination, and public spiritedness, as well as of creating strong communities and families.

"It takes these values, as well as your knowledge of law and how to apply it, to make you successful not only at making a living, but at living a meaningful life," she said. ♡ — T.H.

New center to focus on criminal justice, professional responsibility

DUKE UNIVERSITY WILL INVEST \$1.25 million over the next five years to allow the Law School to establish a center devoted to promoting fairness in the criminal justice system and to training lawyers to fight against wrongful convictions.

The center will expand the Law School's Wrongful Convictions Clinic and the Innocence Project, which investigate credible claims of innocence made by convicted felons in North Carolina and work to raise public awareness of systemic problems in the criminal justice system that can lead to wrongful convictions.

"The lacrosse case attracted a lot of publicity, but is not the only case in which innocent people have suffered harm through the state's legal system," said Professor James Coleman, who led a university committee that examined the lacrosse team's behavior apart from the case, and who later was prominent in criticizing the actions of former Durham District Attorney Mike Nifong.

Coleman and Associate Dean Theresa Newman '88, who co-teach the Wrongful Convictions Clinic and serve as faculty advisers to the student-led Innocence Project, are playing key roles in the development of the new center. Both are leaders in criminal justice reform and serve on the North Carolina Chief Justice's Criminal Justice Study Commission.

"Three of our students suffered a grave injustice at the hands of the legal system, and we were relieved when their innocence was finally established," Duke President Richard Brodhead said in announcing the new center. "Nonetheless, their ordeal reminded all of us that our legal system is imperfect, and [that] innocent people can be accused unfairly. I am determined that we will make some good come out of the grave injustice that took place. We are fortunate to have on our own campus a program that already is a leader on this issue and will now be able to expand its work substantially through this new center."

The center will expand the existing Wrongful Convictions Clinic to include an undergraduate course on the causes and remedies for wrongful convictions,



along with short courses taught by experts in areas such as forensic science, eyewitness identifications, and false confessions. The work of the students in investigating prisoners' claims of wrongful conviction will be guided by Law School experts and assisted pro bono by Duke Law alumni and other lawyers.

An important mission of the center will be shaping a public policy initiative that examines issues relating to criminal justice and professional responsibility. Coleman said that the associated faculty, students, and fellows will participate in efforts to reform the criminal justice system and work to prevent wrongful convictions by means such as providing expert testimony in support of legislative reforms, drafting model legislation, and filing *amicus curiae* briefs.

In addition, Coleman said the center will offer summer and postgraduate fellowships for students and others to assist the clinic and undertake scholarly research relating to criminal justice. It also will bring criminal justice professionals and journalists to Duke to participate in roundtables and short-term seminars on criminal justice. The center also may sponsor public education programs, and its website and publications will bring its activities and related issues to wider audiences.

The new center was recommended to Brodhead and Provost Peter Lange, the university's senior academic officer, by Dean David Levi.

"As a former prosecutor and judge, I know that no honorable prosecutor seeks the conviction of the innocent," Levi said. "Nonetheless, we know that our criminal justice system is not perfect. It is subject to human error, misconduct, and other distortions of the truth-seeking process.

"A university law school like ours has a unique responsibility and opportunity to address such problems, to increase public awareness of them and to assist those who are wronged by flaws in the system," Levi added. "By doing so, we also assist the victims of crime and their families who place special reliance on the integrity of the criminal justice system. This new center at Duke represents a major commitment by the university and the law school to the pursuit of criminal justice."

Duke Law School's Innocence Project and Wrongful Convictions Clinic will continue to collaborate with the North Carolina Center on Actual Innocence, an independent nonprofit organization founded in 2000 to heighten communication and coordination between Duke's Innocence Project and a similar project at the University of North Carolina School of Law. ♡



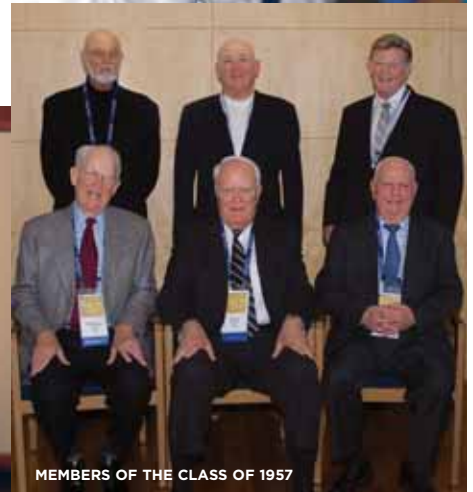
THE CLASS OF 1967 HAD THE HIGHEST ATTENDANCE AMONG REUNION CLASSES AND WON THE THIRD ANNUAL REUNION CHALLENGE AWARD FOR ITS \$463,655 GIFT.

Reunion 2007

MORE THAN 375 alumni, family members, and friends gathered at the Law School in April for Reunion 2007. Weekend highlights included CLE programs led by members of the faculty, class dinners, a groundbreaking ceremony for the Star Commons and library renovation project, ceremonies honoring alumni award winners, and a warm send-off to outgoing Dean Katharine T. Bartlett (see Page 59).



MEMBERS OF THE CLASS OF 1997



MEMBERS OF THE CLASS OF 1957



BREAKING GROUND FOR THE STAR COMMONS AND LIBRARY RENOVATION, L-R: THOMAS METZLOFF, KATHARINE BARTLETT, ELIZABETH STAR, STANLEY STAR, RUSSELL ROBINSON II, RICHARD DANNER

Breaking new ground



Catching up with old friends



Cutting a rug



Reunion 2007: Awards and Recognition

Outgoing Board of Visitors chair **Peter Kahn '76** was honored with the Dean's Alumni Achievement Award for his extraordinary service, commitment, and dedication to the Law School. A partner at Williams & Connolly in Washington, D.C., with a diverse international civil and criminal litigation practice, Kahn has served Duke Law School in many capacities, having joined the Board of Visitors in 1996. His six-year chairmanship of the board was marked by his commitment to developing Duke Law's international presence and to building board membership in the Law School's Heritage Society, which recognizes alumni who have included the Law School in their estate plans. He also served as a member of the Dean Search Committee, which was charged with finding Dean Katharine T. Bartlett's successor.

Professor Paul D. Carrington, who served as dean of the Law School from 1978 to 1988, was honored with the A. Kenneth Pye Award, which recognizes a member of the Law School community whose work in education reflects the life and ideals exemplified by Dean Pye — personal integrity, vigorous intellect, and compassion and concern for students. As dean, Carrington created Duke's international program, bringing in its first LLM students, strengthened the Law School's interdisciplinary model of legal education, and established the Alumni Affairs Office, among many other achievements. His scholarly and teaching interests include appeals, civil procedure, international civil litigation, and lawyers in American history. From 1985 to 1992, he served as reporter to the committee of the Judicial Conference of the United States, which advised the Supreme Court on changes in the Federal Rules of Civil Procedure. He is also active in judicial law reform efforts, particularly with regard to the jurisdiction of appellate courts, the rules of civil litigation, and the selection and tenure of judges in state courts.

Durwood J. Zaelke '72 received the Law Alumni Association's (LAA) Charles S. Murphy Award, which honors graduates whose career has been devoted to public service or education. A pioneer and leader in national and international environmental law and policy, Zaelke is currently the president and founder of the Institute for Governance and Sustainable Development, and also serves as the director of the International Network for Environmental Compliance and Enforcement (INECE) Secretariat. Also a partner at Zelle Hofmann Voelbel Mason & Gette, in Washington, D.C., Zaelke is the founder and director of the Research Program on International and Comparative Environmental Law at American University's Washington College of Law, and co-founder and director of the Program on Governance for Sustainable Business Practices at the Bren School for Environmental Science & Management, University of California, Santa Barbara. Zaelke has served on the White House Trade and Environment Policy Advisory Committee under Presidents Clinton and Bush. (For more, see page 17.)

Charles O. Verrill Jr. '62 was honored with the LAA's Charles S. Rhyne Award, presented to an alumnus whose career as a practicing attorney exemplifies the highest standards of professional ability and personal integrity, and who has made significant contributions in education, professional affairs, public service, or community activities. Currently a partner at Wiley, Rein & Fielding in Washington, D.C., Verrill represents clients on all aspects of international trade law and policy. A life member of the Board of Visitors, Verrill serves as president of the board of trustees of the International Law Institute, chair of the District of Columbia Cable Television Advisory Committee, and as a member of the Campaign Cabinet of the Penobscot River Restoration Trust. He is an adjunct professor of international trade law and regulations at Georgetown University Law Center and a senior lecturing fellow at Duke Law.

Jay Bilas '92 was presented with the LAA's Young Alumnus Award, given annually to a graduate who has made significant contributions of leadership and service to Duke Law School. Of counsel at the Charlotte office of Moore and Van Allen and a sports analyst at ESPN, Bilas has served on the Law Alumni Association Board of Directors and participates frequently in Law School panels, symposia, and classes. As an undergraduate at Duke, Bilas competed as a scholarship basketball player and member of the United States National Team, served on the NCAA Long-Range Planning Committee, and received the Duke University Senior Leadership Award. While earning his law degree, he served as an assistant basketball coach for the Blue Devils. Among his many charitable activities, Bilas serves on the Duke Comprehensive Cancer Center Brain Tumor Advisory Board and as chairman of the Duke Annual Fund.

Sibylle Gierschmann LLM '99 received the International Alumni Award, which is presented to an international graduate who has exemplified the highest standards of professional excellence, personal integrity, and concern for the common good in his or her own career and country. A partner with Taylor Wessing in Munich, Germany, Gierschmann's practice focuses primarily on the media and IT sectors, with special emphasis on data protection. Since receiving her LLM, she has been instrumental in establishing a "beachhead" for Duke University and the Law School in Western Europe, serving as co-president of the Duke Club of Germany and the German Alumni Association of Duke. She is a key organizer of the international reunion to be held in Germany in June. Gierschmann has also played a leading role in establishing a *verein*, or foundation, which will facilitate international fundraising efforts for Duke University.

save the date:
Reunion 2008
April 11-13

FORMER DEAN KATHARINE T. BARTLETT STANDS BY HER NEWLY-UNVEILED PORTRAIT WITH HER MOTHER, ELIZABETH C. BARTLETT



Alumni and friends honor former dean with endowed chair

Duke Law School alumni and friends have established the Edgar P. & Elizabeth C. Bartlett Professorship Fund to honor Katharine T. Bartlett's outstanding service as dean of Duke Law School, as well as her distinguished scholarship. The endowment of the chair, which will be granted to "a scholar of true eminence in the field of legal education," was announced during Alumni Reunion Weekend.

The new professorship is named in honor of Bartlett's parents. On her retirement from the Duke faculty, it will become the Katharine T. Bartlett Professorship.

"In academia there is no higher honor than having a chaired professorship endowed in one's name," said Peter Kahn, former chair of the Board of Visitors. "Given Kate's extraordinary accomplishments and service on behalf of this Law School, the Board of Visitors wanted to do no less. We felt that an endowed chair was the most appropriate way we as a board could thank her for all she has done for our Law School community. In making this endowed gift to Duke Law School, it is our hope that Kate's legacy will live on forever." Alumni and friends contributed \$2.83 million to the fund.

Bartlett stepped down on June 30, 2007, after more than seven years as dean. Also the A. Kenneth Pye Professor of Law, and renowned as a scholar of gender law and theory, she will return full time to the faculty after a year's sabbatical.

"Being dean of this Law School has been one of the privileges of my life," Bartlett said in her remarks to the gathered alumni, family members, and friends of the Law School. "I so appreciate the love and the sacrifice that went into this gift."

An official portrait of Bartlett was unveiled by Duke President Richard H. Brodhead, who called her an effective leader and pointed to her "great intelligence, sense of justice, warmth, decency, and common sense," adding that she created a marvelous culture of "common wealth" and shared vision that encompassed all members of the Law School community. The portrait, by California artist Ginny Stanford, will hang in the Law School's fourth-floor Portrait Gallery. ♣

Alumni Association sets 2007-08 goals

THE BOARD OF THE LAW ALUMNI ASSOCIATION (LAA) outlined its priorities for the coming year during Leadership Weekend, Oct. 19–20, including an alumni census and the launch of a professional development series.

"The goal of the LAA is to serve fellow alumni, current and prospective students, and faculty and staff," said LAA President David Tarshes '81. "This includes helping alumni with their professional development and with maintaining personal ties that made our Duke Law experience so special."

To that end, the board planned a census of Duke Law alumni in order to update information on the location and practices of alumni. "This is central to all of our goals," said Tarshes. "It will facilitate professional networking, mentoring of students and recent graduates, and local events, domestically and internationally."

Board members also discussed the new "LAA Lifelong Learning" video series, which began production during Leadership Weekend. Overseen by Bruce Elvin '93, associate dean for Career and Professional Development, and John DeGroot '90, the DVD project involves alumni sharing professional insights, experience, and advice. "Success as an Associate," is targeted at attorneys in the early stages of their careers, and features Michael Dockterman '78, Janine Brown '86, and Linda Martin '96, all law firm partners, discussing associate development. "Client Service from the Client's Perspective" features in-house attorneys Susanne Haas '87, Winston Henderson '96, and DeGroot, discussing the role and responsibilities of in-house counsel.

"During the board meeting, Dean Levi discussed with us his goal of further enriching the lifelong relationship between the school and alumni. The LAA can help him achieve that goal, and the board is eager to facilitate the effort," says Kodwo Gharthey-Tagoe '88, LAA vice-president. ♣

LAA EXECUTIVE BOARD MEMBERS:

L-R, SUSAN PROSNITZ '89, KODWO GHARTEY-TAGOE '88, DAVID TARSHES '81



Alumni Notes

TELL US WHAT YOU ARE DOING:
www.law.duke.edu/alumni

Half-Century Club

Arnold B. McKinnon '51 was honored by Norfolk Southern Corp. with the naming of the company's headquarters in Norfolk, Va., as the Arnold B. McKinnon Building. Arnold served as the corporation's chairman, president, and chief executive officer during a 41-year railroad career. He was head of Southern Railroad's legal department at the time of its merger with Norfolk & Western Railway in 1982.

John R. Boger Jr. '52, a partner with Williams, Boger, Grady, Davis & Tuttle in Concord, N.C., was awarded the Liberty Bell Award during the Law Day program in Concord. Law Day was created in 1957 by Washington, D.C., attorney and past president of the American Bar Association **Charles S. Rhyne '37, LLD '58**, to honor the legal system as well as officers who have died in the line of duty. The Liberty Bell Award, established nationally more than 30 years ago recognizes individuals who have promoted a better understanding of the rule of law.

Paul Hardin III '54 of Chapel Hill was honored by the University of North Carolina at Chapel Hill with the re-naming of its Morrison South residence hall as Paul Hardin Hall. Paul was chancellor of UNC-CH from 1988-1995.

Hugh W. Johnston '54 of Rock Hill, S.C., wrote *Second Declaration of Independence* published by the Jefferson-Lincoln-Kennedy-King Foundation. For more information about the book and the foundation, visit www.jlkfoundation.com.

Class of '60

Herbert O. Davis, a partner at Smith Moore in Greensboro, N.C., was recognized in *Chambers USA: America's Leading Business Lawyers* for 2007 in banking and finance law.

Class of '63

Michael R. Walsh, a marital and family lawyer in Orlando, was named one of the "Top 100 Florida Super Lawyers" for 2007, as published in *Florida Super Lawyers* magazine.

Class of '64

Robert W. Rieder Jr. was recognized by the University of Alabama at Huntsville for his 30 years of service as university counsel.

Class of '66

James B. Maxwell, a partner with Maxwell, Freeman & Bowman in Durham and a member of Duke Law School's Board of Visitors, received the 2007 Dr. I. Beverly Lake Public Service Award from the North Carolina Bar Association. The award is given annually to an outstanding attorney who has performed exemplary public service in his/her community.

Class of '67



W. Christopher Barrier, a member at Mitchell Williams in Little Rock, co-authored an article on basic oil and gas law in Arkansas entitled "Well, Now, Ain't That Fugacious!"

It appears in the spring 2007 issue of the *University of Arkansas at Little Rock Law Review*. The team leader of his firm's real estate and land use group, Chris is listed in the real estate category of *The Best Lawyers in America*. He serves as president of the Arkansas Symphony Orchestra Foundation.

Joseph A. Fink manages Dickinson Wright's insurance and health care practices, working out of both the Lansing and Detroit, Mich., offices. Joe serves on the board of two holding companies for insurers. He lives in Haslett with his wife, Marcia.

William Steinbrink of Shaker Heights, Ohio, is engaged in business management and advisory activities involving business and educational institutions.

Class of '68

Donald H. Messinger, a partner with Thompson Hine in Cleveland, received the 2007 Daniel D. Dauby Award from the Cleveland Hearing and Speech Center, in recognition of 30 years of involvement with the organization. The award recognizes an individual who has made a positive impact on hearing, speech, and deafness issues.

Class of '69

Charles L. Becton, a member of Becton, Slifkin & Bell in Raleigh, was named president-elect of the North Carolina Bar Association. Becton will assume the post in June 2008, succeeding **Janet Ward Black '85**. (See profile, Page 52.)

Class of '70

Thomas M. Ingoldsby joined Schiff Hardin as partner in its Washington, D.C., office. Tom is a transactional lawyer specializing in the financing of infrastructure projects for state and local governments.

Charles B. Neely, a partner with Maupin Taylor in Raleigh, was elected to the University of North Carolina School of Government Foundation board of directors. Chuck, who has served three terms in the General Assembly and chaired the House Judiciary Committee, is also among the state's Legal Elite for 2007, as published by *Business North Carolina* magazine, and is a "Super Lawyer" for 2007, as published in *North Carolina Super Lawyers* and *Charlotte* magazine.

Class of '71

Frank P. Ward, a partner with Maupin Taylor in Raleigh, was named a North Carolina "Super Lawyer" for 2007, as published in *North Carolina Super Lawyers* and *Charlotte* magazine.

Class of '72

J. Daniel Ballbach is currently pursuing a master's degree in organizational change leadership through a joint program of the HEC School of Management in Paris and the Oxford University Saïd School of Business in the U.K. Dan has pursued a business career in this field since 1996.

Roberts O. Bennett retired from teaching high school and is practicing part-time as a solo practitioner in Atlanta. Roberts' practice focuses on Legal Aid clients and abused and/or unsupported mothers. His son, **Wells C. Bennett**, graduated from Duke Law School in May 2006.

William J. Kimpton is chairman of the board of directors of Flagship Community Bank in Clearwater, Fla.

Class of '74



Roger K. Ferland, a partner with Quarles & Brady in Phoenix, was recognized in the 2007 edition of *Chambers USA: America's Leading Business Lawyers* for environmental law.

Philip H. Moise joined Immucor in Norcross, Ga., as vice president, general counsel, and secretary. Phil was most recently a partner and co-chair of life sciences at Sutherland Asbill & Brennan in Atlanta. He is Immucor's first inside general counsel.

Ira Sandron, a judge for the National Labor Relations Board, co-moderated the program “The Dos and Don’ts of Representing Immigrant Clients: How to Be Effective and Avoid Pitfalls,” presented at the American Bar Association’s annual meeting in San Francisco in August 2007. Ira also published a short story, “Christmas Tree,” in the spring 2007 issue of *Aries: A Journal of Literature and Arts*, a publication of Southeastern Community College in Whiteville, N.C.

Donald Wallis, a shareholder with Rogers Towers in St. Augustine, Fla., was named a Florida “Super Lawyer” for 2007, as published in *Florida Super Lawyers* magazine.

Class of '75

David B. Franklin joined Luce, Forward, Hamilton & Scripps as partner in the San Francisco office. David concentrates his practice on real estate transactions and land use, primarily in California and Hawaii.

Francis H. Morrison joined Axinn, Veltrop & Harkrider in Hartford, Conn., as partner, practicing in the intellectual property and complex litigation practice groups.

Class of '77

Joan Chase is a mediator in Mt. Vernon, N.Y. specializing primarily in parent-teen mediation.

Michael L. Eckerle, a partner with Bingham McHale in Indianapolis, was named an Indiana “Super Lawyer” for 2007, as published in *Law & Politics Magazine* and the *Indianapolis Monthly*. Michael is chair of his firm’s manufacturing industry team, having extensive experience in the areas of corporate law, business transactions, and banking law.

Michael Ellis, a partner in the Cleveland office of Porter Wright Morris & Arthur, was named an Ohio “Super Lawyer” for 2007, as published in *Ohio Super Lawyers* magazine.

William P. Hart received a master’s degree in public administration from North Carolina State University in May 2006.

Gary “Skip” Poliner was named chief investment officer of Northwestern Mutual, where he also serves as chief financial officer. Gary oversees the company’s combined investment portfolios, which have assets in excess of \$145 billion.

Alvin Shrago is the managing director of Global Markets Equity at Deutsche Bank AG in New York. Alvin and his wife, Claudia, have three children.

Michael Siegel joined the Social Security Administration as a federal reviewing official. Michael had been an attorney with the Department of Veterans Affairs for 19 years.

Class of '78

Karen Jackson Vaughn, diversity program manager at Saul Ewing in Philadelphia, received a Special Achievement Award from the Pennsylvania Bar Association during its 2007 annual meeting. Karen is the full-time manager of her firm’s comprehensive, multi-year diversity initiative.

Class of '79

Rita A. McConnell, senior legal counsel at Medtronic Inc. in Minneapolis, was named “Attorney of the Year” by *Minnesota Lawyer*, a weekly news publication that covers the courts and legal community in Minnesota. Rita has been with the medical technology company for eight years.

J. William Widing III was named senior vice president of the Pennsylvania Trust Co., in Radnor, Pa. Bill administers trust, guardian, and estate accounts and has responsibilities in financial planning. He was previously a shareholder at Stevens & Lee in Reading, Pa.

Class of '80



John H. Hickey, a trial lawyer in Miami, was named a Florida “Super Lawyer” for 2007 and one of the “Legal Elite” as published in *Florida Trend Magazine*. He also was designated a “Top Lawyer” in maritime and personal injury law by *The South Florida Legal Guide*. Jack recently testified before the U.S. Congressional Subcommittee on Coast Guard and Maritime Transportation on issues regarding claims against cruise lines and the particulars of maritime law.

Douglas Kingsbery was selected by his peers for inclusion in *The Best Lawyers in America* for 2007 for his work in white-collar criminal defense, and was named one of North Carolina’s “Legal Elite” by *North Carolina Business* magazine. Doug is past chairman of the North Carolina State Bar criminal law specialty committee.

Fred Ungerman Jr. joined the firm of Taft, Stettinius & Hollister in Dayton, Ohio, as partner. Fred chairs the firm’s labor and employment practice.

