



# UB LAWFORUM

*The Magazine of the University at Buffalo Law School  
The State University of New York*

Our new  
International  
Finance & Law  
program in  
New York City

### **UB Law Forum**

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On the cover, students in the New York City program in  
International Finance & Law.

Kneeling, left to right: Dominika Tanianis, Fan Zhang and  
Richard Lam.

Middle, left to right, Amanda Weir, Jesse O. George and  
Tracey M. Stephen.

Back row, left to right, Lawrence S. Rosenthal,  
Shawn C. Graham, Michael A. Rodriguez, Ryan M. Mead,  
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*UB Law Forum* is mailed free to alumni, faculty, students and  
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The Dalai Lama in the Charles B. Sears Law Library, September 20, 2006.

## Message from the Dean



## Another great year

Our cover story in this issue of the UB Law Forum throws a spotlight on our New York City program in International Finance and Law, which I believe will have a tremendous positive impact on the future of UB Law School. This innovative program is a twelve-week course of study conducted in New York City exclusively for UB law and management students, taught by UB professors, professors from other leading universities and alumni from major firms and corporations. Building on the close collaboration of faculty members Phil Halpern, Bert and Amy Westbrook, Jack Schlegel, Tom Headrick and Tom Disare with many of our most outstanding alumni, the program is a partnership with the School of Management and SUNY's Neil D. Levin Graduate Institute of International Relations and Commerce. Our law students can now experience a hands-on education in finance and law that is quite unique. I can't overstate the multiple benefits of having such a strong presence in New York City. We can attract our best students, provide the high-level job opportunities for our graduates and enhance our growing national reputation.

In September, we were honored to have the 14th Dalai Lama as a guest in our Law School library one day after his lecture to 30,000 at UB's football stadium. His Holiness had a 90-minute conversation with 15 selected legal scholars and delivered a message of the centrality of compassion not only for our

legal systems but also for society at large. If you would like to hear his words, visit our Web site, where a video can be played. We are indebted to Professor Rebecca French for spearheading this very special event as part of our growing religion and the law program.

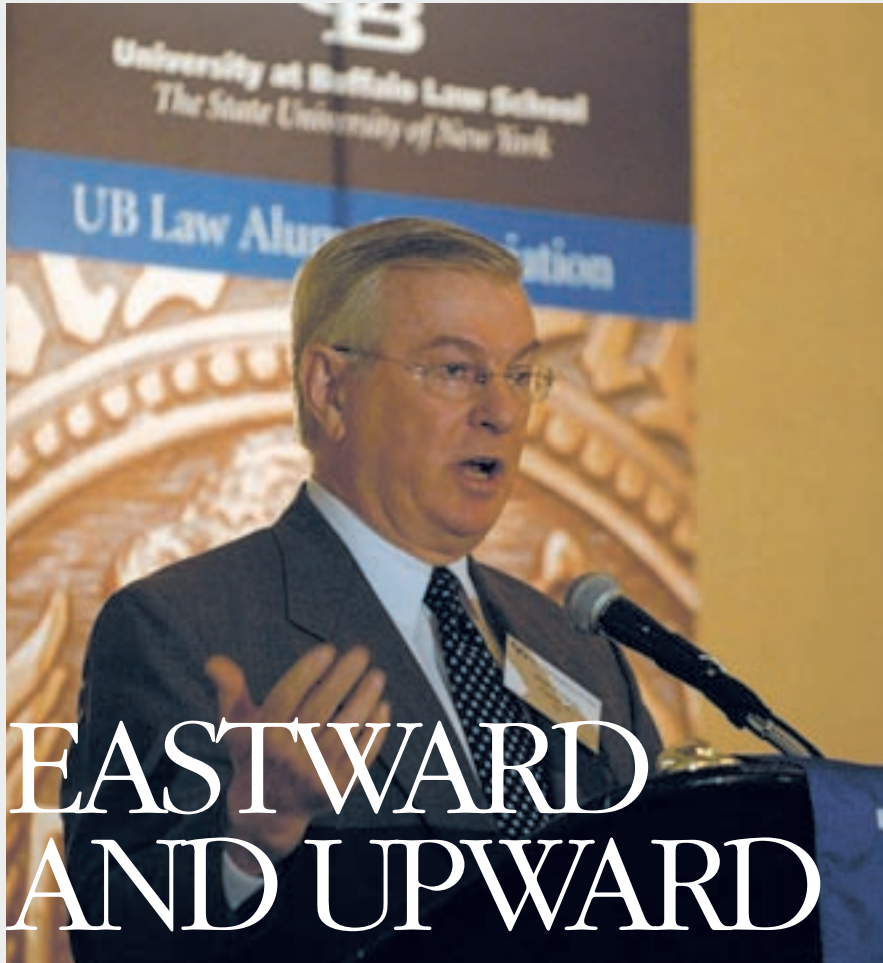
Our ongoing effort to revitalize O'Brien Hall continues. In addition to the major classroom refurbishment and construction of the first-floor working courtroom, we have now created on the fifth floor two beautifully furnished suites of rooms: one, a major conference area and a smaller seminar area; the other, a new faculty lounge adjacent to a faculty reading room. I think it is the best-equipped and most useful conference facility in the University. The \$1 million-plus renovation project was made possible with the assistance of the interdisciplinary Baldy Center for Law and Social Policy.

In the Giving section, you will read about the continuing success of our Annual Fund. We are especially proud of our 25.8 percent participation rate which ranks 7th highest of 74 public law schools. Our thanks go to fund chair Pamela Heilman and our terrific development staff.

All my best for a great year in 2007.



# Alumni Profiles



## *Eugene F. Pigott Jr. '73 settles in on New York's highest court*

**A**s presiding justice of the Appellate Division, 4th Department, of New York State Supreme Court, Judge Eugene F. Pigott Jr. '73 faced a landslide every day. His goal, he said, was to keep the list of e-mails awaiting his attention below 400.

Problem solved.

In his new position on the Court of Appeals, Pigott has one-tenth the

correspondence – but an even greater responsibility as an associate justice of New York's highest court.

He was appointed in August by Gov. George E. Pataki, the last high court appointment by the Republican governor, who called him “a man of extraordinary character, intelligence, integrity, collegiality and commitment to the rule of law.” Pigott had made the shortlist three times previously for a seat on the Court of Appeals.

The move comes as the crowning achievement of a long legal career that began at UB Law School but was incubated when he was growing up on a family farm near Rochester, with Perry Mason on TV. “I always wanted to be a trial lawyer,” Pigott says, “and I always thought, and still do, that trial lawyers are the jet pilots of the profession.”

He graduated from LeMoyne College in Syracuse, and enrolled at UB Law in 1968 – only to be drafted, yanked out of class in November of his first year, and sent to Vietnam as an interpreter. “I was in a Civil Affairs unit and was called a logistics adviser,” he says. “My job was to talk to the locals as we would rebuild the schools and offices that had been destroyed. It was a rebuilding process more than anything else.”

He was discharged after a two-year tour of duty, and went right back to Eagle Street – this was in the school's final years before its move to Amherst – with the GI Bill kicking in for tuition, and with a renewed sense of purpose. “UB could not have been nicer,” Pigott says. “They told us when we got drafted – and I was far from the only one – that they would reserve a seat for us when we came back. And they did.”

“Those two years in the Army were eye-opening for me, to get outside that comfort zone of being a student. You are talking to soldiers and you realize that this is their whole life – they are going to do this job for the next 40 years. And you come to realize that your education is not a game.”

Like the other law students of his day, he frequented the courts when he was not in class – or clerking for the five-member firm Offermann, Fallon, Mahoney & Adner, in the Statler Build-

*Pigott has become known as a lawyers' judge – someone who understands the stresses attorneys are under as they prepare and argue cases.*

ing on Niagara Square. "I clerked for them the whole time I was in law school, and it was the best thing that ever happened to me," Pigott reflects. "I knew all the clerks. I was looking for the tools to practice law, and between school and clerking, I certainly got those. When it came time to take the bar exam, all those questions on filing times, deadlines, documents – I had lived it."

In school, he said, he soaked up knowledge from legends with names like Hyman, Homburger and Hawkland – "they just exuded lawyership." And in the group of students with last names N through Z ("they divided us up that way"), he made lifelong friends; they still have a Christmas get-together every year.

phone. "I knew what was coming," Pigott says. "It was just terrific."

He becomes the first high court judge from Western New York in 20 years, maintaining a schedule that rotates between two weeks in Albany and three weeks back home. The appointment for Pigott, 59, will last until he reaches the mandatory retirement age of 70.

He has become known as a lawyers' judge – someone who understands the stresses attorneys are under as they prepare and argue cases. "I absolutely love lawyers," he says. "I think lawyers are the greatest people walking the earth and, jokes aside, criticism aside, everything else, it

bunch of dour, sour, stern-looking jurists looking down at you. I try to keep it as light as I can. It is easy to be a bully as a judge, but where does that get you?"

He is proud of his record of fostering diversity, most recently recognized with a "Champion of Diversity" award from the Rochester Black Bar Association for his work to recruit minority law clerks to the Appellate Division. "The cities that I am most aware of have done a tremendous job, and continue to try, to integrate police and the fire departments and the government," he says. "I think the legal profession has to be next. I think the bar does, I think the bench does, and I think the more we do, the better off we are."

"And UB has to be extremely proud



Left to right: President of the Women Lawyers of Western New York, Wallace W. Wiens; President of the UB Law Alumni Association, Dennis R. McCoy; President of the Western New York Trial Lawyers Association, Michael Menard; President of the WNY Chapter of the Women's Bar Association of the State of New York, Hilary C. Banker; President of the Bar Association of Erie County, Stephen R. Lamantia; Hon. Eugene F. Pigott Jr.; President of the Supreme Court Justices Association, Hon. Frederick J. Marshall; President of the Minority Bar Association of WNY, Betty Calvo-Torres; and President of the Buffalo Chapter of the American Board of Trial Advocates, Amherst Town Justice Mark G. Farrell.

After graduation, Pigott practiced with Offermann, Fallon, Mahoney & Adner for eight years; served for four years as Erie County attorney; and was chief trial counsel for the reformulated Offermann, Cassano, Pigott & Greco. Pataki appointed him to State Supreme Court in 1997, to the Appellate Division the next year, and to the post of presiding justice in 2000. ("I have promoted Judge Pigott more times than I have promoted Child Health Plus," the governor joked.)

Then came the call from governor's counsel telling him to stick close by the

is unbelievable to me what lawyers do. My whole philosophy on the bench is to take care of the lawyers. By taking care of them, you just show them the respect they deserve. Give them the day in court that they need, and count on them to properly represent their client. I am rarely disappointed."

Court observers also have noted his sense of humor, even during proceedings. That, he said, is something he will carry with him to Albany.

"It is a big deal to go to the Appeals Court," he says. "You do not need a

of itself for its diversity. My experience of the Law School is that it has the most diverse student body that I have seen."

Pigott makes his home on Grand Island with his wife, Peggy. Their daughter Martha, a recent graduate of Hobart and William Smith Colleges, has joined the Peace Corps and is awaiting assignment, probably to Africa; their son David, who went to West Point and is a captain in the Army, has just finished his second tour of duty in Iraq.



## A WORK OF WELCOME

*Journey of success in immigration law runs through UB Law School*

Margaret W. Wong '76 is running down the carpeted hall of her Cleveland law office. She is late for an appointment with a visitor, carefully shoehorned into a schedule that includes a full slate of clients, the duties of managing partner, and answering the call when dozens of community interests want her time and her energy.

She did not build a small empire of immigration law by taking it easy.

The journey of more than two decades has taken her to a good place. Margaret W. Wong & Associates, with six lawyers and 25 paralegals and other support staff, has become a Midwestern powerhouse in immigration, with offices in Cleveland, Columbus and Detroit. Her clients are both individuals and families seeking green cards, work visas and residency, and businesses looking to solve the legal problems of their foreign-born workers. Wong's firm includes staffers who speak a United Nations of languages – Mandarin, Cantonese, Hindi, Albanian, Tagalog, Russian, Spanish, French and German. In the waiting room, a world map is studied with pushpins indicating the clients' country of origin.

"It takes a lot of blood, sweat and tears, this practice," Wong says when she finally reaches her conference room, lined with plaques and other honors. "It is very emotional. Every time I read the paper, I tie it into my practice."

When she first came to Cleveland, the field was wide open. "The big firms

did not do immigration law back then," Wong says. "It was too much trouble, or they did not have the ability to work with different cultures. In the 1970s, '80s, '90s, we dominated the market. Now you have a lot of young lawyers and immigration consultants, so there is a lot more competition."

But Wong & Associates marches on, doing what the firm does best – getting involved in their clients' lives, taking their problems personally, and trying to make it all better. A client who needs a work permit, for example – "If I miss one day, they miss a day of work," Wong says. "Speed is important." The firm advertises in local ethnic newspapers, but word-of-mouth is the best recommendation.

And expectations run high. "This is a hard practice," Wong says. "People cry. They do not leave the office. Somebody is in jail, his family asks me, 'Will he be out in a week?' I say, 'I will do my best.' Then they tell people, 'Ms. Wong says he will be out in a week.'"

It is a long way from her beginnings in Hong Kong, where she was born after her parents fled there following the Communist takeover of China. She left

Hong Kong in the late 1960s and became an immigrant herself, coming to the United States on a student visa along with her younger sister Cecilia. Between them they had four suitcases and \$165. Wong worked her way through college in Iowa and then Illinois as a waitress, and spent summers doing hotel work in New York's Catskills resorts.

A full scholarship to UB Law School, she says, made the dream possible. She is thanking the Law School for the opportunity it gave her by joining the Dean's Advisory Committee and making a major gift of \$100,000.

She says that the casual racism of





Margaret Wong with her extended family.

an earlier time never troubled her in Buffalo. "They were all very welcoming and nice," Wong says. "I never felt anything but the same as the other kids. UB never treated us differently. I forgot I was Chinese for a while!"

She had not yet become a U.S. citizen and was not sure she could even take the bar exam. Professor Janet Lindgren, she says, did the research and assured her that non-citizens could be admitted to practice.

She passed the bar, but could not find a job in law. She worked a temporary position as a legal and financial officer for the City of Buffalo, then moved to Cleveland to become a management trainee at a bank there. After a brief stint at a Cleveland law firm, she struck out on her own, with a \$25 desk and not even a secretary. She called everyone she knew and handed out her business card on buses. Slowly the business built up, to the point a few years ago when Wong moved it into a beautiful new building on downtown Chester Street and christened it the MWW Center. "After counseling and advising thousands of immigrants all these years and obtaining permanent residency and fight-

ing deportation, we have developed a comfortable rhythm to this practice," she wrote in a holiday letter.

Now Wong finds herself mentoring the children of clients, nudging them to stay in school and get into college, even tossing a little tuition money their way here and there. She has even hired some of them at the firm, building on their language skills and their ties to the immigrant community. She also created an internship program in which children from affluent Chinese families she knows spend a summer at the law firm; the goal is for them to see that others have it a lot harder in life.

That sense of family grows from the closeness Wong has cultivated within her own family. She and her husband, pharmacist Kam Chan, have two children, both currently in college. Her mother, Alice Kuan, lives in Cleveland; Margaret's siblings Cecilia, Rose and George also are in town. Every Wednesday night they all get together at Wong's Shaker Heights home – it is the only day she leaves work early – for dinner, wine and conversation long into

the night. Her nephew Joseph Fungsang once wrote of those dinners in the company of his eight cousins: "One finds him- or herself in the context of the group and in the process develops as an individual. And being part of the greater whole – there is no better feeling."

Wong is legendary for her work ethic; she lists her hobbies as "reading, writing,

working and swimming." She begins her day with an early-morning swim at home and is at her desk by 6 a.m. Most workdays are 12 hours long; on the weekends she reads legal journals and research. She has recently taken up knitting – "I take it to functions like dinners, so at least I do not waste time" – and the precise art of Chinese calligraphy. "I am learning how to get my mind more creative," Wong says. "In order to become the best of the best in whatever field, the mind has to be flexible."

Even in her diversions, though, she cannot see herself slowing down. And the next phone call from jail, or from a client under siege by the Immigration and Naturalization Service, is surely not far away.

Life is busy, to be sure. But to see her clients leading productive lives – that is the payoff. "It is nice," she says. "I can go into any hotel, and they all know Margaret Wong."



# Alumni Profiles

## LESSONS LEARNED AND TAUGHT

*Christine Haight Farley '94 had good models for the law professor's craft*

Christine Haight Farley '94 is on the other side of the lectern now, as a professor at American University's Washington College of Law. But it was as a student at UB Law School that she caught the passion for teaching – one that has sustained her ever since.

"Had I not gone to UB Law, I do not think I would be a professor today," says Farley, who has taught at American for seven years. "I probably would not have seen teaching as an attractive position, and would not have received the mentoring and encouragement that I got there anywhere else."

"When I arrived in Buffalo, I immediately started thinking about teaching. One of the great things about UB Law is that the professors are so accessible. Most engage on a personal level with their students and they love their jobs."

Not only did she find at UB Law the inspiration for a professor's life, she also stumbled onto the field of legal studies that has occupied her ever since: intellectual property law. Farley was an art history major at Binghamton University, and in her second year at the Law School she took Professor James Atleson's seminar on Law and the Visual Arts.

"I loved that course," she says, "loved everything we covered. But there was a small section on IP, and somehow that section really grabbed me. IP law is a natural fit for people who are interested in art. It was just so hard to pin down the legal rules here. I was immediately fascinated by what this law was trying to do and whether it was doing it right."

After graduation, she taught two sec-

tions of a yearlong Research & Writing course at UB Law, and taught a first-year course in legal writing at Columbia Law School, where she also earned the master of laws degree. (She recently completed her S.J.D. degree at Columbia.) Before starting to teach at American, she practiced trademark and copyright law for two years in New York City with Rabinowitz, Boudin, Standard, Krinsky & Lieberman, a boutique firm known for its civil liberties litigation.

Until recently, at American, she has taught exclusively upper-level courses, including courses in IP law, U.S. and international trademark law, and law and the visual arts (using Atleson's course outline as a guide to developing the course). In January she will teach an intellectual property course for first-year students.

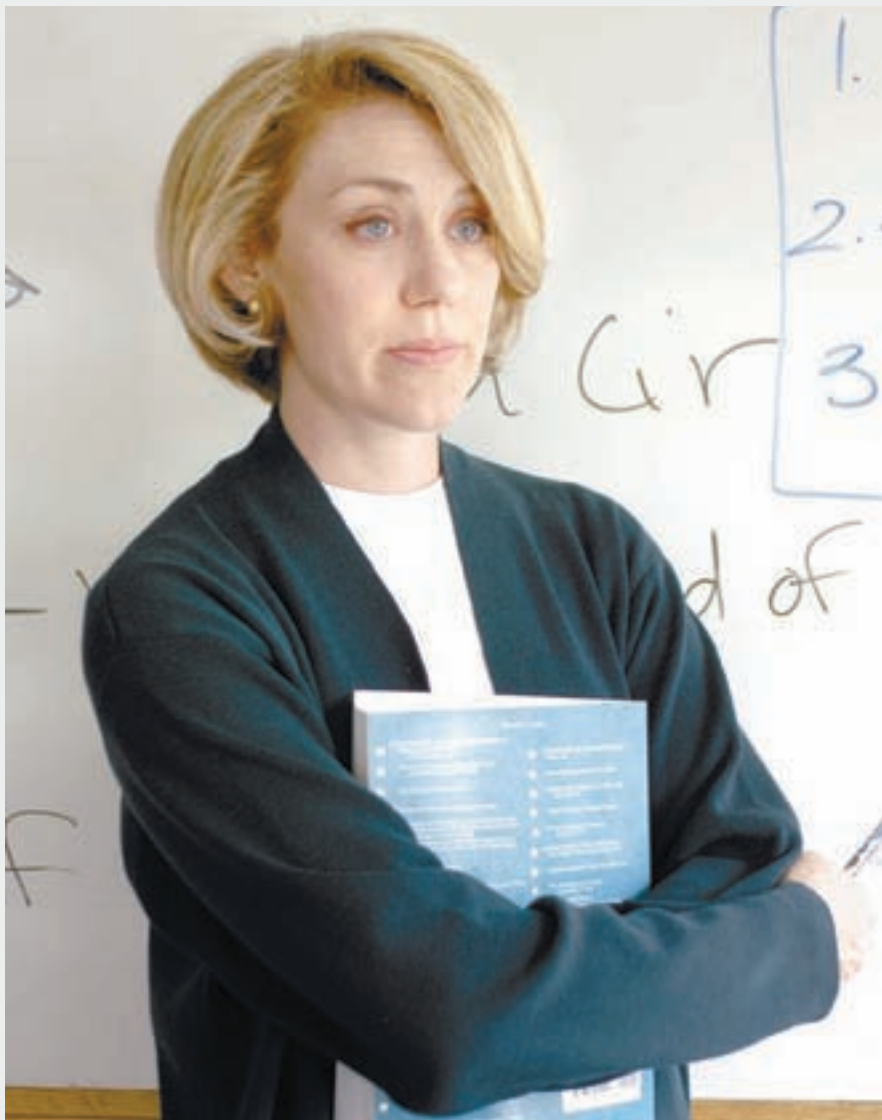
All of it, she says, is informed by what she learned and what she saw in O'Brien Hall.

"When I saw so many different models of good teaching," she says, "I knew there was no cookie cutter approach. I realized early on that you have to be yourself to be a good teacher. You cannot mimic anybody else's style. Students will appreciate your sincerity. I learned that from Buffalo and from my own early experiences."

By all accounts she was a successful student. She edited the *Buffalo Women's Law Journal* and won a Ford Foundation fellowship in public international law. But, she says, "Nothing in Law School came easily to me." She credits great support, advice and recommendation letters from her UB Law professors, including Lucinda Finley, David Engel and Frank Munger, who, she says, "in the earliest stages of my applications to be a law professor, said, 'I could see you at American.' They have been supportive of me every step of the way."

Farley's research interests center on two broad areas. One is the intersection of law and art: "In my scholarship I have discussed a number of instances where the two meet and how both have been changed by that meeting." One example, she says, is how the law treated the art of photography in its earliest days. "When photography was invented, it was a struggle to see it as art at all. The attitude was, 'God invented the landscape, this machine was the transcriber; where is the authorship?' Both the art and the law had to redefine itself."

Her other major research interest is in the unstable basis of rights in the development of trademark law. "Trademark law is interesting because it has been developed with the consistent story that its *raison d'être* is to protect consumers from confusion. But that is more of a ruse that masks other objectives in the law, mainly to protect the property notions of the trademark holders. I am trying to take a historic look back to say it was not always just about the con-



*"I realized early on that you have to be yourself to be a good teacher. You cannot mimic anybody else's style. Students will appreciate your sincerity. I learned that from Buffalo..."*

sumers. But as we move away from this objective of protecting consumers, it is harder to restrain those rights."

Beginning in January, Farley will serve as associate dean for academic affairs at Washington College of Law. She also co-directs, with Professor Peter Jaszi, the school's Program on Information Justice and Intellectual Property, which sponsors events, projects, schol-

arly work and activism. And she is associate director of the Glushko-Samuelson Intellectual Property Law Clinic, one of the first of its kind in the nation, in which students do IP work for clients who cannot afford legal services. Clinicians advise creative artists, non-profit organizations, small inventors and entrepreneurs, and represent them before agencies including the U.S. Copyright

Office and the Patent and Trademark Office.

"There is such a thing as doing IP law in the public interest," Farley says. "One of the most rewarding aspects of the clinic is that students do not come in with an intuitive sense of how IP is in the public interest. They then develop that sense along the way."

In addition, she says, the clinic has produced 10 amicus curiae briefs in IP cases before the U.S. Supreme Court in the past five years, urging the court to rule in a way that would serve the public interest.

Farley, who as an undergraduate spent time in India on a Rotary International Fellowship, also has worked internationally on intellectual property law. She has taught in France, Chile and Turkey.

"The United States is doing a great job of exporting its notions of IP," she says, "and has developed expertise in the field earlier than a lot of other countries. I am very interested in having conversations with people who want to develop IP law in these countries. There is no perfect universal approach." She spoke, for example, about a planned trip to Namibia: "I will be talking to people interested in developing their cultural industries in music, arts and handicrafts. They think IP law can help them, and I am interested to find out what their needs are and what statement of the law can best serve those needs."

At home, she finds herself a frequent source for media inquiries about intellectual property cases, including such offbeat topics as the patentability of the crustless peanut butter and jelly sandwich, and the Fox Network's lawsuit against liberal commentator Al Franken over his use of the phrase "fair and balanced."

"There is just a bunch of fun stuff in IP that the media like to talk about," Farley says. "But I think there are important stakes here. And so I am happy to be in the media if it helps to bring some of these more serious issues to the attention of the public."

She and her husband, Bill Farley – a 1995 graduate of UB Law School – have two young boys.



## MR. TRYNOSKY GOES TO

### *'06 JD/MPH grad selected as a Presidential Management Fellow*

A UB Law dual-degree student won a spot in a highly selective program that seeks to attract top candidates into federal government service. Stephen K. Trynosky, who in May completed his dual degrees in law and public health, is one of 550 people chosen to become Presidential Management Fellows for 2006. About 3,500 hopefuls from 167 graduate institutions applied for the program.

Trynosky was introduced to the Presidential Management Fellowship program in summer 2004 when he was a public health law fellow at the federal Centers for Disease Control and Prevention. The program was created by President Jimmy Carter in 1977 and modernized in 2003 under President Bush, who said, "The purpose of the program is to attract to the federal service outstanding men and women from a variety of academic disciplines and career paths who have a clear interest in, and commitment to, excellence in the leadership and management of public policies and programs." It is administered by the federal Office of Personnel Management.

The selection process involved a nomination by UB Law School Dean Nils Olsen, then an all-day assessment in Washington that came in three parts: a five-minute oral presentation on a random topic with just 25 minutes to

prepare the speech; a focus group in which judges observed the interaction among four nominees; and a 45-minute writing test, with only a dictionary as a resource.

Trynosky, 30, says the "uniqueness of UB's JD/MPH program" drew attention during the selection process: "Everyone kept saying, 'Wow, what a neat combination of degrees.'" He is one of only two people from State University of New York schools chosen for the 2006 program.

In considering what field they will pursue during the two-year appointment, Presidential Management Fellows interview with government agencies in areas that interest them. Trynosky has accepted a position as an Assistant Director for Legislative Affairs with the U.S. Department of Homeland Security. He is currently responsible for the legislative portfolio containing issues related to The Office of the Chief Medical Officer, bioterrorism, pandemic preparedness and agroterrorism.

When the fellowship ends, appointees can accept another job in federal government at an advanced level – GS-14, the second-highest level of government civil service. But most, Trynosky says, take the contacts they have made and go on to work in private practice, another level of government or a non-governmental organization. "It has benefits no matter what you plan on doing," he says.

"Government service is in my blood," says Trynosky, who before law school served as medical service officer for the Army's 10th Mountain Division at Fort Drum, N.Y., leading a platoon of 26 combat medics. His father is a retired urban planner with the New York City Department of Housing Preservation and Development; his mother is an early childhood teacher in Brooklyn.

Having seen the work that goes on in health-related federal agencies, Trynosky says, it is clear to him that "the skills that UB is imparting in its JD/MPH students are exactly what is up and coming in this field. It is the perfect blend of legal background and policy background as well. Even if you are not directly working in health care, a lot of policy issues directly translate into defense or other issues."

# WASHINGTON



*“The skills that UB is imparting in its JD/MPH students are exactly what is up and coming in this field.”*

— Stephen K. Trynosky



# Law School Report

## Starting at the top

*Dalai Lama speaks at first Law School conference on law and Buddhism*

**L**ed off by a very special guest – the 14th Dalai Lama, spiritual leader of the Tibetan Buddhists and head of Tibet’s government in exile – a major UB Law School conference on Sept. 20 and 21 explored the intricacies of “Law, Buddhism and Social Change.”

A two-hour appearance at the conference capped off a three-day visit to the University by the revered spiritual leader. The visit included an interfaith religious service and a major address before 30,000 people in UB Stadium.

But the Law School conference was the Dalai Lama’s most significant contribution to the school’s academic mission. Before an invited audience of about 165 in the Charles B. Sears Law Library, as well as hundreds more watching via a simultaneous broadcast and video link, the 71-year-old lama responded to questions on topics ranging from the role of Buddhist monks in Asian politics to his philosophy of jurisprudence.

The conference was organized by the Baldy Center for Law and Social Policy and by the Law School, under the direction of UB Law Professor Rebecca R. French. The study of Buddhism’s relation to legal systems is in its infancy; French pointed out that the UB conference was only the third to take place worldwide.

The room was hushed as the Dalai Lama entered and greeted 15 scholars and legal practitioners gathered in a circle. But the Nobel Prize-winning monk put attendees at ease, doffing his shoes and sitting cross-legged in a large leather chair. “Very comfortable,” he said with a wry laugh.

Many of his answers to questions circled back to the theme of his stadium address the day before: the need to base one’s actions on a sense of compassion for fellow human beings. “I think generally in all human activities,” he said, “whether or not the word ‘compassion’ is expressly mentioned, compassion seems to be taken for granted.” He used the example of a mother’s care – “nobody explicitly points out the role of compassion there, but it is taken for granted. The basis of a happy family, a happy society, is compassion. Not law.”

One questioner asked about penal law, and how it is possible to see the imposition of punishment as an exercise of compassion.

The motivation is important, the Dalai Lama said. One must impose punishment “not out of a feeling of revenge or hatred, but out of compassion.” He used the example of a lawbreaker on a downward path: “If, unless you give harsh treatment, that person will continue harmful activities that



The Charles B. Sears Law Library was the setting

eventually is harmful for him or her, out of a sense of concern one has to take stern action to stop that.” Two punishments, he said, may look similar, but they are “essentially different. One is an action of genuine compassion, one comes out of hatred.”



“Two punishments may look similar, but they are essentially different. One is an action of genuine compassion, one comes out of hatred.”  
— The Dalai Lama



for “A Conversation with the Dalai Lama.”

He discounted the role of religious belief as the basis for compassionate actions, saying, “I prefer that motivation not come from religion but from basic human qualities that we learn from our birth. ... Scientists are finding that more compassion brings more

calm in our brain; brain function becomes smoother. Negative emotions actually eat our inner system; positive emotions strengthen our inner system. On the basis of scientific findings and also on the basis of our common experience, we should promote and pay

more attention to the value of compassion in society through education.”

Responding to a question about a lawyer’s responsibility to balance his client’s and society’s needs, the Dalai

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# Law School Report



The Dalai Lama examines antique Tibetan manuscripts in the Law Library.

## Religion and the law

### *A burgeoning academic field*

Partly by design and partly by happy accident, UB Law School finds itself with a significant concentration of faculty members in an emerging area of legal scholarship: law and religion.

At least five faculty members concentrate their work on areas with religious implications. Though the school has no formal structure for coordinating their work, it is being considered:

Professor Winnifred Fallers Sullivan joins the faculty with the title Director of the Law and Religion Program.

"As people begin to achieve some notoriety in this area, it seemed sensible to build on that strength," says Dean Nils Olsen. "We have an extraordinary group of people like this. This is attractive to potential students, because it represents another interdisciplinary strength of the Law School."

UB Law is ahead of the curve in this

area among law schools, but universities generally are becoming more open to teaching and studying various faith traditions. A recent *Time* magazine article describes a hugely popular class at Columbia University Business School that is based on Buddhist principles and asks the question: "What do you want your legacy to be?"

In Buffalo, the emphasis is strictly academic. Among those making law and religion their primary field of study:

Distinguished Service Professor David M. Engel, whose research deals with law and society in the United States and in other countries, particularly Thailand, where he has lived,



# East vs. West



President John B. Simpson greets the Dalai Lama.

## Tibetan Buddhist law

Based on 14 centuries of Asian legal, religious and political culture

Takes into consideration implications for one's karma in the next life

Springs from spiritual precepts and with administration by religious figures – monks and lamas

Considers each circumstance to be unique

Largely aims toward consensus in jurisprudential decision-making

## Western law

Based on English common law dating from the 12th century

Judgments and punishments entirely located in this life

Secular in origin and practice

Draws heavily on legal precedents

Assumes that truth arises from adversarial system of advocacy

worked, and taught over a period of nearly 35 years.

Professor Rebecca R. French, a pioneer in the field of legal systems based on Buddhist principles.

Distinguished Teaching Professor Elizabeth B. Mensch, who describes her research as exploring “the complexity of social, economic and intellectual interrelationships that have made theology a stubbornly central part of the history of American culture.”

Professor Stephanie L. Phillips, an expert in African-American theology and the legal history of religion, and currently a seminary student herself at Colgate Rochester Crozer Divinity School.

Sullivan, whose work has concentrat-

ed on religious freedom and First Amendment expressions of faith.

Professor James Milles, director of the Charles B. Sears Law Library, has research interests that include law and social informatics, or the study of the social aspects of computerization, and the interrelationships between comparative religious perspectives and systems of legal analysis.

*Continued from Page 13*

Lama said through his translator: “In principle, from a Buddhist point of view, one has to be sensitive to the individual context. Sometimes you have a context where individual concern has to be weighed against wider implications for society. Also, one has to take into account what are the damaging effects of a particular course of action as opposed to the benefits? The main point is not to confine your evaluation purely to a single situation, rather to look to its broader implications.”

After the Dalai Lama's departure for a respite at a downstate Buddhist monastery, the conference continued with discussion. In addition to the academics and practitioners, also present was a psychiatrist, an artist and members of the local clergy.

Said Professor Winnifred Sullivan: “I was struck by how practical his advice was. One of the things that was most appealing about his approach was that he was very reluctant to be black-and-white about anything.”

Day 2 of the conference featured panels on three subjects: “The Buddha as Lawgiver,” “Social Change and Buddhism” and “Social Change and Conscience, Self and Society.” Among the participants from UB Law were, besides French and Sullivan, Professors David Engel and George Hezel, as well as Buffalo attorney James L. Magavern '59. Other participants came from the University of Chicago Divinity School, the University of California at Santa Barbara, the University of British Columbia, and visitors from Sri Lanka, England and India.

Presenters discussed such topics as the concept of karma and its effects on Asian legal systems, the role of monks as legal adjudicators, the complex canon of religious and ethical laws that form the basis for Buddhist legal systems, and the power of local communities to compel disputants to resolve their differences for the good of social harmony.

# Law School Report

## Breaking new ground in Bellagio

*Professor French's Rockefeller grant helped pave the way for Buddhist law*

A 2004 article by **Professor Rebecca R. French** in the *Buffalo Law Review* lamented: "There are no established classic texts in Buddhist law, no substantial literature, no body of students in M.A. or Ph.D. departments, no conferences, no chairs ..."

Well, not at that point.

But in March of 2005, French organized and hosted the first-ever international Law and Buddhism Conference. The week-long event was presented under the auspices of the Law and Buddhism Project at UB Law School, a Baldy Center working group.

French applied for and received a Rockefeller Foundation grant to pay expenses for the conference, including travel expenses for scholars and other attendees coming to the Bellagio, Italy, site from underdeveloped countries. (The Baldy Center underwrote travel expenses for other participants.) The foundation grant also covered accommodations, food, supplies and services at the Rockefeller Center in Bellagio, near Milan, a castle-like building on the shores of Lake Como.

French has been in the forefront of efforts to establish Buddhist law as an academic discipline, and says that it was thrilling to be among so many scholars dedicated to this emerging field. "What was most inspiring," she said, "is that every person there was not only sure that the subject of law and Buddhism existed, but excited about it and ready to get going on it. It was nice to be among people who do not have to be convinced that law and Bud-



Rebecca R. French, Roger and Karen Jones Faculty Scholar and Professor, is reunited with the Dalai Lama.

dhism exists."

French's 1995 book *The Golden Yoke* was the first substantial treatment of this discipline. She said that even though thousands of books have been written about the legal influences of Judaism, Islam, Hinduism and Christianity, debate continues even now over whether there is an identifiable Buddhist influence on legal doctrine.

She expects that the conference, which attracted about 17 scholars, will result in several publications. It was organized around the topic of theft and how the crime is viewed in different traditions. "I said, 'Let's go super-simple and super-law,'" French said. "Theft is an issue in every legal and religious tra-

dition everywhere."

And so, she said, participants presented on such diverse topics as stories of theft in a monastery; Buddhist scriptures, called sutras, dealing with theft in Burma; the concept of karma in considering punishment for thieves in Thailand; and, in French's presentation, the historical law codes of the Dalai Lama in Tibet regarding theft. The academic disciplines of the presenters included law, religious studies and Asian studies.

Buddhism, French notes, is very different in different areas of the world, with three main traditions: Theravada, Mahayana and Vajrayana. This diversity complicates the intellectual inquiry into the religion's effect on legal systems, but, she said, such anthropological study is "one of the fundamental aspects of legal training today. This is an investigation into the religious and ethical foundations of legal systems."

Students who become skilled at such analysis, French said, have a "heightened ability to have a conversation about the ethical and moral underpinnings of our legal system." She hopes eventually to establish a center for law and Buddhism at UB.

The Bellagio setting, French said, only heightened the excitement of the conference. The converted friary has been redone in the Italian modern style, with much marble and beautiful stone work. And as in all of Italy, she said, "the food was wonderful."



Dalai Lama converses with scholars in the Law Library, above and below left.



At right: Makau Mutua, Floyd H. and Hilda L. Hurst Faculty Scholar and Professor, and David M. Engel, Director of International Programs and SUNY Distinguished Service Professor.





# Law School Report

## A new space for ideas

### *Extensive renovation project reinvents Baldy Center and conference facilities*

A major renovation project – years in the making – is transforming the fifth floor of John Lord O'Brian Hall and creating bright new spaces for fellowship and scholarship. The \$1 million-plus project has created two suites of rooms, building on space that encompassed an old faculty lounge, storage closets and now-unused areas of the Law Library. The result: a suite with a major conference area and a smaller seminar area; and an elegant new faculty lounge attached to a faculty reading room.

The renovation is a collaboration between the Law School and the Baldy Center for Law and Social Policy, which is headquartered on the fifth floor. “This project demonstrates the close working relationship between the Baldy Center and the Law School,” said Dean Nils Olsen, “and demonstrates our commitment to interdisciplinary study. We think it will be the best-equipped and most useful conference facility in the University.”

Olsen pointed out that the fifth-floor renovation is part of an ongoing effort to revitalize O'Brian Hall, an effort that has included major classroom refurbishment and construction of the first-floor working courtroom.

The conference suite will accommodate large stand-up receptions and will be furnished with modular tables that can be configured for groups of any size. It includes a small working kitchen, accessible to caterers through an outside door, and an entryway that can serve as a refreshment area or a breakout room for small-group discussions.

Windows in the main conference room let in plenty of natural light. Glass doors open onto a little-known feature of the building: an open courtyard with plantings and other amenities. “Much of the planning evolved to take advantage of our ability to go out into the courtyard,” said Professor Lynn Mather, director of the Baldy Center. “It is a hidden treasure. Even in the winter, the amount of light in these rooms is tremendous.”

The conference room is fully wired, with PowerPoint projectors hidden in the ceiling, recording facilities and a drop-down screen for presentations.

*“This project demonstrates the close working relationship between the Baldy Center and the Law School and demonstrates our commitment to interdisciplinary study.”*

— Dean Nils Olsen

The smaller seminar room, which also opens onto the courtyard, holds a large conference table and can accommodate smaller meetings and some class sessions, Mather said. Also, she said, faculty working groups will be encouraged to use the room, such as reading groups and workshops at which faculty and outside readers offer critique and suggestions on completed book manuscripts. “I want to encourage cross-University discussion,” Mather said.

The faculty lounge is furnished in the Arts and Crafts style, with hardwood floors and an Oriental carpet.

Faculty mailboxes are located in the lounge; the expectation is that professors will drop by each morning for the mail and coffee, and stay for talk. Essentially it will be the “water cooler” of the Law School – “a very comfortable area to relax and share informal conversation,” Olsen said, encouraging the cross-pollination of ideas for which the Law School is well-known.

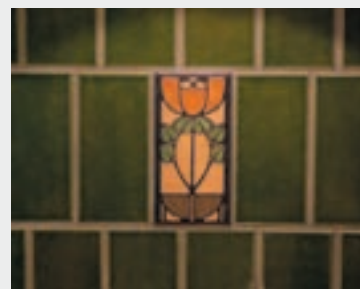
In the adjoining faculty reading room, the plan is to line the bookshelves with a copy of every book ever published by a UB Law faculty member, past and present. Current legal journals also will be supplied. “This gives the faculty an opportunity to have a quiet place to catch up on their reading,” Olsen said.

Also part of the project is new office space for the managing editor and student editors of the journal *Law and Policy*, published by the Baldy Center; and furnished offices for visiting scholars and for graduate students doing advanced work on legal topics. “I am particularly excited about the idea of having visiting scholars here,” Mather said. The office space can accommodate two scholars at any one time.

The entire renovation is done in shades of gold, green and persimmon, with decorative tile accents.

The project was funded partly by income from the Baldy Center's endowment, carefully set aside over a period of years, and largely through donations by UB Law alumni. In appreciation of a major gift by Thomas R. Bremer '79, retired senior vice president and general counsel of U.S. Surgical Corp., the faculty lounge and reading room will be named in his honor.

A faculty advisory committee will help develop policies for use of the space, Mather said. The new space was inaugurated in December with the annual Baldy Center retreat for faculty.



Those responsible for creating the new Baldy Conference Center are, left to right, Laura Mangan, Special Assistant to the Dean; Nils Olsen, Dean; Lynn Mather, Director of the Baldy Center for Law & Social Policy and Professor; and Cheri Tubinis, Executive Assistant to the Dean. Above, a Roycroft flower in the tile offers a custom touch.



# Law School Report



Jeffrey L. Tanenbaum '76 lectured to students in New York City.

## Where the action is global

*New program  
puts UB Law  
students into  
the heart of  
New York City's  
financial  
district*



**I**t is a long way from the grassy expanse of UB's North Campus to the concrete canyons of Manhattan. It can seem a long way, too, from the classroom to the boardrooms where multimillion-dollar deals are made.

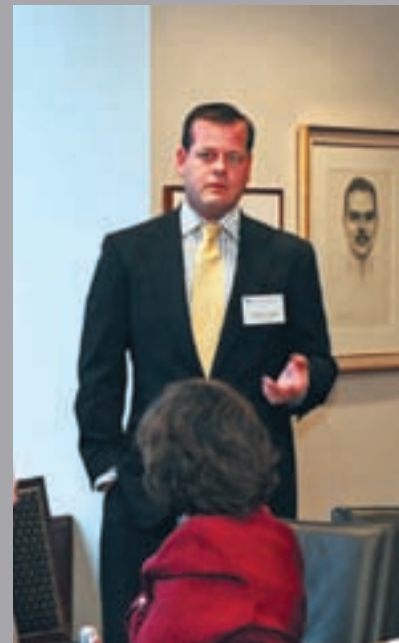
Now the Law School is bringing academics and practice together in a program that has proved to be uniquely rewarding to students who are drawn to the high-stakes world of international finance transactions.

The University at Buffalo/Levin Graduate Institute New York City Program in International Finance and Law builds on the Law School's strong program in international finance transactions, and takes advantage of the school's long collaboration with UB's  
*Continued on Page 22*





Gary A. DeWaal '80 speaks with, from left to right, students Fan Zhang '06, Amanda Weir '06, Edward J. Snyder '06 and Jesse O. George '06 as Amy Deen Westbrook looks on.



Shawn C. Graham '06



Amy Deen Westbrook, Associate Professor



UB Law alumnus Jeffrey L. Tanenbaum, second from left, with students, left to right, Tracey Stephen '06, Dominika Tanianis '06, Ryan Mead '06 and Shawn C. Graham '06.



Richard Lam '06



Tracey M. Stephen '06

# Law School Report



Left to right, Shawn C. Graham '06, Amy Deen Westbrook, Associate Professor, and Philip Halpern, Professor.

*Continued from Page 20*

Jacobs School of Management. In its first incarnation, 20 law and management students spent spring semester 2006 in New York City, studying with some of the top minds in the business.

The program sprang from an invitation from the Neil D. Levin Graduate Institute of International Relations and Commerce, a new graduate institution operating as part of the State University of New York system. The UB program is the first for-credit SUNY graduate program offered with the assistance of the institute, which was established in memory of the director of the Port Authority of New York and New Jersey, killed in the Sept. 11, 2001, terrorist attacks.

"We are unique because we have both a law school and a management school," said UB Law Professor Amy Deen Westbrook, who worked with a group of faculty and administrators in Buffalo to organize the program. "We were able to see what an opportunity this would be. And we were able to put it into place quickly because we work well with the management school, and at the Law School there is already a well-developed finance transactions concentration. We had faculty members and students interested in transactional work, so

we were in a good position to go forward.

"We also got an incredible response from alumni and friends of the school who were practitioners in New York City and who wanted to participate in the program by lecturing and giving presentations – people who work with the New York Mercantile Exchange, the New York Stock Exchange. A lot of people wanted to do something to help with the program."

**T**he 12-week program was designed to introduce students to the challenges of managing financial transactions and banking flows across borders, business cultures and multiple regulatory systems, and it had three main parts. First was a classroom component, in which a different professor each week taught one main subject area. These professors included both UB faculty and faculty from such institutions as St. John's University, Texas A&M University, New York University and the Sasin Graduate School of Business in Thailand.

Second was a series of learning opportunities with practitioners and public officials who are working in international finance. Finally, students were assigned in five-member teams to work on semes-

ter-long projects with top New York City law and financial services firms, culminating in an end-of-semester presentation by each team.

"It was important to us that it not be like a semester at sea," Westbrook said. "It had to be things that were not basic and reflected the kind of work that somebody in an international finance practice in New York would be doing. The other trick was that it would not be a professor talking at them for four hours every morning. As soon as possible, we invited people who did it for a living to tell about it."

Besides Amy Westbrook, UB Law faculty who taught pieces of the program were David A. Westbrook, John H. Schlegel, Thomas E. Headrick and Philip Halpern. Halpern spent the semester in New York to provide continuity for the students and overall administration of the program, and expects to do so again when the program is next offered in spring 2007. Also serving on the planning committee for the program was Professor Thomas F. Disare.

The team projects took place in conjunction with some of the top law firms and financial institutions in this area of practice. They included:

- An effort to find private companies in China that are ripe for IPO and investment banking services, with CLSA, a banking operation based in Hong Kong.
- An analysis of the leveraged buyout of Toys R Us by a private equity consortium, with the law firm Fried, Frank, Harris, Shriver & Jacobson.
- A study of the issue of "unbundling" of client commissions by broker/dealers, with financial services firm UBS.
- An analysis of Pepsico's business model and its decision to spin off its restaurant chains, and discussion of its strategy moving forward, with Credit Suisse.
- An investigation of trade financing opportunities in Ukraine, with M&T Bank Corp.

"The team projects were to be something that their young associates would do, to help the students acquire a skill set they would not have otherwise, something that was of use to them," Westbrook said. "Some of them were hard. At the end of the semester, they gave their information to their sponsors and made a big presentation.

"The impact on the students was



Gary A. DeWaal '80, foreground, and Justin M. Whittaker.

## *Alumni at the center*

A vital segment of the UB Law program in New York is the participation of alumni who teach as adjunct faculty in their area of particular expertise. These UB Law alums taught in the spring 2006 program:

- Gerald Citera '80, executive director of UBS Corp.'s Regulatory Control Group.
- Jeffrey P. Crandall '82, partner in Shearman & Sterling.
- Gary Alan DeWaal '80, senior executive vice president and general counsel for FIMAT Group.
- David Franasia '78, partner in Williams and Jensen.
- Erik Lindauer '81, partner in Sullivan and Cromwell.
- Robert C. Schwenkel '82, partner in Fried, Frank, Harris, Shriver and Jacobson.
- George M. Williams Jr. '78, partner in LeBoeuf, Lamb, Greene & MacRae.

