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School of Law

LEX*ICON*

FALL 2011

BUILDING CAREERS ON WEB 2.0



Anna Laakmann: Time to
Crowd-Source the FDA?



CNN News Update with
Michelle Hylton



Lisa Hook and Neustar:
The Great Gig in the Sky



During Alumni and Reunion Weekend in September the Law School dedicated this space as the Ridge Commons. A 1972 graduate of the Law School, Ridge also took part in a ceremony to recognize the Tom and Laura Ridge Lobby, named by Ridge in honor of his parents. Excerpted here are Dean Philip J. McConnaughay's remarks from that day.

It seems especially appropriate to be dedicating our new Ridge Commons today in such close proximity to the 10th anniversary of the 9/11 attacks on the Pentagon and the World Trade Center, and the failed attack on the White House that was prevented by some very brave citizens. 9/11 was a time of great sorrow for our nation, and of great need, especially in terms of rethinking the nature of our homeland security. And it was very telling that our President at the time, George W. Bush, and our nation turned for help to Dickinson School of Law graduate Governor Tom Ridge.

Looking back, it seems almost remarkable in comparison to the political rhetoric of today that support for President Bush's request of Governor Ridge was nearly universal. Democrats and Republicans alike praised Governor Ridge's selection, first as Assistant to the President for Homeland Security, then as the nation's first Secretary of the new Department of Homeland Security.

I think the respect all of us share for Governor Ridge, regardless of our individual political beliefs, is captured best in a story Judge John Jones tells of meeting President Bill Clinton, who upon learning that Judge Jones is a good friend of Governor Ridge, said simply, "Tom Ridge. What a great American."

And, of course, the Governor's life of public service to our country is extraordinary: (i) infantry service in Vietnam that interrupted his time at The Dickinson School of Law and that saw him earn the rank of Sergeant and the Bronze Star for Valor in combat; (ii) serving as Assistant District Attorney in Erie county; (iii) serving multiple

terms as an elected member of the United States House of Representatives; (iv) serving as a two-term Governor of the Commonwealth of Pennsylvania; and then, (v) serving in the two high national offices of Assistant to the President for Homeland Security and Secretary of the new Department of Homeland Security.

And, it bears noting that all the while Governor Ridge served as Secretary of Homeland Security, he remained an active member of The Dickinson School of Law Board of Governors. He personally attended several meetings pertaining to the Law School's future and he spoke eloquently and forcefully both about the importance of retaining the Law School's campus in Carlisle, and about the importance of enhancing the Law School's academic stature by taking full advantage of the Law School's merger with Penn State University.

Since leaving public service, Governor Ridge has remained incredibly generous to The Dickinson School of Law, both with his time and financially, as our beautiful new "Tom and Laura Ridge Lobby," named by the Governor in honor of his parents, reflects.

For all of these reasons, and more, the Law School recommended that the Penn State University Board of Trustees name the beautiful Commons Area of our new Lewis Katz Hall in Carlisle in honor of Governor Ridge. And today I know we all are proud and happy to be proclaiming the area in which we now stand, "Ridge Commons."

Governor Ridge, thank you for your service to our nation, to the Commonwealth of Pennsylvania, and to your law school, The Dickinson School Law.

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IN MEMORIAM

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SUPREME COURT GRANTS CERT ON CLINIC CASE

On June 27, the U.S. Supreme Court agreed to hear a case presented by the Penn State Law Civil Rights Appellate Clinic.

“We know that this is a difficult case because the Supreme Court only takes difficult cases. We are thrilled that the Court saw the virtue in hearing this case and are confident that at the end of the day it will find that the self care provision of the FMLA is constitutional,” said Professor Michael Foreman, who directs the Clinic.

Clinic students involved in the case were elated to hear that the Petition for Writ of Certiorari that they filed had been granted.

“This morning I kept hitting the refresh button on the Supreme Court website, because I had a good feeling. Getting the Supreme Court to review a case is a daunting task,” said Kathleen Wagner ’12, senior member of the clinic this semester. “Throughout the process, however, we all began to see how important this issue was and how necessary it was for the Supreme Court to weigh in. All in all, it has been an amazing experience and I am very excited to turn our attention to the merits brief.”

“I was sitting in court working at my internship in Philadelphia when I got the news, and I am completely thrilled. The honor of being one of the very few cases granted review by the Court is a testament to the capabilities of our students and to Professor Foreman’s leadership,” said Wesley Corning ’12, who was interning at the Philadelphia’s District Attorney’s Office when cert was granted. ■



THE CASE

Coleman v. Maryland Court of Appeals

THE ISSUE

Whether the self-care provision of FMLA Act abrogates states’ 11th Amendment immunity

THE TEAM

Clinic Director Michael Foreman,
who will argue the case
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Sebastian Conforto ’12
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Micah Craft ’12
Melody Mahla ’13
Robert Marriott ’13
Shari Manasseh ’12
Marianne Sawicki ’12
Kathleen Wagner ’12

P.J. CROWLEY JOINS THE LAW SCHOOL

Philip J. “P.J.” Crowley, former assistant secretary of state for public affairs, is the 2011-2012 General Omar N. Bradley Chair in Strategic Leadership. His research and teaching interests focus on national security policy, public diplomacy, and the impact of the global media environment on conflict, policy, and politics.

“I use current developments such as Guantanamo, WikiLeaks and the unfolding Middle East transformation to discuss how the U.S. deploys military, civilian, and economic power in a manner consistent with its values and interests,” Crowley said.

President Barack Obama nominated Crowley to be Assistant Secretary of State for Public Affairs in the U.S. Department of State in 2009. Crowley also served as Special Assistant to the President for national security affairs and Senior Director of Public Affairs for the National Security Council during the Clinton Administration. Crowley is a twenty-six year veteran of the United States Air Force and served in Turkey, Germany, and at the United States Air Force Academy. He retired from the Air Force in 1999 as a colonel.

The objective of the General Omar N. Bradley Chair is to advance the study of strategic leadership and enhance civilian-military dialogue by offering distinguished individuals the opportunity to contribute to the educational and research activities of partner institutions. The chair is a joint effort among Dickinson College, the U.S. Army War College, Penn State’s School of International Affairs and The Dickinson School of Law. ■



[HEAR MORE](#)

**WikiLeaks:
One Year Later**

**General Omar N. Bradley Lecture
Tuesday, October 25
6:00 p.m.
Lewis Katz Hall
Carlisle, Pa.**

LAW SCHOOL HOSTS NEW PROGRAM IN ISTANBUL

In July the Law School launched the inaugural offering of the Intensive Introduction to American Law Summer Program in Istanbul. The program was designed for lawyers who want to acquire an understanding of American business law and improve their proficiency in spoken and written legal English. The program was held at Yeditepe University in Istanbul and taught by Penn State Law professors.

“I feel like I am getting the best of both worlds,” said program participant Selin Yetisir, a recent LL.B. graduate from Turkey. “I could not afford the travel costs to attend a similar program in the United States, but I am experiencing something similar with excellent professors and courses,” she said.

“There is an intense desire for American law among lawyers around the world but not very many opportunities for lawyers and other professionals to get high quality training in their home countries. This program satisfies that need and could become a model for similar ventures in other countries,” said William Fox, Distinguished Visiting Professor at the Law School.



Yeditepe University

“My Istanbul students have been exceptionally bright, enthusiastic, and diligent and a joy to work with. Many of them have expressed an interest in coming to Penn State for our LL.M. program.” ■

Students and faculty visit an Istanbul Court with members of the judiciary.





ON DEMOCRACY AND SEPARATION OF POWERS

The Hon. D. Brooks Smith '76 of the United States Court of Appeals for the Third Circuit recently spoke with Istanbul reporter Leyla Tavsanoğlu.

Excerpted from *Cumhuriyet* (The Republic), used with permission.

What is the importance of separation of powers and the superiority of law in real democracies?

Division of powers is the proof of real and active democracy for us in the United States. It means that each power is precisely separate, and none of them has more power than the other branches. However, it is not easy to manage this...If the members of the three branches, responsible for the rules determined by the Constitution, intervene in other branches this can violate the superiority of law. That is why we (judges) act carefully to protect our judicial independence.

I remember that high court judges appointed by George H. W. Bush made a decision that resolved the 2000 presidential election in favor of George W. Bush. Can you elaborate on the superiority of law in this case?

Many people have expressed that they were not satisfied with the decision taken by the Supreme Court. Many have not been convinced that the decision was taken in accordance with the legal principles rather than political ideas. I would like to believe that our judges comply with an idea of equal justice under law, the superiority of law, and the rule of judicial independence. As you emphasized in your question, the issue is based upon public perception about the way of

implementation of laws. If people think that different powers can shape the jurisdictional decisions instead of superiority of law, we are in serious danger.

You gave seminars in Russia, Central and Eastern Europe within the activities of the Department of State and the American Bar Association's Central and Eastern European Legal Initiative. Could you explain that a little bit?

I have been in Russia, Balkans, Kosovo, Bosnia, Albania, Ukraine and Latvia many times. Most of those trips were related to education activities for judges and prosecutors. When I started to work in law there was no concept called internationalization of justice and law in the world. However, everything is different today. Comparative interpretation of the rule of law by attorneys and judges has become an important value in the judiciary. Those initiatives were an important factor in this progress. I am glad to participate in those programs and I acquaint myself with them. As a result, a progressive environment for the superiority of law was created for lawyers, judges and prosecutors who work in different regions and countries. ■

STUDENTS HELP BRING CLOSURE TO PEOPLE OF THE FORMER YUGOSLAVIA

Sarah Hart '12 was an elementary school student in Emmaus, Pennsylvania, when she received a thin red Scholastic magazine detailing the violence, chaos, and terror of Yugoslavia breaking apart. Fifteen years later as a rising third-year student at Penn State Law, Hart was one of two Penn State Law students to take part in the legal internship of a lifetime at the International Criminal Tribunal for the Former Yugoslavia (ICTY).

Hart split her time between the joint prosecution of Franko Simatovic and Jovica Stanisic and that of Rathko Mladic, all under the supervision of lead prosecutor Dermott Groome, a visiting professor at the Law School and Senior Trial Attorney at the Office of the Prosecutor for ICTY. Hart explained that the best part of her position was that she believes so strongly in ICTY's mission. "Every day we are working through this and every day we are closer to justice," she said during a summer interview.

ICTY was established in 1993 and has about 1,100 staff members, including fifteen permanent judges and ten ad litem judges. Ken Charette '12 spent the summer working in one of three Trial Chambers, where judges are responsible for deciding guilt or innocence and then imposing a sentence. He was assigned to the chambers handling the trial of Momcilo Perisic,

who was the Chief of General Staff for the Yugoslav Army and answered only to Slobidan Milosevic. Perisic was convicted of crimes against humanity and war crimes on September 6, 2011. It was the first conviction against a Serbian official for crimes committed in Bosnia and Herzegovnia.

"The judges at ICTY are top-notch and come from different legal traditions around the world," said Charette. He was pleased to work with Bakone Justice Moloto, formerly a judge on the High Court of South Africa; Michéle Picard, who was a Judge on the Tribunal de Grande Instance (Court of Major Jurisdiction of Paris); and Pedro David, who comes from the National Court of Criminal Cassation of Argentina.

