

# QLAWuadrangle

NOTES FROM MICHIGAN LAW

DETROIT

20



MICHIGAN LAW  
UNIVERSITY OF MICHIGAN

# SPRING 2014

## 06 OPENING

## 07 A MESSAGE FROM DEAN WEST

## 08 BRIEFS

- 8 African American Alumni Reunion
- 10 Prof. Levy Confirmed as Federal Judge
- 11 Innocence Clinic Client Exonerated

## 12 FEATURES

---

## 46 FACULTY NEWS

- 46 A Guiding Hand
- 49 MacKinnon Wins Ginsburg Lifetime Achievement Award
- 50 *Journal of the Civil War Era* to Preserve Emancipation Scholarship

## 52 GIVING

## 64 CLASS NOTES

- 64 Maazel, '97: Building a Career in Civil Rights
- 66 Dively, '64: Off to the Races
- 69 Greenberg, '79: Gender Matters

## 79 IN MEMORIAM

- 79 Professor Joseph Sax
- 80 The Hon. William McClain, '37
- 80 Professor Luke Cooperrider, '48

## 82 CLOSING

- 82 The Making of the Magazine Cover

# FEATURES

## DETROIT 2.0 BANKRUPTCY

12



## DETROIT 2.0 COMMUNITY BUILDING

27



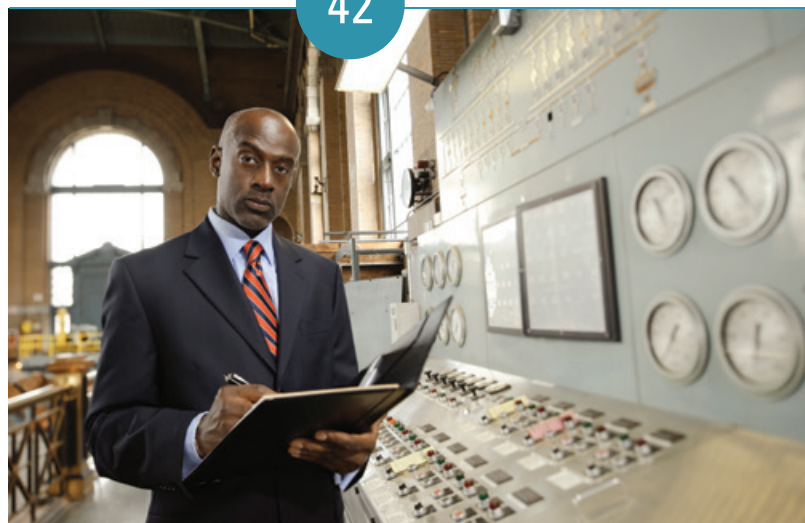
## DETROIT 2.0 THE LEGAL LANDSCAPE

37



## DETROIT 2.0 ENTREPRENEURSHIP

42





## ALL EYES ON DETROIT

As Detroit emerges from bankruptcy, the city's next phase will be shaped in large part by Michigan Law alumni: the emergency financial manager, the mayor, the bankruptcy judge, as well as community builders, leaders of the largest law firms in the city, and entrepreneurs. Read more in the collection of stories that begins on p. 12.



# [ OPENING ]

5 Quotes You'll See...

## ...In This Issue of the *Law Quadrangle*

1. "My inspiration for going to law school, at least in part, was to mend this disconnect between the City of Detroit and the urban agricultural community." (p. 30)
2. "I see the city's financial troubles being taken head-on and starting to reverse, and it's exciting." (p. 39)
3. "Really, though, the city's bankruptcy is a trailing indicator. The city has been on the rise at least for the past three years." (p. 45)
4. "It can be an opaque process, and these insights and anecdotes help to pull back the curtain." (p. 46)
5. "I don't think many people do the race in their 70s because most people in their 70s have more sense." (p. 66)





## A CLOSE-UP VIEW

Detroit invites metaphors ranging from dire to hopeful. But like most complex stories, Detroit defies easy comparisons.

This issue of the *Law Quadrangle* goes beyond metaphor to tell stories of Detroit past, present, and future, and the remarkable ways each is impacted by members of the Michigan Law community. Although the issue includes a few predictions, it offers neither diagnosis nor solution to Detroit's ills. Instead, it adds new voices to the conversation and offers the chance to learn more about some of the debate's most prominent participants.

I hope one of your key takeaways from this issue will be that people are fighting hard for Detroit. Many of those people are fellow and future alumni. In Detroit's political story, for instance, the main players are our graduates—Emergency Manager Kevyn Orr, '83, Mayor Mike Duggan, '83, Gov. Rick Snyder, '82, and the Hon. Steven Rhodes, '73, of the Bankruptcy Court for the Eastern District of Michigan. Of course, we shouldn't be surprised that Michigan Law graduates are leaders in the political realm. But it might be unprecedented that those at the center of such a complex national story all call the same exceptional law school home.

Another key point that I hope this *Law Quadrangle* will impress upon you is that Detroit matters. Yes, at Michigan, we of course pride ourselves on being a global school that attracts top students from all over the world and prepares graduates to be leaders worldwide. But Detroit matters to the Law School and to the University of Michigan—a great deal.

Why? First, Michigan is a public institution. Detroit, which is Michigan's largest city and one of the country's most iconic, calls on our inherent responsibility to the public. Our students and alumni have long demonstrated a commitment to service, from the high number of graduates who go into public-sector jobs to those who carry substantial pro bono caseloads in firms. It is natural for our community to bring that same sense of commitment to the great city in our backyard. And though the city is close to us geographically, what is happening there is of great significance on the national and global stages.

In this issue, you'll read about Barbara McQuade, '91, the U.S. Attorney for the Eastern District of Michigan and an advocate for Detroit's immigrant populations. You'll also learn about other alumni, such as Katy Locker, '02, the Detroit program director for the John S. and James L. Knight Foundation, and Dan Varner, '94,

the CEO of Excellent Schools Detroit. Both are harnessing the power of philanthropy and community engagement to improve the city.

Detroit also matters as an educational partner. It is a learning laboratory for students and faculty throughout the University, where students actively engage in volunteer opportunities and coursework, including a "Semester in Detroit." The Law School is equally engaged, to the benefit of all. One of my favorite stories in this issue is about JDs in the D, a Michigan Law student organization that seeks to build awareness of Detroit within the Law Quad, and also partners with Detroit-based organizations to aid the city's revitalization. I'm inspired by the students who say they chose Michigan, in part, because they saw the opportunity to put their education into practice in Detroit, and by those who say their experiences have influenced them to pursue full-time employment in the area after graduation.

This issue of the *Law Quadrangle* reaffirms a hallmark of our community: Michigan Law graduates are leaders who seek to make a positive difference in the world and who care deeply about the Law School. That care is obvious from the enthusiasm that permeated November's kickoff of the Victors for Michigan campaign, an exciting opportunity for all alumni to help shape the future of Michigan Law. And it's obvious from the passion, loyalty, and significant contribution of resources and time our alumni demonstrate.

Thanks to all of you who, like the people in this issue, seek to make your corner of the world—and Michigan Law—a better place.

**Mark D. West**  
Dean  
Nippon Life Professor of Law



# BRIEFS

## African American Alumni Reconnect, Reflect



*Top row: Dean Mark West and Kevyn Orr, '83; Reunion tri-chairs Saul Green, '72, Elizabeth Campbell, '78, and Curtis Mack, LLM '73; middle: Serena Ross, an incoming summer starter, and Glenn Oliver, '87; the Hon. Gershwin Drain, '72, and his daughter, Shannon Salinas, '02; below: Alumni reunion attendees on the steps of the Reading Room.*







The excitement was palpable as alumni returned to Ann Arbor for the inaugural Michigan Law African American Alumni Reunion, March 21–23, 2014. The reunion coincided with Preview Weekend for admitted students and the 36<sup>th</sup> Annual Alden J. “Butch” Carpenter Scholarship Banquet, giving alumni and students opportunities to make connections, swap stories, and discuss the value of the Michigan Law experience. Exuberant former classmates reunited, some of whom hadn’t returned to campus since graduation. “Michigan Law is a lifelong community, and that was front and center this weekend,” said Dean Mark West. “The common experience of time spent in the Quad creates strong connections across generations of students.”

With the theme “coming back, moving forward,” the reunion also explored ways to improve and support the recruitment and matriculation of African American students. Panel discussions focused on minority admissions at the Law School, post-civil rights era advocacy, and alternative careers. “Recruitment of top minority students by top-ranked law schools like Michigan is more competitive than ever,” said the Hon. Roger Gregory, ’78, in a luncheon address. “Our time at the Law School influenced our lives and career. Michigan cannot similarly influence other bright, young African Americans without our help.”

Saturday night’s Butch Carpenter Banquet brought past, present, and future Michigan Law students together in an atmosphere described as “warm and zealous” by event co-chair Adrean Taylor, a 2L. Detroit Emergency Manager Kevin Orr, ’83, offered an engaging insider’s view of Detroit’s bankruptcy as the keynote. The event drew more than 300 people—a record turnout—and saw the scholarship fund surpass the \$1 million mark. Said Taylor, “The significant involvement of our dedicated alumni is undoubtedly the reason the Butch Carpenter Scholarship has been maintained for 36 years and continues to exceed expectations.”—AS

*Clockwise, from above left: Butch Carpenter co-chairs Adrean Taylor and Emerson Girardeau, both 2Ls; Brittany Nash, a 3L, talks with alumni at Friday’s networking reception; Butch Carpenter Banquet attendees enjoy a pre-dinner photo op; Godfrey Dillard, ’73, Dr. Darnell Kaigler, and Shirley Kaigler, ’75; and Danielle Carr, ’89.*

## Prof. Judith Levy Confirmed as Federal Judge



Judith E. Levy, '96, a Michigan Law faculty member was confirmed by the U.S. Senate on March 12 to serve as a federal judge on the U.S. District Court for the Eastern District of Michigan. She was sworn in by Chief Judge Gerald Rosen during a ceremony in Detroit held March 18.

"The decisions federal judges make change individuals' lives, and in some instances, they affect all of our lives," Judge Levy said. "I will do my best to make those decisions thoughtfully and fairly. I am honored to be appointed to this position."

Judge Levy and three others were nominated by President Barack Obama in July 2013 upon the recommendation of Michigan Senators Carl Levin and Debbie Stabenow. "Each of [the judges] has demonstrated a mastery of the law and the impartiality required of a judge," Levin said, "and I know they will serve justice and the people of Michigan well."

Judge Levy specialized in large civil rights cases related to fair housing, fair lending, police misconduct, juvenile justice, and disability law. She is the director of Michigan Law's Public Interest/Public Service Faculty Fellows program, and she teaches seminars on policing and fair housing.

Prior to her appointment to the federal bench, Judge Levy had served as an assistant U.S. attorney in the Eastern District of Michigan since 2000 and was the chief of the Civil Rights Unit. Prior to that, she was a trial attorney with the U.S. Equal Employment Opportunity Commission in Detroit. She has been recognized by the U.S. Department of Justice (DOJ) Civil Rights Division for her work on civil rights cases and received the DOJ Director's Award in 2004. Before attending Law School, she was an elected union official and chief negotiator for the service and maintenance employees at U-M for eight years.—LA

## Radin, McCormack Elected to ALI



Radin

The American Law Institute (ALI) elected a new group of members in the fall that included Margaret Jane Radin, the Henry King Ransom Professor of Law at Michigan, and Bridget Mary McCormack, a lecturer at Michigan Law and a justice of the state Supreme Court.

Radin teaches courses about contracts and patents, as well as those dealing with property theory, the interaction between property and contracts, and the evolution of property and contracts in the digital era. She is the author most recently of *Boilerplate* (Princeton University Press, 2012), which explores the problems posed for the legal system by adhesion contracts and how they might be ameliorated. Her work has been widely published, and she frequently teaches and presents at other top law schools.



McCormack

McCormack was elected to the Supreme Court in 2012. Previously, she served as Michigan Law's associate dean for clinical affairs, clinical professor of law, and codirector of the Michigan Innocence Clinic. Her awards and honors include the Justice for All Award (with Innocence Clinic codirector Professor David Moran, '91) from the Criminal Defense Attorneys of Michigan in 2010.

The ALI produces scholarly work to clarify, modernize, and otherwise improve the law. It comprises 4,000 top lawyers, judges, and law professors.



\$3,500

**Winning bid at the 36<sup>th</sup> annual Student Funded Fellowships Auction for six students to attend a Miley Cyrus concert with Dean Mark West and Admissions Dean Sarah Zearfoss, '92.**



JENNY WHALEN

## BRIEFS

### Human Trafficking Clinic Wins \$500,000 Grant from DOJ

The Law School's Human Trafficking Clinic (HTC) has been awarded a \$500,000, three-year grant from the Department of Justice (DOJ) to fund a partnership between the clinic and domestic violence and sexual assault services.

The award from the DOJ's Legal Assistance for Victims Grant Program funds partnerships with the Michigan Coalition to End Domestic and Sexual Violence and the U-M Sexual Assault Prevention and Awareness Center. Both partnerships are designed to improve services to victims of human trafficking in Michigan.

"One thing we've been realizing more and more with our cases is how much overlap there is between the two. It doesn't have to be that someone was either a victim of human trafficking, or of domestic violence or sexual assault; it's often both," says Elizabeth Campbell, '11, clinical assistant professor of law in the HTC and the main author of the grant proposal. Read more at [law.umich.edu/quadrangle](http://law.umich.edu/quadrangle).

### Michigan Innocence Clinic Client Exonerated From Arson Conviction

Victor Caminata, the Michigan Innocence Clinic client whose arson case was featured in the fall 2013 issue of the *Law Quadrangle*, was exonerated in January.

And though joy was the prevailing emotion in the courtroom as Caminata celebrated that exoneration with family, friends, and his Michigan Innocence Clinic team, feelings were tempered with the knowledge that many other joyful moments had been lost during the five years Caminata had been wrongfully imprisoned.

"I'm glad this is over with . . . glad my name has been cleared," said Caminata. "It's been a hard road for not only me, but also my family and friends. I plan to spend the rest of my life with my family trying to make up for the time we lost."


Convicted of arson following a fire that destroyed his home in Boon Township, Michigan, Caminata was sentenced to serve nine to 40 years in prison for a crime the Michigan Innocence Clinic argues never occurred. "When you want to explain the failings in this case, you don't need an advanced degree in fire science," says David Moran, '91, clinical professor and director of the clinic.

Caminata had served five years and two weeks of his sentence when he was released in July 2013, but had to wait another six months in legal purgatory as prosecutors looked to retry his case. His state of limbo came to an end when the Michigan Attorney General's Office announced in January that it was dismissing the charge against him.

Caminata is the eighth exoneree—and second to be exonerated for arson—in the clinic's five-year history. Read more in the fall 2013 issue of the magazine's archives at [www.law.umich.edu/quadrangle](http://www.law.umich.edu/quadrangle).—JW

### “Holding an Oscar is the ultimate all-access pass.”

Jason Janego, '99, cofounder and co-president of RADiUS-TWC, the boutique arm of the Weinstein Company that is the first studio division dedicated to both multi-platform video on demand and theatrical distribution. In February, its film *20 Feet from Stardom* won the Oscar for best documentary (feature). The win enabled Janego to crash the infamous *Vanity Fair* post-Oscars party.




**Detroit is a gutted city, a cautionary tale, a tapestry of ruin.**

**Or: Detroit is the comeback kid, a wise investment, a city that will return to greatness.**

What happens next in the country's onetime industrial capital is a story that cannot yet be written; no crystal ball can accurately predict the future of the largest U.S. city ever to seek bankruptcy protection. What we know is this: Many smart, talented, tenacious people are attempting to make the city a modern powerhouse. And many of them call Michigan Law home.

The state's governor, the city's new mayor, and the emergency financial manager all earned degrees from the Law School, all around the same time. Alumni who are entrepreneurs, education experts, nonprofit leaders, even urban farmers are hoping to contribute to the revitalization of the city in ways large and small.

With an array of stories in the coming pages, we hope to paint a picture of the incipient revitalization of Detroit. Or perhaps stitching together a quilt is a more apt comparison, as the stories highlight a city that is made of patches of despair and hope, of blight and grandeur. Some patches are threadbare; others contain impeccable embroidery. Whatever the metaphor, know this: Michigan Law alumni, faculty, and students are vital to Detroit's future.



We begin with the people at the political center of the city's bankruptcy: Emergency Manager Kevyn Orr, '83; newly elected Mayor Mike Duggan, also '83; and Gov. Rick Snyder, '82, who, among other roles he has played in the city, appointed Orr. We also include a profile of Judge Steven Rhodes, '73, both an alumnus and a lecturer at the Law School; many observers say he has just the right background and temperament to oversee the bankruptcy proceedings in federal court. Next you'll read about another era in which Detroit was threatened with hard times, and another U-M alumnus who helped to steer its turnaround. And you'll learn about one of the exonerees of the Michigan Innocence Clinic, who may be the city's most unlikely unsecured creditor.

The full picture in the city remains mixed. But Mayor Duggan makes this promise: "The change has started and the change in Detroit is real."

## BANKRUPTCY



# THE BIG THREE

## Amid historic bankruptcy, governor, mayor, and emergency manager are Detroit's power brokers

The three men now aiming to lead Detroit out of history's largest municipal bankruptcy have made no secret of their ambitious plans for the beleaguered city.

For Republican Gov. Rick Snyder, '82, the plan is to continue supporting Kevyn Orr, '83, whom the governor selected as emergency manager using the sometimes controversial new law; to work with the Legislature to provide \$350 million over 20 years for Detroit; and to help ensure improved and essential city services for residents.

For Emergency Manager Orr, the focus is on finalizing the Chapter 9 bankruptcy by the time the anticipated 18-month timeframe of his appointment ends in late September. He also hopes to get approval for his Plan of Adjustment, which calls for pennies on the dollar to bond holders, as well as deep cuts to pension payments and health care to retirees in order to restructure \$18 billion worth of long-term debt.

For Democratic Mayor Mike Duggan, '83, the goals are to ramp up city services, including bus operations, streetlight installation, and blight removal, and to entice residents back to the city.

The three leaders—who once crossed paths in their overlapping years at Michigan Law—today say they have congenial, professional, and productive relationships. They have frequent meetings, sometimes over dinner. Duggan and Orr share office space, and their respective top staff members work closely together. In Duggan's first few months as mayor, he assumed control of most of the city's departments, with Orr retaining sole power over the police department and the city finances.

What remains to be seen is how the powerful trio's work will coalesce to define the future not only for the city of some 685,000, but for the surrounding region and, in some ways, the state. Will Detroit bounce back? Will residents experience a revived sense of pride in their city? Will outsiders view Detroit as a cautionary tale or an inspiring turnaround story? Much of that will be determined by the actions of Snyder, Orr, and Duggan.



COURTESY OF GOVERNOR SNYDER'S OFFICE

*Left: Gov. Rick Snyder helps launch a new micro-lending program during an event in Detroit. Below: Gov. Snyder and Emergency Manager Kevyn Orr address reporters during a news conference in Detroit.*

# RICK SNYDER

## SNYDER AND THE EMERGENCY MANAGER LAW

Back in January 2011, Snyder took office with no previous elected experience but a business resume that included CEO of Gateway Computers and founder of two venture capital funds. He was promptly named Newsmaker of the Year by Crain's Detroit Business, and his early initiatives were aimed at private sector tax cuts and job creation. He talked about how important it was to the entire state for Detroit to be strong. Then Michigan's Public Act 4 became effective in March 2011.

The new law, a reformed version of the one Democratic Gov. Jennifer Granholm had used in nine communities, provided for emergency managers to be appointed in municipalities and school districts that were in financial distress. Snyder and his team took the first steps on that route in Detroit in December 2011 with the state treasurer ordering a preliminary financial review of the city. Later that month, the treasurer declared that the city was in "probable financial distress" and recommended to Snyder that he authorize a financial review team, per Public Act 4's prescription.

Snyder did, the team went in, and on March 21, 2012, he declared the city to be in a severe financial emergency. "This week, the city is projected to have \$42.4 million in the bank," a *Detroit Free Press* article read at the time. "Detroit needs roughly \$60 million to operate each month. By the end of the fiscal year on June 30, the city is projected to have a \$46.8 million negative balance in the general fund."

Following an unsuccessful court challenge by the Detroit City Council, a consent agreement was signed by Snyder, then-Detroit Mayor Dave Bing, and the city

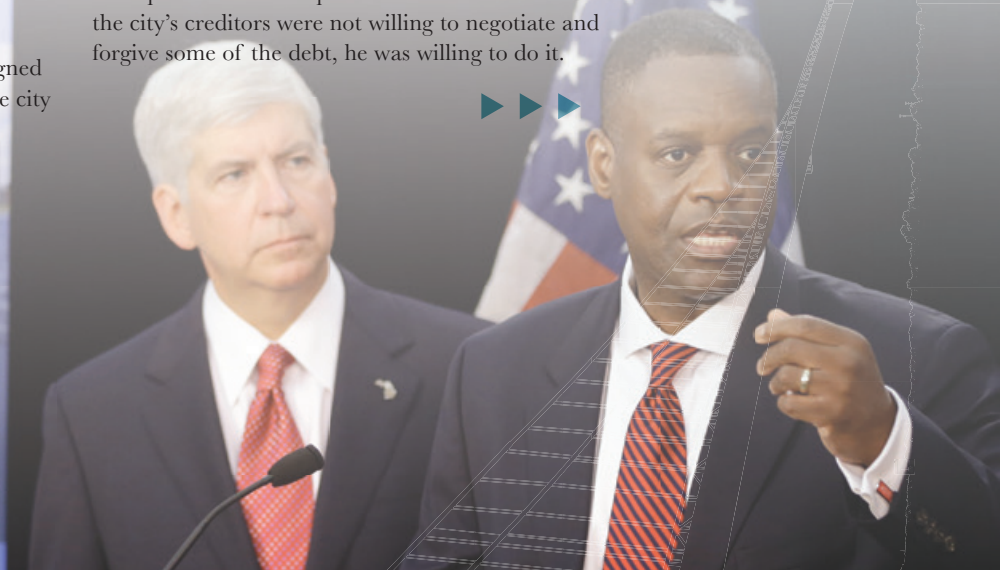
council; an oversight board began to meet, seeking ways Detroit could meet its financial obligations for services, debt, and pensions.

But later that year, Public Act 4, and the governor's powers stemming from it, were suspended when the question to overturn it was placed on the November ballot. Additionally, the city hadn't made substantial progress on the terms of the consent agreement and hadn't met agreed-upon milestone markers. Voters did scrap Public Act 4, but the lame-duck Legislature passed a new version of the law. Snyder signed it.

A January 2013 audit revealed a \$327 million accumulated deficit as of the previous June, and in February, a state review team reported that Detroit leaders had "no satisfactory plan" to resolve its financial emergency. Snyder recommended Orr—then a partner at Jones Day who was living with his family in the Washington, D.C., area—to be emergency manager, and the state's Emergency Loan Board approved the selection.

Orr's appointment made international headlines. "Detroit is being watched closely for clues on how a heavily indebted municipality can regain its financial footing and longer-term viability," the *London Financial Times* wrote.

Immediately the world wondered how long it would be before the city filed for bankruptcy. In his first public statements after his appointment, Orr said he hoped to avoid Chapter 9. But he warned that if the city's creditors were not willing to negotiate and forgive some of the debt, he was willing to do it.





# KEVYN ORR

## ORR: "DETROIT WILL BE A SUCCESS STORY"

Arriving for his tenure as the emergency manager, Orr returned to a city he had once been familiar with in his youth. A native of Fort Lauderdale, Florida, Orr frequently visited his cousins on Detroit's east side.

When it came time to choose a college, Orr was interested in a large public institution. He was focused on the University of Virginia, Berkeley, and U-M. He decided to nix Virginia—"I wanted to get out of the South"—and Berkeley, which was too far away for Orr's mother to support his matriculation there. "Michigan has such a great history," Orr says. "It had Students for a Democratic Society [a leftist 1960s activist group], the Peace Corps with John Kennedy, the Black Action Movement, the Black Panthers," Orr says. "Plus, my best friend growing up, TJ Redding, was going there. So there were a whole host of reasons why Michigan just made sense."

Orr graduated in three and a half years, spending some social time in Detroit on the weekends, and then moved to Colorado. A self-described "ski bum" for a few months, a passion that remains when he can find the time, he returned to Ann Arbor in May 1980 and enrolled in the Law School as a summer starter.

"I wanted to be a civil rights lawyer. Law school was really going to be a road for me to achieve social equity, to right the wrongs of the past," he remembers with a grin. "When I went to Michigan, I was sort of a budding socialist. I was going to stick it in the eye of the man. Now I *am* the man."

Through his classes at Michigan Law, he found "a way of thinking, a rigor, a balance" that he considers the backbone of his entire legal career and continues to define his work as Detroit's emergency manager. "You don't even realize it," he says, "but after law school, you see things differently."

Following law school, Orr joined Arky, Freed, Stearns, Watson and Greer in Miami, where he rose from litigator to shareholder. He later worked

at the Federal Deposit Insurance Corporation and then the Resolution Trust Corporation, where he became the assistant general counsel for complex litigation and bankruptcy. His duties included serving as the agency's chief lawyer responsible for the Whitewater investigation. He then worked for the Department of Justice as deputy director of the Executive Office for United States Trustees, and later was the director of the United States Trustees Program. In 2001, Orr joined Jones Day, where his responsibilities included counseling and representing Chrysler LLC with regard to its bankruptcy, in addition to many other high-dollar and high-profile cases.

He had been chosen to open the firm's new Miami office and to receive what he describes as a "significant percentage" on a winning case; he left both the opportunity and the money behind when he accepted the emergency manager position. "When I was first approached with the job, my response was not only 'no,' it was 'hell no.'" But he reconsidered, ultimately deciding that it was an opportunity to give back.

As part of his preparation for the new job, Orr compiled a research binder with notes about the city, reports about the state and its finances, and news accounts of its public figures. On his desk, he keeps the book *Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* by Thomas Sugrue. Looking back to the time he arrived at his 11<sup>th</sup>-floor office in the Detroit mayor's suite, Orr says he thought knew much of what he needed to about Detroit. "I've inhabited this world of restructuring and bankruptcy for almost 30 years," he says. But nothing could fully prepare him for the scope of the city's problems—or for the tensions with current and former public sector employees, many of whom have protested the decision-making authority given to an unelected official and the proposed cuts to city retirees' pensions.

For Catherine Kelly, the publisher of the *Michigan Citizen*, one of Detroit's leading African American newspapers, there is another significant difference



between Orr as emergency manager for the city's Chapter 9 filing and his previous roles in corporate Chapter 11 cases. Her unease is that he, as an appointee and not an elected representative, has the ability to make near-unilateral decisions to restructure the city and disperse assets.

"The concern is that the emergency manager-led bankruptcy is a complete affront to the democratic process and relies on the benevolence, vision, and ability of one unelected person," she says. "The wrong move or mistake could cause irreparable harm to an already-hurting city."

Orr says he is sympathetic to the plight of the city and its residents, and that he has tried to minimize the impact on individuals. Still, he says, drastic changes are necessary in the city, thanks in particular to massive population declines and money mismanagement.

In a recent talk at Michigan Law, Orr cited one of the more striking elements of poor financial planning in Detroit: "Between 2005 and 2012, the city borrowed \$2.25 billion on a \$1 billion revenue stream." If deals weren't struck with the city's creditors, if pensions weren't cut, "the city would die. There is no conceivable way this debt was ever going to be paid off," he said.

