

# Quadrangle

LAW

NOTES FROM MICHIGAN LAW



GENERAL COUNSEL:

-----

# The Problem-Solving Linchpin

# A Special Spring Reunion

Michigan Law alumni from more than 20 graduating classes came together in the spring of 2022 to celebrate the postponed reunions of the previous two years. The special events, which were held over two weekends in May and June, included receptions at Michigan Stadium, class brunches, and a wide range of programming on campus (turn to page 48 to read more about the faculty sessions that took place). After more than two years without a reunion in the Law Quad, it was a welcome homecoming.







“Savvy clients quickly learn that if they involve the attorney early, then that attorney is more able to devise creative ways to accomplish the business objective.”

—MICHELE COLEMAN MAYES, '74

04

**BRIEFS**

13

**IN PRACTICE**

JOHN BERLINSKI, '99  
 JODI LOPEZ, '03, AND  
 BEN FRIEDMAN, '13  
 DEMIAN AHN, '03

20

**THE  
 PROBLEM-  
 SOLVING  
 LINCHPIN**

30

**FEATURES**

IN-HOUSE ON CAMPUS  
 TRIBAL LAW  
 RACE AND  
 HOUSING COVENANTS  
 FROM STUDENTS  
 TO COLLEAGUES  
 AN INDEPENDENT VOICE

42

**@UMICHLAW**

NEWS FROM  
 THE QUAD



69

50  
IMPACT

PHILANTHROPY AT  
MICHIGAN LAW

62  
CLASS NOTES

STEVEN HANTON, '12  
DANA SCHMITT, '95  
JESSE MEDLONG, '13

PROTECTING  
VOTING  
RIGHTS

KHALILAH  
SPENCER, '01

76  
IN MEMORIAM

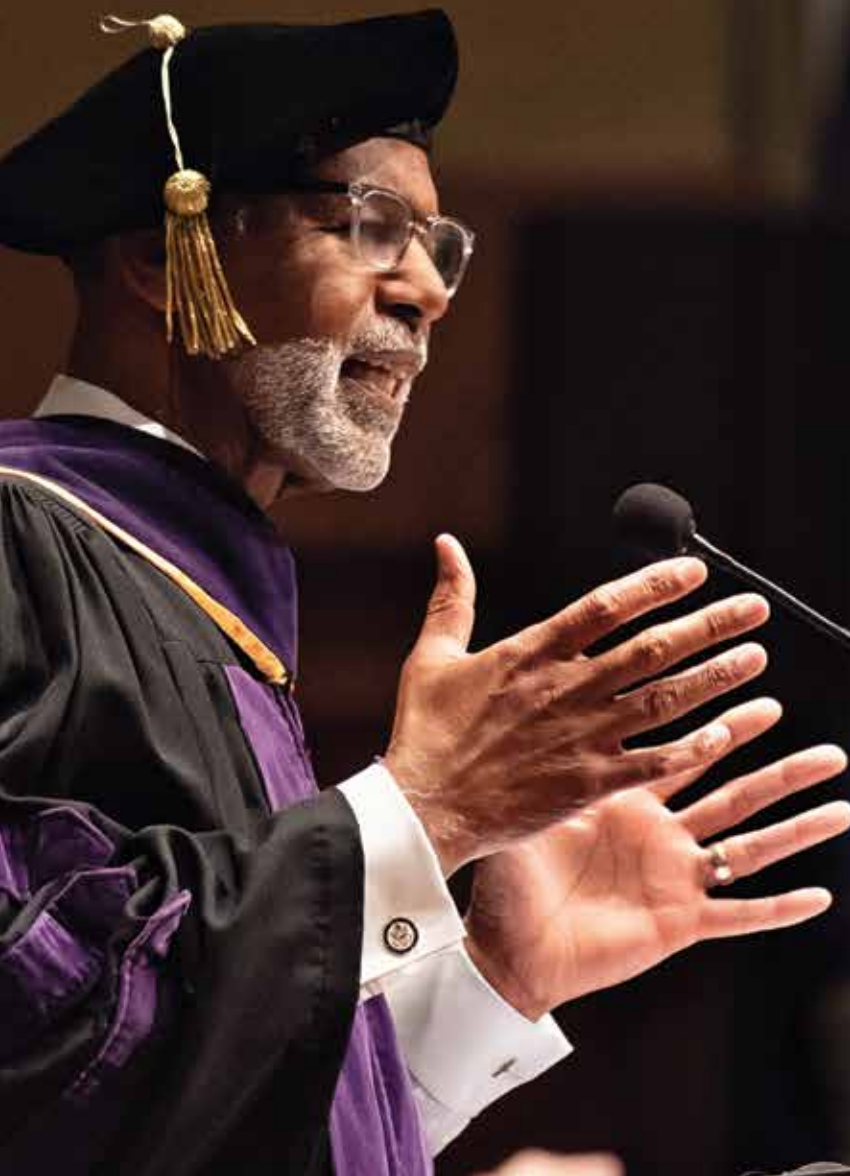
78  
CLOSING

LOVE AT THE  
LAW SCHOOL





“I come to you with a spirit of hope, a spirit that’s embedded in what I know you are capable of. And I want to make sure that my message to you is, let nothing distract from your purpose.”



So said the Hon. Roger Gregory, '78, in his Senior Day address to the Class of 2022, held at Hill Auditorium in May. Judge Gregory, chief judge of the US Court of Appeals for the Fourth Circuit, was the first African American to sit on the bench of the Fourth Circuit and is the only federal appellate judge to be nominated by two presidents from different political parties.

Originally scheduled to deliver the keynote in 2020, Judge Gregory’s remarks drew on experiences from his 44-year career as an attorney and judge. He closed by encouraging the graduates to always stop and make sure they’ve gone the extra mile.

“There’s one more pleading, there’s one more cause, there’s one more closing argument, there’s one more jail visit, there’s one more holding the hand of weeping parents and weeping people who need to be heard,” he said. “Be the Victors Valiant that you are, the Leaders and Best and Champions of the West.”

Student speaker Hilary Allen, '22, who preceded Judge Gregory, acknowledged the special challenges the Class of 2022 faced and encouraged her classmates to take satisfaction in their accomplishments.

“When looking back at your experience here, I sincerely hope you are proud of yourself,” said Allen, pictured at top left with Judge Gregory. “You persevered, you showed up, you did the work, and you’re sitting here at the finish line. Do you know how incredible that is? I’m so proud of all of us.”

The 322 JD students and 37 graduate students who made up the Class of 2022 were the first to gather in person for Senior Day since 2019. In October, after this issue of the *Law Quadrangle* went to press, the Classes of 2020 and 2021 returned to Ann Arbor for their postponed celebration.

# BRIEFS

## 10 YEARS OF TRACKING EXONERATIONS

The National Registry of Exonerations, co-founded by Samuel Gross, the Thomas and Mabel Long Professor Emeritus of Law, collects information about all known exonerations of wrongfully convicted defendants. The online database, which was established 10 years ago, seeks to document all exonerations going back to 1989.

3,237

Exonerations documented by the registry

27,200

Years lost to wrongful incarceration



**Santa Ono** became the University of Michigan's 15th president in October. Previously, he served as president and vice chancellor at the University of British Columbia and president of the University of Cincinnati. Earlier in his career, he was an administrator and professor at Emory University, Johns Hopkins University, Harvard University, and University College London. President Ono is a molecular immunologist with a PhD from McGill University who specializes in experimental medicine related to eye disease.



## Hathaway Assumes Emeritus Status

**Jim Hathaway**, the James E. and Sarah A. Degan Professor of Law and director of the Program in Refugee and Asylum Law, retired from the Law School faculty in September. Hathaway, one of the world's foremost experts on refugee law, is spending fall 2022 as a distinguished research scholar at Torcuato Di Tella Law School in Buenos Aires, Argentina.

“If court forces him to go through with the Twitter acquisition, Musk will almost certainly need to rely on his Tesla shareholdings as collateral for at least a portion of the acquisition price. If the Tesla shareholders lose their faith—perhaps worried that the distraction will cause Musk to take his eye off the ball—a steep drop in the share price of Tesla could put Musk in a very tight spot.”

—**Adam Pritchard**, the Frances and George Skestos Professor of Law, discussing the challenges ahead for Elon Musk as he attempts to back out of his signed deal to buy Twitter, as quoted in the August 2, 2022, *Quartz* article “Who should Elon Musk be afraid of?”



“If a school board or municipality finds some ideas worrisome and believes that keeping books off shelves will prevent students and adults from accessing them, then they may wish to acquaint themselves with a phenomenon called the internet.”

—**Len Niehoff, '84**, a professor from practice, in a September 8, 2022, op-ed, “Banning books is an exercise in futility,” that was published in the *Detroit Free Press*. Niehoff, a First Amendment scholar, recently published *Free Speech: From Core Values to Current Debates* (Cambridge University Press, 2022).



*“As only the third woman to receive this recognition, I hope it indicates that there will be more. It also means that challenging power is not fatal to your career, as ambitious young people are constantly—and not without reason—told it is, explicitly and tacitly.”*

—**Catherine MacKinnon**, the Elizabeth A. Long Professor of Law, on receiving the Henry M. Phillips Prize in Jurisprudence. MacKinnon is only the 26th winner in the 134-year history of the prize. The American Philosophical Society bestows the Phillips Prize, which recognizes outstanding lifetime contributions to the field of jurisprudence and important publications that illustrate that accomplishment.



## DO GOOD WORKS

During new student orientation in August, **the Hon. Gershwin Drain, '72**, led 1Ls and LLMs in the annual Commitment to Integrity.

**Sam Bagenstos**, the Frank G. Millard Professor of Law who is currently on leave to serve in the Biden administration, was confirmed as general counsel for the US Department of Health and Human Services in June. Previously, he served as general counsel for the White House Office of Management and Budget beginning in January 2020.



## Fall Reunion Returns to the Quad

There's something magical about fall in Ann Arbor, and that's especially true for Michigan Law alumni celebrating reunion milestones. The first fall reunions since 2019 were held over consecutive weekends in September, and they provided alumni the opportunity to reconnect with old friends during dinner and a tailgate in the Law Quad, learn about the latest happenings at Michigan Law, and take part in other programming. Many alumni also found time to cheer on the Wolverines during two victories in the Big House—a 59-0 drubbing of Connecticut and a 34-27 win over Maryland.





# BRIEFS



**Michael Barr**, dean of the U-M Ford School of Public Policy and the Roy F. and Jean Humphrey Proffitt Professor of Law, was sworn in as vice chair for supervision and a member of the Board of Governors of the Federal Reserve System in July.

Barr, who earlier served as the US Department of the Treasury's assistant secretary for financial institutions, was a key architect of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.



**Camelia Metwally, '22**, was among 31 law students nationwide to be selected for the 2022 Immigrant Justice Corps Fellowship. Metwally will spend two years with Nationalities Service Center in Philadelphia, which provides comprehensive services to immigrants and refugees, including legal protections, community integration, access to health and wellness services, and opportunities to achieve English language proficiency.



## RESEARCH AT THE ART FAIR

**Roseanna Sommers**, an assistant professor of law whose research examines the intersection of psychology and the law, conducted research on the Diag during the Ann Arbor Art Fair in July. Sommers partnered with Nick Camp, an organizational studies professor at the U-M College of Literature, Science, and the Arts, to collect data and generate public interest in psychological science. More than 1,000 fairgoers completed surveys about moral dilemmas, voluntary consent related to police questioning, and other topics, in exchange for U-M swag and other prizes.

# 42%

of the Class of 2025  
are people of color,  
the highest percentage  
in Law School history

## ALL EYES ON THE HIGH COURT

### LITMAN SPEAKS AT THE WHITE HOUSE AND ON CAPITOL HILL RE: DOBBS RULING

In June, **Professor Leah Litman, '10**, joined a roundtable discussion with Vice President Kamala Harris and other experts in the fields of constitutional law, privacy, and technology to discuss reproductive rights related to the US Supreme Court decision in *Dobbs v. Jackson Women's Health Organization*. (She is pictured below on the monitor.) She also testified before the House Subcommittee on Oversight and Investigations in response to the *Dobbs* decision in July. "I am here to explain how the Court's decision overruling *Roe v. Wade* represents a challenge to the rule of law and is already having dramatic consequences on American lives," said Litman, who was elected to the American Law Institute in July. "The decision in *Dobbs v. Jackson Women's Health Organization* is part of a trend in Supreme Court decision-making. The Court has engaged in a selective approach to precedent, history, the facts, and to standard components of legal reasoning. The resulting unpredictability chills people's ability to exercise their constitutional rights, and it chills institutions' ability to protect those rights outside of the courts."



PHOTO PROVIDED AS A COURTESY OF THE WHITE HOUSE

*"Will the next Supreme Court justice be a veteran, or is the court on the verge of becoming a nonveteran echo chamber for years, perhaps decades, to come? That risk is palpable, as the average age of appointed justices is trending lower. Whether that decision will fall upon President Joe Biden (whose deceased son, Beau Biden, was a veteran) or his successor, I pray that we keep on the Court an important demographic associated with defending freedom: the US veteran."*

—**Matthew N. Preston II, '21**, in an April 15, 2022, *USA Today* op-ed about the unique perspective that military veterans bring to jurisprudence. With Justice Stephen Breyer's retirement, Justice Samuel Alito is the only member of the US Supreme Court who has served in the military.

"Leaking a draft court opinion is not a crime in itself. Unlike classified information, a draft legal opinion is not protected from disclosure under penalty of law."

—**Professor Barbara McQuade, '91**, in a May 2022 *PolitiFact* story regarding a leaked draft of a Supreme Court majority opinion. The draft closely mirrored the decision in *Dobbs v. Jackson Women's Health Organization*, which was handed down the following month and overturned the landmark abortion rights cases *Roe v. Wade* and *Planned Parenthood v. Casey*.



**Claire Madill, '15**, is clerking for Associate Justice Ketanji Brown Jackson for the 2022–2023 term. Previously, Madill was an appellate public defender at the Palm Beach County Public Defender's Office and a staff attorney in the Special Litigation Division of the Public Defender Service for the District of Columbia. She also held clerkships with the Hon. Alison Nathan of the US District Court for the Southern District of New York and the Hon. William Fletcher of the US Court of Appeals for the Ninth Circuit. Madill is the 27th Michigan Law graduate to secure a US Supreme Court clerkship since 2000.

# BRIEFS

## EARLY INTERVIEW WEEK 2022

500+

Participating firms

4,000

Total interviews

18

Average interviews  
per student

---

*“Under Trump and even more so under Biden, there’s more of an appetite to litigate, even if they’ll possibly lose. The statements of interest are a warm-up for that.”*

—**Dan Crane**, the Frederick Paul Furth Sr. Professor of Law, commenting on the Department of Justice’s increasing use of legal briefs to support private competition law cases, despite lacking the staffing resources to fully join the case, in an August 4, 2022, *Bloomberg Law* story.



“I’m talking about our sense of wonder. As children, we first experience its joyfulness, this sense of possibility—childlike imagination. It’s a superpower. And I’m going to challenge you to unleash yours.... Wonder starts in our gut, it flows to our heart, and it sparks our mind into action.”

—**Brad Keywell, '93**, during his keynote address at the U-M Ross School of Business commencement in April. Keywell is the founder and executive chairman of Uptake, an industrial analytics platform powered by artificial intelligence, and the co-founder of e-commerce company Groupon, among other entrepreneurial ventures. He is pictured, at right, with U-M Regent **Mark Bernstein, '96**.

---

## FISKE FELLOWS GATHER FOR 21ST REUNION IN DC

In July, the newest class of Fiske Fellows gathered with **Bob Fiske, '55**, and previous recipients at a Fiske Fellows Reunion in Washington, DC. The reunion celebrated 21 years of the Fiske Fellowship Program, which encourages young lawyers to enter government service by providing a cash stipend and covering all undergraduate and law school loan payments for three years.

The 2022 fellows are **Nina Mozeihem, '20**, an honors attorney in the Office of the Solicitor at the US Department of Labor (DOL); **Julia Hayer, '20**, who also serves as an honors attorney in the DOL’s Office of the Solicitor; **Luke Berdahl, '22**, a first lieutenant in the US Marine Corps who intends to serve as a judge advocate in military service; and **James Kirwan, '22**, who joined the National Labor Relations Board’s Board-side Honors Program.

## A Red-Letter Day for Black Widow

By Amy Spooner

When Disney released the much-anticipated film *Black Widow* in July 2021, people didn't need to head to their local theater to see Scarlett Johansson star as the Avengers heroine. They just needed to find their remotes.



That's a win for people accustomed to lounging at home during the pandemic. And a win for Disney, whose simultaneous release of the movie in theaters and on its streaming platform, Disney+ (known in the industry as a day-and-date release), diversified its revenue and bolstered Disney+ subscriptions.

But Johansson's lawyer, John Berlinski, '99, argued that it was unfair to his client, whose compensation under her contract was based primarily on box office receipts and whose contract therefore contained provisions promising that *Black Widow* would be a "theatrical release...like Marvel's other films." Berlinski argued that because Disney released *Black Widow* day-and-date, something the studio had never before done with a Marvel film, Disney had cannibalized box office receipts and thus reduced the value of Johansson's deal by tens of millions of dollars.

Berlinski made these allegations on Johansson's behalf while representing her in the lawsuit that she filed against Disney a few weeks after the release of *Black Widow*. The suit was big news in Hollywood and worldwide because of the nature of the case and because an A-list celebrity called out Disney.

In a statement after Johansson filed the suit, Disney said, "The lawsuit is especially sad and distressing in its callous disregard for the horrific and prolonged global effects of the COVID-19 pandemic."

Berlinski shot back: "It's no secret that Disney is releasing films like *Black Widow* directly onto Disney+ to increase subscribers and thereby boost the company's stock price—and that it's hiding behind COVID-19 as a pretext to do so."

Disney then filed a motion to compel arbitration based on Johansson's arbitration clause in her contract with Marvel Studios, a subsidiary of The Walt Disney Company. "Disney was arguing that it should obtain the benefit of an arbitration clause that applied only to the 'parties' in an agreement to which it was not a party," Berlinski says, noting that the case settled before he and his team formally filed their opposition to Disney's motion to compel arbitration.

While the terms of the settlement are confidential, Berlinski was proud to represent Johansson in this groundbreaking case.

"There are very few people in her position with the guts to go after The Walt Disney Company publicly. To be chosen as her advocate in this important matter was a true honor."

Berlinski, who recently joined Bird Marella as a partner, was partner and head of the entertainment division at Kasowitz Benson Torres during the Johansson suit. In eight years there, he was lead counsel for another high-profile profit-sharing case.

From 2015 to 2019, Berlinski represented the co-stars of the television series *Bones*, Emily Deschanel and David Boreanaz, and its producer, Kathy Reichs, in a lawsuit against 20th Century Fox. Berlinski, who tried the case in arbitration, argued that Fox deprived his clients of tens of millions of dollars owed to them under the profit participation clauses of their contracts by licensing the show for artificially low fees to its affiliates, including the streaming platform Hulu.

The result—a \$179 million arbitration award for fraud and breach of contract—is the largest arbitration award ever issued in a profit participation dispute.

"Our clients felt vindicated," says Berlinski, who adds that the opportunity to try a case like that was why he had left his role as the head of television litigation for NBC Universal. "I learned a tremendous amount working in-house at NBCU. Ultimately, however, I longed to be the person presenting arguments to judges, juries, and arbitrators."

Dubbed "the profit participation maestro" by *Deadline*, Berlinski has represented other talent in similar matters, and is well known for his involvement in bet-the-company disputes on behalf of musicians, casinos, and theme parks. "The entertainment industry, and particularly how content in that industry is created, distributed, and exhibited, is constantly evolving," Berlinski says. "Disputes are one consequence of that evolution, and I'm fortunate to have litigated some notable ones."

## Litigating Death Row: A Long Road of Loss

*By James Weir*

For 16 years, Jodi Lopez, '03, fought to save Matthew Reeves's life—and twice his life was spared. But the hard-fought victories that Lopez, Ben Friedman, '13, and others won on Reeves's behalf were reversed by the US Supreme Court. In both cases, Reeves was not given the benefit of full merits briefing or a hearing. And the final decision—the one that green-lit Reeves's execution—did not contain any explanation. For Lopez and Friedman, the case raises salient due process questions that warrant examination of and discussion about the American justice system.



*Matthew Reeves was 18 when he was arrested on murder charges.*

### Reeves's conviction

In 1996, Matthew Reeves was arrested for the murder of Willie Johnson. Reeves was 18 years old and didn't have money to hire a lawyer. He was facing the death penalty.

There is no public defender system in Alabama's state courts, so Reeves was represented by private lawyers, one of whom had never handled a death penalty case before. During their investigation, Reeves's lawyers discovered evidence that Reeves may have had intellectual disabilities. Reeves failed the first, fourth, and fifth grades; was placed in special education classes; and consistently scored under 75 on IQ tests. And shortly before the murder, Reeves was shot in the head while sitting on his front porch. He survived but suffered a brain injury.

Based on this evidence, Reeves's trial lawyers asked the court for \$3,500 to retain a specific neuropsychologist to evaluate Reeves. Their goal was to develop mitigating evidence that would convince a jury to spare Reeves's life.





*Jodi Lopez, '03, a partner in the LA office of Sidley Austin LLP, spent 16 years fighting to save Matthew Reeves's life.*

The government opposed the request, and initially the court agreed. But Reeves's lawyers argued that a neuropsychology expert was the only way they could build a mitigation case and asked the court to reconsider. The court subsequently allocated the funds.

But Reeves's lawyers never contacted their proposed neuropsychologist. The jury did not hear expert testimony about the extent of Reeves's intellectual disability. After just 50 minutes of deliberations, and by a vote of 10-2, the jury recommended the death sentence.

### A firm commitment

Lopez, a partner in the Los Angeles office of Sidley Austin LLP, first met Reeves in 2005, when she was a second-year associate. She took on his case as part of Sidley Austin's pro bono commitment to helping people on death row, who often lack even basic legal representation. From their first meeting, she was struck by his cognitive limitations.

"The huge impression that I had of Matthew was how childlike he was, and that was because of his intellectual disability. From the very beginning of the case, I truly thought in my heart he would never be executed," she says. "He was not asking to be let out of prison, but he did not want to die."

For Lopez, working to remove Reeves from death row is not to ignore the pain and suffering of the victim and the victim's family. He committed murder, and that act cannot be erased. But she says his mental disability and the abject poverty of his upbringing are important

context, and that the case exemplifies the ethical gray areas of capital punishment.

"Someone emailed me once and said that Matthew should be executed, because even a 10 year old knows that murder is wrong. But to me that's the whole point—you may put that 10 year old away in prison because they made that terrible choice, but we as a society don't believe a 10 year old should be executed. So when I talk about him being childlike, that's what I mean."

### Losses pile up in state court

Lopez spent her first two years on the case gathering information, talking to witnesses, and making document requests to different government agencies, hospitals, and mental facilities. Lopez and her colleagues eventually sought post-conviction relief for Reeves in Alabama's state court.

In 2002, the US Supreme Court ruled in *Atkins v. Virginia* that executing someone with an intellectual disability violated the Eighth Amendment's prohibition on cruel and unusual punishment. The *Atkins* decision formed the basis for one of the two claims that Lopez and her colleagues would make in their years-long attempt to prevent Reeves from being executed. The other claim was ineffective assistance of counsel, based on the original trial counsel's failure to contact the neuropsychologist and present evidence of Reeves's intellectual disability to the jury.

*Appellate specialist Ben Friedman, '13, a senior managing associate in the Chicago office of Sidley Austin, joined Reeves's legal team in 2020.*



Lopez's research and investigation eventually led to an evidentiary hearing in 2006. Among other evidence presented, the hearing included testimony from the same neuropsychologist who the original trial counsel had said they would contact but never did. It was the first of many defeats in state and federal courts.

"We literally didn't win for the first 15 years, but we were laying the groundwork," she says. "It was always disappointing when we lost, because I always firmly believed in Matthew's case, but it didn't surprise me. I just focused on the long game."

The strategy and patience paid off. In 2020, Reeves suffered another defeat in federal district court in Alabama. Around that same time, some of the senior associates who had worked on Reeves's case were leaving the firm, and Lopez wanted to bring on new team members with appellate expertise for their appeal to the 11th Circuit.

"I did not think that I was the right person to argue at the 11th Circuit—I cared too much about Matthew, and I'm not an appellate lawyer," she says. "I made some inquiries at the firm, and another Michigan graduate was identified to me as someone who was a stellar associate and was specializing in Supreme Court and appellate law."

Ben Friedman, '13, a senior managing associate in the Chicago office of Sidley Austin, had previously argued several successful claims of ineffective assistance of

counsel in federal courts. Although they hadn't met before, both Friedman and Lopez are double Wolverines, and he says their shared background gave them an instant rapport.