"Deliberations were a great opportunity to participate actively in the practice of international criminal and humanitarian law at the highest level," said Charette. "This has been the experience of a lifetime."

Both Hart and Charette worked in ICTY through the Cherie Millage Fellowship Program. ■



CLINICAL PROGRAMS EVOLVE

Clinical programs are thriving at The Dickinson School of Law, but the range of the innovative legal services they provide continues to evolve. The Family Law Clinics at both campuses continue to offer students the opportunity to participate in local court litigation, and in Carlisle, the Disability Law Clinic continues to advocate on behalf of Social Security claimants. The rest of the clinical landscape, however, has changed.

The Civil Rights Appellate Clinic works with top appellate lawyers from around the United States on high-profile civil rights cases in the U.S. Supreme Court and U.S. Courts of Appeals. The Children's Advocacy Clinic teams with medical students from Penn State Hershey and social work students from Shippensburg University to evaluate the health, education, and placement needs of disadvantaged children and advocate on their behalf. The Center for Immigrants' Rights advocates on behalf of immigrant interests nationwide. The Rural Economic Development Clinic serves the interests of small communities and hopeful entrepreneurs throughout Pennsylvania. The new International Sustainable Development Projects Clinic will work with Penn State engineering and business students on sustainable development projects throughout the developing world. Law students in both Carlisle and University Park enroll and participate in all of these clinics.

In Carlisle, clinical professors and students are moving back to campus from Pitt Street and will occupy Hummel House and another one of the houses the Law School owns along South Street.



This move will facilitate student participation in clinical activities and eliminate the considerable expense of maintaining the current clinic office off-campus. In University Park, clinical offices are consolidating and moving out of the Katz Building into a unified “law office” environment, like Carlisle’s, in Innovation Park.

“The Law School’s clinics continue to work together to represent the cutting edge of legal education,” said Dean Philip McConaughay. ■

How Do You Do It?

Reflections of a Military Veteran and Spouse 10 years after 9/11

By Sara L. Carlson '12

During the last ten years, the lives of my family, like so many others affected by the military, have changed in ways that are hard for many non-military people to comprehend. While I am no longer serving on active duty, my husband is. Our lives remain in constant flux. Because we are currently not located in a military community, I am often asked by people not familiar with the military lifestyle how I am able to manage law school, elementary-age children complete with extracurricular activities, a husband fighting a war, dogs, a house, and my good friend “Murphy” (of Murphy’s Law fame) who often visits while my husband is deployed. Truth be told, the everyday tasks are easy. These are the ones that every parent will figure out. The tasks that are specific to military life during times of war are the ones that everyday life does not prepare you for, and there is no manual to help you figure them out.

My husband and I have been deployed more times than you can count on one hand. We have two wonderful children that have not had the pleasure of enjoying their parents in the same home for longer than ten consecutive months. Birthdays and holidays are on the calendar but we consider it a win if one parent is here for those important moments. Our children were nearly three years old before they realized that their father, who we occasionally were able to communicate with via video chat, did not live in our laptop. They are now old enough to realize

that Daddy is at war and not simply away for his job. With this realization come valid questions that are impossible to answer. How do you do it? How do you tell your children that you are not sure that Daddy will come home in a year? When they ask, how do you tell them that deep down inside, you are as afraid as they are? The truth is, you don’t. You hug them because both of you need it, promise them that Daddy loves them very much because that is a promise you can make, and then you lace up their shoes and head to football practice.

One of the best things about the military is the friends you make. The circle of my closest friends formed when I was in college at West Point. All of us entered active duty service upon graduation. Our paths have crossed many times and our circle has expanded. With more friends comes the increased risk that tragedy will strike someone we love. It was bound to happen to one of us, though we were convinced, or perhaps in blissful denial, that it never would. We were wrong. A non-descript government car showed up in the driveway of one of my dearest friends early one morning. Sharply dressed, uniformed Army officers knocked on her door bearing news that changed her life in a moment. How did we do it? We, her friends, prepared her to sit through a service memorializing her husband, a wonderful man I’d known longer than her, and father of their three young children, and keep her strength as the flag that draped his cherry-stained casket is presented to her “on behalf of a grateful nation.” The truth is, you cannot pre-



Sara L. Carlson is a graduate of the United States Military Academy at West Point and a third-year student at Penn State Law.

pare someone for this. Her life changed in a moment that we all know is possible but pray never happens.

Just a few weeks after our friend's funeral I was back in Afghanistan yet again, this time deployed with my husband. As I sat in an intelligence center, monitoring a developing attack in a distant valley, I recognized a familiar call sign being beckoned to an ongoing firefight. It was his company. I rushed to his command post. Environmentally, conditions were too bad to fly. Tactically, he would fly in to a hornet's nest. He gathered his gear, nonetheless. I said good-bye to my husband and the flight crews as they left the safety of the command post and headed to their whirring helicopters waiting on the nearby airfield. They would fly virtually blind, through the treacherous mountains in Afghanistan, to the Waygal Valley in what would become one of the deadliest battles in the war. I knew in my heart that he may not come home. As he left I couldn't kiss him good-bye because he is the commander and even though his soldiers would understand, it would indicate to both of us in some strange way that to forgive military bearing just this once would almost equate to giving him permission to letting that kiss good-bye be

his last. He subtly issued a rain check with a tight squeeze of his hand. How did we do that? I remember the calm and courage in his eyes. It's all I had to sustain me until the early morning hours when his helicopter landed safely with only a few bullet holes this time. Another day, granted.

The events of September 11, 2001, changed our nation and the world in ways that many never would have predicted. While the sense of patriotism that followed those attacks has waned, many of the American flags have grown tattered or disappeared. Lives of our veterans, our military, and their families are affected every day. So every time someone asks me "How do you do it?" I think back to days like these. I am thankful for the days that I have together as a family when I am fortunate to have them for they are often few and far between. I pray for the many friends and families that may only replay memories as opposed to make new ones with their heroes. Perhaps most importantly, I pray that all of our service men and women will return to those who love them and to a nation that appreciates the immeasurable sacrifices they have made and will continue to make. ■

HE WALKS IN BEAUTY:



Joe Nadal '59 stands in
Soul Catcher
outside of his California home.

An Exhibition of the Work of the late Ann Honig Nadel

Joseph Nadel '57 and his wife, Ann Honig Nadel, shared a 45-year marriage, two children, and a passion for art. Together they endowed the Joseph and Ann Honig Nadel Scholarship at the Law School. She shaped bronze, ceramics, paper, and clay to reflect the beauty she saw around her. While Ann lost her battle to cancer in 2008, her work lives on in several collections, displayed in the residence of the Vice President of the United States, Cedars-Sinai Medical Center in Los Angeles, California, and the Bancroft Library of the University of California. Joseph lives in the home they shared among the art she made with her hands. ■

Rainbow Covenant

bronze done with the lost wax technique

Image is created by swirling water into the wax before being transferred to the bronze.





Clay Kimono

Ann was inspired to do her kimono series after she spent a summer in Japan studying with several Japanese pottery masters through a program sponsored by the Parsons School of Design.



Blue Kimono

2002
bronze

This piece was displayed in the Earl McGrath Gallery in Los Angeles and now ornaments the garden in Nadel's home.



Spacescapes

1989
watercolor

To create the *Spacescapes*, Ann laid out the paper rolls in her studio, painted in watercolor, and then rolled them back up. *Spacescapes* were featured in a one-woman show at the Jewish Museum in San Francisco in 1989.

GIFT PLANNING: SECURING THE FUTURE TOGETHER

There are many ways to make a gift to Penn State's Dickinson School of Law.

IF YOUR GOAL IS TO:	THEN YOU CAN:	AND YOUR BENEFITS WILL BE:
Make a quick and easy gift	Simply write a check now	An income tax deduction and an immediate impact on The Dickinson School of Law
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Create a charitable gift while continuing to enjoy your home	Give all or a percentage of your personal residence or farm to The Dickinson School of Law while retaining life use	A charitable deduction and a reduction in the appraised value of your estate
Create a hedge against inflation over the long term	Establish a charitable remainder unitrust	A variable income stream for life and tax benefits
Reduce gift and estate taxes on assets you pass to your children and grandchildren	Create a charitable lead trust that pays income to The Dickinson School of Law for a specific term of years	A gift or estate tax deduction and protection of assets and appreciation for later use by your family
Make a revocable gift during your lifetime	Name The Dickinson School of Law as beneficiary of assets in a living trust	Full control of the trust and its assets for your lifetime

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A BEGINNER'S GUIDE TO BUILDING A SOCIAL MEDIA PRESENCE

By Tara Trees Morrill '05

Social media has grown by leaps and bounds over the past several years. Facebook recently announced it had more than 800 million members worldwide. Twitter boasts nearly 200 million registered accounts creating 110 million tweets per day.

Social media can provide law firms with limitless opportunities for marketing and public relations, transforming the way law firms communicate about themselves and their attorneys. Having a social media presence can help build a firm's reputation. All law firms can benefit from social media. Whether you're a large law firm or on your own, the foundation of business development rests on trust. Social media is a powerful business tool that can help you build those relationships.

- First, decide what you would like to achieve from social media—business development, client relations, referrals, networking, information and/or event sharing.

- Second, do some research. Look up other firms in your area and see what they are doing with social media. Consider developing a social media policy as well, but keep it simple. Do not handcuff the firm with a long list of rules that inhibit the relationships you are trying to build. Educate the attorneys and administrative staff who will be maintaining and interacting on the sites.

- Third, develop a plan for how you will use social media to achieve your goals. Create both a proactive and reactive strategy to follow. For ex-

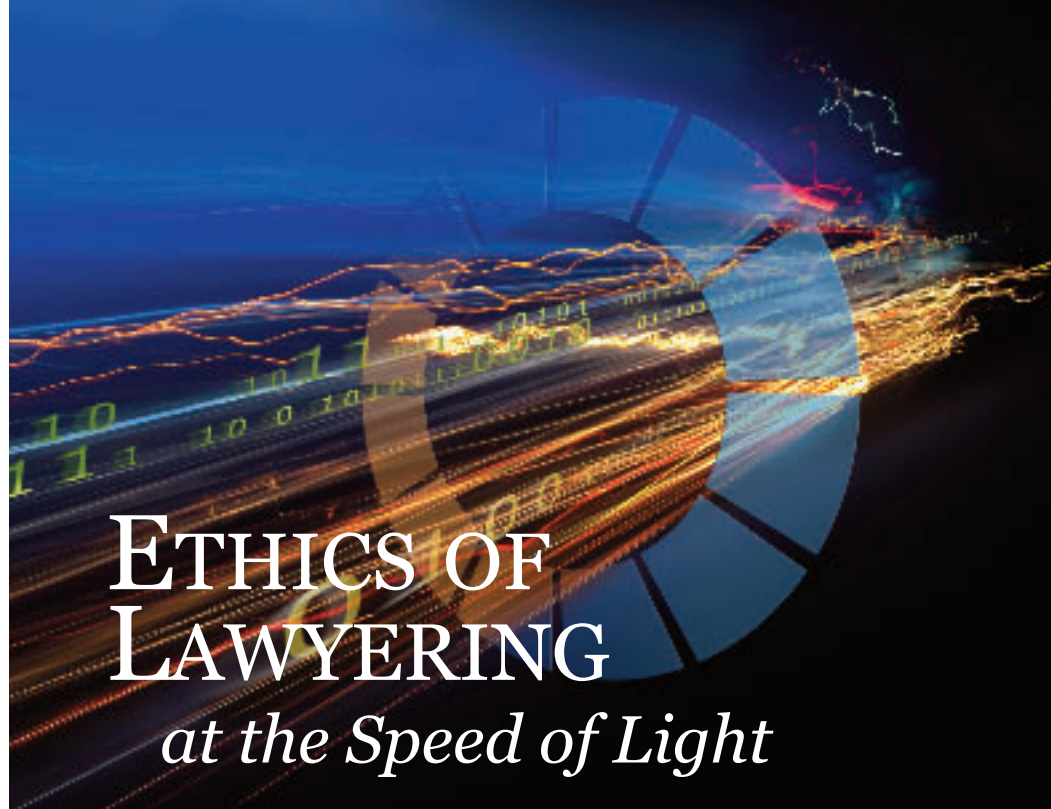
ample, make a list of what you will post about—new attorneys, news in your area of expertise, and/or firm events. Decide how you will handle questions and comments that arrive via social media. Answer questions posed through social media sites both directly and indirectly, but be careful not to give legal advice. Try to respond to every comment in a timely manner.

