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Maureen Mahoney, ’78, represented the University of Michigan in the landmark case upholding the constitutionality of higher education admissions programs that consider race as one of many factors that may be used to attain the educational benefits of a diverse student body. In this interview, she shares some insights on arguing *Grutter v. Bollinger*, with supporting perspectives from Professor David Strauss, Thomas A. Gottschalk, ’67, and Assistant Dean for Admissions Ann K. Perry.

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Powerful and often uncontrollable factors influence judges, prosecutors, and juries when sports celebrities are accused of crimes. Lester E. Munson, Jr., ’67, examines what can happen when money, celebrity, and ego collide with criminal justice.

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An irreverent look at the Law School’s top softball team’s 2003 tournament championship, as reported by Richard Hess, ’04.
More Apathy than Previously Reported

In the Spring 2003 issue of the Record, you reported on the successes of the Law School’s woman’s intramural football team, Apathy. Specifically, you reported that Apathy has been a force to be reckoned with around the campus “since 1991.”

I am writing to let you know that the roots of the Law School’s success go much deeper than 1991. The Law School’s dominance in woman’s intramural football at the University actually dates back to the fall of 1986, when the Class of ‘89 came to the Midway. During their entire three years, the Law School’s football team was not merely champion, not merely undefeated, but in fact unscored upon! This truly is an unimaginable achievement the likes of which will surely not be seen again in the annals of sport. One can only imagine the absolute dread experienced by the unworthy opponents of these titans.

I am proud to have called two of these gridiron greats, Tecla Murphy and Sharon Zezima, roommates during those mighty times. I cannot now name all of the other women who contributed to that epic run, but I do remember that Lori Lightfoot was the quarterback. I just thought I would make sure that the achievements of these pioneers were not forgotten.

—Stephen Anderson, ’89

Lions or Tigers, Oh My!

Having supped near the Maneaters of Tsavo, I can report that they were lions, not geographically-displaced tigers (Ref. p. 4 of the Spring 2003 Record).

—Rob Sherwin, ’78

Send your comments to: record@law.uchicago.edu

The Record is proud to produce photographic proof of the 1986 Apathy team, thanks to Sara Cavendish, ’89. This picture was taken at that year’s celebration banquet.
Message from the Dean

As I hold some page proofs of this Law School Record in my hands, I notice that it refers to athletic endeavors as much as it does to intellectual ones, and that it does so more than any other publication or experience I associate with this Law School. We have, as this issue reports, a national (law school) champion softball team, a campus champion (women's) football team, and a well-known, interesting sports columnist among our graduates. In recent years, our publications (and our film, Ideas and Action, which many readers have seen during this Centennial year) have featured a student who had been a prominent professional football player (though his is a serious mind as well) and a captivating article by Professor Meltzer on a faculty-student softball game. You may know that the Law School sports a thriving fantasy baseball league, that there is now a foosball table in the Green Lounge, and that we sometimes sponsor teams in public-spirited road races. Still, it is unlikely that our great institution will make its mark during this year, or indeed at any time in the next hundred years, on any athletic field or its environs.

The pride or amusement we sometimes take in these ventures should be understood, I think, as a sign that we aim to be a congenial and student-friendly place, and that our unmatched and well-known intellectual intensity can be combined with a healthy dose of play. It is natural for a Dean to take pride in an unbelievably productive faculty—especially when it is one that finds time to do more teaching, and higher quality teaching, than any other important law faculty—and to point repeatedly to interesting ideas and papers that are generated by our students. These, after all, are the sorts of things that we do better than anyone else. We take one another's ideas seriously and, in doing so, we encourage excellence in all who pass through here. But, in many subtle ways, the fact that these star scholars can also play ball—and even sing, dance, and cook on occasion—makes them better teachers (and students) and makes the place more attractive to some of the students we most wish to attract. Perhaps students are more likely to think of their teachers as role models if these teachers are multidimensional. It happens that my own affection and admiration for colleagues, students, and alumni grow as I learn of their extracurricular talents, but the more important point is that the expression given to these tastes makes the Law School a more collegial place.

I am convinced that this warmth also improves the learning environment at our School. And so, I hope you enjoy these pieces about play at the Law School, knowing as you do (all too well!) that most of our collective ferocity is saved for intellectual pursuits.

Speaking of multidimensional people, we should record the eightieth birthday of one of my predecessors, Dean Norval Morris. Norval's protégés have organized an intellectual celebration of his work and of his personal and professional influence, and that, even were it to stand alone as evidence, would be a powerful signal of the multidimensional qualities he brings to many endeavors. Happy Birthday, Norval!

Our other deans-in-residence (or residence-in-spirit) continue to thrive. My friend and immediate predecessor, Dan Fischel, returns to the Law School from a visit away to teach this year. You will soon hear of Dan's generosity, teamwork, and vision as to our school's future. Douglas Baird continues to teach and write on a variety of subjects, and serves as a mentor to many students and graduates. His recent passions include running and cooking, and these talents remind us of the multidimensional quality of this distinguished group of former deans. Geof Stone has reclaimed his position as one of our best and most popular teachers, even as we anticipate his new book on civil liberties in wartime. Gerhard Casper graced us at our Centennial Gala. I can report running into him at the Museum of Modern Art in New York—where I enjoyed a short talk on Gerhard Richter's art, though I doubt anyone needed evidence of Dean Casper's renaissance qualities. Last but not least, Phil Neal recently celebrated his eighty-fourth birthday, and was the subject of a flattering article in the Chicago Lawyer.

In short, the new school year finds us ready to welcome a spectacular class of students into our community, cognizant of our good fortune in having excellent and active role models on the premises, and prepared to incorporate some play and sport in the lives of these hard-working teachers and students. May we provide the best three years of these students' lives even as we sparkle intellectually!

[Signature]

Paul Lemmare
ON ARGUING 

Grutter v. Bollinger
Leading the firm's appellate and constitutional practice, Maureen Mahoney, '78, is a partner in the Washington D.C. office of Latham & Watkins, LLP. Earlier this year she represented the University of Michigan in the landmark case upholding the constitutionality of admissions programs that consider race as one of many factors in order to attain the educational benefits of a diverse student body. She has argued twelve cases before the Supreme Court and won eleven of them; in October of this year she will defend accounting firm Arthur Andersen before the Fifth United States Circuit Court of Appeals. The National Law Journal recently identified her as one of America's top fifty women litigators. In the following interview, Mahoney shares some insights on arguing Grutter v. Bollinger.
Will you briefly describe the Court's ruling in Grutter v. Bollinger?

The general question was whether the Constitution requires the admissions policies of higher education institutions to be colorblind. The Court decided that it does not. Specifically, the most important conclusion in this case is that racial diversity is a sufficiently compelling interest to permit those institutions to take race into account in admissions. One thing that has not been widely reported is that there were six Justices who agreed with that conclusion, because in addition to the five-person majority in our favor, Justice Kennedy also accepted it in his dissent. Chief Justice Rehnquist, in his dissent, didn't take a position on it. So, regarding that threshold question, you could say the outcome was six to two with one abstention.

The second issue was whether the program used by the law school to select students for admission operated as a quota, placing undue emphasis on race. The Court held that the law school's program was properly devised—narrowly tailored to achieve the aim of a diverse student body, and not a quota.

What's important about this decision?

The most important thing is that it preserves the status quo and there won't have to be re-segregation of institutions that have worked hard to achieve diversity. If elite law schools had to select on a colorblind basis, they'd go back to having very small numbers of minority students. In the year 2000, for example, of all students in the country with GPAs of 3.5 or higher and LSAT scores of 165 or higher, 26 were African-American. Over 3000 were White and Asian.

Justice Scalia suggested that the colorblind solution to that problem would be to lower admission standards.

Yes, but the majority did not agree that it is necessary to choose between high educational standards and a diverse student body.

Does it trouble you that the Court was friendly to subjective diversity plans and so tough on formulaic ones, such as the Michigan undergrad plan?

We certainly wanted to win both cases, but there is some logic to the distinction drawn by the Court. The Equal Protection Clause is about fair access to opportunity. Diversity programs should be designed to ensure that all of a students' potential contributions to diversity can be considered in the admissions process. A program that is too formulaic can prevent that kind of flexible consideration. As the Chief Justice put it, a diversity program that gives no credit to a student who can paint like Monet is not properly tailored to the goal of student body diversity. We argued that the undergraduate program was sufficiently flexible, but the Court disagreed.

Does this make non-transparent government safer?

I think the differences in the programs related more to flexibility than transparency. The University of Michigan Law School's program expressly acknowledged that it was affording a plus to the unusual applicant who had the experience of growing up as a member of a racial minority in America. But the policy also permitted consideration of every other type of diversity, and the record showed that many white applicants benefited from that feature of the policy.
A lot of organizations filed amicus briefs on your side in this case.
The most amicus briefs in Supreme Court history! It took me four twelve-hour days just to read through them all. Most [sixty-nine out of eighty-eight] were on our side, and they came from every facet of American society. Nearly seventy of the most prestigious United States corporations were represented in those briefs, more than sixty-five top private universities, as well as a large number of our best-known and most respected active and retired military officers. It was widely recognized that programs like the one at Michigan's law school are in the best interests of those institutions and of the country as a whole.

Did you learn anything from the amicus briefs? What do you make of their sheer number, other than a reflection of a hot issue?

Some of the amicus briefs were quite helpful in demonstrating the need for race-conscious admissions programs to achieve diversity and the inadequacy of race-neutral alternatives. As for the number, we actually tried to discourage so many separate filings and still ended up with the largest number ever filed. I think this reflected the fact that the values of diversity have really become deeply engrained in the national culture.

Professor David Strauss of the Law School wrote this was essentially a "conservative" decision, in that it respects actions set in place over many years to deal with a recognized national concern. Would you characterize it similarly?

Yes, I believe that in respecting and preserving the status quo in this way, the decision is in the best conservative tradition.

Did you prepare in any special ways?
The current Clerk of the Court, William Suter, tells everyone who's going to present argument that there are three things they need to do in order to perform well—prepare, prepare, and prepare.

Considering your track record when arguing before the Supreme Court, you must be needing those rules.

Well, I guess my preparation routines so far have been pretty effective. For this case, I did three moot courts instead of two. I also had a very unique opportunity: because I was representing one of the great law schools, I got the chance to collaborate with some brilliant faculty members in putting together the arguments and testing them. One of my moot courts was with faculty of the University of Michigan's law school. It was stimulating and great fun, too. For every case, I write down all the questions I can think of—literally hundreds of them, for this case—and then devote myself to answering them all.

After all that preparation, did anything during these oral arguments take you by surprise?

I was asked eighty-six questions in that half-hour, and I felt well prepared to respond to all of them. I wouldn't say I was surprised by this, but I was pleased that there weren't as many questions as I had anticipated about whether diversity is a compelling interest, because that pattern of questions suggested to me that maybe on the threshold question—whether any selection based on race was permissible—the Justices, or enough of them, might be seeing things our way.