In addition, a Thursday night lecture series was hosted by Weil, Gotshal & Manges, including lectures by Robert Schwenkel '82 and by Jeffrey Tanenbaum '76, a partner at the host firm.

amazing. They learned a lot about functioning in a New York City environment, about professionalism. This was not a program where you showed up in jeans and slouched in your chair."

"This program enables us to better prepare the students to compete for jobs," said Halpern, who in addition to

his supervisory role taught for a week on private equity transactions. "Second, it better prepares us to be where the jobs are. There is feedback as to where the jobs are – and where the jobs are tends to be where the action is, in terms of financial markets and deals.

"For a long time, we in the finance

transactions concentration have been very interested in how theory really works out in practice. Although we are very much academically inclined toward theory, we realize one of our primary goals is to help our students get jobs. To some degree we were training students and developing in them some expectations that, when it came time to go out and find employment, these expectations were in some cases hard to realize." The exposure to firms and individuals that the New York students enjoyed, he said, begins to address that gap.

Said UB Law Dean Nils Olsen: "This is an opportunity to expose the students to institutions and people that are found only in New York. We have a developed and innovative concentration in financial transactions, and we have always had a close collaboration with the management school. The goal is for our students to become familiar with each other's culture so they can work collaboratively in the future. The students, the faculty and the alumni have all been thrilled about this."

Olsen says the success of the program also opens possibilities for similar efforts in the future, such as programs involving international environmental law and international human rights.

"The students became acculturated," said Professor David A. Westbrook, who taught regulation of financial markets and securities. "Every day they were exposed not just to teachers but also to practitioners. They were all day in the world of finance, and they began to see that world differently. There are things that are very difficult to teach in the abstract, and teaching here in Buffalo is necessarily more abstract. For people without a background or experience in financial markets, it is almost impossible to get across how markets actually operate, if the students are simply in a pure classroom setting."

All involved stressed the importance of alumni participation in the program. "We are always interested in input from the alumni as to what are the important topics students should learn about and what we could teach them about New York practice," said Amy Westbrook. "The program can be expected to develop and to continue developing."



# Law School Report

## The final push

*Supporting students from admission to the bar exam – and beyond*

**U**B Law School is bolstering its efforts to support students playing the endgame of the Law School experience – the post-graduation challenge of passing a state bar exam. The school is offering courses for second- and third-year students focusing on the analytical and writing skills that translate into bar exam success, as well as personalized coaching for those having trouble with the challenging two-day exam.

At the forefront of this effort is an alumna, Barbara A. Sherk '02, who recently was appointed to the UB Law faculty as director of academic support.

The Law School's support strategy seems to be working. The pass rate for UB Law students taking the New York State bar exam is better than the state average, and in recent years has been running around 80 percent. Results from the July 2006 exam show that UB Law's pass rate for first-time takers has jumped to 84 percent. When the results from bar exams of other states are factored in, the rate is over 87 percent.

"The Law School is extremely interested in following through with its grads and offering them this kind of support," Sherk said. "Students make a big investment in money and time, and we want people to be successful at whatever bar exam they take."

"We feel that we owe our grads and our students an opportunity to perform better – to get a leg up on preparing for the bar exam. Until you actually take it, you have no idea how strenuous the exam is. My job is to show people how to survive this – how to function properly, how to study and prepare, and how to write for the bar exam – and for life beyond the exam."

"This affects people's lives. If you fail the bar, you are out of the loop. In this profession, the first question people ask you is, 'Have you heard your bar results yet?' It is very stressful."

The school's support begins with two specialized classes taught by Sherk, the fall-semester course "Critical Concepts in Legal Research and Writing" mostly for second-year students, and a course in "Advanced Analysis in Research and Writing," offered in the spring for third-year students. Because the bar exam involves a writing component, that skill is heavily stressed. Gerald Bamberger '99, teaches "Doctrines of American Jurisprudence." The two-semester course emphasizes legal analysis skills, so crucial in Law School and on the bar exam. He also includes strategies for the multiple-choice portions of the bar exam.

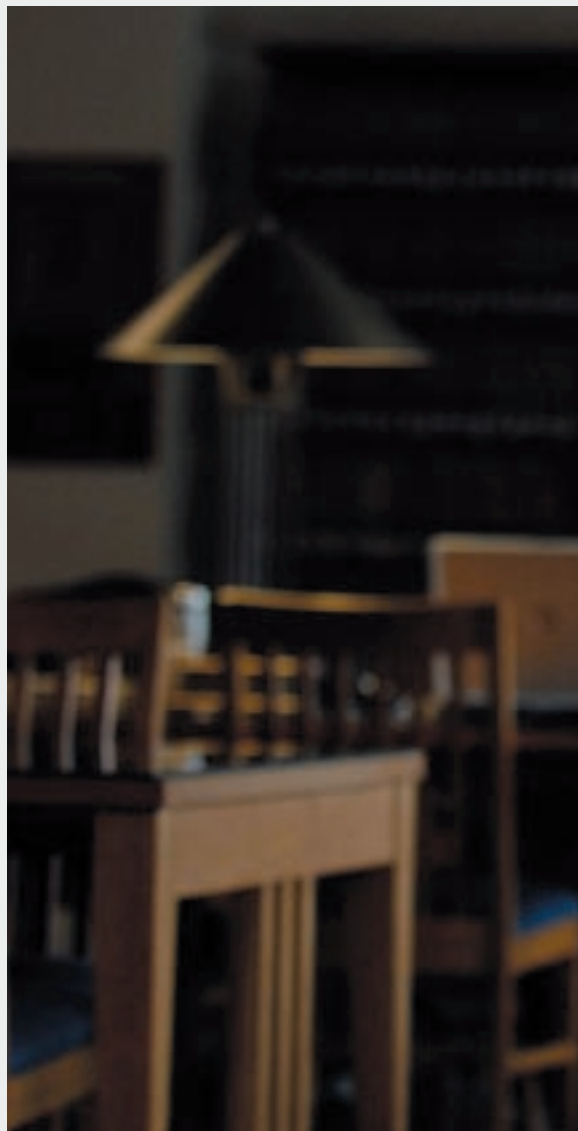
"I do not see the bar exam as that unique," Sherk said. "It obviously has its own form and its own challenges. But I am still addressing performance in a legal environment. You have to get at the critical thinking component of what it means when people say, 'You will learn to think like a lawyer.'"

"I try to help them learn to study in an organized fashion and how to use the information they get from a bar prep course. The idea is to show them how to manage and think and write in a clear, concise, persuasive fashion for a particular audience. How do you survive three months of tough studying and then two days of exams? It is very arduous."

This close contact, Sherk said, continues all the way to the exam, which in New York State is administered in February and July. She keeps in touch by fax, e-mail and phone. "My job is to

keep people focused and to give them whatever advice they need," she said, "whether it is substantive advice on how they should write better, or sometimes just a pep talk. Those kinds of things are very helpful, because the bar exam is in many instances a mind game. You have to study, but you also have to be able to produce. You have to stay focused for a few months, and that is not easy to do."

But, of course, some graduates are not successful on the first try. At that point the school's involvement takes the form of individual support. Sherk





Barbara A. Sherk '02,  
Director of Academic  
Support.

*Results from the July 2006 exam show that UB Law's pass rate for first-time takers has jumped to 84 percent. When the results from bar exams of other states are factored in, the rate is over 87 percent.*

meets with them on request as they study for another attempt at the exam, marking up their practice essays and talking over strategies for the test. "The problems vary by individual," Sherk said. "They do not want to sit in a class with 10 other people who failed, too. They seem to thrive better with individual attention."

She and Vice Dean Melinda Saran also have traveled to offer that support to grads in New York City, through the UB Law Alumni Association chapter there, as well as in Buffalo.

Sherk's work in academic support is

an outgrowth of her master's degree work in how best to help people pass professional licensing exams. Applying the tenets of educational theory to the particular demands of the bar exam, she was able to design coursework and coaching strategies that improve test-takers' critical thinking abilities. "There is a science to multiple-choice examinations," she said. "I expanded that to the writing portion of the bar exam and to develop the kinds of approaches that can be successful."

# Law School Report

## Home at last

### *Newly named, the Regional Institute finds fertile ground in the Law School*

One of the University at Buffalo's showcase services to the community – providing economic and demographic information and sophisticated research to policymakers throughout Western New York – is building on its success through a new collaboration with UB Law School.

The Law School has always had substantial involvement in the Institute for Local Governance and Regional Growth, newly named the Regional Institute. Former Dean Barry B. Boyer, for example, co-directed the institute's State of the Region Project to gauge the region's performance in 11 key areas, and several Law School faculty members have contributed their expertise and research to other institute projects.

Now the institute is formally affiliated with the Law School, affording new opportunities for collaboration and for bringing the University's academic and policy expertise to bear on some of Western New York's most intractable quality-of-life challenges.

The new alignment only makes sense, said Dr. Kathryn A. Foster, director of the institute, which was founded in 1997. "We have always had one foot in academics and one foot in policy-making," she says. "When I came on as director in September 2005, I wanted the institute to have an academic setting that matched our academic goals. We looked at a number of organizational options for how to do that, and decided alignment with the Law School made good sense."

Given the Law School's size and strength, its long history of interdisciplinary studies, and the existence of the Baldy Center for Law and Social Policy and the Jaekle Center for State and Local Democracy, the Law School fits well with the mission of the institute, which is to leverage the resources of the University to address key governance and quality-of-life issues in the Buffalo Niagara region.

"What we do is about governance and policy," Foster said. "The Law School has a very deep bench and a strong track record in policy, especially with its clinical program. Law in general is very much a part of governance. There seemed to be a number of good



*"The Institute is designed to provide policy support to local governments in the region, and there are many scholarship opportunities in that area. This is an enormous addition to our program and academic interest in these subject areas."*

— Dean Nils Olsen

connection points."

Said Dean Nils Olsen: "It is important that these sorts of intensive institutes have a home in an academic program. They work best and have the most impact if they are part of an academic department. The institute is designed to provide policy support to local governments in the region, and there are many scholarship opportunities in that area. This is an enormous addition to our program and academic interest in these subject areas."

The new alignment is consistent with UB President John B. Simpson's strategic planning initiative, called UB

2020. Under the umbrella of Civic Engagement and Public Policy, an area of strategic strength being coordinated through the Law School, renewed emphasis on interdisciplinary study and research, and further outreach to the community, are key components of the UB2020 initiative.

The institute, which is housed in Beck Hall on the South Campus, works with scholars from throughout the University, in departments ranging from urban planning to chemistry. But Foster points to four areas in which Law School faculty are likely to have special impact:

- Governance reform, such as new or revised charters for county or smaller governments. Former UB President and Law School Professor William R. Greiner has active engagement in this arena.

- The study of the region's changing demographics, such as a current project on Buffalo Niagara's aging population. Law School Professor Anthony H. Szczygiel works on that project, bringing his expertise in Medicare and other issues affecting an older population. Szczygiel directs the Law School's Elder Law Clinic.

- Regional economic development, including the hot-button issues surrounding a proposed casino in downtown Buffalo, with all its implications for Native American sovereignty, treaties and contracts. Baldy Center Director Lynn M. Mather and Professor James A. Gardner are involved in this area of research.

- Cross-border issues to include the proposed Western Hemisphere Transport Initiative, which seeks to require a passport for Americans to travel into Canada, and other homeland security issues. This area also would include environmental issues affecting the Great Lakes, involving Professors Boyer,

*Continued on Page 29*





A satellite view of the region.

## *Oishei Foundation grant supports the Regional Knowledge Network*

**T**o help ensure that Buffalo Niagara has ready access to reliable information on critical regional issues, the John R. Oishei Foundation has awarded the University at Buffalo's Regional Institute \$336,371 to develop phase two of the recently launched Regional Knowledge Network.

Online at <http://rkn.buffalo.edu>, the Regional Knowledge Network (RKN) is a powerful new resource for the binational Buffalo Niagara region featuring data, maps, lists and resources for 10 regionally critical topic areas, and dynamic user-driven tools for accessing such information. The institute launched the first phase of RKN in March 2006.

As a source of reliable information on the binational region encompassing the eight counties of Western New York and the Niagara Peninsula of Southern Ontario, RKN improves regional understanding and provides capacity for research and smart decision-making in the region. The site serves a diverse audience of government officials, regional leaders, community activists, researchers, students and citizens.

"This grant will allow the institute to take the Regional Knowledge Network to an entirely new level of sophistication," said Kathryn A. Foster, director of the institute.

"The infusion of resources from the John R. Oishei Foundation enables RKN to become an extremely practical and valuable first-stop shop for regional information."

The John R. Oishei Foundation's mission is to enhance the quality of life for Buffalo-area residents by supporting education, health care, scientific research and the cultural, social, civic and other charitable needs of the community. The foundation was established in 1940 by John R. Oishei, founder of Trico Products Corp.

— *By Rachel M. Teaman*



# Law School Report

## The rules of democracy



New York State legislature in session.

### *Reinvigorated Jaeckle Center studies the laws behind state and local politics*

A long-established UB Law research center is shifting focus with the advent of a new director, bringing faculty and student energies to investigate the ways that laws and legal institutions – particularly state constitutions – structure American politics at the state and local levels.

James A. Gardner, who is the Law School's Joseph W. Belluck and Laura L. Aswad Professor of Civil Justice, became director of the Edwin F. Jaeckle Center for State and Local Democracy in mid-2005. "We are trying to revive the center's original mission," he said, "and to serve as a resource for those who are working in this area."

Gardner brings with him a longtime research interest in law and democracy, particularly "subnational democracy" – governance on the state and local levels. "Most of where democracy actually occurs is at those levels," he said, "and there has been very little research into this area."

Besides Gardner, the Jaeckle Center, which was founded in 1980, comprises UB Law faculty members William R. Greiner, James L. Magavern '59, Lynn Mather and John Henry Schlegel. They are joined by UB faculty in urban planning, political science, English and American culture, as well as two Jaeckle Fellows. Affiliated faculty are teaching in the areas of state and local gov-

ernment law, economic development, county government and state constitutional law.

As with all structures that encourage the exchange of ideas, part of the mission of the center is to facilitate cross-pollination. "If you can create a framework within which like-minded people can get together and compare notes, that is the seeds of a program," Gardner said. A new Web site also helps explain and promote the center's mission.

The principal ongoing project at the center is to compile a database of state constitutions – both current and historical – in order that researchers can look at the ways those constitutions have specified how state legislatures are elected. For example, Gardner said, many constitutions defined election districts county by county, but legislatures also have drawn election districts along political lines. "People are very suspicious that politicians are drawing districts to stack the deck," he said.

State constitutions have a long and messy history, beginning with the constitution that governed Massachusetts even before the Founding Fathers hammered out the U.S. Constitution. "In 1776, there was very little experience with this," Gardner said. "Nobody wanted a monarchy, but what would replace it was mostly a matter of speculation. Nobody knew what would work." The writers of state constitutions, he said, sometimes patterned them after the U.S. Constitution, but sometimes struck out on their own. As a result, state constitutions differ greatly from each other and also from the federal document.

Gardner is also working on two papers about gerrymandering, the controversial practice of manipulating the boundaries of election districts for electoral advantage. In states where districts have been redrawn in this way, a plausible theory, he said, is that that contributes to the polarization of political debate. In non-competitive districts, the theory goes, the public servant has to appeal only to his or her own party

voters, and this pushes the politician further from the political center – and thus further away from those of the opposing party.

A new project will look at the subjects state legislation deals with, asking the question: How much of this legislation deals with local matters, and how much with state matters? The hypothesis, Gardner said, is that the way state constitutions are written will influence on which level lawmakers spend most of their energies.

Also in the preliminary stages is planning for a conference, to be held at UB Law, on the topic of how local legislators work – the nitty-gritty of democracy as it is practiced in towns, villages and county legislatures. “A lot of really important law gets made on that level,” Gardner said. “This conference would be the first sustained attention it gets.”

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#### **Accomplishments of the Jaeckle Center Include:**

- Created a certificate program in State and Local Government offering courses designed to prepare students to practice in that area
- Established externships for students who work directly with legislators and other government officials on public issues
- Saved millions of dollars in Medicaid money by working with county governments
- Provided the expertise to obtain more than \$160 million in external financing to fund, construct and manage affordable housing in Western New York
- Helped a variety of governmental entities enforce regulations and resolve problems involving waste disposal, and provided guidelines in reclaiming old industrial sites and putting them to productive use
- Worked with the New York State Assembly to study proposed changes in financing public education in elementary and secondary schools
- Played an important role in an ambitious, university-wide project that studied regional governance issues and presented an extensive, detailed proposal to save a significant amount of money

## *The Regional Institute*

*Continued from Page 26*

Robert S. Berger and Errol E. Meidinger, and such subjects and economic integration between Western New York and Southern Ontario.

“Clearly the Law School has a national reputation for its work in law and policy,” says Dr. Kathryn Bryk Friedman ’98, deputy director of the institute. She is a Law School alumna who also holds a doctorate in political science from UB, and teaches a bridge course in immigration law at the Law School.

Friedman is working on an institute project that perhaps is emblematic of how focused academic attention can make for better governance. Planned is Alternatives to Incarceration, a major effort to alleviate chronic overcrowding at the Erie County Holding Center. The other option is a new county jail – at a cost of \$100 million of the taxpayers’ money.

Working with the county and a holding center task force, the institute will examine practices of the criminal justice system from the point of arrest onward. “We want to look at decision points in the system,” Friedman said, “and make some suggestions as to where they could make other choices along the way.”

For example, she said, a substantial segment of the Holding Center population has mental health issues and perhaps could be better served by treatment, not jail. Similarly, many indigent prisoners spend days in their cells awaiting court-assigned counsel; one option being considered to ease that situation is establishment of an alternatives to incarceration clinic, in which law students would represent indigent defendants at bail hearings.

Also, Friedman says, the institute will create a prototype of an inmate management database in hopes that police, courts and Holding Center personnel can make better decisions given access to a single source of good information about each case.

Foster said the institute may also refer callers to Law School faculty with expertise in the requested subject area; ask faculty to work on specific projects; and invite faculty to serve as “faculty fellows,” pursuing their own research where the institute sees a benefit to the Buffalo Niagara region.

“The dean and the Law School have given us immense support and encouragement to run this institute,” she said.

Foster invites Law School alumni who are interested in the institute’s programs or regional initiatives to call her or Friedman “and talk about what is on their mind.” The institute’s Web site, [www.regional-institute.buffalo.edu](http://www.regional-institute.buffalo.edu), has complete information about its work.



# Law School Report

## New to the DAC

*Dean's board has grown with the addition of 15 new members*

**T**he Dean's Advisory Council at UB Law School has changed substantially this fall with the addition of 15 distinguished new members to replace those whose terms have expired. Here is a quick look at the new voices who will help advise the dean on ways to shape the Law School's future:

**Brian D. Baird '83** practices in the areas of estate planning, wills and trusts, estate administration, and general business law at the Buffalo firm Kavinoky Cook, where he is of counsel. A past recipient of UB Law School's Community Service Award, he is a trustee of the Cameron Baird Foundation and has been active in numerous charitable organizations.

As vice president and general counsel of Rich Products Corp. in Buffalo, **Jill M. Bond '85** focuses her practice on employment and labor law as well as food and drug law, corporate and compliance issues. She is also responsible for maintaining and enforcing Rich's ethics program and serves on the company's Leader Network and Women's Network. She is on the Board of Directors of the Bar Association of Erie County.

**H. Todd Bullard '87** is a partner in Rochester's Bullard Lobban Law Group, practicing corporate and commercial litigation, insurance defense/personal injury plaintiffs, securities, municipal finance bonds and real estate. He also served as a Monroe County legislator and has been active with many Rochester-area non-profits.

A partner in the Washington, D.C., firm Arent Fox, **Mary Joanne Dowd '80** serves as co-chair of the Bankruptcy and Financial Restructuring Group. Her practice includes representation of debtors, creditors, indenture trustees and committees in bankruptcy court cases, as well as borrowers and lenders in out-of-court debt restructurings and structured finance transactions. She has taught at Georgetown University Law Center.

**Dr. Roy E. Fitzgerald III '87** is a founding shareholder of Page, Mrachek, Fitzgerald & Rose in West Palm Beach, Fla. He concentrates his practice in the areas of commercial litigation and appeals, including complex litigation, business torts and contract breach. In addition to the J.D., he also earned a Ph.D. from the University at Buffalo.

A partner in the Buffalo law firm Hodgson Russ, **Garry M. Graber '78** practices bankruptcy, corporate and financial restructuring, commercial and corporate litigation, and general business law. A past president of the Law Alumni Association and Bar Association of Erie County, Graber has taught bankruptcy at UB Law School since 1991 and has lectured extensively on U.S. and cross-border bankruptcy and commercial law topics.

**Morgan G. Graham** is managing partner of Phillips Lytle in Buffalo, and practices environmental law. His focuses include prosecution and defense of Superfund cost recovery actions, Resource Conservation and Recovery Act proceedings, Clean Water Act and Clean Air Act litigation, and facility compliance. He is a board member of the Buffalo Therapeutic Riding Center and the Buffalo & Erie County Historical Society.

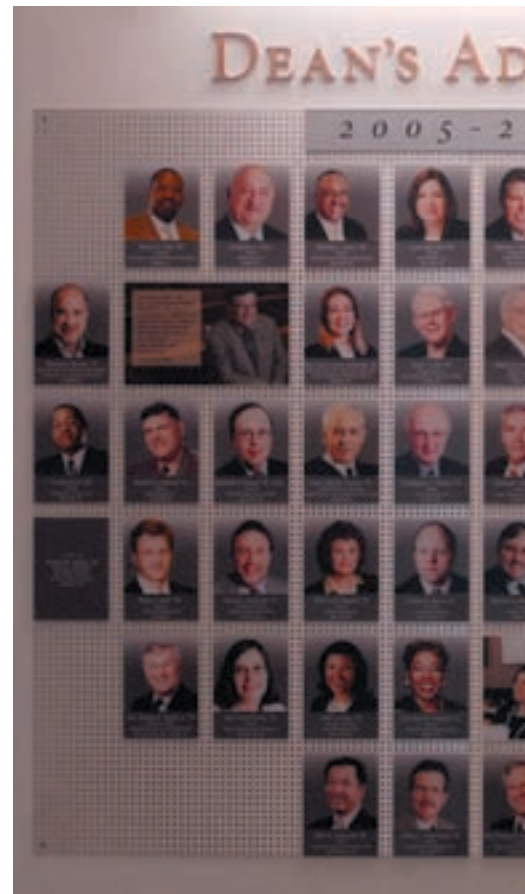
With an engineering background, **Paul J. Korniczky '86** practices intellectual property law with the Chicago law firm Leydig, Voit & Mayer. His work includes preparing and prosecuting U.S. and international patent applications, with primary focus on the mechanical and electro-mechanical arts. Korniczky has extensive experience in patent infringement litigation and has been heavily involved in foreign patent oppositions and litigation in the United Kingdom, West Germany, Japan and France.

A prominent matrimonial and business attorney, **Allan D. Mantel '76** is a partner in the New York City firm Stein Riso Mantel. Mantel has represented many prominent and high-net-worth

clients in their divorce, custody and estate matters, and continues to serve as general counsel to many of his clients' successful business enterprises. He is president of the New York chapter of the American Academy of Matrimonial Lawyers.

**Trini E. Ross '92** has served since 1995 as an assistant U.S. attorney with the U.S. Attorney's Office for the Western District of New York. She has investigated and prosecuted crimes including financial fraud, civil rights violations, money laundering, bank robberies and kidnapping. Ross also has taught as an adjunct professor at several Western New York colleges and universities, including UB Law School.

**Barbara L. Schifeling '84** is a part-





Visitors to the administrative offices of UB Law School have a new connection with the distinguished alumni who contribute their expertise to the Dean's Advisory Council. Just off the elevators on the third floor of O'Brien Hall is a striking photo display comprising current DAC participants and emeritus members.

Vice Dean Ilene R. Fleischmann, who coordinates alumni relations and public relations for the school, developed the wall as part of continuing efforts to build bridges between current students and alumni. "It was created primarily so our students could see the incredible array of influential, diverse and talented alumni who are there to advise the dean on strategies to enhance the reputation and visibility of the Law School," Fleischmann said. Because the display is adjacent to the school's admissions office, she noted, "it also gives new applicants a glimpse of our high-powered alumni network."

The industrial-style display, backed by a high-sheen metal pegboard, was chosen primarily for its flexibility. "We can update it every year as new DAC members are added and others move to emeritus status," Fleischmann said. Produced by ASI Modular of Grand Island, N.Y., it incorporates elements of the school's marketing materials, including the iconic 1923 UB seal by Tiffany & Co. Also included are photos of the Dean's Advisory Council at work, the DAC's mission statement and a quote from Dean Nils Olsen:

"Council members have been extraordinarily helpful throughout. They have a broad range of sophisticated experience and are willing to share that experience and knowledge with us as we move forward. They have become indispensable."

ner in the Buffalo law firm Damon & Morey, practicing medical malpractice defense and environmental coverage litigation. She serves as a member of both the Management and Client Development Committees and is co-chair of the firm's Health Care Practice Group. Schifeling has written many articles and has served as an adjunct faculty member in UB Law School. She is a member and officer of the board of directors of the YWCA.

A partner at Fried Frank Harris Shriver & Jacobson in New York City, **Robert C. Schwenkel '82** chairs the firm's worldwide corporate department and head's the firm's Private Equity Practice. He has a diverse transactional corporate practice concentrating in private equity and

mergers and acquisitions. He is an editor and contributor to "PEPTalk," the firm's newsletter for private equity professionals, and he co-chairs an annual seminar sponsored by the Practising Law Institute, "Advanced Doing Deals."

**Mark Jay Weinstein '81**, a partner in the New York City firm Hogan & Hartson, is an attorney adviser and strategist to the world's largest communications and media conglomerates, including businesses in media, sports, entertainment and technology. He structures, negotiates and finalizes multi-party, cross-border joint venture arrangements among major international corporations. He is a practice group director for the firm's tax practice.

**Jeffery D. Williams '90** works at

Pfizer Inc. in New York City as deputy chief compliance officer and senior corporate counsel in the Corporate Compliance Group. He joined the firm in 2001 and was asked to join the Corporate Compliance Group in 2004. At UB Law, he was editor in chief of the Buffalo Law Review.

**Margaret W. Wong '76** is managing partner of Margaret W. Wong & Associates in Cleveland, with additional offices in Columbus, Ohio, and Detroit. Her firm is known nationally and internationally for its practice in immigration and nationality law. A board member of numerous civic organizations, she has won many local and national awards.



# Law School Report



## The D.C. connection

*Washington alumni help our law students*

A homegrown effort to build UB Law School's presence in Washington, D.C., with its thriving legal community in private practice and government service, is growing as alumni meet to plan and network.

The Washington, D.C., Leadership Board comprises a core group of UB Law alumni. In concert with Deborah J.

Scott, vice dean for development, and James R. Newton, associate dean for national outreach and strategic planning, the board is working to build a network of contacts in the D.C. legal community, to grow awareness among the law students as a place to practice, and create a mentoring program for students interested in law firm, corporate or government agency placements.

"If we can make any difference, it is to give folks a sense of the breadth and spectrum of different opportunities down here in D.C. that they might not otherwise have in other areas," said Joseph A. Kresse '95, an associate practicing pharmaceutical litigation at the Washington law firm Covington & Burling. "Also," he said, "if students want to work for a specific agency, maybe we can find some contacts who can give them a little better sense of what it is like to do that kind of work."

Kresse and Judith B. Ittig '71, a partner in the construction law firm Ittig & Ittig, have been principals in organizing the Leadership Board, which met most recently in early November. So far, said Ittig, the group is composed entirely of alumni in private practice. "We talked about identifying people we know who work in government or the non-profit sector, or in private corporations other than a private law practice, so we can broaden out the range of opportu-



Judith B. Ittig '71



Joseph A. Kresse '95

*"If we can make any difference, it is to give folks a sense of the breadth and spectrum of different opportunities down here in D.C. that they might not otherwise have in other areas."*

—Joseph A. Kresse '95

nities we are able to help students connect with," Ittig said.

"Our initial efforts attracted a core group of people who then extended themselves to meet other alums in the D.C. area," she said. "We want to extend further into areas of service to the Law School and its development efforts, and in service to alums in the area, too."

Much of the recent meeting, Kresse and Ittig said, revolved around how they might help UB Law students identify legal positions in Washington, including summer internships and clerkships, and how to help students connect with those with the authority to hire them. "We talked about ways we could help the law students with entries to the hiring committees and to the people who are doing most of the interviewing," Ittig said.

"We were thinking about the usual structured approach to applying for a position and how we could help – not only with our own direct contacts, but with other things we can advise students about, such as how best to present themselves and what they should be doing to prepare for the various opportunities that might come up."

Added Kresse: "We are still in the

process of developing a group broad enough and wide enough so we can provide a worthwhile resource. It is a vibrant market for recent law grads, and a lot of recent grads from law schools throughout the country are finding work here."

Besides introducing students to the Washington legal community, the board also wants to make that community more aware of UB Law School, raising the school's profile in a legal market 460 miles from Amherst.

"In places in New York State, people are very familiar with the Law School," Ittig said. "That is true also in Ohio, Pennsylvania, even in Toronto. I do not think it is as true down here, because even though we have had a number of graduates of extraordinary distinction down here, it has been an individual accomplishment, not necessarily connected with their association with the Law School."

"We are now looking at sponsoring conferences, seminars and programs to reach out to the legal community, so that when a student comes to Washington, their qualifications are apparent not just on an individual basis but be-

cause they are coming from a school that is known to have a great record.

"There is an awful lot that the school has been doing, and UB Law has many outstanding professors with high public profiles. So the first job is informational – to tell people who have not been connected with the Law School what is going on there."

Also, said Ittig, who served on the Dean's Advisory Council for many years and chaired that group for four years, the Washington, D.C., Leadership Board hopes to generate and test some ideas that might work just as well in other cities where there is a significant presence of UB Law alumni.

"We are hoping to try out some things that the DAC, as a national group, cannot do too well at a national level, but can be done at a regional level," she said. "We are hoping to invent and try out a number of ideas that might work well in other cities, so they can be replicated elsewhere."



# Law School Report

*Baldy Center for Law & Social Policy*

## Legalizing torture?



Professor Makau Mutua, Floyd H. and Hilda L. Hurst Faculty Scholar, and Professor Richard L. Abel of UCLA Law School.

*UCLA law scholar asks if the law is capable of modifying the power of the state*

The difficult and politically explosive issue of torture took center stage for the 12th annual Baldy Center Retreat, an annual celebration of the work of UB Law School's interdisciplinary studies center.

The retreat, held Dec. 14 at the Saturn Club in Buffalo, gathered nine Baldy Working Groups for planning purposes. Baldy Center Director Lynn Mather recognized such significant initiatives as the Arts Management Program; the Regional Institute; the Jaeckle Center for State and Local Democracy; and the Center for Urban Studies and its HUD Community Outreach Partnership Center.

Continuing a tradition of seeking out the best in challenging new scholarship, the center invited as its keynote speaker Richard L. Abel of UCLA Law School. Currently on sabbatical in New York City, working in the Center for Constitutional Rights, Abel was a founder of the journal *Law & Policy*, published by the Baldy Center. At UCLA, he also is faculty coordinator for the Public Interest Law Program.

Abel's address, titled "Legalizing Torture," sprang from his 58-page academic paper of the same name, a paper that begins: "The Bush administration's reaction to 9/11 has profoundly compromised America's fidelity to the core of political liberalism – the rule of law."

The president and his Cabinet and lawyers have embraced torture, kidnapping and indefinite detention without the right to a trial, counsel or to confront accusers.”

Abel began his remarks with a quotation from poet W.H. Auden:

*The Ogre does what ogres can,  
Deeds quite impossible for Man,  
But one prize is beyond his reach,  
The Ogre cannot master Speech*

In other words, he said, we need to ask the question: “Under what circumstances, in what ways, and to what extent is the law capable of modifying the power of the state?”

Abel spoke of his experiences in

pered by “attempts by the Bush administration to redefine the legality of a wide variety of practices” in the years since the terrorist attacks of Sept. 11, 2001.

For example, Abel said, a series of memos in the executive branch “declared that al-Qaida and the Taliban were outside of judicial intervention.” Similarly, the claim was made that the American-run detention facility at Guantanamo Bay, Cuba, is outside the United States and therefore not subject to U.S. law.

The practice of detention, Abel said, has been particularly problematic, with allegations of the use of torture against detainees at Guantanamo, in Afghanistan and at the Baghdad prison

and inadequately trained and probably pretty pathological people, engaging behavior that was probably beyond what was authorized.”

At Guantanamo, Abel said, U.S. lawyers face enormous obstacles if they seek to provide representation to detainees. There is, for example, “the enormous difficulty of gaining the trust of detainees and their families.” Guards at the facility, he said, will approach a detainee after a lawyer visits and aver that the lawyer was Jewish – “and if word gets out that you, a Muslim, are being represented by a Jew, nobody will believe you.”

Some detainees, Abel said, have told their lawyers that “every time you come down here, when you leave we are

*The power of the law has been tempered by “attempts by the Bush administration to redefine the legality of a wide variety of practices” in the years since the terrorist attacks of Sept. 11, 2001. — Professor Richard L. Abel*



Lynn Mather, Director of Baldy Center and Professor



Claude E. Welch,  
Distinguished Service  
Professor, Political Science



Brenda L. Moore, Associate Professor,  
Sociology

South Africa, where he visited five times in five years in order to look at the ways lawyers and judges participated in governing during the first years following the fall of the apartheid regime.

“There was no written constitution or bill of rights. There was no judicial review. There were almost no black attorneys or advocates,” he said. “Nevertheless, law did make a difference.”

In the United States, he said, “it would seem as though law would be more and more capable of resisting tyranny in our country.” But, he said, the power of the law has been tem-

pered by “attempts by the Bush administration to redefine the legality of a wide variety of practices” in the years since the terrorist attacks of Sept. 11, 2001. For example, Abel said, a series of memos in the executive branch “declared that al-Qaida and the Taliban were outside of judicial intervention.” Similarly, the claim was made that the American-run detention facility at Guantanamo Bay, Cuba, is outside the United States and therefore not subject to U.S. law.

The practice of detention, Abel said, has been particularly problematic, with allegations of the use of torture against detainees at Guantanamo, in Afghanistan and at the Baghdad prison called Abu Ghraib. And detention happens at home, too, he said: “In the immediate aftermath of 9/11 in New York City, roughly 1,000 men of color were rounded up and then housed in detention centers in Brooklyn and New Jersey. The conditions there were worse than in American prisons.”

Abel cited the infamous instances of psychological and physical abuse at Abu Ghraib, which involved the use of dogs and in some cases forced detainees into degrading sexual situations. “Abu Ghraib was a gift to this nation because it was an aberration,” he said. “It was the behavior of juvenile

punished.” Adding a further obstacle, he said, detainees have asked for access to an Arabic-English dictionary so they can read legal papers – but the request has been denied. “The reasoning,” he said, “is that, if their English improves, that is a security risk, because they will be able to understand more of what their guards are saying.”

Following Abel’s remarks, UB Law Professor Makau W. Mutua and Associate Professor Brenda L. Moore of UB’s Department of Sociology offered respondent comments.

# Law School Report

Baldy Center for Law & Social Policy

## Policing the aliens

*‘Crimmigration’ conference looks at criminal treatment of immigrants*

The war on drugs. The war on terror. As governments bring law enforcement resources to bear on these threats to public security, crime control has increasingly come to target immigrants to the United States, some observers say.

“Crimmigration” is the catchall term for the trend in immigration law and policy reforms that adopt a criminally punitive approach to managing non-citizens. These reforms include detaining certain classes of removable aliens; local police being called on to enforce federal immigration laws; expedited removal of undocumented workers; and the deportation of so-called “criminal” aliens.

An ambitious conference on April 28 and 29, “Merging Immigration and Crime Control: An Interdisciplinary Workshop,” brought a wide variety of scholars and clinicians to O’Brian Hall to discuss aspects of this legal trend. Organized by UB Law Professor Teresa Miller and a colleague from Hofstra University, Nora Demleitner, the conference was held under the auspices of the Baldy Center for Law and Social Policy. Miller’s research has focused on prisons and the policies of mass incarceration that are responsible for prison expansion and the burgeoning numbers of people incarcerated in the United States. Her interest in incarceration has led her to research the growing prevalence of detention as a policy within the immigration system.

Also presenting was UB Law Professor Johanna Oreskovic, whose research



Nora Demleitner, Hofstra University.



Professor Teresa Miller, UB Law School.

interest centers on the development of international adoption as a social and legal institution. Among the visiting participants were scholars from Rutgers University, the University of California at Berkeley, Boston College, Washington University in St. Louis and the University of Toronto.

A sampling of the discussion:

Stephen Legomsky of Washington University in St. Louis, author of the standard textbook *Immigration and Refugee Law and Policy*, described how society’s perceptions about criminals and deportees have become “increasingly negative and intertwined.” Legomsky noted “uncanny similarities between deportation and criminal law,” and said enforcement of immigration laws has moved from the Immigration and Naturalization Service, its traditional home, to the Department of Homeland Security as fears over foreign-born terrorists proliferate.

Randall Shelden, an expert in criminal justice at the University of Nevada, Las Vegas, gave a historical perspective by discussing Executive Order 9066 – the World War II-era move to intern Japanese-Americans.

“Throughout American history,” he said, “one of the objects of the criminal justice system is social control – securing or maintaining or perpetuating the status quo, and reinforcing racial and class inequalities.” For example, he said, drug laws have tended to assign the harshest penalties for the use of drugs “used mostly by immigrants and those in the lower classes.” Shelden also described

a “symbiotic relationship among the prison system, courtroom interests and political interests” – what he called the prison-industrial complex.

Michael Welch, sociologist at Rutgers University, argued that “it is unfair to use deportation proceedings to achieve aims of crime control, because deportation lacks significant constitutional pro-



tections.” But, he said, such proceedings are “useful for government authorities because they bypass constitutional guarantees that exist under criminal law.”

Jonathan Simon of Boalt Hall Law School at the University of California at Berkeley, appearing by video link, gave a historical tour of the 20th century and told how public policy toward illegal immigrants shifted from a rehabilitation or correctional model to a crime-control model. “Since the 1960s,” he said, “the war on crime has reshaped the mentality of governance across the board.” Beginning in the mid-1990s, he said,

“criminal alien statutes” were beefed up, local autonomy over immigrants was replaced by a more rigid national policy, and prisons increasingly have been used as “a tool of incapacitation or removal.”

“After 9/11,” he said, “the war on terror has been little more than a continuation of the war on crime. The government wanted to treat it as a crime problem without any law getting in the way.”

Juliet Stumpf of Lewis & Clark Law School noted that “immigration law enforcement agencies have come to look a lot like criminal law enforcement agencies,” with the power to make arrests and execute warrants. “There is still an enormous gap between constitutional law as it relates to immigrants and the constitutional rights of criminal defendants. The Fifth and Sixth amendments really do not apply in the immigration context.”

As well, she said, “race and national origin are treated quite differently in the two areas. In the immigration context, they can be a factor in, for example, when an immigration agent can stop somebody. That is something that is explicitly not permitted in criminal proceedings.”

Huyen Pham of the University of

Missouri School of Law discussed the role of local governments in enforcing immigration laws. She noted that Congress has passed laws that prohibit local governments from telling their employees to withhold information about their immigration status, in effect saying to these governments, “You cannot have a law that prevents your employees from cooperating with us.” Nearly 50 cities and towns have tried to limit this cooperation, she said: “I call these local laws non-cooperation laws, because their effect is to limit the authority of local police, hospital workers and teachers to cooperate with law enforcement. The



Foreground, Maartje van der Woude, Leiden University School of Law.

majority of these laws were passed after 9/11, when the federal government was pushing for local governments to get involved in immigration law enforcement.”

Local governments, she said, resist cooperating with federal immigration authorities because that works against such valuable tools as community policing – “I cannot do this if my community thinks I’m going to report them to the INS.” There is also concern, she said, that immigrants will not go to hospitals when they have medical problems, and will keep their children out of school out of concern they will be deported.”

UB Law Adjunct Professor Joanne

Macri, who has studied conditions in New York State prisons, said, “I believe in the very near future we will see a grand expansion of immigration detention facilities.” A subsidiary of the Halliburton Corp., for example, has won a federal contract to build facilities that will accommodate up to 40,000 illegal aliens by 2008.

She noted that detention of aliens is administrative, not judicial, in nature. “It is not punishment; it is not sentencing. The problem I have is with an individual who asks, ‘When am I getting out of here?’ And the answer is, ‘I do not know, unless you want to get out of

here really fast,’” i.e. through deportation.

UB Law School’s Johanna Oreskovic, spoke at length about the trafficking in children for adoption. “International adoption tend to follow war, crime, poverty and social disruption, so countries that have the least infrastructure for regulating what children become available for adoption are targeted,” she said.

“International adoption agencies are essentially businesses, and huge amounts of money are transferred, very little of which goes to the sending country, very little of which goes to benefit children re-

maining behind. This creates a black market situation in which large profits are being made by intermediaries.”

The existence of such a market, she said, is “indicative of a much broader failure to adopt regulations on the federal level to control these adoptions. There is no federal crime for trafficking in children for purposes of adoption.”

The conference featured timely and provocative discussion with a large audience. “By naming and investigating the legal trend of ‘cimmigration,’ Miller and her colleagues have pinpointed a crucial new area of legal scholarship and advocacy,” commented Baldy director Lynn Mather.

# Law School Report

*Baldy Center for Law & Social Policy*



Eyal Press, contributing writer for *The Nation*, spoke at the Law School.

## Reframing an old debate

*Provider's son delivers a personal  
take on the abortion controversy*

**A**n author whose family story intersects with one of the most contentious issues of our time brought his personal account of the abortion issue to a Baldy Center audience on Oct. 12.

Eyal Press is a contributing writer for *The Nation* and a widely published magazine writer. He was in O'Brian Hall to share some of the ideas in his new book *Absolute Convictions: My Father, a City, and the Conflict That Divided America*.

Press' appearance was the keynote presentation in a workshop titled "The Abortion Controversy in Context: Protest and Policy." As can happen in Western New York, the workshop fell victim to a surprise October storm that dumped 22 inches of wet snow on the area, paralyzing the region and forcing cancellation of the balance of the event.

But those in attendance heard Press, the son of Buffalo gynecologist and abortion provider Dr. Shalom Press, deliver a carefully thought-out analysis of

the seemingly intractable divide between pro-choice and pro-life adherents.

"All too often in the past, in Buffalo as throughout the country, abortion is not a subject that people have come together to discuss and debate," he said. "The preferred modes of expression have been shouting and screaming, intimidation, death threats, pickets, blockades, and when those methods have failed to achieve their desired ends, arsons, bombings, and shootings like the sniper attack that took place in this area eight years ago."

He was referring to vociferous pro-life demonstrations in Western New York in the 1980s and '90s, and the 1998 murder of Dr. Barnett Slepian, an abortion provider in Buffalo. That murder was immediately followed by death threats against Dr. Press, which left his family terrified but which the doctor took in stride.

In his address, Eyal Press took stock of the abortion debate today, at a time when, he said, the addition of John Roberts and Samuel Alito to the U.S. Supreme Court has many believing that *Roe v. Wade* will be overturned. "Opponents of abortion have seized the momentum," he said, with the rise of the politically powerful religious right; an alliance between economic and social conservatives; a conservative backlash against feminism; and the recent effectiveness of "campaigns like the drive to ban partial-birth abortion."

Press recounted some of the history that led to the 1973 *Roe* decision, and mused over the effects of that Supreme Court ruling on the abortion controversy. "We can say that *Roe* dramatically altered the dynamics of the conflict," he said, "and not in a way that either ended the debate or quieted the turmoil surrounding a woman's right to terminate an unplanned or unwanted pregnancy. Far from ending the controversy, *Roe* escalated it. It narrowed the space for compromise, and it shifted momentum in the debate from one side to the other almost overnight. Among opponents of abortion, *Roe* served as an instant rallying cry. It transformed what had been a fledgling right-to-life movement into a powerful force."

Noting that two-thirds of Americans say they support a woman's right to



*"I suggest that abortion rights advocates ought to focus less on the specter of a Supreme Court reversal of Roe than on the reality of who is and who is not able to exercise choice under current laws."*

abortion in the first trimester of pregnancy, Press cited suspicions that Republicans "do not actually want to overturn Roe, because it would reduce their appeal to moderate voters who do support choice."

Instead, he said, women's access to abortion has been circumscribed by the shrinking number of providers. Eighty-seven percent of all U.S. counties, he said, have no abortion provider, often forcing women to travel to obtain the procedure.

"Who is most affected?" Press said. "Women in geographically isolated areas, women who are poor, women who happen to live in states where the climate is hostile to reproductive rights. I suggest that abortion rights advocates ought to focus less on the specter of a Supreme Court reversal of Roe than on the reality of who is and who is not able to exercise choice under current

laws."

And though all sides agree that it would be good to reduce the number of abortions, philosophical differences impede progress toward that goal. Attitudes toward such issues as sex education for young people and contraception are choke points in the debate.

"American teenage girls are five times as likely to have a baby as girls in France, and seven times as likely to have an abortion," Press said. "Why? Because in France and in many other European countries, as well as in Canada, there is much more comprehensive sex education."

"Now, if you view the problem as sex itself, if you do not want teenagers to have it cross their mind somehow, the European approach is not going to appeal to you. If you view the problem as unintended pregnancies and teenage abortions, if that is the main

concern, then it will. The same logic, of course, applies to contraception.

"The question is not whether reducing the number of crisis pregnancies is a worthy objective, but how we get there. In my view, the answer is not by intimidating or demonizing women or health care providers, it is not by forcing them to have children through coercive laws, it is not by insisting that everything will magically transform if everybody takes a chastity vow. It is, rather, by empowering women, by educating young people about the consequences of sex, by building a culture that enables people to make informed choices about their lives, and that makes all Americans, even the least fortunate among us, able to envision bringing children into a world where they will be loved and supported."



# Law School Report

*Baldy Center for Law & Social Policy*

## Incident at Airport X

*Panel plays out a compelling crisis scenario*

**C**ue the ominous music. Only a soundtrack was missing from an innovative Nov. 17 program at the Baldy Center for Law and Social Policy, in which a panel of lawyers, medical personnel and security officers role-played the high-stakes scenario of “Incident at Airport X.”

What is more, they did it unrehearsed – a high-wire act of thinking out loud, before an audience, about how to handle an imminent threat of a deadly virus on its way to the United States.

“None of the events to be described is real. But some version of everything that will be discussed by the panel already has occurred or will occur in the future,” Research Associate Professor of Law and Public Health Sheila R. Shulman said in introducing the presentation, part of a daylong conference titled “Public Health Emergencies and Legal Preparedness: A Cross-Border Challenge.”

The conference comes at a time of increasing public attention on preparing for community emergencies, from terrorist attacks to natural disasters. But it was the question of how to manage the legal issues attached to defending against a fatal virus that formed the center of the presentation.