- Fourth, let people know that you're on social media. Promote your sites. Put your icons on your website and add buttons to your email signature to advertise your social media presence. Remember to follow the applicable rules of professional conduct in postings used for marketing purposes.

Social media won't do you any good unless you actually use it. You don't want to spend too much time on your social media efforts, but you also can't expect results if all you do is create profiles for your firm and never actually do anything with them. Pick and choose which social media platforms work best for your firm. Remember, you will not be able to post, tweet, blog and practice law all in a day. Don't be afraid to get professional help if you need it. Remember: you're a lawyer, not a social media expert.

It seems that social media for law firms is a phenomena that is not only growing, but is here to stay. With so many firms climbing on board the social media train, those that don't just might get left behind. ■

The author is the social media manager for the Pennsylvania Lottery.



ETHICS OF LAWYERING

at the Speed of Light

Ed Lanza '97 practices in the area of utilities and telecommunications law, energy regulation, civil litigation, and administrative law at Eckert Seamans. He recently gave these tips—and many more—to alumni on the ethical dimensions of social media.

Just Between Us

Rule 1.6—Confidentiality

- Don't discuss the details of a case without a client's consent.
- Electronic communications may be subject to discovery and disclosure.
- The lawyer's duty to safeguard client confidential data should trump social networking.
- Clients can waive confidentiality by using social media.
- A lawyer must advise a client on the dangers of "too much information" online.
- Lawyers must discuss with clients the potential of security breaches (hacking, cyber-spying, etc.).

Friending the Enemy

Rule 4—Dealings with Third Persons

- Do not lie or deceive on social media.
- Do not communicate with a third person who is represented by counsel.
- Avoid using Facebook to obtain evidence from an opposing party. ■

THE GREAT GIG IN THE SKY

By Pam Knowlton

In the last eight seconds Neustar has touched your life. If you live in North America Neustar routed your last text, phone call, or e-mail and the thousands that came before it.

Neustar is a universal intermediary. At the helm as President and CEO is **Lisa Hook '83**, who has shaped the infrastructure that enables modern life. Twenty years ago every telephone call had a fixed starting point and end point. When local numbers became portable (remember the “bag phone”?) and network connections mushroomed into millions, communications routing among thousands of service providers worldwide became infinitely complex. In 1996 with the founding of Neustar, the immense sea of data became manageable. Now, as a universal intermediary, Neustar enables seamless connectivity across millions of networks, applications, and enterprises.

Hook's leadership as president and CEO is divided between internal and external duties. “Basically my role internally is to set the strategy for the company, to hire the right people who can execute on the strategy, and to create the right structure both organizationally and financially so that they have the tools to execute the strategy,” she said. “Externally, my role is to sell our vision and our strategy to our shareholders, to our customers and prospects, and to the press.”

Neustar operates the directories in Canada and the United States that manage virtually all telephone numbers and enable the routing of calls among thousands of competing service providers. All telecommunications service providers that offer services to the public must

access the Neustar clearinghouse to route virtually all of their customers' calls.

Hook analogized the company to a “giant digital address book in the sky.” Every phone call in North America and about twenty percent of all Internet traffic goes to Neustar before reaching its final destination. “If you call me, your phone number has no brain. It goes out onto the network and it has nowhere to go. So your phone call literally comes to our database and says, ‘Where do I go?’ and we tell it where to go,” Hook said.

Neustar is the only company in North America that provides this service for phones. “It's not efficient for a phone call to have to ask more than one database where to go. From a network efficiency standpoint, you really want to have just one company that has all the relevant data in a single database,” she said.

Building on its experience as the telephone number portability administrator for North America, Neustar has developed the Local Number Portability Enhanced Analytical Platform (LEAP), which provides qualified law enforcement agencies with a means to determine current service provider information for telephone numbers. Last year, cell phone information provided by Neustar helped law enforcement locate Times Square bomber Faisal Shahzad.

Neustar also keeps track of the types of communication, like text and picture messages, that phone numbers are permitted to receive. “We keep all that information in a gigantic central database and then we push updates to the database out every eight seconds to 100,000 local databases around the country, so that when a phone number has to go look at the database it only takes milliseconds to look up the address before it goes onto its destination,” she said.

"I like growing new businesses and new products. The rate and pace of technology change is so unbelievably dynamic that you never get bored. I like thinking about how the world's going to look in the next five years and how companies can adapt to the future. That's why I came to Neustar," said Hook, who was president of AOL Broadband when their subscribers grew from 250,000 to over 5 million.

Finding New Opportunities

As tablets and smart phones become more popular and consumers want to access media on various devices, the need for a clearinghouse like Neustar only grows. "We are really excited at Neustar because we think that we're moving into a period of new opportunity for the company," Hook said.

Neustar recently finished building a database that will enable consumers to buy or rent a digital movie, keep a copy of it in the cloud, and then access it at any time on any device after Neustar confirms proof of the digital purchase. A consortium of more than sixty studios, retailers, and equipment manufacturers approached Neustar seeking the most efficient way to distribute movies digitally and allow people to store them in a cloud. "They came to us because they needed a company that was neutral that had managed very large scale database environments before, and we are one of very few companies in the world to do what we do," Hook said.

Neustar is also at the forefront of transitioning the world from the current internet protocol, IPv4, to the new improved IPv6 system responsible for identifying each machine on the Internet by a unique address and routing the data from its source to its destination. The new IPv6 address consists of 128 bits that will allow an astronomical number of addresses to become available. "For us it's a great opportunity because our core business is data. We have a database that has every single IP address in the



Photo: Mike Morgan Photos

world. We know where that address is physically located. We know what network it's on. We know what devices are attached to it. And we know what types of information it can receive."

"Being able to provide an environment where people can create new, really fantastic products is the best part of my job," said Hook. "We just launched a service a couple of months ago that enables companies to see when they are about to be attacked and allows them to see what information is leaking out of their company. Nobody else has anything like this. We went to market last month and we got our first customer yesterday," she said in July.

From lawyer to CEO

Hook is careful to explain that being a CEO is different from being a company attorney. "When you're practicing law in many cases your job is to evaluate risks and to counsel people on taking the least risky path forward, whereas your job as an executive is to weigh the risk against the reward." Once the strategic decision is made, she sees her role as "being clear about the expectations for the folks who are to execute the strategy; being consistent about those expectations; hiring people who are dramatically smarter than you and then letting them do their job," she said. ■



A CNN NEWS UPDATE

with MICHELLE HYLTON '00

By Dyanna Stupar

JOB: Senior Counsel, Turner Broadcasting System

LOCATION: CNN Studios in Atlanta, Georgia

NEARBY: Vintage Turner film posters, news junkies, and televisions blaring CNN

WHY LAW SCHOOL: Episodes of *Perry Mason* and *LA Law* inspired her to consider a legal career.

DAY TO DAY: “CNN is a 24-hour fast-paced business. I love how there are always different challenges, different projects, and different people to work with. I never know where the day will take me.” She handles acquisitions, compliance, and investment work. She also has regulatory responsibilities like enforcement of Foreign Practices Act and FCC regulations and represents CNN with licensing, venue agreements, and negotiating payment terms and methods with Facebook.

THE BEST PART: “CNN plays a major role in American life. It’s one of the flagship American brands, and it’s a very trusted brand online and on television. I am privileged to be a part of it.”

ON THE HOME FRONT: Husband Anthony, a product development manager at AT&T. Daughter Nina, age 2, and son Evan, eight months.

A TRICKETT HALL MEMORY: On the first day of law school Hylton was the first person Professor Harvey Feldman called on. “I remember my voice shaking. But fast forward three years and Professor Feldman turned out to be a wonderful mentor and friend.”

ON PROFESSIONALISM: “Dickinson taught me to be a consummate professional. The faculty not only taught me the substantive things I needed to know but also how to be a professional. For example, what to do when you meet opposing counsel and, when it comes down to it, not to be a jerk. Lawyer jokes persist to this day because some lawyers are not behaving like professionals. Such behavior was not encouraged in any way at Dickinson. Learning the law is a subjective thing, but those points about being a professional have really served me well both at CNN and Jones Day, where I worked before joining CNN in 2007.”

ADVICE FOR NEW GRADUATES:

“Instead of viewing your life after law school in black and white terms, it’s important to keep your mind open to various opportunities. Try considering things you would not have considered otherwise. Also, because the market is so flooded with new lawyers, it’s even that much more important to do your best in law school. Buckle down and do the best you can and it will open doors to you.”

HOW SHE GIVES BACK: Hylton serves on the Law School’s Board of Governors. “I joined when it was the Board of Counselors, when we were making a decision on whether to have the dual campuses, which can be a very polarizing issue even to this day. In my humble opinion it’s worked out beyond my expectations. The Board has done excellent work and it’s something I’m proud to be a part of.

ALTERNATE CAREER? Hylton daydreams of opening a gift-wrapping business. Until then, she gift-wraps news updates for her Facebook friends. ■





VERBATIM: LEWIS F. GOULD

By Crystal Stryker

Lewis Gould Jr. '66 chairs the Intellectual Property Practice Group at Duane Morris LLP. A pharmacist by training, he has devoted his 40-year career to intellectual property law with emphasis on domestic and international patent and trademark matters. We caught up with him to talk about leadership and the firm's recent switch from representing branded to generic drug makers.

What does it take to effectively lead a practice group of 85 attorneys across the United States?

You need to listen a great deal. You need to create an environment where the people who are working with you and for you feel that they have an opportunity at any time to come and share things that are on their mind. They need to feel confident that I will listen. Another important attribute is to be visible. In a situation such as ours where we have 20 offices with IP lawyers in them I can't effectively lead that practice group by staying only in Philadelphia. I go out and visit the offices from Boston to San Francisco to San Diego on a regular basis. Philadelphia is not the "home office;" it is one office among equals.

