Fall 2007

Law School Record, vol. 54, no. 1 (Fall 2007)

Law School Record Editors

Follow this and additional works at: http://chicagounbound.uchicago.edu/lawschoolrecord

Recommended Citation

This Book is brought to you for free and open access by the Law School Publications at Chicago Unbound. It has been accepted for inclusion in The University of Chicago Law School Record by an authorized administrator of Chicago Unbound. For more information, please contact unbound@law.uchicago.edu.
CEO Compensation
Taking Corporate Law Out of the Classroom
Solo Practitioners
2 CEO Compensation
M. Todd Henderson examines executive pay structure.

8 Declarations of Independence
Law School alumni strike out on their own for reasons of both business and pleasure. By Robin Mordfin.

12 Taking Corporate Law Out of the Classroom
Caryn Cross Hawk explores the interests and motivations of the Law School's new Associate Dean for Corporate and Legal Affairs.

14 Considering the Law from All Sides
Alison Coppelman examines the history of the Bigelow Research and Writing Program.

18 Commencement Remarks to the Class of 2007
Don’t Trust Me, (Except This One Time), said Professor Richard A. Epstein during his Commencement remarks to this year’s graduating class. His thoughts are reprinted here, with photographs, by Lloyd DeGrane, of the members of the Class of 2007.

1 Message from the Dean
20 Clinic News
Law School students help a South-Side neighborhood work for police accountability and help entrepreneurs work for success.

22 Faculty News
Meet new faculty, Richard McAdams, Lee Fennell and Jonathan Masur.

24 Faculty scholarship 2006-2007

30 In Memoriam

31 Class Notes
Portraits & Profiles
Rubin Sharpe, ’35
Norman Abrams, ’55
Ted Theophilos, ’79
Abigal Abraham, ’92
Harry Korrell, ’93
’06 Alumni in public defenders’ offices

78 2007 Graduates
79 Where Are They Now?
Dear Friends,

I receive many compliments about our Law School Record and about the effort we put into our publications. The comments come mostly from readers who favor print over other media, and who have a professional eye for stylistic changes, but also from correspondents who frequent our website and faculty blog, and who have multiple points of contact with the Law School. Our readers are not like those of other magazines. Communications experts tell universities and other clients to pick one to three messages, and then to saturate the intended audience with versions of a few points. Repetition is good, we are told, for it is a matter of competition with other purveyors of messages. (But even reading over these two sentences makes me wince at the prospect of an entire campaign with such repetition and condescension). I hope it goes without saying that we prefer our communications to be interesting, with a mixture of ideas and Law School news, even if that means that we are less “effective” in communicating our “message.” I confess that our admissions materials strive to be slicker, and they do repeat the buzzwords, but also the reality of intellectual intensity, fun, and great classroom teaching. But in communicating with graduates, the goal is not sales but rather maintaining your lifelong attachment to ideas and to the University of Chicago Law School.

With this goal in mind, we toy occasionally with yet more frequent “e-briefs” and letters, and we rely increasingly on electronic communications. We know that we need to keep your trust regarding content; if we repeat and bore, you will stop opening our missives. A redesigned website will soon help you navigate our materials, and it would be nice if readers could search the archives. I suspect that most of our readers are reasonably informed, because interspersed with the ideas we send your way is news of institutional change. Did you know that we now have one of the country’s most generous public interest support programs? (You will soon learn that it is about to get even better). Did you know that our building renovation project is near completion? (You will soon see that the fountain in our “front yard” is no more). Did you know that our Bigelow Fellows are among the most sought after candidates in the academic teaching market (read on!) and that we rank second in the nation, in per capita terms, in producing Supreme Court Clerks (we’ve been reporting that point of pride for years, and you have been kind enough not to question whether per capita is really the right measure)? Did you know that the Law School Musical was not started when you were in Law School (unless you were here in the early 1950’s)? If you knew these things, you must have learned them from a variety of communications. And if not, now you do — and, besides, I would rather you knew about the latest work of our students and faculty on reforming the foster-care system or on the apparent and relative advantages of elected and appointed judges — ideas you can also read about in these communications. We welcome your feedback and ideas regarding the ideas we teach, explore, and advance — as well as our means of communicating with you.

Sincerely,

Saul Levmore
Executive Compensation: Who'da Figured?

by M. Todd Henderson
The conventional wisdom about executive compensation is that CEOs are paid too much. With the average CEO of a large public firm making over $7 million per year, and with some “superstar” CEOs making many times that amount, often for short periods or in times of weak performance, it is easy to accept the claim as an obvious fact. The claim seems to be supported by the nature of the pay-setting process. The board that decides how much to pay the executive is installed by the CEO in most cases, and is under the CEO’s personal influence. It is provided with most of its information by the CEO or consultants chosen by her, and importantly, is paying the CEO with other peoples’ money.

Critics of high pay argue that these other people, generally the shareholders, are powerless to constrain CEO’s salaries because they are a diffuse and rationally disinterested group, given their small stakes in the firm, not to mention that CEOs camouflage the true nature and amounts of pay. The argument is captured by a recent media account of the pay issue: “Executive compensation is the cancer of corporate America. CEO’s have too much power and it has been directed at their own enrichment.”

The most common criticism of pay compares the ratio between the earnings of an average worker and CEOs, noting that the ratio increased to 300 to 1 last year compared with a ratio of 92 to 1 in 1982.

Although this account has surface appeal, it fails to withstand close scrutiny. Despite growing to high dollar amounts, the evidence suggests that CEO pay is highly correlated with shareholder returns, is sensitive to firm performance, and is set in an efficient labor market. The evidence also shows that CEO pay is not as a result of a corrupt process whereby the CEO effectively writes herself a check.

We can test the efficiency of CEO pay by looking at cases in which a few sophisticated investors, betting their own money, replace the diffuse shareholders and the potentially corrupted board and write new executive compensation contracts with the CEO. If contracts in these cases, where so-called agency costs between owners and managers are reduced, look similar to those of firms in general, this suggests that compensation contracts are efficient. And at the very least, that increasing the power of shareholders to intervene in compensation decisions is unlikely to produce much change in compensation forms or amounts. But before we get to this research, we require some background on the debate.

“Executive compensation is the cancer of corporate America. CEO’s have too much power and it has been directed at their own enrichment.”

There are two distinct arguments in the modern criticism of executive pay. The first is a populist argument: CEOs are paid too much compared with the average worker. The second is an efficiency argument: CEOs are paid inefficiently and pay is not linked closely with firm performance. Let us look at each in turn.

Paid too much. The most common criticism of pay compares the ratio between the earnings of an average worker and CEOs, noting that the ratio increased to 300 to 1 last year compared with a ratio of 42 to 1 in 1982. There are many oddities about this argument. For one, how are we as a society to determine what the correct ratio should be at any point in time? Is 300 to 1 a bad or inefficient ratio? Is 42 to 1 a good number? Why not 10 to 1 or even 1 to 1? In other words, the right question to be asking is not what is the ratio, but what are the benefits of various ratios compared with the costs? Moreover, we don’t know whether a growing gap is a good or bad thing from a societal welfare point of view, after all, a growing gap may show increasing returns to education and hard work, something that might be expected and a net benefit for society, since it encourages investments in these things.

Since there is no easy answer the question about the socially optimal ratio, and since the answer is, in any event, likely to be different for different firms in different industries at different times, the question for society, and, more specifically for state law governing firms, should not be how much CEOs are paid, but who decides how much they should be paid. After all, if the process for setting pay is free from corruption and represents a market-based
wage, it is hard to argue that the amounts are grossly inefficient or wrong in some way. This is a subject we will return to in a moment.

The ratio problem is, of course, not unique to CEOs. The data show that top lawyers, football players, recording artists, movie stars, and celebrity journalists have all seen their wages rise dramatically in the past few decades, especially when compared with the paralegals, equipment managers, sound engineers, camera operators, and interns that do work behind the scenes to make these stars look good. Returns to talent have increased dramatically across the board, perhaps because improvements in technology and the globalization of markets allow individuals to exploit their talent over a greater and greater asset base with little additional cost. While this is an interesting phenomenon that deserves greater study, it has little to do with the current executive compensation debate. We don’t see critics lamenting the rising ratio of the wages of Tom Cruise to his make-up artist or Alex Rodriguez to the hitting coach for the Yankees, and this should tell us something about the real issue in the CEO debate—it is about political power in corporate America, not about populist criticism of some people who happened to make it rich. The CEO pay issue has political salience in part because of who the CEOs are and in part because they are earning the money that might arguably belong to others, be they providers of labor or capital. This is why the “Say on Pay” bill designed to give shareholders a voice over compensation has political constituents—the argument is that CEOs are stealing from shareholders in a way that A-Rod isn’t when he demands hundreds of millions of dollars from George Steinbrenner to play third base for the Yankees. Again, we’ll come back to this shortly.

Finally, the pay-ratio argument ignores the fact that American businesses look very different today than they did in 1982. Most obviously, the average CEO tenure in 1982 was over 10 years, while today it is about 4 years and falling. After accounting for this drop, which, by the way, sure doesn’t sound like CEOs are getting more powerful, the growth in total expected CEO pay is far less dramatic, amounting to less than 5 percent per year. In addition, CEOs have faced increased risks in the form of increased disclosure under securities laws and potential personal liability or even prison time as the result of Sarbanes-Oxley and a growing number of shareholder lawsuits. CEO pay has risen in part because it is much riskier to be a CEO these days.

In addition, American firms are, on average, much bigger than they were in 1982. We might expect CEO pay to bear some relation to the difficult of their job, which may be related to size and complexity, and to their success in creating shareholder value. One test of this is to compare the ratio of total executive compensation to firm market value or total firm sales. Recent research shows that this ratio today is much less than it was from 1940 to 1960, and is about the same as the average over the period from 1960 to the present. This suggests that the ratio is not out of whack, but merely reflects changes inherent in the size of the firms that CEOs happen to run.

Arguments about how much CEOs should be paid lead inevitably to how CEOs are paid and who decides how much.

American businesses are also much more profitable and valuable than they were in 1982. The growth in CEO pay is almost entirely explained by the fact that CEOs are paid primarily with equity, and as firm size value has grown, so has pay. (It is worth noting that in many countries CEOs were historically paid with cash instead of equity—stock options were illegal in Germany until very recently—and this helps explain in large part international pay gaps). In 1982, to use that magical year when CEOs and workers were paid at a reasonable ratio, the average CEO was paid like a bureaucrat, receiving a salary and a bonus that was tied to some measure of performance, typically revenue growth. Because pay was modest and was largely de-linked from shareholder returns, the evidence shows that CEOs managed firms in ways that maximized their own utility rather than that of their masters, the shareholder owners of the firm. For example, managers had incentives to be risk averse, lest they be fired, and to build empires, so they could demand a greater salary and to increase their prestige.

Starting in the mid-1980s, firms started paying CEOs like owners, giving them shares of the company stock in the form of options. CEOs now had incentives to maximize profit. Over this period, the growth in CEO compensation has been almost entirely explained by this equity component. (The growth in cash compensation has been less than 5 percent per year over the past 20 years, compared with a constant growth rate of over 50 percent per year for equity compensation). In other words, CEOs are rich today because they have presided over firms that have made
shareholders rich too. In fact, comparing median total return to shareholders (price appreciation plus dividends) and CEO pay over the past 10 years shows that they move in unison. This can also be seen by overlaying the growth in CEO pay since the 1980s over a curve of market capitalization of U.S. equity markets; again, the curves move together in lockstep (both up and down) precisely because CEO pay is so sensitive to firm market performance (Figure 1). (An important footnote here is that paying with options gave some executives incentives to manipulate stock prices for personal benefit. There are, of course, downsides to every form of compensation, and the question should not be whether some executives misbehaved, but whether the net benefits from equity pay exceed the costs.)

The fact that shareholder wealth has increased over this period is not the end of the argument. It merely begs the question of whether CEOs are taking a disproportionate share of gains, either because they are being compensated for things beyond their control (e.g., the market or firm value would have gone up anyway) or because they misuse their power over the pay-setting process to reward themselves—taking what economists call “rents”—at the expense of their shareholder masters. This, like the question-begging out-of-whack-ratio problem above, leads us inexorably to a discussion of the efficiency of the compensation setting process and the compensation bargains that result from it. If these are efficient, there is not much more, short of legislating CEO pay amounts, that we as society can do about it.

Inefficiently paid. Arguments about how much CEOs should be paid lead inevitably to how CEOs are paid and who decides how much. The pay-setting process for most firms is the same: the board, on advice from compensation consultants, decides how much to pay the CEO, who, although technically employed by the board, has tremendous power over them. This circularity of power leads compensation critics like Lucian Bebchuk of the Harvard Law School to argue that CEO pay is not based on performance, but instead is based on managerial power. He and co-author Jesse Fried wrote an entire book on this subject, premised on the assumption that “[f]lawed compensation arrangements have been widespread, persistent, and systemic, and they have stemmed from defects in the underlying governance structure that enable executives to exercise considerable influence over their boards.”

This inefficiency view is shared by former SEC Chair Arthur Levitt, who wrote recently that “excessive compensation ... packages are a consequence of boards falling victim to a seduction by the CEO and the solution is, in part, to create greater board independence.”

The managerial power view asserts that executive compensation contracts made through the typical board process are decidedly not negotiated at arm’s length. The specific factors limiting the ability of boards to do so are: (1) the power of the CEO over the appointment of directors; (2) the ability of the CEO to reward cooperative directors; (3) the social and psychological influences the CEO has over directors, such as the power of friendship, loyalty, collegiality, and authority; (4) the cognitive biases of directors that come from being CEOs or former CEOs themselves; and (5) the time and informational barriers most directors face to making an informed and reasoned decision about pay.

Bebchuk and Fried also argue
that certain methods of compensation, such as traditional (non-indexed, at-the-money) stock options are suboptimal from an efficiency perspective. The argument is that traditional options do not provide as much incentive bang for the buck as indexed options with a strike price above the current market price. For example, if an oil firm grants the CEO 100,000 non-indexed, at-the-money options on January 1, and on July 1 the price of oil increases (because of, say, a crisis in the Middle East), causing the firm’s stock price to rise $10 per share, the CEO will earn $1 million largely thanks to events outside of his control. In addition, because the shares of all oil firms will rise, shareholders in this firm get nothing from this payment that they could not have received from holding a diversified basket of oil firm securities. It would be more efficient, the argument goes, to set the strike price above the market price (to give the executive an incentive to increase share value above a certain threshold level) and to link compensation to firm-specific performance by comparing the firm’s performance with an index of other firms in that industry. Because this compensation design is rather straightforward and yet not used by firms, it is believed that the “design of option programs is consistent with the presence of managerial power.”