"When I heard about the circumstances of Matthew's case, it's a particularly egregious and heartbreaking set of facts," he says. "His trial lawyers fought really hard to hire a specialist, they identified that person, won funds from the court, and then never called the guy. When you look at the case law around ineffective counsel, it's rightfully deferential to how lawyers do their job, but the one thing you can't do is not pick up the phone and not follow through on something as important as that."

Lopez and her colleagues brought Friedman up to speed, and they got to work.

### **Habeas relief, temporarily**

"By the time I signed on, we had about two weeks to put together a motion for reconsideration. It was a lot of late nights, making sure that we also got a notice of appeal on file and that Matthew was set up for all of the things that he needed going into the appellate stage," Friedman says. "Once we had the district court's decision, then we went through the appeal process. It was very much a whirlwind at that point. We had a lot to do."

Friedman says that getting a federal court to overturn a state-court conviction is difficult, and the 11th Circuit has a reputation for strictly applying the law when it comes to federal habeas cases. But he and Lopez were cautiously optimistic going into the hearing, which was conducted over the phone due to the pandemic.

“Early on, there were one or two questions about Matthew’s ineffective assistance of counsel claim,” he says. “Once we started talking about that, it seemed clear that we had at least two judges who were going to rule in our favor on that claim. We felt good after oral argument, but you never know. We were still holding our breath.”

In November 2020, the panel ruled unanimously to grant Reeves federal habeas with respect to his sentence on the basis of the ineffective assistance of counsel claim.

“That was the first time that Matthew had won in his case, and the relief that we won for him was that he was supposed to get a new sentencing phase of his case,” Lopez says. “But that got taken away.”

### A reversal at the high court

The State of Alabama appealed to the US Supreme Court, and in July 2021, the Supreme Court overturned the 11th Circuit ruling in an unsigned decision over three dissents. It held, among other things, that Reeves could not prevail on his ineffective assistance of counsel claim because his trial counsel did not testify at an evidentiary hearing, notwithstanding the other evidence that supported his claim. The Court did not allow full merits briefing or hold oral argument.

In her dissent, Justice Sonia Sotomayor wrote, “The lengths to which this Court goes to ensure that Reeves remains on death row are extraordinary. . . . Today’s decision continues a troubling trend in which this Court strains to reverse summarily any grants of relief to those facing execution.”

Lopez then shifted her efforts to a clemency petition, which was submitted to Alabama Governor Kay Ivey. It was denied.

### One last, lost appeal

After the Supreme Court reversed the 11th Circuit ruling, the Federal Defenders for the Middle District of Alabama brought a new lawsuit on Reeves’s behalf

under the Americans with Disabilities Act (ADA) challenging Reeves’s method of execution.

The Alabama state legislature had legalized lethal gas as an alternative to lethal injection in 2018, and the law gave all death row prisoners 30 days to choose the alternative method of execution. But the form to opt in was complicated, and Reeves, with the ability to read at only a third-grade level, did not understand the form and was unable to fill it out.

At the time of the case, Alabama had not yet developed protocols for death by lethal gas, and therefore death row inmates who had chosen lethal gas did not have execution dates. The suit argued that Reeves’s rights under the ADA had been violated because prison officials failed to provide him with the necessary accommodations to understand the form and the choice it presented.

In January 2022, a federal district court judge concluded that Reeves was likely to win on the merits of his ADA claim and enjoined the state from executing Reeves by lethal injection. Three weeks later, the injunction was unanimously upheld by a panel of judges on the 11th Circuit. The district and circuit courts prepared 64 pages of legal rationale in support of the injunction.

---

“It just feels so wrong on a human level for someone with an IQ of 68. It haunts me.”

---

The following day, the US Supreme Court vacated the injunction over three dissents. As with their previous decision, the Court did not allow for the merits of the case to be briefed or heard. This time, the majority did not explain their decision.

“It was just a feeling of utter shock and sadness. And not a single word of explanation,” Lopez says. “It just feels so wrong on a human level for someone with an IQ of 68. It haunts me.”

Two hours after the Supreme Court vacated the injunction, Matthew Reeves was executed by the State of Alabama. He was not given an opportunity to speak to his lawyers or anyone else. He had no last words.

## From Pizzagate to Private Practice: Navigating Cybercrimes and Cybersecurity

By James Weir

For most news consumers, the Pizzagate conspiracy theory was unconvincing from the start—there was no credible evidence to support the idea that a Washington, DC, pizzeria was the hub of a child sex-trafficking ring. Nevertheless, the allegations gained traction in certain online circles and spread across major social platforms like Twitter and Facebook as well as lesser-known sites like 4chan.

Months after the conspiracy theory first appeared online, a young man traveled to the restaurant to “investigate” for himself. He entered the restaurant carrying a sidearm and an assault rifle—causing the patrons and staff to flee—and eventually fired the AR-15 into the lock of a door behind which he believed the trafficked children were being held (it was a storage closet). No one was physically harmed in the incident, and the man was arrested on the scene and later sentenced to four years in prison.

Demian Ahn, '03, an assistant US attorney at the time, served as the lead prosecutor on the Pizzagate case. The intersection of radicalized online spaces and violent behavior in the real world was a natural fit for Ahn, who prosecuted violent crimes at the Department of Justice (DOJ) for five years before joining its newly established cybercrime section in 2015.

Working in an emerging area of law meant that Ahn and his colleagues were often navigating uncharted territory and prosecuting cases with little in the way of established case law. To Ahn, this was part of the appeal.

“There was opportunity for more innovation in both the investigative side and the legal side, but certainly there’s risk if the court doesn’t like your theory,” he says. “To explore new areas and have room for creative problem solving was what made cyber in the US attorney’s office really great at an intellectual level.”

Ahn found satisfaction in “blazing a new path” and helping to establish precedent for future cyber prosecutions. One notable national security case involved former members of the US intelligence community who had gone on to work for a foreign government’s hacking operation.

The defendants in the case had been providing defense contracting services overseas without the relevant State Department licenses, and they were involved in the creation

and deployment of sophisticated hacking tools used by the foreign government’s intelligence-gathering operation. The regime not only tracked terrorists and other risk groups but also journalists who reported unfavorably on the government, human rights activists, and political dissidents.

These hacking tools were able to illegally obtain access to devices in the United States and online accounts controlled by US companies—a violation of the Computer Fraud and Abuse Act (CFAA). The DOJ brought charges, and the case was resolved with a deferred prosecution agreement that included a seven-figure fine and limitations on the defendants’ future activities and employment.

“The important part for US policy was to establish that if you’re an American citizen and you want to go act as a mercenary hacker for foreign governments, you’re still subject to the law,” Ahn says. “That type of conduct is subject to export control laws and regulations, and the case established that you can also be charged under the CFAA.”

Precedent is particularly important in cybercrime cases because many of the statutes and regulations that apply to online behavior were written long before the internet developed into what it is today. These include the CFAA and the Electronic Communications Privacy Act, both of which were enacted in 1986.

The nature of the internet has changed considerably in the intervening years—to put it mildly—and the laws weren’t written with a modern understanding of how individuals use the internet in their daily lives, how entities use it to conduct business, and how law enforcement uses it to investigate crimes. This leads to uncertainty around how the laws apply (or don’t) to certain activities. For law enforcement, that uncertainty can be difficult to navigate.

“The Department of Justice usually approaches evidence collection around these new areas in a pretty risk-averse fashion, but the same laws apply to all of the thousands of state and local law enforcement agencies around the country, and not all of them are approaching things in the same way,” Ahn says. “So the government is operating at its own peril because they’re doing what they think is okay under the law, but a court can say otherwise and then the investigation could be in trouble.”



*Demian Ahn, '03, spent nearly 12 years as a prosecutor at the Department of Justice before joining Wilson Sonsini earlier this year.*

Similarly, federal export control laws—which seek to protect national security and aspects of international trade by regulating certain services and the transfer of some technologies overseas—can impose onerous restrictions on private enterprise. The laws lack a clear distinction between offensive and defensive hacking, for example, which can limit what companies can and cannot do with respect to some proprietary software and other tools they create.

“In the information security community, companies hire penetration testers and security professionals to hack their own networks to identify security vulnerabilities,” Ahn says. “To support that process, many of them create tools that help them do legitimate, legal hacking, and those tools are something that some companies would like to sell.”

Clarity in this area could help innovative technology companies grow their business without having to worry that they are inadvertently violating the law. Ahn says that although the relevant laws have held up relatively well, new legislation would be helpful for law enforcement, the technology industry, and society at large.

“Any new legislation needs to balance the interests of civil liberties and the need for effective law enforcement that can react quickly and collect evidence. And from the industry’s perspective, they want to know what the rules are so they can plan around them,” Ahn says. “This is an area of substance that is not ideological. Could Congress come up with something that would help? I think so, but we’ll have to wait and see.”

After nearly 12 years as a federal prosecutor, Ahn left the DOJ earlier this year to become of counsel in the Washington, DC, office of Wilson Sonsini Goodrich & Rosati, known for representing leading technology clients. Ahn’s practice will focus on helping companies understand and adjust to evolving cybersecurity laws and regulations, including federal and state regulations in the United States, as well as European Union and other international laws.

“For me, it was an opportune time to go to the private sector because there are some laws on the books with respect to cybersecurity, but more are coming, and regulators are becoming more aggressive with enforcement actions,” he says. “So companies who want to prepare themselves are well advised to seek counsel, as are information security professionals and other cybersecurity experts who want to make sure their activities are up to snuff.”

The same principle applies to technology more generally, Ahn says. “Whether you are a tech firm or a traditional business that relies on internet- or cloud-based services, your privacy and security practices are more likely than ever to face regulatory scrutiny.”

After years of long-term investigations and working to gather evidence in support of successful prosecutions in the courtroom, Ahn notes that his new role has a different set of objectives. “The goal is keeping everybody out of the courthouse,” he says, “allowing them to focus on growing their companies and not having to worry about regulators.”

---

# The Problem-Solving Linchpin

---

GENERAL COUNSELS HAVE EVOLVED  
FROM A LEGAL RESOURCE TO THE  
CENTER OF AN ORGANIZATION'S  
CREATIVE PROBLEM SOLVING.

---

**FILED BY  
SHARON  
MORIOKA**



**AMY (BRALEY) WILSON, '95**, remembers it well: that day several years ago when information relating to Dow's quarterly earnings release was inadvertently sent to a reporter two days before the scheduled date.

"The dates for reporting earnings are announced in advance, and there are a lot of good compliance reasons why that happens," says Wilson, general counsel and corporate secretary at Dow, one of the world's largest chemical producers. The email misfire set off a scramble to respond rapidly, with little room for error and not a moment to spare.

"It meant getting people from legal, finance, investor relations, public affairs, and our leadership—including our board—involved in coming up with a plan. We discussed what exactly happened, what all the options were, what we would recommend, and how to make it happen within a matter of, really, minutes."

The situation was effectively resolved: The team moved up the date and announced results before the market opened the next morning. While stressful, the situation also demonstrates how a general counsel can play a critical role in rallying a team to solve a problem on a tight timeline.

"Not only did we learn what we were capable of," says Wilson, "but we also learned that we can trust and rely on each other."

---

) Problem solving is part and parcel of the job of every general counsel (GC), a position with a vital set of responsibilities. Traditionally, GCs were relegated to a niche role that addressed the specific legal needs of an organization—such as overseeing litigation, executing contracts, or advising on legal risk. But the role has transformed during the past few decades. Today’s typical GC not only advises on the law but also understands and shapes the organization’s strategy as an integral member of the C-suite.

) In other words, GCs need to know how the law touches the business and how the business touches the law—and how to use those insights to help steer their organization to success.

) “If you go back a few decades, the general counsel was someone you consulted when you needed to,” says Michele Coleman Mayes, ’74, vice president, general counsel, and secretary at the New York Public Library. “But savvy clients quickly learn that if they involve the attorney early, then that attorney is more able to devise creative ways to accomplish the business objective.”

) She provides an example from when she worked for a consumer products company and a situation arose that made the leadership question whether a vendor had violated the company’s trademark. “I said, ‘Of course they have. But are you going to sue them when they’re one of your biggest customers?’ The CEO paused and said, ‘Probably not.’ That wasn’t a legal question; they had to figure out a different strategy to deal with the vendor.”

) Removing GCs from their silos within the organization also allows them to establish a deeper knowledge of the organization, says Julie Chen, ’91, general counsel of the anti-poverty nonprofit Share Our Strength. “It is great in the sense that you have one client that you really know inside and out and that you can grow with and feel an affinity for.”

) That knowledge sharing is two-way when it comes to training other staff in the areas of the law that apply to their specific work.

) “Training your departments is so key,” she says. “I found that, across the board, training the non-lawyer team as to why certain rules exist has saved me a lot of time and also generates appreciation. What you don’t want is in-house counsel to be viewed as the ‘no’ person.”



AMY (BRALEY) WILSON, ’95  
General Counsel and Corporate Secretary, Dow



# Connecting the Dots



The role of a GC is multidimensional, responsible for connecting the dots across the organization and understanding where the organization is within simultaneous frameworks, from business to legal to regulatory and beyond. Typically, the emphasis is more on breadth than depth.

“Some people really like knowing more about a particular topic, a particular issue than anybody else,” says Jim Shaughnessy, ’79, chief legal officer at DocuSign, a provider of software for electronic signatures. “Those people are probably not going to be happy as general counsel. Instead, we develop a map of the issues that are important to the company and make sure that we have each of those areas covered.”

To meet that need, the GC of a large organization might oversee a legal department that includes a range of experts in various areas of the law. GCs need to be comfortable with the fact that they, themselves, cannot be experts in every area of the law that might come across their desk.

For Ann Chen, ’03, assistant general counsel at information and technology services company TransUnion, working across a wide range of issues is one of the best parts of the job. “I love the variety and don’t think I can go back to focusing on just one thing. It also helps to understand when you are out of your depth and be able to find trusted experts—whether they are in your company or experienced outside counsel, or you are benchmarking with other experienced in-house counsel.”

One of the GC’s most important responsibilities is finding a balance that is efficient, cost effective, and reactive to the needs of their organization.

“We have a combination of specialists and generalists in the department,” says Rhonda Powell, ’93, chief legal officer and corporate secretary at BuzzFeed, a digital media company that went public through a special purpose acquisition company (SPAC) merger last year. “Generalists can cover a broad range of matters, like negotiation and drafting of commercial agreements and corporate transactional documents. Specialists, like our privacy and regulatory lead attorney, have depth and wealth of knowledge in specific areas of the law.”

But few, if any, departments have either the budget or the bandwidth to accommodate every situation that might arise. At that point, a GC will know that it’s time to look to outside resources.

“There are different circumstances where we might reach out to outside counsel,” says Powell. “One is if we simply don’t have the expertise internally and we feel that that expertise is necessary. Often, that’s not formal, just a phone call, a consultation, a brief interaction with someone who has the expertise and points us in the right direction.”

---

However, when BuzzFeed was preparing for its SPAC merger, outside counsel was vital due to the complex nature of the transaction, the volume of documentation that had to be generated, the need to coordinate and align on SEC filings with the SPAC partner, and the critical timing involved.

“We have lots of staff who have strong corporate backgrounds, including myself. But in terms of the resources that you need to get a truly transformative corporate transaction done, I don’t know of a company that’s doing that just with their in-house legal department.”

Working within the federal government makes for a very different model of engaging outside counsel, says Steven Bressler, ’01, acting deputy general counsel for litigation oversight at the Consumer Financial Protection Bureau (CFPB). Generally, the Department of Justice is outside counsel and handles all litigation.

“However, the CFPB is one of a handful of agencies where Congress has provided independent litigating authority, so we represent ourselves,” says Bressler. On the infrequent occasions when his team does need outside expertise, it does look to other government agencies. And that works both ways—other agencies can call on the CFPB for its expertise in specific areas of the law.

“There is such a breadth of expertise and knowledge and experience within the federal government that usually we can get the expertise we are looking for by going to the Department of Justice or another agency,” Bressler notes.

Whether in the government, corporate, or nonprofit world, the role of general counsel continues to evolve and grow. And while the challenges and opportunities they face on a daily basis could fill a book, we outline a few of those on the following pages.



**“Savvy clients quickly learn that if they involve the attorney early, then that attorney is more able to devise creative ways to accomplish the business objective.”**

MICHELE COLEMAN MAYES, ’74  
Vice President, General Counsel, and Secretary, New York Public Library

# A Portfolio of HR Issues



Human resources and in-house counsel have traditionally been strong partners, working together to resolve disputes, conduct internal investigations, develop policy guidelines, and oversee employee training on matters like sexual harassment and data privacy. Additionally, an organization's legal team is often tasked with keeping current on the status of legislation that can affect human resources (like the current discussions around paid parental leave, for example). All in all, they have a fairly wide-ranging portfolio of HR issues—and that was before COVID introduced a slew of new questions GCs have had to face.

The impact of the pandemic and the speed with which it occurred have required in-house counsel to collaborate with human resources departments to address issues such as masking and vaccine requirements, reasonable accommodations, and work-from-home policies.

It has been a challenging period, but some silver linings have appeared. Discussions around employee mental health, for example, are no longer spoken in hushed tones.

“For a long time, it was unheard of in our profession to talk to employees about their personal circumstances, about their mental health,” says Dow's Wilson. “We did not talk about well-being and focused on treating everyone consistently—that comes right out of legal's playbook.” However, Dow made policy changes related to employee mental health during the pandemic that have since been made permanent.

“The leader-employee dynamic changed in a really positive way. We had some people who were naturals at that. But we had others who were very uncomfortable with it. For them, if the commitment we ask of leaders has changed and that wasn't what they signed up for, we can accommodate that, too, and we'll have them do something else.”

While many questions have been addressed over the past two years, some issues remain unresolved, including what to do about employees who shifted to remote work during the pandemic and are now living and working from new locations.

“Before, you might have been subject to four states' jurisdiction because your headquarters are here and you have an office here and here and here,” says Julie Chen, of Share Our Strength. “All of a sudden, post-pandemic, your employees are everywhere.” She remembers suddenly seeing continuing legal education courses with titles such as *Your Stealth Employee*, which addressed situations where employees of a New York company, for example, decided to work remotely from a beach in California. The tax implications and compliance with laws of various localities will continue to vex GCs in the near term.

“You're subjecting yourself to all 50 states, potentially,” says Chen. “And then we have to rein in some of those who want to work overseas. I think a lot of organizations are facing what their workforce of today looks like.”



**“I think a lot of organizations are facing what their workforce of today looks like.”**

JULIE CHEN, '91  
General Counsel, Share Our Strength

# A Digital Transformation



While the pandemic accelerated the transition to some digital modes of work, information technology has been on the rise in the legal field for decades. Established technologies are capable of automating processes involved in accounting and other business matters, document management, discovery, and legal research.

Shaughnessy, the chief legal officer at DocuSign, has worked in the technology field for more than 30 years and is well aware of the impact new tech can have on the way GCs do their work.

“One of the principal organizational imperatives during my entire career—not just business but public sector as well—has been on digital transformation, which I define as the use of information technology to improve organizational outcomes and efficiency,” he says. “It’s an important topic for general counsel because we need to understand how technology is impacting our businesses and make sure we’re using it effectively and compliantly in all aspects of our operation.”



**“That’s something that the lawyers need to be involved in and understand whether the tools will make an improvement.”**

JIM SHAUGHNESSY, ’79  
Chief Legal Officer, DocuSign

One emerging technology that could become more widespread in the coming years, Shaughnessy says, is machine learning that uses natural language processing to improve the legal writing process. (Full disclosure: He advises a small company in this field.) This would allow lawyers to cite-check their documents using the software rather than doing it manually, freeing them up to do “more interesting and better work,” he adds.

Another way GCs benefit from legal technology is through their vendors.

“We’re finding that a lot of our service providers already are leveraging technology in a way that allows us to tie into that instead of having to create new technology,” says BuzzFeed’s Powell. “For example, our insurance broker has a whole platform that allows us to pull extracts from our policies and quickly see what our limits are so we don’t have to set up an internal management system. That’s actually part of our deliverables and definitely has helped.”

Additionally, the invoicing and billing provider she uses allows outside counsel to input demographic information that then allows Powell to see how the organization is performing against its diversity and inclusion goals. “We’re getting more information consolidated onto existing platforms,” she says, “which is really helpful.”

However, technology isn’t cheap, and organizations must balance those costs with the efficiencies they create. Shaughnessy says that the utility of a technology is variable and won’t necessarily streamline processes in every area, or at every organization. “That’s something that the lawyers need to be involved in and understand whether the tools will make an improvement.”

# A Front Line Against Cybercrimes



With increased digitization in legal work comes increased risk from cybercriminals, whether an organization is small or large, for profit or nonprofit. In the ABA's 2021 Legal Technology Survey Report, 25 percent of respondents reported that their law firms had experienced a data breach at some time. That risk, of course, also extends to companies that lawyers work with.

“Blackbaud, for example, had a data attack two years ago,” says Julie Chen of Share Our Strength. “We work with Blackbaud; several nonprofits use it to deal with their data. So that was very much something that could affect us.” She says Share Our Strength relies on its partners to provide best-in-class protections and expertise to ensure that a breach does not occur.

At the Consumer Financial Protection Bureau, which receives complaints from the public as well as sensitive information from financial institutions, Bressler says they emphasize training staff to recognize and avoid phishing attacks, and generally maintain the integrity of the agency systems against hackers.

“Cybersecurity is top of mind and has been a priority of every director of the agency who has been here.”

The risk is not limited to data but also includes email, internet, social media, employee privacy, and other areas. According to ABA Model Rules, attorneys have both ethical and common law duties to “take competent and reasonable measures to safeguard information relating to clients.” That means working closely with IT departments to prevent and respond to breaches as well as choosing the best tools to guard against cybercrimes.

“Cyber definitely touches everything,” says Wilson of Dow. “So to the extent that we are in crisis management and crisis avoidance, we’re definitely focused on cybersecurity. It’s also an area that doesn’t sit still, so there’s both the substantive work of making sure that we’re protecting the company and that we’re taking other aspects of cyber regulation into consideration, things like data privacy. And, again, it’s being part of that team that responds if and when you do have an issue.”



“Cybersecurity is top of mind and has been a priority of every director of the agency who has been here.”

STEVE BRESSLER, '01  
Acting Deputy General Counsel for Litigation Oversight, Consumer Financial Protection Bureau

# A Socially Conscious Orientation



Among the newest dimensions of the GC's role within an organization are environmental, social, and governance (ESG) criteria. The focus on ESG in the past 20 years is a response to demands from employees, customers, stockholders, donors, and others that organizations do well by doing good. If a GC is lucky, those criteria align with the organization's mission.

"What Dow has been able to say and do on circularity and plastics waste and setting net zero emission targets—those are the types of broader societal issues that are going to line up squarely with our strategy," says Wilson. "We're going to make a statement, and we're going to show action against it."

For example, the company could become part of the solution to the problem of plastic waste not only by making Dow's plastics more recyclable but also by investing in a startup whose goal is to develop innovative ways to collect waste and recycle it for cleaner, more renewable feedstocks.

Beyond environmental goals, social goals such as human rights and diversity, equity, and inclusion (DEI) have become increasingly important for many organizations.

"It is vital for in-house lawyers who are in leadership positions to ensure that they understand DEI challenges," says Ann Chen, of TransUnion, "and work closely with their leaders and subject matter experts to ensure that DEI is incorporated in all aspects of management, including with talent, culture, internal development promotion, and with outside counsel. DEI shouldn't be considered a side issue to manage but part of our day-to-day work and goals."

The social and political upheavals of the past few years underscore the social component of ESG. Mayes, of the New York Public Library, notes that both Delta Airlines and Coca-Cola took a public stance against a restrictive voting rights bill in Georgia last year following a backlash from activists—and from customers.

"In the past, companies would have never taken a position on voting rights," she says. "But now, people are knocking on the door saying, 'So, what is your position on the voting rights bill?' They can't say, 'No comment; we just make carbonated drinks.'"



**"It is vital for in-house lawyers who are in leadership positions to ensure that they understand DEI challenges."**

ANN CHEN, '03  
Assistant General Counsel, TransUnion



“The social and cultural environment in which companies are operating right now is really, really fraught. As a CLO, navigating through that and helping steer our executive leadership will be a challenge.”

RHONDA POWELL, '93  
Chief Legal Officer and Corporate Secretary, BuzzFeed

Such issues aren't limited to for-profit businesses. The mission of the library, Mayes says, bleeds into social issues. And this includes the controversial topic of banned books.

In April 2022, the New York Public Library announced that it had negotiated agreements with publishers to make four controversial books, including *Catcher in the Rye*, available for free throughout the United States using the library's SimpleE reader app. The library wasn't charged the typical license fees for a limited period of time.

Calling it the Books for All Campaign, “We wanted to underscore how absolutely critical access to information and knowledge is to the mission of the institution and a functioning democracy,” Mayes says.