How do you advise new lawyers?

Your security and your professional wellbeing are based on not only being an expert in the patent law but also in being able to develop your own client base. I support associates belonging to organizations in which they are active and involved. You need to become known in one field or another and in addition to your legal skills. Work on being known as a leader, a spokesperson of an organization, or an officer in it. Those

skills of leading in civic organization or a religious organization or a political organization—it doesn't matter—you need to translate it into what you do for your profession.

What inspired you to switch from representing brand-name drug companies to generic drug makers?

We saw it as a very significant opportunity for developing a strong practice area and potentially really rewarding in terms of helping grow our practice and in terms of the revenue it would bring to the firm. The generic companies were really hungry and looking for Am Law 100 firms to represent them in patent law to bring their products to the market. There were very few. We started representing generic brands in January 2008. In order to do that we stopped representing the clients who were branded companies. There was clearly a risk in doing this because we were turning away very valued and valuable clients. We couldn't have done this without the resources of the firm and the commitment of the chair of the firm and quite frankly the cooperation and support of the partners in all other practice areas.

THE PROJECT THAT STICKS WITH HIM

BEFORE: Epoxy glue was sold in two cans.

THE PROBLEM: “Invariably people would contaminate the glue with the curing agent and waste the whole container at one time,” said Gould.

Enter inventor Theodore Flint. Flint meets Gould through the Jaycees and hires Gould to write a patent application for his invention. Flint is the first client Gould developed himself.

THE SOLUTION: Epoxy tape. Separate the glue from the curing agent. Sell as a kit. Now sold by Polymeric Systems, epoxy tape is used around the world by industry, homeowners, and artists. “It’s a perfect example of how the patent system can work. The invention led to a company that employs many people today.”



That’s a wrap!

Is it difficult to find pharmaceutical patent lawyers?

We now have nine lawyers who hold Ph.D.’s in areas like chemistry, organic chemistry, and biology. We set out to hire people who have a strong understanding of fundamentals of patent law, a full and complete understanding of Hatch Waxman Act and abbreviated new drug applications. In order to get to that level of education, someone has to be extraordinarily bright, be very determined, have an extraordinary knowledge of science, and be very skilled as litigator. They are not common.

Who was your favorite professor at the Law School?

The most compelling was Professor William Dodd. For anyone who had the opportunity and privilege to sit through a year of the class with Professor Dodd, if you didn’t come away in effect fundamentally changed it wasn’t because of Professor Dodd. It was because you were too resistant. He was an extraordinarily bright and able lawyer but he had this quiet and consistent demeanor of professionalism and the way of communicating to the students about not only the law of real property but the term I associate with him was a “consummate professional”. He in-

stilled in me that you need to have integrity and understand that you are part of a profession. He took me into an understanding of what it means to be a professional to be an officer of the court. He was a brilliant mind and brilliant influence on my legal career.

What would you be doing if you weren’t a lawyer?

I’d be some kind of an entrepreneur, perhaps more of a political animal than I am right now. I love politics. I’ve been elected commissioner of Lower Merion Township. I’m running for my fifth term. If I had not gone to law school I would have been a pharmacist and owned a business. I might have been more involved in political office than I am now.

What do you love about being a politician?

You have responsibility to the people who elect you. And the most important thing that I hear from the people that I represent is ‘we want to preserve what we think are the good governmental services that we get, the open space that we have, and the roads that we have but we want those services provided at the most reasonable cost that there can be.’ It’s a constant balance. ■

WOMEN EMPOWERING

By Robin Fulton

The Women in Law Empowerment Forum (WILEF) recognizes Saul Ewing LLP as a Gold Standard Certified Law Firm. The organization recognizes firms in which women are significantly represented in positions of power and among the top-earning attorneys. Saul Ewing is one of 39 firms nationwide that have met the organization's criteria.

The firm was also named to the Pennsylvania Bar Association's "Honor Roll of Legal Organizations Welcoming Women Professionals" for the second time in three years. The PBA Commission on Women in the Profession chose the firm after reviewing programs and initiatives statewide that help women lawyers advance. The Commission cited the establishment and evolution of the Women's Development Initiative (WDI) as a key factor in its decision.

Saul Ewing has 240 attorneys in 10 offices. Women hold one-third of practice leadership positions, and 24 of 133 partners are women. Profiled here are three alumnae instrumental to the development and advancement of women in the firm. "We were thrilled by the WILEF designation," said Teresa K.D. Currier. "We know this will help us attract and retain the best women attorney recruits." Currier chairs the firm's WDI. Founded in 2008, WDI helps promote and recognize women attorneys' accomplishments and provide a forum for women to discuss personal and professional influences on their careers.

WOMEN *at Saul Ewing*

Teresa K. D. Currier '85

Chair, Women's Development Initiative (WDI)
Member, Ethics Committee

Those who know Currier, a bankruptcy specialist with a proven track record of successful relationship building, would agree that the self-professed "connector" embodies the WDI's multifaceted mission of championing issues faced by many women in the profession while actively promoting the success of female attorneys.

Her committee is responsible for a variety of programming throughout the year, from a firm-wide instructional golf outing to professional development offerings within each office. Currier finds that a diverse schedule of events allows women to shine outside of their careers as attorneys and often evens out the playing field. A senior partner can become less formidable when he or she shares common interests in a book club or other context, she explained.

Professional development topics go far beyond work-life balance; Currier is quick to highlight that the elusive nature of work-life balance affects her female and male colleagues alike. She is raising two sons, one knee-deep in college applications and admissions brochures.

The "life" side of the balance equation still prevails at Saul Ewing, complementing the firm's model of the attorney-client relationship, explained Currier. She calls it "old-



Teresa K. D. Currier '85



Amy Foerster '96



Jennifer Beidel '06

fashioned in the best sense of the word.” Partners spend years building a client’s trust. “If you go to a [firm] cocktail party, people will ask you, ‘what are you reading?’ or ‘where have you eaten lately?’ and they won’t start with ‘what are you working on?’ And so it’s very people-oriented. It’s a firm where everyone partners with the clients. It isn’t leveraged the way many big firms are with a million associates thrown on a file.”

Currier fondly calls her career path circuitous—happy that she has ended up at “home” since settling in at Saul Ewing along with a core group of attorneys she has worked with for about twenty years. Her resume includes the Philadelphia and Wilmington offices of Duane Morris, where she made partner with her class in 1995; an in-house position at a subsidiary of Marine Midland; and the Wilmington office of Klett Rooney, where she served as a member of the firm’s management team, board of directors, and head of a practice group. The firm later merged with Buchanan Ingersoll as Buchanan Ingersoll & Rooney PC.

Currier has seen waves of bankruptcy in her years of practice, impacting a range of industries and most recently the financial sector. She specializes in finding creative solutions to salvage companies affected by the financial crisis. She says the process is one of the highlights of her career.

Amy Foerster '96

Chair, Career Development Committee
Co-chair, Higher Education Practice Group

As a parent of three, Amy Foerster knows the critical role work-life balance plays in the careers of female and male attorneys alike. Foerster was working for the Pennsylvania Attorney General’s Office, having spent time in-house at the Pennsylvania Department of Education and in private practice, when she decided to rejoin the law firm world. She transitioned to the Harrisburg office of Saul Ewing and was asked to join the Work-Life Balance Committee, which later merged with the Career Development Committee.

“I have a 9, 10, and 11 year-old. I live and die by my Blackberry. It’s what allows me to be on sidelines of a little league game at 6 o’clock at night, or the soccer field, and that’s my version of balance. The work gets done but the kids will not reflect on their childhood thinking their mom wasn’t around,” she said.

The Career Development Committee provides associates and special counsel with the resources required to take control of their own careers. “Plotting your own career is, quite frankly, the quicker path to partnership,” said Foerster. She stated that it’s far better for an attorney to take the initiative and build her skill set than it is to wait for a senior partner to tell her what to do next.

continued on page 24

Foerster explained that the Career Development Committee also administers the firm's mentor program, matching each associate with a partner mentor who serves as a career development resource and assists the associate through the firm's self-assessment and review process. Career programming takes on various forms, from brown bag lunches to informational panels at the office.

Although the definition of "work-life balance" varies, Foerster feels that mastering it is essential. Her advice to expectant attorneys is, "Don't let anyone tell you it can't be done. Because it can be done, and you'll be happier for it. Will you be perfect? No, but no one is."

Foerster, who once worked in what was then the male-dominated field of medical malpractice defense, stresses that one of the things she enjoys most about being a woman in the profession now is the comraderie with her male colleagues and peers at Saul Ewing. "We all work hard, we all care about our families, and we all struggle to find balance. That sense of "we're in this together" is really empowering."

Jennifer Beidel '06

**Vice-chair, Summer Program
Member, Hiring Committee**

Jennifer Beidel serves on the firm's hiring committee and shapes summer associates' view of the firm as vice-chair of the summer program.

Saul Ewing prides itself as having the resources of a large firm and the culture of a small firm, she explained. In Beidel's experience, this provides the best of both worlds for associates. She has already taken on meaningful roles in arbitrations and trials, made client contacts, and assumed firm leadership roles. Yet, Beidel still benefits from the same quality of mentoring and substantive skills training she would receive at a larger firm.



For 2011 WILEF Gold Certification, the number of women equity partners must satisfy three or more of the following criteria:

- 20% of equity partners
- 10% of firm chairs and managing partners (firm-wide, U.S. or North American Regional and U.S. branch offices)
- 20% of the firm's primary governance committee
- 20% of the firm's compensation committee or its equivalent
- 25% of the firm's practice group leaders and/or department heads
- 10% of the top half of the most highly compensated partners in the firm.

Asked what traits she seeks in a candidate, Beidel said that confidence and communication skills are essential. "You will be asked to have direct contact with clients, making calls to explain what the law says, in your opinion, which is never black and white."

Beidel and those involved in the firm's hiring process receive input on effective interviewing techniques from the recruiting department at the firm. The firm recently adopted a new structure in which teams of four interviewers are each designated a particular criterion on which to concentrate during second-round interviews.

While her practice and committee work keep her busy, Beidel has taken advantage of the WDI's offerings, most recently attending a speed networking activity designed to teach attorneys how to craft a fifteen-second elevator speech about their practice. Beidel returns to the Law School to share her expertise with current students and participates in the annual Fall Recruitment Program as an on-campus interviewer. ■

Student Entrepreneur PUSHES AN IDEA

By Crystal Stryker

When revelers pedaled their way through Tucson, Arizona singing “Brown-Eyed Girl” this summer, Kai Kaapro knew he’d done his job.

Kaapro used his summer break before third year to launch Trolley Pub in Tucson, Arizona with business partners Andrew Cole and Robert Mayer. They raised \$75,000 in venture funds, and he obtained insurance and applied for a business license all before finishing his final exams in the spring. Days after his exams ended, he flew West to supervise the building of a custom trolley by Atek Customs of Bend, Oregon. Trolley Pub welcomed its first riders on June 25, 2011.



