

# QLAWuadrangle

NOTES FROM MICHIGAN LAW





16

**Doctor's Orders:  
CALL YOUR LAWYER**

Research has shown one in six people needs legal care to be healthy—including 8-year-old Savannah.

LEISA THOMPSON PHOTOGRAPHY

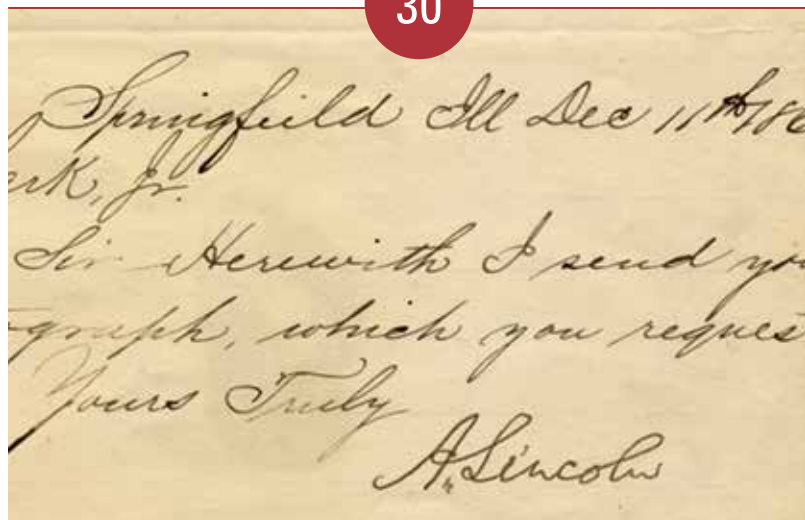
## A ROYAL RECEPTION

7



## A SLICE OF MICHIGAN HISTORY

30



## CLEAN WATER MICROFRANCHISES

38



## BEFORE ROSA PARKS

58



# [ OPENING ]

## 5 Quotes You'll See...

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

1. "As long as I can do the job at full steam, I will stay in it." (p. 5)
2. "It's an incredible opportunity to sit down with a general counsel at a *Fortune* 500 company to talk through the business issues with them and then execute on something that will be used by them." (p. 41)
3. "It seemed like a suicide mission." (p. 43)
4. "I was watching TV, and I saw a flame in the front yard." (p. 58)
5. "The conversation turns to why rap music is an underground movement, why the graffiti artist would be executed if his identity were known." (p. 63)



### 03 A MESSAGE FROM DEAN WEST

### 04 BRIEFS

- 04 Summer Funding for All 1Ls
- 05 Justice Ginsburg Visits Campus
- 06 New Human Trafficking Clinic in Brazil

### 10 FEATURES

- 12 Doctor's Orders: Call Your Lawyer
- 18 The JD at the Helm of WebMD
- 22 Risk and Reward

### 36 @UMICHLAW

- 36 Former Clerks Share Thoughts About Justice Ginsburg
- 41 Transactional Lab & Clinic Opens Doors Into Corporate World
- 43 Honoring a Forgotten Hero

### 46 GIVING

### 58 CLASS NOTES

- 58 Before Rosa Parks
- 60 Living Out Hoop Dreams at adidas
- 63 Stitching Together Life's Poetry
- 75 In Memoriam

### 76 CLOSING

- 76 A Yearbook Etched in Wood

## Looking Out for Each Other

You can never predict where a conversation with a Michigan Law student will lead.

I met with Adam Miller-Howard, '13, at one of Ann Arbor's favorite watering holes in spring 2013. We were both transitioning; he was preparing to leave town and launch his career and I was about to become dean. I knew he had a topic he wanted to discuss, and I thought the most I could offer was a bit of hopeful nodding before I would assure him that he was going to be great at his new job in California.

During his 1L year in my Criminal Law class, Adam was the first person I cold-called on the first day of classes. He thinks it's because the dark color of his T-shirt stood out; really, it's because he was naïve enough to sit in the right, or wrong, seat: up front, stage left. Our exchange that day means that I've known from the beginning of Adam's time in the Law Quad that he is a smart guy and a bit of a risk taker. It made sense, then, that he was involved in a project that required a great deal of smarts and a certain element of risk: a proposal to create summer funding for first-year students.

The concept was not new to me when Adam—beer in one hand, spreadsheets in the other—broached it that evening. Everyone at the Law School knew that demand exceeded supply when it came to providing financial assistance to 1Ls with unpaid or under-paying internships. I knew that a group of students had been vetting a plan to address the problem, but I didn't know the particulars. As I listened to Adam's pitch, it became clear that this was not another wouldn't-it-be-great-if idea. It was backed with a lot of research and a solid model. For every question I asked, Adam had a good answer—just like his cold-call.



As I learned more, I saw what a team effort the proposal was. I also saw how the four students (now alumni) who championed it illustrate why our community produces such successful lawyers. They didn't try to top each other; rather, they played off of each other and they listened—really listened—to each other. Each brought unique skills to the project. Adam was the pragmatist-in-chief. With a finance background, he was the one who translated a lofty idea into a workable model. Brian Holbrook, '13, and Daniella Schmidt, '13, were the project's heart—the people who had been on the front lines of the problem and lit the fire to find a solution. Adrian Ohmer, '13, was the connector—the person who knew that soliciting input from a diverse cross-section of our community, refining the plan based on their feedback, and repeating the process again and again would be critical to achieving the buy-in that would move the project forward.

The result of their hard work is the exciting program you'll read more about on page 4. I love that this program is going to happen, and I equally love *how* this program is happening: An idea born of students is being helped by a combination of students and former students. Michigan Law is a place where we look out for each other and where our commitment to doing so spans generations. The 1L summer funding program and the people who have made it possible are incredible examples of that, and I am profoundly grateful to each of them.

A handwritten signature in black ink, appearing to read 'Mark D. West'. The signature is fluid and cursive, with a large initial 'M' and 'W'.

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

## Students and Alumni Unite to Guarantee Summer Funding for All 1Ls Program Will Be Most Inclusive of Any Top Law School

By Amy Spooner

Beginning in 2016, 1Ls can land a great summer internship with less worry about paying the bills. And in true Michigan Law fashion, it's because the community is taking care of its own.

Gifts from the Himan Brown Charitable Trust and from Lisa and Chris Jeffries, '74—with a startup gift from the Law School Student Senate (LSSS) and ongoing fundraising through Student Funded Fellowships (SFF)—will support 1Ls taking unpaid or low-paying summer internships in the public, nonprofit, and private sectors, making it the most inclusive program at any top law school. Michigan's program will issue interest-free, forgivable loans administered by SFF, a Michigan Law student organization that since 1977 has provided some \$2.5 million in summer funding support for 1Ls.

"Former and current students are helping current and future students," says Dean Mark West. "That mutual support represents our Law School at its finest." He notes the program's inclusive nature also epitomizes Michigan Law. "Several peer schools offer 1L funding, with limited eligibility. One of the best things about Michigan Law is the divergent paths our students pursue, so it was important that we offer summer funding to everyone."

Law-related 1L summer employment is essential for exploring possible careers and gaining experience needed to secure good jobs for the 2L summer and beyond. Most 1L jobs pay very little, and large firms rarely employ 1Ls; in addition, jobs with the most promise for the future often are in cities with high costs of living. Therefore, many students struggle to balance goals and current means.

As an unpaid intern in the L.A. County Public Defender's Office, Brian Holbrook, '13, lived the dilemma in 2011. He shared a studio apartment with two friends, scrimped for basic necessities, and returned to Michigan determined to find a better way. "I'd found my calling as a public defender," says Holbrook, "but supporting myself was challenging. It highlighted the discrepancy between students' need and the funding SFF could provide."

Holbrook began drafting a proposal to increase funding with fellow SFF board member Adrian Ohmer, '13, Adam Miller-Howard, '13, and Daniella Schmidt, '13, an Organization of Public Interest Students board member. "We didn't want to complain without proposing a solution," says Ohmer. "We were deeply motivated to right a longstanding wrong."

Armed with data on comparable programs at peer schools, the students built a model based on forgivable loans, and sought ongoing input from students, faculty, and Law School administrators. While the reaction was favorable, the group was told that near-term funding was unlikely.

Enter Dean West, who heard Miller-Howard pitch the proposal as he was becoming dean in 2013. "I left the meeting hopeful that he would make it a priority as dean," says Miller-Howard. And he did. "The plan and level of detail were brilliant," says West. "It should come as no surprise that a group of Michigan Law students thought through everything."

With student support a pillar of the Victors for Michigan fundraising campaign, West considered the right donors to share his excitement for the proposal. Meanwhile, the trustee of the Himan Brown Charitable Trust expressed a desire to help the Law School meet its \$70 million student support campaign goal. The trustee and his son are both Michigan Law grads. West approached the charitable trust and Lisa and Chris Jeffries about expanding 1L summer funding, a proposal that aligned well with the Jeffrieses' desire to make a substantial gift in support of students and the charitable trust's desire to support causes that include education. (See more on page 47.)

"Mark [West] was passionate about the program and convinced that it was critical," says Chris Jeffries. "His enthusiasm and the plan's close tie with my goals made it natural for me to get involved." The Himan Brown Charitable Trust gift was similarly motivated, says the trustee. "When Dean West said students stop him in the halls to ask about progress on 1L summer funding, we knew we could make a real difference."

Leaders of the LSSS and SFF also rallied around the idea. LSSS had accumulated a significant fund that it earmarked for a program to support all students; 1L summer funding proved a perfect choice. "The support from LSSS was crucial financially and also because it showed that the student body bought into the plan," says West.

Under the new program, all 1Ls will be eligible for summer funding up to \$4,000, beginning in the 2015–2016 academic year. The funding, disbursed as a loan, will be forgiven for any student whose earnings during both law school summers total less than \$18,000. Students who earn \$20,000 or more must fully repay the loan, while those earning \$18,000–\$20,000 will repay on a sliding scale. Student repayments ultimately will make the program self-sustaining.

Meanwhile, SFF fundraising efforts will continue providing a limited number of highly competitive public service grant awards annually. Continued support of SFF initiatives like the spring auction are vital to retaining adequate funding for the program, says SFF co-chair Kate Aufses, a 3L. At the same time, the group is elated to have additional resources available.

"Providing financial assistance to everyone who needs it has always been SFF's dream, so we are thrilled," Aufses says. "And maintaining the student-managed, student-funded aspects of SFF highlights the Michigan Law spirit of the new program. We are so grateful to everyone who made this possible."



## Justice Ginsburg Visits Campus

Associate Justice of the U.S. Supreme Court Ruth Bader Ginsburg participated in an engaging and spirited 90-minute conversation at U-M's Hill Auditorium on February 6, during which she spoke about milestones in her own life, as well as key moments in the legal history of the past several decades. She also paid a visit later that day to a joint class of students currently studying constitutional law with Professors Kate Andrias, Daniel Halberstam, and Richard Primus. She was the fifth Supreme Court justice to visit the Law School in recent years.

During the public event, the 2015 Tanner Lecture on Human Values, she talked about her dissent in the *Citizens United* case in which the Supreme Court lifted restrictions on campaign finance. Ginsburg said that is the decision she would most want to see overturned. She also predicted that the pendulum would swing and that "there will come a time when people are disgusted" with the increasing influence of money in politics. "I like to think most of my dissents will be the law someday," Ginsburg said.



The now-82-year-old justice also addressed the question of how long judges should serve. "As long as I can do the job at full steam, I will stay in it. But when I begin to slip, as I inevitably will... it will be the time to go," she said during the talk, which was sponsored by the Law School and the U-M Philosophy Department.

Read more on page 36.



Ginsburg advised those in the audience to "pursue whatever is your passion in addition to the job for which you are paid. It will give you satisfaction a paycheck never could." She met with Law School faculty and administrators, including Dean Mark West (second photo from top). Professors Scott Hershovitz and Kate Andrias, former Ginsburg clerks, facilitated the discussion (left).

## Human Trafficking Clinic Helping to Create New Clinic in Brazil

By Katie Vloet

Michigan Law's Human Trafficking Clinic is working with a university in Brazil to create a similar legal clinic there in which law students will represent people who have been forced into slave labor in South America's largest country.

U-M and the Universidade Federal de Minas Gerais-UFMG School of Law have developed a memorandum of understanding that paved the way for the creation of the new clinic, which began operating in March.

"Unfortunately, Brazil is a source, a destination, and a transit point for men, women, and children subjected to human trafficking and slave labor," says Carlos Henrique Haddad, a federal judge in Brazil and a member of the law faculty at UFMG. "I think the new clinic will help victims of slave labor in Brazil, and also that this is our opportunity to collaborate on international and cross-border cases."

The collaboration came about when Haddad attended Michigan Law as a Michigan Grotius Research Scholar in fall 2014. U-M Human Trafficking Clinic Director Bridgette Carr, '02, learned that Haddad had decided more than 50 cases involving slave labor, and the two began discussing ways the clinic's model could be replicated in Brazil.

"I deeply admire Brazil's efforts to combat slave labor," Carr says. "They are leading the world in many areas—attacking slave labor in ways that we don't see in other countries."

"In the United States, we want to believe the problem isn't very large, and we want to believe the problem is always somewhere else—not in our own communities. But it's in every community," Carr adds. "Brazil, on the other hand, is a nation where they're really grappling with the reality of slave labor in their country. They've moved past the doubt and are working to combat the problem." In 1995, Brazil created an official system against slave labor. The *Global Slavery Index 2013* report, published by the Walk Free Foundation, praised the country's efforts.

Partnering with other universities around the world will help to combat human trafficking on a global level, Carr says. "We see in our own cases that traffickers cross borders, and legal solutions need to as well. We've represented clients from all over the world, including Brazil, who have been exploited in the United States. We can help them here, but traffickers are savvy enough to compel them through mechanisms back home. With international partnerships, we can take a tool away from traffickers."

Initially, eight Brazilian students are participating in the UFMG clinic, which is run by Haddad and Professor Lívia Miraglia. The clinic is not an exact replica of the Michigan Law clinic, or of its affiliated clinic in Mexico City, but it is based on a similar structure, in which students work with faculty members to represent victims of slave labor.

"At Michigan, I attended some of Professor Carr's classes. I saw students who were highly engaged, and I saw a formidable conjunction between legal theory and development of practical skills," Haddad says. "I'm very excited to adapt our clinic to our legal system."

The clinic in Brazil is called *Clínica de Trabalho Escravo e Tráfico de Pessoas* (Slave Labor and Human Trafficking Clinic). As the name of the clinic suggests, the terminology varies. "Human trafficking is a newer name for what is a historical phenomenon," Carr says. "It is also called slave labor, forced labor, debt bondage, involuntary servitude. At the core of all of those terms is an exploitation of a person for a service."



Judge Haddad

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### HTC EXPLORES POSSIBILITY OF CLINIC IN ETHIOPIA

Representing Michigan Law's Human Trafficking Clinic, 3Ls Daniel Cellucci and Danielle Kalil-McLane recently joined two U-M School of Nursing students and five Ross School of Business students on a visit to Ethiopia, where members of the U-M delegation met with Ethiopian citizens interested in establishing a comprehensive services clinic—offering legal, health care, counseling, and employment resources—through a partnership with Addis Ababa University. The trip was organized and led by Eva Foti-Pagán, '12, a clinical legal fellow in the Human Trafficking Clinic.

During the visit, the U-M delegation shared materials and best practices for clinical education and advocacy, conducted training sessions, and laid the groundwork for an ongoing partnership between the future Ethiopian clinic and U-M.

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## A Royal Reception

*"It was certainly a very grand reception in the majestic ceremonial rooms at Buckingham Palace in the presence of the Queen and the Duke of Edinburgh, the Princess Royal (Princess Anne), the Dukes of Gloucester and Kent, and Prince Michael of Kent," two Michigan Law professors said in their collective reflection of a February reception that honored the 800<sup>th</sup> anniversary of the Magna Carta. Paul Brand (bottom photo), a William W. Cook Global Law Professor at Michigan Law and an emeritus fellow at All Souls College at the University of Oxford, and John G.H. Hudson (top photo), also a William W. Cook Global Law Professor and a professor of legal history and head of the School of History at the University of St. Andrews in Scotland, were two of only three historians invited to the palace for the reception. Neither had met the queen before. Brand talked with her briefly about why such an old document was of continuing relevance in a very different world from that in which it was originally drafted. Hudson talked with the Princess Royal (Princess Anne) about the value to Lincoln Cathedral of their original copy of the 1215 charter.*



BRITISH CEREMONIAL ARTS LIMITED



Robert Fiske, '55, with the 2014 Fiske Fellows (left to right): Samuel Hall, '13, Elizabeth Grossman, '12, Meredith Garry, '13, and Austin Hakes, '12.

## 2014 Fiske Fellows Gratefully Pursue Their Passions

By Amy Spooner

If hindsight really produces 20/20 vision, then the past year has made one thing crystal clear for the 2014 Fiske Fellows: The fellowship was life changing.

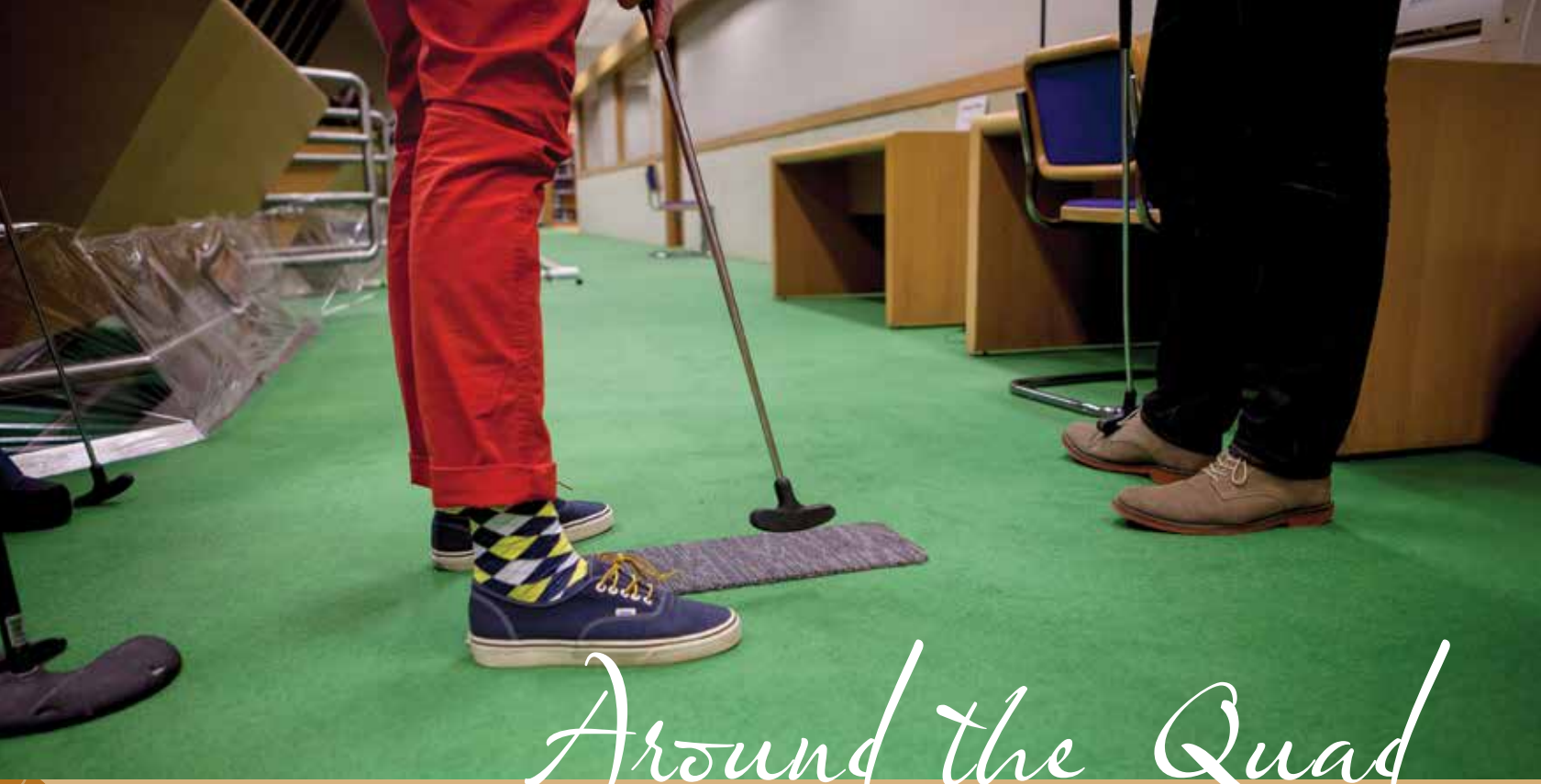
"The Fiske Fellowship allows me to focus on leading and serving Marines, and for that I am profoundly grateful," says Austin Hakes, '12, a judge advocate in the U.S. Marine Corps.

The Fiske Fellowship was established in 2001 by Robert Fiske, '55, a senior counsel at Davis Polk & Wardwell and a former U.S. attorney for the Southern District of New York. Three-year fellowships are awarded annually to up to four Michigan Law graduates who serve as government lawyers. Fellows receive a \$5,000 first-year cash stipend and debt repayment assistance to cover required annual payments for all educational loans, a combination that provides much-needed financial breathing room.

"I'm debt averse, so in my decisionmaking I tend to put undue weight on potential debt and cost," says Samuel Hall, '13, with the U.S. Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section. "The Fiske Fellowship meant that when I was starting my career, I could focus on what was best for me."

In establishing the fellowship, Fiske hoped to encourage more Michigan Law students and recent graduates to consider government service, despite the lure of larger paychecks in the private sector. The 2014 fellows demonstrate that he has achieved his goal once again. "I work every day on issues that I am passionate about," says Meredith Garry, '13, a field attorney with the National Labor Relations Board. "I continue to learn and develop a variety of skills that will serve as a foundation for a long and rewarding career."

Additionally, the fellows have had the chance to work on some of the country's most vexing problems. "I feel lucky to have been able to work for the government right out of law school," says Elizabeth Grossman, '12, with the U.S. Department of Homeland Security, Citizenship and Immigration Services Office of the Chief Counsel. "It's been a huge learning experience and a fascinating time to be working in immigration law."



# Around the Quad



At Michigan Law, we work hard and we play hard. We study, then salsa-dance; we interview for jobs, then hit the links. Counterclockwise from top: Using odds, ends, and ingenuity, members of Legal Alternative Winter Breaks (LAW Breaks) put the bright green carpeting in the Michigan Law Library to good use in January when the group hosted its annual miniature golf fundraiser. Professor Richard Friedman played auctioneer at the annual Student Funded Fellowships Auction, which raised more than \$45,000 in the silent and live auctions. Early Interview Week at the Lawyers Club gave students an opportunity to meet with potential employers representing more than 500 offices of top law firms and government agencies from around the country. The Headnotes a cappella group serenaded faculty, administrators, and their fellow students for Valentine's Day. Admiral James Houck, '85, who retired in 2012 as the 41<sup>st</sup> Navy Judge Advocate General, spoke at the Law School in honor of Veterans Day.





*Clockwise from top: Members of the Latino Law Students Association spiced things up with the Merengue during the annual Culture Show, an evening of song and dance sponsored by the Asian Pacific American Law Students Association. The Law Library hosted a commemorative Magna Carta traveling exhibit in honor of the influential document's 800<sup>th</sup> anniversary. Professors Gil Seinfeld and Debra Chopp welcomed students into their home for a mini-seminar about work/life balance. Winter graduates celebrated the closing of one chapter and the opening of another. David Schlanger, '84, the CEO of WebMD, told students that the company's trustworthiness is vital to its success (read more about Schlanger on page 18, and see a video interview with him at [quadrangle.law.umich.edu](http://quadrangle.law.umich.edu)).*



RESEARCH HAS SHOWN THAT ONE IN SIX PEOPLE NEEDS LEGAL CARE TO BE HEALTHY.

# ONE IN SIX.

That figure informed our decision to highlight the intersection between health and law in this issue of *Law Quadrangle*, first with a feature about medical-legal partnerships. These ventures, such as the Law School's Pediatric Advocacy Clinic, assist people who are denied medical benefits, whose health is affected by unhealthy conditions in rented housing, and many other issues that are known as "social determinants" of health.

Our stories also include a profile of David Schlanger, a Michigan Law alumnus whose legal background helped him build a career that led to the top job at WebMD. We write about alumni who are assisting foreign-national physicians who were trained in the United States to stay in the country and work in underserved areas. We also look at the changing landscape for hospitals in China and profile a recent graduate who previously worked as an emergency room physician.

Together, these stories illustrate that the overlap between health and law is vast. And it is a safe guess that the junction will only become more complex and varied over time.





THE

INTERSECTION OF

HEALTH

AND LAW



## DOCTOR'S ORDERS: CALL YOUR LAWYER

BY KATIE VLOET

PHOTOS BY LEISA  
THOMPSON



**Medical-legal partnerships, such as the Pediatric Advocacy Clinic at Michigan Law, address the social conditions that affect the health and well-being of people and communities. Says Clinic Director Debra Chopp: "The idea is that the legal clinic becomes part of the medical team. We're all working together to improve the health of the child."**

Chrystal Zuniga recalls a time, not long ago, when her daughter could say mom. "It was nice," she says. "But now it's just not there anymore."

Her daughter, Savannah, is 8 years old and has Rett Syndrome, a neurological disorder, as well as DiGeorge Syndrome, a chromosomal disorder that affects her internal organs. Each condition is rare on its own, and the combination is even less common—with odds of about 1 in 34 million for a girl.

Chrystal lists what her daughter can do: grunt to communicate, eat with her hands and sometimes a spoon, stand, turn on *Mickey Mouse Clubhouse*, crawl, stand on her head. And she talks about what Savannah can't do: play with toys, say words, eat

with a fork or knife, get dressed, climb stairs without a railing, use a toilet. Large blood vessels were wrapped around her esophagus when she was born; this was repaired when she was 4, but she still has had some difficulty with swallowing, making it hard for her to gain weight. "I pretty much take care of her 24/7," Chrystal says while sitting next to Savannah on a couch at their house in Jackson, Michigan.

Savannah bounds up suddenly and then crawls across the hardwood floors. Her younger sister has left a door open, and open doors are intolerable for Savannah. She closes it, walks back, and sits next to her mother, seeming slightly calmer.

The job of caring for Savannah is exhausting, to be sure, but the situation was made far more frustrating for Chrystal in the past year and a half. Savannah was doing better—or, at least, not regressing as quickly—thanks to speech, occupational, and physical therapies. She could hold objects with greater ease, she generally walked rather than crawled, she could make more sounds than just “eh.”

Then her Medicaid managed care plan began denying coverage of those treatments. She was still receiving some therapies at school, but not as much as her pediatrician, Dr. Joseph Zickafoose at the U-M Health System, thought she needed. “They were using criteria to deny coverage that are used for adults but that should not be applied to children,” Zickafoose says. He and his staff appealed, to no avail. “I was incredibly frustrated.”

Zickafoose knew the family needed help of another kind. He told Chrystal to call a lawyer.

### MEDICAL-LEGAL PARTNERSHIPS

Specifically, he put her in touch with the Pediatric Advocacy Clinic (PAC) at the Law School. The clinic is what is known as a medical-legal partnership; the faculty members and student attorneys work with health care providers and social workers to advocate for children’s health and well-being—usually children from low-income families who may not otherwise be able to afford an attorney.

PAC, which started 10 years ago, partners with Mott Children’s Hospital at the U-M Health System, the Corner Health Center in Ypsilanti, the U-M Ypsilanti Health Center, and the Washtenaw County Public Health Maternal Infant Health Program. The faculty and student attorneys work together with the U-M School of Social Work and the U-M Medical School.

The clinic only takes civil cases. Some involve family law—domestic violence, divorce, or guardianship cases, for instance; many involve students not getting the special education services and accommodations they need at school; other cases address the denial of Medicaid or other benefits.

“The idea is that the legal clinic becomes part of the medical team. We’re all working together to improve the health of the child and reduce stress on the family,” says Debra Chopp, director of PAC and a clinical assistant professor of law. “To get the holistic care that children need, sometimes a legal intervention is necessary.”

Medical-legal partnerships have been established in 262 health care institutions in 36 states, according to the National Center for Medical-Legal Partnership (NCMLP) at The George Washington University. Many of the social conditions they address are a result of a denial of services and benefits that are designed to help vulnerable people. Some cases are landlord-tenant disputes involving people who live in housing with mold or rodents, which can lead to or exacerbate asthma and other illnesses. Others involve seniors who are denied access to long-term care or domestic violence victims whose health and safety—and that of their family—is affected by abuse.