A first response to the claim that pay is de-linked from performance is to look at the data. Recent work by Steve Kaplan and Joshua Rauh, my colleagues across the Midway at the Graduate School of Business, shows that pay and performance are actually tightly linked: top decile firms (in pay) outperform their industries by over 60 percent, while the bottom decile firms (in pay) underperform their industries by about 20 percent. This comports with the evidence discussed above, showing that CEO pay has risen and fallen consistently with the stock market. For example, average real CEO pay reached its peak at the height of the stock market in 2000, and has fallen along with the stock market almost 30 percent over the past three years. Also, as noted above, CEO tenure has fallen by half over the past decade, which casts some serious doubt on the Full Monty version of the managerial power theory.

A second bit of research looks instead at the pay-setting process in a special case where managerial power is reduced to see what impact the reduction has on how and how much CEOs are paid. I looked at about 80 firms in financial distress that were reorganized under Chapter 11 of the Bankruptcy Code or worked out debt privately to see whether pay practices, say the use of nonindexed options, changed once sophisticated investors were in charge of writing compensation contracts.

The primary effect of bankruptcy is to wipe out the claims of the distant, diffuse, and disinterested shareholders, the ones that managerial power theorists claim allow managers to get away with rent extraction, and to leave only sophisticated investors, such as banks, insurance companies, hedge funds, and specialty bondholders known as “vulture investors”. These investors are specialist, repeat players in workouts or distressed investing. They achieve control either by buying significant blocks of a firm’s outstanding debt or by agreeing to loan the debtor additional funds, subject to restrictive debt covenants that grant the lender contractual control of many of the firm’s activities. In most cases, the holders of bank debt consolidate their interests in and around financial distress by creating a single credit facility that reorders the existing debt of many providers and pumps new cash into the debtor. A similar consolidation happens with the bond debt, which vulture investors buy up in order to secure a blocking position in the reorganization process. The end result is that these 80 cases, like most other bankruptcies, the thousands of shareholders are replaced with a few, highly sophisticated investors betting huge amounts of money on turning the firm from distress to profitability.

CEO power over pay is greatly reduced in these cases. For one, existing CEO compensation contracts were ripped
up and written anew, since they were voidable in bankruptcy. This suggests that any stickiness in compensation amounts or forms is reduced, since the parties are bargaining on a clean slate. Actual bargaining was also observed in these companies. Instead of the CEO bargaining over pay with a board she appointed, the firms in the study showed actual, arm's-length bargaining between the CEO and the vulture investors and banks that made large investments to turn the firm around. In addition, unlike in healthy firms, CEO pay contracts in each of these cases was approved by a court overseeing the reorganization. In short, pay was set for these firms in a manner that was about as good as we could possibly expect.

The study looked at pay amounts and the form in which pay is delivered before, during, and after bankruptcy to see what change the reduction in managerial power had. Although there were variations in the amounts of pay in these three periods, as we would expect given the trauma bankruptcy has on firms and given the impact this is likely to have on attracting and retaining talent, the key finding here was that compensation in periods outside of bankruptcy (say four years before and four years after) were very similar. In other words, the contracts written in bankruptcy by sophisticated investors trying to maximize the value of the firm, delivered the same compensation amounts as those written in periods where managerial power was high.

This conclusion may be seen even more clearly in the case of the form of compensation used in these cases. No firm in the dataset changed compensation forms—say, moving from nonindexed stock options to indexed stock options—in the way that Bebchuk and Fried argue is obviously beneficial. If firms with very low agency costs and weak managerial power (compared with healthy firms) do not move to one form of compensation over a type prevailing in the market, this casts doubt on claims that it is only managerial power standing between shareholders and more efficient compensation contracts.

It might be, one could argue, that the entire market for CEO pay is distorted, and that bankrupt firms, like all other firms, have no choice but to pay the (distorted) market wage—they are "price takers." Pay might also be sticky in some sense, in that the amount that the CEO made in prior, pre-distress periods is the amount that the new CEO would expect in the post-distress period. Accepting these criticisms as true, this still cannot explain why firms in distress would deliberately choose inefficient forms of compensation. Consider an example: a firm in distress needs to attract a new CEO, and the leading candidate demands $10 million per year. The firm may not be able to move the CEO from her reservation price, but it certainly has discretion over the form in which the $10 million can be delivered. Failure to innovate here demonstrates that the prevailing forms are likely as efficient as we can expect, even assuming an increase in shareholder monitoring or power over the pay-setting process. This is not to say that firms and the market might learn over time about new ways of providing incentives for managers, since capitalism is still surely a work in progress. It does show, in my view, that the silver bullet of giving shareholders more say is unlikely to have much impact.

Executive compensation is a classic political football, and we should expect the debate to rage, die away, and then rekindle depending on the prevailing political winds. The real challenge for law is to ensure that the process for setting pay is not corrupted by cronyism while policing obvious frauds, such as the manipulation of stock prices for personal benefit. The work being done by boards and compensation consultants is even more important, since they are developing new tools. If boards do their job, by being fully informed and making decisions in the best interest of shareholders, as required under clear state law precedents, the issue of who decides is moot, and we can rest assured that CEO pay is set in a relatively efficient labor market. What more could we ask?

1 Gretchen Morgenson, Option Pie: Overeating is a Health Hazard, N.Y. Times, Apr. 4, 2004, at § 3, 1.
4 See M. Todd Henderson, Paying CEOs in Bankruptcy: Executive Compensation When Agency Costs are Low, 101 NW L Rev 1 (2007)
All of the attorneys who capture the American imagination are lawyers who hung out their own shingles and fought for justice on their own terms: Clarence Darrow, Hamurabi, Ben Matlock. Yet despite its reputation as a premier incubator of outstanding legal minds, or perhaps because of it, very few of the Law School's graduates go out on their own or start their own firms.

But like most generalizations, there are exceptions to this one, and Chicago has produced some attorneys who have gone out on their own. Naturally, each has his own unique story to tell, but Mark Weinberg, Class of 1970, has his own theory about anyone who chooses to start his own business. "Inside every entrepreneur is an abused employee," he states cheerfully.

Weinberg went to work for the Internal Revenue Service upon graduating from the Law School, a course taken by very few of his fellow UofC alums. "I was coming off active duty in the army and I missed the interview season," he explains. "I was really hating life, raising taxes for a war I did not support, and then one day I did some work on a charitable exemption and a light bulb went off. These are not only groups that don't pay taxes for the war, but provide a means to support good things while shifting funds away from the war. So decided that is what I was going to do."

So Weinberg spent seven years at the IRS and planned to become a lifer. It was a good life, his work was 9 to 5, and he had a pension plan. Then Arent Fox hired him away and he spent six-and-a-half years adding client training to the already formidable training he had received from the government. Weinberg left when he realized that his work was not going to be profitable enough for Arent Fox for him to become a partner. He became a partner at a smaller firm.

"Now, I wasn't a name partner at this firm, and the other partners really seemed to think they were terribly important," Weinberg notes. "I brought in $145,000 in client billings in 1983, which was a lot of money then, but the other partners were annoyed that the whole firm
wasn't making huge sums. So I suggested that the other partners aim to bill half of what I bill and I would lower my billing and we would all do better. They didn't like that and thought I had a bad attitude, so I left and literally hung out my own shingle. I am still in business 24 years later, and they aren't."

Weinberg took out a line of credit, rented space from a law firm outside of Washington, D.C. and hired a woman with one year of law school under her belt to be his secretary, paralegal and office manager. Within three years he had outgrown the space and hired more help, eventually taking on a partner.

“Word of mouth is really the way to build a practice. I was going to charitable events, potluck dinners and just calling everyone I knew and asking for help. And it worked.”

—Ikennerg Cera, ’85

“I love of our partner meetings,” Weinberg says. “We go somewhere fun, have drinks and talk things over.”

Fun partner meetings, or rather, a strong dislike of large, bureaucratic and acrimonious partner meetings, has motivated more than one Law School grad to break out and start a new firm. Susan Anderson Wise, Class of 1974, began working with her father-in-law, Chicago alum George Wise (Class of 1948) right out of law school in Long Beach, California. After a couple of years, he created a new firm, and in the mid ‘80s she became a partner. In 2000, the firm broke up again, and she and several other partners formed a new firm, Wise, Pearce, Yocis and Smith.

“The breakup wasn’t about clients, as each attorney had his own roster,” Wise explains. “It was more philosophical, it was about how the firm was going to operate, the kinds of clients it would take on and how things would work administratively.

Jeffrey Warren, Class of 1972, has started firms three times in Chicago since graduating from the Law School for reasons similar to Wise’s. However despite all the changes his career has taken, he has actually been working with the same group of lawyers since Richard Burke, Class of 1958, hired him after graduation.

“All of the changes really occurred over how we wanted the firm to be run,” Warren says. “These weren’t acrimonious break ups, it was more about the kind of clients we wanted to take on, how compensation would work and how the firm would operate. For example, the people I work with have always had a very entrepreneurial spirit, and we would therefore take on entrepreneurial clients. During one of our incarnations we were working with attorneys who had always worked with established, large companies and they were uncomfortable with clients who were building new businesses. It just wasn’t a good fit. So we took our clients and they took theirs.”

Of course, it is not just partner meetings that lead attorneys to start their own firms. Kenneth Cera, Class of 1985, found that dealing with partners at all in a big firm was simply not for him.

“It was too political, dealing with all the partners,” Cera says. “Besides, I wanted my own business. I wanted to dress the way I wanted, take on the clients I wanted, bill the way I wanted – and give discounts if I wanted – while dealing with only one partner.”

Cera took out a $50,000 line of credit in 1990, rented an office in San Francisco with his partner and hired an office manager.

“I remember being very nervous, I was putting stuff on my credit cards to set up the office,” Cera notes. “I was nervous, even though I had brought over a few clients from the old firm. But within six months I had gotten one big case and I was so busy I actually had to hire another lawyer. Things were going well, I was paying off the loan, and I knew we were going to succeed.”

But other entrepreneurial Chicago alums started out with no clients at all from which to build their practices. Neil Wilkof, Class of 1980, had practiced in Cleveland for four-and-a-half years before he and his family moved to Israel at the end of 1984. Israel, like many European countries, requires its attorneys to complete and apprenticeship of sorts called an Article of Clerkship in order to become licensed. After completing his training, Wilkof worked at a small firm specializing in intellectual property issues, spent time writing his text, Trademark Licensing, and did some teaching in the United States. In 1994 he set up his own office.

“When I set up I had no clients, just a lot of hope,” Wilkof explains. “I went into terrible debt, renting my office and buying equipment, and I had four kids at the time. From an objective point of view, this was not a rational decision. What’s more, clients don’t pay you when you start the work, so I learned that you have to be really,
really nice to your bankers. But I also learned that I had to change my personality. I had never been outgoing, but I had to network. I had to go to meetings and conferences and meet people and get them to give me business. And I learned a lot about how networking really works, because two years after I started my practice 80 to 90 percent of my clients were people I never had contact with before, they just came through the network and they came from around the world.

Cera, whose practice now also has an office in New York, agrees that networking is the key to growing a new practice. “Word of mouth is really the way to build a practice,” he says.

“I kept in touch with every lawyer I knew at the firms I had worked at. At this point, all of my business has come from word-of-mouth networking, and it is growing steadily.”

—Paul Niehaus, ’97

“I was going to charitable events, potluck dinners and just calling everyone I knew and asking for help. And it worked.”

Like Wilkof, Paul Niehaus, Class of 1997, also hung out his shingle with virtually no clients. After spending eight years working for a big firm, Niehaus grew tired of working on the same narrow aspect of securities law and wanted the opportunity to learn and work in other areas.

“I had zero clients when I got started,” Niehaus notes. “I had been wanting to start my own business for a while, and I would sit around looking for ideas — could I make donuts? Could I manufacture something? And then one day I had this aha moment and realized that I was an attorney with a degree from the University of Chicago, and I could start a business with that.”

Niehaus worked from home for a couple of months, laying the groundwork for the practice, before renting space at a law firm and began marketing himself as a well-credentialed and experienced attorney who could take on the smaller cases, and smaller aspects of larger cases, that big New York firms can’t make cost effective.

“I talked to people,” Niehaus explains. “I kept in touch with every lawyer I knew at the firms I had worked at. I make sure that I have lunch with someone at a firm at least once a week, that way my name is in their heads when they need someone to handle something for the firm. At this point, all of my business has come from word-of-mouth networking, and it is growing steadily.”

Niehaus, like his other shingle-hanging compatriots, also agrees that being nice to your banker is an essential part of opening a new firm. But in his case, it is easy, because his wife is his banker.

“I don’t even know if I could do what I am doing without her job, because she has the medical insurance and the benefits we need to raise our family,” Niehaus says. “And we went into this together. I took a year, and after that we sat down and realized that the business is still growing, so I am continuing.”

But the importance of banking and networking are not the only asset these Law School grads agree upon. They universally believe that the education they received at the University of Chicago and the reputation it carries with it made their success possible.

“The credentials make all the difference,” Cera notes. “Because even after all this time, I still get asked where I went to law school, and when you are the small firm facing a big firm across the table, you get a lot of respect when you say that you went to the University of Chicago.”

Still, there are some changes that these entrepreneurs would like to see in the Law School.

“Obviously the Law School will never become a trade school, and we wouldn’t want it to,” Niehaus comments. “But wouldn’t it be useful to have a third-year class on practical lawyering? It could cover a variety of aspects, each for a week at a time. It could cover civil procedure for a week, which you learn your first year but you don’t really have the structures in your brain to retain it. But if you reviewed it in your third year it would absolutely stick. And you could spend a week on writing briefs, a week on networking, there are all kinds of possibilities.”

And then, as Weinberg put it, “Chicago grads wouldn’t have to spend 35 years learning the tricks of the trade through trial and error. They would go out into the world with that kind of practical knowledge to add to the wonderful intellectual training they already get at the Law School.”