Similarly, my spirits lifted when the very first line of questions, from Justice O'Connor to one of the attorneys arguing for the other side, seemed to express some skepticism about the plaintiff's interpretation of the Equal Protection Clause as requiring colorblind decision making. We knew that her support would probably be crucial. I always tell people that you do your planning in a full-bore effort to win your case nine to nothing, but I was pretty sure this one would turn out closer than that.

I was really happy at the conclusion of the argument. I didn't know that we had won, but the argument had gone as well as I could have expected in terms of the nature of the questions that were asked.

What do you think was the weakest part of your argument?

We argued that the Court should follow Justice Powell's opinion in Bakke under principles of stare decisis. This was a difficult argument because no other justice joined Justice Powell's opinion, but even Justice Scalia had called Powell's
opinion the “law of the land” in a law review article written years ago. In the end, the Court did not resolve the issue of *stare decisis* and just adopted Justice Powell’s opinion based upon the persuasiveness of his reasoning. Where does this area of the law go from here? I think regarding diversity in higher education it will be settled law for some time to come. Clearly, race can be a factor in admissions as long as it’s accomplished in appropriate ways. In the companion case [*Gratz v. Bollinger*] the Court invalidated the method used by the University of Michigan to select undergraduate admits, so some schools will have to change their methods. But the lion’s share of selective schools will be able to keep doing what they’ve been doing. I’m sure there will be more activity on other frontiers—in employment law under Title VII, for example.

American Lawyer says that when you argued your first case before the Supreme Court, you were “so well-schooled, poised, and disciplined that, according to one justice, the justices passed notes among themselves during the argument praising Mahoney and asking questions about her background.” Did you notice that happening? No, I was very, very focused on what I was doing. There’s often activity or motion on the bench of one form or another. I was flattered to hear about that later, but I think if I had noticed activity like that at the time, it might have been a bit disconcerting—I might have thought “Oh, no!” and wondered what I was doing wrong. Can the University of Chicago Law School take some credit for your professional accomplishments? I felt then like I had an incredible education, and that feeling hasn’t changed. The Law School prepared me for the most intellectual practice of law, and opened so many doors. The school helped me get my clerkship with Justice Rehnquist: so many people went to bat for me, and I’m so grateful for that. There’s no question in my mind, from my own experience and what I have observed, that the University of Chicago Law School prepares its students more rigorously than many of the other top law schools. This was a historic moment—only the second time that the audio of an oral argument before the Supreme Court case has been made available to the public.

Yes, and we all felt it inside the Court building. I can’t speak for the Justices, of course. The fact that it was broadcast meant that a much larger segment of the public got involved. This is the only case, for example, where I’ve received fan mail and flowers. E-mails from people all over the country who I’ve never met—really moving e-mails about the importance of this issue to them and their lives. Requests for autographed copies of my brief, which were then auctioned. This is as close to being a rock star as most lawyers ever get.—G.de J.

A lot has been made of Justice O’Connor’s comment in the majority opinion that race-related considerations should be unnecessary in twenty-five years. What she said was important, which is that no one can deny that seeking diversity in this manner creates burdens as well as benefits, and even though for now the benefits outweigh the burdens, it sure would be good if everyone in society worked to make this unnecessary in the future. She was setting a marker, urging us to eliminate the need to make choices like this.
A Conservative Victory by David Strauss

Everyone knows that liberals favor affirmative action and conservatives oppose it. So when the U.S. Supreme Court decided on Monday that universities may engage in affirmative action, it was a great victory for liberals, or at least something of a defeat for conservatives, right?

Actually no. The Supreme Court's affirmative action decision was deeply conservative, in an important way. The fact that it wasn't perceived as conservative tells us something not about affirmative action but about what counts as conservatism in the United States today—about how American "conservatives" like those who fought affirmative action are not conservative at all but radical social engineers, a right-wing version of what they claim to condemn.

Conservatism took shape in the late 18th Century, in response to the violence and the wrenching changes of the French Revolution. The great conservative thinkers—like Edmund Burke, the 18th Century British statesman who was the most famous critic of the French Revolution—had some very clear reasons for objecting to revolutionary change. Societies, they said, are complex organisms that obey their own internal logic, a logic that cannot be captured in abstract theories about justice and the good society. The actual, on-the-ground practices of a society reflect a kind of accumulated wisdom; they are the result of thousands of decisions by individuals and groups, grappling with complex problems as best they can. Revolutionary thinkers—people who want to exalt their fine-sounding abstract ideas over the humble, day-to-day lessons of experience—are, conservatives like Burke said, "sophists and declaimers." They presume to know better than all the people whose combined efforts built the social practices they are attacking. They are an arrogant, destructive menace.

Over the last generation, affirmative action has become deeply woven into the fabric of American life. That's one thing that became clear during the litigation over the University of Michigan's affirmative action programs. Businesses, universities, governments, the media, the military—all of them engage in affirmative action. So do presidents, including nominally anti-affirmative action presidents, in appointing Cabinet officers and Supreme Court justices, but that's another story.) This nearly universal practice of affirmative action didn't happen because someone commanded it. It didn't even happen because an intellectually satisfying rationale for affirmative action became widely accepted. It happened because each of these institutions, in struggling to deal with its own part of the enormously complex problem of race in America, found that things worked best if they allowed some role for affirmative action.

The critics of affirmative action, by contrast, have a bright, shining abstraction—the ideal of colorblindness. With that abstract ideal they proposed to sweep away these accumulated decisions of literally thousands of individuals and institutions, big and small. This is not conservatism; it's radical social engineering that the French revolutionaries would have recognized. It was an effort to make society conform to an intellectually pleasing blueprint.

The current Supreme Court—a very conservative Supreme Court—wouldn't go for it. It was, for the justices in the majority, just too big a change to impose for the sake of intellectual symmetry. The justices didn't have a very satisfactory rationale of their own; Justice Sandra Day O'Connor's opinion, with its distinctions between "holistic" and "mechanical" admissions decisions, is already being picked apart. But theoretical soundness was beside the point. The court was simply not going to uproot a practice that much of American society had already settled on, for myriad, often unarticulated, reasons of its own.

Some of us would prefer to defend affirmative action in a less conservative way, on the basis of ideals of equality and racial inclusion. But the Supreme Court's decision was not based on those ideals. It was based on a resolutely conservative rejection of the right-wing radicals' efforts at social engineering. On Monday, the conservatives won. It was the revolutionaries, the latter-day successors to Burke's sophists, who lost.

Reprinted with permission from the June 27, 2003 issue of the Chicago Tribune. Professor Strauss is a member of the Law School's Admissions Committee.
Good for Business by Thomas A. Gottschalk, '67

On June 23, 2003, the United States Supreme Court issued its opinion on whether the University of Michigan can use an applicant's membership in a minority racial group as a positive factor in its admission process. The cases decided by the Court, Grutter v. Bollinger (law school admissions) and Gratz v. Bollinger (undergraduate admissions) addressed one of the most widely debated public issues in recent years—affirmative action in university admissions. The Court upheld the constitutionality of considering an applicant's race and ethnicity in university admissions. In doing so, it determined that while admission processes that involved narrow tailoring to achieve diversity would be permissible (Grutter), overly broad systems that gave insufficient consideration of each applicant as an individual would not pass constitutional scrutiny (Gratz). With the filing of its brief in July of 2000 in proceedings before the United States District Court, in 2001 before the United States Court of Appeals, and subsequently the United States Supreme Court, General Motors Corporation assumed a public role in this discussion.

With a global workforce of 350,000 employees, General Motors maintains major market presences in more than 200 different countries on six continents. Similarly, the vast majority of businesses in the Fortune 500 maintain operations or do business outside of the United States. GM recognizes, as have most major American corporations, that the ability of American businesses to thrive in the twenty-first century will depend in large measure on our nation's responses to two inevitable forces: the increasingly global and interconnected nature of the world economy and the increasing diversity of our own population.

To succeed in this dynamic environment, American businesses must identify and develop leaders who possess cross-cultural competence—the capacities to interact with and to understand the experiences of, and multiplicity of perspectives held by, persons of different races, ethnicities, and cultural histories. As an employer of a large number of University of Michigan graduates, General Motors depends upon the university and similarly selective institutions to prepare students for employment—to teach them the skills required to succeed and lead in the global marketplace. The robust exchange of ideas and perspectives from a multitude of sources which occurs at institutions of higher learning furthers the development of these skills. Cross-cultural competence improves business performance by helping to: (a) identify and satisfy the needs of diverse customers; (b) recruit and retain a diverse workforce to work together to develop and implement innovative ideas; and (c) form and foster productive working relationships with business partners and subsidiaries around the globe.

A ruling proscribing the consideration of race and ethnicity in admissions decisions altogether would likely reduce the racial and ethnic diversity in the pool of employment candidates from which business can draw future leaders, thereby impeding a company's efforts to obtain the benefits of diversity in its own workforce. A loss of affirmative action programs would reduce African-Americans, Hispanics, and other minorities’ access to many quality universities and raise real concerns about the re-segregation of educational institutions and potentially businesses. For that reason, more than sixty-five other Fortune 500 companies joined with GM in filing “friend of the court” briefs supporting the need for diversity in higher education.

Although General Motors fully supported the use of race in admissions as a legally permissible compelling interest, GM left to the University of Michigan to defend its elaborate 150-point “Selection Index” for undergraduates. This system, which provided a twenty point bonus for minorities, as well as points for sons, daughters, and grandchildren of alumni, men seeking nursing degrees, or women majoring in engineering, etc., was eventually struck down by the Court.

The Court reasoned that the undergraduate admissions approach treated applicants as distinct groups rather than as multi-faceted individuals with many unique characteristics. The University of Michigan Law School's approach, which was acceptable to the Court, did not use the point system, but did give special consideration to children of out-of-state alumni.

General Motors has and will continue to benefit from a management team and a workforce that has openness to differing life experiences, nuances, and perspectives. As customers change and business reinvents itself, GM will benefit from a workforce that has the capacity to rethink what has been previously thought. Affirmative action progress in higher education makes this society more inclusive not only on campus, but in business as well.

Thomas A. Gottschalk, '67, is Executive Vice President and General Counsel at General Motors Corporation.
**Grutter at Home** by Ann K. Perry

The Admissions Office at the Law School waited with great anticipation for the Supreme Court's decision in the Grutter case. There was a possibility that the ruling would require significant changes in the way applications were reviewed. Instead, the Court affirmed the criteria we use to make admissions decisions.

The Admissions Committee's goal is to assemble a diverse learning community. Diversity, of course, can be defined many different ways. We seek students from a variety of racial, ethnic, religious, and socio-economic backgrounds, as well as different educational and work experiences. Students come from all over the world and have different political ideologies. With a wide range of viewpoints and experiences represented in the classroom, the exchange of ideas is much more dynamic. Diversity in the classroom enhances learning.

