

College of Law

COUNSELOR

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**Law School establishes
Rosenthal Institute for Justice**



URBAN MORGAN INSTITUTE CELEBRATES SILVER ANNIVERSARY

The Urban Morgan Institute for Human Rights will celebrate its 25th Anniversary on November 4 & 5. A Reunion will be held for former and current faculty, Fellows and students, human rights activists, and friends and supporters of the Institute. In conjunction with the Reunion, the Urban Morgan Institute will award Dr. Radhika Coomaraswamy the William J. Butler Human Rights Medal. On Friday evening November 4 a welcoming reception will be held for all attendees. On Saturday November 5 a conference will be held featuring Dr. Coomaraswamy; on Saturday evening attendees will gather for a formal dinner and presentation of the William J. Butler Medal at the Marriott Kingsgate Conference Center.



Dr. Radhika Coomaraswamy

The William J. Butler Human Rights Medal honors individuals who have made outstanding contributions to the human rights field. Dr. Radhika Coomaraswamy served as the UN Special Rapporteur on Violence against Women for nine years. In her reports to the United Nations Commission on Human Rights she has focused on violence in the family, violence in the community, violence against women during armed conflict, and the problem of international trafficking. Dr. Coomaraswamy is the Director of the International Centre for Ethnic Studies at the University of Colombo, Sri Lanka and she is the Chair of the Human Rights Commission for Sri Lanka. She is a member of the Global Faculty of the New York University School of Law and teaches a summer course at New College Oxford University. She has published widely, including two books, three co-edited books, and numerous articles on ethnic studies and the status of women. She has two forthcoming books: *Born Free and Equal: Women's International Human Rights*, and *Dharma and Conscience*, a book on Sri Lanka's ethnic conflict. Dr. Coomaraswamy is a graduate of the United Nations International School in New York, and received her B.A. from Yale University, her J.D. from Columbia University, and an LL.M. from Harvard University. She received an honorary degree from Amherst College. She is the sixth recipient of the William J. Butler Medal.

For 25 years, the Urban Morgan Institute has educated and trained human rights lawyers and worked to promote and protect international human rights. The program is internationally recognized and serves as a model for a number of human rights programs. Recent accomplishments in which the Institute and College of Law take great pride include Arthur Russell Morgan Fellow Sean Arthur's Skadden Fellowship, and a gallery of the National Underground Railroad Freedom Center for which students of the Institute researched and wrote the displays on "unfreedoms today," including racism, slavery, genocide, hunger, illiteracy, and tyranny. As always, the *Human Rights Quarterly* stands at the core of the Institute's success. The impact of the *Quarterly* in educating and informing human rights policies and practices throughout the world is evidenced by the landmark decision by the House of Lords in December 2004, striking down a law authorizing the indefinite detention of suspected terrorists without charge. The decision relied in part upon the Siracusa Principles which interpret the International Covenant on Civil and Political Rights. The Siracusa Principles were promulgated by experts brought together by the Urban Morgan Institute and the International Commission of Jurists, and published in the *Human Rights Quarterly* in 1985. The 35th book in Pennsylvania Studies in Human Rights for which Professor Bert Lockwood serves as Editor, has just been published.

Please join the Urban Morgan Institute for Human Rights next fall to celebrate the many contributions—past and present—the Institute has made to international human rights over the past quarter century.

For more information, please email Nancy Ent at: nancy.ent@uc.edu

Cheryl DelVecchio, Editor

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Message from the Interim Dean



February, 2005

Dear Alumni and Friends,

Few law schools, particularly in recent memory, have shared the College of Law's extraordinarily good fortune to have had one dedicated leader for 15 years. Indeed, the College's national reputation for academic excellence is due in large part to Dean Joseph P. Tomain's ambition, energy, and skill. Joe's legacy includes a faculty of gifted teachers and distinguished scholars (17 of 23 were appointed during his tenure); a talented and hard-working administrative staff; a bright, enthusiastic, and diverse student body; and thousands of alumni and friends whose involvement and commitment to the College ensure our bright future. In recognition of Joe's loyal service and outstanding accomplishments, the University's Board of Trustees has honored him with the title of Dean Emeritus. And Joe's appointment as the Wilbert and Helen Ziegler Professor of Law recognizes his national and international reputation as an eminent scholar in the fields of energy law and government regulation. The College of Law is also indebted to Kathy Tomain, for the many events she co-hosted, and for her warmth and graciousness throughout Joe's deanship.

I am honored and privileged to be leading the College during this time of transition. As this edition of COUNSELOR highlights, the College's dynamic pace has not slowed down, not even for a

moment. This fall we welcomed an entering class of first-year students that once again led the state in both median LSAT scores and undergraduate GPA; we applauded the 90% passage rate among UC law graduates who were first time takers of the Ohio bar examination; and we celebrated many new faculty publications in leading law reviews and journals as well as the generous gift of a million dollars that established the Lois & Richard Rosenthal Institute for Justice.