Class of '81

Paul Arne, a partner heading up the technology group at Morris, Manning & Martin in Atlanta, helped start a “Web 2.0” legal group at the firm. The group focuses on the legal implications of social networking and the use of online information provided by unrestricted

external sources. Paul has an extensive background in assisting companies with technology issues, open-source software, privacy, outsourcing, and Internet law.

John Yates, a partner with Morris, Manning and Martin in Atlanta, was recognized in *Chambers USA: America’s Leading Business Lawyers* for 2007 for corporate mergers and acquisitions.

Class of '82

Brooks Eason joined Baker, Donelson, Bearman, Caldwell & Berkowitz as a shareholder in the Jackson, Miss., office. Brooks focuses his practice on complex business litigation and employment disputes.

Reynolds W. Holding joined the staff at *Time Magazine* in New York as senior writer of its law section. Reynolds was previously editor of *Legal Affairs*, based in San Francisco.

D. Michael Underhill joined Boies, Schiller & Flexner as partner in its Washington, D.C., office. Mike’s practice focuses on intellectual property disputes with an emphasis on patent and trade secret law in the U.S. and abroad. His experience covers a wide range of technologies. Mike also lectures and writes on various litigation and IP topics, and he is currently co-teaching the patent litigation course at George Washington University Law School.

Class of '83

Jeffrey M. Anders, a consultant in Washington, D.C., has established an affiliation with the law firm of Tongour Simpson Holsclaw.

Dean Blythe was named president of Harte-Hanks in San Antonio, Texas. He will assume the additional role of chief executive officer early in 2008. Dean has served as executive vice president and chief financial officer of Harte-Hanks since June 2003.

Daniel F. Gourash joined Seeley, Savidge & Ebert as partner in Cleveland, where he will establish and lead its complex civil litigation department. Dan has a national practice in complex civil litigation, with extensive experience in representing major insurance carriers. He was previously a partner with Porter Wright Morris & Arthur.



Bruce J. Ruzinsky, a partner with Jackson Walker in Houston, was named a “Top Lawyer” in *H Texas Magazine*. Bruce heads his firm’s bankruptcy section and chairs its diversity committee. His practice focuses primarily on representing financial institutions, corporations, and other business entities in workout/restructure efforts and bankruptcy proceedings.

Alumni Notes

Kenneth R. Uncapher, a partner with DeCubellis, Meeks & Uncapher, merged firms with Carlton Fields in Orlando. Ken is a member of the firm's real estate and finance practice groups.

Thomas F. Zych, a partner with Thompson Hine in Cleveland, was appointed by Ohio Governor Ted Strickland to a four-year term with the Ohio Venture Capital Authority. Tom, who chairs his firm's emerging technologies practice, has more than 20 years of experience in intellectual property, competition, and antitrust matters.

Class of '84

Sol W. Bernstein joined the legal department of Amalgamated Bank in New York as first vice president and assistant general counsel. Sol was most recently a banking partner at Herrick Feinstein. He lives in Montclair, N.J., with his wife, Risa, and three sons, Benji, Ari, and Coby.



Michael P. Kaelin joined Cummings & Lockwood in Stamford, Conn., as a principal in its litigation group. Michael was previously a partner with Gregory and Adams in Wilton,

Conn. He has extensive experience litigating commercial, employment, employee benefits, probate, trusts and estates, and investment matters.

Steve Lepper is a brigadier general in the U.S. Air Force JAG Corps, continuing the career he began before attending Duke Law School as an Air Force-funded student. In 2006, he was appointed staff judge advocate for Air Mobility Command (AMC) at Scott Air Force Base, Ill. AMC is responsible for providing global airlift and air refueling support to the U.S. Armed Forces and other government agencies. Steve previously served as the commander of the Air Force Legal Operations Agency in Washington, D.C., an agency responsible for the effectiveness and welfare of more than 500 legal professionals who support the Air Force.

Class of '85



Tia L. Cottey was elected partner at Powell Goldstein in Atlanta. Tia is a member of the firm's real estate capital markets practice. She represents service providers in all aspects of commercial mortgage-backed securities serving matters.

David McKean, chief of staff for Sen. John Kerry D-Mass., was elected to the board of directors of the Foundation for the National Archives. The Foundation is an independent nonprofit organization committed to fostering public awareness of the importance of the National Archives.

Michael J.W. Rennock joined Steptoe & Johnson as partner in the New York office's corporate securities and finance group. Michael was formerly a partner with Winston & Strawn. He represents clients in several industries including health care, child care, energy, banking, Internet services, biotechnology, telecommunications, and electronic data transmission.

Class of '86

Cliff Barshay, a partner with Schreeder Wheeler & Flint in Atlanta, is a leading volunteer in the baseball program for the Northside Youth Organization. Cliff also oversees the girls' softball teams, one of which he coaches. The programs serve about 1,900 children.

Michael Friedman wrote *Martian Dawn*, published by Turtle Point last fall. Critic Ed Park of *The Village Voice* named it one of his 10 favorite novels of 2006.



Jeffrey Lawyer joined Womble, Carlyle, Sandridge & Rice as a member in the tax practice group in the Winston-Salem office. Jeff's practice is focused exclusively on tax matters

for public and private clients, including federal and state tax planning for mergers and acquisitions, real estate transactions, joint venture formations, partnerships, and choice of entity and financing.

Francis J. Mootz III, a professor of law at the Pennsylvania State University Dickinson School of Law, was named the Samuel Weiss Distinguished Faculty Scholar. He also was appointed by Gov. Edward G. Rendell to the board of commissioners on Uniform State Laws. Jay's recently published book, *Rhetorical Knowledge in Legal Practice and Critical Legal Theory*, builds on some of the work he did as a joint law and philosophy student at Duke.

Mark Reeth joined Salix Pharmaceuticals in Research Triangle Park, N.C., as general counsel and vice president.

Gwynn T. Swinson, vice president of government and community affairs and external relations at Duke University Medical Center and Health Systems, was reappointed to the board of trustees of the University of North Carolina at Greensboro. Gwynn, a recent recipient of a Women of Achievement Award from the General Federation of Women's Clubs of N.C., also continues to serve on the boards for the N.C. Center for Public Policy Research and Leadership Triangle.

Class of '87

Brian Rubin co-authored "Tips for the Newlywed Regulators: NASD, NYSE Merger is a Good Time to Rethink Regulatory Oversight" in the *National Law*

Journal. Formerly deputy chief counsel of enforcement for NASD, Brian is now a partner at Sutherland Asbill & Brennan in Washington, D.C., representing companies and individuals being investigated and prosecuted by state and federal regulators.

Class of '89



Paul M. Jolas, deputy general counsel in charge of corporate transactions at Trinity Industries in Dallas, has assumed the additional duties of corporate secretary. Before joining Trinity in 2006, Paul served as senior regional counsel for the Texas Division of KB Home; as general counsel, executive vice president, and corporate secretary for Radiologix, Inc.; and as a member of the corporate securities group for Haynes and Boone.

Michael Ross, a history professor at Loyola University in New Orleans, lectured in the U.S. Supreme Court chambers in February, as part of the Supreme Court Historical Society's 2007 Leon Silverman Lecture Series on Associate Justices of the Gilded Age. The lecture was based on his award-winning book *Justice of Shattered Dreams: Samuel Miller and the Supreme Court during the Civil War Era*. He was introduced by Justice Samuel Alito.

Class of '90

Lisa Balderson joined Title First Agency Inc. of Columbus, Ohio, as regional counsel for West Virginia, Ohio, and Kentucky.

Betsy Gallop Dennis joined the Barnes-Jewish Hospital Foundation in St. Louis, Mo., as alumni/auxiliary relations manager. Betsy previously served as executive director of the St. Louis chapter of the American Jewish Committee.

Tim O'Sullivan was appointed director of intellectual property and business development at LED Lighting Fixtures, Inc., in Morrisville, N.C. Tim's experience includes licensing, litigation, and infringement issues, as well as preparation and prosecution of patent applications for electrical devices, both in the United States and abroad.

Class of '91

Cynthia Adcock was awarded the Distinguished Alumna Award from Carson-Newman College in Jefferson City, Tenn. She joined the faculty of the Charlotte School of Law as a professor and director of its Experiential Learning Program. Cindy was previously a senior program manager for leadership and research with Equal Justice Works in Washington, D.C., and an attorney for the Center for Death Penalty Litigation in Durham.

Eric Lieberman assumed the position of vice president and counsel of *The Washington Post*. Eric was previously deputy counsel and director of government affairs for the newspaper. He joined the *Post* in 1998 as associate counsel. (See profile, Page 48.)

Caryn McNeill, a partner with Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan in Raleigh, was named co-chair of the "4All" Task Force, a N.C. Bar initiative to address systemic problems relating to the provision of legal services to poor North Carolinians.

Michael Popok, a member at Miami-based Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, was named chairman of the firm's litigation division. Michael's practice focuses on governmental, business dispute, real estate/land use, and construction litigation.

Thomas Wallinder and his wife, Sigrid Lexmark, announce the birth of their son, Thomas Theodor Erik, on May 11, 2007, in Stockholm.

Class of '92

John J. Bowers, an attorney with Womble, Carlyle, Sandridge & Rice in Durham, was elected to the board of directors of Legal Aid of North Carolina for a three-year term. He will serve as a representative from the 14th Judicial District (Durham County).

Philip J. Combs, a partner with Guthrie McHugh & Thomas in Charleston, W.Va., is a sustaining member of the Product Liability Advisory Council (PLAC). PLAC is a non-profit organization focusing on the defense of product liability actions and the reform of product liability legislation.

Marilyn Tiki Dare is director of trademarks at Sun Microsystems. She and her husband, Dan Beeder, have two daughters and live in Redwood City, Calif.

Cynthia Grooms Katz, a solo practitioner in Bethesda, Md., was sworn in as a member of the U.S. Supreme Court Bar.

Stefan Kenn opened his own law firm in Washington, D.C., specializing in product liability prevention and automotive product safety. He advises clients in the automotive industry and counsels German clients on general business and legal issues in the U.S.

C. Michele Kirk was promoted to chief employment counsel for Honeywell Specialty Materials in Colonial Heights, Va. She oversees global labor and employment issues including acquisitions, divestitures, and major reorganizations.



Dara DeHaven L '80 Making the case for planned giving

DARA DEHAVEN'S AFFILIATION with Duke spans four decades. "It is difficult to recall a time when Duke University was not a major part of my life," she says. "Enduring friendships with faculty, classmates, and other alumni have enriched my life." A "triple Dukie," DeHaven earned her BA and MA in 1973 and 1974, and her JD in 1980. She has a steady and strong history of involvement and leadership at the university, among them the Law School's Board of Visitors.

In addition to contributing considerable time and energy, DeHaven has been a consistent and generous donor to the Law School. "Duke provided a supportive and encouraging community for learning and for establishing a foundation for the future," DeHaven says. "I feel very strongly that it is important to give back to the place that helped shape who I am as a person and a professional." DeHaven is a partner in the Atlanta office of Ogletree, Deakins, Nash, Smoak & Stewart, and

concentrates her practice on state and federal court litigation and general labor and employment law.

DeHaven's love for her alma mater led her to include both Trinity College and Duke Law School as primary beneficiaries of her estate, including her retirement plans. The deferred gift benefiting the Law School — which is in part directed to a chair honoring former Dean Katharine T. Bartlett — allows her to supplement her current support in a specific and substantial way. "I am delighted my gift will help support future generations of law faculty and students, and that Kate's wonderful legacy of commitment to Duke Law School will endure well into the future," says DeHaven.

In providing for Duke Law School in her long-term plans, DeHaven became a member of Duke's Heritage Society, an association honoring graduates and friends who have made provisions for Duke in their will, trust, retirement plan, or through another type of "planned gift." ♡

For more information about the Heritage Society, please contact Katharine B. Buchanan, Assistant Dean for Alumni and Development, 919-613-7217, Buchanan@law.duke.edu.

Alumni Notes



Brendan Macaulay was named partner at Nossaman Guthner Knox & Elliott in San Francisco, where he focuses on complex business and real estate litigation. He has also taught at the University of California Hastings College of Law and is vice president of the board of directors for The Bethany Center, a low-income housing development for seniors and disabled persons. Brendan married Elissa Garkse on May 27, 2006. Classmates **Daniel Dolcetti** and **Phil Combs** attended.

Michael Smith recently moved to London with his wife, Karen, and their daughters, Avery and Easton. Mike is responsible for regulatory affairs and policy for Constellation Energy's international coal, freight, power, gas, and carbon businesses.

Class of '93

Fritz L. Duda joined Clark Street Development in Chicago as a principal. Fritz and his family were previously in Highland Park, Texas, where he was vice president for a privately held real estate investment builder.

Michael F. Kleine is a foreign service officer with the U.S. Department of State. He returned to Washington, D.C., in August after serving a four-year tour with the U.S. Embassy in Seoul, Korea. He has served previous tours in Vietnam and Kosovo.

Lynn Halpern Lederman joined Bessemer Trust in New York as senior vice president, associate fiduciary counsel in the legacy planning group.

Cosmas Lykos and his wife, Kelli-Anne, announce the birth of their daughter, Kylie, on May 9, 2007.

Todd M. Reed of Edwards Angell Palmer & Dodge in Providence, R.I., was named partner. Todd is a member of the firm's litigation management group where his practice focuses on employment law.

David Ross joined the staff of the Senate Finance Committee as international trade counsel, handling issues involving Europe and China, services, financial service, investment, intellectual property, and World Trade Organization dispute settlement issues. David was previously associate general counsel with the Office of the U.S. Trade Representative.

Philip R. Stein joined Kramon & Graham in Baltimore as a principal of the firm. His practice is devoted to complex civil litigation on behalf of both plaintiffs and defendants.

Michael E. Taten, a partner with Jackson Walker in Dallas, was named a "Rising Star" as published in *Texas Monthly* magazine. "Rising Stars" are up-and-coming attorneys who are 40 years old or younger, or who have been in practice for 10 years or less.

Derrick Price Williamson, a partner at McNees Wallace & Nurick in Harrisburg, Pa., was recently named chair of the firm's energy, communications, and utility practice group. Derrick has also been selected by his peers for inclusion in *The Best Lawyers in America* for 2007 for his work in energy law.

Class of '94



Ruth T. Dowling, a partner at Edwards Angell Palmer & Dodge in Boston, was named co-chair of the firm's antitrust practice group.

Theodore Edwards joined Smith Moore in Raleigh, as partner. Ted was previously a partner with Kilpatrick Stockton.

Ivan Harris returned to private practice as a partner in the securities litigation group at Morgan Lewis & Bockius, in the Miami office. Ivan was previously in-house counsel for a broker-dealer and hedge fund.

Douglas Neu is vice president in the corporate legal department of Travelport, a privately-held travel distribution company that includes Orbitz, Cheap Tickets, Galileo, and Gulliver's Travel Associates. Doug handles employment, benefits, and executive compensation. He lives with his wife, Julie, in Chatham, N.J.



Mark W. Pugsley, a shareholder at Ray Quinney & Nebeker in Salt Lake City, was appointed by Utah Governor Jon M. Huntsman Jr. to a four-year term as the attorney representative on the state's Securities Advisory Board. Mark is a member of his firm's litigation section and chairs the securities litigation group. In 2006, he chaired the securities section of the Utah State Bar.

Sean Schickedanz founded a venture capital fund, Clean Pacific Ventures, to invest in clean technology companies. Sean was previously managing partner at Sunflower Capital Partners, an early stage venture fund. Sean and his wife, Bridget, recently welcomed identical twin daughters, Mary and Friedie.

Michael Sorrell was named president of Paul Quinn College, a historically black, private college in Dallas.

Stacie Strong recently wrote several articles on tap dance for *Dance Spirit* magazine. She also edited the book *Top Tap Tips*, which pairs photographs of dancers from the internationally renowned Chicago Tap Theatre in performance and rehearsal with instructional and inspirational quotes from the masters of tap dance, both past and present. The book is available through www.chicagotaptheatre.com.

Felicia S. Turner joined the American Bankruptcy Institute as deputy executive director.

Julia Youngman joined the Southern Environmental Law Center in Chapel Hill. She was previously with Ellis & Winters in Raleigh.

Class of '95

R. Lance Boldrey and his wife, Angela, announce the birth of their daughter, Laurel Elizabeth, on March 30, 2007. Lance is a member in the Lansing, Mich., office of Dykema Gossett, where he leads the firm's Indian law practice. Lance was recently named to *The Best Lawyers in America* for 2007 in the field of gaming law, and he won the Thomas M. Cooley Law Review's "Distinguished Brief Award" for his brief filed on behalf of Little Traverse Bay Bands of Odawa Indians in *Taxpayers of Michigan Against Casinos v. State of Michigan*, 478 Mich. 99; 732 N.W.2d 487 (2007).



Henry N. Didier Jr. founded the Didier Law Firm in Orlando, where he serves as managing partner. The firm represents consumers against manufacturers in a broad range of product liability cases. Hank was also recently named to the Million Dollar Advocates Forum, whose membership is limited to attorneys who have won million and multi-million dollar verdicts, awards, and settlements.

Kate Lewis was elected partner at McKenna Long & Aldridge in Atlanta. Her practice focuses on commercial real estate transactions, with a particular emphasis on the representation of creditors in problem loan workouts.

Quin Snyder joined the Austin Toros as coach. Previously, Quin coached the University of Missouri basketball team for seven seasons. The Toros are members of the NBA Development League.

Class of '96

Sarene A. Bourdages was named executive vice president and general counsel of Max Re Capital in Hamilton, Bermuda. Sarene was previously the company's senior vice president and general counsel.

David Elliott and his wife, Kelley, announce the birth of daughter, Elsie Keelin, on Aug. 24, 2006.

Reed J. Hollander, a partner with Nelson Mullins Riley & Scarborough in Raleigh, was named one of the *Triangle Business Journal's* Top 40 Under 40 Leadership Award winners. This annual distinction recognizes the Triangle's most influential and highly accomplished young business people.

Erik Moses was appointed director of the District of Columbia's Department of Small and Local Business Development.

Robert Newcomer has joined Lang Legal Group in Atlanta. Robert was previously with Paul, Hastings, Janofsky & Walker.

Leslie Sherman Nordin participated in the Blindfold Challenge at the 2007 Vision 5K in the Fenway neighborhood of Boston. Leslie and other sighted runners showed their solidarity with blind athletes by tackling the course blindfolded. She was accompanied, by tether, by her husband, Dayton. The Vision 5K benefits critical programs for the blind or visually impaired.



Jennifer Slone Tobin, an attorney with Shutts & Bowen in Orlando, was selected as one of the "Top Women in Florida Commercial Real Estate" for 2007 by *Florida Real Estate Journal*. Jennifer is one of five Central Florida women to be honored.

Class of '97

Julie Russell Dilts joined Roche Diagnostics Corp. in Indianapolis as counsel. Julie and her husband, Clay, have one son, Asher Joseph, born in August 2006.

Keith Hasson and his wife, Elizabeth, announce the birth of their son, Keith Cooper, on July 8, 2007. Keith was recently elected partner at Keegan Federal and Associates in Atlanta, and was named a "Rising Star" for 2007 by *Atlanta Magazine* and the Super Lawyers' edition of *Law and Politics*.

E. Jewelle Johnson, a partner at Fisher & Phillips in Atlanta, was elected president of the Georgia Association of Black Women Attorneys. Jewelle has held several leadership positions within GABWA and, as president, she will serve on the board of directors for its foundation.

Nahale Kalfas is a solo practitioner specializing in business law and is co-counsel for the North Carolina Board

of Examiners of Speech and Language Pathologists and Audiologists. Nahale and her husband, Nondas, live in Durham with their two children.

Aaron Kitlowski married Melissa Fox on May 5, 2007, in Southold, N.Y. Aaron is chief counsel, health care, at CIT Group Inc. in New York.

Timothy Profeta, director of the Nicholas Institute for Environmental Policy Solutions at Duke, recently testified to the Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection on "sticking points" preventing mandatory climate legislation. The subcommittee is under the wing of the Senate Environment and Public Works Committee. (See Story, Page 31)

Class of '98

Geoffrey W. Adams was admitted to partnership at Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan in Raleigh. He practices in the areas of mergers and acquisitions, banking, and finance.

Jonathan Brumer was detailed to the civil division of the U.S. Attorney's Office for the District of Columbia.

Laura Brust joined Sullivan & Worcester's environmental & natural resources group as counsel in Washington, D.C.

Shawn Bryant and **Ellen Dunham Bryant** announce the birth their son, Jack, on Sept. 28, 2006. Jack joins big sister Madeline.

Patricia K. Dolan was named partner at Nixon Peabody in its Boston office. Patty focuses her practice on mergers and acquisitions and federal securities law matters.

Katy Drechsel joined the office of general counsel for Southwest Airlines in Dallas.

Christine James of Kilpatrick Stockton in Atlanta was named partner. She practices in the firm's trademark and copyright group.

Thad Jenks joined Harrison, Bettis, Staff, McFarland & Weems as an associate in Houston. Formerly at Vinson & Elkins, he practices complex tort and commercial litigation. Thad and his wife, Cathy, are also pleased to announce the birth of their fourth child, Emma, on Jan. 27, 2007. Emma joins siblings Aaron, Sydney, and Benjamin.

Guy Rotkopf was appointed senior advisor to the Israeli Minister of Justice. Guy was previously a faculty member at the College of Management Academic Studies School of Law in Tel Aviv, Israel.

Sharad K. (Bobby) Sharma married Courtney Goodman on Feb. 23, 2007, in New Delhi, India. Another ceremony took place on June 9, 2007, in Charleston, S.C. They live in New York City.

Darren C. Wallis and **Alison Hoyle Wallis** announce the birth of their son, Parker Truman, on Oct. 24, 2006. Darren is a managing partner at Osage Ventures in Bala Cynwyd, Pa. Alison is senior counsel at Sungard Data Systems. Parker joins big sisters Halle and Lyla.

Jonathan Walsh and his wife, Dawn, announce the birth of their son, William Barrett, on April 18, 2007. Jon is a senior associate at Curtis, Mallet-Prevost, Colt & Mosle in New York City, specializing in securities litigation and accounting malpractice defense. Will joins big sister Avery. **Darren Wallis '98** is Will's proud godfather.

Class of '99

Hideki Akiyama joined Schiff Hardin in New York as a partner in the firm's corporate and securities group. He was previously with Sidley Austin. Hideki focuses his practice on mergers and acquisitions and general corporate matters such as negotiation and draftsmanship of joint venture, strategic alliance, distributorship, and licensing agreements.

Lori Andrus is a partner in a new women-owned plaintiffs' firm Andrus Liberty & Anderson in San Francisco. The firm represents individuals and classes in employment, mass tort, consumer fraud, and product liability cases.

Pascal Duclos led the listing of a \$1.1-billion subsidiary on both the Brazilian and Luxembourg stock exchanges as general counsel and member of the executive committee of Dufry AG, one of Brazil's most successful and complex IPOs. The company retained 12 law firms in nine different jurisdictions to complete the transaction.