That talk marked one of the first times he publicly discussed the mismanagement of the city's pension funds. For instance: The General Retirement System (GRS) pension fund (the one for city employees and retirees outside of the police and fire departments) has 30 percent of its investments in private equity, real estate, or areas otherwise not receiving any professional advice. "Of that 30 percent of investments that they've made, they've made investments in defunct hotels, they've subordinated their interest to 22 tranches of debt and various other real estate investments—hell, we own part of a private jet in the GRS pension fund," Orr said during his visit to the Law School. And of the \$1.4 billion that the city borrowed between 2005 and 2006 to fund pension payments, he said, "we can't find \$700 million of it. Can't *find* it."

That, he says, is unacceptable, and he wants to help the city bounce back from the mismanagement of the past. He says the city can and will rebound, in spite of myriad challenges. "Detroit will be a success story. Believe it," he says.

While Orr addresses the financial woes, the city's more systemic problems are something Mayor Mike Duggan has targeted during his first months in office.





KWABENA SHABU — CITY OF DETROIT/CSSD

# MIKE DUGGAN

## DUGGAN: BUILDING RELATIONSHIPS

Duggan's election win had been viewed as improbable by many observers, perhaps those who did not know him very well. He first won a write-in campaign in the August 2013 primary, then out-campaigned and out-fundraised his opponent, Wayne County Sheriff Benny Napoleon. In doing so, Duggan became the city's first white mayor in 40 years.

Elected in November 2013, the former Detroit Medical Center CEO and Wayne County prosecutor has created a noteworthy cabinet and in his first months has publicly courted the city council in a way few remember a mayor ever doing.

Duggan, a Democrat some have already touted for governor, made no secret of his feelings about the city essentially being run by not only an emergency manager, but one appointed by a Republican governor. He didn't like it.

But he promised he would work with Orr, and even before Duggan's January 1 inauguration, the two were meeting weekly for dinner and in between for other discussions with each other and staff members.

As the weeks went on, the two developed what staff have described as an intense but productive working relationship. Melvin "Butch" Hollowell, Duggan's general counsel, says there are weekly evaluations of everyone in the mayor's cabinet done by assessing what progress they've made on tasks between staff meetings.

"Make no mistake about it, it is not for the fainthearted," Hollowell says of working in city hall these days, where Duggan and Orr share the mayor's suite. "It's intense on the 11<sup>th</sup> floor."

Some of that, *politicos* say, is Duggan's powerful drive. But the mayor also set high expectations for himself, and he did so very publicly. Days after he took office, he set an urgent timetable for himself, asking city residents to give him six months to show that blight, street light functionality, and bus services could be improved.

"I say to you one thing: Just give us six months. Give us six months to prove that we can turn things around. Just push the pause button and don't leave that house yet," Duggan said. "Give us six months before you walk away from the value of that house. Give us six months and let us prove to you what we can do."

He came back harder in his State of the City speech in February, announcing the city would work to set up D-Insurance, a self-administered plan to provide affordable rates for city residents. (Duggan said his own rates doubled when he moved into Detroit.) He promised new ambulances, more EMTs, better maintenance of the city's parks, and the future launch of an incubator to help entrepreneurs access capital, mentors, and work sites.

"The change has started and the change in Detroit is real," he said. That change includes funding for the removal of blighted houses: "If you drive through most of the neighborhoods today, you wouldn't know there was a national recovery," Duggan said in the address. "People in this community see parts of the country doing well and even parts of the city doing well and others are left behind."

In the complex governance structure of the city, it is a huge benefit that Duggan is known as a strong relationship-builder. "The relationship between Duggan and Snyder seems good, but it's in the early days," says Nancy Kaffer, columnist at the *Detroit Free Press*. "Duggan and Orr have a power-sharing agreement that bars Duggan from doing anything to undermine the bankruptcy, so it seems unlikely that Duggan would become publicly antagonistic to Snyder."

Duggan may have 350 million other reasons to be on board with Snyder's plans for the city.



## What's Next: The Grand Bargain

In his budget presentation to the Michigan Legislature's Joint Appropriations Committee in February, Snyder announced his intent to seek \$350 million over 20 years for the city. Indeed, those funds are part of the "grand bargain" included in Orr's Plan of Adjustment. Along with \$100 million from the Detroit Institute of Arts and \$365 million pledged from foundations, the deal would make money available for the underfunded city pensions on the agreement that DIA artwork would not be sold to pay for the liabilities.

Snyder has pitched the idea to legislators, media, and the public. During the spring, he will need to get it passed as part of the state budget so the funds are available to the city. In addition, bankruptcy Judge Steven Rhodes, '73, will need to approve the Plan of Adjustment and Disclosure Statement that Orr made public in February and creditors planned to vote on this spring in advance of the July trial. City attorneys have promised amendments to the preliminary plan, which outlines how the city will shed its \$18 billion debt, including reducing pension and creditor payments, restructuring operations, and improving how taxes are collected.

As of this writing, the grand bargain is part of the overall Chapter 9 strategy. What remains to be seen is if Snyder can make it happen for the city, and

what it will mean for his re-election campaign in the fall. "Detroit is a great and proud city. I'm convinced the necessary actions we have taken will allow it to thrive and complete its turnaround for the benefit of all Detroiters and Michiganders," he says.

Snyder, Orr, and Duggan all know the importance of moving the city past the bankruptcy phase and on to the revitalization phase. The stakes are high for all of them; as Orr said at a recent talk to Michigan Law students: "I will be the greatest flameout in contemporary history if I muff it."

Says Duggan: "Detroiters need change, and they deserve change now. My administration has developed the vision and strategies to turn things around in our City. We are improving city services. We are rebuilding neighborhoods. And we are creating job opportunities. When the City emerges from bankruptcy, and Kevyn Orr is gone, we will have already created a great foundation that we can continue to build upon." **Q**

*As part of the Detroit Journalism Cooperative, Sandra Svoboda runs the [www.nextchapterdetroit.com](http://www.nextchapterdetroit.com) for WDET-FM, Detroit's Public Radio station. She is a veteran Michigan journalist, having formerly worked for the Associated Press and The Metro Times in Detroit and The (Toledo) Blade.*



By Jeff Karoub, Associated Press

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HODES, '73:

## GUITAR-PLAYING BANKRUPTCY JUDGE TUNED IN TO THE PEOPLE



COURTESY OF DETROIT LEGAL NEWS/JOHN MENDI

Much of what you need to know about Judge Steven Rhodes, '73, friends and former colleagues say, can be gleaned from a handful of hours amid the hundreds he's logged overseeing the largest public bankruptcy filing in U.S. history.

On a September day in Detroit's grand federal court building, the veteran bankruptcy judge invited retirees and residents to tell him what the city's massive restructuring would mean for them. Each had three minutes, but Rhodes was generous with the clock and let them have their say.

He didn't have to do it.

"There is no requirement that a bankruptcy judge has to listen to individuals who are represented by (lawyers)," says former bankruptcy Judge Ray Reynolds Graves, who worked with Rhodes for 17 years. "Steve put that to one side and had the retirees come into court and address him personally. Listening to people who could be adversely affected by having their pensions cut—that tells you something about the man's sensitivities."

Rhodes's character and conduct have been more closely scrutinized since the ruling that Detroit was eligible to fix its broken finances in bankruptcy court. Friends and colleagues say the chief bankruptcy judge in Detroit—approaching retirement himself—has pushed the human impact to the front of an often arcane, impenetrable case of creditors and complex financial formulas.

Many workers and retirees were crushed to hear him say their pensions aren't protected by the Michigan Constitution and could be cut, though his order came with a less legal and more reassuring caveat: He vowed to be sensitive to how retirees are treated and won't "lightly or casually" approve any reductions.

Much of what the broader public knows about the grandfather who also plays rhythm guitar in a band of bankruptcy officials is through what he has said in court—particularly his 90-minute oral opinion on the day in December that he greenlighted the city's filing for Chapter 9 bankruptcy protection. Rhodes—who also taught Bankruptcy at Michigan Law in the fall—isn't reluctant to express his views on the bench, often striking a populist tone. Michigan Gov. Rick Snyder, '82, took the unprecedented step of testifying at trial about his role in approving the bankruptcy filing only after the judge strongly suggested that his attendance would not be excused.

During the eligibility trial, Rhodes sharply questioned Emergency Manager Kevyn Orr, '83, about an earlier comment that pensions are "sacrosanct" and wouldn't be touched. "What would you say to that retiree now?" Rhodes asked, a reference to Orr's subsequent decision to propose cuts to pensions.

At another hearing, an investment banker said it was important that his firm help the city but only under certain confidential terms. "What's very important to you is to make money," the judge interjected.

Those exchanges, says Wayne State University Law Professor Laura Bartell, reveal his professional bearings. She says in his nearly 30 years on the bench in Detroit, Rhodes has guided far more individuals through the bankruptcy process than he has public or private entities. Detroit's other most famous bankruptcy reorganizations, General Motors and Chrysler, were filed in New York. "You've got to remember, bankruptcy in Detroit is about people," says Bartell, who has invited Rhodes to speak to her classes and knows him through academic circles because of his roles as an adjunct professor and lecturer at Michigan Law. "He's not going to allow big-city lawyers to come in and tell him that people are not important."

Both Bartell and Michigan Law Professor John Pottow say Rhodes was the right judge selected to oversee the complex and unusual case—one that he accepted as he was planning to retire. Rhodes stayed on, Pottow says, "because he wanted to finish this case out."

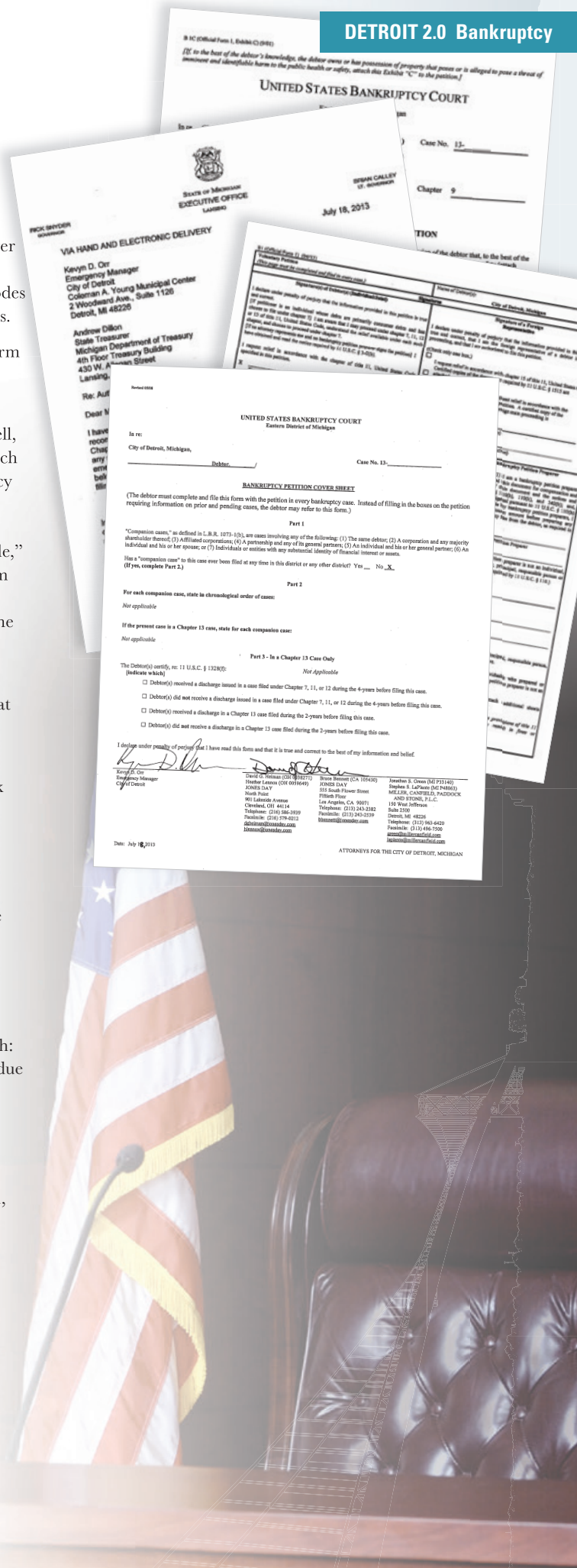
Pottow says Rhodes realizes "the plight of the city and workers," who lack the federal pension protections of their private-sector counterparts. "This case is moving him," says Pottow. Judge Rhodes "is trying to shame the political leaders to do something about this. ... There's a moment where he can say things, and I think he's taking advantage of the moment."

When he is free of the dark robe, Rhodes plays in a band, the Indubitable Equivalents. The band's website says the off-hours rhythm guitarist first serenaded his wife, Kathy, then his daughters and granddaughters, with songs such as "The Sound of Silence," "Eve of Destruction," and "Sloop John B."

Another piece of his past diverges from jurisprudence, at least at first blush: Rhodes received a bachelor's degree in mechanical engineering from Purdue University in 1970, three years before earning his law degree.

Graves says he used to tease Rhodes about being "half-Boilermaker and half-Wolverine," but the retired judge says Rhodes puts his first degree to good use. "As an engineer, he wants thoroughness, completeness, and precision; he's not a fan of sloppy lawyering," Graves says. "I'd say to him, 'Human beings are messy and sloppy. If they weren't, we wouldn't have these jobs.'"

Graves says Rhodes isn't likely to leave any loose ends, something that's important in such a high-profile case. "He knows he's writing on a blank slate—new law for the country—and he wants to get it right," Graves says. "Chapter 9 is a new model for all distressed cities in the country. ... He's not passing this off on anybody else."



By James Tobin



# MAYOR SAVES DETROIT FROM FINANCIAL RUIN

**Frank Murphy: “We have got to realize that no one is secure until all are secure.”**



BENTLEY HISTORICAL LIBRARY

The world watches as one graduate of the Law School (Kevyn Orr, '83) appointed by another graduate of the Law School (Michigan Gov. Rick Snyder, '82) struggles to raise Detroit from financial ruin.

Americans of the Great Depression would be astonished by the parallels to their own time. For in 1930, still another graduate of the Law School—Frank Murphy, Class of 1912—was chosen to deal with a fiscal disaster in Detroit nearly as dire as today's.

Murphy had been a prosecutor, then a judge on Detroit's Recorder's Court, where he made his name as a liberal champion of the workingman and the underdog. Cerebral and charming, he ran for mayor amid public outrage over rampant vice and gangland killings. But no sooner had he taken office than crime was overshadowed by the rising specter of economic depression.

For 10 years after the First World War, Americans had wanted cars by the million, and Detroit's fortunes had soared. City fathers, eager for growth, took on a mountain of bonded municipal debt. Why worry? The future looked bright.

Then came the stock market crash of 1929. Savings vanished. Investments shrank. Demand for new cars collapsed. In 1929, the automakers had built 5.3 million vehicles. By 1931, the number would sink to 1.3 million.

So Ford, General Motors, Hudson Motor Car Co., and Chrysler dropped thousands from their payrolls, and their suppliers dropped thousands more.

Now it was as if a giant pair of pliers gripped the city's finances. On one side was the inexorable need to service the city's debt—fixed costs that

marched upward year by year. On the other side was the city's dwindling treasury; with jobless parents struggling to feed their children, taxes took a back seat. By 1932–33, more than a third of Detroit's tax levy would be delinquent.

That was the squeeze in which Murphy found himself when he became mayor in 1930.

Obviously City Hall had to slash its costs, and a banker-led committee appointed to supervise the city's finances set out to do so. But the cuts were being urged in the face of want and misery seldom seen in modern times.

This was a nation that tended to blame poverty on character flaws and laziness. Aid to the poor had been reserved for the infirm, the aged, and women deserted by their husbands. But now vast numbers were suffering through no fault of their own.

The writer John Dos Passos found homeless men “all over the vast unfinished city, the more thrifty living in shacks and shelters along the waterfront, in the back rooms of unoccupied houses, the others just sleeping any place.” In one month alone—March 1930—6,500 Detroit families that had never before taken public assistance applied for aid from the city. By mid-1931, in a city of 1.5 million, 100,000 heads of families were without work. A woman killed her five-year-old son to keep him from starving to death.

To this plague Mayor Murphy responded with resolution and compassion.

He acknowledged the need for severe cuts, saying: “Every government, no matter its humanitarian and social ideals, must be sound in its fiscal phase.” He searched for efficiencies in city spending; trimmed supplies and equipment; slashed his department chiefs' requests for funding; turned

off lights in city buildings; reduced garbage collections and street cleaning; and finally cut the city's own payroll. His biographer, Sidney Fine, estimated that Detroit under Murphy reduced expenditures more than any U.S. city ever had.

But Murphy also insisted it was more important to help hungry people than to make numbers square up on a sheet of paper. A balanced budget was a worthy goal, he said, but "it isn't a god, a sacred thing that is to be accomplished at all costs. It is not right to shatter living conditions and bring human beings to want and misery to achieve such an objective. ... To sacrifice everything to balance the budget is fanaticism."

With other progressives of his generation, Murphy believed that vaulting industrialism demanded a new code of social organization. He blasted bankers for pushing austerity at all costs, saying that in flush times they had recklessly financed the city's expansion, and now they were "without a semblance of social responsibility.

"We have been in an era of extreme individualism," he declared. "It has been best expressed in the industrial order, where it was believed that every man should look out for himself. But this individualism is ruthless and un-Christian, because every man does not have a chance to look out for himself. We shall have to substitute a socialistic sense for this individualistic sense. We have got to realize that no one is secure until all are secure."

So Murphy did all he could for Detroit's destitute. Stations were set up where homeless men could eat a meal. Under Murphy's auspices, Fisher Body and Studebaker put up men in shuttered factories. The mayor sponsored "thrift gardens" in vacant lots. Against protests that he was attracting "all the bums in Christendom" to Detroit, Murphy insisted on maintaining welfare payments to desperate families—50,000 families (about a quarter-million people) per month by early 1931.

It was a fighting retreat against the terrible pressures of debt service and tax delinquency as Murphy fought off one cash emergency after another. At one point, Ford Motor Co.—no friend of the liberal mayor—helped the city with a loan. He was able to convert some debt into longer-term bonds. He marshalled other big-city mayors

for a united appeal to the Hoover administration for federal help. But only a small loan resulted, so Murphy enforced a whole new round of cuts. The city even had to issue scrip—a temporary substitute for legal tender.

In the end, Detroit was able to stagger back to solvency with the help of long-term debt restructuring that Murphy had set in motion.

BENTLEY HISTORICAL LIBRARY



*Frank Murphy dines with homeless men at the Fisher plant.*

By 1933, he was gone from the city, appointed governor-general of the Philippines by President Franklin Roosevelt. He would return home to become governor of Michigan, attorney general of the United States, and associate justice of the U.S. Supreme Court.

But he always was proud of the stand he had taken for public compassion during his mayoralty, when "welfare, under fire from a dozen different angles ... emerged with credit and honor."

*James Tobin is a historian and author whose most recent book is The Man He Became: How FDR Defied Polio to Win the Presidency (Simon & Schuster, 2013).*





By John A. E. Pottow

# DETROIT'S REAL CHALLENGE



When Detroit became the largest city in U.S. history to file for bankruptcy, it was a bad thing—unless you have the unique world-view of a bankruptcy lawyer, in which case it was marvelous news, worthy of celebration.

It's not the fee-generating potential for the Brotherhood that causes bankruptcy lawyers to delight in Detroit's filing. It is that the city finally was forced to confront its unsustainable economic path. That's what bankruptcy is all about.

Starting with some basic numbers, on a good year, Detroit can raise about a billion dollars or so in tax revenue. The problem is that it has accrued about \$18 billion in debt (pension, bond, and otherwise). That means even if it cut every single city service—and residents still chose to remain and pay taxes in such an unusual place—it would take more than a decade to work it all off. Many are agitated about allocating the blame; some complain of widespread financial incompetence in prior municipal administrations; others point to the macroeconomic trends fueling massive depopulation of the nation's manufacturing hubs. All talk past each other. We are where we are: an unsupportable debt overhang crippling a city that is trying desperately to reinvent itself before a demographic death spiral sets in.

This is where bankruptcy law comes in. Anyone can go broke, but only some get to declare bankruptcy. One power of bankruptcy law—specifically, its reorganization branch—is to breathe new life into struggling debtors by reducing debt pursuant to consensual creditor resolution. Chapter 11 is world-renowned for its capacity to do just that, capturing the genius of super-majoritarian contract modification. When Gov. Rick Snyder, '82, appointed Kevyn Orr, '83, as emergency financial manager, Orr engaged the major creditor constituencies almost immediately.

But he faced two problems: one generic to financial default negotiations and one specific to Detroit. The generic problem is the premise of reorganization law. Creditors holding contract rights cannot be forced into concessions. Thus, in multi-party talks (Detroit has tens of thousands of creditors), there is massive holdup potential. Bankruptcy law allows a super-majority, subject to certain safeguards, to bind dissidents to accept a deal that the collective thinks is fair.

Detroit also faced a special problem with unfunded pension liabilities. The Michigan Constitution contains a provision purporting to preclude the impairment of pensions, suggesting strongly that Orr would be powerless to insist upon pension cuts, as would indeed the Legislature, in these negotiation talks.

Filing for “adjustment” in chapter 9—a municipal analogue to corporate reorganization in chapter 11—allowed Orr both to tap into bankruptcy's voting rules and, arguably and contentiously, to bypass the Michigan constitutional protection. Given that the pension and health care labor debts constitute billions of dollars of Detroit's liabilities, the ability to modify pension obligations is crucial.

Debt restructuring in successful chapter 11s—and in successful chapter 9s—is only half of the equation. What is equally important is a sustainable go-forward business plan. All cities can do is raise—or, in Detroit's case, preserve—the tax base. Yes, it can cut services as population dwindles to pare costs, but there are certain fixed costs that cannot be cut. Recognizing this touchstone of reorganization, the city, through Orr, and indeed the bankruptcy judge (Michigan Law Lecturer Steven Rhodes, '73, who holds ultimate authority over confirming the plan), have been focused



on what the plan for the future is regarding (a) sustainable budgeting, including annual operating expenses well within revenue targets and with a margin for debt service, and (b) providing for long-deferred capital expenditures. That's right, the bankruptcy judge wants to make sure Detroit will incur enough new debt as part of its plan to deal with its old debt; this outlay is on the order of magnitude of a billion dollars.

This last point is one that bankruptcy types take seriously. Nobody wants a failed reorganization; the key to success starts with a truly accurate assessment of financial needs. Budgetary realism has been the hallmark of few municipal governments, and so Detroit's plan needs to convince the bankruptcy judge in the short term, and the bond markets in the long term, that a sustainable level of expenditures is being financed, both recurring operations and long-deferred infrastructure projects.

How does this all shake out with Detroit's plan in particular? The two big creditor constituencies are the bondholders and the labor groups (workers and retirees, unionized and not). The bondholders—or more precisely, their insurance underwriters—are looking at well over a 50 percent haircut on their principal, as of the time this article is going to press, based on the most recent amended plan that has been submitted for creditor consideration. The workers will hurt less—but will still hurt—because of an external cash injection from an interesting syndicate of rich foundations based well outside Detroit and a Michigan governor running for re-election. The better part of a billion dollars will be thrown in, exclusively to go to pensioners, by these groups in exchange for the city relinquishing its claims to the artwork at the Detroit Institute of Arts. These groups have said they'll throw in this money if the parties agree to a consensual plan (i.e., there are enough votes to confirm the plan) and the art is left untouched and protected for future generations.

Will it work out? Most likely, yes. Hardened bankruptcy lawyers will tell you consensual plans are the norm in bankruptcy and “cramdown”—a backup procedure for still confirming a plan even without the requisite voting thresholds met—is the exception. In fact, it's not entirely clear what cramdown even means in a chapter 9. In chapter 11, it means the shareholders are all wiped out and the creditors take over the company. There is no analogue in chapter 9 because there are no shareholders to wipe out, and private creditors can't own a public governmental entity.

Even if likely, it will not be a smooth road to confirmation. The unions are angry because they don't think their pensions should have been impaired in the first place; they are appealing the bankruptcy court's interpretation of the Michigan Constitution to the Sixth Circuit. The bond underwriters are angry because they don't think they should be taking it more on the chin than the unions; they have asked for more discovery on the appraisals of the DIA, signaling their continued belief they are entitled to liquidate those assets. The bondholders will scream that the city will never get financing again in the bond markets. (It will.) The unions will scream that everyone will quit. (They won't.) Chapter 9, much like chapter 11, much like corporate negotiations generally come to think of it, involves no small amount of posturing bravado. They'll get there.

Bankruptcy law can do a lot, like help recover a fundamentally sound business enterprise that has been overburdened by debt. But it cannot design cars that people want to drive or make residents want to live and pay taxes in a city. The true challenge for Detroit is not whether it will confirm a chapter 9 plan of adjustment, or not even whether it can stick to the new financial regime that plan proposes. It is whether the city leaders, who will remain long after Kevyn Orr has left, can design a vibrant urban renewal plan, undistracted by the travails of financial default. Bankruptcy can help them escape that distraction, but it cannot deposit creativity into brains.

*Professor John A. E. Pottow is an internationally recognized expert in bankruptcy and commercial law. He has taught at Michigan Law since 2003.*

# IMPRISONED, EXONERATED— AND NOW AN “UNSECURED CREDITOR”



One of the most surprising names on the list of Detroit’s unsecured creditors is a man who has become accustomed to getting a raw deal.

Dwayne Provience spent almost a decade in prison before the Michigan Innocence Clinic at the U-M Law School won his exoneration in 2010. He filed a civil lawsuit against the city, and a settlement panel proposed a payment of \$5 million.

“The city either had to agree to pay, or go to trial—risking exposure of police misconduct, and a potentially larger damages award,” Imran Syed, ’11, a clinical fellow and staff attorney at the Michigan Innocence Clinic, wrote in a December article in *Slate*.

“It seemed like justice, finally, for Provience. But then came Detroit’s bankruptcy. His lawsuit is now in limbo—which means that for the foreseeable future, he will get nothing,” wrote Syed, who also is working on a documentary about the Provience case. “Through no fault of his own, he has been shortchanged again.”

Records that clinic students found while researching Provience’s case included a file from another murder case that revealed “that police should have known Provience was innocent even as the state was prosecuting him,” Syed wrote in *Slate*.

Due to the city’s bankruptcy, Syed wrote, Provience waits his turn in a long line of unsecured creditors “to eventually settle his claim for pennies on the dollar.”

Read more at [www.law.umich.edu/quadrangle](http://www.law.umich.edu/quadrangle).



*The Michigan Innocence Clinic won Dwayne Provience’s exoneration in 2010.*

One criticism of the revitalization of Detroit is that much of the focus is on downtown—leaving a lot of the city's 143 square miles untouched. But for those working with community-building organizations and projects, a desire for renewal of the entire city fuels their work.

They could work in their fields anywhere in the world, but they were drawn to Detroit—in part because of the appeal of turning around a place in such dire need of improvement. Felicia Andrews, '04, has worked in Johannesburg and London, but she decided to return to her hometown of Detroit, where she started the nonprofit Team 313, which teaches life skills to young people.

One thing you will notice in the next set of stories is extraordinary optimism. Dan Varner, '94, CEO of Excellent Schools Detroit, is one of several people we interviewed who criticized *Time* magazine's description of the city as a "ghost town" and its photographs of the city's "beautiful, horrible decline."

"I think 10 years from now, *Time* magazine will be back, and the cover story will focus on Detroit as the most amazing turnaround success story for a big city in America," Varner predicts. "Increasingly it is a great place to live and be a child and raise a family, and 10 years from now, people will know that story."

## COMMUNITY BUILDING



DETROIT 20

By Sandra Svoboda

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# ROSECUTION

## AND PREVENTION

### U.S. Attorney McQuade, '91, works on fighting crime and building relationships in the community



Her tenure as U.S. Attorney began with a would-be underwear-bomber trying to blow up a plane over her district a day after she was confirmed by the Senate. Her office's successful prosecution of former Detroit Mayor Kwame Kilpatrick made headlines around the world.