The Law School received over 5,000 applications for the Class of 2006. Each applicant provides an LSAT score, his or her academic history, two letters of recommendation, a resume, and a personal statement. The Admissions Committee looks for students with demonstrated academic achievement, as well as individuals who will bring an interesting voice to the classroom. These voices can be heard through their personal statement, their resume, and their letters of recommendation. In their personal statements, applicants share information about the contributions they would bring to the class. We find information about past experiences, and information obtained from letters of recommendation useful as well. Still, when all is said and done, evidence of intellectual horsepower and a passion for learning and thinking loom largest.

Over time, our faculty have come to be increasingly impressed with the ways in which diversity (of various kinds) enhances the exchange of ideas among professors and students at the Law School. The thinking behind Grutter v. Bollinger may once have seemed inconsistent with academic excellence, but it has now come to be welcomed as a means of building the sort of educational community we value.

*Ann K. Perry is Assistant Dean for Admissions at the Law School.*
Sports Celebrity and the Court System

by Lester E. Munson, Jr., '67

As they gathered in their reserved seats in a courtroom in Arlington, Virginia, for the third day of sports broadcaster Marv Albert's trial on a nasty sexual assault charge, the members of Albert's entourage laughed and hugged. Family members, lawyers, investigators, and friends bantered loudly, teasing each other about their outfits. At the center was Albert himself glowing with confidence, his hairpiece perfectly placed.

Across the center aisle, some fifty journalists jostled for seats, glancing at the uppers around Albert.

Both the journalists and Albert's group knew there was a powerful reason for the exuberance in the Albert camp. On the day before, Albert's attorney, Roy Black, had performed a cross-examination of Albert's accuser that left the prosecution's case on life support.

Standing behind a lectern and never raising his voice, Black orchestrated a train wreck, reshaping the accuser into the most dubious of women. He warmed up with some glaring inconsistencies in her story, the kind of thing you see in better cross-examinations. Then, picking up the pace, he established that she had no apparent employment, had four telephone lines, knew dozens of cab drivers, drove a Lincoln town car, and met people at 4 a.m. in luxury hotels on numerous occasions. He never used the phrase "call girl," but it might as well have been flashing in neon on the wall of the courtroom when he finished that series of questions.

But there was more to come. Black set her up with a series seemingly routine queries, little things that might establish the beginning of a reasonable doubt in the minds of the jurors. No, she had never tried to recruit witnesses for the prosecution. No, she had never offered anything to anyone for help in making the case against Albert. And, no, she had never offered to share the proceeds of a civil suit against Albert. No, no, no, she repeated in her Dominican accent.

With a nod from Black, two assistant lawyers were suddenly setting up a CD player, placing two speakers on the rail in front of the jury. In moments, from the speakers came the unmistakable, accented voice of the accuser offering a cab driver $50,000 cash and a new car if he would testify that Albert had once been a customer in his cab and had asked the driver "to get me a boy." The money and the car, she explained, would come from the $3 million settlement she expected to extract from Albert.

No wonder Albert's crew was gloating. It was over, or so it seemed. In a couple of days, the jury would deliberate for a few minutes and find the broadcaster not guilty. Marv Albert, one of the greatest play-by-play announcers ever in the history of sports, would be off the hook and could start picking up the pieces of his life. The only remaining question would be whether the accuser would be charged with perjury and obstruction of justice.

But Albert and Black were not satisfied. They wanted more. They wanted to use the trial to go far beyond a simple verdict of not guilty. They wanted Marv Albert to be Marv Albert again. And they insisted on taking one more step when court opened on that third day, opening another front

Examples are bountiful. Everyone knows what Johnnie Cochran was able to do for O.J. Simpson.

Letter E. Munson, Jr., '67, reports on legal issues in sport. As associate editor for Sports Illustrated, he investigates criminal charges against sports celebrities; analyses the labor issues that divide team owners and players; and illuminates the dynamics of money, celebrity, race, ego, and sex in the sports industry. Using his legal training and expertise, Munson is able to put criminal charges and civil litigation in sport into a context that sheds new light on a business that commands a larger audience than any other in America. His wife, Judith, is a 1963 graduate of the College, as is his son, Letter E. Munson, III, who completed his degree in 1989.
in their defense against a charge that Albert attacked the woman in his hotel suite, biting her on the back fourteen times. But it was to be a step that would backfire spectacularly with the hairpiece as the featured attraction, humiliating Albert and leading to a sudden plea of guilty.

It was one of those killer collisions at the intersection of sports celebrity and criminal justice, collisions that challenge the court system, its judges, its jurors, its prosecutors, and its defense lawyers and lead to outcomes that leave everyone wondering how it could have happened the way it did. These collisions have ended differently for various sports stars as they have fought charges of rape and murder while trying to preserve their images and their market value. The powerful dynamics of fame and money have been beneficial for some and toxic for others. Outcomes that seem obvious become impossible, reputations that seem solid evaporate, and our system of justice seems neither systematic nor just. And it all happens in front of a national audience of Americans drawn to the charges, the notoriety of the accused, and the melodrama.

Examples are bountiful. Everyone knows what Johnnie Cochran was able to do for O.J. Simpson. Linebacker Ray Lewis, one of the NFL's best current players, used a similar combination of money, fame, and dream-team lawyering to evade responsibility for a double murder as prosecutors botched powerful inculpatory evidence. He did even better than Simpson, engineering an unlikely return to stardom and public acceptance.

Rae Carruth, a third NFL player charged with murder, spent everything he had on a defense that saved him from a life sentence but left him in jail for the next sixteen years. Mike Tyson was convicted of a violent rape in one of the great prosecutorial performances ever, but a judge in Indianapolis inexplicably sentenced him to only half of the typical jail sentence. Despite conclusive proof of actual innocence and a decisive acquittal by a jury, former Green Bay Packers tight end Mark Chmura found that his celebrity left him presumed guilty before the trial and damaged goods after it was over.

Detailed looks at what happened to Albert and Chmura offer a measure of the powerful and often uncontrollable factors at work in these cases. Both were men of previously impeccable reputation when they were arrested and charged with sex crimes. Their cases may be instructive on what may develop in the current charge against NBA superstar Kobe Bryant, yet another case of celebrity, sex, race, money, and violence.

Moments after the morning session began on the third day of Albert's trial, attorney Black was on his feet asking for "reconsideration" of earlier rulings that barred evidence of the accuser's history of misbehavior. It was the final step in Albert's defense. Black wanted everyone in the courtroom, especially the media, to know of reprehensible things in the woman's past. As he began to list them, Judge Benjamin Kendrick became angry and warned Black that use of the material would allow the prosecution to come back with Albert's own "prior bad acts" in rebuttal. Be especially careful, the judge suggested, if you're going to say the rough sex (several bite marks broke the skin) was the woman's idea.

Black ignored the judge's warnings, opening the door to Albert's closet of "prior bad acts." First out of the closet was prosecution rebuttal witness Patricia Masden, a large blonde with big hair, who worked in a luxury hotel in Texas and was once invited to Albert's suite after a game for what Albert said would be a party with NBC executives and NBA players. When Albert opened the door, she testified, Albert was wearing a woman's garter belt and panties. He pulled her into the room, threw her to the floor, tore at her clothes, and began biting her back.

Looking directly at the jurors, Masden said she tried to pull Albert's hair in her struggle to escape, and the hairpiece came off in her hand. Stunned, she threw it across the room, leaving Albert with a decision: hairpiece or Masden's back? He went for the hairpiece, she said, allowing her to escape from the suite. This time Black had nothing in cross-examination.

With indications of yet another woman waiting in the building to testify about another incident, Black and Albert called timeout and found a way to end everything with a guilty plea. The not guilty verdict, so certain a day earlier, was lost as vanity prevailed in a misbegotten attempt to show innocence where none existed.
A vanity defense was a luxury never available to Mark Chmura, a wildly popular star of the Green Bay Packers, as he found himself facing a zealous prosecutor and a rape charge. Chmura had stopped in at a neighborhood party for high school students, had stayed too long, and had drunk too much. From the moment of his arrest, the allegations piled up, and the presumption of innocence was left in shreds.

Before anyone knew anything about Chmura’s accuser or the quality of the evidence against him, the National Football League unilaterally threw Chmura into its substance abuse program. Packers management, which had protected other players charged with sex offenses (Mossy Cade and James Lofton among others), inexplicably turned on Chmura, sending him a “notice of termination” with a claim that he had “engaged in personal conduct which adversely affects or reflects” on the Packers.

In the face of the intense coverage, Chmura left his house only wearing disguises and sneaked through a side door when he went to mass.

Slowly but steadily, doubts about the rape charge began to emerge. The accuser’s hymen was intact. Despite microscopic searches, there was no forensic evidence. No semen. No DNA. None of the injuries typically found in a rape. Then, seven months after the arrest, *Sports Illustrated* reported that a high school football star who was at Chmura’s side throughout the party would testify at the trial that the accuser’s claim was impossible.

The accuser, the daughter of a well-known Wisconsin orthopedic surgeon, claimed Chmura had dragged her into a bathroom, pulled off her jeans and her top, and assaulted her. The assault, she told authorities in one version of her story, was “hand to breast, mouth to vagina, fingers to vagina, and penis to vagina.” All of this occurred, she claimed, in about forty-five seconds. She had come up with her story after several hours of driving around after the party with her high school clique of five best friends, a group of seniors who called themselves the “Sexy Bitches.” The story would change as the accuser and her pals realized some of the things she claimed would have left DNA evidence.

The high school football star, Mike Kleber, offered a radically different account. It started, according to Kleber and others, when the party hosts announced that Chmura was stopping by and the accuser said, “I hate that sick fuck.” Later, as Chmura was leaving the party, he went into a first floor bathroom and closed the door. Kleber was waiting near the door when the accuser walked up and started into the bathroom. Kleber said he told the accuser that Chmura was in the bathroom, but she walked in anyway. Kleber and others testified that she was in the bathroom with Chmura for less than a minute, and, when the door opened, both were fully clothed.

During her testimony at the trial, attorney Boyle led her from the witness chair to an actual-size model of the tiny bathroom. “This is not even close,” she said of the replica, unable to describe where anyone was within the cramped space during the supposed attack.

Angry and brittle throughout her testimony, the accuser told the jury she was going to sue Chmura, *Sports Illustrated*, and a Milwaukee newspaper for “ruining her reputation.” When the judge asked her if her repeated use of the word “yeah” meant “yes,” she replied, “Yeah, that’s exactly what it means.”

The jury’s job was easy. Deliberations began with six pizzas, a set of complicated jury instructions, and numerous exhibits. Less than an hour later, there was a unanimous verdict of not guilty and the pizza was gone.

Sitting at a table in the courtroom, the broad back of Chmura, a 6-5, 260-pound man who could bench press 510 pounds, shook with sobs of relief and gratitude.