“These social determinants of health all constitute health-harming legal needs,” says Joel Teitelbaum, co-principal investigator of NCMLP, “and they cannot be treated effectively without some level of legal care. Research has shown that one in six people needs legal care to be healthy, so the integrated medical-legal approach is critical to helping the most vulnerable Americans get and stay healthy.”

Awareness of PAC is high among social workers at the clinic’s partner facilities, Chopp says, but many physicians remain unaware of its services and medical-legal partnerships in general. That’s why Zickafoose recently asked his supervisor to invite lawyers from the clinic to speak with all of the primary-care pediatricians at U-M so they can learn about its services.

“Medical-legal partnerships are something that very forward-thinking folks in law and medicine have been working on for a number of years, and I know that they can benefit many of our patients,” he says.

*Savannah Zuniga, age 8, has two rare conditions that affect her mobility, speech, and cognition. The Pediatric Advocacy Clinic at Michigan Law has worked with her family to ensure that her therapy is covered by her Medicaid managed care plan. “I pretty much take care of her 24/7,” says her mother, Chrystal, pictured at right with Savannah.*



## LIFE, DEATH, AND THE LAW

Some of PAC's cases involve life-or-death issues, such as Daniel Dobrowolski's case. Daniel is 20 years old and has severe Hunter Syndrome, a genetic disorder that causes permanent, progressive damage. The condition affects a person's appearance, mental development, organ function, and physical abilities. Daniel is in a wheelchair; he does not speak, and it is unclear if he understands when others speak to him. He weighs only 75 pounds.

"We first started noticing something at age 2 and a half when he wasn't talking like his older brothers had at that age," said Kathy Dobrowolski, Daniel's mother. Shortly thereafter, he was diagnosed by a geneticist. Daniel went through a phase when he was hyperactive and would walk to neighbors' homes and ring their doorbells, and sometimes walk right in. He often stayed up all night. Then a series of health problems, including the collapse of his left lung at age 4, resulted in a significant reduction in Daniel's activity level.

"We agreed early on that we would take it one day at a time and not feel sorry for ourselves, or for Daniel," said Paul Dobrowolski, Daniel's father.

As the years went on, Daniel's health deteriorated. His facial features thickened, he lost much of his hearing and vision, and his breathing became more labored. He stopped growing. His facial expressions still suggest whether he likes or dislikes something. But he is non-verbal, and he is estimated to be between six months and 1 year old cognitively. Still, thanks to special-education laws, Daniel is able to attend High Point, a public school operated by the Washtenaw County Intermediate School District. He began there in 2003 and can continue to attend until he turns 26.

"He does an amazing amount of work at school," Kathy said. He uses a computer with the help of a large button that he can press when a staff member's hand is over his. He makes art projects such as handprint wreaths and gifts for Father's Day and Mother's Day, and he even swims.







*Daniel Dobrowski's parents, Paul (below) and Kathy (above), worked with the Pediatric Advocacy Clinic to ensure that Daniel's school honors their do-not-resuscitate order. "We just don't want him to suffer," Paul says.*



The family loves the school—"we're blessed to have High Point in Michigan," Paul said—so it was especially difficult when Paul and Kathy were told that the school district would not honor their do-not-resuscitate (DNR) order for Daniel.

The family had worked with Daniel's palliative care team at U-M's Mott Children's Hospital to formulate a DNR for him. His physician said that Daniel would not feel pain if his heart stopped naturally, but he would if someone tried to resuscitate him. Paul and Kathy challenged the school district's position not to honor the DNR, but to no avail. "We were at a loss as to whether this was something you need a lawyer for," Kathy said. A member of the palliative care team suggested they contact PAC.

The clinic took on the Dobrowskis' case. Last summer, student attorney Amanda Merkwae, a 2L, presented the case before the Hon. David S. Swartz, chief judge of the trial court and presiding judge of the civil/criminal division in Washtenaw County.

The right of Daniel's guardians should supersede that of the school district, Merkwae argued. She said the DNR only prevented three things: use of a defibrillator, chest compressions, and cardiac medications. Daniel, she said, should be allowed to experience "peaceful and painless final moments."

The school district's attorney said that, in the narrow window of time when the school staff members would treat Daniel before paramedics arrived, they wouldn't have the tools to determine if his heart had stopped naturally. He also pointed out how traumatic it would be for the students and staff at the school if Daniel were to die there.

Merkwae countered that the staff can and should still respond to Daniel if he needs help at school—by positioning him, suctioning his trach tube,



providing oxygen, and generally comforting him. "The school district's policy on the whole is not reasonable," she said. Judge Swartz would not make a ruling about the policy as a whole that day, but in Daniel's case, he said, "there is absolutely no question" that the school district should respect the DNR.

Outside the courtroom, Merkwae received congratulations from Paul and Kathy, as well as L. Kate Mitchell, PAC's clinical teaching fellow. "Most veteran attorneys could not have done as well as you just did," Mitchell said. One of the school district's attorneys said "wow" upon hearing that Merkwae was just a 2L.

"I don't know where we would be without them," Kathy said of the PAC legal team.

A few months later, Paul and Kathy sat at their home in Saline, Michigan, talking about Daniel and the case. They still love High Point, and they have had good conversations with staff members there since the court ruling. "It was a learning experience for everyone as to what the DNR would entail," Kathy said. "We know that everyone, from the principal on down, truly want what is best for Daniel."

Daniel, meanwhile, sat nearby in his wheelchair. Paul arose periodically to suction his son's trach tube. Kathy and Paul are very aware that they are lucky to have had as much time with Daniel as they have. Life expectancy usually is in the mid-teens, they say, and Daniel already has lived beyond that.

"Daniel is still teaching us a lot about life. He still gives us a lot of love, and he draws the love out of us," Paul said. But when it is Daniel's time to go, he said, "we just don't want him to suffer."

## HOPE FOR SAVANNAH<sup>7</sup>

Back in Jackson, student attorney Annalyce Shufelt, 3L, explained to Chrystal the meaning of a letter they received from the state Department of Community Health. At first, Chrystal seemed unwilling to believe the good news—and, really, who can blame her?

First, she faced the denials of coverage from Savannah's Medicaid managed care plan. Then, Dr. Zickafoose unsuccessfully appealed the decision. "I thought of giving up," Chrystal said. PAC got involved and was granted an administrative fair hearing. The clinic's attorneys explained to the administrative law judge that the standard used in the denials of coverage should be applied only to adults.

The rejections were based on the adult standard that therapies would not be covered if they were "habilitative"—that is, teaching someone to perform a task or skill for the first time. Using that rationale, Shufelt said, "If you are 2 years old and can't walk, you will never qualify for physical therapy. In what world does that make sense?"

PAC attorneys argued that Savannah's care should be covered under the federally mandated Early Periodic Screening, Diagnosis, and Treatment (EPSDT) Program, which requires coverage of a wide range of medical services for children enrolled in Medicaid in order to prevent conditions and disabilities from worsening due to lack of care. Medical necessity should be the only standard for coverage of treatment, they argued.

The administrative judge had not heard of EPSDT, Shufelt said, so the attorneys wrote a brief about it. During the hearing, Shufelt conducted a blind cross examination of an unexpected medical expert. "Did you assess Savannah using medical necessity as the standard?" she asked. He said he hadn't. Yet they still lost, and the judge did not mention EPSDT in her ruling.

Meanwhile, the clinic worked with Savannah's school to get additional therapies for her there, including a boost of her speech therapy from 15 minutes a week to 30 minutes. But the school's resources are limited, Shufelt said, and significantly more therapy was necessary.

In regard to the Medicaid coverage, "We weren't sure what to do: appeal in circuit court in Michigan or go on the path to a federal lawsuit," Shufelt said. In determining the strategy, clinical teaching

fellow Mitchell said, PAC took an "upstream approach"—that is, analyzing the case to identify the root of the problem and determining strategies that can fix the problem at its source.

"A specialist in the Zuniga case indicated that the issues that Savannah was experiencing were pervasive after recent changes to the provision of Medicaid coverage to children with chronic medical conditions in Michigan, so we knew to think about the case more systemically," Mitchell said. "Instead of appealing the case to circuit court so we could get a remedy just for Savannah, we chose an approach that could fix the coverage issues for all similarly situated children in Michigan."

The clinic made a direct appeal to the state agency that oversees Medicaid with a letter to the Department of Community Health in November. Chrystal, meanwhile, looked into paying for therapy herself, but the cheapest she found was \$35 per session for three sessions a week, which she could not afford.

Good news arrived in January, when a letter from the Department of Community Health was delivered to PAC. "We agree that the services in question are medically necessary and therefore fall under the [EPSDT] program requirements for Medicaid beneficiaries under the age of 21 years," the letter said. The letter also said that the department would add information to its EPSDT toolkit that describes the federal requirements, and that the department would send a copy of the letter to the Michigan Administrative Hearing System so that administrative law judges could gain an understanding of the EPSDT requirement.

Shufelt was ecstatic—both that Savannah's care would be covered, and that their efforts might affect more children. "We don't want this to happen to any other kids," Shufelt said. "We want the standard in Michigan to be changed so that it is compatible with federal law."

Chrystal took Savannah for medical evaluations in February, and the recommendation was for occupational, physical, and speech therapies three times a week. She remained circumspect about the chances that the therapies would be covered by Savannah's Medicaid plan. But she also allowed herself a bit of guarded optimism.

"I hope she gets the therapy she needs. I hope she will up her strength and be able to move around better, and maybe even to talk again," Chrystal said. "I hope so."

*Thanks to the legal work of the Pediatric Advocacy Clinic, the state Department of Community Health recently stated that Savannah's treatments are medically necessary.*





## THE JD AT THE HELM OF WEBMD

**David Schlanger, '84, used his legal education as the springboard for a career in business. Here, we look at how he rose to the position of CEO of the company behind the most-visited health information website in the world.**

BY KATIE ULOET



When David Schlanger was an undergrad trying to decide between pursuing an MBA or JD, he met a man at a job fair who recommended the latter. “He told me that law is the better education, and that it gives you more flexibility,” Schlanger recalls.

He took the advice and never looked back. “I went to law school not even knowing if I wanted to be a lawyer,” says Schlanger, now the CEO of WebMD. “But I knew it would be an education that would serve me well. I think not enough students realize that a law degree is such an advantage in the business world.”

Schlanger did indeed begin his career as a lawyer—as an associate working on corporate finance and mergers and acquisitions at Latham & Watkins. As a result of the network he built there, a new

opportunity arose: One client suggested that the chairman of his company speak with Schlanger. “[The chairman] said to me, ‘You don’t want to be a lawyer at a law firm anymore; come to the business side.’ I went to the managing partner at the firm, and he said I could come back to the firm after a year or two if I wanted.

“But here I am, 25 years later, still on the business side,” Schlanger says. Schlanger began at Medco Containment Services, where he was vice president of acquisitions. He followed that with a stint at Merck as executive director of business development, then more than six years as senior vice president for corporate development at Syntec Inc.—a company that was part of Medical Manager Corp., with which WebMD merged.

*"I think not enough students realize that a law degree is such an advantage in the business world."*

In 2001, he began working at WebMD, first as senior vice president for corporate development and later for strategic development as well. In those roles, he structured, negotiated, and managed key strategic partnerships with WebMD's major media partners, customers such as Bausch & Lomb and Pfizer, and technology and content partners. He also played a key role in the launch of new businesses, including *WebMD the Magazine*—a publication widely distributed to physician waiting rooms—and WebMD in the United Kingdom.

"In those positions, I developed the management skills and expertise that allowed me to assume a greater management role at the company," Schlanger says.

In 2013, Schlanger was named CEO of the company, a network that consists of owned and operated websites and applications for consumers and health care professionals. WebMD ranks No. 1 in the health information category for unique visitors on both desktop and mobile. WebMD's health network is visited by approximately 70 million unique users per month in the United States and its site for health care professionals, Medscape, has approximately two million active physician members worldwide. The company's annual revenues were approximately \$580 million in 2014.

Strong numbers, but Schlanger has his sights set on growing the company much more. "There's no such thing as standing still," he says. "Health care is really undergoing transformational change. Digital health care technology is growing rapidly; health care is the last industry that isn't very digital, but it's going to catch up and it's going to catch up quickly. And the whole notion of who is financially responsible for health care is undergoing radical change. We see a lot of opportunities for growth."

One big area of growth: WebMD is developing a service in which patients will be able to access all of their health records in one place. "A collaborative care record will become something we'll be able to provide that will help people make

better health care decisions. We foresee WebMD as the single place where people manage all of their health care.

"Once you build those digital bridges, and your physician can help you manage your health care throughout the course of the year, you're going to get much better outcomes," he says. "After all, it really is your health, your life, your body; you need to be in control of your data. It's about you."

At many stages of his career, including as CEO, his legal training has been tremendously beneficial, he says. His understanding of issues such as consumer privacy, pharmaceutical industry advertising, and the key terms to focus on when making acquisitions of other companies is aided by the depth and breadth of his legal knowledge, he says. "Having been on the legal side of transactions makes it easier for me to understand them than it may be for other people," he says.

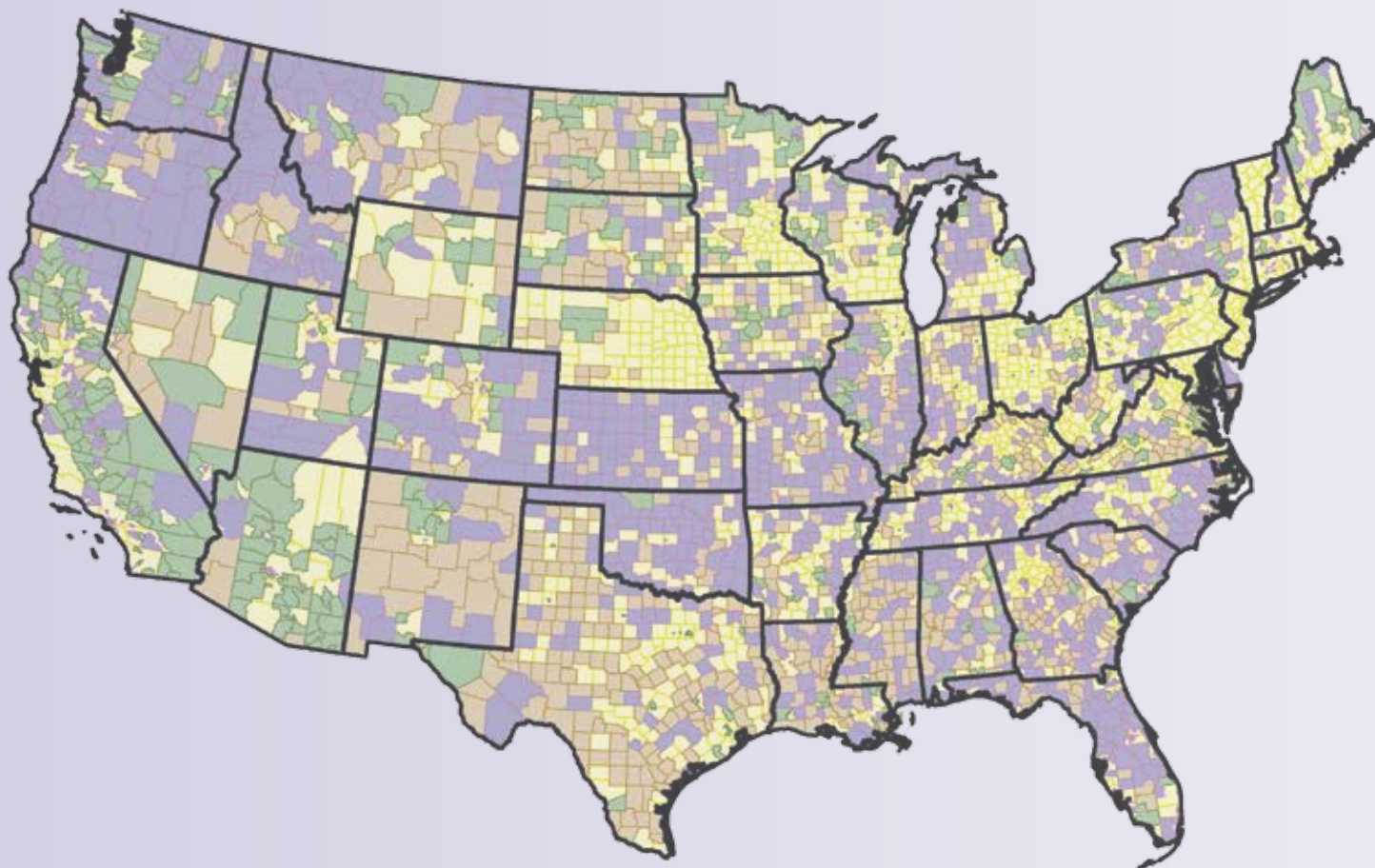
"I also know that my education at Michigan Law School allowed me to establish the connections that were necessary to developing the career I've had," he adds.

Schlanger began his undergraduate education at U-M but switched to Georgetown. Then, he says, "I missed Ann Arbor and the emotional connection I had with the University. I didn't know what I had the first time I was there."

His return to U-M for law school proved to be a good one, personally as well as professionally. "I met my wife when I was a 1L and got married after my 2L year," he says. His wife, Lori, studied nursing at U-M (BSN '82), and her parents and sister also attended the University. The Schlangers have three children who grew up visiting Ann Arbor often.

"When it came time for college, none of them would even consider going anywhere other than the University of Michigan," he says. "All five of us have Michigan degrees. It's a pretty powerful experience when you sit in the stadium and see your children graduate from the same place you did, and where you all have the emotional connection."

SAM HOLLENSHEAD PHOTOGRAPHY



HEALTH RESOURCES AND SERVICES ADMINISTRATION

# IMMIGRATION LAW AND THE NATION'S PHYSICIAN SHORTAGE

**Lawyers are trying to help foreign-national physicians who trained in the United States stay in the country to treat medically underserved patients. The process is reportedly laborious and burdensome to employers and physicians alike. We look at this lesser-known facet of federal immigration law, one that is potentially vital to the nation's health care needs.**

BY KATIE VLOET



Most foreign nationals who complete their medical residency or fellowship in the United States must return to their native country for at least two years afterward, but they can apply for a waiver that will allow them to stay and work in a geographic or specialty area that is underserved. That process is long, complex, and costly—so much so that one of Kristen Harris's clients dreamed of practicing in the United States but ultimately said, in essence, *Forget it; I'm going to Canada.*

Harris, '98, specializes in immigration cases, including many that involve foreign nationals who are physicians. She works with health care facilities and doctors to request waivers of the requirement

that the doctors return to their home country for two years under the terms of their J-1 visas, which are used by people who participate in work- and study-based exchange programs. She has been very successful in doing so, but she understands her clients' frustrations.

"The immigration system can be outmoded and dysfunctional when it comes to hiring the best and brightest," says Harris, founder of the boutique firm Harris Immigration Law in Chicago. "We have huge swaths of medically underserved areas, yet even a straightforward J waiver case can run for nine to 10 months.



*Health Professional Shortage Areas (HPSA) in primary care exist in geographic areas (green) and among population groups such as low-income people (purple). Tan areas of the map indicate high needs in the geographic region, while yellow is used in areas that are not primary-care HPSAs. Kristen Harris, '98 (top), Dayna Kelly, '91 (middle), and Chris Wendt, '98, help foreign-national physicians who trained in the United States to stay in the country and work in underserved areas.*

"The real issue is that we're heading toward a health care crisis in this country," adds Harris, also the advocacy co-chair of the International Medical Graduate Taskforce. "We have the means at our disposal to have a U.S.-trained workforce...if we could fix the system."

Harris is optimistic about prospects to fix the system, given recent executive-branch announcements regarding immigration. "The administration has signaled it recognizes the potential value of physician immigration. What we have right now is a unique window of opportunity. Minor administrative fixes could provide major policy benefits—improved health care access for Americans and lessened burden on safety-net facilities seeking to hire qualified, U.S.-trained foreign national physicians."

J-1 medical doctors can apply for a waiver of the two-year residence requirement under the Conrad 30 Waiver program. Each state has developed its own application rules and guidelines, but in all states, the following must occur for the application to be approved: The doctor must agree to be employed full time in H-1B nonimmigrant visa status at a health care facility located in an area designated by the U.S. Department of Health and Human Services as experiencing shortages, a Veterans Affairs facility, or a facility that provides care to residents of medically underserved areas; must obtain a contract from such a facility for a three-year term; and must obtain a "no objection" letter from his or her home country if the home government funded the exchange program.

Each state, as well as the District of Columbia, Guam, and Puerto Rico, can recommend up to 30 waivers a year. The challenge arises in working with the different rules set by each state, says Dayna Kelly, '91, founder of an eponymous law firm in Chapel Hill, North Carolina. For instance, in the past, California would not grant waivers to specialists—even physicians who worked in medically underserved regions or medical specialties. Recently, the state began accepting specialists, but waits until late in the application process—after most applicants would like to know where, and if, they will be working.

"Since each state can set its own program rules, my work includes building relationships with the state department of health administrators and working on ensuring that their rules and conditions make

sense," says Kelly. "It's very satisfying when I can help programs change for the better. One example is North Carolina, which used to have a four-year requirement. Now it's the standard three years."

The system can be so difficult to navigate that some large medical institutions employ lawyers who specialize in this area. Chris Wendt, '98, is the in-house immigration lawyer for the Mayo Clinic, which has major campuses in Minnesota, Arizona, and Florida, as well as dozens of locations in other states.

"It's a patchwork of state and federal rules. It's hard to explain to physicians, who think logically, why you can't do things in certain states. It's especially difficult because these are people who sincerely believe that what they want to do is in the best interest of patients," says Wendt.

While it can be frustrating, Wendt says, he also understands the need for limits and for having a process through which foreign nationals must apply to stay in the country. After all, he says, the physicians came to the States for graduate medical education "knowing that they have this two-year home stay requirement."

The need for foreign-national physicians will only continue to grow, particularly under provisions of the Affordable Care Act that emphasize primary care, the three alumni predict. Harris hopes that the process becomes more streamlined for these international physicians who are trained in the United States. "My hope would be that we could be open to a much more transparent and time- and cost-effective method of adjudicating health care providers in the future," she says. "I hope there will be continued bipartisan recognition that we have to increase graduate medical education slots within the United States and that money will be put into that, so that quality health care can be provided for more people in this country."

Kelly points out that the physicians often benefit the places where they work long after they have satisfied the requirements of their waivers. After they have had H-1B status for three years, some of them get Green Cards and then apply for citizenship. "I see that the doctors who come to these communities tend to stay in the communities. They raise their children there. And it's not just in rural areas; it's in all places where there just aren't enough physicians to treat the needs of the community."



## RISK AND REWARD

**Seth Yu's work puts him at the forefront of a trend: Western health care companies opening private hospitals in China for Chinese patients. The challenges facing these companies in the world's most populous country are vast. But so are the opportunities.**

BY KATIE VLOET



*Good people beget good people*, says the tagline in Seth Yu's email signature—a quote from the founder of the company for which he works. If changes in China's health care system progress as Yu predicts, a corollary might be: *Good hospitals beget good hospitals*.

Yu, LL.M. '08, is on the front lines of a massive change that is just beginning to occur in the Chinese health care system: the opening of hospitals in China, for Chinese citizens, by Western companies. As a member of the executive managing committee of Chinaco Healthcare Corp. (CHC) International Hospital in Cixi, China, Yu helps to make major decisions about hospital operations, staffing, and more. As chief compliance officer and chief administrative officer of CHC Healthcare, he is responsible for the design and implementation of compliance programs involved in system

expansion, mergers and acquisitions, and supply chain.

The hospital itself is groundbreaking. With 500 beds and about 1,500 daily outpatient visits, it is the first U.S.-China joint venture general hospital for the mainstream Chinese population. "There have been small Western hospitals in Beijing, Shanghai, and Guangzhou since the 1990s," Yu says, "but they are almost exclusively for Western expats or super-rich Chinese."

And while CHC is the first, it certainly won't be the last—a dramatic change for a country where, as of 2010, private hospitals represented only 6.5 percent of the market. "Several U.S., UK, and German companies are in the process of opening general hospitals all over China for Chinese people," Yu says.



In that way, good hospitals could indeed beget good hospitals. “Hopefully in response to our hospitals,” Yu says, “local competitors will have to raise their game to a new level to remain competitive, which in the end will benefit the people.”

## REFORM AND OPPORTUNITY

The growth is, in large part, the result of a 2009 health care reform package in China, which has the goal of providing near-universal insurance coverage, increasing spending, and upgrading facilities. The reform came about in part because of a demand from the public for better health care.

“They are much better off economically than 20 years ago, so naturally they want the quality of health care services to match their economic growth,” says Yu. His company was eager to be a part of providing those services, Yu says. CHC was founded in 2008 by Dr. Thomas Frist Jr. and his family, which also founded Hospital Corporation of America (HCA), the world’s largest private operator of health care facilities, in 1968.

Health care reform in China, according to a 2010 report by the global management consulting firm McKinsey and Co., encompasses “ambitious” goals: to establish a basic, universal health care system that can provide safe, effective, convenient, and low-cost services to all of the country’s more than 1.3 billion citizens.

The McKinsey report predicts that the trend of foreign hospitals will continue to develop, but the extent of development depends in part on the role of insurance companies. Right now, insurance companies only pay less than 1 percent of the market share in China.

China hopes to learn lessons from health care reform in the United States, the United Kingdom, and elsewhere “in order to provide adequate and quality health care to its massive population,” Yu says. “They want to learn from companies like CHC,” he adds, about how to increase operational efficiency through shared services, how to take advantage of state-of-the-art hospital information systems, improve the quality and safety of medical services, and create for-profit organizations that are committed to the common good of the society.

Among the changes brought on by health care reform is that doctors now can practice at more than one facility. Making physicians more mobile and easier to recruit, the McKinsey report says, would allow private hospital operators to reach more patients—including those at facilities such as the CHC International Hospital. Additionally, according to a report in *Modern Healthcare*, private

hospitals now are being considered for inclusion in public health insurance networks on the same terms as public hospitals.

It’s easy to see why Western companies would want to open facilities within this new framework in China. According to the McKinsey report, the market—which was estimated at \$240 billion, about 5 percent of China’s GDP, in 2010—could exceed \$600 billion within 10 years.

## CHALLENGES AND THE ROAD AHEAD

Opening health care facilities in China, however, presents many challenges. While the health care systems in China and in the United States have some similarities, Yu says, they are different in important ways. For instance, doctors in China are employed and limited by a system that originated from the Soviet era. Government insurance (comparable to Medicare or Medicaid) keeps the price for service extremely low. Many hospitals in China are “grossly outdated,” though a few new ones are “very impressive,” Yu adds.

A challenge for CHC and other companies, he says, is localization. “Dr. Frist always tells us that health care is local. Originally our hospital executives were all expats that knew a lot about hospitals in the United States or Hong Kong but much less about Chinese hospitals and the mainstream Chinese population,” Yu says. “Now they have all been replaced by local hires.”

Yu’s work as a compliance officer in particular, he says, “is extremely challenging or even risky.” For example, kickbacks are common in almost all aspects, including drug sales, equipment sales, patient referral, surgical operations, and logistics, he says. “Eradication of corruption takes a systematic approach that includes all of the governments, pharmaceutical companies, medical device companies, providers, and patients. Until the whole system is cleaned up, all of the players face tremendous challenges and exposures.

“Luckily for me, though, patient-centered hospitals are less likely to be involved in corruption than sales-centered enterprises,” Yu adds.

Yu left a job in Nashville as associate general counsel for the state’s Human Rights Commission to take the position with CHC. The decision to leave Tennessee for China ultimately was an easy one, he says, because of the impact he can have in his home country—where, incidentally, his parents both worked as physicians in public hospitals.

“Being a positive force to improve health care for thousands and potentially millions of patients,” he says, “is a once-of-a-lifetime opportunity.”

COURTESY OF CHC INTERNATIONAL HOSPITAL



Seth Yu, LLM '08, is on the executive managing committee of CHC International Hospital in Cixi, China (above), which was built on the location pictured at left.