So it's easy to see why the enforcement side of the job is what many people know about Barbara McQuade, '91, who became U.S. Attorney for the Eastern District of Michigan in 2010. But there's much more to her work, says McQuade, who focuses her community-outreach efforts on trying to prevent crimes from happening in the first place.

"I'm really convinced that most of the violence is caused by a fairly small percentage of people in any big city, including Detroit," she says. "So if we can get the right offenders off the street, we should be able to reduce violent crime."

While much of her daily work is focused on criminals who aren't household names, McQuade acknowledges that the successful prosecution of Kilpatrick—who is serving 28 years in federal prison for two dozen felony counts, including mail and wire fraud and racketeering—was a significant step in the city's efforts to move forward.

"That case is incredibly important," she says, "because one of the things that Detroit needs to be successful is an accountable government. It was very important to hold him accountable to let people know that they can have trust in their institutions. Public corruption erodes public trust and causes people to become cynical and sends people to the sidelines."

Meanwhile, health care fraud prosecutions are up, and national security remains a top priority alongside her focus on violent crimes, which may matter most to ordinary citizens in the city.

Under the community outreach aspect of her job, she focuses on investing time in communication, relationships, and information sharing.

Enhancing community involvement is a cornerstone of McQuade's work on several levels. When she speaks publicly, she describes her office's three-pronged efforts of enforcement, prevention, and community trust, emphasizing to her audiences that she needs their help.

Getting that message out to immigrants is one of her primary goals. Last winter, for example, she joined officials from U.S. Immigration and Customs Enforcement and the Federal Trade Commission, as well as immigration lawyers, at a forum to educate immigration advocates about how to track down and report fraud and malpractice. Victims of an attorney who wrongfully promises visas, gives inaccurate advice, or promotes websites that give false hope may be breaking laws, and McQuade urged the audience to report their suspicions when they have them.

"The idea is to help folks not become victims. We don't want them to be taken advantage of by immigration laws. They are a very vulnerable population, and we want to protect them," she told the audience. "We have tried to work hard, but I know we have more work to do so we can build those relationships ... so people trust us enough to come forward."

McQuade also uses a community-involvement strategy to help address violent crime throughout eastern Michigan—specifically in Detroit, Pontiac, Flint, and Saginaw, where federal law enforcement works with local officers, partially funded with state money.

In early 2013, McQuade also was part of the creation of Detroit One, which brings together law enforcement and people in the community to make the city safer. With 387 homicides in Detroit in 2012, McQuade and leaders of the Detroit Police Department, as well as other federal, state, and local agencies, developed a strategy to reduce violent crime. With increased information sharing, joint task forces to target the most violent or notorious offenders, and other efforts, some of the "worst of the worst" criminals have been arrested and prosecuted.

But the Detroit One effort isn't just about arresting and prosecuting, McQuade says. "We're trying to get down to the underlying causes of crime and prevent them from

occurring in the first place,” she says. One of those efforts includes officers and agents meeting with gang members, and detailing the harsh federal penalties that can result from multiple gun and drug charges.

“We talk to them first about how, if they commit another crime, here are the penalties that could result,” she says. “They’re very rational. When you call them in and you call them by name and say, ‘I know who you are, I’ve got a file, and I’m telling you next time you commit a drug offense or a gun offense, you’re going to be facing 20 or 30 years,’ they make rational choices based on that information.” (See [detroitone.org](http://detroitone.org) for more information.)

Enforcement remains paramount, but she views her efforts at relationship building in communities as an investment in investigative work that ultimately will pay off in safer communities and even more successful prosecutions by her staff.

“We’re trying to do our job to be most effective, and to be most effective requires getting information. That’s the currency we trade in,” she says. “We need information to build cases, and I think whenever you design your program to maximize the amount of information you’re getting, you’re not being soft on crime—you’re actually being effective.”

A native of southeast Michigan, McQuade spent the year between her undergraduate work in economics and communications at Michigan and her entrance into law school as a sports writer and copy editor in Rochester, New York. As a journalist in the Lake Ontario port city, she followed several minor league and Syracuse University teams and reported on “high school swim meets and lacrosse games, the Lilac 10K, the fishing derby on Lake Ontario, the beach volleyball game with the celebrity DJs.” And while she calls her newspaper work “great fun,” she was thrilled when she was accepted to Michigan Law; she never returned to journalism, as originally planned.

“I discovered I really loved the law. I loved every minute of being in law school at Michigan,” McQuade says. “I knew what a privilege it was, how lucky I was to be there. The legal education you get at Michigan prepares you well for all the legal challenges that you might face in life.”

Her favorite memories are of late-night conversations with her classmates, and she still stays in touch with her five roommates from her 2L and 3L years.

Following law school, she clerked for the Hon. Bernard A. Friedman on the U.S. District Court for the Eastern District of Michigan and briefly worked at Butzel Long before joining the U.S. Attorney’s Office in Detroit. Along the way, she started dating and then married Dan Hurley, ’90, who also is an assistant U.S. Attorney. When McQuade was promoted and would have been her husband’s boss, he was reassigned to Ohio’s Northern District. They live in Ann Arbor with their four children.

Shortly after McQuade was sworn in as the top U.S. Department of Justice official in Michigan in 2010, she restructured the office and its 215 employee positions. The organizational chart hadn’t changed much since the 1970s, when there were 35 lawyers on staff. “We grew to 115 attorneys over the years, but rather than reorganizing we had just added and added and added lawyers,” McQuade explains. “It seemed to me that the challenges of 2010 were very different than the challenges of the 1970s, with national security, cyber crimes, health care fraud, civil rights, and other different challenges that we were looking at.”

With smaller units of supervision, there is better accountability, she says. With dedicated legal units for health care, for example, specialists can handle complicated cases. “Those cases can take a long time to put together. They had sometimes languished behind cases that are a little more immediate and have more immediate deadlines,” McQuade says. “By having the dedicated unit, those cases have become very successful, and we have a really thriving health care fraud practice.”

She is pleased by the work that her office has accomplished, and she is quick to credit her staff for all the office’s accomplishments. It’s her dream job, she says—or, rather, one of her dream jobs.

“If I could be anything I could be in the whole wide world,” McQuade says with a grin but a certain earnestness, “I would be the shortstop for the Tigers.”

BRYAN MITCHELL PHOTOGRAPHY



By Jenny Whalen



# REVIVING DETROIT AT ITS ROOTS



ISABEL GAO

Surrounded by a sea of crumbling concrete, the lush green landscape of the market garden on Plum Street sits as an oasis in a city forged of steel and cement. For many, it is merely one example of efforts to revitalize Detroit. For Nicholas Leonard, it is the very essence of the urban agricultural model that has inspired his professional career.

A 3L at Michigan Law, Leonard, like many residents of southeast Michigan, grew up calling Detroit home, despite living outside the city limits. Now, as he awaits his May 2014 graduation, Leonard is eager to return to the city and to the project that has played a leading role in his life for the past five years.

“Urban agriculture is on the verge of becoming a legitimized revitalization solution for depressed urban areas,” predicts Leonard, who was first captivated by the idea as an undergraduate at Kalamazoo College. “My inspiration for going to law school, at least in part, was to mend this disconnect between the City of Detroit and the urban agricultural community. They are both working toward the same goal—revitalized neighborhoods—but they are not working together as effectively as they could be.”

An advocate who can work with both parties—and think creatively about the law and how it can be used to not only support but also incentivize the revitalization effort—is essential, Leonard believes.

It is an idea he has spent half a decade developing, both as a law student and a volunteer with The Greening of Detroit and its offshoot, Keep Growing Detroit, two nonprofit agencies committed to improving the ecosystem and food sovereignty of Detroit.

“I remember The Greening of Detroit gave a presentation at Kalamazoo College, and I decided then and there that I wanted that organization and experience to be the focal point of my senior thesis,” says Leonard, who would later intern at the nonprofit. “I was intrigued by how they were using a common-sense solution to fight Detroit’s blight problem. The idea of Detroit residents using vacant land to redevelop areas of the city while solving food access issues and being cost-effective was very appealing.”

He continued to volunteer at market gardens and pop-up farm stands throughout law school, spending more than a few hours harvesting carrots in the shadow of the MGM Grand casino and selling greens at the foot of Michigan Central Station, Detroit’s once resplendent rail depot.

What started as an undergraduate paper topic has remained a constant theme throughout Leonard’s academic career, including his magnum opus of sorts, a note in the *Michigan Journal of Environmental and Administrative Law*, Vol. 3, No. 2, entitled “Utilizing Michigan Brownfield Policies to Incentivize Community-Based Urban Agriculture in Detroit.”



Top: Nicholas Leonard. Bottom: At a recent Service Day, Michigan Law students volunteer at an urban garden in Detroit.





“My note is a practical solution, not an academic exercise,” Leonard says. “It proposes that the City of Detroit, the legal community, and urban farmers look to Michigan’s Brownfield Redevelopment Financing Act to develop a revitalizing framework with which the city and the urban agriculture community can work together towards the common goal they already share, and how lawyers can help foster that relationship.”

Passed in 1996, the act authorizes Michigan municipalities to create brownfield redevelopment authorities to facilitate the implementation of brownfield plans, which are intended to revitalize former industrial or commercial properties that are functionally obsolete, blighted, or environmentally distressed. In turn, the act provides incentives to the private sector to play an active role in the revitalization process.

“A lot of cities are experimenting with zoning, but none are really incentivizing for a use like urban agriculture,” says Leonard, who also is in the Community and Economic Development Clinic (see more about the clinic’s work in the sidebar). “Detroit’s urban agriculture ordinance is great, but what is needed is to move beyond merely accepting urban farming as a valid land use and instead making it part of the city’s strategic plan going forward.”

After graduating, he will begin an Equal Justice Works fellowship, with the Great Lakes Environmental Law Center in Detroit as his host organization. The fellowship will fund his project, which is focused on providing legal assistance to Detroit nonprofit organizations, community groups, and residents involved in urban agriculture in the city. John Deere, Lane & Waterman, and Schiff Hardin are sponsoring the fellowship.

“If the city really jumps on urban agriculture, we’ll see it take off and become a significant part of the local food economy as well as a major tool for combatting blight,” Leonard says. “The legal issues surrounding urban agriculture are so new, and because of that there is a lot of uncertainty for the urban agriculture community. If the city takes an active role in incentivizing urban agriculture, a lot of that uncertainty could be reduced, which could help establish an even greater infrastructure for urban agriculture to become a more prominent tool for urban revitalization.”



## Clinic Focuses on Detroit

Dedicated to promoting vibrant and sustainable communities, the Community and Economic Development Clinic (CEDC), under the direction of Clinical Professor Alicia Alvarez, provides legal, research, technical, and policy assistance to organizations and groups engaged in a variety of community and economic development efforts in Detroit. Some examples of the recent work by students and faculty advisers in the CEDC:

### Restaurant Opportunities Center of Michigan

- Negotiate commercial lease for restaurant space
- Counsel on corporate governance and structuring
- Counsel on tax compliance
- Negotiate trademark-licensing agreement
- Represent and negotiate on personal property tax exemption

### Detroit Black Community Food Security Network

- Negotiate licensing agreement with City of Detroit for seven-acre farm
- Structure food cooperative
- Conduct trademark work before U.S. Patent and Trademark Office
- Structure producer cooperative
- Counsel and represent on corporate compliance

### Focus: Hope

- Advise on expansion of greenway in the neighboring community
- Draft agreement
- Counsel regarding ownership of land
- Counsel regarding structure and financing housing cooperative

By Katie Vloet



# DETROIT CENTER FOR FAMILY ADVOCACY: KEEPING FAMILIES TOGETHER



Keisha\* wants to paint the walls of her bedroom the same colors as her new nail polish: neon green and bright blue. A Selena Gomez poster hangs over her bed, and a Dora the Explorer alarm clock sits on the dresser. She chatters about maybe going into the military when she's older, or possibly being a math teacher or a volleyball player in the Olympics.

At age 10, she straddles the lines between childhood and her pre-teen years, between Dora and setting a path for the future. It is a future that increasingly seems worthy of optimism, thanks to her father, Alan\*, who has custody of her and who laughs heartily when he hears his daughter talk about her career aspirations.

"This is the first time I'm hearing any of this," he says with a grin.

Alan and Keisha are together thanks in large part to the work of the Detroit Center for Family Advocacy (CFA), a program founded five years ago at the Law School. Keisha had been living with her mother but experienced abuse by her mother's live-in partner.

Child Protective Services removed her from her mother's care, and CFA attorneys and student attorneys worked with Alan to establish custody. Because of their work, Keisha was able to stay out of foster care.

"I haven't missed a beat since she came here with me," Alan says. "She likes it here, even when I have to give her discipline. I give her more attention. I would've stayed in her life no matter what, but now that she's with me, I can take better care of her."

They play dominoes together. They watch TV and cook tacos together. Keisha is learning some culinary skills from her father, who calls himself "the Crock-Pot king." Most importantly, she feels safe, which was not always the case when she lived with her mother.

Alan says he is grateful for the CFA's assistance—the center helped him gain custody, negotiated a parenting agreement that allowed Keisha to visit her mother under safe conditions, and renegotiated child support on Alan's behalf. "They worked hard to make my case airtight," Alan says.



## “AN EFFECTIVE WAY TO KEEP CHILDREN OUT OF THE CHILD WELFARE SYSTEM”

Their experience is typical among families that work with the center. The CFA has achieved high rates of success in its efforts to keep kids out of foster care and with family members, according to a report released last year by an outside evaluator.

The report found that the CFA was able to meet its legal objectives in more than 98 percent of prevention cases—those in which the Department of Human Services had not removed the children from their families but had substantiated an abuse or neglect incident, and in 97 percent of its permanency cases—those in which a child was living with a non-custodial parent, relative, or foster parent, and some legal impediment was preventing the child from staying in the home permanently.

“We’re pleased with these outcomes because they show that our approach is working, and that it is an effective way to keep children out of the child welfare system,” says CFA founder Vivek Sankaran, ’01, a clinical professor of law in the Law School’s Child Advocacy Law Clinic.

The CFA model works like this: An attorney from the center partners with a social worker and family advocate to remove legal barriers and safety risks that otherwise might cause a child to be put in the foster care system. The center serves Wayne County, home to one-third of Michigan’s foster children and half of the state’s permanent court wards. So far, the CFA has served 409 children from 224 families. Most of the cases are referred to the center by the Michigan Department of Human Services.

“CFA is a pioneer in using this approach,” says CFA Executive Director Robbin Pott, ’05, “to serve low-income parents and relatives in an effort to keep families together, and to keep children in a safe, loving environment.”

She adds that the high success rate of the center’s cases occurs “because in most of these cases, just a relatively small amount of help is needed to keep kids with their families.”

The legal issues the CFA has helped families to resolve have included landlord/tenant disputes, in which a child’s home has been deemed too risky because of problems that a landlord needs to address; divorce proceedings that are needed to enable a grandparent to adopt a child in his or her care; a custody order needed by a non-offending parent; and many more.

Sankaran also has been traveling around the country to explain the CFA model to organizations that work with foster children.

The CFA is funded, in part, by the state’s Child Care Fund, but the center still must come up with about \$200,000 a year from foundation grants and private donations. Sustaining the center always is a challenge, Sankaran says, even though the savings from this approach to supporting children are significant.

Return-on-investment is difficult to calculate, but the outside evaluation of the CFA found big savings based on conservative estimates. If children from 25 percent of 110 prevention cases otherwise would have entered foster care and stayed for the national average length of stay (about 21 months), the cost avoided by the Michigan child welfare system would be \$1.3 million. That figure doesn’t include permanency cases, which would make the return-on-investment much higher.

## “I WOULD HAVE LOST MY CHILDREN”

Sankaran points out that foster care still will be necessary in some child welfare cases, but that it should be avoided whenever possible because of poor outcomes such as increased risks of homelessness, unemployment, and other issues later in life, “not to mention the emotional scar from being removed from their families.

“The system has been throwing away money for poor outcomes,” Sankaran says. “In reality, foster care should be considered a last resort, like chemotherapy for a cancer patient.”

The best gauge of the center’s success, he says, is the feedback from families. Many have written to the CFA with gratitude for keeping their children with family members and out of foster care.

“Without this center, I would have lost my children,” one family wrote. “I just wanted to say thanks to all of you at the center, and may God bless each and every one of you. Please continue to do what you have done for me,” wrote another.

*\*The family members’ names have been changed for the article.*



By Lori Atherton



# HELPING YOUTH SUCCEED THROUGH TEAM 313

LIZZIE KASSAB



While visiting Detroit in 2008, Felicia Andrews, '04, noticed a perceptible change in her hometown. The foreclosure crisis had just begun, and some of Detroit's public schools were closing. It appeared that scant opportunities were available for youth.

A self-described "impact person," Andrews reassessed her career goals and decided that the changes she was making at the macro level in South Africa through her work with the African Union's New Partnership for Africa's Development could be applied at the micro level in Detroit. She left Johannesburg and founded Team 313, a nonprofit organization dedicated to fostering the skills and character traits in youth that Andrews believes are necessary for success.

Team 313's mission, Andrews says, is to help youngsters take CHARGE—that is, instilling in them a can-do attitude, hard work, a sense of achievement, respect for self and others, goals, and excellence.

"We want to impart foundational or core values to Detroit's youth," Andrews says. "Life is not a crapshoot or a game of chance; you have to work hard if you want to be successful, whether you become a doctor, lawyer, or electrician."

Team 313 offers after-school programs, literacy tutoring, GED classes, fitness boot camps, and community gardens for young people of all ages, though most participants typically range from 11 to 17. Most of Team 313's youth come from low-income neighborhoods, Andrews says, and have the opportunity to help revitalize the areas in which they live through the organization's Block by Block initiative, which organizes neighborhood cleanups. In 2013, the young people cleared trash and debris from 31 residential areas, up from the 26 cleanups conducted in 2012.

As part of their involvement in Team 313 activities, participants are expected to accomplish personal goals, such as saving money, improving their grades, or being more active, which helps to reinforce the CHARGE values. "We are growing our youth through personal goals and hard work," Andrews says.

While the need to help youngsters in Detroit is great and the work can be challenging, Andrews says serving as a mentor to young people and witnessing their positive transformation makes it worthwhile.

"I knew in theory what I wanted to accomplish with Team 313, but to see it in action is wonderful," she says. "It isn't easy being in the trenches, but when I hear positive feedback from the kids and parents, it's very fulfilling. It's a personal satisfaction that doesn't come from doing well on a report or a balance sheet. I've come to embrace that the work I'm doing is a calling, not a choice."



COURTESY OF FELICIA ANDREWS

By Lori Atherton

B

# BOOSTING QUALITY OF LIFE IN DETROIT

Katy Locker, '02, likes being part of the conversation about making a difference in her community.

And she gets to do just that as the Detroit program director for the John S. and James L. Knight Foundation, which provides grants for ideas that promote quality journalism and media innovation, engage communities, and foster the arts. Since 1960, Knight has invested approximately \$172 million in Detroit, \$60 million of which has been donated in the last five years.

Locker focuses specifically on community engagement and providing grants for opportunities that “bring vibrancy to Detroit and enhance its quality of life.” Her grant-making initiatives are an extension of her work with the Hudson-Webber Foundation, where she served as vice president of programs for five years before joining the Knight Foundation in September 2013.

Locker's role brings her in frequent contact with civic leaders and government officials who are working to revitalize Detroit, including Mayor Mike Duggan, '83, Emergency Manager Kevyn Orr, '83, and Deputy Emergency Manager Stacy Fox, '83.

Working side by side with her MLaw peers to transform the city has been a positive outgrowth of Locker's job. “It's great that Michigan Law grads are coming together to put a stamp on Detroit that hasn't been seen in a long time,” she says.

A Midland, Michigan, native, Locker left behind California and an associate position at the law firm McDonough Holland & Allen PC to return to Detroit in January 2004. A policy analyst before law school, Locker worked at Community Legal Resources, the Wayne County Corporation Counsel, and the Coalition for a Detroit Land Bank. She held a consulting role with Detroit Renaissance before joining Hudson-Webber in 2008.

Outside of the Knight Foundation, Locker is involved in community service; she serves on the board of directors for Gleaners Community Food Bank of Southeastern Michigan and chairs its Governance Committee, and she previously served on the board of directors for the Detroit Artists Market. These opportunities, Locker says, have enabled her to become a “true part” of her community and to engage with others who share her drive for revitalizing Detroit.

“For me, the real value of Detroit—which I couldn't have known until I came to live and work here—is that it's a really passionate community where people are supportive of each other,” she says. “The partnerships that I've made in my 10 years here make the difference and keep me going, even in difficult times.”



# FOSTERING EXCELLENCE IN EDUCATION

Dan Varner, '94, has spent his career advocating for young people in Detroit.

Formerly a program officer at the W.K. Kellogg Foundation and CEO at Think Detroit PAL, Varner is the CEO of Excellent Schools Detroit, a coalition of education, government, community, and philanthropic leaders and organizations whose goal is to ensure an “excellent education for every child.”



SKILLMAN FOUNDATION: PAUL ENGSTROM

Achieving an excellent education, Varner says, has its roots in the organization’s 90/90/90 plan, which strives for Detroit to be the first major U.S. city where 90 percent of students graduate from high school, 90 percent of those graduates enroll in college or a quality postsecondary training program, and 90 percent of those enrollees are prepared to succeed without remediation.


Varner points to several achievements that are early indicators of Excellent Schools’ success: a 15 percentage-point increase (70 percent in 2013 versus 55 percent in 2012) in the number of Detroit high-school students who completed the Free Application for Federal Student Aid (FAFSA) form, widely considered to be an early indicator for attending college; new or revamped educational programs; investment in educators at the early-learning and K-12 levels, including hiring teachers from Teach for America and U-M fellowship programs; and an educational scorecard, published last July, containing data such as academic proficiency and student growth, which “historically we have not had in Michigan.

“The scorecard is not perfect; it doesn’t capture everything. But we think it’s the most comprehensive, coherent look at the performance of educational institutions in the country,” Varner says.

Excellent Schools Detroit has been able to make these positive strides, he says, thanks to the dedication of the coalition members and their efforts to engage the broader community. “One of our theories is that we need to engage more and more stakeholders in an aligned effort to bring about the work that moves the needle,” he says. “That matters a great deal, particularly to parents, who have been largely unsatisfied with the quality of educational options available for their kids. That’s a wave of energy that can’t be ignored.”

The reasons he is devoted to helping kids succeed include his mother, a teacher-turned-juvenile defender who received her law degree while Varner was in high school; the influence of numerous mentors during key points in his education; and an affinity for “improving complicated systems.”

The biggest motivators by far, Varner says, are the kids themselves. “Detroit kids are amazing, resilient, and highly capable, and they’ve always given me energy, optimism, and hope. Their stories on an individual and collective level keep me inspired.”



Sure, the city is bankrupt, and yes, many things in Detroit are far from perfect right now. Still, for firms based in Detroit, things are going quite well. We talked with leaders of the three largest Detroit-based firms (all of them Michigan Law alumni), and they all say they have weathered the difficult years in the city and are optimistic about the future.

That future could include many current law students, such as some in the group JDs in the D. As you will read in the story about them, many students are excited about staying in Detroit after they earn their law degrees. Some even came to Michigan Law in part because they wanted to be close to a city on the brink of renewal. Others are just learning how many opportunities can be found in Detroit.

If they choose to stay in the area after graduation, one thing is certain: They will be surrounded by other Michigan Law alumni. As with the turnaround of the city's government, people who earned their degrees here are shaping the course of legal practice in Detroit.

"I take great pride that there are an awful lot of University of Michigan and Michigan Law alumni who are substantially engaged in restoring the city," says Michael McGee, '82, CEO at Miller Canfield. "With that degree of Michigan firepower, I know Detroit is going to be successful."

## THE LEGAL LANDSCAPE

By Lori Atherton



# SOLID GROUND

**Even in a bankrupt city, big law firms are doing well—and look to play a role in the city's turnaround**

What is it like for a major law firm to do business in Detroit right now? For many who live outside the city and even the state, the perception might be that Detroit is a “dead” city and that few big-firm clients are Detroit-based companies and organizations.

That isn't the case, say Michigan Law alumni David Foltyn, '80, Michael McGee, '82, and Richard Rassel, '66. The trio are the leaders of the three largest law firms in Detroit: Honigman Miller Schwartz and Cohn LLP, Miller Canfield, and Butzel Long, respectively. And their rosters include high-profile clients from the Motor City.

“We are doing exceptionally well in Detroit,” says Foltyn, partner, chairman, and CEO at Honigman, the largest of the Detroit law firms. “We've had a series of record years, and our firm is thriving. There isn't a major real estate development here that our firm hasn't been intimately involved with, including the Renaissance Center and the One Detroit Center.”

Honigman's clients include the Detroit Institute of Arts, General Motors, Taubman Properties, and businessman/developer Dan Gilbert, who founded Rock Financial and Quicken Loans. Gilbert is a major player in Detroit's revitalization, and Honigman is representing him and his affiliates as they develop buildings in the downtown area.

Miller Canfield not only has fared well during the difficult era in Detroit; it also is involved in turning things around in the city. The firm has represented the City of Detroit for nearly 100 years, is co-counsel to the city in its bankruptcy proceedings, and has been counsel on its restructuring since early 2012, says McGee, the firm's CEO. In addition, Miller Canfield lists Comerica Bank, which was founded in Detroit, as a longstanding client and represents the principle Detroit automakers, particularly Chrysler.

Foltyn, McGee, and Rassel, chairman of Butzel Long, also point out that their firms' client base extends beyond the city and region.

“Any challenges we face are not related to the city, per se, and I think this is true of most of the larger law firms that are headquartered or maintain offices in Detroit,” McGee says. “All of us have a revenue base that is substantially greater than the city, and extends outside of the state and, to some extent, outside of the country.”

The three also note that they have made changes to their business practices over the years unrelated to Detroit’s decline and current bankruptcy. Rather, they are a result of changing legal and business landscapes and the need to be responsive to clients’ evolving expectations.

“The world is changing every day, and so are the expectations of clients,” says Rassel, whose firm, Butzel Long, represents a large and varied client base that includes 40 of the top 100 global auto suppliers. “Butzel is in the middle of adaptive change in every one of our industry practice areas. Clients expect you to be producing a wealth of internal things that they haven’t specifically asked for, including industry expertise and thought leadership, that wouldn’t have been as prevalent five years ago.”

“As the market evolves and as the economy itself evolves,” McGee says, “the lawyers evolve. You have to anticipate what clients need and deliver first-rate services, and do it very efficiently and in a manner in which the client appreciates the value.”

A surprising upside to Detroit’s bankruptcy, Rassel says, is that it has made it easier to set the record straight with outsiders who harbor what he sees as misconceptions about the city. “The bankruptcy has given people permission to ask the questions they’ve wanted to ask about how things really are in Detroit,” he says, “and offers an opportunity for those who work here to provide square answers. The publicity has enabled us to positively portray what is going on here in the city.”

At Honigman, operating in a bankrupt city has been “business as usual” for the firm, says Foltyn, who notes that the firm’s Midwest location actually is advantageous.

“If anything, being in Michigan and being headquartered in Detroit is a huge competitive advantage for us because when we compete with ‘money-center’ law firms, we can do so from a much more realistic cost structure than they can.”