A kind of precursor to ESG are corporate social responsibility goals such as the Sullivan Principles, which were related to ending apartheid in South Africa. Shaughnessy of DocuSign says a company he worked for in the 1980s and 1990s embraced the Sullivan Principles; however, social issues were generally not part of the GC conversation when he started as a lawyer.

“The political environment is different than it was 20 or 30 years ago; the expectations of companies are different than they were 20 or 30 years ago,” he says. And the GC often has a strong voice in these discussions because they involve what lawyers do best: identifying issues and themes and balancing competing considerations.

As GC within a social justice organization, Julie Chen says Share Our Strength can be on the receiving end of ESG. “The for-profit organizations who have ESG as a component of their governance will look to us to fulfill some of their ESG mandates: addressing hunger, addressing poverty, and things like that. So when we work with corporate partners, we will work with their ESG group.”

While it seems all well and good to promote social responsibility, companies do risk offending some customers, employees, stockholders, donors, and others in taking a position.

“The social and cultural environment in which companies are operating right now is really, really fraught,” says BuzzFeed's Powell. “As a CLO, navigating through that and helping steer our executive leadership will be a challenge in the near term.”

However, she adds that these issues can't simply be swept under the rug. “The increase in corporate activism is spawned by increasing extremism in the political arena. Companies feel forced to become involved because the impact of the social and cultural upheaval is so clear and so apparent.”

# In-house on Campus



Tim Lynch manages the legal needs of a large, complicated, world-renowned university.

As the University of Michigan's vice president and general counsel, Tim Lynch has seen it all in his nine-plus years on the job—well, except for admiralty law cases.

Lynch oversees more than 40 staff in the Office of General Counsel (OGC), 27 of whom are attorneys (the rest are executive assistants, paralegals, and legal secretaries). His team also includes five or six 2L and 3L clerks from the Law School every term.

Lynch, who is an adjunct professor at the Law School, managed to slow his pace for a moment to answer a few questions about the GC job at the University, both the day-to-day work as well as its challenges and rewards.

## **Due to the nature of the OGC, its work, and its size, would you compare it with a law firm?**

Yes, and I daresay our office is the best all-purpose law firm in the state and the top legal office at any university or academic medical center in the country. And that's no doubt in significant part because so many members of the team earned their undergraduate, master's, or law degree from the University. My outstanding colleagues have a passion for the University and for public higher education, as well as a deep commitment to our clients.

## **What is your largest client?**

Given the highly regulated nature of health care and the size of Michigan Medicine (with its roughly \$5 billion annual budget), 19 members of the OGC team have the health system as their primary client.

## **How do you fit into the leadership structure at the University?**

I advise the regents, president, and executive officers, first and foremost. I also serve on a cabinet with my fellow executive officers, who meet formally once a week with the president and with whom I typically engage multiple times a day.

## **The list of practice areas on the University's website is pretty long. What are the main issues you spend your time on?**

General counsel offices like ours at large universities practice all law. Other than admiralty (yet), I'm struggling to think of areas of law that haven't come to our desks. That's in part because we are such a large, complicated, world-class university, and that means our clients constantly generate interesting and challenging legal issues.

I tend to focus my time on particularly large-scale litigation, regulatory, and transactional matters—ones most likely to have significant, institution-wide impacts or risks. I am now spending a significant amount of time advising the University on how best to protect our health care providers, patients, and students in the post-*Roe* environment. And I recently had the pleasure of negotiating the contract with then President-elect Ono.



### How does one office manage to balance expertise in these areas?

OGC attorneys are specialists with particular areas of expertise. The learning curve for many of the legal issues we face is steep, and the law can be so fluid that it makes more sense for attorneys to focus on discrete areas and clients. We also have outstanding paralegals who manage significant issue areas.

### In what ways has the job changed over your tenure?

The work has grown even more intense each year. If I were billing at a law firm, my partners would be very happy. But I have the best client a lawyer could have, and when you love your work and client, time moves quickly.

### What is the greatest challenge you've faced while at U-M?

During just one week in January, I had two extraordinarily sensitive matters on my plate. First, with the help of a great team, we concluded more than a year of mediation efforts in negotiating a \$490 million settlement in the largest litigation matter in the University's history to resolve allegations that a deceased team physician had sexually assaulted student-athletes and other patients over a period of decades. Second, I advised the University's board on its decision to terminate the then-president for cause. That was the most demanding, intense period of time in my entire legal career.

### Alternatively, what are your greatest rewards?

I get to work each and every day with super-smart, hard-working leaders and colleagues who love this University and who help the University to do its best to live up to its mission and highest aspirations. I get to talk about the issues of the day with brilliant friends on the faculty, who also give me great book and jazz CD recommendations. And my wife and I are proud parents of a son who graduated in 2020, a daughter who graduated in May, and a daughter who's a rising sophomore. Through that experience, I have gotten yet another perspective on just what a special place this is.

### What's the most unusual issue you've had to deal with?

It's hard to choose. I'd offer that, during a US Drug Enforcement Administration compliance review across the entire campus, we discovered a small peyote plant that was brought here by a professor in the 1930s. (I would like to emphasize that the plant was brought here for research purposes!) We are working closely with the DEA and a Native American tribe to return the plant to the tribe.

### How excited are you to work with the University's new president, Santa Ono?

I'm thrilled about the board's decision to elect Dr. Ono as our 15th president, and I can't wait to work for and with him.

Santa brings an extraordinary passion to his work and to public education. He clearly finds energy in building ties with students. And he can speak in profoundly important and personal ways on mental health issues. We know our students, including those at the Law School, face tremendous stresses that only have been exacerbated by COVID. I know he will be an advocate for our students as they confront these challenges of life.

Santa's also got great joie de vivre and a sense of fun. (There's video evidence.) And in meeting with him, I've already been so deeply impressed with his thoughtfulness, integrity, decency, and kindness.

I would also like to emphasize that all of us in the University community have been so lucky to have President Mary Sue Coleman return to serve as president a second time. She has provided the leadership we needed during these challenging periods, and it's been wonderful to work with her again.

*"I daresay our office is the best all-purpose law firm in the state and the top legal office at any university or academic medical center in the country. And that's no doubt in significant part because so many members of the team earned their undergraduate, master's, or law degree from the University."*

—TIM LYNCH



Alethia Battles, MSW '92

Jack Bernard, JD/MA '95

Rick Brandon, JD '91

Ciara Comerford, BA '92, JD '95

Kelly Cruz, BA '05

Gloria Hage, BA '83, JD '86

Tom Kent, BA '91

Maya Kobersy, BA '96

Debbie Kowich, BA '84, JD '89

Dave Masson, BA '81

Colleen McClorey, BA '83

Kara Morgenstern, MPH '90

Katie Murphy, MSW '01, JD '08

Laura Napiewocki, BA '86, MHSA '88

Mark Nogueira, BA '94

Sam Nuxoll, JD '16

C. Ndu Ozor, BBA '05, JD '09

Patty Petrowski, JD '99

Katie Schilling, BA '09, JD '12

Denise Winiarski, BA '92

# PROBLEM SOLVING INITIATIVE COURSE UNTANGLES A Web of Tribal Sovereignty and Policing



BY CHELSEA LIDDY PIVTORAK



Earlier this year, students in Michigan Law's Problem Solving Initiative (PSI) course Policing by Indian Tribes had the opportunity to take a deep dive into the legal challenges that complicate law enforcement in Native American communities. In doing so, they found that there are rarely simple answers to the questions that arise.

The PSI is a multidisciplinary format that brings together students and faculty from the Law School and other U-M units to apply creative problem solving and collaboration to a range of pressing challenges. The spring 2022 course was co-taught by Professors Matthew L.M. Fletcher, '97, and April Youpee-Roll, who are tribally enrolled members of the Grand Traverse Band of Ottawa and Chippewa Indians in northern Michigan and the Fort Peck Tribes in northeastern Montana, respectively.

Fletcher has taught Federal Indian Law and Tribal Law intermittently as a visiting professor at the Law School since 2011; he joined the Law School full time as the Harry Burns Hutchins Collegiate Professor of Law in July. He also serves as the chief appellate judge for the Pokagon Band of Potawatomi Indians and the Poarch Band of Creek Indians. Youpee-Roll has nearly a decade of experience in federal and tribal policy and is a litigation associate in the Los Angeles office of Munger, Tolles & Olson LLP, where she also maintains an active pro bono practice in American Indian law.

The 574 federally recognized Native American tribes exist in a cross-jurisdictional matrix involving federal, state, local, and tribal agencies. This complexity, combined with limited resources, contributes to higher than average violent crime rates on these tribal lands. According to the Department of Justice, more than four in five Native adults have experienced some form of violence in their lifetime, and women are particularly at risk. Additionally, unarmed Native Americans are killed in police encounters more than any other ethnic group, according to the Centers for Disease Control and Prevention.

The PSI class analyzed relevant cases such as *US v. Cooley*, which questioned whether a tribal police officer could detain and search a non-tribe member within a reservation on suspicion of violating a state or federal law. Students interviewed tribal, federal, and state judges, lawyers, and elected officials to generate ideas on how to reform reservation policing using culturally appropriate methods.



Rebecca Richards, tribal chair for the Pokagon Band of Potawatomi Indians, performs a smudging ceremony to begin a meeting with Michigan Law students and members of the Pokagon Band tribal court in Dowagiac, Michigan.

## Diverse backgrounds replicate real-life thinking

Part of the power of the class, says Youpee-Roll, is how it brought indigenous and non-indigenous voices together to explore these complex issues.

“The PSI is a really good fit for Indian law because it makes students from multiple backgrounds and with various value systems, priorities, and bases of knowledge come together in a way that replicates the thinking around these problems in real life,” says Youpee-Roll. “The topic of the class is such a fraught area, and I thought we really benefited from having the perspectives of students from a multitude of disciplines, as well as Native students.”

As a non-indigenous person, Maia O’Meara, a PSI student from the Gerald R. Ford School of Public Policy, says, “I wasn’t really comfortable with the idea of proposing a ‘solution’ to the topics of this class, but I wanted to get a better understanding of different situations on the ground.” Because she wants to work for the federal government, O’Meara says it was helpful to learn about different ways that tribal nations have improved services, policies, and law enforcement within their communities. “For example, some tribes implement alternative solutions such as peacemaking and healing circles for people who might be able to reach an agreement more collaboratively, as opposed to going through the court system,” she says.

For 3L Tim Devine, a first-generation descendant of the Little Traverse Bay Bands of Odawa Indians, the class struck a personal and professional chord.

“The PSI was an amazing opportunity for me to learn from Professor Fletcher, another Anishinaabe man, about issues that really matter to me and that ultimately affect all practicing lawyers in this country. Whether it’s criminal law or financial law, all US policy impacts Native people,” says Devine, who plans to practice Indian law. “This class was a helpful illustration of the importance of humility and of listening. As lawyers, we tend to look at everything as a legal problem with a solution in court or by a statute or by a new regulation, but I’ve learned that it’s not always prudent to lead with that framework. This class has driven home how important it is to listen to tribal members about what their intentions are, what they need, and what policy might assist them in achieving their goals.”



Hearing from Pokagon Band Tribal Court Chief Judge Michael Petoskey and others illustrated “the importance of humility and of listening,” says 3L Tim Devine.

## Complex questions that don’t exist in a vacuum

Divided into four groups, students worked to determine if alternate approaches to tribal policing were possible. They focused on a range of issues, including high crime rates, a lack of shared institutional knowledge, truancy on Native lands, and cross-deputization agreements (cooperative arrangements created between various law enforcement jurisdictions).

“These legal questions don’t exist in a vacuum and never have simple answers—there are always interviews with clients, and there are facts that have to be discovered. All of these elements were at play in this PSI course, which really replicated the kinds of problems present in Indian country,” says Fletcher. “Additionally, lawyers don’t exist unilaterally; we always have to incorporate nonlawyers in our work. This kind of engagement is something that I never saw when I was in law school, and it makes for a class that is difficult but extremely valuable.”

Fletcher believes that Indian law is a “huge possible practice area,” and he looks forward to continuing to prepare students to tackle Native legal issues in the real world.

According to 3L Mitchell Forbes, he’s off to a great start.

“I jump at any opportunity to learn from Professor Fletcher, especially this class, which breaks the traditional law school mold,” says Forbes, who recently served as a summer associate with the Native American law and policy group at Dentons in Washington, DC. “Like with all PSI topics, there are almost always no easy solutions within the field of Indian law. As an Inupiaq from the Native Village of Shishmaref in northwest Alaska, the chance to advocate for tribes and tribal interests is one of the primary reasons I came to Michigan Law.”

Professor Matthew L.M. Fletcher, '97, leads a discussion about customary and traditional law, as well as non-adversarial dispute resolution practices.

**DEXTER**

...

"...said lot shall not be conveyed to, nor shall possession thereof at any time be had by persons of African or Jewish descent, nor aliens excepting such as are descendent from the English speaking race."

**ARBORVIEW**

...

"...the premises herein conveyed or any part thereof cannot be let, leased, rented, or conveyed to any person or persons other than those of the Caucasian race."

**ANN  
ARBOR**

**ALLMENDINGER  
HEIGHTS**

...

"Said land herein conveyed shall not be occupied except as servants by any persons not wholly of the Caucasian race."

**ARDMORE GARDENS**

...

"This land shall never be occupied by a colored person."



# A Legacy of Bad Deeds

By Sharon Morioka

The Hannah neighborhood near downtown Ann Arbor is relatively small, comprising 44 homes built during the 1940s. Dotting some of the lawns are signs that reflect the progressive politics of residents: “Hate Has No Home Here,” reads one; “Black Lives Matter,” reads another. But that welcoming impression took a hit when neighbors started to learn last year that the deeds to their homes contain racist covenants once used for decades to exclude non-whites. The common reaction? Shock.

“One neighbor was a white man whose partner is a person of color, and he was extremely shocked to hear that he lives on a lot that was covered by this restriction,” says 3L Nina Gerdes, a member of the Law School’s Civil Rights Litigation Initiative (CRLI). “He actually found his closing documents and saw the covenant. He was upset that it would be on a property that he shares with his wife and his family members, who are people of color.”

CRLI, led by Professor Michael Steinberg, teaches students through hands-on lawyering experience in litigation and projects addressing various civil rights issues. Earlier this year, a group of CRLI students worked alongside Justice InDeed—a collaborative of U-M faculty and students and Washtenaw County leaders and citizens—to repeal and replace racist covenants.

“The Hannah Subdivision seeks to be an inclusive community that welcomes and celebrates diversity. The sale or occupancy of any lot or dwelling shall not be restricted based on race, color, religion, national origin, disability, age, sex, height, weight, familial status, marital status, sexual orientation, gender identity, gender expression, military status, or source of income.”

—THE HANNAH SUBDIVISION'S  
REVISED COVENANT



Difficult as it may be to believe in a city known for its progressive politics and blend of residents from all over the world, such covenants are not rare in Ann Arbor. From the early 1920s to the early 1950s, developers routinely included them in deeds to enforce segregation. They were a reaction to *Buchanan v. Warley*, the 1917 US Supreme Court case that struck down an ordinance restricting where Blacks could live. Unlike legal statutes, however, private covenants were not illegal and started appearing in deeds for homes around the country.

“A lot of lenders would not loan to developers unless they included that language, and other developers themselves may have chosen to put in the language,” says Susan Fleurant, ’22, a former CRLI student-attorney and Justice InDeed volunteer. The developer of the Hannah Subdivision imposed the covenants in 1947, shortly before the 1948 US Supreme Court decision in *Shelley v. Kraemer*, which held that courts could no longer enforce such covenants. In 1968, they were outlawed with the passage of the Fair Housing Act.

So why work to amend deeds when the covenants are unenforceable and illegal? That question came up more than once, even, initially, among students and community members. The reason is twofold.

“First, there’s explicitly racist language in these covenants,” says Fleurant. “People are still seeing those documents and reading that language, and it still has an effect in the present day—even if it’s not legally enforceable. Thinking about the stigma that comes with reading that language and feelings of being unwelcome, these covenants still do cause harm. Second, it’s one part of an ongoing conversation about racial segregation and housing and the lasting impact that has had on opportunity, generational wealth, and access to educational opportunities.”

The covenants took various forms, with some excluding Blacks (except for “domestic servants” living in the home with white

owners), some excluding people of African or Jewish descent, and others specifically allowing for Caucasian/white-only residents. If someone tried to sell a home to a member of one of the excluded groups, a neighbor could sue to void the sale. It’s not known how many potential homeowners in Ann Arbor the covenants affected.

The work of CRLI and Justice InDeed is part of a broader movement in communities across the country to remove discriminatory covenants. The Hannah neighborhood is believed to be the first in Michigan to repeal such covenants. Not only did the groups work to repeal the covenants but also to replace them with inclusive language (see the Hannah Subdivision’s revised covenant, above). Homeowners can now see both the old and new language in their deeds.

“We didn’t want to erase the history,” says 3L Laura Durand. “We need to remember that this happened and at the same time say this is no longer consistent with our values. We don’t want to whitewash it or pretend like it never happened.”

She adds that the groups approached their work in various ways. “We have multiple methods of trying to address the problem: legislation, litigation, education, communication, and community organizing,” she says. Late last year, she testified in support of legislation that would help homeowners in Michigan repeal similar covenants in their deeds. “There are other states that have already passed legislation, like Minnesota and Washington.”

But it was the community organizing work that resulted in the amended deeds in the Hannah neighborhood.

“We needed to get over 50 percent of the neighborhood on board if we wanted to amend the documents,” says Gerdes, who added that the neighbors were the driving force behind strategizing for change. Working with the students and Steinberg, a small group of neighbors began to reach out to others to meet and discuss the

situation. "In early February we actually did some neighborhood canvassing. So I joined some of the Hannah neighbors, and we went door to door asking if they had any questions or anything that we could clarify." The effort resulted in far more than the 50 percent goal required to repeal the covenant: More than 85 percent of homeowners signed the petition to repeal in a single weekend.

"Today, a neighborhood came together and reckoned with Ann Arbor's history of segregation and racial discrimination," said Alexandria Nichols, '22, at the time. "Not only did homeowners repeal a hateful whites-only restriction on their property, but they replaced it with a provision celebrating inclusiveness and banning discrimination."

She had done some community organizing before working on this project. "But it was definitely interesting doing it from a legal perspective."

On February 24, the homeowners delivered the amendment to the Washtenaw County Register of Deeds that repealed and replaced the covenant.

"The register of deeds, Larry Kestenbaum, has been very helpful on this issue and has wanted to do something about this for a long time," says Steinberg. "He was so grateful for what the students and our community collaborators were doing."

He added that work continues on a map that shows where racially restrictive covenants exist. In Washtenaw County alone, 121 neighborhoods have such covenants. "Eventually, our goal is to have a Zillow-type map where you can click on your house in Washtenaw County and find out if there's a racially restrictive covenant and, if so, provide an easy way to amend it."

Additionally, CRLI and Justice InDeed are developing a toolkit that will allow other neighborhoods to repeal and replace their covenants.

The work might be more complex than that in the Hannah neighborhood, says Gerdes. "It was deceptively easy. Their covenant covered the whole community and also had a voting mechanism. So now we're doing research and strategizing about how to combat those that don't have voting mechanisms or that are on individual lots rather than communal restrictions."

CRLI and Justice InDeed are also working on a lawsuit that would require the repeal of a racially restrictive covenant before the register of deeds records a transfer of property.

All of this work could not have been done without the work of CRLI students, says Steinberg, listing everything from community organizing and researching issues for litigation and legislation to speaking to the community and press.



*Michigan Law students helped members of the Hannah neighborhood change the racist language in their deeds. Pictured with Professor Michael Steinberg are, from left to right, Nina Gerdes, Susan Fleurant, Alexandria Nichols, and Laura Durand.*

"The CRLI students are very motivated to work for social justice, and they were especially excited when we earned a victory in the Hannah Subdivision," says Steinberg. "They're out there educating the community and policymakers about the systemic nature of housing discrimination and how racial covenants and other racist policies have stripped generations of people of color of wealth and opportunity. This education is a critical first step toward enacting policies to repair the harm. The project and our students give me a lot of hope."

# The STUDENTS Have Become the TEACHERS

By Amy Spooner

There is an old adage about doctors being the worst patients. So does that mean law professors are the worst clients?

Absolutely not, say three former students of one Michigan Law professor, who now serve as her lawyers in various capacities.

As chief strategy officer at Lear Corporation—a Fortune 500 company based in metro Detroit that supplies seating and electrical and electronic systems for the automotive industry—Alicia Davis has a lot of responsibility. Davis, who has been a professor of law at Michigan since 2004, leads Lear’s central strategy organization, which is made up of four components. The corporate development team is the in-house mergers and acquisitions unit that, among other things, executes acquisitions, divestitures, and joint ventures. Lear’s corporate strategy group works in partnership with the executive team to drive enterprise-wide strategic planning and large-scale strategic initiatives. Lear Ventures invests in automotive and automotive-adjacent technology startups and venture capital funds. And the industry 4.0 team is focused on developing initiatives to enhance Lear’s operational excellence—improving efficiency, quality, and competitiveness.

These varied responsibilities mean that Davis requires a lot of legal counsel—and that’s where three of her former students come in.

## FROM IN-CLASS TO IN-HOUSE

Michael Vukich, '09, has been part of Lear’s in-house counsel team since 2017. Before Davis joined Lear in 2018, Vukich recalls his boss asking if he knew anything about a Michigan Law professor by the name of Alicia Davis who was a finalist for Lear’s head investor relations job. “He laughed when I told him that she had been my teacher.” After she joined Lear, “I very distinctly remembered her voice and demeanor,” says Vukich, who took Davis’s Mergers and Acquisitions class. “And then there she was, not in my classroom but in my workplace. It was a bit surreal at first.”

During the pandemic, after Davis had added corporate development to her existing investor relations responsibilities, she and Vukich “were in the trenches together,” he says, facing vexing decisions amid challenging times as the pandemic impacted the company and its supply chains.

“There were moments where we had to make some tough calls together,” Davis recalls. “Mike was really good at saying, ‘we could do this, but here’s the parade of horrors that will follow, or we could do that, but here’s the parade of horrors, so pick your parade of horrors.’ Because I’ve been a lawyer and I’ve been an investment banker, I think I take bad news about as well as anyone and appreciated his candor. Through it all, I really came to value Mike’s counsel.”

Since then, two deals they’ve worked on together are Lear’s acquisition of the interior comfort systems business of Kongsberg Automotive and the pending acquisition of I.G. Bauerhin, a thermal comfort solutions company. Vukich has been a mergers and acquisitions attorney throughout his career, but he recognizes the uniqueness of the deals on which he advises Davis.

“Alicia’s the one who taught me M&A, and she’s responsible for ensuring Lear’s M&A deals get done with the proper support from in-house counsel. So it’s a situation where she is my internal client for the kind of matter that she taught me how to do.”

## A FAMILIAR NAME ON A DIVERSE CLIENT ROSTER

Neither Sophia Hudson, '06, nor Joe Morrison, '13, will bump into Davis in the parking lot or copy room. Both work for private law firms where Lear is one of many clients that retains them.

Morrison is a member at Bodman PLC in Ann Arbor, where his practice focuses on intellectual property



and emerging companies and venture capital. Bodman has a longstanding relationship with Lear, and Morrison has advised Davis and Lear Ventures on several investments since joining the firm in 2016.

“Lear Ventures has been relatively active, so there’s a lot of overlap in my and Alicia’s work,” says Morrison, who also is on calls with Vukich frequently. “Whether I’m interfacing directly with Alicia or not, it’s definitely within her purview. I help them think about issues like what the rights and terms are, and what could be negotiated, in connection with a certain investment—or whether an investment candidate is attractive after conducting due diligence.”

Most recently, Morrison worked with Davis on Lear’s investment in CelLink, a startup that makes flat-wire harnesses that move data, power, and signal through a vehicle. Morrison advised Davis on the company’s joint development agreement with CelLink and governance rights.

“I’ve been doing transactional work for a while, so the questions I ask counsel tend to be in areas not directly in my wheelhouse,” Davis says. “For example, I have experience doing venture capital deals, but Joe does them every day and for a broad range of clients, so he can tell me about the precedents he’s seeing in the marketplace and can advise me with a more holistic view than I have on my own.”

While Morrison’s firm had a relationship with Lear that predated both him and Davis, Hudson was a bit of a rainmaker in helping her firm advance its relationship with Lear.

Hudson, a capital markets partner in the New York office of Kirkland & Ellis, heard a partner in the M&A group mention trying to make contact with Lear. Hudson, who had kept in touch with Davis since graduation and knew Davis had moved to Lear, said that she knew just the right person. That led to an introductory Zoom call that resulted in Hudson and Kirkland & Ellis signing on to do transaction-related advisory work for Davis and Lear.