Andreas Fabjan joined the Geneva [Switzerland] Real Estate Manager Association and Geneva Promoter & Builder Association as general secretary.

L. Elizabeth Gibbes was named partner at Parker Poe Adams & Bernstein in the Spartanburg, S.C., office. Elizabeth is a member of the business law practice group where her practice includes corporate and business law, with a principal focus on business immigration and commercial law.

Rut Ley married Marc Dunschen on April 17, 2007. Rut joined the International Criminal Tribunal for the Former Yugoslavia in The Hague, Netherlands, as a prosecutor. She was previously a prosecutor in Bonn, Germany.

Susan Rozelle, an associate professor at Capital University Law School in Columbus, Ohio, will be a visitor at the University of Oregon School of Law for the 2007-2008 academic year.

Alumni Notes

Monty Sarhan was named vice president of business and legal affairs for MTV Networks, where he oversees digital media transactions across MTV properties including MTV, VH1, and Comedy Central.

John Simpkins was named of counsel with Wyche Burgess Freeman and Parham in Greenville, S.C. He is also an assistant professor and director of diversity initiatives at the Charleston School of Law.

Jennifer Sullivan and her husband, Miles Corkern, announce the birth of their second child, Charles Merritt, on May 12, 2007, in Boulder, Colo. Charlie joins big brother Oliver.

Class of '00

Jason Goode and his wife, Annie, announce the birth of their daughter, Julia Frances, on May 17, 2007.

John McBroom and his wife, Christy, announce the birth of their second child, daughter Zara, on April 13, 2007, in Rochester, Minn.

Agnes Mirandes married John T. Gourley on Jan. 27, 2007. They reside in Durham, where Agnes is now a real estate broker after five years in Washington, D.C., as a litigator.

Julie Niemeier married Lt. James Domachowski II, United States Navy, on Sept. 9, 2006, in Crete, Greece, where she was stationed as staff judge advocate for U.S. Naval Support Activity Souda Bay. Having completed four years of active duty, Julie transitioned to reserve status in January 2007, and is now a reserve judge advocate in Newport, R.I. She and James relocated to Mayport, Fla., in October, where Julie continues as a reservist.

Pammela Quinn and **Nathan Saunders** announce the birth of their son, Andrew Halleck, on Jan. 22, 2007. Andrew joins big sister Milla.

Tara Weiscarger Seidel and her husband, Pete, announce the birth of their son, Paul Robert, in August 2006. He joins big sister Julia.

Mark Stajdohar, an assistant state attorney in St. Charles, Ill., was named the recipient of the 2006 Ace Litigator Award by the Kane County State Attorney's office.

Isha Rauchle Youhas and her husband, Andrew, announce the birth of their son, Benjamin Gabriel, on July 18, 2007.

Class of '01

Amy Buckler and Patrick Angel announce the birth of their daughter, Mackenzie Rose, on Dec. 6, 2006. Amy is an associate with Barran Liebman in Portland, Ore., specializing in employment litigation.

Nan Ball Donnelly and her husband, John, announce the birth of their daughter, Sophia Rachel, on Feb. 12, 2007. Nan is currently working as a staff attorney for the U.S. Court of Appeals for the Third Circuit in Philadelphia.



Lois Lin and her husband, Chi-Chang Chen, announce the birth of their son, Samuel Chen, on Sept. 21, 2006. Lois is in legal affairs and commercial contract management for EDS Taiwan.

Robert T. Tally Jr. joined the faculty of Texas State University as an assistant professor of English.

Jorge Wahl and his wife, Isabel, announce the birth of their ninth child, Alicia, born on March 31, 2007, in Santiago, Chile. Jorge became a partner at Alessandri & Compania in Santiago in January 2007.

Travis C. Wheeler joined Nexsen Pruet as a litigation associate in the Columbia, S.C., office. Travis was previously with Haynsworth Sinkler Boyd.

Class of '02

Raul Borrell and **Luisa Fabrega Zentner** announce the birth of their son, Sebastian Borrell Fabrega, on June 10, 2006.

Jessica Carter wrote a book entitled *Double Outsiders: How Women of Color Can Succeed in Corporate America* (Jist Works, May 2007), which examines the challenges facing professional women of color and debunks myths and stereotypes related to the corporate arena.

Christopher Michael Evans and **Jennifer Lee Merzon** were married in Manhattan on May 12, 2007. Jennifer is an associate with O'Melveny & Myers, specializing in labor and employment, and Christopher is an associate with Quinn Emanuel Urquhart Oliver & Hedges, where he specializes in corporate litigation.

Ashley Johnson Good joined Arbonne International as in-house senior attorney. Arbonne is a skin care and cosmetics company based in Irvine, Calif. Ashley was previously with Latham & Watkins.

Ken Harris and his wife, Cathy, announce the birth of their second child, Georgiana Irene Biddle, on March 20, 2007. "Anna" joins big sister Lily.

Fatima Hassan is a senior attorney at the AIDS Law Project in South Africa and heads up the Cape Town office. Fatima continues to work for people living with and affected by HIV/AIDS by challenging government policy on AIDS, intellectual property issues,

and affordability of life-saving medicines. (See profile, Page 49.)

Francine Hochberg married Jeffrey Giuffrida on June 10, 2007, in Baltimore. Frannie is an associate at the Center for Constitutional Litigation in Washington, D.C.

Christian Jinkerson married Robyn Diana Tusan in June in Fresno, Calif. Christian has finished a two-year judicial clerkship on the U.S. Bankruptcy Court for the Eastern District of California and has joined Lang, Richert & Patch as an associate.

Mark Kinghorn and his wife, **Angie Murphy Kinghorn '03**, announce the birth of their twins, Grant Anderson and Anne Elizabeth, on Dec. 4, 2006, in Charlotte, N.C.

Amy Carper Mena and **Emilio Mena, Jr.** announce the birth of their first child, Isabel Madeline, on Jan. 22, 2007. Amy is an associate with Patterson Belknap Webb & Tyler in New York City and Emilio is an associate with Paul Weiss Rifkind Wharton and Garrison.

Class of '03

Allison E. Beard, an attorney with Hill Ward & Henderson in Tampa, was recognized for community leadership and volunteer service during the 22nd annual graduation ceremony of The Tampa Connection. The Tampa Connection is a nine-month program that guides business professionals into key leadership roles while helping meet Tampa's growing social, health, and education needs.



Christine Cox and her husband, Don, announce the birth of their daughter, Madeleine Loyce, on June 24, 2007.

Karlene Dalbraith joined McVeagh Fleming in Auckland, New Zealand, where her practice focuses on litigation and family law. Karlene has two children, Awstin and Ava.

Elizabeth H. Johnson, an associate with Hunton & Williams in Raleigh, was named to the board of directors for the Triangle Area Chapter of the American Red Cross. Elizabeth focuses her practice on privacy, data protection, and information management. She was also recently named to the "40 Under 40" list by *Triangle Business Journal*.

Angela Murphy Kinghorn and her husband, **Mark Kinghorn '02**, announce the birth of their twins, Grant Anderson and Anne Elizabeth, on Dec. 4, 2006, in Charlotte, N.C.

Arfidea Saraswati, an associate with Soewito Suhardiman Eddymurthy Kardono in Jakarta, Indonesia, announces the birth of

her daughter, Jasmine Kamila Saheptapy-Engel.

Caroline Wainright joined Kennedy Covington as an associate in the employee benefits section of the business law department in Charlotte, N.C. Caroline was previously an associate with Milbank, Tweed, Hadley & McCloy in New York.

Jinping Yang joined the intellectual property counseling group at Weil, Gotshal & Manges in Redwood Shores, Calif.

Class of '04

Marco Andre Alencar joined Felsberg & Associates to lead the firm's litigation department in the Rio de Janeiro, Brazil, office.

Randy Cook, Lauren DeSantis-Then '06, Corey Then '06, and Emily Smith '06 participated in a panel for the Law and Justice in a Democracy Program in Washington, D.C., on June 27, 2007. The panel gave high school students from the Presidential Classroom the opportunity to see and hear first-hand what being an attorney is about. Panel members shared their career experiences, answered questions about law school, and explained why they wanted to become lawyers. All

four Duke Law alumni are associates in Washington law firms.

Joe Gagnon and his wife, Kendra, announce the birth of their son, Max Bryant, on Jan. 11, 2007. Joe practices commercial litigation with Shook, Hardy & Bacon in Kansas City, Mo.

Thomas L. Griffin and his wife, Kate, announce the birth of their son, Linus, on Jan. 19, 2007. Linus joins sister Elsie and brother Jeremy.

Stefanie Kandzia and her husband, Professor Ralf Michaels, announce the birth of their daughter, Cordelia Sophia, on July 2, 2007. She joins sisters Phillipa and Roberta.

David H. Koysza joined Wyche Burgess Freeman & Parham in Greenville, S.C., as an associate specializing in litigation. Prior to joining the firm, David served as law clerk to William W. Wilkins, Chief Judge, U.S. Court of Appeals for the Fourth Circuit, and practiced appellate litigation with the U.S. Solicitor General in Washington.

Andrea Lima-Alencar of Rio de Janeiro joined the largest Brazilian telecom company, Vivo, as a company legal executive.

Carrie Zimpritch Michaelis and her husband, Ben, announce the birth of their daughter, Juliet Ruby, on April 11, 2007.

Doungamon Muttamara-Walker and her husband, Tim, announce the birth of their daughter, Payson, on March 28, 2007, in Wilmington, Del.

Luciana de Oscariz and **Thomas Franca** were married on July 28, 2006. LLM classmates who attended were **Andres Onetto** (Argentina), **Pierre Tartinville** (France), **Mami Horigome** (Japan), **Yoshinori Horigome** (Japan), **Andrea and Marco Alencar** (Brazil), and **Carlos Eduardo Lima** (Brazil).

Guillermo Plate is a partner at Latin American Consulting (LatamCom) in Buenos Aires, Argentina.

Michael and **Erinn White** announce the birth of their son, William Hadley, who joins his big brother Ian.

Class of '05

Utaukwa Brown Allen joined Hunton & Williams in Raleigh as an associate, where her practice focuses on corporate transactions including mergers and acquisitions, corporate governance, and securities law matters.

Save the date: International Reunion
Munich, Germany
June 19-22, 2008

More information at:
www.law.duke.edu/alumni/reunion/2008/international

DUKE LAW

Alumni Notes

Wyatt Bloomfield and **Johanna Stein** were married on June 30, 2007, in the Sarah P. Duke Gardens. Classmates **Christopher Machera, Michael Levin, Michael Nissim, and Margot Pfohl** attended. Johanna is an associate with Latham and Watkins, while Wyatt is an associate with Gibson, Dunn & Crutcher, both in Los Angeles.

Noah Clements finished his clerkship on the Texas Supreme Court and is now an associate at Sidley and Austin in Washington, D.C. He focuses his practice on civil, criminal, and constitutional litigation.

Gayathri Gunasekaran joined Jones Day in Singapore.

Jeffrey Imerman is completing a two-year clerkship with Bernard A. Friedman in the Eastern District of Michigan, after which he will join Paul, Weiss, Rifkind, Wharton & Garrison in New York.

Taka Maruyama and his wife, Atsuko, announce the birth of their son, Genki Randy, on March 7, 2007, in Cary, N.C.

Ted O'Connor and his wife, Mindy, announce the birth of their daughter, Georgia Elizabeth, on June 19, 2007.

Kimberly Perdue joined Weil, Gotshal & Manges in the corporate finance group in Dallas. She was previously an associate with Dewey Ballantine in New York.

Hongjing Wang announces the birth of her son, Hanzhi Wang, on Nov. 30, 2006.

Samuel J. Wald is co-founder of Fone-In Inc., a new mobile telephone-based, on-demand, translation service that provides over-the-phone interpretation in more than 50 languages.

Kelsey Weir joined Weil, Gotshal & Manges in Dallas as an associate in its litigation/regulatory group. She was previously an associate with Hughes & Luce, also in Dallas.

Laney Zhang joined the Law Library of Congress in Washington, D.C., as the Chinese law specialist. She previously worked at Linklaters Shanghai and taught a course on American legal culture at Nanjing University Law School.

Class of '06

Benjamin J. Aitken joined Jenkins, Wilson, Taylor & Hunt in Durham as an associate. His practice focuses on patent representation in the areas of mechanical, medical and material sciences.

Kyungjin Choi joined Kyungwon University in South Korea as a professor of law

Francesca Grifi joined Bonelli Erede Pappalardo (BEP) in Rome, Italy. She focuses her practice on capital markets, mergers and acquisitions, corporate law, and real estate transactions.

Jason Hollis joined Dundas & Wilson in the banking and finance group in Edinburgh, Scotland.

Bo Ketner is completing a judicial clerkship with Judge Grady Jolly of the U.S. Court of Appeals for the Fifth Circuit, after which he will join Kennedy Covington in Charlotte as a litigation associate.

Aaron Lang and **Ashley True** were married on June 3, 2007, on Fort George Island in Jacksonville, Fla. Aaron is an associate with Dewey Ballantine, and Ashley is an associate with Thatcher Proffitt & Wood, both in New York.

Lucas Martin-Romero rejoined Allende & Brea in Buenos Aires, Argentina. Lucas concentrates his practice in telecommunications, high technology, and intellectual property law. He was previously an international lawyer with Orbcomm Inc. in Fort Lee, N.J.

Class of '07

Jennifer Csik married John Davis Hutchens on May 19, 2007. They live in Charlotte.

1937

Claiborne Gregory, 93, of Castle Hills, Texas, died May 17, 2007. Born and raised in Durham, just across the street from Duke University as it was being built, Mr. Gregory was a member of its inaugural undergraduate class. He gave the senior oration during the 1934 Duke graduation ceremony, sharing the stage with Eleanor Roosevelt. He began his legal studies at Duke and transferred to Yale Law School to complete his degree.

Mr. Gregory entered practice in Durham following his law school graduation. He married Mary Schaefer in 1941 following the attack on Pearl Harbor and immediately joined the Army. Working as an intelligence officer in England and France, he rose to the rank of captain. After his discharge, Mr. Gregory served as a special agent to the chief counsel of the Internal Revenue Service in Washington, D.C. In 1949, he became a partner in the San Antonio, Texas, firm eventually known as Gresham, Davis, Gregory, Worthy & Moore as a tax specialist. He practiced for more than 60 years.

Mr. Gregory was predeceased by his wife in 2004. He is survived by his sons, Douglas and Claiborne Jr., and three grandchildren.

Caroline P. Stoel, 92, of Portland, Ore., died March 29, 2007. Born Caroline Phillip on Sept. 27, 1914, in Lexington, N.C., she was encouraged by her father to pursue a law degree. At Duke she served as president of her 1L class and graduated fourth in her class. She practiced briefly in Lexington with her father before moving to Portland to marry classmate Thomas Stoel. Although she was the only woman to pass the Oregon bar exam in 1938, she was unable to have her own practice because of the conflict of interest rules at her husband's firm. Instead she worked as a secretary before becoming a stay-at-home mother. After her four children were grown, Mrs. Stoel earned a master's degree in history from Portland State University, where she taught until 2001.

Mrs. Stoel was the co-author of *Magna Carta: Liberty Under the Law* and contributed a chapter to *The First Duty: A History of the U.S. District Court of Oregon*. She held leadership positions in the League of Women Voters of Portland, Planned Parenthood of Columbia-Willamette, the Columbia River Gorge Trust, the Oregon Historical Society, and the Portland State University Foundation. She served as the first woman president of the World Affairs Council of Oregon and chaired the Oregon Chapter of the Nature Conservancy and the Oregon Council for the Humanities. She was a founding board member of the U.S. District Court for the Oregon Historical Society and Portland Center Stage.

She is survived by her husband, **Thomas B. Stoel '37**; sons, Thomas Jr. and Peter; daughters, Carol Stoel-Gammon and Polly Stoel; sister, Enid Ledbetter; and seven grandchildren.

1941

Walter S. Lenox, 92, of Columbus, N.J., died July 12, 2007. Mr. Lenox was an attorney and executive vice president of Toplis & Harding in New York for 30 years before retiring in 1984. He served in the U.S. Army during World War II, participating in the invasion of Italy.

Mr. Lenox attended Duke University on a football scholarship, graduating in 1938. He was admitted to the North Carolina Bar after graduation from law school. Mr. Lenox was a member of Wesley United Methodist Church, serving as president of the board of trustees.

He was predeceased by his wife of 61 years, Evelyn Hurst Lenox, in 2004 and is survived by his daughters, Susan Kapoor, Barbara Charles, and Judith Ulinsky; a sister, Mildred Lowe; a brother, Richard F. Lenox; and three grandchildren.

1942

John F. Repko, 90, of Fayetteville, N.Y., died June 22, 2007. Mr. Repko was born in Freeland, Luzerne County, Pa. He graduated from MMI Preparatory School in Freeland and attended Temple University on scholarship before enrolling at Duke Law School. Following military service that involved the liberation of the Dachau concentration camp, Mr. Repko joined Cravath, Swaine and Moore in New York. In 1951, he joined General Electric Corp. as a corporate attorney, where he stayed for more than 30 years.

Mr. Repko was predeceased by his wife, Ruth "Trudy;" his son, Thomas; and several brothers and sisters. He is survived by his son, John, of Nicaragua; a brother, Thomas Repko, and two sisters, Agnes Socha, and Rosemary Beiderbecke.

1947

Lillard Hand Mount, 93, of Chapel Hill, died May 25, 2007. Mr. Mount was born in Oklahoma. After his family's farm was wiped out in the Dust Bowl, the family resumed farming in Kansas. Mr. Mount moved to Misenheimer, N.C., to manage the Pfeiffer College farm, that school's primary source of income. There he met and married his wife, Bonnie Henderson, and earned a degree.

Mr. Mount was a decorated World War II veteran, having carried out bombing missions out of Tripoli, Libya, as a member of the Army Air Corps.

After graduating from Duke Law School, Mr. Mount practiced law in Durham for almost 60 years, at one time heading the largest law firm in the city. He was general

counsel for many years to the Home Security Life Insurance Co. in Durham, and orchestrated its merger into People's Security. He also served as counsel for the Durham Bulls minor league baseball team.

Mr. Mount was a mentor to many lawyers in the Triangle region. He was involved in local and state bar associations and was particularly interested in ethics issues. Known for his pro bono work, he often was compensated with cured hams and bushels of tomatoes left on his steps by grateful clients. He also was active in civic and political affairs in Durham and served as a leader in the early days of the civil rights movement. In 1964 he assembled a group of five African-American ministers at his Durham home to meet and discuss civil rights issues with President Lyndon B. Johnson.

Mr. Mount is survived by his wife of 70 years, Bonnie; son Thom; daughters Elisabeth Marie Mount Williams and Mary Mount; and one grandson.

1948

Carl Albert Hyldborg, 84, of Asheville, N.C., died June 23, 2007. A native of Concord, N.H., and resident of Asheville since 1948, Mr. Hyldborg served in the U.S. Army Air Corps during World War II and retired in 1983 from the U.S. Air Force with the rank of lieutenant colonel. Mr. Hyldborg was a member of Bethel United Methodist Church where he served as a lay speaker and coordinator for lay witness missions.

Mr. Hyldborg practiced law in Asheville for over 50 years. He was a member of the North Carolina Bar Association and the Western North Carolina Pilots Association, and served on the Asheville Airport Authority Board and numerous county and city boards.

Mr. Hyldborg is survived by his wife, Gertrude "Trudy" Clement Hyldborg; children, Patricia Ann Hyldborg, Julie Britt Young, Charlotte Genell Britt Henningsen, David Huel Britt, Steven Dillon Britt, Lisa Nelson Keener, Carolyn Badila, and Sandra Barrett; seven grandchildren; and one great-grandson.

Irwin G. Manley, 87, of Santa Maria, Calif., died Sept. 27, 2007. Born in DeSmet, S.D., he graduated from high school in Arlington, S.D., in 1938 as valedictorian of his class. He attended South Dakota State College for a short time prior to his military service, which included service in the South Dakota National Guard, U.S. Naval Air Corp., and the U.S. Army Air Corps prior to and during WWII. He was a licensed pilot.

Mr. Manley was licensed to practice law in North Carolina, Nebraska, and South Dakota, and spent several years in private practice before becoming a professor of law at the University of South Dakota. He

In Memoriam

later worked for Gibson, Dunn & Crutcher in Los Angeles for 18 years, during which time he served as a faculty member and on the board of advisors for the School of Paralegal Studies at the University of West Los Angeles. He was a life member of the American Association of Law Libraries and the Southern California Association of Law Libraries. Mr. Manley also served as a faculty member for the Practising Law Institute in New York at its legal seminars around the country. His published articles focused on law libraries and law firms.

After his retirement, Mr. Manley moved to Santa Maria, Calif., where he served on two Santa Barbara County grand juries. In 1997 he was appointed to the volunteer position of "Wishgranter" for a term of one year by the Make-A-Wish Foundation of the Tri-Counties, Santa Barbara.

Mr. Manley was preceded in death by his wife, Vera Ann, and his daughter, Beth M. Hornke. He is survived by his son Mark A. Manley; brothers Donald and Dale; and a grandson.

Marvin Rosenthal, 83, of Palm Beach, Fla., died March 11, 2007. He is survived by his wife, Harriett, and two daughters, Linda Rosenthal and Nancy Rosenthal.

1951

Hugh Roger Anderson, 82, of Asheboro, N.C., died on May 29, 2007. Born in Havesville, N.C., he was a veteran of World War II, serving as a bombardier and navigator of B-29s in the 20th Air Force in the Southwest Pacific and achieving the rank of first lieutenant. He earned his undergraduate degree at Furman University before attending Duke Law School. After his admission to the North Carolina Bar, Mr. Anderson entered into law partnership with A.I. Ferree, and then became a partner in its successor firm, Walker, Anderson, Bell & Ogburn. From 1967 until his retirement in 1991, he was a solo practitioner.

Mr. Anderson served on the board of directors of First National Bank, as president of the Randolph County and 19th Judicial District Bar Associations, and on the board of First United Methodist Church, the Asheboro Planning Board and Board of Adjustments, the board of directors of the Asheboro Chamber of Commerce, and the Randolph County Center for Exceptional Children, where he was a charter member.

Mr. Anderson is survived by his wife of 59 years, Hazel Hamilton Anderson; three sons, Craig, Roger, and Paul; two grandchildren; sisters Sally Jo Warren and Betty Jean Olive; and brother Kermit Anderson.

1952

John M. Specia, 90, of Kansas City, Mo., died Sept. 10, 2007. A professor emeritus of the University of Missouri-Kansas City School of Law since 1985, Professor Specia attended Notre Dame University receiving a bachelor's degree in philosophy in 1941 and a JD in 1942. After practicing law in Indiana, he joined the faculty of the School of Law of the University of Kansas City in 1947. He retired from what is now the University of Missouri-Kansas City School of Law in 1985. In addition to serving as professor of law, he served as associate dean (1959-64) and acting dean (1958-59).