Still, the attorneys in this article feel their Chicago training and education is invaluable. “I knew that I had the best training,” Wise says. “And that gave me confidence, because I knew that I could take on whatever kind of challenge came up.”
A new associate dean position was created this year, and it will strengthen the ties between the Law School and the legal and businesses communities. David Zarfes, associate dean for corporate and legal affairs, was appointed in March 2007 and this fall he will begin overseeing an innovative collaboration among the Law School, Microsoft Corporation and UBS. Through this collaboration, Zarfes will bring the excitement of corporate law in the classroom with two new law-practicum laboratories.

Zarfes is a natural for the new position because of his distinctive experience as both a corporate attorney and teacher of law. A former executive vice president, general counsel and management-committee member at Cap Gemini Ernst & Young, Zarfes began teaching a variety of topics at the Law School in 2001, including transaction and information-technology law as an adjunct professor.

While Zarfes was working as a visiting professor at the Law School in the fall of 2006, Dean Saul Levmore decided to create a permanent corporate and legal affairs post. He wanted someone who could create a relationship between corporations and the Law School that benefits students. But the dean also knew that the minds at the Law School also had a lot to offer the corporations. Both Microsoft and UBS value the chance to have the unique thinking and sterling legal training of Chicago students in their offices.

A select group of students will have the opportunity to get involved in the day-to-day work of the law departments at these two companies by acquiring transactional experience, handling issues that are on the cutting edge of changes that are facing these industries, learning how to navigate during challenging times and preparing research and white papers. Normally such experience is not available until attorneys have practiced for several years, if ever.

The new practicums will provide very bright second-and third-year students with opportunities to work on real-world issues. Students will become familiar with the cultures and work environments of these companies, each handpicked because of their preeminence in their respective fields of software development, licensing and financial services.

Substantial attention will be devoted to understanding and developing best practices in contracting, as well as understanding and advising on legal issues within each industry.

Students in the three-quarter MS-Lab will work with corporate and legal affairs associates in Microsoft's Redmond, Washington office on legal issues related to multinational-software and technology-based businesses. Projects may include work related to legislative issues across multiple and often divergent jurisdictions, implications of the EU antitrust decision, interoperability policies, electronic discovery policies and a variety of workplace compliance issues.

Students in the two-quarter UBS-Lab will work with UBS's Office of General Counsel in Chicago on legal initiatives relevant to multinational banking and financial services firms, including electronic discovery, fiduciary duties and data privacy protections.

Students who complete these labs will have more experience in these highly specific areas than many seasoned attorneys, making them even more attractive candidates when they enter the job market upon graduation. Zarfes is certain that the lessons learned in these lab courses will have value.
that is applicable far beyond these specific companies. Zarfes believes it is a good bet that UBS and Microsoft, as well as others in the industry, will be very interested in students who have participated in the lab experience, since they will have invested in their training and had an opportunity to evaluate their work and personal styles up close.

Dean Zarfes acknowledges that there will be some challenges in administering the program because the legal issues that students will be wrestling with are very complex. However, he will work closely with the legal staffs of both organizations to find areas in which students can make contributions of significant value to UBS and Microsoft clients.

Accustomed to the hectic pace and heavy workload as a Wall Street attorney, it should come as no surprise, that in addition to launching a brand new laboratory Dean Zarfes will be teaching 6-7 other courses and will also assume leadership of the Lecture Program Series (LPS) which includes the Adjunct Professor’s Program. In spring 2007, the LPS hosted Mergers & Acquisition attorney Shardul Shroff, managing partner of Amarchand Mangaldas from India. In 2007-2008, the new focus of the series will be international law and business markets. Visiting professors will teach courses on the legal aspects of doing business in India and there are plans to add similar courses the following year that will be focused on China.

And because those activities won’t keep him busy enough, Zarfes is organizing a new Corporate Law Institute, which will host its first Conference on Mergers and Acquisitions at the Gleacher Center on November 1, 2007 entitled Have U.S. Law and Regulations Kept Up with Market Forces? Sponsored by Sidley Austin LLP and Cravath, Swaine & Moore LLP, this conference will only be open to invited guests. Zarfes notes that what distinguishes this conference from other legal conferences is the significant faculty involvement and judiciary participation beyond law firms and the corporate sector.

Though the transition from the excitement of navigating the political issues of high profile cases involving complex, multi-jurisdictional legal issues was a difficult one at first, Zarfes is settling in to the more intellectually stimulating environment of university life. He admits that the field of corporate law was more ego fulfilling, but his new life as a dean is definitely more personally satisfying. He especially enjoys interacting with students.

Zarfes says that today’s law school students are more focused on their academic pursuits and careers than when he was a student. He thinks students these days are far more savvy about business and legal issues compared with his cohorts in the 80’s.

Zarfes remarks that when he compares Chicago law students to those he encountered as a student and lecturer at Columbia University School of Law, it is his impression that although both groups are very bright and capable, Chicago students are very eager to take on more work and they never complain about the heavy workload (at least not audibly or in his presence.) He believes Chicago students are truly interested in learning for the sake of learning and when they ask questions, they really want to know the answers. He never gets the feeling that they are just talking to hear themselves talk or to impress the professors. He characterizes Chicago law students as “truly remarkable.”

Dean Zarfes’ genuine and obvious affection and respect for the Chicago law students is reciprocated. He was selected as the centerfold for the Spring Edition of The Phoenix and his students have created a one of a kind contract law board game in his honor dubbed Zarfis Land. It is a legal variation of the Monopoly™ Game complete with playing pieces, spaces to land on called Warranty, Indemnity, Termination and Intellectual Property Ownership, as well as a stack of Change of Circumstance Cards to choose from. The cards hold messages such as “We have been having a dispute with our existing contractors, but we can’t fire them without lengthy cure periods. Don’t allow a cure period of more than 30 days (point value +4).”

Zarfes is a native of New York City, a place he returns to regularly. At the same time, he acknowledges his fondness for his new Chicago home, noting the beauty of Chicago’s skyline and lakefront along with the architecture and grounds of the University of Chicago Campus as major perks. When he compares the view from his office overlooking the Midway, complete with students chatting as they walk to and from class, he admits this one is much more pleasant and satisfying than the one he had from a high-rise window in Manhattan, where people were mere spots from his perch. He smiles and confirms that his move to Chicago was the right decision on many levels.
In the spring of 1937, Harry A. Bigelow, then dean of the Law School, outlined his plan for a new curriculum in *The University of Chicago Magazine*. The plan, Dean Bigelow explained, would address the Law School's ongoing struggle to determine "the best method of fulfilling its obligation to the community at large and to the legal profession."

Seventy years later, some of the defining features of that plan, such as a four year course of study, have been abandoned. Still others remain; the plan's commitment to an interdisciplinary examination of the law, for example, is a hallmark characteristic of the Chicago tradition. And the plan's formalized training in legal writing, instituted in 1937—now known as the Harry A. Bigelow Legal Research and Writing Program—has had an immeasurable impact on the very definition of legal study at this, and countless other, law schools.

Originally conceived as a way of providing all students with the sort of intensive training previously made available only to *Law Review* members, the Law School's legal writing program was initially set up as a tutorial system. First-year students were assigned to a faculty member or special tutor who guided them in their investigation of a legal topic, and provided thorough feedback on their written analysis of the issue. Each faculty member or tutor
worked with a maximum of six students. Three years into the program, newly appointed Dean Wilber G. Katz extolled its success, writing in a letter to alumni, “I am sure that many of you have had occasion to complain that law-school graduates are often utterly incapable of writing memoranda of law or briefs or even of handling simple correspondence. Our experience with the tutorial system thus far makes us confident that something worth while can be done to reduce the ‘illiteracy’ of law graduates.”

The same can be said (in so many words) of the success of today’s Bigelow Program. Alumni, faculty, and employers alike often comment that Chicago students are uniquely prepared to undertake what Professor Douglas Baird, current coordinator of the Bigelow Program, referred to as “the life-blood of legal practice”—research and the drafting of memoranda.

While the primary goal of the program has remained constant, the curriculum has evolved over time. By the early 1950s, the tutorial system had given way to a five-quarter sequence that extended beyond first-year writing and research courses to include two second-year courses on commercial transactions. While today’s program is limited to the three-quarter first-year sequence, the content of these courses is very much the same as it was fifty years ago. In the fall quarter, students focus on legal analysis and the preparation of closed memoranda; in the winter, they tackle legal research; and in the spring, they are able to apply their newly-honed research, writing, and analytical skills through the preparation of appellate briefs and oral arguments. The dawn of the electronic age has of course had a dramatic impact on how students conduct research, and, therefore, on the scope of their Bigelow assignments. A major component of today’s research course involves detailed presentations by the Law School’s librarians.

Throughout this sequence of courses, students are guided and mentored by Bigelow Fellows. Early fellows hailed from law schools across the country, including Harvard, Iowa, and Utah, and from overseas institutions such as Oxford and the London School of Economics. Indeed, the predominance of scholars from common-law countries, who welcomed the opportunity to teach at an American law school, was a unique feature of the early Bigelow Program.

In the early years of the program there were only a few tutorial fellows on staff. The first fellows on record included Emerson Spies, a graduate of Hobart College and of Oxford University; Maxwell Isenbergh, a graduate of Harvard Law School; and Maurice Bathurst, a law tutor from the University of Cambridge. In 1941, thanks in part to a grant from the Carnegie Corporation of New York, the staff was expanded to include five tutorial fellows, who were given faculty standing; by the early 1950s, these individuals would be known as Harry A. Bigelow Teaching Fellows. Today there are six Bigelow Fellows on the faculty.

Throughout the program fellows have been distinguished by their great skill, talent, and promise. Professor Harry Kalven, Jr., wrote in 1952 that “the program depends in the end on the caliber of the staff, and we have been very pleased thus far with our good fortune in recruitment.” Professor Baird echoed this sentiment when he spoke of the new generation of Bigelow Fellows, whom he described as “tomorrow’s stars.” For most of the program’s existence, fellowships lasted only one year, but today’s fellowships are two-year appointments. While early fellows were often able to contribute to the planning of more advanced seminars, current Bigelow Fellows are now free to construct and lead seminars of their own during the second year of their fellowship.

Through the years, the Bigelow experience has provided aspiring academics—some who have just graduated from law school, others who have spent time practicing law or serving as judicial clerks—with a rigorous and practical introduction to teaching. “The impact on my career was absolutely decisive—had I not been a Bigelow, I doubt I would have ended up as a law professor,” stated Lee Anne Fennell, a professor at the Law School and a fellow from 2000-02. “When I entered the program, I had been out of law school for nine years and knew next to nothing about legal academia. The Bigelow Fellowship not only made it possible for me to compete on the law-teaching market, but also gave me a sense of what being a law professor was all about, as well as access to an incredible intellectual environment in which to develop my scholarship.”

Many former fellows agree that access to the intellectual community at Chicago was one of the most memorable and rewarding aspects of their experience. As Rebecca Dresser, who served as a Bigelow Fellow from 1982-83, recalled, “I was interested in criminal law and law and
psychiatry, and Norval Morris gave me the opportunity to sit in on his courses and teach in one of them. Other faculty members welcomed us into their homes. I was also able to work with people in the medical school, people who are now my colleagues in bioethics. The relatively light teaching load gave me time to write law review and medical journal articles on legal and ethical issues in treating anorexia nervosa.” Ms. Dresser is currently serving as the Daniel Noyes Kirby Professor of Law and Professor of Ethics in Medicine at Washington University in St. Louis.

Thomas D. Morgan, J.D. ’65, the Oppenheim Professor of Antitrust and Trade Regulation Law at George Washington University Law School, and a Bigelow Fellow from 1966-67, fondly remembered gathering with other faculty members at David Currie’s home to play board games, and engaging in informal discussions with Walter Blum and Harry Kalven, Jr. The faculty, he remarked, “treated us Bigelows as though we were serious people. And that quality, that sense, that you could get to know people who were so experienced in teaching, and who you admired so much personally, was one of the lasting benefits of the program.” Mr. Morgan carried his Bigelow experience with him into his first teaching job at the University of Illinois Law School, and, eventually, into his role as the coordinator of Illinois’s legal research and writing program, a program very similar to the Bigelow Program at Chicago.

Indeed, the legal writing program at the Law School has been cited as the first of its kind, one that many other law schools have since emulated. In 1952, Professor Kalven commented that what had begun “as an avowed experiment has now become part of the orthodoxy. It has been widely copied at other schools, and perhaps the surest sign that it has been basically successful is found in the fact that neither we nor the student body any longer regard it as a novelty.” While it may no longer be a novelty, the innovative spirit of the Law School’s Bigelow Program continues to have a lasting impact in classrooms, law offices, and courtrooms across the country.
The title of this talk is Don’t Trust Me. The subtitle, “Except this one time.” This is obviously a paradoxical topic. I hope that the members of the graduating JD and LLM Class of 2007, and their families, will at least trust me on this point. I know that it has been a long, and sometimes frustrating slog for you to make it through this law school. But I am confident that for each and every one of you, your work and your sacrifices—and those of your families—will pay you large dividends throughout your personal and professional lives. The skills that you have learned in this law school, the friendships that you have forged, are not mere gossamer. They will set the course for your behavior long after you leave these halls. So for all your achievements today, you have my heartiest congratulations. And I know the faculty and staff, who have worked so hard to make your stay at the Law School so rewarding, join me in extending their good wishes.

On a sadder note, this year the Law School lost one of its great figures, a man who graced our institution for over 70 years. Bernie Meltzer, our master teacher of evidence and labor law, died this past January at the age of 92. He spoke at this ceremony only four years ago. His vision did not allow him to read. Still he was quite able to think. His brief talk reflected his deep wisdom and compassion. My self-appointed task is to build on on the admirable traits so personified in Bernie’s life.

I take my cue from the moving remarks that his three children—Joan, Daniel and Susan—delivered at the memorial service held in Bernie’s honor this past February 2nd. They characterized Bernie as a grand but amiable inquisitor, whose rigorous cross examination forced everyone to pause and reflect before acting.

Bernie, self-consciously, was not a big-picture man. He was suspicious of large generalizations and dangerous slogans. He feared that they could not provoke the kind of
zealotry that lead individuals and nations astray. Bernie was not so much the master builder. He was more the master balancer. He was acutely aware of the conflicting interests that had to be resolved before making hard choices.

Bernie’s attitude supplies a powerful beacon on how to address the towering issues—like those Bernie tackled at Nuremberg—that now confront our nation and other nations around the globe.