The trolley holds up to fourteen people at ten pedal stations. Patrons climb aboard and pedal on the route they choose. The evening may include sightseeing or stops at local taverns. Kaapro negotiated VIP access with nine Tucson taverns for Trolley Pub riders, allowing them to bypass long lines and cover charges. A professional driver handles the steering and navigates traffic. With a top speed of 5 MPH, the pedal pub has a redundant braking system and complies with all rules of the road. Summer heat in Tucson meant that Trolley Pub rolled mostly at night.

It wasn’t a smooth ride at first. The partners encountered a construction delay on the trolley. When it became clear that they couldn’t immediately get a license to serve food or drinks on the trolley, they adjusted the business model to that of a sightseeing and pubcrawling business. After just one month of operation Trolley Pub was officially in the black, thanks to local buzz and a Groupon promotion that increased their reservations six-fold in a few short days.

“My legal education has been very helpful in starting a new business. It’s amazing how much I can do for myself. I deal with contracting, insurance, suppliers, and business licenses. I definitely have an edge from just two years of law school.”

The entrepreneur calls his summer a success. “Running my own business is more work than I ever imagined,” he said. “But this successful startup experience is proof of the concept. This idea really works.” ■



Photo: William Kovacs

WHY I TEACH

Q&A with Larry Catá Backer

By Pam Knowlton

Larry Catá Backer is the W. Richard and Mary Eshelman Faculty Scholar and Professor of Law and International Affairs. He holds a J.D. from Columbia University, an M.P.P. from Harvard University and a B.A. from Brandeis University. His research focuses on regulation of multinational corporations, sovereign wealth funds, transnational constitutionalism, and the convergence of public and private international law.



What motivates you to teach?

It's the students. Students give me a run for my money. They keep me young. They are smart and eager. They want to learn. They create a spark that makes it a joy to go into the classroom. That energy is a great motivator.

How do you define a successful class period?

A successful class period is one where I wear my students out. Where I fill them up with ideas and where I can see the ideas clicking in their heads—the “oh, okay” or “wow, I never thought about it that way.” Students get very frustrated. They will come in having read the materials and they'll think they understand it. And you then work with them and they will see it in a very differ-

ent way. For me, the ability for them to come in with one set of ideas, to be presented with a different set, then to work through it together and them ultimately saying, “oh, oh. I see where this is going.” That for me is a great class.

Where did Constitutional Law Bunny come from?

My daughter had made this thing in her home economics class. She was very proud of it and she gave it to me, but she said that she wanted to make a better one. So she said, “You take it Daddy.” I couldn’t bring myself to throw it out so I brought it to school where I have some of my kids’ artwork. And then one day I just thought that I could use it like ventriloquists use puppets. Bunny served as an alter ego. So it was me and Bunny playing the roles of as faculty member — good student/bad student, or impertinent student—eager student. And we would do that as a way of lightening the mood and bringing out ideas—sort of self-Socratizing in a kind of humorous way that imparted knowledge to the students. That’s how Con Law Bunny got going. Of course, the students were just floored. They lightened up because they were not worrying so much.

How do you incorporate your scholarship into teaching?

It’s a two-way street. This is one of the joys of teaching. Sometimes some of the most interesting and insightful new work that I have done has actually originated from discussions that I’ve had in class. Students will ask questions—students will push a particular point—and it will take us to a place where we haven’t been before and there are times when I’ll leave class and I say, “That’s really interesting. Let’s see where this can go.” And it will take me into a new and interesting direction. And then sometimes my own work in areas related to my teaching help inform the materials that I actually teach the students. That’s particularly the case when I teach public law and when I teach corporate law

where the international rules that are now arising from the operations of multinational corporations have really changed the way in which we look at national or state law—the usual source of law regulating businesses. I can bring that into the discussion for enrichment and to give the students a bigger picture of what’s going on.

If you had access to unlimited time and resources what would you do?

That is every teacher’s dream. If I had an unlimited budget and unlimited time, it would be to get students out to actually see law in action. I would love to be able to take them into a meeting to watch legislative aides craft a piece of legislation. I would love to take them into a boardroom or a lawyer’s office to see how they negotiate the terms of a bank loan or a complicated merger agreement. I would love to take them into a judge’s chambers to talk about how judges do their work. It’s that law in action that then brings all of the ideas and concept that we expose them to, to life.

How did you get started in blogging?

You have to change with the times. The nature of production in the conveyance of knowledge has been changing. I look at it and I say, “If the Internet has really revolutionized the way in which we produce knowledge and the way we disseminate it, then maybe if I’m going to be effective as a teacher and as a researcher, then maybe I’m going to have to begin to engage with the Internet and with folks who now get their knowledge from and who place knowledge within the Internet. And so I started doing that with my blog. I now use it as a place where I test ideas. I use it as a place where I work out some notions that I can then apply to class or some of my research. I will post drafts of articles. I will engage with other scholars. I read their work write commentary. The Internet has become a very powerful tool for teaching and learning. ■

LRAP ENABLES CAREER IN PUBLIC SERVICE — Jennifer Heverly '03

“The only reason I went to law school was to become a legal aid lawyer,” said **Jennifer Heverly**. A staff attorney for North Penn Legal Services in Williamsport, Pennsylvania, Heverly specializes in mortgage foreclosures and bankruptcy and represents indigent clients in civil legal matters, including consumer, housing, public benefits, and family law matters. “I enjoy giving a voice to people who are very accustomed to not being heard,” said Heverly. “Our clients are used to being judged and not believed. Landlords, lenders, abusers, and employers find it very easy to take advantage of poor people, who are often judged by others and rarely believed. The legal system helps balance those relationships, and I get to be a part of that.”

Heverly is able to support those in need because of the support she received through The Dickinson School of Law Loan Repayment Assistance Program (LRAP), which encourages and enables graduates to pursue careers in public interest law by assisting qualified graduates with their loan repayment obligations. “Unfortunately, my starting salary working in legal aid at MidPenn Legal Services in Harrisburg was much lower than the \$35,000 I had anticipated, and I would not have stayed in that position without the LRAP program, which reimburses me for my monthly student loan payments,” said Heverly. The Law School also granted Heverly a partial scholarship, which assisted her during both of her public interest summer jobs and helped her repay student loans.



“This is an exciting and challenging time to practice public interest law, but being a legal aid lawyer is a very risky endeavor,” said Heverly.

North Penn Legal Services receives contributions from individuals and groups, as well as grants from the federal and state government. Their biggest funder, Legal Services Corporation (LSC), has been severely limited and restricted by the federal government since its creation in 1974. LSC now operates with 53 percent of the funding it had in 1980. ■

Loan Repayment and Assistance Program

- Has helped 20 public interest attorneys in 15 organizations since its inception in 2003.
- Accepts applications by June 1 and December 1.

Please visit www.giveto.psu.edu to contribute.

UNIVERSITY HONORS THREE LAW SCHOOL ALUMNI

Jeffrey L. Hyde '80, The Honorable D. Brooks Smith '76, and The Honorable LeRoy S. Zimmeran '59 were recognized as Alumni Fellow Award recipients on October 5.

The Alumni Fellow Award is the most prestigious award given by the Penn State Alumni Association. Since 1973, the Alumni Fellow Award has been given to select alumni who, as leaders in their professional fields, are nominated by an academic college and accept an invitation from the President of the University to return to campus to share their expertise with students, faculty, and administrators.

Zimmerman is senior counsel at **Eckert Seamans Cherin & Mellott, LLC**, where he handles multistate litigation and litigation dealing with mergers, public corruption, toxic waste, and consumer protection. He has argued several cases before the Supreme Court of the United States and the Supreme Court of Pennsylvania. He served as Pennsylvania's first elected attorney general from 1981 to 1989 and was the district attorney of Dauphin County for three terms. Zimmerman serves on multiple boards, commissions, and associations, including the Law School's Board of Counselors.

Judge Smith sits on the U.S. Court of Appeals for the Third Circuit, where he has served since September 2002. He is a member of the American Law Institute and has served by appointment of the Chief Justice of the Supreme Court of the United States on two U.S. Judicial



Photo: John Kaminski

Conference Committees: the Advisory Committee on Criminal Rules, and the Committee on Space and Facilities. Judge Smith serves on the Board of Counselors for Penn State Law and is an adjunct professor teaching a course on class actions.

Hyde serves as senior tax counsel for General Electric Company and is one of the foremost experts on state tax policy and tax issues in the United States. Prior to joining GE, Hyde was a partner with Arthur Anderson, LLP, and led the firm's state and local tax practice for Washington, D.C., and served as the southeast practice leader. Prior to that, Hyde worked for the Pennsylvania Treasury Department as well as Coopers & Lybrand. He was nominated for the alumni Fellow award by the College of Liberal Arts, from which he graduated in 1977. ■

*Featured
Faculty
Scholarship*

CROWD-SOURCE THE FDA?

How to collapse the distinction between experimentation and treatment in the regulation of new drugs

By Anna B. Laakmann, M.D.

Editor's Note: Physician and Shughart Scholar Anna B. Laakmann explains how the current binary function of the Food and Drug Administration stifles innovation. Thousands if not millions of data points are lost among researchers, drug companies, and patients because the parties have no incentive to share information. Laakmann advocates that the FDA create a database for experimental drugs and then allow patients and doctors to choose whether to partake in the risks of a new drug, provided that the physicians and patients share their outcome data.

Regardless of their views on the relative merits of government intervention versus patient and physician autonomy, most analyses of the regulation of new drugs start from the presumption that the randomized controlled trial (RCT) is the “gold standard” for biomedical research. The question then turns on the point at which the benefits of such experimentation are outweighed by its social costs, including drags on innovation, reduced access to promising medical breakthroughs, and higher pharmaceutical prices. Yet deficiencies in the current regulatory scheme suggest the need for an alternative regulatory path in which RCT play an important, but not determinative, role in supplying evidence about drug safety and efficacy. The FDA should formally recognize the blurred line between experimentation and treatment by adopting a more fluid approach to its review of new medical technologies. In order to effectuate this change, the agency’s assumed role should shift from gatekeeper of promising new medical products to facilitator of consolidation and dissemination of information about those products.

The risk-benefit analysis for new medical products is exceedingly complex and may vary significantly between individual patients considering a particular therapy. Good information is a prerequisite for rational decision making, as even the most competent decision makers are limited by the inputs with which they base their choices. It is therefore essential that patients and



Dr. Anna B. Laakmann researches the ways in which the patent, regulatory, and tort systems interact to impact scientific research, health care markets, the practice of medicine, and population health. She holds a J.D. from Stanford Law School and an M.D. from the University of Pennsylvania School of Medicine. The original article, “Collapsing the Distinction Between Experimentation and Treatment in the Regulation of New Drugs,” can be read in 62 ALA. L. REV. 305 (2011).

physicians obtain access to clear, accurate, and relatively complete information about the effects of new drugs. Under the current regulatory regime, the great majority of information about a new drug is generated by the manufacturer, which funds and manages clinical trials on the drug's effects. However, drug developers capture only a fraction of the social value of information about safety and efficacy. This makes it difficult to rely on private markets to generate credible information, as profit-seeking firms face powerful incentives to selectively produce and disclose information about their products.