He earned an LLM degree from Duke Law School and served as a Duke Fellow during a faculty sabbatical.

Professor Specia's areas of scholarship and teaching included agency, airspace, conflict of laws, consumer protection, creditor and debtor's rights, domestic relations, international organizations, and juvenile law and procedure. He was published in various legal journals and co-authored *West's Federal Practice Manual*. He chaired the advisory commission to the *Journal of Family Law* from 1961 to 1966 and served as reporter to the Missouri Supreme Court committee on juvenile rules from 1975 to 1978.

Professor Specia is survived by his sister, Teresa Mitchell, and his brother, Al.

1955

Fred H. Steffey, 74, of Ponte Vedra Beach, Fla., died Aug. 25, 2006. Born in Wilmington, N.C., Mr. Steffey received his undergraduate degree at Duke University. At the Law School he was a member of the first moot court team and served as managing editor of *Duke Law Journal*. He served as host for a Class of 1955 reunion in Florida in April 2000.

After graduating from law school, Mr. Steffey worked as an attorney instructor for the Duke Legal Aid Clinic before joining the Office of Chief Counsel of the Internal Revenue Service in Atlanta. In 1962 he joined the Jacksonville, Fla., firm of Mahoney, Hadlow & Adams. After leaving his partnership to establish a solo practice in 1982, he remained of counsel to the firm. Mr. Steffey's practice areas included estate and gift taxation, estate planning, and employee benefits. Before his 2005 retirement, Mr. Steffey was a member of the Florida Bar Tax Section's Executive Council and the Estate Planning and Employee Benefits Councils, and lectured at the Florida Bankers Association's Trust School. Mr. Steffey was a member of Rotary International, having served as president of the local chapter. He was a member of the board of directors of Hope Haven Children's

Clinic and the Development Council of University Hospital of Jacksonville. He is survived by his wife, Betty Stimpson Steffey.

1959

Frank H. Abernathy Jr., 72, of Richmond, Va., died March 31, 2007. Mr. Abernathy was past national president of Phi Delta Theta, a member of Richmond Randolph Lodge No. 19, Ancient Free and Accepted Masons, Richmond Scottish Rite Bodies, and ACCA Temple Shrine. Mr. Abernathy received a BA from Duke University before attending Duke Law School. He also attended the University of Richmond. He is survived by his sister, Patricia A. Spies; one nephew, Michael A. Spies; a great-nephew; and a great-niece.

1962

Thomas C. Dorsey, 69, of Silver Spring, Md., died March 23, 2007. Mr. Dorsey was born in Jamestown, N.Y., and graduated from the University of Buffalo in 1959 before attending Duke Law School. In the 1960s, Mr. Dorsey was principal assistant to the commissioner of the Interstate Commerce Commission. He was in private practice specializing in transportation issues before joining the Association of American Railroads during the 1970s. He worked for the American Short Line and Regional Railroad Association from 1979 to 1995, retiring as vice president, general counsel and secretary. In retirement, Mr. Dorsey volunteered at the Clinton White House, where he reviewed correspondence sent to the president.

Mr. Dorsey is survived by a sister.

1963

Lucius Herman Harvin III, 68, of Henderson, N.C., died on May 30, 2007. At Henderson High School, Mr. Harvin was president of the student body, captain of the football team and a member of the Beta Club. He attended Davidson College and graduated from the University of North Carolina at Chapel Hill before attending Duke Law School. His college and law school accomplishments included ROTC Cadet of the Year, member of the Phi Delta Theta Fraternity, the Russell M. Roberson Award, and member of the *Duke Law Journal*.

Mr. Harvin practiced law with the firm of Wilcox, Cook, Savage, and Lawrence in Norfolk, Va., before joining the real estate department of Rose's Stores, Inc. Mr. Harvin eventually became chairman of the board and chairman of the executive committee at Rose's. He also served as president and board member of the International Mass Retailers Association and in 1992 was inducted into the Discount Hall of Fame.

Mr. Harvin was a member of the Henderson City Council, the Henderson YMCA, the Rotary Club, and the First Presbyterian Church. He was an honorary life member of the Law School's Board of Visitors, an executive member of the North Carolina Citizens for Business and Industry, and a board member for Wachovia Bank and Trust as well as numerous other corporate and community associations.

He is survived by his wife of 48 years, Rebecca Lane Harvin; daughters, Rebecca Harvin Woltz and Virginia Harvin; son, Lucius Herman Harvin IV; brother George Myrick Harvin; sisters, Emma Harvin Currigan and Jessie Rose Harvin; and six grandchildren.

1964

John Robert Elster, 69, of Winston-Salem, N.C., died on May 15, 2007. Mr. Elster received a BA from Rice University in 1959 before entering the Marine Corps as a first lieutenant serving from 1959 to 1961, achieving the rank of captain. After graduating from Duke Law School, Mr. Elster moved to Winston-Salem and joined the firm now known as Kilpatrick Stockton, becoming a partner in 1970. With 40 years of trial experience in state and federal courts, including the U.S. Supreme Court, he was listed in *Best Lawyers in America* in both business litigation and personal injury litigation. He was a member of the American College of Trial Lawyers and wrote and lectured on numerous topics dealing with civil trial practice. He served as an adjunct professor at Wake Forest University School of Law. Mr. Elster served on the boards of Summit School and Forsyth Country Day School. He was a member of the Board of Trustees of Centenary United Methodist Church, where he was a member for over 40 years. He was an active member of the Downtown Rotary Club, serving as president from 1987 to 1988.

Mr. Elster is survived by his wife, Helen Suzan Douglas; a son, John Robert, Jr.; daughter, Mary Elster Peters; five grandchildren; and two sisters.

1970

Eugene E. "Gene" Derryberry, 64, of Roanoke, Va., died July 5, 2007. Born in Chattanooga, Tenn., Mr. Derryberry grew up on Signal Mountain and attended Duke University as an Angier B. Duke scholar. Upon receiving a bachelor's degree, he was commissioned as an officer in the U.S. Navy and served aboard the USS Fort Snelling in the Atlantic and the Mediterranean. After completing his military service, Mr. Derryberry entered Duke Law School, where he was a member of the *Duke Law Journal*. After graduation, he began practice in

Richmond, Va., moving to Roanoke in 1973 to join Gentry, Locke, Rakes and Moore. He remained associated with the firm until his death. Mr. Derryberry was listed in *Best Lawyers in America* and was named to "Virginia's Legal Elite" by *Virginia Business Magazine*.

Mr. Derryberry was a member of Unitarian Universalist Church of Roanoke, where he served for many years on the board of directors, and was an active participant in the choir. He was a board member for many years of Child Health Investment Partnership and Total Action Against Poverty and was a "Barrister Book Buddy" for the Morningside Elementary School in Roanoke. He was an avid outdoorsman and a talented musician.

Mr. Derryberry is survived by his wife, Joanne; two sons, Jonathan and Wesley; sister, Kay McKinnon; and brother, George Derryberry.

1971

Bryan Edwards Sharratt, 59, of Arlington, Va., and Wheatland, Wyo., died Aug. 16, 2007. Born in Bethesda, Md., Mr. Sharratt grew up in a Navy family and lived around the world. He was valedictorian of the Class of 1965 at Norfolk Academy, Norfolk, Va. He graduated from Duke University in 1968 before attending Duke Law School. He served in the U.S. Navy, as a judge advocate at the 11th Naval District Law Center, San Diego, and as head of the trial team at North Island Naval Air Station. After release from his military service, he served an additional 19 years in the Air Force Reserve, achieving the rank of lieutenant colonel. He was a graduate of the Air Command and Staff College and the Air War College. His military awards include the Meritorious Service Medal with two Oak Leaf Clusters and the National Defense Service Medal, Sharpshooter Pistol.

Mr. Sharratt earned an MBA at the University of Wyoming in 1977 and then opened a branch office for Urbigkit & Whitehead. In 1978, he was elected and served four years as county and prosecuting attorney for Platte County, then launched Sharratt & Sharratt with his father in 1982. Mr. Sharratt practiced law for nearly 20 years in Wyoming and served as president of both the Wyoming Trial Lawyers Association and the Wyoming County and Prosecuting Attorneys Association. He also was a certified public accountant and real estate broker. Appointed twice as a trustee of the University of Wyoming, Mr. Sharratt served as its president in 1990-91. He also served as president and chairman of the Western Research Institute, was the treasurer and finance chairman of the Wyoming Democratic Party from 1980 to 1982, and ran for Congress in 1988, against Dick

Cheney. In 1992, Mr. Sharratt served as the Clinton campaign manager for the state of Wyoming.

In 1994, President Clinton appointed Mr. Sharratt to serve as the deputy assistant secretary of the Air Force, Reserve Affairs, overseeing the Air National Guard, Air Force Reserve, and all of the Air Force's counter drug activities, as well as serving on the Reserve Forces Policy Board. In 2000, Mr. Sharratt served as the executive director of the National Committee for Employer Support of the Guard and Reserve, managing the relationship of reserve component members and their civilian employers. Since 2003, Mr. Sharratt was a member of The Spectrum Group, a consulting firm located in Alexandria, Va. In 2006, he was appointed to an independent commission on veterans' issues to the Commission on the Future of America's Veterans. He also served as president of the Alumni Committee of the Reserve Forces Policy Board and recently was appointed to the Reserve Officers Association board of trustees.

Mr. Sharratt is survived by his wife, Ann Marie; his son, Carroll Craig; his daughter, Jo Marie McGuire; his brother, James; and one grandson.

1972

Robert H. Michelson, 62, of Racine Wis., died March 10, 2007. Mr. Michelson was Racine's first municipal judge, serving for 28 years. The municipal courtroom was named in his honor in January 2007. Mr. Michelson was a member of many organizations, including the Beth Israel Sinai Temple, Rotary Club of Racine, ACLU, PFLAG, and Global Volunteers. He was named one of the 2006 Wisconsin "Super Lawyers" in *Milwaukee Magazine* and was expert in bankruptcy law.

Mr. Michelson is survived by his wife, Carrie; three sons, Abraham, Noah, and Jacob; two sisters, Geri Kelly and Lois Stallard; and a brother, Lee Michelson.

1973

Edward J. Hopkins, 58, of Palm Beach Gardens, Fla., died Aug. 3, 2007. Mr. Hopkins was born in Middletown, Ohio, and received a bachelor's degree from Xavier University in 1970 before attending Duke Law School. He was licensed to practice law in both Florida and Texas and was board certified in health law by the Florida Bar.

Mr. Hopkins was a member of the Health Care Compliance Association, Florida Healthcare Corporate Compliance Association, American Health Lawyers Association, Florida Association of Healthcare Attorneys and Health Law Section of the Florida Bar, and the Healthcare Financial Management

In Memoriam

Association. He also was active in the Florida Hospital Association.

Mr. Hopkins was included in *The Best Lawyers in America* (health care law) for more than 10 years, was among the best Florida health care lawyers according to *Chambers USA*, and was named a "Florida Super Lawyer" in 2006-2007 by *Law & Politics* magazine. He was chosen by his peers as a 2007 "Florida Legal Elite" as published in *Florida Trend* magazine.

Mr. Hopkins is survived by his wife, Maggie; daughter, Megan; sons, Ryan, Kevin, and Casey; parents, Margaret and John; and a brother, John.

1975

John Bowman McLeod, 56, of Greenville, S.C., died June 11, 2007. Born in Orangeburg, S.C., Mr. McLeod graduated from Wofford College, where he was Phi Beta Kappa, prior to attending law school at Duke. He clerked for Judge Donald Russell, Fourth District Court of Appeals, and spent three years in the Judge Advocate General Corps as a captain in the U.S. Army. Mr. McLeod was a member of the board of directors of The United Methodist Church Foundation and the Buncombe Street United Methodist Church. He was a former president of the University of South Carolina Society and a former vice president of the South Carolina Historical Society.

Mr. McLeod is survived by his wife, Cheryl "Wink," and a brother, Harold. He was predeceased by a daughter, Maggie Elizabeth McLeod.

1975

Alex Louis Marusak, 65, of Ennis, Texas, died Feb. 6, 2007. Mr. Marusak was the ninth of 13 children, the last child in the family to be taught the Czech language as his native tongue. He worked his way through college, earning a PhD in nuclear physics at the University of Tennessee and Oak Ridge National Laboratory in 1969. He worked for a year in the Theoretical Division at Los Alamos National Laboratory before starting his law degree at Duke. After earning his JD, he joined the Geosciences Division at Los Alamos and remained at that research facility. He retired in 1998 from the Nonproliferations and International Security Division, and returned to his hometown of Ennis.

Mr. Marusak is survived by his wife, Nancy.

Jay Dee (J.D.) Pickering, 62, of Santa Rosa, Calif., died April 23, 2007. Mr. Pickering was born in Yale, Okla. He was recently retired as an investigator for the State Bar of California after 20 years of service. He was a veteran of the Military Intelligence Branch of the U.S. Army.

Mr. Pickering is survived by his daughters, Elizabeth and Kathryn; brothers Michael Pickering and Paul Teague; sister Leslie Pickering; and two grandsons.

1977

Janice Lorene Mills, of Hillsborough, N.C., died Aug. 20, 2007. Ms. Mills was raised in Reidsville, N.C., and received her BA from the University of North Carolina at Chapel Hill, where she majored in political science and was a Phi Beta Kappa, a Johnston Scholar, a Brooks Scholar, and a Valkyries Women's Honor Society member. While in law school, Ms. Mills served as a legal assistant for the Duke University Equal Opportunity Aid Society and received a Reginald Heber Smith Community Lawyer Fellowship.

A faculty member and former dean of the North Carolina Central University (NCCU) School of Law, Ms. Mills was a member of the American Bar Association, the North Carolina State Bar, and the North Carolina Bar Association. She served on several boards at universities across North Carolina and as a lecturer at the Ghana School of Law in West Africa, coordinating visits of Ghanaian judges and the Ghana School of Law dean to North Carolina Central University Law School.

Ms. Mills wrote *North Carolina Landlord and Tenant Breach and Remedies: With Forms* (Harrison Company 1991; 1997 Supplement). The book was listed in the December 2001 edition of *A Selected Bibliography of North Carolina Practice Materials for Lawyers and Other Legal Professionals*.

Ms. Mills was appointed the 11th dean of the NCCU School of Law in August 1998. During her tenure, she advanced the law school in fundraising and in the percentage of students passing the bar examination. Her deanship ended with the comprehensive renovation and expansion of the Albert L. Turner Law Building.

Ms. Mills is survived by her mother, Laurene Wise Mills; her sisters, Joylette Mills-Ransome and Janie Charlene Penn; her brothers, Charles, Vernon, Bentley, Timothy, Fred, and Kelvin; and her friend of 30 years, Roberta Ann Dunbar.

1979

William F. Giarla, 54, of Mt. Lebanon, Pa., formerly of Nahant, Mass., died June 4, 2007. Mr. Giarla received his undergraduate degree from Harvard University in 1975. After earning his JD at Duke, he joined Buchanan Ingersoll in Pittsburgh as a litigation associate. He moved first to Westinghouse Corp. and then to Koppers Industries, which was acquired first by Beazer and subsequently by Hanson. While with the company, Mr. Giarla became an expert in the reinsurance and

reclamation aspects of environmental law, and maintained a working association and affiliation with the firm of Babst, Calland, Clements, & Zomnir.

Mr. Giarla was president of the Martha Fund, dedicated to building children's playgrounds in memory of his sister-in-law, Martha Dixon. In addition to making many contributions to playgrounds in the Pittsburgh area, in 2007 Mr. Giarla realized his dream with the opening of a signature playground, called Martha's Playground, in Mt. Lebanon Park. Mr. Giarla was the driving force behind its approval, development, and construction. He also served as the president of the Pittsburgh Chapter of the Harvard Yale Princeton Club.

Mr. Giarla is survived by his wife of 23 years, Joanne; his children, Katie and Kenny; seven brothers and sisters; and 36 nieces and nephews.

1980

R. Lawrence Bonner 50, of Coral Gables, Fla., died May 1, 2007. Mr. Bonner was a partner in the law firm Homer & Bonner, which he co-founded in 1986. A trial lawyer, he specialized in the areas of commodities litigation, arbitration, and regulation. Born in Buffalo, N.Y., Mr. Bonner graduated from the University of Notre Dame in 1977 before attending Duke Law School. He provided pro bono legal services to the Dade County Legal Aid Society, served as president of his homeowners' association for five years, and supported United Way, the International Kids' Fund, Homestead Rescue Mission, and numerous other local charities.

Mr. Bonner is survived by his wife of 25 years, Jeanie; their three sons, Michael, Andrew, and Sean; his mother, Nancy Ballard; father, Robert A. Bonner; and brothers, Bob, Chris, Greg, and Josh.

1981

David Yuan Li, 52, of Acton, Mass., died April 14, 2007. A prominent attorney and martial arts master, Mr. Li was born and raised in Bethesda, Md., after his parents emigrated from mainland China.

Mr. Li graduated from the Georgetown University School of Business, *magna cum laude*, in 1976. After graduating from Duke Law School, he worked as an assistant district attorney in New Mexico for several years before joining the Environmental Crimes Task Force for the State of Maryland as an investigating and prosecuting attorney. In 1989, he moved to Boston and entered private practice, specializing in environmental law.

A junior partner at the law firm Posternak, Blankstein, & Lund, Mr. Li was co-chair of the Environmental Law Group and was a brownfield specialist. He was named a "Super Lawyer" by *Boston*

Magazine in 2004, 2005, and 2006. A member of and lecturer for the City of Worcester's Brownfields Redevelopment Group, he also was an annual lecturer at the Harvard University Department of Landscape Architecture, where he taught a course titled "Offerings in Science and Technology."

Mr. Li was an avid practitioner of martial arts throughout his life and had attained the rank of master with a sixth-degree black belt in Tae Kwon Do. He taught a weekly sparring class at Kwon's Martial Arts in Tewksbury, Mass., for many years, and he mentored many students to the black-belt level. He enjoyed a number of other martial arts and recently became an enthusiastic practitioner of Brazilian Jujitsu.

He is survived by his wife, Martine Voiret; three sons, Gregory, Christopher, and Alex; his sisters, Clair Ming MacLane and Dr. Anne Ling Li; and two grandchildren.

1985

Warren Smith Jr., 49, of Village of Palmetto Bay, Fla., died May 14, 2007. Raised in Smithtown, N.Y., he graduated from law school with high honors. He then joined the office of the county attorney in Miami and served as an assistant Miami-Dade County attorney for more than 20 years. Mr. Smith was a gifted litigator, an advocate for the ARC (Association for Retarded Citizens), and supporter of the United Way, Camillus House, and many other charities.

Mr. Smith is survived by his wife, Cathy; his sons, Ryan and Kevin; his parents, Warren and Colette; his sister, Pamela Smith Rodriguez; his brother, Arthur J. Smith; and two grandchildren.

1988

F. Bruce Williams, 49, of Durham, died June 16, 2007. Born in Stamford, Conn., Mr. Williams graduated from high school in Cleveland Heights, Ohio, before joining the U.S. Army. He served most of his enlistment as an air traffic controller in Germany. Following his military service, Mr. Williams studied ancient history at the University of South Florida, graduating *summa cum laude* before attending Duke Law School. He was a partner with Womble, Carlyle, Sandridge & Rice.

Mr. Williams was a member of the American Bar Association and the North Carolina Bar Association, a former commissioner of the 14th Judicial Bar Association, and a member of the North Carolina General Statutes Commission.

Mr. Williams is survived by his wife, Barbara "Jeanne;" his mother, A.V. de Zayas; and his sisters, Barbara Lamphere and Mariela Hurst.

1998

Tricia Bohnenberger Valles, 34, of Tampa, Fla., and formerly of Endwell, N.Y., died Sept. 5, 2007. She graduated from Maine-Endwell High School and Binghamton University before attending Duke Law School. She was a partner in the law firm of Morgan, Lamb, Goldman and Valles in Tampa.

Ms. Valles is survived by her husband of 10 years, Raul Valles Jr.; her parents, George and Patricia Bohnenberger; her sister, Kristin Henn; her brother, Michael Bohnenberger; and her maternal grandparents, Charles and Ellen Judge.

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Honor Roll of Donors 2006–2007

This report gratefully acknowledges the generosity of the many alumni and friends who provide vital support to Duke Law School. The Law School operates on a fiscal-year calendar, and gifts listed in this report were received between July 1, 2006, and June 30, 2007. If you believe we have made any errors, please contact Katharine Buchanan, Assistant Dean for Alumni and Development (919-613-7217, buchanan@law.duke.edu).

Dear Alumni and Friends,

AS CHAIRMAN OF THE BOARD OF VISITORS of Duke Law School, I want to pay tribute to the extraordinary efforts of my predecessor, Peter Kahn '76, and our former dean, Kate Bartlett, with this report of record fundraising under their stewardship during the 2006–07 fiscal year.

We received a total of \$20,622,822 in gifts and pledges from alumni and friends last year, a 25 percent increase over funds committed in 2005–06. The Law School administration, staff, and the entire Board of Visitors join me in thanking you for your hard work and singular generosity.

Some highlights make last year's results even more impressive. Contributions of cash and securities totaled \$12,291,588, the most in our history. The Annual Fund also had a stellar year, with donations totaling \$2,044,565.

Our greatest source of increased giving came from the exceptional generosity of our reunion classes. They raised nearly \$1.3 million in reunion gifts and pledges, an increase of 38 percent from the previous year. The Class of '67 set a new reunion record of \$463,655; members of that class responded with enthusiasm to a \$300,000 challenge gift to the Annual Fund from two of their classmates. Members of the Class of '82 also made a substantial contribution, establishing an endowed scholarship in memory of their classmate, Bernie Friedman.

The 2007 class gift, a record at more than \$386,283, offers tangible evidence of the affection current students feel for the Law School and of their commitment to helping others benefit from a Duke Law education. Thanks to an anonymous donor's challenge to focus on financial aid, all gifts to endowed scholarships and to the Loan Repayment Assistance Fund were matched a second time through Duke's Financial Aid Initiative.

Members of the Board of Visitors and friends of the Law School honored Kate Bartlett's superb record of scholarship and leadership by contributing \$2.83 million to establish a chaired professorship in her name. The chair will be named for her parents, Elizabeth and Edgar Bartlett, until she retires from

the faculty, at which point it will be renamed the Katharine T. Bartlett Professorship.

I am delighted to report that the Law School has received an extraordinary pledge of \$10 million from an alumnus to endow and name the Law Library. The generosity of this individual, whose philanthropy will be more widely celebrated later this year, was acknowledged by the Board of Visitors during its April 2007 meeting and at a special groundbreaking ceremony for the construction of Star Commons and the renovation of the library. These projects are slated for completion in September 2008.