Foltyn, McGee, and Rassel have front-row seats to Detroit’s renaissance, and they enjoy witnessing the positive changes brought about by the city’s turnaround. “For years I’ve watched Detroit’s reputation erode as a place to live and work,” says Rassel, whose firm opened its doors in Detroit back in 1854. “I see the city’s financial troubles being taken head-on and starting to reverse, and it’s exciting. There are more young people working in downtown Detroit than I can remember at any time in the last decade or more, and it’s led to a more energizing atmosphere for someone like me who has been around for a while.”

Foltyn agrees. Honigman’s headquarters—the same First National Building location where the firm was founded in 1948—overlooks Campus Martius Park, a two-block commercial district in the heart of downtown. “The activity and life down here are just incredible,” he says. “Just a few years ago there were issues with building downtown, but now Detroit is thriving. We are proud not only to be located in Detroit, but to be part of its growth.”

McGee, too, shares that pride, and notes that if Detroit Emergency Manager Kevyn Orr, ’83, looks out his office window onto Jefferson Avenue, he can see the original location where Miller Canfield was founded in 1852. “It’s professionally satisfying” to be part of the legal team that is helping to guide the City of Detroit in its bankruptcy proceedings, he says, and developing the nuances of Chapter 9 bankruptcy as they relate to governmental entities is both intellectually challenging and enriching.

“To be part of an organization that has an opportunity to assist Kevyn Orr and [Mayor] Mike Duggan [’83] in making the city thrive once again is a thrill,” he says. “I take great pride in that there are an awful lot of University of Michigan and Michigan Law alumni who are substantially engaged in restoring the city. With that degree of Michigan firepower, I know Detroit is going to be successful.”



Foltyn



McGee



Rassel

# JDS IN THE D

## Michigan Law students discover the appeal of Detroit

By Kim North Shine and Katie Vloet



*Above: Students on the JDs in the D tour are greeted by Honigman CEO David Foltyn, '80, COO Robert Kubic, and Richard Barr, '82, partner and leader of the investment incentives and tax savings practice group. Below: Bruce Schwartz, Detroit relocation ambassador, shows the students downtown Detroit in miniature at Quicken Loans.*

"It's not what I expected," Shainee Shah, a 2L, said as she and a group of fellow Michigan Law students took over a city sidewalk in Detroit.

Exactly.

Changing people's perceptions is part of the mission of JDs in the D, a volunteer group of law students. Through visits to the city, events at the Law School, and partnerships with Detroit-based organizations, JDs in the D shows law students that there are good reasons to consider living and working in Detroit after graduation.

"There seems to be a vacuum between Detroit and Ann Arbor and a lack of information about the opportunities that exist in Detroit," said Chris Burtley, a 2L and an organizer of JDs in the D. "We want people to see how much the two cities are connected and can help each other."

Shah, Burtley, and about 30 other law students visited the city in the fall. About half of the people in the group hadn't been to Detroit previously. "You see one thing on the news," Shah pointed out. "When you're here, you see something completely different."

The students got a rare look at an ornate and historic courtroom before moving on to more modest offices where federal prosecutors detailed real-life law lessons. They also stepped into corners of the city that few get a chance to see so up close: corporate America and an NBA franchise, a prestigious law firm, and an urban community garden.



At the U.S. Attorney's Office, three assistant prosecutors described the workings of their office, which oversees the Eastern District of Michigan. Barbara McQuade, '91, U.S. Attorney in Detroit, arrived after being kept late at a news conference announcing \$300 million in federal and private aid to boost Detroit's revitalization.

"I heard there were JDs in the D," she announced cheerfully as she walked in. "We're excited to have law students from Michigan who are interested in Detroit."





The students were welcomed at Honigman Miller Schwartz and Cohn LLP by David Foltyn, '80, partner, chairman, and CEO at the firm; COO Robert Kubic; and Richard Barr, '82, partner and leader of the investment incentives and tax savings practice group.

“We hope to see a lot of you here one day. Detroit keeps growing and growing. It’s a great place to be,” Foltyn told the students.

Barr escorted them to their next stop at Quicken Loans, and on the way they passed diners lunching at Fountain Bistro, and office workers spending time on the grass.

“A few years ago, there was none of this,” said Barr, who helped arrange funding and the stops on the tour.

Even before the tour, many Law School students didn’t need a sales pitch to tell them that Detroit is an exciting place to be. Indeed, some members of JDs in the D say that being near Detroit and having the chance to help the city with its turnaround affected their decision to come to Michigan Law in the first place.

In addition to organizing the visits to the city, the JDs in the D also hold an annual month of events at the Law School. This past fall, that included talks about social and economic empowerment in the city, election law and voter participation, careers, startups, and more.

But the visit to Detroit is one of the best ways for students to get a real sense of the city’s revival, say the leaders of JDs in the D. At the city tour in the fall, the group went from Honigman to Quicken Loans. They were greeted by Bruce Schwartz, the high-energy Detroit relocation ambassador who works for Dan Gilbert, owner of Quicken Loans, the Cleveland Cavaliers, and numerous companies that are involved with the revitalization of the city (see “Nothing Ventured, Nothing Gained,” p. 45).

Schwartz rattled off a long list of projects underway throughout the city and pointed them out through the windows at the Quicken Loans headquarters. “You will be blown away,” he assured the group. “We need people like you here to keep it going, to spread the word about Detroit being the place to be.”

That shouldn’t be a problem. After the recent trips to the city, organizers of the tours have heard from many students who were surprised—pleasantly so—about what the city had to offer.

“People who have visited Detroit with us,” said Milo Madole, a 2L and a JDs in the D organizer, “have written emails afterward saying, ‘I had no idea how many opportunities there are here.’”

*About half of the people on the recent JDs in the D visit to the city had never been to Detroit. Many said they were interested in working toward the city’s revitalization.*



“What’s going on here is historic.”

So says Jake Cohen, '13, a partner at Detroit Venture Partners, a venture capital firm that focuses on early-stage tech companies. And by *here*, he doesn't just mean his company; he means Detroit. The city has become a hotbed of entrepreneurial activity. People in the field, after all, are drawn to risks and what they see as undervalued assets. As one of the city's entrepreneurs has said, “Where everything is broken, anything is possible.”

That spirit is part of what drew Glenn Oliver, '87, to launch his company in Detroit. It's paying off; his startup has enjoyed buzz from *Fortune* and *Forbes*, and it recently earned top honors at a start-up expo hosted by the prestigious Silicon Valley Forum.

Nick Gorga, '02, also is involved in entrepreneurship, but in a different way: The hiring partner at Honigman, he wanted to make a direct impact on Detroit. He did so by cofounding Hatch Detroit, a yearly contest that helps local entrepreneurs open businesses.

The current entrepreneurial culture in Detroit is relatively new. But, as Oliver points out, entrepreneurship has deep roots in the city: “When people think of Detroit, they think of the auto industry as it exists today. But don't forget that, long ago, Henry Ford was a Detroit entrepreneur with a startup.”

## ENTREPRENEURSHIP



# HATCHING NEW BUSINESSES

By Lori Atherton

Nick Gorga, '02, is helping “to put a small thumbprint on the next chapter of Detroit.”

After working in Chicago for six years as an associate at Latham & Watkins LLP, Gorga returned to Detroit in 2008 to help combat what he viewed as a “brain drain” in the region.

Gorga—the hiring partner at Honigman Miller Schwartz and Cohn LLP—wanted to make a direct impact on Detroit without duplicating what already was being done to revitalize the city. He teamed up with Ted Balowski, a former classmate at Detroit Country Day School, to launch Hatch Detroit, a yearly contest that helps local entrepreneurs set up shop. The Chicago neighborhoods Gorga once frequented served as their inspiration.

“What I saw living in Chicago is that the neighborhoods were able to attract and retain people and develop cool and diverse retail shops, bars, and restaurants,” Gorga says. “We didn’t see anybody in Detroit helping out in that vein, so we thought it would be the perfect opportunity to carve out a niche and help to foster dense retail districts in the city.”

Contestants are whittled down to the top 10 by Hatch’s board of directors. The public then votes on the final four, who compete in a live Q&A session moderated by local business leaders. Those individuals, along with the community, select the winner, who receives \$50,000 in start-up funds and \$50,000 in services from Hatch and its sponsors.

Gorga describes the process as *Shark Tank* meets *American Idol*.

Hatch sponsored its third contest last summer; the winner, Batch Brewing Company, is Detroit’s first nanobrewery. Previous winners include HUGH, a home goods and accessories store with a *Mad Men* vibe, and La FERIA, a Spanish tapas restaurant and wine bar that celebrated its grand opening in late 2013. By spring 2014, 11 Hatch Detroit contestants are expected to have opened their doors, thanks to the boost they received from participating in the contest.

Detroiters, Gorga says, have had a vested interest in the competition from the start. “The public’s response has been overwhelming. For the first contest, we expected to have 25 or 30 viable ideas, and we got 200. We expected to have 5,000 votes cast, and we had 65,000. It just shows how Detroit and the region crave something positive and supportive.”

An outgrowth of the contest, Gorga notes, is Hatch’s partnership with the Detroit Lions to help revitalize existing retail businesses and neighborhoods beyond the downtown and midtown areas. The first neighborhood to undergo revitalization—anticipated to be a yearlong process—is the Avenue of Fashion

SANTA FABIO



on Livernois between Seven Mile and Eight Mile roads, where Hatch and the Lions will help businesses with façade renovations, along with beautifying key public spaces and installing art projects.

“It’s an exciting second half of what we do,” Gorga says.



# JUST ADD WATER

By Amy Spooner



Most of us turn on faucets or lawn sprinklers with no thought as to how the water got there. Glenn Oliver, '87, wants to make sure it arrives in the most cost-effective, efficient way possible.

In 2006, Oliver launched H2bid, a Detroit-based online exchange connecting water utilities with vendors. The first-of-its-kind company provides online bidding software, transaction data, and information services that enable both sides to better manage the bidding and contracting process—from helping vendors access the largest database of bid opportunities in all 50 states, to aiding utilities in finding the best product or service. “If a utility advertises a bid, every company that does business in this industry should have access to that opportunity immediately,” he says. “Every vendor should be able to see competitive pricing when preparing a bid response. Water is the only utility that mankind cannot do without. We’re bringing efficiency, cost savings, and smarter decision making to a critically important industry.”

Oliver gained an insider’s view of the industry in the late 1990s as a member of the Detroit Board of Water Commissioners, one of many hats he wore as group executive under Mayor Dennis Archer. As a member of Archer’s executive staff, Oliver served as public safety director, supervised eight departments, oversaw legislative affairs, and managed the mayor’s staff, budget, and political appointments.

Adding another responsibility to his sizeable list wasn’t enticing, but the water board appointment turned out to be life changing. Detroit’s water department is one of the largest in the country, and Oliver was amazed that commerce in the water industry was so fragmented. He believed the burgeoning power of the Internet could transform the industry, a thought he held even when he returned to private law practice after leaving the Archer administration. And he was right. Since Oliver quit his practice to manage H2bid full time, the startup has enjoyed buzz from *Fortune* and *Forbes*, and in October 2013, it snagged top honors at a start-up expo hosted by the prestigious Silicon Valley Forum.

Oliver’s passion for entrepreneurship was ignited by working as a child with his grandfather, a small-business owner. Oliver chose a career as a lawyer in part because he saw that he could pursue his entrepreneurial interests by developing a practice, whether in a major law firm or on his own. Turns out, he has done both. But launching a business based on a novel idea is entirely different, says Oliver. “To be an entrepreneur, you must be willing to embrace risk—even more so when you are disrupting an industry like the centuries-old water industry. What matters is toughing out the initial challenges to meet your customers’ needs and make the business successful.”

As a Detroit-based startup, Oliver is a proud member of a new wave of entrepreneurs in the city. “I am glad to be a part of the ecosystem that is helping to reinvigorate the start-up culture in Detroit,” he says. “When people think of Detroit, they think of the auto industry as it exists today. But don’t forget that, long ago, Henry Ford was a Detroit entrepreneur with a startup.”



COURTESY OF H2BID





# NOTHING VENTURED, NOTHING GAINED

By Katie Vloet

Jake Cohen grew up in the Detroit suburb of West Bloomfield and attended U-M for his undergrad and graduate studies. Still, when he considered job opportunities, he assumed he would have to go to one of the coasts to work in entrepreneurship.

“I had accepted an offer to work in the start-up world in Boston,” says Cohen, ’13. “I didn’t think I could do the kind of work I wanted to do in Detroit.”

Then he heard about a venture capital firm that would invest in early-stage technology companies. And it would be based in Detroit. “When I heard about a position with Detroit Venture Partners (DVP), I knew I couldn’t pass it up. This was a once-in-a-lifetime opportunity.”

DVP was the brainchild of ePrize founder and venture capitalist Josh Linkner, Quicken Loans founder and champion of Detroit revitalization Dan Gilbert, and Rockbridge Growth Equity founder and chairman Brian Hermelin. They thought the region was underserved by venture capital, especially in the funding of tech startups.

Cohen, who had founded eatBlue.com, Ugrub.com, and Ubars.com, crammed in as many half-semester classes as he could in the fall of 2010 so he could begin the job in November of that year, when funding was set to become available. He worked at DVP while finishing up his joint JD/MBA degree, which he received in 2013. Since Cohen joined DVP, it has invested \$19 million out of a \$60 million fund.

“We have a unique value proposition. We don’t just have money to fund ventures. We are hands-on investors, we bring experience, and we help to build your customer base,” says Cohen, now a partner at DVP. “Our purpose also is very much tied to Detroit. Helping to rebuild the city through entrepreneurship is part of everything we do.”

Several DVP-funded businesses have taken off. App-developer Detroit Labs had four employees when DVP invested, and now has 45. Stik, a reviews website that drives local referrals for professional services, has grown to 25 employees—with more being hired every month—after DVP’s investment. Office- and school-supply website Chalkfly started as two brothers, and now is approaching 20 employees; it was the fastest-growing e-commerce site in the country last year after doing \$2.5 million in revenue in its first full year of operations. After companies reach a certain size, they move out of the industrial-chic DVP headquarters in the Madison Building downtown to make room for new startups; Detroit Labs and Stik were two of the first up-and-outs.

When Cohen travels outside of the city, he often gets asked: Why Detroit? Many people associate the city with bankruptcy and not regrowth, he says. “Really, though, the city’s bankruptcy is a trailing indicator. The city has been on the rise at least for the past three years.” Plus, he says, the fact that Detroit presents certain challenges is appealing to someone with his professional drive. “I’m an entrepreneur, so I like the idea of building something from the ground up. That’s inherently exciting to me.”

Even Silicon Valley is paying attention to what is happening in Detroit. For instance, a funny thing happened to the founders of Stik, which moved to Detroit from San Francisco. “We were sitting in a conference room, and a reporter visiting from the *San Francisco Chronicle* interviewed them,” Cohen says. “Stik had been in San Francisco, but they weren’t interviewed by the *San Francisco Chronicle* until they moved to Detroit.

“What’s going on here is historic.”



*Michigan Law faculty prepare alumni who are seeking jobs in academia*

## A Guiding Hand

*By Katie Vloet*

Sarah R. Wasserman Rajec, '04, a lecturer and teaching fellow at Stanford Law School, knew that the road to a tenure-track faculty position could be a bumpy one. That's why she sought the insights of some of the best faculty members she knew: Those who teach at her alma mater.

Rajec was one of the alumni who attended the Future Law Professors Workshop at Michigan Law in the fall. She describes the experience as "the perfect mix of helpful, challenging, and welcoming.

"It was great to have so many professors share their experiences and wisdom about the academic job market. It can be an opaque process, and these insights and anecdotes helped to pull back the curtain," she says. "My paper ['Free Trade in Patented Goods: International Exhaustion for Patents'] benefited greatly from the feedback and discussion I had with former professors who came to my presentation—and what fun to be on the other side of the podium."

All the preparation Rajec put into her pursuit of a faculty position paid off: "I'm thrilled to be joining the faculty of William & Mary Law School next year," she says.

The workshop, which has been offered three times in recent years, includes panel discussions about topics such as surviving the Association of American Law Schools' annual Faculty Recruitment Conference (FRC), and exploring fellowships and visiting assistant professor (VAP) programs. It also features mock job talks with faculty members and alumni. Some 30 Michigan Law faculty members participated in the workshop in 2013.

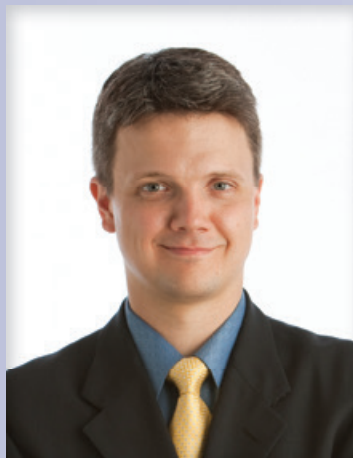
"Our goal is to help alumni present themselves in the best light possible," says Jessica Litman, the John F. Nickoll Professor of Law and the chair of the committee that planned last year's event. "Especially at a time like this, when many law schools are being conservative about hiring because applications and enrollments are down, we want to help people who went to Michigan Law maximize their chances."



*J.J. Prescott*



Joan Larsen



Julian Davis Mortenson

Adds Professor J.J. Prescott: "We know that planning and preparation are key when pursuing a faculty position. Too many people decide to go into academia and just aren't ready." Prescott is a member of the committee that organized the workshop, along with Litman; Professors Joan Larsen and Julian Davis Mortenson; Greta Trakul, attorney-counselor and judicial clerkship adviser in the Office of Career Planning; and Jenny Rickard, the Law School's meetings and special events planner.

"We practice job talks with our alumni at the workshop to reduce anxiety when they're doing it for real," Prescott says. "We talk with them about ways they can approach their answers, what turns off people on a hiring committee, and how to talk about your field simply and straightforwardly, without using too much jargon."

Professors' advice about hiring committees and how to prepare and give a job talk were particularly useful, says Ben McJunkin, '09, currently an associate at Covington & Burling in Washington, D.C., who is considering taking a teaching fellowship in the near future.

"The faculty panels provided me with a new perspective on the hiring process. I was also able to present an article in progress to a fantastic group of faculty members, and to sit in on similar presentations by other alumni," McJunkin says. "Most of the other workshop participants were on the tenure-track teaching market last fall, so they were substantially further along in their academic careers than I am. Despite the fact that the workshop was primarily geared toward tenure-track candidates, I found it extremely helpful. The experience helped me realize that my work was further along than I had believed. It also provided helpful feedback that shaped the direction of my work as I prepare to seek teaching opportunities."

The event allows attendees to meet up with Michigan Law faculty, as well as fellow alumni who are interested in teaching. "The Future Law Professors Workshop provided an invaluable opportunity to reconnect with UMLS faculty and practice my job talk in front of a tough and supportive audience," says Amna Akbar, '04, a visiting assistant professor at Moritz College of Law at Ohio State University who has accepted a tenure-track position there that will begin in the fall.

The workshop is held in September to give participants time to revise their papers and better prepare for the FRC, which typically is held in October.

"To be a good candidate, you have to not only produce high-quality scholarly work and qualifications but also be able to present that work and that background to the hiring committees in a package that is attractive, easily understandable, and represents the 'best you' possible," Prescott says. "That's very hard to do well, and so especially given the hard application deadlines of the market cycle, timing is everything."

*To find out more about the 2014 workshop, email [lawalumacademicplacement@umich.edu](mailto:lawalumacademicplacement@umich.edu) or call Jenny Rickard at 734.764.4705. Tips for prospective law professors can be found at [www.law.umich.edu/careers/Pages/legalacademia.aspx](http://www.law.umich.edu/careers/Pages/legalacademia.aspx).*



Jessica Litman

## Sankaran Challenges Michigan's One-Parent Doctrine

By Dan Shine

Not long after Vivek S. Sankaran, '01, arrived at Michigan Law in 2005 as a faculty member, he came across the state's one-parent doctrine, established by *In re CR, 250 Mich. App. 185 (2001)*. The doctrine states that the court gets jurisdiction over a child based on the finding that one parent is unfit.



According to the doctrine, the presumptively fit non-offending parent still must undergo drug testing, counseling, and state-supervised parental visits, among other things, to prove his or her worthiness. The doctrine's intent is to give courts broad authority to keep a child away from bad parents.

Sankaran, a clinical professor of law in the Child Advocacy Law Clinic and director of the Detroit Center for Family Advocacy, couldn't believe such a practice existed.

"My initial reaction was that this is insane, this idea that you can take children away from both parents based solely on findings against one," he says. "This process bypasses the notion that in order to take my kid away, you first have to show that I did something to my child."

Sankaran has written bar journal and law review articles arguing against the doctrine, and he began looking for opportunities to challenge it in the appellate system. He developed a network of attorneys across the state that do this work, and through it was able to identify cases like *In re Sanders, Minors*, which he challenged in front of the Michigan Supreme Court in November.

"We've been making progress incrementally until we got to this point in the *Sanders* case, where the Court actually took the case and explicitly wanted to address this issue," he says.

The *Sanders* case involves a mother who had her children taken away after she tested positive for cocaine. The children were placed with the father. But while he was on probation for domestic violence, he tested positive for cocaine. The children were placed with an aunt, and the father requested a jury trial to fight the allegations.

Eventually the mother pleaded no contest to the charges against her; the charges against the father were later dropped, and he never had a trial. But the court imposed the one-parent doctrine to keep the children with the aunt and made the father comply with provisions such as parenting classes, random drug tests, and a psychological exam.

The court said that, due to the mother's no-contest plea, it had the jurisdiction to institute the one-parent doctrine. The Court of Appeals denied the father's appeal and the Michigan Supreme Court granted leave.

"To make this father use services is a shifting of the burden, to say that rather than us having to prove you're an unfit parent, you now have to prove that you are a capable parent by jumping through these hoops," says Sankaran, who filed the application with the Michigan Supreme Court in February 2013.

"The Michigan Supreme Court crafted an issue they wanted addressed, and it's incredibly broad," Sankaran says. "Basically, does the one-parent doctrine violate the constitutional rights of unadjudicated parents? So it's not about this case in particular; it's about the far-reaching consequences of the doctrine."

Sankaran made two main arguments in front of the Supreme Court: First, as a matter of constitutional law, a parent must have a hearing to be found unfit before a child is taken away, and a trial is the way to do that in Michigan. Second, under the Equal Protection Clause, similarly situated people must be treated similarly.

"If you create a system where you afford one set of similarly situated people all these procedural rights and the second set with nothing, that violates that basic notion of the Equal Protection Clause," Sankaran says. "Here we have the mom who has all the rights in the world, and the dad gets nothing."

One of the arguments made by a Jackson County prosecutor in front of the state Supreme Court in favor of the earlier *Sanders* decision was that the case was moot because the father eventually was incarcerated, showing him to be an unfit parent. Sankaran rejects that argument because it ignores the precedent of the Michigan Supreme Court that simply because a parent is incarcerated doesn't mean he or she loses the right to plan for his or her child's day-to-day decisions.

Sankaran says he has advocated against the doctrine in order to get better decision-making in these cases by having the court prove that these parents have done something wrong. But he has one ultimate goal.

"My hope is that the one-parent doctrine gets overruled by the Michigan Supreme Court and that we have a system where both parents are entitled to a trial against them before the court can take the child away from both parents," he says. "If the court overrules, then it will pave the way to legislative efforts to craft a statute that is consistent with the court's ruling."



## MacKinnon Wins Ruth Bader Ginsburg Lifetime Achievement Award

By Jenny Whalen

In the centuries-long campaign to advance women's rights, the service of some has inspired generations even as their scholarship has rewritten the law of nations. This year, the Association of American Law Schools' (AALS) Section on Women in Legal Education recognized Professor Catharine A. MacKinnon as one of those extraordinary women.

The 2014 recipient of AALS' Ruth Bader Ginsburg Lifetime Achievement Award, MacKinnon, the Elizabeth A. Long Professor of Law at U-M and the long-term James Barr Ames Visiting Professor of Law at Harvard, is only the second woman to receive the honor, after Supreme Court Associate Justice Ginsburg herself.

The significance of succeeding the award's namesake—one of history's greatest advocates for gender equality—was not lost on MacKinnon.

"That Justice Ginsburg received it gives it the meaning of groundbreaking, but many more will receive it in the future, each person adding their own distinctive focus and contributions to its significance," MacKinnon says.

According to AALS, the award is intended to honor an individual who has had a "distinguished career of teaching, service, and scholarship for at least 20 years . . . someone who has impacted women, the legal community, the academy, and the issues that affect women through mentoring, writing, speaking, activism, and by providing opportunities to others."

MacKinnon's excellence in these areas is well known to Michigan Law Professor Margaret Jane Radin, who describes her colleague's work as "game-changing."

"She will be the first to tell you that the work is nowhere near done, but her inspiration of the many students she has educated over the years creates hope that the work will continue as long as it is still needed," Radin says.

Pace Law School Professor Ann Bartow, one of several peer nominators, has long considered MacKinnon to be one of the most influential forces in gender law today.

"Professor MacKinnon is an engaging, riveting, generous, and magnetic presence," Bartow wrote in her nomination. "She has inspired generations of law students, mentoring them with gentleness and sustained energy toward creative and enduring careers in all legal and social pursuits."

Kathleen M. Sullivan, a former dean of Stanford Law School and partner at Quinn Emanuel Urquhart & Sullivan LLP, observed the systemic dimension of MacKinnon's work in a comment submitted for the award ceremony.

"Catharine MacKinnon is to law what Simone de Beauvoir was to political economy: Her work illuminates how views of women



COURTESY OF ROBIN C. ADAMS  
© CATHARINE A. MACKINNON

*Gloria Steinem, Professor Catharine A. MacKinnon, and Professor Ann Bartow of Pace Law School, one of the people who nominated MacKinnon, at the awards ceremony.*

are built into the very order of things, and how that structure may be dismantled. This is a most fitting award."

To be recognized in such a way by her peers added an even deeper meaning to the award for MacKinnon. "It's a bit like getting an Oscar that way," she says of the process. "The award was a tremendous surprise."

But amid the gracious comments of her colleagues, it was praise from a survivor of prostitution that had the greatest impact on MacKinnon.

"In all her work, you can hear her voice coming through the miasma of women's oppression," wrote the survivor, who chose to remain anonymous. "She has heard the screams, the desperation, the outrage, the silence of women and carried all that forward into the light to be seen and understood. Then, corrected.

"Few accept the burden or the losses this work has cost over the years. There is something about the determination to suffer wounds if need be while resisting oppression that seems to be in her that lets her be hurt over and over and just keep going. It is a fine line to walk, for all of us, between courage and shattering."

Although this award recognizes MacKinnon's "lifetime" of work, it hardly marks the end of her scholarship and activism for sex equality.

"We are, at best, at a halfway point," MacKinnon says. "Essentially everything remains to be done for women, both in the U.S. and around the world, both by me and by everyone else. The United States still doesn't even have an Equal Rights Amendment; far less have we stopped rape and prostitution. We're just getting started and gaining traction."

Though the award was individual, MacKinnon says the work is not. While accepting the award in person January 3 at the special AALS Section Award Luncheon in New York, she observed, "defying gravity is a collective project."

## Journal of the Civil War Era to Preserve Emancipation Scholarship

By Jenny Whalen



William Novak

The Law School exhibit commemorating the 150<sup>th</sup> anniversary of Lincoln's Emancipation Proclamation—and challenging its myths—may have come and gone, but the conversation it inspired is continuing with the publication of the project's scholarly contributions in *The Journal of the Civil War Era*, Vol. 3, No. 4.

"Through the journal, we are able to give what we did on campus a life beyond a moment or a day," says exhibit co-curator Martha S. Jones, associate professor of history and codirector of the Program in Race, Law & History. "The conversation on emancipation is ongoing and the interpretation is ever changing, reflective of the times."