The scenario, adapted from a script by the Public Health Law Program at the federal Centers for Disease Control and Prevention, imagined a fictional U.S. state called South Caledonia, with its own set of laws. It begins with a call late one Friday afternoon to the quarantine officer at the state’s major air terminal, Airport X, saying that a plane is en route from Toronto carrying a passenger from South Asia who may be infected with “Super SARS,” a deadlier mutation of the respiratory illness that swept the world in 2003.

The plane is a Boeing 747, with 301 passengers on board. The passenger is coughing and feverish.



Research Associate Professor of Law and Public Health Sheila R. Shulman moderated.

The telephone rings at Airport X.

What happens next constituted the back-and-forth of the panel discussion, as participants played out their roles. Leading the discussion, and throwing a few curveballs along the way, was Dr. Frederic E. Shaw from the CDC’s Public Health Law Program.

The other participants:

- Wilfredo Lopez, General Counsel for Health at the New York City Department of Health and Mental Hygiene, playing the counsel to the South Caledonia Health Department.
- Kenneth Mortensen of the U.S. Department of Homeland Security, playing a federal attorney for the CDC.
- Gabriel Palumbo, officer in charge of the CDC’s Detroit Quarantine Station, playing a federal quarantine officer.
- Dr. Anthony Billittier, Erie County health commissioner, playing the state health commissioner.
- Mary Ann Buckley, Senior Attorney in the New York State Health Department’s Office of Bioterrorism and Emergency Preparedness, playing the counsel to the governor of South Caledonia.
- Michael Marszalkowski ’83, attorney

with the Buffalo law firm Damon & Morey, playing a private attorney in the scenario.

• Kevin Corsaro, Public Affairs Officer for the Buffalo office of the federal Department of Customs and Border Protection, playing a similar role in the exercise.

• New York State Supreme Court Justice Kevin Dillon ’76, playing the roles of both state and federal judges in the scenario.

The plane lands, and the decision is made to quarantine the passengers and crew in an abandoned hangar on the airport grounds. They are, of course, not happy. And the question remains: What to do with the ill passenger?

“Assuming that this passenger is now a suspect case, all the other passengers could be contacts of a suspect case, and I would suggest to my client the commissioner that we also ascertain some facts,” Lopez said. “For example, does the fact that the airplane had a closed ventilation system mean that every passenger on the plane was equally exposed? This would enable us to classify the passengers and perhaps separate



New York State Supreme Court Justice Kevin Dillon '76, far right, playing the roles of both state and federal judges in the crisis scenario.

those who may not be contacts of the suspect case.”

The program continued in a series of exchanges, such as Billittier’s response to the question, “How big is the law in your thinking at this point?”

“How am I going to protect my state if these people leave the airport grounds?” Billittier said. “I am also looking at the political issues – one of my first calls would be to the governor. We have to start thinking about public relations issues; we need to get ready to deal with the media. Most likely I would ask the governor to launch our emergency management system, or say you need to think about it. Where there is a spark, pretty soon it is out of control, and over the weekend it could get that way.”

The questions come fast and furious: Will quarantine officers board the plane? If so, will they wear protective suits? Does the airline have the legal authority to do anything? Does it have a duty to act? Will Customs and Border Protection guard the exits of the hangar, to keep the restive quarantined passengers inside?

Shaw, as moderator, ups the ante: “It is the next day. The 300 passengers have slept fitfully on cots, tired and unhappy. They have been advised that they are under temporary quarantine by the CDC. Many have been on their cell phones all night. One of them, 56 years old, is a famous concert violinist with a big ego, a Canadian citizen we will call ‘Maestro.’ He has a solo concert appearance in five days at Carnegie Hall. It is called ‘An Evening With Maestro.’ It is sold out, he has been practicing all week, and he wants a local lawyer to get him out of quarantine now.”

Will you take the case? he asks Marszalkowski.

Sure, Marszalkowski says. But he would educate his client to cooperate with the authorities’ quarantine order. But also questions of personal safety intrude: “Should I go meet with my client? Do I put myself at risk? Do I put my community at risk?”

Then there are questions about the involvement of the judicial system itself. Said Dillon, as the federal district judge in the area: “Before I would even let Maestro come to the courthouse, I

would want Mr. Marszalkowski to produce some proof that it was even appropriate for him to come to the courthouse. Is he going to be a threat not to me but to the other employees who work in the court system? I would also engage the attorney of the government and put him or her on notice of my concerns and seek their suggestions as to how we should handle the situation.”

More complications ensue: The governor’s personal physician tells him that this use of quarantine is ridiculous, and the governor calls his personal attorney and tells him that he wants the passengers released. The passengers are moved to an abandoned state police training academy 10 miles away. The temperamental violinist presses his case in the courts. The media are having a field day.

Perhaps appropriate in a world of continuing threat, the scenario ended without a resolution. With those unfortunate passengers still stranded, under guard, in the middle of South Caledonia, the panelists packed up and the conference came to an end.

## Making a difference

*Clinics make an impact on the community*

**U**B Law School's clinical program, in which law students work with professors on projects that benefit the people of Western New York, has never been more active or more effective.

Six clinics currently operate at the Law School, and Professor Anthony H. Szczygiel, who directs the overall program, said two others will be added this spring.

The first, he says, is an **Immigration Law Clinic** led by Mark P. Popiel, the University's general counsel on immigration matters. Law students will work with him on immigration matters having to do with UB faculty members and students – especially timely given that UB is ranked 10th among all U.S. universities in international enrollment, according to a report by the Institute of International Education.

Also on the way, Szczygiel said, is an **Environmental and Development Clinic** supervised by Professor Robert Berger that is focusing on legal and policy issues related to the proposed development of offshore wind farms in the Great Lakes.

An **Environmental Law and Policy Clinic**, taught by Law School Instructor Roberta A. Vallone and former Dean Barry B. Boyer, provides students with practical legal experience in environmental advocacy, client representation, community-based conservation and project-related work. It works with non-profit environmental groups to find a smarter way of promoting economic development while protecting the environment and quality of life for the future.

Members of the **Affordable Housing Clinic**, directed by Clinical Professor George M. Hezel, are celebrating the completion of two projects for which they provided legal guidance. The first is Carolyn's House, a residence in Niagara Falls, N.Y., for targets of domestic violence. "This project really



Professor Anthony H. Szczygiel, Director of Clinical Education and Professor.

challenged the skills of the clinic students," Hezel said. The aging building on Sixth Street formerly served as a residence for Niagara University nursing students, and also as a convent. It had stood empty for 15 years before the YWCA approached the clinic for advice on financing the \$5.6 million rehab project.

Said Hezel: "It was a study for my students in creative financing, using low-income housing tax credits, historic development tax credits, Community Development Block Grant money, and other vehicles. We also approached the Industrial Development Agency to avoid sales tax on the materials, which resulted in \$300,000 in cost avoidance. The students' task was to make sure all the regulatory requirements for all the programs could be integrated."

The result was a 19-unit apartment

complex that offers child care for the residents as well as a job training center teaching them culinary skills for use in the casino industry. "It was a mess," Hezel said. "We made something of it."

The clinic's second major project was to put together \$10.7 million in financing for Cornerstone Manor, a residence for women and children affiliated with the Buffalo City Mission. "There was a cadre of students who poured their hearts into that project," Hezel said. Besides the benefit to its clients, the shelter also benefits the City of Buffalo with tax revenue, he said, under a plan in which the state reimburses about \$200,000 a year paid to the city.

The Affordable Housing Clinic also ran September's Upstate Affordable Housing Conference at the Albright-Knox Art Gallery, with 272 registrants.

Clinic students have leveraged more





Community Development Clinic students worked with an East Side group called Fruit Belt United to rehabilitate a dilapidated children's playground.



Offshore wind farms in the Great Lakes to be studied by the Environmental and Development Clinic.



William and Mary Foster Elder Law Clinic provides legal information on health care issues for the elderly.

than \$165 million of development funds in the past 20 years, Hezel said, funding 2,000 units of affordable housing. That record of success inspired one UB Law professor, who wishes to remain anonymous, to make a major gift to the clinic's endowment. "I have just seen how much it has made a contribution over the years," the professor said. "I think it is one of most exciting, innovative things we do, and one of the most valuable to the students and the community. This clinic has some transformative possibilities. It has been a very innovative approach to clinical work."

In the **Community Economic Development Clinic**, a roster of initiatives are under way, said Clinical Instructor Lauren E. Breen, director of the clinic.

A major success is the clinic's role in creating the Free Tax Preparation Net-

work for low-income Buffalo residents, which it organized as part of the Economic Self-Sufficiency Coalition of Western New York. The tax effort, with a retired Internal Revenue Service agent as a staff resource person, will operate under a \$450,000 grant from the John R. Oishei Foundation.

The goal, Breen said, is to "allow lower-income families to avoid high-priced tax preparers. Many of these families have extremely simple tax returns but get charged very high fees and often access refund anticipation loans," at notoriously high interest rates. Clinic students will train volunteers to prepare tax returns in low-income Buffalo neighborhoods, starting with a kickoff Family Financial Wellness Day on Jan. 20 in the Buffalo Convention Center.

Many families are eligible for state and federal Earned Income Tax Credit

funds, which can total as much as \$5,700 a year. "We want to preserve as much of that as possible for families," Breen said, rather than see it siphoned off by for-profit tax preparers and rent-to-own stores. One thing that keeps poor families poor, she said, is not just low income, but lack of assets to access in an emergency.

In another high-impact project, clinic students worked with an East Side group called Fruit Belt United to rehabilitate a dilapidated children's playground. Bringing together partners including Home Depot, the City of Buffalo, and KaBOOM!, a national playground technical assistance and funding initiative, the clinic helped to create a safe play space for neighborhood children who would otherwise have no place to play within walking distance.

*Continued on Page 44*

# Law School Report

*Clinics make an impact on the community*

*Clinic students have leveraged more than \$165 million of development funds in the past 20 years, funding 2,000 units of affordable housing.*

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The next steps with the East Side group may include opening an after-school community center.

Also part of the Community Economic Development Clinic has been Clinical Instructor Sara A. Faherty's work on Buffalo's living wage ordinance. That law specifies that businesses that do work for the city must pay their employees enough that a 40-hour workweek brings them above the poverty level.

Faherty said students have become very interested in the work, including attending meetings of the city's Living Wage Commission, researching proper enforcement of the law, and studying how it might be expanded.

"Students love this work," she said. "And because this is about enforcement of the ordinance, when there are issues, they quickly become legal issues. Students learn a lot about local ordinance-making and the processes of municipal government in Buffalo and in general."

In the **William and Mary Foster Elder Law Clinic**, directed by Szczygiel, a long road came to a happy end in November in federal court. A statewide class-action lawsuit, initiated in 1991 and worked on by generations of law students ever since, ended in a settlement. New York State agreed to make available \$11 million to reimburse who – "pursuant to some bad Medicaid policy," Szczygiel said – paid too much for nursing home care. Particularly egregious was that, the way the policy was written, nursing home residents who were poor ended up paying too much for their care.

About 12,000 families statewide – heirs of the patients represented, all of whom have died – will benefit from the settlement. The clinic has hired a search firm to track down as many of the heirs as possible, and a class action



Cornerstone Manor, a project of the Affordable Housing Clinic.



claim administrator to handle the claims process.

"It was by far the most frustrating case I have ever done," Szczygiel said. "But now that it is settled, it is one of the most rewarding."

The Law School's **Family Violence Clinic**, directed by Associate Clinical Professor Suzanne E. Tomkins '92, now comprises 16 students in two sections. In the first section, students help to prosecute domestic violence cases, both misdemeanors and felonies; serve in legal service agencies with units that address domestic violence issues; and work on research projects. In the second section, the focus is on the causes and secondary effects of such violence, and students work in housing court, in surrogate's court, and on issues related to juveniles in need of supervision. This section is directed by family law practitioner Steven R. Sugarman '85, who teaches at UB Law School as an adjunct professor.

The two sections meet together monthly to hear speakers on such topics as interviewing techniques for domestic violence survivors, and issues around physical disabilities and domestic violence.

Tomkins noted that the clinic serves as a resource to lawyers and social service workers in a 10-county area of Western New York, through its newly updated Web site and an Internet list-serv that distributes new research and information.

The clinic also sponsors conferences; in 2006 they included a look at "Interpersonal Violence in Same-Sex Couples: Barriers to Service" and, with Baldy Center support, an examination of "Interpersonal Violence and Qualitative Research."

Planned in April 2007 is a national conference, "Multidisciplinary Perspectives on Partner Violence," which the clinic will co-host with the University of Rochester's Laboratory of Interpersonal



Above left, Associate Professor Suzanne E. Tomkins '92, of the Family Violence Clinic.



At left, international students on campus will benefit from an Immigration Clinic.

Violence and Victimization. That laboratory is directed by Catherine Cerulli '92, who is jointly appointed to the Law School and University of Rochester Medical School faculties. The conference, to be held in Rochester, will draw on, among others, medical, legal, social work and criminal justice perspectives.



# Law School Report

*Clinics make an impact on the community*

## Going with the flow

### *Environmental Law and Policy Clinic takes a pristine creek to heart*

An amazingly diverse range of plants and animals, including many rare, threatened and endangered species. Sections of old-growth forest. Long stretches untouched by roads or other human interference. Oh, and terrific sport fishing.

Cattaraugus Creek, which stretches 60 miles across Western New York and empties into Lake Erie on the west, is a natural treasure. No one disputes that. But a shared vision for preserving and protecting the creek and its watershed – encompassing five counties and 40 towns and villages – has been difficult to come by.

Enter UB Law School's Environmental Law and Policy Clinic. Working under a grant from the federal Environmental Protection Agency, the clinic has embarked on a major two-year project to create a plan for protecting the Cattaraugus Creek Watershed – the land that catches rain and snow and drains it into the creek.

"We are creating a community vision for the watershed," said Roberta A. Vallone '96, the Law School clinical instructor who is the director of the Environmental Law and Policy Clinic. "This clinic fills a real need."

The clinic is working in partnership with New York Rivers United; the Great Lakes Center at Buffalo State College; and UB's National Center for Geographic Information and Analysis. Buffalo State and UB geographers will gather information about the watershed's bedrock geology, soils, drainage pattern, land cover and topography, and compile this mass of data into a

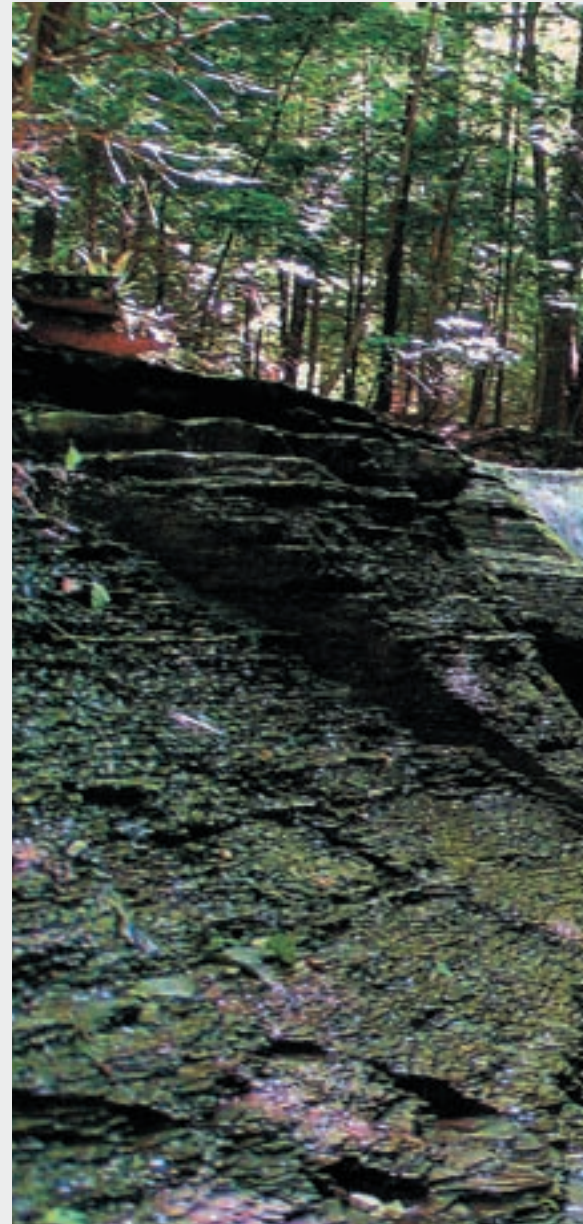
multi-layer electronic map. The legal and policy participants, including members of the Law School clinic, will gather input from citizens, economic development officials and other interested parties along the watershed. Those parties include vegetable and dairy farmers, timber industry representatives, water quality councils, environmental groups and organizations of recreational users.

The goal is to produce a Watershed Protection Strategy – a plan providing scientific and technical tools to the people who make decisions about how to use the land, so that they can preserve the watershed and reduce the chance that the creek will become polluted, which would threaten the health of Lake Erie.

It is the opposite of a top-down approach. The hope is that giving local stakeholders the chance to contribute ideas and opinions to the strategy will encourage them to support the plan in its final form.

Professor Barry B. Boyer, the former Law School dean, has worked on Great Lakes water quality issues for years. He now spends a substantial part of his professional time working as an advisor with the Environmental Law and Policy Clinic. "This kind of community-based planning is becoming more common across the country," Boyer said. "It has a more holistic focus, looking at all sorts of economic and social factors."

From a legal standpoint, Boyer said, the issue is not as simple as developing a zoning code that regulates land use. Zoning and regulation, he said, is the "standard urban approach," but it may



not play well in a rural area where local governments are smaller and citizens often resist the idea of any government telling them what to do with their land. "This is not the most fertile field for creating new zoning codes," he said.

Instead, Boyer said, other types of tools and incentives can be used to constrain development, which risks increasing storm-water runoff, with its attendant pollution, into the creek. For example, he said, it has been shown that



*"We are creating a community vision for the watershed. This clinic fills a real need." — Roberta A. Vallone '96, the Law School clinical instructor who is director of the Environmental Law and Policy Clinic*



At left, an issue for the Environmental Law and Policy Clinic is the preservation and protection of Cattaraugus Creek.

"clustering" development of new housing rather than allowing sprawling subdivisions produces less impact on the watershed; one way to encourage such clustering is through tax incentives. Other tools include conservation easements, which are legal agreements between a landowner and a land trust or government that permanently limit uses of the land in order to protect its conservation values. Such easements often come with beneficial tax treatment.

"The important lesson here," Boyer said, "is that lawyers have a lot of tools in their kit. It is not just command-and-control regulations."

But the project incorporates more than preservation. Key economic development initiatives, such as developing the sport fishing industry and perhaps developing a network of horse trails, must be incorporated into the watershed management plan.

The public portion of the work be-

gan with focus groups in Gowanda and Sardinia, attracting community members, municipal leaders, resource agencies and businesses. A kickoff event included presentations from agencies and scientists with expertise in watershed resources, including Cattaraugus County's Department of Economic Development, Planning and Tourism; the Nature Conservancy; and the Seneca Nation of Indians, whose land the creek crosses.

Five of the eight law students working in the Environmental Law and Policy Clinic have worked on the watershed project, Vallone said, doing such tasks as compiling contact lists and writing news releases. The students will also help to write the presentations to the community, lead focus groups and work with community leaders. The clinic members will spend the spring semester 2007 writing the management plan, then present it to the community in a "summit" next fall before making revisions and finalizing the document by the end of 2007.

Among the other initiatives getting attention in the clinic, Boyer said, is the possibility of a conference on governance issues regarding the Great Lakes, involving both U.S. and Canadian participants. "There has been a lot of research in governance," Boyer said, "and we want to set up a regular binational working group to study this." The conference may take place at UB Law School in the spring semester.

Also, the clinic has been reviewing permit applications and participating in a review of remediation work on the Buffalo River.



## At the eleventh hour

*Forum debates an increasing rarity: executive clemency*

“**T**he quality of mercy is not strained,” Shakespeare wrote in *The Merchant of Venice*. But advocates on both sides of the capital punishment debate strain to find common ground over the last opportunity for mercy for a condemned inmate: a pardon from the governor.

“Executive Clemency in Capital Cases” was the focus March 27 at a UB Law School panel discussion featuring four lawyers with experience in capital cases. The forum was sponsored by the Law School’s Capital Advocacy Project.

Presenters included lawyers involved in four highly publicized death-row cases, including an attorney who represented former Crips leader Stanley “Tookie” Williams in California and a prosecutor in the case of Connecticut

serial killer Michael Ross. The event was moderated by Professor Teresa Miller.

“Clemency rarely is ever granted, even in cases where there is a clear argument for clemency,” said third-year student Jenny Mills, founder and co-president of the Capital Advocacy Project. “Because of the way the justice system is structured, inmates traditionally are barred from raising various claims during their appeals and post-conviction proceedings. The clemency process is thus the only time they can raise certain issues, but it would appear that most clemency petitions are dismissed out of hand.”

John Blume, an associate professor at Cornell University Law School, recently argued a case before the U.S. Supreme Court involving South Carolina death-row inmate Bobby Lee

Holmes. In his criminal trial, Holmes was prevented from presenting evidence that another person committed the crime, though forensic evidence implicated Holmes.

Blume said grants of clemency are extremely rare. Since the death penalty was reinstated in 1976, he said, about 8,000 people have been sentenced to death, and 229 grants of executive clemency have been made – 172 of them in one dramatic action by the governor of Illinois. In Texas – “leader in all things death,” he said – 361 have been executed, and just one has been granted clemency.

The conventional wisdom, Blume said, is that today’s exhaustive appellate process ferrets out any legal error, effectively eliminating the need for executive clemency. But, he argued, a more appropriate role of clemency is to serve as





Left to right: Jonathan Harris, lawyer for Stanley "Tookie" Williams; Harry Weller, who prosecuted Michael Ross in Connecticut; Sarah Nagy, who won clemency for Arthur Baird II, a severely mentally ill inmate in Indiana; and Professor John Blume of Cornell University, who argued *Holmes v. South Carolina* before the U.S. Supreme Court. Professor Teresa Miller moderated the discussion.

a moral backstop, not a legal backstop. "It asks the question, is the death penalty an appropriate punishment? Reviewing courts do not ask, was the punishment right? Was the punishment just?"

"Executives hide behind the legal process, in my opinion. You can hide behind the appeals process to avoid political damage. Make no mistake about it, clemency is all about politics. The only option is, as they say where I come from, to out-redneck your opponent."

Defense attorney Sarah Nagy last year won clemency for Arthur P. Baird II, a mentally ill death-row inmate in Indiana. Baird was granted clemency just 36 hours before his scheduled execution.

She spoke of her interactions with her client, who had suffered from hallucinations since age 11 and had no

*"Executives hide behind the legal process, in my opinion. — John Blume, an associate professor at Cornell University Law School"*

criminal history until, prompted by imagined voices, he killed his pregnant wife and his parents. In recounting the crime, Baird told of a "big burly man" who took over his hands and strangled his wife.

Nagy took his case 20 years after his conviction, and spoke of the difficulty of dealing effectively with a mentally ill client. "It is a very fine line you walk," she said, "because you do not want to disturb your client's delusions. It could be catastrophic, and it destroys the trust relationship between lawyer and client."

At nearly the last minute, Nagy said, she came into possession of a court-ordered psychiatric report that showed Baird to be "extremely psychotic." A friendly reporter got the story into Sunday's newspaper, and Monday morning at 11, the call came that the governor would grant clemency. Baird remains in prison, but in the general population. His delusions continue.

The prosecutor on the panel, Harry Weller, handled the case of serial killer Michael Ross, the first person executed in Connecticut since 1960.

Weller argued that clemency is appropriately rare because the law provides ample safeguards for imposition of the death penalty. "We have a pathway of review that has never before existed on the face of the earth," he said.

Juries are asked to consider mitigating factors inherent in the crime and the defendant's life – even hearing testimony that the defendant would be a good and productive citizen in prison. They must make a "reasoned, moral judgment" as to whether the death penalty is appropriate.

In addition, he said, appellate courts in many states require a proportionality review, in which the case at hand is compared with other murder cases to ensure that execution is warranted. And if a sentence is overturned, the case goes back to a new jury for the penalty phase. That happened twice for Ross, he said; as a result, "24 people said Michael Ross should die."

As to a governor's pardon, Weller said: "Clemency is an act of grace. There should be a reason for grace.

"There is a death warrant, and it is a lawful order of the court, and once the appeals are complete, it is our responsibility to carry out that order. If you want to change that, you go to the Legislature, you do not go to the courts."

Defense attorney Jonathan Harris was part of the legal team representing Stanley "Tookie" Williams, who founded the notorious Crips gang in Los Angeles. Williams was executed last year despite pleas for clemency that noted he had written nine children's books renouncing gang violence and had become a strong public advocate against gangs.

California Gov. Arnold Schwarzenegger denied clemency, despite last-minute evidence from two individuals that one of the witnesses against Williams had fabricated his story.

"The evidence that Stanley Williams did the crimes was minimal," Harris said. "There was a lot of evidence that Stanley Williams was a very bad man, and no one argues that Los Angeles was not a safer place because he was off the streets. But if anybody here got into a bar fight and was facing expulsion from this law school, they would get a better trial than most criminal defendants get in this country."

And appellate courts do not address every issue, Harris said: "Guilt or innocence is never litigated on appeal. What is gone over and over is the original trial, which was a pretty bad thing."

The legal team based its clemency petition on the remarkable turnaround in the defendant's life, citing tens of thousands of letters and e-mails which testified that Williams had "become a role model for someone who shows you can do more with your life." The case drew considerable attention from celebrities in show business, attention that Harris said did more harm than good.

But he was not surprised that the clemency effort proved futile. "I think the governor polled," he said. "The death penalty is very popular in California. The referendum to restore it passed with something like 84 percent support. I think the politics were just completely against clemency."

Harris ended his remarks by showing a brief video that was part of Williams' clemency petition – a "bottom-up appeal for clemency" featuring testimonials from former gang members.

About 50 people attended the forum, held in Room 106 of O'Brian Hall.

# Law School Report

## Admissions

# Faces in the crowd

*For the Class of 2009, all roads lead to Buffalo*

**A**s classes began this fall at UB Law School, 249 members of the incoming Class of 2009 opened their notebooks to a world of possibilities. They come from near and far: One in five members of the first-year class are from outside New York State, from such locales as Missouri, North Carolina, North Dakota, California, Wisconsin, Utah, Canada, Texas, Florida, Virginia, Washington State, Maryland, Minnesota, Louisiana, Alabama, Connecticut – and South Korea.

The Law School accepted 37 percent of applicants, said Lillie V. Wiley-Upshaw, vice dean for admissions and financial aid. The new enrollees averaged a score of 15.6 on the Law School Admissions Test and a 3.4 grade point average in their undergraduate institutions, continuing a trend of improved academic quality for the Law School's incoming students.

In addition, Wiley-Upshaw said, "13 percent of the first-year students hold graduate degrees, ranging from philosophy to music to engineering."

But numbers do not tell the whole story. For each new student, the first day of Law School is the end of a long and winding road that has led to Buffalo. Meet a few of UB Law's newest additions:



Buffalo native **Jennifer Brevorka** is the daughter of an alumnus, Buffalo lawyer Peter Brevorka '68. Her path to Law School went first through the world of journalism. After graduating from Yale University, she taught high school in North Carolina before returning to school to earn a master's degree in journalism at Columbia University. She worked at newspa-

pers in Asheville and then Raleigh, N.C., where as a police reporter she covered everything from a train collision to homicide cases.

But the social justice aspect of some stories nagged at her, such as one in which eight men died in a jail fire, and their families were forced to sue the state in order to see the report about what had happened.

"As a journalist, there was only so much you could do," Brevorka said. "You can write about wrongdoings, but so often people turn to the courts in order to rectify the wrongdoing and to do justice to how they feel they have been wronged. I saw how people who did not have a voice – most of them were very poor – turned to attorneys for help and guidance. That was interesting to watch. And working as a police reporter, it certainly shaped my opinion of the law, just seeing the fraternity of lawyers and judges."



**Amy Noe** comes to UB Law with a doctoral degree in neuropsychology, having practiced and taught in this blending of neurology with clinical psychology. Her work has dealt with trying to help patients who have suffered neurological injuries to the brain. Noe served an internship at the Veterans Affairs Medical Center in Buffalo, and did a two-year postdoctoral residency at UB. She said

she came to Law School expecting to learn skills that would fit with her psychology background, but is leaving herself open to "whatever grabs my interest." Right now it is constitutional law.

Noe is also an accomplished athlete, having completed a number of triathlons and marathon runs. "I swim or run pretty much every day," she said, "at ungodly early hours of the morning." One recent accomplishment: a half-Ironman triathlon in Geneva, N.Y., consisting of a 1.5-mile swim, a 56-mile bike ride and a run of 13.1 miles.



Another athlete in the first-year class is **Stephani Bouvet**, who moved to Buffalo from Los Angeles with her husband, Sean Bouvet, who is at the UB School of Medicine doing a residency in internal medicine. A Stanford University graduate, she worked as a financial consultant in Los Angeles. Law School, she said, has "always been in the back of my mind, and everything just fell into place."

Bouvet ran her first marathon last summer – but not the easy way. She raised around \$5,000 in pledges for Team in Training, a fund-raiser for leukemia and lymphoma research, and traveled to Anchorage, Alaska, for the race. What she did not expect is that the 26.2-mile race is run predominantly uphill, on a muddy trail through the



*"13 percent of the first-year students hold graduate degrees, ranging from philosophy to music to engineering."*

– Lillie V. Wiley-Upshaw,  
vice dean for admissions and  
financial aid

forest, with mosquitoes swarming everywhere. Just short of the finish is "Insult Hill," a steep challenge to even the toughest runners. Finishing the race, she said, was "probably the most gratifying thing I have ever done."

Nearly one in five members of the



Class of 2009 are students of color. **Eddie Gonzalez**, who was born in Puerto Rico but grew up in Salisbury, Md., said the school's diversity – plus its small classes, opportunities in international law and

"intimate" feeling – led him to Buffalo after his undergraduate work at the University of Maryland.

So far, he says, so good. "The professors are really great," Gonzalez said, "and the material is stimulating but does not make you pull your hair out."

Which is good, because he has a lot on his mind. He and Cindy Becker – his high school sweetheart, now a kindergarten teacher – are planning a wedding this summer.



**Donald Wesley** is not shy about noting that he is the elder statesman of the Class of 2009. At 60, he has had a long career in education, as a teacher and administrator.

Wesley taught English for many years in the public schools of Gowanda, south of Buffalo, and was heavily involved in musical theater, directing 89 plays and musicals in school and community theater. ("That *Mr. Holland's*

*Opus* thing happened to me," he said.) Then he did graduate work in school administration, becoming "more and more involved in school law," and became an administrator in the Orchard Park, N.Y., district. He taught school law as part of an administrative training program at Canisius College and St. Bonaventure University.

Wesley has published on the ways that the legal world and the world of education intersect, and with his brother, Second Circuit Judge Richard C. Wesley, has presented at education law conferences. "We found that there was a real audience," he said, "because educators were frightened to death of the law."

"Over a period of time, probably 20 years, I was reading very deeply in the law," Wesley said. "But when you do not have a legal education, there is only so much you can do. So after 38 years in the field, and coming to my 60th birthday, I applied to Law School. I am grateful to have been accepted. I have had four weeks of wonderful experiences, and I am as excited as a kid. Now I want to really be challenged, and UB is doing that. I have wonderful professors; I have wonderful classmates. I am just having a ball. I read and write about the law all day long."



His classmate **Brian Manning** also has followed a circuitous road to UB Law. Born and raised in Buffalo, after graduating from Colgate University he lived for seven years in Denver,

working in a print shop and as a buyer for a large bookstore, and taught in the Denver public schools. He then moved to Arizona and worked as a teacher on the Tohono O'odham Indi-

an reservation, 30 miles from the Mexican border.

"It was pretty intense," Manning said. "It was very isolated, in the middle of the desert. It took me 45 minutes to drive to nearest store, even if I wanted a carton of milk. There were a lot of Mexicans walking through desert; they would knock on my back door and ask for water."

After six months there, he went to Mexico to study Spanish and ended up in Taxco, "the silver jewelry hub of the Western Hemisphere." There he met his wife, Claudia, and got into the silver business, eventually opening a store that sold jewelry by local artisans to wholesalers in Dallas and Manhattan.

Their daughter was born in 2003, and Manning said they wanted to come to the United States to ensure a range of opportunities for her. In Buffalo, he worked in the legal assistance department at the refugee assistance agency Vive La Casa. "I have always wanted to go to law school," Manning said. "I had an idea that I would be wanting to go before I started working at Vive, but then it just clicked."

"I love it. Certainly it is a lot of work, but for me it is just such a privilege to go back to school at the age of 36."



# Law School Report

## Admissions

# Getting the word out

*Video, conference and more reach out to potential students*

Three recent developments in the marketing of UB Law School to potential students are extending the school's reach and using new tools to spread the word about what life is like at UB Law.

A new addition to the tools available to pre-law advisers and others is a video, "Life. Changing. Experience: Uniquely UB Law," showing off the best of the Law School. The 14-minute video was produced by Vice Dean Ilene R. Fleischmann and Mickey Osterreicher '98, an experienced television photojournalist who has a downtown Buffalo law practice. It is narrated by a classmate of Osterreicher's – Steve Boyd '98.

"I wanted prospective applicants to see and hear the people who comprise the Law School," Fleischmann said. "A law school is not bricks and walls; it is faculty, students and alumni.

"Now applicants who have not yet come to UB Law can get a sense of what the Law School family is actually like – what it looks like, and what it sounds like."

The video is intended to work with the school's "Life. Changing. Experience" viewbook for potential students. The script grew out of the narrative of that publication, and the video includes some images from the viewbook.

Amid glamour shots of the campus, it showcases a wide range of the faces and voices of UB Law School and stresses the school's interdisciplinary studies, concentrations, clinical education opportunities and its focus on "the social implications of legal issues."

Faculty and staff make appearances, along with alumni Yadira Ramos '05, Judith B. Ittig '71, Michael Mann '06 and William A. Niese '61. The video was funded by a grant from the UB Law Alumni Association and the Law School.

"Our curriculum teaches students



Left to right, Michael Hickey '09, Vice Dean Lillie Wiley-Upshaw and Allyson Levine '09.

not only how to think like lawyers, but how to work like lawyers," the narrator says at one point, touting the advantages of the Law School's intensive Research and Writing Program.

"We wanted to be as informative as possible," says Osterreicher, who was a colleague of Fleischmann's at the *Buffalo Courier-Express* before the newspaper closed in 1982. "You always want to engage the audience. It was trying to walk a fine line between getting in as much information as possible and still doing it in an interesting and engaging manner."

The video has been duplicated on DVDs and is now used by the Admissions Department in recruiting. The school also hopes to post the video on its Web site, Fleischmann said.

• • •

An early summer initiative to give undergraduate pre-law advisers a taste of the UB Law experience brought a dozen attendees to town, and sent them away with good information and warm feelings about the school.

The conference, held over two days at the end of June, welcomed advisers from such schools as Syracuse University and Buffalo State, Wells and Canisius colleges, as well as the Council on Legal Education Opportunities and the Education Division of the Puerto Rican Legal Defense and Education Fund.

"The idea was to get the people who actually talk to the students, and showcase what we had to offer right here," said Lillie V. Wiley-Upshaw, UB

Law's vice dean for admissions and financial aid. "The more accurate information you can provide to people influencing decisions, the better. One thing we find in Buffalo is that if we can get people here, they tend to commit."

The pre-law advisers heard from a faculty panel – Professors Charles P. Ewing and Susan V. Mangold and Associate Professor Athena D. Mutua – about the Law School's philosophy of education and how undergraduate students can prepare themselves for the study of law. They also had a tour, led by Clinical Professor George M. Hezel, of downtown Buffalo's Cornerstone Manor, a shelter for homeless and displaced women and children that was built with funding leveraged by UB Law's Affordable Housing Clinic. Associate Professor Amy D. Westbrook spoke about the school's new program in New York City, and Dean Nils Olsen addressed the advisers as well. They also met with alumni over dinner at Buffalo's City Grill.

The reaction was strong and positive.

"I had not been to the Law School previously," said Jane E. Levy, senior associate director of career services at Cornell University. "It was valuable to hear the faculty on the panel discussing the school's strengths, and to hear the dean talk about the school and enlighten us on its positive qualities as well as some of the concerns the school faces. I liked being able to interact with some of the students as well.

"It was certainly a well-organized event. They were able to organize a number of activities that informed us about the school in a short time."

"I thought it was a great way to show pre-law advisers, and people who speak to people interested in going to law school on a regular basis, what type of law school UB is," said Sonji Patrick, director of the Education Division of the Puerto Rican Legal De-



Pre-law advisers from many undergraduate schools visited the Law School.

### 2006 Entering Profile

Total applications	1,508
Enrolled	248
Average age	25
Women	52%
Men	48%
Students with advanced degrees	13%
Median GPA	3.44
Median LSAT	156

fense and Education Fund, in New York City. "You have innovative programming that I believe is really wonderful. People seem to really think about what the students' needs are. Everyone was very friendly, and it was evident the school was like a big family.

"It was all about walking around the halls, seeing the kind of work they do, talking to faculty and staff," Patrick said. "I know more about that school than any other school now."

Also creating a positive buzz about the Law School was an outside project – the Web site Vault.com. The site, which collects student feedback on their law school experi-

ence, includes a rave from an unnamed second-year student. The entry was named a runner-up in the site's monthly survey competition, which rates responses based on their completeness and helpfulness.

Among the student's comments on this national site:

"Quality of classes – great! After finishing my first year, I can say that I learned a lot. Most of the professors use the dreaded Socratic method, but there are usually enough people raising their hands that someone rarely gets called at random. Also, the professors have a way of turning even some of the stupid comments into valid points, so do not fret.

"Some professors raise your grade for class participation, others do not – but participate anyway – it allows you to keep up with

the class, and the professors love it.

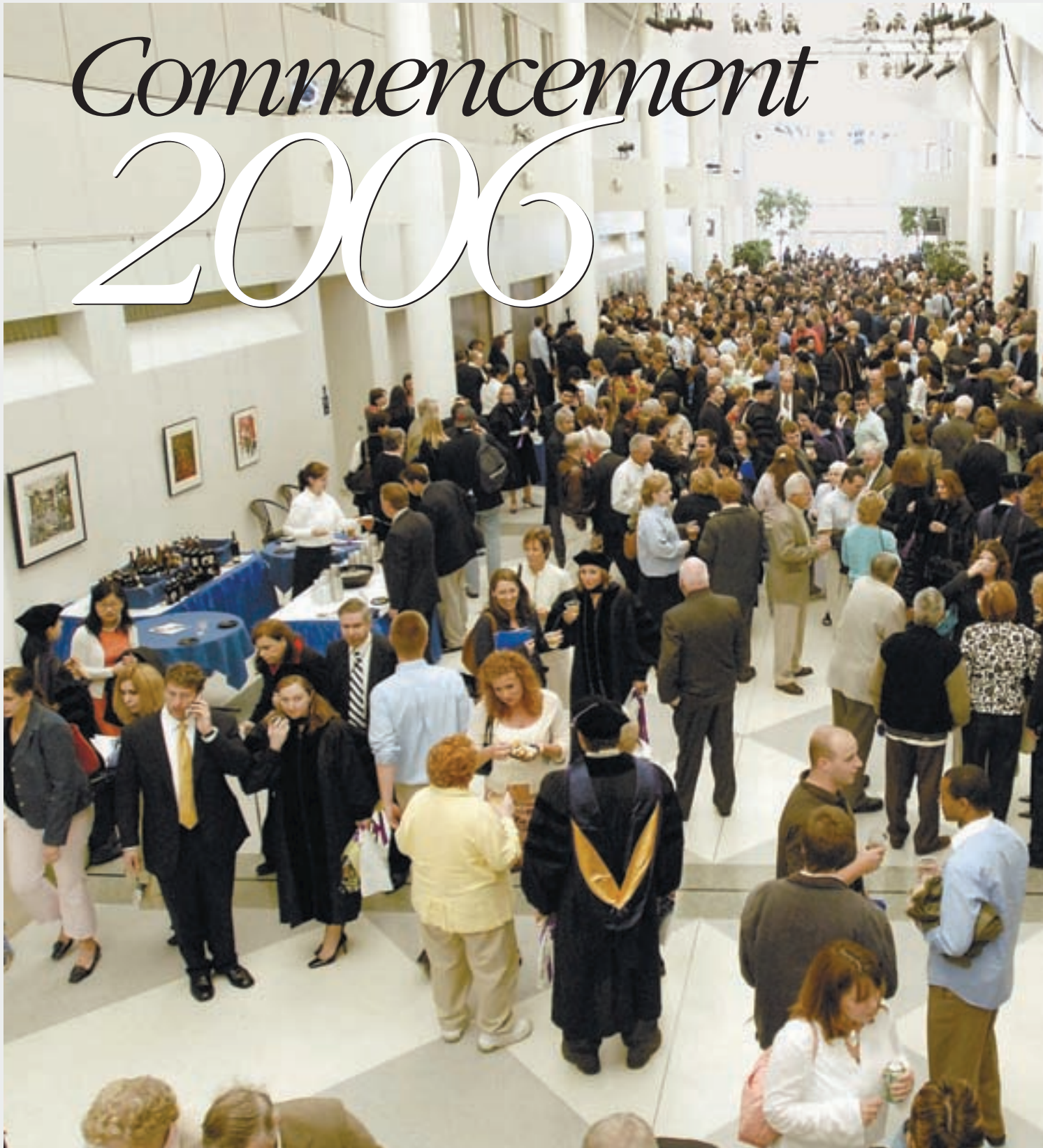
"The usual workload is not bad. The best strategy: Treat it like a full-time job. Come in to school at 8 or 8:30 and leave between 5 and 6, and you will get all your work done.

"One more thing that I love the school for: During finals week they put out a gourmet breakfast in the lobby with bagels, muffins, different cream cheeses, coffee, pastries, fruit, etc. Really puts a smile on the students' faces."



# Law School Report

## *Commencement* *2006*





## *Graduates take a bold step into a challenging world*

**A**t a time when economics, politics and the law are shifting like quicksand, UB Law School's Class of 2006 received their diplomas along with a challenge to use their legal education to engage that changing world.

Surviving, or even excelling in, three tough years of law school only begins the process, the graduates and their families and supporters were told. Beyond the bar exam, they will need to find their niche among the many ways law intersects with an increasingly global society.

The Law School's 117th annual Commencement took place on the afternoon of May 20 in the Center for the Arts.

After greetings by Law School Dean Nils Olsen, UB Provost Satish K. Tripathi addressed the graduating students. "I ask

not what are you going to do next, but instead, how will you lead; how will you define your leadership?" Tripathi said. "Our world today is amazingly complex, interconnected, dynamic, tragic, mystifying and replete with opportunity. It is a requirement of our current and future leadership to appreciate these disparate realities."

The provost noted the devastation of Hurricane Katrina, saying that the deadly storm "reminded us that the entire repertoire of knowledge, expertise and skills of our community leaders and disciplinary experts must be brought to bear if we are to build and maintain resilient communities. Lawyers and social workers, engineers and architects, microbiologists and geologists, physicians and information



**Keynote speaker  
Michael A. Battle '81**

*Continued on Page 57*



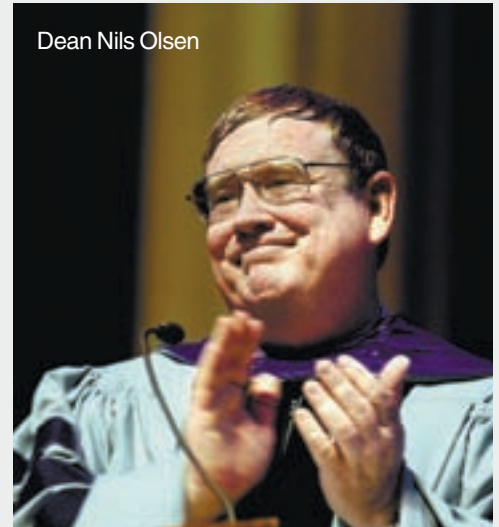
# Law School Report

Katherine E. Adams '06 is hooded by  
Clinical Professor George M. Hezel



Hon. Leslie G. Foschio '65 and Professor  
Makau Mutua

Dean Nils Olsen



Jenelle A. Callender '06





Left to right, Professor Errol E. Meidinger, Vice Dean Susan V. Mangold, U.S. Attorney Terrance P. Flynn '88 and Michael A. Battle '81



Linwood Roberts '06

*Continued from Page 55*

technologists must work together, side by side, to mitigate the effects of disasters on humanity and our physical world."

He also quoted the Dalai Lama on the concept of "universal responsibility," saying such a global consciousness is "the best foundation both for our personal happiness and for world peace, the equitable use of our natural resources, and through a concern for future generations, the proper care of the environment."

Student speaker Maggie Wetherby McOmber '06 located her class "somewhere between the elements of knowledge and the power of hope." She ticked off a list of what "we know now" after three years of legal education – such as "the Socratic method is nothing

*Continued on Page 61*



# Law School Report



“

*“I hope that we learn of justice as a way of life and not just a case in a casebook. May we be our own best instructors and never stop learning from ourselves.”*

*—Student speaker  
Maggie Wetherby  
McOmber '06*

”

## 2006 Latin Honors

### *Summa Cum Laude*

Anthony David Beccari  
Elizabeth M. Fox-Solomon

### *Magna Cum Laude*

Nicole E. Bayly-Henshaw  
Jennifer L. Behrens  
Jonathan James Bevilacqua  
Meghan McLean Brown  
Meredith A. Connor  
Laura Jean Emerson  
Christofer Craig Fattey  
Clara Flebus  
Joshua P. Fleury  
Andrew O. Guglielmi  
Geoffrey Adam Kaeuper  
Sachin Kohli  
John A. Menna  
Nathan A. Shoff  
Edward James Snyder  
Lynda Adrienne VandenBerg  
Tara Elizabeth Waterman

### *Cum Laude*

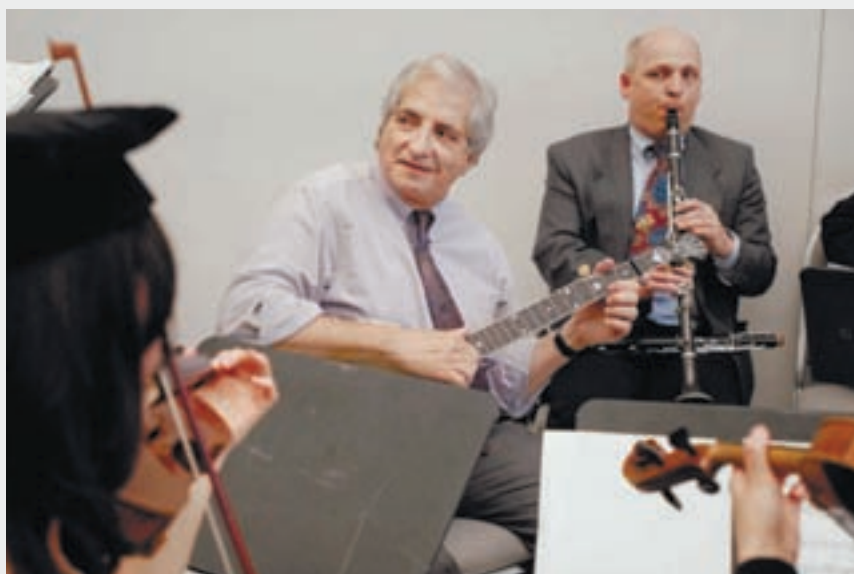
Kimberly Anne Alvino  
David Thomas Archer  
Alexander Isaac Balsam  
Todd Andrew Bolster

Rebecca Anne Brady  
Karla Braun-Kolbe  
Catherine M. Brown  
Marie A. Butchello  
Justin Edward-Miller Call  
Teresa N. Chen  
Kimberly Arnold Colaiacovo  
Ryan Patrick Crawford  
Lauren J. Cutuly  
Danielle Elizabeth Dimitrov  
Jennifer G. Flannery  
David H. Frech  
Paul Samuel Fusco  
Jesse O. George  
Lisa M. Goodberry  
Keith Jared Gross  
Cheryl Lynn Halford  
Dennis Harlow  
Enam Hoque  
Eric James Judson  
Patrick James Kennedy  
Shane C. Kiernan  
Brooke A. Kirkland  
Bradley Thomas Knope  
John Joseph LaBoda III  
Jason Alan Little  
Jennifer Binns Lovelace  
Michael D. Mann

Miles Jackson McNeal  
Maggie Wetherby McOmber  
Justin George Meeks  
Mindy Menke  
Ryan Keith Micklus  
Megan Elizabeth Misiti  
Babak Rejai Mohassel  
Brent John Nowicki  
Angel M. Overgaard  
Stephanie Melinda Palladino  
Craig Anthony Patrick  
Robert S. Phed  
Charity Ann Phipps  
Jodi Anne Reynolds  
Kyle Patrick Rossi  
Devon Alyce Runyan  
Virginia Elizabeth Schmidt  
Amber E. Storr  
Melissa Noel Subjeck  
Jennifer C. Tsai  
Sara Lisa Valencia  
Eric Thomas Vallone  
Joseph Frank Verciglio  
Shawn Weed  
Andrew John Wells  
Dennis J. Wiley  
Huiqun Zhu



Professors Rebecca R. French and John Henry Schlegel hood Fan Zhang '06



Above, Vice Dean Ilene R. Fleischmann, recipient of the Staff Award, welcomes the class into the Law Alumni Association.