Finally, let me report to you on the best kind of regime change. David F. Levi began his term as dean on July 1, coming, as you know, from the federal bench to build on our firm foundation. I am immensely impressed by the wisdom and creativity he brings to the deanship. Our support and dedication as a community must continue to match David's commitment as we work together to make Duke the most exciting place in the nation to teach and study law.

Every gift to Duke Law School, regardless of amount or designation, whether it is of time or money, enhances our mission as one of the country's leading legal research and teaching institutions. Your gifts of hard work and financial support make possible the Law School's ability to make strategic additions to faculty, to fund merit and need-based scholarships for an economically and socially diverse population of incoming students, to jump-start innovative interdisciplinary programs and curricular advances, and to accomplish the Law School's outreach and public service initiatives. Your interest, support, and commitment are the essential ingredients that enable the Law School to excel, to aspire, and to rise. Thank you, again, for all you do for Duke Law School.

Sincerely,



Michael Dockterman '78
Chairman, Duke University Law School
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The Lanty L. Smith Society

The Lanty L. Smith Society, named for the Law School's first \$1 million donor, recognizes alumni and friends whose cumulative gifts and pledges to the Law School total \$1 million or more. We are grateful to this growing group for its loyal and tremendous support of Duke Law School.

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The Barrister Donor Society, the Law School's leadership giving society, was founded in 1975. The Barristers have distinguished themselves by demonstrating their commitment to the future of the Law School and its students.

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 Jeremy C. Entwisle '04
 Henry L. Falls III '06
 Nita Farahany '04
 Matthew R. Fearnside '07
 Sean M. Fillinich
 Maria J. Fincher
 Lynn Rosenthal Fletcher '83
 Robert Parker Fletcher '83
 Kurt W. Florian, Jr. '84
 James L. Fogle '75
 Linda Cox Fornaciari '81
 Mark Stephen Foster '73
 Debbie Lewis Fox
 James R. Fox '71
 Jennifer Lynne Franklin '98
 Ann Marie O. Fred
 John D. Fred '04
 Richard M. Freeman '74
 James C. Frenzel '70
 Carl H. Fridy '73
 Jean Louderback Fridy
 David E. Friedman '88
 Melinda M. Friedman
 Tyler J. Friedman '06
 Anita B. Fromholz
 Haley J. Fromholz '67 R
 Paul Jay Fukushima '75
 Robert J. Gallagher, Jr. '04
 Pamela Brooks Gann '73
 Jill M. Gardner
 Seth Evan Gardner '94
 Paul R. Genender '94

Sheila B. Gerstein
 Kodwo P. Gharthey-Tagoe '88
 Robert R. Ghoorah '97 R
 Stanley Martin Gibson '91
 Brian B. Gilbert '87
 Elyse Michelle Gilbert
 Anne P. B. Gilchrist
 Peter S. Gilchrist III '65 ~
 Steven R. Gilford '78
 Darin Jeffrey Glasser '02 R
 Lisa Sharrock Glasser '02 R
 Reena N. Glazer '94
 Ellen J. Gleberman
 Russell T. Goin '01
 Marc E. Golden '88
 Joseph W. Goodman '03
 David Allen Greene '91
 S. Ward Greene '73
 R. Bertram Greener '68
 Michael William Gregory, Jr. '90
 Harry L. Griffin, Jr. '63
 Jeanne Grogan
 Michael S. Guntersdorfer '04
 Elizabeth A. Gustafson '86
 Mark Daryl Gustafson '86
 Harold A. Haddon '66
 Eric H. Halvorson '76
 Patrick Preston Hansen '07
 Anthony S. Harrington '66
 Hope R. Harrington
 Robert E. Harrington '87
 Scott D. Harrington '83
 Sharon Carr Harrington '89
 Cathleen R. Harris
 Ivan P. Harris '94
 Kenneth Rhyne Harris '02 R
 Marcella Ann Harrisharger '02 R
 William J. Hart '66
 Mary Jane Hartenstine
 Harry J. Haynsworth IV '64
 Anne C. Hazlett '07
 Wengang He '04
 Mark R. High '79
 Paul A. Hilstad '69
 L. Cecily Hines '81
 William A. Hirsch '64
 Yi-Zu Elaine Ho '07
 Michael K. Hoffman '89
 G. Courtney Holohan '98
 Eric James Holshouser '80
 Lori Terens Holshouser '80
 Elizabeth Anne Holt '00
 Dawson Horn III '83
 Donald L. Horowitz
 Judith A. Horowitz
 Hilary Houston '07
 John A. Howell '75
 Regina D. Howell
 Linda S. Hughes ~
 Randall L. Hughes '68 ~
 Frank W. Hunger '65
 Kathryn W. Hynes
 Terence M. Hynes '79
 Holly Iboosh '07
 Taai Izushima '07
 N. Anthony Jeffries '92 R
 Heather Maria Johnson '07

Samuel W. Johnson '72
 Velma H. Johnson
 Allison Jones '07
 Sang-Soo Jun '00
 Adili Kabahita '07
 Michael H. Kahn '77
 Margaret J. Kaufman
 Mark D. Kaufman, Sr. '74
 Joshua Kaye '07
 Christopher G. Kelly '86
 Carla O. Kennedy
 Sean Patrick Kennedy '82
 Daniel A. Kent '90
 Nannerl O. Keohane
 Robert Keohane
 Stephen V. Kern '81
 Glenn E. Ketner III '06
 Joelle S. Khoury '06
 Michelle M. Khoury '07
 Sae Youn Kim '07
 Sang Gyu Kim '07
 Eleanor D. Kinney '73 ~
 William J. Kirby
 Stephan E. Klingelhofer '67
 Christopher J. Kocher '06
 William Isaac Kohane '88
 David C. Kohler '78
 Patti Kohler
 Aleks Kopec '07
 John A. Koskinen
 Patricia Koskinen
 Michael Hugh Krimminger '82 R
 J. Michael Lamberth '73
 Sandra N. Lamberth
 David D. Laufer '69
 Minho Lee '07
 Matthew N. Leerberg '06
 Jared R. Lenderink '06
 Regina A. Lennox '06
 Garrett A. Levin '06
 Jay Jordon Levin '74
 Christian A. Libson
 Jeffrey P. Libson '81
 Robert B. Lloyd, Jr. '50 ~
 Thomas W. Logue '82
 Sean M. Lonquist '07
 Stuart D. Louie '03
 Cym H. Lowell '72 ~
 John F. Lowndes '58
 Charles C. Lucas III '90
 Cosmas N. Lykos '93
 Kelli-Anne Lykos
 Stacy Collins Lynch
 Stephen M. Lynch '86
 Janice F. Madden
 Paul C. Madden '72 R
 George R. Mahoney, Jr. '67
 Jane Makela '78 ~
 Linton Mann III '07
 CoraLynn H. Marshall '78
 Christopher M. Mason '83
 Valerie S. Mason '83
 Richard C. Maxwell
 Laurie E. May
 Randolph J. May '71
 Alfred R. Mays '56
 Kathleen Moore Mays '05

Robert A. Mays '04
 Davia Odell Mazur '85 ~
 James Lester Mazur
 Gray McCalley, Jr. '79 ~
 Mary Jo McCalley ~
 Margaret A. McCormick
 Michael D. McCormick
 Robert Edward McCorry, Jr. '76
 Daniel M. McDonald '66
 Robert L. McFadden '54 ~
 Francis E. McGovern II
 Joseph G. McHugh '87
 Celeste P. McLain ~
 Thomas E. McLain '74 ~
 Lei Mei '05
 Timothy Elmer Meredith '77
 Charles W. Mertel '64
 Peter J. Michel '66
 H. Todd Miller '71
 Ian Miller '07
 June L. Miller
 Amos T. Mills III '72 R
 Brenda C. Mills
 Jo Dare Mitchell
 Robert E. Mitchell '61
 Caroline E. Moise
 Phillip H. Moise '74
 Sun-Young Moon '07
 Carol Preston Morgan
 David Welsh Morgan '79
 Thomas H. Morgan '66
 Giovanna P. Moscoso '07
 Mwanga Mtengule '07
 John Patrick Murnane
 Kiersten Murnane
 Christopher Murray '07
 Paul E. Murray '87
 Barbara F. Musselwhite
 Marvin D. Musselwhite, Jr. '63
 David J. Naftzinger '73
 Robert Harrison Nagle '87
 Paul S. Nathanson '67
 Joshua B. Neal
 Laura D. Neely
 Phillip W. Nelson '04
 Melissa J. Nephew '06
 Ariane Newell '07
 Leah Nicholls '07
 Elizabeth D. Noble '05
 Sean P. Nobmann '07
 Patricia Taibo Northrop '97 R
 Sidney J. Nurkin '66
 Rohan Oberoi '05
 Bernard Robert Okun
 Deanna T. Okun '90
 Melissa Oliver '07
 Wendy Beth Oliver '87
 Joe Ope '07
 J. D. Page '77 R
 James D. Palmer '79
 Carol S. Pancoast
 David W. Pancoast '67 R
 Rita Y. S. Pang '99
 Rohith A. Parasuraman '07
 Joseph M. Parker, Jr. '60
 Kelcey Patrick-Ferree '07
 Krista L. Patterson '06

William R. Patterson '50 ♦
 William L. Patton '68
 William H. Pauley III '77
 Glen A. Payne '72 R
 Brett Pearlman '07
 Andrew J. Peck '77 R
 John E. Pelletier '89
 Carlos E. Pena '83
 Susan L. Pena
 Kelly A. Perry '03
 Melissa C. Peshkin '03
 Christopher J. Petrini '87 R
 Julie O. Petrini '87 R
 Elizabeth O. Pfohl
 James M. Pfohl
 Marianne Phillip '83
 Deborah Ann Phillips '83
 Barbara D. Pieper
 Nathaniel G.W. Pieper '67 R
 William P. Pinna '68
 Ashmead P. Pipkin '75
 Marjorie A. Pipkin
 David C. Pishko '77 R
 Mary Jane Brown Pishko
 Thomas B. Pitcher '66
 Susan Jean Platt '82
 John T. Plecnik '06
 Catherine M. Plissey
 Steven D. Plissey '84
 David R. Poe '74
 Patty A. Porter
 T. William Porter III '66 ~
 David H. Potel '81
 Evridiki Poumpouridis '06
 Wesley R. Powell '94
 Rebecca Davis Prince '83
 Susan M. Prosnitz '89
 Elizabeth Hitchins Quigley '94
 L. Matthew Quigley '94
 Leonard V. Quigley ♦
 Lynn P. Quigley
 R. Anthony Rall
 Chris A. Rallis '78
 Charles R. Rayburn III '05
 Frank T. Read '63
 Roxane F. Reardon '93
 Ronald L. Reisner '72
 William A. Reppy, Jr.
 C. Nicholas Revelos '65
 Dana M. Rhule-Louie
 Juliana C. Richards '04
 Melanie B. Richards
 Russell Bachman Richards '74
 Keri A. Richardson '05
 Julie M. Riewe '99
 Carolyn Pritchard Riordan
 Robert P. Riordan '84
 Ben S. Ritche '07
 Edgar J. Roberts, Jr. '63
 Horace B. Robertson, Jr.
 Patricia L. Robertson
 Brandon N. Robinson '07
 Frederick Robinson '82 R
 Russell M. Robinson II '56
 Sally D. Robinson
 Keith A. Rogers '04
 Jennifer P. Rose '81

Leo Rose III '81
 Peter Glatz Rush '85
 Cheryl Feik Ryan '87 R
 Adam G. Safwat '94
 Hideyuki Sakai '82
 Teresa A. Sakash '06
 Cheryl C. Sanford
 John R. Sapp '69
 Bernadette Schaeffler
 Georg F. W. Schaeffler '99
 Linda M. Schmalbeck
 Richard L. Schmalbeck
 Per Haakon Schmidt '83
 Daniel R. Schnur '86
 Deborah S. Schnur
 Teddy F. Schwarzman '06
 Ellen Z. Schwarzman '06
 Katherine Scott '07
 Michelle A. Seltzer '97
 Garrick Sevilla '07
 Joanne B. Sgrosso ~
 Vincent L. Sgrosso '62 ~
 John Sharkey '87
 Susan W. Shenkin
 Robert J. Shenkin '70
 Rodrick Shepard '07
 John A. Sherrill '72
 Beth B. Sholtz
 Fredericka S. Sholtz
 Michael C. Sholtz '88
 Barbara L. Sibley
 Kenneth D. Sibley '85
 Pamela K. Silverman '81
 Caroline W. Sink
 Robert C. Sink '65
 Halcyon E. Skinner '73
 Jared Slade '07
 Amy Beth C. Slutkin '91
 Andrew G. Slutkin '91
 Danielle M. Smallwood
 Jesse T. Smallwood '04
 David B. Smith, Jr.
 Geoffrey Scott Smith
 James D. Smith '86
 Lori S. Smith '84
 Michael Stephen Smith '85
 Randell Clark Smith
 Tanya R. Smith '98
 William S. Smoak, Jr. '06
 Brian A. Snow '66
 Sarah Kathleen Solum '98
 Michael J. Sorrell '94
 Kenneth G. Starling '73
 Susan P. Starling '72
 Linda G. Steckley
 William H. Steinbrink '67
 Sonja Steptoe '85
 Thomas C. Stevens '74
 Chris Stiner '07
 Thomas B. Stoel '37 ~
 Caroline P. Stoel '37 ♦ ~
 Randy C. Stoker '06
 Joshua J. Stowell '06
 Donald R. Strickland '84
 Kathy Brooks Strickland
 Walter A. Stringfellow III '71
 Emily K. Su '04

Brian T. Sumner '04
 Marinos T. Svolos '60
 Sebastia L. Svolos
 Gwynn T. Swinson '86
 Jeffrey E. Tabak '82 R
 Marilyn D. Tabak
 Letty M. Tanchum '73
 Meredith Jo Tanchum '07
 Michael L. Tanchum '72 R
 Lovita T. Tandy '96
 David C. Tarshes '81
 Richard Eric Teller '74
 Juliann Tenney '79
 F. Roger Thaler '63 ~
 Imogene H. Thaler
 Roger P. Thomasch '67
 William L. Thompson, Jr. '80
 Adrienne T. Tietz
 Paul H. Tietz '75
 Gerald B. Tjoflat '57 R
 Marcia P. Tjoflat
 Daryl F. Todd, Sr. '67
 Ernest C. Torres '68
 Mariya S. Treisman '00
 Michael B. Treisman '00
 Andrew T. Tripp '04
 Rita Bharat Trivedi '07
 Neil R. Tucker '81
 Nwabundo Enuma Ume-Nwagbo '02 R
 Mark Unger '04
 Zita Unger
 Sue Ellen Utley '70 ~
 Mark T. Uyeda '95
 Minodora D. Vancea '04
 David L. Vaughan '71
 Constance Elizabeth Vaught
 Jeremy M. Veit '00
 Julie O. Veit '00
 Michael K. Vernier '87
 Lori O. Vezina
 William Robert Vezina III '81
 Robert R. Vieth '84
 John D. Volk '73
 Edward H. Wagner
 Patricia H. Wagner '74
 Ying Wang '06
 David Livingstone Ward, Jr. '62 R
 Sean Ward '03
 Sharon K. Wasserman '81
 Steven D. Wasserman '79
 Peter D. Webster '74
 Kathleen Ann Wechter '83
 Diana Marti Weed '02
 Ilene T. Weinreich '93
 Peter G. Weinstock '85
 Peter A. Weitzel
 Sarah E. West
 Mark Whittaker Whalen
 C. Bryan Wilson '04
 Sylvia Winston '07
 John J. Witmeyer III '71
 Calder W. Womble '47
 Martha H. Womble
 Susan E. Wood '02 R
 Danielle C. Woodlee '07
 Carol Wrenn
 Alicia L. Wright '07

Robert A. Wrzosek '97
 Jacob C. Wu
 Fang Xue '03
 Jinping Yang '03
 Mun Sig Yang '07
 Julian E. Yap '07
 Jon Carl Yergler '79
 Amy Y. Yeung '06
 Do Sig Yoon '07
 Jared Zane '07
 Winston Zhao '88
 Landon G. Zimmer '07
 James B. Zimpritch '73
 Meredith Zinanni '03
 Kevin Zolot '98
 Miranda M. Zolot '98

Samuel F. Mordecai Fellows

\$1,000 - \$2,499

(graduates of five years or less are Fellows at \$500 annually)

Juan F. Aleman '91
 Dina Ackermann '07
 Cynthia Lee Baker
 John H. C. Barron, Jr. '71
 James Edison Bauman '82
 Adam J. Bedel '05
 John Cole Beeler '76
 Pamela J. Beeler
 Gary W. Bieber
 Robert Harrison Bell '02
 Thomas A. Belles '81
 Lynda G. Bender
 Ellen J. Bickal '80
 Mark Bookman '77
 J. Sidney Boone, Jr. '69
 Janet Y. Bradshaw
 Robert W. Bradshaw, Jr. '57
 Alexia M. Branch '06
 Antonio B. Braz '86
 Anthony H. Brett '79
 Stephen J. Bronis '72 R
 Donald B. Brooks '68
 Gregory V. Brown '95
 Ashley Bumgarner '07
 Blain B. Butner '80
 Paige T. Button '94
 Timothy H. Button
 James H. Carll '75
 Leslie P. Carnegie '99
 Theresa M. Carnegie '99
 David C. Carroll
 Sally C. Carroll '86
 Victor A. Cavanaugh '70
 Briget P. Chamness '84
 Dylan Clark
 Loren Montgomery Clark '96
 J. Edward Coleman
 Julie P. Coleman '98
 Dean M. Cordiano '76
 Valerie B. Cordiano
 John L. Crill '67
 Teresa C. Crill
 John W. Cromer, Jr.
 Penny Cromer
 Linlin Cui

Timothy J. Curry '77
 William M. Curtis '65
 Linda Markus Daniels '83
 Jeffrey J. Davidson '77
 Herbert O. Davis '60
 Linwood L. Davis '67
 Robert W. Dickey '97
 Donald P. Dietrich II '90
 Kristyn Elliot Dietrich '90
 William Lyman Dillon '67
 Steven R. Dottheim '78
 Robert L. Dougherty '82
 W. Kirk Drake III
 Fritz L. Duda, Sr.
 Fritz L. Duda, Jr. '93
 James F. Duda
 Suzanne Duda
 Elzhana T. Duissemaliyeva '99
 Charles A. Dukes, Jr. '57 R
 Rebecca W. Dukes
 Christopher Dean Dusseault '94
 J. Scott Dyer '80
 Van W. Ellis '94
 Caroline E. Emerson '85
 James J. Faris '66 ~
 Joan Faris
 Edgar B. Fisher, Jr. '61
 Elizabeth P. Fisher
 Willis H. Flick '48
 Fred Folger, Jr. '52
 Paul B. Ford '68
 Benjamin Eagles Fountain III '83
 Sharon M. Fountain '82
 Michael John Gallagher '77
 William J. Gallwey III '72
 Donald B. Gardiner '65
 Curtis D. Genders '67
 Joe W. Gerstein '52
 Elise A. Gibson-Duda
 Emily S. Glaze
 Richard Edward Glaze '57 R
 Rachael Grad '03
 Charles Scott Greene '82
 Betsy L. Griffin
 C. Frank Griffin '50
 Deborah S. Griffin
 John G. Grimsley '63
 Roy J. Grogan, Sr. '50
 Elliott T. Halio '57 R
 Elisabeth K. Hanratty '06
 John Michael Hartenstine '77
 John Paul Hassiepen '85
 Stacy J. Hauf '05
 Andrew A. Hecht '05
 Ashley J. Hecht
 Jerry H. Herman '79
 Jerone C. Herring '63
 Eric L. Hiser '89
 A. Everett Hoeg III '72
 James P. Holdcroft '80
 Sara M. Holdcroft
 Daniel P. Homiller '06
 John O. Hoos '69
 Robert M. Howard '89
 Arthur J. Howe '85
 Douglas H. Hsiao '92
 Richard D. Huff '72

Jacquelynn Hugee '93
 Jeffrey C. Imerman '05
 Charles O. Ingraham '68
 Larry D. Irick '82
 Thomas L. Irving '77
 James Cary Jacobson '66
 Marla Y. Johnson '07
 Sandra Leigh Johnson
 W. H. Johnson III '94
 Johnson & Johnson
 William D. Jones III '83
 Nora M. Jordan '83
 Alex R. Josephs '40
 Juliet J. Karastelev '03
 Joel I. Keiler '60
 Mary Eskridge Keiler
 Rachael Dianne Kent '98
 Stephen M. Kessing '05
 Lawrence M. Kimbrough '68
 Margarite A. Kimmel
 Michael L. Kimmel '00
 Christopher N. Knight '71
 Emily Turner Knight
 Bradley A. Krouse '90
 Aaron C. Lang '06
 Ashley T. Lang '06
 Jeffrey R. Lopic '70
 Patricia D. Larson
 Phillip C. Larson '71
 Amy T. Levere '77
 Edward R. Leydon '69
 Xiaoming Li '90
 Siauw A. Ling
 Trent William Ling '91
 Christopher Wendel Loeb '84
 Terry A. Loeb
 Edward A. Loeser '51
 Donald John Logie, Jr. '74
 Richard T. Marquise '48
 Jill R. Martin '04
 Edward E. Marx '51 ~
 Denise M. Mayo
 Rachel Kosmal McCart '95
 Katy V. McGovern
 Diane L. McKay
 Duncan O. McKee '56
 R. Smith McKeithen
 Omar Y. McNeill '92
 Thomas P. Meehan '65
 Craig Benton Merkle '81
 Paula Krahn Merkle '81
 Heloise C. Merrill '77 R
 William B. Miller III '80
 Michael Paul Mirande '80
 Stephen C. Mixer '86
 David Eugene Morrison '77 ~R
 Eric Keith Moser '89
 Charles B. Neely, Jr. '70
 Donald A. Nohr '61
 Kenneth J. Nussbacher '77
 Loretta Nussbacher
 Richard Kevin O'Donnell '82
 Henry J. Oechler, Jr. '71
 Kathleen Oechler
 Susan Freya Olive '77
 Carolyn M. Osteen '66
 Robert T. Osteen