The FDA utilizes its power to control which products enter and remain in the marketplace as the instrumentality for compelling information creation by drug makers. Yet political pressures may induce the agency to mandate information production that does not yield net social benefits. Agency officials are motivated to avoid Type-I errors (i.e., approving drugs that are not safe and effective), and to disregard Type-II errors (i.e., keeping off the market safe and effective drugs). FDA conservatism stems from the fact that, while the agency is invariably pilloried when an approved drug is later discovered to possess previously unknown harms, the agency rarely faces public rebuke for failing to timely approve promising new therapies.

Lack of transparency in the regulatory review process greatly reduces the social value of the information that is generated. Keeping confidential the data derived from clinical trials impedes innovation and deprives patients and doctors of information with which to make treatment decisions. The social loss from secrecy compounds as advances in information technology create opportunities for data aggregation and mining to decipher trends regarding the effects of new drugs. Even if drug sponsors and the FDA were compelled to disclose more clinical trials data, significant information gaps would remain under the existing regulatory system. The typical clinical trial involves a narrow population of subjects who are carefully screened and

selected and closely monitored under special protocols. It is highly unlikely that the results of such trials can completely predict the drug's long-term effects in the broader population under real world conditions. The existing regulatory regime fails to capture a vast amount of potentially useful experiential information about newly approved medical products.

The FDA should develop a regulatory scheme of earlier market entry coupled with mandatory prospective aggregation of post-marketing outcomes data. This could be achieved through the creation of a centralized database which serves as a clearinghouse of experiential information on the effects of new drugs. The alternative path could begin as a pilot project for new drugs currently eligible for fast-track procedures because they aim to treat seriously ill patients with limited treatment options. Drug manufacturers would make business decisions about whether the downside of partial loss of control over information about their products is outweighed by the upside of reduced hurdles to market. Thus, the proposal mirrors the "quid pro quo" built into the patent system in that it aims to increase the amount of publicly available information about proprietary drugs in exchange for competitive benefits. The difference here is that the benefits come in the form of reduced development costs and timelines rather than increased revenues derived from rents.

The fact that there are rarely uncontested opinions about the proper treatment course for a particular disease, let alone an individual patient, underscores the problem with the binary approval-disapproval determination adopted by the FDA. A preferable approach is to openly acknowledge the inherent uncertainties attendant to new medical technologies and to act to attenuate those uncertainties with the tools that are available. The proposed scheme will often fail to yield clear answers about the safety and efficacy of new drugs, but should lead to more rational decision making by patients and physicians. ■



Hon. Samuel L. Bufford



William E. Butler



Thomas E. Carbonneau



Ellen Dannin



David Flatto

Professor Larry Catá Backer is serving as chair-elect of the University Faculty Senate this year. He recently delivered papers on legal education in Toledo, Spain, on Cuban state industries in New York, Cuban legal reforms in Miami, Florida, on the recently approved U.N. Guiding Principles for Business and Human Rights in Sacramento, California, and on sovereign investing in Florianopolis, Brazil.

Professor Stanley M. Brand was featured on NPR's *Morning Edition* where he commented on the scandal involving former U.S. Congressman Anthony Weiner. In May, Professor Brand was a guest on the *Diane Rehm Show* where he spoke on how recent court decisions on campaign financing could influence upcoming elections.

The Hon. Samuel L. Bufford spoke at a program on international insolvency law at the University of Adelaide in Australia along with leading Canadian bankruptcy scholar Professor Janis Sara of the University of British Columbia. Judge Bufford also served on a panel of international scholars who judged submissions to the International Insolvency Institute's annual competition for young scholars.

Professor William E. Butler's book *The Russian Legal Practitioner* was published in July by Eleven International Publishing. This comprehensive summary of the practice of law in Russia was the first published in any language.

Professor Thomas E. Carbonneau anticipates the publication of "Freedom and Gover-

nance in US Arbitration" in the *Cleveland State Law Review*. He has also updated *The Nutshell on Arbitration, Cases and Materials on Arbitration*, and *the Law and Practice of Arbitration*, all in light of recent U.S. Supreme Court holdings on arbitration in *Stolt-Nielsen*, *Rent-A-Center*, and *AT&T Mobility*.

Professor Ellen Dannin's issue brief, "No Rights Without a Remedy: The Long Struggle for Effective National Labor Relation Act Remedies," was distributed by the American Constitution Society for Law and Policy in June. Professor Dannin and Lee Cokorinos co-authored the book chapter, "Infrastructure Privatization" to be published in *The Oxford Handbook of State and Local Government Finance* (Robert D. Ebel & John E. Petersen, eds.).

Keith Elkin, Dean of Students, authored *MBE: Beginning Your Campaign to Pass the Bar Exam*.

Professor Beth Farmer published "Competition and Regulation in the Insurance Sector: Reassessing the McCarran-Ferguson Act," in the *Oregon Law Review*. She attended the "Competition Law in Transition: Trends and Challenges" conference in Dubrovnik, Croatia, in June and spoke on competition law in transition economies. On behalf of the ABA, Professor Farmer submitted comments to the Supreme People's Court of the Republic of China on the court's draft regulation on trials in civil monopoly cases.

Professor David Flatto is visiting at New York University School of Law where he has



Michael Foreman



Gary Gildin



Preston Green III



David H. Kaye



Lucy Johnston-Walsh

been named a 2011-2012 Thematic Fellow at The Tikvah Center for Law and Jewish Civilization.

Professor Michael Foreman led the Civil Rights Appellate Clinic in filing a Petition for Certiorari that was granted by the U.S. Supreme Court in June.

Professor Gary Gildin continues to serve on the Council for International Exchange of Scholars as discipline peer reviewer in law for the Fulbright Scholar Program. He is also a member of the Civil Jury Instructions Subcommittee of the Pennsylvania Supreme Court. In March he spoke at the Penn State Symposium for Teaching and Learning with Technology. Later this year, the *Penn State Law Review* will publish Professor Gildin's article, "Redressing Deprivations of Rights Secured by State Constitutions Outside the Shadow of the Supreme Court's Remedies Jurisprudence."

Professor Preston Green III, supervisor of Penn State's joint degree program in law and education, has been appointed as the Harry L. Batschelet II Chair Professor of Educational Administration at Penn State's College of Education. His article, "The State Constitutionality of Voucher Programs: Religion Is Not the Sole Determinant" was featured in the *Brigham Young University Education & Law Journal*. He authored "Parents Involved, School Assignment Plans, and the Equal Protection Clause: The Case for Special Constitutional Rules" with Julia Mead and Joseph Oluwale in the *Brooklyn Law Review*.

Professor Dermot Groome leads the prosecution of Bosnian Serb general Ratko Mladic at the

International Criminal Tribunal for the former Yugoslavia at The Hague.

Professor David H. Kaye will have two chapters featured in the upcoming edition of the Federal Judicial Center's *Reference Manual on Scientific Evidence*. He is editing a major report on fingerprinting for the National Institute of Standards and Technology (NIST). His latest publication is the *Need for a Research Culture in the Forensic Sciences* in the *UCLA Law Review* (with Jennifer L. Mnookin et al).

Professor Lucy Johnston-Walsh, director of the Children's Advocacy Clinic, presented at the American Association of Law Schools with Professor Paul Bennett from the University of Arizona on "The Value of Interdisciplinary Collaboration in the Decision Making Process."

Professor Ross H. Pifer presented "What a Short, Strange Trip It's Been: Moving Forward after Five Years of Marcellus Shale Development," during a symposium entitled "Developing the Law of the Marcellus Shale: Innovation for a Prosperous Community, a Safe Environment, and a Common Law" sponsored by the *University of Pittsburgh Law Review*. An article mirroring the title to his presentation was published in the summer issue of the *University of Pittsburgh Law Review*. Professor Pifer's recent work also includes, "Drake Meets Marcellus: A Review of Pennsylvania Case Law Upon the Sesquicentennial of the Oil and Gas Industry," appearing in the *University of Texas Journal of Oil, Gas, and Energy Law*.

continued on page 34



Carla Pratt



Victor C. Romero



Samuel C. Thompson Jr.



Shoba Wadhia



Nancy Welsh

Professor Carla Pratt expects publication of *End of the Pipeline: A Journey of Recognition for African Americans Entering the Profession of Law*, co-authored with Dr. Dorothy Evensen of Penn State University College of Education.

During **Professor Robert Rains'** spring sabbatical he visited at Cambridge University where he conducted research for his upcoming article, "A Prenup for Prince William and Kate? England Inches Toward 20th Century Law of Antenuptial Agreements; How Shall It Enter the 21st?" which will appear in the December issue of the *Florida Journal of International Law*.

Professor Victor Romero's article, "Immigration Law, Contracts, and Due Process: A Response to Professor Won Kidane's review of *Everyday Law for Immigrants*," was published in the *Seattle University Law Review*. His forthcoming publication titled "Loving Across the Miles: Binational Same-Sex Marriages and the Supreme Court," in *Loving v. Virginia in a Post-Racial World: Rethinking Race, Sex, and Marriage* will be published by Cambridge University Press. Professor Romero is also working on *Crimmigration: The Criminalization of Undocumented Immigrants* for publication by NYU Press.

Professor Stephen Ross filed an *amicus curiae* brief representing a sports fans' advocacy group in the federal litigation surrounding the summer 2011 National Football League lockout.

Samuel C. Thompson Jr. hosted the 8th Annual Institute for Mergers and Acquisitions in New York City on October 13-14. In July he published the op-ed "Why U.S. Should Not Pay Warren Buffet Social Security and Medicare" in the *Christian Science Monitor*.

Professor Takis Tridimas gave several radio and television interviews in June with the BBC on the sovereign debt crisis of Greece. A transcript of the radio interview with PRI's *The World*, in which Professor Tridimas discussed the Greek financial crisis can be found at www.theworld.org/2011/06/greece-confidence-vote/.

Professor Shoba Sivaprasad Wadhia will serve a second year on the ABA Commission on Immigration, an association that works to ensure fair treatment and full due process rights to immigrants and refugees within the United States. The Center for Immigrants' Rights, of which Professor Wadhia is the director, co-sponsored "The 9/11 Effect and its Legacy on U.S. Immigration Laws" symposium on September 16.