Left, Professor James B. Atleson and the Hot Cargo String Band.



# Law School Report

## UB Law Class of 2006 awards and prizes

**T**wo new awards were presented at the Center for the Arts on Saturday, May 20, when 240 graduates of University at Buffalo Law School donned their purple hoods for the first time, flipped the tassels on their mortarboards to the left, and walked across the stage before family and friends. It was the 117th commencement for the Law School, and despite a cold and windy day, there were sunny smiles all around.

The first new award was presented in honor of *Professor Emerita Virginia Leary*, a SUNY Distinguished Service Professor who taught international law at UB from 1976 and developed the sequence of courses and externships in international law at the Law School. The recipient, deemed outstanding in international law, was **Allison Terrell Corey Milne**, of Buffalo.

The second new award this year was named in memory of *James M. Kieffer*, a nationally recognized trial attorney who practiced in Western New York. Given for outstanding trial advocacy, it was presented to **Sarah Elizabeth Wesley**, of Livonia, N.Y.

The three top commencement awards were:

- *The Max Koren Award*, to the graduate who exemplified the highest standards of the profession by virtue of scholastic achievement, leadership and dedication to the ideals of the law. The 2006 recipient was **Elizabeth M. Fox-Solomon**, of Delmar, N.Y.
- *The John N. Bennett Achievement Award*, for the highest scholastic achievement in the graduating class. The recipient was **Geoffrey Adam Kaeuper**, of Rochester, N.Y.

- *The Dale S. Margulis Award*, for the graduate who contributed the most to the Law School and the community. The 2006 Dale S. Margulis Award recipient was **Michael D. Mann**, of Woodmere, N.Y.

The other awardees cited for excellence were:

*The Birzon Prize* in Clinical Legal Studies, to **Nicole E. Bayly-Henshaw**, of Scottsville, N.Y.

*The American Bankruptcy Institute Medal*, to **Renee M. Root**, of E. Amherst, N.Y.

*The American Bar Association and The Bureau of National Affairs Award for Health Law*, presented jointly to **Sara Louise**

**Couch**, of Williamsville, N.Y., **Dianne Andrea Thoben**, of Buffalo, and **Dennis J. Wiley**, of Syosset, N.Y.

*The American Bar Association and The Bureau of National Affairs Award for Intellectual Property Law*, presented jointly to **Robert Charles**

**Atkinson**, of Buffalo, and **Jodi Anne Reynolds**, of Amherst, N.Y.

*The American Bar Association and The Bureau of National Affairs Award for Labor and Employment Law*, presented jointly to **Kimberly Arnold Colaiacovo**, of

Kenmore, N.Y., **Keith Jared Gross**, of Glen Head, N.Y., and **Ryan Keith Micklus**, of Amherst, N.Y.

*The Charles Dautch Award*, for real property, to **Jonathan James Bevilacqua**, of E. Amherst, N.Y.

*The Professor Louis DelCotto Award* for taxation, to **Jennifer G. Flannery**, of Buffalo.

*The Maurice Frey Award*, for family law, to **Rekha Trivikram**, of Grand Island, N.Y.

*The Edith and David Goldstein Award* for debtor-creditor and bankruptcy law, to **Kevin Joseph Mulvehill**, of Pittsford, N.Y.

*The Tom Headrick "Trees and Forest" Award*, for corporate finance, to **Fan Zhang**, of Amherst, N.Y.

*The Adolf Homburger Law Alumni Association Award*, for civil procedure, to **Ryan Keith Micklus**, of Amherst, N.Y.

*The Judge Matthew J. Jasen Appellate Practice Award*, for appellate advocacy, to **Geoffrey Adam Kaeuper**, of Rochester, N.Y.

*The David Kochery Award* for service to the student community and courses in procedures and remedies, to **Teresa N. Chen**, of Jackson Heights, N.Y.

*The Laidlaw Law Alumni Association Award*, for commercial law, presented to **Enam Hoque**, of Buffalo.

*The Moot Evidence Award*, to **Bryan Philip Fauci**, of East Meadow, N.Y.

*The Albert R. Mugel Award* for future interests and estate planning, to **Nicole Marie Stolba**, of Lockport, N.Y.

*The Ryan J. Mullins Award*, for criminal law, to **Dianne Andrea Thoben**, of Buffalo.



Michael D. Mann '06 received the Margulis Award.



Nancy A. Long '06 and Melissa N. Subeck '06



Hon. John T. Curtin '49 and Hon. Leslie G. Foschio '65.

*“From the seemingly mundane choices to the consequential ones, your lives will shape themselves around the choices you make.”*

– Hon. Michael A. Battle

*Continued from page 57*

to fear” and “the words ‘substantial,’ ‘reasonable’ and ‘but for’ take on new meaning in our clandestine language of legalese.”

And, McOmber said, “I hope that we learn of justice as a way of life and not just a case in a casebook. May we be our own best instructors and never stop learning from ourselves.”

The afternoon’s keynote speaker was Hon. Michael A. Battle, director of the Executive Office for United States Attorneys at the Department of Justice. Battle, a member of the Law School’s Dean’s Advisory Council, is a 1981 UB Law graduate.

His own Law School commencement was half a lifetime ago, Battle said, affording him the perspective of time in culling some advice for his audience of newly minted lawyers. “It is abundantly clear to me that I could not have charted my career when I sat in your chair on graduation day,” he said. “Most often, the professional path that a law student sees for himself or herself is not the one which we ultimately follow. From the seemingly mundane choices to the consequential ones, your lives will shape themselves around the choices you make.”

Battle noted that his professional life has been in public service, and pointed to UB Law’s work in the community, including its family violence and affordable housing clinics. “While a law degree will offer you a certain amount of prestige,” he said, “it also elevates the expectations that other people have of you – and indeed it should elevate your own expectations.”

Battle also listed several pressing challenges that lawyers can help tackle in the coming years:

- The challenge of responding to natural disasters such as Hurricane Katrina with effective government relief and ensuring the rule of law against swindlers and others seeking to take advantage of others’ misfortune.
- The challenge of helping the people of

*Continued on Page 63*



# Law School Report

*Continued from Page 60*

*The Harry A. Rachlin Prize in Real Property Law and Real Estate*

*Transactions Award*, to **Elizabeth M. Fox-Solomon**, of Delmar, N.Y.

*The Judge William J. Regan Award*, for estates and surrogate's law, to **Marie A. Butchello**, of Williamsville, N.Y.

*The Robert J. Connelly Trial Technique Awards* were presented to:

**Scott James Bizub**, of Cheektowaga, N.Y.; **Meghan McLean Brown**, of Williamsville, N.Y.; **Bartholemew Chacchia**, of Buffalo; **Michael Paul Fellicetta**, of Buffalo; **Jennifer G. Flannery**, of Buffalo; **David H. Frech**, of Hamburg, N.Y.; **Benjie Gachette**, of Valley Stream, N.Y.; **Keith Jared Gross**, of Glen Head, N.Y.; **Allison Rebecca Hind**, of Niskayuna, N.Y.; **John Joseph Laboda**, of Gansevoort, N.Y.; **Miles Jackson McNeil**, of Buffalo; **Carla Jean Miller**, of West Seneca, N.Y.; **Jacqueline Ann Stachowiak**, of Lakeview, N.Y.; **Joseph Frank Verciglio**, of Buffalo; **Dianne Andrea Thoben**, of Buffalo; **Shawn Weed**, of Pine Bush, N.Y.; and **Dennis J. Wiley**, of Syosset, N.Y.

*Law Faculty Awards*, presented to those graduating seniors who have made outstanding contributions to the Law School community, were given to: **Nicole E. Bayly-Henshaw**, of Scottsville, N.Y.; **Jennifer Behrens**, of Lockport, N.Y. **Todd Andrew Bolster**, of East

Amherst, N.Y. **Meredith Conner**, of Buffalo; **Benjie Gachette**, of Valley Stream, N.Y.; **Andrew O. Guglielmi**, of Buffalo; **Crystal Jeanette Rodriguez**, of Buffalo; **Elsa Johanna Schmidt**, of Cowlesville, N.Y.; **Huiqun "Cindy" Zhu**, of Buffalo.

*The New York State Bar Association Law Student Bar Association Ethics Award*, to **Amanda Catherine Conner**, of Buffalo, and **Meredith A. Conner**, of Buffalo.

*The Carlos C. Alden*

*Buffalo; Gwendolyn R. Higley*, of Cheektowaga, N.Y.; **Keith Jared Gross**, of Glen Head, N.Y.; **Geoffrey Adam Kaeuper**, of Rochester, N.Y.; **Enam Hoque**, of Buffalo; **Michael D. Mann**, of Woodmere, N.Y.; **Robert H. Middlemiss**, of Evans Mills, N.Y.; **Angel M. Overgaard**, of Mosinee, Wis.; **Amber E. Storr**, of North Tonawanda, N.Y.

*The Justice M. Dolores Denman scholarship/award* for a custodial single parent, to **Marie A. Butchello**, of

*The Kenneth A. Gomez Memorial Award*, for equality and justice for minorities, to **Crystal Jeanette Rodriguez**, of Buffalo.

*The Activist's Gavel Award*, for progressive politics, government accountability and social activism, to **Sara Louise Couch**, of Williamsville, N.Y.

*The Minority Bar Association of Western New York Award*, presented jointly to **Benjie Gachette**, of Valley Stream, N.Y., and **Crystal Jeanette Rodriguez**, of Buffalo.

*The Women Lawyers of Western New York Award*, to **Nicole Marie Stolba**, of Lockport, N.Y.

*The National Association of Women Lawyers Award*, to **Elisha Dunn-Georgiou**, of Buffalo.

*The UB Law Alumni Association GOLD Group Award*, for leadership and excellence, to **Michael D. Mann**, of Woodmere, N.Y.

*The New York State Bar Association Law Student Bar Association / Law Student Bar Association Achievement Award*, to **Michael D. Mann**, of Woodmere, N.Y.

The Class of 2006 voted for a faculty member and staff member who has demonstrated outstanding service and dedication. The faculty award was presented to **Professor Rebecca French**, of Buffalo, and the staff award was presented to **Associate Dean Ilene R. Fleischmann**, of East Amherst.



Jesse S. Feuerstein '06

*Award*, for service to the Buffalo Law Review, to **Sachin Kohli**, of Rochester, N.Y.

*The Justice Philip Halpern Award*, for writing on the Buffalo Law Review, to **Angel M. Overgaard**, of Mosinee, Wis.

Newly elected members of the *Order of Barristers*, a national honors society for oralists, are: **Marie A. Butchello**, of Williamsville, N.Y.; **Lauren J. Cutuly**, of

Williamsville, N.Y.

*The Linda S. Reynolds Award*, for commitment to equal justice for the poor, to **Allison Terrell Corey Milne**, of Buffalo.

*The Milton Kaplan Law and Social Development Award*, in an American, comparative or international context, jointly to **Nicholle Dragone**, of Williamsville, N.Y., and **Babak Rejai Mohassel**, of Buffalo.



Left to right, members of the class of '06: Paul C. Parisi, Scott J. Bizub, Kevin Van Allen, Sara T. Wallitt, Jonathan J. Bevilacqua, John P. Gerken and Patrick J. Kennedy.



Sarah E. Wesley '06 with parents, Hon. and Mrs. Richard S. Wesley

*"You are walking  
into a difficult  
world. Your  
individual  
contributions will  
be essential."*

*— Michael A. Battle*

*Continued from Page 61*

Iraq and Afghanistan succeed in their new democracies, even amid the damage of war and stubborn insurgent movements.

- A roster of challenges here at home, including the rights of the press; the threat of terrorism; the pressing need for innovative energy sources; balancing assistance to the poor with the promise of capitalism; the role of corporations; and the ramifications of developing technology.

"You are walking into a difficult world," Battle said. "Your individual contributions will be essential. It is important that each member of our society be a part of it – in whatever manner – to help maintain its vibrancy and solve the challenges that confront us. You are now uniquely qualified to do so."

The student-voted Faculty Award went this year to Professor Rebecca French, and the Staff Award was given to Vice Dean Ilene R. Fleischmann.

As it has been for the past 25 years, the Commencement ceremony was bracketed with music by the Hot Cargo String Band, a shifting alliance of faculty and student musicians. This year the band was a big band, because its longtime leader, Professor James Atleson, is retiring from full-time teaching. Alumni of the band came from across the nation and threw a surprise party for him – then joined Hot Cargo on stage for a last fling of music-making.



# Law School Report

## *Moot Court and Mock Trials*



George Bundy Smith, former Judge of the New York State Court of Appeals.



Leslie G. Foschio '65, Federal Magistrate Judge in the United States District Court for the Western District of New York, and

# PRACTICE MAKES PERFECT

*Trial  
competition  
program helps  
students  
refine their  
litigation skills*

**By Caroline B. Brancatella '07**

**W**ith classes to attend and careers to get started, most University at Buffalo students juggle a full schedule.

Yet many still find the time to prepare for and compete in UB's many moot court and mock trial competitions, where they refine their research, writing, and oral advocacy skills with the assistance of faculty, attorneys and judges.

UB students have a wide array of legal subject matter and oral argument style to choose from through the various competitions in which the school participates. Over the years, our programs have won many awards and have achieved a national reputation for excellence.

Our students both hosted and represented the Law School at numerous oral advocacy contests throughout 2005-06:

In the first **National Ethics Trial**

hosted by Pacific/McGeorge School of Law in Sacramento, Calif., last year's team, consisting of Sara Wesley '06, John Menna '06, Janine Sprague '06 and David Hoffman '06 took top honors. Wesley was named Best Advocate.

A first-year student, Emily Liu '08, brought home the competition's top award when she won Best Oralist in the national **Frederick Douglas Moot Court Competition**. With 43 teams, this was the largest competition in the North East BLSA (Black Law Students Association) history.

Yet another student, Kristin Paulding '07, picked up Best Advocate at the **National Civil Trial Competition** in Los Angeles.

The Buffalo Moot Court Board, run by second- and third-year students and advised by Vice Provost and Frank G. Raichle Professor of Trial and Appellate Advocacy Lucinda M. Findley, orga-

*Continued on Page 66*



Nancy E. Smith, Justice of the New York Supreme Court for the Seventh Judicial District.



H. Kenneth Schroeder Jr. '61, Federal Magistrate Judge in the United States District Court for the Western District of New York.



Marissa Coheley '08 and Jeffrey Gleason '08 were the winners of the 2006 Desmond Moot Court competition.



# Law School Report

## *Moot Court and Mock Trials*

*Continued from Page 64*

nizes intramural competitions based in domestic law.

Developed in honor of the former Chief Justice of the New York State Court of Appeals – and the most widely participated competition the school offers – the **Charles S. Desmond Constitutional Law Moot Court Competition** allows students to argue a case currently before the United States Supreme Court. This year participants presented *Meredith v. Jefferson County Board of Education*, a case with 14th Amendment implications that brings up many of the issues addressed in the 2003 case *Grutter v. Bollinger*. Surviving 60 other competitors, Jeff Gleason '08 and Marissa Coheley '08 were named 2006's overall winners. Runners up were James Cole '07 and Jennifer Howland '07.

Hannah Moore '07, 2006-2007 Buffalo moot court board president said of the competition, "We had a large number of competitors this year – 28 teams – and many exciting rounds. The competitors showed talent in both brief writing and speaking, and were able to showcase those talents thanks to the help of the many participating judges."

The final Desmond round was judged by H. Kenneth Schroeder Jr., Federal Magistrate Judge in the United States District Court for the Western District of New York; Nancy E. Smith, Justice of the New York Supreme Court for the Seventh Judicial District; George Bundy Smith, Associate Judge of the New York State Court of Appeals; and Leslie G. Foschio, Federal Magistrate Judge in the United States District Court for the Western District of New York.

Also falling under the Buffalo moot court board's aegis and named for Albert R. Mugel '41, a former UB Law professor and co-founder of the Buffalo

## *UB Law wins first place in first national ethics trial competition*

University at Buffalo Law School's national trial team of Sara Wesley, John Menna, Janine Sprague and David Hoffman, coached by alumni Diane Lavallee '83 and Michael P. Daumen '74, took first place in the first annual National Ethics Trial Competition hosted by Pacific/McGeorge School of Law in Sacramento California on March 16-19, 2006. Sara Wesley received top honors as best overall advocate.

Fourteen teams (Georgetown, UC Davis, University of Georgia, Fordham, Stetson, Pacific-McGeorge, Chicago-Kent, Pepperdine, Denver, Connecticut, South Texas, Houston, Temple and UB) competed. UB defeated Fordham, U. Conn, and S. Texas before winning a unanimous decision against Pacific McGeorge (the host team) in the finals.

The case was one of legal mal-

practice in which the plaintiff, a large hotel chain, alleged that their former attorney negligently represented their interests in defending against a wrongful death action in which a hotel patron had been murdered.

This competition was an invitational that included some of the top trial programs in the country. According to Hon. Thomas P. Franczyk, a Buffalo City Court judge who oversees the trial advocacy program at UB Law, "Stetson is one of the best in the country as is Temple; they won the Buffalo-Niagara in 2004. Chicago Kent is also one of the best. All of the others are top notch as well. Of course, UB, in my humble and unbiased opinion, is right up there."

"This is the third competition that was won by the Wesley, Sprague, Menna trio, this time with the help of solid newcomer David Hoffman," said Franczyk."

firm Jaeckle, Fleischmann, & Mugel, the **Mugel National Tax Competition** invites students from around the nation to debate a problem involving a current issue in tax. Having won UB's intramural competition last fall, Rachel Hezel '07, Joshua Lawrence '07, Daniel Kuhn '08 and Ray Walter '07 will represent the school in the nationwide competition hosted by UB this spring.

Titled after the drafter of the Model Penal Code, UB also independently hosts the **Wechsler Criminal Moot Court Competition**, the only national moot court competition in the United States to focus on topics in substantive criminal law. Problems address the constitutionality and interpretation of federal and state criminal statutes as

well as general issues in the doctrine of federal and state criminal law. In particular, the Wechsler Competition explores topics related to the Buffalo Criminal Law Center's various research and reform projects. This year Shannon Elwell '08, Christina Cassillo '07, Lauren Charles '08 and Kevin Habberfield '08 will represent UB.

Handling competitions based in international law is UB's **Philip C. Jessup International Moot Court Board**. During the 2005-2006 academic year, teams from UB competed in the Jessup New York Regional with success. In a field of over 60 competitors, Jennifer Mucha '07 was ranked 13th best oralist and UB's brief was ranked second. This year's regional team will



Competitor argues his case in the Wechsler Criminal Moot Court Competition.

include Greg Stein '07, Mindi Byrd '07, Jacqueline Bain '08 and Dan Christenson '08.

Headed up during the 2006-2007 school year by president Beverley Braun '07, the Jessup Board also annually sends teams to the **Niagara Cup Invitational**. Sponsored by the Canadian-American Law Institute of Case Western Reserve University and focusing on international trade issues between the United States and Canada. This year's Niagara Cup Team consists of Jason Almonte '07, Nicole Parshall '07, Theo Nickerson '08 and Adam O'Brian '08.

Additionally, UB's Jessup Board is one of six schools that compete in the **Fasken-Martineu Moot Court Com-**

**petition**, which is sponsored by the Toronto-based law firm of Fasken-Martineu. It focuses on international treaty governance and is exclusively for first year law students. The 2006 team consisted of Jeff Gleason '08, Dan Pautz '08, Lee Doren '08, Anne Wilson '08, Liz Pascal '08, Andre Lindsay '08, David Turner '08 and Lauren Yannuzzi '08.

In the mock trial realm, every fall, UB Law hosts the annual **Buffalo Niagara Mock Trial Competition**, one of the biggest national invitationals in the country. Organized three years ago by Hon. Thomas P. Franczyk, a Buffalo City Court judge, 160 law student advocates representing 40 law schools from 18 states descended upon the courtrooms of Buffalo City Court to try both

sides of a conspiracy/murder case before local judges and trial lawyers in October. UB's 2006-2007 national trial team is made up of Michael Libretto '08, Kris Kasnicki '08, Rochelle Zimpfer '08 and Harold Babcock Ellis '08.



# Law School Report

## Students + Mentors = Success

*First years  
are introduced  
to the legal  
community*

The first-year mentoring program provides law students with a personal introduction to the legal community. Mentors provide invaluable guidance, advice and feedback on everything from interview etiquette to law of office politics. Law students are able to ask their mentors questions and obtain information that they could not elsewhere or would be afraid to ask. Mentors also benefit by having a first hand view of UB Law School, current legal education and the new associates of the future.

Last year the Law School's Mentoring Committee of alumni and administrators led by Sheri Mooney, a partner at Damon & Morey, and Melinda Saran, Vice Dean for Student Affairs at UB Law School, personally matched 255 first-year law students with 204 volunteer attorneys, including alumni of UB Law and other attorneys in Western New York and Rochester. Attorneys received a free CLE, including training on mentoring, and met their mentees at a January reception hosted by the law School.

Mentors are admitted attorneys who have been in practice at least five years. If you are interested in being a mentor, please contact Melinda Saran, Dean for Student Affairs, at 645-6223.



Shelly P. Tsai '08 and Barbara Howe '80 Erie County Surrogate Judge.





Andre L.  
Lindsay '08 and  
Arizvel Tinoco  
'08



Above, Adam R.  
O'Brian '08.



Above, Madhu Parthasarathy '08 and  
Sunny W. Noh '08.



Left, Mark W. Warren  
'83 and Catherine I.  
Lynch '08.



Ginger D. Schroder  
'90 and Kristi M. Rich  
'08.

Left, Evelyn Abiola '08  
and Morgan Graham.



# Law School Report

## Public interest projects receive funding

### *22 Students Receive Summer Public Interest Fellowships*

Between the 11th annual Buffalo Public Interest Law Program (BPILP) Auction and various other events, 2005-06 BPILP activities raised an impressive \$26,000 to be used toward providing UB Law School students with the opportunity to accept unpaid public sector summer positions. Additional support came from Dean Nils Olsen, the UB Law Alumni Association, the members and leadership of BPILP, public interest-minded alumni donors, and co-sponsoring student groups to a record total of \$56,500 in summer funds. Nineteen projects – throughout the country and around the world – received funding for the summer of 2006. In addition, three outstanding students were awarded prestigious national fellowships. We are proud to announce this year's Summer Public Interest Fellows.

#### **Buffalo Public Interest Law Program Fellows**

**Mindi Byrd '07:** Urgent Action Fund – Nairobi, Kenya

**Jennifer Contreras '07:** Nassau County District Attorney's Office, Mineola, N.Y.

**Alex Karsten '08:** Housing Opportunities Made Equal, Buffalo

**Nicole Parshall '07:** Kenya Human Rights Commission, Nairobi, Kenya

**Paul Perrier '08:** Legal Aid Bureau of Buffalo, Buffalo

**Tara Stahl '08:** Neighborhood Legal Services, Inc., Buffalo

**Azra Zaidi '07:** The Innocence Project, New York City Co-Sponsored by the *Buffalo Human Rights Law Review*.

#### **Buffalo Public Interest Law Program Grant Recipient**

**Elizabeth Kraengel '07:** International Institute of Buffalo, Buffalo

#### **Dean's Buffalo Public Interest Law Program Fellows**

**Emily Conley '08:** Erie County Bar Association, Volunteer Lawyers Project, Buffalo

**Daniel Kuhn '08:** Monroe County Legal Assistance Center, Rochester, N.Y.

**Hannah Moore '07:** U.S. Attorney's Office for the District of Maine, Portland, Maine

**Daniel Pautz '08:** Chemung County Public Advocate's Office, Elmira, N.Y.

#### **UB Law Alumni Association's Buffalo Public Interest Law Program Fellows**

**Jennifer Donlan '08:** Broome County Public Defender's Office, Binghamton, N.Y.

**Liam Dwyer '08:** Erie County District Attorney's Office, Buffalo

**Jennifer Katz '08:** Office of the Attorney General, State of New Jersey, Trenton, N.J.

#### **Kaplan & Reynolds Fellows**

**Candice Giles '08:** Erie County Bar Association, Volunteer Lawyers Project, Buffalo

**Christine King '07:** U.S. Equal Employment Opportunity Commission, New York City

**Nicholas Tardif '08:** US District Court, Southern District of New York, Pro Se Office, New York City

#### **Thomas' Buffalo Public Interest Law Program Fellow**

**Amanda Bowman '07:** Office of Conflict Defender's of Monroe County, Rochester, N.Y.

#### **National Fellowships**

#### **Equal Justice Works Summer Corps Program**

**Daniel Kuhn '08:** Monroe County Legal Assistance Center, Rochester, N.Y.

#### **Charles H. Revson Law Student Public Interest (LSPIN) Fellowship Grant**

**Naz Khan '08:** Michael Shen & Associates, New York City

#### **Kellogg's Law Fellow Program**

**Gary Wilson, '08:** National Association for the Advancement of Colored People (NAACP), Baltimore, Md.



## *Buffalo Public Interest Law Program (BPILP) Auction*



Left to right, Theo Nickerson '08, Abby E. Oliver '08, Elizabeth Meghan Barnett '08 and Regina L. Reading '08.



Above, Michael G. Paul '07 with wife Jennifer.

At left, William F. Savino '75  
served as auctioneer.

# Law School Report

*Career Services*

## Expanding opportunities

*Jim Newton builds bridges throughout the country*

James R. Newton is a lawyer by training, but in his new role at the Law School, he's an engineer – building bridges between alumni around the nation and law students looking to cross over the gap between school and practice.

Newton, whose name has become familiar to many alumni as director of the Law School's Annual Fund program, has been named associate dean for national outreach and strategic planning. In this new role, Newton's primary focus will be to expand job opportunities for UB Law students throughout the country, and he will work closely with the career services, alumni and development offices to achieve this objective.

"I hope to build more bridges between our alumni who are practicing around the country and our students," says Newton. "We are looking to expand opportunities right across the board – in law firms both big and small, in government positions, in public interest, in corporations, and in judicial clerkships. We have more than 9,000 alumni working across the country, and we are fortunate that so many are committed to helping the school and our students."

Law School graduates traditionally have gravitated to positions in Western New York, New York City and Washington, D.C. There are also substantial concentrations of alumni in California and Florida. But Newton points out that UB Law alumni work in all 50 states and around the world, and he hopes they will help spread the word about what the next generation of UB-trained lawyers can do.



Associate Dean James R. Newton

"Our alumni are our best ambassadors to educate employers about what our students can offer," Newton says. "We attract smart, well-qualified, well-rounded students, and they go through a very rigorous training program. There have been some incredible changes in the curriculum, and so part of my job is educating alumni as well about what is happening in the school now."

Newton, whose J.D. degree is from Cornell Law School, worked as a cor-

porate lawyer in a large firm and as in-house counsel doing corporate transactions, before joining UB Law School as assistant dean for development in November 2003.

"Our students are exceptional," he says, "and this new job provides an opportunity to open doors for them. We find that once that door is open, employers are blown away by who they are and what they can do."

In his new role, Newton also will have responsibility for strategic planning initiatives centered on how the school markets and defines itself, facilitating collaboration between the alumni, development, career services, student services and admissions offices. He also will take charge of the school's reporting to the American Bar Association and *U.S. News and World Report*, which produces a controversial but closely watched ranking of U.S. law schools.

Said Dean Nils Olsen: "This is a vital administrative reorganization at the Law School to move us to the next level in terms of all of our non-academic functions.

"Jim leaves the Annual Fund program in a very strong position, growing each year and exceeding the goals set for each year under his stewardship. This year, the Annual Fund currently stands at over \$870,000. We have one of the best levels of participation among all public and private law schools in the country."

Jim Newton can be reached at (716) 645-5997 or [jnewton@buffalo.edu](mailto:jnewton@buffalo.edu).



# Class of 2005 Employment Statistics

## Geographic Distribution

### WITHIN NEW YORK STATE

Region	Distribution
Buffalo	50%
New York City & Boroughs	22%
Rochester	13%
Albany	6%
Syracuse	4%
Other	3%
Southern Tier	2%

### OUTSIDE NEW YORK STATE

Region	Distribution
DC	16%
FL	16%
International	13%
PA	10%
GA	7%
CA	7%
IL	7%
AK	3%
CT	3%
MA	3%
NC	3%
NJ	3%
TN	3%
VA	3%
VT	3%



Victoria  
Belniak '05 and  
Andrea M.  
Pratt '05.

## Practice Areas

Practice Area	Distribution
Corporate	10%
Public Interest	4%
Government	10%
Judicial Clerk	6%
Military (JAG)	3%
Academic	1%
Degree Seeking	5%
Not Specified	1%
Private Practice	60%

## Firm Size Distribution

Firm Size	Distribution
Very Small (2-5)	38%
Small (11-25)	20%
Large (51-100)	10%
Very Large (101-250)	9%
Medium (26-50)	8%
Mega (251+)	7%
Unknown	4%
Solo	1%

## Firm Size Salaries

Private Practice	Median	High
251+	\$111,000	\$145,000
100-250	\$77,000	\$125,000
51-100	\$76,000	\$125,000
26-50	\$53,000	\$90,000
11-25	\$50,000	\$75,000
2-10	\$42,000	\$100,000

## Practice Area Salaries

Practice Area	Median	High
Government	\$52,000	\$86,000
Business & Industry	\$46,000	\$80,000
Judicial Clerkship	\$49,000	\$64,300
Public Interest	\$44,000	\$52,000

# Publishing plenty



Denise E. O'Donnell '82

*Dinner  
celebrates a  
busy year for  
Buffalo Law  
Review*

**T**he elegant confines of the Buffalo Club were the perfect backdrop for the 17th annual *Buffalo Law Review* Dinner on April 27, highlighting unprecedented achievements for the Law School's premier legal journal.

This year's staff, noted Editor in Chief Sachin Kohli '06, was the first to publish nine issues of the *Law Review*. "I am particularly proud of this achievement," Kohli said, who noted also the publication of the journal's second annual essay issue. In addition, he said, the staff made it a priority this year to "reconnect with our nearly 1,200 *Law Review* alumni" by publishing the journal's first alumni newsletter.

Two of those alumni – coincidentally, both members of the Class of 1982 – were honored for their service to UB Law School and to the legal community. In their Law School years, Robert C. Schwenkel was an articles editor for the

*Law Review*, and Denise E. O'Donnell, now a familiar face as a member of the Dean's Advisory Council, was a senior editor.

"I have always been very grateful to the Law School for the opportunities it has given me," said Schwenkel, who chairs the corporate department for the New York City firm Fried, Frank, Harris, Shriver and Jacobson. "A lot of the people who have been honored at this dinner were people who taught me at the Law School."

Beyond teaching, Schwenkel said, he has benefited from personal advice as well. "At the Law School, people took an interest in my career," he said. "Mentoring is something we should all do. I consider it an obligation, and a joy as well."

"If I could pass anything on to future generations, it is that I hope you will do the same thing you are honoring me for, mentoring people and helping them out."

O'Donnell, a partner in the law firm Hodgson Russ who was in the midst of a campaign for New York State attorney general, said part of the pleasure of her award was simply the chance to be home in Buffalo. On the campaign trail, she said, "I speak out about Buffalo and Western New York, but I also talk about the Law School, because I never would be where I am today without the Law School."

O'Donnell also said her work on the *Buffalo Law Review* played a key part in the direction her career has taken. Once she was accepted for the journal, she was faced with deciding what to write about. She chose the then-current Buffalo school desegregation case, and eventually was hired to work with the plaintiff's lawyers in that case. "That re-



Angel M. Overgaard '06





Robert C. Schwenkel '82



Michael D. Mann '06, left, and Sachin Kohli '06

ally developed my love of constitutional law and my love of fighting for and protecting equal rights," she said. "So the *Law Review* had a lot to do with shaping my career."

The student awards were:

Carlos C. Alden Award, to the senior making the greatest contribution to the *Law Review*: Sachin Kohli.

Justice Philip Halpern Award, to a senior for excellence in writing on the *Law Review*: Angel M. Overgaard.

Associate Publication Awards, for excellence in writing: Stacy A. Hartley, for a piece on Oregon's Death With Dignity Act; Leah R. Mervine, on the concept of "curative" damages; Michelle A. Daubert, on due process during times of public quarantine; and Anshu S.K. Pasricha, for a piece on issues in India's financial sector.

The *Buffalo Law Review* Dinner Committee was chaired by Michael D. Mann '06, with Enam Hoque '06 as vice chair.



Left to right, Kristen Henry, with fiancé Donald A. Young '07, Paul S. Fusco '06 and wife Tracy.

# In every color

## *OUTLaw Dinner celebrates a rainbow of possibilities*

The beauty and meaning of the rainbow was everywhere – from a rainbow flag behind the dais, to the votive candles on the tables, to a length of ribbon cleverly woven into the evening's program – at the 10th annual OUTLaw Dinner.

Held May 3 in the Buffalo/Niagara Marriott, the dinner was a gathering for gay, lesbian, bisexual and transgender law students, and their heterosexual allies, and a time to celebrate the diversity that the rainbow has come to represent.

Incoming OUTLaw President Alex Karsten gave a brief history of how the rainbow was adopted as a symbol, saying, "For as long as there has been a gay community, it has come in Technicolor." The first rainbow flag was created in 1978, she said, and it had eight colors. But the pink created production problems, so the familiar seven-color rainbow flag – in red, orange, yellow, blue, green, indigo and violet – came to be the standard.

Karsten also called for greater inclusiveness, saying that the movement should do more to welcome transgender people and persons of color. "We not only celebrate how far we have come, but how far we have to travel to realize the full potential of this flag," she said.

Linda Marsh '78, of the Buffalo law firm Ziller, Marsh & Lang, spoke in introduction to the night's honoree, Marvin L. Henchbarger, executive director of Gay & Lesbian Youth Services of Western New York. Marsh, whose older son is gay, is president of GLYS.

The organization is, she said, "a place of personal growth, of advocacy, of all kinds of wonderful projects. It is just a wonderful place."

The honoree, Marsh said, "does everything she does with such passion and dedication for the GLBT youth and

adults. She just makes Western New York a better place."

Henchbarger began by saying that observers tend to focus on the problems faced by gay and lesbian young people – such issues as alcohol and drug abuse, and high dropout rates. "But our young people are fine," she said. "They are absolutely fine. There is nothing wrong with our young people. The problem is with our society that cannot accept anyone different."



Linda J. Marsh '78 and Marvin L. Henchbarger, executive director of Gay & Lesbian Youth Services of Western New York

She then spoke about some of the young people who have been an integral part of Gay and Lesbian Youth Services – for example, the young woman who came dressed entirely in black clothes, hair hanging over one eye, piercings all over, and an attitude to match. "As we got to know her and the layers peeled away, she turned out to be a pretty terrific person. Just today I saw her left eye for the first time!"

At Niagara Falls High School, she said, a gay-straight alliance group has formed despite the county's generally conservative bent. "These young people are remarkable," she said. "Some of

them are not even out at home. In the face of the things they deal with, they do very well."

And indeed, she said, people in Western New York have in general become more accepting over the years. She remembered that in 1986 when GLYS needed new office space, it was hard to come by; when the program finally landed at the YWCA, there were indignant letters to the editor and even bomb threats. By contrast, she said,

GLYS moved again last year – and the group had people calling with offers of space.

For the lawyers and future lawyers in attendance, Henchbarger noted that "legal services have not caught up" to this broad change in attitudes. In such areas as same-sex marriage and spousal rights, she said, "you have the power to change that."

Outgoing OUTLaw President Heath Miller '07 recognized fellow student Jason Joaquin Almonte '07 for writing a grant application to Sub Board I that won a \$750 programming grant for the dinner. He also thanked UB Law School Dean Nils Olsen, who was present, for a Dean's Grant in support. The UB Law Alumni Association and the Student Bar Association also contributed financially to the event.

Graduating senior Jessica M. Keltz '06 was presented the Lavender Gavel Award for her work with OUTLaw.



Outgoing  
OUTLaw  
President  
Heath Miller  
'07



*Student Events*

# Together forever



At left, Denetra D. Williams '07 and Danielle J. Barrett '07.

## *Students of Color Dinner cements ties for life*

**S**olidarity of all sorts – among racial and ethnic groups, among students and faculty, and among Law School classes – was at the forefront in the 17th annual Students of Color Dinner.

Held April 20 in a ballroom of the Buffalo/Niagara Marriott, the dinner honored members of the Asian-American, Black and Latin American Law Students Associations as they approached Commencement. The full-color program booklet gave each graduating student a page – a blank slate on which they expressed thanks to parents and friends, spoke about their hopes for life after Law School, and threw in a few pictures for good measure.

Hon. Barbara Howe '80, Erie County surrogate judge, was present to receive the Trailblazer Award for her achievements on the bench and in the legal profession. Her remarks centered on the continuing value of education.

“At the end of the day,” Howe said, “I am so committed to education as the means for everyone to be the best they can be in a competitive society.” Having taught in UB’s Department of Sociology, Howe continues in a faculty capacity as an adjunct clinical professor of law and associate professor of sociology. “I now have had hundreds and hundreds of students go on to success in law and law-related fields,” she said, encouraging the departing class to stay in touch. “I am in the phone book – call me,” she said.

Howe also spoke of the proper attitude for attorneys in their professional life, quoting Martin Luther King Jr.: “We

must combine the toughness of the serpent and the softness of the dove. A tough mind and a tender heart.”

Mark K. Suzumoto '82 was the evening’s keynote speaker. Suzumoto, who described himself as “a very ordinary UB Law student,” is a business lawyer and litigator. He is a partner in the Corporate Services Department of the Los Angeles office of McGuireWoods, and serves as an active member of the Dean’s Advisory Council.

Suzumoto gave a practical accounting of what it is like to be a practicing lawyer, and said five qualities are important in the legal life:

- Excellence. “We all want to do the best that we can for our clients. You always strive to provide the best guidance you can.”
- Quality service. The little things –



Students pass the legacy in the traditional candle-lighting ceremony.

Mark K. Suzumoto '82 and Hon. Barbara Howe '80.



Left to right, Professor Rebecca French, Irene Chiu '00 and Vikki L Pryor '78.

punctuality, dependability, follow-through, returning messages – mean a lot.

- Collegiality. "It is about teamwork," he said. "It is about respect for other people. It is about the Golden Rule."

- Integrity. "You have to be trustworthy, loyal and respectful," he said, citing as a counterexample "some very respected lawyers in Los Angeles who will be wearing broader pinstripes very soon." "The reputation you establish as lawyers will be your stock in

trade," he said.

- Service to the community. "This is lifting as we climb," he said. "This is what makes practicing law fun, enjoyable and fulfilling. It is service to the community that really distinguishes you. I encourage each of you, when you are looking for jobs at firms, to look at their pro bono policy – see if they have adopted the ABA standard of 2 to 5 percent of hours as pro bono."

UB Law Professor Rebecca French was chosen as Professor of the Year by

the graduating class. "You have really gotten me in the deepest part of my heart," she said in response. "I really, more than anything in the world, care about you. It matters to me that when you get out there, you shine like a star. I want you to shine."

Two graduates were chosen to receive Distinguished Alumni Awards.

Vikki L. Pryor '78, president and chief executive officer of SBLI USA Mutual Life Insurance Co., and a member of the Dean's Advisory Council, said to the students, "I do not know you personally, but you mean a lot to me. We are all depending on you to make the world a wonderful place."

Irene Chiu '00, an associate practicing international business law in the Princeton, N.J., firm Morgan, Lewis & Bockius, had these words of advice: "Do not let anyone tell you what your limit is, because the sky is the limit."

After the graduating seniors were recognized, Crystal Rodriguez '06 narrated the traditional candle-lighting ceremony, at which the mantle of achievement was passed from the seniors to the second-year class.

The Students of Color Dinner was chaired by Jacia Smith '07 and Carolina Felix '07.

# Fighting terror with law

*Israeli scholar details wide provisions against terrorism*

A young scholar and professor from Israel's Bar Ilan University came to UB Law School on Nov. 30 to address perhaps the most important facet of international law today: the fight against terrorism.

Professor Abraham "Avi" Bell's address in O'Brian Hall was titled "The Overlooked Obligation to Fight Terror Under International Law." Drawing on his scholarly work in international legal conventions, Bell explored nuances of two United Nations Security Council resolutions meant to fight terrorism, and demonstrated that states' obligations to act against terrorists and their supporters are more widespread than is often realized.

Bell, a former clerk for a justice of Israel's Supreme Court, is a visiting professor at Fordham University this year. His legal education was at the University of Chicago and Harvard University.

Bell began by noting that, in this time of near-constant talk of terrorism, there is no accepted definition under international law for what constitutes terrorism. He cited, for example, an Amnesty International report from 2002 that acknowledged, "One person's terrorist is another person's freedom fighter."

"That struck me as extremely odd," he said, "because there are a number of international instruments that specifically bar acts of terror and create legal obligations having to do with acts of terrorism, terrorists and terrorist organizations. Yes, there is some ambiguity in the term. On the other hand, that is true of a lot of legal doctrines."

Existing international law, Bell said,

requires states to combat terrorism in various ways, both directly and indirectly. He discussed at length two specific instances of such law: Security Council Resolution 1371, passed just two weeks after the 2001 terrorist attacks on the United States, and Resolution 1566, passed in October 2004.

The first, Bell said, directed that states must "suppress and prevent financing of terrorist acts, criminalize collecting of funds to carry out terror, deny support to entities or persons involved in terrorist acts, deny safe haven to those who plan or commit terrorist acts, ensure that those involved are brought to justice, and prevent the movement of terrorist groups."

In detailing this resolution, Bell cited international conventions against piracy, hijacking and hostage-taking, and the distinction in the law of war against attacking civilian populations. "In acts of war, one must aim one's attacks at

legitimate targets and not at illegitimate targets," he said. Legitimate targets are "property that contributes to the military effort of the enemy or persons taking part in military effort of the enemy."

This does not mean, he said, that civilians are entirely off-limits. The "law of proportionality," Bell said, says essentially: "In these attacks on legitimate targets, it is OK to impose collateral damage – it is OK to destroy civilian property and kill civilians, so long as damage to civilians is not excessive in relation to the military damage."

Resolution 1566, he said, expands the duties of states "beyond simply acting against financing and refraining from providing support. It requires states to cooperate fully in the fight against terrorism, to find terrorists and bring them to justice.

"Not only must they stop providing support," Bell said, "they must go out and bring to justice persons who support, facilitate, participate or plan to participate in terrorist acts. The resolution demands that states become parties to the relevant international conventions and protocols, whether or not they are a party to regional conventions on the matter."

That last provision, he said, is crucial, because it says nations may not justify supporting terrorism based on political, racial, ethnic, philosophical or religious reasons.

The 1998 anti-terrorism convention of the Arab League, he said, prohibited support for acts of terrorism, but made an exception for "cases of struggle for liberation and self-determination." In effect, Bell said, under the Arab Convention, "acts that would otherwise be considered terrorism would not be



*"In this time of near-constant talk of terrorism, there is no accepted definition under international law for what constitutes terrorism."*



Professor Abraham Bell speaks on the legal context of the war on terror.

would consider acts of terrorism, and mandates punishment for those committing such acts.

The Convention on Genocide, he said, defines genocide as the intent to destroy a national ethnic, racial or religious group, and the act of "killing of any member of the group, injuring a member of the group, or directly acting to bring about its destruction."

For example, Bell said, "if Hezbollah has the intent to destroy Israeli Jews in whole or in part, then a single killing is an act of genocide. A single act of causing serious bodily or mental harm is an act of genocide. That means that states that are signatories to the Convention

on Genocide must prevent and punish this."

The Convention, he said, also extends to conspiracy, incitement, attempts to commit genocide or complicity in genocide. So, he said, under the incitement provision, "If the mufti (an Islamic scholar an interpreter of Sharia law) broadcasts a message telling us that Jews are always the enemy, arguably that is incitement to commit genocide, even without any acts of violence."

Bell's appearance in Buffalo was sponsored by the Jewish Law Students Association, the American Jewish Committee, Sub-Board I, Hillel and Scholars for Peace in the Middle East.

considered terrorism if they are carried out against Israel." But the 2004 UN resolution, he said, disallows such an exception.

Other elements of international law can be construed as applying to the war on terrorism, Bell said. For example, he said, the Convention on Genocide defines genocide broadly enough that it incorporates acts that many

## FROM COURTROOM TO CLASSROOM

*New assistant professor focuses on intellectual property law*

UB Law School's program in intellectual property law is being bolstered with the addition of Associate Professor Mark Bartholomew, who comes to Buffalo from the Sonoma County Counsel's Office in Santa Rosa, Calif.

Bartholomew, whose published articles range beyond IP to such topics as the history of legal education and employment discrimination, is a 2000 graduate of Yale Law School, where he was senior editor of the *Yale Law Journal* and editor of the *Yale Journal of Law & Humanities*.

The University and UB Law, he said, is a great place to be.

"It is great to have all these other smart, very talented people to bounce ideas off of," he said, "and the whole university full of people to bounce ideas off of." And coming full time to an academic setting, Bartholomew said, gives him "more time to explore things in more detail. It is nice to have the writing be my job now," rather than an avocation on the side of a legal practice.

After law school, Bartholomew clerked for a federal judge in Pasadena, Calif., and handled intellectual property, securities, consumer fraud, bankruptcy and divorce cases for a midsize San Francisco law firm. In the Sonoma County Counsel's Office, he was a litigator, especially in cases where the county was arguing for the establish-



Associate Professor Mark Bartholomew.

ment of conservatorships for disabled persons.

Bartholomew's legal research has come to focus on trademarks, patents and other aspects of intellectual property law, especially as it relates to cyberspace. A forthcoming piece in the *Oklahoma Law Review* deals with a trademark analysis of search engine advertising. "There is a revolution now in copyright law," he said, "with the prevalence of digital imaging and the Internet. Anybody who wants to download a song has to deal with that."