Jeffrey L. Osterwise '05
 Laurel D. Palmer
 Richard A. Palmer '66
 David W. Pancost
 Karen B. Pancost '76
 Stevan Joseph Pardo '84
 Kimberly Pauley
 Ann Gerald Pearlman
 Michael A. Pearlman '70
 Jerry P. Peppers '71
 Sue E. Peppers
 Wilson D. Perry '69
 Stephen C. Peters '83
 Charles W. Petty, Jr. '63
 Elizabeth M. Petty
 Margot M. Pfohl '05
 Lori E. Pistor
 Gary A. Poliner '77
 Ildiko Poliner
 Joan A. Pritchard
 Llewelyn G. Pritchard '61
 Danae Kay Prousis '75
 Lindsey A. Rader '87 R
 Chris Rae '01
 R. Dennis Razor
 Mark D. Reeth '86 ~
 Suzanne D. Reider '05
 William Keith Reidy '85
 W. Allen Reiser III '83
 Thomas S. Richey '75
 Carole F. Riley
 James P. Riley '64
 Anna Rips '06
 E. Norwood Robinson '52 ~
 Judith Pye Robinson
 Pauline Gray Robinson *
 Andrew Neil Rosenberg '91
 Mark J. Rosenberg '89
 Marnie J. Rosenberg
 Elizabeth Roth '82
 Gregory James Ruffa '88
 James A. Rydzal '71
 Mary Chandler Rydzal
 Seth J. Safrá '01
 Christopher A. Sales
 Michele Miller Sales '81
 Stuart Frederick Schaffer '82 R
 Jana M. Scharf '01
 Elizabeth Y. Schiff '85
 James Andrew Schiff
 Steven J. Schindler '07
 Leah C. Schlater-Brown
 Marjorie Stripling Schultz '80
 Sarah M. Sharp '06
 Ronald V. Shearin '68
 Jacqueline O. Shogan '90
 Jeffrey Shogan
 Alvin H. Shrago '77
 Charles B. Sklarsky
 Elizabeth A. Sklarsky
 James Dale Smith '83
 Phillip K. Sotel '62 ~
 Madison Stockton Spach, Jr. '80
 Patricia Ann Speth '84
 John Clay Spinrad '83
 Cornelia B. Spring
 Robert E. Spring '77

Paul Thomas Stagliano '86
 E. Blaine Stanley '87 R
 Albert F. Stevenson
 Lynn W. Stevenson
 Kristen Larkin Stewart '86
 Richard Williams Stewart '73
 Sandra Paine Stewart
 William R. Stewart '68
 Grace Janine Stonerock
 Jeffrey Alan Stonerock '84
 Jessica Sturgeon '07
 Melvin S. Taub '44
 Arn H. Tellem
 Nancy R. Tellem
 Edward P. Tewkesbury '78
 Fran F. Tewkesbury
 Yulun Tsai
 Robert W. Turken '80
 Darrell R. Van Deusen '85
 Amy Elizabeth Vieta '99
 Anne B. Vincent
 Richard H. Vincent '65 ~
 Charles Donald Vogel '79
 Edward Walter Vogel III '76
 Jane Dees Vogel
 Caroline E. Wainright '03
 Franklin F. Wallis '69
 Ling Wang
 Xianping Wang '91
 Kathryn Gray Ward '80
 Taylor D. Ward '88
 William Ellis Ward '81
 Thomas Hartwell Warren '95
 Robert S. Warwick '69
 Jamiah K. Waterman '04
 Marion T. R. Watkins '99
 Seth Alain Watkins '99
 Dennis E. Wiczorek '77
 Lewis T. Williams
 Mari Williams
 Justin Wilson '07
 Kathleen P. Wilson '92
 Larry D. Wilson
 David J. Wittenstein '81
 Lee L. Wittenstein
 Erna Womble
 William F. Womble, Jr. '67 R
 William F. Womble '39
 Richard A. Wood, Jr. '62 ~R
 Donald F. Woodcock '66
 C. Thomas Work '77
 James Frank Wyatt III '82
 Xuan Yan '87
 James F. Young '54
 Michael R. Young '81
 Nancy Young
 Clifford J. Zatz '79
 Jonathan Marc Zeitler '93
 Richard Craig Zeskind '82
 Danian Zhang '89
 Bradley T. Zimmer '03

Alumni Donors by Class

1933

William B. McGuire *

1937

Charles McKay McGee, Jr. ~
James L. Newsom ♦ ~
Caroline P. Stoel ♦ * ~
Thomas B. Stoel * ~

1938

Charles H. Young ~

1939

William F. Womble ^

1940

Margaret A. Harris
Alex R. Josephs ^

1941

Numa Lamar Smith, Jr. * ~
Norman L. Wherrett ♦ ~

1942

James F. Latham ~
Frederick Nelson

1944

Melvin S. Taub ^

1945

Frances F. Ruffy *
Julian D. Sanger ~

1946

Jeroll R. Silverberg ~

1947

Jack LeRoy Bloom
Jack D. Hawkins ~
Henry A. McKinnon, Jr.
Matthew S. Rae, Jr.
Henry F. Sherrill
Harold D. Spears
Calder W. Womble *
Kenneth F. Wooten, Jr. ~

1948

Frank R. Buonocore
Max F. Ferree
Willis H. Flick ^
R. Menese Gardner ~
William H. Gray
Lorraine Boyce Hawkins ♦ ~
Richard T. Marquise ^
John M. Turner

1949

Nathaniel Beaman III ♦ ~
Charles F. Blanchard ~
Bueford G. Herbert
Duncan W. Holt, Jr.
Michael E. Kusturiss ~
Sidney W. Smith, Jr. * ~

David K. Taylor, Jr. *
Elaine Kupp Wick
Silas Williams, Jr.

1950

Arthur L. Alexander
Bachman S. Brown, Jr.
James G. Cate, Jr.
Robert L. Clifford * ~
C. Frank Griffin ^
Roy J. Grogan, Sr. ^
Thomas G. Hart
Arthur Knute Knudsen, Jr.
Kwan Hi Lim
Robert B. Lloyd, Jr. * ~
William R. Patterson ♦ *
William R. Winders ~

1951

Wood M. De Yoe
Ned P. Everett
J. Carlton Fleming *
Robert Watson Foster
Walton Hardin ~
Edward A. Loeser ^
John Earl Marsh, Jr.
George W. Martin ~
Edward E. Marx ^ ~
Arnold B. McKinnon
Marvin E. Perlis ~
Frederick D. Rosenberg

1952

Robert Barber, Jr.
James S. Byrd
Charles A. Comer
Robert L. Elkins
Fred Folger, Jr. ^
Joe W. Gerstein ^
J. Bruce Gilman, Jr.
Lee H. Henkel, Jr. ~
Wallace T. Marlowe
Robert C. Oshiro ~
E. Norwood Robinson ^ ~
William J. Rokos, Jr.
Roy C. Sampley ♦ ~
Peter B. Scuderi
Thomas W. Seay, Jr.
John Michael Specia ♦
Warren A. Thornhill III ~

1953

Val C. Brooks
C. Lee Butler
Harry R. Chadwick, Jr. ~
Harris J. George
John D. Shaw, Jr.
Robert E. Stipe ♦ ~
L. Stacy Weaver, Jr.

1954

Paul Hardin III ~
Robert L. McFadden * ~
Charles E. Rushing
James F. Young ^

1955

Hans Wolfgang Baade
William G. Bell, Jr.

John A. Carnahan ~
Clarence W. Walker * ~

1956

David H. Allard * ~
William B. Bundschu ~
B. Richard Burdman * ~
Frederic E. Dorkin
Robert L. Felts
Francis M. Fletcher, Jr.
Vincent T. Hall ~
E. Carter Harris, Jr.
John D. Johnston, Jr.
Alfred R. Mays *
Duncan O. McKee ^
John S. Neely, Jr.
Russell M. Robinson II *
Gary S. Stein
David Boyette Stevens
Donald B. Strickland, Sr.
David Tallant, Jr.

1957

Robert H. Beber * ~
Robert W. Bradshaw, Jr. ^
Charles A. Dukes, Jr. R ^
David A. Friedman R *
Richard Edward Glaze R ^
G. William Hackett
Elliott T. Halio R ^
Donald C. Knickerbocker
Marvin M. Moore
Edward P. Pizer
Herbert S. Savitt
Gerald B. Tjoflat R *

1958

Larry Ivan Bogart
Robert L. Burrus, Jr. *
D. Pierre G. Cameron, Jr.
John F. Lowndes *
Calvin A. Pope ~
Edward Ernest Rieck
W. Donald Sparks

1959

Cameron H. Allen
Leif C. Beck ~
Robert B. Berger ~
Davis W. Duke, Jr. *
Robertson O. Everett *
Robert Carnahan Hudson
David C. Newman
Ronald William Sondée ~
Egerton van den Berg
Julian W. Walker, Jr.
James E. Westbrook

1960

John Q. Beard *
Robert B. Bell
James E. Buck *
Richard E. Cooley

Herbert O. Davis ^
Stanley E. Faye
Rufus S. Hill, Jr.
Joel I. Keiler ^
William S. McLean
Joseph M. Parker, Jr. *
Wade H. Penny, Jr.
John R. Seltzer
William R. Shebey
Allen G. Siegel * ~
Marinos T. Svolos *
Maynard F. Swanson, Jr. ~
Newton C. Taylor
Richard R. Weidman

1961

Robert F. Baker
Harold W. Booth
Thomas Chris Brissey
Robert Norman Davies *
Donald P. Dietrich *
Edgar B. Fisher, Jr. ^
Joseph M. Griffin *
William D. Grubbs
William Yates Manson
Robert E. Mitchell *
James E. Moore
Walter F. Moossa
Donald A. Nohrr ^
Joseph Charles O'Rorke
Llewelyn G. Pritchard ^
David A. Quattlebaum III ~
Stanley A. Star *
Carl J. Stewart, Jr. ~
James W. Tarlton III
Robert M. Walker
L. Neil Williams, Jr. * ~
David R. Willson

1962

John H. Adams *
C. Thomas Biggs R
William H. Bradford, Jr. ~
William A. Chesnutt
Wallace C. Harrelson
Johnie L. Joyce, Jr.
Robert E. Lockhart
David M. Merchant
Richard W. Metz
Thomas R. Nesbitt, Jr.
Peter L. Roda
Vincent L. Sgroso * ~
Nathan R. Skipper, Jr. ~
Phillip K. Sotel ^ ~
Charles O. Verrill, Jr. R * ~
David Livingstone Ward, Jr. R *
William T. Watson
Gaylord A. Wood, Jr. ~
Richard A. Wood, Jr. R ^ ~

1963

Thomas L. Bass
E. Lawrence Davis III *
Roger L. Decker ~
Mark B. Edwards
Raymond A. Enstam
Gary C. Furin

Harry L. Griffin, Jr. *
John G. Grimsley ^
Harold Robert Hampson
Jerone C. Herring ^
Clayton W. Jones
Julian C. Juergensmeyer ~
Glenn E. Ketner, Jr. *
William J. Kinnamon, Jr.
Daniel K. McAlister
A. Ward McKeithen
J. Thomas Menaker ~
Marvin D. Musselwhite, Jr. *
William J. O'Neill
Charles W. Petty, Jr. ^
John S. Powell
Richard E. Raymer
Frank T. Read *
Edgar J. Roberts, Jr. *
J. Bowen Ross, Jr.
David Ross ~
F. Roger Thaler * ~
Samuel J. Trueblood
Gerald T. Wetherington
John W. Wilcox

1964

Thomas J. Andrews
William B. Armstrong
Jay Darwin Bond, Jr.
Courtney B. Bourns
William T. Buice III *
John C. Carlyle *
Lewis Clifford Craig
Stephen G. Crawford *
Julie Welch Davis *
DeWitt R. Dent
David Nesbit Edwards, Jr.
Robert H. Fryer ~
W. Erwin Fuller, Jr.
Anton Henry Gaede, Jr. * ~
David L. Grigg
Harry J. Haynsworth IV *
William A. Hirsch *
Lindsey W. Ingram, Jr.
Thomas Swain Kale
Arnold J. Kohn
William A. Kyler
Charles W. Mertel *
Robert K. Montgomery *
Robert K. Payson *
Walter W. Pypier, Jr.
James P. Riley ^
David Robinson II
Robert E. Shoun
Edward A. Vrooman ~
E. Bruce Wetzel ~

1965

Peter B. Archie ~
Robert Angell Bogle, Jr.
Peter Ogdan Brown
Reginald Eugene Burleigh
D. David Cohen
Patrick C. Coughlan * ~
William M. Curtis ^
Thomas A. Edmonds
Paul Revere Ervin, Jr.

Donald B. Gardiner ^
Peter S. Gilchrist III * ~
Thomas W. Graves, Jr. ~
John M. Hines ~
Jeffrey P. Hughes *
Frank W. Hunger *
Thomas C. Kleinschmidt
Douglas F. MacPhail
Thomas P. Meehan ^
Donald M. Mewhort, Jr. ~
Jay Edward Moyer
C. Nicholas Revelos *
John J. Rufe ~
Robert C. Sink *
S. Berne Smith
Robert J. Stanton
Carter H. Strickland
Edan G. Unterman
Richard H. Vincent ^ ~

1966

Andrew E. Adelson *
William J. Alsentzer, Jr.
Bruce H. Anderson ~
Charles D. Axelrod *
David B. Blanco * ~
Richard W. Buhman
Judson W. Detrick
James J. Faris ^ ~
Henry H. Fox ~
J. Michael Goodson *
Harold A. Haddon *
Anthony S. Harrington *
William J. Hart *
L. Mifflin Hayes
Christopher J. Horsch
Jonathan T. Howe *
E. Jeremy Hutton
James Cary Jacobson ^
F. Sherwood Lewis
Don Boyden Long, Jr.
James B. Maxwell * ~
Ralph L. McCaughan ~
Jerry J. McCoy *
Daniel M. McDonald *
Peter J. Michel *
Thomas H. Morgan *
David D. Noble *
Sidney J. Nurkin *
Carolyn M. Osteen ^
Richard A. Palmer ^
Thomas B. Pitcher *
T. William Porter III * ~
Edward B. Robin
Richard A. Snodgrass ~
Brian A. Snow *
Robert W. Spangler
K. Morgan Varner III *
Neil C. Williams III
Donald F. Woodcock ^

1967

Richard G. Bacon R *
W. Christopher Barrier R *
Daniel F. Bernard R * ~
John T. Berteau R *

Carl E. Bolch, Jr. *
Clyde Arnold Burkhardt *
Robert E. Burton, Jr.
George R. Campbell *
Robin Chambers *
Stephen M. Chiles R *
Roger M. Clark
Donald B. Craven R
James B. Craven III
John L. Crill ^
Linwood L. Davis ^
William A. Davis II
William Lyman Dillon ^
Douglas A. Faulkner
Joseph A. Fink
Haley J. Fromholz R *
Curtis D. Genders ^
George G. Guthrie *
Robert J. Hackett
Edwin R. Hazen, Jr.
Stephan E. Klingelhofer *
Donald R. Lincoln *
John A. Lockwood
George R. Mahoney, Jr. *
Antonio Mendes *
David Meyers
Paul S. Nathanson *
David W. Pancoast R *
Nathaniel G.W. Pieper R *
F. Raine Remsburg
Robert W. Rieder, Jr.
William L. Riley
Homer G. Sheffield, Jr. ~
Lanty L. Smith R * ~
William H. Steinbrink *
George Thomas Stronach III
John Craft Taylor
Roger P. Thomasch *
Daryl F. Todd, Sr. *
W. Ferber Tracy ~
William F. Womble, Jr. R ^

1968

Bruce D. Alexander *
Michael P. Angelini
Carl F. Bianchi
J. A. Bouknight, Jr. *
Donald B. Brooks ^
Laurie B. Bruce
Paul B. Ford ^
Stuart M. Foss
Robert C. Fox
Robert K. Garro
Gilbert L. Gates, Jr.
R. Bertram Greener *
David A. Harlow
Randall L. Hughes * ~
Stuart N. Hutchison III
Charles O. Ingraham ^
Carl E. Johnson, Jr.
Lawrence M. Kimbrough ^
Walter O. Lambeth, Jr.
Carl F. Lyon *
Kent E. Mast
Donald H. Messinger
Martin J. Miller *

Walter G. Moeling IV
Fred H. Moore
Stephen H. Palmer
William L. Patton *
Stephen P. Pepe
William P. Pinna *
David E. Prewitt
Gordon S. Rather, Jr.
Edward A. Reilly ~
James R. Safley * ~
Charles F. Sampsel ~
Henry E. Seibert IV
Ronald V. Shearin ^
Jerrold Shenkman
James L. Smith III
William R. Stewart ^
Joe T. Taylor III
Ernest C. Torres *
Marlin M. Volz, Jr.
Lynn E. Wagner

1969

Joseph R. Beatty
Charles L. Becton
J. Sidney Boone, Jr. ^
William R. Coole
Katherine M. Crowe
James P. Davenport * ~
Ronald E. DeVeau ~
Norman E. Donoghue II ~
David E. Foscue
Howard G. Godwin, Jr. *
L. Alan Goldsberry
Gerald R. Haddock
Robert M. Hart *
Paul A. Hilstad *
John O. Hoos ^
Jerry R. Jenkins
Michael J. Kane
David G. Klaber *
Joel M. Lasker * ~
David D. Laufer *
Edward R. Leydon ^
Robert S. Luttrell
James R. Moore
John D. Moxley, Jr.
Graham C. Mullen
Donald B. Myers, Jr.
Alexander D. Newton
Wilson D. Perry ^
David M. Powell
Robert B. Pringle *
Michael C. Russ *
Dudley Saleeby, Jr.
John R. Sapp *
Toby L. Sherwood
Young M. Smith, Jr.
R. Keith Stark
Wayne R. Vason
Franklin F. Wallis ^
Robert S. Warwick ^
Peter A. White
Thomas C. Worth, Jr.

1970

Howard J. Alpern ~
Terry R. Black
Victor A. Cavanaugh ^
Jean C. Coker *
Eugene E. Derryberry *
Rodney L. Eshelman
Raymond Buck Ferguson * ~
James C. Frenzel *
James K. Hasson, Jr. *
Brenda C. Kinney ~
George R. Krouse, Jr. *
Jeffrey R. Lopic ^ ~
Albert H. Larson III
James M. Martin
Frank B. W. McCollum
Charles B. Neely, Jr. ^
Michael A. Pearlman ^
Robert J. Shenkin *
William F. Stevens *
George L. Thompson
Sue Ellen Utley * ~

1971

Arthur A. Abplanalp, Jr.
John H. C. Barron, Jr. ^
Arthur W. Carlson
W. Dayton Coles, Jr.
Kenneth F. Dornbush
Christine M. Durham
James R. Fox *
Thomas A. Harris
Richard S. Harwood
William B. Kemp
Christopher N. Knight ^
Philip C. Larson ^
Randolph J. May *
H. Todd Miller *
Douglas B. Morton
Henry J. Oechler, Jr. ^
Richard L. Osborne
Jerry P. Peppers ^
Paul E. Prentiss ~
Gail Levin Richmond ~
Michael L. Richmond
James A. Rydzal ^
David L. Sigler
Walter A. Stringfellow III *
David L. Vaughan *
W. Michael Warren, Jr.
Barry J. Wendt
John J. Witmeyer III *
David B. Wuehrmann

1972

Thomas C. Barbour
Thomas W. H. Barlow *
Robert B. Breisblatt R *
Stephen J. Bronis R ^
Robert T. Brousseau *
W. Pitts Carr *
Joseph E. Claxton
Bruce A. Davidson ~
John D. Englar R *
Ronald W. Frank R *
Andrew K. Gallagher

William J. Galloway III ^
Paul A. Gottlieb
David W. Hardee R * ~
C. Marcus Harris
Harry L. Hobgood ~
A. Everett Hoeg III ^
Richard D. Huff ^
Samuel W. Johnson *
William J. Kimpton
N. Ned Leiken
Cym H. Lowell * ~
Paul C. Madden R *
Walter W. Manley II *
Daniel S. Mason *
Stephen Frank McLaughlin
Joseph A. McManus, Jr. R *
Amos T. Mills III R *
Ted O. Neuenschwander ~
Glen A. Payne R *
Jeffrey S. Portnoy R ~
Gregory G. Prasher ~
Richard W. Ragsdale
Ronald L. Reisner *
Thomas H. Sear R *
John A. Sherrill *
Karla W. Simon
Susan P. Starling *
Michael L. Tanchum R *
Thomas J. Triplett
James W. Ummer ~
John B. Wade III
John R. Wester R *

1973

Sarah H. Adams *
William Henry Agee
Kenny Washington Armstrong
Robin Thomas Baker
Daniel T. Blue, Jr. *
Dana G. Bradford II *
Jackson B. Browning, Jr. *
Donald Allen Burns
John Richard Carney, Jr.
Theodore E. Corvette, Jr.
Ronald David Ellis
William Thomas Fahey II
Donald James Fitzgerald
E. Cole Fitzgerald III
Mark Stephen Foster *
Carl H. Fridy *
Pamela Brooks Gann *
Robert Thomas Gradoville
S. Ward Greene *
Larry George Haddy
Lee Louis Hale
C. Wells Hall III *
William S. Jacobs ~
Malcolm D. Johnson
Patrick Wayne Kelley
Raeburn Gleason Kennard
Richard M. Kennedy
Dennis L. Kennelly
Eleanor D. Kinney * ~
Paul R. Koepff *
J. Michael Lamberth *
G. Thomas Love III

James E. Luebchow*
 Phillip R. Mattox
 Joseph W. Moyer
 David J. Naftzinger*
 Jeffrey Scott Nickloy
 Carolyn S. Parlato ~
 James C. Ray ~
 Leonard B. Simon* ~
 Halcyon E. Skinner*
 Charlotte M. Smith
 Kenneth G. Starling*
 Kenneth W. Starr*
 Richard Williams Stewart ^
 Letty M. Tanchum*
 Robert L. Titley
 John D. Volk*
 Michael E. Weddington
 Donald R. Williams ~
 Paul E. Zimmer
 James B. Zimpritch*

1974

Alfred G. Adams, Jr.*
 Edna Ball Axelrod
 John Philip Bailly, Jr.
 Brenda B. Becton
 William P. Bennett
 Charles Edward Binder*
 William Pomeroy Borchert
 John M. Bremer*
 Colin W. Brown*
 David L. Buhmann
 Evelyn O. Cannon
 Candace M. Carroll* ~
 Robert P. Cochran*
 Philip Gary Cohen
 Curtis L. Collier*
 John A. Decker*
 Raymond Craft Dryer ~
 James Robert Eller, Jr. ~
 Stephen Lawrence Elliott
 Stuart F. Feiner*
 Richard M. Freeman*
 Fred William Fulton
 Johnnie L. Gallemore, Jr.
 Donna C. Gregg*
 Robert Edgar Gregg*
 James C. Hardin III
 Robert Forest Hendersson
 David Richard Hillier
 Ronald Robert Janke
 Jerry W. Jernigan
 Mark D. Kaufman, Sr.*
 Craig D. Leister*
 Edward John Lesniak
 Jay Jordon Levin*
 James J. Locher
 Donald John Logie, Jr. ^
 David William Lowden
 Edward A. McDermott, Jr.
 Thomas E. McLain* ~
 John Roberts Moffat
 Philip H. Moise*
 R. Wade Norris
 Rory R. Olsen
 David R. Poe*
 Gregory Vincent Powell