## PRESCRIPTION: CAREER CHANGE

**After more than a decade as an ER physician, Mike Casner decided it was time for a new challenge. He set his sights on law school, and never looked back.**

BY MEG TEBO

If there's one thing Mike Casner, '14, can't stand, it's inefficiency. From the careful notes he keeps about the annual vegetable garden in his Chicago backyard, to the simplicity of his office setup as an associate at Foley & Lardner LLP, Casner seems wired for organization and economy.

Indeed, after noticing that his attention would sometimes wander from his work to the magnificent view outside his 30<sup>th</sup>-floor office window, he moved his computer to face the interior of the room in order to limit the chance for distraction.

That self-discipline and focus served Casner well academically—first as a medical student and, more recently, as a law student. A 1997 honors graduate of Loyola University Medical School, Casner, 43, finished his emergency medicine residency at the University of Chicago hospitals in 2000. He then spent more than a decade as an emergency room physician in Chicago and San Francisco.

"The ER is where you see anything, from gunshots to the flu. One patient is having a heart attack, and the next is having a baby," says Casner.

He enjoyed the challenge of never knowing what was going to come through the door—until he didn't. Though Casner himself is reserved when asked about why he left, his domestic partner of more than 11 years, John Stryker, says the problem was that emergency rooms have become all-purpose clinics, where highly trained doctors find themselves giving vaccinations, renewing prescriptions, and taking care of basic medical needs that could be met better in a different setting.

"It's a broken system, and it's frustrating to work in," says Stryker, a nurse practitioner. "A very inefficient system."



And so, in 2011, Casner walked away from his job as an ER physician and came to Ann Arbor to try his hand at law school. He had taken some law-related classes in medical school and was intrigued. He relished a return to the intellectual rigor he'd found in medical school, and he wanted to find a new way to do meaningful work.

He was admitted to several top-tier law schools, ultimately choosing Michigan Law for the solid academics and the draw of Ann Arbor. It also was close to Chicago, where Stryker remained during Casner's studies, taking care of their house and pets, as well as working at his own job. Casner spent holidays and summers back in Chicago and graduated in May 2014.

Casner describes returning to school after so many years away as "exciting, exhilarating, terrifying, and amusing." He loved the energy of being back in the classroom among people who wanted to learn as much as he did, being taught by some of the top legal minds in the country. But he worried at first about getting his academic mojo back. It had been a long time since he'd sat in a classroom. Ultimately, he found he was able to enjoy the whole experience because he was able to put it in perspective.

"I was the oldest person in my class. I worked hard and wanted to do well, but I didn't let it get to me. If I had a deadline, I took care of it. I didn't freak out because nobody was dying. Nobody was bleeding. Nobody was giving birth," he says.

Casner always intended to return to Chicago to practice law. Though originally from the East Coast—he's lived in New Jersey, Boston, and Washington, D.C.—Casner says Chicago is home. He's been there since he started medical school in the late 1990s, and, except for a three-year stint in San Francisco, he's been there ever since.

"Chicago has it all: world-class museums, sports, theater, the lake and beaches, restaurants. And it has a lot of health care-related legal practices, which is what I want to do," says Casner.

Though Foley & Lardner doesn't allow new associates to specialize for their first few years, Casner says he'd like to represent hospitals and medical practices in regulatory and white-collar crime suits.

"Some of these medical entities get accused of Medicare or Medicaid fraud, when really it's just that the system is so complicated that people make mistakes, without necessarily intending to do anything wrong," says Casner.

He's already been able to put his medical training to use. Colleagues working on a case involving transcripts of radio transmissions between paramedics/EMTs and their medical supervisors asked him to review and summarize the transcripts, pulling out key information from the medical jargon and acronyms.

"I know the lingo medics use and I can cut right to the heart of what's important without getting bogged down by trying to decipher what is essentially a foreign language to non-medical people. It was fun to jump in and boil things down to their essence for what's important to the case," says Casner.

Casner admits that going back to being a newbie in law after years as a boss in medicine has presented some challenges. But he recognizes that he needs to learn the law just as he learned medicine, and that answering to more experienced colleagues is the only way he's going to gain the knowledge.

His tendency toward efficiency and willingness to speak up have served him well. For instance, he tells of a busy day as a document review deadline approached. Faced with an ever-growing number of tasks from the supervising attorney, Casner asked if, rather than handle each new issue as it arose, it would be acceptable for him to wait and address everything together at the end of the day. The supervising attorney was fine with that, he said, as long as he met the final deadline, which he did. Casner says he preferred the efficiency of working on the project as a whole after business hours rather than taking a piecemeal approach throughout the day, and he isn't sure that other new associates would have felt comfortable asking to do things their own way.

Having made a major career change himself, Casner enthusiastically suggests that others follow his path. "If you can swing it, I highly recommend getting out of college, picking a job, and working your tail off for a decade or two. Then leave it all behind and go do something else," he says. "I also think life as an associate is a lot easier for an older person with work experience than it is for someone fresh out of school.

"It's truly a remarkable experience being around students again; I know now why teachers do what they do. And it's amazing going into a profession and bringing something new and original to the table."

*Meg Tebo is a practicing attorney and a freelance journalist who lives in Chicago.*

PHOTO BY GLENN CARPENTER

# TRENDS, CHALLENGES, AND THE FUTURE

We asked alumni who work in health-related legal fields about what is happening in their specialties, the challenges they face, and what we can expect in the future. They shared their thoughts about trends related to pharmaceuticals, mass torts, reimbursements, big data, and the implications of the Affordable Care Act.



**AMY B. JUDGE-PREIN, '92**, is counsel at Faegre Baker Daniels LLP in Indianapolis. She has extensive experience representing clients on issues relating to the development and marketing of pharmaceuticals, medical devices, and diagnostics.

## What are the current trends in your field?

One current trend is continued enforcement. Every part of counseling clients involved in drug and device research and marketing has become higher stakes over the course of the last 20-plus years. It is hard to walk the fine line between providing helpful, supportive counsel and scaring clients. The Office of the Inspector General at the Department of Health and Human Services said it best in the *Compliance Program Guidance for Pharmaceutical Manufacturers*, "In short, practices that may be common or longstanding in other businesses are not necessarily acceptable or lawful when soliciting federal health care program business." This means that business practices which may be common in other sectors can result in significant penalties in the life sciences sector—and that leads to companies often having missteps, which can result in very significant penalties.

Another current trend is increased specialization. One example is the FDA regulatory work that now goes into finalizing an acquisition of a drug or device. While IP and financial due diligence have been part of these transactions for many years, there is now an increased realization that companies and products have to be examined for their regulatory compliance as well.

## What are some of the biggest challenges you face?

For smaller life sciences companies, much of what they need to do to comply with FDA and related regulations must take place long before they are generating any revenue. Many companies are tempted to try to cut corners to save money and then often find out that gaps will cost far more to remediate. As outside counsel, we do our best to explain and justify the benefit of preventative legal work but, just like in the health care system, it can be a hard sell. Ironically, attorneys end up making more money when clients have big compliance issues than we do when we support preventative regulatory compliance work—but I always prefer to help clients prevent the problems wherever possible.

## What do you foresee in the next five to 10 years?

I expect enforcement to continue to become more focused on reimbursement in areas where industry and health care providers overlap, such as clinical research.





**JOHN BEISNER, '78**, is the leader of Skadden, Arps, Slate, Meagher & Flom LLP's mass torts, insurance, and consumer litigation group, and is based in Washington, D.C. Among his high-profile cases was his representation of Merck in its Vioxx litigation.



**TOM BULLEIT, '85**, a partner at Ropes & Gray LLP in Washington, D.C., represents clients in all sectors of the health care industry, from academic medical centers and companies engaged in biomedical research and development, to manufacturers of medical devices and pharmaceuticals, to HMOs, and more.

### What are the current trends in your field?

Much of my work focuses on mass tort litigation—lawsuits involving defect or failure-to-warn allegations directed at pharmaceutical products or medical devices. In that arena, the significant trend of the moment is the use of intensive television and Internet advertising by enterprising counsel and marketers to encourage claims against targeted products. The problem is that when those advertising-generated claims are filed, they've often not been fully vetted by counsel and lack foundation. Indeed, there is evidence that in some instances, uninjured claimants have been lured to litigation through unethical means.

### What are some of the biggest challenges you face?

When thousands of lawsuits are filed regarding a particular health care product, some courts and litigants tend to assume all claims are alike. It's often a substantial challenge to get everyone to focus on the fact that each claim is different—each one has its own set of facts and presents distinct legal issues. Further, the factfinder may assume that where there's smoke, there's fire—the court or jury may be predisposed against the defendant's arguments because so many cases are pending. Of course, the fact that people have been persuaded to sue doesn't mean that a product is defective or that the manufacturer did something wrong.

### What do you foresee in the next five to 10 years?

At some point, legislators will come to their senses and restrict lawsuits regarding FDA-approved drugs and medical devices. Litigation regarding such products (as well as rampant malpractice suits) are needlessly driving up health care costs in the United States. That's a large part of the reason why other countries spend far less for health care and have superior systems.

### What are the current trends in your field?

Movement from quantity to quality in reimbursement. Historically, health care providers have been paid based on how many procedures or tests they performed. The Affordable Care Act contains a number of provisions aimed at payment models that are based on the quality of patient outcomes rather than number of procedures. I expect this trend to continue, with a variety of experiments with bundled payment arrangements that encourage providers to order only those procedures and tests that are necessary and show value based on clinical evidence.

Other trends include: consolidations of health care providers into integrated care arrangements; enforcement of fraud and abuse laws; increasing use of big data.

### What are some of the biggest challenges you face?

The trend toward consolidation and aligning financial incentives to produce the right quality outcomes runs up against the laws that prohibit payment for referrals. Helping clients thread the needle is and will continue to be a challenge. The trend toward commercialization of health care data likewise presents some improper-payment concerns (often the sources of data are referrals sources for those who want the data), and also runs up against patient privacy.

### What do you foresee in the next five to 10 years?

I expect these current trends to continue. Additionally, it is probably obvious to say that, despite efforts to control cost, health care cost is likely to continue to increase faster than the rate of inflation, as we continue to develop new products and therapies. A corollary to this is that greater patient responsibility for health care cost is likely to accompany the growth in expensive health care treatments and technologies. I anticipate more employers providing incentives for their employees to join high-deductible health plans, and fewer Cadillac plans that are extremely generous and provide no incentives to stay healthy and seek only medically necessary care.

# THE FAILURE OF MANDATED DISCLOSURE

**Mandated disclosure routinely falls short of its ambitious goals. In medical-privacy notices, for instance, only a small fraction of the population can understand ordinary contractual language. Giving consumers information about such decisions cannot equip them to make the truly informed decisions desired by proponents of mandated disclosure.**

BY CARL SCHNEIDER

“Mandated disclosure” may be the most common and least successful regulatory technique in American law. It aspires to help people making unfamiliar and complex decisions while dealing with specialists, by requiring the latter (disclosers) to give the former (disclosees) information so that disclosees choose sensibly and disclosers do not abuse their position.

Mandated disclosure is everywhere. Undisclosed contract terms are generally unenforceable; hence the fine print. So every “I agree” clicked, every dotted line signed, is a disclosure moment. Mandated disclosures adorn food labels, travel tickets, leases, copyright warnings, time-share agreements, house sales, store-return policies, school enrollment and graduation data, college-crime reports, flight-safety announcements, parking-garage stubs, product and environmental hazards, and car and home repairs. A core response to a financial crisis is to ratchet up (already considerable) disclosure mandates. Much health care reform requires that patients be told about health plans, insurance, doctors, hospitals, treatments, and costs so that they can choose thoughtfully and thriftily.

Nevertheless, mandated disclosure is a Lorelei, luring lawmakers onto the rocks of regulatory failure. Mandated disclosure is alluring because it addresses a real problem, the problem of a world in which non-specialists must make choices requiring specialist knowledge. Its solution is charmingly simple: If people face unfamiliar and complex decisions, give them information until the decision is familiar and comprehensible.

Mandated disclosure, however, routinely fails to achieve its ambitious goals. For example, Loyola Law School Professor

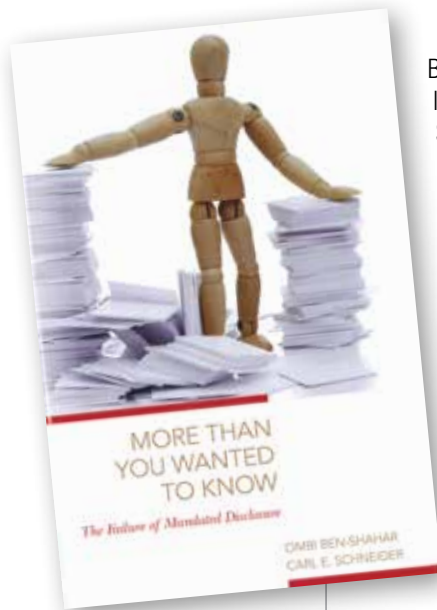
Lauren Willis concludes that “disclosures currently mandated by federal law for home loans neither effectively facilitate price shopping, nor do they result in good deliberate decision making about risk.” The National Research Council acknowledges that “[d]espite decades of research” there has been “little progress” toward “achieving informed consent.” The Brookings Institution’s Clifford Winston’s review of the empirical evidence on “federal and state information policies, including but not limited to disclosure policies, suggests that they have not made consumers significantly better informed and safer.”

Mandated disclosure’s failure is as plausible as its success. Who has not derided disclosures as fine print? Who has not joked—ruefully or resentfully—about clicking “I agree” without reading the terms?

At base, mandated disclosure is ill-suited to its ends. Exactly because the choices for which it seeks to prepare disclosees are unfamiliar, complex, and ordinarily managed by specialists, novices cannot master them with the disclosures lawmakers usually mandate. Consider the arcana the Federal Reserve Board thinks consumers should understand to select adjustable-rate mortgages: “indexes, margins, discounts, caps on rates and payments, negative amortization, payment options, and recasting (recalculating) your loan.”

Mandated disclosure fails because it depends on a long chain of fragile links. It works only if three actors—lawmakers, disclosers, and disclosees—play demanding parts deftly. Lawmakers must correctly conclude that a problem needs a regulatory solution and that disclosure is a good one. They must correctly gauge what disclosure to mandate. They must articulate the mandate correctly and comprehensibly. Disclosers also face challenges. Even under the sweetly optimistic assumption that disclosers try to obey mandates, they must read, understand, and heed the mandate; create or assemble data; and explain them effectively.





But the lawmaker's and discloser's roles look blessedly simple next to the disclosee's. Suppose that people really make decisions the way disclosurites imagine—that they (1) want to make them and (2) want to assemble the relevant information, identify the possible outcomes, assess their own preferences, and determine which choice best serves those preferences. Disclosees would still need to understand disclosures. But even experts can struggle. Massachusetts Senator Elizabeth Warren, former special adviser for the Consumer Financial Protection Bureau, said of a credit-card disclosure: "I teach contract law at Harvard, and I can't understand half of what it says."

Many people flatly cannot read most disclosures. More than 40 million adults are functionally illiterate; another 50 million are only marginally literate. In one study, 40 percent of patients could not read instructions for taking pills on an empty stomach. Innumeracy is worse. In a test of basic numeracy, only 16 percent could answer the three (really) simple questions. Yet financial- and medical-privacy notices are generally written at a college level, and only a tiny percent of the population can understand ordinary contractual language.

Then there is the "quantity question," which comprises the "overload" problem and the "accumulation" problem. The overload problem arises when a disclosure is too copious and complex to handle. The accumulation problem arises because disclosees daily confront so many disclosures and yearly confront so many consequential disclosures that they cannot attend to (much less master) more than a few.

Furthermore, many people avoid making decisions. Patients take their doctor's advice instead of reasoning to their own conclusion; employees duck retirement planning. This may be imprudent, but people are not deciding machines. Their family, friends, work, play, and prayer more than fill their lives. Mastering just one complex and unfamiliar choice is a struggle and a distraction; taking on even a trickle of the flood of disclosures can mean drowning.

Furthermore, many people make decisions with scant information and slight deliberation. They overlook, skip, or skim disclosures. Far from gathering information, people strip it away to make choices manageable. Thus, for instance, many women base their choice of breast cancer treatment on a single

factor. Furthermore, experience teaches people how little they may gain from studying disclosures and how little they may lose by ignoring them.

In short, mandated disclosure seems plausible only on logically reasonable but humanly false assumptions. When buying software online, how many people click on the terms of sale, much less read them, much less try to understand them, much less succeed? In one study, only one or two shoppers in a thousand spent even one second on the terms page. At a mortgage closing, how many people even skim the stack of documents they sign, much less understand them? Surely nobody, since for a simple fixed-rate mortgage that pile can include 69 pages with 36 disclosures requiring 54 signatures. How many people given the *Miranda* warning understand its implications? Yale faculty members and graduate students interrogated by the FBI in the 1960s did not.

Mandated disclosure's unreliability might not matter were it harmless. Mandates look free because they cost government little, because disclosure is rarely a line item in a discloser's books, and because disclosees do not realize they pay its costs. Even if the administrative costs of one mandate are modest, the aggregate cost of thousands of mandates is not. And mandates can do harm. Not least, bad law drives out good: Mandates spare lawmakers the struggle of enacting better but less popular reforms. Disclosures can be inequitable: Complex language sometimes may help the affluent and sophisticated but is useless for the poor and naive. Disclosures can shield disclosers from other regulation, like tort liability or anti-fraud and deception statutes. And complying with mandates can take costly time and effort (like disclosures to research subjects, which have become so detailed and disruptive that valuable research is slowed, damaged, and even stopped).

Mandated disclosure is a regulatory response to the problems of nonspecialists facing unfamiliar and complex decisions. It is broadly, almost indiscriminately, used. But it fails to achieve its goals because unfamiliar and complex decisions are much harder than disclosurite ideology assumes. Giving consumers information about such decisions cannot equip them to make the truly informed decisions disclosurites desire. Mandated disclosure is a fundamental failure that cannot be fundamentally fixed.

*Carl E. Schneider is the Chauncey Stillman Professor of Law and professor of internal medicine. This piece is excerpted and condensed from **More Than You Wanted to Know: The Failure of Mandated Disclosure**, coauthored by Omar Ben-Shahar (Princeton University Press, 2014).*

# *The Memory of Detroit— and Beyond*

*Alumnus Clarence M. Burton*

traveled the globe to acquire historical documents.  
His collection—including some 500,000 books and  
250,000 images—spans 400 years of North American  
history and is regarded as one of the best in the nation.



BY SHERYL JAMES





The Burton Collection includes many images that document U-M's history, including a student in a residence hall (left), a group of women circa 1898 (below left), and students playing tug-of-war in a pond (below).



One day in 1929, in Detroit, Clarence M. Burton wrote a short—well, let's call it terse—letter to a gentleman in Cleveland. He was requesting information about the University of Michigan Class of 1873. The class was to have a reunion, and University officials had asked Burton, an 1874 graduate of U-M's Law Department, as it was then known, to help track down class records. Burton had learned that the man who had been secretary of the 1873 class, and thus responsible for keeping track of its members, had died, and that somehow, all of these long-maintained records had vanished.

Burton was better than anyone at discovering what could be found or determining, if said materials could not be located, why not. He also was tenacious at replacing them via other records, interviews, or similar methods—including blunt questions when warranted. Which brings up the 1929 letter.

It went to a Mr. H.M. Farnsworth, an attorney in Cleveland, where the deceased secretary had lived.

*Dear Sir,*

*At the risk of annoying you, I again write for information regarding the papers of the University Class of 1873, that were in the possession of Mr. Frank E. Bliss at the time of his death. Were these papers actually destroyed, or were they sold to some junk dealer? If they were sold to some dealer, they will be transmitted to some paper mill. This collection of papers is confined to a few dealers. I have heretofore been able to trace papers to the mills, and recover them, and might possibly in this case, if I could get a start.*

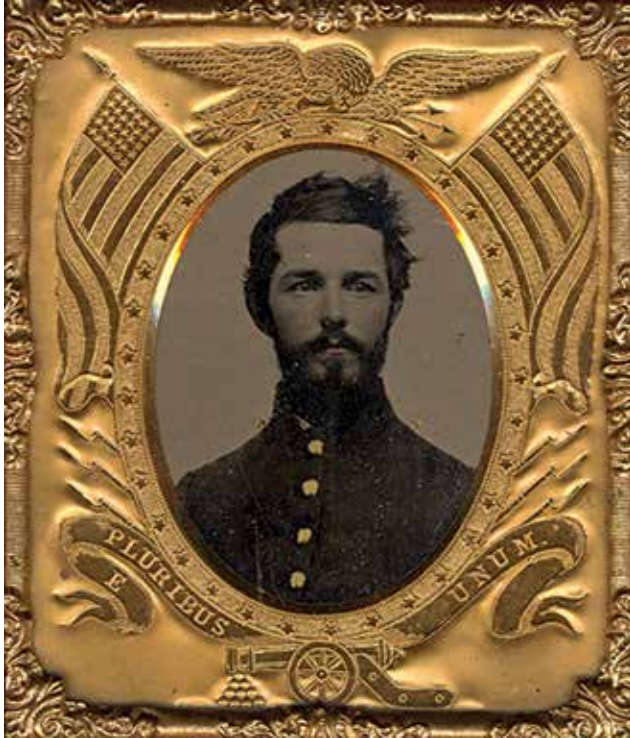
*Before applying to the paper mills, will you answer my question as to the actual destruction of the papers?*

Mr. Farnsworth duly responded three days later, writing:

*I regret to advise you that after conference with Mr. Bliss' children who are reachable here, it is said that the U. of M. papers were all placed in the china cabinet. This china cabinet was sent to the home of one of the children here who reports that there were no papers in the cabinet when it reached his house so that I fear that any search for them will prove futile.*



Civil War images and documents abound in the Burton Collection, such as this ambrotype of soldier Benjamin Pickman Fish (below) and tintype of a soldier (below right). The deed to Belle Isle (below, far right) documents the sale of the island in 1768 from the Chippewa and Ottawa Indians in exchange for rum, tobacco, vermillion, and a wampum belt (pictured on page 34). Dignitaries from U-M cross the Diag (right).



Clearly, Mr. Farnsworth knew little of the tenacity of Burton—who had had personal encounters with chicken coops and outhouses in his lifelong searches for forgotten or assumed-missing historical records, books, and papers dating back to the time of Cadillac and Napoleon. Still, this case was hopeless, so soon after receiving Farnsworth’s letter, Burton wrote to one U-M alumnus that “in order to make up a record of the Class of ’73, we have practically got to start at the very beginning.” He then composed an information survey that he sent to every living member of that class. He succeeded fairly well in his goal, and received grateful acknowledgement from University leaders.

Burton was 76 years old and essentially famous when he worked on this project. He owned one of the nation’s leading title and abstract firms, and was a renowned historian. That he still was willing to traipse through paper mills in this search would have surprised no one who knew him.

Burton had been collecting everything imaginable related to historical documents for nearly 60 years. Twenty years before he wrote Farnsworth, his expertise and his collection, which he kept at his ever-expanding Detroit home, were already well known.

“No resident of the state has a wider and more intimate knowledge of its history, even to the most obscure details than has he...,” stated a short biography of Burton in the 1909 volume, *Compendium of History and Biography of The City of Detroit and Wayne County, Michigan*, by Henry Taylor & Co.

“Mr. Burton’s pride in his private library, one of the best of its kind in the middle west, if not the entire Union, is well justified, and no man in the state is more intimately informed upon its history.”

Just a few years after this book was published in 1914, Burton decided to donate his vast private collection to the Detroit Public Library. One year later—100 years ago—the library formally debuted its Burton Historical Collection (BHC). It consisted of 30,000 volumes, 40,000 pamphlets, and 500,000 unpublished papers.

These papers constituted, as one writer put it at the time, “the memory of Detroit.” It also was the memory of much of the state of Michigan and the Old Northwest. So it was no wonder U-M officials called Burton, renowned historian and faithful alumnus—as well as a well-known real estate attorney in Detroit and the city’s long-serving “historiographer”—for help tracking down the Class of ’73.



Springfield Ill Dec 11<sup>th</sup> 1860.  
 R. W. Clark, Jr.  
 Dear Sir Herewith I send you  
 a graph, which you request.  
 Yours Truly  
 A. Lincoln



A letter signed by Abraham Lincoln (above right) is among the noteworthy correspondences in the collection. The U-M Class of 1870 gathers (above). A mural map of Michigan (right) includes mottoes that translate to “If you seek a pleasant peninsula, look about you,” and “The shoot at length becomes a tree.”

## Uniquely Significant

Burton first got the idea to start what would become a lifelong obsession in 1874, as a 20-year-old U-M student. Burton showed up to hear an evening lecture on campus. The speaker’s subject was “The Northwest in the Revolution,” and he exhibited a 1780 account book. He recommended that all men adopt a hobby outside of their profession. As Burton often related in his later years, this speaker shared that his own hobby was local history. That very day, Burton resolved to collect one book or item of history each day going forward.

And, to use a threadbare but accurate cliché, the rest is history.

Today, the BHC offers to the public more than 500,000 books, 250,000 images, 4,000 manuscript collections, and about 1,000 newspaper titles—some 400 years of North American history. It is regarded as one of the best such collections in the nation. While originally centered largely on the history of Detroit, of Michigan, and of the Northwest Territory, “there are materials on virtually every aspect of early American history, such as the Salem witch trials, the Lewis and Clark Expedition, the California Gold Rush, slavery, and the Civil War, in

the Burton Collection,” says Mark Bowden, BHC coordinator for special collections.

Over the years, the collection expanded as Burton and others added to it, Bowden says. “During his lifetime, people would often contact him when they found something they thought might interest him. He even visited European archives mining for documents related to Detroit and bringing back copies and transcriptions.” Bowden says that BHC also offers “one of the largest genealogical collections—worldwide in scope—in the country.”

Margaret A. Leary, librarian emerita of Michigan Law, describes Burton as a “uniquely significant University of Michigan law graduate who contributed to the University, the city of Detroit, and the state of Michigan during his life.” Through the Burton Historical Collection, he left a lasting legacy, she says. “He was also a generous donor to the University, giving many invaluable books to the University Library, and was instrumental in raising money for Alumni Memorial Hall. Although Burton died 83 years ago, the buildings, institutions, and historical collections he created have benefited thousands of people.”



## Cellars, Attics, and Chicken Coops

Burton first studied science at U-M, then switched to liberal arts, then earned his degree from the Law Department. According to a 1953 biography written by Patricia Owens Burton, Burton's grandson's wife, he did not actually receive his liberal arts diploma because he refused to pay the fee the University charged for it. "Nevertheless," Patricia Burton wrote, "years later (after the Burton name became famous) the University awarded him the diploma."

After earning his law degree, Burton, not quite 21, headed straight for horse-drawn-streetcar-era Detroit, which then had about 80,000 citizens. He took a job with Ward and Palmer, real estate attorneys, for \$100 a year, and "soon made himself indispensable," according to the *Cyclopedia of Michigan*, published in 1900. His job included researching the history of land titles, which required him to look at all varieties of old records. This cemented his lifelong passion for collecting historical items. He thereafter spent more time on this avocation than his career.

But the latter was hardly an afterthought. John Ward, one of Burton's bosses, started a title abstract firm with his nephew. Burton joined, prospered, and, by 1891, had organized the Burton Abstract Company, later to become the Burton Abstract and Title Company. It became one of the nation's largest and most successful such firms.

As he grew in influence and wealth, Burton moved into a larger home, now demolished, on Brainard Street, between Cass and Second Avenue. It was this home that became the repository of his burgeoning collection. Burton soon added a third story, which afforded him a large study.

"My earliest recollections are of this large, airy, and brightly-lighted room all lined with books," wrote his son, Frank, in the 1951 book *When Detroit Was Young*. Burton worked long days at the office, then enjoyed his family through dinnertime and his children's bedtime. After that, he was in his study for hours working on his collection. By 1892, Burton added a fireproof wing at the back of his house, "guarded by double steel doors," Frank wrote.

"...Day by day boxes of books and manuscripts arrived, some from local sources, others from the East or from London..." Catalogues poured in from London, Boston, and New York. Burton perused them, chose what he

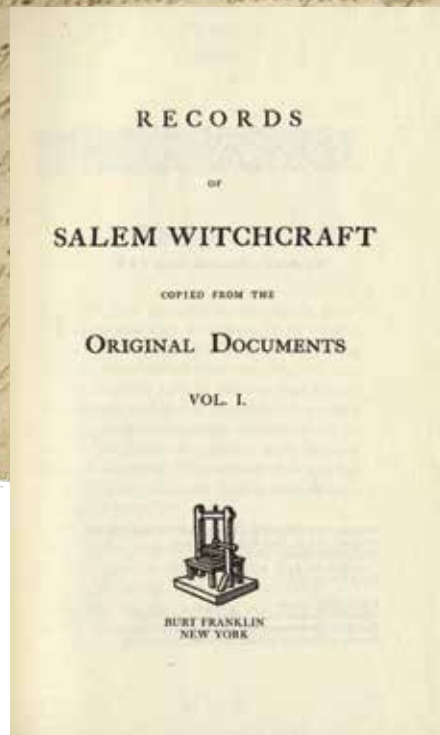
wanted, placed orders. Before long, another wing was added to the house.