UB Law now offers a concentration in IP law; Bartholomew will join Professor Robert I. Reis as a specialist in the field. There are preliminary plans,

Bartholomew said, to implement a patent law clinic that would work with the University's technology transfer office, which manages the commercialization of technology developed at the school. "It is a place where we can try a lot of new approaches," he said. "We can tailor it to students. We do not have to follow a set pattern."

Bartholomew is teaching a fall-semester course in Trademarks and Unfair Competition, and in the spring will teach a copyright course and a seminar on legal and cultural issues in cyberspace.

Bartholomew grew up in South Bend, Ind., where both his parents were educators; his father was a professor at the local campus of Indiana University. ("I am just very interested in education in general. I think I am hardwired to see that as important," he said.) He got

a taste of Western New York during his undergraduate work at Cornell University, in Ithaca.

His wife, Christine, is also a lawyer; she telecommutes for her job doing anti-trust work for a California law firm. She also will teach a class in anti-trust law at UB Law School in the spring semester.

"I like the interdisciplinary focus here," he said. "It is fun to hear what somebody else is working on. And it is really nice to have the Baldy Center in-house. They really know people around the school – you just have to send an e-mail or call them, and they will put you in touch with someone who shares your academic interests."

# COMING SOON

*Scholar of religion joins UB Law faculty, but not quite yet*

Sometimes good things come in twos. That has proved to be the case for UB Law School's newest faculty member, Winnifred Fallers Sullivan, a scholar of religion and public life. No sooner had she been offered the Buffalo teaching position than the news came that she had won a spot in the prestigious National Humanities Center fellowship program in North Carolina. As a result, while she has joined the UB Law faculty, she is spending the 2006-07 academic year in Research Triangle Park, N.C., doing research and working on two books.

Sullivan, a Chicago native, most recently has held teaching and administrative positions at the University of Chicago Divinity School, where she earned a doctoral degree. Her J.D. is from the University of Chicago Law School.

"I think of myself as somebody who studies the intersection of religion and law," she says. "I am not trained as a theologian. I am trained in the comparative study of religion. What I think of myself doing is looking at the way judges and lawyers talk about religion."

Sullivan's most recent book is *The Impossibility of Religious Freedom* (Princeton University Press, 2005). "There is a very real sense in which religious freedom is turning out to be impossible to realize, even in the United States," she writes in the foreword to that book, which is built around a trial

over whether a Florida cemetery could legally remove religious-themed memorial arrangements that families had placed on their loved ones' graves in defiance of local cemetery regulations.

"Religion and law today speak in languages largely opaque to each other," she also writes, and Sullivan's work seeks to bridge that gap – a vital task in a time of growing religious pluralism in the United States and worldwide. "This is quite an important time in terms of

thinking through the legal regulation of religion in the modern world," she says.

"There is a certain intensity because of the visibility of religion in public life right now," Sullivan says, citing such public policy debates as abortion, homosexuality, cloning, euthanasia and public funding of faith-based initiatives. But, she notes, the tension between religion and public policy is not new to our time: "There have always been such cases."

During this fellowship year, she has conversed with 30 to 40 fellows working in various academic fields and worked on two books, with the hope of finishing one during the fellowship.

Then she will come to Buffalo. Sullivan is familiar with Western New York, having done her undergraduate work at Cornell University in Ithaca.

"There are a number of reasons why it is exciting to come to Buffalo," she said, citing the presence in

O'Brian Hall of other faculty with academic interests in law and religion, as well as the Baldy Center for Law and Social Policy. "Even in this age of the Internet, there's nothing like face to face. The proximity to Canada is very interesting as well, with all sorts of possibilities for cross-border conversations.

"This," she said, "is an unusual law school that is open to interdisciplinary conversation."



Professor Winnifred Fallers Sullivan.



# Faculty

## THE NEXT ACT

### *Professors Newhouse and Atleson transitioning to retirement*

*Two longtime professors with deep roots at UB Law School are making the transition away from the classroom.*

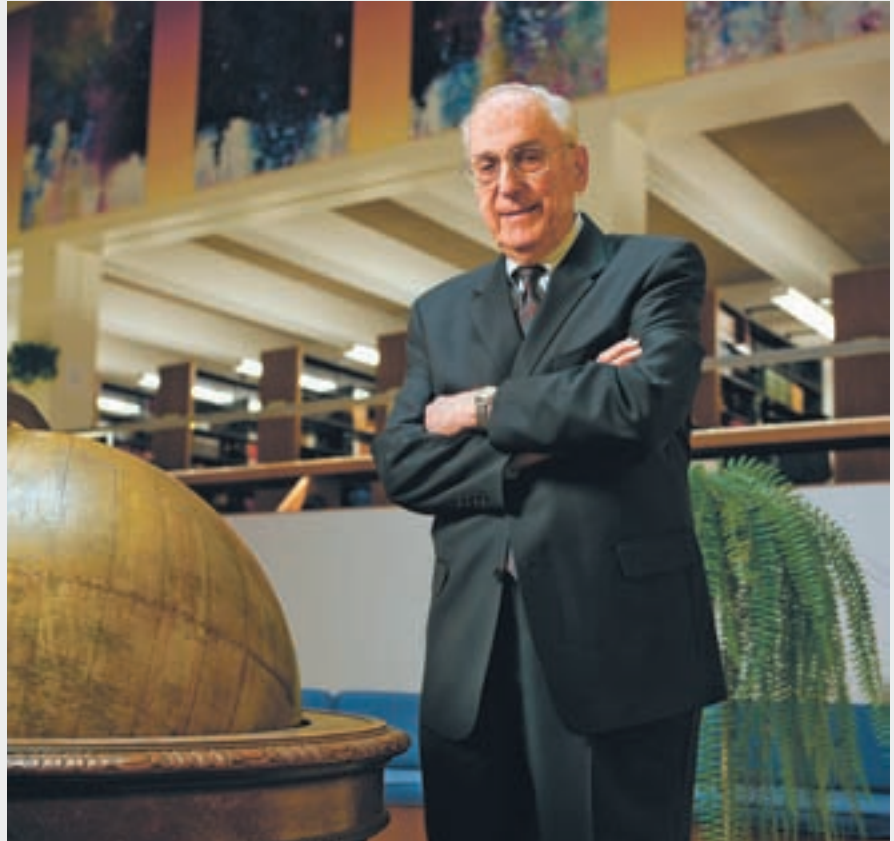
*Wade J. Newhouse, professor emeritus and former dean of the school, and James B. Atleson, SUNY Distinguished Teaching Professor, have 90 years' experience at UB Law between them. Now each is cutting back his teaching load and sampling life beyond full-time academia.*

...  
**P**rofessor Wade Newhouse was named professor emeritus in 1993 but has continued to teach at the Law School, at first full time but in recent years with a gradually reduced load. Now 84, and approaching the golden anniversary of his arrival at the school in 1958, he has completed his last course, in public-sector labor law.

He came hoping to teach international law, Newhouse said, but spent much of his career teaching constitutional law, education law, collective bargaining and other courses.

The University became part of the State University of New York system not long after he arrived, and the question of building a new campus arose. Newhouse was called upon to serve as faculty representative to the architects who were designing what would become John Lord O'Brien Hall on the North Campus. He remembers it as a time of tremendous detail work – examining the blueprints of three or four recently built law schools and finagling the best floor plan for Buffalo.

"We were under strict orders not to draw anything; that was the architects' job," he recalls. "But I drew up a schematic and then converted it to a list of space requirements." One innovation: In an era when 110-square-foot offices for professors were standard, "I knew I wanted at least 200 square feet in a faculty office – enough room for a table and four chairs, so there could be



Professor Emeritus Wade J. Newhouse

individual conferences." He succeeded, despite Albany budget-watchers who were trying to minimize space, and thus construction costs. Newhouse said he also had to fight to make sure the Law School was housed in its own building, which he considered essential for developing a sense of community.

His interest in education law came when he served on a local school board. ("I was elected as a sheer fluke," he demurs.) His youngest son had a learning disability, and Newhouse quickly learned how difficult it was at that time to get the services his son needed. "At that time there was very little help for handicapped students," he

says. "There was some law there, but people really did not know their rights. It was being ignored by a lot of schools."

He helped to found the Education Law Clinic and taught a course, Law and Public Education, for both the Law School and the School of Education.

Newhouse also has made major contributions to the administration of the school, including serving three times as interim librarian and a stint as director of the Jaeckle Center for State and Local Democracy. He served as Law School dean in 1986-87, accepting the position with the stipulation that his term last no more than two years. As



SUNY Distinguished Teaching Professor James B. Atleson

dean, he reviewed the school's administrative structure, worked to bring the budget under control and computerize the school's finances, and installed an accounting system that enabled better financial decision-making.

Newhouse and his wife, Rita, continue to live nearby in Amherst. They have three grown children.

...  
**P**rofessor Jim Atleson joined the faculty in 1964, and has enjoyed a distinguished career specializing in labor law. Now he has moved with his wife, Carol, to Cape Elizabeth, Maine, just south of Portland, but will return to

Buffalo each fall to teach two courses.

"We had come up here during summertime for a couple of weeks for probably 30 years," he reports. "We just love the area. We wanted something that was near the city, near the ocean, and where we could be surrounded by lots of space and woods." Now they are able to walk their dogs – two bearded collies – along the shore.

Asked how the school and its students have changed in 42 years, he mentions the size of the faculty, for starters. "When I came, along with Ken Joyce, in 1964, there were only 13 or 14 faculty," he says. "Now we are 40, and there are many more students.

"I have always liked our students. I have taught at four other schools (Pennsylvania, Minnesota, Texas, and Georgetown), and I have always enjoyed coming back. Our students are unique in many ways, and they are just fun. They are more interesting and less stiff than in other places I have taught.

"That is true with my colleagues as well. Buffalo is known as a place of imaginative work, and its courses as well. It probably does not get the reputation and respect it deserves. Among those who know Buffalo, it is known as a very special place. That is true of the library staff as well. At every one of schools I have been, they all know about our staff. They have always been ahead of the curve."

Over the years, he said, "the students' lives outside the school have changed. I get the impression there are so many things they can do with their time. When I was a student, one of my friends had a television set. Occasionally we went over to his house and watched some sporting event. Now the students all have television sets, computers, they search the Net, they seem to spend a lot of time on other things. That may not be all bad."

He says, too, that his voluminous academic writing on labor law topics has often been sparked by interactions with his classes. "I was always happy that my writing came out of the courses that I taught. The ideas always sprung from my coursework. ... I also like the fact that I have become friends with many of my students. I still see them and correspond with them. That has been really rewarding."

His latest project is a first-of-its-kind textbook on international labor law, written with four fellow authors in an interest group called the Labor Law Group. "It will deal with international rights of labor under various International Labor Law or United Nations

*Continued on Page 87*

*"Someone said to him (Githongo) the bullet that was intended for him would also be intended for me."*

— Professor Makau Mutua

## FACING OFF AGAINST

John Githongo and Professor Makau Mutua arrive at the Kenya High Commission in London early in 2006.



Photo by Zipporah Musau

*Professor  
Makau  
Mutua advises  
a top Kenyan  
whistle-blower*

A longtime friendship recently put UB Law Professor Makau Mutua in the middle of a controversy that has rocked the government of Kenya.

Mutua has been serving as legal and political adviser to John Githongo, the African nation's former anti-graft czar. Githongo's accusations of government corruption, in the form of fictitious procurement schemes totaling more than \$1 billion, have led to the resignations of three senior ministers.

Mutua was in Kenya for a sabbatical year beginning in 2002. "That turned out to be a very fortuitous sabbatical for me," he said. "I went there intending just to do research, but people kept re-

cruiting me to participate in the opposition to the long-ruling political party, which was quite a draconian government."

The opposition party won the elections, and Mutua's friend Githongo became the Kenyan president's chief anti-corruption adviser. But soon, Mutua said, the new government lapsed into unethical "business as usual." Githongo uncovered evidence of fraud that included a contract awarded to a non-existent company to produce passports for Kenya. By mid-2004 Githongo had been transferred out of the state house, Mutua said, and began to fear for his safety. Early in 2005, Githongo fled to London.

Mutua met with him there. "He had droves of information — documents as well as hundreds of hours of tapes of very senior officials," the professor said. "John is not a lawyer, so he asked me, what could he do with this information?"

"At the end of two weeks there, we decided to put together a dossier, which in effect would be the anatomy of a scandal, putting down the facts, who was involved, when, the amount of money involved, who was being paid, what services were delivered and what were not, all of those things. We produced a 100-page dossier that read like an indictment for the money stolen by these people. I was trying to make sure that what we had would stand up in a court of law."

The result was a media bombshell. Some of Githongo's tapes were played on the BBC, and the scandal was front-page news in Kenya for almost two months. "Three senior ministers resigned their portfolios, essentially in



# CORRUPTION

The Kenyan parliament then sent a committee to London in early 2006 and took testimony from Githongo. But, Mutua said, that is as far as the investigation has gone.

There even have been threats to Githongo's life – and to Mutua's. "Someone said to him, the bullet that was intended for him would also be intended for me," Mutua said.

Despite those threats, and despite

"I was giving legal advice, but also helping John understand the political land mines," Mutua said. "For me it has been gratifying, because we were able to put aside our personal friendships with individuals we knew, and who were celebrated human rights defenders, who had turned corrupt."

Continued from Page 85

*“Among those who know Buffalo, it is known as a very special place.”*

women workers and children." The hope, he said, is that the book will be printed and ready for use in the spring semester of 2008.

But never fear: Atleson reports he has found that Maine is not lacking for musicians, and the music will go on.

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3 February 2006 Vol 47 No 3

# AFRICA CONFIDENTIAL

2 KENYA

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# Going down with the ship

**Finance Minister David Mwiraria is the first domestic government faces a growing anti-corruption backlash**

The momentum behind the anti-corruption drive, sparked by press reports of a dossier of investigations into more than US\$1 billion of fraudulent government procurement deals, now looks unstoppable. The dossier's power is its author, former anti-corruption czar **John Githongo**, who relentlessly probed the network of fraud and front companies organised by officials at the heart of government. Githongo's 36-page dossier names ministers, civil servants and businessmen whom he accuses of complicity in the graft.

Just as importantly, he unveils the structure of the deals and their corporate vehicles.

The first casualty was Finance Minister **David Mwiraria** whose resignation on 1 February makes unsteady the positions of other senior politicians referred to in the dossier – such as Vice-President **Mwinyi Awori** and Energy Minister **Kiraitu Murungi** – even if they, like Mwiraria, refuse to admit wrongdoing but step aside ‘to facilitate investigations’. Many Kenyans are asking whether President **Mwai Kibaki** can survive this latest onslaught of reports of corruption. And this week it was revealed that the Kibaki government has spent about US\$12 million on Range Rovers and Mercedes cars between January 2003 and September 2004, according to a report by Transparency International and the Kenya Human Rights Commission.

Githongo chose his moment well to release details of his investigations to Kenyan journalists. Since January 2003 and September 2004, to produce a comprehensive dossier, first by the Anti-Corruption Commission (ACC), Just

Githongo chose his moment well to release details of his investigations to Kenyan journalists. Since leaving Nairobi for **Britain**, where he resigned his post on 24 January 2005, Githongo has coordinated research with his lawyer and political advisor **Makau Mutua**, to produce a comprehensive dossier, firstly for President Kibaki, and secondly for the head of the Anti-Corruption Commission (ACC), Justice **Aaron Ringer**.

**Secret scams, anonymous refunds**

Presented as diary, Githongo's dossier recounts his team's investigation of the unexplained disappearance of millions from President Kibaki's accounts.

Aaron Ringera.

The Finance (ALF) scam: a contract awarded to a non-existent company to produce passports for over 80 million Kenyans at \$37mn.; the nearest competitor had quoted \$10mn. for the same contract. At the address for ALF's office in Britain was a property company, Saagar Associates, owned by a member of the Kenyan-Asian Kamani family. Once Githongo's team had identified the scam and discovered that payments had been approved by Finance Minister Mwirira, some \$6.3 mn. was anonymously repaid to a Central Bank of Kenya account by a company called Infotalent, whose owners could not be traced.

"The first half of our team made progress, identifying 18 suspect contractors ranging from \$10 to \$50 mn. As we continued to investigate, more companies came forward claiming they were owed money," says Githongo.

Githongo also claims that he has exposed "other corrupt transactions." Justice Minister Mwangi referred to ALF as the "most important case file" while Permanent Secretary in the Ministry of Lands, Housing and Urban Planning, Mr. Joseph Njiru said it included a mega contract for a road project worth about \$900m., involving Chinese firms such as China Road & Bridge Corp., especially those who are active in East Africa.

# Faculty

## NOTABLE QUOTABLES

*A brief sampling of quotes from UB Law professors in the*

“



**Professor Lee A. Albert recalls Alito in Boston Globe, USA Today**

Articles in the *Boston Globe* and *USA Today* on the nomination of Samuel A. Alito Jr. to the Supreme Court quoted UB Law School professor Lee Albert, who taught Alito at Yale University and maintained a close relationship with him over the years. Albert called his former student “thoughtful, serious, responsible and articulate,” and contrasted him to another former student, Hillary Clinton, whom “you would have picked out immediately as someone who was going places in a big hurry.”



**Professor Charles Patrick Ewing says in Seattle Post Intelligencer that Lennon's killer marks 25 years of infamy**

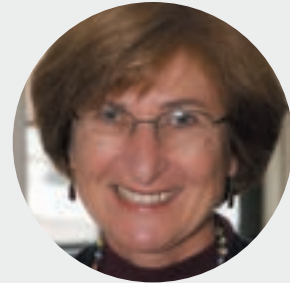
Chapman has come up for parole three times, and each time been denied. He'll again be eligible next October, but according to Charles P. Ewing, a professor of law at the University of Buffalo (SUNY), his chances are between “slim and none” of ever being paroled.

“Very few people with a life cap ever get paroled and his case has generated so much negative publicity,” Ewing says.



**Professor Rebecca R. French discusses the Dalai Lama in Business First**

“He’s talked about human rights and the relationship between Buddhism and politics, but he’s never really talked about law in respect to Buddhism.” Professor Rebecca French, an international authority on Tibetan law, before the 14th Dalai Lama presided over a discussion of law and Buddhism.



**Professor Lynn Mather speaks of women and financial issues during divorce in The Buffalo News**

“Those emotions interfere with the ability to ask rational questions and understand financial detail,” said Lynn Mather, a professor of law and political science and author of ‘DIVORCE LAWYERS AT WORK.’ Wives should be paying attention to the financial details within a marriage.”

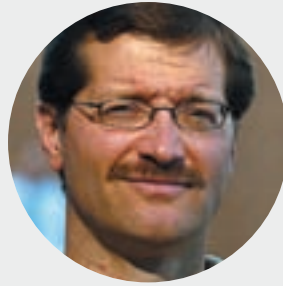


*national and international media this year*



**Professor Teresa A. Miller is quoted in Bloomberg.com that much of the division in the U.S. on immigration legislation is due to fear**

"The current congressional debate over legislation criminalizing illegal, and overwhelmingly Hispanic, immigration reflects American anxiety over the browning' of the U.S. due to Mexican and Latino immigration over the past 40 years," said Teresa Miller, a professor at the New York's University at Buffalo Law School, in a statement. "This is a critical period for Hispanics and their future in America."

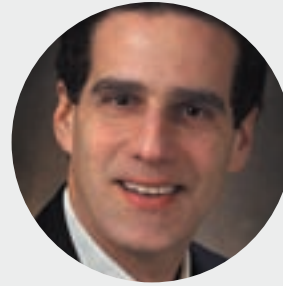


**Professor James A. Wooten talks to the New York Times about the growing number of companies that are defaulting on employee pension plans.**

"Congress knew it was creating an imperfect system when it established the pension corporation in 1974, and that it expected to make improvements later."

**In CBS MarketWatch.com Wooten discusses the impact terminated pensions will have on people when they retire:**

"If you have a really high pension, you have a problem. ... Pilot pensions and early retirees are the main places you see cuts."



**Professor James A. Gardner discusses the Alaska Constitution in the Fairbanks Daily News-Miner**

Alaska got off to "a good start" as a new state without much internal political development.

"A lot of state constitutions are considerably older ... and they have tended to grow and develop by accretion. You get this kind of barnacle-encrusted armature that loses its shape or integrity."





# Faculty

## HIGHLIGHTING FACULTY SCHOLARSHIP

### *A snapshot of research*

An impressive compendium of recent scholarship by the UB Law School faculty illustrates the Law School's continuing excellence in interdisciplinary and integrative legal studies. First published in 2005, the updated edition, which was published in October, includes entries from 51 faculty members – tenured and tenure-track faculty, full-time clinical faculty and research and writing professors.

In introductory paragraphs, the professors explain why they believe their research may be interesting and worthwhile. "We wanted to provide insight into the way our professors are thinking about topics that they care deeply about," said Professor Errol Meidinger, vice dean for research who organized the project.

Each then lists their areas of scholarly interest and details the scholarship they have produced, ranging from law review articles, books, book chapters, and practice-oriented materials, to monographs and academic papers. An alphabetical index of areas of interest is included.

The brochures have been mailed to ABA law schools throughout the country, as well as an electronic version. It can also be found on the Law School's Web site: [www.law.buffalo.edu](http://www.law.buffalo.edu).

"The list reflects UB Law faculty's significant contributions to current issues in legal scholarship," says Dean Nils Olsen.



*"We wanted to provide insight into the way our professors are thinking about topics that they care deeply about."*

— Professor Errol Meidinger, vice dean for research who organized the project

**James A. Wooten**  
Professor  
Ph.D. Yale University  
JD, Yale University  
MA, Yale University  
BA, Rice University

**Lucinda M. Finley**  
Vice Provost for Faculty Affairs and  
Appellate Advocacy  
JD, Columbia University  
BA, Barnard College

**Makau W. Mutua**  
Floyd H. & Hilda L. Hurst Faculty Fellow and Professor  
SJD, Harvard University  
LLM, Harvard University  
LLM, University of Dar-es-Salaam (Tanzania)  
LLB, University of Dar-es-Salaam (Tanzania)

**Markus D. Dubber**  
Professor and Roger and Karen Jones Faculty Scholar  
Director of Buffalo Criminal Law Center  
JD, Stanford University  
AB, Harvard University

**Robert J. Steinfield**  
Professor and Roger and Karen Jones Faculty Scholar  
Ph.D. Harvard University  
LL.M. Harvard University  
JD, Boston College  
AM, Harvard University  
BA, City College of New York

**AREAS OF INTEREST**  
Criminal Law, Criminal Law, Jurisprudence

**RECENT PUBLICATIONS**  
The Origins of American Criminal Law: A History of the American Criminal Law (University of Chicago Press, 2004)  
The Rhetoric of Motive in American Criminal Law (University of Chicago Press, 2004)  
Punishment Theory: Moral Foundations and the American Criminal Law (University of Chicago Press, 2004)  
The Poetics of the Pragmatic Criminal Law (University of Chicago Press, 2004)  
Felonies Murder and Mens Rea: A Study in Statutory Interpretation (University of Chicago Press, 2004)  
Meaning and Motive in the American Criminal Law (University of Chicago Press, 2004)

**Articles**  
The Most Glorious Story of Business: The Stuffed Baker's Tale (University of Chicago Press, 2004)  
The Poetics of the Pragmatic Criminal Law (University of Chicago Press, 2004)  
Felonies Murder and Mens Rea: A Study in Statutory Interpretation (University of Chicago Press, 2004)  
Meaning and Motive in the American Criminal Law (University of Chicago Press, 2004)

**REPRESENTATIVE EARLY ARTICLES**  
The Story of Roe v. Wade: A Political Turmoil in Context (Mike Dorf, editor) (Fordham Law Review, 1997)  
Guarding the Gate to the Courts: Are Using Their Evidence to Remake Tort Causation? (Clifford Symposium, 1999)  
Female Trouble: The Implications for Women, Tennessee Law Review 879 (1997)  
Sex - Blind, Separate But Equal, or Ferguson for Sex and Gender Discrimination? (Georgia State Law Review, 12: 1089-1128 (1996))

**Chapters**  
The Pharmaceutical Industry and Women's Reproductive Health: The Perils of Ignoring and Blaming Women in Corporate Victimhood (James Fox and Elizabeth Sockol, eds. (Northwestern University Press, 1996))  
The Freedom of Access to Clinic Entrances Act of 1994 in Major Acts of Congress (Greenwood Publishing, 2004)

**Continued on next page**

## The 20 most psychologically intriguing legal cases

*Professor Ewing's new book chronicles the search for truth and justice*

**F**rom investigations into Lee Harvey Oswald's troubled adolescence to courtroom debates over Mike Tyson's violent tantrums, the 20 most psychologically intriguing legal cases of the past 50 years are chronicled in a new book coauthored by a University at Buffalo law professor and a clinical psychologist who is a graduate of the UB Law School.

*In Minds on Trial: Great Cases in Law and Psychology* (Oxford University Press, 2006) SUNY Distinguished Service Professor Charles Patrick Ewing, J.D., Ph.D., and Joseph T. McCann Psy.D., J.D., examine the sometimes bizarre and often intriguing workings of the human mind, as exposed by the legal system and by the

psychologists who worked on the cases. And they document examples of how the practice of psychology, and the use of psychologists as expert witnesses, can aid the search for truth or can be misused, sometimes with controversial results.

Both Ewing and McCann '94 are renowned forensic psychologists who have consulted on hundreds of criminal cases involving what they describe as "some of life's most fascinating and tragic figures," though neither Ewing nor McCann was involved in the cases described in the book.

The 20 cases selected for the book include in-depth descriptions of famous trials involving high-profile participants, such as Jeffrey Dahmer, Patty Hearst, John Hinckley, Woody Allen and heavy-metal rockers Judas Priest. Other cases offer glimpses into the minds of lesser known but very intriguing principals, such as George Metesky, a.k.a. the "Mad Bomber," sexual abuser Cameron Hooker, Andrea Yates, the Texas woman who drowned her five children, and alleged Nazi war criminal John Demjanjuk.

Some cases — like the one involving a dead naval officer accused of causing the accidental deaths of 46 fellow sailors on the USS Iowa — show the limitations of psychology in the search for the truth and highlight conflicts that sometimes arise between psychology and the legal system.

"The book shows the vital role psychology plays in so many aspects of the American system of justice," Ewing says. "Numerous cases hinge not on what a person did but why they behaved as they did, and that's a question psychology can help answer."

"These 20 cases address the most profound psychological questions posed by the legal system," he adds, "and often the answers are very far from clear cut."

Says McCann, "The book also documents how the use of psychology has changed over the years, from its use for more common issues like insanity and competency, to a broad range of issues, like the reliability of eye-witness testimony, the basis of memory and how it affects testimony, and the nature of family relationships in child custody cases."

The 20 cases were selected, the authors say, because they deal with extraordinary circumstances that defy human understanding, involve fascinating psychological issues that go to the heart of the search for truth or show how mental-health issues are central to the process of distributing justice fairly.

Below are brief descriptions of the 20 cases chronicled in the book:

**George Metesky, Profiling the "Mad Bomber"** — For 16 years Metesky planted homemade bombs around New York City and boasted of his crimes to the newspapers. Pursuit of Metesky and his capture in 1957 gave birth to criminal profiling, the authors say.

**Lee Harvey Oswald, The Formative Years of an Assassin** — From this fascinating account of an adolescent Oswald's psychiatric examinations, the authors question whether psychological intervention could have stopped Oswald from assassinating President Kennedy.

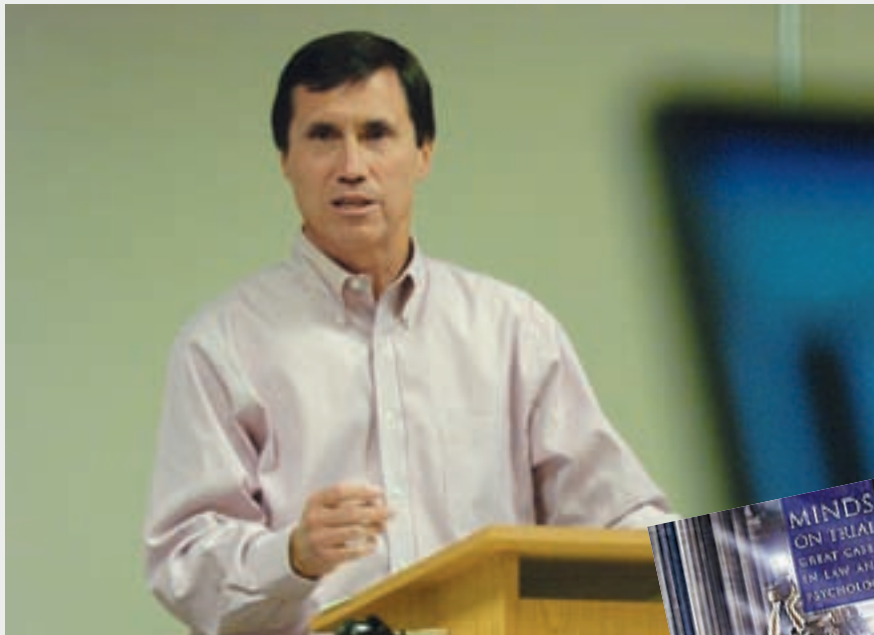
**Patricia Hearst, Uncommon Victim or Common Criminal?** — This famous trial brought the word "brainwash" and attorney F. Lee Bailey into public consciousness; it provides an interesting look at dueling expert witnesses who attempted to discern Hearst's state of mind.

**The Guilford Four, "You Did It, So Why Not Confess?"** — This extreme example of coerced confessions in the case of a 1974 IRA bombing in Guilford, England, points out that confessions may be unreliable as evidence, though juries are led to believe otherwise.

**Prosenjit Poddar and Tatiana Tarasoff, Where the Public Peril Begins** — This seemingly unremarkable case of unrequited love and murder



“The book shows the vital role psychology plays in so many aspects of the American system of justice.” —SUNY Distinguished Service Professor Charles Patrick Ewing, J.D., Ph.D.



spurred major changes in the law governing patient privacy and the responsibility of therapists to report potential violence.

**Dan White, The Myth of the Twinkie Defense** — Popular lore says White got away with murder because psychologists convinced a jury that his irrational behavior was caused by junk food, but the authors say Twinkies had little to do with the jury's decision.

**Cameron Hooker, Judging the Experts** — This bizarre case involving a sexual abuser and his strangely passive captive of seven years illustrates the power of mind control and coercion, and brings into question the credibility of “batting” expert witnesses.

**John Hinckley Jr., Shooting for the Stars** — Was President Reagan's would-be assassin mentally ill or just a narcissistic bum? This case is famous for Hinckley's bizarre obsession with actress Jodie Foster, the number of expert witnesses who assessed his sanity and its role in toughening legal standards for insanity.

**Judas Priest, A Message in the Music** — Did subliminal messages drive two fans to suicide? This case refocused debate over how media influences people's behavior and chilled other civil cases claiming subliminal influence.

**John Demjanjuk, Is He “Ivan the**

Terrible”? — This case involving the identity of an alleged Nazi war criminal living in the U.S. questioned the reliability of eyewitness testimony and examines the psychological factors that influence memory and eyewitness identification.

**The USS Iowa, Equivocating on Death** — This case involving a naval officer who died with 46 fellow sailors in a suspicious explosion was among the first cases to use a psychological autopsy — or equivocal death analysis — to try to discern the motives of the deceased.

**Jeffrey Dahmer, Serial Murder, Necrophilia and Cannibalism** — How could a jury judge one of history's most bizarre serial killers to be sane? The authors uncover whether Dahmer's childhood held clues for his inhumane behavior later in life.

**Woody Allen and Mia Farrow, A Swing of King Solomon's Sword** — This very public child custody and alleged child-abuse case — complicated by Allen's relationship with his 22-year-old adopted stepdaughter — shows why child custody cases are among the

most difficult faced by forensic psychologists.

**Gary and Holly Ramona, Recovered Memories or False Allegations?** — This civil trial of a father accused of sexual abuse by his daughter cast doubt on the validity of “recovered memories,” which were central to the daughter's accusations.

**Colin Ferguson, A Fool for a Client?** — Though obviously mentally ill, the perpetrator of the 1993 Long Island Railroad massacre adequately represented himself in a trial that found him guilty of several counts of murder.

**Ralph Tortorici, A Question of Competence** — In 1996 a mentally disturbed university student took 35 fellow students hostage, injuring two. Judged competent to stand trial and convicted of all charges, Tortorici committed suicide in prison, reopening debate over his mental competence.

**Mike Tyson, Predicting the Violence of a Professional Fighter** — This evaluation of Tyson's psychiatric status, ordered after he bit off a piece of Evander Holyfield's ear, determined whether Tyson was too dangerous to be allowed in a boxing ring.

**Daryl Atkins, Mental Retardation, Decency and the Death Penalty** — This 1996 case involving a mentally retarded man found guilty of robbery and murder prompted a Supreme Court ruling that barred sentencing the mentally retarded to death.

**Andrea Yates, An American Tragedy** — This tragic case outraged and horrified the public, but the authors say killer Andrea Yates may not have been treated fairly in the trial that found her guilty of murdering her five children.

**Michael Kantaras, What Makes a Man a Man?** — In this strange divorce and child-custody case, the court sided with psychological evidence showing that a person born a woman was now a man, and awarded him primary custody of an adopted child and a child conceived through artificial insemination.

## Crime and publication

*Professor Markus Dubber produces a spate of books*



*Professor Markus Dubber shows how victims' rights can help build a more humane justice system founded on respect for the personhood of both offenders and victims.*

**T**he shelves in Professor Markus Dubber's O'Brien Hall office are crowded, and he is not helping that problem. In the past two years, Dubber, who directs the Buffalo Criminal Law Center, has published seven books.

They include a casebook and its accompanying teacher's manual, a monograph in German, and a volume of articles co-edited with a University of Toronto sociological theorist whom Dubber met at a Baldy Center workshop. The Canadian scholar, Mariana Valverde, was in Buffalo to present at the workshop, and they discovered they had common academic interests.

Dubber and Valverde presented a Baldy Center workshop in 2004 that was co-sponsored by the Buffalo Criminal Law Center; it resulted in the book *The New Police Science: The Police Power in Domestic and International Governance*. It is the first in a series from Stanford University Press that Dubber will edit, called "Critical Perspectives on Crime and Law."

The book examines the history and current use of the state's power to police its citizens, broadly defined as the power to maximize public welfare – its "peace, order, and good government." It includes pieces by scholars of law, criminology, political science, history, sociology and social theory.

It follows on the heels of another book by Dubber on the subject, *The Police Power: Patriarchy and the Foundations of American Government*. A constitutional and legal history of the modern state's power to police its citizens, the book examines how modern criminal law reflects the historical power of the householder over his household.

The 1,000-page casebook, *American Criminal Law: Cases, Statutes, and Comments*, is accompanied by a teacher's manual. Dubber notes that the casebook, written with Mark G.

Kelman of Stanford Law School, is packaged with a CD that incorporates the annotated Model Penal Code, an analytic structure of American criminal law, and interactive student tutorials. It is published by Foundation Press.

The German-language *Einführung in das US-amerikanische Strafrecht* has been described as "the first book on the general principles of American criminal law written in German." Dubber explains that much scholarship on criminal law has come out of Germany, and this book is intended to export American understandings of criminal law back to the Continent.

*The Sense of Justice: Empathy in Law and Punishment* (NYU Press) analyzes the concept of the "sense of justice," a frequently used but nebulous concept in criminal jurisprudence. Dubber defines this elusive sense in terms of empathy – "the emotional capacity that makes law possible by giving us vicarious access to the experiences of others." In so doing, he argues that the sense of justice, far from an irrational emotional impulse, is a valuable legal tool.

Finally, *Victims in the War on Crime: The Use and Abuse of Victims' Rights* (NYU Press, a 2002 publication now out in paperback) provides a critical analysis of the role of victims in the criminal justice system. Examining, among other topics, the "war on crime" and the victims' rights movement, Dubber shows how victims' rights can help build a more humane justice system founded on respect for the personhood of both offenders and victims.

*"We all recognize that this world is hard on black men. But we also realize that black men are internalizing ideas that are deeply problematic, and they need to go beyond that."*

# Remaking the 'real man'



## *Professor Athena Mutua's book explores new visions for black masculinities*

**W**hat does it mean to be a man? What does it mean to be a black man? And what might it mean to be a black man freed of the dominant, violent, aggressive model that American culture has imposed on the male sex? Those are some of the questions asked and answered in *Progressive Black Masculinities* (Routledge), a just-published collection of essays edited by UB Law Associate Professor Athena D. Mutua.

The book grew out of a workshop and a larger conference held at the Law School's Baldy Center for Law and Social Policy; the papers presented at that conference form the bulk of the volume. Mutua says the idea for the conference began with a class on

Critical Race Theory that she taught with Professor Stephanie L. Phillips, who has an essay in the collection.

At issue, Mutua says, are the ways that American culture speaks to African-American men about how "real men" behave. "All men are not privileged the same," she says. "Men themselves are divided by race, class, ethnicity and religion."

Men in general, she says, are subject to a "hegemonic" idea of masculinity that raises the notion of an unreachable ideal man. Individual men, Mutua says, are judged by how close they come to this ideal, which is characterized by a sense of dominance of the environment, work and home. The culturally imposed ideal is of a white, upper-class, propertied man, she said – "real men" who

are not feminine, not gay, not boys and not black. And so the very idea of a "real man," Mutua argues, is inherently racist.

Hand in hand with that cultural racism, she says, is the pressure for black men to demonstrate the aggression and dominance that the male ideal demands. That pressure limits the full expression of men's individuality, but also limits the potential of the women in their lives, and for those around them, reinforces negative stereotypes of black men. "Black men get stuck in really limited images," says Mutua, who in addition to serving as editor wrote the book's introductory chapter setting out its premises.

Much of *Progressive Black Masculinities* is devoted to proposals for how to reinvent the ideal of the black man, suggesting new models that transcend the cultural racism and violence of the old ideal. For example, one writer presents an image of the strong black man as measured by the strength of his commitment to his family – a new model that does not confuse dominance for strength.

Other essays deal with the progressive and regressive aspects of hip-hop culture; the problematic aspects of the biblical letters of Paul; and a very personal piece by Duke University professor Mark Anthony Neal about the challenge of being a pro-feminist, progressive father of a daughter.

"We all recognize that this world is hard on black men," Mutua says. "But we also realize that black men are internalizing ideas that are deeply problematic, and they need to go beyond that."

She also acknowledges that, as a female scholar, she brings an outsider's sensibility to men's issues. But she and her husband, UB Law Professor Makau Mutua, have three sons, and Athena Mutua says the book is personal to her because of them. "What do I do with these sons?" she asks. "What is it that I want to tell them? I want to tell them this: Please be progressive. Please be human."





## WHY AMHERST?

*Professors Greiner and Headrick explore the University's big move in a new book*

**T**wo UB Law professors who helped lead the University at Buffalo have compiled a history that answers an often-asked question: How did the University's main campus end up in Amherst rather than the City of Buffalo?

Professors William R. Greiner, who served as the University's 13th president, and Thomas E. Headrick, the school's former provost and law dean, collaborated on the project. At least in part, Greiner said, the book was prompted by continuing complaints from second-guessers who think the University should have located on a "downtown campus." In his 24 years in Capen Hall, Greiner said, "we suffered in silence" on the issue.

Says Headrick: "When I was provost and for the 20-odd years before that, I very frequently found people complaining about the fact that the University was out in Amherst and not on the waterfront. I heard that so many times that I finally

decided to see what I could find out in the UB records about how the decision was made to come out to Amherst."

What resulted was a joint effort to mine the UB Archives as well as those of the State University of New York. Especially important, they said, were the papers of former UB Chancellor Clifford R. Furnas, who organized an extensive consultation process to hear from academic and administrative interests within the University. The authors read planning documents, notes from the facilities department, correspondence and minutes of the UB Council. They also interviewed some of the principals in the 1964 decision to locate the campus in Amherst.

Greiner and Headrick emerged with a portrait of a decision-making process that was anything but ill-considered. The choice, they said, came down to the limitations of what was then the school's main campus, at Main Street and Bailey Avenue in Buf-



*"I finally decided to see what I could find out in the UB records about how the decision was made to come out to Amherst."*

— SUNY Distinguished Service Professor  
Thomas E. Headrick

falo, and SUNY and UB administrators' vision for what the University was to become.

"The formation of SUNY started people thinking about public higher education in New York State on a much larger scale," Greiner said. "Once we got into the SUNY system in 1962, the discussion really heated up about how big and where we would be.

"How does an institution go about making the decision to pick up and

move seven miles? The decision-making was about New York State building in Buffalo a great state university. The goal was to build something great for the region and the state. The planning for all of this was very carefully done for a long time, and the guiding principle was to build a great university."

In one study, five possible locations were canvassed, including a 400-acre site that would have stretched from the city's Allentown neighborhood to the Erie Basin on the waterfront. But there were two main strains of thought, Headrick said. One was to expand the Main Street campus, taking over Grover Cleveland golf course and gradually buying up housing and land in the surrounding neighborhood and growing the campus southward. Earlier in the 1950s while still private, he said, the University had tried to buy Grover Cleveland from the City, but found the price too high. As an alternative, the University purchased the Audubon Course in Amherst with the intention of trading it for the Grover Cleveland property. But the Town of Amherst interceded, bought Audubon from the University for town recreation, and assisted the University in acquiring 246 acres, north of the Audubon course in Amherst for future expansion. This acquisition gave the University a foothold in Amherst, well before SUNY ever appeared on the scene.

**T**he other idea was to start over on a new site, for which about 1,000 acres would be needed to fit SUNY's plan for a major state university. "It was never really specified where," Headrick said, "but clearly Amherst was a logical location



*“Once we got into the SUNY system in 1962, the discussion really heated up about how big and where we would be.”*

— President Emeritus and University Professor William R. Greiner

because the University already owned 246 acres there. It was not that far away from the existing campus, there was reasonable street transportation, and Route 290 came by it. There were a lot of logistical virtues to Amherst.”

He said most of the University’s academic interests, worried about the transition to a new campus, favored staying on Main Street. Those in charge of athletics and student services pushed for a larger single site.

The key question, Headrick said, was one of enrollment: “Was 20,000 enrollment going to be the cap for Buffalo? There were different educational theories about what UB would become at the time. SUNY’s planners thought in terms of a big Midwestern

state university. Furnas and others on the academic side were thinking more in terms of a public Ivy – a very high-quality institution, with a reasonably-sized enrollment, but not gargantuan, open to highly qualified students. People in Albany rejected this idea, and they did not want to be hamstrung by the location at Main and Bailey.”

Ultimately, the SUNY Trustees opted both to keep the Main-Bailey (South) Campus for the Health Sciences and to move the College and other professional schools to a new site in Amherst. That decision was made in 1964. In that process, no other sites were given serious consideration. The so-called waterfront site became an issue only in 1966 when the idea

was resurrected by a group of Buffalo citizens who organized as the committee for an urban university. At their urging the Governor asked the Trustees to reconsider the choice of sites. The Trustees brought in a consultant, Dr. Mason Gross, then President of Rutgers University, to review the site selection. Gross and Heller Associates, an engineering firm he selected to assist him, confirmed the original decision, and in February 1966 the Trustees again committed to their 1964 choice.

**T**oday, the University – SUNY’s flagship campus – enrolls about 27,000 full- and part-time students on its two main sites.

The book also summarizes the University’s earlier history, beginning with its original conception in 1836, and describes the founding in 1922 of the Main Street campus – the far reaches of the municipality back then. “People say UB should not have gone to the suburbs,” Greiner said. “Well, UB went to the suburbs in 1922.”

“If you want to understand anything, it seems to me you have to know its history. I do not think we spend enough time studying history.”

# Alumni Association



Hon. John P. Lane '53



Garry M. Graber '78



Hon. Elena Cacavas-Schietinger '85



Robert P. Fine '68



Christopher T. Greene '74

## Five of a kind

*Distinguished Alumni honorees share a passion for service*

The 44th annual meeting and dinner of the UB Law Alumni Association proved one thing: When a Buffalo Sabres playoff hockey game is on the night's TV schedule, the speeches tend to be shorter.

But hockey fever did not detract from the main business of the evening, honoring five Law School alumni for their good work and their good works – in practice and in the community. The 2006 Distinguished Alumni Awards were presented following the May 10 dinner – a full house – in the Hyatt Regency Buffalo.

"We honor these five special people not only for being distinguished in their individual careers, but also to express our sincere gratitude on behalf of the Law School and the Law School Alumni

Association for the honor and the distinction their careers have brought to our Law School," said Hon. John M. Curran '84, outgoing president of the Alumni Association. Dean Nils Olsen noted that four of the five honorees have served on the Dean's Advisory Council, adding, "What has made the Law School succeed over the last 10 years is the extraordinary support of our alumni and the wonderful quality of our students."

Co-chairs of the event were Gayle L.V. Eagan '85 and Sharon L. Wick '84. Along with Curran, they introduced the honorees as photos of the alumni were displayed on a screen.

### The 2006 honorees:

**Hon. John P. Lane '53**, New York State Supreme Court justice, "for his

conscientious and diligent performance in the judiciary." Lane is supervising judge for the Supreme Court's 8th Judicial District. He served as Amherst town attorney from 1971 to 1996, and served on the state Court of Claims before being appointed to the Supreme Court. He also was in private practice from 1953 to 1996.

Curran noted that Lane is the son of two UB Law graduates: John F. Lane '16 and Mary A. Blakely Lane '20. "He has authored dozens of opinions and is certainly one of most active judges on the circuit," Curran said. "He oversees 20 or more jury trials every year. Frankly, he works way too hard to be a judge. ... John Lane is hard-working and a man of great integrity. He is a judge and a lawyer who truly cares about getting it right. What else do trial lawyers want? I



am convinced that his confirmation name had to be Fairness."

**Garry M. Graber '78**, for his leadership by example as a private practitioner." Graber, a partner in the Buffalo law firm Hodgson Russ, specializes in bankruptcy and corporate restructuring, commercial and corporate litigation, and general business law. He is immediate past president of the Upstate New York Chapter of the Turnaround Management Association, and a past president of the Bar Association of Erie County, the Volunteer Lawyers Project and the UB Law Alumni Association.

"On a scale of 1 to 10, Garry, you are a 10-plus," said Wick in her introduction, noting that Graber has been listed in *The Best Lawyers in America* since 1990. "Although a busy lawyer, he has always made time for the Law School," she said, noting that since 1991 Graber has taught bankruptcy law as an adjunct professor at the Law School.

**Hon. Elena Cacavas-Schietinger '85**, administrative law judge for the New York State Public Employment Relations Board, "for her commitment to public service." After practicing labor and employment law in Buffalo with Hodgson Russ, Cacavas was appointed to her current position in New York City. She also serves on the Dean's Advisory Council at UB Law, and has raised a significant amount of money for breast cancer research.

Eagan noted that Cacavas built her career while she and her husband, George, raised three sons. When they were still toddlers, Eagan recounted, Cacavas was on her way into a hearing room when a colleague called to her: "Judge, you have a Barney sticker on your behind."

"To a person," Eagan said, "those who work with Elena at PERB are amazed at the way she is able to take on additional work above and beyond her caseload, willingly and at ease, in a department that is understaffed. No one questions her clarity of thought, her precise and well-reasoned writing, and the sheer quality of her work." Cacavas also works with her husband on a foundation that brings schoolchildren from impover-

ished and war-torn areas of Africa to the United States to be educated. "So far 45 children have benefited," Eagan said. "Many of them have done so well that they have obtained scholarships for college. At least one made it to the ranks of professional basketball."