Edited by William Blair, a research professor at Penn State University, the journal features an introduction and article from Jones, along with works by William J. Novak, Michigan Law's Charles F. and Edith J. Clyne Professor of Law; James Oakes, distinguished professor at City University New York; Stephen Sawyer, associate professor at The American University of Paris; Thavolia Glymph, associate professor at Duke University; and Michael Vorenberg, associate professor at Brown University.

The collection is, in part, a result of the October 2012 *Proclaiming Emancipation* exhibit and conference at Michigan Law. A joint effort by the Program in Race, Law & History, the William L. Clements Library, and the University of Michigan Library, the conference drew scholars from across the country to commemorate the 150<sup>th</sup> anniversary of the proclamation, and to challenge the record of emancipation, replacing myth with history, Jones says.

"We had two goals for the conference and exhibit," she says. "On the one hand, we wanted to dispel the myths and misconceptions about the Emancipation Proclamation—the dominant myth being that Lincoln freed the slaves with the stroke of a pen. But on the other end of the spectrum, we wanted to showcase the cutting-edge scholarship focused around this one point on a complicated timeline of emancipation."

While interest in the exhibit and exchanges that grew out of the conference exceeded Jones's expectations for the project, the opportunity to preserve these ideas and interpretations is one for which she is deeply grateful. "One of the things about an exhibit is that it goes away," Jones says. "It lives in real time and space. It is ephemeral. But the ideas that were produced out of those exchanges can be recaptured in this journal issue, and we can keep the conversation going."

In all, the journal features works from six of the conference's original eight presenters, including Jones, whose installment, "Emancipation Encounters: The Meaning of Freedom from the Pages of Civil War Sketchbooks," contains the first images ever published by *The Journal of the Civil War Era*, and Novak, who coauthored his article, "Emancipation and the Creation of Modern Liberal States in America and France," with Sawyer.

And though the 150<sup>th</sup> anniversary of the Emancipation Proclamation has reached its end, Jones believes the relevance of these articles is not dependent upon the journal's publication date. "This conversation is far from finished," Jones says. "In 50 years, the scholarship will have changed and there will be new questions and evidence. I hope that in 50 years, scholars will look back at what we were doing and thinking and understand why it mattered."



Martha Jones

# Appleberry: Tax Issues and Domestic Violence Survivors

By Lori Atherton

As the director of the Low Income Taxpayer Clinic (LITC), Professor Nicole Appleberry, '94, sees firsthand how tax issues affect domestic violence survivors.

Take client Jane Doe, a mother of four who works as a waitress. She is legally entitled to claim her children as dependents on her tax return, but her ex-husband, who lives in another country and does not have the legal right to claim them, did so first, preventing Doe from receiving the tax refund she desperately needed. More than a year later, the LITC is still working with the IRS to prove that its client is entitled to claim her children as dependents.

Doe's situation is just one example of how batterers try to control their victims financially after they have left the abusive relationship. "Domestic violence is about power and control," Appleberry says, "and when a woman leaves a domestic violence relationship, she is particularly vulnerable, especially from a financial standpoint. A batterer will exploit her vulnerability, which will come in many different ways, including in the form of tax implications."

While some batterers, as in Jane Doe's case, will illegally claim their children as dependents, others might under-report their income on their tax returns, a problem since domestic violence survivors are equally liable for the taxes owed on a joint tax return. Appleberry cited an LITC case in which the client's estranged husband—unbeknownst to her—had a second job that was used to support a girlfriend in another city. The husband didn't report those earnings on their tax return, and when the IRS sent letters to both of them about the discrepancy, he hid the client's mail in the trash, where she later discovered it.

This is an important nuance to the case, Appleberry points out, because individuals have 90 days from the date the IRS sends its Notice of Deficiency (or a Notice of Determination, denying innocent spouse relief) letter to dispute the proposed assessment in tax court. "When you have that kind of window, it can be very effective for the batterer to deprive the woman of her rights, which may be her last chance to say she shouldn't have to pay this tax," Appleberry says. "You can do what's called an audit reconsideration after the 90 days have passed, where you ask the IRS to take a look at the issue, but there is a big difference between asking the IRS and having the right for a judge to assess the situation. Tax Court is also the only forum where a taxpayer can dispute a liability without having to pay the tax first—so for many low-income people, it is effectively the only judicial forum available."

The LITC handles approximately 80 cases each year, and tax cases of domestic violence survivors comprise a significant percentage of the clinic's workload. Some of these cases are referred by Michigan Law's Pediatric Advocacy Clinic, which handles divorce cases of domestic violence survivors (along with their other matters), and the Family Law Project, a joint program of the Law School and Legal Services of South Central Michigan that focuses on representing low-income domestic violence survivors.

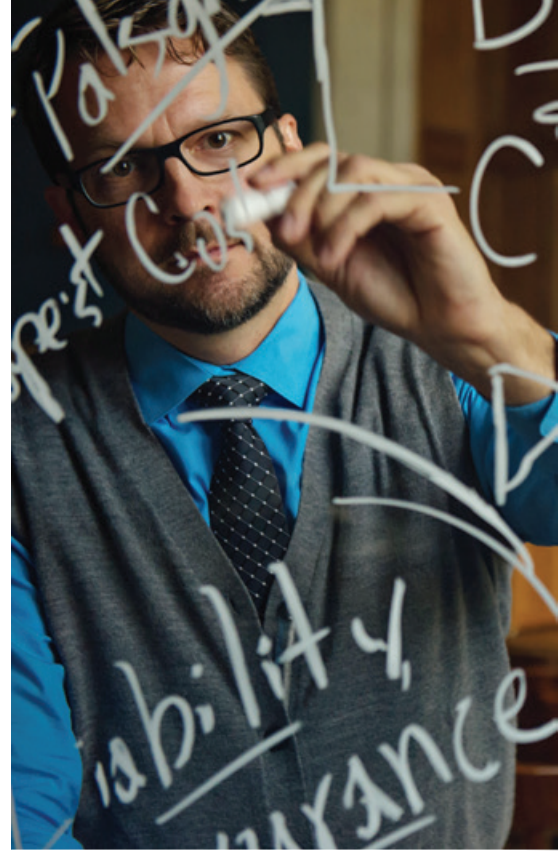
As a rising 2L at Michigan Law, Appleberry held a summer job with the Family Law Project and later took the Child Advocacy Law Clinic; both experiences sparked an interest in working on domestic violence and child abuse cases. After graduation, she worked as an assistant prosecuting attorney in Livingston County, Michigan, for four years, which enabled her "to see from both the criminal and civil perspectives how domestic violence affects people's lives."

Appleberry's work as a prosecutor and as the director of the LITC has motivated her to begin writing an academic paper in which she is proposing the creation of a domestic violence exception to the usual method of determining one's tax-filing status. In general, the IRS considers one's marital status on the last day of the tax year (December 31) to be one's marital status for the entire tax year. While individuals can identify themselves as single if they separated during the first six months of the year, they must identify themselves as married if they separated in the latter half of the year.

"If you are a domestic violence victim and you leave the relationship on December 31, you should be entitled to consider yourself single for the purposes of claiming deductions and credits that are available for low-income people," Appleberry says. "If I have a domestic violence survivor who left on December 31, could file a tax return on February 1, and two weeks later could get a \$2,000 refund check from the IRS, it can make an enormous difference in her ability to survive. But oftentimes she is being precluded because she left in the second half of the year versus the first half of the year, and many deductions and credits require married people to file jointly, which of course could be dangerous for a domestic violence survivor."

While batterers disempower their victims, Appleberry hopes her work and the attention it will draw will do just the opposite. "If there is anything I can do to make a domestic violence survivor feel and be less vulnerable, I want to be able to do it," she says.





# VICTORS FOR MICHIGAN

UNIVERSITY OF MICHIGAN LAW SCHOOL

[law.umich.edu/campaign](http://law.umich.edu/campaign)



## AND We're Off...

There's an old adage about life being a marathon, not a sprint. The same holds true for the Victors for Michigan campaign. It kicked off with great fanfare, both in terms of the on-campus celebration in November, and generous commitments by alumni and friends to start us on our way to achieving the Law School's \$200 million campaign goal.

On the heels of this wonderful energy and momentum, we can't lose sight of the fact that Victors for Michigan is a five-year campaign. It is a marathon, one that will require a great deal of teamwork on the part of many people to cross the finish line successfully.



Our Victors for Michigan campaign goal is ambitious. It also is very important for the Law School. We all know how drastically the legal profession has been altered in recent years. What you might not realize is how legal education likewise has been affected. The number of applicants to law schools, in general, has declined, which means the even smaller pool of top students is being recruited ever more heavily. Many elements comprise Michigan Law's greatness, but at its heart are our students. The reputational value of a Michigan Law degree is only as strong as the alumni and future alumni who hold it and their accomplishments after attaining it.

## Our No. 1 priority in the Victors for Michigan campaign is student support.

We are seeking to raise \$70 million to create more scholarships, strengthen existing scholarships, increase aid to students with unpaid summer internships, and further ease the post-graduation debt burden through the Debt Management Program, also known as the Loan Repayment Assistance Program. With your help, Michigan Law will be financially attainable for more deserving students.

Top students expect a first-class education, which is why our campaign supports efforts to continue offering—and to expand upon—one of the world's great legal educations. Today's employers demand that students leave law school career-ready, while the complexities of our global workplace require newly hired attorneys to possess a sophisticated, experience-based knowledge of global systems. We excel at this, but it's expensive. Our \$40 million program support goal aims to strengthen our required Legal Practice Program and enhance our clinics, which many students cite as their most important experience in law school. And since great minds must be shaped and challenged by great teachers, we have a \$30 million goal toward recruiting, retaining, and enhancing research opportunities for our outstanding faculty. With your help, Michigan Law will remain at the forefront of what law school should be, bringing students, faculty, and society together for the betterment of all.

No matter how lofty your giving interests are, I also encourage each of you to give to the Law School Fund. We have a \$20 million campaign goal for the Law School Fund because it impacts all of our programs and people. Not all of us have the power to establish a scholarship or fund a program. But we all have the power to contribute to Michigan Law's greatest needs through the Law School Fund.

The realities of the legal landscape today make your support critical, so please join us in the Victors for Michigan campaign. It's a goal we can achieve together.

Sincerely,

Todd M. Baily  
Assistant Dean for Development and Alumni Relations

## Join the Victors for Michigan Campaign



Why do we give to the Law School? Maybe it's because studying law at Michigan fundamentally impacted the way we think and go about our lives. Maybe it's because we remember and value the friendships we developed with our classmates. Maybe it's because a Michigan degree opened doors to professional opportunities that otherwise would have been unavailable to us. Maybe it's because we are grateful to alumni who came before us and funded the facilities and programs from which we benefited when we were students. Maybe it's because we want today's students—and tomorrow's students—to have the same opportunities we did. Maybe we give because we take pride in the reputation and standing that Michigan represents: the leaders and best.

If we're really lucky, we give to the Law School for all these reasons.

I have had a window into Law School activities for more than 40 years through work with various deans and faculty members, interactions with Michigan students, and volunteer work with dedicated alumni. The Law School continues to be a special place, combining academic excellence with a unique spirit of collegiality and camaraderie. Protecting that legacy is vitally important, and that is why I jumped at the opportunity to chair this campaign.



The Victors for Michigan campaign is a unique chance to carry on the great traditions of this great Law School. People are the priority of this campaign: students and faculty. With this campaign, we strive to make it possible for the best and brightest students to attend our Law School and for our Law School to attract and retain the best and brightest faculty to teach them.

Please join us on this mission.

**John M. Nannes, '73**

*Chair*

*Top: John Nannes, '73, who chairs Michigan Law's Development and Alumni Relations Committee as well as the Law School's Victors for Michigan campaign, chats with current students.*

*Bottom: Cynthia Cho, a 3L from Beechhurst, New York, speaks to alumni about the impact of scholarships and other gifts in support of students.*





*The University of Michigan kicked off the \$4 billion Victors for Michigan campaign on November 8–9, 2013, with events held campuswide. Law alumni and friends celebrated the Law School's \$200 million campaign launch with a tailgate brunch in the Robert B. Aikens Commons.*



*Top: Joan and Bruce Bickner, '68, and Barbara and Daniel Van Dyke, BSE '64, JD '68, demonstrate well-coordinated maize-and-blue spirit. Rich Gray, AB '71, JD '74, and Eric Oesterle, BS '70, JD '73, aren't going to let chilly temperatures prevent them from enjoying a game at the Big House. Middle: Stewart Feldman, '80, and Dr. Marla Feldman, BS '78, DDS '82, traveled from Houston to Ann Arbor for the campaign kickoff festivities. Bob Fiske, '55, HLLD '97, shares a laugh with Dean Mark West: Scott Fowkes, '88, and sons Miles and Alex show that cheering for Michigan is a lifelong commitment.*



## Student Support

### David Patterson, '74



For some, law school can represent turmoil and uncertainty. For David Patterson, '74, all of that was behind him by the time he finally set foot in the Quad.

Patterson earned his bachelor's degree from Harvard in 1968; the very next day, he had to report for his draft physical back home in Ohio. He didn't know if he was going to be drafted or be accepted into the

Navy's Officer Candidate School, but one thing he knew for certain was that his dream of attending law school was on indefinite hold.

That's when the University of Michigan Law School did something that Patterson has never forgotten: The admissions office told him that his offer of admission would be waiting whenever he was able to accept it. "It really made a difference to me, that I wouldn't have to go through the whole application process again when I was done in the service," he says. "Knowing that a place I was so proud to be admitted to would leave the door open like that was incredibly reassuring."

In gratitude, now it is Patterson who is helping to open doors. He recently made a \$1 million gift to endow a Darrow Scholarship, which offers a full ride to Michigan Law's most exceptional students. "My time at Michigan was such a critical point in my life. Michigan provided stability during a very unstable time, and it gave me the foundation for a wonderful career," he says.

After a three-and-a-half-year admissions deferment during his service in the Navy, Patterson embraced the law school experience wholeheartedly. "I was finally moving down the career path I had envisioned, and it was everything I had hoped for. The education was tremendous, as were my classmates. I felt elevated just being on the Law School's grounds." The elation

spilled out of the Quad for the Columbus-area native. "I grew up as an Ohio State fan but started to see their followers as being more than a little over the top. I got caught up in the mood on Football Saturdays in Ann Arbor and have been an avid Michigan fan ever since."

Although initially he was unsure of his post-graduation goals, participating in Moot Court gave Patterson the confidence to pursue a litigation career. He became an associate at Vorys Sater, which at the time was the biggest firm in Columbus. After a few years of getting his feet wet in Big Law, he moved to a smaller firm, where he could spend more time in the courtroom. Patterson enjoyed the variety of the litigation—from insurance defense to business matters to personal injury. But eventually, the excitement of litigation ran its course. "I felt myself going sideways and liked the idea of using some of the other skills I had learned in law school," he says. When he talked to Jim Readey, a friend who had opened his own mediation and arbitration practice, Patterson saw the opportunity for a new challenge.

Readey & Patterson quickly developed a reputation as the go-to firm in central Ohio for the burgeoning field of arbitration and mediation—a reputation that was enhanced by the partners' previous litigation experience. Patterson relished the chance to work directly with all parties involved to creatively help resolve disputes as quickly as possible. "I got a lot more *thank yous* doing mediation than I did in 25 years of being a trial lawyer," he says.

With his generous gift to the Law School, more *thank yous* are sure to come Patterson's way, especially from the students who will receive support from his scholarship. "Education should be available to all," says Patterson. "My wife and I have been fortunate in the opportunities we were given. It's very satisfying to know that this gift can provide opportunities for those who might not otherwise have them."—AS



*Program Support***Michael Levitt, '83**

Michael Levitt, '83, has been successful in finance largely because he follows a simple adage: Invest in what you know. The advice also guides him as a volunteer for and donor to the University of Michigan. Levitt, who is a Los Angeles-based vice chairman of Apollo Credit Management, serves on the University's Investment Advisory Committee and is the alumni trustee for the Law School's Cook Trust. Beyond the significant investment of time that these roles require, Levitt substantially invests in his alma mater as a donor, including a recent gift to the Law School's Zell Entrepreneurship and Law (ZEAL) Program.

For Levitt, who also holds a bachelor of business administration degree from Michigan, the gift to ZEAL is important because "setting a good example for my children—that they see me work hard and give back—is a priority." But the gift also gives a personal and professional nod to his career path. After beginning his post-law-school career at Latham and Watkins in L.A., and then opening the firm's New York office, Levitt transitioned into finance. He was a managing director at Morgan Stanley, co-head of the investment banking division at Smith Barney, then a partner in the New York office of Hicks, Muse, Tate & Furst Inc., before deciding to open his own firm—Stone Tower Capital—in 2001. ZEAL founder Sam Zell, AB '63, JD '66, HLLD '05, was the first outside investor in the company. "I was a direct beneficiary of Sam's belief in the importance of entrepreneurialism, so it seemed fitting for me to give a gift that supports Sam's vision while affirming my love of the Law School and my gratitude for how it has shaped my career."

Levitt first met Zell during Levitt's tenure at Morgan Stanley. Their shared affinity for U-M strengthened their professional relationship, but the two savvy investors know that emotion can't cloud business, which made Zell's commitment to Stone Tower Capital all the more meaningful. "Sam sensed I would be prudent with his and my money and that he would get a solid return," says Levitt. "He derives a great deal of joy and satisfaction from helping businesses get off the ground, and I will forever be grateful that he took a chance on mine."

Levitt grew Stone Tower during the tumultuous post-9/11 economy and established a solid reputation and portfolio that allowed the firm not only to survive but flourish in the wake of the 2008 financial crisis. Levitt says the dual mantras of "invest in what you know" and "if it's too good to be true, it probably

is" helped him stay the course as industry heavyweights toppled all around him. "We survived because we were conservative in our assessment and management of risk." In 2012, Levitt sold the company to Apollo Global Management LLC, where today he is responsible for building the firm's credit investment business.

"I don't know if I think of myself as an entrepreneur," Levitt says, "but I've always enjoyed the business-building aspect of my work as much as the execution." Through his gift to ZEAL, Levitt will help equip students with the knowledge and experiences to successfully launch and/or advise entrepreneurial endeavors. "I want to see more law students inspired to become entrepreneurs and build businesses, and more students have the confidence to go out and do it. Sam's confidence in me gave me more confidence that I could be successful. I'm excited to be part of making that happen for others."—AS



## Say Cheese (and Thanks)

The thank-you cards proved to be as plentiful as the plates of nachos during the Law School's 8<sup>th</sup> Annual Student Thank-a-Thon Nacho Extravaganza, held in October. The three-day event offered an opportunity for the student body to write messages of appreciation to Michigan Law's most generous donors while enjoying complimentary snacks.

More than 300 students sent 1,400 messages to donors—a new record.



Dear Mr. & Mrs. Hines:  
I've heard that you're generous supporters of Michigan Law School. I'm a first year law student and an active duty Air Force officer, and I can't express how important your donation is to me. I've dreamt for years of pursuing an elite legal education, and your gift is helping that dream come true. When I graduate, I will serve as an Air Force JAG officer, but my years at Michigan Law, the lessons I've learned, and the friendships I've made will serve me for a lifetime.

ROBERT HINES, CAPTAIN, USAF AND 1L, NEWTON, TEXAS

## Miller Canfield Corner

On March 6, 2014, Law School faculty, staff, and students joined with alumni who work at Miller Canfield PLC to dedicate the Miller Canfield Corner in South Hall. Located on the third floor, amid faculty and clinic offices, the space lends itself well to conversations and collaborations between students and faculty, said Dean Mark West prior to the ribbon-cutting. "The building project transformed the Law School and has fostered an even greater connection among our community. The Miller Canfield Corner demonstrates this perfectly, and we are grateful for it as yet another example of the strong relationship between Miller Canfield and the Law School." Cutting the ribbon are Michael Coakley, '82, principal; Michael Hartmann, '75, principal and general counsel; Dean West; Michael McGee, '82, CEO and principal; and Thomas Linn, '76, chairman emeritus. Below are 1L Ryan Rott, 2L Joel Bryant, McGee, Coakley, and 2L Dorothy Heebner; Rott, Bryant, and Heebner will be summer associates at the firm this year.



## Program Support/Planned Giving

### Bill Goodspeed, '83

Bill Goodspeed, '83, built his career on the belief that you can do business *and* do good. He's eager to help Michigan Law students understand the same.

Goodspeed recently documented a \$250,000 bequest to the Law School—\$125,000 for clinics that serve indigent populations and \$125,000 for the Zell Entrepreneurship and Law (ZEAL) Program. His designation reflects his desire to maximize the gift's impact on society.

"I'm impressed with the Law School's service to people living in poverty," he says, "so giving to the clinics lets me support those in need and the School at the same time." For Goodspeed, who teaches strategy seminars at Michigan Law, giving to ZEAL also supports his goal. "Supporting entrepreneurship helps create thriving businesses that provide jobs as well as useful products and services. Lawyers have great potential to contribute to their communities through business, and ZEAL is an important step in that."

Goodspeed says law students want a more in-depth knowledge of business—not just within a legal framework, but through a

businessperson's lens. "I teach at 8 a.m., right after the students return in January. Yet they're completely fired up to learn, ask great questions, and have great insights."

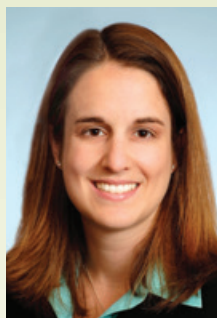
Goodspeed was similarly engaged with the world of business after a few years of law practice. He enjoyed his firm but became more interested in his clients' success, and several inspired him to transition to business. Goodspeed went on to spend most of his career working with family-owned business and currently serves on seven boards of directors. "I grew enamored with the idea of building something enduring that provides value not just to the owners of the business, but also to the employees, their families, the customers, and communities," he says.

With the uncertainties of full-time retirement looming on the horizon, Goodspeed appreciates the ease of making his gift through his estate. "I felt comfortable giving more because I am doing it as a bequest," he says. "In making sure I'm providing for my family, it was important to me to provide for the Law School, too."—AS



## Law School Fund

### Nicole Allen, '08



The University of Michigan is important to Nicole Allen, '08. The many U-M graduates in her family include her husband, Andrew; they met as business school undergraduates. And she worries the football team might actually give her a heart attack someday. She also recognizes Michigan's importance to her career, which is why celebrating her five-year reunion with a \$25,000 pledge to

the Law School Fund—the School's expendable annual giving program—was "important and exciting."

"Michigan has given me incredible professional opportunities and keeps me connected to my family and classmates," says Allen, an associate at Jenner & Block in Chicago. "Since Michigan attracts smart, well-rounded people doing different, interesting things, it's a powerful network."

Allen knew she wanted to go to law school after listening to her father, a school administrator, describe negotiating union contracts. But working for Chrysler's union relations department before law school solidified her choice. "I enjoyed the strategy of union negotiations and also learned how to act in a professional setting, which was valuable after law school."

By asking for a variety of assignments and assuming a heavy load of diverse pro bono cases, Allen says life at a big law firm has been a solid way to launch her career and utilize her training. "Many of our clients are big businesses, so understanding business operations and how businesspeople think is helpful. Businesspeople are taught to be creative in order to be successful, but lawyers are more risk-averse. Understanding both approaches helps me counsel my clients on how to best solve their problems. It's very fulfilling."

Fulfillment also motivates Allen's support of the Law School. Many recent graduates are paying off student loans and establishing their careers, so she understands that giving to Michigan Law, especially at or above the Cavaedium Society level (\$1,200 annually for recent grads or \$2,500 annually for graduates more than 10 years out), might not be possible. But Allen encourages everyone to participate in some way. "No matter where your career has taken you, you're relying on things you learned at Michigan, people you met at Michigan, or doors that your Michigan degree opens," she says. "The best way to help that to continue, and to keep the value of our degrees strong, is to give back to the University." Allen's husband was equally enthusiastic about the Law School Fund gift. "He's a Wolverine too, and he recognizes the positive impact the Law School has had on our family."—AS



## Reunion Giving

Reunions mark an opportunity for alumni to return to the Law School and catch up with classmates. They also provide the chance to celebrate milestone graduation anniversaries with gifts to the Law School. Reunion giving, especially to the Law School Fund, is an important source of funding for all aspects of the Law School's mission. We are grateful to the alumni who honored their classmates as well as the Law School with reunion gifts this year. We also thank the reunion committee members who volunteered their time to make their reunion a success.

Reunions were held October 4–6 (including the Emeriti Reunion) and October 18–20, 2013. While emeriti do not formally fundraise, the group includes many generous supporters of the Law School.



Above: Ian Labitue, '08, and Christopher Porter, '08, catch up at the pre-game picnic. Liesel Brand Stevens, '93, and Craig Stevens, '92 (with their sons, Grant and Cameron, and Craig's mother, Suzanne Stevens, AB '62) show Reunion is a family affair. Below: The Friars lead alumni in a chorus of "The Victors." Above right: Class of '83 members Bill Newell, John Petrovski, and Erica Munzel, along with David Santacroce, associate dean for experiential education, dedicate the Class of 1983 Room, an alcove in the Reading Room. Below right: Robin Weaver, '73, looks at class photos with Dean Mark West.

## Class of 1963

**Committee:** Murray J. Feiwell, co-chair; John W. Galanis, co-chair; Herbert Kohn, co-chair; D. Sidney Condit, Fred E. Gade, Kenneth S. Handmaker, Fritz Hunting, D. Michael Kratchman, Lee D. Powar, David J. Rosso, Alan I. Rothenberg, Philip Sotiroff, C. Peter Theut, Stefan F. Tucker, Thomas W. Van Dyke, Lawrence R. Velvel, A. Paul Victor, Jackman S. Vodrey, Prof. Lawrence W. Waggoner, and Kathryn Wriston.

**Law School Fund (LSF) total:** \$475,035  
**Total of all gifts:** \$1,214,000  
 40% participation

## Class of 1968

**Committee:** William Bavinger, co-chair; Edward Heiser, co-chair; John Artz, Frederick Brenner, David Callies, David Copi, Stephen Diamond, Peter Flintoft, Ronald Glancz, Lawrence Glazer, Prof. Edward Goldman, Paul Haas, Jean King, Steven Pepe, Mark Sandstrom, and Linda Silberman.

**LSF total:** \$230,826  
**Total of all gifts:** \$557,959  
 42% participation



# GIVING



## Class of 1998

**Committee:** Jimmy Myers, co-chair; Carrie Newton, co-chair; Thurston Bailey, Mathew Beredo, Lynne Davis, Michele Frasier Wing, Noah Hall, Scot Hill, Stasha Jain, Mercedes Kelley Tunstall, Erica Klein, Danielle Lemack, Gregory Mann, Liat Meisler, Ron Meisler, Nicole Porter, Ann Reyes-Robbins, Laura Ricketts, and Curtis Weidler.

**LSF total:** \$57,235

**Total of all gifts:** \$133,310

17% participation

## Class of 1973

**Committee:** Curtis Mack, co-chair; John Nannes, co-chair; Eric Oesterle, co-chair; Pamela Stuart, co-chair; Ronald Allen, Rupert Barkoff, Samuel Bufford, Clinton Canady, Edmund Cooke, Bruce Diamond, Godfrey Dillard, Steven Douse, Michael Fayhee, Paul Fisher, Steven Fox, Steven Greenwald, Prof. Robert Hirshon, Frank Jackson, William Kaspers, Bertram Levy, Quinn Martin, Mark Mehlman, Christopher Milton, Lawrence Moelmann, Blondell Morey, Edward Pappas, David Pedersen, Jeffrey Petrash, Glenn Price, James Reaves, John Redpath, Wilhelmina Reuben-Cooke, Rosalind Rochkind, George Ruttinger, Frederick Schafrick, Frank VanderPloeg, John Villa, Robin Weaver, and Wendy Wilner Lascher.