C. Richard Rayburn, Jr.*
 Russell Bachman Richards*
 William L. Rosenberg
 Irwin Neal Rubin
 Ira Sandron
 Peter Frederick Schenck
 Andrew Shaw
 Larry W. Shelton
 Thomas C. Stevens*
 Richard Eric Teller*
 Patricia H. Wagner*
 Donald W. Wallis
 Lynn Dennis Wardle
 Peter D. Webster*
 Clair F. White
 Thomas W. Winland*

1975

Margaret I. Adams
 Lawrence Harris Babich
 Jon Paul Bachelder
 Terry Walter Calderwood
 James H. Carll ^
 Bruce Allen Christensen
 Mary Cousar Coxe
 Frank Johnstone Dana III
 Timothy Joseph DeBaets
 Allyson K. Duncan*
 James L. Fogle*
 Paul Jay Fukushima*
 Ronald H. Hoevet
 James L. Hohnbaum
 John A. Howell*
 Gary G. Lynch*
 Hugh Ranald McDonald
 James W. Mertzlufft
 Mark A. Michael
 John R. Miller
 Glenn R. Moran
 Ashmead P. Pipkin*
 Danae Kay Prousis ^
 Michael C. Quillen
 Clinton D. Richardson
 Thomas S. Richey ^
 Jean M. Sanderson
 Lee Gene Schmutde
 Richard C. Siemer
 Paul H. Tietz*
 William J. Trull, Jr.
 David M. Wiesenfeld

1976

Harris R. Anthony
 H. Ross Arnold III*
 Linna M. Barnes*
 John Cole Beeler ^
 Peter Coleman Buck*
 John Arthur Busch*
 Betsy Ida Carter
 Kenneth S. Coe, Jr.
 Dean M. Cordiano ^
 Michael G. Culbreth
 Yvonne Mims Evans
 Gail W. Feagles* ~
 Prentiss Eric Feagles* ~
 Russell M. Frandsen
 Karen Louise Gearreald

Eric H. Halvorson*
 Eric Peter Hansen
 Peter J. Kahn* ~
 Reeve Withrow Kelsey
 Mitchell Kolklin
 James Andrew Lewis
 Thomas D. Magill*
 Kent L. Mann
 Johnnie W. Mask, Jr.
 Robert Edward McCorry, Jr.*
 Miguel Agustine Orta
 Karen B. Pancost ^
 Ellen Rust Peirce
 Celia A. Roady*
 Stephen E. Roady*
 Aron Morris Schwartz
 James E. Stephenson*
 Debra Jo Stuart
 Robert T. Tally
 J. Alexander Tanford
 Clay B. Tousey, Jr.
 Samuel E. Tucker
 Daniel Franklin Van Horn
 Edward Walter Vogel III ^
 C. Michael Wilson
 G. Gray Wilson

1977

Ronald Evan Barab
 Donald Haskell Beskind*
 Philip A. Bjorlo
 Mark Bookman ^
 Peter Brian Bothel
 Lea Courington R*
 Timothy J. Curry ^
 Jeffrey J. Davidson ^
 Luis A. de Armas R
 David M. Eisenberg*
 Jeanne Trahan Faubell
 Michael John Gallagher ^
 Raymond Hayes Goodmon III*
 Maxine P. Gordon
 Brent S. Gorey
 Croley W. Graham, Jr.*
 Judith Lynn Harris
 John Michael Hartenstine ^
 Robert F. Holland
 Thomas L. Irving ^
 Timothy Joseph Jacob
 Bruce Edward Johnson
 Kathryn G. Johnson*
 William Bruce Johnson*
 Michael H. Kahn*
 Carolyn Kuhl
 Amy T. Levere ^
 Paul Vincent LiCalsi
 Susan Burnett Mansfield
 Craig Robert Mariger
 Timothy Elmer Meredith*
 Heloise C. Merrill R ^
 Christian J. Mixer*
 David Eugene Morrison R ^ ~
 Robert G. Moskowitz R*
 Kenneth J. Nussbacher ^
 Susan Freya Olive ^
 J. D. Page R*
 James Wilson Parker

William H. Pauley III*
 Andrew J. Peck R*
 David C. Pishko R*
 Gary A. Poliner ^
 Kathleen Pontone
 George A. Purdy
 Charles L. Revelle III
 Stephen Clay Rhudy
 Paul Newton Riddle
 Ralph Vincent Seep
 Alvin H. Shrago ^
 Robert E. Spring ^
 Rachel L. Steele
 John L. Walker*
 Kim W. West*
 Jeri L. Whitfield
 William Earl Whitney
 Dennis E. Wiczorek ^
 C. Thomas Work ^

1978

Jaime Eduardo Aleman*
 William George Anlyan, Jr.
 Kenneth F. Antley
 Benita S. Baird
 Robert M. Blum
 Susan Brooks
 Reginald J. Clark*
 Richard E. Connolly
 Kenneth Roy Davis*
 Rodney J. Dillman*
 Michael Dockterman*
 Steven R. Dottheim ^
 Douglas Steven Ebenstein
 Mark A. Fishman*
 Steven R. Gilford*
 Jonathan Matt Gross
 John Hasnas
 Richard A. Horvitz*
 Marilyn H. Howard
 David W. Ichel* ~
 Bruce Donald Jaques, Jr.
 Michael Jenkins
 James T.R. Jones
 Linda L. McCall Kangeter ~
 Christopher K. Kay
 Homer Michael Keller
 Leslie P. Klemperer
 David C. Kohler*
 Howard L. Levin
 Gregory Scott Lewis
 Jane Makela* ~
 Linda A. Malone
 Thomas Mammarella
 Alan Mansfield
 CoraLynn H. Marshall*
 Arthur Madden Miller
 Renee J. Montgomery
 W. Allen Nickles III
 Richard G. Niess
 Michael John O'Connor
 James E. Padilla*
 Robert Bruce Parrish*
 David King Perdue
 Wendy C. Perdue
 Pamela A. Peters ~
 Robert D. Phillips, Jr.

Susan G. Phillips
 Chris A. Rallis*
 Peter David Rosenberg*
 Norman Philip Stein
 Stuart M. Stein*
 Sarah Holzswieg Steindel
 Edward P. Tewkesbury ^
 Arthur Charles Zeidman

1979

Jean T. Adams* ~
 Daniel David Addison
 Bruce W. Baber*
 Louis Jay Barash*
 Alan R. Bender*
 Edwin R. Boynton
 D. Rhett Brandon*
 Anthony H. Brett ^
 Valerie T. Broadie* ~
 Lorynn A. Cone
 Laura B. Di Giantonio*
 Richard Lee Grossman
 Jerry H. Herman ^
 Mark R. High*
 Amy D. Hogue
 John Richard Holzgraefe*
 Seth Harry Hoogasian
 Terence M. Hynes*
 Margo E. Jackson
 Mark Alan Kelley
 Benjamin C. Kirschenbaum
 Michael B. Lichtenstein
 Amy W. Liss
 Michael D. Lorton
 Gray McCalley, Jr.* ~
 Rita Ann McConnell
 David Welsh Morgan*
 Nancy A. Nasher*
 Solveig Jan Overby
 James D. Palmer*
 L. Timothy Portwood
 Scott Harold Raskin
 Neil Philip Robertson
 Carl J. Schuman
 Stephen Ban Spolar
 Juliann Tenney*
 William Paul Tuberville
 Brian Thomas Tucker
 Jeffrey Mark Villanueva
 Charles Donald Vogel ^
 Steven D. Wasserman*
 J. William Widing III
 David Hilleary Wilder
 V. L. Woolston
 Jon Carl Yergler*
 Clifford J. Zatz ^

1980

Edwin Robert Acheson, Jr.*
 Barbara D. Anderson
 Margreth Barrett
 Ellen J. Bickal ^
 Daniel S. Bowling III*
 G. William Brown, Jr.*
 Blain B. Butner ^
 James M. Chadwick*
 Neil Peter Clain, Jr.

John Lawrence Crocker
 Dara Lyn DeHaven * ~
 David Dreifus
 J. Scott Dyer ^
 Thomas William Giegerich *
 John Edward Glancy
 Randolph Karl Herndon, Sr.
 James P. Holdcroft ^
 Eric James Holshouser *
 Lori Terens Holshouser *
 T. Patrick Jenkins
 Karl W. Kindig
 Jeffrey P. King
 William B. Miller III ^
 Michael Paul Mirande ^
 Andromeda Monroe
 Claire Louise Moritz
 Kirk H. Nakamura
 Carol Grant Opferman
 Paul J. Pantano, Jr. *
 Happy R. Perkins *
 Donald Lee Pilzer
 Percy Elliott Robinson
 Fredric Alton Rollman
 Edward J. Schneidman
 Marjorie Stripling Schultz ^
 Lisa Margaret Smith
 Madison Stockton Spach, Jr. ^
 William L. Thompson, Jr. *
 Kimberly Till
 H. Glenn Tucker *
 Robert W. Turken ^
 Fred Anton Ungerman, Jr.
 Richard C. Van Nostrand
 Kathryn Gray Ward ^
 Elizabeth M. Weaver
 William L. Webber
 James P. Wolf

1981

David S. Addington
 Marshall S. Adler
 Thomas A. Belles ^
 Nancy T. Bowen ^
 Phillip W. Campbell
 Michael L. Chartan *
 Gregory John Cioffi
 John J. Coleman III *
 Thomas E. Cone
 Timothy J. Corrigan
 Glenn Edward Cravez
 Michael Richard Dreeben
 Denise Marie Elmer *
 Patrick B. Fazzone
 Linda Cox Fornaciari *
 Carl R. Gold
 Abigail Reardon Gosnell *
 David Douglas Gustafson
 L. Cecily Hines *
 Kenneth A. Jones
 Stephen V. Kern *
 Steven Robert Klein
 Robert B. Krakow *
 Jeffrey P. Libson *
 Michael Lee Lieberman
 Alan S. Madans
 Craig Benton Merkle ^

Paula Krahn Merkle ^
 David Edward Nash
 Robin P. Nash
 Kimberly Sue Perini
 David H. Potel *
 Jennifer P. Rose *
 Leo Rose III *
 Mark William Ryan *
 Michele Miller Sales ^
 James E. Schwartz
 Pamela K. Silverman *
 D. Charles Stohler
 Richard Lee Strouse
 David Elliot Sturgess
 David C. Tarshes *
 Linda Weinstein Tucker
 Neil R. Tucker *
 Ralph Anthony Uttaro
 William Robert Vezina III *
 Michael Ward
 William Ellis Ward ^
 Barry Elias Warhit
 Sharon K. Wasserman *
 Kevin David Wilkinson
 David J. Wittenstein ^
 Cynthia Leigh Wittmer
 Peter G. Wright
 John C. Yates *
 Michael R. Young ^

1982

Clifford R. Adler *
 James Edison Bauman ^
 Lorraine Shook Berkowitz R *
 Karen Koenig Blose
 Glenn J. Carter
 Patricia A. Casey R *
 David Barry Chenkin R *
 Dirk G. Christensen
 Terrence Patrick Collingsworth
 Lawrence S. Connor IV *
 Valerie R. Dinkins
 Stephen Melvin Dorvee R
 Robert L. Dougherty ^
 P. Brooks Eason
 W. David Edwards *
 Morris Arthur Ellison
 Carol Brittain Ervin R
 Barbara Sara Esbin R
 Richard Wilson Evans
 Thomas M. Ewing
 David Samuel Felman
 Harry J. Finke IV *
 Jean Swofford Firestone *
 John A. Forlines III * ~
 Richard Hugh Foster
 Sharon M. Fountain ^
 Ronald Lee Goldstein
 Margaret Hayba Gonzales
 Charles Scott Greene ^
 Thomas Andrew Hale * ~
 Andrew S. Halio R
 Ruth Cohen Hammer
 John L. Hardiman R *
 P. Russell Hardin
 James B. Hawkins R
 Martha J. Hays R *

Richard Louis Horwitz R *
 Larry D. Irick ^
 Sean Patrick Kennedy *
 Michael Hugh Krimminger R *
 Donald C. Lampe
 Mary Howell Friday Leadbetter ~
 Thomas W. Logue *
 Richard Allan Lukianuk
 Ann L. Majestic R
 Robert W. Mann, Jr.
 Margaret Delong Martin
 Douglas L. McCoy
 Susan K. McKenna
 Richard Kevin O'Donnell ^
 Susan Jean Platt *
 Frederick Robinson R *
 Elizabeth Roth ^
 Peter Alan Sachs R
 Hideyuki Sakai *
 Stuart Frederick Schaffer R ^
 Steven Alan Schneider
 Michael J. Schwartz *
 Arthur Bradley Shingleton R
 Sharon P. Sivertsen R
 I. Scott Sokol R ~
 Thomas Lee Spinar
 Jeffrey E. Tabak R *
 D. Reginald Whitt
 James Frank Wyatt III ^
 Richard Craig Zeskind ^
 Lynette Remen Zinberg

1983

Anonymous *
 Coralyn Meredith Benhart
 Gary L. Benhart
 David L. Blish *
 Duane E. Brown *
 Mark Steven Calvert
 Jean G. Carter ~
 Linda Markus Daniels ^
 Violet Diamant
 Lynn Rosenthal Fletcher *
 Robert Parker Fletcher *
 Seth Lee Forman ~
 Benjamin Eagles Fountain III ^
 Robert W. Fuller III
 John B. Garver III
 Rondi R. Grey
 Scott D. Harrington *
 Craig A. Hoover
 Dawson Horn III *
 Charles Wilson Hurst
 William D. Jones III ^
 Nora M. Jordan ^
 Daniel Franklin Katz *
 Christopher Charles Kerr
 John R. Knight *
 Kenneth J. Kornblau
 Jennifer D'Arcy Maher
 Michael Patrick Manning
 Christopher M. Mason *
 Valerie S. Mason *
 Patrick Timothy Navin
 Carlos E. Pena *
 Stephen C. Peters ^
 Michael T. Petrik * ~

Marianne Philip *
 Deborah Ann Phillips *
 Rebecca Davis Prince *
 W. Allen Reiser III ^
 Mary Alice Robison
 Bruce Jay Ruzinsky
 Laurence Jay Sanders
 Per Haakon Schmidt *
 James Dale Smith ^
 Michael Lloyd Spafford
 John Clay Spinrad ^
 Robin B. Taub
 Laura Stuart Taylor
 Kathleen Ann Wechter *
 John R. Welch
 Susan M. Wyngaarden
 Nancy L. Zisk
 Robert Louis Zisk

1984

Virginia Antipolo-Utt ~
 Susan Axelrod
 Gary Paul Biehn
 Thomas J. Blackwell
 Margaret Carter Callahan *
 Douglas Bruce Cannon
 Briget P. Chamness ^
 Ronald Louis Claveloux *
 Steven Aaron Cohen
 Gardner Fabian Davis
 Jonathan L. Drake *
 David Gerard Feher
 Amy Marie Flick
 Kurt W. Florian, Jr. *
 Duane M. Geck
 Mitchell I. Horowitz
 Barbara T. Ilsen
 Gary Adamson Jack
 Lauren W. Jones
 Michael P. Kaelin
 Gregory J. Kerwin
 Laura J. Kipnis
 Katharine Lord Klein
 Paul Allyn Kramer
 Kenneth J. Krebs *
 David M. Lockwood ~
 Christopher Wendel Loeb ^
 Ellen G. London
 Jeffrey Lewis London
 Lee Douglas Mackson
 Pope McCorkle III
 George C. McFarland, Jr.
 Mark E. McGrady
 Mark Harris Mirkin ~
 Karen B. Mozenter
 Michael Jay Mozenter
 Steven Paul Natko
 Gordon Matthew Orloff
 Stevan Joseph Pardo ^
 Steven D. Plissey *
 Margaret Jean Reinsch
 Cynthia Lynn Rerucha
 David Paul Rhodes
 Paula M. Rhodes
 John F. Rigney *
 Robert P. Riordan *
 R. James Robbins, Jr.

Daniel Garron Rogers ~
 Howard Eric Schreiber
 John F. Smith
 Lori S. Smith *
 Richard Stanley Smith, Jr.
 Patricia Ann Speth ^
 Gregg Martin Stave
 Jeffrey Alan Stonerock ^
 Donald R. Strickland *
 Robert R. Vieth *

1985

Allan Armistead Capute
 Anna S. Chacko
 John L. Charvat, Jr.
 James S. Christie, Jr.
 John W. Connolly III *
 Mark O. Costley
 Tia Lynn Cottey *
 Caroline E. Emerson ^
 William Paul Flickinger
 Kip A. Frey *
 Thomas J. Gorman
 Cameron S. Hamrick
 John Paul Hassiepen ^
 Michael Richard Hemmerich ~
 Arthur J. Howe ^
 Joel Kaufman
 Carolyn V. Kent
 J. Mitchell Lambros
 Marianne Owens La Rivee
 Steven R. Lazar ~
 Gerald Anthony Lee
 David S. Liebschutz
 Elizabeth H. Liebschutz
 George Robert Loxton
 Christopher D. Mangum *
 Davia Odell Mazur * ~
 Timothy J. Miller
 James Robert Moxley III
 Jeffrey D. Nakrin
 Carol D. Newman
 Marshall David Orson
 William Keith Reidy ^
 Peter Glatz Rush *
 Elizabeth Y. Schiff ^
 William Adser Schwennesen
 Rachel J. Setear
 Andrew Lewis Shapiro
 Kenneth D. Sibley *
 Michael Stephen Smith *
 Andrew Bryan Stegemoeller
 Sonja Steptoe ^
 Charles Vuille Stewart
 Bellanne M. Toren
 Leslie Campbell Tucker III
 Darrell R. Van Deusen ^
 Paul R. Van Hook
 Peter G. Weinstock *
 Barry M. Wertheimer
 Bea L. Witzleben
 Catharine Emerson Wymer

1986

Paula Marie Anderson
 Catherine D. Barshay
 Clifford A. Barshay

Antonio B. Braz ^
 Benjamin Andrew Brown
 Janine Brown *
 Kathleen Jean Byrnes
 Sally C. Carroll ^
 Michael C. Castellon *
 Brent O.E. Clinkscale *
 Ellen S. Coffey
 Ronald T. Coleman, Jr. *
 Jane S. Converse
 Robert Talbott Danforth
 Brett D. Fallon
 Christy M. Gudaitis
 Elizabeth A. Gustafson *
 Mark Daryl Gustafson *
 Lyndall Jay Huggler
 Michael S. Imbordino *
 Lindsay G. Johnson
 Peter Joseph Juran
 Christopher G. Kelly *
 Christopher Mark Kelly *
 Kermit Brian Kennedy
 M. Elise L. Kennedy
 Kelly J. Koelker
 Alexandra D. Korry *
 Lisa Ann Krupicka
 Cristin C. Lambros
 Jeffrey T. Lawyer
 Stephen M. Lynch *
 John W. McNamara
 John Donald Methfessel, Jr. *
 Stephen C. Mixer ^
 Francis Joseph Mootz III
 Robin Panovka *
 Thomas W. Peterson
 Mark D. Reeth ^~
 Susan Canter Reisner
 Daniel R. Schnur *
 Caren A. Senter
 Alexander Jackson Simmons, Jr. *
 James D. Smith *
 M. Dianne M. Soltis
 Paul Thomas Stagliano ^
 Kristen Larkin Stewart ^
 Gwynn T. Swinson *
 Anne E. van den Berg
 Richard P. Virnig
 Richard H. Winters

1987

Amy Merrill Appelbaum
 John Robert Archambault
 David Randall Benn R
 David J. Berger
 Sara J. Biden
 Carl-David Birman R
 Axel Bolvig III
 Deborah D. Brown
 Richard Ward Brown
 ToNola D. Brown-Bland
 Harry Eugene Bruns R *
 Frank E. Derby
 James C. Dever III
 James E. Felman
 Ross Carey Formell R *
 Brian B. Gilbert *
 Lawrence Jonathan Goode

Charles L. Grizzle, Jr.
 Susanne I. Haas R *
 Kathy Hanson
 Robert E. Harrington *
 Amy F. Hecht
 Eve Noonberg Howard
 Jasper Alan Howard
 Franklin D. Jackson
 Robert J. Kashtan
 John Richard Keller
 Jeffrey T. Kern
 Carol Krueger R
 Geraldine Mack
 Gary Edward Mason R *
 J. Parker Mason
 Joseph G. McHugh *
 Paul E. Murray *
 Robert Harrison Nagle *
 Gregory E. Neppi
 Marleen Arleen O'Connor
 Wendy Beth Oliver *
 Katherine S. Payne
 Christopher J. Petrini R *
 Julie O. Petrini R *
 Alice H. Prater R *
 Harlan I. Prater IV R *
 Lindsey A. Rader R ^
 Gordon Wayne Renneisen, Jr.
 Jane Emily Rindsberg
 Elizabeth Miller Roesel
 Bruce L. Rogers *
 Brian Lloyd Rubin
 Susan Gwin Ruch R
 Cheryl Feik Ryan R *
 A. Daniel Scheinman *
 John Sharkey *
 Karen W. Shelton
 Brian Alan Sher
 Julie Marie Shymansky
 Laurel Ellen Solomon
 E. Blaine Stanley R ^
 Tish W. Szurek R
 Sherri W. Tatum R
 W. Joseph Thesing, Jr. R
 Penelope C. Trowbridge
 Michael K. Vernier *
 J. Thomas Vitt III R
 Diane V. White
 Xuan Yan ^

1988

Anonymous *
 Timothy Andrew Baxter
 Richard E. Byrne
 Liisa A. Dalton
 Jody Kathaleen Debs
 Mark R. DiOrio *
 Ida P. Dorvee
 Margaret Ann Force
 David E. Friedman *
 Don Joaquin Frost, Jr. *
 Kodwo P. Ghartey-Tagoe *
 Scott Glabman
 Marc E. Golden *
 Richard L. Gulino
 Kathleen M. Hamm *
 Thomas Mekeel Howell

Susan E. Kinsella
 William Isaac Kohane *
 Linda H. McCown
 Karen M. Moran
 Robert J. Nagy
 Theresa A. Newman
 David Anderson Payne
 Mario A. Ponce *
 Thomas M. Rohe
 Gregory James Ruffa ^
 Lisa Grogan Sams
 Michael Paul Scharf
 David Abba Schwarz
 Michael C. Sholtz *
 Roger H. Stein *
 Christopher J. Supple
 Taylor D. Ward ^
 Jill A. Whitworth
 David Wisen
 Winston Zhao *