**Robert P. Fine '68**, managing partner of the Buffalo law firm Hurwitz & Fine, "for his exemplary performance in business." Fine has extensive experi-

among other development entities.

Eagan noted that Fine "started out in the world of business play-acting with his cousins at the three desks that were set up in the Fine family playroom." The firm he co-founded, she said, has grown from three to 26 lawyers, and "just as his law firm grew, so did his reputation soar as a corporate attorney." She also noted that Fine has served as secretary of the Erie County Industrial Development Agency under two administrations, having been appointed once by a Democratic county executive, then reappointed by a Republican: "Obviously Bob's talents have transcended politics."

**Christopher T. Greene '74**, managing partner of the Buffalo law firm Damon & Morey, "for his many contributions to the betterment of our community." Greene is active in innumerable charitable and civic organizations, notably as the former chair of the Hauptman-Woodward Medical Research Institute (where he led fund-raising for the institute's \$24 million building project) and current chairman of the Hauptman-Woodward Foundation. He is a board member of the Buffalo Niagara Medical Campus, the Buffalo State College Foundation and the National Conference for Community and Justice, Western New York Region.

"Chris has keen devotion to our community, and that is why he is here tonight being honored," Wick said. "Damon & Morey continues to flourish and prosper under his leadership. Within his firm, Chris is noted as being the hardest-working attorney and a mentor to many. He is regularly recognized for his excellence as a lawyer. ... In his public service, Chris has not only the technical skills and knowledge, but the personal skills to bring parties together."

Concluded Curran, addressing all the honorees: "Thank you for letting us claim you as our own."

The celebration also included recognition of the Classes of 1946 and 1956.

Dennis R. McCoy '77, president-elect of the UB Law Alumni Association, presided over another first: a drawing for an iPod, donated by Lexis/Nexis.



Top, Gary M. Graber '78 and Gayle L. Eagan '85. Above, Dennis R. McCoy '77 and Sharon L. Wick '84.

ence in the purchase and sale of business entities, including stock and asset transactions; business valuation; and in transactions involving major financial institutions, including industrial bond matters. Former vice chair of the board of directors of Roswell Park Cancer Institute, he is secretary of the Erie County Industrial Development Agency,

# Alumni Association

## Judge Telesca wins 2006 Jaeckle Award



Hon. Richard Arcara, Chief U.S. District Judge, with Hon. Michael A. Telesca '55, U.S. District Judge

*His career on the bench has encompassed county, state and federal judgeships*

**H**on. Michael A. Telesca '55, whose career on the bench has encompassed county, state and federal judgeships, received the 2006 Jaeckle Award at a Nov. 18 luncheon.

Telesca has served since 1982 as a U.S. District Court judge for the Western District of New York, and was chief justice of that court from 1989 to 1996. He continues as a District Court judge, based in Rochester.

Presentation of the award, the highest honor bestowed by the Law School and the Law Alumni Association, began with a musical soundtrack: a song composed for the occasion and sung by the Acappellants, to the tune of Billy Joel's *For the Longest Time*.

*In the Western District of New York you will find most days in federal court behind his desk a man who's known as Mike Telesca and he's been presiding for the longest time...*

The lightheartedness gave way to sincerity as a series of speakers addressed the honoree, a previous winner of the Distinguished Alumnus Award and a Buffalo Law Review award.

Said Dennis R. McCoy '77, president of the UB Law Alumni Association: "When I think about these events, and particularly this event, I think about the people who receive this award. Certainly it is an honor. But I also reflect on my own life and my own practice and how the example they set for me can be significant in terms of my life. I think the



Hon. Richard Arcara, Chief U.S. District Judge, compares his awards to Judge Telesca's.

me. It is just how he is."

And Professor William R. Greiner, the 2002 recipient of the award, said in presenting the award to Telesca: "There is an old saying that you are known by the company you keep. I think I can say without quibble from anyone that every single recipient of the Jaeckle Award today feels better about the award and themselves because you are joining their company. You are a great role model for all of us."

The honoree thanked the Law School "for accepting me," and cited supportive professors including Albert R. Mugel and Jacob D. Hyman. He noted that his was a success story that began with his mother and father, immigrants to America. "Blind faith in the



Former UB President William R. Greiner presents the Jaeckle Award to Judge Telesca as his wife Ethel and Law Alumni President Dennis R. McCoy '77 look on.



Ethel Telesca congratulates her husband with a kiss.

example of Michael Telesca is something we can all take away from here, no matter where we are in our careers."

Vice Dean Alan S. Carrel first delivered remarks by Dean Nils Olsen, recounting Olsen's fond memories of a tour of Rochester led by the judge. "His love and enthusiastic appreciation for his hometown was readily apparent," Olsen wrote. "We stopped at his favorite bakery, and he bought me two loaves of what he assured me was the best Italian bread in Rochester. ... He is a man and a judge for whom I have the highest respect and admiration."

For his own part, Carrel said: "We are honoring tonight a uniquely gifted person with insight, intellect, charisma, integrity and courage. We are honoring a judge who has spent his entire career protecting the rights of people. As a judge, he is a role model for all other judges to follow, and as a person, he is a role model for all other people to follow."

Hon. Richard J. Arcara, chief judge for Western District of New York, said: "You cannot imagine how much of a mentor he has been to me over the years. Of course, this is not unique to

American dream led my parents from a small village in south-central Italy to this country," Telesca said. "They came to this country without the ability to speak the language, without knowledge of the customs, and without money."

He also acknowledged his wife, Ethel, and President Ronald Reagan, who nominated him to the District Court seat and called "to ask my permission to send the nomination to the Senate. I will never forget it."



# Alumni Association

## Wrestling with technology



Professor James G. Milles



Kenneth W. Africano '85



Michael R. Wolford '68



Hon. Eugene F. Pigott '73



Paula M. Ciprich '85

### *31st annual Alumni Convocation goes digital*

Practitioners and students at UB Law School's 31st annual Alumni Convocation, held Nov. 18 at the Hyatt Regency Buffalo, had a whirlwind tour of developments in electronic technology and their effect on the practice of law.

There was music and cooking, too, to lighten things up.

The music was courtesy of the locally famous quartet the Acappellants – **Hon. Erin M. Peradotto '84** and Buf-

falo attorneys **John P. Freedenberg '84**, **William C. Schoellkopf '87** and **Ellen Swartz Simpson '90**. The cooking was a lesson in pasta making by the husband-and-wife team of **Paul J. Suozzi '79** and **Karen L. Spencer '88**, original writers of the Culinary Counsel feature of the Law School newspaper, *The Opinion*.

The serious business revolved around the way electronic information technology continues to change legal practice.

**Hon. Leslie G. Foschio '65**, U.S. magistrate for the Western District of New York, addressed newly proposed federal rules governing discovery proceedings for electronically stored information. The rules, he said, involve "issues of the potential loss of attorney-client privilege during discovery actions that may involve massive numbers of e-mails, electronic documents and other electronic media." They specify that attorneys must bring such issues before the court, along with proposals for how to address them.

Courts, Foschio said, already can limit discovery on several grounds, including avoiding duplication and the availability of the information from more convenient or less expensive sources. The proposed federal regulations, he said, come with "a whole new subset of rules specific to electronically stored information," including a rule that says if discovery uncovers privileged information, the producing party has the right to demand its return, and the receiving party must preserve the information and take reasonable steps to retrieve it.

**Kenneth W. Africano '85**, a litigator with Harter Secrest & Emery, spoke on some of the practical aspects of electronic discovery. One is the availability of "meta-data" related to a document – information about "who edited the document, when it was edited, when it was created, how many times it was changed, when it was last saved." Such information, he said, can resolve "he said/she said" disputes – "yes, I handed you the letter at that meeting," versus "no, you did not."

Africano also addressed issues of data destruction. "Computers are constantly and automatically deleting information," he said. "They are destroying evidence all the time. We have to force clients to take a proactive step not to destroy evidence. We have to take immediate steps with our clients to stop this from happening."

In any electronic discovery, he said, working with the IT person is crucial, because seemingly lost information may not be truly gone. "On a stand-

alone computer, deletion of an e-mail or a document does not eliminate the information from the hard drive," he said. "What eliminates the information is the overwriting of the information for a new document. That could take quite a long time. When your client says all the information was deleted three months ago, it could still be there."

**Professor James G. Milles**, associate dean for legal information services at the Law School and director of the Charles B. Sears Law Library, gave a visual tour through the world of blogs and podcasts, and discussed how they can help in marketing legal services.

A blog, he said, is "an easily updated Web site that typically has the most recent updates at the top of the page. You do not have to know anything about Web sites to do one. It could be someone's personal diary or journal; it could be anything that has regular news coming out of it. A blog is simply a medium of communication."

Sixty million such blogs are in existence. Milles said they can be used to track legal issues, find expert witnesses, conduct competitive intelligence and keep current on industry news. Lawyers also, he said, can use blogs to "educate and communicate with clients and potential clients, keep up to date on legal developments, practice writing skills, and market yourself to other attorneys who may be looking for a co-counsel in certain areas."

A podcast, Milles said, is a blog with audio or video enclosures. Such electronic media files can be uploaded to a portable listening device like an MP3 player; users can listen "in the shower, while you are driving to work, while you are working out at the gym; what-

ever you are doing, you can listen to podcasts. It is using time that would otherwise be unproductive."

Marketing using podcasts, he said, is generally most effective when the audience is those with an intellectual property or technology practice, those in en-



The Acappellants entertained: William C. Schoellkopf '87, Ellen Swartz Simpson '90, Hon. Erin M. Peradotto '84 and Jack P. Freedenberg '84

tertainment law, and professionals under 40 years old.

The morning's final segment dealt with proposed new rules by the New York State Bar Association on lawyer advertising.

**Michael R. Wolford '68** gave a brief history of attorney advertising, noting that "in the 19th century, advertising by lawyers was quite common in the United States." One such advertiser: Abraham Lincoln. The American Bar Association banned the practice in 1908, but a U.S. Supreme Court decision in 1977 opened the floodgates by holding that lawyer advertising came under the scope of First Amendment protection.

The new Bar Association rules, he said, include these amendments to the lawyers' code of professional responsibility: a ban on the use of testimonials by current clients; a ban on depicting courthouses or courtrooms; a ban on the use of nicknames or mottos that im-

ply the ability to obtain results; a requirement that legal ads be identified as such; a 30-day moratorium on soliciting for business after an accident; and a ban on Internet pop-up ads by lawyers.

"I think to some extent the pendulum has swung a bit," Wolford said, "and I believe that a number of these restrictions will be upheld. In the last analysis, I think it will be best for the profession and the general public."

**Hon. Eugene F. Pigott '73**, newly appointed to the state Court of Appeals, gave a history of how the new regulations came to be proposed, a process in which he was involved.

"We went after it with the idea that we would have a constitutionally sound rule that would help our profession," he said, "and I think that what we

have done here is going to do exactly that. The general tenor of what I looked at when we were doing this was, are we advertising to make money or are we advertising to help the public?

"When advertising gets to the point of making our profession a joke, when it gets to the point of making it difficult to practice in the areas we practice in, then something has to be done. We are about the very serious business of representing people both in court and out."

The Convocation was co-chaired by Paula M. Ciprich '85 and Kenneth W. Africano '85.

# Alumni Association



## Officers, directors elected for 2006-2007

**D**ennis R. McCoy has been elected president of the UB Law Alumni Association for 2006-2007. McCoy is a partner with Hiscock Barclay LLP, focusing on professional malpractice law and is a chair of the Torts, Insurance and Products Liability Practice Group. A 1977 graduate of UB Law, he is also a graduate of the University of Notre Dame, where he received his B.A. in 1973.

Margaret P. Gryko '77 of Delaware North Cos. Inc. is the new president-elect. Vice presidents are: Robert L. Boreanaz '89, of Lipsitz, Green, Fahringer, Roll, Salisbury & Cambria; Brian M. Melber '96, of Personius Melber LLP; Hon. E. Jeanette Ogden '83, Buffalo City Court judge; Hon. Erin M. Peradotto '84, New York State Supreme Court justice.

Treasurer is Sharon L. Wick '84, of Phillips Lytle LLP. Assistant treasurer is Gayle Eagan '85, of Jaeckle Fleischmann &



Mugel, LLP; Secretary is Marion K. Henderson '65, retired; assistant secretary is David M. Hehr '83, of Hiscock & Barclay, LLP.

Immediate past president is Hon. John M. Curran '84, New York State Supreme Court justice. Ilene R. Fleischmann, vice dean in the University at Buffalo Law School, continues as executive director.

New directors elected for terms ending in 2009 are: Lisa J. Allen '90, of Harris Beach LLP; Hon. Gail A. Donofrio '85, Monroe County Family Court judge; Hon. Lenora B. Foote, Erie County Family Court support magistrate; Tooni L. Frain '99, of Kavinoky Cook LLP; Donald W. O'Brien Jr. '77, of Woods Oviatt Gilman LLP; Lawrence M. Ross '79, of Hurwitz & Fine, P.C.; and Mark M. Warren '83, of M&T Bank.



## 2006-07 Officers and Directors of the UB Law Association

### **Front row, left to right:**

Executive Director Ilene R. Fleischmann, Richard A. Grimm III, Dennis R. McCoy, Hon. John M. Curran, William F. Savino, Hon. Amy J. Fricano, Hon. E. Jeannette Ogden and Lawrence M. Ross

### **Second row, left to right:**

Terrence A. Greiner, Kenneth W. Africano, Toni L. Frain, Hon. Amy Jo Fricano, Hon. Erin M. Peradotto and Sheri L. Mooney

### **Third row, left to right:**

Mary M. Penn, Margaret P. Gryko and Hon. Lenora B. Foote

### **Fourth row, left to right:**

Hon. Leslie G. Foschio, Hon. Craig D. Hannab and Mark W. Warren

### **Back row, cascading**

**down stairs:** Carmen L. Snell, Richard F. DiGiacomo, David P. Flynn, Trini E. Ross, Gayle L. Eagan, Carl M. Darnall and David M. Hehr



## 2006 – 07 Officers and Directors of the UB Law Gold Group

**Front row, left to right:** Associate Director Patricia Warrington, Jame E. Privitera, Pietra G. Lettieri, Stephanie Williams-Torres, Danielle Shainbrow and Executive Director Ilene R. Fleischmann

**Second row, left to right:** Rebecca Z. McCauley, Bethany J. Gilbert, Tasba E. Moore and Brian M. Swann

**Third row, left to right:** Natalie A. Grigg and Melissa Hancock Nickson

**Fourth row, left to right:** Kevin W. Houriban and Jeffrey Lloyd Kingsley  
**Fifth row, left to right:** D. Charles Roberts Jr., Marc W. Brown, Scott T. Hanson and Christopher D. Smith

# Alumni Association

## Hands across New York

### *Alumni luncheon builds a bridge between cities*

New York's upstate-downstate divide melted away in good food and good feelings as UB Law graduates in New York City gathered for their annual alumni luncheon on Jan. 27, 2006.

The luncheon, subsidized by the UB Law Alumni Association, has become a January tradition. This year it featured a non-alumnus – Judge Albert M. Rosenblatt of the New York State Court of Appeals – whose affection for Buffalo, both historically and in the present, was evident.

In the upscale Union League Club in Manhattan, Dean Nils Olsen greeted the attendees with current news from the Law School, including the school's brand-new collaboration in international finance with the Levin Institute in the New York metro area. "We hope this will reconnect us with New York City," he said.

Because the luncheon immediately followed the annual meeting of the New York State Bar Association, Olsen added his congratulations to two UB Law alumni who were honored at that gathering: Lourdes Ventura '98, president of the Latino Lawyers Association of Queens County, whose group was honored for its success; and Terrence M. Connors '71 of the Buffalo law firm Connors & Vilardo, who was honored with the Attorney Professionalism Award.

Rosenblatt, whose J.D. is from Harvard Law School, began his career as an assistant district attorney and DA in



Judge Albert M. Rosenblatt of the New York State Court of Appeals

Dutchess County before moving to the bench in county court, State Supreme Court and now the Court of Appeals, New York State's highest court. He has published widely in professional journals and has written a widely used manual on search warrants. Recently turned 70 – the mandatory retirement age for a state justice – he is also a certified ski instructor and a championship squash player.

The jurist began by thanking those who hosted the Court of Appeals in its recent session held in the Law School's courtroom. "We had such a wonderful time, and you were fabulous hosts," he said, noting that the court heard cases on such matters as limits on the authority of Buffalo housing police to make

arrests; emotional tests for civil service employment; and, "most difficult of all, whether mulch could be characterized as solid waste."

Beyond that experience, Rosenblatt drew two other connections – one historical, one literary – for his audience of Buffalo loyalists.

One was "someone who is dear to us both – your founder and my former colleague." That would be Charles Daniels, a State Supreme Court justice in Erie County who was drafted to serve as the Law School's first dean when the school was established in 1887.

Rosenblatt quoted the school's first yearbook: "Probably no law school in the country was organized and launched in its career with fewer of the

usual helpful conditions than the University of Buffalo. It had no endowment, no lecture hall, no association with an established college. But it did possess a group of earnest people, judges and practicing attorneys living in Buffalo."

Continuing with a brief history of the Law School's early days, Rosenblatt called to mind the school's first class – 15 men meeting in a classroom in the school's original Ellicott Street Building. Tuition, he noted, was \$100.

And Dean Daniels? He served for one year on the Court of Appeals, in 1869, thus making him Rosenblatt's historical colleague. On the court, Daniels authored 19 decisions and seven dissents, and, said Rosenblatt, "distinguished himself in his very first case," a landlord-tenant matter.

Rosenblatt and his wife, Julia Carlson Rosenblatt, are aficionados of Sherlock Holmes; each has published a book about the great fictional detective. And so as a member of the group of Holmes devotees known as the Baker Street Irregulars, the judge was keen to note that the first stage play about Holmes had its American premiere on Oct. 23, 1899, at the Star Theater in Buffalo. "It was a smash hit," Rosenblatt said, "and, according to the review, was conducted before 'a large and critical audience.' Which is to say, a very sophisticated group of theatergoers in Buffalo. It opened in New York City two weeks later, and Sherlock Holmes was launched on his way."

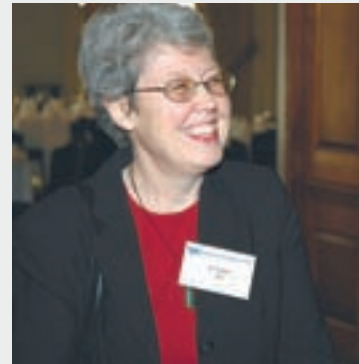
In parting, Rosenblatt continued his historical theme by giving each attendee a calendar from the Historical Society of the Courts of the State of New York. Each month of the calendar features one of the state's historic county courthouses, drawn from old postcards. And it starts the year off right: The old county courthouse in Buffalo, serving Erie County, is Miss January.



John T. Frizzell '55 and Hon. John M. Curran '84



Vice Dean Alan S. Carrel '67 and Denise E. O'Donnell '82



Jo W. Faber '82



Lourdes M. Ventura '98 and Mickey H. Osterreicher '98



Steven E. Golden '85



# Alumni Association

## Regional grips & grins

*Alumni say “cheese” at Washington, Rochester, Syracuse and New York City events*

**NEW YORK:** Dean's D



Steven A. Schurkman '80 and Hon. Judith J. Gische '80

**ROCHESTER:** Chambers of Hon. Thomas Van Strydonck



Hon. Thomas M. Van Strydonck '73 with Rochester area students Matthew Aziz Motiwala '09, Matthew J. Rosnow '09, and Lindsey Coffey '09.



Left to right, Barbara L. Waa '09 and Geoffery A. Hale '09.

**SYRACUSE:** P. J. Dorsey's Pub and



Above, Gregory A. Mattacola '98



Anthoney S. Bottar '76, left, and Samuel M. Tamburo '68.



Winner at the Lotus Club



Grill



Above,  
Michael L.  
Hanuszczak  
'84 and Vice  
Dean Debo-  
rah Scott



Left to right, Associate  
Dean James Newton,  
Harvey L. Kaminski '77  
and Carol M. Matorin '76.



Above, Barbara D. Klippert '75, left, and  
Avis Dreyfuss.

Po Wang Yuen '76

## WASHINGTON, D.C.: Zaytinya



Robert S. Dinerstein  
'86, right, and  
Michael J. Surgalla  
'82.



George  
Neidisch '74  
and  
Maryanne  
Courtney '88



Below, Professor  
James A. Gardner,  
right, and Jason A.  
Llorenz '03



Left to right,  
Neal T. Drobenaire '91,  
Professor Errol E. Meidinger  
and Alice L. Elder '90



# Alumni Association



## Shouldn't you be a member of the UB Law Alumni Association?

**F**or more than 100 years, the UB Law Alumni Association has served our alumni/ae by sponsoring and/or assisting with events and programs that enhance the education and quality of life within UB Law School. We help to raise the national reputation and visibility of the Law School and provide invaluable opportunities to all of our graduates.

For more recent graduates, the UB Law Alumni Association's GOLD (Graduates of the Last Decade) Group provides additional low-cost educational and social programs and services designed to assist new graduates with the transition

from student to attorney. Membership in the GOLD group is automatic and free upon graduation, and remains in effect during the graduates first 10 years out of law school. The Law Alumni Association helps underwrite their activities. We encourage GOLD Group members to enjoy the full benefits of the UB Law Alumni Association by joining.

For more information on why you should join, please call Laurie S. Bloom at (716) 853-8100 or Robert L. Boreanaz at (716) 849-1333 (Ext. 343).



## ALUMNI ASSOCIATION DUES FOR:

- |                             |         |
|-----------------------------|---------|
| • Classes of 2003 to 2006   | \$25    |
| • Classes of 2003 to 2006 * | \$50    |
| • All prior classes *       | \$50    |
| • Life membership *         | \$1,000 |

Joint membership with UB Alumni Assoc.

- All classes \* \$75

*\*Includes three one hour CLE programs per membership year*

### Make your check payable to:

UB Law Alumni Association and mail to:

UB Law Alumni Office  
312 O'Brian Hall  
Buffalo, NY 14260

Contact us at (716) 645-2107 to pay with MasterCard or Visa, or pay online at [www.law.buffalo.edu/alumni](http://www.law.buffalo.edu/alumni)

## The UB Law Alumni Services

### Continuing Legal Education Programs

– Your \$50 membership includes free CLE credits, valuable written handouts and breakfast at three “UB Law Downtown” seminars. GOLD Group members pay just \$15 per seminar. Non-members pay \$20 per seminar.

**Networking is easy!** – Need a printout of alumni/ae in your area? Give us the zip codes, and we will send you a list. Contact the Law Alumni office for assistance. Look for our new online alumni community coming shortly.

**Alumni Convocation** – An annual, morning-long educational Convocation features expert lecturers addressing topics on the cutting-edge of the law. Three CLE credits can be earned. Paid Association members receive a \$10 discount.

**Career Assistance** – Association members receive a reduced rate on the employment newsletter published by the Career Services Office (CSO). The CSO will also help alumni find mentors in their practice areas who can offer invaluable career advice. And our Alumni office provides lists of alumni/ae by ge-

ographic area to assist alumni with their networking efforts.

**Regional Events** – Every January we sponsor a New York City alumni luncheon in conjunction with the State Bar meeting. Among our celebrity speakers have been Judith Kaye, Rudolph Giuliani, Dennis Vacco and Eliot Spitzer. Last year, New York State Court of Appeals Judge Albert M. Rosenblatt was the featured speaker. The Association also underwrites events in Rochester, Washington, D.C., Syracuse and Chicago.

**Recognize Distinguished Law Alumni twice a year** – The coveted Jaeckle Award, the highest award the Law School and the Law Alumni Association can bestow, is presented to an outstanding alumnus/a in the fall. Five alumni are recognized at the Annual Meeting and Dinner in the spring. Awards are presented in the categories of private practice, judiciary, community service, business and public service.

**All alumni receive the UB Law Forum, UB Law Links, and UB Law Briefs** – Our annual award-winning magazine provides news of the Law School, faculty, graduates and students. Don't be left out: Be sure to send your

news into , or submit you news on-line. We also publish an electronic newsletter, Law Links, four times a year, and a brief print newsletter, Law Briefs, six times a year. All our publications are available on-line.

**The Buffalo Alumni Mentor Project** – A program designed to help law students and recent graduates make the transition from law school to the legal community.

**Law School Oral History Project** – The lives of UB Law alumni and the Law School's history will be preserved and celebrated in the Law Alumni Association's on-going digital Oral History Project.

**Assistance with Reunions** – We do class mailings, hire photographers, order favors and offer other support to alumni/ae who organize reunions. Class pictures and directories are provided free of charge to all reunion attendees.

**Student Support** – We help underwrite a printed photo directory for first-year law students, and host a welcome reception for the entire first-year class providing an opportunity for students to meet practitioners, faculty and members of the judiciary. Students are invited to many alumni events as guests of the Law Alumni Association.

**Free parking** – Paid members enjoy free parking in the Center for Tomorrow lot. O'Brian Hall is just a short shuttle bus trip away.

**On-line Services** – Check out the host of services available through UB Law's on-line home at [www.law.buffalo.edu](http://www.law.buffalo.edu). Alumni can e-mail our faculty and staff, search our library collections, visit Career Services, join the Law Alumni Association, or make a gift to the Law School. Subscribe online to UB Law Links, our e-mail newsletter to receive the latest Law School and classmate news.

**Bookstore Discounts** – Paid members for the current membership year receive a 20% discount on UB Law logo and UB Law Alumni logo merchandise available at the Law School bookstore.

# Alumni Briefs



The Law School hosted its third annual 50+ Reunion Luncheon,

August 16, 2006

**Seated:** Hon. John V. Rogowski '52, James T. Duggan '39, Joseph L. Watson '43, Michael Likoudis '56, Hon. John P. Lane '53, Hon. James L. Kane '53, Joseph A. Taddeo Sr. '53, Michael T. Sullivan Jr. '53, William R. Pfalzer '51

**First Row:** Rachel L. Gatewood '06, Paul E. Perrier '08, Philip H. Magner Jr. '49, Eugene D. Swenson '53, Isadore Snitzer '47, Richard N. Blewett '51, Andrew Diakun '52, George M. Zimmermann '49, Frederic C. Washburn '53, Neil R. Farmelo '53, Dean R. Nils Olsen Jr.

**Second Row:** Dean A. Drew '53, Frank N. Cuomo '53, Richard Lipsitz '43, Ralph L. Halpern '53

**Third Row:** Alexander J. Russ '52, Frank R. Papa '52, Wells E. Knibloe '50, David A. Doll '50

**Fourth Row:** Daniel T. Roach '53, Hilary P. Bradford '53, Michael G. Wolfgang '53, Hon. Joseph D. Mintz '56, John W. Rickers Jr. '52



**Candid 1:** Ralph L. Halpern '53, Eugene D. Swenson '53 and Joseph A. Taddeo Sr. '53



**Candid 2:** Hon. John P. Lane '53, Josie Taddeo, Joseph A. Taddeo '53, Eugene D. Swenson '53, Ralph L. Halpern '53, Frederic C. Washburn '53 and Myrna M. Washburn.



**Candid 3:** Wells E. Knibloe '50, George M. Zimmermann '49, Joseph L. Watson '43





## What's new?

Keep in touch with your former classmates, professors and friends by sending us your personal and professional news for publication. Please make sure the news you submit is accurate, complete and legible. Include a picture if you wish. For your convenience, a clip-out coupon is printed on the back cover flap, or write to:

**Ilene Fleischmann, Editor, UB Law Forum,  
310 O'Brian Hall, Buffalo, NY 14260.**

E-mail: [fleisch@buffalo.edu](mailto:fleisch@buffalo.edu)  
or fill out the form at [www.law.buffalo.edu](http://www.law.buffalo.edu)

## '40s

**Hon. John T. Curtin '49** was honored with the Sarah G. Metzger Human Rights Award at the 43<sup>rd</sup> annual meeting of Housing Opportunities Made Equal, in Buffalo. Curtin, U.S. District Court judge for the Western District of New York, also received the Leaders in Law award from *The Daily Record* for his community involvement and professional service.

## '50s

**Ralph L. Halpern '53** received a bachelor of arts degree in mathematics from the University at Buffalo. Halpern, a partner in the firm Jaeckle Fleischmann &

Mugel, was one of a few attorneys who earned a law degree when an undergraduate degree was not required for law school admission. He practices in the business and corporate, financial services and international trade practice group in the firm's Buffalo office.

**Hon. John P. Lane '53** was honored with the UB Law Alumni Association's Distinguished Alumnus Award for his conscientious and diligent performance in the judiciary. Lane, who is retiring as supervising judge for the New York State Supreme Court, 8th Judicial District, in Buffalo, received the award at the UB Law Alumni Association's 44th annual meeting and dinner May 10. He is a resident of Williamsville, N.Y.

**Paul Gonson '54** was honored with the William O. Douglas Award from the Association of



# Alumni Briefs

Securities and Exchange Commission Alumni Inc. He was recognized for his service to the financial industry and for his contributions to developing federal securities laws. Gonson is of counsel in the firm Kirkpatrick & Lockhart Nicholson Graham in Washington, D.C.

**Hon. Michael A. Telesca '55** was recognized at the Monroe County Bar Association's annual dinner on June 8 in Rochester, N.Y. During the dinner it was announced that the association's office building, the Four Corners Building, had been renamed the Hon. Michael A. Telesca Center for Justice. Telesca also was honored at the 31<sup>st</sup> annual UB Law Alumni Convocation on Nov. 18 at the Hyatt Regency Buffalo. He received the Edwin F. Jaeckle Award, the highest honor UB Law School and the Law Alumni Association bestows. He is also a past recipient of the UB Law Alumni Distinguished Alumnus Award and the *Buffalo Law Review* Award. In addition, he was honored at the Rochester Education Foundation Recognition Awards dinner for his longstanding support of Rochester city school students. Telesca is the U.S. District Court judge for the Western District of New York, in Rochester. He may be best-known for his 2000 decision regarding the 1971 Attica State Prison uprising case, in which he approved a New York State settlement award of \$8 million to inmates who were abused by law enforcement officers during the uprising.

**Hon. Joseph S. Mattina '56** was honored for his commitment to aiding children at the Make-A-Wish Foundation of Western New York WishMaker 2006 event at Salvatore's Italian Gardens in Depew, N.Y. At the event, the foundation also named its WishMaker Award in honor of him. Mattina, a former Erie County surrogate court judge, is chairman and CEO of Counsel Financial Services in Amherst, N.Y. He is a past recipient of the UB Law Alumni Association's Jaeckle Award and the Distinguished Alumnus Award.

## SAVE THE DATE *for* YOUR REUNION:

**1952, 1957, 1962, 1967, 1972, 1977, 1982, 1987, 1997**

With gratitude, the Law School recognizes those alumni and friends that have given their time and energy to help organize, plan and attend their reunion event. Although every effort has been made to assure the accuracy of the reunion pages, we apologize for any inadvertent errors or mistakes. If you have any questions or wish to report an inaccuracy, please contact: Amy Hayes Atkinson, Assistant Director of Reunion and Special Programs, 315 O'Brian Hall, Buffalo, NY 14260-1100 at (716) 645-6224 or E-Mail: [aatkins@buffalo.edu](mailto:aatkins@buffalo.edu)

Thank you! And we hope to see everyone at their next reunion.

Check out all the information at [www.law.buffalo.edu/reunions](http://www.law.buffalo.edu/reunions). Contact Amy Hayes Atkinson at (716) 645-6224 or [aatkins@buffalo.edu](mailto:aatkins@buffalo.edu).

50+ Reunion Luncheon	August 8, 2007
Class 1952	55th Reunion June 21, 2007
Class 1957	50th Reunion May 18 & 19, 2007
Class 1962	45th Reunion June 8 & 9, 2007
Class 1967	40th Reunion June 9, 2007
Class 1972	35th Reunion June 8 & 9, 2007
Class 1977	30th Reunion June 8 & 9, 2007
Class 1982	25th Reunion May 4 & 5, 2007
Class 1987	20th Reunion May 4 & 5, 2007
Class 1997	10th Reunion May 5, 2007



*Peter M. Carey '01, Gretchen M. Nichols '01 and Terry D. Loretto '01.*



*Peter M. Kooshoian '66 and James W. Grable Sr. '66*



**1st Row –**  
*Henry Rose, David Buch, Hon. Mary Ann Killeen, Edward S. Spector, William R. Pfalzer, Raymond V. Wylegala*

**2nd Row –**  
*Edward J. Schwendler Jr., David S. Reisman, Francis B. Pritchard, Charles D. Wallace, Harvey Rogers, W. Donn McCarthy, Richard N. Blewett, Thomas V. Troy, Henry S. Wick*

# Class of '51



*55th Reunion  
 July 2006*

**Candid 1:** *Charles D. Wallace and Henry Rose*

**Candid 2:** *Harvey Rogers, Edward S. Spector, William R. Pfalzer and Francis B. Pritchard*

**Candid 3:** *Charles D. Wallace and William R. Pfalzer*



# Alumni Briefs

**Robert J. Plache '57** has been named one of the best lawyers in America in the Woodward White 2007 listing. He is a partner in the firm Damon & Morey, specializing in probate, trust and estate law in the Buffalo office. Plache is a former assistant U.S. attorney for the Western District of New York and a former lieutenant in the U.S. Navy.

**Anthony J. Colucci Jr. '58** was honored with the Ernestine Nardin Distinguished Service Award from Nardin Academy in Buffalo for his six years of service on the board of directors. He also was appointed by New York Gov. George Pataki to the Buffalo Fiscal Stability Authority. Colucci is a founding member of the firm Block Colucci Notaro & Laing in Buffalo. He is a past president of the UB Law Alumni Association and a past recipient of the Distinguished Alumnus Award.

## '60s

**Hon. Mario J. Rossetti '60** has become of counsel in the firm Stamm Reynolds & Stamm in Williamsville, N.Y. Rosetti is a retired New York State Supreme Court and Court of Claims judge.

**Paul C. Weaver '61** has received the *Daily Record's* Leaders in Law Award for his leadership in the community and the legal profession. Weaver is a partner in the business and corporate practice group in the firm Jaeckle Fleischmann & Mugel in the Buffalo office.

**Hon. Joseph S. Forma '65** has retired as a justice of the New York State Supreme Court, 8th Judicial District, in Buffalo. Before his position on the bench, Forma was a prosecutor, councilman, city judge and county judge. He is a resident of Elma, N.Y.

**Hon. Leslie G. Foschio '65**, U.S. magistrate judge, U.S. District Court, Western District of New York, is retiring. He is a past member of the board of directors of the UB Law Alumni Association and a past recipient of the association's Distinguished Alumnus Award.

**John A. Cirando '66** was named by New York Gov. George E. Pataki to the New York State Law Revision Commission. Cirando is a Syracuse, N.Y., attorney concentrating his practice in appellate advocacy.

**David G. Jay '66** was honored with the Practitioner of the Year award by the Erie County Bar Association at its annual attorney recognition reception at the Midday Club in Buffalo. Jay, a Buffalo attorney, was acknowledged for his work in the criminal courts.

**Courtland R. LaVallee '66** received the 2006 Lawyer of the Year award from the Bar Association of Erie County. He recently retired from the litigation department of the Buffalo firm Kavinoky & Cook. LaVallee is a Williamsville, N.Y., resident.

**New York State Sen. Dale M. Volker '66**, R-Depew, received the Igniting Ideas Award during the University at Buffalo's Business Partners Day 2006 luncheon. Volker was recognized for his leadership in helping to obtain state funding for UB initiatives.

**Alan S. Biernbaum '67** received the President's Award for professionalism from the Monroe County Bar Association at its installation dinner in Rochester, N.Y. He serves as the association's membership/benefits committee chair. He also has been appointed to a three-year term on the new attorney grievance committee for the 7th Judicial District. Biernbaum is a partner in the firm Biernbaum, Inclima & Meyer in Rochester.

**Hon. Timothy J. Drury '67** was elected to the New York State Supreme Court, 8th Judicial District. Drury was previously an Erie County Court judge in Buffalo.

**Hon. Samuel L. Green '67** spoke at an event held by the 7th Judicial District in honor of Black History Month and Juror Appreciation Week in the jury room at the Hall of Justice in Rochester, N.Y. Green, an Appellate Division, 4th Department, judge in Buffalo, discussed "A Personal Perspective: Achieving

Excellence on the Road to Justice and Equality." Green also has been appointed by New York State Chief Judge Judith S. Kaye to a new commission to study the state's "archaic" trial court system. He is associate justice of the Appellate Division, Fourth Department, in Buffalo.

**Timothy M. O'Mara '67** was elected president of the National Metropolitan Bar Caucus. A past president of the Erie County Bar Association in Buffalo, he practices in Williamsville, N.Y.

**Arthur A. Russ Jr. '67** was recognized in *The Best Lawyers in America 2007* in the corporate, banking law, trusts and estates category. Russ is a partner in the firm Phillips Lytle in the Buffalo office.

**Frederick A. Wolf '67**, special counsel in the Buffalo firm Damon & Morey, was included in the land use and zoning law category in the 2007 edition of *The Best Lawyers in America*. Wolf also concentrates his practice in municipal, banking and business law.

**Peter J. Brevorka '68** has been listed in the 2006 North Carolina edition of *Super Lawyers* and the 2007 edition of *The Best Lawyers in America*. Brevorka, a solo practitioner, has offices in Buffalo and Greensboro, N.C.

**Robert B. Conklin '68** was recognized for his accomplishments in the community by *The Daily Record* at the Leaders in Law awards reception held March 30 at the Hyatt Regency in Buffalo. Conklin is president of the firm Hodgson Russ in Buffalo and a member of UB Law School's Dean's Advisory Council.

**Robert P. Fine '68** was honored for his exemplary performance in business at the UB Law Alumni Association's 44th annual meeting and dinner on May 10. Fine, managing partner in the Buffalo firm Hodgson Russ, received the association's Distinguished Alumnus Award. He is past president of the association and currently serves on UB Law School's Dean's Advisory Council. Fine is a resident of Williamsville, N.Y.

**Richard C. Heffern '69** has been named in *The Best Lawyers in America 2007*. He practices in the firm Bond, Schoeneck & King in Buffalo, in the labor and employment department. Heffern is also a bridge course lecturer at UB Law School.

**Vincent J. Moore '69** was listed in *The Best Lawyers in America 2007*. Moore is a senior partner in the firm Damon & Morey and is chair of the firm's real estate department.

## '70s

**Hon. Michael L. D'Amico '70** has been re-elected to a third term as Erie County Court judge in Buffalo. He has been serving at this post since 1987.

**Gregory Stamm '71** has been nominated by Gov. George E. Pataki to be chairman of the Niagara Frontier Transportation Authority in Buffalo. He practices in the firm Stamm, Reynolds & Stamm in Williamsville, N.Y., and also serves as general counsel to the Erie County Fiscal Stability Authority.

**Raymond H. Barr '72**, a partner in the firm Phillips Lytle in the Buffalo office, was chosen for inclusion in the 2007 edition of *The Best Lawyers in America*. He focuses his practice in the areas of employee benefits and corporate law. Barr is a resident of East Amherst, N.Y.

**Paul A. Battaglia '72** is listed in *The Best Lawyers in America* for 2007. He also was a presenter at the 53<sup>rd</sup> annual Institute on Taxation in Buffalo, and at the Lorman Education Services program "Sales and Use Tax" in Cheektowaga, N.Y. Battaglia, of Orchard Park, N.Y., is a partner in the firm Jaeckle Fleischmann & Mugel in the Amherst, N.Y., office. In addition, he is an adjunct instructor at UB Law School and deputy treasurer of the Bar Association of Erie County.

**David G. Brock '72** is included in the 2007 edition of *The Best Lawyers in America*. Brock is a partner in the Buffalo firm Jaeckle





# Class of '56



**1st Row** – Theodore J. Pyrak, Gerald W. Miller, John J. Carney Sr., Frank J. Boccio, Walter D. Bowman, Lieutenant Daniel F. Janik, Arthur V. Sabia

**2nd Row** – Rocco D. Potenza, Alan H. Levine, Gordon M. Grant, Joseph V. Abbate, Hon. Joseph D. Mintz, Hon. Joseph S. Mattina, Charles J. Hart, William H. Gorman Jr.

50th reunion, June 10

**Candid 1:** Joseph V. Abbate and John J. Carney Sr.

**Candid 2:** Judy and William H. Gorman Jr. with Andrea Boccio

**Candid 3:** Gordon M. Grant, Judi Bowman and Walter D. Bowman

**Candid 4:** Gerald W. Miller, Margaret Franklin, Hon. Joseph D. Mintz and Lt. Daniel F. Janik.

**Candid 5:** Hon. Joseph S. Mattina, Carolyn V. Sabia, Arthur V. Sabia and Barbara Mattina.

# Alumni Briefs

Fleischmann & Mugel and former vice president of the UB Law Alumni Association.

**Gerald B. Cohen '72** has ventured out of retirement to become the author of *The Best Fiction Comes From Religion*, now in bookstores (ISBN 1-4241-3443-9). Cohen previously practiced for 30 years as a solo practitioner in Western New York and now resides in Las Vegas, Nev.

**Hon. Mark G. Farrell '72** was elected president-elect of the New York State Magistrates Association at its 97th annual conference and advanced training session at the Nevele Resort and Country Club in Ellenville, N.Y. Farrell is Amherst, N.Y., town justice and is a past recipient of the UB Law Alumni Association Distinguished Alumnus Award and a past president of the UB Law Alumni Association.

**Samuel J. Palisano '72** was recognized in *The Best Lawyers in America 2007* as well as in the new publication *Best of the U.S. 2006*. He is a partner in the Buffalo firm Harter Secrest & Emery, concentrating his practice in employee benefits law.

**Thomas F. Segalla '72** has been appointed national director of the Defense Research Institute for a three-year term. He also co-edited the text *Construction Site Personal Injury Litigation New York Labor Law* §§200, 241(1), 241(6), published by the New York State Bar Association. Segalla is a partner in the firm Goldberg Segalla in Buffalo.

**John C. Spitzmiller '72**, a Buffalo resident, is listed in *The Best Lawyers in America 2007* in the trusts and estates category. He is a partner in the firm Phillips Lytle in the Buffalo office.

**Hon. Lawrence Brenner '73** was appointed deputy chief administrative law judge of the Federal Energy Regulatory Commission in Washington, D.C. Brenner has been an administrative law judge with the commission since 1994.



**Helen Osgood '74**

**Paul R. Comeau '73** was a featured speaker at the "Tax Executives Roundtable" conference in Chicago. He discussed "Documentation Issues: Sales and Personal Property Taxes." Comeau is a partner in the firm Hodgson Russ and chair of the state and local tax practice group in the Buffalo office.

**Hon. Eugene F. Pigott Jr. '73** was presented with the 2006 Outstanding Jurist Award by the Bar Association of Erie County. He also has been named associate judge of the New York State Court of Appeals. In addition, he was honored with the Champion of Diversity Award from the Rochester Black Bar Association and recognized for his efforts in recruiting minority lawyers and judicial clerks through the Appellate Division clerkship program. He is a past recipient of the Distinguished Alumnus Award and a member of the Dean's Advisory Council.

**Thomas C. Bailey '74**, a partner in the firm Phillips Lytle in Buffalo, has been recognized in *The Best Lawyers in America 2007*. Bailey is a Buffalo resident.

**Peter D. Braun '74** of Snyder, N.Y., has been acknowledged by his peers in *The Best Lawyers in America 2007*. He is a partner in the firm Phillips Lytle in Buffalo.

**Christopher T. Greene '74**, senior partner in the Buffalo firm Damon & Morey, has been named chair of the firm. In this new position, Greene will become involved with strategic direction, business development and community participation. He

also received the 2006 Distinguished Alumnus Award from the UB Law Alumni Association for his many contributions to the betterment of our community. Greene was honored at the association's 44th annual meeting and dinner on May 10. He has also been included in the 2007 edition of *The Best Lawyers in America*. Greene is a member of UB Law School's Dean's Advisory Council and serves as chairman of the Hauptman-Woodward Foundation. He is a Buffalo resident.

**Michele O. Heffernan '74**, a Buffalo resident, is listed in the 2007 edition of *The Best Lawyers in America* in the employee benefits category. She was also a presenter at the New York Employee Benefits Conference at the Buffalo Niagara Marriott in Buffalo. She discussed recent legislation, new regulations and other legal developments. Heffernan is a partner in the Buffalo firm Jaekle Fleischmann & Mugel.

**Corey J. Hogan '74** has become a member of the Million Dollar Advocates Forum, which comprises trial attorneys who have won million-dollar and multimillion-dollar verdicts, awards and settlements. Hogan is a partner in the firm Hogan & Willig in Amherst, N.Y.

**Mark T. Mahoney '74** of Buffalo was named to the task force on attorney-client privilege for the New York State Bar Association. Mahoney is a partner in the Buffalo firm Harrington & Mahoney.

**Helen Osgood '74** has accepted a position as special counsel in the firm Damon & Morey in the Buffalo office. She practices in the firm's real estate and banking department, concentrating in commercial lending and credit restructuring.

**William Z. Reich '74** has been listed in the 2006 edition of *America's Leading Lawyers for Business*, *Who's Who of Business Lawyers 2006* and *Best Lawyers in America 2006*. Reich is a senior partner in the Buffalo firm Serotte Reich & Wilson and co-editor in chief of the American

Immigration Lawyers Association's *Immigration Practice Under NAFTA and Other Free Trade Agreements*.

**Gregory C. Yungbluth '74**, a senior partner in the Buffalo firm Damon & Morey, was included in *The Best Lawyers in America 2007*. Yungbluth is co-chair of the firm's corporate department.

**Robert E. Brennan '75** was elected president of the Monroe County Bar Association in Rochester, N.Y. Brennan is a partner in the firm Trevett, Cristo, Salzer & Andolina in Rochester.

**Richard F. Campbell '75** was a panelist for the New York State Bar Association program in New York City on Nov. 8, "Buying or Selling a Small Business." Campbell is a partner in the Buffalo firm Hodgson Russ, practicing in the general/international and state and local tax groups.

**Robert A. Doren '75**, of Williamsville, N.Y., appears in the 2007 edition of *The Best Lawyers in America*. Doren is managing attorney in the firm Bond, Schoeneck & King in the Buffalo office.

**Robert N. Gottfried '75** spoke at a pre-retirement conference at the United Nations. Gottfried, who has addressed the U.N. for the last six years, discussed procedures for U.N. retirees to obtain permanent U.S. residence and ancillary U.S. immigration benefits. He is a partner in the immigration practice group in the Buffalo office of the firm Hodgson Russ.

**Arthur A. Herdzik '75** was selected by the New York State Bar Association to speak at the CLE program "Ethics and Civility in Litigation: Introductory Lessons for 21<sup>st</sup> Century Litigators" in Amherst, N.Y. Herdzik is a partner in the firm Chelus, Herdzik, Speyer, Monte & Pajak in Buffalo, practicing litigation.

**Linda H. Joseph '75** received the 2006 Women Who Mean Business Award from *Business First*. Joseph is a partner in the firm Schroder Joseph & Associates in Buffalo.