**LSF total:** \$328,022

**Total of all gifts:** \$1,517,319

31% participation

## Class of 1983

**Committee:** Mark Ferguson, co-chair; Camille Olson, co-chair; Katherine Erwin, Greg Gilchrist, Bill Goodspeed, Broderick Johnson, Erica Munzel, Ernest Newborn, Bill Newell, John Petrovski, Trish Refo, Mark Stein, and Howard Suskin.

**LSF total:** \$669,402

**Total of all gifts:** \$4,058,962

42% participation

## Class of 2003

**Committee:** Ann Chen, co-chair; Eric Goodman, co-chair; Neal Reenan, co-chair; Ashley Bauer, Ryan Junck, Kristina Juntunen, Heather Kamins, Megan McKnight, and Kristin Neilson.

**LSF total:** \$66,160

**Total of all gifts:** \$78,465

15% participation

## Class of 1988

**Committee:** Scott Fowkes, co-chair; Krista Kauper, co-chair; Michael Cramer, Arnold Gonzales, Doug Graham, Seth Jacobson, Crane Kenney, and Gary MacDonald.

**LSF total:** \$238,291

**Total of all gifts:** \$396,803

25% participation

## Class of 2008

**Committee:** Craig Chosiad, Marianne Chow, Jason Gorczynski, Carolyn Grunst, Karin Hoekstra, Ian Labitue, Daniel McCarthy, Christine Neuharth, Brittany Parling, and Michelle Silverthorn.

**LSF total:** \$62,591

**Total of all gifts:** \$64,841

18% participation

## Class of 1978

**Committee:** John Beisner, Elizabeth Campbell, Terrance Carlson, David Case, Catherine Copp, Kerry Lawrence, Donn Randall, and Mark Yura.

**LSF total:** \$128,000

**Total of all gifts:** \$543,985

29% participation

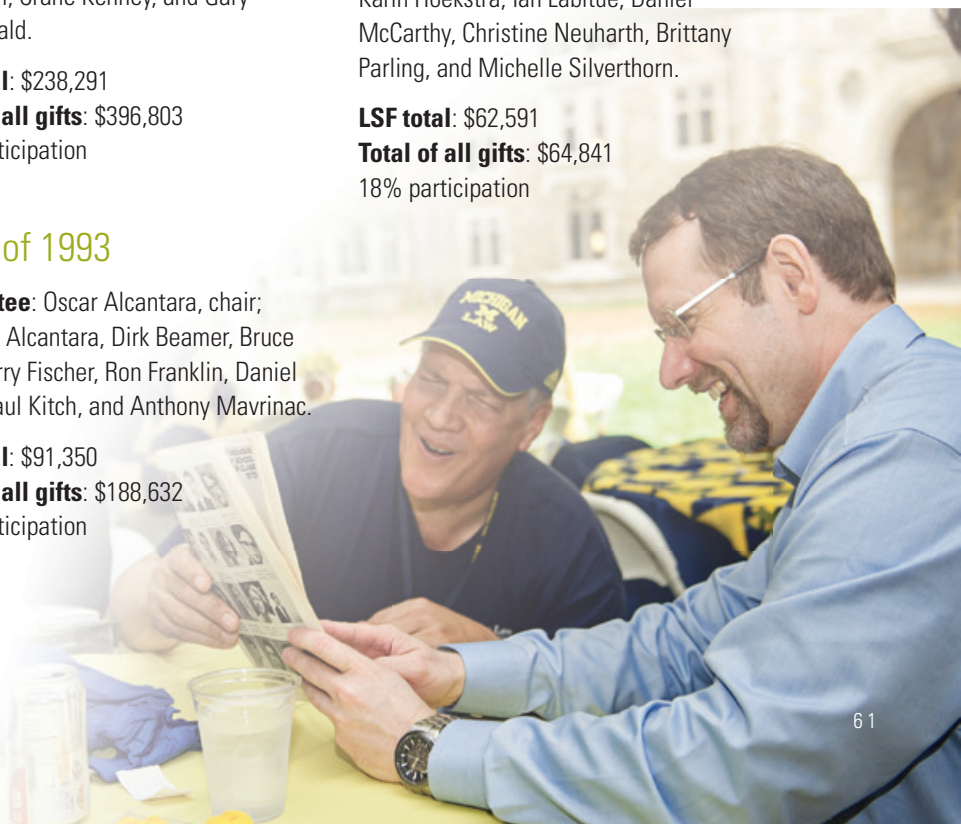
## Class of 1993

**Committee:** Oscar Alcantara, chair; Kimberly Alcantara, Dirk Beamer, Bruce Byrd, Barry Fischer, Ron Franklin, Daniel Israel, Paul Kitch, and Anthony Mavrinnac.

**LSF total:** \$91,350

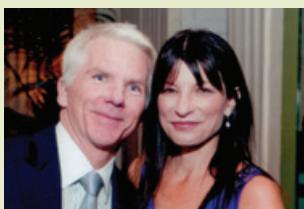
**Total of all gifts:** \$188,632

22% participation



# GIVING

## Recent Gifts



**Daniel Bergeson, '82,** and his wife, **Diana,** have pledged \$100,000 to establish the Daniel and Diana Bergeson Family Scholarship Fund. The Bergesons live in Portola

Valley, California. Daniel is the founding partner of Bergeson LLP, a business litigation firm with offices in San Jose and Menlo Park, California. He also founded Ascolta Ventures, a seed- and early-stage venture fund.



**Liz and Richard Burns, '71,** have pledged \$100,000 to establish the Richard and Elizabeth Burns Debt Management Fund, to offset student-loan debt for Michigan Law graduates

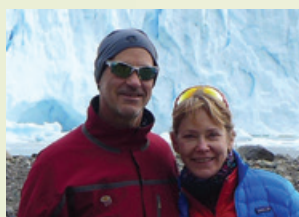
who pursue low-paying jobs in the public or private sector. Their total giving to the Debt Management Program exceeds \$500,000. Richard and Liz reside in Cave Creek, Arizona, and are summer residents of Duluth, Minnesota.



**Eileen and Robert J. Currie, LLM '63,** have made an additional \$200,000 gift to the Robert J. Currie Scholarship Fund in honor of Bob's 50<sup>th</sup> reunion. The gift will be matched at 25

percent through the Michigan Matching Initiative for Student Support. Bob is retired, and the couple lives in The Woodlands, Texas.

**Donn Davis, '88,** has made a gift of \$50,000 in support of the Zell Entrepreneurship and Law (ZEAL) Program to celebrate his 25<sup>th</sup> reunion. Donn cofounded the venture capital firm Revolution LLC in 2005 and co-leads Revolution Growth. Previously, Donn was a senior executive at AOL during the formative years of the consumer Internet. He lives in Great Falls, Virginia, with his wife of 20 years, Sharon, and their three children.



**Mark Ferguson, '83,** and **Elizabeth Yntema, '84,** of Winnetka, Illinois, have given \$100,000 to establish the Ferguson Family Scholarship. The gift is in honor of Mark's 30<sup>th</sup> reunion

in 2013 and Liza's 30<sup>th</sup> reunion in 2014. It will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Mark served as co-chair of the Class of 1983 30<sup>th</sup> Reunion Committee and is a founding partner of Bartlit, Beck, Herman, Palenchar & Scott LLP in Chicago.



**Maria and Scott Fowkes, '88,** have made a \$50,000 gift to the Law School Fund in honor of Scott's 25<sup>th</sup> reunion. Scott was a co-chair of the Class of 1988 25<sup>th</sup> Reunion Committee. He is a partner at Kirkland & Ellis LLP, and he and Maria reside in Wilmette, Illinois.

**Peter Garam, '69,** of Irvington, New York, has made a gift of \$50,000 to the building project. Peter is associate general counsel for Consolidated Edison Company of New York, Inc.



**Sean Grimsley, '00,** and his wife, **Emily Williams,** of Denver, have given \$100,000 to establish the Marie Grimsley Scholarship Fund, honoring Sean's late mother. The scholarship will

benefit female law students interested in tax law. Next to her family and friends, Marie's tax business was the great passion of her life, and Sean and his family wish to help other women interested in tax pursue that passion. Sean is a partner at Bartlit, Beck, Herman, Palenchar & Scott LLP. He and Emily are pictured with their children, Eli, Willa, and Mabel.



**Seth Jacobson, AB '85, JD '88,** and his wife, **Trudy, AB '88,** made a gift of \$50,000 to the Law School Fund in honor of Seth's 25<sup>th</sup> reunion. Seth is a partner at Skadden, Arps and is head of the

banking practice in Chicago. Seth and Trudy live in Winnetka, Illinois.



**Jon Kouba, '65,** of San Francisco, recently made a \$75,000 gift to the Jon Henry Kouba Endowment Fund, which benefits international legal studies at Michigan Law. The fund annually awards the Jon Henry Kouba Prize to the best student papers on European integration and international

peace and security. It also supports a summer internship at the AIRE Centre in London. Jon is a solo practitioner in San Francisco and a partner in a Bay Area residential real estate development group.



**Carolyn and Paul Landen, AB '80, JD '83,** of Houston, have made a \$50,000 gift to the Law School in support of student scholarships, in honor of Paul's 30<sup>th</sup> reunion. They simultaneously made a

\$50,000 gift to the College of Literature, Science, and the Arts. Both gifts will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Paul is a partner with Baker Botts LLP.

**John Nannes, '73,** of Bethesda, Maryland, has made an additional gift to the Nannes 3L Challenge Fund, bringing total funding to more than \$1 million and assuring that the challenge fund will become a permanent fixture at the Law School. The Nannes 3L Challenge promotes recent grad giving and engagement with the Law School by giving money to the student organization(s) of a student's choice in exchange for his or her commitment to make a gift to the Law School each of the first four years after graduation. John is a partner in the Washington, D.C., office of Skadden, Arps.



**Eric Oesterle, BS '70, JD '73,** and his wife, **Carolyn, BS '71,** have given \$150,000 to the Law School in honor of Eric's 40<sup>th</sup> reunion. The gift will be used to endow the Eric A. Oesterle Scholarship Fund (\$100,000), and to benefit the Law School Fund (\$50,000). The scholarship gift

will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Eric and Carolyn reside in Glen Ellyn, Illinois, and he is a partner at Miller, Shakman & Beem LLP in Chicago.



**Camille Olson, '83,** and her husband, **Michael Reed,** have made an additional \$100,000 gift to the Theodore J. St. Antoine Collegiate Professorship Fund, in honor of Camille's 30<sup>th</sup> reunion. She made a \$50,000 gift in 2008 to help endow the professorship, in gratitude for the influence

that Professor St. Antoine has had on her career. Camille was co-chair of the Class of 1983 30<sup>th</sup> Reunion Committee and is a partner in the Chicago office of Seyfarth Shaw.



**Christine and David Rosso, '63,** have documented a bequest intention and made a gift to the Law School Fund, totaling \$65,000, in honor of David's 50<sup>th</sup> reunion. David,

who for many years was a partner in the Chicago and Milan, Italy, offices of Jones Day, is retired. He and Christine divide their time between homes in Stuart, Florida, and Chicago.



**Mark Stein, '83,** and **Laura Chamberlain, '84,** of Larchmont, New York, have made a \$50,000 gift to the Law School Fund in honor of Mark's 30<sup>th</sup> reunion. Mark is a partner in the litigation

department at Simpson Thacher & Bartlett LLP in New York City, and Laura does pre-publication review for Time Inc.

**An anonymous member of the Class of 1951 and his wife** have given \$292,000 to establish the Victors for Michigan Law School Scholarship Fund. The fund celebrates the launch of the Victors for Michigan campaign and supports its top priority: student scholarships. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. The couple resides in Florida.

## Maazel, '97: Building a Career in Civil Rights

By Sandra Svoboda



COURTESY OF ILANN MAAZEL

On the first day of his first job at a law firm, Ilann Maazel, '97, had to build his own desk. The new civil rights law firm he joined in New York was ready for his skills—legal and carpentry—even if there wasn't a spot for him to practice the former.

Then, on his second day, he found himself at a state Supreme Court hearing involving the New York City Council and the mayor. "I've never looked back," he says.

Maazel, who has continued to specialize in civil rights work, has been part of dozens of headline-making cases involving, to name a few, Martha Stewart, Friends of the High Line, and the NAACP.

A partner at Emery Celli Brinckerhoff & Abady LLP, he has represented hundreds of disabled preschool children who successfully sued the New York City and state Departments of Education to receive special education services, and he served as co-counsel to prisoners in a case against the New York City prison system. He also was part of the team of lawyers that litigated the voting irregularities in Florida in the 2000 presidential election.

Currently he's the lead attorney for a group of Jewish families who are suing the Pine Bush Central School District in New York State for what he describes as prolonged, vicious, anti-Semitic harassment of children. "To me, every case is important because every client is important," Maazel says. "But this case? It's an awful case."

The case hit the national spotlight after *The New York Times* published a lengthy article about it in November 2013. Five students in the district, located about 80 miles from New York City, complained of years of bullying and harassment. School officials, Maazel says, did nothing to stop the white-power chants, Hitler-like salutes, swastikas displayed on school property, and physical assaults. "It's really disturbing. The children we're representing really did not feel safe going to school every day," Maazel says.

Representing children is something the New Yorker has done since he was part of the Child Advocacy Law Clinic at Michigan Law. The mock trials and the real cases created what Maazel calls "an intense and important experience" that served him well.

Maazel chose Ann Arbor, after all, because he knew the campus, the professors, and his fellow students would keep him focused on becoming a lawyer, a profession that was almost a novelty in his family of musicians. But music runs in his veins, too: He is a concert pianist who started a nonprofit organization between his undergraduate work at Harvard and his first year at Michigan Law. Called MELODY (Music Education, Listening and Outreach for District Youth), he taught children in Washington, D.C., group homes to play musical instruments.

His father, Lorin Maazel, is a conductor, violinist, composer, and three-time Grammy winner. His mother, Israela Margalit, also is a concert pianist as well as a playwright and television writer.

Still, Maazel had been fascinated with the law since high school and knew the legal profession would be his career. "It's intellectual, and it's challenging, and it's fascinating, but I mostly wanted to help people," he says. "I was really interested in social justice, and I had that corny sort of change-the-world feeling. Civil rights cases like Pine Bush can have enormous social impact. I feel fortunate to do this work; it's a great opportunity, a lot of work, and it's fun."



1952

**Willard “Sandy” Boyd**, University of Iowa law professor and president emeritus, was honored by the University of Michigan with an honorary doctorate of laws during U-M’s winter commencement ceremonies in December 2013. He joined the UI College of Law faculty in 1954, then served as the university’s president from 1969 to 1981. He left to become president of the Field Museum of Natural History in Chicago. He returned to UI in 1996, after his retirement, to teach law; he later founded the Larned A. Waterman Iowa Nonprofit Resource Center.



**William M. Saxton**, counsel, director emeritus, and former chairman and CEO of Butzel Long, was honored for his career spanning more than 60 years as a litigator,

negotiator, and counselor. He joined Butzel Long in 1952, and was an instrumental figure in the firm’s growth in the 1970s and 1980s, in both size and prominence. He was managing partner from 1974 until the firm became a professional corporation, when he became a member of the board of directors. During his career, he served as vice president and a director, president and a director, chairman and CEO and a director, and finally director emeritus of the firm. One of his most significant honors was the State Bar of Michigan’s Champion of Justice Award in 2003.

1953

**Jean Gabriel Castel**, professor emeritus at York University’s Osgoode Hall Law School in Toronto, was promoted to Officier de la Légion d’Honneur by the president of France for the services he rendered to France and the French community throughout his career.

1954

**David R. Frazer** won first runner up in the business category of the 2013 Eric Hoffer Book Awards for *Ethical Meltdown: The Need to Recover Our Vanishing Values* (Hartz Publishing, 2012). He has retired as the senior partner of Frazer, Ryan, Goldberg & Arnold, a Phoenix firm concentrating on corporate tax matters, tax litigation, and estate planning.

1959

**Richard “Dick” Emens** delivered the December 2013 commencement address at Ohio Dominican University (ODU) and received an honorary degree. Together with his wife, he cofounded the Conway Center for Family Business, serves on its advisory board, and also serves as executive director. The not-for-profit Conway Center, located on the ODU campus, is the only organization in central Ohio that provides education resources for family business leaders. He is a partner at the Emens & Wolper Law Firm, and practices in the areas of business planning, oil and gas law, and natural resources law.

1963



**John A. Scott**, of Lake Leelanau, Michigan, and the Traverse City law firm of Scott & Huff PC, received the George A. Cooney Society Award from the

Council of the Probate and Estate Planning Section of the State Bar of Michigan. The award recognizes outstanding contributions to continuing legal education for the Institute of Continuing Legal Education, where he has been a frequent speaker and moderator. He also was awarded the Michael W. Irish Award for outstanding contributions to the estate planning profession and to his community.

He started and later chaired for 20 years the Annual Drafting Estate Planning Documents seminar, and he served for many years on the Council of the Probate and Estate Planning Section of the State Bar of Michigan, acting as chairperson for 2001–02. He is a fellow of the American College of Trust and Estate Counsel, and currently serves as its Michigan chairperson.

**Webb “Tony” Smith**, a longtime Lansing attorney, was honored by the Ingham County Bar Association with the Thomas E. Brennan Lifetime Achievement Award. This award recognizes attorneys who have made significant contributions to the legal profession. He began working for what became Foster, Swift, Collins & Smith PC, in 1963. He became a partner in 1970, and has been a named shareholder since 1989. Among his notable cases was a 10-week civil trial in Kalkaska County regarding the theft of Shell Oil Co. information by a Shell employee.

1964

THE CLASS OF 1964 REUNION WILL BE HELD SEPTEMBER 12–14, 2014.

1965



**Patricia Kim Park** was appointed to the Judicial Selection Commission for the State of Hawaii. She began her career as a law clerk to Hawaii Supreme Court Justice

Jack Mizuha, and she served as a deputy attorney general, deputy prosecuting attorney, and per diem judge at the Honolulu District Court. In the mid-1970s, she and her husband, Arthur, joined former Lt. Gov. Thomas P. Gill to form the firm of Gill Park and Park. She currently is the managing partner of Park and Park, and serves also as a mediator and arbitrator.



## Dively, '64: Off to the Races

By Amy Spooner

In August 2013, Michael Dively, '64, was alone in the middle of the Hellespont, swimming against a formidable headwind and current. The nearly 75-year-old had swum at maximum capacity for an hour and a half, and the exertion was taking its toll. He saw a boat approaching and had one thought: "I hope they don't make me quit."

Dively swam the annual three-and-a-half-mile Turkish Victory Day race across the Hellespont—also known as the Dardanelles, which separates the Asian part of Turkey from Europe—in honor of his upcoming milestone birthday. Not content with simple cake-and-ice-cream parties, Dively has a track record of similar celebrations. He climbed Mt. Kilimanjaro for his 50<sup>th</sup> birthday; biked through Provence for his 60<sup>th</sup>; and for his 70<sup>th</sup>, he climbed the Inca Trail to Machu Picchu and traced Henry David Thoreau's 25-mile trek along Cape Cod. "I'm 75, but part of me thinks I'm 40," says Dively.

He also has an athletic track record that made the Hellespont race the perfect party. Dively captained the swim team at Williams College, and at Michigan, he and Nelson "Buck" Robinson, '64 (also a Williams teammate), represented the Law School in U-M's annual graduate student athletic competition. They won their relay each of their three years. But after graduation, Dively's desire to swim dried up. "I took 30 years off, where swimming was limited to splashing in a pool. I didn't even do much of that."

Dively entered private practice in Traverse City, Michigan, followed by three terms in the Michigan House of Representatives. He had wanted to pursue a political career but became disenchanted. "As a 29-year-old with a Type A personality, I didn't understand why everything in the Legislature moved so slowly," Dively says. The experience helped him build connections, though, including with William Milliken, one of his constituents. When Milliken was governor, he appointed Dively deputy director of the Department of Commerce and later tapped him to lead the new Energy Administration. Dively embraced the opportunity to build an agency, especially one with a high-profile mission. But in the era of gas rationing, Dively says front-page publicity wasn't necessarily a good thing. "The state's economy was based on large, gas-guzzling vehicles. Most people didn't embrace conservation."

Dively eventually left Lansing to establish the Gerald Ford Institute for Public Service at Albion College. As he neared early retirement, he became more focused on social activism and philanthropy. He cofounded the Community Foundation of the Florida Keys and a Gay Lesbian Community Center in the Keys, and helped establish the Key West AIDS Memorial. He also established the Mutki Fund, which provides grants to LGBT youth theaters nationwide.



COURTESY OF MICHAEL DIVELY

In Key West, Dively's aquatic past caught up with him. A friend told him about the Gay Games and encouraged Dively to participate. Dively returned to the pool just three months before the games, but he still won four gold medals for his age group and four bronze, including in relays with fellow Floridians he met the night before the Opening Ceremonies. Team Florida has been swimming in the quadrennial Gay Games ever since.

Racing every four years proved insufficient for Dively. He participates in worldwide gay/lesbian aquatic events as well as U.S. Masters Swimming races near his Santa Cruz, California, home. Dively tries to exercise every day but says, "I only swim when I'm motivated, which is usually if there's a meet coming up." He doesn't train with a team, partly because he doesn't like swimming outdoors.

Which brings us back to the middle of the Hellespont—an outdoor swim in unpredictable open water. "If I'd known then what I know now, I'm not sure I would've done it," Dively says. Swimmers who deviate from the course risk being swept into a rip current, unable to reach shore. In the 2013 race, participants swam into a fierce wind at the same time they had to battle the strongest current. "I would do 10 powerful strokes, look up, and it was like I hadn't moved," Dively says.

Because the race closes one of the world's busiest shipping lanes, swimmers are pulled from the course after 90 minutes. Dively sensed he was nearing the time limit and also worried that he only could see a handful of swimmers. What he didn't realize was that about 200 people had already quit the race, and close to 100 were still swimming behind him. During the awards ceremony, Dively learned he was the oldest finisher, and was 224<sup>th</sup> out of the 317 who completed the race. "I don't think many people do the race in their 70s because most people in their 70s have more sense," he says.

Given that he only learned about the Hellespont race two years before swimming it, Dively can't predict his 80<sup>th</sup> birthday celebration. But it will no doubt stretch him in a new way. "I keep thinking that as I get older, my competitive spirit will diminish," he says, "but that doesn't appear to be the case."

1967

**The Hon. James P. Kleinberg** has been selected by the Santa Clara County Bar Association to receive the Outstanding Jurist Award. He sits on the California Superior Court in Silicon Valley, the largest court (with 90 judicial officers) in Northern California.

1968

**Jim Johnston** has written a book, *From Slave Ship to Harvard* (Fordham University Press, 2012), that marks the first time a writer has been able to trace a modern African American family back to a slave ship. He started writing for general audiences about 20 years ago and has at least 80 articles to his credit that have been published in the *Washington Post*, *The New York Times*, and *American Lawyer*. His first book, *The Recollections of Margaret Loughborough*, in 2009, provides a woman's perspective on the Civil War.



**Ralph James Mooney**, a University of Oregon School of Law professor, has retired after more than 40 years of teaching. He taught at the School of Law since 1972,

when he left his legal practice in San Francisco. As the contracts professor for numerous first-year law students, he earned the reputation as one of the school's most academically rigorous and beloved professors. He also developed a widespread reputation as a productive scholar in the fields of American legal history and contract law.

1969

THE CLASS OF 1969 REUNION WILL BE HELD SEPTEMBER 12-14, 2014.



**Robert M. Meisner**, principal at The Meisner Law Group PC, has authored his second book on community association and condominium

operation, *Condo Living 2: The Authoritative Guide to Buying, Selling and Operating a Condominium* (Amazon Digital Services Inc., 2013). He is Michigan's first inductee into the College of Community Association Lawyers, was a co-draftsperson of the amendments to the Condominium Act, and is a real estate columnist with the Observer & Eccentric-Hometown Newspapers.

1970



**David M. Schraver** of Rochester, New York, a partner in the law firm of Nixon Peabody, is the 116<sup>th</sup> president of the New York State Bar Association. He will focus much of his

one-year term on the future of legal education and the profession at a time when many law school graduates are shouldering six-figure student loans and facing uncertain job prospects. In response to the situation, he plans to engage law school educators, practicing attorneys, judges, and others in a yearlong examination of how best to prepare new attorneys for a changing profession.

1972



**Saul A. Green**, senior counsel in the Detroit office of Miller Canfield, was honored with the first-ever Integrity and Ethics Award given by the Detroit Public Safety

Foundation (DPSF) at the Above and Beyond Awards Ceremony in Detroit. As former deputy mayor of Detroit and executive for public safety, he was chosen by the board

of the DPSF because of his tireless efforts for Detroit—as chair of the Detroit Youth Violence Prevention Steering Committee, and through his involvement with Detroit Ceasefire and other initiatives. From 2008 to 2012, he oversaw Detroit's police, fire, law, and homeland security departments, and most recently, he is focused on Detroit Ceasefire, an effort that brings together law enforcement, social service agencies, and the community to impress upon young offenders the price that they will pay for criminal activity, the alternative paths that are open to them, and the negative effects their behavior has on their communities.

**Bob Kass** recently coauthored *The Executor's Companion: A Practical Guide to Estate Administration* (Carob Tree Press, 2013), the first comprehensive layman's guide to settling a Michigan estate. He chairs the tax, estate planning, and probate group of Barris, Sott, Denn & Driker PLLC in Detroit. He previously coauthored another layman's guide, *Who Will Care When You're Not There? Estate Planning for Pet Owners* (Carob Tree Press, 2011).

1974

THE CLASS OF 1974 REUNION WILL BE HELD SEPTEMBER 12-14, 2014.

**Forrest Hainline** has written a poem that was included in Barefoot Muse Press's second full-length poetry collection, an anthology of poems about Alzheimer's disease. The new collection includes more than 50 poems from distinguished contemporary poets. His translation of Chaucer's "The Franklin," from the *General Prologue*, was read by Nicholas Farrell on the BBC program *Abundance* in 2012.

**Bart J. Schenone** will chair the executive committee of the Trusts and Estates Section of the State Bar of California. The section consists of more than 6,000 members, and the executive committee is in charge of the administration of the section.



# CLASS NOTES

## 1975

**Scott Bass**, head of the Sidley Austin global life sciences team in the United States, European Union, and Asia, was named to the inaugural Legal Media Group Life Sciences Hall of Fame. The team also received five other top awards.

**Nancy Schiffer** was sworn in as a member of the National Labor Relations Board (NLRB), following her nomination by President Obama and confirmation by the Senate. During her 37-year legal career, she has been involved in all aspects of National Labor Relations Act practice and procedure, starting with her tenure as a field attorney at the Detroit Regional Office, Region 7, of the NLRB. She also worked in private practice and as an associate general counsel and deputy general counsel with the United Auto Workers. Most recently, she was an associate general counsel with the AFL-CIO, a position from which she retired in 2012.

## 1977

**Susan Esserman** was honored with the American Jewish Committee's (AJC) 2013 Judge Learned Hand Award. The AJC established the Learned Hand Award in 1964 to cite leaders in the legal profession for excellence and for their contributions to the legal community. The recipients of this award are people who embody much of what the judge represented: the rights of the individual and the importance of democratic values in an orderly society.

**David K. McDonnell** announced publication of his new book, *ClanDonnell: A Storied History of Ireland* (Burrowing Owl Press, 2013), which tells the stories of people in the Celtic Irish McDonnell clan and their descendants. He spent years exhaustively researching the origination of the Irish clans—as well as the origination of Irish last names—and many stories that transpired over a thousand years ago. The book is nonfiction but has all the elements of a historical novel—fair maidens, multiple beheadings, nasty bar fights, plotted assassinations, hangings, exile, and witches' spells, to name a few.