That brings me back to the title of this speech. I start with this premise: perhaps the single most dangerous—subtly dangerous—words in the English language are “trust me.” Trust has to be earned. It cannot be demanded. Too often, those who demand our trust do so to quiet opposition or to stifle cross examination. But beware: those who ask for trust can betray trust. Unsupervised, they can act in their own self-interest, while mouthing pieties of the greater good they claim to serve. Harnessing, and constraining, self-interest poses a never-ending challenge to lawyers of all political stripes and persuasions. The poet Juvenal hit the nail on the head when he asked this question, Quis custodiet custodies? Who guards the guardians? It is one of those great questions of human life that it is easy to pose, but very hard to answer.

Some 20 years ago, I spoke at the plenary session of the Annual Meeting of the American Association of Law Schools. Time was short. More than a thousand people had to leave on time to make way for another scheduled event. The panel moderator impressed on us the importance of the time constraint: twelve minutes per person. (These are words that the Dean has uttered to me as well). His daughter would hold up cards to remind us that time was winding down. Sure enough, with a bit of grumbling, we all obeyed his stern injunction. But when the moderator rose to speak, lo and behold, his daughter’s cards were nowhere to be seen.

Countless small incidents like this remind us that it is imperative to develop a system of political arrangements that gives no one person the final say. Indeed, the one feature of the United States Constitution that most accounts for its success is its commitment to the twin principle of separation of powers and checks and balances. Two examples: A court may strike down a piece of legislation as inconsistent with some structural or substantive provision of the Constitution. But it does not have the power to enact its own law. The President may veto particular legislative acts, but subject to Congressional override.

One conspicuous feature of the modern administrative state is to be dismissive of this system of separated powers. This position resonated strongly with the Progressives: Woodrow Wilson, regarded that principle as a “grievous mistake” that dampened the ability of the government to do good. And so it does—but by the same token it dampens its ability to create mischief.

On domestic matters, I take issue with Wilson’s condemnation of the separation principle and the move to bigger government. It’s not because I think that private parties are always trustworthy. Trust me, they’re not. I do so because I think that the easiest way not to have to trust people is to have someone else to turn to in business.

It is for that reason that the hardest questions of domestic policy often turn on the regulation of legal or natural monopolies. In that setting, the option to go elsewhere comes at a very high price—doing without some essential service at all. But even here we divide powers: Congress or

McKenzie High, Jessica Hertz, Katie Hill, Jenny Chang, Cory Hojka
the states can regulate rates to see that the monopoly does not exploit its customers. But, at their best, the courts step in to see that the Congress does not expropriate the invested capital of the regulated party: only for the cycle to begin anew if the initial rates are struck down.

But the question of trust and political power plays out more dramatically on matters of national security, domestic and foreign. Now the stakes are higher. Government is defined as a monopoly of force. There are no competitive solutions waiting in the wings. And this state monopolist does not just have the power to raise prices that reduce consumer welfare. This monopolist has direct control over the lives, liberty and fortunes of millions of individuals, citizens and aliens, within its power.

On this score, I am pleased that many Progressives who have extolled unitary government power on domestic issues have had a welcome change of heart. They have returned to our constitutional roots, by stressing the importance of checks and balances in all matters of national security.

I do not wish here to comment on basic foreign policy challenges. These leave much room for passionate disagreement. But I would like to take this occasion to say how troubled I was at the ramshackle procedures that the President, with either the acquiescence or cooperation of Congress, have put into place to deal with surveillance of electronic communications. I am more distressed with the restrictions on the right of individuals in government custody to challenge their confinement by the writ of habeas corpus.

In both contexts, the response, “trust me in times of peril,” should be rejected. I am therefore pleased to see, under pressure, that the Bush administration is backing off from asserting its unreviewable and independent power to wiretap. It now seems to acknowledge the procedures that Congress articulate in the Foreign Intelligence Surveillance Act of 1978. And I am equally pleased that, as I speak, new legislation is working its way through Congress to undo the damage to our nation that was wrought by the Military Commissions Act of 2006. Right now, Congress has removed all semblance of independent review to persons confined in Guantanamo and elsewhere. With bipartisan support, this too might change.

I hope that the tradition of distrust that helped make this nation safe and free will renew itself in these and other areas. And I hope that all our graduates from this great law school will take this lesson from our recent history. Individual liberties and government power are in such constant tension. It is the responsibility of us all to think hard and to act boldly on matters that impact so heavily on the common good. I trust that your education here has equipped you, in a way that would make Bernie Meltzer proud, to take on that critical task. For each of you in your own way will have to balance private gain with public service. My heartiest wishes to you in these critical endeavors. I am confident you will succeed. May your achievements be a beacon of light in anxious times.
Inspiring the Aspiring

by Elizabeth Milnikel

On April 26, 2007, the IJ Clinic on Entrepreneurship in Chicago hosted its first-ever citywide conference, entitled “Growing Opportunities: Fostering Inner-City Entrepreneurship in Chicago.” The invitations and banner invited all the participants to “start it up!” And, throughout the day, the speakers and audience members accepted that invitation to start up conversations, envision new ventures, form new relationships, and take new ideas into action.

As we had hoped, the conference brought together people from a variety of sectors, who were united by their common passion for supporting inner-city entrepreneurship. The panels and the audience included inner-city residents who dream of building vital businesses, professors, bankers, business advisors, and policymakers. As a result, the conversation encompassed the scientific data about existing businesses in poor communities in Chicago, business strategies for building a solid new enterprise, recommendations for government programs, and personal stories of entrepreneurs’ struggles and inspirations.

Early on in the day, a former IJ Clinic client stood up from the audience to bear witness. He introduced himself as Mike Davis, one of the founders of Tasty Delite, which makes seasoned coating mixes for chicken, pork, and fish. Tasty Delite and two other IJ Clinic clients were portrayed in a short film that kicked off the conference. Davis and his co-founder Darryl Brown are role models for many new entrepreneurs, because they have broken through so many barriers to own their own plant, employ a dozen workers, and negotiate with nationwide grocers and Wal-Mart. Davis shared with the audience that the growing business is still a struggle but also a great source of pride.

“You’re talking about being an entrepreneur,” he said. “It ain’t no joke. People are gonna tell you, go on, get a job. But it’s bigger than that…. It’s about creating jobs. That’s what it’s all about, not just about helping yourself, but creating jobs and helping your community.” He sincerely thanked the IJ Clinic in particular for giving entrepreneurs the support they need to turn around and build wealth in the greater community.

Themes summarized so pointedly by Mr. Davis—the daunting challenges faced by inner city entrepreneurs and the incredible value they create—were expanded throughout the day. It was particularly moving to hear entrepreneurs speak about their role models (and where they had to forge ahead without any role model to consult). IJ Clinic client Julie Welborn, who is struggling through the early stages building out a café and bakery in a strip of vacant buildings and fast food drive-throughs, thanked her father for teaching her to be patient. “How long does patience last?” she asked.

“I don’t know; I just know my father said ‘Be patient.’” She relies on her faith and passion to sustain her patience as she structures her business: “The roots have to be formed, and you don’t see anything all this time, and then all of a sudden you have this beautiful tree.”

Nadine Thompson, the keynote speaker, has built a multi-million dollar corporation on the entrepreneurial spirit of individuals all over the country. Individual consultants—mostly African-American women—sell Warm Spirit products...
in the manner they think will be most successful, and they learn how to run a business at the same time.

Ms. Thompson too talked about the entrepreneurs or would-be entrepreneurs she has known who inspired her. As a young girl in a community of immigrants, Ms. Thompson heard countless stories of young women struggling to find employment in the careers for which they trained in their home countries. Many had to start their own businesses to survive, and it was critical that they had skills as hair braiders or seamstresses to build lives for themselves in a new country.

As Chip Mellor reminded us in his welcome address, it is "absolutely essential that [entrepreneurs] be unshackled, able to do whatever it takes to make their dreams reality."

We were surrounded by big dreamers on April 26, 2007. We were thrilled to give them an opportunity to support one another and challenge one another. And we were honored to announce that IJ is here to help them fight for their dreams.

---

The View From The Ground
by Craig Futterman
On April 20 and 21, 2007, nearly 500 scholars, practitioners, and civil rights activists gathered at the Law School for a conference titled “The View From The Ground: Issues and Inquiries Arising From Eight Square Blocks of Chicago’s South Side.” The eight square blocks of the title refer to Stateway Gardens, a public housing development recently demolished as part of Chicago’s “Plan for Transformation.” For the past six years, Mandel Clinic students, under the direction of Clinical Professor Craig Futterman, partnered with Stateway residents to improve public safety and police accountability and to make visible human rights issues in the inner city. The collaboration also yielded five federal civil rights suits, the most recent of which, Bond v. Utreras, has been central to the debate over police reform in Chicago.

Grounded in the particular circumstances of Stateway, the panels explored broad themes: impunity and institutional denial, the impact of law enforcement practices on the public space, police abuse as gender violence, and the effects of “the war on drugs” on inner city communities.

Among the participants were Randolph Stone, Abner Mikva, and Bernard Harcourt of the Law School, Danielle Allen (Dean of Humanities), former Seattle police chief Norm Stamper, Tracey Meares (Yale Law School), Frank Zimring (Boalt Hall), Joseph Margulies and Mary Pattillo (Northwestern), Carl Bell and Beth Richie (University of Illinois-Chicago), Sudhir Venkatesh (Columbia University), attorney Tom Sullivan, epidemiologist Steven Whitman, former Chicago police officer Howard Saffold and writers Alex Kotlowitz and Jamie Kalven.

Panels were moderated by public radio hosts Steve Edwards and Richard Steele and WVON Radio’s Cliff Kelley.

A webcast of the conference is available at www.invisibleinstitute.com.
New Faculty Profiles

Richard McAdams:
Richard McAdams began planning a career as a law professor even before he started law school. “I debated in college, my coach was a professor, and I thought he had a great job,” he explains.

Of course, McAdams did not begin teaching right out of the University of Virginia Law School. Instead he took a clerkship with Chief Judge Harrison L. Winter of the U.S. Court of Appeals for the Fourth Circuit, a position he loved. Then, after working at Morgan, Lewis & Bockius in Philadelphia for three years, he took a job teaching at Chicago-Kent College of Law in 1990. “I knew I had to make the transition pretty early in my career, or it was just going to keep getting harder,” he notes.

McAdams spent seven years at Kent teaching criminal law (which he will also teach this fall at the Law School) and doing research on race discrimination and social norms. He followed that up with two years at Boston University Law School and then accepted a position at the University of Illinois College of Law in Urbana-Champaign while his wife accepted a position at the university teaching sociology. “That was a big adjustment,” McAdams muses. “We had been living in big cities for years, and then we moved to this town of 100,000. I liked the faculty and the university and the students right from the start, but I came to really love Urbana-Champaign.”

McAdams has been a visiting professor at Yale Law School and the University of Virginia Law School, as well as a Visiting Fellow at the Research School of Social Sciences of Australian National University. During his years at Illinois he continued his research on criminal law and procedure, social norms, and inequality. Then, in 2005 he visited the Law School.

“Having a really enjoyable time with the faculty and the students,” he says. “All the ideas and the discussion, it was really, really fun. So when I had the chance to join the faculty this year, I was happy.”

Professor McAdams and his wife now have two homes, a condominium in the South Loop and a house in Champaign and are currently between dogs. “My wife is still teaching at Illinois, so we are living in both places, which is a little challenging.” Nonetheless, he is very excited about his job at Chicago and wants it noted that he is a rabid Carolina basketball fan, dating back to his days there as an undergraduate. “This way, all the students from Duke can start making fun of me on day one.”

Lee Fennell:
Lee Fennell has a lot in common with Richard McAdams. They both love to teach, they both wanted to enter academia because it offered them the opportunity to spend a lot of time thinking about specific legal puzzles, they like dogs and they both have spouses teaching at the University of Illinois.

“My husband is an anthropology professor at Illinois,” Fennell says. “So although we live in Beverly [on the South Side of Chicago], he spends some time down in Urbana-Champaign during the week when he is teaching. And we have three dogs.”

Fennell took a job at Pettit and Martin following her 1990 graduation from Georgetown University Law Center. After two years, she took a job at the State and Local Legal Center. “In private practice you can’t really look at all the side avenues and riddles that the law presents, you only have the time to look at what the client needs, and I really wanted the time for that exploration.”

Fennell’s job writing amicus briefs at the State and Local Legal Center was much closer to academic work, as it involved examining the policy implications of legal decisions. Long interested in the intertwining of law and economics, Fennell began using game theory to look at how people behave strategically. In 1994 she published an article on game theory and social welfare.

Then in 1996 Fennell made an unusual choice for a future law school professor, she began work on a two-year
Master of Fine Arts degree in creative writing at the University of Virginia. “It was my first chance to teach, and I really enjoyed it.”

After graduating in 1998, she spent a fast-paced year at the Virginia School Boards Association before accepting a Bigelow Fellowship at the Law School, where she taught legal research and writing and a seminar on distributive justice. “I worked on an article on land use and I wrote another piece focusing on how people in communities affect the value of local public goods like education and safety in those communities.”

After completing her Bigelow, Fennell became an assistant professor at the University of Texas School of Law and in 2004 became an associate professor at the University of Illinois College of Law, where she was promoted to full professor in 2006. She has also been a visiting professor at Yale Law School, the N.Y.U. School of Law and the University of Virginia School of Law.

Fennell is very pleased to be back at the Law School, where she will start off this fall teaching Property. “It’s absolutely the best law school, but I already knew that from my Bigelow,” she notes. “There is so much energy and so many ideas floating around. It’s a wonderful place in terms of having interesting people to share ideas with and to help make your work better.”

Jonathan Masur:

Jonathan Masur also went into legal scholarship for reasons similar to Lee Fennell, because the legal problems that interest him are difficult to explore in practice. But rather than working on land use and social-welfare law, Masur’s first love is administrative law.

“Believe it or not, administrative bureaucracies are complex and intriguing creatures,” he says. “A vast number of the important decisions in this country are being made by administrators, and for a long time legal scholars have relied upon a set of assumptions about how policy is made and how elected officials exercise authority and control over those agencies. More and more, those assumptions are being proven wrong. There’s a void in our understanding of why agencies behave as they do, and we’re going to have to rethink how we ought to go about designing and channeling the bureaucracy.”