Frank reported that his father was "constantly searching for elderly men and women who had lived in or near Detroit." When he found them, he interviewed them, stenographer at the ready. "By constantly questioning the descendants of early Detroiters and also the tenants occupying the old homes of early settlers, he would frequently learn of old boxes or trunks full of letters, books, or other records. Often these were in cellars, attics, chicken coops, and other out-buildings," and people gave the papers to Burton, or agreed to take small payment for them.

Just a few examples of the treasure that became the BHC:

- The papers of Antoine Cadillac, founder of Detroit, about whom Burton became a foremost expert.
- The original *Pontiac Journal*, about the Ottawa chief who led a siege against Detroit in 1763. The *Journal* had last been seen in the 1840s. Burton found it after wielding a pitchfork to scoop up papers littered all over the floor of a home.
- The *Potier Account Book, 1733-1751*, a handwritten record kept by Father Pierre Potier at the Mission for the Huron Indians near Sandwich (Ontario).
- Early 1600s-era Catholic Jesuit missionary reports.
- Letters by Father Gabriel Richard, a Detroit priest and early supporter of U-M.
- Records of military men who served at the early French forts: Pontchartrain, Detroit, Lernoult, and Shelby.
- Original records from 1760 to 1820 of John Askin, a Detroit merchant, fur dealer, and commissary of the British Army in Detroit. These—Burton's chicken-coop find—helped resolve disputed points about the War of 1812.

As rare books and items became scarce, Burton devoted his time to writing books about history, which remain invaluable sources. He also worked with a long list of organizations. It was when Burton built a new home in Detroit's Boston Edison neighborhood in 1915 that he decided to donate his Brainard Street home and his collection to the Detroit Public Library.



This wampum belt (opposite page) was part of the payment given on May 5, 1769, by Lieutenant George McDougall to Native Americans for what was then called Hog Island—today's Belle Isle. An excerpt from the original Pontiac Journal (above) and original documents from the Salem Witchcraft trials (left) illustrate the range of items in the collection.

## Generosity to U-M

Throughout his adult life, Burton was heavily involved and invested in his alma mater, although most of his attention was directed toward the general University rather than the Law Department.

The Clarence M. Burton Papers, the personal 115-box archive at BHC, house dozens of letters from U-M officials dating back to the 1800s. Several letters document Burton's central role and generosity of donating rare, virtually priceless books to U-M. One sheet from the librarian thanks Burton for finding Edward Gibbon's multi-volume *The History of the Decline and Fall of the Roman Empire*, among other books.

The 1900-published *Cyclopedia* notes in a small biographical sketch of Burton that his "generosity and public spirit are evidenced by his gifts to the University of Michigan of a great collection of works on the French Revolution and, later, of the first installment of that costly and monumental publication, *Stevens' Facsimiles of European Archives Relating to American Affairs at the Era of the Revolution*."

U-M awarded Burton with a third degree, an honorary master of arts, in 1905. Nearly a century later, in 2002, the Burton family donated a small cadre of papers to U-M's William L. Clements Library.

One especially intriguing U-M-related item in Burton's files is a letter he sent in 1875 to a publisher of a monthly magazine asking if it would be interested in publishing his history of the University of Michigan. The tissue-thin paper

bears his heavy brown pen-and-ink handwriting. With the letter are 28 legal-sized pages, handwritten, tied together with a bit of yarn. They detail U-M's history through the eyes of a then very young Burton.

He describes early Northwest Territory days, the first graduating class in 1845 of 11 young men, and in 1859 the opening of the Law Department with its first graduating class of 16 students a year later. He notes "one very important change in University affairs, which took place in 1870, was the admission of women..."

His affection for U-M is obvious. Of the Civil War era, he writes, "The war came with its call for soldiers and Michigan may well be proud of her University if for no other reason than for the number of young men who went forth from its halls to preserve the honor of the nation. When the end came...many of them came back to finish a course of study so abruptly broken off."

But it is his final paragraph that captures the U-M heart:

"Michigan has erected, primarily to her own sons and daughters—secondarily to the whole world, a University which deserves the name: its rapid growth, its popularity, its faculties and the number of its students, each and all bear witness of the good it has done and is doing and predicts the good it will do for all who wish to obtain an education and are willing to work for it."

On May 21, the Detroit Public Library will commemorate its 150<sup>th</sup> anniversary and the 100<sup>th</sup> anniversary of the Burton Historical Collection. [www.detroitpubliclibrary.org](http://www.detroitpubliclibrary.org)



## 5 Former Clerks Share Thoughts About Justice Ginsburg

The U-M Law School has five full-time faculty members who once clerked for Justice Ruth Bader Ginsburg—more than any other law school. They are among the 15 members of the Michigan Law faculty who have clerked for U. S. Supreme Court justices. In honor of Justice Ginsburg’s visit to campus in February (see page 5), we asked them about the important cases during their terms, what the justice is like as a boss and mentor, cake-and-tea parties on their birthdays, and what adjectives they would use to describe her (notorious, yes—but also many other descriptors). Justice Ginsburg is the fifth justice to visit Michigan Law in recent years, following Justice Antonin Scalia, Justice Anthony Kennedy, Chief Justice John G. Roberts, Jr., and Justice Elena Kagan.



**Kate Andrias**, assistant professor of law, clerked for Justice Ginsburg in the 2006 term. The Court heard several well-known cases that year, including *Parents Involved in Community Schools v. Seattle School District No. 1*, an integration case; *Gonzales v. Carhart*, an abortion case; and *Ledbetter v. Goodyear Tire & Rubber Co.*, about whether women are allowed to sue for equal-pay violations that are cumulative over time.

“The term I clerked for Justice Ginsburg was an incredibly interesting term. It was the first year that Chief Justice Roberts and Justice Alito were both on the Court for the full term, and it also happened to be a year of many 5-4 decisions.

“Justice Ginsburg is an absolutely wonderful boss. She is demanding and challenging but also warm and generous; she treated us to trips to the opera and cakes on our birthdays. Given the crush of the work at the Court, I appreciated every opportunity to pause and celebrate.

“She is a person of deep conviction; she is very committed to her values and principles of justice. At the same time, she’s extraordinarily fair. It was important to her that we give each side a balanced, thorough, and accurate representation when we were presenting memos to her about the cases.

“She is precise, meticulous, careful. She also is committed to justice, to equality, and to making sure the Court treats litigants fairly and with the respect that they’re due. And though she often seems somewhat frail sitting up there on the bench, she is as tough as nails.”



**Sam Bagenstos**, the Frank G. Millard Professor of Law, clerked for Justice Ginsburg in the 1997 term. Cases included *Calderon v. Thompson*, a death-penalty case; *Clinton v. New York City*, about whether the line-item veto was constitutional; and a series of cases involving sexual harassment.

“Justice Ginsburg aims for perfection in her work. She wants her law clerks to understand how she wants to write her opinions, so, often, opinions would go through dozens of drafts. I think Justice Ginsburg’s attention to the use of language was incredibly useful to me in learning how to write.

“I learned from Justice Ginsburg to be very exacting and very precise. What she has that too few judges have is an appreciation for great judicial craft, and also an understanding of the law in a social context. Before she came to the Supreme Court, she was a major figure in constitutional law; probably the only other person who had both a strong record of making constitutional law before the Court and on the Court is Justice Thurgood Marshall. She’s very close to being a unique figure in the law in that way.

“I’ll try to think of adjectives to describe her—but, of course, Justice Ginsburg doesn’t believe in adjectives. If you read her opinions, one of the things you’ll find—and I think she learned this at Cornell from studying writing with Nabokov—is that she believes you are most expressive with your verbs and your nouns.

“Having said that, I would say she is an incredibly warm and generous person. She is also very formal. The way she interacts with people is in some ways a throwback; it’s not the informality of the Millennial Generation. She is very exacting, and very committed to getting the right answer. She is extremely loyal and has very strong bonds with people.”



**Scott Hershovitz** is professor of law and professor of philosophy, and director of the Law and Ethics Program. He clerked for Justice Ginsburg in the 2006 term, along with Andrias (see more about the cases from that term in her entry, previous page).

"There were a lot of blockbuster cases the year that I clerked. In the school integration case from Seattle, the Supreme Court struck down the city's desegregation plan; Justice Ginsburg was in dissent in that case. She wrote the dissent in the case about what people call 'partial-birth' abortion. There also was a major case about climate change, *Massachusetts v. Environmental Protection Agency*, about the authority of the EPA to regulate carbon dioxide emissions.

"She works very hard, and she expects her clerks to work very hard as well. I learned so much from her by watching her ask questions of attorneys and helping her make decisions. She wants everything that you give her to already be perfect, and she wants everything that goes out her door to be in perfect order.

"I've been greatly influenced by how she thinks about legal problems. When you clerk for any justice, I think you develop an emulator in your brain; I often think, *If she were writing this, what would she say? How would she say it?*

"One of my favorite memories is when we would all gather in her chambers for birthdays. Her husband, Marty, would make a cake for all the clerks' birthdays, and we would have cake and tea in the afternoon. She also loves opera, and she frequently takes her clerks to an opera at the Kennedy Center. She's very funny, and I think that her sense of humor often doesn't come through in public. Her toughness is wrapped up in a very warm, kind person."



**Richard Primus**, the Theodore J. St. Antoine Collegiate Professor of Law, clerked for Justice Ginsburg in the 1999 term. Among the major cases that term were *U.S. v. Morrison*, a violence-against-women case; *Apprendi v. New Jersey*, which Primus describes as "the first big blow toward the end of the sentencing guidelines"; and *Dickerson v. United States*, which upheld *Miranda*.

"I learned from Justice Ginsburg about the importance of seeing the big picture when you are doing a small thing in the law. Early in my time clerking for her, I was working on a cert petition where there was an issue about jury instructions. It was clear to me that the jury instructions had gone wrong, and the justice didn't disagree with me about that.

"But she said, *here's the problem; this connects to that, that connects to this other thing, and if we try to fix the problem with the jury instructions, we're going to create a problem here and here, and we don't know how to solve those things yet. So we might be better off living with this problem until we know how to fix the others that are coming.* That was a really valuable lesson; she was always alert to the need to avoid making a mess elsewhere while fixing the thing that you have in view. I think that's something that a lot of decision-makers neglect, and she has it firmly in focus.

"Every Supreme Court justice is a figure in American law, but there is only a small subset of justices who are historical figures even apart from their service on the Supreme Court. She is one of them. Had she never been on the Supreme Court, she still would have been an important figure in the history of American law.

"She has a propensity to enjoy in other people characteristics that are different from her own. She has a relatively reserved demeanor, but many of the people whom she likes most are voluble, full-color, jokey, even goofy. Her late husband, Marty, was a big, live-out-loud kind of person. I think it's one of the things she likes about her friendship with Justice Scalia."



**Margo Schlanger**, the Henry M. Butzel Professor of Law, clerked for Justice Ginsburg in her first two Supreme Court terms, 1993 and 1994. The terms featured several blockbuster cases, including *United States v. Lopez*, a Commerce Clause case, and *Adarand Constructors v. Peña*, an affirmative action case. Justice Ginsburg wrote her first Supreme Court opinion in *Harris v. Forklift Systems*, a gender-based harassment case.

"I was one of Justice Ginsburg's first group of law clerks at the Supreme Court. Initially, I was hired by her when she was a judge on the D.C. Circuit. Right after she was nominated to the Supreme Court, I did a clerkship interview with Justice Stevens. He very kindly called her and recommended me to her; he suggested that I should stay with her for two years to provide some continuity. So that's what she asked me to do. I started during her confirmation hearings. One of my co-clerks and I sat directly behind her during the confirmation so that the television camera background would be people who were well behaved and appropriately dressed.

"She is very much a lawyer's lawyer; she cares a great deal about deciding the issues that are in front of her, and not other issues. She cares a lot about the coherence of the doctrine, and about reaching a result that brings to light the underlying purpose of the constitutional issue.

"RBG is an amazing presence. She is so smart, and so dedicated, and so hard-working that it sets an example for you to live up to for the rest of your career. And that starts the moment you begin clerking for her. She's extraordinarily demanding, but at the same time she's very humane.

"After I finished clerking for her, I played in a concert performance of *The Magic Flute*. She came to see it, and brought the whole chambers along with her.

"Two years after I finished the clerkship, Sam Bagenstos and I got engaged while he was clerking for her. Two other married couples who also were her former law clerks came to town, so she took her three law-clerk couples to a fancy dinner on Valentine's Day. She got a kick out of the fact that it was partially by clerking for her that the six of us had met our life's partners."

Visit [quadrangle.law.umich.edu](http://quadrangle.law.umich.edu) to see excerpts of video interviews with the faculty members.

## International Transactions Clinic Helps Jibu Test Waters of Franchise in Africa

By Jenny Whalen

When a Jibu franchise opens in Uganda or Rwanda—and provides a new community with access to clean, affordable drinking water—traces of that success are felt 7,500 miles away in the Law School's International Transactions Clinic (ITC).

The source of this shared sense of achievement is the social franchise agreement that ITC students and faculty developed to facilitate Jibu's continued expansion in Africa.

"We needed to get a social franchise agreement written properly and quickly to be used with our new franchisees who were launching water businesses in Uganda and Rwanda," says Randy Welsch, cofounder and U.S. CEO of Jibu. "It has been not just a tremendous pleasure to work with the ITC, but essential to Jibu's success."

Knowing the clinic's reputation for providing top-notch transactional work to social enterprises, Welsch approached ITC Director Deborah Burand in September 2014 to inquire about becoming a client. For Burand, the significance of this request went beyond day-to-day business.

"That Randy came to the clinic suggested to me that we have succeeded at our mission of developing world-class legal services for our clients," Burand says. "He didn't come purely for the pro bono benefits. He came for our world-class service. It's a wonderful affirmation of the reputation that our clinic has been able to grow."

Jibu, which signed on with the ITC in October 2014, employs a business model that invests in local entrepreneurs. As the water sector's only incubator, Jibu seeks to supply its franchisees with the tools they need to launch independently owned water treatment, packaging, and distribution centers in African communities. These franchises in turn make quality drinking water convenient and affordable to the communities they serve.

"This is usually called microfranchising, which suggests a small investment for the franchisee," says David Koch, '84, adjunct clinical assistant professor and the project's supervising attorney. "In most cases, the program is sponsored by an organization that is trying to have a social impact of some kind. In Jibu's case, they are trying to get clean water to communities, and also enable local people to build a business that is sustainable in places where it is often difficult to start one."

Key to the success of this mission is the strength of the relationship between Jibu, its regional developers (who are essentially country directors), and its individual franchisees. With this need in mind, ITC student-attorneys Sarah Fries and Megan Staub, both 2Ls, were tasked with drafting a social franchise agreement that would define each party's responsibilities and protect the Jibu brand.

"We wanted to build from the bottom, so we began drafting an agreement between the regional developers and the franchisees," Fries says. "Our supervising attorney, David Koch, has been amazing. He let us take the lead on each draft and has only stepped in to help us fine tune. There was real pressure to get the agreement done because Jibu was going to implement it in 2015."

With the first agreement—between regional developers and franchisees—now in Jibu's hands, the ITC team has started drafting a second agreement concerning the relationship between regional developers and Jibu corporate.

"Sarah and Megan are doing real work for clients that I probably wasn't doing until I was five or six years into practice," Koch says. "The opportunity to work with the client directly, to sit in a meeting with him and ask questions about business, social objectives, and how the two work together, is not something you normally get during law school. This is a rare opportunity and one that will give them a big head start in their careers."



COURTESY OF JIBU



## MLaw Faculty and International Experts Highlight Conference in Hong Kong

The U-M Law School, the Chinese University of Hong Kong's (CUHK's) Centre for Financial Regulation and Economic Development, and the Lieberthal-Rogel Center for Chinese Studies (LRCCS) at U-M brought together some of the world's top experts in the public and private enforcement of corporate and securities law at a December conference in Hong Kong. The conference, "Public and Private Enforcement of Corporate and Securities Law—China and the World," marked an occasion to examine the most critical issues affecting globalized capital markets and China's domestic legal system.

"This conference offered a wonderful opportunity to explore critical issues pertaining to the protection of property rights under law, via both private and public enforcement, and in China and across the globe, in a truly comparative manner. It also directly showcased Michigan Law's unique strengths in U.S. and foreign corporate and securities law," said Nicholas C. Howson, professor of law at Michigan and a conference co-organizer with CUHK Professor Robin Huang Hui. He expects the conference papers will be chapters in a book published in 2016.

In addition to the participation of seven Michigan Law faculty, the conference featured papers presented by academics and officials from the United States, Canada, the United Kingdom, France, Germany, Italy, China, Hong Kong, Taiwan, Singapore, Korea, India, and Japan.



*The conference featured keynote remarks by the Hon. Jed Rakoff of the U.S. District Court of the Southern District of New York (top) and Alexa Lam, JP, deputy CEO and member of the board of the Hong Kong Securities and Futures Commission, pictured in yellow shirt, with China People's University Executive Vice President and China People's University Law School Dean Emeritus Wang Liming, who was a Michigan Law Resident Scholar in 1988–1989; Nicholas C. Howson, professor of law at Michigan and a conference co-organizer; and Mark West, Michigan Law dean and Nippon Life Professor of Law.*

*Among those presenting were Hwa-Jin Kim, William W. Cook Global Law Professor at Michigan and a professor of law and business at Seoul National University School of Law (left, top photo) and Mathias Reimann, the Hessel E. Yntema Professor of Law (left, bottom photo). At far left, Professor Gen Goto of the University of Tokyo Graduate School of Law and Politics asks a question of the panelists.*

*Below, Adam Pritchard, the Frances and George Skestos Professor of Law at Michigan, speaks on a panel with, left to right: Professor Zhang Xianchu of the University of Hong Kong Law Faculty; Michael S. Barr, the Roy F. and Jean Humphrey Proffitt Professor of Law at Michigan, a former assistant U.S. Treasury secretary for financial institutions, and key participant in the drafting of the Dodd-Frank statute; Teresa Cheng, GBS, JP, chairperson of the Hong Kong International Arbitration Centre; and Liu Xiaochun, vice chairman and secretary general of the Shenzhen Court of International Arbitration.*



## Report Reveals Record Number of Exonerations in 2014

By Lori Atherton

A record 125 exonerations of people who were wrongly convicted were recorded in 2014, according to a report released by the National Registry of Exonerations. This is the first time the registry, a project of Michigan Law, has documented more than 100 exonerations in a year. In 2013, the registry recorded 91 exonerations.

“The big story for the year is that more prosecutors are working hard to identify and investigate claims of innocence. And many more innocent defendants were exonerated after pleading guilty to crimes they did not commit,” says Professor Samuel Gross, editor of the National Registry of Exonerations and the author of *Exonerations in 2014*.

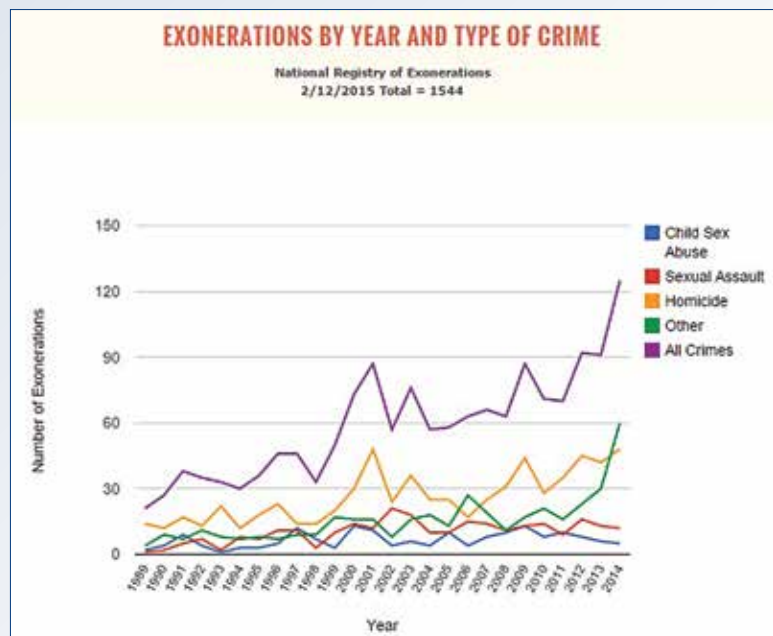
According to the report, 47 of the 125 exonerees in 2014—or 38 percent—were exonerated for crimes to which they had pled guilty. Nearly half of the known exonerations last year—46 percent—were cases in which no crime had occurred.

The states with the most exonerations in 2014 were Texas (39), New York (17), Illinois (7), Michigan (7), Ohio (6), North Carolina (4), Louisiana (3), Maryland (3), Oregon (3), Pennsylvania (3), and Tennessee (3). While these states have the most recorded exonerations, they are not necessarily those where the most false convictions have occurred.

Launched in 2012, the National Registry of Exonerations provides detailed information about every known exoneration—currently more than 1,500—in the United States since 1989. The cases are those in which a person was wrongly convicted of a crime and later cleared of all charges based on new evidence of innocence.

### EXCERPTS FROM *EXONERATIONS IN 2014*

- **[T]he number of non-DNA exonerations** rose to an all-time high of 103, more than all exonerations, DNA and non-DNA combined, in any single previous year.
- **A total of 67 known exonerations** in 2014—54 percent of the total—were obtained at the initiative of or with the cooperation of law enforcement. This is the highest annual total of exonerations with law enforcement cooperation.
- Some question the objectivity, commitment, and openness of prosecutors whose task is to reconsider convictions obtained by their own colleagues and predecessors. . . . [But] several **Conviction Integrity Units** have accomplished a great deal in a short period of time. They may have initiated a fundamental change in the way false convictions are addressed in the United States, but that remains to be seen. . . . [And] prosecutors—through Conviction Integrity Units or by other means—can do more to prevent and correct wrongful convictions than anybody else. . . . [P]rosecutors have the authority and influence to undertake and encourage reforms that will reduce the number of false convictions that occur in the future.



# Transactional Lab & Clinic Opens Doors into Corporate World

By Jenny Whalen

The partner has asked you to draft an ancillary agreement for a multibillion-dollar M&A deal. But there's one catch: You've just started as a summer associate. Where do you begin?

The situation may sound hypothetical, but for Mark Viera, '14, it was last summer's reality. And though the experience could have been nerve wracking, the Transactional Lab veteran never doubted his ability to handle the task.

"I wouldn't profess to know everything there is to know about being a corporate attorney or drafting contracts, but I felt in that moment that I could tackle the assignment that was given to me," Viera says. "Had I never sat down with a contract before, I don't know how I would have been able to confidently navigate the opportunity."

Viera attributes this heightened level of confidence to his experience in the Transactional Lab & Clinic. Now in its second year, the lab includes both classroom and experiential components, helping students develop transactional knowledge and skills through exercises, readings, and discussion, while at the same time offering them the opportunity to work on actual transactional projects with premier corporate clients. It will expand its operations locally in fall 2015 when it begins offering services to small organizations in Washtenaw County that typically could not afford such legal services.

For Director and Clinical Assistant Professor Michael Bloom, the goal of the lab goes beyond educating students about the finer points of, say, drafting a limited liability company operating agreement. While this knowledge is valuable in and of itself, it is enhanced by the lab's emphasis on attorney-client interaction.

"One of the significant features of the lab and clinic is the opportunity for students to own relationships with senior people at big, impressive companies," Bloom says. "Students develop their chops running meetings—leading conference calls and meeting clients in person. I'm excited to grow this opportunity this fall to include serving local clients in need, which will expand our students' range and give them a wider perspective on deal work."

This communication component has been an excellent complement to 3L Danielle Klavons's practical experiences in the lab and on the job. Having spent her 1L summer working with the contracts group at Quicken Loans, Klavons was no stranger to transactions when she enrolled in the lab as a 2L, but she had little experience interacting directly with clients.

"Part of the process of the lab is the time element," Klavons says. "We take much longer than a normal law firm would to complete a project, so that we can maximize the learning moments throughout. For me, it was thinking before speaking. Professor Bloom taught us that you have to evaluate your own expectations with the client's and be mindful of what the goals are."

Learning moments such as these usually evolve into new lessons in the lab and clinic as Bloom incorporates student input in an effort to keep the content and structure relevant for the students and the clients they serve.

"One way that we will always evolve is that I involve students in the evolution," he says. "We allow students to give feedback from the types of projects and clients we take on to how we should spend time in the seminar. These are all things that allow the lab to stay calibrated to what students need and want their experiences to be."



Rob White, Mark Viera, Professor Michael Bloom, and Elise Yu in the Transactional Lab & Clinic.

Chief among the students' goals is to work with corporate clients such as Pepsi, Aon, and NCR on complex projects ranging from operating agreements to the multitude of documents involved in acquisition transactions.

"It's an incredible opportunity to sit down with a general counsel at a *Fortune* 500 company to talk through the business issues with them and then execute on something that will be used by them," Viera says. "How many other law schools can boast about providing that kind of opportunity to their students?"

With the aid of Transactional Lab & Clinic alumni like Viera and Klavons, Bloom says he is confident that the program will grow even more beneficial to students over time.

"I want to build a pipeline from the lab and clinic to practice," Bloom says. "Practice will always be changing, and I want us to keep abreast of those changes. Our alumni working in transactions can keep us up to date on trends in the field, useful resources, and evolving law firm practices that can prepare current students to hit the ground running after graduation. One of my goals is to put Michigan Law graduates on a different trajectory so they further impress and get more interesting work early in their careers."



## Mixed-Race Identity and the Law

Born to an interracial couple a decade before the U.S. Supreme Court ruled on the legality of such a relationship in *Loving v. Virginia*, Professor Martha S. Jones, who codirects the Program in Race, Law & History at U-M, crossed the color line at birth. As the featured speaker for Michigan Law's Martin Luther King Jr. Day lecture on Jan. 19, Jones reflected on her mixed-race experience to open up an understanding of how legal culture has wrestled with the idea that Americans might check more than one box of racial identity.

## Mercury Fund and Detroit Innovate Offer Students Venture Capital Fundamentals in New ZEAL Lab

By Lori Atherton

The ability to think like a lawyer is what students expect from law school, but what about thinking like a venture capitalist? A new Michigan Law offering provided through a partnership with national and local venture capital firms Mercury Fund and Detroit Innovate is making it possible for students to learn the ins and outs of the venture capital world.

Launched in fall 2014, the Zell Entrepreneurship and Law (ZEAL) Venture Capital Lab offers students the opportunity to work on investment deals with Detroit Innovate and Mercury Fund. Students conduct market research, write investment committee memos, and sit in on investment calls and meetings, with the goal of aiding the venture capitalists at Detroit Innovate and Mercury Fund with their investment decisions.

"The bread and butter is that law students actually function as venture capitalists in assessing potential investments for the funds," says Clinical Assistant Professor Bryce Pilz, '00, who oversees the Law School's involvement in the lab. "They review pitch decks and financial documents, and meet with

the entrepreneurs to learn more about their businesses. Along the way, we make sure the students learn the nuts and bolts of venture capital deals, how venture funds work, and startup business basics. Like our other experiential education programs at U-M, they are learning the most from their actual work."

Four students, selected from a pool of 30 applicants, are participating in the Venture Capital Lab, which was extended to the winter 2015 semester. "We didn't intend for it to be a full year, but with all that the students learned during the first semester, it made sense for them to continue to put it into practice," says Adrian Ohmer, '13, who, along with Adrian Fortino, MBA '10, BSME, '00, is mentoring the students.

The lab was created at the suggestion of Ohmer, a principal at Detroit Innovate, who wished that similar hands-on venture capital experience was available to him as a law student. "I had a great Michigan Law education, but one thing that was lacking was access to primarily non-legal experiences, like venture capital firms," he says. "The lab is a way for me to give back to the Law School and to show students that a JD can be valuable outside of a career in law."