“I would say that our relationship opened the door,” says Davis, who was a lawyer at Kirkland & Ellis before joining the Michigan Law faculty. “But Lear’s general counsel and I agreed that it was Sophia’s capabilities and the capabilities that her firm brought that got them hired.”

Hudson has counseled Davis on a number of matters, including some advisory work related to the Kongsberg Automotive acquisition. “Sophia has a strong background in securities

law and corporate governance, so she has been very helpful as I work through questions about governance in the context of a transaction.”

Hudson adds, “We have a productive relationship because it’s always a back-and-forth discussion, a partnership to get to the best answer.”

## SO DOES IT FEEL WEIRD?

While both the professor and the students admit to some worlds-are-colliding feelings, all readily agree the respect is mutual.

“Sometimes when we talk, I feel like she’s setting up a hypothetical for a classroom discussion,” says Hudson, who took the first class Davis ever taught at Michigan Law, Enterprise Organization, as well as Mergers and Acquisitions. “She does the same thing now that she did then: She’ll explain the discussions behind the discussion and the strategic rationale for the topic. And then she’ll tell me to tell her what she should be thinking about, given the set of facts that she presented.”

Morrison, who took Mergers and Acquisitions and Investor Protection with Davis, says, “It’s crazy that I’ve known [Davis] since I really

didn’t know a whole lot about the law.” He still has a classroom mentality when it comes to their interactions. Since those interactions are billable hours, Morrison says he is acutely aware of the need to give her, and all of his clients, what they’re paying for. “She is C-suited in a huge company, so I’m really mindful of her time. I never wanted to show up for her class unprepared, and I’m definitely not showing up to a call with her unprepared. I’m the one being called on in this proverbial class, and I want to be ready to go.”

One key difference, though: “I can’t call her Professor Davis when we’re on an actual work call,” Morrison notes.

For Davis, her work with Vukich, Hudson, and Morrison provides a satisfying answer to the I-wonder-whatever-happened-to-so-and-so that often haunts teachers.

“It’s incredible to see how people I met when they were first embarking on their legal careers have become such incredible lawyers. Now we operate as peers and I absolutely learn from them. It’s not like I’m the professor and they’re the students who will always be under my tutelage. They’ve branched into different specialties and experienced things that I haven’t. I rely on them.”



From left to right: Sophia Hudson, Joe Morrison, Alicia Davis, and Michael Vukich

# An Independent Voice in a Partisan Time



FORMER US REPRESENTATIVE JUSTIN AMASH, '05, argues that when you strip away the theatrics, Americans' values aren't so different after all.

The driving force behind Justin Amash's political views is his strict adherence to the Constitution. That fervor, he says, was born at Michigan Law.

As the son of a Palestinian refugee and a Syrian immigrant, Amash always appreciated the freedoms and principles of the United States. But in Professor Richard Primus's Constitutional Law class, "I really gained an appreciation for constitutional interpretation, for the ideals this country was founded on," says Amash, '05. "His class made me an ardent defender of the Constitution and made me more excited about getting into politics someday."

"Someday" turned out to not be very far away.

In 2008, just three years after graduating from law school and beginning practice as a transactional lawyer, Amash campaigned for a term-limited seat representing the 72nd District in Michigan's House of Representatives. Two years after that, he campaigned for a seat in the US House of Representatives.

In both cases, most pundits gave him no chance of winning. In both cases, he proved them wrong.

## ALWAYS INDEPENDENT

Amash gained nationwide notoriety in 2019, following the release of Special Counsel Robert Mueller's report, when he became the first Republican congressional representative to say President Trump had engaged in impeachable conduct. He soon left the Republican Party and became an independent; a few months later, he supported impeachment proceedings against the president for abuse of power and obstruction of Congress stemming from his alleged attempts to unduly influence the 2020 election. Amash, who chose to not seek reelection in 2020, was the only non-Democrat to vote in favor of impeachment.

But Amash has always been an independent thinker.

He grew up in a boisterous family that enjoyed vigorous debate. At Michigan Law, he appreciated how even though most of his classmates' political views skewed left of his own, "we were all able to air strong opinions about things but then be good with each other afterward."

He ran for the seat in the Michigan House because he was frustrated with how frequently Republicans and Democrats in the legislature voted alike on issues.

"A lot of votes seemed to be the result of lobbyists saying what needed to happen, and there didn't seem to be a lot of community engagement," Amash says. "I wanted to show people that a legislator could be independent minded and represent their community."

As a state representative, Amash made a name for himself by being an early adopter of social media, which he leveraged to be transparent about his votes and to engage his constituents in the process. So

when Vern Ehlers, the longtime representative from Michigan's Third congressional district, announced he was retiring from Congress, Amash decided that he had built enough name recognition and credibility to launch a campaign.

"The so-called experts thought only an established politician would have the ability to replace Ehlers, but I believe my victory showed that people do support new, independent thinkers," he says.

## RIDING THE TIDE

In the wake of the success of the tea party movement, 2011 was an interesting time to be a freshman Republican legislator. "There was a giddiness among Republicans on the Hill at that time," Amash recalls. But at the same time, he says, with dozens and dozens of newly elected Republican representatives in the House, "I think the leadership almost felt like they had won too much. It was hard to get a handle on how to control the rank and file."

Amash was one of those who proved hard to control. While dubbed one of the most conservative members of the House, Amash has always identified as a libertarian because he believes libertarianism most closely embraces the principles of the Constitution.

"While traditionally my views have fallen more into the conservative camp and I've always viewed myself as a constitutional conservative, my positions often depart from what a lot of people think of as conservatism, especially today," Amash says.

For example, Amash is an outspoken opponent of the USA PATRIOT Act, the legislation that President George W. Bush signed into law in the wake of the September 11, 2001, terrorist attacks. It allows increased government surveillance under the auspices of national security.

In 2015, Amash and Rep. John Lewis [D-GA] co-signed a letter to Senate leaders urging them to reject the House-passed USA Freedom Act, which renewed many of the more controversial surveillance powers. "Here I was, one of the new wave Republicans leading the charge at the time, and I go to John Lewis, an iconic Democrat, asking for help. He says that of course he can help me. His signature was so important in getting other Democrats to look beyond party affiliation and look at the policy—and realize that the policy needed pushback."

## FIX THE PROBLEM BY FIXING THE PROCESS

At a time when American society feels more polarized than it has in a very long time, Amash says we're not as far apart as we might seem. The division, he argues, is largely the byproduct of a broken legislative system.

"On the whole, I think most Americans embrace a common, classical liberal tradition from which our different philosophies have sprung," he says.

He blames the top-down control of Congress, where power is centralized in the hands of the ranking leaders of the majority party, for fueling the

ever-escalating spotlight grabbing that prevails among today's elected officials. Social media and 24/7 news channels with prime-time opinion shows provide the spark that lights the fire.

Oftentimes, Amash notes, legislators aren't even given time to read the legislation. "We'd be told, 'Here's a 1,000-page bill; we're voting on it in a half hour.' Your job becomes a PR job at that point, not a job where you're really assessing the validity of the legislation and its value for your constituents. For someone like me, who loved the legislative process and digging into the details, that was frustrating."

As perhaps the most egregious example of leadership's grip on the process, Amash points to how little legislation is now considered under an open rule, a process that allows legislators to offer amendments. Instead, amendments must be pre-screened by the Speaker of the House, meaning most don't make it to the floor.

"Rank-and-file members have very little ability to influence legislation these days," says Amash, noting that representatives as diametrically opposed as Republican Marjorie Taylor Greene and Democrat Alexandria Ocasio-Cortez are equally stymied in attempts to introduce amendments to legislation. "When you can't do much of anything to actually move legislation forward, the only other option, as most of them see it, is to engage in theatrics."

With social media being more about politics than about baby photos, he says, "these forces have combined to create a Congress that's based on performance art for the public."

## BEYOND PERSONALITIES, BACK TO POLICIES

As proof that there's plenty of ideological common ground if the theatrics can be stripped away, Amash points to when he recently interviewed his former professor, Richard Primus, on *The Justin Amash Podcast*, which he launched in February.

While reviewing his Con Law notes in preparation for the conversation, "I was in awe of how much I agreed with [Primus's] ideas, even though we came to those ideas from different places," Amash says. "Many of the things he taught me, I then taught my staff in Congress."

Those notes, he says, offer a microcosm of what America still is at its core: "You see that classical liberal link between libertarian thought, progressive thought, and conservative thought."

The key to pushing past the country's current legislative quagmire, he says, is to reopen and reinvigorate the deliberative process. "If we want to get back to a world where we're talking about policies rather than personalities, you have to let everyone participate. Allowing the legislative process to work will disempower the theatrics.

"I spend a lot of my time talking about this now because I want people to care," he adds. "When people vote, they should care just as much about the candidates' views on process as they do about their views on the issues."

*While representing Grand Rapids and other West Michigan communities, Justin Amash, '05, embraced opportunities to be transparent to his constituents through public forums and social media.*



## 21 New Faculty Members Join Michigan Law

“These new faculty members represent the very best in innovative research, practice, and classroom teaching,” says Mark D. West, the David A. Breach Dean of Law and Nippon Life Professor of Law. “We are excited to add such a tremendous range of expertise and experience to our community, and we look forward to the many ways they will enrich learning opportunities for our students.”



*“[Milliken v. Bradley] is the end of Brown v. Board of Education being a kind of broad, enhanced sword that can be used with the 14th Amendment to give Black children real equal educational possibilities.”*

—**MICHELLE ADAMS**, the Henry M. Butzel Professor of Law. She is a renowned expert on race discrimination and school desegregation. Most recently, she was a professor at the Benjamin N. Cardozo School of Law.



*“International law is the Wild West for lawyers because the sources of law are so numerous and complex, and so often need to be interpreted and reinterpreted in the context of a dramatically changed world.”*

—**JULIAN ARATO**, a significant and emerging voice on international law and the global economy who joins Michigan as a professor of law. He previously spent seven years at Brooklyn Law School.



*“I became an international lawyer and a human rights lawyer because of my Algerian family’s experience during the war of independence. I wanted to seek global solutions, so other families would not experience similar histories.”*

—**KARIMA BENNOUNE, JD/MA '94**, the Lewis M. Simes Professor of Law. She is a leading international law and human rights specialist and has taught at the University of California-Davis School of Law, the Rutgers School of Law, and in the Oxford Summer Human Rights Programme.



*“Sometimes systems fail because they include policies and practices that are too tightly linked. If one thing goes wrong, the whole system suffers.”*

—**ELISE BODDIE**, the James V. Campbell Professor of Law. Boddie, a renowned advocate and scholar on dismantling systemic racism, currently is on leave to serve as the principal deputy assistant attorney general in the US Department of Justice’s Civil Rights Division. Most recently, she served on the faculty at Rutgers University.



*“The official machinery that regulates our borders is incredibly powerful. It is vitally important that experts engage in thoughtful critique of such a profound exercise of legal authority.”*

—**KRISTIN COLLINS**, one of the nation’s preeminent legal scholars in the areas of citizenship and immigration law. Before joining Michigan Law as professor of law, Collins spent the last 16 years as a professor at Boston University School of Law.



*“With international law on the rise, some [countries] felt pressure to try to find a universal language to capture [jus sanguinis] rules. That is when all four countries stopped thinking of themselves as being quite unique, to thinking of themselves as all being on the same grid.”*

—**SAM ERMAN, '07**, professor of law, on his collaborative research project about the history of birthright nationality. A former clerk for US Supreme Court Justices John Paul Stevens and Anthony Kennedy, he is a leading scholar of history and law as it pertains to citizenship, the Constitution, empire, race, and legal change. He previously served as a professor of law at USC Gould School of Law.



*“Almost no one could have anticipated that the cost of wind and solar would have dropped as much as it has. . . . We have all these technologies now that we must deploy more widely.”*

—**ALEXANDRA KLASS**, the James G. Degnan Professor of Law. Currently, she is on leave to serve as deputy general counsel for energy efficiency and clean energy demonstrations at the US Department of Energy. She previously taught at the University of Minnesota Law School.



*“Most of my relatives who are Native Americans grew up in poverty and struggled mightily. . . .I felt this was a place where I wanted to contribute and make a difference.”*

—**MATTHEW L.M. FLETCHER, '97**, an appellate tribal judge and former in-house counsel for Native American tribes. Previously a visiting professor at the Law School, he has been named the Harry Burns Hutchins Collegiate Professor of Law. Fletcher serves as chief justice for two tribes, the Pokagon Band of Potawatomi Indians and the Poarch Band of Creek Indians.



*“We all had our whole heart in that fight. There were moments when our plaintiffs testified and there wasn’t a single dry eye in the courtroom. Everyone was giving 120 percent because real people were in danger.”*

—**CHRISTOPHER KNIGHT**, a clinical assistant professor of law in the Legal Practice Program, on his pro bono work on behalf of the plaintiff in the immigration case *Saget v. Trump*. He comes to Michigan Law from Mayer Brown in Chicago, where he focused his practice on antitrust and mass tort litigation.



*“Cities are places where we can try out innovative policies and programs. They can be the real laboratories of democracy.”*

—**NOAH KAZIS**, assistant professor of law. Previously, he practiced in-house at the New York City Law Department and spearheaded research projects at New York University’s Furman Center for Real Estate and Urban Policy.



*“You can have notions about how the law should work, but that isn’t always reality. The clinics provide Michigan Law students the practical experience of being a lawyer.”*

—**JULIA LEE, '05**, who will co-teach the Pediatric Advocacy Clinic as a clinical assistant professor of law. Recently, she spent seven years as supervising attorney of the Supporting Families Workgroup at the Legal Aid Foundation of Los Angeles.



*“In business, we often talk about forced labor and ESG issues as if they were separate from corruption. But corruption underlies all of these concerns, so we need to take a more integrated approach and bridge that gap.”*

—**CHAVI KEENEY NANA**, a professor from practice with extensive experience in international criminal investigations. She is also counsel at WilmerHale, where her practice focuses on anti-corruption, human rights, human trafficking, and ESG (environmental, social, and governance) issues.



*“What I bumped into as a practicing lawyer is that antitrust is potentially a threat for workers—and that, in turn, raises deeper questions about what its purposes are. We are in a moment where we’re collectively having a rethink about that.”*

—**SANJUKTA PAUL**, a professor of law specializing in antitrust and labor law. She joins Michigan Law from Wayne State University, where she was an assistant professor. Before entering academia, she practiced law for several years, with a focus on representing the interests of workers, labor unions, and civil rights plaintiffs.



*“Historically, libraries have had physical collections and because of the way copyright law is structured, they have had complete control over what they did with those collections. Now, the way big technology platforms work with publishers is creating an eBook crisis.”*

—**AARON PERZANOWSKI**, the Thomas W. Lacchia Professor of Law. He brings 13 years of experience teaching and writing about the intersection of intellectual and personal property law, most recently on the faculty of Case Western Reserve University.



*“My goal is to look historically at what has worked and not worked when the judiciary reviews the underlying scientific justifications for environmental regulations—and to suggest ways we can ensure appropriate judicial oversight without crippling agency actions that will protect human health and the environment.”*

—**RACHEL ROTHSCHILD**, an assistant professor of law whose recent research examines climate change litigation, as well as the past and present regulation of toxic substances. She most recently was a legal fellow at the Institute for Policy Integrity, where she remains an affiliated scholar.



*“In my research, I keep returning to questions about how we hold people accountable in everyday life... about how we do so through the law of torts, and about the relationship between the two activities.”*

—**STEVEN SCHAUS**, an assistant professor of law who teaches and writes about tort law, remedies, and moral and legal philosophy. He recently completed a two-year postdoctoral fellowship at the Project on the Foundations of Private Law at Harvard.



*“With concerns over surveillance and the explosion of digital technology, privacy law has become a rich area of study with so many fascinating first principles, legal questions, and pressing issues.”*

—**SALOMÉ VILJOEN**, a rising scholar in technology and information and assistant professor of law. Most recently, she completed an academic fellowship at Columbia Law School.



*“I like to get into the bureaucratic trenches, meet agency officials, and understand how federal agencies work in the real world.”*

—**CHRISTOPHER J. WALKER**, a leading administrative law scholar who has worked in all three branches of the federal government, including as a clerk for Justice Anthony Kennedy on the US Supreme Court. Most recently, he was a faculty member at the Ohio State University Moritz College of Law. He joins the Law School as a professor of law.



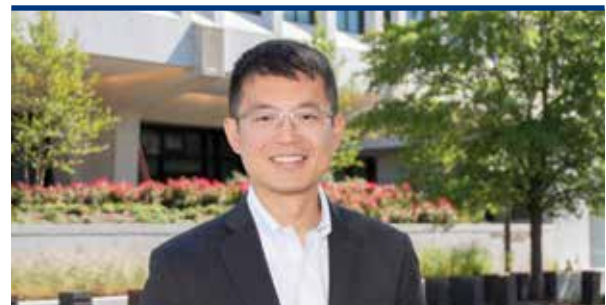
*“The patenting process is so expensive that, for most people, pursuing a patent is just not possible. And yet, in many industries, a patent is critical to entrepreneurial success. So what I’m really interested in is figuring out, how do we remove barriers to patenting?”*

—**KRISTEN WOLFF**, a clinical assistant professor of law and patent attorney. Previously, she was a visiting clinical assistant professor in the Law School’s Zell Entrepreneurship Clinic.



*“It feels important to share scholarly work in a way that has an impact. As intellectuals, part of our job is to drill deep on societal problems, but I also think we need to focus on how we can expand this into the public space.”*

—**EKOW N. YANKAH**, the Thomas M. Cooley Professor of Law. Yankah, whose work focuses on questions of political and criminal theory, spent the last 14 years as an award-winning professor at the Benjamin N. Cardozo School of Law.



*“At the Legal Division of the Federal Reserve, I had my lawyer hat on. At the Council of Economic Advisers, I had my economist hat on. These experiences... helped me approach issues and projects from different angles.”*

—**JEFFERY ZHANG**, an assistant professor of law who teaches about financial regulation and digital currencies. Previously, he spent five years at the Federal Reserve.

# Clinic Helps Bring Clean Cooking to African Nations

By Sharon Morioka

Working from their clinic in Ann Arbor, three U-M law students participated in an international transaction during the 2021–2022 academic year that will have an impact not only on the environment but on millions of people living half a world away.

And in doing so, they received real-world experience that will help guide them in their eventual careers.

“It was a level of exposure that I think is probably impossible to have gotten in a classic 10-week summer program,” says 3L Teddy Ulin of his work with Michigan Law’s International Transactions Clinic, the first of its kind and one of only two such clinics in the country.

In the end, their client, the Swiss investment advisory firm Enabling Capital, announced a \$4 million investment by Spark+ Africa Fund in BURN Manufacturing. The Kenyan company specializes in the design and manufacture of biomass, electric, and LPG cookstoves. These clean cooking stoves eliminate the need for open fires, charcoal, and kerosene, which pollute, negatively affect users’ health, and contribute to deforestation.

Ulin, along with fellow students Saika Suzuki, ’22, and Yuzhen Zhang, LL.M. ’22, worked with David Guenther, ’99, clinical assistant professor of law and director of the clinic, and Carl Valenstein, ’83, a Boston-based partner in the corporate and business transactions practice at Morgan Lewis Bockius, who acted as the supervising attorney for the U-M team.

The students started with the program in late September 2021, first learning the fundamentals of international transactions before commencing their work with the client. At that point, Enabling Capital had already decided to make the investment and the term sheet had been agreed upon.

“The first thing the students did was a lot of due diligence on BURN as a borrower,” says Guenther. “They explored all the kinds of things that a lender might be worried about with the

borrower: the company structure, various other aspects of their business, and their capital position. So the students reviewed documents, and we helped them advise the client on ways that might affect the structure of the loan.”

The students then proceeded to draft the agreement—from scratch—and set up negotiations. This type of hands-on experience is invaluable and rare among law schools, says Valenstein, an adjunct professor who works on other projects with the clinic. “This is the equivalent of experience that a second- or third-year lawyer would have at a big firm. It’s a unique experience, one that I didn’t have when I was in law school.”

The transaction, which closed in April, will enable BURN to increase the capacity of its manufacturing facility in Nairobi and finance the expansion of its business in new markets throughout Africa. The company plans to serve 47 million customers over the next seven years, which will create 2,000 jobs and offset 72 million tons of carbon dioxide—the equivalent of two million cars on the road each year.

The social justice component of the clinic is vital, says Guenther. “All of our clients in the ITC have to have a social or environmental mission.” These include poverty, adequate housing, health care, clean energy, smallholder farming, education, environmental degradation, and climate change.

But equally important is the training students receive in cross-border transactions, from drafting and negotiation to understanding international economic and financial policy, and myriad other skills.

“Both Carl and David were really, really involved in helping us with the project, but they also gave us a lot of leeway to make our own decisions and make our own mistakes,” says Suzuki. “And they really took the time to teach us through our work in the clinic.”

The time and effort was worth it, says Valenstein: “It gives me the satisfaction as a teacher to watch their growth over the course of the year.”





## Addressing Communication Disabilities in Jails and Prisons

The Civil Rights Litigation Clearinghouse, which is housed at Michigan Law, published this summer the first in a series of white papers focused on criminal justice policy reform. It was drawn from the tens of thousands of litigation documents in the clearinghouse collection. The paper, “Effective Communication with Deaf, Hard of Hearing, Blind, and Low Vision Incarcerated People,” looks to settlement agreements, judicial opinions, expert and monitor reports, and existing prison and jail policies to propose best practices for jails and prisons to serve the needs of people with communication disabilities in their custody.

Tens of thousands of people incarcerated in jails and prisons throughout the United States are deaf, hard of hearing, blind, or have low vision. Federal disability antidiscrimination law requires jails and prisons to avoid discrimination and ensure effective communication and equal access to services, programs, and activities. Failure to meet these requirements is unlawful and may have dire consequences.

“It’s discriminatory and harmful when deaf and/or blind people behind bars can’t understand staff and navigate their environment. So prisons and jails must provide the tools they need—sign language interpretation, screen reading technology, and other accommodations—to receive equal access to prison and jail programs and services,” says Margo Schlanger, the Wade H. and Dores M. McCree Collegiate Professor of Law and the clearinghouse’s founder and director.

The paper offers a detailed set of policy recommendations, which the National Association of the Deaf and the National Federation of the Blind have endorsed. The model policies address everything from intake protocols and staff training to antidiscrimination principles to tracking and auditing metrics, and include policies addressing evaluation for and provision of myriad medical devices, auxiliary aids and services, and reasonable accommodations and modifications.



*U-M's Vis Moot team included Matt Azzopardi, Hannah Juge, Jessica Carter, and Steven Tennison (back row, from left), as well as Tyler Loveall and Cheyenne Kleinberg (front row, from left).*

## Michigan Law among Top US Teams at Vis Moot

A team of six Michigan Law students argued their way to the Round of 64 at the 29th Willem C. Vis International Commercial Arbitration Moot earlier this year. It was one of only six US teams to compete in the Round of 64, from an initial field of 365 teams worldwide.

The prestigious competition—held in Vienna, Austria, and the largest arbitration moot in the world—involves a problem of international commercial law. This year’s problem focused on a contract dispute between two parties over the sale of sustainable palm oil for the production of biofuel. The 2022 competition was conducted in a hybrid format, with most teams participating remotely.

Four researchers, Matt Azzopardi, Jessica Carter, Hannah Juge, and Steven Tennison—who were then 1L students—started their research on the problem in October 2021 and finished in January, when the briefs were due. At that point, Tyler Loveall and Cheyenne Kleinberg (then 2Ls), the team’s oralists, began to prepare and practice. Loveall went on to receive an honorable mention for best individual oralist.

“At no point did [Kleinberg or I] hear an argument that was new, that we hadn’t already thought of six months ago,” says Loveall. “In terms of actual research and substantive arguments, I think the team as a whole laid the groundwork.”

## India’s Supreme Court Cites Article by SJD Student Ajitesh Kir, LLM ’18



It’s not very often that a junior scholar gets published in an esteemed peer-reviewed law journal. It’s even less common for that junior scholar to have their article cited favorably by a country’s highest court. Ajitesh Kir, LLM ’18, a Michigan Grotius Fellow, has managed to accomplish both career milestones before completing his SJD.

Kir’s article “India’s Goods and Services Tax: A Unique Experiment in Cooperative Federalism and a Constitutional Crisis in Waiting” was published in the *Canadian Tax Journal* in 2021. The article

focuses on India’s recent Goods and Services Tax—one of the most significant reforms since India gained its independence in 1947—and its impacts on economic developments and issues.

Kir did not expect to hear the news that his article had been cited by the Supreme Court of India earlier this year and says it felt “surreal.”

“As a legal academic, to get published is the biggest boost to your career, but to get cited by the highest court in your country—and a favorable citation—it took some time to sink in,” Kir says.