Masur became interested in administrative law while attending Harvard Law School. After graduating in 2003 he clerked for Chief Judge Marilyn Hall Patel of the United States District Court for the Northern District of California, and then for Judge Richard Posner of the U.S. Court of Appeals for the Seventh Circuit. Both were valuable experiences. “The content of the cases was less important than the interaction with the judges,” Masur explains. “Law schools tend to present an overly theoretical picture of what judges are doing. I was struck by how much more pragmatic and context-oriented they actually are. Judge Posner and Judge Patel don’t necessarily go into cases thinking about general, sweeping theories, but their decisions are so well constructed that those types of theories sometimes emerge organically.”

In 2005 Masur became a Bigelow Fellow at the Law School, where he did research in administrative law and behavioral law and economics. The first course he teaches as a full member of the faculty will be first-year Criminal Law.

“I visited a lot of different schools last year, and I had the chance to compare the Law School to quite a few other places,” Masur notes. “No other school has a more vibrant intellectual community or a more dedicated faculty. Everyone takes an interest in each other’s work and ideas here, and as a whole the Law School generates a level of intellectual activity that is far greater than the sum of its parts.”
Albert Alschuler
“Celebrating Great Lawyering,” Review of
Welsh S. White, Litigating
In The Shadow Of Death: Defense Attorneys In
Capital Cases, 4 Ohio State Journal of Criminal

“The Mail Fraud & Rico Racket: Thoughts on The

Douglas Baird
Contracts Stories (Foundation Press 2006) (editor).

“The Prime Directive,” 75 University of Cincinnati

“Reconstructing Contracts: Harner v. Sidway,” in

“Technology, Information, and Bankruptcy,” 2007
University of Illinois Law Review 305.

Mary Anne Case
“Pink Forum: From Marilyn
to Mao,” 2 Princeton
Report on Knowledge (Spring 2007) (available at
http://prok.princeton.edu/2-2forum).

“Antitrust Consent Decrees in Theory and Practice: Why
Less is More (AEI 2007). Federal Preemption: States’
Powers, National Interests (AEI 2007) (edited with
Michael Greve).

Overdose: How Excessive Government Regulation
Stifles Pharmaceutical Innovation (Yale University
Press 2006).


“Self-Defeating Minimalism,” 105 Michigan Law Review

“The Temporal Dimension of Voting Rights,” 93 Virginia

David Currie
“The Civil War Congress,”
73 University of Chicago

“Prolegomena for a Sampler,” in Congress and
the Constitution 18, Neal
Devis and Keith Whittington, eds. (Duke University
Press, 2005).

Kenneth Dam
The Law-Growth Nexus: The Rule of Law and
Economic Development (Brookings Institution
Press 2006).

Frank Easterbrook
“Foreign Sources and the
American Constitution,”
30 Harvard Journal of Law

Richard A. Epstein
Antitrust Consent Decrees in Theory and Practice: Why
Less is More (AEI 2007). Federal Preemption: States’
Powers, National Interests (AEI 2007) (edited with
Michael Greve).

“Drug Crazy,” The Wall Street Journal
A14 (May 26, 2007).

“Ending the Mad Scramble: A Rational Solution to the Kidney
Shortage,” 6 American Journal of Transplantation
2548 (2006) (with R. Gaston et. al.).

“The Myth of the Big Bad Drug Companies,” Los Angeles Times A39
(December 22, 2006).

“Navigable Waters? (Rapanos v. US),” National

“Group Report: What is the Role of Heuristics in Making
Law,“ in Heuristics and the
Law 141, G. Gigerenzer and
C. Engel eds. (2006) (with
Jonathan Haidt et al.).

“Introduction: Preemption in Context,” “Federal
Preemption: States’ Powers, National Interests 1,
Richard A. Epstein and
Michael Greve, eds. (2007)
(with Michael Greve).

“Legal Sanity Discovered.”
The Wall Street Journal
A17 (May 24, 2007).

“Lessons from the Wal-Mart
Wars,” Chief Executive 36
(September 2006).

“Limiting Financial
Disincentives in Live
Organ Donation: A Rational
Solution to the Kidney
Shortage,” 6 American
Journal of Transplantation
2548 (2006) (with R. Gaston et. al.).

“Technology, Information, and Bankruptcy.” 2007
University of Illinois Law Review 305.
“A New Year’s Resolution for CEOs: No Special Deals,” Chief Executive 37 (December 2006).


“Patents - to Nationalise, or Otherwise,” FT.com (7 November 2006).

“Pork and Power,” Guardian.co.uk (January 5, 2007).


“The Road to Stagnation,” New Zealand Centre for Political Debate Online Forum (March 12, 2007) (available at www.nzcpd.com/Guest44.htm).


“Trust Busters on the Supreme Court,” The Wall Street Journal A16 (July 12, 2006).


“What’s Good for Pharma is Good for America,” The Boston Globe E1 (December 3, 2006).


“You Do the Math!” TNR. com (March 13, 2006).

Bernard E. Harcourt


R.H. Helmholz


Alison LaCroix

William Landes

Saul Levmore

Dennis J. Hutchinson

Joseph Isenbergh

Phil C. Neal

Lyonette Louis-Jacques


Martha Nussbaum


**Randal Picker**


**Eric Posner**


**Richard Posner**


“The Lessons of Toronto and Domestic Intelligence,” Chicago Tribune C21 (June 8, 2006).


“War and Liberty: An American Dilemma from 1790 to the Present” (W. W. Norton 2007).


“Civil Union Bill an Aot Compromise,” Chicago Tribune C17 (March 26, 2007).


“Gays Kept Separated; Church and State Not,” Chicago Tribune C9 (November 19, 2006).


“A Narrow View of the Law,” Chicago Tribune C17 (February 6, 2007).


“Secrecy: The Enemy of Democracy,” Chicago Tribune C7 (December 17, 2006).


“What It Means to Be a Liberal,” Chicago Tribune C17 (October 10, 2006).

“The Wrong Side of History,” Chicago Tribune C17 (June 12, 2007).


“Civil Union Bill an Aot Compromise,” Chicago Tribune C17 (March 26, 2007).


“Gays Kept Separated; Church and State Not,” Chicago Tribune C9 (November 19, 2006).


“A Narrow View of the Law,” Chicago Tribune C17 (February 6, 2007).


“Secrecy: The Enemy of Democracy,” Chicago Tribune C7 (December 17, 2006).


“What It Means to Be a Liberal,” Chicago Tribune C17 (October 10, 2006).

“The Wrong Side of History,” Chicago Tribune C17 (June 12, 2007).


“Civil Union Bill an Aot Compromise,” Chicago Tribune C17 (March 26, 2007).

1933
William B. Danforth
February 11, 2007

1937
Roger S. Gorman, Jr.
August, 2007
Gorman, 94, was a resident of
Elmhurst, IL. He competed all his
life as a student, athlete, coach,
politician, and attorney. Roger was
active in his church and community
and was always ready to assist.

1939
Ami F. Allen
April 4, 2007

1941
Fred A. Messerschmidt
May 22, 2007
A 1939 graduate of the College,
Messerschmidt was a World War II
veteran, attorney, civic leader and
co-founder of Elmhurst Federal
Savings and Loan. Messerschmidt
served as: director of the Illinois
Savings & Loan League and the
Illinois Savings & Loan Council,
member of the Illinois and DuPage
County Bar Associations, member
of the board of governors of the
Elmhurst Memorial Health System,
and treasurer of the board of trustees
of Elmhurst Memorial Hospital.

1942
Philip R. Lawrence
May 4, 2007
Lawrence died May 4 in San
Francisco. He was ninety-one. A
WWII army veteran, Lawrence
practiced family law and was an
active member of the San Francisco
alumni club.

1946
Perry L. Fuller
May 10, 2007
A nationally renowned Chicago
trial lawyer, esteemed legal educator,
and dedicated Cook County civic
leader for more than forty years,
Fuller was the last surviving Name
Partner of Hinshaw & Culbertson
LLP, a.k.a Hinshaw, Culbertson,
Moelmann, Hoban & Fuller.
Fuller was a lecturer in trial law at
the Law School, from 1970-76. His
then totally unique and
groundbreaking teaching program
became the protocol for the
 teaching of professional trial
practice all over the country, and
was the basis of the first formalized
textbook for the training of young
trial lawyers, Defense Counsel
Training Manual.

1948
Edwin A. Wahlen
June 8, 2007

1949
James H. Shimberg
June 15, 2007
Shimberg served in the Army Air
Corps and Army Air Forces during
World War II, rising to the rank of
first lieutenant. Shimberg was a
member of the National Housing
Hall of Fame, NAHB national vice
president, founding trustee of the
National Housing Endowment,
and one of the first developers of
suburban communities in Tampa,
FL. Shimberg was a recognized
leader of Tampa’s housing industry
and helped develop University
Community Hospital and Pepin
Heart Hospital. The Shimberg
family established the Shimberg
Center for Affordable Housing at
the University of Florida, dedicated
to developing solutions for creating
safe, decent, and affordable housing
throughout Florida.

1950
Narcisse A. Brown
March 9, 2007
Retired Chicago attorney, Brown,
formerly of Flossmoor, died at age
eighty-seven. He was a former
partner in Schwartz, Cooper, Kolb
& Gaynor. An Army captain and
“hump pilot” during World War II,
Mr. Brown built and flew his
own aircraft.

1957
Dario A. Garibaldi
October 8, 2006

1959
Ellis E. Reid
August 7, 2007
During his forty-eight-year legal
career, Reid prosecuted former
Cook County State’s Attorney
Edward Hanrahan and appeared
before the US Supreme Court to
argue against the tactics used by
Chicago Police Department in the
riots that followed the assassination
of the Rev. Martin Luther King Jr.
He lost that argument 5-4. Early in
his career, Reid joined the premiere
African-American law firm in
Chicago, McCoy, Ming &
Leighton. In 1985, Reid was
appointed to a judgeship on the
Cook County Circuit Court. He
became presiding judge of the first
municipal district and then was
elevated to the appellate court.

1965
Ronald P. Alwin
May 19, 2007
Alwin was a Cook County public
defender for thirty years who
successfully appealed the murder
conviction of a man whose case
was one of thirteen cited by former
Governor George Ryan in his decision
to put a moratorium on the death
penalty in 2000. He grew up in a
small town in Wisconsin and
received a scholarship which allowed
him to graduate from the Law
School. He devoted himself to
criminal defense work and practiced
and taught Legal Appellate
Advocacy at Loyola Law School

1967
John T. Gaubatz
June 13, 2007
Gaubatz was a nationally renowned
expert in estate and trust law and
an inspirational University of
Miami professor. After bouncing
around from a private practice, to
time with the US Army and
various law firms and universities,
Gaubatz joined the University of
Miami faculty in 1977. Gaubatz
specialized in tax and estate law,
and in 1979 wrote a text book
detailing the basics of how young
law students should handle Moot
Court. The University of Miami
has since named its Moot Court
competition after Gaubatz. His
greater accomplishment was his
ability to make his students think.
“He was one of the old-school
greats—one of the last Socratic
teachers, where they teach by asking
questions instead of lecturing.”

Robert R. Retke
May 25, 2007

30
THE UNIVERSITY OF CHICAGO LAW SCHOOL ■ FALL 2007
Class Notes Section – REDACTED

for issues of privacy
Rubin Sharpe, ’35

Rubin Sharpe enjoys pointing out that he and Robert Maynard Hutchins arrived at the University of Chicago at the same time: “He was the incoming president, and I was a fifteen-year-old freshman,” he says.

That was in 1929. Six years later, Sharpe had graduated from the College and earned his degree from the Law School. “There were giants walking the Law School’s hallways back then, and there still are today,” he says. “We had Hinton and Bigelow and Katz, to name just three. Today you also have so many phenomenal minds there. I was fortunate enough to have the faculty geniuses of my day teach me how to think, how to really analyze a situation, and how to turn ideas into action. That has benefited me in everything I’ve done since.”

Everything Rubin Sharpe has done in the 72 years since he graduated from the Law School could fill a book. Yet very little of it involved practicing law. He adjudicated claims for the Office of Price Administration during the Depression. He served in the Navy during the Second World War, in both the Atlantic and the Pacific. After he returned, the owner of the world’s largest Chevrolet dealership, based in Chicago, saw business acumen in him and eventually placed him in charge of dealerships in Chicago and then in Milwaukee. He worked as a real estate broker, then with a developer of commercial and industrial properties, and then as a manager of residential properties from one end of the Midwest to the other.

When it came time for him to retire at 70, he would have none of that. “No way was I going to sit around just doing nothing!” he says. He decided to volunteer at the Milwaukee office of SCORE—the Service Corps of Retired Executives—and he’s been there ever since, putting his knowledge and experience to work in at least three days every week helping to guide entrepreneurs through the challenges of building successful businesses. “There are no dumb people,” he says, “only people who lack information. We give them the information they need to make sound decisions.”

“I encourage all alumni to consider volunteering at SCORE,” he urges. “It’s satisfying and fulfilling work. You can use all the smarts you gathered at the Law School while you help worthy people achieve their dreams.”

In his spare time Sharpe does carpentry, reads, cooks (including what he describes as “a mean turkey chili”), and enjoys an appreciation for art that he has recently developed through his close friend Joan Barnett. He relishes time with his family, whose accomplishments he proudly details. His daughter is executive director of the Milwaukee Youth Symphony Orchestra. Her husband is an accomplished lawyer. Their two children have carved out careers in music, one as an internationally-recognized concert violinist and one as an award-winning trombonist and the head of an organization that brings Jewish music to Milwaukee audiences. The daughter of Sharpe’s late son has designed museum exhibits throughout the country. His daughter-in-law is a successful landscape architect. “I’m so proud of them all, and so blessed that they are part of my life,” he says.

A few years back Sharpe wrote to the class notes section of this magazine saying that he had completed his four hundredth semi-monthly workshop on business financing at SCORE and that he had his sights set on doing a hundred more.

He later accomplished that goal, but through an editing error here at The Record, the word “semi-monthly” in his message was changed to “semi-annual” when it was published. He laughs heartily as he recounts that story, saying “I’d have had to live another fifty years to do it at that rate!” To anyone who has taken the measure of Rubin Sharpe, heard that laugh, observed his zest for life, listened to the wisdom in his conversation, or seen the love of family in his eyes, another fifty good years doesn’t seem nearly as implausible as it sounds.

1951
CLASS CORRESPONDENT
Bob Kharasch
108 Sea Rocks Road
PO. Box 1375
Anguilla
ubob@anguillanet.com

The award this time goes to Jack Siegel, who says he is still on duty as corporation counsel of Evanston and as village attorney of Schaumburg, Arlington Heights, and Riverwoods. Classmates! Jack is underworked! Get him appointed attorney for your villages! He says he is still trying cases and even occasionally winning.