# Class of '61



*45th Reunion, September 2006*

**Seated:** Hon. Edgar C. NeMoyer and Hon. Peter J. Notaro Sr.

**Front Row:** Hon. Carl E. Snitzer, C. DeForest Cummings, Jr., Stuart A. Gellman, Robert M. Stengel, Hon. Joseph P. McCarthy, Richard H. Gordon and Russell T. Quinlan

**Back Row:** Stephen E. Cavanaugh, William A. Niese, Thomas F. Wolfe, Dante Gullace, Paul C. Weaver, John Y. Pax, David M. Glenn, Andrew F. Phelan and Daniel S. Cohen

**Candid 1:** Daniel S. Cohen, Hon. Erin M. Peradotto '84 and Robert M. Stengel

**Candid 2:** William A. Niese, Ann Niese and Daniel S. Cohen

**Candid 3:** Thomas F. Wolfe and Stephen E. Cavanaugh

**Candid 4:** Hon. Edgar C. NeMoyer, David M. Glenn, Daniel S. Cohen and John Y. Pax

**Candid 5:** Hon. Joseph P. McCarthy and Paul C. Weaver



# Alumni Briefs

**Edward D. Manzo '75** is co-author and editor in chief of *Claim Construction in the Federal Circuit, 2006 Edition*, an annual book published by West Legalworks of Thomson-West. Manzo is co-founder and senior partner in the firm Cook Alex McFarron Manzo Cummings & Mehler in Chicago, practicing intellectual property law. He is a member of the board of directors of the Intellectual Property Law Association of Chicago and previously served as chair of its litigation committee.

**Thomas A. Palmer '75**, a partner in the Amherst, N.Y., office of the firm Jaeckle Fleischmann & Mugel, is named in *The Best Lawyers in America 2007*. Palmer practices in the areas of business and corporate law.

**Hon. Janice M. Rosa '75** was awarded the Judicial Award from the Volunteer Lawyers Project in Buffalo. Rosa also was appointed to the board of trustees of the National Council of Juvenile and Family Court Judges. She is a New York State Supreme Court justice in Buffalo and is also the supervising judge of matrimonial matters.

**William F. Savino '75** was recognized in the 2007 edition of *The Best Lawyers in America*. He also co-authored the commercial law section of the *Syracuse Law Review*. He is a senior partner and chairman in the business litigation and insolvency department in the firm Damon & Morey in the Buffalo office. Savino is also a bridge course lecturer at UB Law School and a past president of the UB Law Alumni Association.

**Diane F. Bosse '76** was elected chair of the board of trustees of the National Conference of Bar Examiners at its August board meeting in Honolulu, Hawaii. Bosse is a partner in the Buffalo firm Volgenau & Bosse. She is a recent recipient of the Distinguished Alumna Award and is a current member of the Dean's Advisory Council, as well as chair of the New York State Board of Law Examiners.

**Louis P. DiLorenzo '76** is listed in *The Best Lawyers in America*



**Robert N. Gottfried '75**

for 2007. DiLorenzo practices labor and employment law in the firm Bond, Schoeneck & King in the New York City office.

**Robert J. Feldman '76** has been named to the board of directors of the Bar Association of Erie County. He is a partner in the firm Gross Shuman Brizdle & Gilfillan, practicing business law and litigation, and is a resident of Snyder, N.Y.

**Cheryl Smith Fisher '76** was appointed vice president of the Bar Association of Erie County. She is a partner in the firm Magavern, Magavern & Grimm in Buffalo.

**Hon. Richard C. Kloch Sr. '76** received a Certificate of Appreciation at the Bar Association of Erie County's attorney recognition reception at the Midday Club in Buffalo. Kloch is a New York State Court of Claims judge in Buffalo.

**Joseph A. Matteliano '76** was elected to the nominating committee of the Bar Association of Erie County for a three-year term. Matteliano practices and resides in Buffalo.

**Howard S. Rosenhoch '76** presented a mock trial for members of the New York Insurance Association in Syracuse, N.Y. Rosenhoch is a partner in the litigation group of the firm Jaeckle Fleischmann & Mugel in Buffalo, where he resides.

**Elliot J. Wiener '76** has become chair of the matrimonial and family law department in the firm Phillips Nizer in New York

City. He practices in the areas of divorce, custody/visitation, support and related matters. Wiener is currently a member of the matrimonial committee of the Association of the Bar of the City of New York and the legislation subcommittee, which is organizing an effort to reform the "fault" requirement of the New York divorce law.

**Ronald C. Berger '77**, chair of the business law department in the firm Bond, Schoeneck & King in the Syracuse, N.Y., office, has been included in *The Best Lawyers in America 2007*. He is a business and corporate attorney counseling clients regarding corporate and commercial matters.

**Robert N. Convissar '77** was elected treasurer of the Bar Association of Erie County. Convissar has left the Buffalo firm Cohen & Lombardo, where he was a partner, and started his own private practice in Buffalo. Convissar practices in criminal defense and white-collar crime. He is a resident of Hamburg, N.Y.

**Irwin Gilbert '77** has written the book *Florida Business Torts*, published by Lexis. He is a Florida attorney specializing in complex commercial litigation, unfair competition, antitrust and fraud.

**Margaret P. Gryko '77** has been named president-elect of the UB Law Alumni Association for 2006-07. She also was appointed secretary of the Niagara Frontier Corporate Counsel Association. She is assistant general counsel for Delaware North Cos. in Buffalo.

**Dennis R. McCoy '77** has been elected president of the UB Law Alumni Association. He is a partner in the firm Hiscock & Barclay in the Buffalo office.

**Kenneth A. Manning '77** is named in the 2007 edition of *The Best Lawyers in America*. He is a partner in the Buffalo firm Phillips Lytle, currently serves on UB Law School's Dean's Advisory Council, and is a past president of the UB Law Alumni Association.

**Thomas Burton '78** was named to the board of directors of the

Niagara Frontier Transportation Authority. Burton is a Buffalo attorney.

**Louis S. Faber '78** of Rochester, N.Y., has been appointed associate general IP counsel of licensing and litigation for Xerox Corp. in Rochester. In addition, he is an adjunct faculty member in the English/philosophy department at Monroe Community College in Rochester and has recently had poetry appear in Vols. 29:1-2 and 30:1-2 of the *Legal Studies Forum*.

**Hon. Kenneth L. Gartner '78** has resigned as Nassau County District Court judge and has formed the firm Lynn & Gartner in Mineola, N.Y. The firm handles cases involving complex civil litigation, trials and appeals, real property litigation, criminal defense and professional responsibility. Gartner, the most-published judge in the history of the New York State District Court while on the bench, serves as chair of the Brief Writing Competition Committee of Scribes, the American Association of Writers on Legal Subjects. He is also an adjunct professor of law at Jacob D. Fuchsberg Law Center at Touro College in New York City and runs the judicial clerkship program.

**Garry M. Graber '78** of Orchard Park, N.Y., received the 2006 Distinguished Alumnus Award from the UB Law Alumni Association. He was acknowledged for his leadership by example as a private practitioner at the association's 44th annual meeting and dinner on May 10. Graber also was appointed co-chair of the newly created committee on real estate workouts and bankruptcy of the real property section of the New York State Bar Association. Graber is a partner in the firm Hodgson Russ, practicing in the bankruptcy, restructuring and commercial litigation practice group in the Buffalo office. He is a past president of the Bar Association of Erie County and the UB Law Alumni Association.

**Daniel Hartman '78** was honored for his pro bono divorce work by the Buffalo Volunteer Lawyers Project at its

# Births

To **Brian Martin '88** and Terri Martin, a daughter, Jessica Regan, on Nov. 4, 2005, in Fremont, Calif.

To **David Grover '94** and Jill Grover, a daughter, Jordyn Hannah, on Dec. 13, 2005, in New York City.

To **Dr. Bridget Cullen Mandikos '94** and Dr. Michael N. Mandikos, a daughter, Meghan Louise, on April 6, 2006, in Brisbane, Queensland, Australia.

To **Julie A. McGrain '97** and Patrick McGrain, a son, Brady Daniel, on May 30, 2006, in Philadelphia.

To **Peter C. Trimarchi '98** and Kelly Trimarchi, a daughter, Sofia Rose, on April 17, 2006, in New York City.

To **Melissa Freeman Gold '00** and **Todd A. Gold '02**, a son, Maxwell Simon, on April 7, 2006, in Delmar, N.Y.

To **Margot Schoenborn '00** and Jeffrey A. Schoenborn, a son, Cole Daniel, on Sept. 6, 2005, in Brooklyn, N.Y.

To **David Benz '01** and **Rayne Hammond Benz '01**, a son, Zander David, on Aug. 8, 2006, in Macedon, N.Y.

To **Anita C. Butera '01** and Robert D. Manning, a daughter, Stella Francesca, on Jan. 16, 2006, in Pittsford, N.Y.

To **Gabe DiMaio '01** and Amy DiMaio, a son, Joseph Mario, on Feb. 17, 2006, in Kenmore, N.Y.

To **John G. Rizzo '01** and Tracy A. Rizzo, a son, Tyson John, on March 25, 2006, in Rochester, N.Y.

14th annual volunteer recognition and reception. He is a Buffalo attorney.

**Mark J. Moretti '78** has been elected chair of the newly formed Monroe County Bar Association unauthorized practice of law committee. He was also appointed treasurer of the trial lawyers section of the New York State Bar Association. Moretti is a partner in the firm Phillips Lytle in the Rochester, N.Y., office.

**Sandra S. O'Loughlin '78** of Buffalo was recognized by the Bar Association of Erie County for 20 years of service as chair of the Character & Fitness Committee of the New York State Supreme Court, Appellate Division, 4th Department. O'Loughlin recently retired from this position. She is a partner in the Buffalo firm Hiscock and Barclay and also has served as an adjunct faculty member at UB Law School.

**Mark G. Pearce '78** received the 2006 President's Award at the Minority Bar Association of Western New York's 24th annual scholarship dinner. Pearce is a partner in the firm Creighton Pearce Johnsen & Giroux in

Buffalo, where he resides.

**Vikki L. Pryor '78**, president of SBLI USA Mutual Life Insurance Co. in New York City, was honored at UB Law School's 17th annual Students of Color Dinner at the Buffalo/Niagara Marriott. She was also named to *Black Enterprise Magazine's* list of "50 Most Powerful Women in Business." Pryor is a past recipient of the UB Law Alumni Association's Distinguished Alumna award and is a member of UB Law School Dean's Advisory Council.

**Claudia G. Allen '79** is a partner in the Cincinnati, Ohio, firm Strauss & Troy, specializing in ERISA and employee benefits. Allen has served on the board of the tax committee of the Cincinnati Bar Association for the past nine years and will serve as chair in 2007. In addition, she is a member of the association's admissions committee, screening candidates for admission to the Ohio Bar. She is also an adjunct professor at the University of Cincinnati College of Law and also teaches in the entrepreneurial program at Northern Kentucky University.

Allen, a Cincinnati resident, has also been named Ohio SuperLawyer for the past three years.

**William M. Brooks '79** is an associate professor of law at Touro College's Jacob D. Fuchsberg Law Center in Huntington, N.Y. He teaches pre-trial litigation and disability law. He also directs the Civil Rights Litigation Clinic, which provides legal representation for the mentally ill.

**Ann E. Evanko '79** was awarded the 2006 Women Who Mean Business Award from *Business First*. She is a partner in the Buffalo firm Hurwitz & Fine, is a member of the management committee and serves as vice president of the firm.

**Dan D. Kohane '79** was named president of the Federation of Defense & Corporate Counsel at its annual meeting in Bermuda. Kohane is a senior partner in the firm Hurwitz & Fine in the Buffalo office and is an adjunct faculty member at UB Law School.

**Hon. Joseph G. Makowski '79** was named assistant treasurer of the board of trustees for Medaille College in Buffalo. Makowski is a New York State Supreme Court justice, 8th Judicial District, and a past president of the UB Law Alumni Association.

**Hon. Ann E. Pfeiffer '79** has accepted a position as externship coordinator at Syracuse University College of Law in Syracuse, N.Y. She will manage the externship program and teach the externship seminar as part of the Office of Clinical Legal Education. Pfeiffer recently retired as a City Court judge in Rochester, N.Y., where she resides.

**Jean C. Powers '79** has been named in *The Best Lawyers in America 2007*. Powers is a partner in the Amherst, N.Y., office of the firm Jaeckle Fleischmann & Mugel, practicing in the real estate group. She is a member of UB Law School's Dean's Advisory Council, a former recipient of the UB Law Alumni Association's Distinguished Alumna Award, and a past president of the UB Law Alumni Association.

**Raymond P. Reichert '79** appears in *The Best Lawyers in America 2007*. He was also elected president of the Legal Aid Bureau of Buffalo. He also addressed the 53rd annual Institute on Taxation in Buffalo and was the moderator at the New York State Bar Association's third annual Upstate New York Affordable Housing Conference in Buffalo. He was also a presenter at the National Business Institute program "Advanced LLC Issues" in Buffalo. Reichert is a partner in the firm Jaeckle Fleischmann & Mugel in the tax and economic land development practice groups in the Buffalo office.

**Michael B. Risman '79** joined the firm Hodgson Russ in the Buffalo office. He will be practicing municipal law and business litigation. Risman was previously corporation counsel for the City of Buffalo. He also was appointed to the Niagara Frontier Corporate Counsel Association board of directors.

**Lawrence M. Ross '79** is a member of the board of directors of the UB Law Alumni Association for 2006-07. He is a partner in the Buffalo firm Hurwitz & Fine, practicing business/corporate, health and tax law.

**Joseph M. Schnitter '79**, a Buffalo resident, was elected to the board of directors for 2006 for the Western New York Trial Lawyers Association. Schnitter is a partner in the Buffalo firm Brown & Kelly, counseling in the areas of insurance coverage analysis and litigation and appellate practice.

**Charles C. Swanekamp '79** was a presenter at the Lorman Education Services program "Taking and Defending Effective Depositions." Swanekamp is a partner in the litigation and intellectual practice group in the firm Jaeckle Fleischmann & Mugel in the Buffalo office and is president of the UB Alumni Association.

# Alumni Briefs

## '80s

**Stuart P. Gelberg '80** discussed tax changes to the Bankruptcy Code enacted in the Bankruptcy Abuse Prevention & Consumer Protection Act of 2005. He was the lead presenter at the annual seminar conducted by the Enrolled Agents at Queensborough Community College/CUNY in Queens, N.Y.

**Horace A. Gioia '80** has become a partner in the firm Rupp, Baase, Pfalzgraf, Cunningham & Coppola in Buffalo, where he resides. Gioia practices in real estate and mortgage lending.

**Hon. Barbara Howe '80** received the Trailblazer Award at the 17th annual UB Law School Students of Color Dinner. Howe, a Buffalo resident, is the Surrogate Court judge for Erie County.

**Timothy P. Johnson '80** has joined the Buffalo firm Hurwitz & Fine as a member. He specializes in commercial lending and commercial real estate. Johnson has over 25 years' experience representing financial institutions and business clients in banking matters.

**Joseph A. Kelemen '80** accepted the Nonprofit Organization Award in the 2006 Denison Ray Awards at the Legal Assistance Partnership Conference in Albany, N.Y. Kelemen is executive director of the Western New York Law Center, in Buffalo.

**Karen L. Mathews '80** was re-elected to the board of directors of Young Audiences of Western New York and continues to serve on the board of the Niagara Frontier Corporate Counsel Association. Mathews is general counsel of Birdair in Amherst, N.Y.

**Paul Morrison-Taylor '80** is listed in the 2007 edition of *The Best Lawyers in America*. He is a partner in the firm Phillips Lytle in the Buffalo office, specializing in personal injury litigation.



**Timothy P. Johnson '80**

**Patrick C. O'Reilly '80** was appointed chairman of the New York State Bar Association's family law section. He is a senior partner in the Buffalo firm Lipsitz, Green, Fahringer, Roll, Salisbury & Cambria. He is an adjunct professor at UB Law School and is a past president of the UB Law Alumni Association and the New York State Chapter of the American Academy of Matrimonial Lawyers. He is a Buffalo resident.

**Michael A. Piette '80** has been named to *The Best Lawyers in America* 2007. He is a partner in the real estate practice group of the firm Jaeckle Fleischmann & Mugel, in the Amherst, N.Y., office.

**Douglas F. Wasser '80** shouts out to the Class of 1980 and is pleased to announce the formation of Wasser & Russ, a business law firm in New York City. He writes, "Drop by and say hey!"

**Michael A. Battle '81** delivered the keynote address at the eighth annual Statewide Drug Court Training Conference for drug treatment court professionals at the Adam's Mark Hotel in Buffalo. Battle directs the Executive Office for United States Attorneys, in Washington, D.C.

**James J. Contino '81** was honored in *The Best Lawyers in America* 2007. Contino practices as a partner in the firm Phillips Lytle in the Buffalo office. He concentrates his practice in real estate law.

**Daniel P. Forsyth '81** is listed in the labor and employment

category in the 2007 edition of *The Best Lawyers in America*. He practices in the firm Bond, Schoeneck & King in Buffalo.

**David S. Smith '81** is a partner in the New York City firm Gwertzman, Lefkowitz, Burman, Smith & Marcus. He focuses his practice in insurance defense and subrogation. Smith resides in Morganville, N.J.

**Karla D. Wilsey '81** was named secretary of the Monroe County Bar Association in Rochester, N.Y. She is currently employed with Public Abstract Corp. in Rochester.

**Richard S. Binko '82** was named vice president of the New York State Trial Lawyers Association. Binko practices personal injury law in his firm in Cheektowaga, N.Y.

**John P. Feroletto '82**, a Buffalo solo practitioner, was selected chair of the Association of Trial Lawyers of America PAC Task Force. He also serves on the Seventh Amendment committee and was elected as an officer of the interstate trucking section.

**Hon. Paula L. Feroletto '82** received the 2006 Lawyer of the Year award from the Women Lawyers of Western New York. Feroletto is a New York State Supreme Court justice, 8th Judicial District, in Buffalo.

**Vincent O. Hanley '82** is listed in *The Best Lawyers in America* for 2007. He was also appointed vice chair of the Hilbert College board of trustees in Hamburg, N.Y., and served as chairman and moderator of the New York State Bar Association program "Practical Skills – Mortgage Foreclosures and Workouts" in Amherst, N.Y. Hanley practices as a partner in the firm Jaeckle Fleischmann & Mugel in the Buffalo office, specializing in real estate law.

**Maureen O. Helmer '82** has become a member of the firm Green & Seifter in the Albany, N.Y., office. Helmer was former chair of the New York State Public Service Commission. She will practice in the areas of energy and telecommunications law, corporate and professional ethics and business regulation.

**Kenneth R. Kirby '82** is an associate in the Buffalo firm Wilder & Linneball. He handles cases involving civil litigation, appeals, professional liability and insurance coverage. He was previously a partner in the firm Napier Fitzgerald & Kirby.

**Denise E. O'Donnell '82** received the President's Award at the installation dinner and awards ceremony of the Western New York Chapter of the Women's Bar Association, in Buffalo. She is a partner in the Buffalo firm Hodgson Russ and was also honored at this year's 17th annual *Buffalo Law Review* dinner. O'Donnell is a Buffalo resident and a past president of the UB Law Alumni Association.

**Robert C. Schwenkel '82**, a partner in the firm Fried Frank Harris Shriver & Jacobson in New York City, was honored on April 27 at the 17th annual *Buffalo Law Review* dinner at the Buffalo Club. Schwenkel is chair of his firm's corporate department and head of the private equity practice.

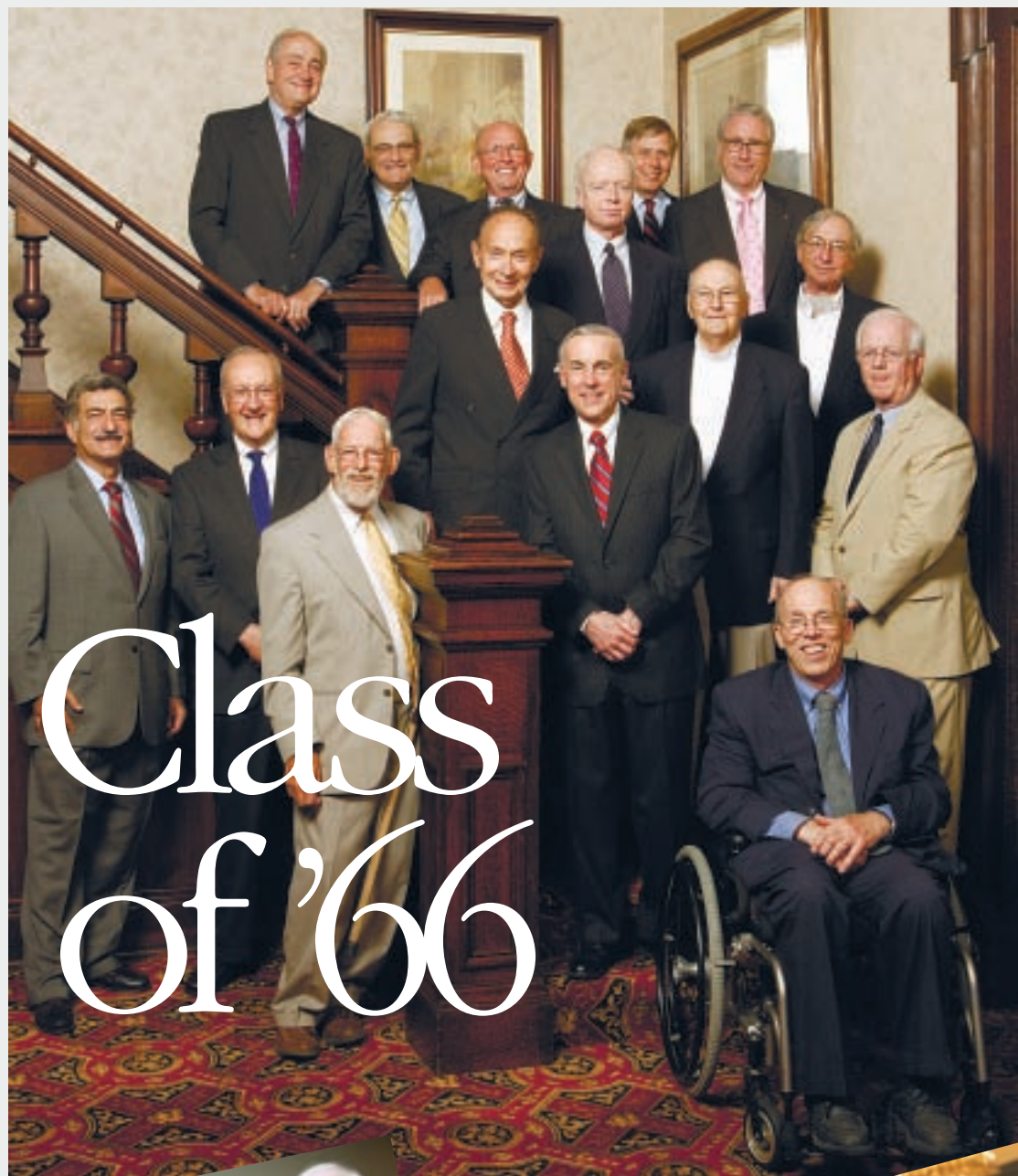
**Mark K. Suzumoto '82** was the keynote speaker at UB Law School's 17th annual Students of Color Dinner sponsored by the school's Latin American, black and Asian-American student associations. A partner in the firm Van Etten Suzumoto & Becket, Suzumoto practices in the business and litigation departments in the firm's Los Angeles office.

**Mark A. Ventrone '82** has joined the Law Firm of Robert A. Durr as a partner engaged in civil litigation, handling both plaintiff and insurance defense matters, in Syracuse, N.Y. Ventrone also serves on the Onondaga County Bar Association board of directors as chair of the Lawyers in the Classroom committee.

**Eric T. Boron '83** has joined the firm Mattar D'Agostino & Gottlieb in Buffalo. Boron is an associate specializing in business litigation.

**Hon. Colleen Brown '83** was given the Vermont Bar Association Pro Bono Award at the association's midyear meeting March 3 in Burlington, Vt. Brown is the U.S. Bankruptcy Court judge in Rutland, Vt.





40th Reunion  
May 2006

**Seated:** Hon.  
Timothy J. Drury

**1st Row:** Marshall L.  
Cohen, Thomas  
Whissel, Thomas E.  
Andruschat, James  
W. Grable Sr.,  
Richard B. Scott

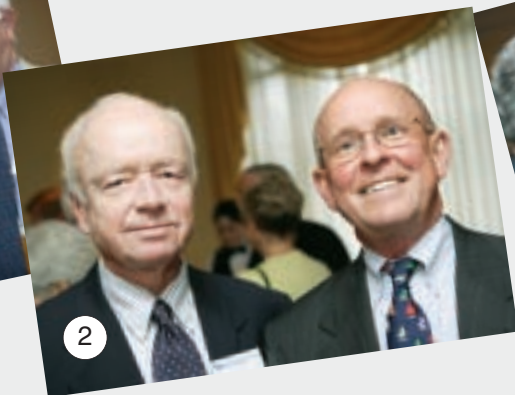
**2nd Row:** George W.  
Nash, Courtland R.  
LaVallee, Robert W.  
Keller

**3rd Row:** David G.  
Jay, Peter M.  
Koosboian, Michael  
Swart, James Kirisits  
Jr., Thomas M. Ward,  
Richard G. Jackson

**Candid 1:** Thomas E.  
Andruschat, Kay  
Raiser and Richard  
B. Scott

**Candid 2:** George W.  
Nash and Michael  
Swart

**Candid 3:** Richard  
G. Jackson, George  
W. Nash, James W.  
Grable Sr. and  
Thomas E.  
Andruschat  
(background)



# Alumni Briefs

**David M. Hehr '83** was named assistant secretary of the UB Law Alumni Association for 2006-07. He is a partner in the firm Hiscock & Barclay in the Buffalo office.

**Robert J. Lane Jr. '83** spoke at the Niagara Frontier Corporate Counsel Association breakfast seminar sponsored by the firm Hodgson Russ. Lane is lead partner in the firm's business litigation practice group.

**Michael E. Marszalkowski '83** is the new chair of the immigration practice group in the Buffalo firm Damon & Morey. He recently joined the firm as special counsel handling matters regarding business immigration, immigrant visas and labor certification. In addition, he is general counsel for Vive Inc., a not-for-profit refugee agency.

**Hon. E. Jeannette Ogden '83** has been selected vice president of the UB Law Alumni Association for 2006-07. Ogden, a Buffalo City Court judge, is also a bridge course and trial technique instructor at UB Law School. She is also a past president of the Minority Bar Association in Buffalo, where she resides.

**Jonathan I. Solomon '83** is the new special agent in charge of the FBI's South Florida office in Miami, the fifth-largest field office. Solomon was formerly executive assistant director for administration for the FBI's Washington, D.C., office.

**Mark W. Warren '83**, of East Aurora, N.Y., has been named to the UB Law Alumni Association board of directors. He is corporate counsel for M&T Bank in Buffalo.

**J. Joseph Wilder '83** received a certificate of appreciation from the Illuminating Engineering Society of North America. He is managing partner in the Buffalo firm Wilder & Linneball.

**George W. Collins Jr. '84** participated in a presentation, "How to Protect Residents' Rights and Prevent Long Term Care Litigation," to the New York State Health Facilities Association District 10 in Cheektowaga, N.Y. Collins is a partner in the firm



**Robert J. Lane Jr. '83**

Bouvier Partnership in Buffalo, where he resides.

**Hon. Eugene M. Fahey '84** was named to the New York State Supreme Court Appellate Division, 4th Department in Rochester, N.Y. Fahey has been serving as a New York State Supreme Court justice in Buffalo. He was also inducted into St. Joseph Collegiate Institute's Signum Fidei Society at an induction ceremony and dinner at Brookfield Club in Clarence, N.Y.

**Daniel P. Joyce '84** was appointed vice chair of the Upstate New York Chapter of the American Immigration Lawyers Association. He was also a panelist at the New York State Bar Association Immigration Law Update in New York City. In addition, he discussed homeland security issues that affect international motor carriers at the 2006 Canada-United States Trucking Program in London, Ont. Joyce is a partner in the firm Jaeckle Fleischmann & Mugel, practicing in the immigration, business and corporate, international business and intellectual property practice groups in the Buffalo office. He and **Amy P. Herstek '04** were presenters at a seminar on immigration law at the Buffalo firm Jaeckle Fleischmann & Mugel on Nov. 14.

**Robert D. Lonski '84** was honored with the 2006 Liberty Bell Award by the Bar Association of Erie County for his extraordinary commitment and leadership in furthering the goals of the assigned counsel system

and creating a model program for New York State. Lonski has administered Erie County's assigned counsel program for nearly 14 years and is also a former recipient of UB Law School's Max Koren Award.

**Lt. Col. Robert C. Moscati '84** received the New York State Bar Association's Award for Excellence in Public Service. Moscati, assistant U.S. attorney in Buffalo, is also a staff judge advocate in the U.S. Army National Guard 42nd Infantry Division and recently served in Iraq.

**Paul T. Nesper '84** was elected chairman of the Amherst Chamber of Commerce in Amherst, N.Y. Nesper is a member of the firm Nesper, Ferber & DiGiacomo in Buffalo.

**Melvin A. Parker '84** was named to the board of directors of the Dominik Hasek Foundation in Buffalo. Parker is an associate attorney for the New York State Department of Taxation and Finance. He is a Buffalo resident.

**Hon. Erin M. Peradotto '84** was appointed to the New York State Supreme Court, Appellate Division, 4th Department in Rochester, N.Y. Peradotto was previously serving as a Supreme Court justice for the 8th Judicial District in Buffalo. She was also elected to a three-year term on the nominating committee for the Bar Association of Erie County. Peradotto is vice president of the UB Law Alumni Association.

**Barbara L. Schifeling '84** was acknowledged by *The Daily Record* with the Leaders in Law award for her achievements in the community. She is a partner in the litigation department in the firm Damon & Morey in Buffalo, where she resides.

**Sharon L. Wick '84** is named in *The Best Lawyers in America 2007*. She is a partner in the Buffalo firm Phillips Lytle, practicing in the area of trusts and estates. Wick is a former vice president of the UB Law Alumni Association and currently serves as treasurer.

**Mitchell J. Banas '85** has been re-elected to the executive

committee of the Buffalo firm Jaeckle Fleischmann & Mugel. Banas, a partner in the firm's litigation department, is also lead attorney for the firm's new electronic discovery and records management group.

**George F. Bellows '85**, of Buffalo, is listed in *The Best Lawyers in America 2007*. Bellows is a partner in the business and corporate and financial services practice groups in the firm Jaeckle Fleischmann & Mugel in the Buffalo office.

**Jill Bond '85** of Williamsville, N.Y., has been elected to the board of directors of the Bar Association of Erie County. Bond is vice president and general counsel of Rich Products Corp. in Buffalo.

**Hon. Elena Cacavas-Schietinger '85** was recognized by the UB Law Alumni Association with the Distinguished Alumna Award for her commitment to public service. She is the administrative law judge for the New York State Public Employment Relations Board in Brooklyn, N.Y., and serves on UB Law School's Dean's Advisory Council.

**Hon. Gail A. Donofrio '85** was appointed to the UB Law Alumni Association board of directors. Donofrio is a Monroe County Family Court judge.

**Gayle L. Eagan '85** was selected for inclusion in *The Best Lawyers in America 2007* in the trusts and estates category. She was also elected president of Estate Analysts of Western New York and appointed assistant treasurer of the UB Law Alumni Association. Eagan also received the Marilyn R. Menge Award from the Women's Bar Association of the State of New York at its 27th annual convention and installation of officers event. She was also a presenter at the 53rd annual Institute on Taxation presented in Buffalo by the UB School of Management, the New York Society of Certified Public Accountants and the Erie Institute of Law. Eagan is a partner in the estates and trusts practice group of Jaeckle Fleischmann & Mugel, in the Buffalo office.





# Class of '71



*35th Reunion, June 2006*

**1st Row:** Robert F. Mogavero, Victor A. Oliveri, Gerald B. Cohen, Richard I. Clark, Hon. Joseph R. Glowina, Stanley Weiner, Joseph W. Keefe, Jonathan D. Estoff

**2nd Row:** Gregory J. Dudek Sr., Paul V. Hurley, James Barrow, Terrence M. Connors, Peter J. Burke, Dr. Allan M. Pinchoff, Gregory Stamm, James L. Kennedy, Robert B. Penny, Robert M. Goldstein, Anthony M. Nosek, Roy L. Wixson, Stephen F. Pusatier, Richard J. Rosche.

**Candid 1:** Gerald B. Cohen, Helene Cohen and Vice Dean Alan S. Carrel '67

**Candid 2:** Stephen F. Pusatier, Richard J. Rosche and Victor A. Oliveri

**Candid 3:** Allan M. Pinchoff and Roy L. Wixson

**Candid 4:** Robert M. Goldstein, Paul V. Hurley and Roy L. Wixson .

**Candid 5:** Richard I. Clark and Gregory Stamm



# Alumni Briefs

**David W. Kloss '85** and **Mitchell M. Stenger '87** have formed the firm Kloss, Stenger, Kroll & LoTempio in Buffalo. Kloss handles cases involving business and corporate matters, product liability, toxic torts, employment law and contracts.

**John T. Kolaga '85** was a presenter at the New York State Bar Association's Conference on Law Firm and In-House Counsel Pro Bono, in Rochester, N.Y. Kolaga is a partner in the Buffalo firm Jaeckle Fleischmann & Mugel and chair of the firm's pro bono committee.

**Edward J. Markarian '85** has become a partner in the Buffalo firm Magavern Magavern & Grimm, focusing his practice in trusts and estates, litigation and appeals. He has merged his private practice with the firm and will maintain offices in Buffalo and Kenmore, N.Y.

**Lisa Bloch Rodwin '85** was featured on a one-hour television special on ABC with Diane Sawyer about domestic violence and Rodwin's former case against Ulner Lee Still. Rodwin, chief of the Erie County district attorney's domestic violence bureau in Buffalo, prosecuted Still, and he was convicted of felony and misdemeanor assault against his wife, Susan. Still had his adolescent son videotape the assault, which lasted 50 minutes. He was sentenced to 36 years, the longest sentence in New York State history for a domestic violence case in which the victim was not killed. Susan Still has now allowed court and police agencies to use the recording for training purposes. Rodwin also was honored with the Leaders in Law award from *The Daily Record* at the awards reception held at the Hyatt Regency Buffalo. Rodwin is also state director and chair of the criminal law committee for the Western New York chapter of the Women's Bar Association.

**Eiran Wolfman '85** has joined SolomonEdwardsGroup as a principal on the business consultants and accounts team in the firm's Atlanta office. Wolfman, a CPA as well as an attorney, has over 20 years of in-house and consulting experience in



**Daniel Ibarrondo Cruz '89**

domestic and foreign taxation. In his new position, he will focus on tax services.

**Alberto Manuel Benitez '86** has authored the book *An Introduction to the United States Legal System: Fundamental Cases and Materials*. Benitez is a professor of clinical law at George Washington University Law School in Washington, D.C.

**Mark Metz '86** was recently appointed to a three-year term to the Federal Reserve Board's consumer advisory council. Metz is deputy general counsel for Wachovia Corp. in Charlotte, N.C., where he resides.

**Shari Jo Reich '86**, a Buffalo attorney, was appointed to the Bar Association of Erie County board of directors. Reich is a resident of Williamsville, N.Y.

**Frank A. Sedita III '86** has been named prosecutor of the year by the New York State District Attorneys Association's Prosecutors Training Institute. Sedita is deputy district attorney for the Erie County district attorney's office and head of the homicide bureau in Buffalo. He is an adjunct faculty member at UB Law School and a member of the National District Attorneys Association's national college in Columbia, S.C.

**Victor R. Siclari '86** has been active on the investment management speaking circuit. He provided a year-in-review of the impact of the mutual fund compliance rule at the Investment Company Institute's Operations and Technology conference in

Austin, Texas, and his conference materials were published as an article in *Money Management Executive*. In addition, he addressed the Financial Research Associates' Hedge Funds 101 and 102 conference in January 2006 in New York City and will speak again at the conference in June. Siclari will also moderate a panel discussion at the FRA's fifth annual Investment Adviser Compliance Forum in New York City in May, and has been participating as a mutual fund industry expert on the Statutory Trust Act drafting committee of the National Conference of Commissioners on Uniform State Laws. Siclari is a partner in the firm Reed Smith in the Pittsburgh, Pa., office.

**Peter H. Abdella '87** is listed under professional malpractice law in *The Best Lawyers in America 2007*, and was included in the professional malpractice law section of the new publication *Best of the U.S. 2006*. Abdella is a partner in the firm Harter Secrest & Emery in Rochester, N.Y., where he resides.

**Martha M. Anderson '87** was selected as a member of the 2006 advisory council for the United Way of Buffalo and Erie County. Anderson is a partner in the firm Nixon Peabody in the Buffalo office.

**Donna L. Burden '87** was elected chair of the trucking law committee of the Defense Research Institute. She is head of the trucking/transportation negligence team in the Buffalo office of Hurwitz & Fine.

**Kathleen A. Crowley '87** received the Joyce E. Starkweather Employee Recognition Award. Crowley is a court attorney-referee in Erie County Family Court in Buffalo.

**Dorothy H. Ferguson '87**, principal in the law firm D.H. Ferguson, Attorney, in Pittsford, N.Y., has been elected to the American College of Real Estate Lawyers. Ferguson is a past chair of the executive committee of the real property section of the New York State Bar Association and is a former co-chair of the commercial leasing and attorney opinion committees.

**David P. Flynn '87** was appointed to the officers committee of the Amherst Chamber of Commerce in Amherst, N.Y. Flynn is a partner in the Buffalo office in the firm Phillips Lytle.

**Paul W. Kullman '87** was elected to the board of directors of the Niagara Frontier Corporate Counsel Association. Kullman is claims counsel for Fidelity National Financial in Buffalo.

**Brian C. Mahoney '87** was elected deputy treasurer of the Western New York Trial Lawyers Association for 2006. He practices and resides in Buffalo.

**Hon. John L. Michalski '87** has been appointed to the New York State Court of Claims in Buffalo for a nine-year term. He was previously a town prosecutor in Amherst, N.Y.

**Mitchell M. Stenger '87** and **David W. Kloss '85** are partners in the new firm Kloss, Stenger, Kroll & LoTempio in Buffalo. Stenger focuses his practice in civil litigation, including business and corporate law, contracts, product liability, transportation law, personal injury and toxic torts.

**David M. Stillwell '87**, a Buffalo resident, was elected to the board of directors of the Western New York Trial Lawyers Association for 2006. He practices in the firm O'Shea, Reynolds & Cummings in Buffalo.

**Mark E. Brand '88** discussed health and welfare updates at the Walsh Insurance Group's annual fall benefits seminar at Shanghai Red's in Buffalo. Brand is a partner in the Buffalo office of Phillips Lytle, practicing employee benefits law and retirement and estate planning. He is a past member of UB Law School's GOLD Group and the Law Alumni Association.

**John J. Christopher '88** was appointed to the advisory board of the United Way of Buffalo and Erie County's Emerging Leaders Society. In addition, he was elected to the board of directors of the New York State Association of School Attorneys. Christopher is a partner in the firm Hodgson Russ in the Buffalo office.



**1st Row:** William A. Gersten, Randolph M. Paul, Lawrence M. Meckler, Lynn D. Gates, Diane F. Bosse, Robert J. Feldman, Ellen Katz Forrest, Karen B. Leeds

**2nd Row:** Kenneth B. Forrest, Joseph A. Matteliano, Carol M. Matorin, Paul Equale, John J. Fargo, Bari J. Schulman, Jay M. Solomon, Jane F. Clemens, Alan I. Lamer, Michael Calabrese, Eileen J. Katz, Paula J. Kane

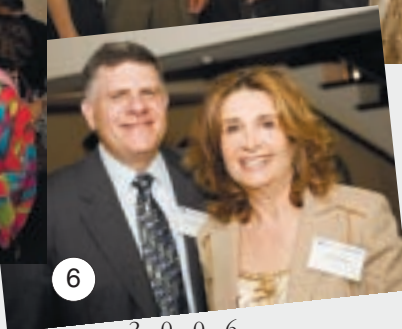
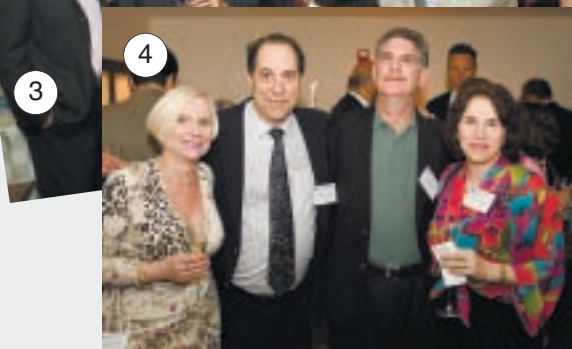
**3rd Row:** Hon. Kevin M. Dillon, Richard F. DiGiacomo, Gabriel J. Ferber, Margaret M. Wong, Hon. James H. Dillon, Howard S. Rosenboch, Ruth V. Siegel, Hon. Kenneth I. Krigstein, Steven B. Telzak, Eric H. Green, Donald H. Vogelmann, Jeffrey H. Kauffman, Susan C. Silber

**4th Row:** John Hartje, Jerome D. Carr, Richard S. Feldman, Robert E. Stevens,

Bert L. Slonim, Florence V. Dean, Lawrence F. Cataldi, Lowell L. Jacobs, Gary K. Norgaard, Ingrid K. Hansen, Ronald W. Ramirez, Eugene P. Reibstein, J. Carlton Howard Jr., Beaufort N. Willbern

**5th Row:** E. Peter Pfaff, David E. Leibowitz, Louis P. DiLorenzo, Patrick J. Brown, E. Joseph Giroux Jr.

# Class of '76



30th Reunion, June 2006

**Candid 1:** Diane F. Bosse, Florence V. Dean, Jane F. Clemens .

**Candid 2:** Jay M. Solomon, Ronald W. Ramirez, David. E. Leibowitz .

**Candid 3:** David. E. Leibowitz, Mitchell J. Dinnerstein, John J. Fargo, E. Joseph Giroux Jr.

**Candid 4:** Catherine Novack '77, Donald H. Volgelman, Jeffrey H. Kauffman, Bari J. Schulman .

**Candid 5:** Pat DiGiacomo, Richard F. DiGiacomo, Gabriel J. Ferber, Mitchell J. Dinnerstein, Andrea Ferber.

**Candid 6:** Richard S. Feldman, Ellen Katz Forrest



# Alumni Briefs

**Jane A. Conrad '88** was honored with the President's Award at the Monroe County Bar Association's installation dinner. She was recognized for her leadership and commitment to the bar association. Conrad is a resident of Churchville, N.Y., and is on sabbatical from the New York State attorney general's office in Rochester, N.Y.

**Randy C. Fahs '88**, director of contracts for Amherst Systems in Williamsville, N.Y., was appointed to the board of directors of the Niagara Frontier Corporate Counsel Association.

**Hon. John G. Farrell '88** is an administrative law judge with the New York State Workers' Compensation Board in Newburgh, N.Y. He is the author of "Electronic Files and Administrative Hearings: A View from the Bench" (J.NAALJ, Vol. 24, No.1). In addition, he is a member of the ALJ subcommittee of the New York State Bar Association and is president-elect of the New York State Administrative Law Judge Association.

**Sophie I. Feal '88** has been invited by the International Institute/Buffalo-Niagara WorldConnect to host foreign officials wishing to learn about deterring human trafficking, refugee issues and worker exploitation matters under U.S. immigration law. Feal recently met with a representative of the Japanese Justice Ministry, Ghanaian and Rwandan law enforcement officials, an Israeli women's shelter director, a Malaysian public official and state counsel of the Sri Lankan attorney general's department. She also recently discussed the immigrant labor debate at the Century Club in Buffalo. Feal, an attorney in the Buffalo firm Serotte Reich Wilson, specializes in immigration and naturalization law.

**Terrance P. Flynn '88** has been named U.S. attorney for Western New York. Flynn, immediate past president of the UB Law Alumni Association, was previously practicing in the firm Gibson, McAskill & Crosby in Buffalo.



**Scott B. Schwartz '91**

**Terrence M. Gilbride '88** was a presenter at the breakfast seminar sponsored by Hodgson Russ for the Niagara Frontier Corporate Counsel Association. He discussed "Commercial Leasing Issues for In-House Counsel." Gilbride is a partner in the Buffalo firm Hodgson Russ, practicing in the real estate and finance practice group.

**James P. Kennedy '88** was recognized for his work on a narcotics investigation, "Operation Cuddle Puddle," by the U.S. Attorney's Office of the Western District of New York. Kennedy is an assistant U.S. attorney in Buffalo.

**Robert L. Boreanaz '89** was elected vice president of the UB Law Alumni Association board of directors. Boreanaz is a senior partner in the firm Lipsitz, Green, Fahringer, Roll, Salisbury & Cambria in the Buffalo office.

**Daniel Ibarrondo Cruz '89** recently became a member of Harvard University's Institute of Educational Management Class of 2005. In addition, he recently graduated from Seton Hall University's College of Education and Psychology with an educational specialist degree in bilingual/bicultural education. He currently serves as president and CEO of Advancement & Development Associates, a development and federal government lobbying firm serving private colleges and universities in Puerto Rico.

**Karen R. Kaczmariski '89** was appointed chair of the SPCA's development committee. She is also vice president of the SPCA

and a member of its board of directors. In addition, she has been named an adjunct faculty member teaching civil litigation in the legal studies department for Hilbert College in Hamburg, N.Y. Kaczmariski is a litigator in the Buffalo office of Harter Secrest & Emery.

**Lisa Massaro Keating '89** was honored by *Business First* with the 2006 Women Who Mean Business Award. She is the owner of Leelee, a women's clothing boutique in Williamsville, N.Y.

**Hon. Stephen K. Lindley '89** was elected New York State Supreme Court justice, 7th Judicial District, in Rochester, N.Y. He was previously acting Monroe County Court judge and Rochester City Court judge. Lindley also received the Communication Achievement Award from the Postprandial Toastmasters Club.

**Karen Perrigo '89** received the 2006 Distinguished Alumnus Award from the Jamestown Community College Association at the college's commencement ceremony in Olean, N.Y. Perrigo is a partner in the firm Perrigo & Kahle in Cuba, N.Y.

**Dean P. Smith '89** was appointed partner in the Buffalo firm Lewis & Lewis and was also named managing attorney in the firm's litigation department.

## '90s

**Lisa J. Allen '90** has been elected to the board of directors of the UB Law Alumni Association. She also has been accepted for membership as the Western New York representative to the Special Needs Alliance, a national organization of elder law and disability law attorneys who focus on estate and trust planning for persons with special needs. Allen is supervising attorney in the firm Hogan & Willig in Buffalo and is an adjunct professor at UB Law School. She is a resident of East Amherst, N.Y.

**Marjorie A. Bialy '90** has accepted a position as an associate in the firm Jaekle Fleischmann & Mugel in the Buffalo office. She focuses her practice in the areas of bankruptcy, debtors' and creditors' rights and business litigation.

**Mary Clare Kane '90** received an award from the U.S. Attorney's Office, Western District of New York, for her work on a narcotics investigation, "Operation Cuddle Puddle." Kane is an assistant U.S. attorney in Buffalo.

**Kathy L. Quencer '90** has become a member of the new attorney grievance committee for the 5th Judicial District for a three-year term. She is a partner in the firm Proven & Quencer in Watertown, N.Y.

**Ginger D. Schroder '90** was awarded the M. Dolores Denman Lady Justice Award at the annual installation dinner and awards ceremony of the Western New York Chapter of the Women's Bar Association, in Buffalo. She was recognized for her service and devotion to the association. Schroder is a partner in the firm Schroder, Joseph & Associates in Buffalo, where she resides.

**Edward L. Smith III '90** has been promoted to partner in the firm Cantor Lukaski Dolce & Panepinto in Buffalo. He concentrates his practice in medical malpractice. Smith is a resident of Lewiston, N.Y.