Although he was acquitted of a sex offense charge that would never have been made without his celebrity, Chmura was never able to return to the level of public acceptance he enjoyed as a Packer star. Other NFL teams wanted him to play for them, but he wanted only to play for the Packers. And the Packers were not interested.

Albert, who admitted his guilt, has somehow managed to return to the status of sports broadcasting icon. In contrast to the Packers and Chmura, *NBC* welcomed Albert back after a brief exile, and he is again the voice of the NBA.

You might have expected things to turn out differently for both Chmura and Albert, but when sports celebrity and criminal justice collide, you can set aside your expectations as the forces of celebrity, money, and fame take control over the facts and the law and produce their own surprises.
For the nearly dozen members of Chicago (Maroon)—the University of Chicago Law School’s top softball team—Saturday, March 29, 2003 had all the makings of A Moment: the stars aligned, the moon eclipsed the sun, and a rag-tag band of nerds delivered unto their jock oppressors the comeuppance of a lifetime.

Struggling through a drizzling rain but supported by a thunderous core of diehard fans, the Maroons trounced squads from around the country to emerge, undefeated, as the 2003 University of Virginia Softball Tournament Champions. The Maroons’ title game victory over Missouri followed a gripping quarterfinal win over perennial softball powerhouse and home crowd favorite, UVA (Golo).

U of C fans arrived early, packing the two available bleachers and creating a wall of sound along the first-base line even before the first pitch. A handful of UVA boosters, clad in matching sweater sets and shielded from the weather by Burberry umbrellas, gamely attempted to support their squad despite being outnumbered. Most UVA fans skipped the U of C game, choosing instead to freshen their cocktails, attend a barbeque in a nearby pavilion, or head home to don clean baseball caps for what they anticipated would be an inevitable victory party.

But for the players on the field, hungry and muddy from previous games, the constant cheering of the Chicago fans sounded less like a UVA home game and more like a raucous, sake-bomb-fueled Friday afternoon Wine Mess. UVA and U of C traded one-run leads inning after inning. Every time the Maroons retook the lead, chants of “Nerds! Nerds! Nerds!” erupted from Chicago fans. UVA fans in the barbeque line occasionally turned toward the noisy diamond, expecting an easy win. Shaking off their indolence, a few of them drifted back to game, where sour dismay quickly replaced their mint julep-flavored bonhomie. Faster than you can say Appomattox, the Virginians surrendered their lead.

“A lot of people lost track of the innings,” said utility outfielder and designated hitter Jordan Ginsberg, ’04. “We were just focused on keeping them from getting back in the game, keeping the lead, and making it to the next inning.”

Back-to-back home runs by the U of C’s Tim Mooney, ’03, and Mark Mosier, ’04, sealed the victory. UVA, winner of twelve of the last twenty championship games and a participant in six more, quietly died on a routine infield grounder in the bottom of the last inning. Their top team’s early departure from the rain-shortened tourney represented the first time ever that UVA exited the Big Show before the semifinals. Final score: U of C 21, UVA 20.

Faster than you can say Appomattox, the Virginians surrendered their lead.

Chicago continued on to beat Penn in the semifinals and wrap up their first-ever championship with what ended up being, after the UVA game, an anticlimactic victory over Missouri. But the Maroons’ hot bats generated plenty of excitement throughout the day. The offensive air show came from outfielders Mosier and Mooney, two jacked-up law students whose supple swings sent long balls over the fence five times each during the tournament. Mosier finished with the most runs, an impressive sixteen in nineteen at-bats, while Mooney walked away with the team batting title, a .778 average.

U of C’s defense kept the close games tight enough for the offense to surge to victory. Co-captain Brad Martinson, ’03, scored fifteen runs, and his Dirt Devil-like performance at shortstop robbed opponents of numerous easy hits. Pitcher and co-captain Chad Schafer, ’03, stroked the ball like Greg Maddux on a good day: fourteen runs on twelve singles,
two triples, and one four-bagger. On both offense and defense, outfielder Jay Richardson, '03, supplied scrappy play at odds with his shuffling gait and drawling South Carolina patois. Rangy third baseman Will Lee, '03, loped around the hot corner and scored every time he got on base save once.

Many of the Chicago students attending the Tournament had road-tripped the seven hundred miles to Charlottesville, including a few intrepid students who piloted a twenty-nine-foot RV to Virginia to serve as a mobile fan support headquarters. These diehards had only witnessed such jubilant nerd Moments in movies. Films like Revenge of the Nerds teased long-suffering bookworms with the promise that every geek would have her day. A day when the Tri-Lams would rise up, join with the Omega Mus and triumph over—no, humiliate, the beautiful and popular cheerleaders and football captains.

During the final game, spectator Mike Vermilyen, '04, intoxicated with school spirit, pledged to run a shirtless circuit around the entire ballpark for every home run hit by a Chicago player. Showing nerdly solidarity, and the good sense that comes from a lifetime of being excused from physical education for medical reasons, U of C fans raised their asthma inhalers high as Vermilyen began his fourth celebratory lap.
The Law School is happy to welcome two new administrative deans, who will oversee Admissions and the Office of Career Services.

Ann K. Perry
Assistant Dean for Admissions

The (relatively) new Assistant Dean for Admissions, Ann K. Perry, brings a wealth of experience and insight to Law School admissions, as well as ambitious plans for modernizing the application process.

A native of Chicago, Perry grew up on the north side before traveling south to earn an A.B. and a J.D. from the University of Illinois at Champaign-Urbana. Then she returned to Chicago to join the firm of Stellato & Schwartz, where she specialized in insurance defense. “Slip and falls,” she grins.

Upon retiring from the practice of law Perry took a job in alumni development at her alma mater, where she directed the Chicago alumni office. It was here she discovered how much she enjoys the university environment. After a few years working with alumni programs, she returned to Champaign-Urbana to become Assistant Dean for Student Affairs at the University of Illinois College of Law. “It was very gratifying to help students realize their goal of becoming lawyers,” she said. Her other areas of responsibility included admissions, recruiting, and scholarship awards.

Perry held that position from 1997 until 2002, when she moved back to Chicago and joined the Law School community. Of the Class of 2006, she says “They are very strong academically, and represent a wide cross-section of backgrounds, interests, and viewpoints. They will make terrific attorneys.”

Amid a very busy travel schedule this fall, which will take her to several dozen campuses and cities across the country, one of Perry’s near-term goals is to build the Law School’s online application process to more effectively handle the thousands of applications received every year. But her primary focus will remain on recruiting the best candidates for the Class of 2007 and beyond. —K.F.

Abbie Willard
Associate Dean for Career Services and Public Initiatives

Combining extensive practical experience in career services with scholarly research into careers for lawyers, Abbie Willard recently joined the Law School as the new Associate Dean for Career Services and Public Initiatives.

Taking over the Office of Career Services at a time when the legal job market is particularly challenging and demand for these programs increases every year, Willard is committed to providing excellent support, advice, and counsel to students. “University of Chicago law students are already well positioned in the job market,” she says. “One of my primary goals is to help them fully explore their extensive range of options.”

She is a member of the executive coordinating committee for “After the JD,” a longitudinal research project—the first of its kind—that examines the career trajectories of lawyers. Willard is enthusiastic about the study, in part because “It will provide a window of insight into what contributes to a lawyer’s success, and help us understand satisfaction levels in the practice of law.”

Willard comes to the Law School from the American Bar Foundation, a law and social science research organization, where she served as director of external affairs. In this capacity she coordinated development, external communications, and the Fellows of the American Bar Foundation program. She has published a number of handbooks and articles on lawyer careers, including The Lateral Lawyer, Perceptions of Partnership, Keeping the Keepers: Strategies for Associate Retention, and Fair Measure: Gender Neutral Attorney Evaluation. She is also a past president of NALP and currently serves on the NALP Foundation Board of Trustees. A native of Birmingham, Alabama, Willard’s early academic interests were in poetry and modern literature. She holds a Ph.D. from the University of Illinois.

Prior to the ABE, Willard served for more than twenty-one years as assistant dean for career services at the Georgetown University Law Center. “Georgetown is a dynamic institution with a wide range of faculty and student interests,” she says. “A career service office needs to evolve in such a way that it encourages and supports students as they seek jobs in which they will develop practice expertise.” She also noted that at Georgetown she learned that an alumni base is one of a law school’s chief assets. “An active and involved alumni network is important to the career development of new graduates. I am excited to work with both students and alumni at the University of Chicago Law School.” —K.F.
Real World Experience

Abner Mikva Appointed Senior Director of the Legal Clinic

One of very few Americans ever to serve at high levels in all three branches of the federal government, Professor Abner Mikva, '51, spent fifteen years on the United States Court of Appeals, served as a five-term Congressman from Illinois, and also served as White House Counsel during the Clinton Administration. He joined the Law School faculty in 1996. These days his service to the School will continue in his new capacity as Senior Director of the Edwin F. Mandel Legal Aid Clinic.

Mikva's goals for the Clinic are broad and deep. Consistent with his belief that practical, real-world experience is necessary for creating great lawyers, he hopes to make clinical opportunities more available to students and in a wider range of disciplines. "I would love to eliminate the waiting lists," he remarks. Family law and immigration law are two specializations he hopes to add; he would also like to integrate the current appellate advocacy project—an ad hoc organization begun by students and advised by Professor Tracey Meares, '91,—into the Clinic. Other plans include building stronger linkages between the Clinic and the rest of the Law School, saying, "We can make this great Law School even greater by maintaining the present intellectual rigor while also providing superb clinical experience to everyone who seeks it."

Mikva knows that money will be required to reach the goals he has set. He plans to reach out to alumni, sharing more information with them about the accomplishments and benefits of the clinical programs. He is particularly hopeful about making inroads with one specific group: "Alumni of my vintage, particularly those of a more liberal persuasion, are still very attached to the Law School. Many of them have done quite well financially. They could and should be persuaded to consider a substantial contribution to bolstering our clinical programs. It would be very nice for someone to step up and do something along the lines of what Arthur Kane did when he made possible the current quarters of the Clinic."—G. de J.

Three Degrees of Preparation

New Faculty Profile: Carolyn Frantz

Try to make too much of the fact that Carolyn Frantz graduated first in her class at the University of Michigan Law School, and she quickly demurs. "By the time I went to Michigan as a first year law student I already had two law degrees. Since I already knew what promissory estoppel was, it wasn't entirely fair." Such qualifications led Dean Levinmore to describe Frantz, the Law School's newest professor, as "the greatest prize on the teaching market last year."

Carolyn Frantz

Frantz went to Oxford from Wake Forest on a Rhodes Scholarship and came back to the States with the degrees she credits for her head start at Michigan, a B.A. in Jurisprudence and a Master of Studies in Legal Research. After graduating from law school, she clerked for David S. Tatel, '66, of the D.C. Circuit Court of Appeals and then at the Supreme Court for Sandra Day O'Connor. She then spent the last academic year as NYU Law School's first Alexander Fellow.