Similarly hard at work at Ariel Capital is indefatigable Sheldon Stein, who is also on the Board of the Great Books Foundation (not the publisher of Harry Potter books!), and “involved” with the Shriver National Poverty Law Center. Meanwhile, Minna Buck says it is harder to hit a moving target, so she is an active volunteer for children’s and women’s issues. Mike Angelos goes to the office every day and is attending a class at the U of C in classical Greek literature (also not Harry Potter?). Paul Allison, noted llama keeper, writes he had a legal fuss with a counsel who said a half page was too little for a contract. Tell him what Malcolm Sharp would say, Paul. And then, Herb Fredman says he is “getting older” (we knew that) and enjoying the grandchildren.

Your reporter is still seaside on Anguilla, enjoying the grandchildren.

1952
Robert Blatt writes, “Last October I opened up my own office at 790 Estate Drive, Suite 150, Deerfield, IL, 60015. I absolutely love it. I have kept some old clients, I have gotten new clients, and when I receive a check for fees, it is all mine!”
Alumni

Class Notes

Norman Abrams, ’55

On July 31, Norman Abrams, ’55, completed his one-year term as Acting Chancellor of the University of California, Los Angeles. Reviewing his tenure, a reporter for the Chronicle of Higher Education wrote, “The typical interim presidency is a quiet year or so of minding the store until a new president arrives. Interim chiefs lack the prestige, power, and time to accomplish much. Norman Abrams has bucked that trend.”

Among other things, Abrams led a comprehensive effort that doubled the number of African-American students entering the university. He stood up against what he called “domestic terrorism,” condemning violence committed by groups protesting the use of animals in laboratory research. And he responded with alacrity and transparency to crises involving theft of personal data from university computers and alleged abuse of force by campus police.

He could do all that in part because he had both prestige and experience from positions he has held at UCLA, whose law faculty he joined in 1959. His teaching and scholarly writings won him substantial academic prestige, and he has served in high level administrative posts — including ten years as the campus’s vice chancellor and a year as interim dean of the law school — where he earned widespread respect among the faculty. “He operates from a principled core and brings his own values into whatever he does,” one faculty dean said of him.

His deep affection for UCLA is plain, but he says it has not supplanted his love for the University of Chicago, where he received his bachelor’s degree (in two years) as well as his J.D. “I compare it to a first love that you never forget or quite get over, even as you spend many years afterward in a wonderful relationship with someone else. The Law School meant the world to me and shaped what I later became,” Abrams says. Asked to name a particularly influential professor, he answers, “How could I do that? How could I choose among Blum, Kalven, Levi, and Meltzer, to name just four out of so many? They all were remarkable.”

UCLA received about 47,000 applications for undergraduate admissions in 2006, more than any other college in the United States. African-American students made up only two percent of that incoming class, a situation Abrams found unacceptable. “We were becoming known as a place that did not welcome African-American students,” he recounts. So he attacked the problem on many fronts, still respecting California’s law that prohibits consideration of race in admissions to state universities. He influenced changes in the admissions process designed to view applications more holistically and he successfully pushed for the creation of more private funded scholarships for African-American students. He also spoke to high-school guidance counselors and visited predominantly African-American schools to express and reinforce UCLA’s commitment. 2007 enrollment of African-Americans doubled as a result.

“I found the chancellorship remarkably exhilarating and fulfilling,” he says, “but I’m also looking forward to returning to my writing and teaching.” One of the first things Abrams did as his term wound down was to inform his publisher that he intended to prepare a third edition of his casebook, Anti-Terrorism and Criminal Enforcement, which was the first to tackle its topic and which approaches its subject matter from the perspective of substantive criminal law as well as criminal procedure. He also co-authored the fourth edition of his groundbreaking casebook, Federal Criminal Law and Its Enforcement, and co-authored the ninth edition of Evidence — Cases and Materials.

What has Abrams learned from the past year’s experience? “A lot about my own capabilities and a lot about what happens when you collaboratively put positive values into action. I get too much credit for many things that couldn’t have been accomplished without the efforts of many hundreds of people. I also learned that being a university president can get into your blood. Satisfied as I am right here at this place that means so much to me, I am not looking for a presidency — but if a special opportunity came in, I’d consider it.”

“Maybe most importantly,” he adds, “I learned a lot about my wonderful wife. She’s always been basically a shy person, but she stepped into the role of UCLA’s ‘first lady’ with an aplomb and energy that dazzled and delighted everyone, especially me.”
Ted Theophilos, ’79

Ted Theophilos, ’79, never figured he’d turn out to be an entrepreneur, but earlier this year his new company, EngagementHealth, opened its doors with a business model that could transform America’s healthcare industry.

His new career path follows more than twenty-five years of escalating accomplishment within the legal profession and the corporate sector. He practiced at Sidley & Austin until 1995 and then went on to high-level legal and executive responsibilities at companies including ACNielsen, E*TRADE, Palm, and Moore Wallace.

When Moore Wallace was acquired in 2003 by the Chicago-based printing giant R.R. Donnelley, Theophilos became Donnelley’s chief administrative officer and also assumed overall responsibility for the company’s strategic initiatives. One of his charges was to bring down Donnelley’s healthcare costs, which were soaring at double-digit rates. “My team and I went through the same checklist that everyone else is going through these days to try to manage healthcare costs,” he recounts. “Insurance companies, doctors, hospitals… I had been a pretty good negotiator during my career, and I figured I could knock off some dollars here and there — but it still wasn’t going to make any real difference.”

One item within all the data he was reviewing struck Theophilos: the fact that 75 percent of the money spent on healthcare in the United States goes for treatment related to chronic diseases that are preventable. “Last year,” he explains, “that seventy-five percent added up to just about two trillion dollars.” He ticks off some of the underlying causes: “Sixty-seven percent of Americans are obese. Twenty-three percent smoke. Thirty-three percent have high blood pressure. Seventy percent don’t exercise regularly.”

He says, “I saw then that the only way for us to deal with our healthcare costs at Donnelley was to recognize this problem, own it, and fix it. Change wasn’t going to come from the systems that respond to unfortunate choices made by individuals, but by helping individuals to make better choices.”

“That way of thinking really was something I learned at the Law School,” he adds. “I got my master’s degree in classical languages, my thesis was on The Iliad. So it was at Chicago that I learned how to think about the systemic impacts of individual choices, incentives for desired behaviors, and helping to shape wiser individual decisions.”

From recognizing the problem and owning it, Theophilos proceeded to begin fixing it, first at Donnelley and now at his new company. At Donnelley, he spearheaded a model of healthcare financing wholly new to large American corporations. The company, which has over 60,000 employees worldwide, self-insures for its healthcare costs and provides a very wide range of services to encourage and support healthier choices by employees and their insured dependents.

EngagementHealth, his new company, provides health insurance to organizations and also implements full-service programs within those organizations to address preventable chronic diseases. “At first I was hoping just to proselytize as a consultant,” he says, “but eventually it became clear that I needed to make it into a full-service business.” His firm’s website, www.engagementhealth.com, explains the specific services the company offers and permits visitors to calculate potential savings to an organization from its innovative approach.

“I’m not sure I would have made the decision to start my own business if it hadn’t been for all that I gained from my law school education,” Theophilos says. “I’m talking not just about the analytical perspective, but also about all the experience I gained during my career that was made possible by my Chicago training. Maybe most importantly, the idea that was always communicated to us that if you think you have a better idea you can’t just sit there being proud of yourself. You have to get out in the marketplace and show that it works. In this case, I think that if we don’t fix this enormous problem we’re heading toward bankruptcy as a country, not just financially but socially and morally, too.”

Ted Theophilos, ’79

Ted Theophilos, ’79, never figured he’d turn out to be an entrepreneur, but earlier this year his new company, EngagementHealth, opened its doors with a business model that could transform America’s healthcare industry.

His new career path follows more than twenty-five years of escalating accomplishment within the legal profession and the corporate sector. He practiced at Sidley & Austin until 1995 and then went on to high-level legal and executive responsibilities at companies including ACNielsen, E*TRADE, Palm, and Moore Wallace.

When Moore Wallace was acquired in 2003 by the Chicago-based printing giant R.R. Donnelley, Theophilos became Donnelley’s chief administrative officer and also assumed overall responsibility for the company’s strategic initiatives. One of his charges was to bring down Donnelley’s healthcare costs, which were soaring at double-digit rates. “My team and I went through the same checklist that everyone else is going through these days to try to manage healthcare costs,” he recounts. “Insurance companies, doctors, hospitals… I had been a pretty good negotiator during my career, and I figured I could knock off some dollars here and there — but it still wasn’t going to make any real difference.”

One item within all the data he was reviewing struck Theophilos: the fact that 75 percent of the money spent on healthcare in the United States goes for treatment related to chronic diseases that are preventable. “Last year,” he explains, “that seventy-five percent added up to just about two trillion dollars.” He ticks off some of the underlying causes: “Sixty-seven percent of Americans are obese. Twenty-three percent smoke. Thirty-three percent have high blood pressure. Seventy percent don’t exercise regularly.”

He says, “I saw then that the only way for us to deal with our healthcare costs at Donnelley was to recognize this problem, own it, and fix it. Change wasn’t going to come from the systems that respond to unfortunate choices made by individuals, but by helping individuals to make better choices.”

“That way of thinking really was something I learned at the Law School,” he adds. “I got my master’s degree in classical languages, my thesis was on The Iliad. So it was at Chicago that I learned how to think about the systemic impacts of individual choices, incentives for desired behaviors, and helping to shape wiser individual decisions.”

From recognizing the problem and owning it, Theophilos proceeded to begin fixing it, first at Donnelley and now at his new company. At Donnelley, he spearheaded a model of healthcare financing wholly new to large American corporations. The company, which has over 60,000 employees worldwide, self-insures for its healthcare costs and provides a very wide range of services to encourage and support healthier choices by employees and their insured dependents.

EngagementHealth, his new company, provides health insurance to organizations and also implements full-service programs within those organizations to address preventable chronic diseases. “At first I was hoping just to proselytize as a consultant,” he says, “but eventually it became clear that I needed to make it into a full-service business.” His firm’s website, www.engagementhealth.com, explains the specific services the company offers and permits visitors to calculate potential savings to an organization from its innovative approach.

“I’m not sure I would have made the decision to start my own business if it hadn’t been for all that I gained from my law school education,” Theophilos says. “I’m talking not just about the analytical perspective, but also about all the experience I gained during my career that was made possible by my Chicago training. Maybe most importantly, the idea that was always communicated to us that if you think you have a better idea you can’t just sit there being proud of yourself. You have to get out in the marketplace and show that it works. In this case, I think that if we don’t fix this enormous problem we’re heading toward bankruptcy as a country, not just financially but socially and morally, too.”

Ted Theophilos

Ted Theophilos, 79

When Moore Wallace was acquired in 2003 by the Chicago-based printing giant R.R. Donnelley, Theophilos became Donnelley’s chief administrative officer and also assumed overall responsibility for the company’s strategic initiatives. One of his charges was to bring down Donnelley’s healthcare costs, which were soaring at double-digit rates. “My team and I went through the same checklist that everyone else is going through these days to try to manage healthcare costs,” he recounts. “Insurance companies, doctors, hospitals… I had been a pretty good negotiator during my career, and I figured I could knock off some dollars here and there — but it still wasn’t going to make any real difference.”

One item within all the data he was reviewing struck Theophilos: the fact that 75 percent of the money spent on healthcare in the United States goes for treatment related to chronic diseases that are preventable. “Last year,” he explains, “that seventy-five percent added up to just about two trillion dollars.” He ticks off some of the underlying causes: “Sixty-seven percent of Americans are obese. Twenty-three percent smoke. Thirty-three percent have high blood pressure. Seventy percent don’t exercise regularly.”

He says, “I saw then that the only way for us to deal with our healthcare costs at Donnelley was to recognize this problem, own it, and fix it. Change wasn’t going to come from the systems that respond to unfortunate choices made by individuals, but by helping individuals to make better choices.”

“That way of thinking really was something I learned at the Law School,” he adds. “I got my master’s degree in classical languages, my thesis was on The Iliad. So it was at Chicago that I learned how to think about the systemic impacts of individual choices, incentives for desired behaviors, and helping to shape wiser individual decisions.”

From recognizing the problem and owning it, Theophilos proceeded to begin fixing it, first at Donnelley and now at his new company. At Donnelley, he spearheaded a model of healthcare financing wholly new to large American corporations. The company, which has over 60,000 employees worldwide, self-insures for its healthcare costs and provides a very wide range of services to encourage and support healthier choices by employees and their insured dependents.

EngagementHealth, his new company, provides health insurance to organizations and also implements full-service programs within those organizations to address preventable chronic diseases. “At first I was hoping just to proselytize as a consultant,” he says, “but eventually it became clear that I needed to make it into a full-service business.” His firm’s website, www.engagementhealth.com, explains the specific services the company offers and permits visitors to calculate potential savings to an organization from its innovative approach.

“I’m not sure I would have made the decision to start my own business if it hadn’t been for all that I gained from my law school education,” Theophilos says. “I’m talking not just about the analytical perspective, but also about all the experience I gained during my career that was made possible by my Chicago training. Maybe most importantly, the idea that was always communicated to us that if you think you have a better idea you can’t just sit there being proud of yourself. You have to get out in the marketplace and show that it works. In this case, I think that if we don’t fix this enormous problem we’re heading toward bankruptcy as a country, not just financially but socially and morally, too.”
Abigail Abraham, ’92

Abigail Abraham, ’92, caused some consternation during her first year at the Law School when her classmates began noticing that she was packing a gun to class. She was authorized to do so, being a detective sergeant with the Illinois State Police, for whom she had worked since 1980. She kept her police job for most of her first year, and worked for the inspector general of the Chicago Housing Authority during her second and third years.

Today, she’s still bringing evildoers to justice, although her employer has changed, and she’s still a sharpshooter, although it’s with a bow and arrow, not a revolver.

This June she started a new job, Senior Counsel for Investigations, at America Online, where she’s responsible for advancing criminal prosecutions against those who threaten AOL’s network or make threats using the network. She packages cases for prosecution against hackers, phishers (who attempt to fraudulently acquire personal information by masquerading as trustworthy entities), and other miscreants, and serves as a liaison with the law enforcement officials who are pursuing the cases. “AOL has a very strong interest in keeping its network free of problems, and its commitment to defeating the bad guys, whether it’s through brilliant technology or forceful prosecutions, is phenomenal,” she says.