## Honoring a Forgotten Hero

### Prof. Kamisar Awarded Medals for Korean War Service

By Katie Vloet

As Yale Kamisar climbed T-Bone Hill, with just one man in front of him and hundreds of soldiers behind him, he thought of the letter he had written to his parents earlier that day. It was just a quick note to say *hello, I'm doing well over here in Korea, I'll write more later*. At the time, he didn't know that he would be sent into one of the bloodiest battles of the Korean War.

Climbing in daylight, and knowing that the North Koreans were tunneled into the hill, he grew certain that he would not come down alive. *The letter*, the Army second lieutenant thought. He expected it would take at least a week for it to arrive at his parents' home, while a telegram notifying them of his death would arrive sooner. He couldn't shake his worry that they would, in essence, receive a letter from their dead son.

The Battle of T-Bone Hill would come to be known as one of the 1952 Battles of Hill Eerie. The military outpost was taken several times by each side—United Nations, North Korean, and Chinese Communist forces—resulting in hundreds of casualties. Kamisar, contrary to his prediction, was not one of them.

"It seemed like a suicide mission," recalls Kamisar, the Clarence Darrow Distinguished University Professor Emeritus at Michigan Law. He lived—but shrapnel struck him, head to toe. Halfway up the hill, he felt a sharp pain in his left eye. Blood, everywhere. He didn't open his eye for the next six or seven hours, for fear he was blinded.

In the end, he suffered no permanent injuries. When he returned to the United States, he completed law school, worked for law professors and at a firm, then began teaching. In 1965, he joined the faculty at Michigan Law, where his scholarship on criminal law and police interrogation led to his nickname: "The father of *Miranda*."

In spite of his long and distinguished career, however, something was missing. When he applied for a veterans' loan in the 1970s, he learned a fire had burned a warehouse that held military records. His were among them. There was no record of his service at all, let alone his bravery and combat-related injuries.

Last year, Kamisar, now 85, made a decision: "I didn't want to die without any documentation that I'd fought in the war," he says. He contacted the office of Michigan Senator Carl Levin, the now-retired chairman of the Senate Armed Services Committee; Levin's staffers worked with the Army to set the record straight.



ALICE YU

"I would have been perfectly happy if Senator Levin had just sent me the documentation in the mail," Kamisar says. But the senator and his staff decided that Kamisar was due something more than that. Last November, Levin presented four military service medals to Kamisar in a ceremony at the Law School: the Purple Heart Medal, the Presidential Unit Citation, the National Defense Service Medal, and the Republic of Korea—Korea War Service Medal.

"No medal or recognition is equal to the service and sacrifice of veterans like Professor Kamisar, but my staff works hard to ensure that every Michigan veteran receives the decorations they are due; it's the least we should do for our veterans," Levin said. "I was proud to participate in acknowledging Professor Kamisar's service to our nation."

A new generation of veterans also was on hand to witness the awarding of the medals. Among them was 2L Lance Taylor, MILVETS (Michigan Law Veterans Society) commander and a former Army specialist. "Professor Kamisar served at a time when veterans were not accorded the respect that they are today," Taylor says. "The fact that Senator Levin came personally to present Professor Kamisar his medals demonstrates the gratitude that our nation and its leaders have for the soldiers of America's 'forgotten war,' and our recognition of all of their accomplishments."

## Theodore J. St. Antoine Collegiate Professorship Established with Support from Seyfarth Shaw



St. Antoine

In honor of one of the Law School's most legendary professors, the U-M Board of Regents has approved the creation of the Theodore J. St. Antoine Collegiate Professorship at Michigan Law. Professor Richard Primus was named the inaugural chairholder.

St. Antoine joined the Michigan Law faculty in 1965 and served as dean from 1971 to 1978. He then returned to the faculty and served until his retirement, although the professor emeritus can still be seen frequenting the Law School. St. Antoine is one of the preeminent scholars in the field of labor and industrial relations and is coauthor of one of the most successful and respected labor law casebooks, *Labor Relations Law: Cases and Materials*.

"Ted's legacy at the Law School is practically unparalleled," says Dean Mark West. "Establishing a professorship in his name is a fitting tribute for a man who, in addition to being a giant in his field, taught and mentored countless students—and at least one dean—over four decades."

Affectionately known by his former students as "the Saint," St. Antoine's brilliance, wit, and warmth left an indelible impression on his students—including more than two dozen alumni working at Seyfarth Shaw LLP, an international law firm known for its labor and employment law practice. Led by Camille Olson, '83, of Chicago and Ray Kepner, '77, of Pasadena, California, Michigan Law graduates at Seyfarth Shaw have made gifts totaling more than \$250,000 to establish the St. Antoine Collegiate Professorship. Others who made significant contributions to the effort include Bill Dritsas, '80, Diane Dygert, '87, Brad Livingston, '79, Rob Whitman, '89, and Ken Youmans, '74.

"We are blessed to have many outstanding professors at Michigan Law," explains Olson. "What made Ted special was that he conveyed in real terms how all the issues we discussed in class affected individuals in all sectors of society. He showed how far-reaching our impact could be if we pursued careers in employment law." Olson had come to Michigan with the goal of becoming a criminal defense attorney, but St. Antoine's approach steered her into a specialization in employment law. She notes that the man who literally wrote the book on employment law is a household name in her line of work. "Wherever my work takes me, if Michigan Law comes up, someone always mentions the Saint. People on all sides of the table respect him greatly, which is a rare gift."

Primus says he was "surprised and delighted" to learn of his appointment to the St. Antoine chair. "When I first arrived at Michigan as a junior faculty member, my office was next to Ted's," Primus says. "He took me to lunch, gave me my first Michigan football ticket, and was unfailingly welcoming."

Primus joined the Law School in 2001 and teaches Introduction to Constitutional Law I and II, Equal Protection, and Problems in Constitutional Theory. A popular teacher, he is a four-time recipient of the L. Hart Wright Award for Excellence in Teaching, which is awarded by students. His current work analyzes the uses and limits of originalism in constitutional interpretation, the line between permissible and impermissible forms of race-conscious government behavior under both the 14<sup>th</sup> Amendment and statutory antidiscrimination law, and the role in the constitutional system of the idea that Congress can act only on the basis of specifically enumerated powers.

"The enumerated-powers idea is Con Law 101," Primus says. "But there is an enormous gap between the way that idea is traditionally discussed and the realities of federalism, constitutional history, and constitutional text. My job is to bring those realities more prominently into view. I'm very glad to be able to do so now as the St. Antoine Professor, because Ted has always been a wonderful example of a scholar who understands that law and legal scholarship must live in the world of practical reality."

Through the professorship, St. Antoine's name will forever live on at the Law School, supporting outstanding scholars like Primus. "I've seen Ted's lasting impact on his students and in our profession," says Olson. "This was a way to formally recognize all that he has given us."—AS

*For information on making a gift in support of the St. Antoine Professorship, contact the Office of Development and Alumni Relations at 734.615.4500.*

## Faculty In the News

A sampling of quotes in the news media from Michigan Law faculty.

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*“They made clear that employers may not refuse to accommodate pregnant workers based on considerations of cost or convenience when they accommodate other workers.”*

—**PROFESSOR SAM BAGENSTOS** in a *USA Today* article about the U.S. Supreme Court’s 6-3 decision in *Young v. UPS*. Bagenstos delivered the oral argument in the case in December.

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*“It’s basically an explicit embrace of the state saying we should sentence people differently based on poverty.”*

—**PROFESSOR SONJA STARR** in a *Time* story about psychological tests that are being used to predict future crimes.

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*“We are not yet treating victims of human trafficking fully as victims.”*

—**PROFESSOR BRIDGETTE CARR**, director of the Human Trafficking Clinic, during a live interview on NPR’s *On Point*.

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*“They have a lot of smoking guns.”*

—**PROFESSOR REUVEN AVI-YONAH** in *The Wall Street Journal* about the IRS’s wealth of evidence in the Caterpillar tax-liability case.

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*“What’s true for the individual mandate is true for the tax credits that the plaintiffs in King are looking to eliminate: Without them, the law would pose a threat to the nation that Congress did not intend.”*

—**PROFESSOR NICHOLAS BAGLEY** in an op-ed in *The New York Times* about the *King v. Burwell* Affordable Care Act case.

*“It sounds really bad, but you don’t know what he’s thinking when he’s saying it.”*

—**PROFESSOR SAMUEL GROSS** in a *New York Times* article about Robert Durst’s apparent murder confession in an interview for a documentary.

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*“There’s something important and symbolic in the stepping down of a regime in Ferguson, but without more sustained and systemic reform in Ferguson it’s difficult to imagine that simply replacing one police chief with another leads to the kind of substantive transformation that many advocates hope for.”*

—**PROFESSOR MARTHA JONES** in the *Christian Science Monitor*.

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*“It’s a great credit to these 10 public interest organizations that, despite their sometimes conflicting perspectives on other issues, they were able to agree on the importance of allowing direct distribution.”*

—**PROFESSOR AND ASSOCIATE DEAN DANIEL CRANE**, in a Law360.com article about the Koch brothers’ Americans for Prosperity, the Sierra Club, and other groups adding their names to Crane’s letter in support of Tesla Motors selling its electric cars directly to consumers.

## Family Ties



Michigan Law is a family. All of us who are privileged enough to work here have heard countless stories that affirm this—from a professor making special arrangements for a student facing unexpected personal challenges, to students readily sharing notes when illness or injury befalls a classmate. The commonly held principle here is that we take care of our own.

What makes Michigan Law even more special is that the sense of family doesn't diminish upon graduation. Wherever Michigan alumni are found, you will find stories of them connecting with each other and with current students for social and professional support. In addition, many of our alumni provide financial support to current students (through scholarships and summer fellowships) and recent alumni (through post-graduate fellowships and the Loan Repayment Assistance Program). Such generosity shows that when we take care of our own, it's for a lifetime.

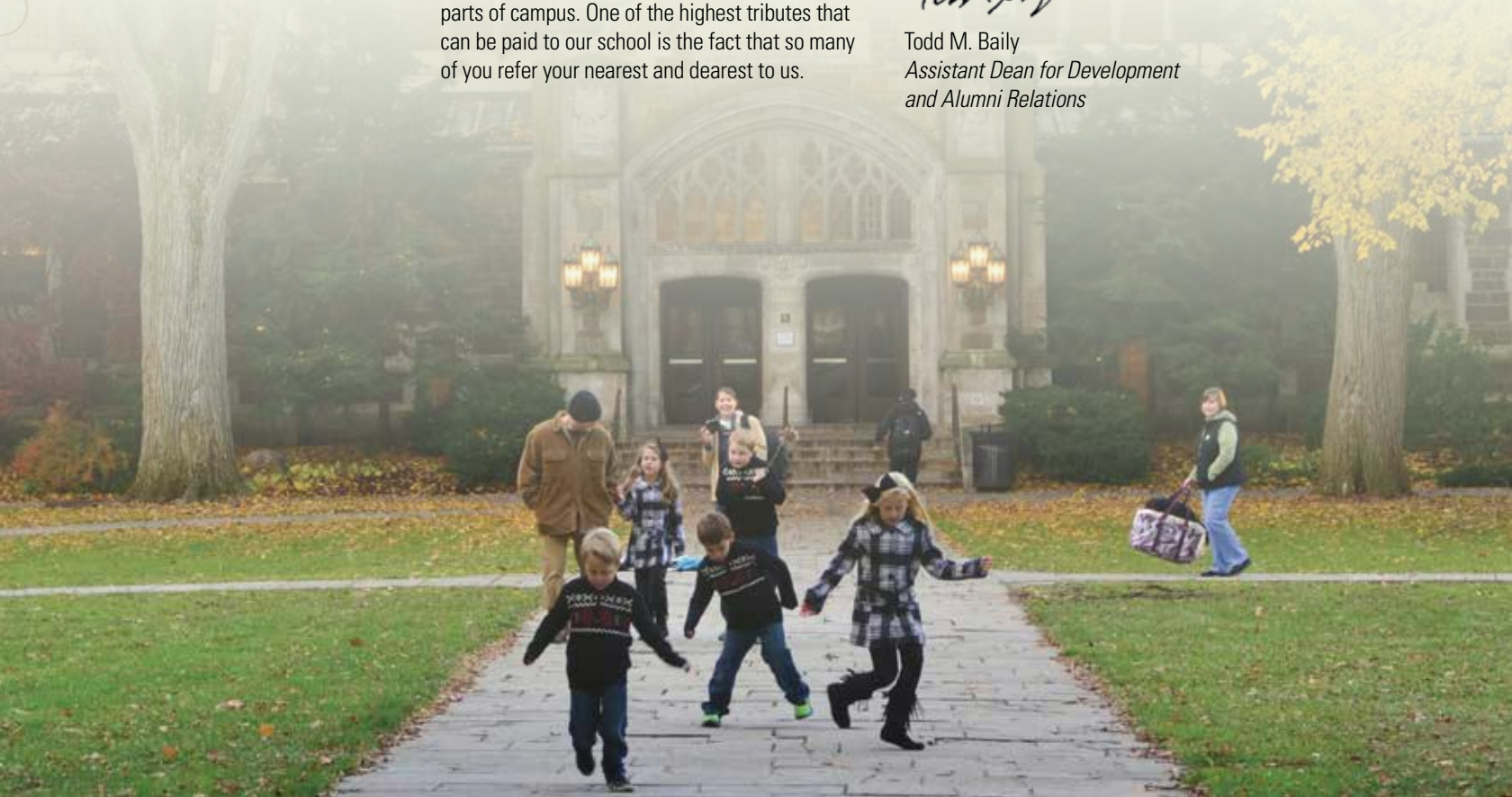
For many members of our community, Michigan's familial quality is literal. We are proud of our many multigenerational families of Michigan Law graduates, as well as those who are the children, spouses, siblings, or parents of alumni from other parts of campus. One of the highest tributes that can be paid to our school is the fact that so many of you refer your nearest and dearest to us.

Family ties to Michigan Law can, of course, create a sense of immense pride—not to mention a uniform maize-and-blue scheme for family photos. But cross-generational connections also have been powerful motivators for alumni to make gifts in support of the Law School, as you'll read in this issue of *Law Quadrangle*. We feature parents honoring their Michigan degrees as well as their children's, a daughter honoring her late father, and a father and son honoring each other. The son, Kirk Davenport, '84, says, "We both see our time at Michigan as a magical chapter in our lives"—proof that while many things change during generational gaps, the essence of the Michigan Law experience endures.

The Victors for Michigan campaign is the perfect time for you to reflect on your own family's Michigan ties, whether they span many decades or are brand new. I hope these stories will inspire you to think about what your Michigan Law legacy will be.

Sincerely,

Todd M. Baily  
Assistant Dean for Development  
and Alumni Relations





Student Support

The Himan Brown Charitable Trust and Lisa and Chris Jeffries, '74

THE HIMAN BROWN CHARITABLE TRUST

During his lifetime, Himan Brown was one of radio's most influential executives. In death, the Himan Brown Charitable Trust extends his influence to deserving organizations nationwide, in fields ranging from medicine to public interest causes and higher education.

Brown produced more than 30,000 radio programs during his 65-year career, including *The Adventures of the Thin Man*, *CBS Radio Mystery Theater*, *Dick Tracy*, *Flash Gordon*, *Grand Central Station*, *Inner Sanctum Mysteries*, *Terry and the Pirates*, and numerous daytime soap operas. He directed many episodes of shows he produced, and worked with Orson Welles, Helen Hayes, Boris Karloff, and Peter Lorre, among many others. He was known for emphasizing the use of sound effects to enhance storytelling for the radio audience.

Brown began his career at the age of 18, reading newspapers with a Yiddish dialect on New York's WEAJ. He then became

a radio actor before beginning to pitch shows directly to advertising agencies. Later in his career, he produced a handful of TV shows and owned a New York studio that he leased for TV show sets. He obtained a law degree from Brooklyn Law School in 1931.

After Brown's death in 2010 at the age of 99, he named his lawyer as the trustee of the charitable trust. Both the trustee and his son are Michigan Law graduates, and were happy to have the opportunity to work with the Law School to develop a gift that fits well with the charitable trust's areas of support. The Himan Brown Charitable Trust has made gifts to higher education institutions around the country, and the \$2.5 million gift to support 1L summer funding at Michigan Law reflects Brown's belief in the importance of education, says the trustee. "Himan Brown valued his own legal education for how it taught him to be a discerning thinker, and he would be very pleased to support this program, which will aid law students in finding satisfying careers." (See related story on page 4.)—AS

LISA AND CHRIS JEFFRIES, '74

As a long-time real estate developer, Chris Jeffries, '74, knows the importance of functional-yet-beautiful facilities in a community, which is why he made a \$5 million gift toward the building of South Hall in 2007. But he also knows that buildings are only as good as the people and experiences they house, which is why he recently made a \$2.5 million gift in support of the 1L summer funding program. (See related story on page 4.)

"I wanted my next gift to the Law School to make a difference in students' lives," Jeffries says.

Jeffries credits his time at the Law School with making a huge difference in his own life, despite the fact that as a straight-through summer starter, he admits the concurrent two academic years and three summers "were a blur." At Michigan, Jeffries says he gained the foundation that served him well during a five-year career in private practice and more than three decades in the competitive world of real estate. "Law School is a unique way of disciplining your mind. Regardless of the subject matter, it gives you a fantastic way to think about problems, not only in the law but in business and life."

As a founding partner of Millennium Partners, Jeffries has positioned the firm as one of the country's premier developers of mixed-use properties—from Lincoln Square in New York City to Millennium Tower in San Francisco. Millennium's portfolio includes hotels in New York, Washington, D.C., Miami, San Francisco, and Boston, as well as luxury condos and office space in those cities. The firm's newest project is Hollywood's iconic Capitol Records building, which will anchor a new mixed-use



and transit-oriented development known as Millennium Hollywood. "I love the creativity that real estate requires," Jeffries says. "It's gratifying to create something long-lasting that will impact a skyline, and will contain spaces that impact the way people live."

With his support of the Law School, Jeffries and his wife, Lisa, are impacting Michigan Law students. By providing summer funding to 1Ls, Jeffries envisions helping students like he once was—with good credentials but not a lot of financial capacity—achieve their goals. "Michigan is a fantastic experience, and I'm especially interested in helping students who can't afford to get through it on their own," he says. "This gift is going to be successful because it will allow students to have experiences and take positions that they otherwise wouldn't be able to. I have no question that it will be used well and will be appreciated by the recipients."—AS

# GIVING

## Planned Giving/Student Support

### James P. Kennedy, '59



James P. “Jim” Kennedy, '59, believes that lawyers who are leaders solve problems and work well with clients. He has documented a \$400,000 bequest to create a scholarship that will help promising leaders consider the U-M Law School.

“The world needs more lawyers who want to do the right thing and solve problems, instead of creating them,” Kennedy says. “I want to help them get their start.”

Through his estate, Kennedy will endow the James P. Kennedy Family Law School Support Fund, providing scholarships to law students with strong academic credentials who also have demonstrated leadership abilities through involvement in intercollegiate athletics or other extracurricular activities. Kennedy played football as an undergraduate at Washington University in St. Louis, and was elected to the Omicron Delta Kappa national leadership honor society. He says his involvement outside the classroom and in many jobs, including caddying, helped him better relate to people—valuable traits in law students and lawyers. “We don’t want law students to spend their whole time in the library. They might be superb at analyzing cases, but they’ll be less effective in communicating with clients on critical issues.”

Kennedy believes one of the most valuable things he learned throughout his long career was to be collegial and respectful to everyone, and to make as many friends as possible. During 56 years at Vorys, Sater, Seymour and Pease LLP in Columbus, Ohio, he applied that lesson to everyone from lawyers, to

judges, to court and office staff members. Because of the relationships he built, Kennedy notes that he was the only attorney in the firm who knew the court personnel well enough to open courthouses on a weekend in an emergency. In addition, he was elected by his peers to the American College of Trial Lawyers in 1981—a distinction awarded to a very small percentage of attorneys. “Let’s just say you won’t find anyone who’s disrespectful in that group. We all know that behaving inappropriately only hurts our clients.”

Early in his career, Kennedy’s reputation gave him one of his most memorable and difficult cases, when the Hon. Joseph Harter asked him to represent Arthur Lee Davis, a 16-year-old accused of first-degree murder—a death-penalty case. “I told the judge I don’t handle criminal cases, and he replied that he knew I was the guy to handle this one.” After 20 months, Kennedy and his partner, Herb Brown, '56, secured Davis’s acquittal.

Kennedy spent the majority of his career handling criminal and civil antitrust cases all over the United States, and represented Masaru Yamamoto in a plea deal as part of *United States v. Archer Daniels Midland Co.*, the lysine price-fixing conspiracy case that sparked the book and the movie *The Informant!* Whenever he was involved in a complex case crossing state boundaries, Kennedy turned to the American College of Trial Lawyers and the *Martindale Hubbell* directory, for a listing of local attorneys with Michigan degrees.

Kennedy’s Michigan Law education was delayed because of his U.S. Army service in the wake of the Korean War. He remains grateful to Professor Roy Steinheimer, '40, for deferring his admission for two years, and to former Dean of Students Roy Proffitt, '48, for providing the scholarships that helped make his attendance possible. He recalls fondly his entire law school experience—from 8 a.m. classes on Saturdays; to attending football and basketball games; to having the Washtenaw County sheriff serve subpoenas to young women to attend the annual Crease Ball; to classmates and friends like Bob Branigin, '59, Stan Hirt, '59, George Parker, '59, Sid Buchanan, '59, Paul Victor, '63, and others with whom he keeps in touch.

“Michigan was very good to me in so many ways,” he says, “and Edie [pictured above] and I are going to make sure we give it back. It’s that simple.”—AS

## Student Support

### Jim Shaughnessy, JD/MPP '79

During the course of his career, Jim Shaughnessy, JD/MPP '79, has been a law firm associate, an entrepreneur, an executive responsible for functions ranging from human resources to procurement, and general counsel for global companies. It's a career as broad as the education that positioned him for success.

As a dual-degree student in law and public policy, Shaughnessy was trained at two of the world's top schools in their respective disciplines, and he appreciated the support that each program gave to interdisciplinary study. "It was a unique opportunity to combine legal study with other intellectual passions. I developed a base of knowledge, an approach to analysis, and an intellectual curiosity at Michigan that made it possible to learn anything," he says.

Through the new Shaughnessy Family Scholarship Fund at Michigan Law, Shaughnessy wants to help Michigan Law students—particularly those in dual degree programs, who incur an extra year of educational expenses while foregoing a year's income—pursue a broad education at the University. "As I look at the cost of attending law school today, I feel very fortunate to have earned my degree at a time when there was more state support and legal education cost less," he says.

After graduation, Shaughnessy entered private practice in Washington, D.C., before moving into the business world. A failed attempt to start his own business—"We were trying to launch an Internet company before there was an Internet, which was a problem," he notes—ultimately led Shaughnessy to work as in-house counsel for several high-profile companies, including PeopleSoft, Hewlett-Packard, Compaq, and Orbitz. Today, Shaughnessy is senior vice president, general counsel, and secretary at Workday, a Software as a Service (SaaS) solutions company based in the San Francisco Bay area. Along the way, he says, he has been fortunate to work for interesting companies that kept him on his toes intellectually. "Opportunities to learn are what make practicing law interesting over the course of a long career. Every day a broad range of issues cross my desk, and I relish the chance to dig into them."

As Shaughnessy credits Michigan with giving him the knowledge and skills for success, he says it is important that the Law School is able to continue delivering an excellent education that is broadly affordable—an important reason he was motivated to endow a scholarship fund. "Michigan is an exceptional place. For more than 150 years, the Law School has been producing leaders of our society and the best lawyers in the profession—our alumni's list of accomplishments could fill volumes. I want to do my part to help the school continue this mission."

He also wanted the fund to celebrate his family's ties to Michigan, which include daughter Anne Shaughnessy, '14, and son James Jr., MBA '12. Hearing Anne, now a first-year associate at Schulte Roth & Zabel LLP in New York, describe the deep friendships with her classmates and the faculty's commitment to quality teaching reminded Shaughnessy of what makes Michigan Law special to him, both personally and professionally.

"I look at the [Victors for Michigan] campaign as being perhaps the most important in the Law School's history because it is about continuing to produce lawyers who will play a pivotal role in tackling the big issues of our time and the future," says Shaughnessy, a member of Michigan Law's Development and Alumni Relations Committee. "I want to help the Law School continue to train lawyers who are a step ahead."—AS



*"Michigan is an exceptional place. For more than 150 years, the Law School has been producing leaders of our society and the best lawyers in the profession—our alumni's list of accomplishments could fill volumes."*

## Student Support

### William K. Davenport, '53, and Kirk A. Davenport, '84



Fathers and sons often share many traits. For Bill Davenport, '53, and his son Kirk Davenport, '84, their shared love of and appreciation for the U-M Law School has led to a desire to give back.

Together, Bill and Kirk have established the Davenport Family Scholarship Fund for current and future students at Michigan Law. Initially the fund will be \$125,000, but the Davenports anticipate making additional gifts in the future. "We appreciate the excellent training we received at the Law School, which positioned us for successful careers as lawyers," says Bill. Kirk adds, "We both see our time at Michigan as a magical chapter in our lives."

Bill grew up in Jackson, Michigan, and graduated with honors from Harvard College. On the advice of many who told him that Michigan was the best law school in the country, he came to the Quad and became an editor of the *Michigan Law Review*, as well as a member of Order of the Coif and Phi Delta Phi. "Our social life revolved around the Phid House," Bill says. "I made a great decision by attending Michigan and had a wonderful time in addition to receiving a wonderful education."

After law school, Bill joined the New York law firm Cravath, Swaine & Moore LLP as an associate before being drafted into the U.S. Army and ultimately receiving a commission in the Judge Advocate General's Corps. After leaving the Army in 1957, he returned to Cravath before joining Ford Motor Company's legal department in 1963. He retired from Ford in 1983 as assistant general counsel.

Growing up as the son of a lawyer, following in his dad's footsteps was by no means a given, says Kirk. But as graduation from Brown University loomed—with no concrete job prospects—law school began to seem more plausible. "I studied architecture and solar energy," says Kirk, "and that did not position me for any obvious career choices in 1981." When Kirk arrived in the Quad, two things surprised him: how much he loved law school, and how friendly he became with his classmates. "I didn't think you could make lifelong friends in law school, but I did," says Kirk. "And the way the Socratic method was used in courses like Con Law and Contracts was fun. I guess I discovered that I am more of a nerd than I thought because I really loved law school."

After graduating *magna cum laude* and Order of the Coif, Kirk followed his father's path to Cravath, Swaine & Moore in New York, before joining the brand-new New York office of Latham & Watkins LLP. He now is a partner and member of the firm's corporate department, in addition to serving as co-chair of its national office. "Before going to law school, I wasn't sure anyone could love being a lawyer, but I do," Kirk says. "I've had a fabulous time and am forever grateful to the Law School for making me employable. It was no easy task!"

Both father and son have been loyal donors to the Law School individually, but they say creating the scholarship fund together strikes a special chord because their support will directly impact students they can get to know. "Michigan positions people to have extraordinary lives," says Kirk, "and we are thrilled to do our part."—AS

*Student Support*

**Dee and Dickson Brown, '71**

When Dickson Brown, '71, was considering law schools, one prominent East Coast school told him he was accepted, but there wasn't much they could give him in the way of financial aid. Another told him he was accepted, but he should sell his car to help pay his way. And then there was Michigan.

"Without having to beg, the Law School gave me a very generous scholarship that made it possible to go to law school and very easy to choose Michigan," says Dickson, who is retired from Simpson Thacher & Bartlett LLP. "I remember thinking how wonderful it was that the Law School was so supportive."

Someone like Dickson—smart, eager to learn, and embracing all that the Law School has to offer—is the kind of student the Browns now will help through the Dickson and Dee Brown Endowed Scholarship Fund. Preference will be given to students who hold undergraduate degrees from U-M, which is a nod to the family's strong maize-and-blue ties. Dickson and Dee, AB '70, both earned bachelor's degrees from U-M, and their son Kincaid ("KC"), '96, and daughter-in-law Nancy Vettorello, '97, together hold five Michigan degrees. "We brought KC to a football game when he was in high school, on a cold, sleety November day," recalls Dee, who is retired from private practice. "We never thought he would like Michigan, but it was his first choice."