## No Football? No Problem: Spring Reunion in the Quad

By Meaghan Kelly

Michigan Law's special spring Reunion invited alumni back to the Law Quad after their celebrations were canceled in 2020 and 2021 due to COVID-19. Without the usual tentpole event of fall Reunion—a tailgate and football game—attendees were able to participate in a wide range of substantive programming presented by current and former faculty in the Quad. Read on for a taste of what Reunion attendees heard.



### Professor McQuade on the nuances of law

Barbara McQuade, '91, a professor from practice, spoke about her work as a prosecutor and legal analyst before turning the conversation to topics covered in one of the classes she teaches, National Securities and Civil Liberties. As an experienced analyst for MSNBC, McQuade is no stranger to the challenges of discussing critical issues like fundamental rights in

formats that encourage snappy sound bites rather than detailed legal discussions. Against that backdrop, McQuade's talk focused on the rights granted under the Constitution and the dangers of missing the nuances of the law.

"Our freedoms are what make America great, but they are what also make America vulnerable in this sound bite world where people speak in shorthand," she said. "How do we prevent our rights from killing us? Well, that's where lawyers come in, by promoting the rule of law. And so it's on all of us to remind people that the law is not just a sound bite, it is a nuance."

### Professor Sommers on voluntary consent

Assistant Professor Roseanna Sommers discussed her work on experimental jurisprudence, which examines how empirical science can help clarify core concepts in law. Sommers studies how people understand the law and interact with each other, as well as the ways that the law can sometimes misunderstand those interactions. As she noted during the presentation, "I'm always trying to make the research speak to a real legal question, not something that psychologists think is interesting about the mind, but an actual problem that research can move the ball forward on."

Her talk focused on her work related to the concept of compliance and how the law conceptualizes consent, particularly with regard to consent-based police searches, the most common form of search performed by law enforcement. Sommers presented the methods and findings of her recent paper, "The Voluntariness of Voluntary Consent: Consent Searches and the Psychology of Compliance," which was co-authored by Vanessa Bohns and published in *The Yale Law Journal*.

### Professor Prescott on online dispute resolution

J.J. Prescott, the Henry King Ransom Professor of Law, discussed the development of Matterhorn, an online dispute resolution platform that allows parties to avoid physically appearing in court. Matterhorn, which emerged from Prescott's research at the Law School, is for people facing minor warrants or changes, fines, or other small legal issues without the need to hire an attorney.

Using Matterhorn may prevent you from spending all morning in traffic court to resolve a speeding ticket; but Prescott explained that its main purpose is to make court services more accessible for those who may not be able to miss work or have anxiety around going to court, as well as for those for whom English is a second language or who struggle with public speaking. Matterhorn isn't trying to replace judges or make courtrooms obsolete, Prescott said; it is rather "a tool for improving how courts work and providing access to justice."



**Emeritus professors on Michigan Law through the years**

Emeritus faculty regaled attendees with anecdotes from their decades on the Law School faculty and spoke about how the legal world has evolved since the mid-1950s. The panel was led by Ted St. Antoine, '54, dean emeritus and the James E. and Sarah A. Degan Professor of Law Emeritus; Jerry Israel, the Alene and Allan F. Smith Professor Emeritus of Law; and Ed Cooper, the Thomas M. Cooley Professor Emeritus of Law.

St. Antoine, Israel, and Cooper all reflected on how their paths led them to teach or study at the Law School, citing the renowned faculty and irresistible charm of Ann Arbor. St. Antoine, the panel's sole alumnus, spoke about several changes in legal instruction, specifically noting the growth of clinics as a positive development. He said that while he received a highly technical education, "Michigan Law is a very different institution from when I was a student. I truly believe that today's law students are the beneficiaries of a richer, broader, deeper, and more practical education."

The professors also noted with pride that today's more diverse faculty and student body has enhanced the educational experience at the Law School. The consensus on the panel was that even though many things have changed at Michigan Law over the years, the School's core mission remains the same. Referencing a quote by early 20th-century Supreme Court Justice Oliver Wendell Holmes Jr., Cooper said, "My sense of confidence in what we are doing at the Law School, however many it actually happens for, lies in the sense that we are giving the chance for our graduates to 'live greatly in the law,' which I find vastly reassuring."

**Professor Miller on so-called good things**

Bill Miller, the Thomas G. Long Professor Emeritus of Law, discussed the main themes of his latest book, *Outrageous Fortune: Gloomy Reflections on Luck and Life* (Oxford University Press, 2020), which uses philosophy, theology, literature, and history to carefully examine the negative beliefs, angst, and anxieties that often arise, unanticipated, from so-called good things. Miller focused on the role and the value of the mediator, or messenger.

Rather than celebrating mediation, he looked at its dark side, using examples from Christianity, Judaism, Saga Age Iceland, and Ancient Egypt to show how the messenger is placed



*Pictured left to right: Theodore J. St. Antoine, '54, dean emeritus and the James E. and Sarah A. Degan Professor of Law Emeritus; Jerold H. Israel, the Alene and Allan F. Smith Professor Emeritus of Law; and Edward H. Cooper, the Thomas M. Cooley Professor Emeritus of Law.*

in a precarious position between two parties. Miller explained this makes him something of a "double agent": not quite a third party, now the agent of one party, now of the other. He suggested that maybe the structural duplicity of the messenger was part of the reason he might be killed for bearing bad news. According to Miller, he might himself, in fact, be the bad news.

**Updates from the clinical program**

Debra Chopp, the associate dean for experiential education and director of the Pediatric Advocacy Clinic, led a roundtable session to discuss the latest from Michigan Law's clinical program. Chopp and other members of the clinical faculty elaborated on the work of each clinic and the real-world impact the students have had through their work. The program not only helps students gain practical experience and develop foundational lawyering skills but also gives them the confidence they need to succeed beyond law school.

"This clinical program is Michigan Law at its very best. We are educating our students and building the next generation of lawyers and serving the most vulnerable members of our community," said Chopp. Also in attendance were Tifani Sadek, co-director of the Zell Entrepreneurship Clinic; Michael Steinberg, director of the Civil Rights Litigation Initiative; Imran Syed, '11, co-director of the Michigan Innocence Clinic; and Kim Thomas, co-director of the Juvenile Justice Clinic and Civil-Criminal Litigation Clinic.



## Longtime U-M Supporter Endows Law School Professorship



When Thomas Lacchia, '69, made a gift to establish an endowed professorship at the Law School, it was the culmination of more than 40 years of philanthropy at the University of Michigan.

Early in his career, Lacchia made a commitment to give back to the Law School to the greatest extent he was able, as well as to the College of Engineering, where he received his undergraduate degree. His recent \$2.5 million gift that established the Thomas W. Lacchia Professorship at the Law School is the latest demonstration of his unyielding support for the University and its mission.

Lacchia is a native Michigander born and raised in East Lansing. With his undergraduate studies in mechanical engineering augmented by three years in the Law Quad, Lacchia says that his time at U-M paved the way for a career that has straddled both areas of expertise.

"I will never forget my first semester calculus class in the College of Engineering. I had never received anything but As in math in high school, but going into the final I was between a B and C," he recalls. "I studied like hell and received an A, and it revealed that I could accomplish things if I worked hard—and it inspired me to do so. I owe all that has come after in my life and career to the University of Michigan."

Lacchia graduated from the College of Engineering and was inducted into Tau Beta Pi, a prestigious engineering honor society; he enrolled at the Law School the following fall. He worked summer jobs with General Motors and RCA

Laboratories while pursuing his JD, and he spent his days reviewing patent applications and performing database research to determine if the idea was a novel innovation or something previously patented by another individual or entity.

Michigan's automotive industry offered a wealth of opportunities for a young lawyer with a background in engineering. But after a lifetime of Michigan winters, Lacchia decided to put the cold weather behind him and moved to California, something he was inspired to do after traveling to Pasadena to watch the Wolverines trounce Oregon State in the 1965 Rose Bowl.

Lacchia spent a year clerking for the Hon. Gerald S. Levin on the US District Court for the Northern District of California. He says the experience taught him the importance of being thorough. "I was researching case law and writing briefs in order to help prepare the judge and give him something to think about," he says. "It was very important to be precise, and it was great preparation for the rest of my legal career."

When his clerkship concluded, Lacchia became a deputy district attorney in Modesto, California, where he gained courtroom experience and prosecuted misdemeanors and felonies. Following his time as a prosecutor, Lacchia joined the California Department of Transportation (Caltrans), which offered an interesting blend of trial work and other responsibilities.

His role at Caltrans evolved over time and allowed him to work on varied areas of the law, including litigating condemnation cases related to highway expansion, personal injury defense, and environmental rules related to the state's roadways. He developed expertise in matters relating to liability on public property, and co-authored a chapter, "Dangerous Condition of Public Property," in the third edition of *California Tort Liability Practice* (Continuing Education of the Bar, California, 1992). Lacchia stayed with Caltrans for more than two decades, until his retirement in 1996.

For Lacchia, his rewarding career and the life it has enabled all began in Ann Arbor. "Without the University, I'd be nothing, and I appreciate the education I received," says Lacchia. "One thing about my education at the College of Engineering and at the Law School is that I not only learned the substance, I also learned how to think. It has served me well."—JW

*In summer 2022, Michigan Law named Aaron Perzanowski the inaugural Thomas W. Lacchia Professor of Law. Read more about Perzanowski and other new members of the faculty on page 42.*

## True Partners at Home and in Giving Back

With a shared love for Michigan sports, an appreciation for the power of education, and a philosophy of giving back, Rochelle “Shelley” Alpert, ’75, and Steve Greenwald, ’73, have been thick as thieves since they first met at the University of Michigan.

Alpert and Greenwald were introduced while Alpert was an undergraduate student in LSA (and the School of Education) and Greenwald was immersed in his studies at the Law School. Alpert had already decided to pursue a career in the law as well, following her passion for women’s and consumer’s rights. The couple married in 1974 and largely remember their time at the Law School as a great experience, even if there were a few snags. “To go to the laundry room in the Lawyer’s Club, women had to go through the men’s bathroom—there weren’t many women’s rooms on the Law School campus at the time,” Greenwald recalls.

“It was a different place than it is now, but our life was dramatically changed by becoming Michigan Law graduates and pursuing careers as lawyers. We’re always thankful for the benefit of our education,” Alpert adds.

During a time when the legal field was heavily dominated by men, Alpert and Greenwald purposely sought out a space where they felt both their careers would be equally supported. Alpert recalls being asked by several recruiters whether she thought Greenwald would be able to find a job if they moved away from Michigan. “One firm in particular asked so many questions about my husband, I offered them the opportunity to interview him,” she says. “I’m so glad the legal profession has changed to the point that this should not happen anymore.”

The pair decided to move to San Francisco just before the Silicon Valley tech world began to take off. Alpert specialized in intellectual property law and became a partner first at Morrison & Foerster and later at Morgan Lewis. She has taken on a variety of trademark and copyright cases across diverse industries while remaining committed to pro bono work, which often involves her original interest in women’s rights. Greenwald practices energy law and remains a partner at Davis Wright Tremaine. He misses the days when he represented Detroit Edison (now DTE Energy) and could strategically visit its Ann Arbor offices around football weekends, working on Main Street a few blocks up from Michigan Stadium.



The pair has stayed connected to Michigan by attending football games and their reunions in Ann Arbor, hosting University gatherings, and giving back. They have supported a range of University initiatives, including athletics, but they were especially excited to establish the Alpert-Greenwald Scholarship Fund at Michigan Law, which was born out of their mutual appreciation for education. “When I was at the Law School, I benefited from a full scholarship, which was incredibly important to me. I mean, *beyond* incredibly important; it wouldn’t have happened without it,” emphasizes Greenwald, who was the first in his family to graduate from college. “To me, it’s the greatest thing in the world to say there’s one student whose life we improved. If you can change one person’s life, you’re doing an awful lot.”

Alpert adds, “Education was the key to a better life from our parents’ perspectives. You did well in school, you made the most of your education, and you strove to be a better and contributing person.”

In addition to their own legacy, Alpert and Greenwald have cultivated a family of Wolverine fans. Their daughter, Elyse Greenwald, graduated from the Law School in 2009 and practices at Latham & Watkins in Century City, California. Their son, Elliot Greenwald, while not a lawyer or Michigan grad, cheers for the maize and blue regardless of the sport.

“Both of us feel like we’ve been blessed to have incredibly interesting careers, both intellectually and in our areas of practice, and have had opportunities to make important contributions,” says Alpert. “That’s a gift that, at least in part, we can attribute to critical skills that we learned at the Law School.”—CLP



## In Pursuit of the “Why,” Alumnus Establishes Fund to Support Philosophy of Law

When not flying his airplane, traveling with his grandchildren to Scotland, or taking a biking trip in Florida, Michael Fayhee, JD '73, LLM '20, is thinking about the law. More specifically, he ponders the why and how behind our legal system—and wants to ensure that students at the Law School have the opportunity to do the same.

Currently of counsel at McDermott Will & Emery in Chicago, Fayhee previously chaired the tax business unit and served on the firm's executive committee. He recently took the somewhat unusual step of coming back to Michigan Law to pursue an LLM degree in his 70s, and he even lived in the Lawyers Club on a part-time basis. This experience influenced his decision to set up a fund to support the study of the philosophy of law. “I thoroughly enjoyed the professors that focused on philosophy questions and have come to believe even more that law students benefit from not only learning the law, which is priority number one, but also from sitting back and contemplating how the law intersects with morality and what role the law should play in a well-functioning society. That is a deeper question than just what the law is,” says Fayhee.

By establishing the Michael R. Fayhee Fund for the Philosophy of Law, Fayhee hopes to provide more opportunities for students to engage in the reasoning behind their studies. Currently, students have the opportunity to study and question the philosophy of law through a number of ethics, theory, and morality classes, including a seminar on academic freedom and campus speech,

which explores the theory and law of American academic freedom and recent controversies over free speech on campus.

“Having a fund dedicated to making sure that those courses are offered for the students is beneficial. And I think among this existing student body, there's quite an interest in those subjects, so I wanted to make sure that those subject matters and the people who teach them are well funded,” he says. “I enjoyed being in the classroom with the 2 and 3Ls. It gives me faith in the next generation of lawyers: very smart, serious, intelligent, and thoughtful—they were very impressive classes.”

Fayhee believes that the philosophy of law does not get the same amount of attention as other areas of legal studies. He hopes that this fund will shine a light on the importance of studying jurisprudence, which he says is important for the benefit of society. “I wanted to do something a little bit different than a scholarship fund and see if we can introduce a level of support that might not otherwise exist for a subject that I think is important,” Fayhee explains.

While not occupied with his work and private study, Fayhee always has something exciting up his sleeve. He hopes to continue his adventures, such as retracing the military routes of Napoleon, a man he finds “fascinating,” by motorcycle. For Fayhee, someone with such an active and rigorous interest in history, the law, and our world at large, that seems about par for the course.—CLP

## From Green and Gold to Maize and Blue, New Fund Connects Central Texas and Ann Arbor

One couple's split loyalties and international ambitions have led to the creation of a new scholarship fund that will support students at the Law School.

Gary E. Baker, LL.M. '76, and Susan Key Baker grew up in the same neighborhood in central Texas, but they did not start dating until they were both students at Baylor University, a private research university located in Waco, Texas. Susan was enrolled in the nursing program, and Gary was pursuing a bachelor's degree in history and political science. Gary went on to receive a law degree at Baylor while Susan worked at a local hospital.

Even though Baylor University is located deep in the heart of Texas, its graduates are known for traveling abroad, as indicated by a line in the school song related to its official colors: "We'll fling our green and gold afar." Living up to this reputation, the Bakers married and moved to Crete after Gary entered active duty in the United States Air Force as a judge advocate during the Vietnam War.

It was during his time overseas that Gary first cultivated an interest in international law and gained an opportunity to pursue advanced legal education. "The judge advocate general toured various bases and because he was impressed with my work, I was encouraged to pursue an LL.M. I was told to get into the best law school I could, and Michigan was right up there at the top. So I applied, got in, and the rest is history," he says.

What followed next was a memorable year in Ann Arbor. Gary took classes in international law, comparative legal systems, and global economics from renowned international legal scholars of the time, including Professors William Bishop, Eric Stein, and Whitmore Gray.

While Gary was digging into the finer points of international law, Susan accepted a position at the University of Michigan Medical Center (now Michigan Medicine), which she credits with advancing her education and her career. "I was in a medical surgical unit where we

could monitor patients with heart problems and had a wonderful experience at that teaching hospital," she says. "Between Baylor and Michigan, I never had a problem working anywhere after Gary and I left Ann Arbor."

With gratitude for the influence Michigan Law had on their lives, the pair established the Gary E. and Susan Key Baker Endowed Scholarship in Law. The fund will support Michigan Law students who previously studied at Baylor, as well as LL.M. students with a focus on international, transnational, or comparative law.

"Susan and I would like to help students be able to have the Michigan opportunity. We fondly remember our time there, including the professors who opened up their home to us and were very supportive," Gary says. "Looking back, it really broadened my experience to have the Michigan connection. The other thing it did was reaffirm my Baylor education because I attended Michigan with some of the best students in the world and got good grades. And so it said to me that, if you have any doubts about your ability, coming out of Michigan, you can compete with anybody."

After obtaining his LL.M. and subsequently leaving the Air Force, Gary spent the next 37 years at ExxonMobil, where he had a transactional, litigation, and regulatory practice that spanned from Texas to Alaska. His latter two decades were spent as counsel to the ExxonMobil Exploration and Development Companies, acquiring petroleum rights in South America, Asia, and Africa. Susan worked for many years as a nurse, as well as a nurse recruiter, and eventually returned to school to obtain a master's degree in history.

These days, unless Michigan plays Baylor, the couple can be found rooting for both the Baylor Bears and the Wolverines. They look forward to the next time they can be in Ann Arbor and share a meal of sauerbraten at Metzger's German Restaurant.—CLP



## Alumnus Establishes New Prize to Bolster Scholarship at the Law School



Interpreting the Constitution and applying it to contemporary legal issues has been at the heart of all that Paul Dimond, '69, has done in his career as a civil rights litigator, scholar, and private practitioner. To encourage students to consider the most pressing constitutional questions of today, Dimond recently established an annual prize at the Law School that awards \$5,000 to the author of the best scholarly work in civil rights, constitutional law, or judicial review.

"It is more important than ever for future generations to study these issues," Dimond says. "To suggest that any court or justice is the "final arbiter" of the meaning of the Constitution is false: Over time, any justice or court's interpretation can only be understood as provisional."

Dimond had what you might call a kitchen table introduction to civil rights issues. His father, a professor of education at U-M, wrote several civics textbooks for secondary schools. At the time, most civics textbooks did not discuss race relations in the United States, and his father's books were written to present a more diverse and accurate portrayal of American society. When he was growing up, Dimond would read and react to his father's drafts as a sort of test case for the content, and the experience left an impression on him.

Considering America and its institutions within a broader societal and historical context stayed with Dimond through his college career at Amherst College and Michigan Law. After graduating from the Law School, he clerked for a year on the Sixth Circuit and then joined the Harvard Center for Law and Education as a staff attorney and lecturer-in-law. There, he led advocacy efforts in federal and state court and legislatures related to segregation and the rights of disabled students in

public schools, including in five cases decided by the US Supreme Court.

After two years at Harvard, Dimond co-founded a law firm in Ann Arbor and went into private practice. But he soon found himself back in court litigating civil rights cases. During a two-year leave from the firm in the mid-1970s, Dimond served as the deputy and then director of the National Lawyers' Committee for Civil Rights Under Law, which was created by President Kennedy to organize the efforts of lawyers at large firms who were taking on pro bono civil rights cases. It was a busy two years: He served as co-counsel on more than 20 cases that appeared before the Supreme Court.

By the late 1970s—and with the encouragement of Professor Yale Kamisar and Deans Emeritus Ted St. Antoine, '54, and Terrance Sandalow—Dimond turned his focus to research, writing, and teaching, with stints at Michigan Law, American University, and Wayne State University. Dimond's research, along with his firsthand experiences in court, resulted in three books: about discrimination in public services, segregation in schools and housing, and the role of judicial review in our democracy. The American Political Science Association awarded *Beyond Busing* (U-M Press, 1985) its Ralph Bunche book of the year prize in 1986.

After leaving academia, Dimond served as general counsel and partner in a national real estate firm before joining Miller Canfield in Ann Arbor. But public service came calling once more, and in 1993, he served as special assistant to President Clinton on the National Economic Council for nearly five years before returning to Miller Canfield.

Earlier this year, the inaugural Dimond Prize was awarded to 3L Sarah Bender for her paper "Algorithmic Elections," which examined the intersection of artificial intelligence (AI) and election administration. Although scholars have examined the effects of AI in other areas—most notably with respect to the criminal justice system—the use of algorithmic systems by election officials has received less scrutiny from researchers and policymakers.

"Bender's paper is fascinating. She seeks a rule of law that will work, while also considering its consequences and when it should be modified over time," Dimond says. "The issues relating to the rule of law and to the role of courts under the Constitution in our democracy are critical, and they will be just as important going forward as they have been since the founding of our Republic."—JW



## A Parisian Dream Come True

A lover of museums, music, and delicious food, Patricia Carnese, '82, dreamed of living and working in Europe. She is a loyal donor to the Law School Fund because Michigan Law was her ticket there.

When Carnese was accepted into the Law School, she was unsure which direction her career would take but was attracted to the problem-solving aspect of the law and how it trained her to think. She landed her first position at Debevoise & Plimpton LLP in New York, focusing on corporate transactions, especially mergers and acquisitions.

Carnese remembers the exact date she left the United States: June 4, 1986. She had been offered an opportunity to transfer to the Debevoise office in Paris for a couple of years. "I jumped at the chance and fell in love with the city right away," she says.

She stretched her two-year stint to three years and eventually decided to stay in France rather than return to New York and stay with her firm. Carnese was hired to do in-house work by Hachette Filipacchi Presse, an international magazine publisher based in Paris that was expanding globally and looking for someone to help them manage their international legal work. "Even though they were a multinational company, they were very, very French and had little experience with the Anglo-American legal culture they were increasingly faced with—and faced with in English. My value added was knowing both," she says.

Carnese managed cross-border transactions for the company, which at the time published magazine titles such as *Elle* and *Car and Driver*. She stayed with Hachette until she took an early buyout in 2007, which enabled her to take trips back to her parents' home in New Jersey and help care for them until they died in 2011 and 2012.

Despite the distance, Carnese has kept an ongoing connection with her alma mater and always looks forward to hosting her Michigan classmates when they visit the City of Light. She also has attended Michigan Law reunions and has been giving on a monthly basis to the Law School for several years. She directs her gifts to the Law School Fund—the School's annual fund for discretionary support—and believes that the automatic monthly payment is an easy way of giving that allows her to feel that she's making a larger impact over time.

"Studying at Michigan Law was the experience of a lifetime. The quality—intellectual, moral, human—of the teaching staff and students is extraordinary, and I have developed lasting friendships," says Carnese. "I owe everything to that School, including the opportunities to live and work in Paris. It was an easy decision to give something back to a place that gave me so much."

These days, Carnese delights that so many European destinations are a "hop, skip, and a jump away," letting her visit friends scattered all over Europe. She considers Europe her home now—the best place to indulge her loves, such as cooking (the outdoor markets are a special pleasure), wandering the Louvre, trying to master Italian, and attempting to revive her Latin. "The days aren't long enough. Sometimes I wonder how I ever found the time to work," she laughs.

"I got lucky. There was nothing much out of the ordinary about my career, except that I did it in France and in French," says Carnese. "But that was a big gift. Some people would say I paid a price for moving here, but I disagree. It wasn't always easy, but 36 years later, the attachment remains very, very strong." —CLP



## Cause and Effect

### A Donor and His Scholarship Recipient Reflect on Their Connection to Michigan Law

**Bill Bogaard, '65**, moved to Los Angeles after graduating from Michigan Law and joined O'Melveny & Myers LLP, where he worked on securities and finance transactions. He continued in private practice for nearly 20 years before joining First Interstate Bancorp, where he served as executive vice president and general counsel until the company merged with Wells Fargo in the late 1990s. Bogaard then spent time as a visiting professor at Michigan Law and at the University of Southern California Law School. Bogaard was elected mayor of Pasadena, California, in 1999 and served four four-year terms. In 1996, Bogaard and his wife, Claire, established a scholarship fund to support Law School students in need of financial assistance.

**Alexandra "Ally" Card** is a recipient of the William J. and Claire W. Bogaard Endowed Scholarship and is expected to graduate in 2024. Now in her 2L year, she looks forward to exploring various areas of law in addition to the doctrinal work. Card recently completed a summer clerkship with Public Counsel, a pro bono law firm based in Los Angeles. During her clerkship, she was placed on the Audrey Irmis Project for Women and Girls' Rights, a division of the firm that works to advance worker justice and education equity through direct legal services, policy advocacy, impact litigation, and community education. Part of Card's role was to complete civil procedure research for a case involving intimate partner violence. After Law School, she plans to pursue a career in Big Law and hopes to specialize in intellectual property cases at a firm in Los Angeles.