Her current job arises naturally from expertise she began developing before she started law school. Beginning in 1986 she created and then ran the computer crime unit for the Illinois State Police. After graduating and clerking for Judge Danny J. Boggs on the Sixth Circuit Court of Appeals, she went to work for the Cook County State’s Attorney, where she helped build that agency’s capacity to prosecute computer-based crimes.

The State Police asked her back to help revitalize the computer crime lab she had started, so she did that for a while before returning to the office of the State’s Attorney. In 2004 she went to work with the Attorney General of Illinois, in the high-tech crimes bureau. “That was a very successful operation,” she says. “Our conviction rate in internet and child-predator cases was one hundred percent.”

She has been a lecturer at the Law School since 1998, covering a range of cyberlaw topics. “It is such a great place, the Law School,” she says. “The students are brilliant, engaged, and fun to be around, and the faculty and administration are wholly committed to providing what those students need to make the most of their talents. I feel beyond fortunate to have been able to continue my relationship in this teaching capacity.”

She no longer brings a weapon to class, but she still can launch a projectile with the best of them. As of this writing she was training for the first round of the Olympic trials in archery, which takes place in late September. Given the impacts that moving and starting a new job have had on her practice regimen, she’s reluctant to forecast immediate success. “Beijing in 2008 might be out of reach,” she says, “but I fully intend to be a competitor to be reckoned with in the Trials leading up to the 2012 Olympics in London.”

You can go to a website to find out how she fared in the September archery trials. What website? It’s listed at the bottom of this profile, but you might want to create a mini-Law-School experience for yourself and see whether you can find it online on your own. That would be like the assignment Abraham often gives to her Law School students — to “cyberstalk” her and dig up as much information about her as they can from online sources. Practically all of her students scour those sources so well that they even wind up including aerial photographs of her home in what they submit. There’s a lot of information out there in cyberspace, which can be a good thing or a bad thing. Abigail Abraham is working to preserve what’s good, and she’s taking dead aim at eradicating what’s bad.

www.usarchery.org

Joe Smith wrote of his success with typical economy of language. “Greetings, Phil. My news in a nutshell: I recently won a six-week jury trial in federal court in Frankfort, KY. It was a patent and antitrust case. My five-year-old son attended one day of trial and later summed up the win with remarkable perspicacity: “Daddy won because he was so nice and the other people tried to hide a secret.”

Another ’91 classmate who got some pretty good press was our own Melanie Togman Sloan who was named by Rolling Stone magazine as one of 2006’s Greatest Mavericks of the Year. As executive director of Citizens for Responsibility and Ethics in Washington, Sloan helped clean up the most corrupt Congress in recent history (CCN—that opinion of which Congress has been the most corrupt is Rolling Stone’s. I have several other personal favorites). A former sex-crimes prosecutor, she engineered the ethics complaints that led to the downfall of House Majority Leader Tom DeLay and Rep. Curt Weldon, for their abuses of public office. She was also one of the first to obtain Rep. Mark Foley’s predatory e-mails, which she forwarded to the FBI in July (CCN—I can verify that Melanie’s tough, one time in Evidence, I tried to steal some pretzels from her while her head was turned and two judo moves later, I was upside down in the garbage can.)

Another alum who was also featured prominently in the press was Marc Fagel who is an assistant regional director for the SEC’s San Francisco office. In a twisted way, Marc Fagel lives a split life—one hand, he’s part...
Harry Korrell, ’93

Harry Korrell, ’93, a partner at Davis Wright Tremaine in Seattle, was the lead attorney for the victorious plaintiffs in the landmark U.S. Supreme Court case decided earlier this year, Parents Involved in Community Schools v. Seattle School District #1, in which the Court held that the school district’s use of a race preference to decide who could attend popular high schools violated the 14th Amendment. Korrell wrote the demand letter for his clients in the case in 2000 and worked on it, pro bono, since then, including arguing it before the Court.

He credits the Law School and his fellow students for lessons that helped him succeed, saying: “My experience at the Law School prepared me not just to handle a case like this, but to recognize the opportunity and to decide that I was in as good a position as anyone to take this on. That didn’t come from the classroom alone. I think I learned as much from fellow students as I did from the faculty. I saw others with the confidence to step up and solve a problem, rather than waiting for someone else to do it. The Edmund Burke Society is a great example. Some students saw the need for that institution, and they created it, building on their experiences with similar institutions at other schools. They didn’t wait for someone else to do it, and they created one of the University’s enduring traditions. That lesson is one of the most important from my time at the Law School.”

Korrell came to the Law School after earning a degree in philosophy, magna cum laude, from the University of Washington. After law school he returned to Seattle to join a small firm and then he worked as an associate in Washington D.C. before joining Davis Wright in 1996. Named a “Super Lawyer” by Washington Law & Politics magazine in each of the past four years, his practice areas focus on employment and commercial litigation, and he has extensive experience litigating cases involving noncompetition agreements, theft of intellectual property, and unfair competition allegations.

He also has handled several high-profile election law cases, representing the Washington State Republican Party and then-Governor-elect Dino Rossi in the legal battles over the 2004 governor’s race that culminated in a rare gubernatorial election contest trial, and serving as Special Assistant Attorney General representing Washington’s Secretary of State in mandamus actions in the Washington State Supreme Court, in which the Governor sought to prevent a referendum measure from reaching the ballot.

While dealing with the crush of media requests after the Parents Involved decision and preparing to begin a hard-earned sabbatical with his wife and two children (his wife, Elizabeth, also graduated from the Law School in 1993), Korrell told The Record what he most wanted alumni to understand about the case: “I hope they’ll read the fact section of the opinion, because at least two aspects have been overlooked in the media coverage. First, much of the reporting suggests that the plaintiff parent association consisted of white families who didn’t want their kids to attend ‘minority’ schools. In fact, the association included both white and nonwhite members, and many minority students were denied admission to the high quality schools they wanted to go to because the district wanted more white students in those schools, just as white students were turned away in favor of minority applicants. That aspect of the case didn’t fit with the story some reporters were determined to write.”

“Second,” he said, “this was not a matter of the district trying to integrate schools that were segregated. The schools at issue were a model of what the Court wanted to happen as a result of the decision in Brown v. Board of Education, and there’s no reason to think they won’t stay that way. When the suit was filed, if the district had not used the race preference at all the percentage of nonwhite students at the three ’whitest’ schools in the district would have been between 37 and 45 percent, just based on the choices made by students and their parents. It’s hard to call those ‘segregated’ schools. And seven years later – five years after the district was ordered to stop using the race preference – these schools look much the same. The school district seemed obsessed with having a race preference, even though it did very little to change the racial composition of the schools and nothing to improve the quality of education.”

I would like to thank the people who write to let me know that they have nothing to write about. David Goldberg is always very nice to let me know that nothing is going on in his life when he periodically writes me to ask if I would return the REM C.D. I borrowed from him in law school. I have no intention of doing so, but it’s always nice to hear from Dave.

Mary Coyne writes, “Hi Phil—I have nothing for the Record but it is nice to hear from you. Who knew that this would be your job for life. I hope you’re family is well, and vacations are plentiful.” Many works for Verizon, but in a top secret capacity that I don’t think she can discuss.

Josh Davis writes from Wellesley that his gang is doing well and he hopes the same for everyone else.

Many kind people wrote in response to my e-mail that they would be out of the office and thus could not respond to my
The Law School’s Senior Director of Career Services, Lois Casaleggi, explains: “The screening process for public defender jobs is as tough as anything our graduates encounter in the job-search process. There aren’t a lot of those jobs and a lot of graduates throughout the country want them, and the people who do the hiring need to determine that a candidate has not just the skills but also the maturity, composure, and integrity to plunge directly into challenging and demanding situations.”

Few legal jobs are as hard to win as those in public defenders’ offices. The screening process for public defender jobs is as tough as anything our graduates encounter in the job-search process. There aren’t a lot of those jobs and a lot of graduates throughout the country want them, and the people who do the hiring need to determine that a candidate has not just the skills but also the maturity, composure, and integrity to plunge directly into challenging and demanding situations.”

Four 2006 graduates of the Law School made it through that rigorous evaluation and have been proving their worth in public defenders’ offices for the past year. Ashwin Cattamanchi is with the Northern District of Indiana Federal Community Defenders, Matt Guerrero is with the DuPage County Public Defender’s Office, and Joanna (Joey) Ingalls and Natalie James both work for the Miami-Dade County Public Defender.

The four graduates’ reasons for pursuing their jobs vary, but chief among them are a commitment to service, the opportunity to gain a lot of practical experience very quickly, and a sense that they are assisting individuals who need and deserve their helping hands. Cattamanchi began volunteering at an organization that served jail inmates when he was in college, and while in Law School he worked as an intern at the Cabrini Green Legal Aid Center and in the office of the Illinois State Appellate Defender. “I’ve known for a long time this is the kind of work I wanted to do,” he says. Natalie James’s future vision was clear but less precise: “I wanted to do hands-on public-interest law, but it was my clinical work at the Law School in the Criminal and Juvenile Justice project that focused me in this particular direction. Randolph Stone and Herschella Conyers were great, inspirational teachers.”

As for experience, it has been intense. Joey Ingalls, for example, handled eleven jury trials in her first twelve months on the job (with only one guilty verdict). At Miami-Dade where she and Natalie James work, the commitment to accelerating learning is so strong that there are attorneys on staff with no case assignments, whose explicit responsibility is to provide guidance and mentoring. Matt Guerrero says he’s done eight to ten trials, and he is well supported by other staff attorneys, too. “They’ll do whatever it takes to help you succeed,” he says, “including sitting as second chair with you if you feel you need it.”

“Some of my clients may have done bad things,” Ingalls says, in words that seem to reflect the sentiments of all these young public defenders, “but when I’m working with them I’m their best hope for being treated fairly by the system. It’s a responsibility that has to be taken seriously, and it’s also one I really enjoy.” All of them anticipate extended tenures in their present roles and consider it likely that criminal defense work will be a big part of their futures.

With loan repayments looming, jobs like theirs—which can pay as little as one-fifth of what a law-firm job pays—can be hard to manage financially, but the Law School makes every effort to help out with loan-repayment programs that are constantly expanding in their dollar value and in their sophistication. “We want to do everything we can to make it possible for our students and graduates to handle the financial consequences of public-interest jobs and careers,” says Michael Machen, the Law School’s Director of Financial Aid, noting that last year the Law School helped underwrite 62 students in public-interest summer jobs.

Financial assistance, great classroom training, and clinical and other learning opportunities are among the ways in which the Law School has helped these four graduates succeed at what they want to do. The values that motivate them seem to be summed up well in an observation by Ashwin Cattamanchi: “Professor Harcourt said something in a criminal law class that has really stuck with me. I can’t quote him exactly, but what he communicated was that even though it’s important to know the statutes and the procedures and all the technical things, the most important thing you need for practicing criminal defense is a strong moral compass. If you maintain your sense of right and wrong and let it guide you, you’ll find the issues you need to raise and you’ll do a good job. From what I’ve observed so far, I believe he was right about that.”
WHERE ARE THEY NOW?

ALABAMA
Birmingham
Vernon Wells
Walston, Wells & Birchall

CALIFORNIA
Costa Mesa
Bryan Jenkins
Latham & Watkins LLP
Cupertino
Bryan Jenkins
Latham & Watkins LLP

Cupertino
Bryan Jenkins
Latham & Watkins LLP

San Diego
Christopher Crowell
Latham & Watkins LLP
San Francisco
Josh Banerjee
Pillsbury Winthrop Shaw Pittman
Karen Ghanem
Gibson Dunn & Crutcher LLP
Raina Kim
LeBoeuf Lamb Greene & MacRae
Christine Safreno
Morgan, Lewis & Bockius
Meghna Subramanian
Latham & Watkins LLP
Jack Wang
Howard Rice Nemerovski Canady Falk and Rabkin

DISTRICT OF COLUMBIA
Ryan Conley
Covington & Burling LLP
Karen Escalante
Morris & Foerster LLP
Ross Fulton
Kirkland & Ellis LLP
Justin Hurwitz
U.S. Department of Justice, Antitrust Division

CHICAGO
Illinois
Megan Alvarez
Sidley Austin LLP
Bradley Baglien
Sidley Austin LLP
Mark Bala
Latham & Watkins LLP
Jeremy Brodsky
Hon. Easterbrook, 7th Cir.
Dana Brown
DLA Piper Rudnick Grey Cary LLP
Daniel Burstein
LeBoeuf Lamb Greene & MacRae
David Caves
Michael, Best & Friedrich
Cason Clements
Drinker Biddle & Reath LLP
Britnee Cole
Perkins Coie LLP
Sarah Crane
Sidney & Partners
Melissa Currivan
Stein, Ray & Harris

FLORIDA
Tampa
Mauricio Rodriguez
Squire, Sanders & Dempsey

GEORGIA
Atlanta
Christina Gibson
King & Spalding

IOWA
Des Moines
John Han
Hon. Stephen Colloton, 8th Cir.