The fellowship, says Frantz, was "a position where I could spend a year writing and learning to teach." Such programs that allow young legal scholars to build a body of work and experience are "good for young professors and for law schools as well."

Frantz was initially drawn to family law, and her current work includes investigation into the ways that laws influence personal and family relationships that might seem least susceptible to the influence of the law. "It's interesting," she says, "that the law does affect marriage, friendships, your sex life, relationships with your children." She explores, for example, the influence that property laws governing divorce can have on even happily married couples' conceptions of marriage in the upcoming "Properties of Marriage" (Columbia Law Review, Vol. 104, January 2004, co-authored with Hanoch Dagan).

Far from narrowly specializing, however, Frantz plans to "write about and teach a broad range of things" as a professor. She starts this year by teaching Criminal Law and writing on the Fifth Amendment privilege against compelled self-incrimination.—K.H.
Faculty News

FACULTY SCHOLARSHIP 2002–2003

Albert W. Alschuler
Julius Kreeger Professor in Law & Criminology
"Making ideology an Issue," Chicago Tribune 23 (September 18, 2002).

Douglas G. Baird
Harry A. Bigelow Distinguished Service Professor of Law

Emily Buss
Professor of Law
"In the Pledge Case, Timing is Everything," Chicago Tribune B9 (June 30, 2002).

Mary Anne Case
Arnold I. Shore Professor of Law

Richard A. Epstein
James Parker Hall Distinguished Service Professor of Law and Director Law and Economics Program
"Comments on Lessig on Open Internet Access," The Financial Times (December 14, 2002).

Robert E. Scotchman
Senior Scholar
"Lessons From K.

Joseph W. Singer
Professor of Law

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Daniel Fischel
Lee and Brana Freeman Professor of Law and Business

Philip Hamburger
John P. Wilson Professor of Law and Director, Legal History Program

Bernard E. Harcourt
Professor of Law and Faculty Director for Academic Affairs


Jill Hasday
Associate Professor of Law

R. H. Helmholtz
Ruth Wyatt Rosenson
Distinguished Service Professor of Law


Dennis J. Hutchinson
Senior Lecturer in Law and William Rainey Harper Professor in the College, Master of the New Collegiate Division, and Associate Dean of the College

The Supreme Court Review 2002 (edited with Geoffrey R. Stone and David A. Strauss).


Jenia Iontcheva
Bigelow Teaching Fellow

Joseph Isenbergh
Harold J. and Marion F. Green Professor of Law

William M. Landes
Clifton R. Musser
Professor of Law and Economics


Saul Lemmer
Dean and William B. Graham Professor of Law


Sheri Lewis
Associate Law Librarian for Public Services


Douglas Lichtman
Professor of Law
Faculty News


Lyonette Louis-Jacques

Foreign and International Law Librarian and Lecturer in Law

ASIL Guide to Electronic Resources for International Law. (American Society of International Law, 2003.)


Jo Desha Lucas

Arnold I. Shure Professor of Urban Law Emeritus

Cases and Materials on Admiralty (Foundation Press 2003).

Tracey L. Meares

Professor of Law and Director, Center for Studies in Criminal Justice


Bernard D. Meltzer

Edward H. Levi Distinguished Service Professor Emeritus of Law


Abner J. Mikva

Lecturer and Senior Director of the Mandel Legal Aid Clinic


Martha C. Nussbaum

Ernst Freund Distinguished Service Professor of Law and Ethics


The Sleep of Reason: Erotic Experience and Sexual Ethics in Ancient Greece and Rome 55, Martha Nussbaum and Juha Sihvola, eds. (University of Chicago Press 2002).


Genocide in Gujarat,” Dissent 61 (Summer 2003).


Randal C. Picker
Paul H. Laffmann
Professor of Law


"When Reforming Accounting, Don't Forget Regulation," Policy Matters 02-35, AEI-Brookings Joint Center (August 2002).

Richard A. Posner
Senior Lecturer in Law


Law, Economics, and Democracy: Three Lectures in Greece (University of Athens Department of History and Philosophy of Science 2002).

Law, Pragmatism, and Democracy (Harvard University Press 2003).


“The Supreme Court Must be Extra Vigilant in Wartime,” Chicago Tribune (October 9, 2002).

The First Amendment, 2003 Annual Supplement (with Louis M. Seidman, Cass R. Sunstein, Mark V. Tushnet and Pamela S. Karlan).


David A. Strauss
Harry N. Wyatt Professor of Law
The Supreme Court Review 2002 (edited with Geoffrey Stone and Dennis Hutchinson).


Cass R. Sunstein


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"A Hand in the Matter: Has the Rehnquist Court Pushed Its Agenda on the Rest of the Country?" Legal Affairs 26 (March/April 2003).


"On a Danger of Deliberative Democracy," Daedalus 120 (Fall 2002).


"Politics By Other Means," The New Republic (October 21, 2002).


Alan O. Sykes
Frank and Bernice Greenberg Professor of Law and Faculty Director for Curriculum


You argue that people, in general, have difficulty “thinking well about risks.” Why do you suppose it is that people are good at assessing some things in the future and not others?

Difficulties arise because people don’t always have a lot of experience or knowledge about a particular subject, and they tend to rely on mental shortcuts. Someone might think: Do I know anyone who got sick as a result of unsafe sex, or who was injured in a motorcycle accident, or who had trouble quitting smoking? This way of thinking might be the best we can do if we don’t have statistical knowledge, but it can produce real blunders. But we do better for things in the future that look like things in the past, and that we understand pretty well. Many people drive safely, for example, and have a good sense of the risks. (Not all, but many!) A lot of the excitement in this area comes from behavioral economics, which is teaching us why, and when, we fear the wrong things.

You seem interested in the idea that our attention and our regulations are not always directed at the most serious problems. Sometimes big solutions—and big dollars—are applied to relatively small problems. Do you have a favorite example of this phenomena?

My favorite unaddressed problems: too much sun exposure, indoor air pollution, poor diet, insufficient exercise. My favorite, or least favorite, small problems that get too much attention: abandoned hazardous waste dumps, genetically modified food, ground-level ozone, electromagnetic fields. None of these problems are trivial, but they’re relatively small and they get too much attention around the world. In the United States, we are spending more than we should on abandoned hazardous waste dumps, and new regulations probably call for excessive controls on ground-level ozone. How is risk regulation aided by cost-benefit analysis?

It’s just a pragmatic tool, designed to show what we’re getting and what we’re losing from regulation. It’s a response to two problems: paranoia and neglect. A cost-benefit analysis projects the costs of controls and also the benefits, meaning expected lives saved, illnesses averted, and such. The numbers shouldn’t be decisive, but they tell us a lot. Sometimes all we can get is a range of expected effects, but a range is better than a stab in the dark. I’d want the analysis to be both qualitative and quantitative, and also to give a sense of who is helped and who is hurt. If poor people are helped by regulation, for example, that’s an argument in favor of regulation. The real point here is to know what we’re getting before we get it—and to save both lives and money, if we can.

Social goods and public values are not easily reducible to a dollar figure. How do they figure into the equation?

We might not be able to put them into an equation; it depends on what they are. If they can’t be put into an equation, they should at least be identified. Distributional issues, for example, count. If a program would help poor people, that’s a point in favor of it, even though usual cost-benefit equations do not take account of whether poor people are helped or hurt. Also, animal welfare matters, and if environmental protection will save a lot of animals, that’s important to know. It’s not easy to turn animal welfare into dollar equivalents, of course.

Sometimes regulation actually increases the problem it was intended to solve. You, of all people, have made us aware of this. How can the notion of a health-health tradeoff serve as a corrective?

If environmental regulation is actually causing environmental harm, we can measure the gain and the harm, and compare them. We certainly want “net” environmental gains. The idea of “health-health tradeoffs” is meant to see what we’re getting on net. If one method of reducing air pollution increases some pollutants while decreasing others, we might not be helping ourselves much.

Beyond crunching the numbers for environmental regulations, what other strategies might be employed to reduce environmental risks?

I like information disclosure a lot. Companies should have to disclose, publicly, whatever they’re doing that is causing
significant environmental harm. For global warming, for example, companies might be asked to disclose their carbon dioxide emissions. Here's a modest suggestion for the Bush administration: You're skeptical about costly steps to reduce global warming; we understand that. Here's a noncostly step: Require companies to disclose their greenhouse emissions to the public. Why not? For toxic releases, disclosure has caused significant reductions. I also like the polluters pay principle, requiring those who cause harm to pay for it. This tends to be more effective and less costly than command-and-control regulation. So, too, for emissions trading, which was pioneered for acid deposition in the Clean Air Act.

Do you think cost-benefit analysis has had much effect on efforts to combat terrorism?

Not explicitly, but some. We could devote much more to combat terrorism or much less, and there's some implicit balancing going on, no doubt about that. One problem is that it's really hard to quantify the risk of terrorist attacks. For some harms, we know how many lives we can save by doing something. Here there's a lot of guesswork. But a lot of people are working on this issue, so our guesses will be better informed. I wouldn't rule out a role for some kind of cost-benefit balancing even here, especially because the dual problem of paranoia and neglect is really serious in this context.

Books by Faculty


Books by Alumni


Court Skills

When the Record caught up with James L. Tanner, Jr., '93, in his Washington, D.C. office, it was the first day of free-agent signings for the National Basketball Association. Tanner and senior partner Lon Babby had just completed a $122 million contract for all-star forward Tim Duncan of the San Antonio Spurs, and closed a $51 million contract for point guard Andre Miller of the Denver Nuggets.

If not a completely typical day for Tanner, the two high-profile deals are emblematic of his success in the milieu of elite-athlete sports agency and a career that has already taken him through mergers and acquisition law, national politics, and corporate and securities law.

As a partner in the firm of Williams & Connolly, Tanner currently represents a number of other top NBA stars, including Grant Hill (Orlando Magic) and Shane Battier (Memphis Grizzlies), NFL star Raghib “Rocket” Ismail, WNBA star Chamique Holdsclaw (Washington Mystics), and Olympic Gold Medalist (gymnastics) Dominique Dawes. He also represents numerous professional athletes in a range of legal matters that encompass advertising.

“In an instant you can go from legal adviser to older brother.”—James L. Tanner, Jr.

From legal adviser to older brother and confidant, advising your client on a personal matter. It’s always exciting and very rewarding.”

Tanner says he “didn’t necessarily become a sports agent by design,” but he did join a sports and entertainment student interest group while at Chicago. “It was a new group, and it was a good way to meet other students.” He especially enjoyed the sense of community and intellectual intensity at the Law School, he says, noting that he attended a large state institution—the University of North Carolina—as an undergraduate. He says that Cass Sunstein was particularly influential for him, although he laughs that “I’m still not sure what the Elements course was all about.”