## 1979

THE CLASS OF 1979 REUNION WILL BE HELD SEPTEMBER 12–14, 2014.

**Mark A. Filippell** has been appointed chairman of the recently formed Ohio Broadcast Educational Media Commission. The commission is an independent agency created to advance education and accelerate the learning of Ohio citizens through public educational broadcasting services, providing leadership and support in extending the knowledge of Ohio citizens by promoting access to and use of educational broadcasting services. He previously served on the executive committee of the board of ideastream, northeast Ohio's public television and radio organization. He also is the managing director of Western Reserve Partners, a Cleveland boutique investment banking firm.



**Jeffrey T. Johnson**, a partner in Holland & Hart's Denver office, was elected a fellow of the College of Labor and Employment Lawyers. He represents management in

all aspects of labor and employment law, including employment litigation and counseling and NLRB matters. He has served as lead counsel in a number of class and collective actions and multi-plaintiff cases. He also has substantial experience trying cases in arbitration, and serves as an arbitrator on the AAA's Employment Law Panel.



**Clyde Robinson**, city attorney for Kalamazoo, Michigan, since 2008, was elected vice president of the Michigan Association of Municipal Attorneys (MAMA). He has been a member of the statewide association for more than 30 years, and has served on the MAMA board of directors since 2002. He has

spent his entire legal career practicing municipal law, working for the City of Battle Creek from 1980 to 2008, first as an assistant city attorney, concentrating on ordinance prosecution; then as deputy city attorney, leading civil litigation responsibilities in state and federal trial and appellate courts; and as Battle Creek's city attorney, starting in 1999.

**John S. Vento**, a Tampa-based shareholder at Trenam Kemker, served as a contributing author of *Inside the Minds: Litigation Strategies for Government Contracts* (Aspatore Books, 2014). He authored a chapter on recent changes in government contracts law, and the impact of the revisions on contractors and subcontractors. In practice, he represents clients involved in construction and government contracting matters.

## 1980



**Elizabeth Sharrer** has been elected as the new chair of Holland & Hart's Management Committee. She is the second woman to be elected as firm chair. She has spent her

entire career at Holland & Hart, and has served as a member of the firm's Management Committee, as the managing partner of the firm's headquarters in Denver, and as the head of the firm's real estate practice group. In addition to serving as chair, she will maintain her real estate practice.



## Greenberg, '79: Gender Matters

By Lara Zielin

In 2005, "M.C." was born with an intersex condition; M.C.'s sexual anatomy and reproductive organs did not fit typical definitions of male or female. Despite uncertainty about whether M.C. ultimately would grow up to be a man or a woman, while he was an infant in the care of the State of South Carolina, M.C. was subjected to sex reassignment surgery to feminize his body. Now, nine years later, M.C. identifies as a boy but cannot reproduce as a male, and his ability to function sexually has been severely diminished. His adoptive parents have sued the state, claiming it violated his constitutional rights, and the case has made national headlines.

M.C.'s circumstances may seem extraordinary, but approximately one in 1,500 to one in 2,000 children are born each year with noticeably atypical genitalia. According to the Intersex Society of North America's website, this number may be even larger, as it doesn't account for those who are "born with subtler forms of sex anatomy variations, some of which won't show up until later in life."

Enter Julie Greenberg, '79, a professor at the Thomas Jefferson School of Law in San Diego, California, who has worked for almost 20 years on intersex issues. She also is the author of the book *Intersexuality and the Law: Why Sex Matters* (New York University Press, 2012), which received the 2013 Bullough Book Award for the most distinguished book written for the professional sexological community. Greenberg has helped support the intersex movement, which began in the 1990s, by working to raise awareness about intersex issues, enhance the rights of people with intersex conditions, and eliminate harmful medical practices, such as M.C.'s surgery.

"When I have lectured to students and other groups about how people with an intersex condition are being treated, they are often shocked. Recently, however, the issue is gaining traction as more people learn about these practices," she says.

The intersex topic is cropping up in popular culture more frequently—think Jeffrey Eugenides' bestselling novel *Middlesex*—but Greenberg says there's still much more to be done. "It is horrible that these surgeries continue. I know how traumatizing it is for the people who have been affected, especially those who were lied to in addition to being subjected to medically unnecessary surgery. Given the liberty, privacy, and due process issues at stake, it is important that the reform process moves quickly."

Specifically, Greenberg advocates for more robust medical research on the topic. "A major problem is that no one is conducting studies on the effect of these practices. No one is examining the long-term effects of these medically unnecessary surgeries that are being performed without the informed consent of the person undergoing the procedure. Much of the information thus far is anecdotal."

Her *Intersexuality and the Law* book is chock-full of stories about people with an intersex condition, the culmination of 15 years of conducting research, speaking at conferences, and serving on



boards after graduating from Michigan Law and heading west. She worked in law firms, both large and boutique, before she began teaching in 1990 at the Thomas Jefferson School of Law, where she first encountered the intersex topic through one of her former students.

"She came to me and said, 'I know all there is to know about having an intersex condition, and you know how to write law review articles. Let's put the two together.'" At the time, the topic had been investigated through historical, cultural, anthropological, psychological, and medical lenses—but never legal. In 1999, Greenberg published the first law review article on the topic, "Defining Male and Female: Intersexuality and the Collision Between Law and Biology" (*Arizona Law Review*).

Today, all of Greenberg's book royalties are donated to Advocates for Informed Choice, a nonprofit organization working to preserve the civil rights of children born with variations of sex anatomy. "It's difficult to change attitudes," she says of a subject that has remained in the shadows for hundreds of years. "It requires a lot of funding and a lot of people working together to bring about transformation."

Part of the solution may be in aligning intersex issues with more established but like-minded groups, including disability or lesbian, gay, bisexual, and transgender (LGBT) advocates. Greenberg notes, however, that forming alliances presents its own set of challenges. "Some people fail to see the commonalities among the discriminatory practices directed against marginalized groups." For example, she says, feminists criticize female genital mutilation as it is practiced in other cultures, but the feminist movement has not widely challenged genital cutting as it is practiced in Western medicine.

She continues to write and speak widely on intersex topics, including a 2009 visit to Michigan Law as part of a panel presentation titled "Beyond the Binary: What Can Feminists Learn From Intersex and Transgender Jurisprudence?," which also became an article in the *Michigan Journal of Gender and Law* by the same title.

And she holds out hope for change, especially when she lectures to younger audiences. "When I attended school, identity movements tended to advance their own issues, sometimes at the expense of other minority groups. The current generation tends to think about these issues differently. They understand that subordinated groups must support each other as they challenge all discriminatory practices. People in their 20s and 30s tend to reject rigidly defined identity politics, and understand the importance of working together and being sensitive to the needs of other marginalized groups."

## Why I Attend Reunions

By Katherine A. Erwin, '83



COURTESY OF KATHERINE ERWIN

Two of my coworkers and I attended our law school reunions in the fall, and that put me in a nostalgic frame of mind. It also had me pondering the purpose and value of reunions, and why I have always considered them worth the effort of traveling to attend. I get that not everyone loves them. As an extrovert who enjoys networking, I have attended most of my reunions, at their standard five-year intervals. I enjoy catching up with people, seeing old professors, and noting how the school buildings have been updated. But looking back on all our law school reunions, I realize that the vibe seems to change a little each time.

In the early years (the five- and 10-year reunions), there seemed to be a fair amount of chest-bumping and comparing—you know, who was working for which firm, who'd gone out on their own, who'd made partner, and who'd left the law entirely. That kind of thing. During the second phase (15 and 20 years), there seemed to be a shift in focus toward family matters. We marveled at the classmates with large families, with kids starting high school, and teased the first few among us to become grandparents. But these past couple reunions, our 25<sup>th</sup> and 30<sup>th</sup>, have been the most fun of all.

Maybe it's just part of the human condition, but at last year's event, everyone seemed more mellow, more philosophical, more introspective. It seemed we were all talking, in one way or another, about the bigger issues: the value of our degrees, whether we'd consider law school if we were graduating from college now, what we still wanted to achieve, and what values about life, love, and education we are sharing with our children, many of whom are now at the age or older than we were when we attended law school. Not to suggest that this was a downer—these were mostly positive and happy conversations. It just felt like there was nothing to prove—rather, that we were connecting on a deeper and more personal level, and enjoying our time together in a different way.

At one of the events, I bumped into a former colleague who was attending his 40<sup>th</sup> reunion, and we paused to compare notes. Attendance at the 40<sup>th</sup> had tailed off from prior reunions, he said. Some classmates were too ill to travel, others were too busy. Many who came had retired—my former colleague, a Chicago partner at an AmLaw 50 firm—said he was one of a small number of his classmates still working full time, and even he was contemplating a reduced schedule. He, too, was relishing the more intimate conversations, and noted that he valued the reunion gatherings a little more each time.

I shared his feeling. There was something deeply touching to me about these exchanges with old friends and acquaintances that transcended the shared boot camp of late nights at the library and moments of Socratic-method terror. It really is true that you see the essence of the 25-year-olds we were, even as the hairlines recede and the crow's feet proceed. I relished the calm confidence that most projected, the warm memories, and realized that people really don't change much, at their core. Mostly, I enjoyed the gentle and kind way most classmates seemed to be relating to their own younger selves. Conversations often circled back to all the things we didn't know that we didn't know, way back then. Many talked about being satisfied with how their lives had turned out. One friend, a big-firm lawyer turned social worker, said, "Back in law school, I was sure I wanted a big, important job and a big, high-profile life. Now, I wouldn't trade my satisfying career and low-profile life for anything."

Basking in the warm glow of a weekend spent with these friends and acquaintances, I found myself wondering if we'd gotten complacent or lazy. But that wasn't it. My classmates, to a person, seemed fully engaged, energized, and excited about what they were doing. With age and time come wisdom and perspective. Hearing that in a hundred different versions is why I keep attending reunions.

*Kathy Erwin is special projects director at the Illinois Supreme Court Commission on Professionalism (ILSCCP). This article originally appeared on the ILSCCP's blog.*

*For more information about the fall 2014 reunions, visit [www.law.umich.edu/alumniandfriends/reunions](http://www.law.umich.edu/alumniandfriends/reunions). The reunion for the classes of 1964, 1969, 1974, 1979, 1984, and emeriti will be held September 12–14. The reunion for the classes of 1989, 1994, 1999, 2004, and 2009 will be held September 19–21.*

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*“There was something deeply touching to me about these exchanges with old friends...”*

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**Michael Shepherd**, chairman and chief executive officer of Bank of the West and BancWest Corp., has been reappointed by the Federal Reserve Bank of

San Francisco's board of directors to represent the district on the Federal Advisory Council for a third one-year term, which began in January 2014. He also is a member of the FDIC Advisory Committee on Economic Inclusion, an executive committee member of the Bay Area Council, a member of the Council on Foreign Relations, a member of the finance and investment committees of Stanford University Hospital, and director of Operation HOPE.

1981



**Kent D. Syverud**, formerly dean of the School of Law at Washington University in St. Louis, has been selected to be the 12<sup>th</sup> chancellor and president of Syracuse

University. He had served as dean of the Washington University School of Law since 2006, and has nearly two decades of experience in academic leadership at premier national universities. Beyond being credited with bringing the Washington University and Vanderbilt University law schools to greater national prominence, he has been a key member of the university leadership at both institutions. In these roles, he has worked on a broad spectrum of academic, diversity, fiscal, fundraising, human resources, and strategic planning issues.

**John B. (Jay) Watkins** has joined Wiley Rein as a partner in its corporate practice. He will advise clients on mergers and acquisitions, private equity, venture capital, and financing and capital formation transactions for private equity and other investment funds, and for public and private companies. Previously, he was a partner in the corporate practice of WilmerHale. He has represented numerous private equity, venture capital, and hedge funds in connection with acquisitions of controlling interests, debt and equity investments, and leveraged buyout and management buyout financings. His practice has involved transactions in the defense, technology, and health care industries, among others.

1982

**Michael McGee**, Miller Canfield CEO, has been appointed to the Detroit Regional Chamber of Commerce's board of directors. Before taking the helm as CEO, he was a longtime member of Miller Canfield's public finance team, with nearly three decades of public policy experience and a broad legal background. He played a major role in the drafting of Michigan's emergency management law, and represented several municipalities operating under emergency management, including Detroit.



**John Plotkin** has been named president and CEO of SAIF Corp., Oregon's state-chartered workers' compensation fund. He previously served as interim CEO of

Pinnacol Assurance, Colorado's quasi-public workers' compensation fund. He would love to hear from fellow alumni living in the great Northwest.

1983

**David L. Burgert**, a trial lawyer focused on patent disputes, has joined the Houston office of global law firm Jones Day as a partner in the intellectual property practice. In his 30 years in practice, he has tried more than 50 cases to jury verdict as lead counsel; argued appeals before the Texas appellate courts and the Fifth, Eighth, and Federal Circuit Courts of Appeal; and handled arbitrations before panels of the American Arbitration Association, JAMS, and the NASD. In his IP work, he has represented both patent holders and accused infringers, as well as leading brands on issues of Internet and trademark law.



**Broderick Johnson** was appointed by President Obama as assistant to the president and Cabinet secretary. In this position, Johnson serves as the

president's primary liaison to Cabinet departments and agencies, helping to coordinate policy and communications strategy for the entire administration. Johnson is the cofounding partner of the Collins Johnson group in Washington, D.C., and has more than 30 years of experience working for the federal government, the private sector, and several presidential campaigns.

**Jeff Kinzel** left the law many years ago to pursue his passion for investing. In 2006, he cofounded investment firm CK Advisors in New York City, which recently celebrated its seventh successful year of managing client accounts.

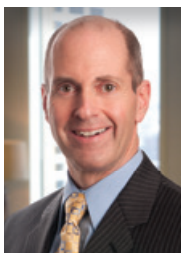


# CLAS S N O T E S



**Jackie McMurtrie** received the Washington ACLU's William O. Douglas Award, a lifetime achievement award given for outstanding, consistent, and

sustained contributions to the cause of civil liberties. She is being recognized for her pursuit of justice on behalf of individuals wrongly convicted and imprisoned in Washington. She is an associate professor at the University of Washington School of Law and founder of the Innocence Project Northwest.



**Justin H. Perl** has been appointed to Lawyers Without Borders' (LWOB) executive board of directors. LWOB is an international not-for-profit focused

on promoting rule of law through global sustainable programming. In addition to financial contributions, executive board members donate their time and expertise to support the organization's mission. He currently serves as a partner with the litigation group of Minneapolis-based Maslon Edelman Borman & Brand LLP, where he chairs the firm's intellectual property litigation group and serves on the firm's governance committee.

## 1984

THE CLASS OF 1984 REUNION WILL BE HELD SEPTEMBER 12–14, 2014.

**Michael J. Hernandez**, a partner at Franczek Radelet, is one of 45 business executives—and one of only a few private practice attorneys—to be honored as a Business Leader of Color by Chicago United. Chicago United established this honor to highlight exceptional corporate and civic leaders of color. He serves as Franczek Radelet's diversity officer, and practices in the areas of education, labor, and employment law.

His experience involves litigation at all levels of state and federal courts and administrative agencies, and internal investigations, and he also has a broad background in constitutional and civil rights law, including working with emerging minority businesses and educational institutions in these and other areas.



**Kirk A. Hoopingartner**, a partner in Quarles & Brady LLP's Chicago office, has been appointed to the editorial advisory board of *Planned*

*Giving Today*. He practices in Quarles & Brady's trusts and estates and tax-exempt organizations practice groups, and has concentrated his practice on all facets of wealth planning and philanthropy for high-net-worth families and individuals. He also has extensive experience in sophisticated charitable planning, both for individual donors and for substantial charitable organizations.

## 1985



**Susan T. Bart**, a partner in the private clients, trusts and estates group in Sidley's Chicago office, received the 2013 Austin Fleming Award from the Chicago

Estate Planning Council. The Austin Fleming Award is presented annually to a person highly regarded by practicing estate planners for his or her expertise in the field, and for making a significant contribution to the improvement of estate planning practices. She is the 40<sup>th</sup> estate planner to receive the award since its inception in 1974, and only the fifth woman recipient. At the luncheon given in her honor, she spoke on the subject of "Decanting: Refining a Vintage Trust." Recently, she also was appointed reporter to the Uniform Law Commission Drafting Committee on trust decanting.

**Jeri Rouse Looney** is now assistant general counsel for UTC Aerospace Systems–Electric Systems based in Rockford, Illinois. She is rediscovering the Midwest with her three children: Caitlin, Hannah, and Michael. She previously resigned from the partnership at Locke Lord LLP after 28 years in private practice as a litigator, with 23 years in the Los Angeles office.

## 1986

**Steven A. Roach**, principal at Miller Canfield, has been appointed a trustee of the Detroit Metropolitan Bar Association Foundation. The foundation supports a mix of programming and advocacy, such as the Detroit Legal Services Clinic, which provides free legal assistance to people in need. He has more than 20 years of commercial transaction and litigation experience in restructuring lending relationships and enforcing loan transactions, and has been an active participant in the Detroit Metropolitan Bar Association and the Commercial Advisory Council for the American Arbitration.

## 1987

**Brian Leiter's** third book, *Why Tolerate Religion?*, was published by Princeton University Press in 2013. He is the Karl N. Llewellyn Professor of Jurisprudence at the University of Chicago Law School, where he has taught since 2008. Before that, he spent 13 years at the University of Texas at Austin.



**Teri McMahan**, partner in Alston & Bird's mergers and acquisitions group, has been named chair of the firm's partners' committee. Based in the Atlanta office,

she emphasizes mergers and acquisitions, private equity representation, corporate finance, leveraged buyouts, roll-up transactions, and general corporate law in her practice.





**Lee M. Tumminello** joined the partnership of Faegre Baker Daniels. She advises life sciences companies on commercial, regulatory, and compliance matters

related to the clinical development and marketing of pharmaceuticals, biologics, and medical devices.

## 1988

**Eric Orts** authored a book, *Business Persons: A Legal Theory of the Firm*, published by Oxford University Press (2013). Michigan Law Professor Reuven Avi-Yonah provided a comment for the book, and Orts relied on some of Avi-Yonah's historical and theoretical work. He also was influenced by Michigan Law Professor Emeritus Joseph Vining, as some of the main ideas in the book are elaborations of Vining's more aphoristic expressions about the nature of corporate law.

## 1989

THE CLASS OF 1989 REUNION WILL BE HELD SEPTEMBER 19–21, 2014.

**William Bock's** effort in investigating and exposing doping by Lance Armstrong is described in *Wheelmen: Lance Armstrong, the Tour de France, and the Greatest Sports Conspiracy Ever* (Gotham Books, 2013). The book describes the Armstrong saga from start to finish, including Bock's interviews of Armstrong's former teammates and prosecution of the case against the seven-time winner of the Tour de France. Bock—partner at Kroger, Gardis & Regas in Indianapolis—led the legal effort as general counsel for the United States Anti-Doping Agency, and wrote the lengthy report, released in 2012, that chronicled the evidence the agency amassed against Armstrong. The report triggered the implosion of Armstrong's financial and sporting empire and, eventually, led to removal of the president of the International Cycling Union. Bock is a frequent speaker on issues pertaining to ethics in sports and society.

## 1990

**Pamela G. Costas** has been elected vice president, general counsel, and corporate secretary of Loyola University of Chicago.



**Greg Everts**, of Quarles & Brady's Milwaukee office, was inducted as a fellow of the Wisconsin Law Foundation, Class of 2013. He joins 282 members

who have been recognized by their peers for high professional achievement in the legal profession and their contributions to improve the administration of justice in Wisconsin.

## 1991



**Lisa Konwinski**, formerly assistant director for legislative affairs at the Consumer Financial Protection Bureau in Washington, D.C., has been

promoted to deputy associate director for external affairs. Previously, she served in the White House as deputy director of the Office of Legislative Affairs and deputy assistant to President Obama.

**Ronald D. Puhala** joined Goldberg Segalla as a partner in its Princeton, New Jersey, office. He is a member of the firm's global insurance services practice group, with nearly two decades of litigation experience representing major national and international insurance companies on claims such as general liability, product liability, environmental contamination, asbestos injury, and business interruption matters. In addition, he has significant experience representing primary and excess carriers in complex coverage litigation; representing insurance carriers in bad-faith claims; handling reinsurance disputes between

insurance carriers; and representing policyholders by providing counsel regarding the scope and nature of coverage. Previously, he was a partner at Riker Danzig.



**David E. Wells**, a corporate and securities shareholder with the Miami office of global law firm Greenberg Traurig, led the firm's team in the sale of Metropolitan

Health Networks to Humana, a deal that won the firm the "U.S.A. M&A Deal of the Year—Large Markets" award from the annual Americas M&A Atlas Awards presented by the Global M&A Network. He led a team of 19 Greenberg Traurig attorneys from across the nation in securing the Humana deal.

## 1993

**Adam Schlatner** has joined Cozen O'Connor's New York office, where he will practice in the commercial litigation group.

**Paul Slager** was elected to the American Law Institute. He is a partner at Silver Golub & Teitell in Stamford, Connecticut. He represents plaintiffs in cases that stem from catastrophic events involving medical malpractice, violent crimes, serious accidents, defective consumer products, and sexual abuse and harassment. He also represents individuals pursuing whistleblower actions, where an individual or company has defrauded the government, and represents small businesses and individuals on a contingent fee basis in significant business disputes.



# CLASS NOTES

## 1994

THE CLASS OF 1994 REUNION WILL BE HELD SEPTEMBER 19–21, 2014.

**Barbara Lentz**, associate professor at Wake Forest University School of Law, has been selected by the third-year class as the winner of the 2013 Jurist Excellence in Teaching Award, given by the school's Student Bar Association. For more than a decade, she has been teaching writing, drafting, and art law courses to JD and international LLM students. In addition, she has been selected by Wake Forest to serve as a faculty fellow and by the Institute for Public Engagement as an ACE Fellow. She also is a faculty adviser to the *Wake Forest Journal of Business and Intellectual Property Law* and has coached the ABA national moot court teams for several years.

**Margo Wolf O'Donnell**, shareholder in the litigation and labor and employment groups at Vedder Price, was elected president of the Coalition of Women's Initiatives in Law. The coalition is one of the largest women's legal associations in the country, with a membership of 51 Chicago law firms and in-house attorneys from more than 22 different companies. She has been a member of the board of directors of the coalition since 2010.

## 1995

**Stephon B. Bagne**, an attorney at Clark Hill, was admitted to firm membership. He has handled a wide variety of litigation matters, and focuses on real estate issues such as eminent domain, commercial leasing issues, and property tax appeals.

**Marc Spindelman** was elected to the American Law Institute. He is a professor of law at the Ohio State University's Moritz College of Law. Since joining the faculty, he also has been a visiting professor of law at the Georgetown University Law Center and at Michigan Law. His recent scholarship focuses on certain problems of inequality, chiefly in

the context of sex and death. He regularly teaches courses on family law, constitutional law, advanced constitutional law, bioethics and public health ethics, and sexual violence.

## 1996



**Guy-Uriel Charles** was elected to the American Law Institute. He is the founding director of the Duke Law Center on Law, Race, and Politics. He

also is a frequent public commentator on constitutional law, election law, campaign finance, redistricting, politics, and race. He joined Duke Law's faculty in 2009, and previously was the Russell M. and Elizabeth M. Bennett Professor of Law at the University of Minnesota Law School. While at Michigan Law, he was the founder and first editor-in-chief of the *Michigan Journal of Race & Law*.



**Laura Gramling Perez** has been elected a Milwaukee County Circuit Court Judge. She is the presiding court commissioner in Milwaukee County,

where she sits on the bench and supervises a group of commissioners who handle small claims, criminal, and children's court. Before that, she was a shareholder at Reinhart Boerner Van Deuren in Milwaukee, and she practiced at Gibson, Dunn & Crutcher in New York.

## 1997

**Matt Hayek** was elected to a third term as mayor of Iowa City, Iowa. Iowa City is one of seven UNESCO Cities of Literature worldwide, and last fall he attended the UNESCO Creative Cities Network summit in Beijing. He is a partner at Hayek, Brown,

Moreland & Smith LLP, a general service law firm, and he is married with three young children.

## 1998

**Lisa Meengs Joldersma** is vice president, public programs at the Pharmaceutical Research and Manufacturers of America (PhRMA). She oversees legislative and regulatory policy development and research at PhRMA to help advance patient and biopharmaceutical industry interests within Medicare, Medicaid, and the new health insurance exchanges.

## 1999

THE CLASS OF 1999 REUNION WILL BE HELD SEPTEMBER 19–21, 2014.

**Brian W. Grimm** has been promoted to partner at Perkins Coie. He is a member of the firm's litigation practice and is based in the Seattle office. He represents hospitals, health systems, physician groups, and other health care providers and health care-related organizations in litigation and regulatory matters, with an emphasis on certificate-of-need issues. He is a member of the American Health Lawyers Association and the Washington State Society of Healthcare Attorneys.

**Jon Rosenblatt** is joining his former state attorney general's colleague Paul J. Gaynor in a new law firm, G&R Public Law and Strategies (GRPLS), which represents private entities on matters related to Illinois state and local government, including litigation, investigations, legislation, and policy. GRPLS' practice areas include health care, public utilities, false claims act, labor and employment, and all other public law matters. Previously, Rosenblatt served as labor counsel and later supervisor of the State Anti-Fraud Enforcement task force for Illinois Attorney General Lisa Madigan.

**Josh Ryland** has joined Tucker Ellis LLP's

Cleveland office in the firm's trial department as a partner in the business litigation group. He focuses on high-stakes intellectual property and technology cases for plaintiffs and defendants, has tried multiple jury and bench trials, and has handled numerous appeals before the U.S. Court of Appeals for the Federal Circuit. In addition to patent infringement cases, he represents clients in matters involving copyright and trademark infringement, theft of trade secrets, breach of contract, fraud, product liability, and unfair competition.

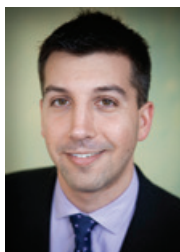
## 2000

**Colleen A. Carolan** has been elected partner at Blank Rome LLP. She practices labor and employment law in the Los Angeles office, with a specific focus on counseling employers regarding compliance with state and federal laws that govern the workplace and employment relationships, and providing practical solutions to resolve issues and avoid litigation.

**Jeremy Crickard** is serving as vice chair of the executive committee of the trusts and estates section of the State Bar of California. The term continues until the State Bar Annual Meeting in September 2014, when he will become the chair of the executive committee. The trusts and estates section of the State Bar of California consists of more than 6,000 members, and the executive committee is in charge of the administration of the section.

**Donald Ennis** has joined Wells Fargo Bank as senior counsel in the litigation and workout division of the law department, where he will support the bank's commercial and real estate workout groups. Prior to joining Wells Fargo, he was an attorney in the bankruptcy practice group of Snell & Wilmer LLP's Phoenix office.

## 2001



**Jeremy Bloom** has been named the assistant dean for career planning at the University of Michigan Law School. After graduating from Michigan Law, he

practiced in New York City, first as an associate at Skadden, Arps, Slate, Meagher & Flom LLP, from 2002 to 2005, then as senior counsel at the Financial Industry Regulating Authority (FINRA) Enforcement Department, where he investigated and litigated matters involving securities law violations. He left FINRA in 2010 to open a boutique law practice in Coral Springs, Florida—Bloom & Silver PA—which focused on general commercial litigation, regulatory enforcement, and securities arbitration. He left the practice in 2012, and returned to New York to serve as the senior compliance manager and counsel for Tower Research Capital LLC, a financial services firm specializing in trading and investment strategies. In each of his roles, he was involved in the recruitment and training of law students and practicing attorneys.