### Why did you want to go to law school, and why did you choose Michigan?

**BILL**

I was determined, sort of intuitively, to study further before getting into a field of work. My undergraduate studies were focused on English literature and philosophy. Law school was attractive to me as an opportunity to get a graduate degree and to benefit from that degree for the rest of my career in fields that I would be interested in.

I chose Michigan because it was and is outstanding! I grew up in Iowa. As I applied for law school, I had been away from Iowa, except for short vacations, for six or seven years for college and military service. At that point, my wife and I had two children. I chose Michigan in part because it allowed us to spend some time closer to my family and let them enjoy our children.

**ALLY**

I've wanted to be a lawyer since I was really young. I was always interested in history, and that evolved into an interest in law and advocacy. Going to Michigan Law is meaningful to me as it has given me the chance to immerse myself in a special legal community where I have been able to find other individuals passionate about the same legal issues as I am. I chose Michigan because it was a natural fit for me as a U-M undergraduate alumna and native Michigander, and being in the environment that the Law School creates is really conducive to my type of learning and growth.

## Do you have a favorite class or favorite professor?

**BILL**

As I started law school, I thought that it would be interesting to work in the field of international law. I enrolled in Professor William Bishop's class on international law and enjoyed it very much, and I took another course from Professor Eric Stein, who also taught in the field of international law. I've had only limited opportunities to be involved in international transactions, but I've always treasured my studies in the international field.

**ALLY**

I've only taken doctrinal classes so far, but I think my favorite class has been Constitutional Law with Professor Julian Mortenson. I love being a part of classes that foster a collective and open atmosphere, while creating connection and space for growth within the legal field.

## In addition to studying law, what other activities have you engaged in at Michigan?

**BILL**

My wife and I had one child when I started law school. Our second child was born in Ann Arbor when I was a second-year law student. My activities at the Law School were fairly limited to my courses until I had the opportunity to serve on the editorial board of the *Michigan Law Review*.

**ALLY**

I work for the International Institute on campus in their Latin American and Caribbean Studies Center, helping with project development work. Also, I am part of the Student Sexual Assault and Harassment Legal Advocacy Service, a pro bono project that focuses on providing guidance to students who've experienced sexual assault.

## Where is the best place to study at the Law School?

**BILL**

I most remember studying in the Reading Room. With a family at home, having a quiet place to study was important. I consider it a sacred place where important work takes place.

**ALLY**

The Reading Room is the place where I can focus best, and it's just so pretty—I like to take that in while I'm studying. I used to walk through and study on the Law Quad as an undergrad. I would marvel at the interactions among faculty and students, so now being on the opposite end of the Reading Room actively participating in the Law School community has given me a special appreciation for it.

## What does the William J. and Claire W. Bogaard Endowed Scholarship Fund mean to you?

**BILL**

I never forget the boost that legal education gave to me in achieving a life that has been tremendously interesting and rewarding in terms of working with talented people and handling complicated problems. My legal education also aided my public service as mayor, serving the needs of the community. I am tremendously grateful. My wife and I like the idea of giving young people the opportunity that they might not otherwise have to get an education at Michigan Law and to benefit the rest of their lives by the results of that kind of experience. I like the idea that it's a contribution to young people that lasts a long, long time.

**ALLY**

This scholarship has provided me the ability to participate in law school more fully as it has alleviated a part of the significant financial burden required to attend. I feel supported in my studies, and I am able to envision a future that isn't shaped by significant student debt. I appreciate the significance of an alumnus giving in a way that is so generous to me, and it cements my understanding of the Law School as a caring and supportive community even after graduation. As a recipient, I know how impactful this giving can be and hope to be able to help others in the future.

# I M P A C T



From left, Dawn Hertz and Mary Kay Kane, as pictured in their 1971 Law School yearbook, and Muriel Nichols pictured with the Hon. Deanell Reece Tacha, who went on to serve on the United States Court of Appeals for the 10th Circuit.

## New Scholarship Fund Celebrates the Women of '71

Michigan Law's Class of 1971 attended law school during a tumultuous and pivotal period in US history: The Vietnam War was raging, women were breaking out of prescriptive molds, and a new wave of civil rights was reshaping the nation.

It also was a year of significant demographic change in the Law Quad. Although the 28 women in the Class of '71 made up only 7 percent of the student body, that number was more than double the preceding class—an upward trend that would continue in the years and decades to come. "It was definitely a breakthrough year for women standing up for themselves and a big step up for a lot of law schools, Michigan included," says Muriel Nichols, '71. "Something about having the presence of more women in the class, things started to change."

"If you're going to be a lawyer, you can't be intimidated. The women were all very supportive of one another, and we stuck together," adds Dawn Hertz, '71.

It was still a year before Title IX would make gender discrimination in federally funded educational institutions illegal, but the class took steps to help improve equality at the Law School. Students successfully petitioned the administration to bar law firms who were hostile toward women from on-campus interviews, and students founded the first chapter of the Women Law Students Association. Female students also participated in acts of resistance that ultimately changed the deleterious practices that were typical in legal education at the time, including sexism in classroom instruction.

Despite the challenges they faced, the women who graduated from Michigan Law in 1971 went on to lead careers of distinction in the media, politics, the judiciary, and throughout the legal profession. "We were on the cutting edge of women's rights and took steps for the inclusion of women in the workplace. We were a force to be reckoned with," says Hertz. "These things don't change overnight, but it's a process and the law teaches you that you can't always see the big picture, but you do your part and things will change."

Mary Kay Kane, another 1971 graduate, blazed her own trail in legal education. Born in Detroit, Kane went on to become one of the world's foremost scholars in federal civil procedure. After obtaining her JD, she began to teach and eventually became the first female dean of the University of California, Hastings College of the Law, before becoming chancellor in 2001. She remained active on the Hastings campus even after her retirement in 2007, acting as a mentor to many, continuing to contribute to scholarly research in her field, and authoring 14 volumes of the flagship treatise on federal civil procedure. Kane passed away in 2021 due to complications from cancer.

A group of friends from the Class of '71, including Nichols, Hertz, and a number of their classmates, both men and women, have remained close over the years. They decided to celebrate their 50th reunion by establishing a new scholarship fund to commemorate the accomplishments of their female classmates. "I found my home at the Law School," says Hertz. "No matter what you do in life, a law degree is a very helpful thing to have. All of the women of this class know how much a Michigan education provided to our lives. If we can give that opportunity to someone else, that would feel like a worthy accomplishment."

The generosity of the class is also reflected through a bequest made by Karin Verdon, '71, a retired labor relations attorney who passed away earlier this year. The Karin A. Verdon Technology in Legal Education Fund will enable the Law School to acquire or upgrade technologies necessary to classroom instruction and clinical law programs.

The Class of '71 marked a turning point for female representation in the Quad: Today, Law School classes have gender parity; the Class of 2025 has more women than men. Through the new scholarship, future generations will continue to benefit from the pioneering Class of 1971, whose contributions have helped change Michigan Law for the better.—CLP

*If you would like to make a contribution to the Michigan Law Scholarship Fund in Honor of the Women of the Class of '71, please contact Mary Buikema at [mbuikema@umich.edu](mailto:mbuikema@umich.edu) or 734.615.4517.*

## A Ribbon Cutting for Jeffries Hall

In April, the Law School welcomed Lisa and Chris Jeffries, '74, to officially celebrate the dedication and naming of Jeffries Hall. The building opened as South Hall in 2012 and was renamed following the Jeffries's \$33 million gift—the largest gift in Law School history. The entirety of the gift is dedicated to student support, including scholarships and other forms of financial aid, such as summer funding programs and debt management.



*"We are celebrating the dedication of Jeffries Hall, and especially the generosity of Chris and Lisa Jeffries. Thank you for all you've done for Michigan Law, and thank you for being with us today."*

—Mark West, David A. Breach Dean and Nippon Life Professor of Law



## Recent Gifts

**Richard R. Burns, '71**, and **Elizabeth M. Burns** made a recent additional gift commitment of \$225,000, which will support the Richard and Elizabeth Burns Debt Management Fund, the Law School Fund, and the Michigan Law Scholarship Fund in Honor of the Women of the Class of '71. These gifts are in honor of Richard's 50th class reunion.



**David C. Patterson, '74**, and **Carolyn Patterson** made an additional gift of \$1 million to the David and Carolyn Patterson Darrow Scholarship Fund. The couple resides in Columbus, Ohio.



**Kerry Galvin, '86**, made a gift of \$50,000 to the Law School Fund in honor of her 35th class reunion. Now retired from her legal practice, Galvin serves in volunteer leadership roles at several Houston-based nonprofit organizations, including as a member of the board of directors of the Houston Zoo. She also serves on the board of Orion Engineered Carbons, a publicly traded company.



**Sanford "Sandy" E. Perl, '90**, and **Jody S. Perl** made an additional gift of \$50,000 to the Sanford E. and Jody S. Perl Scholarship Fund in honor of Sandy's 30th class reunion. The Perl Scholarship supports students who exhibit an interest in advancing a strong relationship between the

United States and Israel. Sandy is a senior partner at Kirkland & Ellis in Chicago, where he focuses on mergers and acquisitions.

**David L. Haron, '69**, made a gift of \$50,000 to the Law School Fund. He is of counsel to Hoyer Law Group PLLC in Farmington Hills, Michigan; Tampa, Florida; and Washington, DC, where he specializes in False Claims Act cases.



**Brian T. Moto, '85**, documented a \$100,000 bequest to establish the Kaoru and Violet Moto Scholarship Fund in honor of his late parents and in celebration of his 35th class reunion. The fund will support Law School students from the state of Hawaii, where Moto's parents resided and where he currently lives and works as special assistant to the chancellor at the University of Hawai'i Maui College.



**Bill Rainey, '71**, and his wife, **Cindy**, made a gift of \$50,000 to the Law School Fund in honor of Bill's 50th reunion. The couple resides near Tucson, Arizona.



**Richard A. Riggs, '74**, and **Judith C. Riggs** made a gift of \$100,000 to establish the Richard and Judy Riggs Family Scholarship. Richard is of counsel at McAfee & Taft in Oklahoma City, where he concentrates his practice on real estate and other commercial transactions.



**Jeffrey C. Rubenstein, '66**, made an additional gift of \$125,000 to the Jeffrey and Susan Rubenstein Scholarship Fund. He is a principal at Much Shelist PC in Chicago, where he practices business law.

**Stefan "Stef" Tucker, '63**, and his wife, **Marilyn, BEd '62**, made an additional gift of \$100,000 to the Stefan & Marilyn Tucker Scholarship. Stef retired in 2020 from Venable LLP in Washington, DC, and is an adjunct professor at Michigan Law.

**Leslie Chambers Strohm, '81**, and **Paul E. Strohm** documented a bequest to establish the Leslie Chambers Strohm and Paul Edward Strohm Endowment Fund, which will be used to support faculty salaries, student scholarships, and summer fellowships at the Law School. The couple resides in Chapel Hill, North Carolina.



**Sophia Hudson, '06**, celebrated her 15th class reunion by making a significant gift to the Law School Fund (LSF). A partner at Kirkland & Ellis LLP in New York, she advises companies on securities laws, corporate governance, complex financing, and mergers and acquisitions. Hudson was recently appointed national chair of the LSF, a volunteer position that engages alumni in raising contributions for the fund, which supports all aspects of life and learning in the Quad. "I am very grateful to have studied at Michigan Law, where numerous professors challenged me and bolstered my confidence as I embarked upon my legal career," she says. "I am pleased to make this gift to the Law School Fund and hope to lead by example by spearheading efforts to grow this incredibly important resource for our students."

# CLASS NOTES

1971



**Robert A. Stein**, of The Stein Law Firm PLLC, was recognized by the New Hampshire Bar Association for 50 years of practice and continued excellence in the legal profession.

1975

**Rick Bendix** was named the 2021 Volunteer of the Year by Legal Aid Chicago for his work assisting pro se consumer debtors with bankruptcy cases. He is a partner at Advocate Capital Advisors, a boutique investment bank.

**Nancy Schiffer** was awarded a Distinguished Service Award by the State Bar of Michigan Labor and Employment Law Section, which is presented to individuals who have made major contributions to the practice of labor and employment law. Schiffer spent several decades representing unions and most recently served a term on the National Labor Relations Board.

1978

**Fred Krupp**, leader of the Environmental Defense Fund for 37 years, was elected to serve a six-year term as an alumni fellow of Yale University's board of trustees.

Did you get a new job or a promotion? Were you recognized with an award? Share your news with classmates in an upcoming issue of the *Law Quadrangle*.

Email [LQNCClassNotes@umich.edu](mailto:LQNCClassNotes@umich.edu) or complete the online form at [law.umich.edu/classnotes](http://law.umich.edu/classnotes).

1979



The Hon. **Hildy Bowbeer** retired after eight years as a magistrate judge in the US District Court for the District of Minnesota. Before this position, she served as the assistant chief intellectual property counsel at 3M Co. In retirement, Bowbeer, along with her husband, **Bill Klein**, '79, plans to travel internationally. She will remain involved in continuing legal and judicial education through the US Department of Commerce's Commercial Law Development Program, as well as with the Sedona Conference and the Minnesota Chapter of the Federal Bar Association.



**Charles R. Lowery Jr.**, director of legislative policy and external affairs at New American Funding, was chosen as president-elect of the DC Bar for the 2022–2023 term. He will serve in that position for one year before becoming president in 2023.

**Jim Shaughnessy** joined software company DocuSign as chief legal officer. He previously served in various corporate affairs roles, including an eight-year stint as general counsel at Workday, an enterprise management software company.

1980

**George Higgins** was named the Distinguished Practitioner in Residence at Cornell University Law School. Formerly a public defender and trial lawyer, he also is an avid dramatic improviser and taught a seminar titled Improv, Storytelling, and Trial Advocacy during the fall 2021 semester.

**Tillman "Tim" L. Lay** joined Best Best & Krieger LLP in Washington, DC, as a partner in its telecommunications and municipal law practice groups. He has more than 35 years of experience handling complex telecommunications matters.

**Stephen Selbst** was elected to the Greenwich Board of Estimate and Taxation in Connecticut. He is a partner at Herrick Feinstein LLP, where he co-chairs the firm's restructuring and finance litigation practice.

**Myra Selby** was honored by the American Bar Association's Commission on Women in the Profession with the 2022 Margaret Brent Award, which recognizes women who have achieved professional excellence and paved the way for other women in the legal field. She is a partner at Ice Miller LLP in Indianapolis.

1981



**John Glowney** published his debut full-length poetry collection *Visitation*, (Broadstone Books, 2022). His work has received recognition from organizations including the Poetry Society of America. He lives in Seattle.

1983



**Mark L. Jones** published *Professions and Politics in Crisis* (Carolina Academic Press, 2021), which suggests that encouraging people to pursue a life of meaning and purpose can remediate professional and political crises of well-being, distress, and dysfunction. He is a professor at Mercer University Law School in Macon, Georgia.

**Patricia "Trish" Refo** received the Medal of Honor from the World Jurist Association for her leadership and efforts to promote the rule of law around the world, particularly for her service as president of the American Bar Association from 2020 to 2021.







## Using a Big Law Platform to Give Back

*By Chelsea Liddy Pivtorak*

Marathon runner by morning, structured finance attorney by day, and community organizer by night, Steven Hanton, '12, has time for it all—and then some.

Hanton, who was promoted to partner at Nixon Peabody LLP in Boston recently, knew early on that he wanted to pursue a career in a Big Law firm. He quickly gravitated toward transactional law, with a particular focus on securitizations, lending arrangements, and other types of debt financings. His practice currently centers on banks and other financial institutions that provide corporate trust, fiduciary, and agency services.

After 10 years with Nixon Peabody, he credits his colleagues with creating an environment where he has been able to thrive. “Often in the legal profession, if you’re not straight or white or a man—or if you’re different in any way—it can be challenging to find the right level of mentorship and sponsorship to keep you going,” he says. “As a Black gay man, I’m thankful to have landed with a really good group of folks at Nixon Peabody whom I connect with and who have really invested in me. Without the support of my mentors, I don’t think I’d be in the same place.”

Hanton makes a point of paying it forward and using his platform to help others. In addition to mentoring law students, recent graduates, and junior attorneys at his firm, he serves on the board of the Massachusetts Black Lawyers Association. Hanton also focuses on using his hobbies to give back; he started running as a way to stay healthy and clear his head but more recently saw an opportunity to use the pastime for the greater good. Earlier this year, he ran the Boston Marathon, dedicating his race to fundraising for the Boston Chinatown Neighborhood Center, a nonprofit that provides educational, workforce development, and youth-oriented services to Asian and other immigrant communities in Boston.

A longtime activist in the gay community, Hanton recently co-founded an LGBTQ+ organization that seeks to foster joy among queer and trans people of color, provide scholarships to those in need, and make Boston a more welcoming space. The group, Men of Melanin Magic, coordinated numerous Boston Pride festivities in June, and Hanton hopes to continue scaling up the organization’s presence in the city and beyond.

Hanton also is looking to build connections on a global scale. Last year, he was the American Mandarin Society’s inaugural Rhodium Fellow in International Trade and Economics; the fellowship is part of a professional development program geared toward Black Americans who are interested in US-China relations. Hanton, who has studied Mandarin since he was 17, also sees it as an opportunity to broaden the scope of his practice and career trajectory. “The US relationship with China is going to be important no matter which lens you use. I think it’s about making sure that space is diverse and harnesses the wide range of expertise Americans can bring to bear,” he says. “I hope to leverage my fellowship experience in ways that can benefit my colleagues in our offices in China, as well as our Chinese clients.”

Hanton is cognizant of his relatively unusual place in the legal world, and staying active with mentoring and community engagement adds fuel to the fire that keeps him going. According to a 2020 diversity study conducted by the National Association for Law Placement, a mere 0.9 percent of partners across Boston identify as Black. “I don’t take my position of privilege lightly, nor any of the education or hard work that I have put in. I’m currently focused on building my practice, challenging myself, and doing good work for clients,” he says. “I’m really grateful for the institutions I’ve attended, and I’ll always credit Michigan for teaching me discipline and consistency, and for helping me achieve my potential. I don’t know if I could imagine my life in another way—it’s all about finding your personal balance.”

# CLASS NOTES

## 1984



The Hon. **Manuel I. Arrieta** of the Third Judicial District of the State of New Mexico published “Solving the Puzzle: The Water Court Structure and Process of Water

Administration in New Mexico” in the *University of Denver Water Law Review*. The article is an analysis of the legal regime for water administration in New Mexico. Judge Arrieta also recently walked the Camino Frances and the Camino Portugal, a 740-mile trek that ended in Santiago de Compostela in northern Spain.

**Cheryl Bush**, founding member of Bush Seyferth PLLC, was sworn in for a four-year term as a regent of the American College of Trial Lawyers.

**Meg Waite Clayton** published her eighth novel, *The Postmistress of Paris* (Harper, 2021), a work of historical fiction set during the German occupation of France in World War II. She resides in Carmel-by-the-Sea, California.

**Anita (Raby) Fox** was recognized by *Crain's Detroit Business* in its annual 50 Names to Know in State Government list. She has served as the director of the Michigan Department of Insurance and Financial Services since January 2019.

**Anthony M. Spaniola**, a southeast Michigan attorney and co-chair of the Great Lakes PFAS Action Network, received the Equity and the Environment Leadership Award from the Michigan League of Conservation Voters. He is a leading national advocate for communities affected by toxic PFAS contamination and testified before the US Senate Homeland Security and Governmental Affairs Committee in December 2021, calling for heightened scrutiny of the Department of Defense as the largest known PFAS polluter in the nation. He also served as a consultant to Pulitzer Prize winner Sara Ganim on her critically acclaimed documentary, *No Defense: The US Military's War On Water*.



**Kurtis T. Wilder** was named to the executive committee of the Michigan Chamber of Commerce Board of Directors. Formerly a justice on the Michigan Supreme Court, Wilder is a shareholder at Butzel Long in Detroit.

## 1985

**Benedicte Bayi-Mathijssen** took on a new role as senior director of privacy and compliance with Christian Dior Couture in New York. She previously held privacy counsel positions in the San Francisco area, including with Facebook, Twitter, and PayPal.

**Kent Matsumoto** and his wife, Constance, will publish their debut novel, *Of White Ashes*, in early 2023. Inspired by the true stories of the authors' family, the story follows two Japanese Americans during World War II as they endure internment camps and other hardships. After spending 36 years as legal counsel for several publicly held companies, Matsumoto was recently appointed director of Peoplesbank, an independent community bank that operates financial centers in Pennsylvania and Maryland.

## 1986



**Laura L. Romeo** joined Plunkett Cooney in Bloomfield Hills, Michigan, as a senior attorney and co-leader of the firm's environment, energy, and resources law practice group. She has extensive expertise in environmental and sustainability issues and previously served as assistant division counsel for the US Army Regional Environmental and Energy Office.

## 1987

The Hon. **Gilbert M. Román** became the chief judge of the 22-member Colorado Court of Appeals in January and is the first Latino to hold the position. He has served on the state's intermediate appellate court since 2005.

**Brad Weber**, a partner at the Dallas office of Locke Lord LLP and co-chair of its antitrust practice group, was elected to serve as the 2022 chair of the Dallas Bar Foundation, the charitable arm of the Dallas Bar Association.

## 1988

**Eric Acker**, a patent litigation partner at Morrison & Foerster, was the lead trial lawyer in a case involving one of Japan's leading research-based pharmaceutical companies, for which he recently helped secure a \$775 million patent litigation settlement. He has been with the firm since 1999 and is based in San Diego.



**Monica Barrett** received a 2022 Distinguished Service Award from the National Association of College and University Attorneys in recognition of her “extraordinary service both to the association and to institutions of higher learning.” Barrett is the co-managing member of Bond, Schoeneck & King's New York office, where she provides legal advice to educational institutions.



**Daniel H. Golub** joined Volpe Koenig as a shareholder in Philadelphia. He advises clients on a range of matters related to global patent strategy, protection, licensing, and litigation. Most recently, Golub served as counsel at Rembrandt IP Management.

**Raphael Perpetuo Lotilla**, LL.M., was appointed energy secretary of the Philippines. Having previously held a number of public and private positions, he is also a law professor at the University of the Philippines.

**John A. Nixon**, a partner at Duane Morris LLP in Philadelphia, is serving as president of the National Association of Public Pension Attorneys for 2022–2023. He previously served as vice president of the organization and chair of its tax section.

1989

**Earl Barnes** was named general counsel at Sentara Healthcare, which is based in Norfolk, Virginia. He previously served as executive vice president and chief legal officer for Amity Health in Chicago.

**Tim Reiniger** was honored by the National Notary Association at its annual convention for his work spearheading remote online notarization. He serves as digital counsel at eNotaryLog, which provides nationwide remote online notarization and electronic signature solutions.

1990

**Donald Armin Blome** was confirmed as the new US ambassador to Pakistan. Well versed in Middle Eastern affairs, he previously served as the US ambassador to Tunisia.



**Dan Kim** accepted a position as senior vice president for communications, marketing, and external relations at Brandeis University, which is in the greater Boston area. Before this role, he was vice president of communications at College of the Holy Cross.

1991

**Lisa J. Bernt** was appointed to the Massachusetts Commission on the Future of Work. Previously, she served as director of the Fair Employment Project in Cambridge, Massachusetts, and as a visiting scholar at Northeastern University School of Law. Her most recent article, “Workplace Disclosure: What’s Blocking the View” was published in the *Marquette Law Review*.

**Christine Webber** was appointed co-chair of the civil rights and employment practice at Cohen Milstein Sellers & Toll in Washington, DC.

1992



**Charlie K. Maier** was named leader of the litigation practice group at Lathrup GPM in Minneapolis. Before the combination of Lathrup Gage and Gray Plant Mooty (GPM), Maier served as a practice group chair, board member, and managing officer of GPM.



**Steven R. Rosenblatt** was appointed managing partner of the New York office for Segal McCambridge. Along with this new role, he serves on the firm’s executive committee and chairs the associate development committee.

**Sylvia A. Stein** was appointed to the board of directors of Luxfer Holdings PLC, a global industrial company that specializes in materials engineering. She is the vice president, general counsel, corporate secretary, and chief compliance officer of Modine Manufacturing Company in Racine, Wisconsin.

1993

**Jack Bailey** was named as secretary to the University of Rochester’s board of trustees. Having previously served as an attorney in the university’s office of general counsel, he has 30 years of experience in regulatory and compliance issues.



**Robert “Bobby” Lee** joined Clouse Brown, a boutique firm in Dallas that specializes in employment law, as senior counsel. Board certified in labor and employment law by the Texas Board of Legal Specialization, he represents employers, executives, and other employees in all facets of the employment relationship.