Professor Nancy Welsh received a 2011 Most Valuable Peacemaker Award from the Pennsylvania Council of Mediators. Professor Welsh's book chapter, "Mandatory Mediation and Its Variations" in *Investor-State Disputes: Prevention and Alternatives to Arbitration II* (Susan Franck and Anna Joubin-Bret, eds., 2011) is part of a contribution to the proceedings of the Washington and Lee University and UNCTAD Joint Symposium on International Investment and Alternative Dispute Resolution. ■

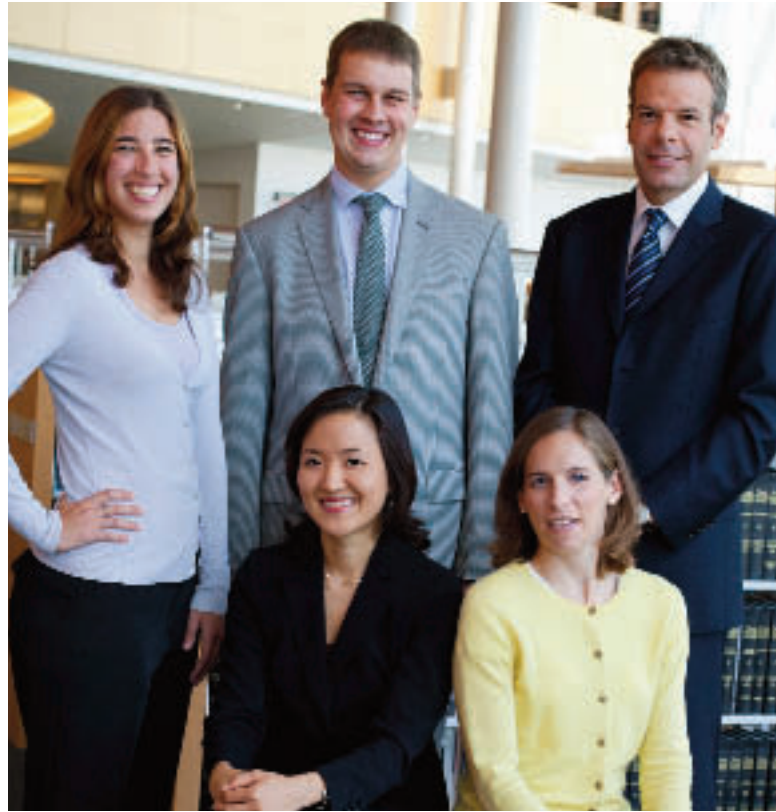
FACULTY WELCOMES NEW SHUGHART SCHOLARS

Professors David H. Blankfein-Tabachnick, Erica Goldberg, and Jacob Randall Kreutzer have joined the faculty as Dale F. Shughart Scholars.

The Shughart program welcomes a small group of promising scholars each year. The program is named in honor of beloved friend, mentor, teacher, and public servant **Dale F. Shughart '74**. He practiced law in Carlisle, Pennsylvania, taught Pennsylvania Civil Procedure at the Law School, sat on the Board of Directors for Legal Services, Inc. for more than twenty years, and served diligently as a member of the Board of Counselors before his death in 2010.

David H. Blankfein-Tabachnick researches property law and its relationship to criminal and constitutional law, contract and tort, legal and political theory, bankruptcy and private ordering. Prior to joining Penn State he was a visiting assistant professor of law at Peking University, School of Transnational Law. Professor Blankfein-Tabachnick holds a Ph.D. in legal and political philosophy from the University of Virginia, an M.S.L. from Yale Law School, an M.A. from the University of Rochester, and a B.A. from Ithaca College.

Erica Goldberg focuses her scholarship on First Amendment law, due process, academic freedom, and education law. Prior to joining Penn State she was a Justice Robert H. Jackson Legal Fellow with the Foundation for Individual Rights in Education. Professor Goldberg was also litigation associate at Latham & Watkins LLP. She is a former law clerk to the Honorable Ronald L. Gilman on the United States Court of Appeals for the Sixth Circuit. A former reporter for the *Phnom Penh Post* in Cambodia, Professor



Standing left to right: Erica Goldberg, Jacob Kreutzer, David Blankfein-Tabachnick; Seated: Julia Lee and Anna Laakmann who accepted Shughart Scholar appointments in 2010.

Goldberg has also been a contributing writer for SCOTUSblog. She holds a J.D. from Stanford Law School and a B.A. from Tufts University.

Jacob Randall Kreutzer researches cyber rights and economic analysis. Prior to joining Penn State he was an associate at Irell & Manella in Los Angeles. He is a former law clerk for the Honorable Jane Richards of the United States Court of Appeals for the Third Circuit and a former associate at Fried, Frank in New York, where he focused on finance and SEC matters. ■

1950s

1951

Senior U.S. District Judge **Edwin M. Kosik** celebrated 25 years serving on the federal bench. He ascended to the federal bench on July 15, 1986. Prior to taking the federal bench he served as an assistant U.S. attorney and a judge in Lackawanna County.

1960s

1961

William F. Hoffmeyer, senior partner in the law firm of Hoffmeyer & Semmelman, LLP, published his



his third edition of *The Abstractor's*

Bible, the standard in real estate title searching since 1981. He is the owner of Y.A.C.O., a title insurance agency, and York Abstracting Company, a real estate title searching and research company. He concentrates his practice on real estate and zoning law, corporate, estate planning, decedent's estates, and elder law. He has been selected for inclusion in *Pennsylvania Super Lawyers 2011* and the *Best Lawyers in America*.

1966

The Cumberland County Bar Association presented **Henry F.**

Coyne, a member for over 40 years, with its



Distinguished Member Award, an award created to recognize and honor a

Cumberland County Bar Association member whose life exemplifies the qualities most valued in a colleague, leader, and friend.

1970s

1973

Forest N. Myers, owner of the **Law Offices of Forest N. Myers**, became vice president of the Pennsylvania Bar Association on May 6, 2011. Forest served from 2007 until 2010 on the PBA Board of Governors as the unit county bar association governor. He has been a PBA zone delegate since 2003 and has served on the PBA Alternative Dispute Resolution Committee and the PBA Client and Community Relations Committee. He is a long-time member of the PBA Unauthorized Practice of Law Committee. He is a former member of the PBA Professionalism Committee and the PBA Real Property Probate and Trust Section's Estate Planning Committee.

1975

Gilbert J. Golding, of the Bucks County law

firm **Curtin & Heefner, LLP** has been selected for inclusion in *Pennsylvania Super Lawyers 2011*.

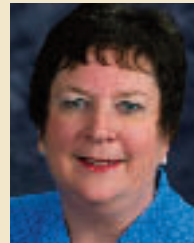
1975

Robert C. Saidis, of **Saidis, Sullivan & Rogers**, has been reappointed by the Pennsylvania Supreme Court to a three-year term on the Pennsylvania Board of Law Examiners.



1978

Barbara L. Hollenbach, a member of **Tallman, Hudders & Sorrentino, P.C.**, the Pennsylvania office of **Norris McLaughlin & Marcus, P.A.**, has been selected for inclusion in the *Pennsylvania Super Lawyers 2011* for her fifth year.



She focuses her practice on workers' compensation, professional liability, products liability, and general litigation.

1978

Pennsylvania American Water President **Kathy Pape** gave a keynote address to the 2011 Pennsylvania Infrastructure Summit. She advocated public-private partnerships to address

the lack of government funds for infrastructure improvements.



1980s

1981

Ronald L. Hershner has been elected as managing partner for **Stock and Leader, LLP** in York, Pennsylvania. He remains a member of the



firm's management committee, and continues to chair Stock and Leader's business practice group, concentrating on business transactions and finance, business succession planning, and commercial real estate acquisitions and financing.

1982

Delaware County domestic relations lawyer **Margaret J. Amoroso**, of **Willig, Williams & Davidson**, has completed an intensive week-long training course designed to hone the



skills of professionals

who protect the interests of abused children. The Child First course in June 2011, created by the nonprofit Corner-House in cooperation with the American Prosecutors Research Institute and the National Child Protection Training Center, utilizes a specialized forensic interviewing protocol to assess and investigate child abuse matters, particularly those involving sexual abuse.

1982
Labor and Employment Attorney **Irwin Aronson**, from the Philadelphia union-side law firm **Willig, Williams & Davidson**, has been selected for inclusion in *Pennsylvania Super Lawyers 2011*.

1983
William Weiner, partner at **Duane Morris, LLP**, in Princeton, New Jersey, is the president of the Princeton Committee on Foreign Relations, which hosted "How 9/11 Launched H.E.A.R.T.: the Story of an International Relief Organization, Aiding Victims, Survivors and Others Throughout the World" on March 22, 2011. He practices in the area of healthcare law, representing physicians and group practices as well as privately-held companies. He also serves as outside general counsel to North America's leading specialty stainless steel wire company.

The fourth edition of *Pennsylvania Civil Practice* (LexisNexis Publishing) is a team effort by several Dickinson School of Law alumni. The **Honorable Kevin A. Hess '72, Stacy Barker Wolf '01, Nathan C. Wolf '01, and Seth A. Mendelsohn '95** co-authored the volume. The group credits the late Dale F. Shughart Jr. '74 for his contributions to the third edition.



The fourth edition incorporates the most up-to-date case law and practice notes to assist attorneys confronted with predicaments common to everyday civil law practice. The book serves as the text used in Judge Hess's *Pennsylvania Practice* class at Penn State Law. Lending his experience in civil litigation, Seth Mendelsohn also contributed to the cumulative supplement in 2002 and 2007. As law students Nathan Wolf and Stacy Barker Wolf served as judicial clerks to Judge Hess, and later started their firm, Wolf & Wolf, in Carlisle, Pennsylvania. They also guest lecture in the *Pennsylvania Practice* class.

1984
The Honorable Maria Musti Cook represented Pennsylvania as a panelist at the first National Father Engagement and Child Welfare System Policy Roundtable in Washington, D.C. in February. She showcased Pennsylvania's efforts to improve outcomes for children and families in the child welfare system by engaging fathers and paternal families.

1984
David A. Fitzsimons, partner at **Martson Law Offices** in Carlisle, was recently appointed vice chair of the Pennsylvania Bar Association's Legal Ethics and Professional Responsibility Committee and to membership in the PBA's Alternative Dispute Resolution Committee.

1984
William J. Leonard has been selected for inclusion in *Pennsylvania Super Lawyers 2011*. He is a partner with **Obermayer Rebmann Maxwell & Hippel LLP**. He is a member of the litigation department and is chairman of the firm's recruiting committee.



1984
Peter Paul Olszewski Jr. has been certified as a member of the Million Dollar Advocates Forum. He is shareholder and managing partner with Wilkes-Barre and Scranton, Pa. law firm **Scartelli, Distasio & Kowalski, P.C.**, where he focuses

on medical malpractice and criminal defense.

1984
Elyse Rogers of Saidis, Sullivan & Rogers has been recently recognized as Harrisburg Area Trust and Estate Lawyer of the year for 2011. In addition to trust and estate work, Elyse's practice includes business planning and taxation.



1985
Daniel J. Distasio has been selected for inclusion in *Pennsylvania Super Lawyers 2011*. He serves as vice president of **Scartelli, Distasio & Kowalski, P.C.**, where he focuses on personal injury litigation with an emphasis

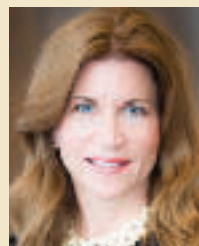
on vehicle accidents, product liability, and premises liability lawsuits.

1986

Thomas J. Profy IV, of **Begley Carlin & Mandio, LLP**, now chairs the Bucks County Bar Association's Orphans Court/Estate Planning Committee. The Committee serves as a forum for discussing estate planning and probate law practices and developments. He concentrates his practice in the areas of estates, wills and business law. He serves as solicitor to the Bucks County Treasurer's Office.