Dickson and Dee have long been generous donors to the Law School, including a substantial gift to the building fund. Through the scholarship, they want to make Michigan top of mind for the best students from around the country. They say strong public universities like U-M need more scholarship dollars in order to compete with the large endowments of elite private institutions. Dickson notes, "The more we can do to make Michigan somebody's first choice—and make it easier to be their first choice—the better."—AS



*Planned Giving*

**Morgan L. Fitch Jr., '48**



Morgan Fitch Jr., '48, was a loyal donor to the Law School—and he continued his generosity through his estate. The Law School Fund received nearly \$150,000 through charitable gift annuities established by Fitch and his wife of 68 years, Helen. Additionally, a \$215,000 bequest will support students and recent graduates who pursue public-sector careers. It is a fitting use of a gift from someone who believed wholeheartedly in the public good, say his children, Ruth, Mary, Fred, and Morgan Fitch IV, BS '73, JD '76.

Fitch, who died in November 2013, served in the U.S. Navy during World War II. He also founded the U.S. Naval Sea Cadet Corps, a nonprofit civilian youth training organization, and volunteered with many organizations, including the Boy Scouts and the YMCA. Fitch spent his career at the Chicago firm now known as Fitch, Even, Tabin & Flannery LLP, where his practice focused on intellectual property law. Morgan IV recalls accompanying his dad to a Kraft brother's basement to witness the first test of a machine that would turn raw cheese into single-wrapped slices.

U-M was a family affair. Mary served for many years as the director of the Legal Writing Program at the Law School, and Morgan IV credits family trips to Camp Michiganiana as a reason he followed his dad's footsteps by attending Michigan. Fitch's children say his generosity reflected his fondness for Michigan—from married housing to classmates like Roy Proffitt, '48. "My parents gave generously, both of their time and their money, to many organizations," says Mary, "but the Law School occupied a special place for them."—AS

## Law School Fund

### Elaine (Murphy) Rice, '94

The first gift Elaine (Murphy) Rice, '94, ever made to the University of Michigan was in 1991 for \$19.91, commemorating her upcoming graduation from the College of Literature, Science, and the Arts (LSA). Now, she and her husband, David Rice, Med '94, are members of the University's Presidential Society, reflecting lifetime giving of more than \$75,000. They give to LSA, the Medical School, and the U-M Health System, in addition to being Cavaedium Society donors to the Law School Fund. Latin for "the inner part of the Quadrangle," the Cavaedium Society recognizes alumni who give at least \$2,500 to the fund annually. In honor of her 20<sup>th</sup> reunion, Rice—a member of the Class of 1994 Reunion Committee—made a \$12,500 pledge to maintain her Cavaedium-level support for the next five years.

"My dad always instilled in me the importance of giving back," says Rice. "I was fortunate that my parents paid for my undergraduate education, and that I repaid my law school loans fairly quickly. Not everyone is that fortunate, so it's important for those who can help to do so."



After Law School, Rice began practicing in the areas of complex litigation, securities litigation, arbitration, and antitrust law in Dallas. Her husband's career took them to Florida, where Rice now represents individuals and companies in business disputes as a member of the Tampa firm Wiand Guerra King PL. She also represents financial services companies nationwide—along with their associated persons, officers, and directors—in connection with litigation, arbitration, and regulatory matters.

Rice's career deviated from her early dream of being a judge, and she says that seeing the similar twists and turns of her classmates' career paths is one benefit of attending Michigan Law reunions. "It's so fun to get together and find out what everyone is doing. There was this feeling in law school that we were all in the trenches together, and I love reconnecting."

Reunions also remind Rice of the opportunities Michigan provided. "Michigan helped Dave and me get to where we are today, so being donors is important to us."—AS



## A Day for Victors

In the spirit of the nationwide Giving Tuesday movement, December 2, 2014, was Giving Bluesday at the University of Michigan. The Law School joined the effort, with the goal of engaging at least 100 donors. To all who participated, thank you for being victors for Michigan Law.

### DONORS

# 211



## 124

ALUMS



## 74

STUDENTS

Class of 1948 to Class of 2017  
The remaining donors were faculty, staff, and parents.

### GIFTS MADE

# 222



## 1.50



## 20,000

GIFT RANGE

# \$83,013.50

TOTAL GIVEN

# 3<sup>rd</sup>

among all campus units  
for amount raised online

### STUDENT FUNDED FELLOWSHIPS

received an extra

# \$1,000

for winning an online challenge



## Law School Fund

### James D. Zirin, '64

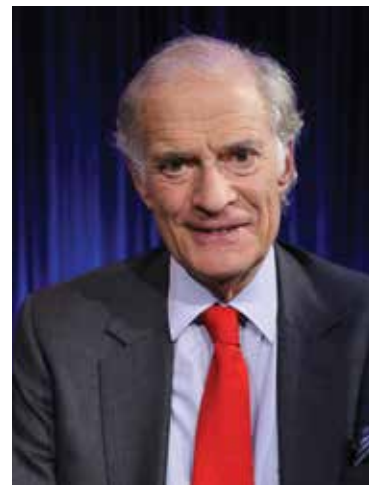
Jim Zirin, '64, sees himself as a storyteller. Which is fitting, because in addition to being senior counsel in the New York office of Sidley Austin LLP, he has authored a book and more than 100 op-eds, and he hosts a half-hour weekly TV talk show.

He knows that Michigan Law has been central in his own story. In gratitude, Zirin made a significant contribution to the Law School Fund to commemorate his 50<sup>th</sup> reunion. "I loved my experience at Michigan," says Zirin, who also participated in previous reunion gift campaigns. "Michigan Law contributed greatly to my success as a lawyer, and the way I think about the world. Michigan was the foundation for my book."

That book, *The Mother Court: Tales of Cases That Mattered in America's Greatest Trial Court* (American Bar Association, 2014), chronicles memorable mid-20<sup>th</sup> century cases in the U.S. District Court for the Southern District of New York. The court influenced Zirin profoundly: Before entering law school, he observed cases at the courthouse, and he later was an assistant U.S. attorney there, in the criminal division under legendary prosecutor Robert M. Morgenthau. While condensing a half-decade of news-making moments and personalities into a 300-page volume might seem daunting, Zirin found it surprisingly easy. "My road not taken was journalism. And although people imagine Perry Mason when they think of lawyers, most legal advocacy is written. Treating and analyzing facts, and putting the story into a logical order, felt very comfortable."

Each week on CUNY-TV's *Conversations in the Digital Age*, Zirin provides a forum for others to tell their stories. His guests include lawyers and a wide range of personalities, such as U.N. Secretary-General Ban Ki-moon and musician Wynton Marsalis. Again, the parallels to lawyering are many, he says. "I try to push my guests so that they explain their story in a way that's spontaneous and interesting."

Practicing law, writing the book, and hosting the show have given Zirin an even greater appreciation for the American legal system. He says the only way to preserve it is "to continue educating lawyers well, as Michigan does. Fifty years seemed like an important milestone in my own legal education, so I accepted my classmates' challenge to give to the Law School Fund."—AS



## Planned Giving

### Constance and Dudley J. Godfrey Jr., '52

When Dudley Godfrey and fellow members of the Class of 1952 decided to establish the John Reed Scholarship Fund, they hoped it would grow to \$1 million. Thanks in part to Godfrey's generosity through his estate, the value of the fund now exceeds \$1.2 million.

Godfrey was a loyal donor to the scholarship fund and the Law School Fund. After his death in 2007, his wife, Constance Godfrey, continued making yearly gifts. When Constance died in 2014, the John Reed Scholarship Fund received nearly \$487,000 through a charitable remainder trust the couple had established.

"It's exciting to see how the scholarship has grown, especially now with the Godfrey gift," says Reed, the Thomas M. Cooley Professor of Law Emeritus. "Because the members of the 1952 class and I arrived at the Law School together in the fall of 1949, I've always felt we had a special relationship. I am deeply grateful for their affection and generosity."

The movement to endow the scholarship was born from the class's 45<sup>th</sup> reunion in 1997. "What better way could there be to honor a man who remains a favorite of students and faculty alike?" wrote the reunion committee, of which Dudley Godfrey was a member, in an appeal to classmates. They surprised Reed by announcing the fund during their class dinner. Since then, multiple gifts from many members of the class have grown the fund.

Dudley Godfrey was a partner in the Milwaukee law firm of Godfrey & Kahn, which he cofounded in 1957. He was an aficionado of American decorative arts and a strong supporter of many charitable organizations. He and Constance were married for 55 years.—AS

*For more information about making a gift to the John Reed Scholarship Fund, contact the Office of Development and Alumni Relations at 734.615.4500.*



## Reunion Giving

Alumni celebrating milestone reunions returned to the Quad in September. We are grateful to the alumni who honored their classmates as well as the Law School with reunion gifts; reunion giving, especially to the Law School Fund, is an important source of funding for all aspects of the Law School's mission. We also thank the reunion committee members who volunteered their time to make Reunion a success.



### Class of 1964

**Committee:** Carl D. Bernstein (chair), Bruce C. Conybeare, Irwin J. Dinn, James L. Krambeck, Michael V. Marston, and John D. Tully.

**Law School Fund total:** \$231,650

**Total of all gifts:** \$289,154

**Class participation:** 36%

### Class of 1969

**Committee:** Barry A. Adelman (chair), Charles W. Borgsdorf, Robert E. Gooding, Robert M. Meisner, and Stanley S. Stroup.

**Law School Fund total:** \$105,250

**Total of all gifts:** \$247,091

**Class participation:** 32%

### Class of 1974

**Committee:** Daniel E. Reidy (chair), Robert A. Armitage, Allen E. Giles, Richard J. Gray, Forrest A. Hainline, Patrick J. Hindert, David C. Patterson, and Joseph G. Scoville.

**Law School Fund total:** \$140,056

**Total of all gifts:** \$4,044,625

**Class participation:** 33%



*Clockwise from top left: 1984 graduates Dan Schibley, Kim Jones, and Jim Weygandt pose for a selfie on a tour of the refurbished Lawyers Club. Mary Frances Berry, '70, who delivered the keynote address at the MJRL symposium, talks with Ted St. Antoine, '54, the James E. & Sarah A. Degan Professor of Law Emeritus. Alumni and other participants in the 20<sup>th</sup> anniversary symposium of the Michigan Journal of Race & Law (MJRL), held September 18–19, pose for a group photo on the steps of South Hall. Jim Krambeck and Rocque Lipford share a laugh during the Class of 1964's 50<sup>th</sup> reunion dinner. Alumni who participated in a September 19 speed-mentoring event with current students included John Signorino, '99. Ben Deming, '04, and his wife, Danielle, prove they are raising a spirited young Wolverine. Members of the Class of 2009 demonstrate that five years away from the Quad hasn't diminished their maize-and-blue pride.*



# GIVING

## Class of 1979

**Committee:** Donald R. Parshall (chair), Thomas A. Connop, Timothy L. Dickinson, Carol M. Kanarek, Charles C. Lane, John V. Lonsberg, Jack A. Molenkamp, John M. Quitmeyer, Geoffrey L. Silverman, and Scott A. Smith.

**Law School Fund total:** \$423,939  
**Total of all gifts:** \$1,092,610  
**Class participation:** 32%

## Class of 1984

**Committee:** Meg W. Clayton (chair), Jennifer B. DuChene, Steven C. Poling, Rex L. Sessions, and Stephen G. Tomlinson.

**Law School Fund total:** \$183,590  
**Total of all gifts:** \$598,290  
**Class participation:** 25%

## Class of 1989

**Committee:** Bruce G. Tuchman (chair), David H. Baum, Jonathan T. Foot, Elizabeth Jolliffe, Lydia Barry Kelley, Stephen W. Kelley, John O. Knappmann, Creighton R. Meland, and Ethan M. Posner.

**Law School Fund total:** \$108,935  
**Total of all gifts:** \$181,070  
**Class participation:** 25%

## Class of 1994

**Committee:** Ann-Marie Anderson (co-chair), Cheryl A. Hipp (co-chair), Cara A. Ahola, Otto Beatty, Nader R. Boulos, Janene A. Collins, Julia L. Ernst, Daniel M. Feeney, Tamilla F. Ghodsi, Liam B. Lavery, Elaine M. Rice, Gregory J. Ritts, and Andrew M. Winograd.

**Law School Fund total:** \$89,326  
**Total of all gifts:** \$311,651  
**Class participation:** 18%

## Class of 1999

**Committee:** Gregory W. Cooksey (co-chair), Jenny L. Floyd Smith (co-chair), James S. Birge, Abhay Dhir, David R. Grand, David C. Kirk, Wendy M. Levine, Stuart D. Lurie, Joel H. Samuels, and Dana A. Thompson.

**Law School Fund total:** \$60,650  
**Total of all gifts:** \$80,175  
**Class participation:** 16%

## Class of 2004

**Committee:** Anthony D. Gill, Erin E. Gill, Harpreet K. Khera, Katie C. Lorenz, Kristin A. Meister, Maren R. Norton, Jean Y. Rhee, Melissa L. Schwab, Jesse Wald, and James A. Wright.

**Law School Fund total:** \$18,831  
**Total of all gifts:** \$19,381  
**Class participation:** 14%

## Class of 2009

**Committee:** Laura N. Ferrell (chair), Alicia A. Handy, Clara J. Jung, Shekar Krishnan, and Annise K. Maguire.

**Law School Fund total:** \$16,000  
**Total of all gifts:** \$17,960  
**Class participation:** 11%



## Recent Gifts



**Sarah and Nader R. Boulos, '94**, have given \$100,000 to endow the Boulos Family Fund in Support of Students at Michigan Law. The gift celebrates Nader's 20<sup>th</sup> reunion, and it will be used to provide merit-based scholarships, need-based financial aid, debt management assistance, or stipends for summer law-related experience. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Nader is a partner at Kirkland & Ellis LLP, where he concentrates his practice on the preparation and trial of complex commercial cases. Sarah and Nader live in Winnetka, Illinois, with their daughters, Maddie, Charlotte, and Ellie.



**The Hon. Bobbe Bridge, AM/PhC '68**, and her husband, **Jon Bridge**, of Seattle, have made a \$250,000 gift to the Law School to endow the Bobbe and Jon Bridge Student

Fellowship Fund. The fund will provide summer internship stipends for students pursuing careers in child welfare law. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. The Bridges previously have been generous supporters of Michigan Law's Detroit Center for Family Advocacy. Bobbe is the founding president and CEO of the Center for Children & Youth Justice, a nonprofit organization she created in 2006 to reform Washington State's child welfare and juvenile justice systems. She is a former justice of the Washington Supreme Court and the King County State Superior Court, with substantial tenure in the juvenile division.

Four members of the **Class of 1974** have given a total of \$100,000 to endow the Class of 1974 Scholarship Fund in honor of their 40<sup>th</sup> reunion. The gifts will be matched at 25 percent through the Michigan Matching Initiative for Student Support. The lead gift for the fund was made by **Daniel E. Reidy**, a partner in the Chicago office of Jones Day, who heads the firm's business and tort litigation (USA) practice. Supporting gifts were made by **Larry Salustro**, who retired as senior vice president and general counsel of Wisconsin Energy Corp. and now resides in Vero Beach, Florida; **Richard A. Riggs**, a shareholder at McAfee & Taft in Oklahoma City, where he chairs the firm's renewable and sustainable energy industry group; and **Barbara S. Steiner**, a partner in the Chicago office of Jenner & Block, who co-chairs the firm's complex commercial litigation practice. Classmates who are interested in making gifts to the Class of 1974 Scholarship should contact the Office of Development and Alumni Relations at 734.615.4500.



**Betsy Clark Cooke, AB '67**, of Arlington, Virginia, has documented a \$125,000 bequest to the Law School as part of a \$500,000 total bequest that also will benefit the College of Literature, Science, and the Arts and the U-M Health System. The portion directed to the Law School will be used to endow the Julian E. Clark Memorial Scholarship at Michigan Law in honor of Betsy's father, **Julian E. Clark, '40**. It will benefit financially needy students, with a preference for students from the Upper Peninsula of Michigan and Preble County, Ohio. Betsy's husband is **James R. Cooke, '67**.

**Richard Epling, '76**, and his wife, **Suzanne Braley, MUP/MBA '77**, have given two charitable gift annuities, totaling \$200,000, to establish the Richard L. Epling and Suzanne Braley Endowed Scholarship Fund at Michigan Law. The scholarship will give preference to students with spouses or partners who also are enrolled in either a post-secondary or post-graduate program at U-M or elsewhere. Richard is a partner at Pillsbury Winthrop Shaw Pittman LLP in New York.



**Scott A. Fink, '78**, and his wife, **Kathy E. Klein, BSN '78**, have documented a bequest to endow the Scott Fink and Kathy Klein Scholarship Fund. The fund will provide need-based

scholarships to Michigan Law students. Kathy and Scott also have documented a similar bequest to endow a separate need-based scholarship fund for the School of Nursing. Scott is a retired partner of the San Francisco office of Gibson Dunn & Crutcher LLP, where his practice focused on accountant's liability and securities litigation. Scott and Kathy reside in Orinda, California.



**Beverly K. Goulet, AB '76, JD '79**, of Dallas, has made a \$100,000 gift to the Law School to create the Beverly K. Goulet Fund in Support of Students. The endowed fund will be used to provide financial assistance to students at the Law School, primarily in the form of merit scholarships. The gift, which Beverly made in celebration

of her 35<sup>th</sup> reunion, will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Beverly is senior vice president and chief integration officer of American Airlines Group, responsible for the complex process of integrating American Airlines and US Airways into one airline.

**Renee and Jeffrey A. Hall, '88**, of Wilmette, Illinois, have given \$100,000 to endow the Jeffrey A. and Renee F. Hall Family Scholarship Fund. Scholarships will be awarded to Michigan Law students on the basis of merit, with consideration given to need. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Jeff is a partner of Bartlit Beck Herman Palenchar & Scott LLP, where he has a broad business litigation practice.

**The Herbst Foundation Inc.** of San Francisco has made a \$100,000 gift to the Law School to endow the Herbst Foundation Scholarship Fund. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. The Herbst Foundation was founded in 1961 by Herman and Maurice Herbst as part of their estate plan, and it seeks to improve upon educational opportunities for future generations. The president of the Herbst Foundation board is **Melvyn I. Mark, '59**. Melvyn is a partner in the San Francisco law firm Feurzeig, Mark & Chavin LLP and also has held leadership positions on the boards of the Edward M. Nagel Foundation and the Olympic Club Foundation.



**John Hoyns, '79**, of New York, has given \$100,000 to the Law School Fund in honor of his 35<sup>th</sup> reunion. John co-chaired his 30<sup>th</sup> reunion committee and has given annually to the Law School Fund since graduation. He is a partner at Hughes Hubbard & Reed LLP, where he concentrates his practice in the areas of transportation and equipment finance, corporate finance and securities, and mergers and acquisitions.



**Barbara Jane Irwin, '80**, of Winnetka, Illinois, made a gift of \$100,000 to endow the Barbara Jane Irwin Family Scholarship Fund at Michigan Law. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Jane is retired from Potash Corporation of Saskatchewan Inc., where she served as senior vice president of administration until 2011. She serves on the boards of S&C Electric Co., the Chicago Botanic Garden, the Music Institute of Chicago, and New Trier Educational Foundation. She also is a member of the Law School's Development and Alumni Relations Committee.



**Edward Krauland, '80**, of Bethesda, Maryland, has given \$100,000 to endow the Edward J. and Lesley W. Krauland Family Student Support Fund. The fund will be used to address the

Law School's most pressing needs related to student support, whether it is a scholarship, a fellowship, or some other form of student funding. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. In 2010, Edward gave more than \$25,000 to help establish the Global Education Fellowship Fund at Michigan Law. He is a partner in the Washington, D.C., office of Steptoe & Johnson LLP, where he manages the international regulation and compliance group. Lesley, a licensed social worker, is an active volunteer with the Episcopal Diocese of Washington.



**Abby and George C. Lombardi, '84**, of Hinsdale, Illinois, have given \$100,000 to endow the George C. and Abby J. Lombardi Scholarship Fund at Michigan Law. The gift celebrates George's 30<sup>th</sup>

reunion, and it will be matched at 25 percent through the Michigan Matching Initiative for Student Support. George is a partner at Winston & Strawn LLP in Chicago, where he chairs the firm's 200-attorney intellectual property practice and serves on the executive committee.

**Gary A. Nickele, '77**, and his wife, **Sally S. Nickele, AB '78**, of Park Ridge, Illinois, have made a gift of \$50,000 to create the Sally S. and Gary A. Nickele Law Scholarship Fund. They also have created an identical scholarship fund in the College of Literature, Science, and the Arts (LSA). Both gifts will be matched at 25 percent through the Michigan Matching Initiative for Student Support. In making these gifts, the Nicketes recognize the significance of the University of Michigan in the lives of their family, including their children, **Stephanie, '11**, **Lisa, AB '07**, **Gary Jr.**, and **Julie**, a current LSA student. Gary is an executive vice president at JMB Realty Corp.



**Thomas W. Palmer, '72**, and his wife, **Susan F. Palmer**, have given \$150,000 to create the Thomas and Susan Palmer Fund for Law School Student Support. The endowed fund will be used each year to meet the Law School's most pressing needs related to student

support—such as scholarships, summer fellowships for students engaged in public service, or loan repayment assistance for law graduates in low-paying legal jobs. The gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Thomas has been a managing partner and continues as a senior member in the litigation and business groups at Marshall & Melhorn LLC in Toledo, Ohio.



**Siri and John M. "Hans" Quitmeyer, '79**, of Minneapolis, have made a gift of \$62,500 to the Law School. The gift includes \$50,000 to support Michigan Law clinical programs as well as continued annual

support of the Law School Fund at the Cavaedium Society level. The gift was made in honor of Hans's 35<sup>th</sup> reunion. Hans is vice president and general counsel of Honeywell Automation and Control Solutions.

**Lori and Robb Voyles, '82**, of Houston, have given \$100,000 to endow the Robb L. Voyles Family Scholarship Fund, which will provide merit scholarships to students from Toledo, Ohio—Robb's hometown—or from the state of Ohio. With a match from Halliburton, the gift will be more than doubled. In addition, Robb's portion of the gift will be matched at 25 percent through the Michigan Matching Initiative for Student Support. Robb has been general counsel of Halliburton Co. since 2013; prior to that, he was a senior partner at Baker Botts LLP.

Sarah Mae Flemming (second from left) was represented by Philip Wittenberg, '50 (below).



## Before Rosa Parks

### Wittenberg, '50, Looks Back on Early Bus-Segregation Case

By Katie Vloet

Before Rosa Parks, there was Sarah Mae Flemming. On June 22, 1954, Flemming boarded a bus to go to one of her two jobs as a domestic worker in Columbia, South Carolina. A seat opened up, and, believing that the only white people on the bus were seated in front of that spot, she took the seat.



The bus driver ordered her to get up because, he would later testify, Flemming had sat in front of two white people. She stood and tried to leave the bus by the front door, since the path to the back door was crowded. But the bus driver stopped her with a strike of his arm across her stomach, she later testified, and he said, "Get out, and get out through the back."

So began a little-known chapter of the civil rights movement—one marked by a cross-burning and threats of violence, but also by a ruling that affected the outcome of a more well-known bus segregation case. "The events that followed helped mold the law that upheld Rosa Parks's right to say no," says a chapter about the case in *Matthew J. Perry: The Man, His Times, and His Legacy* (The University of South Carolina Press, 2004).

A local civil rights activist who was helping Flemming contacted a 26-year-old white lawyer named Philip Wittenberg. He had attended Michigan as an undergraduate, drawn to the school by a pamphlet that read, "Attendance at the University of Michigan is a privilege, not a right." He stayed for law school and graduated in 1950, then served in the Judge Advocate General Corps in Germany during the Korean War. Wittenberg returned to Columbia and opened his own practice. The activist knew of him from his successful representation of another black woman who was facing a criminal charge for violating a bus driver's order to sit in the back.

"Being Jewish, I have a feeling for minorities. It just struck me as being wrong, the way she was treated," Wittenberg recalls. "I had an interview with Ms. Flemming, and I was convinced that she was struck by the bus driver. It troubled me that she was ordered out of the seat. I was convinced, based upon the school segregation cases and the interstate law that prevailed by that time, that this was wrong." He agreed to represent Flemming in her federal civil rights case against South Carolina Electric and Gas Company, which operated the bus.

He alleged that Flemming's Fourteenth Amendment right to equal protection had been violated. The timing was important because the U.S. Supreme Court's decisions in two segregation cases—*Brown v. Board of Education* and *Bolling v. Sharpe*—had been

issued only two months earlier. Flemming's case was dismissed by a federal judge in Columbia, but, on appeal, the Fourth Circuit remanded the case for trial. "The recent decisions in [the segregation cases] . . . leave no doubt that the separate but equal doctrine approved in *Plessy v. Ferguson* has been repudiated," a majority of the Fourth Circuit judges wrote.

The bus company appealed, and the State of South Carolina as well as the City of Columbia joined the appeal on the side of the company. In April 1956, the U.S. Supreme Court refused to review the Court of Appeals decision. But then, in June of that year, the original judge dismissed the case once again.

The ups and downs of the case took their toll on Wittenberg, particularly when the Ku Klux Klan made a very public display of its displeasure with the young lawyer. "I was watching TV, and I saw a flame in the front yard," Wittenberg recalls. "All my neighbors were watching the cross burning. I knocked it down—it was six or seven feet tall. We had a baby sleeping in the front room." While it burned, he received a phone call in which he was told to "drop this case, or it's your life."

Wittenberg stayed on the case for a while, but soon his family grew more worried about the potential dangers. He withdrew, and the case was taken over by Matthew J. Perry, who would go on to become South Carolina's first African American federal judge. "I would have liked to have seen it through," Wittenberg says, "but the world moves on." A jury found in favor of the bus company, but a third appeal was not filed because by then the U.S. Supreme Court had decided *Browder v. Gayle* in favor of bus desegregation.

Wittenberg moved to Sumter, South Carolina, where he eventually retired as senior partner from the firm Levi, Wittenberg, Harritt, Hoefler & Davis. He now lives on Hilton Head Island, South Carolina. The Flemming case, he says, remains one of the highlights of a long and distinguished career, and he is proud to have played a part in the civil rights movement. His role was highlighted in the recent documentary *Before Rosa: The Unsung Contribution of Sarah Mae Flemming* by Steve Crump, which has aired on public television.

Says Wittenberg: "Once the Supreme Court ruled that segregation in the schools was wrong, it just seemed that the State should pass a law to prevent the bus driver from acting as a deputy sheriff, enforcing segregation on the buses. It's a feeling of right and wrong."

Looking back now, he says, "I did the right thing, she did the right thing, the Fourth Circuit did the right thing." Segregation, he says, "had to come to an end at some point in a civilized society. We did our part to make that happen."

THE EMERITI REUNION WILL BE SEPTEMBER 25–27, 2015.

1955



**Bob Fiske**, senior counsel in Davis Polk’s litigation department and former U.S. attorney for the Southern District of New York, has a new book titled

*Prosecutor, Defender, Counselor: The Memoirs of Robert B. Fiske, Jr.* (Smith/Kerr Associates, 2014). The book is an account of his nearly six-decade career in private practice and public service, including his role in some of the most prominent cases of the past half century. Among the highlights: Fiske discusses his role in cases such as the Whitewater investigation, the Three Mile Island accident, the conviction of drug kingpin Leroy “Nicky” Barnes, and representations of the New York Mets, the National Football League, and Suzuki Motor Corp.

1956

**Herbert R. Brown** has written a play, *The Final Table*, which will be produced by the Contemporary Arts Theater Company at the Riffe Center in Columbus, Ohio. It is a comedy about a poker game between five dead presidents and a mysterious dealer who claims she has been assigned to the game by God. Though a comedy, the play challenges the presidents with trenchant religious and political questions, including what they might do to resolve the current dysfunction of government in Washington.

1957



since the inception of the list 30 years ago.

**Cyril Moscow**, partner at Honigman Miller Schwartz and Cohn LLP in Detroit, was named to *The Best Lawyers in America* 2015 list. He has been selected every year

1960



since the inception of the list 30 years ago.

**Stevan Uzelac**, of counsel at Honigman Miller Schwartz and Cohn LLP in Detroit, was named to *The Best Lawyers in America* 2015 list. He has been selected every year

1961

**John E. Porter**, senior adviser at Hogan Lovells in Washington, D.C., has received the National Academy of Sciences’s 2014 Public Welfare Medal in recognition of decades of advocacy on behalf of scientific and medical research. Established in 1914, the medal is the academy’s most prestigious award and is presented annually to honor extraordinary use of science for the public good.