**Kevin O’Gorman** was named head of arbitration at Norton Rose Fulbright US LLP in Houston. He practices international and domestic arbitration, both as counsel and arbitrator.

1994



**Ann-Marie Anderson** served as chairperson and keynote speaker on securities regulatory matters at the State Bar of Arizona’s annual convention in June and was reelected chairperson of the Securities Regulatory Council. She serves as the longtime general counsel of a national structural engineering and architectural corporation.



# CLASS NOTES

The Hon. **F. Kay (Courter) Behm** was nominated to serve on the bench of the US District Court for the Eastern District of Michigan. She has been a judge for the Genesee County Circuit and Probate Courts in Flint, Michigan, since 2009.

**Brent Fassett** joined Wilson Sonsini Goodrich & Rosati as a corporate partner in Boulder, Colorado. He represents emerging-growth companies and their investors, focusing on the life sciences and medical technology industries.



**Veena Jain** was promoted to partner at Faegre Drinker in Chicago, where she focuses on investment management.

## 1995

**Amy Bennett** was named to *Crain's New York Business's* Notable Women Business Owners list for 2021. She is the owner of artisan grocer Greene Grape Provisions in Brooklyn, New York.

**Michael Carrier** was named Professor of the Year at Rutgers Law School, where he has taught since 2000. He specializes in antitrust and intellectual property law with expertise in the pharmaceutical, high-tech, and music industries.

**Lawrence Garcia** joined Miller Canfield as senior counsel in the firm's employment and labor group. He previously was corporation counsel for the City of Detroit.



**Scott Garland** joined independent integrity monitoring firm Affiliated Monitors Inc. as the managing director of sanctions, cyber, fraud, and ethics compliance and monitoring in Boston. He previously served as acting chief of the National Security Unit in the US Attorney's Office for the District of Massachusetts.



**Walter Lanier** was hired as the president and chief executive officer of the African American Leadership Alliance of Milwaukee. He most recently served as an executive at Milwaukee Area Technical College, where he led the creation of the college's Men of Color Initiative, as well as the student resource center and the counseling and psychological services department. Lanier is also in his 11th year of service as the senior pastor of the Progressive Baptist Church.

**Colin Owyang** assumed the position of senior vice president and chief operating officer at Vermont Electric Power Company. Previously, he served as general counsel and head of strategy at Franklin Energy.

## 1996



**Thomas B. Cochrane** joined the Chicago office of the United Airlines Master Executive Council of the Air Line Pilots Association as senior labor relations counsel. He has nearly 26 years of experience representing labor unions.

**Michael J. Thomas**, while at the New Mexico Department of Game and Fish, spearheaded litigation resulting in a \$74,000 judgment against a defendant who unlawfully killed a deer. The judgment, which is the largest ever obtained under a department-specific statute allowing for civil restitution regardless of criminal charges, was attributable to the deer's trophy-level antlers. The New Mexico Court of Appeals upheld the judgment in fall 2021. Thomas recently transferred to the Criminal Appeals Division of the New Mexico Office of the Attorney General.

## 1997

**Dina Bakst**, co-founder of A Better Balance, was a 2021 recipient of the Heinz Award, which recognizes individuals who make lasting contributions to the arts, the economy, and the environment. Her organization conducts policy work and provides direct legal services and public education to advance worker protections on issues such as equal pay, paid family and medical leave, protections for pregnant and breastfeeding workers, and affordable quality child care and elder care.

**Brian Bernhardt** joined Fox Rothschild LLP in Charlotte, North Carolina, as counsel in the firm's tax controversy and litigation department. Previously, he was a partner at Michael Best & Friedrich LLP.

**Enoh Ebong** was appointed director of the United States Trade and Development Agency. In this role, she leads the agency's efforts to develop sustainable infrastructure, foster economic growth in emerging economies, and support job growth through the export of goods and services.

**Angela Onwuachi-Willig** co-edited *Critical Race Judgments: Rewritten US Court Opinions on Race and the Law* (Cambridge University Press, 2022), which reimagines some of the most influential legal cases in US history using a racial justice lens. She is dean and Ryan Roth Gallo & Ernest J. Gallo Professor of Law at Boston University.

## 1998

**Laura Mate** was nominated to serve as commissioner and vice chair of the United States Sentencing Commission. Before this appointment, she was the director of the Sentencing Resource Counsel, a project of the Federal Public Defender's Office for the District of Arizona.



## Building a League of Her Own

By Meaghan Kelly

Dana Schmitt, '95, has had a passion for baseball ever since she and her father were invited to a Detroit Tigers game by a family friend. "I was hooked," says Schmitt. From then on, she "always had a ballcap on."

Thirty years later, she's still wearing her baseball cap—but now she wears it as the president of the United Shore Professional Baseball League (USPBL) powered by United Wholesale Mortgage, the first professional developmental baseball league in Metro Detroit. Schmitt was named president of the USPBL in 2022 after serving as the league's chief operating officer (COO) since it was created in 2015. While the title of president is new to Schmitt, the daily tasks of running the league are not. As COO, she worked alongside USPBL's chief executive officer and played an integral role in getting the league up and running.

Becoming president of the USPBL was the product of years of experience in the law, sports management, and league operations. After graduating from the Law School, Schmitt worked briefly in litigation and corporate law to gain some practical experience, but making partner at a firm wasn't among her goals.

Schmitt left private practice in 1999 to become general counsel for General Sports and Entertainment (GSE), a sports management and marketing company based in Rochester, Michigan. She eventually ascended to the role of COO and general counsel of GSE and oversaw the daily operations for GSE's various sports-related operating divisions, including a minor league baseball team in Fort Wayne, Indiana. After leaving sports for five years—working as a general counsel in the areas of technology services and software development—she rejoined GSE when it launched the USPBL in 2015.

Despite being the league's first female president, Schmitt doesn't see herself as a role model for women who work in historically male-dominated spaces, though she admits that others might see her in this way. "I never felt like I had to break through some glass ceiling," she says. "I just outworked the other guys."

Schmitt expects to see more women in leadership positions in the coming years because "the numbers are there." Half of the USPBL's summer interns are female, and the league typically hires interns for full-time positions. With the success of the internship program, Schmitt notes there is a growing alumni network of former USPBL employees, many of them women, working across the sports industry.



Dana Schmitt, '95, pictured with Andy Appleby, owner and CEO of the USPBL, at the league's ballpark in Utica, Michigan.

Getting the league up and running was an ambitious undertaking, but despite some skepticism about the league's viability, she always knew the league would succeed. "I absolutely knew it was going to be a success because I knew the magic of minor league baseball from our experience in Fort Wayne."

The four USPBL teams currently operate out of one ballpark in Utica, Michigan, where the Utica Unicorns, the Eastside Diamond Hoppers, the Birmingham Bloomfield Beavers, and the Westside Woolly Mammoths play each other from May through September. The league gives players from small colleges or those who just missed being drafted the opportunity to hone their game while being marketed to major league teams. Since the league was established, 46 players have signed MLB contracts, and two have made it onto the rosters of the Minnesota Twins and Baltimore Orioles.

In her new role as president, Schmitt aims to expand the league's network of teams and to build another ballpark. She'd also like to put more resources into making USPBL games an affordable, Disney-like experience for families. Community experience is at the heart of the USPBL, and Schmitt and her team work hard to deliver exciting family entertainment, including fireworks displays and charity and fundraising events. Schmitt's dog, J.J., has even been trained to carry baseball bats and bottles of water to umpires and players.

Schmitt says she is fortunate to have turned her passion for baseball into a meaningful and fulfilling career, and she knows it was never a sure thing: "I wouldn't be where I am today if I didn't go to Michigan Law."

*Schmitt's dog, "J.J.," helps out during games by retrieving bats and carrying bottles of water to players and umpires.*



# CLAS S N O T E S



**Jason Mendelson** published *How to Be a Lawyer: The Path from Law School to Success* (Wiley, 2022), which includes contributions from guest authors **Lynne Davis, '98,**

and **Greg Mann, '98.** Outside of writing, Mendelson is a full-time musician performing under the stage name Jace Allen. In 2020, he retired as a co-founder and managing director of Foundry Group, a venture capital firm based in Boulder, Colorado.

**Tiffany Pollard** has joined Davis+Gilbert as a partner in the firm's corporate and transactions practice. Most recently, she was head of domestic and international mergers and acquisitions at Paramount Global (formerly ViacomCBS), where she helped lead Paramount Global's acquisition of a 49 percent stake in Miramax and its joint venture with Tyler Perry to launch its first direct-to-consumer offering (BET+ streaming). Her practice will focus on representing public and private companies in M&A, joint ventures, minority investments, and general corporate matters.



**Andrew Tavi** was promoted to senior vice president of legal, external affairs, and sustainability for Nissan Americas. In addition to serving in his current roles as

chief legal officer and head of government affairs, as head of sustainability he will have overall responsibility for leading the strategy and implementation of the company's goals to achieve zero fatalities and carbon neutral status in North and South America.

## 1999

**Michael T. Cahill** was appointed to serve on New York City Mayor Eric Adams's Advisory Committee on the Judiciary. He is president and Joseph Crea Dean of Brooklyn Law School, where he also is a tenured professor of law.

**Brian Horne** has been named partner in charge of the Los Angeles office of Knobbe Martens. He has been with the firm since graduating from law school and is a litigator who handles patent, trade secret, trademark, trade dress, and breach of contract cases.



**Elliot Regenstein** published *Education Restated: Getting Policy Right on Accountability, Teacher Pay, and School Choice* (Rowman & Littlefield, 2022),

which offers a pragmatic approach to education improvement at the local and state level. He is a partner at Foresight Law+Policy in Chicago.

## 2000

**Deirdre Hamilton** was appointed to the National Mediation Board. Previously, she worked as a staff attorney at the International Brotherhood of Teamsters, focusing on the union's airline division.

**Jeff Izzard** joined the mergers and acquisitions practice group of Jaffe Raitt Heuer & Weiss in Southfield, Michigan. Before joining Jaffe, he spent more than 14 years with various corporate firms across Chicago.

**Dana Jewell** was appointed general counsel and corporate secretary to Mixhalo Corp., a San Francisco-based real-time audio streaming company. Previously, she served as vice president, deputy general counsel, and corporate secretary at Chegg Inc.

**Jeff Kayes** joined Orrick Herrington & Sutcliffe LLP as a partner in the firm's energy and infrastructure practice group. Based in San Francisco, he previously served as partner at Baker Botts. He specializes in energy and renewables project financing and tax equity transactions.

**Claire (Holloway) Ness** was appointed deputy attorney general for North Dakota. She had previously served as senior counsel and code revisor at the North Dakota Legislative Council since 2016.



The Hon. **Asim Rehman** was appointed commissioner and chief administrative law judge at the New York City Office of Administrative Trials

and Hearings, the nation's largest administrative tribunal, which holds approximately 400,000 trials and hearings a year. He is the first Muslim American and the first person of South Asian descent to hold the position. Previously, he served an appointment as general counsel and deputy commissioner for legal matters of the New York City Department of Correction.



The Hon. **Sarah Radke Smisek** was appointed an administrative law judge for the Social Security Administration at the Office for Hearings

Operations in Livonia, Michigan.

## 2001

**Bill Burdett** joined the specialty tax and incentives practice group at Winthrop & Weinstine, which is headquartered in Minneapolis. Previously, he was with Howard & Howard Attorneys PLLC.



## Fighting for Voting Rights

By Sharon Morioka

As president of Promote the Vote 2022, Khalilah Spencer, '01, is leading the campaign for an amendment to Michigan's state constitution that would expand voting rights.

The Promote the Vote 2022 ballot initiative aims to make voting more convenient and secure, regardless of the candidate or party that someone supports, says Spencer, a litigation partner at Honigman LLP who also serves as the firm's inclusion, equity, and social responsibility partner. The amendment would create nine days of early in-person voting; require that all military ballots postmarked by election day are counted; allow for voter verification by photo ID or signed statement; provide state funds for applications, postage, and secure drop boxes for absentee ballots; and establish protocols for conducting post-election audits, among other related measures.

"It's really not controversial," says Spencer. "We're not telling people how to vote, we're just giving them more access to the ballot."

Promote the Vote 2022, a coalition of more than 30 organizations, follows a successful 2018 ballot initiative that also amended the state constitution to expand voting rights. The 2018 reforms included no-reason absentee voting and same-day registration.

"We worked on implementation of the 2018 ballot initiative in 2019, and we saw in 2020 how it positively affected voter turnout," says Spencer. "Once we realized how successful it was and how the partnerships worked well together on these issues, we wanted to continue that."

To develop the proposed 2022 amendment, organizers collected input from Michigan voters about what they wanted in terms of expanded voting rights. They then assembled a diverse and bipartisan group of lawyers to draft the amendment.

"Those various groups all weighed in: What should be included? What are the gaps from 2020? And then we wanted to see if people would approve of it, and they did, overwhelmingly."

When the group filed 669,972 signatures on July 11, it surpassed the 425,059 required to be placed on the ballot in the November 8 election.



One reason the initiative was so successful in collecting signatures, Spencer says, was that voters experienced the benefits of the 2018 amendment, especially as COVID affected how and where people voted in the 2020 election.

"Once people understand that no-reason absentee voting works, that they can vote from home, that they can drop their ballot in the drop box, that it makes voting more and more convenient, it increases voter turnout."

Spencer first became involved with activism during her undergraduate years at U-M, where she studied political science. As a Black law student from 1999 to 2001, she was witness to a historic event that served as a real-life lesson to complement her academic studies: *Grutter v. Bollinger*. The case eventually came before the US Supreme Court in 2003, and the ruling upheld the right of the University to consider race in admissions to the Law School.

"That was an interesting time to be in the Law School, with people saying, 'You really don't deserve to be here.' And we were interviewed for some of the defense work that the Law School was doing. There was a lot of activism across campus, so I think I understood political efficacy and how you have to have people engage in the democratic process. You couldn't be in the law school bubble."

Spencer's passion for activism continued after graduation, initially finding an outlet as a challenger for the Democratic Party in 2004. The experience gave her direct insights into voting rights and the importance of election protection.

Nearly 20 years later, she's still fighting for these causes. If the Promote the Vote 2022 ballot proposal is successful, the next steps involve educating voters via the organization's partners and others so they understand their rights and how voting directly affects their lives.

"People are worried about how they're going to feed their families, what the gas prices are, but they need to understand the connection between voting and implementation of policies that they think are important."





## Addressing Climate Change across Borders and Sectors

By Amy Spooner



It was only as he sat in Paris at the 2015 United Nations Climate Change Conference of Parties (COP21) that Jesse Medlong realized he might be an environmental lawyer.

The commercial litigator was there to represent a client on a pro bono matter. The client just happened to be Georgia, a developing nation vying to make its voice heard among the global heavyweights.

"The partner there with me suggested that it didn't make sense for me to do such high-profile, big-cache pro bono work in the environmental space without being an environmental lawyer," recalls Medlong, '13. "That's when my practice began to pivot."

When Medlong joined DLA Piper as a junior litigation associate, he received the firmwide Krantz Fellowship, enabling him to work solely on pro bono matters for his first year. Early on, he volunteered through New Perimeter, the firm's nonprofit affiliate focused on global pro bono, to be part of a team representing Georgia in global talks to address climate change.

His ongoing representation of Georgia is a cornerstone of his environmental law practice that also includes advising nonprofits and multinational corporations. In addition, Medlong has built a specialization in pesticides and antimicrobials, a practice that gained significant traction as COVID-19 spread.

Representing Georgia, though, is especially meaningful to him. Medlong is proud of the outcomes he has helped achieve and his resulting growth as a lawyer. Also, the multilateral nature of the work harks back to his interest in international law, born in his days traveling the world in the US Navy and strengthened during his semester in Geneva through Michigan Law's externship program.

"When I joined a Big Law firm, I assumed I was kissing that interest goodbye," Medlong says. "And as a guy who wears his values on his sleeve, representing Georgia gets at my basic passion for justice being served."

If you think of COP as a school cafeteria, Georgia at COP21 in Paris was one of those standing alone with their tray of lunch, hoping someone would invite them to join their table.

"Usually, there are at least a half dozen negotiations running at any given time, so for countries who aren't part of a group with similarly aligned interests, it's impossible to know about all of the conversations happening," Medlong explains. He and his DLA Piper colleagues negotiated on Georgia's behalf to make it a part of the Environmental Integrity Group, an eclectic collection of six countries from whose membership "Georgia has benefited tremendously," Medlong says. "Our delegation is now engaged at all levels of the process."

So much so that at COP26 in Glasgow in 2021, Medlong helped Georgia propose an agenda item to guarantee geographical representation within constituted bodies under the United Nations Framework Convention on Climate Change. "Constituted bodies are the mechanisms by which things get done, and some were constituted in a way that discriminated against the developing countries of Europe," Medlong says. In addition, Medlong and his team took steps to address other issues that had negatively affected Georgia, related to the convention's technology mechanism and the composition of the consultative group of experts advising developing countries on their reporting obligations.

"Our success at COP26 was the result of years of strategic planning. We were thrilled and, more importantly, our client was thrilled," Medlong says.

Beyond his work with Georgia, Medlong has embraced his environmental law practice, pleased that his clients largely seek him out because they





want to comply with environmental laws, not because they need damage control. That said, disputes arise. “Sometimes a plaintiff’s just wrong on the law, and sometimes there’s a gray zone where we don’t know what the state of the law is,” Medlong says. “I look at how we can center the stakeholders so that we don’t give everything away, but so that we also understand that addressing this problem is helping to address longer-term risk, too.”

Medlong focuses especially on the environmental, social, and governance (ESG) aspects of environmental law, as well as counseling clients on how to meet their ESG commitments. In 2019, DLA Piper tapped Medlong to assist in their efforts to roll out a client-facing offering around sustainability and ESG. “I had dreamed of how we could find new ways to give our clients the tools to be better. I spent three years collaborating with my colleagues to build exactly that,” Medlong says.

The work puts Medlong and his firm on the cutting edge of emerging legal issues—from monitor disclosure regimes around climate change and biodiversity to how to achieve the goals of the Paris Agreement if companies use offsets and credits as part of an emissions strategy. “How do businesses govern, plan for, and communicate material, financial, and other risks associated with climate change and the loss of biodiversity? As a profession and a firm, we’re pioneering this area of the law,” Medlong says.

The common thread connecting his clients, he adds, is that each plays a part in addressing the climate crisis: “While we need bold policy and we need governments to act, we absolutely need companies like my clients to be on board. My practice focuses on solutions on a global scale, as well as within individual companies, and I love that.”

**Monalisa Dimalanta**, LLM, was hired as chief legal and compliance officer at AboitizPower, a leading energy corporation in the Philippines. She previously served as the chairperson for the country’s National Renewable Energy Board.

**Nina Gupta** was selected to co-lead the Atlanta office of Parker Poe Adams & Bernstein LLP. She joined the firm as partner, having previously served at Nelson Mullins.

**Brian Mulcahy** joined BakerHostetler as a partner in the firm’s Chicago office. His practice focuses on mergers and acquisitions with a particular emphasis on private equity. Before this position, he was a partner with Jones Day for 20 years.



**Samir Parikh**, a professor at Lewis & Clark Law School in Portland, Oregon, was invited to testify before the Senate Judiciary Committee’s Subcommittee on

Federal Courts, Oversight, Agency Action, and Federal Rights regarding mass tort bankruptcies. In addition, he has published several recent articles, including “Financial Disequilibrium” in the *University of Pennsylvania Law Review* and “Scarlet-Lettered Bankruptcy: A Public Benefit Proposal for Mass Tort Villains” in the *Northwestern University Law Review*.

## 2002

**Daniel J. Doron** joined national employment law firm Jackson Lewis PC as a principal in New York. He was previously a partner with McDermott Will & Emery, where he led the firm’s transactional employment and executive contracts practice. He focuses his practice on representing private equity firms and strategic acquirers in connection with the labor and employment aspects of mergers and acquisitions.

**Shermin Kruse** was featured in *Formidable Women Magazine* for her recent TEDx talk on negotiating through cognitive empathy. She is a professor at the Northwestern University Pritzker School of Law in Chicago, where she teaches courses on empathy, negotiation, leadership, and global transactions.

The Hon. **Marty Lentz** was appointed a judge of the New York City Civil Court and is assigned to criminal court. Before her judicial appointment, she was a public defender with the Legal Aid Society—with a specialized practice in diversion and restorative justice at the Red Hook Community Justice Center in Brooklyn, New York.

## 2003

**Demian Ahn** joined the privacy and cybersecurity practice at Wilson Sonsini Goodrich & Rosati as of counsel in Washington, DC. He previously served as an assistant US attorney in the District of Columbia for nearly 12 years. Read more about his time at the DOJ on page 18.

**Ilon Cohen** recently was named chief legal officer and chief policy officer at HackerOne, a cybersecurity and bug bounty platform based in California. Before joining HackerOne, she worked as Aledade’s chief legal officer, chief compliance officer, and corporate secretary for five years.

**Sean Etheridge** has joined global public health and safety organization NSF as chief legal officer. He previously was corporate secretary at Stryker Corp. NSF, whose world headquarters is in Ann Arbor, has clients in more than 180 countries. The company tests and certifies products for the food, water, health sciences, and consumer goods industries.

**Melissa (Hinds) Root** was named managing partner of the Chicago office of Jenner & Block. In this role, she oversees more than 330 lawyers and is co-chair of the firm’s restructuring and bankruptcy practice group. She has been with the firm since 2005.



## 2004

**Aaron Cutler** was named the practice area leader for the government relations and public affairs practice group at Hogan Lovells in Washington, DC. He has been a partner at the firm since 2014.

**Maren R. Norton** was named office managing partner at the Seattle office of Stoel Rives LLP. She first joined the firm as a summer associate in 2003.

## 2005

**Reena Bajowala** was named chair of the data security and privacy practice group at Ice Miller LLP. She is a partner at the firm's Chicago office.

**Erin Dickinson** was appointed to serve as a member-at-large on the Summit County Council in Akron, Ohio. She was formerly a business litigation associate at Vorys, Sater, Seymour and Pease LLP.

**Daniel Fazio** joined DLA Piper as a partner in the firm's employment practice in Chicago. Previously, he was with Winston & Strawn LLP for 12 years.

## 2006

**Tracy (Schloss) Combs** was named director of the Securities and Exchange Commission's Salt Lake Regional Office. She first joined the agency in 2015 and most recently served as a trial attorney.

**Christian Grostic** was named an assistant federal public defender with the Office of the Federal Public Defender for the Northern District of Ohio.

**Gates S. Hurand** was promoted to senior counsel to Commissioner Caroline D. Pham at the Commodity Futures Trading Commission. Previously, he served in the commission's enforcement division as senior trial attorney.

## 2007

**Guy-Uriel Charles**, the Charles Ogletree Jr. Professor of Law at Harvard, was elected to the American Academy of Arts & Sciences. He teaches and writes about election law, race and law, constitutional law, and civil procedure.

**Sheila Neba** became the first chief counsel for Gem, a human resources tech startup based in San Francisco. She previously was the head of global employment law at Slack.



**Sara (Church) Nicholson** became a partner at Warner Norcross + Judd LLP in Kalamazoo, Michigan. She is an estate and tax-planning attorney who has been with the firm since 2018.

**Andrew Vouziers** was named co-head of the Americas lending group and a partner in the banking and finance group at Mayer Brown LLP in Chicago. Previously, he was a partner at Sidley Austin LLP.

## 2008

**Marcus Bach Armas** was elected to serve as a judge in Florida's Miami-Dade County Court. He previously was an executive with the Miami Dolphins for 12 years.

## 2009

**Samuel Brenner** was promoted to partner at Ropes & Gray in Boston. He has been with the firm since 2011 and practices intellectual property litigation.

**Amber Elliot Chandler** was featured on the *Black Women Lead* podcast to discuss solutions to homelessness during the COVID-19 pandemic. She is a systems improvement adviser with Community Solutions Inc., a nonprofit organization headquartered in New York.



**Christopher R. Mykytiak** joined Taft Stettinius & Hollister LLP as of counsel in the real estate practice group. Based in Cleveland, he was previously a partner at Hahn Loeser & Parks LLP.

**Anthony Ramirez** was promoted to partner at Morrison & Foerster in New York. He advises clients on commercial and transactional matters relating to intellectual property.



**Shannon Shin** was promoted to partner at Dentons US LLP in Chicago, where she is a member of the firm's litigation practice.

## 2010

**Lara Bueso Bach** joined media company TelevisaUnivision as senior vice president of litigation. Based in Miami, she previously served as counsel at Weil, Gotshal & Manges LLP.



**Blake Gansborg** was elected to partner at Nelson Mullins Riley & Scarborough LLP in Denver. His practice focuses on complex commercial litigation.