As one who has helped open the doors of success for others, Tanner says that the Law School has opened doors for him in his ten-year career. “It gives you tremendous access to opportunities. Everywhere I go there are similarly situated Chicago alums. That helps to form an instant bond. In addition, a Law School degree provides a seal of integrity in a field not always known for it.”—C.A.

Mediation Man

A refusal to accept the status quo has marked the long and distinguished career of Sidney Lezak, ’49. Lezak has become well-known as a champion of legal and social justice, first as a private practice attorney specializing in labor relations and civil rights, then as a United States Attorney appointed by John F. Kennedy, and then, in what Lezak calls his “third phase,” as a pioneer of dispute resolution and mediation in Oregon.

“I had become, at a fairly early age, a kind of skeptic,” says Lezak. “The Law School helped me confirm a healthy suspicion of zealots and zealotry that has served me well ever since.”

Lezak and his wife of fifty-three years, Muriel Deutsch Lezak, a renowned neuropsychologist, are natives of Hyde Park. Both attended the University of Chicago as undergraduates. Lezak served in the Army Air Corps from 1942 to 1945, becoming a first lieutenant and receiving the Distinguished Flying Cross among other honors. He returned from World War II, completed his undergraduate studies,
and entered the Law School in 1946.

"Even though the Law School has a conservative reputation, I found—and still find—that it is a place encompassing many strong and divergent views, a place that was intellectually free, a place where people weren't afraid to be seen as dissenters, and were in fact encouraged to express their views," Lezak says.

As soon as he finished Law School, he and Muriel headed for Oregon. He entered private practice in Portland, specializing in labor, trial, and civil rights matters. He was appointed United States Attorney in 1961, and served in that role under six presidents. He stepped down in 1982 to be of counsel to Newcomb, Sabin, Schwartz & Landsverk.

"Mediation is a way to give people justice."

—Sidney Lezak

There he continued to work on labor and employment cases, as well as environmental and healthcare matters. But he is best known for pioneering the use of mediation and dispute resolution both regionally and abroad. His groundbreaking work in the field led the Oregon State Bar Association to name its award for mediation the Sidney I. Lezak Award for Excellence in Mediation.

"We have made the courthouse door too expensive for even people of middle income, not to mention those of little means," he says. "Mediation is a way to give people access to justice."

Throughout his career, Lezak has served on numerous state and national bar committees, worked as visiting faculty at several law schools, and received a number of awards for public and professional service. He has worked on behalf of various Native American tribes and has spearheaded the Campaign for Equal Justice in Oregon, which seeks funding from law firms and lawyers to support legal services for the poor.

Both he and Muriel continue to be active in their professions and enjoy lives of "vigorous physical activity," according to Lezak. They have three children and seven grandchildren, and, according to Lezak, "five University of Chicago degrees in our immediate family." —CA

Law as a Foundation for Communication

C. Richard Allen, '78, passed another milestone in a remarkable career in communications when he was named president and CEO of Vulcan Sports Media (publishers of The Sporting News) in January 2003. Allen was previously CEO of National Geographic Ventures, the for-profit arm of the National Geographic Society. During his tenure, the National Geographic Channel became the fastest growing cable channel worldwide, reaching over 160 million households in 165 countries, in partnership with Fox and NBC.

Such a career path may seem unusual for an attorney who started his career as a corporate lawyer, although Allen doesn't see it that way. A Dartmouth English major, he saw the Law School as a natural way to further his skills and interests. "The Law School teaches you to think," he says. "It taught me to ask the right questions, and, just as important, to listen. There was also a tremendous premium placed on good written communication. That kind of training, that kind of thinking, has served me very well throughout all the work I have done."

After receiving his J.D., Allen became a corporate attorney in Los Angeles. In 1984, he says, his favorite client recruited him to become CEO of Pacific Triangle Management Corporation, a Beverly Hills consortium of thirty-five separate businesses whose disparate enterprises ranged through real estate, high-fashion retail, fragrance products, and entertainment. He guided strategic growth for the company, overseeing transactions, finance, legal, and government affairs, and led the group to a ten-fold increase in assets.

In 1993, Allen was appointed by President Clinton as chief of staff for the White House Office of National Service, where he was responsible for achieving congressional approval of the Americorps program. Allen left the White House in 1995 to become senior vice president for business development for Discovery Communications, the parent of the Discovery Channel, and he extended that brand into an array of new business arenas. Allen is co-editor of Robert F. Kennedy: Collected Speeches (Viking Penguin) and has lectured and written widely. He serves on numerous public, private, and nonprofit boards.
This year Allen and his wife, Loree, are celebrating their twenty-fifth anniversary. "She survived three Hyde Park winters," he reports. "Including the coldest one in the twentieth century." They have three sons: Chris, Brandon, and Michael. The oldest, Chris, starts at Dartmouth this fall. His admissions essay centered on his experience working with University of Chicago paleontologist Paul Sereno during the summer of his sophomore year in high school. The program consisted of an intensive course in Hyde Park, then field work on a dinosaur dig in Wyoming. "He aced both courses," Allen reports proudly. "I was so impressed by his experience with Sereno that I joined the board of Project Exploration, the nonprofit organization Paul and his wife, Gabrielle Lyon, set up at the University." The mission of Project Exploration is to reduce the distance between science and the public—especially populations that are historically under-represented in professional science.

"One big advantage to having a legal background in the work I do is that negotiations and deals can move relatively quickly at the front end," Allen remarks. "I am able to anticipate a lot of the legal issues involved early on, and get a sense of when to bring the lawyers in. Everyone knows how they slow the process down," he says with a laugh.—C.A.

**Principles and Public Service**

Judge Terry J. Hatter, Jr., '60, has melded the rigorous education he received at the Law School with firm principles to fashion a career in public service that blends legal expertise with compassion and empathy.

Hatter began his career in private practice and as an assistant public defender in Cook County. In 1962 he was appointed Assistant United States Attorney in the Criminal Division of the Northern District of California. But he says he was not sure he would pass the FBI background check.

"I had been busted three times when I was younger," he says matter-of-factly, explaining that he believes all three incidents were racially motivated, and that no convictions ever resulted. "Nobody ever brought it up during the background check," he says, chuckling. Then, more seriously, he adds, "I have no doubt that those early brushes with the law made me a better defense lawyer, a better prosecutor, a better judge. Those experiences sensitized me to the way perception and prejudice can affect the practice and outcome of the law."

In 1966, Judge Hatter became chief counsel for the San Francisco Neighborhood Legal Assistance Foundation and also served as legal services director for the Office of Economic Opportunity in San Francisco. In 1970, he became executive director of the Western Center on Law and Poverty and taught law at the University of Southern California and Loyola University School of Law in Los Angeles. He worked with Los Angeles Mayor Tom Bradley on reform of the criminal justice system and oversaw the massive transformation of Los Angeles's downtown skyline in the 1970s.

"Moot Court reinforced the importance of mutual respect between the bar and the bench, and between adversaries in the courtroom."

—Terry J. Hatter, Jr.

He was appointed to the Los Angeles Superior Court in 1977. Two years later President Jimmy Carter appointed him to the United States District Court for the Central District of California, the largest federal district in the nation, where he served as chief judge from 1998 to 2001. Hatter says that the Law School not only provided him with a rigorous education in the law, but also impressed upon him the value of civil discourse and protocol. "Moot Court reinforced the importance of mutual respect between the bar and the bench, and between adversaries in the courtroom. That lays the groundwork for the serious endeavor of inquiry."

Hatter says he also appreciated the small classes and sense of community the Law School's faculty engendered. "I spent a lot of time with my professors, both in class and, less formally, out of class," he says. "It helped to integrate the principles and the values we were learning into our everyday lives."

Hatter continues to make public service a big part of his life. He has served on the Law School Visiting Committee, and designates most of his annual giving to the Mandel Legal Aid Clinic. He is a member of the Board of the National Association for Public Interest Law in Washington, D.C., a member of the Pacific Council on International Policy, and co-chair of the California Commission on Access to Justice.—C.A.
"Issue-Spotting" in the NBA

Adam Silver, ’88, says that his Law School education helped him develop the set of interrelated skills he calls "issue-spotting," abilities that are currently serving him well as one of professional sports' most influential executives.

Silver is president and COO of NBA Entertainment. Since being named to the position by NBA Commissioner David J. Stern in December 1997, he has been instrumental in helping turn the NBA into a model for global sports marketing organizations and one of the largest providers of sports programming in the world.

Stern appointed Silver to lead the reorganization of NBA Entertainment and NBA Properties in January 2000. The combined companies, which Silver oversees, comprise all of the NBA's and WNBA's business units, including television, film, Internet, marketing and communications, publishing, merchandising, marketing partnerships, media sales, and event management, all on a global basis. Silver is also responsible for the league's international business activities.

Silver says that much of the legal education he received at the Law School and developed in his initial legal career applies to his current position as head of a global entertainment and athletic organization—labor law, contracts, collective bargaining, and international and transactional law. But most of all, he says, the Law School enabled him to focus on the important issues. “The Law School taught me to take complex and often contradictory information in any given area, to focus on the fundamental issues, and to formulate a principled response.”

In addition to the numerous honors NBA Entertainment received under his direction, including Emmy and Cable Ace awards, Silver was named to The Sporting News' “100 Most Powerful People in Sports” for the last four consecutive years. He was also honored by the Sports Business Journal in its “Forty Under 40” sports executives list.

Before joining the NBA in 1992, Silver was a litigation associate at the New York law firm of Cravath Swaine & Moore, where he concentrated on media and anti-trust cases. Prior to that he clerked for Judge Kimba Wood at the Federal District Court in New York City and was a legislative assistant in Washington, D.C.

Silver is a member of the Advisory Board for NYC 2012 (New York City's Olympic bid committee), was appointed by Mayor Michael Bloomberg to the New York City Sports Development Corporation, and also serves on the board of PENCIL, an organization focused on developing civic involvement in the New York City public schools.—C.A.

Still Trekking

When they were students at the Law School, Nancy Feldman, ’46, took her then-boyfriend Raymond Feldman, ’45, to Chicago's Union Station to catch a train to his native Tulsa. But she couldn't quite say goodbye.

"Somewhat impulsively, I stayed on the train, and rode deep into southern Illinois before getting off and buying a ticket back to Chicago," Nancy says.

"I think it was then that we knew," Ray adds.

They married the next year, following Nancy's graduation. In the fifty-seven years since, their lives have been joined in a remarkable journey, one marked by serendipity and adventure, conscious commitment to social change, love for their family and community, personal growth, and professional achievement.

The young couple settled in Tulsa, where Raymond established a firm that would grow into Feldman, Hall, Frank, Woodard & Farris, handling corporate matters in the Oklahoma gas and oil industry. But Nancy, a Chicago-area native who had attended Vassar as an undergraduate and served as editor of the Law Review at the Law School, could not find work as an attorney. "The first question all the firms asked was 'how fast can you type?"’ Raymond says.