1962

**The Hon. Amalya L. Kearse**, judge for the U.S. Court of Appeals for the Second Circuit, received an achievement award from the Union Township Community Action Organization Inc. for her contribution to the legal profession. Her parents were founders of the organization, which has been a source of assistance in job training, child care, and senior services for multiple generations in New Jersey.

1963

**Kenneth W. Graham Jr.** has completed 50 years of teaching at UCLA. He retired from its law school in 2003 but continues to teach in the honors college. He also is working on his last volume of *Federal Practice and Procedure: Evidence*.

1965

THE REUNION FOR THE CLASS OF 1965 WILL BE SEPTEMBER 25–27, 2015.

1966

**James P. Hoffa** was appointed by President Obama to the Advisory Committee for Trade Policy and Negotiations. He is the general president of the International Brotherhood of Teamsters, a position he has held since 1999. He previously was appointed to the advisory committee in 2010.

**Terence Roche Murphy** received the German Order of Merit—Knight’s Cross from the German government, awarded by the president of Germany. He is chairman and CEO of MK Technology in Washington, D.C.



**The Hon. William C. Whitbeck** has retired as a judge of the Michigan Court of Appeals. He served 17 years on the court, including six years as chief judge and two years as chief judge pro tem. He also served on the immediate staffs of three Michigan governors: George Romney, William Milliken, and John Engler.



## David Cho, JD/MBA '06: Living Out His Hoop Dreams at adidas

By Lori Atherton

For as long as he can remember, David Cho, JD/MBA '06, has been a basketball fanatic. But it isn't just hitting the court or watching his favorite NBA team in action that inspires his passion for the game; it's also the gear worn by players.

You might say, then, that Cho is living out his hoop dreams as adidas's NBA partnership director, a role in which he manages all aspects of adidas's 11-year global partnership with the NBA. That partnership includes on-court uniforms, U.S. and international retail licensed businesses, league events, and sponsorship activities. During his five years at the company, Cho has introduced the NBA's Christmas Day event jerseys, the category of team-specific Pride uniforms, and, more recently, the 2015 NBA All-Star Game uniforms. All of these new initiatives have been instrumental in the growth of the global NBA merchandise business.

"Unlike other international leagues, where the uniforms for individual teams are made by different brands, here in the United States it's typically one brand that makes uniforms for the entire league," Cho says of adidas's partnership with the NBA. "You see this model in the MLB, NHL, and NFL, but the primary difference with the NBA is that it's a truly global league and business. The NBA has done a phenomenal job with its international growth, and what you see is the popularity of basketball on the rise in Europe, in China, and throughout Asia and Latin America. We sell NBA jerseys in practically every market in which adidas does business. No other U.S. sports league has that following around the world."

A Rochester, New York, native, Cho grew up in retail, which he credits with fostering his heightened awareness of sports apparel. His dad owned two sneaker shops, and Cho spent a lot of time there after school, on weekends, and during summer vacations.

"I got to see all of the new products and styles, whether they were sneakers or clothing," Cho says. "Most kids my age went shopping when they were looking for stuff; I was always in stores even if I wasn't looking for something. As I became a serious athlete and wore sports gear day in and day out, I cared that much more about what I was wearing than most other kids."

Despite his love of basketball, Cho, who also played tennis and volleyball, didn't pursue a sports-related major in college. Instead, he graduated with a biochemistry degree from Harvard, then worked as a researcher in rheumatology and orthopaedics for three years before joining a biomedical startup. Though he liked science well enough, Cho realized he lacked the passion to make it a long-term career, so he entered law school, a move inspired in part by his brother and sister-in-law, both of whom are Michigan Law graduates (George Cho, '99, and Rhan Soh, '02). Cho opted to pursue a joint JD/MBA while at Michigan, which led to a coveted summer internship in Nike's global apparel division and set the course for a career in sports marketing.

Cho never expected the internship to translate into a full-time job—"it was just a fun summer in Portland," he says—but a final project for one of his business classes brought the attention of Nike executives and resulted in a job offer.

"Our project was to create a hypothetical problem related to doing business in Asia," Cho says. "I thought, why create a hypothetical situation when I can call someone at Nike and ask if there is anything that business students could look into for a semester. They were interested in having us research the action sports industry in the Asia Pacific region. We gave the class presentation, and then had a teleconference with what turned out to be the entire senior leadership team for Nike's Asia Pacific region. It led to a full-time position straight out of school."

Cho held global brand and regional strategy positions at Nike and worked there for four years before moving to his current role at adidas which, the lifelong basketball fan says, is a dream job.

"When I explain to people what I do, the joke I often get is, 'that's great, but I wouldn't consider it a job.' It's fun to come to work every day, but that doesn't mean there aren't challenges or that it's easy. It's a true global business, and there are overarching brand and business goals that have to be met. But still, in the world of sports, specifically the NBA, it's a unique role."

And Cho is relishing every moment of it.



1968

**Lee Hornberger**, arbitrator and mediator in Traverse City, Michigan, received the George N. Bashara Jr. Award from the State Bar of Michigan's Alternative Dispute Resolution (ADR) Section. The award is given annually to an individual, program, or entity in recognition of exemplary service to the ADR Section and its members.

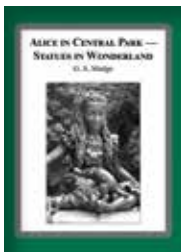
1969



**Geoffrey Jarpe**, partner and co-chair of Maslon's litigation group in Minneapolis, was named president of the Minnesota Chapter of the American Board

of Trial Advocates (ABOTA). Formed in the late 1950s when the jury system was under public scrutiny, the primary purpose of ABOTA is the preservation of the civil jury trial under the Seventh Amendment.

**The Hon. J. Richardson "Rick" Johnson**, Kalamazoo County, Michigan, circuit judge, retired from the bench after serving for 21 years. He and his wife, Nancy, reside in Portage, Michigan.



**G.A. Mudge** self-published a book titled *Alice in Central Park—Statues in Wonderland*. The book introduces all of the statues in Central Park in New York City and includes

photographs that focus on the statues, minimizing distractions in the foreground and background. Mudge lived next to Central Park for 35 years. He is retired from a career with an international law firm based in New York City. He also has served as chair of the board of trustees of the International Institute of Rural Reconstruction.

**The Hon. Steven R. Servaas** of Michigan's 63<sup>rd</sup> District has retired after 42 years on the bench. He was elected in 1972 at the age of 28 and is both the youngest judge ever elected in Michigan and the longest-sitting jurist in the state's history. The City Council of Rockford, Michigan, the site of his courthouse, has named the courthouse and its municipal complex in his honor.

**The Hon. Donald Shelton**, a retired Washtenaw County Circuit Court judge, was named director of the University of Michigan-Dearborn criminal justice program. He previously taught criminal justice and criminology at Eastern Michigan University for nearly 20 years.

1970

THE REUNION FOR THE CLASS OF 1970 WILL BE SEPTEMBER 25–27, 2015.

1972



**John Pinney**, attorney at Graydon Head in Cincinnati, has been appointed to the board of trustees of the Ohio Legal Assistance Foundation, a state-wide charitable foundation providing resources and support for Ohio's legal aids. In addition to serving on the board, he also will be on the nominating and governance committee.



**The Hon. Bill Richards** has been appointed by the Michigan Supreme Court as chief judge for the 46<sup>th</sup> District Court in Southfield. Then-Governor Jennifer Granholm appointed him to the court in 2007, and the voters have elected him twice to continue to serve as judge.

1973

**Godfrey Dillard** is profiled in a book titled *Strong Inside: Perry Wallace and the Collision of Race and Sports in the South* (Vanderbilt University Press, 2014), a biography of the first African American basketball player in the Southeast Conference. He was a teammate of Perry Wallace on Vanderbilt's freshman team in 1967 but was injured before ever playing a varsity game.



**Curtis Mack** received the JTB Individual Service Award from Just the Beginning—A Pipeline Organization, which is dedicated to developing and nurturing an interest in the law among young people from various socioeconomic, ethnic, and cultural backgrounds underrepresented in the legal profession, and to supporting their continued advancement.

turing an interest in the law among young people from various socioeconomic, ethnic, and cultural backgrounds underrepresented in the legal profession, and to supporting their continued advancement.



**James E. Stewart**, intellectual property litigation partner at Honigman Miller Schwartz and Cohn LLP in Ann Arbor, was honored by the Federal Bar Association

Eastern District of Michigan Chapter for his pro bono contributions to the U.S. District Court for the Eastern District of Michigan.



# CLASS NOTES

## 1974

**Lynne Adams-Whitaker** authored a book titled *The Chit'lin Coast: A Tale of Growing up Black and Female in Mid-Twentieth Century Chicago* (CreateSpace Independent Publishing Platform, 2014). Additionally, in 2013, her story "A Visit From Mother Dear" was included in an anthology, *More of Life's Spices: Seasoned Sistahs Keepin' It Real*, ed. by Vicki L. Ward (Nubian Images Publishing).

**Robert W. Buechner** cofounded Champions for Urban Youth, an arm of the not-for-profit Cincinnati Youth Collaborative, to connect mature adults in the community with public school students. They work to encourage everyone to use their own gifts and resources to effect positive change in their own neighborhoods.



**Jeffrey Keiner**, a GrayRobinson executive shareholder in Orlando and Fort Lauderdale, Florida, was appointed to the Ninth Judicial Circuit Court Local

Professionalism Panel for a three-year term. The panel receives, screens, evaluates, and acts upon complaints of unprofessional conduct.

## 1975

THE REUNION FOR THE CLASS OF 1975 WILL BE SEPTEMBER 25–27, 2015.

## 1976



**Freda J. Levenson** has been appointed legal director of the American Civil Liberties Union of Ohio. Her major responsibilities include litigation,

management of the legal team, and legal analysis of pending legislation and other emerging civil liberties issues.

## 1979

**Diane Dossin**, Ford Motor Co.'s chief tax officer, was profiled in *dbusiness* magazine for her work as a female business leader in the Detroit region who is driving profits, adding employees, and opening new opportunities.

**Kenneth L. Mickens** has been elected chairman of the board of directors of the Sustainable Energy Fund (SEF), a private nonprofit corporation based in Allentown, Pennsylvania, that promotes energy efficiency, renewable energy, and energy conservation. He has been a member of the SEF board since 2010, and he maintains a private legal practice in Harrisburg, Pennsylvania.

## 1980

THE REUNION FOR THE CLASS OF 1980 WILL BE SEPTEMBER 25–27, 2015.

**Darrell Pierce** was elected a member of the American Law Institute. He is a member at Dykema Gossett in Ann Arbor and Chicago, where his practice focuses on the areas of commercial and corporate finance law.



**The Hon. Michael E. Romero** was appointed chief judge for the U.S. Bankruptcy Court for the District of Colorado.

## 1981



**Mark Lezotte**, health care attorney with Butzel Long in Detroit, was re-elected to the United Cerebral Palsy (UCP) national board of trustees. He has long served UCP in various public policy and governmental activity roles, and as chair of UCP's national public policy committee.



**Dustin Ordway** has opened a New York office for the Ordway Law Firm. The firm's principal office will continue to be located in Michigan. He will continue to

concentrate his litigation and regulatory practice on environmental and natural resources law, and to provide dispute resolution services in litigation matters.

## 1982



**Jeffrey P. Minear** was elected a member of the American Law Institute. He has been counselor to United States Supreme Court Chief Justice John G. Roberts, Jr., since

September 2006. Prior to that, he was senior litigation counsel and assistant to the solicitor general in the U.S. Department of Justice.

**Catherine A. Novelli** was sworn in as undersecretary of state for economic growth, energy, and the environment. She leads the U.S. State Department's efforts to develop and implement economic growth, energy, oceans, environmental, and science and technology policies to promote economic prosperity and address global challenges in a transparent, rules-based, and sustainable system. She also is the State Department's senior coordinator for international information technology diplomacy.





## Kruse, '02: Stitching Together Life's Poetry

By Amy Spooner

If Shermin Nahid Kruse's life were a poem, it would contain everything that makes the art form so compelling in her native Iran: Struggle. Passion. Heroes and villains. Love and triumph.

One could argue that Kruse's life poem was more robust when she entered law school than many are in a lifetime. Living in a war zone—Tehran during the Iran-Iraq War—meant dodging daily rocket attacks and terrifying encounters with the post-revolution morality police. Basic commodities were in short supply; hot water was nonexistent. She then left relatives, friends, and the only life she'd ever known to flee with her family to Toronto at age 11. None of them spoke English upon arrival, and the journey depleted their savings. Yet in spite of the challenges she faced, she would go on to graduate *cum laude* from Michigan Law.

Kruse, '02, insists we all have stories to tell. Her mission is to help share them. Now living in Chicago, Kruse cofounded the nonprofit Pasfarda Arts and Culture Exchange in 2007 to promote cultural understanding between the United States and Iran through the arts. Her motivation was largely personal: With her homeland a member of the so-called Axis of Evil, Kruse witnessed people physically back away from her when she'd say she was Iranian.

"If one is a proponent of advocacy, then you must reach out to groups that don't agree with you. When you do, you realize that most everyone just wants to live a safe and free life with their family," she says. "So how do you find that apolitical ground from which to begin a relationship? For my colleagues and me, it was the arts."

The arts always have been important to Kruse. Upholding the traditional Persian love of poetry, she began writing poems as a child, and also paints. Her debut novel, *Butterfly Stitching* (Water Bird Press), which is based on true stories of relatives and friends in Iran, was published in 2014 to high acclaim. Through Pasfarda she has given Americans a glimpse of ordinary Iranians—from promoting a film about Iran's underground music scene to exhibiting the work of a Tehrani graffiti artist. "It's hard to discuss Iran without talking politics," she acknowledges. "Even with our work, the conversation



turns to why rap music is an underground movement, why the graffiti artist would be executed if his identity were known. But we're trying to connect people in ways that are intriguing on an everyday, human level."

Kruse also is passionate about international human rights law, grounded in her own experience as an immigrant. She has volunteered extensively on behalf of the homeless and underserved communities in Chicago, has done volunteer work in India, and maintains a full pro bono docket that includes representation of asylum workers and indigent artists. Last fall she spent a week on the Turkey-Syria border with the Karam Foundation, aiding refugees. Kruse helped evaluate workshops that taught entrepreneurial skills to Syrian teenagers who faced minimal educational or professional prospects. Topics included how the teens can use their smartphones and computer access in the camps to learn Turkish and receive vocational training for a wide range of entrepreneurial endeavors. "They only have two chips left," Kruse says. "Our approach is to have them pick those chips up and see how they can be used. More than sympathy, refugees need empowerment."

And, she argues, they need the world to understand that Syria is not just a Middle East problem. It is a humanitarian crisis affecting millions who are a vulnerable population ripe for terrorist recruitment, so compassion now could reap stability later. "We must put aside who we are and where we're from and realize we all are citizens of the world. Syria is a global problem that affects global stability, and we all need to educate ourselves so that we can make a difference," says Kruse, who wrote a six-part series on her experience for the Huffington Post.

Her childhood struggles and volunteer work help keep life in perspective, says Kruse, who is an equity partner at Barack Ferrazzano Kirschbaum & Nagelberg LLP. And although being one of the firm's youngest minority partners while raising a young family might seem to be enough, Kruse disagrees. "When faced with huge global dilemmas, we all feel powerless. But the truth is, we are powerful; we can change the world. If I really believe that, then I have to live it."



## Schneidewind, '70: Fighting for the Future at AARP

By Amy Spooner



Eric Schneidewind, '70, wants you to understand that AARP means more than free cups of coffee and hotel discounts. Schneidewind, who practices energy law and is of counsel with Varnum LLP in Lansing, Michigan, is president-elect of AARP, the nation's largest membership-based organization for people age 50 and older. "I think it's the chance of a lifetime," says Schneidewind of leading the organization formerly known as the American Association of Retired Persons. "There is no greater challenge in the industrialized world than the aging demographic."

Surges in the number of retirement-age Baby Boomers, followed by decades of post-Boomer birth-rate declines, are inverting the traditional demographic pyramid in industrialized countries—meaning more people will be collecting retirement benefits and fewer will be in the workforce to pay for them. While Schneidewind says the United States is affected by this difficult issue, it is relatively lucky compared to Eastern Europe, China, and Japan, where the problem borders on catastrophic. "AARP is at the forefront not only in the U.S., but in the world, of developing positive solutions to a global problem. It's one of the least-understood things about AARP, yet maybe our most shining hour."

Long known for championing Social Security, AARP continues lobbying actively for the program, which the trustees of the Social Security trust fund project will lack sufficient funding to fully meet its obligations as early as 2033. "My number one priority as president is to start the conversation to cure that shortfall," Schneidewind says. "With the number of retirees poised to double, every single voter should be pressing Congress to look this problem square in the eye and deal with it."

The organization also is addressing the fact that as people live longer, their odds of requiring long-term care increase. With nursing home-care costs escalating and more people retiring with less savings, AARP is lobbying for home-care programs to receive more state funding as well as Medicaid coverage, which Schneidewind says historically favors nursing homes. "Research shows that allowing a person to be cared for at home with some drop-in support is one-third the cost of moving that same person to a nursing facility. And polling shows that being at home is what people want. So if we can make people more comfortable and get three times the bang for their buck, then that's a positive approach to a big problem."

As the voice of nearly 40 million older Americans, AARP has been in the thick of many political debates, but Schneidewind stresses that the organization is nonpartisan. "We've been accused of being Democrats; we've been accused of being Republicans," he says, noting that the organization has both supported and opposed Presidents George W. Bush and Barack Obama. The organization stood with Bush on the rollout of Medicare Part D prescription drug coverage and with Obama on the Affordable Care Act, while opposing their respective plans to privatize Social Security and to reduce the benefit's cost-of-living adjustment. "Each time, we've looked at the interests of our members and done what we've thought was right, recognizing that not everyone will be happy, at least right now," says Schneidewind, who currently chairs AARP's policy advisory council. "People violently opposed Social Security and Medicare when they were introduced; now they each enjoy 80 to 90 percent approval ratings. You can't say that about many government programs."

Given the difficult issues that AARP is taking on, it's auspicious that Schneidewind doesn't shy away from a good policy fight. "I love huge problems that involve politics, finance, technical issues, and subject matter experts coming together from far-flung disciplines to find a plausible solution," says Schneidewind, the former chair of the Michigan Public Service Commission, former deputy director of policy and consumer protection for the Michigan Insurance Bureau, and a prior attorney for the Michigan State Housing Authority. Becoming chair of the commission in 1981—in the wake of oil shocks and Three Mile Island, and with stalled energy investments teetering on bankruptcy—was "one of the most thrilling and fulfilling times of my life," he says.

His role with AARP provides the same rush—"for a policy wonk, this is one of the most exciting and productive places I could be," he says—coupled with a sense of social justice. "I am troubled by the thought that the opportunities I had may not be there for younger generations. That's what motivates me to try as hard as I can to find solutions to these problems."

1983

**Justin Perl** has joined Mid-Minnesota Legal Aid in the role of litigation director. The organization provides free legal representation to clients with low incomes, those with disabilities, and seniors in numerous areas of the law. Prior to joining Legal Aid, he was a commercial litigator at the Minneapolis law firm of Maslon LLP, where he practiced for 31 years.

**Patricia “Trish” Lee Refo**, a partner in the Phoenix office of Snell & Wilmer, became chair of the American Bar Association House of Delegates. The House of Delegates is the American Bar Association policymaking body, and the two-year post of chair is the second-highest office in the organization.

**Clive J. Strong**, deputy attorney general of Idaho, received the American Bar Association Section of Environment, Energy, and Resources’s 2014 Environment, Energy, and Resources Government Attorney of the Year Award. The award recognizes exceptional achievements by federal, state, tribal, or local government attorneys who have worked or are working in the field of environment, energy, or natural resources and are viewed as having consistently achieved distinction.

1984



**Gregory C. Brown’s** essay “*Stanford v. Roche*, the CREATE Act and the AIA” was published by the American Bar Association in *The Technology Transfer Law Handbook* (2014). The essay considers the effect of the 2011 U.S. Supreme Court decision and recent legislation on American universities’ claims to the patent rights in inventions created by their faculty.



**Michael J. Hernandez**, partner at Franczek Radelet PC in Chicago, has been nominated as a Fellow of the American Bar Foundation (ABF). The Fellows of the

ABF is an honorary organization of lawyers, judges, and legal scholars whose public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession.



**Mitchell R. Meisner**, partner in Honigman Miller Schwartz and Cohn LLP’s real estate department in Detroit, has been appointed vice chair of the International

Investments in Real Estate Committee of the Real Property, Trust, and Estate Law Section of the American Bar Association. The committee focuses on foreign investment issues in U.S. real estate, as well as U.S. real estate investment and development in foreign countries.

1985

THE REUNION FOR THE CLASS OF 1985 WILL BE SEPTEMBER 25–27, 2015.



**Mark A. Finkelstein** has joined the board of directors for Columbia Banking System. He previously served as executive vice president-corporate development and general counsel of Emeritus Corporation.



**Paul Pirog** retired as a brigadier general after more than 37 years in the Air Force. He started as a B-52 navigator, then, after law school, served in a variety of operational

assignments as a judge advocate. He served four tours as a staff judge advocate (senior attorney for a base), was a medical law consultant, served in the Air Force General Counsel’s office as the chief of the National Security Law Branch, was deputy commandant of the Air Force Judge Advocate General School, and was deputy staff judge advocate of Air Mobility Command. His assignment for the last 12 years was as the permanent professor and head of the Department of Law at the United States Air Force Academy in Colorado.

1986

**Gregg F. Lombardi**, executive director of Legal Aid of Western Missouri, was awarded the Richard S. Arnold Award for Distinguished Service by the Association of the Bar for the U.S. Court of Appeals for the Eighth Circuit. He has helped develop a number of projects designed to provide greater access to legal services for underserved communities.

**Keith A. Shandalow** of the Law Offices of Keith A. Shandalow PC of Boulder, Colorado, received the Colorado Plaintiff Employment Lawyers Association’s 2014 Case of the Year Award for his representation of the plaintiff in *Brett Williams v. Colorado Department of Public Safety, Colorado State Patrol*.



# CLASS NOTES

## 1989



**Melody C. Barnes**, a vice provost of New York University and the former director of the White House Domestic Policy Council, has been elected to the board

of directors of Ventas, a real estate investment trust.

**Damon Vocke** was promoted to president of Gen Re Corp., a Berkshire Hathaway company. He has served as global general counsel since joining Gen Re in 2004, and was promoted to executive vice president in 2013. He also is chairman of Lloyd's of London Syndicate 435 (Faraday) and U.S. Aviation Underwriters in New York City, both Gen Re subsidiaries.

## 1990

THE REUNION FOR THE CLASS OF 1990 WILL BE SEPTEMBER 18–20, 2015.



**Carol Sulcoski's** fourth book, *Lace Yarn Studio*, was published by Lark Crafts, an imprint of Sterling Publishing. The book contains patterns and technical

information for handknitters. She is working as a freelance writer and designer in the handknitting field, and her articles are published frequently in knitting magazines.



**Karl Weber**, the managing partner of the Marquette office of Plunkett Cooney, was appointed as a member of the Upper Michigan Legal Institute Advisory

Committee by the president of the State Bar of Michigan. He will assist in the development of an annual legal education seminar focusing on the practice needs of northern Michigan attorneys.



**Ronald E. Wheeler Jr.** has been elected to the 2015–2016 executive board of the American Association of Law Libraries, where he will serve as vice president/

president-elect. He is director of the law library and information resources at Suffolk University Law School's John Joseph Moakley Law Library in Boston.

**Colin J. Zick** received Massachusetts Health Information Management Association's 2014 MaHIMA Health Information Management Advocacy Award. He is a partner with Foley Hoag LLP, where he serves as co-chair of its data privacy and security and health care practice groups, primarily concentrating on compliance issues facing hospitals, medical practitioners, device manufacturers, and pharmaceutical companies.

## 1991

**Christopher McCleary** joined the U.S. Olympic Committee (USOC) as the organization's general counsel. He is responsible for the oversight of all legal matters faced by the organization and all necessary functions as corporate secretary for the USOC board of directors. Additionally, he will serve as the organization's ethics officer, coordinating with the USOC Ethics Committee, and will lead the USOC's partnerships with the World Anti-Doping Agency, U.S. Anti-Doping Agency, and Partnership for Clean Competition.



**John D. Pernick** has joined Bergeson LLP in San Jose, California, as of counsel. He represents companies and individuals in complex business

litigation in state and federal courts, including securities and other class actions, shareholder derivative actions, corporate control disputes, and general commercial disputes.

## 1992



**Christopher A. Ballard**, partner at Honigman Miller Schwartz and Cohn LLP in Ann Arbor, has been elected to the American College of Trust and Estate

Counsel, a national professional organization of more than 2,600 lawyers who have made outstanding contributions to the field of trust and estate law.

**Rachel Godsil** was appointed chair of the Rent Guidelines Board in New York City by Mayor Bill de Blasio. The board determines annual rent adjustments for approximately one million apartments across the city subject to the Rent Stabilization Law. She serves as the Eleanor Bontecou Professor of Law at Seton Hall University School of Law, and her areas of focus include property, land use, environmental justice, education, and race.

**Steven L. Highlander** was selected as an IP Hero Award winner. The international awards, sponsored by patent and trademark law firm Murgitroyd, were developed to recognize individuals in the intellectual property industry who have made outstanding contributions to the industry or organizations they represent. He is managing member of Parker Highlander PLLC, a boutique IP law firm in Austin, Texas.

**Charlie Maier** became a managing officer of Gray Plant Mooty. He manages approximately 170 lawyers in 11 practice groups spanning Gray Plant Mooty offices in Minneapolis, Washington, D.C., and St. Cloud, Minnesota. He co-chairs Gray Plant Mooty's litigation group.



## Nwogu, '07: Promoting Transparency in African Mining Laws

By John Masson

Strictly speaking, calling the thing that Nneoma Nwogu, '07, created a database is kind of like calling Magna Carta a Dear John letter; technically, it's accurate, but it understates the true significance.

The African Mining Legislation Atlas (AMLA) is, in fact, a database. It gathers mining law written across Africa, with the goal of leveling a playing field many believe is tilted away from the best interests of Africa's people.

Now senior counsel at World Bank Group, Nwogu first identified a need for something like AMLA (see it online at [a-mla.org](http://a-mla.org)) when she was an associate with Hogan Lovells, where she was helping renegotiate mining contracts on the continent. An African émigré herself, she came to the negotiating process with a special perspective.

"I am very much aware of the priority given to natural resources on the continent," says Nwogu, who was born in Nigeria. Despite that priority—or perhaps because of it—Nwogu found it difficult to locate some mining laws, and even more difficult to compare such laws across various African countries.

"The contracts are not always made public, for a number of reasons—some of them valid," she says. "But laws are supposed to be public."

Nwogu realized that the knowledge of details that lay buried in mining documents would empower citizens of resource-rich African countries to make better deals with the multinational businesses seeking to extract those resources. So when an opportunity arose in 2013 at the World Bank to help increase the transparency of mining law across the continent by creating AMLA, Nwogu—who began working at the World Bank in 2010—seized the chance to lead the effort as a sideline to her other duties.

Since the pilot AMLA database came online in October 2014, interested parties have been able to check and compare the mining laws in the Democratic Republic of Congo, Guinea, Nigeria, and Sierra Leone. More countries will be added with the progression of the project, which is being conducted under the auspices of the World Bank and with participation and coordination by the African Legal Support Facility, the University of Cape Town, and other African academic institutions.

"The more we can increase accessibility and openness ... the more people become aware of what the rules of the game are," she says. "You can look at your law and say, 'Wait, why does the law of one country say that every mining contract requires employment of citizens, and our law is silent on this issue?' It gives people the information they need to ensure better laws and hold governments accountable."



For her classmates, Nwogu's passion on the issue reflects the law student they knew in Ann Arbor.

"It comes as no surprise to me that Nneoma has done something like this," says Tara Plochocki, '07. "It's hardly the first time, and certainly won't be the last."

When Nwogu presented about AMLA to a group of senior World Bank officials in Washington, D.C., in fall 2014, Plochocki says, there was a sizable contingent of her Michigan Law classmates in the front row, cheering her on.

AMLA was meant to do more than merely gather and present information, Nwogu says. "Africa is very much a continent that identifies itself with its natural resources" while giving scant consideration to its vast human resources, she says. "We wanted the full population of this site to be done by African lawyers and law students."