CHICAGO
Illinois
Megan Alvarez
Sidley Austin LLP
Bradley Baglien
Sidley Austin LLP
Mark Bala
Latham & Watkins LLP
Jeremy Brodsky
Hon. Easterbrook, 7th Cir.
Dana Brown
DLA Piper Rudnick Grey Cary LLP
Daniel Burstein
LeBoeuf Lamb Greene & MacRae
David Caves
Michael, Best & Friedrich
Cason Clements
Drinker Biddle & Reath LLP
Britnee Cole
Perkins Coie LLP
Sarah Crane
Sidney & Partners
Melissa Currivan
Stein, Ray & Harris

Brian Dougherty
Jenner & Block
Leah Drennan
Kirkland & Ellis LLP
Jeffrey Dritz
Sachnoff & Weaver
Patrick Dunn
Kirkland & Ellis LLP
Sarah Fackrell
Kirkland & Ellis LLP
Emily Glunz
Morgan, Lewis & Bockius

Gibson Dunn & Crutcher LLP

Jessica Kumar
Skadden, Arps, Slate, Meagher & Flom LLP
James Ktsounas
Sidley Austin LLP
Timothy Sperling
Sidley Austin LLP

Walter Reed Medical School, University of Chicago

Shelliann Marciano
Goldberg Kohn Bell Black Rosenberg & Moritz

Scott Michie
Latham & Watkins LLP

Melanie Miles
Schwartz Cooper

Robert Morrison
Skadden, Arps, Slate, Meagher & Flom LLP

Heidi Mueller
Sidley Austin LLP

Joseph Paral
Sidley Austin LLP

Vijay Raghavan
Skadden, Arps, Slate, Meagher & Flom LLP

Sarah Risken
Goldberg Kohn Bell Black Rosenberg & Moritz

James Robertson
Sidley Austin LLP

Aaron Rokach
Kirkland & Ellis LLP

Chad Rubalcaba
McDermott Will & Emery

Eric Schwab
Jenner & Block

Mirra Shah
Medical School, University of Chicago

Rachel Sher
Sidley Austin LLP

Adam Snyder
Sidley Austin LLP

Sloan Speck
Skadden, Arps, Slate, Meagher & Flom LLP

Timothy Sperling
Sperling & Slater

Kenneth Stalzer
Schiff Hardin LLP

James Robertson
Sidley Austin LLP

Aaron Rokach
Kirkland & Ellis LLP

Chad Rubalcaba
McDermott Will & Emery

Eric Schwab
Jenner & Block

Mirra Shah
Medical School, University of Chicago

Rachel Sher
Sidley Austin LLP

Adam Snyder
Sidley Austin LLP

Sloan Speck
Skadden, Arps, Slate, Meagher & Flom LLP

Timothy Sperling
Sperling & Slater

Kenneth Stalzer
Schiff Hardin LLP

Jennifer Rho
Gibson Dunn & Crutcher LLP

Benjamin Lussier
Gibson Dunn & Crutcher LLP

Philip Holroyd
Sidney Eppes & Livings

Alexandra Holt
Baker & McKenzie LLP

Daniel Ingber
Sidney Austin LLP

Ashley Keller
Sidney Austin LLP

Jeffrey Dritz
Sachnoff & Weaver

Sarah Risken
Goldberg Kohn Bell Black Rosenberg & Moritz

James Robertson
Sidley Austin LLP

Aaron Rokach
Kirkland & Ellis LLP

Chad Rubalcaba
McDermott Will & Emery

Eric Schwab
Jenner & Block

Mirra Shah
Medical School, University of Chicago

Rachel Sher
Sidley Austin LLP

Adam Snyder
Sidley Austin LLP

Sloan Speck
Skadden, Arps, Slate, Meagher & Flom LLP

Timothy Sperling
Sperling & Slater

Kenneth Stalzer
Schiff Hardin LLP

Christopher Crowell
Latham & Watkins LLP

Karen Escalante
Morris & Foerster LLP

Ross Fulton
Kirkland & Ellis LLP

Justin Hurwitz
U.S. Department of Justice, Antitrust Division

Brian Kelly
Ropes & Gray LLP

Valerie Lynch
Fried Frank Harris Shriver & Jacobson

Andrew MacNally
Hon. Raymond Randolph, D.C. Cir.

Kenneth Merber
Williner Hafe

Devon Nunney
White & Case

Erica Onsager
U.S. Department of the Treasury, Office of the Comptroller of the Currency

Callie Robinson
Dow Lohnes

Alexander Robbins
Gibson Dunn & Crutcher LLP

Ariel Shapiro
Gilbert, Heintz & Paradolph

Darah Smith
Hon. Richard Roberts, D.D.C.

Laura Taylor
Arnold & Porter LLP

Lena Wegner
Wiley Rein & Fielding

Peter Wilson
The Legal Aid Society, Equal Justice Works Fellowship

Robert Ziv
Gibson Dunn & Crutcher LLP

Susan Williams
Sidney Austin LLP

Nancy Godinho
Winston & Strawn

Amy Hackabarth
Sidney Austin LLP

Kathleen Hill
BPI Polkoff-Gautreaux Fellowship

Philip Holroyd
Sidney Eppes & Livings

Alexandra Holt
Baker & McKenzie LLP

Daniel Ingber
Sidney Austin LLP

Ashley Keller
Sidney Austin LLP

Jeffrey Dritz
Sachnoff & Weaver

Sarah Risken
Goldberg Kohn Bell Black Rosenberg & Moritz

James Robertson
Sidley Austin LLP

Aaron Rokach
Kirkland & Ellis LLP

Chad Rubalcaba
McDermott Will & Emery

Eric Schwab
Jenner & Block

Mirra Shah
Medical School, University of Chicago

Rachel Sher
Sidley Austin LLP

Adam Snyder
Sidley Austin LLP

Sloan Speck
Skadden, Arps, Slate, Meagher & Flom LLP

Timothy Sperling
Sperling & Slater

Kenneth Stalzer
Schiff Hardin LLP

Christopher Crowell
Latham & Watkins LLP

Karen Escalante
Morris & Foerster LLP

Ross Fulton
Kirkland & Ellis LLP

Justin Hurwitz
U.S. Department of Justice, Antitrust Division

Brian Kelly
Ropes & Gray LLP

Valerie Lynch
Fried Frank Harris Shriver & Jacobson

Andrew MacNally
Hon. Raymond Randolph, D.C. Cir.

Kenneth Merber
Williner Hafe

Devon Nunney
White & Case

Erica Onsager
U.S. Department of the Treasury, Office of the Comptroller of the Currency

Callie Robinson
Dow Lohnes

Alexander Robbins
Gibson Dunn & Crutcher LLP

Ariel Shapiro
Gilbert, Heintz & Paradolph

Darah Smith
Hon. Richard Roberts, D.D.C.

Laura Taylor
Arnold & Porter LLP

Lena Wegner
Wiley Rein & Fielding

Peter Wilson
The Legal Aid Society, Equal Justice Works Fellowship

Robert Ziv
Gibson Dunn & Crutcher LLP

Susan Williams
Sidney Austin LLP

Nancy Godinho
Winston & Strawn

Amy Hackabarth
Sidney Austin LLP

Kathleen Hill
BPI Polkoff-Gautreaux Fellowship

Philip Holroyd
Sidney Eppes & Livings

Alexandra Holt
Baker & McKenzie LLP

Daniel Ingber
Sidney Austin LLP

Ashley Keller
Sidney Austin LLP

Jeffrey Dritz
Sachnoff & Weaver

Sarah Risken
Goldberg Kohn Bell Black Rosenberg & Moritz

James Robertson
Sidley Austin LLP

Aaron Rokach
Kirkland & Ellis LLP

Chad Rubalcaba
McDermott Will & Emery

Eric Schwab
Jenner & Block

Mirra Shah
Medical School, University of Chicago

Rachel Sher
Sidley Austin LLP

Adam Snyder
Sidley Austin LLP

Sloan Speck
Skadden, Arps, Slate, Meagher & Flom LLP

Timothy Sperling
Sperling & Slater

Kenneth Stalzer
Schiff Hardin LLP

Christopher Crowell
Latham & Watkins LLP

Karen Escalante
Morris & Foerster LLP

Ross Fulton
Kirkland & Ellis LLP

Justin Hurwitz
U.S. Department of Justice, Antitrust Division

Brian Kelly
Ropes & Gray LLP

Valerie Lynch
Fried Frank Harris Shriver & Jacobson

Andrew MacNally
Hon. Raymond Randolph, D.C. Cir.

Kenneth Merber
Williner Hafe

Devon Nunney
White & Case

Erica Onsager
U.S. Department of the Treasury, Office of the Comptroller of the Currency

Callie Robinson
Dow Lohnes

Alexander Robbins
Gibson Dunn & Crutcher LLP

Ariel Shapiro
Gilbert, Heintz & Paradolph

Darah Smith
Hon. Richard Roberts, D.D.C.

Laura Taylor
Arnold & Porter LLP

Lena Wegner
Wiley Rein & Fielding

Peter Wilson
The Legal Aid Society, Equal Justice Works Fellowship

Robert Ziv
Gibson Dunn & Crutcher LLP

Susan Williams
Sidney Austin LLP

Nancy Godinho
Winston & Strawn

Amy Hackabarth
Sidney Austin LLP

Kathleen Hill
BPI Polkoff-Gautreaux Fellowship

Philip Holroyd
Sidney Eppes & Livings

Alexandra Holt
Baker & McKenzie LLP

Daniel Ingber
Sidney Austin LLP

Ashley Keller
Sidney Austin LLP

Jeffrey Dritz
Sachnoff & Weaver

Sarah Risken
Goldberg Kohn Bell Black Rosenberg & Moritz

James Robertson
Sidley Austin LLP

Aaron Rokach
Kirkland & Ellis LLP

Chad Rubalcaba
McDermott Will & Emery

Eric Schwab
Jenner & Block

Mirra Shah
Medical School, University of Chicago

Rachel Sher
Sidley Austin LLP

Adam Snyder
Sidley Austin LLP

Sloan Speck
Skadden, Arps, Slate, Meagher & Flom LLP

Timothy Sperling
Sperling & Slater

Kenneth Stalzer
Schiff Hardin LLP
WHERE ARE THEY NOW? continued

Matthew Stanton
Sidley Austin LLP

Asha Thimmapaya
Kirkland & Ellis LLP

Hilla Uribe Jimenez
Bell Boyd & Lloyd

David Von Bargen
McGuireWoods LLP

Patrick Wackerly
Sidley Austin LLP

Justin Weiner
Hon. Frank Easterbrook, 7th Cir.

David Wolff
DLA Piper Rudnick Gray Cary LLP

Julie Wolfmark
Sidley Austin LLP

Frederick Yarger
Hon. Mark Filip, N.D. Ill.

LOUISIANA
New Orleans

Hunter Ferguson
Hon. Sarah S. Vance, E.D. Lou.

MASSACHUSETTS
Boston

Kirstie Baker
Goodwin Procter

Junlin Ho

Cambridge
Ward Penfold
Harvard

MINNESOTA
Minneapolis

Michael Doty
Faegre & Benson

Bradley Grossman
Hon. James B. Loken, 8th Cir.

Christina Loukas
Faegre & Benson

St. Paul

Jonathon Byrer
Hon. Alan Page, Minnesota Supreme Court

NEW YORK
New York City

Hitesh Aidasani
Heller Ehrman

Matthew Anderson
Cravath Swain & Moore LLP

Jonathan Austin
Gibson Dunn & Crutcher LLP

Nathan Berkebile
Cravath Swain & Moore LLP

Ricardo Bernard
Clarity Gottlieb Steen & Hamilton

Javier Blanco
Milbank Tweed Hadley & McCloy

Alexandra Bratsafonis
Thacher Profitt & Wood

Andrew Brinkman
Sullivan & Cromwell

Colin Bumby
Latham & Watkins LLP

James Chandler
Morgan Stanley

Jennifer Chang
Craden, Wickersham & Taft LLP

Bret Chrisope
Sullivan & Cromwell

Grace Del Val
Skadden, Arps, Slate, Meagher & Flom LLP

Jonathan Dixon
Cravath Swain & Moore LLP

Brian Dunne
Hon. Susan Read, New York Court of Appeals

Jason Ewart
Simpson Thacher & Bartlett

Amani Farid
Morgan, Lewis & Bockius

Jessica Forns
Craden, Wickersham & Taft LLP

Christine Graham
Davis Polk & Wardwell

Tanya Guerrero
O'Melveny & Myers LLP

Sean Heikkila
Debevoise & Plimpton LLP

Jessica Hertz
Hon. Sonia Sotomayor, 2d Cir.

Cory Hojka
LeBoeuf Lamb Greene & MacRae

Ellen Kaner
Skadden, Arps, Slate, Meagher & Flom LLP

George Kroup
Paul, Weiss, Rifkind, Wharton & Garrison

Rachel Kui
Latham & Watkins LLP

Eric Mack
Skadden, Arps, Slate, Meagher & Flom LLP

Jared Marx
Vinson & Elkins

Kathleen McDermott
Cravath Swain & Moore LLP

James McDonnell
Craden, Wickersham & Taft LLP

Maria Melendez
Latham & Watkins LLP

Cristina Miller-Ojeda
Skadden, Arps, Slate, Meagher & Flom LLP

Olivia Odell
Skadden, Arps, Slate, Meagher & Flom LLP

Steven Olson
Sidley Austin LLP

Diana Perez
Craden, Wickersham & Taft LLP

Jaime Ramirez
Sullivan & Cromwell

Arash Rebek
Skadden, Arps, Slate, Meagher & Flom LLP

Spencer Short
Skadden, Arps, Slate, Meagher & Flom LLP

Melissa Simonetti
Latham & Watkins LLP

Catharine Slack
Clarity Gottlieb Steen & Hamilton

Jonathan Solomon
Cravath Swain & Moore LLP

Raymond Sturm
Bear Stearns

Brett Taxin
Merrill Lynch

Olga Urbieita
Craden, Wickersham & Taft LLP

Shirley Wang
Shearman & Sterling

Amanda Weiss
Covington & Burling LLP

Austin Witt
Wachtell, Lipton, Rosen & Katz

OHIO
Columbus

Kimberly Rogers
Hon. Thomas Moyer, Supreme Court of Ohio

OREGON
Portland

Candice Brown
Perkins Coie LLP

TENNESSEE
Dallas

Juliana Chen
Hughes & Luce LLP

Katie High
Hon. Barbara M.G. Lynn, S.D. Tex.

Regina Merson
Well Gotshall & Manges

Anthony Shoemaker
Gibson Dunn & Crutcher LLP

San Antonio
Mark Premo-Hopkins
Hon. Emilio Garza, 5th Cir.

WASHINGTON
Seattle

Robin Price
Defender Association

WISCONSIN
Milwaukee

Kevin Malaney
Foley & Lardner LLP

ISRAEL
Jerusalem

Rachel Fleischer
Hon. Elyakim Rubinstein, Supreme Court of Israel

AFRICA
Kenya

Jay Lee
International Justice Mission Fellowship

ENGLAND
London

Shaheen Haji
Latham & Watkins LLP

Vladimir Sentome
Linklaters

80 THE UNIVERSITY OF CHICAGO LAW SCHOOL • FALL 2007
We look forward to seeing you this spring for your Reunion. If you wish to serve on your Class Committee, please contact Jessica Block, Director of Alumni Relations, at (773) 834-8652 or jblock@law.uchicago.edu

For Members of the Classes of

Times change but some things stay the same.
The University of Chicago Law School is a place where great achievement is expected.
Where it is comfortable to be smart.

With your gift to the Annual Fund even greater things are possible.

www.law.uchicago.edu/alumni/giving.html