Even more shocking to her—after all, there was at least one professor at the Law School who would not call on her in class, believing that women should not practice law—was the strict racial segregation in Oklahoma.

"I was traveling to join Ray in Tulsa, and when my train crossed the border from Missouri into Arkansas, an announcement was made that all 'colored people' must change to a separate car. That was bad enough, but when I got off the train, there were separate drinking fountains and waiting rooms," Nancy says. "Ray was supposed to pick me up; I went straight to the 'colored' waiting room when I got off the train, and I thought, 'I'll see how well Ray knows me. If he doesn't find me here, I'm taking the next train back to Chicago.'"
"I guess I knew her pretty well," Ray says. "When I got there and she wasn't in the main waiting room, I went straight to the other room. She told me 'I don't think I can stand this.' I told her, 'Marry me and change it.' And she did."

Nancy surmounted her career dilemma by walking five miles in the dusty Oklahoma heat to the University of Tulsa and convincing the sociology department to hire her as faculty member. She went on to a thirty-six-year career at Tulsa as an internationally renowned scholar and teacher, even as she and Ray raised three children. She also served as chair of the board of Oklahoma State University.

Nancy became an active volunteer for the NAACP, worked with the Tulsa Urban League, and served as the first chair of the Tulsa Center for the Physically Limited. Ray became an advocate with the Oklahoma Civil Liberties Union, served on the Oklahoma Human Rights Commission, and was chair of the Tulsa Human Rights Commission. He also served as chairman of the Tulsa Red Cross, while Nancy worked on behalf of Planned Parenthood. The couple has also been involved in the arts, Nancy serving on the board of the Tulsa Ballet and both working extensively on behalf of the Tulsa Arts & Humanities Council.

This is just a partial list of their many civic and political activities. In 1997, the Feldmans were inducted into the Tulsa Hall of Fame, in recognition of their civic leadership. "It's a little ironic," Nancy says. "For a long time, we were not appreciated for all of this. In fact, for years, one of the newspapers had a standing rule not to mention my name," she laughs. "Now we're heroes."

The Feldmans raised three adopted children. Son Richard is a musician and producer who wrote the hit song "Promises" for Eric Clapton. Another son, John, is a senior executive for WebMD, the nation's largest Web resource for patient-based medical information. Their daughter, Elizabeth, known to everyone as Jingle, was an artist and equestrian who died at age thirty-seven. She is memorialized in the Jingle Feldman Award, given annually for excellence in the arts by the Tulsa Arts and Humanities Council.

Their adventures continue today, and they are as well known for their travels to remote parts of the globe as for their pioneering work in Tulsa. They have traveled on expeditions to the Himalayas seven times, rafted some of the most treacherous white water in the world, and have lived for long stretches with some of the most isolated indigenous peoples in the world—in Africa, South America, and New Guinea, among others. These days, both maintain active schedules ("Ray's cut back at the office," Nancy remarks. "He doesn't get there until 8 a.m."). But they spend six to seven months a year on their challenging trips. When the Record spoke with them, they were packing to leave the next day for several months, first for an "easy" trip to Colorado and Yellowstone with their sons' families, then on to Europe to trek Mount Blanc and the Matterhorn.

"Our friends say we're brave, but they secretly think we're crazy," says Nancy. "Maybe the Law School attracts bold spirits such as the Feldmans, or maybe the school nurtures their brand of active exploration. Maybe both. "I had no idea what I was getting into," says Nancy of the Law School. "But I loved it from the moment I arrived. It stretched me to the limit, and called upon everything that I had. It was wonderful."

"It was a place that encouraged you to ask questions, to think long and hard, and form a rigorous foundation for your principles," Ray says. "The Law School provided a wonderful source of fundamentals for all aspects of life."

And, in the case of Ray and Nancy Feldman, the fundamentals for a wonderful life.—C.A.
1927
Morton John Barnard  
July 25, 2003

Barnard practiced law for many years with his brother George Barnard, '31, specializing in probate and trust law. He later practiced with the Chicago firms of Foss, Schuman, Drake & Barnard and Gottlieb & Schwartz. He was an editor of many publications related to probate and estate law, and served as an adjunct professor at John Marshall Law School from 1947–1964. He was the president of the Illinois Bar Association from 1970-1972.

1934
Raymond Wallenstein  
June 3, 2003

After graduation Wallenstein served until 1942 as an assistant attorney general for the State of Illinois. During World War II he worked for the Counter Intelligence Agency, a predecessor of the Central Intelligence Agency. After the war he moved to California where he had his own law firm and also served as counsel to the firm of Shapiro, Laufer, Posell & Close. Wallenstein was active in the Law School Alumni Association, including serving as president of the Southern California chapter.

1935
Donald Rogers  
March 19, 2003

1948
Alice Andrews  
June 27, 2002

Andrews was for many years an appellate lawyer for the National Labor Relations Board. She lived in the Washington, D.C. area for many years, until retiring to Arizona in the mid-1990s. Her survivors include her husband Gilbert Andrews, also a member of the Class of 1948.

Leonard Fisher  
August 15, 2003

A partner in the firm Fisher, Hassen, and Fisher, Fisher practiced law in Chicago for forty-five years. His survivors include his brother, Lawrence Fisher, '49.

John Keefe  
July 9, 2003

After graduation Keefe taught business law in the Chicago College system for thirty-two years. He also worked in the legal department of Ford Motor Company and the American Bar Association. In 1969 he joined the Cook County Public Defenders office, where he worked for many years. At the time of his death, he was associated with the law firm of Brunswick Keefe & Deerr.

Charles Stein  
April 18, 2003

After graduation Stein practiced until 1970 with the Chicago law firm, Gottlieb & Schwartz, where he was a litigator. He then practiced with Katten Muchin & Zavis until 1984, when he moved to California. He then practiced law in California with the firm of Stein & Stein.

1950
Esther Muskin Edelman  
February 9, 2003

Edelman worked for several years in Chicago as an associate general counsel at Spiegels before moving to New York to work at the B'nai B'rith Hillel Foundation as associate director. She then took time off to raise her three sons in Brookline, Massachusetts. She resumed her legal career in 1977 and at the time of her death was working in the corporate department at the firm of Hade & Dorr.

1954
Lovern Rieke  
August 17, 2003

Rieke, who received his LLM from the University, was a resident of Seattle where he taught many years at the University of Washington's Law School.

1955
Carleton Nadehoffner  
May 23, 2003

Nadehoffner practiced law in Naperville, Illinois for more than thirty-five years. He also served for many years as Chief Counsel for the DuPage County Forest Preserve, helping the county obtain more than 20,000 acres of land. He was involved in many civic organizations, including serving as President of the Naperville Chamber of Commerce, trustee of the board of North Central College and chairman of the Naperville Police and Fire Board and heading a successful drive to form the Naperville Park District. Nadehoffner was also active in local Republican politics and became the Lisle Township GOP chairperson in 1959, a position he held for twenty years.

1959
Charles Huber  
August 11, 2002

After graduation from law school Huber served in the Navy for four years. He then practiced personal injury law in Seattle, including at the firm of Helsell, Ferrerman, Martin, Todd and Hokanson, where he was a partner.

Stephen Waite  
March 7, 2003

After graduation Waite joined the firm of Winthrop Stimson Putnam & Roberts where he practiced in the fields of commercial banking and public utility law until his retirement in 1999. At the time of his death he was living in Colorado.

James Weldon  
May 17, 2003

After graduation Weldon served in the Air Force for two years and then practiced law in Springfield, Massachusetts until 1974. While practicing in Springfield, he was town counsel for the Town of Longmeadow for ten years. He then became Chief Counsel to the Chairman of the Occupational Safety and Health Review Commission, where he worked until 1986.

1961
Richard Langerman  
July 18, 2003

After graduation Langerman joined the Boston firm of Goodston & Sorros, where he was a partner at the time of his death. He specialized in corporate and securities law.

1971
Marvin Rosenblum  
May 7, 2003

Rosenblum clerked for U.S. District Court Judge Abraham Lincoln Marovitz following graduation. He then pursued both legal and entrepreneurial interests including serving as general counsel to Matchbox Toys and founding several companies. He served on the Board of Directors of First Commercial Bank of Chicago, Escalibur Technologies Corp., Innapharma, Inc., the Osmotics Corp., and Kahr Pharmaceuticals. Rosenblum was the executive producer of the remake of George Orwell's 1984, starring John Hurt and Richard Burton. He served as President of the Decalogue Society in 1983-84.

2005
Henry "Jay" Wischerath, Jr.  
June 29, 2003

Wischerath had recently completed his first year of study at the Law School when he was killed in a tragic porch collapse at an apartment on Chicago's north side. Originally from Buffalo, N.Y., Wischerath graduated at the top of his class at Boston University, where he studied History and American Studies and was coxswain on the rowing crew. After his studies at the Law School, he planned to return to Buffalo and work in public service.
Class Notes Section – REDACTED

for issues of privacy
Alumni 2003 Graduates

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HIGH HONORS
Andrew Carter Baek
John Ray Phillips, II
Daniel Joe Powell
Julius Ness Richardson
Jeffrey Bryan Wall

ORDER OF THE COIF
Andrew Carter Baek
Jason Tarleton Evans
William Kenneth Ford
Jerrold M. Grushcow
Shire Jaya Kapplin
Hamed Moshki
Carl Rowan Metz

HONORS
Todd A. Blanke
Jason White Callen
Ingalin Manicam Chettiar
Dennis David Crouch
Jason J. Czarnecki
Jason Tarleton Evans
William Kenneth Ford
Lisa M. Friedman
Emily Theresa Gavin
Jeanette L. Goldsby
Jeremy Maxwell Grushcow
Jamil Nazim Jaffer
Mark Leland Johnson
Shira Jaya Kapplin
Tamera Sue Killion
Heather Ann Kirby
Brent Eugene Lattin
Alan Ernst Littmann
Corina Syringa Mallory
John Michael Mejia
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Dr. Barry S. Pearl
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David Rokach
Mitchell Philip Schwartz
Karen Ann Schweickart
Lissa Wolfenden Shook
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John E. Tangren
Tara Elizabeth Thompson
Laura Deanne Warren
Mark Stewart Whitburn
Veleri B. Wright