1989

Scott A. Arenare *
 John Stephen Barge
 Kathleen Barge
 Steven T. Breaux *
 Alfonso de Orbegoso *
 David Manning Driscoll
 Peter Andrew Evelt
 Craig B. Fields
 Bruce L. Fields
 Donna Elena Frosco
 Sharon Carr Harrington *
 Eric L. Hiser ^
 Michael K. Hoffman *
 Robert M. Howard ^
 Cynthia M. King *
 Kenji Kuroda *
 Dania L. Leatherman
 David M. Lieberman *
 Yibing Mao *
 David Dillion Marshall
 Gregg R. Melinson
 Eric Keith Moser ^
 Kenneth Alonzo Murphy
 Allen W. Nelson
 John E. Pelletier *
 Irene B. Ponce *
 Susan M. Prosnitz *
 Mark J. Rosenberg ^
 Russell Edward Ryba
 Marsha A. Sajer
 Julie Anne Sandel
 John R. Stark
 Kate Susan Stillman
 Paul K. Sun, Jr. *
 James E. Tatum, Jr.
 Danian Zhang ^

1990

Barbara A. Baccari
 Renee Elizabeth Becnel *
 Edward John Burke, Jr.
 Karen R. Cashion
 Bernard H. Chao
 W. Scott Creasman
 John Sabine DeGroot *

Henry De La Garza
 Donald P. Dietrich II ^
 Kristyn Elliot Dietrich ^
 Lisa Anne Eichhorn *
 Michael D. Evers
 Peter R. Franklin
 Caroline B. Gottschalk *
 Jill Cheryl Greenwald
 Joel J. Greenwald
 Michael William Gregory, Jr. *
 Thomas A. Hanusik
 James J. Hoctor
 Susan Schweinberg Jackson
 Lisa C. Jern *
 Daniel A. Kent *
 Alfred L. Kossmann
 Bradley A. Krouse ^
 Xiaoming Li ^
 Charles C. Lucas III *
 Audrey LeVine Manicone
 William W. McCutchen III
 Sally J. McDonald
 Michele A. Mobley
 Charles Mark North
 Deanna T. Okun *
 William Thomas O'Neil
 Mark A. Redmiles
 Martin Schaefermeier
 Julie Ann Schejbal
 Julia Stephanie Shields
 Jacqueline O. Shogan ^
 Michael Guido Silver
 George B. Telford
 Robert A. Van Kirk
 Gerard J. Waldron
 Joseph Camden Wilson IV
 Michele J. Woods

1991

Cynthia F. Adcock
 Juan F. Aleman ^
 Samuel Craig Alexander
 Douglas L. Brooks
 Louis S. Citron
 Anne E. Connolly *
 Colm F. Connolly *
 Charles Santo Detrizio
 Erica Lynn Edwards
 C. Barr Flinn
 Bonnie Freeman
 Dawn M. Futrell
 Stanley Martin Gibson *
 David Allen Greene *
 Jennifer Gimer Hays
 Susan L. Heilbronner
 Pamela Lohr Hendrix
 Karen B. Johnson
 Gregg Allen Landau
 Eric Neil Lieberman
 Trent William Ling ^
 Angela Lykos
 Maureen Gimpel Maley
 Myrto Labrou Maurer
 Melissa E. McIlwain
 Monica M. Metzler
 Francisco David Olazabal
 Douglas S. Phillips
 Therence O. Pickett
 Dara G. Redler
 Andrew Neil Rosenberg ^
 James S. Rowe *
 David S. Sager
 Amy Beth C. Slutkin *
 Andrew G. Slutkin *
 Juraj Strasser
 R. Vincent Taylor
 Reginald F. Thors
 James S. Toscano
 Xianping Wang ^

1992

Ernest Edward Badway
 Daniel Scott Berman *
 Karen A. Bussel Berman *
 Landis Cox Best
 Jay S. Bilas
 Kara W. Blakeslee
 Albert Luminarie Bloomsbury R
 John J. Bowers
 Laura L. Bradley *
 Hans J. Brasseler *
 Kristin Ramsey Clyde *
 Thomas MacIver Clyde *
 Kenneth Duncan Crowder
 Marilyn Tiki Dare
 Christopher A. Donesa
 Thomas E. Dunn *
 Kevin Edward Flynn R
 Sandra J. Galvis R
 Martina M. Garris-Bingham
 Douglas H. Hsiao ^
 Douglas H. Jackson R
 N. Anthony Jeffries R *
 Stefan A. Kenn
 C. Michele Kirk R
 Deborah R. Kurzweil
 Troy Matthew Lovell
 Brendan F. Macaulay
 Leanne S. Macel
 Stanley Charles Macel IV
 Steven M. Marks
 Urs Maurer
 Omar Y. McNeill ^
 Janet Moore
 Sean Patrick Moylan
 Jay Brian Must
 Leisl N. Must
 John Douglas Nachmann
 John R. O'Connor
 David Keith Park
 Scott M. Pritchett
 Cliona Mary Robb R
 Glenn R. Sarno *
 Kent A. Shoemaker
 Edward H. Trent R
 Sheryl A. Wilbon
 Don R. Willett
 Kathleen P. Wilson ^

1993

Syed Nadeem Ahmad
 Jeffrey Alan Benson
 Susan B. Bock
 Mark C. Brandenburg

Jennifer Buchanan O'Neill
 Philip Adam Cooper
 Kira Elizabeth Druyan
 Fritz L. Duda, Jr. ^
 Bruce A. Elvin *
 Catherine Stanton Flanagan
 Amy Ruth Gillespie
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 Cynthia Ming-Wai Ho
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 Jacquelyn Huges ^
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 Lynn Halpern Lederman
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 Lee B. Rauch
 Roxane F. Reardon *
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 Richard D. Smith
 Timothy P. Smith
 Thomas R. Sparks
 Philip R. Strauss
 Jim O. Stuckey II
 Joyce J. Sun
 Jay Garrett Volk
 Suzanne J. Wasiolek
 Ilene T. Weinreich *
 Jonathan Marc Zeitler ^

1994

Susan L. Abbott
 Michael W. Balfe
 Allison R. Beakley
 Victoria McElhane Benedict
 Paige T. Button ^
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 Randall Lee Clark
 Brian McCracken Daucher
 Anne L. Dollard *
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 Jennifer V. Lange
 John R. Lange
 Douglas B. Neu
 Jason G. New
 Jennifer McCracken New
 John W. Nurkin
 Wesley R. Powell *

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 Elizabeth Hitchins Quigley *
 L. Matthew Quigley *
 Seth Laurence Rodner
 Amy A. Ruggeri
 Adam G. Safwat *
 Noriyuki Shimoda
 Michael J. Sorrell *
 Bruce Richard Spicer
 Martha Wach
 James Andrew Washburn
 Matthew Ernest Watson
 Julia Furr Youngman

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Anne Micheaux Akwari
 Eric Lawrence Alexander
 Grace Robinson Dominique Appel
 Ana Cristina Arumi
 Gregory V. Brown ^
 Kenneth W. Bullock
 Thomas F. Carey
 Douglas A.S. Chalmers, Jr.
 John V. Coburn
 Ronald A. Dabrowski
 James A. Davlin V
 Adrian E. Dollard *
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 Duane D. Draper
 Jason R. Erb
 Marc Eumann
 Myra Maureen Frazier
 Alexander Glashausser
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 Gates E. Grainger
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 Anne Wilhoit Sherley
 Frederick H. Sherley
 Lawrence B. Somers
 Anita L. Terry
 Scott Michael Tyler
 Mark T. Uyeda *
 Robert Clarence Vincent III
 Thomas Hartwell Warren ^
 Frederick L. Williams, Jr.
 Andrea C. Williams Pettibone
 Brian Matthew Wyatt

1996

Michael James Bonella
 Robert C. Bowers
 Loren Montgomery Clark ^
 Tara Ann Cope
 Amy Elizabeth Davis
 John I. Davis, Jr.
 David M. Elliott
 Julian Emlyn Hammar
 Jennifer Paige Harrod

Reed J. Hollander
 Amy C. Kunstling
 Lynn Ane Leubuscher
 Karen S. Mankes
 Linda H. Martin *
 Susan Lipson McHugh
 Christopher B. McLaughlin
 Steven D. Moore
 Benjamin D. Nelson
 Robert C. Newcomer
 Sharon H. Patton
 Simona G. Strauss
 Lovita T. Tandy *
 Claire K. White
 Edward H. White
 Mary K. Newcomer Williams
 Christian Douglas Wright
 Eric Glen Zahnd

1997

Maggie H. AbuHaidar
 Christopher P. Beall R*
 Danielle G. Bowser
 Kelly Claire Connolly
 Krystilyn Corbett
 Robert W. Dickey ^
 Julie A. Dilts *
 David Ruben Esquivel R
 Erin S. Gaddy R
 Robert R. Ghoorah R*
 Denise Gough
 Allyson C. Grainger R
 Hollie H. Hart
 Jeffrey C. Hart
 Keith S. Hasson
 Jennifer Y. Henry R
 Canaan Huie
 Jennifer A. Jenkins
 Faith D. Kasparian R
 Cathleen Dick Kendall
 Tommy John Koltis
 Anne E. Krouse
 Geoffrey R. Krouse R
 Paulo H. Larrain R
 Jose Manuel Martinez
 Alissa A. Meade
 Peer Meisner
 David H. Morgenstern
 Elizabeth Anne Napjus
 Patricia Taibo Northrop R*
 Etienne J. Patrocle
 Kimberly J. Potter
 Nelson M. Reid R
 Scott T. Ryan
 Heather Stack Sahrbeck
 Scott Eric Seewald
 Michelle A. Seltzer *
 Jacqueline K. Shipchandler
 Rochael M. Soper
 Elizabeth C. Stone
 Rashad Wareh
 Phillip Andrew Wertz
 Alan L. Whitehurst
 Robert A. Wrzosek *
 Kai Peter Ziegler

1998

Geoffrey W. Adams
 Heather Bell Adams
 Taylor M. Albright
 Satoshi Aratani
 David Warren Archey
 Melissa Igdaloff Attar
 Douglas W. Blews
 Victor Bongard III
 William M. Boyd
 Ellen Dunham Bryant
 Shawn Derek Bryant
 Robert A. Buchholz *
 Megan Lejeune Carlyle
 Brian Matthew Castro
 Julie P. Coleman ^
 Mark Francis Daly
 Patricia Kay Dolan
 Alice S. Eisner
 Jamie R. Eisner
 Jennifer Lynne Franklin *
 Emily B. Friedman
 T. Thomas Gates
 G. Courtney Holohan *
 Jeffrey Bauer Horton
 Soo Hyun Im
 Seth Hillel Jaffe
 Christine P. James
 Carol A. Kelley
 Rachael Dianne Kent ^
 Amy Beth Kiesel
 Lauralyn Beattie Lee
 Peter M. Lee
 LeeAnn Wheelis Lockridge
 M. Evans McMillion
 Tyler L. Murray
 Zachary N. Noffsinger
 James E.B. Sanders
 Edward O. Sassower
 Bobby Sharma
 Tanya R. Smith *
 Sarah Kathleen Solum *
 Patricia Tilley Song *
 Alexandra Ann Tsiros
 Alison H. Wallis
 Darren C. Wallis
 Jonathan Joseph Walsh
 Peggy Y. Wang
 Richard Thomas Welch
 Cameron J. Williams
 Ryan Christopher Wirtz
 Kevin Zolot *
 Miranda M. Zolot *

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Stephen A. Ahrens
 Scott H. Allan Jr.
 Carl R. Boehm
 David K. Bowsher *
 Christian L. Broadbent
 Leslie P. Carnegie ^
 Theresa M. Carnegie ^
 Konstantin Chelney
 Michael J. Chiaravalloti
 Leonard Milton Cole
 Timothy A. Dadson
 Dean Davidov

Laura B. L. Davidov
 David Alan Dixon
 Elzhana T. Duisseimaliyeva ^
 David W. Dummer
 Krista Marie Enns *
 Andrew B. Flake
 Christopher M. Golden
 Abigail D. Kahl
 Jennifer M. Kinsley
 Joseph P. Lombardo
 Alan L. MacCracken III
 Andrew Jacob Miller
 Amy B. Monahan
 Rita Y. S. Pang *
 Brett S. Perryman
 Kathleen O. S. Prevost
 Kirk D. Rasmussen
 Lisa L. Reichmann
 Julie M. Riewe *
 Paul G. Rozelle
 Susan D. Rozelle
 Valerie S. Sanders
 Georg F. W. Schaeffler *
 Hollee Schwartz Temple
 John L. Simpkins
 Dara Steele-Belkin
 Christopher Thomas Stidvent
 Jennifer L. Sullivan
 Morgen Sullivan
 John L. Tobin III
 Amy Elizabeth Vieta ^
 Gordon R. Walker
 Marion T. R. Watkins ^
 Seth Alain Watkins ^
 Jeffrey B. Welty
 Jennifer P. Williams
 Lisa D. Wright
 Anne Therese Wynne
 Sungjoo Yoon

2000

Anonymous
 Elisabeth J. Barek
 Jamie A. Brown
 Francis E. Chin
 Kevin M. Cuddy
 Jill F. Dash
 Christine M. DeMott *
 Elizabeth E. Doscher
 Duncan B. Douglass
 Frederic David Fenton
 Jason Wells Goode
 Robert Toms Gray
 Christopher L. Hale
 Brian M. Harris
 Elizabeth Anne Holt *
 Sang-Soo Jun *
 Laura M. Kelley
 Michael L. Kimmel ^
 Brian D. King
 Eric Liang
 Maura F. C. Lucke
 Antionette J. Marbray
 John T. McBroom
 Jacqueline E. Meyer
 Adam B. Miller
 Alison K. Morello

William R. Nifong
Dustin B. Rawlin
Sarah E. Schott
Jeremy Todd Steele
Joshua Courtney Stokes
Frederic T. Tenney
Mariya S. Treisman *
Michael B. Treisman *
Barry H. Uhrman
Jeremy M. Veit *
Julie O. Veit *
L. Neal Wheeler
Christopher A. Ziebarth

2001

Kamla G. Alexander
Leigh A. Bacon
Mark Lawrence Bieter
Kelly S. Black-Holmes
Sharon M. Blasky
Rodney D. Bullard
Mark A. Charles
Collin J. Cox *
Alexander C. Dale
Amberly Lynn M. Donath
Jeanne B. Donnelly
Russell T. Goin *
Carolyn Y. Heyman-Layne
Craig A. Huckelbridge
Michael C. Hughes
Amy G. June
Melanie L. Katsur
Robert W. Kaufman
Kiyoun Kim
Miriam G. Krieger
Sarah W. Leung
Tracey A. Moriarty
Michael G. Mosier
Amy E. Pope
Chris Rae ^
Meggan A. L. Rawlin
Jason K. Robertson
Seth J. Safra ^
Antony L. Sanacory
Michael Gerard Scally
Jana M. Scharf ^
Christopher P. Seufert
James Anthony Silver
Lawrence D. Sloan
Clay Matthew West

2002

Adam H. Arkel R*
Kimberly Ann Bart
Robert Harrison Bell ^
Alison W. Benge *
Sarah Dylag Beznoska
Andrew Harris Robertson Brown
Andrew Lu-Young Chang *
Allyson Collins
Lisa Michele Cylus R
Charles Davant R
Joshua Alston Davenport
Forrest James Deegan *
Adam J. Di Vincenzo
Drew David Dropkin
Christopher Michael Evans R

Kurt Alan Friesen
John F. Garvish
Darin Jeffrey Glasser R*
Lisa Sharrock Glasser R*
Kenneth Rhyne Harris R*
Marcella Ann Harshbarger R*
David Emmett Hawkins
Lila W. Hope
Amy L. Horner
Christian Douglas Jinkerson
Amy L. Keegan
Denali A. Kemppe
Christy E. Kiely
Joanne Ng Kwong
Cara F. McGrath
Michael William McGrath
Amy C. Mena
Emilio Mena, Jr.
Jennifer Lee Merzon
Thomas Bernabe Mulhern
Fabrizio Maria Prandi R
J. Kate Reznick
Alison M. Rhoten
Leah J. Russin
Mary Beth Steele
Shannon W. Stevenson
Heather Lindsay Stewart
Jennifer Louise Tomsen
Nwabundo Enuma
Ume-Nwagbo R*
Victoria Von Portatius
Diana Marti Weed *
Susan E. Wood R*

2003

Suzanne M. Alford
Tia N. Hall Barnes
Jennifer L. Barry *
Stephan Bauer
John W. Bolin III *
Matthew J. Bonness
Dana Z. Buschmann
Shivaun A. Cooney
Christine S. Cox
Nicole A. Crawford
Brian J. Damiano
Alexander J. Davie
Bashir E. Eustache
Joseph W. Goodman *
Rachael Grad ^
Matthew D. Greenley
Claibourne S. Harrison
James B. Insko
Elizabeth M. Israel
Joel L. Israel
Matthew D. Kane
David R. Kaplan
Juliet J. Karastelev ^
Leon Kelly
Tobias M. Leder
Stuart D. Louie *
Jennifer R. McKeon
Lucas M. McKeon
Stephen G. McNiff
Stephen L. Minter
Kendra A. Montgomery-Blinn
Alison B. Nightingale

Charles R. Nightingale
Sean M. O'Neil
Daniel J. O'Neill
Christopher S. Perry
Hope E. Perry
Kelly A. Perry *
Melissa C. Peshkin *
Amy A. Pines
Jontille F. Ray
William P. Rayel
Lewis W. Schlossberg
Jennifer C. Sikes
Sarah C. Smith
Mark B. Sweet
Kelly B. M. Townsend
Meredith L. Turner
Jason S. Veloso
Caroline E. Wainright ^
Sean Ward *
Edward T. Werner
Karin H. Werner
Aaron T. Wolfson
Fang Xue *
Jinping Yang *
Bradley T. Zimmer ^
Meredith Zinanni *

2004

Anonymous *
Allison A. Ames
Kristine M. Andreasen *
Trevor K. Asam
Marika R. Athens
Allen X. Baker *
Krista M. Barnes
Caroline N. Belk
Sarah E. Bell *
Brian R. Berman *
Philip J. Bezanson *
Deidre D. Blocker
James C. Bowers
Linda M. Boyd
Tamala T. Boyd *
Walter J. Buzzetta
Sohini Chatterjee *
Donald E. Childress III
Graham J. Chynoweth *
Randall H. Cook *
Evan M. Cramer *
Joseph W. Creech
Justin T. Curley *
Sarah V. Dadush *
Meaghan Hannan Davant
Sarah H. Davis
Shefaali K. Desai
Kimberly Drake *
Kedrick N. Eily
Jeremy C. Entwisle *
Kristina C. Evans
Nita Farahany *
Amir R. Farokhi
Vanessa R. Franco
John D. Fred *
Robert J. Gallagher, Jr. *
Gina D. Greenwald
Michael L. Greenwald
Michael S. Guntersdorfer *

Wengang He *
Clifford R. Jenks
Jenna B. Kiziah
Kimberly A. Klimczuk
Michael T. Koenig
David H. Koysza
Darcy W. Krause
Jonathan S. Krause
Timothy K. Kuhner
Luke A. Lantta
Justin C. Letts
Karin M. Linhart
Douglas W. Lukasik
Artemis H. Malekpour
Jill R. Martin ^
Robert A. Mays *
Christopher S. Mills
Phillip W. Nelson *
Sarah J. North
Ashley M. Oland
Allyson W. Pafas
Mayur R. Patel
Abigail J. Politzer
Juliana C. Richards *
Julie W. Rogers
Keith A. Rogers *
Alyssa Rower
Stuart H. Russell
Andrew J. Schrage
Jesse T. Smallwood *
Peter M. Smith
Shannon Smith
Mitchell D. Sprengelmeyer
Emily K. Su *
Brian T. Sumner *
Jonathan A. Sutter
Andrew T. Tripp *
Mark Unger *
Minodora D. Vancea *
Yi Wang
Jamiah K. Waterman ^
C. Bryan Wilson *

2005

Nora K. Adkins
Ron M. Aizen
Suzana S. Albano
Dessa J. Baker
Adam J. Bedel ^
Wyatt E. Bloomfield
Brian C. Brook *
Scott C. Chase
Eric K. Chiu
Andrew J. Cho
Kyung Hoon Chun
Sarah E. Citrin
Noah A. Clements
Jereme M. Cowan
Nicholeen S. D. Creech
Florence Danis
Samantha A. Ferris
Samuel A. Forehand
Kristen J. Freeman
Christopher J. Fregiato
Dylan M. Fuge
Grant W. Garber
Jason L. Gelman

Shannon F. Green
Marjorie C. Gurganus
Maximilian M. Haag
Nathan B. Hagerman
Matthew F. Hanchey
Stacy J. Hauf ^
Andrew A. Hecht ^
Dolores W. Herman
Daniel G. Hick
Kylie I. Holladay
Heather M. Howard
Jeffrey C. Imerman ^
R. Clayton Jernigan
Cory R. Kampfer
Stephen M. Kessing ^
T. Alexander Key
Yon Mi Kim
Mangyo Kinoshita
Yelizaveta Klimova-Troxler
Zachary S. Klughaupt
Kristin M. Leavy
Kyunghoon Lee
Janna S. Lewis
Fang Liu
Jun Liu
Rebecca Early Marques
Takayuki Maruyama
Kathleen Moore Mays *
Thomas B. McCudden
Lei Mei *
David S. Moncure
Kara M. Moorcroft
Peter G. Naismith
Louis David Nefouse
Elizabeth D. Noble *
Rohan Oberoi *
Jesse B. Orleans
Jeffrey L. Osterwise ^
Margot M. Pfohl ^
Charles R. Rayburn III *
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Keri A. Richardson *
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Mark R. Sigmon
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David L. Tkach
Carter H. Vance
Hayley S. Weimer
Kelsey M. Weir
Lindsey L. Wiersma
Grant C. Yang
Jingsong Zhang
Lan Zhang

2006

Benjamin K. Ahlstrom
Kristi M. Ahlstrom
Lindsay Nicole Alleman *
Antonia M. Aquilante
David G. Barker
Ryan P. Bates
Wells C. Bennett *
Marc P. Bernhisel
Kristin Blazewicz *
Jessica M. Bodack
Alexia M. Branch ^
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Jonathan E. Carr
Gary Chen *
Kyoungjin Choi
John R. Collins
Justin A. Coon
Emily S. Coward
Zia K. Cromer *
Oleg Cross
Elisa J. Cyre
German Delgado
Madelaine dePottere-Smith *
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Sarah S. Doverspike
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Henry L. Falls III *
Lily S. Farel
Virginia A. Frasure
Tyler J. Friedman *
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Elisabeth K. Hanratty ^
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William B. Holladay
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Joanna L. Jordan-Wu
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Hun Y. Lee
Matthew N. Leerberg *
Yu Lei
Jared R. Lenderink *
Regina A. Lennox *
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Scott A. McGee
Zachary A. McNish
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Mackenzie B. Morse
Orion Mountainspring
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