**Sean P. Beiter '91** is named in the labor and employment category of the 2007 edition of *The Best Lawyers in America*. He is a partner in the firm Jaekle Fleischmann & Mugel in the Buffalo office.

**Kenneth M. Gossel '91** has been promoted to general manager of National Fuel Gas Co. in Williamsville, N.Y. Gossel previously worked in the utility's quality assurance department. He is a resident of Orchard Park, N.Y.

**Rosanna Sandell '91** was appointed director of research and development for the Lockport, N.Y., city school district. She was previously





# Class of '81



25th Reunion, May 2006

**1st Row:** Wanda M. Lucibello, Arthur A. Marrapese III, Elyse Gilman, Rosemarie A. Wyman, Deborah Case Deffenbaugh, Mary M. Sullivan, M. Margaret Fabric, Jean Doerr, Cheryl N. Ellsworth, Betsy Broder

**2nd Row:** Arthur J. Hall, Robert E. Krouwe, Jay H. Marlin, James S. Kraus, Larry P. Malfitano, John A. DiCaro, Hon. Melanie L. Cyganowski, Edward C. Northwood, Deborah A. Decker, Jeremy L. Nowak, Barbara Lynn Wagner, Thomas J. Pardini

**3rd Row:** Winston D. Ellis Jr., Jeffrey L. Taylor, Mark Jay Weinstein, Louis R. Maino, Gary R. Gaffney, Therese Wincott, Lewis M. Rose, Dale J. Clark, Lawrence Friedman

**Candid 1:** Thomas J. Pardini, Cheryl N. Ellsworth and Rosemarie A. Wyman.

**Candid 2:** Hon. Melanie L. Cyganowski, Winston Ellis, Arthur J. Hall and Robert E. Krouwe.

**Candid 3:** Jay H. Marlin, Larry P. Malfitano and Mark Jay Weinstein.

**Candid 4:** Hon. Melanie L. Cyganowski and Therese Wincott.

**Candid 5:** Deborah A. Decker, Elyse Gilman and Betsy Broder.

**Candid 6:** Jay H. Marlin, Arthur A. Marrapese III, Larry P. Malfitano and Edward C. Northwood.

# Alumni Briefs

director of curriculum and staff development for the Alden, N.Y., central school district. Sandell is a Lockport resident.

**Scott B. Schwartz '91** discussed Wal-Mart's "smiley face" trademark and its continuing dispute with SmileyWorld on CN8, the Comcast Network's Philadelphia television show *Your Morning*. He also authored the chapter "Avoiding a Crash: The Intersection of Trademark and Copyrights With Advertising and Marketing Issues" in the book *Inside the Minds: Settlements and Negotiations for Advertising & Marketing Law*, published by Aspatore Books. Schwartz also addressed the International Trademark Association's Trademark Administrators Conference in Arlington, Va. He spoke on "The Nuts and Bolts of Consents, Licensing and Records" and "Drafting Cease and Desist Letters." He is a member of the International Trademark Association and is the subcommittee chair of the U.S. Legislation and New Regulations subcommittee. Schwartz is also a member of the Screen Actors Guild, having acted in several commercials and an independent film during his youth. Schwartz is a member of the intellectual property department in the firm Cozen O'Connor in Philadelphia.

**Hon. David J. State '91** has become administrative law judge for the State of New York Office of Temporary Disability Assistance, in Buffalo. He was formerly senior deputy corporation counsel of the City of Buffalo and recently returned from a tour of duty in Iraq as assistant staff judge advocate for the Army National Guard, 42<sup>nd</sup> Infantry Division.

**Christopher D. Thomas '91** has been selected by the Federal Judicial Center to train federal magistrate judges on issues regarding media, the law and federal courts. Thomas is a partner in the firm Nixon Peabody in the Rochester, N.Y., office.

**Steven J. Weiss '91** advised New York Gov. -elect Eliot Spitzer as a member of two housing-related transition committees. Weiss is a member of the firm Cannon Heyman & Weiss in Buffalo. He is



**Lisa J. Allen '90**

a former member of the board of directors of UB Law School's GOLD Group.

**Russell J. Matuszak '92** was elected vice president of the Niagara Frontier Corporate Counsel Association. He also was elected to the Canisius College Alumni Association board of directors in Buffalo. Matuszak is legal counsel for HealthNow New York.

**Gregory V. Pajak '92** was named vice president/president-elect of the Defense Trial Lawyers Association of Western New York for 2007. He also was named treasurer of the Western New York Trial Lawyers Association for 2006, and co-authored with **Kevin Loftus '02** an article, "Additional and Personal Injury Protection (APIP) Benefits – Not for the Faint at Heart," published in the March/April 2006 issue of the *New York State Bar Journal*. Pajak is a partner in the firm Chelus, Herdrik, Speyer, Monte & Pajak in Buffalo.

**Judith A. Shanley '92**, executive director of Southeast Works, a non-profit facility that aids adults with developmental disabilities, was named vice president of its foundation board for 2006. She is a Buffalo resident.

**Cynthia L. Snodgrass '92** was appointed to the Monroe County Bar Association board of trustees. Snodgrass is an attorney in Rochester, N.Y.

**Charles J. Sullivan '92** has been appointed chair of the agribusiness practice group in the Syracuse, N.Y., office of Bond Schoeneck & King. He counsels

cooperatives, agricultural suppliers and lenders, food processors and other agribusinesses, and farmers about cooperative formation, governance, finance, taxation, securities, compliance and related matters.

**Suzanne K. Taylor '92** participated in the Jimmy Carter Work Project 2006 from Oct. 29 to Nov. 3 in Mumbai, India. Taylor will meet President Carter and his wife, Rosalynn, and help them build homes for residents of Mumbai. In addition, Taylor has been helping to raise funds for Habitat for Humanity in Buffalo, where she resides.

**Miles R. Afsharnik '93** has joined Wachovia Insurance Services in New York City as vice president and national claims and legal resource director. He is a resident of New York City.

**Jennifer M. Demert '93** has become a partner in the Buffalo firm Cantor Lukasik Dolce & Panepinto, specializing in medical malpractice law. She is also vice president of the board of directors of the Theater of Youth company and is a Buffalo resident.

**Frank T. Housh '93** has joined the Law Office of Daniel R. Archilla in Buffalo as a trial attorney for GEICO Insurance. He was previously associated with Gibson, McAskill & Crosby in Buffalo, a former assistant district attorney in the Erie County district attorney's office and counsel to New York State Assemblyman Sam Hoyt. In addition, Housh writes a regular column for the *Buffalo Law Journal*.

**John J. Jablonski '93** has been named a partner in the Buffalo firm Goldberg Segalla. He practices in the areas of commercial and business litigation, including contract construction, UCC and commercial evictions. Jablonski lives in Hamburg, N.Y.

**Jennie M. Muscarella '93** has become vice president and associate general counsel of Cannon Design in Grand Island, N.Y. She was formerly a partner in the Buffalo firm Magavern Magavern & Grimm.

**Selina Regan '93** has accepted a position as vice president in the environmental practice group of Willis North America in New York City. She designs, markets and places customized environmental insurance programs for clients. Regan is a Brooklyn resident.

**Hon. Roger Sagerman '93** was appointed as an immigration judge for the Department of Justice in Washington, D.C. He and his family reside in Red Hook, N.Y.

**Deborah Lee Thuman '93** is a criminal defense attorney and an artist. Her fiber art was juried into the Renaissance Faire in Las Cruces, N.M., Nov. 4-5. Only a limited number of artists in each category are selected.

**Mary Q. Wydysh '93** has been appointed vice president of the Western New York Trial Lawyers Association for 2006. She is partner in the firm Goldberg Segalla in Buffalo, immediate past president of the Defense Trial Lawyers Association of Western New York and a former member of the board of directors of the UB Law Alumni Association.

**Valerie G. Gardner '94** has been selected to the new attorney grievance committee for the 7th Judicial District for a three-year term. Gardner practices in Penn Yan, N.Y.

**Hon. Melissa L. Klemens '94** has ascended to the bench as administrative law judge for the government of the District of Columbia, Department of Employment Services, Labor Standards Bureau, Office of Hearings and Adjudication, Administrative Hearings Division. She also was promoted to adjunct associate professor at the University of Maryland University College. She teaches Introduction to Microcomputer Software and Introduction to Computer Based Systems.

**James T. McCann '94** co-authored, with UB Law Professor Charles Patrick Ewing, the book *Minds on Trial: Great Cases in Law and Psychology*. The book examines the important role psychology plays in the justice system. McCann is a clinical



# Marriages

## Congratulations to the following newlyweds:

**Jacqueline Stover '82** and Lawrence Stitts, June 24, 2006  
**David H. Gossel '90** and Kristy L. Lehman, March 18, 2006  
**Lisa M. Yaeger '90** and Jeffrey Rice, July 18, 2006  
**Susan Van Gelder '97** and **Stephen A. Manuele '00**, Oct. 21, 2006  
**Andrew D. Fanizzi '99** and Patricia Anne Quinn, Dec. 16, 2006  
**Jason C. Luna '99** and Francesca Catania, Sept. 30, 2006  
**Antoinetta D. Mucilli '99** and Gary Krypel, July 22, 2006  
**Lauren A. Gauthier '00** and David R. Rott, Sept. 3, 2006  
**Rafael O. Gomez '00** and **Megan A. Culliton '05**, Sept. 2, 2006  
**Jay M. Tiftickjian '00** and Suzanna B. Wasito, Sept. 23, 2006  
**Nora M. Buckley '01** and Christopher P. Robshaw, Nov. 17, 2006  
**Sheldon K. Smith '01** and Jonelle T. Pagano, July 29, 2006  
**Francis M. Ciardi '02** and Jade Marie Birner, Oct. 21, 2006  
**Donald G. Frey '02** and **Gina Rossettie '03**, Sept. 2, 2006  
**Shawn P. Hennessy '02** and Kelli M. Kane, Oct. 7, 2006  
**Eric S. Reich '02** and Cara M. Murphy, Aug. 19, 2006  
**Lisa Marie Schultz '02** and Thomas Michael Long, Nov. 18, 2006  
**Angela R. Carlson '03** and Christopher Shaun Connor, Oct. 14, 2006  
**Michael M. Chelus '03** and Nicole Leanne Reisch, Sept. 23, 2006  
**Tamara L. DiVasto '03** and Andrew Strauss, Aug. 12, 2006  
**Vincent S. Gregory '03** and Jenifer Christine Stelmach, Sept. 16, 2006  
**Ian Lester '03** and Gisela Alvarez, Sept. 9, 2006  
**Kristin A. St. Mary '03** and Hon. Patrick M. Carney, June 24, 2006  
**Ryan J. Mills '03** and Leah M. Hughes, July 15, 2006  
**Shazia N. Nagamia '03** and Kevin Michael Sparkman, May 26, 2006  
**Michael A. Ragusa '03** and Joel Fisher, June 10, 2006  
**Kristy Lynn Riordan '04** and John Brian Schaller, June 10, 2006  
**Melissa Ann Cavagnaro '05** and Stephen Howard Mort, Nov. 11, 2006  
**Kyle M. Costello '05** and Elizabeth R. Cipolla, Sept. 23, 2006  
**Brad J. Davidzik '05** and Tracy L. Piacente, June 17, 2006  
**Carolyn M. Nugent '05** and Thomas S. Gorczynski, Aug. 19, 2006  
**Brendan J. Rich '05** and Danielle Marie Rafferty, Nov. 11, 2006  
**Katherine E. Adams '06** and Daniel B. Courtney, Aug. 26, 2006  
**Michael P. Felicetta '06** and Kelly Street, Sept. 23, 2006  
**Jennifer A. Gagliano '06** and Jeremiah Davie, Sept. 23, 2006  
**Michael D. Mann '06** and Diana Schenker, Oct. 21, 2006  
**Nicholas T. Texido '06** and Lisa Anne Herman, Aug. 12, 2006

psychologist and adjunct assistant professor at Binghamton University in Binghamton, N.Y., where he resides.

**Hope Olsson '94** received the New York State Bar Association's Pro Bono Service Award. Olsson practices and resides in Rochester, N.Y.

**Kevin E. Raphael '94** was a speaker at the Pennsylvania Bar Institute's 12th annual Health Law Institute. His topic was "The Wolf in the Woods: The Threat of Private Payer Claims During or

After a False Claims Act Case." Raphael is a partner in the firm Miller, Alfano & Raspanti in Philadelphia, where he resides.

**Bruce D. Reinoso '94** is listed in the 2007 edition of *The Best Lawyers in America*. He is a partner in the firm Magavern Magavern & Grimm in Buffalo. Reinoso counsels clients in the areas of elder law, estates and trusts and health law.

**Walter L. Rooth III '94** has opened his own law firm in Hamburg, N.Y., where he resides.

Rooth was formerly an Erie County assistant district attorney. His practice will focus on real estate, wills, estates and criminal defense cases.

**Elizabeth Tommaney '94** has become a member of the board of directors of the Niagara Frontier Corporate Counsel Association board of directors. She is corporate counsel for Osmose Inc. in Buffalo, where she resides.

**Stephen L. Yonaty '94** has become associated with the Buffalo firm Cannon Heyman & Weiss. Yonaty previously practiced in the firm Hodgson Russ in the Buffalo office.

**Sara Stout Ashcraft '95** is the new president of the Greater Rochester Association for Women Attorneys. Ashcraft is a Rochester attorney in the firm Ashcraft Franklin & Young.

**Gretchen P. Aylward '95** spoke in Rochester, N.Y., at the International Resource Group luncheon. Aylward discussed "U.S. Immigration Policy: Update Changes and Impact on Business." She is chair of the immigration practice group and is of counsel in the firm Hiscock & Barclay in the Buffalo office.

**Melissa L. Barrett '95** has been chosen as an Up & Coming Attorney for 2006 by *The Daily Record*. Barrett is a court attorney in Rochester, N.Y., City Court.

**Luke Bellocchi '95** was recently promoted from the U.S. House of Representatives, judiciary commission to counsel and policy analyst at the U.S. Senate Republican policy commission in Washington, D.C.

**Jeffrey J. Calabrese '95** has been named partner in the firm Harter Secrest & Emery in Rochester, N.Y., where he resides. Calabrese practices business litigation.

**Hon. Craig D. Hannah '95** has been elected Buffalo City Court judge in the November 2006 election. He was previously appointed to the bench in January 2006 by Mayor Byron W. Brown. In addition, he was honored at the 34th annual Black

Achievers in Industry awards dinner at the Hyatt Regency Buffalo. Hannah is a member of the board of directors of the UB Law Alumni Association.

**Leslie R. Kellogg '95** received the 40 Under 40 Award from *Business First* for her professional and community achievements. She is a partner in the firm Hodgson Russ in Buffalo, where she resides.

**Lucinda Odell Lapoff '95** was a presenter at the Buffalo seminar "Strategies to Avoid Becoming a Victim." The seminar, sponsored by the Buffalo Niagara Human Resource Association in conjunction with the firm Harter Secrest & Emery, addressed collective and class actions under the Fair Labor Standards Act and the New York Labor Law. Lapoff counsels clients regarding employment and labor law in the Rochester, N.Y., office of Harter Secrest & Emery.

**Charles W. Russell '95**, a Rochester, N.Y., resident, has become a member of the firm Harris Beach in the Pittsford, N.Y., office, practicing in the commercial real estate and finance group.

**John E. Stanton Jr. '95** has become a partner in the firm Brown & Kelly in Buffalo. He deals with matters involving civil litigation, including personal injury defense, products liability and safe-place-to-work actions.

**R. Hugh Stephens '95** was appointed chair of the environmental law committee of the Bar Association of Erie County. He is a partner in the firm Stephens & Stephens in Buffalo.

**Kevin D. Szczepanski '95** was appointed to the board of St. Francis High School in Athol Springs, N.Y. Szczepanski is an alumnus of the high school and a member of the board of directors of the UB Law Alumni Association. He is a partner in the firm Hodgson Russ in the Buffalo office.

**Hilary C. Banker '96** has become a member of the board of directors for 2006 for the Western New York Trial Lawyers



# Alumni Briefs

Association. She is also currently a member of the board of directors of the UB Law Alumni Association and a past president of UB Law School's GOLD Group. Banker also was installed as president of the Western New York Chapter of the Women's Bar Association at the annual installation and awards ceremony dinner in Buffalo. Banker is a partner in the Buffalo firm Burgio Kita & Curvin.

**Jose A. Fernandez '96** has accepted a position as director of policy development and compliance at Mercer County Community College in West Windsor, N.J. Prior to that, he was a legal specialist for New Jersey's Executive Commission on Ethical Standards. Fernandez is a Trenton, N.J., resident.

**Laurie A. Giordano '96** has become a partner in the firm Wolford & Leclair in Rochester, N.Y. She specializes in commercial litigation, insurance coverage and personal injury litigation. Giordano was been listed by *The Daily Record* as an Up & Coming Attorney for 2006.

**Leslie P. Machado '96** of Alexandria, Va., has been promoted to partner in the Washington, D.C., office of the firm Nixon Peabody. He is a member of the firm's insurance practice group specializing in labor and employment law.

**Brian M. Melber '96**, a partner in the Buffalo firm Personius Melber, has been appointed to the board of directors of the UB Law Alumni Association as vice president. He is also a trial advocacy instructor at UB Law School and a resident of Kenmore, N.Y.

**Benjamin D. Pierson '96** has joined the firm Cooley Godward Kronish in the New York City office. He is an associate practicing corporate law.

**David Rodriguez '96** is the new deputy corporation counsel for the City of Buffalo. Rodriguez is the first Hispanic American appointed to the position. He had been a solo practitioner in Buffalo since 2003.

**Christopher G. Floreale '97** has become a partner in the firm



**Charles J. Sullivan '92**

Goldberg Segalla in Buffalo. He counsels clients regarding insurance defense including automobile negligence, premises liability, work site injury, personal injury, transportation and no-fault litigation.

**Hon. Lenora B. Foote '97** has been named Erie County Family Court support magistrate in Buffalo. Foote was formerly assistant corporation counsel for the City of Buffalo. She is currently a member of the board of directors of the UB Law Alumni Association and a past member of UB Law School's GOLD Group.

**Randall F. Inniss '97** has taken a position as senior manager with the National Basketball Association. Inniss, who previously worked for the New York State Police, will be working with NBA's security department. He will also travel with the USA world championship basketball team in Japan and France.

**Renata Kowalczyk '97** has been named a partner in the firm Brown & Kelly in Buffalo. She concentrates her practice in civil defense litigation and is a Buffalo resident.

**David J. Luzon '97** has become associated with the firm Phillips Lytle in the Buffalo office. He practices in the family wealth planning practice group, handling matters involving estate and trust planning and administration, elder law and tax law.

**Melissa Hancock Nickson '97** has been named to the board of directors of UB Law School's GOLD Group. She is confidential

law clerk to New York State Supreme Court justice, 8th Judicial District, **Hon. John M. Curran '84**.

**D. Charles Roberts Jr. '97** was named to the Niagara Frontier Corporate Counsel Association board of directors. Roberts is corporate counsel for Delaware North Cos. in Buffalo and a past president of UB Law School's GOLD Group.

**Kristen M. Smith '97**, a Buffalo attorney, was elected to the Western New York Trial Lawyers Association board of directors for 2006. Smith is also local director and programs committee co-chair of the Western New York Chapter of the Women's Bar Association of the State of New York.

**Elizabeth R. Wright '97** is the new executive director of the Thomas Reynolds Center for Special Education and After-School Programs at Daemen College in Amherst, N.Y. She will be involved with curriculum development, fundraising, teacher training and special education research. Wright was previously a partner in the firm Goldstein, Ackerhalt & Pletcher in Buffalo.

**Jennifer Berger '98** of Alexandria, Va., has accepted a supervisory position at AARP's Legal Counsel for the Elderly. In addition, she was recently elected to the steering committee of the D.C. Bar's real estate transactions committee. Berger previously worked at the Legal Aid Society of D.C. and the Maryland Legal Aid Bureau.

**Jennifer Burke '98** has become an associate in the firm Damon & Morey in the Buffalo office. She is a member of the firm's real estate and banking department.

**Betty Calvo-Torres '98** recently became of counsel in the firm Cantor, Lukaski, Dolce & Panepinto in Buffalo. Previously a solo practitioner, she will be in charge of the firm's practice area that serves the Hispanic community. Calvo-Torres is also president of the Hispanic Women's League of Western New York and immediate past president of the Minority Bar Association of Western New York in Buffalo.

**Peter J. Eisenhower '98** was named partner in the Buffalo firm Lewis & Lewis, handling workers' compensation matters. He is a Buffalo resident.

**Joan M. Fildes '98** has been promoted to partner in the firm Kavinoky & Cook in Buffalo. She handles cases regarding personal injury, insurance defense, matrimonial and family law.

**Kathryn Bryk Friedman '98** has been named special counsel in the Buffalo firm Magavern Magavern & Grimm, counseling clients in international law. Friedman is also deputy director at the University at Buffalo Regional Institute.

**Bernard R. Hurwitz '98** has joined the Genesee Valley Board of Cooperative Educational Services as a labor relations coordinator. He lives in Pittsford, N.Y., with his wife, Stacy, and two children.

**Thomas P. Kawalec '98** has been promoted to officer /shareholder in the firm Chelus, Herdzik, Speyer, Monte & Pajak in Buffalo. Kawalec has been with the firm since 1998 and practices insurance defense, personal injury litigation, medical malpractice, criminal law, workers' compensation, estate planning and commercial litigation.

**Gregory Mattacola '98** of Rome, N.Y., has been nominated by Rome Mayor James Brown for the 2006 Accent on Excellence Award for his community involvement and volunteerism. Mattacola, a solo practitioner, is a past member of the board of directors of UB Law School's GOLD Group.

**Mickey H. Osterreicher '98** has been chosen by the National Press Photographers Association to assist in defending photographers' rights and challenging policies that are harmful for photojournalists. He has served as chairman of the association's government and media relations committee and is a member of the advocacy committee. Osterreicher is a Buffalo solo practitioner and an award-winning photojournalist. He is a resident of East Amherst, N.Y.



**Candid 1:** Alberto M. Benitez and Gay Perotto



**Candid 2:** Caroline T. Silk, Leslie Stroth Wickham and Howard Spierer

20th Reunion  
May 2006

**1st Row:** Lisa L. McDougall, Dr. Martin A. Spitzer, Gay Perotto, Leslie Stroth Wickham, Alberto M. Benitez

**2nd Row:** David N. Hoffman, Lionel S. Rigler, Caroline T. Silk, Gayle T. Murphy, Melinda R. Saran, Jan M. Smolak, Roy A. Mura

**3rd Row:** Timothy G. McEvoy, Simeon L. Goldman, Hon. Diane Y. Devlin

**4th Row:** Nicholas S. Priore, Kathleen Tenney Willis, Jeffery H. Katz, Michael G. Whalen

**5th Row:** Howard Spierer, Brenda J. Joyce, James M. Joyce, Roger L. Banan

**6th Row:** Gerard E. O'Connor, Quincy Cotton, Steven I. Hein, Matthew J. Fusco, Craig M. Atlas



# Alumni Briefs

**Jennifer Persico '98** has been appointed to the board of directors for 2006 for the Western New York Trial Lawyers Association. Persico is a Buffalo attorney and resident.

**Lisa D. Primerano '98** was named legal counsel to the Buffalo Junior Chamber of Commerce. She is an attorney in the Buffalo firm Goldberg Segalla, a member of the board of directors of UB Law School's GOLD Group and a member of the Western New York chapter of the Women's Bar Association of the State of New York.

**Jennifer Ruggiero '98**, corporate counsel for M&T Bank in Buffalo, has become a member of the board of directors for the Niagara Frontier Corporate Counsel Association.

**Stephen A. Sharkey '98** has accepted a position in the Buffalo firm Rupp, Baase, Pfalzgraf, Cunningham & Coppola. He concentrates his practice in commercial and insurance litigation and is a Williamsville, N.Y., resident.

**Heath J. Szymczak '98**, a partner in the Buffalo office of the firm Jaeckle Fleischmann & Mugel, was a presenter at the New York Insurance Association Mock Trial in Syracuse, N.Y. Szymczak practices in litigation, concentrating on business-related and commercial litigation. He also has been elected vice president of the board of directors of the Buffalo Alliance for Education.

**Lourdes M. Ventura '98** has accepted a position as deputy chief of staff for the New York State Democratic Conference, with offices in Albany and New York City. Ventura will oversee policy and finance matters. She is immediate past president of the Latino Lawyers Association of Queens County.

**Marc W. Brown '99** has been elected president of UB Law School's GOLD Group. Brown is an associate in the firm Phillips Lytle in the Buffalo office.

**Melissa Brown-Williams '99** has been honored as one of *Business First's* 40 Under 40



**Kevin D. Szczepanski '95**

honorees for 2006 for outstanding professional leadership, community involvement and professional success in Western New York. She was also recently appointed by the 8th Judicial District as the deputy chief clerk of Lackawanna City Court in Lackawanna, N.Y. She resides in East Amherst, N.Y., with her husband and two daughters.

**Stephanie A. Cole '99**, a partner in the Buffalo firm Bloom Cole & Shonn, is now general counsel for Niagara University in Niagara County, N.Y. Cole has a background in IP, business, education and municipal law and is the current chair of the Erie County Bar Association's IP committee.

**Daniel R. Connors '99** has been promoted to partner in the firm Cohen & Lombardo in Buffalo. He deals with cases regarding civil litigation and insurance law in construction accidents, complex medical malpractice, automobile accidents and premises accidents. Connors is a Buffalo resident.

**Toni L. Frain '99** was elected to the board of directors of the UB Law Alumni Association. Frain is an associate in the firm Kavinoky & Cook in Buffalo. She was also appointed to the organizational committee of the National Kidney Foundation's 2006 Kidney Walk.

**Kevin W. Hourihan '99** has been appointed to the board of directors of UB Law School's GOLD Group. He practices in the firm Lipsitz, Green,

Fahringer, Roll, Salisbury & Cambria in Buffalo.

**Christopher L. Jacobs '99**, of Buffalo, has become New York State secretary of state. Jacobs owns Avalon Development, a real estate development firm in Buffalo. He previously served as deputy commissioner of the Erie County Office of Planning and Economic Development. In addition, he is a former recipient of the Leadership Award from the Buffalo Urban League and was on the board of directors of UB Law School's GOLD Group.

**Russell B. Klein '99** is the assistant attorney general for the Colorado attorney general's office in Denver. He represents the Colorado division of securities in licensing and injunctive/enforcement actions.

**Mark J. Stuhlmiller '99** was elected president of the Niagara Frontier Corporate Counsel Association for 2006-07. He is assistant general counsel for Computer Task Group in Buffalo.

**Melissa R. Williams '99** was recently appointed by the 8th Judicial District as the deputy chief clerk of Lackawanna City Court in Lackawanna, N.Y. Prior to the appointment, she served as resource coordinator of the domestic violence department of Buffalo City Court. Williams resides in Amherst, N.Y., with her husband and two daughters.

## '00s

**Irene Chiu '00** chaired the China panel at the National Asian Pacific American Bar Association's annual convention in Philadelphia in November. Chiu was nominated for the association's Best Lawyers Under 40 award. Chiu also was recognized by UB Law School's Latin American, black and Asian-American student associations at the 17th annual Students of Color Dinner. She is a senior associate in the business and finance and China practice groups in the Princeton, N.J., office of Morgan Lewis & Bockius and a past member of

the board of directors of UB Law School's GOLD Group.

**Michael W. Cole '00** has been nominated to the New York State Assembly, 142<sup>nd</sup> District. Cole practices in the firm Jeffrey Freedman Attorneys at Law in the Buffalo office.

**Edward C. Daniel III '00** is of counsel to the firm Hiscock & Barclay in the Rochester, N.Y., office. Daniel, an attorney and CPA, counsels clients regarding tax and public finance matters. He lives in Fairport, N.Y.

**Kathlene M. Loconti '00** was named to a three-year term on the new attorney grievance committee for the 5<sup>th</sup> Judicial District. Loconti practices and lives in Lowville, N.Y.

**Tiffany Perry '00** was appointed vice president of the Minority Bar Association of Western New York, in Buffalo, for 2006. Perry is a resident of Kenmore, N.Y.

**Nicole Roberts '00** was named treasurer of the Minority Bar Association of Western New York for 2006. She is a Buffalo attorney.

**Margot Schoenborn '00** of Brooklyn, N.Y., has served as an assistant U.S. attorney for the Eastern District of New York since 2003. As a member of the civil division, she defends actions brought against the United States and its agencies and prosecutes civil health care fraud cases. Schoenborn has also had the honor of meeting Attorney General Alberto Gonzales last spring when he visited the Brooklyn U.S. attorney's office.

**Elizabeth Snyder '00** has been promoted to senior attorney with the State of New York Mental Hygiene Legal Service, Appellate Division, 4th Department, in Utica, N.Y., where she resides.

**Stephanie Williams Torres '00** has accepted a position as director of medical affairs for Kaleida Health Systems in Buffalo. Previously she practiced in the Buffalo firm Hiscock & Barclay. She is a member of the board of directors of UB Law





**1st Row:** Pietra Lettieri, Gretchen M. Nichols, Rayne Lynne Hammond Benz, Shannon S. Fubrman, Mark John Dunford, Norma Aileen Polizzi, Michelle MacCagnano, Lori Ann Robb, Andrea Ruta Kozlowski, Deborah J. Karet

**2nd Row:** Jorge E. Artieda, Noralyn A. Dillon, Emilio Colaiacovo, Gabriel S. DiMaio, Mary Snyder Radel, Jill M. Skretny, David Allen, David D. Benz, John M. Baxter, Michael R. Argentieri, Peter M. Carey, Terry D. Loretto, Thomas P. Hurley, Erin D. Pemberton, Ellen B. Sturm, Tanya D. McDuffie, Jennifer A. Hurley.

# Class of 2001



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**Candid 2:** Shannon S. Fubrman and Michael R. Argentieri .

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# Alumni Briefs

previously employed by Gateway-Longview in Williamsville, N.Y.

**Mariely Downey '03** has joined the Buffalo firm Hodgson Russ as the attorney employment manager. Downey will be responsible for recruiting and coordinating training and mentoring programs for the firm. She is an Amherst, N.Y., resident.

**Daniel J. Dzenkowski '03** is working in London, England, at KPMG in the U.S. international tax group. He previously worked in the U.S. international tax group at Deloitte in Brussels, Belgium.

**Melissa A. Foti '03** was elected chair of the Bar Association of Erie County's young lawyers committee. Foti practices as an associate in the firm Kenney Shelton Liptak & Nowak in Buffalo.

**Langston D. McFadden '03** has been selected as a Rochester, N.Y., Up & Coming Attorney for 2006 by *The Daily Record*. He practices in the Rochester firm Brown & Hutchinson in the areas of employment discrimination, premises liability, civil rights and torts. McFadden is a past recipient of the Dolores Denman Award and the Minority Bar Association of Western New York Achievement Award. He is a Rochester resident.

**Shazia N. Nagamia '03** is an assistant state attorney in the Florida state attorney's office in Tampa, Fla. Nagamia is a lecturer at Florida Prosecution Association seminars on Domestic Violence Prosecution and a mentor/volunteer at Stetson Law School's Career Day.

**Kovienna Y. Nelson '03** was hired by the Phoenix School of Law as a public service librarian in the Information Resources Center in Phoenix, Ariz. She has previous experience as a circulation and interlibrary loan specialist in addition to clerking for Erie County Family Court in Buffalo.

**Mary Ognibene '03** has joined the corporate practice group in the Rochester, N.Y., office of Harter Secrest & Emery. Ognibene is an associate



**Rosemary T. Garlapow '05**

handling cases involving mergers, acquisitions and general corporate matters.

**James E. Privitera '03** has accepted a position as vice president of human resources for Meadville Medical Center in Meadville, Pa. Privitera was previously director of human resources for Kaleida Health in Buffalo and a member of UB Law School's GOLD Group.

**Alison J. Rich '03** has become associated with the Rochester, N.Y., firm Evans & Fox. She concentrates her practice in business, tax, wills and estate administration.

**Cynthia Y. Su, LL.M. '03**, is practicing in the corporate department of the firm Dinsmore & Shohl in the Cincinnati, Ohio, office. Su is an associate specializing in immigration law and is a Cincinnati resident.

**Victor M. Wright '03** of Orchard Park, N.Y., joined the firm Rupp, Baase, Pfalzgraf, Cunningham & Coppola in Buffalo. Wright is an associate practicing commercial law.

**Scott D. Carlton '04** has been hired by the firm Goldberg Segalla as an associate in the Rochester, N.Y., office. Carlton concentrates his practice in the areas of insurance defense and product liability.

**Bethany J. Gilbert '04** has been appointed to the United Way of Buffalo and Erie County board governance project. Gilbert also has been accepted to the Rising Leaders Program in Buffalo. Gilbert is an associate in the Buffalo firm Hodgson Russ,

specializing in health law and corporate and securities law. She is a member of the board of directors of UB Law School's GOLD Group.

**Amy P. Herstek '04** and **Daniel P. Joyce '84** discussed updates on immigration law on Nov. 14 at the Buffalo firm Jaeckle Fleischmann & Mugel. Herstek practices in the firm's immigration and business and corporate practice groups.

**Max Humann '04** is an assistant district attorney in the Erie County district attorney's office in Buffalo, where he resides.

**Jami E. Kaplan '04** is working for the New York State Division of Human Rights in the Syracuse, N.Y., office. She deals with charges that arise under the New York State Human Rights Law which primarily involve discrimination cases in employment, housing and public accommodation. Kaplan is a Syracuse resident.

**Jennifer M. McCann '04** has accepted a position as associate in the Buffalo firm Hurwitz & Fine. She practices in estate planning/trusts and tax law. She is a Buffalo resident.

**Megan A. Stoner '04** has accepted a position as an associate in the firm Magavern Magavern & Grimm in Buffalo. She will handle matters regarding tax and corporate law.

**Todd M. Thomas '04**, a Jamestown, N.Y., attorney, was appointed to complete a term as legal director for the New York State Democrats. Thomas will manage the revision of the group's constitution and serve as a member of its leadership committee.

**Jennifer L. Thompson '04** is practicing in the firm Burg Simpson Eldredge Hersh & Jardine in Englewood, Colo. She handles cases involving medical negligence and birth trauma as well as pharmaceutical mass torts. She was previously with the firm Lopez Hodes Restaino Milman & Skikos in Newport Beach, Calif. Thompson was employed as a paramedic for six years in Rochester, N.Y., and as a tissue

procurement specialist for the Rochester Eye and Human Parts Bank. She currently resides in Castle Rock, Colo.

**Kyle R. Andrews '05** has become associated with the firm Harris Beach in the Niagara Falls, N.Y., office. He concentrates his practice in real estate and estate planning. In addition, Andrews is a Niagara County legislator for the 14th District and is also the town attorney in Wilson, N.Y., where he resides.

**Timothy D. Boldt '05** is an associate in the Rochester, N.Y., firm Ernststrom & Drete. He focuses on matters involving commercial contract litigation, including construction and surety industries. Boldt is a Rochester resident.

**Christian Brockway '05** practices in the corporate department in the firm Damon & Morey. She joined the firm as an associate in the Buffalo office.

**Robin E. Catalano '05** practices in personal injury and business litigation. She has joined the Buffalo firm Gross Shuman Brizdle & Gilfillan as an associate.

**Melissa A. Cavagnaro '05** is an associate in the firm Cohen & Lombardo in Buffalo. She counsels clients in matrimonial and family law and civil litigation.

**Heather A. DeCastro '05** has taken a position as assistant district attorney assigned to welfare fraud at the Niagara County district attorney's office in Lockport, N.Y.

**Michelle L. Fagan '05** has joined the firm Connors & Corcoran in Rochester, N.Y. She deals with trust and estates, real estate and insurance defense litigation.

**Rosemary T. Garlapow '05** has joined the firm Hodgson Russ in the Buffalo office. Garlapow specializes in corporate and securities law. She lives in Alden, N.Y.

**Thomas M. Gordon '05** has joined the Buffalo firm Gross Shuman Brizdle & Gilfillan as an associate. He specializes in corporate, tax and securities law. Gordon lives in Buffalo.

# In Memoriam

The Law School extends its deepest condolences to the families and friends of the following friends and alumni/ae:

**Melinda Grabowski '05** is an associate in the firm Ziller, Marsh & Lang in Buffalo, concentrating in personal injury. She is a resident of Hamburg, N.Y.

**Melanie Grossman '05** has been appointed legislative affairs coordinator for the New York State Department of Civil Service. She is a resident of Selkirk, N.Y.

**Timothy R. Hedges '05** is practicing workers' compensation defense as an associate with the firm Hamberger & Weiss in the Buffalo office.

**Jillian Hemstock '05** of New York City counsels clients regarding medical malpractice defense. She recently joined the firm Martin Clearwater & Bell in the New York City office.

**Anne E. Joynt '05** has become an associate in the firm Lipsitz & Ponterio in Buffalo. She will handle matters involving asbestos, personal injury and lead paint litigation.

**Lara Kasper-Buckareff '05** is an attorney at MidPenn Legal Services in Lancaster, Pa., practicing in the areas of protection from abuse, child custody and unemployment compensation law. She is also an associate adjunct professor at Franklin and Marshall College in Lancaster, where she resides.

**Thomas L. Kennedy '05** has accepted a position as an associate in the firm Damon & Morey in the Buffalo office. He practices in the firm's business litigation and insolvency department. Kennedy previously worked in banking and served in the U.S. Navy.

**Katharine R. Knauf '05** is a member of the executive compensation group in the firm Harter, Secrest & Emery. She joined the Rochester, N.Y., office as an associate. She is a Rochester resident.

**Jason P. Livingston '05** practices in the firm Woods Oviatt Gilman as an associate in the Rochester, N.Y., office, handling cases involving estate planning and estate administration. He is a Webster, N.Y., resident.

**Roland R. Benzow '33**, Cheektowaga, New York  
**Sherman F. Babcock '37**, Sun City, Florida  
**Ralph A. Boniello '37**, Lewiston, New York  
**James L. Crane Jr. '38**, Buffalo  
**Norman R. Brown '41**, East Aurora, New York  
**Leonard M. Sciolino '42**, Buffalo  
**John J. Mathews '47**, Clifton Park, New York  
**Dale J. Manchester '48**, Springville, New York  
**James J. Brady '49**, Buffalo  
**Alva R. Kitt '49**, Pittsford, New York  
**Hon. John W. Creahan '50**, Buffalo  
**Anthony J. Renaldo '50**, Getzville, New York  
**Dorothy F. Murphy '51**, Getzville, New York  
**Winthrop H. Phelps III '52**, Orchard Park, New York  
**Donald W. Drake '54**, Lewiston, New York  
**Samuel R. Miserendino '54**, Sarasota, Florida  
**Roger W. Wilber '54**, Tampa, Florida  
**Hon. Vincent E. Doyle Jr. '56**, Buffalo  
**George T. Ganey Jr. '56**, Buffalo  
**Howard L. Meyer II '56**, East Aurora, New York  
**Pat V. Dinolfo '58**, Rochester, New York  
**Joseph Carlisi '59**, Atlanta, Georgia  
**David Fielding '60**, Buffalo  
**Hon. Henry G. Gossel '60**, West Seneca, New York  
**Douglas J. Crowley '66**, Niagara Falls, New York  
**Kurt A. Franzenburg '69**, Owego, New York  
**Bohdan M. Harasym '69**, Buffalo  
**Charles J. Scibetta '69**, Buffalo  
**Stephen J. Perrello Jr. '70**, San Diego, California  
**Irwin L. Sandler '70**, Greenwood Village, Colorado  
**Carl S. Levine '73**, Melville, New York  
**Jose Sosa '77**, North Palm Beach, Florida  
**Sara E. Zurenda '77**, Elmira, New York  
**Deborah N. Sorbini-Barnes '80**, Orchard Park, New York  
**Martin P. Violante '80**, Niagara Falls, New York  
**Douglas C. Johnston '81**, DeWitt, New York  
**Mark F. Scarcello '83**, Dublin, Ohio  
**Miriam Bandes '87**, Buffalo  
**Timothy L. Foley '87**, Buffalo  
**Wendy A. Ciesla '88**, Amherst, New York  
**David E. Wood '88**, Madison, Wisconsin  
**Sara E. Hewitt '94**, New York, New York  
**Steven J. Przyborski '96**, Brighton, Massachusetts  
**Sara L. Thrasher '99**, Randolph, New York

**Myron Malkinson**, worked in the Law School from 1965 to the mid-'80s, in Boulder, Colorado

**Thad G. McMurray '05**, a registered patent attorney, has joined the firm Simpson & Simpson in Williamsville, N.Y. McMurray will focus on matters concerning patent procurement as well as biotechnology, chemical and mechanical arts.

**Molly L. Mallia '05** is an associate handling cases involving labor and employment law. She joined the firm Damon & Morey and practices in the Buffalo office.

**Sarah H. Marangola '05** is practicing as an associate in the firm Harter, Secrest & Emery in the Rochester, N.Y., office. She specializes in labor relations and employment law.

**Karema T. Page '05** is practicing in the firm Jaecle Fleischmann & Mugel as an associate in the Buffalo office. She specializes in corporate and tax law. Page is a resident of Buffalo.

**Alisha M. Pieraccini '05** has joined the Syracuse, N.Y., firm Menter, Rudin & Trivelpiece as an associate. She concentrates her practice in commercial transactions and real estate law.

**Danielle E. Shainbrown '05** has joined the Buffalo firm Rupp, Baase, Pfalzgraf, Cunningham & Coppola as an associate. Shainbrown concentrates her practice in commercial litigation and insurance defense. She is a member of the board of directors of UB

Law School's GOLD Group and Musicians United for Superior Education.

**Meredith A. Vacca '05** was named an associate in the firm Hamberger & Weiss in the Rochester, N.Y., office, focusing her practice in workers' compensation. She is a Rochester resident.

**Keith R. Vona '05** practices in the areas of asbestos, personal injury and lead paint litigation. Vona, previously a City of Buffalo police officer, has accepted a position as an associate in the Buffalo firm Lipsitz & Ponterio.

**Kristen M. Walder '05** has become associated with the firm Chelus, Herdzik, Speyer, Monte & Pajak in Buffalo, handling litigation cases. Walder is a Buffalo resident.

**Jennifer Behrens '06** is a reference librarian at Duke University in Durham, N.C. Behrens was a Reference/Mercury graduate assistant at UB Law School.

**Scott J. Bizub '06** has become associated with the firm Bouvier Partnership in Buffalo, practicing in the litigation group.

**Kathryn A. Lisandrelli '06** is practicing as an associate in the firm Hiscock & Barclay in the Buffalo office. She counsels clients regarding labor and employment matters, employee benefits, corporate law, financial services, tax and international business. She is an Amherst, N.Y., resident.

**Michael D. Mann '06** has joined the firm Sidley Austin in the New York City office. Mann is an associate practicing litigation.

**Jodi Reynolds '06** has been named an associate in the Rochester, N.Y., office of Harter, Secrest & Emery. She works in the intellectual property group as a registered patent agent.

**Jason Womer '06** has joined the firm Hiscock & Barclay in the Rochester, N.Y., office as an associate. He practices in the intellectual property and technology practice group, focusing on copyright, trademark and trade secret law.



# AS WE GO TO PRESS

## A new voice for Africa

*Nicole Lee '02 takes the helm at TransAfrica Forum*

**T**he nation's oldest African-American advocacy organization for justice in Africa and the Diaspora has a new chief officer who is a UB Law School graduate.

Nicole Lee '02 became executive director of TransAfrica Forum in mid-December. Her appointment was announced by actor Danny Glover, chairman of TransAfrica Forum's board. She had previously served as operations director of the Washington, D.C.-based organization.

Lee is the first woman to head the 30-year-old organization.

"I do not recall across the Law School any student who has achieved something like this," said Professor Makau Mutua, with whom Lee worked closely in the Law School as she pursued an international law concentration. "It is really a meteoric rise."

As executive director, Lee will oversee the organization's human rights and advocacy work relating to Africa and other worldwide locations where people of African descent have settled in large numbers, including Europe, the Caribbean and South America. She is also responsible for administration, fundraising and financial management.

Largely, she said, TransAfrica Forum takes its lead from the populations whose causes it seeks to advance. "We do not speak for them," she said, "but as we move forward as a constituent organization in the United States, we need to ensure that we amplify the voices of the Diaspora and international civil society here in the U.S."

Lee credits her predecessors in the job – Randall Robinson, who spearheaded the anti-apartheid movement in the United States, and Bill Fletcher – with setting forth "strong visions of pan-Africanism, and how to position the organization so we could make effective policy change in the United States in support of the African world. They had really strong visions of the type of organization they wanted to build."

One of the organization's strengths, she said, is constituent education – teaching Americans about the real issues affecting Africans and people of African descent. For example, she said, "when most people think of Columbia, they think of the war on drugs. What they do

not think about is the victims of the war on drugs, indigenous populations and Afro-descendant populations both who are affected by deforestation and fumigation. Many of these communities have nothing but their land and are used as pawns in the war on drugs. The average American is not really aware that that is going on."

Lee, a Buffalo native, did her undergraduate work at UB. When she decided to go to law school, she said, she was drawn to UB Law by the strength of its international law and human rights programs, and the chance to work with Mutua.

"Many people go to law school thinking they are going to work at a law firm," she said. "For me, the purpose of going to law school was to be a better human rights advocate. Law school was really a tool to get me where I wanted to be. That clarity really helped me hone in on the areas I wanted to be working in."

In her final year at UB Law, Mutua named her an international law fellow. In that capacity, she worked with him in running the school's Human Rights Center, organizing conferences and internships, and bringing in speakers. She also worked for a time at a Legal Aid firm in Capetown, South Africa.

All of this, she said, was helpful in positioning herself to work in global human rights. "Human rights is one of the most competitive fields to pursue," Lee said.

"I learned that just wanting to 'do good' is not enough. I needed to learn everything I possibly could, and how my own ideology fit into what I would do next. In order to locate yourself, you have to have an understanding of what



Nicole Lee '02 was recently named executive director of TransAfrica Forum.

you truly believe. At some point you have to stop merely being a sponge and articulate what you really believe."

Following her Law School graduation, she worked with a human rights law firm in Haiti, traveling often to Washington, D.C., to advocate on issues involving public health care in Haiti. Following a February 2004 coup in Haiti, she ended up in D.C. full time, and joined TransAfrica Forum early in 2005.

Now she is managing a paid staff of eight or nine people, augmented by about 50 active volunteers and a "very active and high-profile board," which in addition to Glover includes actor-singer Harry Belafonte.

She remains a booster of UB Law School, its effect on her professional life and its future. "The biggest advantage of going to UB," she said, "was that I had very progressive professors. The university is one of the only places where you can question our society and how our society functions in a way that is fairly constructive."

And as she looks to the Law School's future, not surprisingly she sees great promise in its human rights program. "In terms of creating a Law School that is top-notch," Lee said, "we need to put our energy behind the Human Rights Center and the international law program that Makau is creating. That program has a vision. It is going to be that vision that will take the Law School to the next level."

# When you give back, we move forward.



## A clear direction for the future

**UB Law School is on the move.** We are always **looking forward.**

We have an excellent faculty, a talented and diverse student body, a cutting-edge curriculum, and a strong alumni network. To compete with the top schools, **your support is crucial** as we take our Law School to even greater heights. To learn more about **giving back**, contact Deborah Scott, Vice Dean for Development, at (716) 645-2113 or e-mail her at [djscott@buffalo.edu](mailto:djscott@buffalo.edu).

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