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Carolina Assael Montaldo
Michael Basson
Michael Wolfgang Rudolf Burian
Pia Burkle
Gretel Schwartz Calleheiros
Lia Uema Do Carmo
Antoine H. Cousin
Edouardo Die De Cosio
Shahrar John Dilbar
Maria Elena Dör Baines
Marcos J. Dupont
Carsten J. Ehrenfeld
Niccolo Manuele Gozzi
Luca Grangetto Caruso
Kai-Alexander Hanning
Kai K. Hollemann
Matthias Karl Dietrich Horn
Chia-Hsin Jimmy Hsu
Monika Infante-Hendricks
Hikaru Iishi
Deborah Kirschbaum
Yasuko Kojima
Alexandra V. Koudelin
Juliana Kupfer
Mary Frances Maher
Lilian Tarcha Malta
Diana Marie Mautner Markhof
Ximena Medina-Zukasa
Matias Mori
Christian Oehme
Claudius Honning Paul
Luis Armando Peschiella
Oliver Pfaff
Edward Andrea Pigretti
Luis Fernando Radulov Oueiroz
Lukas Matthias Rhomburg
Oliver Riecker
Thomas Ernst Rohner
Stefan Schneidewell
Tobias Strimbarg
David Verroken
Raul Videma-Ponce
Lei Wang
Taidi Wang
Stephan Peter Werlen
Kazuhiko Yaragawa

for the Degree of Doctor of Jurisprudence
Amatul Ama
Francisco Gonzalez De Cosio

for the Degree of Doctor of Law
Gregory Paul Abrams
Jeremiah John Anderson
Sleemar An Arnold
Xochitl D. Arzaaga
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Marek Henryk Badyna
Brett Joseph Batlie
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Ted S. Li
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Angie Kim Young
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Gladys C. Zaina
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Fairbanks
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Wiley Rein & Fielding

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Cleary, Gottlieb, Steen & Hamilton

Amanda Jester
Shaw, Pittman, Potts & Trowbridge

Jennifer Kessler
U.S. Air Force—JAG

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Ethan Steward
U.S. Marines—JAG

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Miami Public Defender

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Atlanta

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King & Spalding

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Narsee

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Ross & Hardies

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Winston & Strawn

Amy Grider
SeyfARTH Shaw

Jeremy Grubershov
Kirkland & Ellis

Benjamin Hanauer
Hon. Charles P. Kocoras
United States District Court for Northern Illinois

Jacob Hildner
Jenner & Block

Shira Kapplin
Hon. Diane P. Wood
United States Court of Appeals for the Seventh Circuit

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Stein Ray & Harris

Yasushi Kojima*
Takeda Pharmaceuticals

Sapna Kumar
Kirkland & Ellis

Thoufiq Kutty
Skadden, Arps, Slate, Meagher & Flom

Marcelo Lavado
Cook County Public Guardian

William Lee
Jenner & Block

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Kirkland & Ellis

David Levitt
Ungaretti & Harris

David Lidow
Sidley, Austin, Brown & Wood

Alan Littman
Hon. Frank H. Easterbrook
United States Court of Appeals for the Seventh Circuit

Ann Mace
Sidley, Austin, Brown & Wood

Alison Madaus
McLachlan Rissman & Doll

Bradley Martinson
Sidley, Austin, Brown & Wood

John Mejia
Sidley, Austin, Brown & Wood

Macon Miller
Kirkland & Ellis

Jennifer D. Molinar
Winston & Strawn

Jennifer Muzzo
Winston & Strawn

Lindsey Papp
City of Chicago

Eric Pearson
Sidley, Austin, Brown & Wood

Saren Pedersen
Bell Boyd & Lloyd, LLC

Eran Perlz
Latham & Watkins

Clare Pinkert
Hon. Joel M. Flaim
United States Court of Appeals for the Seventh Circuit

Julius Richardson
Hon. Richard A. Posner
United States Court of Appeals for the Seventh Circuit

David Rokach
Kirkland & Ellis

Tana M. Ryan
Kirkland & Ellis

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Kirkland & Ellis

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Schofill Hardin & White

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Sidley, Austin, Brown & Wood

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McDermott Will & Emery

Benjamin G. Stewart
Sidley, Austin, Brown & Wood

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Kirkland & Ellis

John E. Tangren
Kirkland & Ellis

Tara E. Thompson
Mayer, Brown, Rowe & Maw

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Hon. Suzanne Conlin
United States District Court for Northern Illinois

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Sommerschein Nath & Rosenthal

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Bell Boyd & Lloyd, LLC

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Latham & Watkins

Qiong Wu
Mayer, Brown, Rowe & Maw

Gladys C. Zolna
Schiff Hardin & Waite

KENTUCKY
London

Matt Donnelly
Hon. Eugene E. Siler, Jr.
United States Court of Appeals for the Sixth Circuit

MASSACHUSETTS
Boston

David Campbell
Hon. Sandra L. Lynch
United States Court of Appeals for the First Circuit

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WHERE ARE THEY NOW? continued

* Indicates an LL.M. degree. Otherwise, graduates received a J.D.

Edgar Chen
Foyle Hoag, LLP

Elisabeth DeLisle
Foyle Hoag, LLP

Joshua Pemstein
Foyle Hoag, LLP

Jason Rodríguez
Edwards & Angell, LLP

Benjamin L. Wilson
Foyle Hoag, LLP

Susanna P. Witt
Goodwin Proctor & Hoar

MINNESOTA

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Hon. Diana E. Murphy
United States Court of Appeals for the Eighth Circuit

MISSISSIPPI

Jackson

Ilya Shapiro
Hon. E. Grady Jolly
United States Court of Appeals for the Fifth Circuit

NORTH CAROLINA

Charlotte

Michael Mullican
Parker, Poe, Adams & Bernstein

NEW HAMPSHIRE

Concord

Jaime Escuder
New Hampshire Public Defender

NEW JERSEY

Princeton

Regan Hunt
Dechert Price & Rhoads

NEW MEXICO

Albuquerque

Sarah Rispin
Hon. Harris L. Hart
United States Court of Appeals for the Tenth Circuit

NEW YORK

Ithaca

Douglas R. Savitsky
Cornell University

New York

Kendrick Ashton
Goldman Sachs

Amanda Bixler
Davis Polk & Wardwell

Todd Blanke
Cadhawler Wickersham & Taft

Michael Borden
Loeb & Loeb, LLP

Grenfel Callieiros*
Miltbank, Tweed, Hadley & McCloy, LLP

Andrew N. Chalache
Staddin, Arps, Slate, Maegher & Flom

Inimai Chettiar
Debevoise & Plimpton

Antoine Cousin*
Curtis, Mallet-Prevost, Colt & Mosle, LLP

Joshua Ehrenfeld
Shearn & Sterling

Jason Feldman
Milbank, Tweed, Hadley & McCloy

Bethany Lampland
Willkie Farr & Gallagher

Benjamin Lang
Morgan Lewis & Bockius

Marisa Lato
Weil Gotshal & Manges, LLP

Jie Li
Dewey Ballantine, LLP

Timothy Mooney
Cadhawler Wickersham & Taft

Matias Moro*
Cleary, Gottlieb, Steen & Hamilton

Christopher Obalde
Cadhawler Wickersham & Taft

Lucas Granillo Ocampo*
Cleary, Gottlieb, Steen & Hamilton

Preston Olsen
Cleary, Gottlieb, Steen & Hamilton

Oliver Pfaff*
White & Case

Norberto E. Quintana
Davis Polk & Wardwell

Pallavi Ravi
Sullivan & Cromwell

Cristina Rejgo
Davis Polk & Wardwell

Thomas Reily
Debevoise & Plimpton

Christopher Rieck
Skadden, Arps, Slate, Maegher & Flom

Ryan M. Sandrock
Debevoise & Plimpton

Dashiel C. Shapiro
Cadhawler Wickersham & Taft

Tracy J. Thomas
Cadhawler Wickersham & Taft

Jeanette K. Trudell
Dechert Price & Rhoads

Jane C. Wang
Proskauer Rose

Benjamin Yu
Miltbank, Tweed, Hadley & McCloy

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Salem

Lisa Woffendale Shook
Hon. Thomas A. Balmer
Oregon Supreme Court

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Philadelphia

Aaron Miclcher
Dechert Price & Rhoads

Robert Munez
Drinker Biddle & Reath, LLP

Matthew Powers
Doe & Miller, LLP

Pittsburgh

Alan Fry
Jones Day

Illia Milisich
United Steelworkers of America

TENNESSEE

Memphis

Maria Amelia Calaf
Hon. John Calica

Texas

Auburn

John Nelson
Akin, Gump, Strauss, Hauer & Feld, LLP

Dallas

Eleanor Arnold
Hughes & Luce, LLP

Eric Ha
United States Courthouse

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Edinburgh

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Texas Rural Legal Aid

Houston

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King & Spalding

Miriam M. Carreras
Andrews & Kurth, LLP

Paul Cornett
Fulbright & Jaworski, LLP

Jamil Jaffer
Hon. Edith H. Jones
United States Court of Appeals for the Fifth Circuit

Cari Metz
Hon. Jerry E. Smith
United States Court of Appeals for the Fifth Circuit

Brian W. Truby
Fulbright & Jaworski, LLP

Carl D. von Merz
King & Spalding

UTAH

Salt Lake City

Richard Hall
Steele, Andrews, LLP

VIRGINIA

Alexandria

John Phillips
Hon. J. Michael Luttig
United States Court of Appeals for the Fourth Circuit

Kristina Reeves
U.S. Navy—JAG

Charlotte

Jeffrey B. Wall
Hon. J. Harvie Wilkinson, III
United States Court of Appeals for the Fourth Circuit

Laura D. Warren
Hon. J. Harvie Wilkinson, III
United States Court of Appeals for the Fourth Circuit

WASHINGTON

Seattle

Jonah Harrison
Preston Gates & Ellis, LLP

WISCONSIN

Madison

Loren Friedman
Hon. Robert D. Martin
United States Bankruptcy Court for the Western District of Wisconsin

INTERNATIONAL

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Argenti Lemon, SA

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Vienna

Christian Oehner*
FRESHfields Bruckhaus Deringer

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São Paulo

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Lilia, Huck, Matheus, Ortento, Ribeiro, Camargo & Messina

Juliana Kufer*

Mattos Filho, Veiga Filho, Marrey Jr. E Quiroga Advogados

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Manhiles Moreira Advogados Associados

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Hamburg

Kai K. Hollenstein*

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Michel Besson*

Universität Bern

Zurich

Stephan Werlen*

CMS von Erlach Klainguti Stettler Wille

UNITED KINGDOM

London

Jeanette Goldsberry

Allen & Overy
Graduation 2003

David Pemstein, '94, congratulates his brother, Joshua Pemstein.

David Lidow, Joann Liao, and Ted Li admire their new diplomas.

Professor Tracey Meares, '91, counsels recent graduates Andrew Baek and Jay Richardson at the post-Graduation party.

Bernard Meltzer, '37, addresses the Hooding Ceremony at Rockefeller Chapel.

Clare Pinkert, Jean-Jacques Cabou, and Maria Amelia Calaf exit Rockefeller Chapel following the hooding ceremony.

Jeremy Grushcow celebrates with his daughter.

The 2003 Hooding Ceremony at Rockefeller Chapel.

Chris Skinnell and Jenny Silverman listen as Professor Meltzer speaks at the Hooding Ceremony.
REUNION WEEKEND 2004

Save the Date

April 30-May 2, 2004