**Anastasia Niedrich Kaup** accepted a position as managing director and partner at Fund Finance Partners, an independent advisory firm serving asset

managers, fund sponsors, and their portfolio companies. Before this role, she was a partner and practice leader of the fund financing practice at the international law firm Duane Morris LLP.

**David Poell** was promoted to partner at Sheppard, Mullin, Richter & Hampton LLP. He is a member of the firm’s business trial practice group and lives in Chicago.



**Rebecca “Reba” L. Rabenstein** was elected partner at Latham & Watkins in Washington, DC. A member of the intellectual property litigation practice, she

focuses on litigating disputes and providing strategic counseling in the pharmaceutical, biotechnology, and life sciences areas.

2011



**Scott J. Fishwick** has joined Butzel Long as a shareholder in its litigation department. Based in the firm’s Detroit office, he represents public and private companies,

their officers and directors, and other high-profile individuals in complex business and financial litigation.



**Chad Ray** joined Carrington, Coleman, Sloman & Blumenthal LLP as a partner in Dallas. He focuses his practice on patent litigation.

**Jesse Taylor**, a senior litigation associate at Squire Patton Boggs, was selected as a Next Up Columbus honoree, an annual award presented by the Columbus Young Professionals Club. This recognition highlights emerging leaders who are making a positive impact on the future of central Ohio.

2012



**Elizabeth Bock** became a partner at O’Melveny & Myers LLP in Los Angeles. She counsels some of the most prominent companies in the health care industry

through enforcement, litigation, and regulatory matters.

**Joseph Clementz** was promoted to vice president and assistant general counsel for Domino’s Pizza. He returned to Ann Arbor with his family in 2019 after working at Sidley Austin and Davis Polk in Chicago.

2012



**Gautam Hans**, an associate clinical professor at Cornell University Law School and expert on First Amendment law and technology policy, appeared on *Jeopardy!* for the game show’s first ever “Professors Tournament.” He was one of 15 college professors from across the country to compete in the tournament and was the only law professor. He is a lifelong *Jeopardy!* fan—in the third grade, he dressed up as Alex Trebek for Halloween, complete with a fake mustache. He relished the opportunity to talk about clinical pedagogy on network television and credited Michigan Law’s Civil-Criminal Litigation Clinic and the Zell Entrepreneurship Clinic for honing his pedagogical skills while he was a student. He recently joined Cornell Law School’s faculty and also is associate director of the school’s First Amendment Clinic. Previously, he was an associate clinical professor at Vanderbilt University Law School.



# CLASS NOTES

**Elizabeth “Liz” Houghton** was promoted to partner at Epstein Becker Green in New York. She counsels employers on all facets of employment law, with a specialization in minimizing risk and achieving optimal workplace outcomes.

**Nicholas Kyriakopoulos** opened NK Law in Bloomfield Hills, Michigan, where he prosecutes civil claims against negligent individuals, corporations, government agencies, and insurance companies.

**Zachary F. Proulx** was promoted to counsel at Latham & Watkins in New York. A member of the complex commercial litigation practice, he focuses on financial institution litigation, insolvency litigation, and other complex business disputes in state and federal courts.



**Julie (Milligan) Rhoades** joined Croke Fairchild Morgan & Beres as partner. Based in Detroit, she serves clients nationwide on the tax aspects of a range of complex business and financial transactions.

**Sean K. Tierney** was promoted to partner at Gibson, Dunn & Crutcher LLP in Los Angeles. He is a member of the firm’s real estate practice group.

## 2013



**Thomas Bohnett** joined Google as competition counsel in Washington, DC. Previously, he served as counsel at Vinson & Elkins, where he focused on antitrust, class actions, and contractual disputes.



**Allyson Terpsma** was promoted to partner at Warner Norcross + Judd LLP in Grand Rapids, Michigan. She focuses her practice on labor and employment law and has been with the firm since 2014.



**Terrill Wilkins** was promoted to named partner at the Chicago-based employment firm Abrahamson Rdzanek & Wilkins LLC, which previously was named Abrahamson Vorachek & Rdzanek. He has been with the firm since 2015. His practice focuses on the representation and counseling of individual employees in the private sector across a number of employment matters.

## 2014

**Peter S. Borock**, associate in the real estate practice group at Paul, Weiss, Rifkind, Wharton & Garrison LLP, received a Cornerstone Award from the Lawyers Alliance for New York. The award is one of the city’s highest business law pro bono honors, and he was recognized for assisting a major nonprofit developer of low-income housing.

**Devon Holstad** was recognized for his pro bono service by the Minnesota State Bar Association. He is a litigation associate at Winthrop & Weinstine in Minneapolis.



**Kelly F. O'Donnell** joined private investment company Interlaken Capital as vice president and general counsel in Greenwich, Connecticut. She was previously a member at Pullman & Comley LLC.

## 2015

**Christopher Burtley** was reappointed by Michigan Gov. Gretchen Whitmer to serve on the Black Leadership Advisory Council. He is a supply chain litigation and commercial transaction attorney with Barnes and Thornburg LLP.



**Alexandra E. Dieck** was admitted as a member of Bodman PLC in Ann Arbor, where she counsels individuals and businesses on real estate, corporate, and general business matters. She also practices municipal law and serves as the township attorney for Ann Arbor Charter Township.



**Alex E. Haney** was accepted as a member of Bodman PLC in Troy, Michigan. He represents business clients with drafting and negotiating a broad range of vendor contracts as part of the enterprise procurement practice group. He has been with the firm since 2015.



**Kenneth R. Powell** was admitted as a member of Bodman PLC. He practices in the Ann Arbor office as part of the business practice group, where he represents business clients in a variety of general corporate matters.

## 2016

**Emily A. Cross** joined Bodman PLC in Troy, Michigan, as an associate. She is a member of the firm's litigation and alternative dispute resolution practice group and represents clients in complex commercial litigation matters as well as alternative dispute resolution proceedings.



**Jake W. Gordon** joined Bodman PLC as a member in Detroit. As part of the banking practice group, he represents creditors in commercial loan

workouts, corporate restructurings, and other troubled credit matters.

**Samuel Nuxoll** joined the University of Michigan's Office of General Counsel as an associate general counsel. He most recently served as an officer in the US Army Reserve.



**Martin C. Topol** joined Verrill Dana LLP in Portland, Maine, as an associate in the firm's litigation and trial practice group. He previously served as an

intelligence analyst for the Federal Bureau of Investigation.

## 2017



**Shomik Ghosh** was hired as a partner at Spiro Harrison. He specializes in commercial litigation and will head the New York office. Previously, he was a trial attorney at Mandel Bhandari LLP.

**Tania Morris-Diaz** joined Lincoln-Goldfinch Law in Austin, Texas, where she practices immigration law. She previously worked as a staff attorney at the Michigan Immigrant Rights Center.

**Sarah Scheinman** joined the Office of Management and Budget as associate deputy general counsel. She previously served as deputy associate counsel at the White House.

## 2018

**Dmetri Culkar** joined the private investment firm Fiume Capital as vice president and associate general counsel in Las Vegas. Most recently, he practiced in corporate and securities matters at Maslon LLP.

## 2019

**Megan Giles** was selected as a 2022 National Employment Law Council Academy Fellow. As part of this cohort, she is receiving advanced skills training and direct interaction with in-house attorneys and national leaders in minority labor and employment defense. She is an associate attorney at DLA Piper in Atlanta.

## 2020



**Sinéad G. Redmond** joined Bodman PLC as an associate in Ann Arbor, where she is part of the real estate practice group.

## 2021

**Katherine Gordon** joined the labor and employment practice group Faegre Drinker as an associate in Indianapolis.

**Jeffrey R. May** joined Bodman PLC as an associate attorney in Detroit. He is a member of the firm's litigation and alternative dispute resolution practice group.

**Matt Preston**, a judicial law clerk in Bay City, Michigan, published an op-ed in *USA Today*, discussing the rise of Supreme Court Justice Ketanji Brown Jackson and his belief in the importance of retaining military veterans on the country's highest court. Read more on page 11.



**Mariah M. Silverstein** joined Michigan's Allegan County Government as an assistant public defender. Most recently, she was a member of the

litigation practice group at Foster Swift.

**Ian Sterlin** joined the Boston office of McCarter & English as an associate in the intellectual property practice group.

Did you get a new job or a promotion? Were you recognized with an award? Share your news with classmates in an upcoming issue of the *Law Quadrangle*. Email [LQNClassNotes@umich.edu](mailto:LQNClassNotes@umich.edu) or complete the online form at [law.umich.edu/classnotes](http://law.umich.edu/classnotes).

# I N M E M O R I A M

## 1940s

Harold Rosenn, '41	06/02/2022
John A. Galbraith, '49	12/21/2021

## 1950s

Tommy F. Angell, '50	01/19/2022
Peter F. DeGaetano, '50	10/13/2020
Melvin J. Spencer, '50	03/04/2022
Walter L. Dean, '51	04/11/2022
Robert T. Kendall, JD '51, LLM '55	02/03/2020
Warren S. Wepman, '51	06/16/2020
Allan M. Shapiro, '52	01/02/2022
Richard D. Simons, '52	07/17/2022
Robert S. Beach, '53	02/15/2022
John B. Bruff, '53	04/21/2022
Frederick D. Johnson, '53	02/19/2022
Donald C. Lunt, '53	01/18/2022
Hugh E. Reynolds, '53	12/22/2021
Lawrence L. Bullen, '54	04/04/2022
Roderick K. Daane, '54	01/02/2022
William R. Huey, '55	02/23/2022
John R. Peterson, '55	03/24/2022
Anthony F. Ringold, '55	10/21/2021
Robert C. Sidwell, '55	04/01/2022
John C. Cary, '56	01/11/2022
Robert L. Evans, '56	06/17/2022
Daniel S. Guy, LLM '56, SJD '70	06/10/2022
Richard A. Miller, '56	03/04/2022
Labron K. Shuman, '56	02/06/2022
William D. Webb, '56	10/18/2021
John H. Fildew, '57	02/07/2022
Michael F. Kelly, '57	05/08/2022
Donald H. Kenney, '57	02/20/2022
Richard L. Kozlowski, '57	11/10/2020
Arthur F. Lamey, '57	02/14/2022
Angus G. MacDonell, '57	06/22/2021
Lawrence W. Pollack, '57	06/29/2022
John T. Rogers, '57	05/31/2022
Francis M. Small, '57	02/18/2022
Robert A. Klein, '58	03/26/2020
James F. Logan, '58	05/16/2022
Gerald W. Padwe, '58	02/05/2022
Thomas A. Troyer, '58	05/20/2022
Charles F. Clippert, '59	02/12/2022
Jack L. Robinson, '59	12/27/2020
George C. Stewart, '59	12/19/2021

## 1960s

William K. Strong, '60	02/10/2021
Phillip B. Bowman, '61	05/21/2022
Donald W. Garlinger, '61	12/05/2021
George A. Mathewson, LLM '61	01/04/2022
John E. Porter, '61	06/03/2022
Laurence M. Scoville, '61	02/27/2022
Paul S. Teranes, '61	05/09/2022
W. Gerald Thursby, '61	02/15/2022
William S. Bach, '62	02/25/2022
Richard S. Borland, '62	03/01/2022
Jon F. DeWitt, '62	02/02/2022
Edward M. Grabill, '62	01/15/2022
Roger B. Harris, '62	12/06/2021
Kenneth A. Jacobson, '62	04/19/2022
Gerald M. Porter, '62	04/12/2022
John G. Toner, '62	06/15/2022
Howard M. Frankenberger, '63	11/12/2021
John A. Hazelwood, '63	01/20/2022
David B. Marblestone, '63	12/25/2021
Ridler W. Page, '63	03/05/2022
Lee D. Powar, '63	01/18/2022
Marvin J. Brenner, '64	05/27/2022
Norman L. Winn, '64	12/31/2021
Edward G. Henneke, '65	02/11/2022
Joseph A. Milchen, '65	01/24/2022
Jeffrey Choi, '66	09/28/2020
Frances C. Galloway, '66	06/23/2022
David M. Guinn, '66	01/06/2022
Stanley Lubin, '66	04/06/2022
James C. McLoughlin, '66	12/06/2021
Maurice E. Schoenberger, '66	05/12/2022
Brian A. Urquhart, '66	05/10/2022
I. William Cohen, '67	02/23/2022
James R. Cooke, '67	03/09/2022
Eden S. Feldstein, '67	02/03/2022
Kay Felt, '67	06/04/2022
William D. Hodgman, '67	05/03/2022
Herman Kaufman, '67	05/20/2022
John K. Restrict, '67	05/17/2021
Michael J. Houlihan, '68	04/24/2022
Harry W. Keidan, '68	04/08/2022
Thomas F. Tresselt, '68	07/12/2022
Harold E. Fischer, '69	02/28/2022
Charles C. Hawk, '69	02/03/2022

## 1970s

Thomas R. Burns, '70	02/10/2022
Daniel S. Guy, LLM '56, SJD '70	06/10/2022
Gerald G. Poindexter, '70	01/01/2021
Eric J. Thorsen, '70	05/31/2022
Dennis B. Dubay, '71	04/29/2022
David B. Harrel, '71	05/24/2022
Herman F. McDaniel, '71	07/11/2022
Herbert Papenfuss, '71	03/28/2022
Ronald J. Styka, '71	02/15/2022
Karin A. Verdon, '71	03/08/2022
Susan G. Wright, '71	04/18/2022
Gregory A. Huffman, '72	04/08/2022
Ralph O. Jones, '72	01/14/2020
Stephen F. Schuesler, '72	03/21/2022
John A. Yogis, LLM '72	11/23/2021
Michael G. Slaughter, '74	03/14/2022
Robert J. Bernstein, '75	04/15/2022
Bracken C. O'Neill, '75	01/29/2022
Darrell L. Williams, '76	11/08/2020
John P. Dickey, '77	12/10/2021
Alan J. Gilbert, '77	03/26/2022
Stuart M. Jones, '77	03/10/2022
Scott A. Wolstein, '77	05/26/2022
Janet Anderson-Davis, '78	01/30/2022
Jonathan B. Forman, '78	08/16/2021
Noel D. Massie, '78	02/15/2022

## 1980s

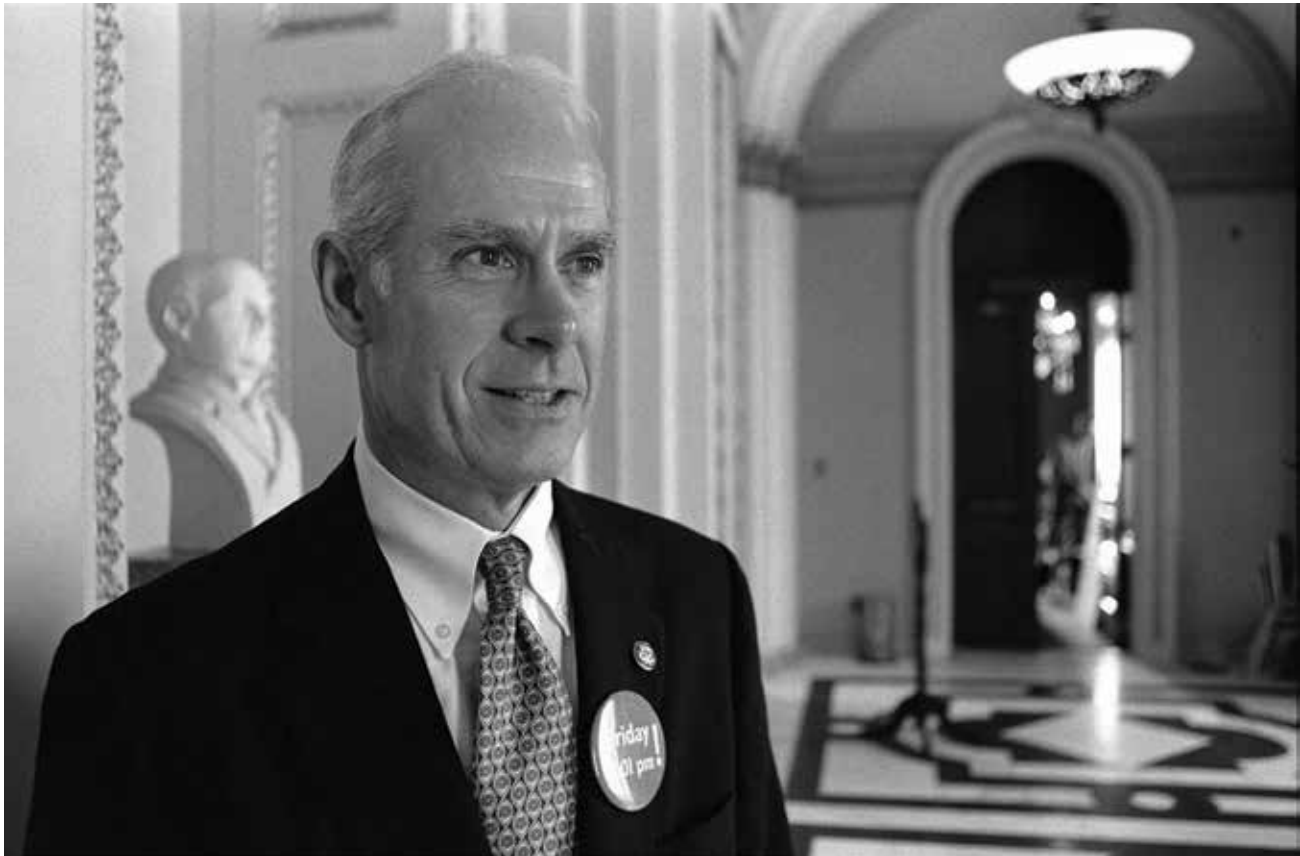
Mark J. Gonzalez, '80	01/14/2022
Christian Hirsch, '80	04/20/2021
William J. DeBauche, '81	03/05/2022
Brian P. Maschler, '83	02/09/2021
Lynn Spang, '84	04/18/2022
Suzanne J. Thomas, '87	09/18/2021
Daniel L. Schofield, '88	04/03/2022

## 2000s

Matthew S. Mock, '03	01/04/2022
Joseph R. Sgroi, '05	01/11/2022
Eric R. Veenstra, '06	04/25/2022
Katherine L. Root, '07	02/14/2022
Cory G. Walker, '09	03/16/2022

## 2010s

Michael T. Lewis, '12	08/07/2021
-----------------------	------------



## Rep. John E. Porter, '61

Rep. John E. Porter, '61, a Republican who served for more than two decades in the US House of Representatives as the representative for Illinois's 10th congressional district, died on June 3, 2022. He was 87.

A native of Evanston, Illinois, Porter represented the North Shore of Chicago, the northwest suburbs, and eastern Lake County. A moderate voice amid today's political landscape, Porter opposed cuts in social programs, supported global family planning programs, and backed gun control measures, including spearheading the 1994 Federal Assault Weapons Ban.

Additionally, he supported a number of human rights measures, including the creation of the Congressional Human Rights Caucus, a voluntary group that worked to identify, track, and end human rights violations all over the world. He was a member of the House Appropriations Committee and chair of its Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. The committee's jurisdiction covered all of the health programs of the National Institutes of Health, as well as those of other health-related federal agencies.

During his tenure, he helped increase funding for scientific and biomedical research, including mapping the human genome, which "continues to transform medicine on a daily basis and has provided life-saving cures all around the world," according to Sen. Richard J. Durbin [D-IL], who served with Porter. In 2014, the National Institutes of Health dedicated the John Edward

Porter Neuroscience Research Center in Bethesda, Maryland, in his honor. It houses more than 800 brain research scientists and is one of the largest neuroscience research centers in the world.

After leaving Congress in 2001, Porter became a partner and senior adviser at Hogan Lovells LLP in Washington, DC. He was involved with a number of civic and nonprofit organizations, including serving as chair of Research!America; vice chair of the Foundation for the National Institutes of Health; and a board member of Public Broadcasting Service, the Brookings Institution, and the American Heart Association, among others. He received more than 275 awards for his service, including the Public Welfare Medal from the National Academy of Sciences.

Dismayed by Florida legislation attacking science in schools, Porter wrote a 2017 op-ed in *The Washington Post* titled, "If we want this nation to succeed, we can't put facts up for dispute." In it, he argued that America "was built on the pursuit of knowledge, in which teachers and students are free to expand their curiosity, study, and evaluate issues, including controversial ones."

Porter leaves behind a legacy of bipartisanship, an appetite for scientific innovation, and a continuous drive for international collaboration. He is survived by his spouse, Amy; seven children and stepchildren; and 14 grandchildren.

# CLOSING



## *I do*

On May 7, 2022, Professor Len Niehoff, '84, officiated at the wedding of Evan Neustater, '21, and Brenna Ferris, '21. The couple had been students in multiple classes taught by Niehoff, including Civil Procedure and Evidence. "I was deeply honored and touched when they asked me to officiate," Niehoff explains. "I've officiated at a number of weddings, but this one meant a great deal to me."

Niehoff is not the only member of the Michigan Law community to officiate the wedding of former students; Sarah Zearfoss, '92, senior assistant dean of admissions, has presided over several. For Neustater and Ferris's big day, more than 100 family members and friends, including a number of their Michigan Law classmates, gathered in Leesberg, Virginia. "We're so happy and honored that Professor Niehoff agreed to officiate our wedding. He was an absolutely perfect choice, and he delivered a beautiful, personal ceremony that wowed our friends and family. The only thing our guests enjoyed more than the ceremony may have been his dance moves," says Neustater.

"It was a joyful celebration," Niehoff adds. "And that's not just hearsay."



**The Regents of the  
University of Michigan**

Jordan B. Acker, Huntington Woods  
Michael J. Behm, Grand Blanc  
Mark J. Bernstein, Ann Arbor  
Paul W. Brown, Ann Arbor  
Sarah Hubbard, Okemos  
Denise Ilitch, Bingham Farms  
Ron Weiser, Ann Arbor  
Katherine E. White, Ann Arbor  
Santa Ono, *ex officio*

The University of Michigan, as an equal opportunity/affirmative action employer, complies with all applicable federal and state laws regarding nondiscrimination and affirmative action. The University of Michigan is committed to a policy of equal opportunity for all persons and does not discriminate on the basis of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status in employment, educational programs and activities, and admissions. Inquiries or complaints may be addressed to the Senior Director for Institutional Equity, and Title IX/Section 504/ADA Coordinator, Office for Institutional Equity, 2072 Administrative Services Building, Ann Arbor, Michigan 48109-1432, 734.763.0235, TTY 734.647.1388, [institutional.equity@umich.edu](mailto:institutional.equity@umich.edu). For other University of Michigan information call 734.764.1817.



Non-alumni readers should address:

Editor  
Law Quadrangle  
701 South State Street  
Ann Arbor, MI 48109-3091  
Fax: 734.615.4277

Email: For Class Notes – [LQNCClassNotes@umich.edu](mailto:LQNCClassNotes@umich.edu)  
For other communications – [LQNGeneral@umich.edu](mailto:LQNGeneral@umich.edu)

If you are a Law School graduate, please send your change of address to:

Law School Development  
and Alumni Relations  
701 South State Street  
Ann Arbor, MI 48109-3091  
Phone: 734.615.4500  
Fax: 734.615.4539  
Email: [lawaddresschange@umich.edu](mailto:lawaddresschange@umich.edu)



The University of Michigan Law School  
Volume 65, Number 2  
FALL 2022

Copyright © 2022  
The Regents of the University of Michigan  
All rights reserved.

Law Quadrangle (USPA#144) is issued by  
the University of Michigan Law School.  
Postage paid at Ann Arbor, Michigan.

Publication Office: Law Quadrangle,  
University of Michigan Law School,  
Ann Arbor, MI 48109-3091. Published  
twice a year.

Postmaster, send address changes to:  
Editor, Law Quadrangle  
University of Michigan Law School  
701 South State Street  
Ann Arbor, MI 48109-3091

**Chief Communications Officer:**  
Michelle Rodgers  
**Managing Editor:** Amy Spooner  
**Editor:** James Weir  
**Class Notes Editor:** Chelsea Liddy Pivtorak  
**Designer:** Tish Holbrook  
**Digital Designers:** Jocelyn Gotlib and Alex Lee

**Writers:** Meaghan Kelley, Sharon Morioka,  
Chelsea Liddy Pivtorak, Amy Spooner, James Weir

**Photographers:** Ben Barnhart, Charles Barry,  
Marie Clark, Evan Cobb, Max Gerber, Linda Horton,  
Lon Horwedel, Dustin Johnston, Lucian Perkins,  
Lexey Swall, Leisa Thompson Photography

**Printing:** University Lithoprinters, Ann Arbor, Michigan

# Quadrangle

LAW

NOTES FROM MICHIGAN LAW

THE UNIVERSITY OF MICHIGAN  
701 SOUTH STATE STREET  
ANN ARBOR, MICHIGAN 48109-3091