1987

Melissa Scartelli, president and founder of **Scartelli, Distasio & Kowalski, P.C.**, has been certified as a member of the Million Dollar Advocates Forum. She has been



recognized as a Board Certified Civil Trial

Advocate by the National Board of Trial Advocacy (NBTA) and been selected for inclusion in *Pennsylvania Super Lawyers 2011*.

1988

At its annual convention in State College, Penn-

sylvania, on March 31, 2011, the Pennsylvania Rural Water Association (PRWA) presented **Scott T. Wyland**, partner at **Hawke McKeon & Sniscak, LLP**, with the Eagle Excellence Award for his work and dedication in representing PRWA. In 2009, he was recognized by PRWA with the Cecil C. Furer Friend of Rural Water Award, which is presented to an individual who has worked for the betterment of rural water and wastewater systems across Pennsylvania.

1990s

1990

Kevin M. Apollo joined **Nelson Levine de Luca & Horst, LLC**, as an associate at its Blue Bell, Pennsylvania, office. He joins the firm's National Insurance Coverage practice, where he continues a career focus on complex insurance coverage cases, with particular emphasis on analyzing first-party property and third-party liability insurance issues.

1994

Michael J. Kowalski '94 has been elected as an officer of the Northeastern Pennsylvania Trial Lawyers Association (NEPaTLA). A shareholder with the law firm of **Scartelli, Distasio & Kowalski, P.C.**, he has served on the NEPaTLA Board of Directors since 1998.

His areas of focus include medical malpractice, automobile and truck accidents, nursing home negligence, medication errors, defective medical devices, premises liability and psychiatric malpractice, and he handles bad faith insurance denial matters. He has been selected for inclusion in *Pennsylvania Super Lawyers 2011*.



1994

David J. Raphael, a

partner in the Environment and Natural Resources Practice Group at **Saul Ewing, LLP**,



has been appointed by Pennsylvania Governor Tom Corbett to serve as chief counsel of the Pennsylvania Department of Environmental Protection. In his new role, he will supervise nearly seventy lawyers statewide and serve as legal advisor to the Secretary of Pennsylvania Department of Environmental Protection and general counsel of the Commonwealth for environmental matters. He has been with Saul Ewing for eight years. He concentrates his practice on administra-

tive, civil, and criminal environmental matters, and commercial litigation.

1994

Lynne (Shaffer) Rocheleau has joined **T.W. Stevens, PLLC** in New Hampshire. She joined the firm's family law, real estate, and entertainment law practice.

1995

Scott Pollins joined the Philadelphia labor law firm **Willig, Williams & Davidson**

as of counsel. He serves as an advocate for working individuals who have suffered discrimination in the workplace, counseling and representing clients in matters relating to sexual harassment, discrimination, employment agreements, retaliation and whistleblower actions, wrongful termination, overtime, and wage and hour concerns.



1997

Richard S. Caputo, partner and chair of the Nonprofit Organizations Practice in the law firm of **Fox Rothschild, LLP**, presented on "The ABCs of Tax Exempt Organizations" at the



Lancaster Bar Association in February. He focuses his practice on tax-exempt organizations, trust administration, Orphans' Court litigation, and estate planning. He was recently made a partner at Fox Rothschild LLP's Exton, Pennsylvania, office.

1997

Stephanie Nolan Deviney was honored with the 2010 Presi-



dent's Award by the Chester County Bar Association at

its annual President's Dinner held in March. She represents contractors and subcontractors in commercial litigation matters, including construction lien claims, mechanic's liens, bond liens and delay damages. She also serves on the Pennsylvania State University Board of Trustees.

1997

Dean E. Reynosa of Saidis, Sullivan & Rogers has been appointed by the United States District Court for the Middle District of Pennsylvania to a three-year term on the Criminal Justice Act Panel. In addition to leading the criminal defense practice group at the firm, he devotes his courtroom experience to civil litigation matters including business and

contract disputes as well as personal injury and workers' compensation matters. He also assists clients with disputes concerning PennDOT driver licensing issues and applications for expungement.

1998

Ron S. Chima has re-joined Rite Aid Corporation as senior counsel.

1999

Alan W. Flenner, a municipal, land use, and environmental law attorney with **High Swartz, LLP** in Norristown, was a featured speaker at the Pennsylvania Bar Institute's Municipal Law Colloquium, held in June at the Lancaster County Convention Center. He developed and led a panel discussion titled "Understanding Green Technologies." He has also joined the board of directors of the Water Resources Association of the Delaware River Basin and has been appointed by the Board to serve on the association's executive committee.

2000S

2001

Lisa M. Bruderly has been selected for inclusion in *Pennsylvania Super Lawyers 2011*. She is an attorney at the Pittsburgh law firm of **Babst, Calland, Clements and Zomnir, P.C.**

J. Brooks DiDonato '90, partner at **Parker McCay P.A.** in Marlton, New Jersey, briefed and argued *Florence v. Board of Chosen Freeholders of the County of Burlington* to the Third Circuit on behalf of the defendant. The case arises out of a correctional facility's policy of strip searching all inmates upon admission, irrespective of the reason for their commitment and without need for an individualized finding of reasonable suspicion that the individual is smuggling contraband. The Third Circuit ruled in favor of the defendant. The Supreme Court granted certiorari, and the case was set for argument on October 12, 2011.

2002

Daniel Santos, senior associate of **Williams Mullen**, serves as deputy president of the Hispanic National Bar Association's Region V, which includes Washington, D.C., Maryland, Virginia, and West Virginia. In 2009, he was recognized by the Hispanic National Bar Association with its "Top Lawyers Under Forty" award. He is based in the firm's Virginia Beach office, where he represents insurance and health care clients on a multi-state basis and at the federal level.

2003

Crystal Clark recently became solicitor for Lancaster County, Pennsylvania. She has served as the county's special counsel on employment matters since 1999, and has worked for **Thomas, Thomas & Hafer, LLP** since 2002.

2003

Melissa S. (Hill) Blanton was elected to partnership with **Schnader Harrison Segal & Lewis, LLP**. She is a member of Schnader's business services department and the financial services, real estate lending, and real estate transactions practice groups.

2003

Adam L. Fernandez joined the board of directors of Gateway Employment



Resources, a non-profit organization dedicated to helping individuals with disabilities secure and maintain competitive employment. He is a member of the business, tax and estates practice groups at **Wisler Pearlstine,**

LLP. His practice focuses on structuring and implementing business transactions and tax planning for closely held businesses and individuals.

2006

Megan Murray Frutkin was selected for inclusion in the *Ohio*



Rising Stars 2011. She is an attorney at

Greenebaum Doll & McDonald, PLLC.

2006

Dale A. Tice recently taught two courses for attorneys at the Pennsylvania Bar Institute's Best of the Oil & Gas Law Colloquium. His

presentations, simulcast throughout the state, covered topics on how to negotiate the best gas leases for clients and issues attorneys should raise to landowners who have been approached to sign right-of-way agreements.

2008

Judi Cassel has joined **Hawke, McKeon & Sniscak, LLP**, an administrative litigation firm located in Harrisburg, Pennsylvania. Her twenty years as an executive in the petroleum industry prior to law school facilitates her representation of energy companies before various state and federal regulatory agencies.

2008

Joseph S. Clark and his wife, Sarah, welcomed baby Caroline Elizabeth in May 2011.

Caroline arrived ahead of schedule and before medical care could be obtained. Joseph assisted in the birth, and the Clarks report that all are well. He works in the Navajo County District Attorney's Office in Holbrook, Arizona, where he prosecutes domestic violence cases.

2009

Christina Simpson '09 joined **Drummond Woodsum's** new immigration practice group located in Portsmouth, New Hampshire.

2010

Kent Lloyd joined the law firm of **Mayers, Mennies & Sheer, LLP.**

2010

Mark Polin joined **Kline & Spector, P.C.**, as a member of the firm's growing

group of doctor/lawyers. In one of his first major cases at Kline & Spector, he teamed with Shanin Spector in a birth injury case that resulted in a \$21.6 million verdict for a severely brain-injured boy in April 2011. The award, most of which will pay for future medical expenses, was the largest personal injury verdict ever awarded in Erie County, Pennsylvania. ■

IN MEMORIAM

Robert J. Brown '53

Frederick O. Brubaker '48

William C. Gumble '63

Samuel C. Harry '48

Clyde M. Hughes Jr. '47

Robert H. Long Jr. '68

C. Norman Murray '60

Kenneth E. Nicely '74

Judith A. Calkin '78

The Honorable Carl B. Rice '93

ALUMNI EVENTS

Thursday, October 27

PA Bar Swearing in and Reception

The Honorable J. Michael Eakin '75 presiding
Supreme Court Chambers, 4th Floor
Pennsylvania Capitol Building
Harrisburg, Pa.

Wednesday, November 2

Philadelphia Area Alumni Reception

The Union League
140 South Brad Street
Philadelphia, Pa.



Photo: Pennsylvania Bar Association

CAREER OF SIDNEY L. KRAWITZ INSPIRES FEATURE FILM

In 1949 an indigent woman named Olive walked into the office of Sidney L. Krawitz in Milford, Pennsylvania, needing to borrow twenty-five dollars so that she could bury her husband. She sought out Krawitz because the postmaster in nearby Dingman's Ferry told her that Krawitz was "an easy touch." The story of their attorney-client relationship and the client's story form the basis of *Journeys*, an independent film scheduled for production next year in Milford, Pennsylvania.

Krawitz' daughter Olive Gallagher is the film's screenwriter, executive director, and producer. Gallagher remembers her father's reputation for kindness. "There was hardly a Sunday morning in my childhood without a knock on the front door from someone saying 'can you help?'" He would then step away from family brunch, take the visitor into his den, and listen to the visitor. "My father didn't care who you were or what you had. He made time for everyone," Gallagher said. "I was blessed to have him as a dad."

A 1936 graduate of The Dickinson School of Law, Krawitz served in the U.S. Navy during World War II and later as a senior lieutenant and assistant district legal officer in Panama. He was the first public defender in Pike County and directed the Economic Development Council of Northeastern Pennsylvania. He was founder of Krawitz Ridley & McBride and served as the 86th president of the Pennsylvania Bar Association. In 1978 the Law School recognized him with an Outstanding Achievement Award. Krawitz provided generous support to the Law School's scholarship fund. He passed away in 2001.



Photo: Doug Tone

Gallagher is not an attorney but studies ethics nonetheless. She is the author of *A Simple Path to the Good Life: Discovering the Inner Bottom Line* (2009) and the *Nude Ethicist: A Simple Path to the Good Life* (2005). She is also a composer, entrepreneur, and actor. She completed a screen writing fellowship at the American Film Institute Conservatory in 2009 and was able to finish the script for *Journeys*. The idea for the film and the first scenes dawned on her in 1980, she explained, but the fellowship put the project into a different perspective.

"To return to the beautiful place where I grew up and make this film to honor the memory of my amazing father is truly a full circle moment for me," Gallagher said. "It is one of the joys of my life." ■

PENNSTATE



The Dickinson
School of Law

Lewis Katz Building
University Park, PA 16802-1017

ADDRESS SERVICE REQUESTED



Save the Date

Saturday, April 21, 2012

**Alumni CLE & Tailgate
Blue-White Weekend**

Lewis Katz Building
University Park, PA