Already Nwogu has helped train African lawyers and students to chase down and analyze the relevant legislation and regulations, convert the often cumbersome files to a searchable format, and populate the database.

"By the time they are done with skills development, they've encountered multiple laws, and not just the laws of their specific country," Nwogu says. "When they go home, they can take a comparative approach."

The most recent 25 students Nwogu helped train came from countries as disparate as Morocco, Guinea, Tanzania, Côte d'Ivoire, Cameroon, and South Africa. Some students came to the training in Cape Town with their professors, and all departed as part of a nascent network of lawyers from across the continent who share an interest in mining law.

"They all left with a mission to work together and to be in touch, doing research and interacting with each other. That is elevating our human resources, creating linkages, and it also helps increase transparency," Nwogu says. She plans to conduct similar sessions for a couple of years before AMLA is turned over to an African institution to run.

The educational aspect of AMLA points in the direction Africa needs to go if the continent is to achieve its rightful position on the world stage, she says.

"I am personally convinced that the future of the continent is directly tied to education," she says. "The more you can train people within the academy, the better citizenry you will have."

## Wabeke, '07: Fighting for the Housing Rights of Homeless People in Baltimore

By Lori Atherton



Karen Wabeke's parents were public school teachers who instilled in her a desire to help the less fortunate. So after nearly two years of working as an associate at a law firm in Toledo, Ohio, Wabeke found she was ready to make a more direct impact on people's lives—as a housing attorney for people experiencing or at risk of homelessness. It's a career change, she says, that has provided immeasurable job satisfaction.

"It's a great fit because I'm able to use my education, the work is intellectually stimulating, and I'm able to help people," says Wabeke, '07.

Wabeke left private practice in 2009 to become an attorney at the nonprofit Advocates for Basic Legal Equality (ABLE) in Toledo, where she litigated subsidized housing and foreclosure cases as an AmeriCorps grant recipient. ABLE wasn't in the financial position to keep Wabeke on after the grant ended in 2011, so she found a similar position as a staff attorney at the Homeless Persons Representation Project (HPRP) in Baltimore, where, on any given night, more than 3,000 residents experience homelessness.

"One of the major reasons for homelessness in Baltimore is the lack of affordable housing," Wabeke says. "The demand is enormous, and the supply, including government housing subsidies, doesn't come close to filling the need. Even for those who have subsidies, finding housing can be a real challenge because landlords and other housing providers are not required to accept government housing subsidies."

Many of Wabeke's clients have mental health or addiction issues, or both, and are on the verge of losing their subsidized housing. Wabeke's caseload consists of subsidized housing admissions and eviction cases, which includes representing Section 8 residents facing termination of their vouchers or public housing tenants facing eviction.

"A failure-to-pay-rent case might seem fairly simple and straightforward, but there are cases where other things are going on," Wabeke says of her eviction defense work. "With subsidized housing, for example, rent is calculated as a percentage of one's income, and it is capped at 30 percent. A household could have a change in income, and, if it's not processed in a timely manner, the residents can't pay their rent, resulting in an eviction action. This is the kind of case where we can go to court, represent the defendant, and affect the outcome."

One of Wabeke's career highlights occurred in January 2014, when she argued a Section 8 voucher termination appeal, *Matthews v. Housing Authority of Baltimore City*, before the Maryland Court of Special Appeals, the state's second-highest court. Wabeke's client had been living in Section 8 housing for a number of years. When she reconciled with her estranged husband and added him as a household member to her voucher, the Housing Authority of Baltimore City, through a routine search, discovered that he had been using the client's address to receive mail during their separation—while he was homeless. The housing authority determined this mail was proof that the estranged husband had been residing at the address as an unauthorized occupant, and moved to terminate the client's Section 8 voucher.

"The only evidence the housing authority had to support these allegations was that the estranged husband had used our client's address to receive mail," Wabeke says. "Our argument was that this evidence alone does not prove that the person was residing there and was not a valid reason to terminate our client's voucher." The circuit court upheld the housing authority's decision to terminate, but when the case went before the Maryland Court of Appeals, the three-judge panel agreed with Wabeke's legal arguments, and the termination was overturned. The decision is now reported and can be cited by other housing advocates in Maryland and other states.

While HPRP can only accept as clients a small fraction of those seeking legal assistance, which Wabeke admits is frustrating, it's all the more rewarding for her when she is able to help the clients HPRP takes on. "To be able to take someone's housing problem, fix it, and a lift a burden for them is a really powerful thing."



**Daniel D. Quick**, attorney at Dickinson Wright PLLC, has been elected as a fellow of the Litigation Counsel of America. He is a member in the firm's Troy, Michigan, office

and is practice department manager for commercial litigation, antitrust and trade regulation, alternative dispute resolution, and sports and entertainment.



**Tracy Schrader** joined Dallas insurance coverage boutique Amy Stewart Law as of counsel. Previously, he served in various general counsel positions.

He was appointed vice president and general counsel of a public company, Home Choice, at age 30 and promoted to president of one of the largest privately held telecommunications tower ownership companies in the country, TrinTel, at age 35. After the sale of TrinTel and prior to joining Amy Stewart Law, he launched and managed a boutique law firm that provided general counsel services to companies.

## 1993

**Kathryn R.L. Rand** coauthored a book, *Indian Gaming Law and Policy*, Second Edition, published by Carolina Academic Press.

**Alexander Sanchez** was named chief operations officer at Goodwill Industries International. He will oversee core services and business areas, including finance, IT, legal/contracting operations, member relations, and mission advancement. Previously, he was chief of staff to the mayor of Baltimore, where he managed all aspects of the mayor's office, including administration, finance, government relations, labor, law, policy and communications, and public safety.

## 1994

**Monica P. Navarro** has resumed the full-time practice of law as a partner at Vezina Law PLC in Birmingham, Michigan. She will continue her national practice in the areas of health law and related litigation.

**David C. Wood** has been promoted to partner at Perkins Coie in Palo Alto, California. He is a member of the firm's emerging companies and venture capital practice, and he focuses his practice on the representation of emerging growth companies, venture funds, and other early-stage investors.

## 1995

THE REUNION FOR THE CLASS OF 1995 WILL BE SEPTEMBER 18–20, 2015.



**LaRhonda Brown-Barrett** was named outstanding in-house counsel of 2014 by *D CEO Magazine* and the Dallas-Fort Worth Chapter of the Association of

Corporate Counsel, and she is featured as one of the best corporate lawyers in North Texas. She is senior general attorney at BNSF Railway Company in Fort Worth, Texas, supporting BNSF's intellectual property and technology services transactions and initiatives, including telecommunications, cloud computing, outsourcing, data privacy, and security.

**Eric Gonzalez** has been named chief assistant district attorney of Brooklyn, New York. He has been with the office since 1995, and rose through the ranks, holding various supervisory positions, including chief of a trial zone. He is the office's first Latino chief assistant district attorney.

**Amy E. Wilson** has been elected corporate secretary of Dow Chemical Co. She joined Dow's legal department in 2000.

## 1997

**Jennifer W. Chaloehtiarana** joined Castlight Health Inc. as general counsel and chief compliance officer, and she will lead its legal function. Previously, she was a chief counsel at Levi Strauss & Co., where she provided guidance and support for sales and consumer relations practices, as well as financing transactions, securities compliance, and corporate governance activities.

**Christopher Taylor** was elected mayor of Ann Arbor in November 2014. He is a partner at Hooper, Hathaway, Price, Beuche & Wallace PC, where his practice focuses on the representation of small, local businesses and startups.

## 1998

**Sonny Allison** has been named office managing partner of Perkins Coie's Denver office. He is a partner in the firm's business practice, and he focuses on mergers and acquisitions, private equity, corporate finance, and securities.

**Chris Wendt**, immigration counsel at the Mayo Clinic, has been named a 2014–2015 policy fellow at the University of Minnesota's Humphrey School of Public Affairs. The fellows program offers practical training in public affairs leadership for those striving to inspire, organize, and work effectively with others to advance the public good.



# CLASS NOTES

## 1999

**The Hon. Katherine Weatherly** has been appointed as a federal administrative law judge with the Social Security Administration Office of Disability Adjudication and Review in Eugene, Oregon. She is a former Skadden fellow with the Native American Rights Fund.

## 2000

THE REUNION FOR THE CLASS OF 2000  
WILL BE SEPTEMBER 18–20, 2015.



**The Hon. Cameron Ann Fraser** was elected to serve as an associate judge for the Delaware Tribe, which is located in Oklahoma and Kansas.

**Jeff Kayes** has been elected to partnership at Morrison & Foerster LLP. He is a member of the financial transactions group and the project finance group, resident in the San Francisco office.

**The Hon. Allie Greenleaf Maldonado**, chief judge for the Little Traverse Bay Bands of Odawa Indians, received *Michigan Lawyers Weekly's* 2014 Woman of the Year award. She was part of the work group that drafted the recently enacted Michigan Indian Family Preservation Act, for which she provides training. The work group wrote a bench book for judges on the federal Indian Child Welfare Act, and rewrote Michigan's court rule and forms regarding Indian children to comply with the act.

## 2001

**Katrice Bridges Copeland** has been promoted to full professor with tenure at Penn State Law. She joined the faculty in 2007 and teaches white collar crime, criminal law, and constitutional law.

**S. Christian (Chris) Nelson** has been named to the three-person Belin McCormick PC management team in Des Moines, Iowa.



**Asim Rehman** became the general counsel for the newly created Office of the Inspector General for the New York City Police Department, an independent

oversight agency charged with investigating, reviewing, studying, auditing, and making recommendations relating to the operations, policies, programs, and practices of the department.



**Nicole Snyder** has been elected to a three-year term on the management committee at Holland & Hart LLP in Boise, Idaho. The five-person management

committee oversees the management and strategic direction of the entire law firm, which has more than 470 attorneys in 15 offices across the Mountain West and in Washington, D.C. She is a member of the firm's corporate practice group.

**Linda Maria Wayner** was named by the New York University School of Law as the new executive director of the Bickel & Brewer Latino Institute for Human Rights. Her practice is focused on international arbitration, and she most recently served as general counsel for the New York City mayor's office for international affairs.

## 2002

**Hector Arangua Lecea's** law firm, Nader, Hayaux & Goebel, has won the *Chambers* Latin America Excellence Award Mexico Law Firm of the Year 2014 and the *Financial Times* North America Innovative Lawyers award for Outstanding Innovation in Mexico for 2014. He is a cofounding partner of the firm, which focuses on banking and finance, capital markets, real estate, projects and infrastructure, tax, energy, insurance, and corporate matters. The firm is especially well known for its cross-border capabilities, and is the only Mexican firm to have an office in London.



**Nicholas B. Gorga**, litigation partner at Honigman Miller Schwartz and Cohn LLP in Detroit, was honored by the Federal Bar Association

Eastern District of Michigan Chapter for his pro bono contributions to the U.S. District Court for the Eastern District of Michigan.

**Benjamin C. Mizer** has been named the principal deputy assistant attorney general and acting assistant attorney general for the Department of Justice Civil Division. He was appointed by Attorney General Eric Holder in March.

**Jason D. Osborn** has joined Jenner & Block LLP in the firm's private equity and mergers and acquisitions practices as a corporate partner in the Chicago office. He previously worked as a partner in the Chicago office of Kirkland & Ellis LLP.

## 2003

**Geoffrey Brown** has been elected partner at Collins Einhorn Farrell PC. He is in the firm's appellate group, focusing his practice primarily on defense of medical malpractice and legal malpractice cases at the appellate level and at the summary judgment/disposition stage.





**J.J. Burchman**, attorney at Fraser Trebilcock in Lansing, Michigan, achieved an AV Preeminent peer review rating by Martindale-Hubbell.

An individual is judged based upon his or her legal knowledge, analytical capabilities, judgment, communication ability, and legal experience.

**Trent B. Collier** has been elected partner at Collins Einhorn Farrell PC. He is in the firm's appellate group, and he focuses on civil appeals, professional liability defense, and commercial litigation.

## 2004

**Sara G. Lachman** of Miller Johnson Snell & Cumiskey PLC in Grand Rapids, Michigan, was named one of *Michigan Lawyers Weekly's* 2014 Women in the Law. The award program salutes high-achieving women lawyers in Michigan and their accomplishments. Her commercial litigation practice includes real estate, employment, and unfair competition and non-compete cases, including trade secrets violations.



**Katie Lorenz** has been promoted to chief of the Asset Recovery & Money Laundering Division of the U.S. Attorney's Office in Portland, Oregon.

## 2005

THE REUNION FOR THE CLASS OF 2005 WILL BE SEPTEMBER 18–20, 2015.

**Lewis W. Kneib** was promoted to partner at Latham & Watkins LLP. Based in the Los Angeles office, he is a member of the corporate department, where he focuses his practice on corporate finance and public company representation.

## 2006



**Bryan Helfer** was promoted to member at Foster Pepper PLLC in Seattle. He is a member of the firm's real estate practice, and he focuses on representing clients in single property and portfolio real estate transactions.



**Tammy Helminski** has been elected to partner at Barnes & Thornburg LLP. She is a member of the firm's environmental law department, and she is based in the firm's Grand Rapids, Michigan, office.



**Anne E. Linder** has opened her own practice, Anne E. Linder PC, in Milford, Michigan, focusing on business and real estate law. Previously, she practiced in Washington, D.C., for five years.

**Mary Catherine Martin** was promoted to of counsel from associate in the insurance and litigation practices of Wiley Rein LLP in Washington, D.C. She represents professional liability insurers in connection with coverage issues and disputes, and has particular experience with directors and officers, financial institutions, investment advisers, lawyers, employment practices, and media liability policies.

**Michelle L. Savin** has joined Howard & Howard Attorneys PLLC in the firm's Chicago office. She concentrates her practice on transactional and regulatory matters related to commodity futures and securities, corporate transactions, contracts, business formation, and general corporate matters.

**Jeffrey Young** joined the Law Office of Thomas Gibbon PLLC in Washington, D.C., as a partner. The firm represents NHK, the Japan Broadcasting Corporation, and its affiliated companies, around the world.



# Romancing the Known

How Heidi Bond, '06, has used her wealth of experiences—including a degree from Michigan Law—to write bestselling novels and carve out a successful publishing platform.



By Lara Zielin

Before you glance past this article because it's about romance novels, consider this: Heidi Bond is the CEO of her own million-dollar company. She has a master's degree in theoretical physical chemistry from the University of California, Berkeley. While at Michigan Law, she received the prestigious Henry M. Bates scholarship. In 2006, Bond graduated *summa cum laude* from the Law School and clerked for U.S. Supreme Court Associate Justice Sandra Day O'Connor, as well as Alex Kozinski, chief judge of the United States Court of Appeals for the Ninth Circuit. She has taught at the Seattle University of Law and has been on both the *New York Times* and *USA Today* bestseller lists.

In other words: Bond has smarts in spades. It just so happens that the conduit of her intellect these days is romance novels.

It might seem an unlikely outlet for someone who has studied protein folding as well as tort reform and constitutional law. But if Bond is an expert in any one thing, it's applying her experience on one subject to a different area altogether.

"I don't feel the need to make sure the road I'm on is as smooth as possible," she says. A singular path to a specific end, while great for some people, doesn't work for her. "That route makes it hard to see what the alternatives are."

It means that in Bond's novels, which she writes under the pseudonym Courtney Milan, readers will be treated to judges, lawyers, and courts as well as epidemiological studies and complex calculus. "Everything that happens and everything that I learn or think or feel is fair game for ending up in a book," she says. "All these things are tools that can be used."

Rounding out Bond's robust résumé is loads of historical research, since most of her books take place in the 19<sup>th</sup> century. "I never took a history course in undergrad. Most of the history that I started learning, I did so in Common Law, since you have to know historical background for common

law." She calls her research process "ongoing and never ending" in order to create heroines in England's Regency Era who overcome social and legal restrictions to triumph in love and in self.

Her resourcefulness benefits not just her plots, but her publishing strategy as well. In early 2014, Yahoo Finance ran a story featuring Bond among a handful of other writers with the headline: "These Romance Writers Ditched Their Publishers for E-Books—and Made Millions."

"Some of the most exciting entrepreneurs in the U.S. today aren't hoodie-wearing app developers," the article says, "they're women writing books for women and making millions in the process." The article quotes Bond as one of the pioneering authors who decided to stop selling her books to mainstream publishers and instead launch her novels independently. The result yielded more control over what she was producing while successfully targeting e-book readers who wanted to buy digital copies of books often for less money and more frequently than traditional publishing could produce them.

Her knowledge of and approach to contracts, gleaned at Michigan Law, helped propel her success. "[A contract is] not a magical thing that can never be changed or amended," she says. As such, she has negotiated terms that let her publish enhanced versions of her e-books, which are a lot like bonus editions, but Bond—not her publisher—gets the lion's share of the royalties for selling them.

Next up, Bond wants to try her hand at a romance set in present-day. She got the idea while clerking. "The heroine's mother is an immigration activist. That has some rippling side effects. But it's complicated." Most things are, when it comes to Bond—or, if not complicated, at least nontraditional. That could be why she is drawn to creating headstrong, intelligent characters. "I look at my career and I say, 'What is the best thing for my career at this point?' And I do it."



2007

**Angela M. Allen**, associate at Jenner & Block in Chicago, received the Turnaround Management Association (TMA) Chicago/Midwest Chapter's Most Active New Member Award. She received the award in recognition of her involvement and interest in the TMA during 2013. For the last two years, she served as co-chair of the Chicago Chapter's NextGen Committee, which provides networking and educational opportunities to turnaround and corporate restructuring professionals in the early stages of their careers. She also was elected to the board of directors for the Chicago Chapter for a three-year term starting in 2015.

2008



**Laura J. Davis** has been elected to partner at Honigman Miller Schwartz and Cohn LLP in Detroit. She is a member of the firm's corporate department. Her practice focuses on mergers, acquisitions, divestitures, and entity formations.



**Brittany D. Parling** has been elected to partner at Honigman Miller Schwartz and Cohn LLP in Detroit. She is a member of the firm's litigation department. She will assist with complex commercial litigation, including consumer class actions, shareholder class actions, and contract disputes.



**Christopher Porter** was promoted to partner of Yetter Coleman LLP in Houston. He is a trial lawyer who focuses his practice on commercial litigation, representing plaintiffs and defendants of all sizes in federal and state courts.



**Michelle Swiren Zaltsberg** has joined Baker Donelson as an associate in the firm's Orlando office. She is a member of the business litigation group, where she practices commercial litigation.

2009



**Jason S. Dreifuss** started his own criminal defense law firm, Dreifuss PC, in Waukegan, Illinois. It serves the Chicago metropolitan area.



**Charles W. Duncan Jr.**, intellectual property litigation attorney at Honigman Miller Schwartz and Cohn LLP in Bloomfield Hills, Michigan, was honored by the Federal Bar Association Eastern District of Michigan Chapter for his pro bono contributions to the U.S. District Court for the Eastern District of Michigan.

**Eric M. Jones** has been elected to partner at Honigman Miller Schwartz and Cohn LLP in Detroit. He is a member of the firm's corporate department. His practice focuses on mergers and acquisitions, including leveraged buyouts, divestitures and financings, and general corporate matters.

**Roger P. Meyers** has been elected to partner at Honigman Miller Schwartz and Cohn LLP in Detroit. He is a member of the firm's litigation department. He focuses his practice on disputes involving private equity, mergers, acquisitions, securities, and corporate governance issues.

2010

THE REUNION FOR THE CLASS OF 2010 WILL BE SEPTEMBER 18-20, 2015.

**Lucinda McRoberts** has joined USA Swimming in the newly created position of chief counsel and director of legal affairs. She will serve as an adviser to the executive director, senior staff, and board of directors on legal matters.

2011

**Aaron E. Bass** has been elected to partner at Honigman Miller Schwartz and Cohn LLP in Bloomfield Hills, Michigan. He is a member of the firm's real estate department. His practice focuses on development, financing, restructuring and leasing, and representing owners and developers in the retail, office, hospitality and lodging, and industrial areas.

**Steve Caywood** has joined Chevron Corp. as tax counsel in San Ramon, California. He focuses on corporate and international tax matters. Previously, he was a tax and employee benefits associate at the law firm of Ivins, Phillips & Barker in Washington, D.C.



**Chao "Charley" Meng** has joined the corporate department at Honigman Miller Schwartz and Cohn LLP in Detroit. He focuses his practice on commercial transactions. He has experience in the automotive, manufacturing, agriculture, printing, and apparel industries.



# CLASS NOTES



**Alison Tashima** has joined Winstead PC in Dallas. Her practice is concentrated on international and domestic business transactions, with an emphasis on real estate, technology, and health care law.

## 2012

**Michael Shaw Perry** authored a book, *Moral Dilemmas, Identity, and Our Moral Condition: A Guide for the Ethically Perplexed*, published by Algora Press.



**Jordan D. Peterson** joined Cravath, Swaine & Moore LLP, as an associate in the firm's litigation department in New York City. He also married Brian Giebler in Ann Arbor, where the couple met.

**Zachary M. Zurek** has joined Collins Einhorn Farrell PC's general and automotive liability practice group. He will focus his practice on the defense of first- and third-party automobile litigation.

## 2013

**Wencong Fa** was awarded a College of Public Interest Law fellowship by the Pacific Legal Foundation. The college is an intensive litigation training program for promising law school graduates who want to put their skills to work in defense of liberty. Previously, he worked for the Human Rights Initiative in Dallas and the Institute for Justice in Austin, Texas.

**Daniel Lawder** joined Husch Blackwell as an associate in St. Louis. He is on the firm's private wealth team. Previously, he served as a judicial law clerk for the Hon. Scott Hill-Kennedy and the Hon. Ronald Nichols of the 49<sup>th</sup> Circuit Court of Michigan.

**Patrick Thronson's** 2013 *Michigan Journal of Law Reform* article, "Toward Comprehensive Reform of America's Emergency Law Regime," was quoted in an article in *USA Today* titled "Special report: America's perpetual state of emergency." He is an associate at Janet, Jenner & Suggs LLC.

## 2014



**Nicholas J. Monterosso** has joined Warner Norcross & Judd LLP in Southfield, Michigan. His practice is concentrated on tax law and trusts and estates law.

**J. Matthew O'Hare** has joined Morris, Nichols, Arsht & Tunnell LLP in Wilmington, Delaware, as an associate with the firm's commercial law counseling group.

**Please tell us about your accomplishments, honors, promotions, personal milestones, book publications, and more!**

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# I N M E M O R I A M

## 1940s

Roy L. Steinheimer, '40	1/8/15
Ila W. Butala, '42	9/5/14
William F. Aigler, '43	11/19/14
Clarence A. Brimmer, '47	10/23/14
James K. Mitsumori, '48	11/11/14
Thomas E. Norpell, '48	10/27/14
Dorothy A. Servis, '48	10/30/14
Clarence E. Singletary, '48	2/25/15
Robert E. Anstaett, '49	10/14/12

## 1950s

Lawrence A. Brown, '50	1/5/15
Robert H. Frick, '50	9/25/14
Joseph Nardoza, '50	10/12/14
Robert L. Borsos, '51	12/6/14
Hugh A. Garnett, '51	9/3/14
Hastings S. Morse, '51	10/14/14
John W. Perry, '51	11/20/14
George M. Reddin, '51	1/10/15
William J. Roche, '51	12/17/11
Forrest G. Shaw, '51	1/26/15
Lewis R. Williams, '51	12/16/12
John H. Kunkle, '52	1/6/15
Lawrence E. Silverton, '52	2/5/15
Nubar Tashjian, '52	1/9/15
Paul V. Gadola, '53	12/26/14
Carleton H. Griffin, '53	11/22/14
Ernest E. Johnson, '53	1/21/15
Edward R. Sandell, '53	12/27/14
Arthur L. Stashower, '53	3/3/15
Granger Cook, '54	3/14/15
Henry W. Gleiss, '54	11/2/14
James A. Hildebrand, '54	10/20/14
Walter J. Roper, '54	9/29/14
Charles H. Cory, '55	2/28/15
Stewart S. Dixon, '55	12/14/14
Donald F. Stubbs, '55	11/3/14
Hugh R. Braun, '56	2/28/15
Donald R. Ford, '56	11/1/14
Gordon L. Nash, '56	10/17/13
John A. Elden, '57	3/7/15
Jerry P. Baugh, '58	1/3/15

Leopold P. Borrello, '58	1/18/15
C. William Carlson, '58	3/11/09
Samuel D. Carpenter, '58	10/11/14
Robert H. Elliott, '58	12/14/14
William K. Muir, '58	2/28/15
David L. Nixon, '58	11/1/14
Leonard A. Wilcox, '58	9/25/14
Donald E. Gratrix, '59	5/3/14
Garrett M. Heher, '59	12/4/14
Robert G. Sewell, '59	9/18/14

## 1960s

Philip F. Belleville, '60	10/3/14
Stanley D. Brown, '60	12/7/14
William B. Nye, '60	12/14/14
Robert L. Jillson, '61	9/20/14
William A. Krupman, '61	11/1/14
Arthur W. Hanlon, '62	12/10/14
Fred A. Hurvich, '62	12/2/14
Gerald A. Jibilian, '63	9/12/14
Jerry D. Jordan, '63	2/13/15
Harold L. Marquis, LLM '63	12/2/14
James L. Shonkwiler, '63	2/24/15
Kathryn D. Wriston, '63	9/28/14
Paul L. Leeds, '64	2/16/14
Louis Rome, '64	12/27/14
Marvin S. Shwedel, '64	11/11/14
Walter C. Brown, '65	2/6/15
Richard K. Burnham, '65	12/21/14
John B. Hutchison, '65	11/14/14
Paul C. Sprenger, '65	12/29/14
Ahmed I. Bulbulia, LLM '67	1/28/15
Joseph F. Page, '67	10/6/14
Peter L. Truebner, '67	1/23/15

## 1970s

Richard J. Erickson, '70	9/11/14
Marc J. Kennedy, '70	2/20/15
Stephen J. Roy, '70	7/3/14
Robert H. Swart, '70	10/22/14
Paul R. Levy, '72	1/2/15
William T. Street, '75	1/4/15
Charles M. Cobbe, '76	10/22/14
Mary S. Doyle, '77	10/14/14
Gordon P. Erspamer, '78	11/7/14

## 1980s

Jonathan D. Elliot, '80	2/23/15
David B. Love, '80	2/22/15
Paul A. Fitzsimmons, '84	9/28/14

## 1990s

William A. Schoneman, '90	9/22/13
Anthony R. Tunnell, '90	9/11/14
Gregory J. Zemanick, '91	8/25/14
Jeffrey D. Adelman, '94	1/10/15
Jennifer E. Matz, '97	12/5/14

## 2000s

Michael G. Mandarin, '06	2/14/15
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# [ CLOSING ]

## A Yearbook Etched in Wood



Before Facebook, LinkedIn, and the *Michiganensian* yearbook, soon-to-be Michigan graduates carved their signatures on canes to forever remember each other. Senior canes were a campus tradition from the mid-1800s to World War II. A display at the Law Library now showcases some Michigan Law students' canes, including one from 1877 that bears the signature of Clarence Darrow. It was donated to the Law School by the great-nephew of Darrow's classmate, Frank Durban, class of 1879. Other canes had been possessions of William W. Cook.

Library staff painstakingly identified signatures on each cane and researched the inscribers as well as the canes' owners. What they found were students whose careers were as diverse as today's classes—Durban, general counsel for the Baltimore & Ohio Railroad; George De Rue Meiklejohn, class of 1880, President McKinley's assistant secretary of war; and Bessie Eaglesfield, class of 1878, the first female attorney in Indiana and one of Lake Michigan's first female steamship captains.—AS



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University of Michigan**

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Mark J. Bernstein, Ann Arbor  
Laurence B. Deitch, Bloomfield Hills  
Shauna Ryder Diggs, Grosse Pointe  
Denise Ilitch, Bingham Farms  
Andrea Fischer Newman, Ann Arbor  
Andrew C. Richner, Grosse Pointe Park  
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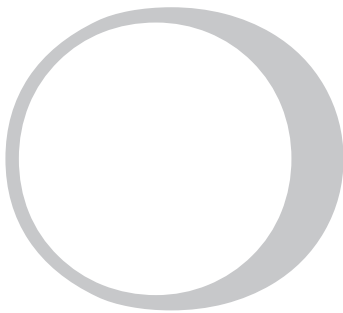
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