**Jason Casell** joined Reed Smith LLP as an associate in the life sciences health industry group. His practice focuses on defending

pharmaceutical and medical device manufacturers in litigation in state and federal courts throughout the country. He previously was an associate at Covington & Burling LLP. Earlier experience includes positions at Bowman and Brooke LLP and Morgan, Lewis & Bockius LLP.



**S. Christian (Chris) Nelson** has been elected to Belin McCormick PC's three-person management team in Des Moines, Iowa. His practice emphasizes

corporate and general business law, and business acquisitions and transactions.

## 2002

**Tom Best** was promoted to partner at Steptoe & Johnson LLP in the firm's Washington, D.C., office. He is a member of the international department, and he represents companies and individuals in the U.S. Foreign Corrupt Practices Act, economic sanctions and export controls investigations, and in enforcement actions before multiple U.S. federal law enforcement agencies and internationally. He has significant experience in designing and implementing international regulatory compliance programs for companies in a wide range of industries and geographies. He has a particular focus on mergers and acquisitions.

**Neil H. Buchanan**, professor of law at George Washington University, has authored an ebook, *The Debt Ceiling Disasters: How the Republicans Created an Unnecessary Constitutional Crisis and How the Democrats Can Fight Back* (Carolina Academic Press, 2013).



**Andrea Clark** was promoted to partner in the Sacramento office of Downey Brand LLP, where she is a member of the water law practice group. She provides

counsel for a wide array of public agencies, from local reclamation districts and water districts to regional joint powers authorities on all issues related to water rights and flood control.



# CLASS NOTES

**Frederick G. Sandstrom** has been elected partner at Blank Rome LLP. Based in Philadelphia, he concentrates his practice in employment, ERISA, and labor litigation and counseling.

## 2003

**Molly Lens** has been named a partner at O'Melveny & Myers LLP. She works in the firm's Century City, California, office, where she practices in the business trial and litigation group. She represents clients in a wide range of industries and has led numerous complex civil litigation, class action, arbitration, high-profile entertainment, and regulatory investigation teams. She also maintains an active pro bono practice, including civil and criminal appeals, a teaching position for the firm's Ninth Circuit Appellate Advocacy Clinic at the UCLA School of Law, and housing court litigation.

## 2004

THE CLASS OF 2004 REUNION WILL BE HELD SEPTEMBER 19–21, 2014.



**Kristen M. Danyluk** was elected to partnership at Quarles & Brady LLP. She practices in the corporate services group in the Chicago office, specializing in representing institutional investors in the firm's investment activities. She also practices in mergers and acquisitions, representing both buyers and sellers in stock and asset transactions.

**Kathleen P. Lally** was promoted to counsel at Latham & Watkins LLP. She is based in Chicago, where she is a member of the litigation department. Her practice focuses on consumer class action and complex commercial disputes, defending clients in a variety of industries and jurisdictions. She has extensive experience with clients in the automotive, food and drug, and retail and consumer products industries.



**Douglas Y. Park** has been appointed director of education at the Sustainability Accounting Standards Board (SASB) in San Francisco. SASB develops standards for public companies to disclose material environmental, social, and governance information in their mandatory SEC filings. He will develop and implement numerous educational initiatives regarding SASB's standards, including a professional certification targeted at accountants, lawyers, CFOs, CSOs, investors and analysts, and a corporate training program. He also has been named vice chair of the American Bar Association's Corporate Governance Research and Education Subcommittee.

## 2005



**Christian M. Auty** joined the law firm of Roetzel & Andress LPA as counsel in its Chicago office. He focuses his practice on internal investigations, complex commercial litigation, and restructuring matters.

**Jason R. Bosworth** was promoted to partner at Latham & Watkins LLP. He is based in the Los Angeles office, where he is a member of the finance department. He advises banks, commercial finance companies, equity sponsors, and other borrowers in transactional matters.

**Gregory Heath** has been elected to partner at Locke Lord. Based in the Houston office, he concentrates his practice on mergers and acquisitions and capital markets transactions, with a particular focus on energy and oilfield services transactions. He also advises clients on general corporate matters, including governance issues, SEC and stock exchange compliance, and state law considerations.

**Casius Pealer** was appointed director of Tulane University's Social Innovation and Social Entrepreneurship program in New Orleans. He will continue to teach as an adjunct professor in Tulane's master of sustainable real estate development program, as well as work part time as a private consultant on affordable housing development projects.

**Doug Sanders** recently began work as a mediator for the Federal Mine Safety and Health Review Commission in Denver. He also is teaching at the University of Denver Sturm College of Law, leading a seminar in litigation skills in the safety and health law context. In addition, he has been appointed as treasurer for Colorado's 8<sup>th</sup> House District.

**Caleb Weiner** has taken a position as an assistant district attorney in the Child Abuse Unit of the Northwestern District Attorney's Office in Massachusetts. In this role, he supervises investigations, directs the filing of criminal charges, conducts trials, and handles plea negotiations and sentencing recommendations. The unit's mission is to stop child abuse and child abusers; to protect children; and to keep children and families safe, healthy, and strong.

**Nate Wilhite** has spent the last year as a senior product manager in the Kindle group at Amazon.com Inc. in Seattle. He has been working on features such as X-Ray and popular highlights.

## 2006

**Melissa DeGaetano** has been elected to partner at BakerHostetler. She is a member of the litigation group and focuses her practice on complex commercial litigation and matters involving the First Amendment.

**Yutaka Kitamura**, LL.M., managing partner of EYLA in Japan, started the business in July 2013 and now has seven members, including three lawyers. The firm provides law services such as tax litigation and general corporate services. This year they will further expand the business to M&A transaction

matters and outbound transactions, and will pursue the possibility of collaborative professional services of tax, accounting, and law.

**Jack Ko** was promoted to partner at Perkins Coie. He is a member of the firm's patent litigation practice. His practice is focused in the areas of patent litigation (both district courts and International Trade Commission), *inter partes* reviews, due diligence investigations, and pre-suit investigations. He obtained his PhD in electrical and computer engineering with an emphasis on semiconductor devices, and holds several patents related to high-performance optical devices. He speaks both Mandarin and Taiwanese, and he currently represents various Taiwanese companies.

**Matt Nolan** accepted an assignment as senior counsel and manager of governance and compliance for greater China with Dow Corning Corp. He and his wife, Nina, are relocating to Shanghai for the next three years.

**Benjamin E. Swoboda** has joined Whyte Hirschboeck Dudek SC in its corporate and finance practice group. He focuses his practice on commercial finance transactions and has significant experience in commercial loans, real estate finance, interest rate swaps and other derivatives, workouts and restructurings, and structured finance.

**William Tran** has been promoted to senior counsel, production legal in the West Coast TV Entertainment legal group of NBCUniversal.

**Cathrin Zengerling**, LL.M., authored a book, *Greening International Jurisprudence: Environmental NGOs before International Courts, Tribunals, and Compliance Committees* (Martinus Nijhoff, 2013), which examines how international judicial and quasi-judicial bodies enforce international environmental law, with particular consideration to the role of environmental NGOs. She works as an attorney at the law firm Rechtsanwalte Gunther in Hamburg, Germany, and as a lecturer for the REAP (Resource Efficiency in Architecture and Planning) master's program at the HafenCity University Hamburg. She

is an environmental lawyer specializing in international environmental law and energy law. Her main research interests are in the field of international environmental and energy law.

## 2007

**Daniel Glad** has been appointed as an assistant inspector general in the City of Chicago Office of Inspector General, an independent office dedicated to ensuring honesty and integrity in Chicago's government by investigating and rooting out fraud, corruption, waste, and inefficiency. He lives in Chicago with his wife, Stephanie.

## 2008



**Nicholas S. Mahanic** received a commission as a first lieutenant in the U.S. Air Force, as a judge advocate. He is joining the base legal office of the 81<sup>st</sup> Training Wing at

Keesler Air Force Base in Biloxi, Mississippi. Prior to joining the Air Force, he worked as a research attorney for the Supreme Court of Guam and as a staff attorney for the Court of Appeals for the Eleventh Circuit in Atlanta.



**Michael Ruttinger** has been promoted to counsel at Tucker Ellis LLP. He works in the firm's Cleveland office, and he practices in the areas of appellate and legal issues, class action litigation, and medical and pharmaceutical liability.

**Scott Wilcox** received the 2013 Jeremy G. Epstein Award for Pro Bono Service from the City Bar Justice Center, the pro bono affiliate of the New York City Bar Association. He is a litigation associate at Davis Polk & Wardwell LLP.

## 2009

THE CLASS OF 2009 REUNION WILL BE HELD SEPTEMBER 19–21, 2014.



**Chelsea Warren** has joined Faegre Baker Daniels as an associate in the litigation and advocacy practice. Based in the firm's Denver office, she will

represent clients in complex commercial disputes, financial and securities litigation, and white-collar criminal, internal, and government investigations. Previously, she was an associate litigator in the white-collar defense and investigations group at Jenner & Block LLP in Chicago.



**Jessica L. Wuebker** joined Goldberg Segalla as an associate in its Philadelphia office. She is a member of the firm's professional liability practice group,

focusing her practice in the area of professional liability defense. She has represented a variety of professional liability clients, including hospitals, physicians, health care industry insurance carriers, and energy companies. Previously, she was an associate with Eckert Seamans LLP.

## 2010

**William T. Wall** has joined St. Louis-based Greensfelder, Hemker & Gale PC as an associate in the litigation practice group. He served as editor-in-chief of the *Michigan Journal of Law Reform* and was an associate at a Chicago law firm prior to joining Greensfelder.



# CLASS NOTES

## 2011

**Tomek Koszylko** recently joined Hanson Bridgett LLP as an associate in the firm's health section. He focuses his practice on transactional and litigation matters for the firm's health and senior care clients.

**Peter McGraw** earned a Texas Equal Justice Works Fellowship to work with Texas RioGrande Legal Aid in Corpus Christi. Those chosen as fellows have developed new and innovative legal projects that will impact lives and serve communities in desperate need of legal assistance. He will provide legal advocacy and conduct outreach to prevent and diminish the impact of civil collateral consequences of criminal justice involvement for South Texans with psychiatric disabilities.

## 2012

**Connor T. Gants** has joined the Chicago law firm Butler Ruben Saltarelli & Boyd LLP as an associate, concentrating his practice in complex commercial litigation. Most recently, he was an associate at the Los Angeles law firm Munger, Tolles & Olson LLP, where he worked on a variety of commercial litigation matters. He also worked as a summer associate at the firm during law school.

**Rongrong Zhou, LL.M.**, decided to switch her career path from law firms to the judiciary. She currently is working as a judicial clerk in the Department of Human Resources of the Higher People's Court of Shandong Province in China.

## 2013



**James Boufides** joined Miller Canfield's employment and labor group as an associate in the Kalamazoo office. He assists with all aspects of advising

and counseling employers on day-to-day employment-related matters, and aids in the defense of employers and businesses in both civil litigation and labor arbitrations.



**Jeff Bradford** joined Tonkon Torp LLP in the firm's litigation department in Portland, Oregon. He served as a summer associate at Tonkon Torp in 2012, and was

a student law clerk in the U.S. Attorney's Office in Portland in the summer of 2011. As an extern at the U-M Health System Legal Office, he prepared liability analyses of potential implications of federal regulations. He is an active member of the J. Reuben Clark Law Society, an organization of lawyers and law school students throughout the world who are committed to public service.

**Jack J. Carver** has joined Whyte Hirschboeck Dudek SC in its corporate and finance practice group as a member of the commercial finance team. Prior to joining WHD, he worked as a student attorney at the Washtenaw County Office of Public Defender. He also served as an intern for Judge Richard Conlin of Michigan's 14<sup>th</sup> District; as a staff researcher for the Center on Wisconsin Strategy; as a reporter for *The Western Herald*; and as a research intern for the Michigan League of Conservation Voters.

**Mark Franke** has been awarded the Clarin M. Schwartz Memorial Award in the American College of Employee Benefits Counsel 2013 Student Writing Competition for his paper on Detroit and public pensions in bankruptcy.



**Kate Getz** has joined Neal, Gerber & Eisenberg LLP in the firm's corporate and securities practice. In addition to her legal internships, she spent two years as an

English language instructor for the AEON Corp. in Nagoya, Japan.



**Daniel Lewin** joins Quarles & Brady as an associate in the commercial litigation practice group in the Chicago office. He recently was part of a team of attorneys from

the firm who volunteered their legal services to obtain asylum for an Ethiopian woman who was detained and tortured while fighting for democracy in Ethiopia.



**Liza M. Roe** has joined Hall, Render, Killian, Heath & Lyman's Troy, Michigan, office as an associate. She practices in the health law practice group,

where she focuses on supply chain structures and operations, mergers and acquisitions, and general business transactions and services.



**Thomas C.M. Turner** joined Miller Canfield's financial institutions and transactions group as an associate in the Detroit office. While at Michigan Law, he was a

contributing editor to the *Michigan Journal of International Law*.



**Jamie L. Woolard Jr.** joined Miller Canfield's international dispute resolution section of the firm's commercial litigation group as an associate in the Detroit office. He also sits on

the Environmental Commission for the City of Ann Arbor.



## Professor Joseph Sax

Joseph Sax, a pioneer of environmental law, died March 9, 2014, at the age of 78. He was a professor of law at Michigan from 1966 to 1986. Although he later joined the faculty at the University of California, Berkeley, he said of Michigan, “It is the place where I grew and prospered professionally, and it shall always be my intellectual home.”

At Michigan, Sax wrote a bill that became the Michigan Environmental Protection Act of 1970, legislation widely described as “seminal” that inspired similar laws nationwide. The basis of Sax’s argument—which stemmed from environmentalists fighting an irrigation project that would be harmful to wetlands—was the notion of the public trust. Dating back to the Roman Empire, preserving water resources for public use was established doctrine. In drafting his bill, Sax said the public had the right to sue to protect any of Michigan’s natural resources.

“Sax believed that administrative agencies, with all good intentions, often became as much an obstacle to environmental protection as polluters themselves,” wrote historian James Tobin in a 2012 *Law Quadrangle* story. “The best place to fight for a clean country was the courtroom, [Sax] wrote, ‘not because judges are thought wiser or because the processes of litigation are particularly rapid, but because the court preeminently is a forum where the individual citizen or community group can obtain a hearing on equal terms with the highly organized and experienced interests that have learned so skillfully to manipulate legislative and administrative institutions. If we are to save the environment, rather than merely revere it, the citizen can no longer be put off with the easy advice to ‘go get a statute enacted’ or ‘wait until election day,’ while the bulldozer or chain saw stands ready to move.’”

From 1997 to 2008, the doctrine was used in nearly 300 federal and state decisions, according to *The New York Times*, and it has influenced environmental law worldwide. A 2012 list of the 100 most cited law review articles of all time revealed two Sax publications. “[Joe] combined outstanding scholarship with value-inspired activism that provided a role model for younger colleagues and shaped the careers of many of his students,” says Richard Lempert, the Eric Stein Distinguished University Professor of Law and Sociology Emeritus. “His importance to the then-nascent environmental law movement cannot be overstated.”

Sax graduated magna cum laude from Harvard and returned to his hometown to attend the University of Chicago Law School. He began his academic career as a law professor at the University of Colorado, where he taught mining, water, and oil and gas law. There he began grappling with questions of natural resources law, understanding that many of his students would go on to advise companies that were mining resources from the natural areas that were dear to him.

His Michigan colleagues say that Sax’s international stature did not diminish his approachability as a colleague nor his effectiveness as a mentor. “In 1976, I took the manuscript of my first book to him,” recalls Joseph Vining, the Harry Burns Hutchins Collegiate Professor of Law Emeritus. “Unbeknownst to me, [Joe] was just 40. I thought him a major figure and quite senior, and did not really expect him to take it on. But he did. Fortunately, I had the chance to tell him more than once how critically important he was to the whole course of my life.”

In 1983, Sax became the youngest U-M faculty member ever appointed Distinguished University Professor, an honor that allowed him to choose the person for whom the chair would be named. Sax chose Philip Hart, ‘37, who, as a U.S. senator from Michigan, led efforts to have Sleeping Bear Dunes and Pictured Rocks designated as national lakeshores. In recognition of his exceptional scholarship and teaching, the Law School in 2009 established the Joseph L. Sax Collegiate Professorship, currently held by Nina Mendelson. In addition, a group of alumni and friends created the Joseph L. Sax Scholarship, given annually to a student pursuing a joint degree in the Law School and U-M’s School of Natural Resources and Environment.

Sax’s wife of 55 years, Eleanor, died in December 2013. He is survived by his daughters, Katherine Dennett, Amber Rosen, and Valerie Sax, and four granddaughters.—AS

## The Hon. William McClain, '37



ASHLEY KEMPER

The Law School lost its oldest African American alumnus on February 4, 2014, when the Hon. William McClain, '37, HLLD '02, died in Cincinnati, Ohio. He was 101.

McClain was known to many simply as The Judge, and to simply call him a mentor would be understating his influence, says Marty Dunn, '84, his longtime friend and protégé. "He was the mentors' mentor. He was a deeply spiritual man who loved the law and enjoyed guiding young lawyers

into the profession and throughout their careers." But McClain also extended his high ideals to others. "He would often call me to inquire about my practice and, before ending the call, he always asked if I was bringing other African Americans into the firm and giving them the proper support to prosper," Dunn says. "The Judge provided the shining example of how we should mentor, and held us all accountable in the process."

Born to a teenage mother and a father who couldn't read or write, McClain earned a bachelor of arts from Wittenberg University in Springfield, Ohio, before entering the University of Michigan Law School as the only African American student in his class. Although he was not allowed to live on campus and was isolated because

of his race, McClain was a steadfast supporter of the Law School throughout his life, and served on its then-existing Committee of Visitors. "There's a duality in life," McClain explained in a 2011 *Law Quadrangle* interview. "There's always a good and a bad, a sweet and a sour. Your challenge is to find the opposite to the negative."

"He absolutely loved Michigan and credited the Law School with providing opportunities for a distinguished career," says Dunn.

After graduating from Michigan, McClain entered private practice in Cincinnati. He went on to be the first African American admitted to the Bar in Cincinnati, after twice being denied admission. He also was the first African American city solicitor of a major U.S. city and the first African American judge in Hamilton County, Ohio—a far cry from his early days, when he was forbidden from entering the courtroom because he was black. McClain retired in his mid-90s from Manley Burke LPA, always instructing those closest to him to "keep him modern."

"He was a symbol of perseverance and pride," says Dunn, who coordinated a special tribute to McClain at the Law School's inaugural African American Alumni Reunion in March. "He taught me and other African American alums to value and appreciate our Michigan education and degree, regardless of the hurdles we may have faced. And he lived his 101 years with the exuberance of a 21-year-old—80 times over."—AS

Read McClain's 2011 *Law Quadrangle* interview at <https://www.law.umich.edu/newsandinfo/features/Pages/mcclain.aspx>.

## Luke Cooperrider, '48

Professor Emeritus Luke K. Cooperrider, '48, died December 25, 2013, at the age of 95. He was born in rural Ohio and earned a bachelor's degree from Harvard before serving in the Signal Corps during World War II. Cooperrider met his wife, Ginny, who preceded him in death in 2007, when he was stationed in Hawaii.



After graduating from Michigan Law, he practiced at Squire, Sanders, and Dempsey in Cleveland before returning to the Law School's faculty in 1952. He

taught in the areas of torts, evidence, and restitution and was actively involved in a number of committees at the School and University levels, including the Law School's Curriculum Committee, the Law Review Advisory Board, and the University Senate.

"Luke was the *Law Review* faculty adviser when I was student editor, and he was ideal for the role," says Professor Emeritus and former Dean Ted St. Antoine, '54. "If there was a problem, he never told you what to do. He would hear you out, suggest options, list the pros and cons, and then leave the final decision up to you."

After Cooperrider retired in 1983, he and Ginny moved to Sun City West, Arizona, and enjoyed worldwide travel. His steadfast sense of ethics and justice remained throughout his life, his family members say, and his kindness made him a favorite of many of his students. "Luke was not a colorful classroom performer, but he was always well-prepared, thorough, patient, and fair, and students respected him," adds St. Antoine.

Cooperrider is survived by his sons, Peter and Mark, his daughter, Carol, a granddaughter, and two great-granddaughters. He also is survived by his two sisters.—AS



# I N M E M O R I A M

## 1930s

William A. McClain, '37 2/4/14  
Benjamin C. Stanczyk, '39 10/28/13

## 1940s

Charles F. Clarke, '40 1/17/14  
John T. Hoag, '40 8/31/13  
Reid J. Hatfield, '41 9/30/13  
John E. McFate, '41 8/19/13  
Julius S. Rubel, '41 12/29/13  
William H. Spitalny, '41 12/22/13  
William T. Yorks, '41 7/24/13  
John F. Hall, '42 1/29/14  
Richard C. Killin, '42 8/20/13  
Wendell A. Miles, '42 7/31/13  
George M. Tunison, '42 12/16/13  
Shelley B. Lashman, '46 12/16/13  
John W. Potter, '46 10/3/13  
Stanley I. Kaplan, '47 11/16/13  
Richard J. Archer, '48 12/25/13  
Luke K. Cooperrider, '48 12/25/13  
Morgan L. Fitch, '48 11/18/13  
John A. Levan, '48 9/26/13  
Charles J. Lincoln, '48 7/25/13  
Richard W. Nicholas, '48 3/19/14  
John W. Powers, '48 11/22/13  
Harold E. Rudel, '48 12/23/13  
William F. Welch, '48 11/24/13  
Albert H. Callahan, '49 2/23/11  
Kent Chandler, '49 9/7/13  
Douglas A. Dehn, '49 10/15/13  
Austin E. Oppenheim, '49 1/26/14  
Arthur C. Prine, '49 8/19/13  
Arthur M. Rude, '49 9/19/13  
William W. Slocum, '49 10/24/13  
William H. Woodson, '49 2/18/14

## 1950s

Burton C. Agata, '50 1/20/14  
Robert E. Albright, '50 11/12/13  
Donald W. Alfvín, '50 12/23/13  
Charles M. Bayer, '50 2/14/14  
Robert B. Frank, '50 11/24/13  
Joseph H. Lackey, '50 8/9/13  
Andrew P. Spiegel, '50 1/13/13  
Harold N. Wollam, '50 5/5/12  
Kenneth C. Hamister, '51 9/27/13  
Stuart E. Hertzberg, '51 11/5/13  
Frederick D. McDonald, '51 1/25/14

S. Noel Melvin, '51 2/22/14  
Patrick D. Neering, '51 3/1/14  
Louis R. Reif, '51 1/22/14  
Willis B. Snell, '51 5/31/13  
Louis E. Wirbel, '52 2/3/14  
Joseph H. Brinster, '53 7/31/13  
Robert S. Gilbert, '53 3/14/14  
Byron H. Lasky, '53 9/20/13  
Stuart H. Cammett, '54 2/26/14  
Raymond M. Champion, '54 8/23/13  
Jack F. Gardner, '54 9/22/13  
Kenneth B. McConnell, '54 9/28/13  
William K. Van't Hof, '54 1/13/13  
David Barker, LLM '55 9/11/13  
Hazen V. Hatch, '56 10/11/13  
Robert S. McCormick, '56 2/9/14  
Charles T. Zimmerman, '56 12/17/13  
Eugene H. Ciranni, '57 8/19/13  
Hans-Juergen H. Jaeger, LLM '57 9/18/13  
Frank M. Lacey, '57 12/8/13  
Carl F. LaRue, '57 11/20/13  
Lloyd D. Morris, '57 12/9/13  
Robert J. VanLeuven, '57 10/12/13  
William H. Leighner, '58 1/10/14  
Dean S. Lewis, '58 8/26/13  
Richard P. Ruby, '58 11/24/12  
Robert H. Warner, '58 2/21/13

## 1960s

Victor J. Gibbons, '60 12/27/13  
Richard R. Sheldon, '60 2/18/14  
Robert B. Brzezinski, '61 8/31/13  
Jerome E. Burns, '61 10/2/13  
Bruce A. Clark, '61 2/20/14  
Robert A. Butler, '62 2/16/14  
Donald R. Chapman, '62 6/10/12  
Delyle H. Condie, '63 1/17/14  
Wade C. Stevens, '63 2/22/13  
James Lumber, '64 12/2/13  
Gregg E. Stover, '64 9/14/13  
Jack Weiner, '64 7/5/13  
Douglas M. Buchwalter, '65 4/29/13  
Terry G. Paup, '65 9/29/13  
John G. Petrie, LLM '65 11/8/13  
Frederick G. Buesser, '66 8/29/13  
Bruce T. Leitman, '66 12/7/13  
Ronald J. Delisle, LLM '67 3/11/13  
Jeffrey H. Swartzbaugh, '67 1/8/14  
James S. Ake, '69 9/25/13  
Ralph P. Fichtner, '69 9/27/13

## 1970s

Marshall S. Redman, '70 10/10/13  
M. Jay Whitman, '70 2/25/14  
W. Thomas Fagan, '72 9/14/13  
William J. Campbell, '73 9/4/13  
Katherine G. Crystal, '73 10/5/13  
Robert F. Stayman, '73 10/28/13  
Abraham L. Zylberberg, '73 1/1/14  
Edith G. Fuller, '74 2/18/14  
Roy D. Burbrink, '75 8/13/13  
Thaddeus R. Harrison, '76 9/18/10  
Warren Harrison, '76 3/12/14  
George A. Kresovich, '76 8/24/13  
J. Thomas Horiszny, '77 1/27/14  
Mark A. Kehoe, '77 3/7/14  
William S. Leavitt, '77 2/19/14  
Frank H. Stewart, '77 8/21/06  
David E. Roseberry, LLM '79 8/25/13  
Michael P. Worley, '79 11/24/12

## 1980s

Richard F. Cauley, '81 6/1/11  
Neil C. Cooksey, '86 10/10/12  
Lissa M. Cinat, '89 1/27/13

## 1990s

Steven P. Leavenworth, '92 9/8/13

## 2000s

Kenneth E. Thomson, '06 2/27/14

## CORRECTION

Due to mistaken information from the University's database, the *Quadrangle* erroneously included Al Van Kampen, '83, in the obituary list in the fall 2013 issue. In actuality, it was his father who passed away. The younger Mr. Van Kampen lives in Seattle, where he actively practices law at the firm he cofounded, Rohde & Van Kampen. We extend our sincere apologies to him for the error, as well as condolences for the loss of his father. The Law School also notified his 1983 classmates to let them know of the error shortly after the fall magazine was published.



## The Making of the Magazine Cover

When we set out to illustrate the cover of this issue of the *Law Quadrangle*, we knew we wanted an image that could convey the good and the bad in Detroit, the grit and the luster. A brainstorming session and an online review of many styles of artwork led us to the idea of using letterpress blocks (called “type” by those in the know)—the kind used in the printing of publications in bygone eras.

Fortunately, U-M has a collection of printing type, the Moran Type Collection. It is maintained at the newly established Wolverine Press, where Fritz Swanson is director. Fritz gave us access to the treasure-trove of typography, where Law School art director Tish Holbrook created the design for the cover and photographer Leisa Thompson created the image that you see on the front of the magazine. The two then collaborated to design the artwork for the interior pages, including the photo on pages 12 and 13 that suggests a city skyline.

Many thanks to Fritz Swanson for his help, to the Helen Zell Writers’ Program for preserving the beautiful type in the Moran Type Collection (which is being used to create, among other things, elegant limited-edition poems for campus readings by esteemed authors), and—why not?—to Johannes Gutenberg. We couldn’t have created this beautiful issue of the *Law Quadrangle* without you.

Katie Vloet, Editor



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