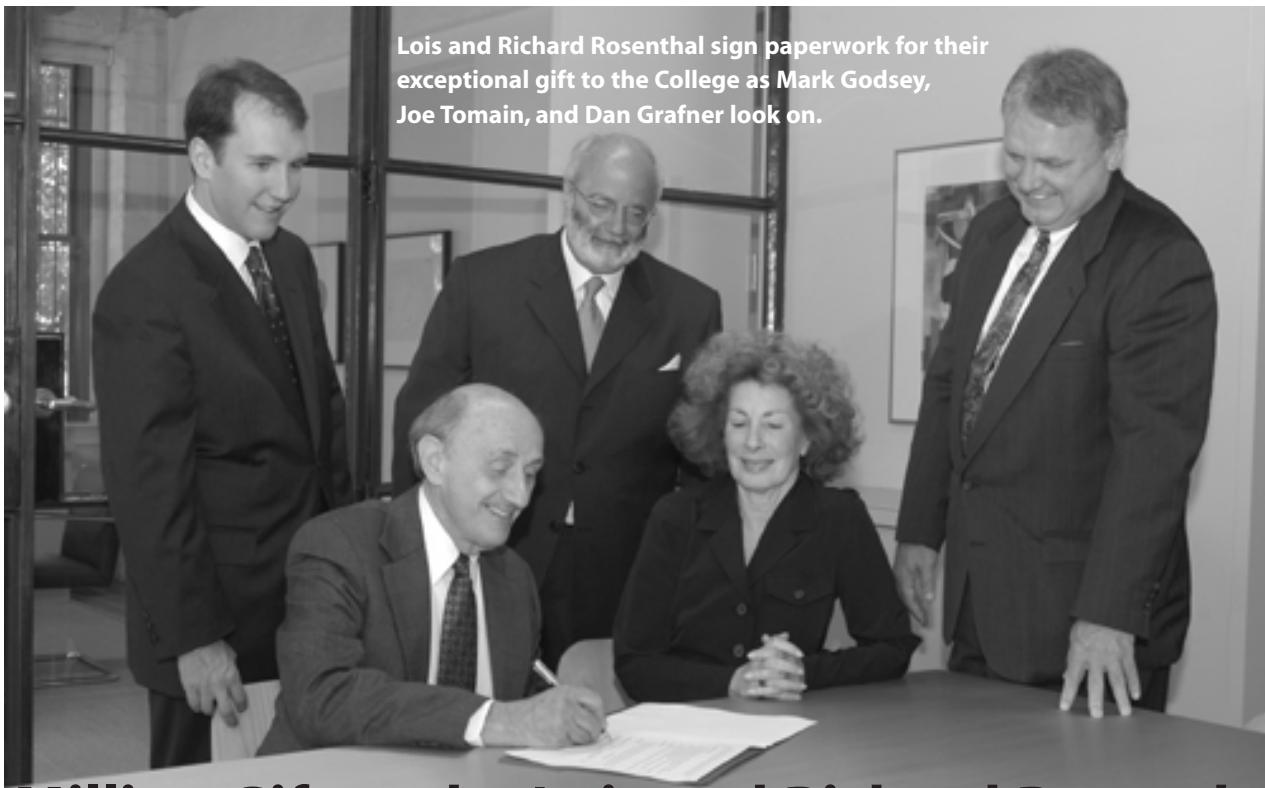
The College of Law has a very exciting time ahead, and the process of searching for a new Dean is generating significant national attention and publicity that benefits the law school and the entire university. The Decanal Search Committee includes Professors Paul Caron, Emily Houh, Mark Godsey, Betsy Malloy and Brad Mank; Law Library and Information Technology Director Virginia Thomas; third-year student Adrienne King; and alumni Daniel Carmichael, '68, and Sharon Zealey, '84; with Dean Karen Gould of the McMicken College of Arts & Science as Chair. The Search Committee, assisted by the executive search firm of Witt/Kieffer, is well on its way toward establishing a diverse pool of talented national candidates who are already, or who will make, excellent leaders of a law school. The Committee takes its charge very seriously and is pursuing its task with great resolve.

The College of Law also is in the midst of aligning its goals with the goals of UC|21, the University of Cincinnati's strategic plan for charting its academic course for the 21st Century. The UC|21 plan is an ambitious one, and its six primary goals—place students at the center, grow our research excellence, achieve academic excellence, forge key relationships and partnerships, establish a sense of place, and create opportunity—have long constituted initiatives and priorities of the College of Law. The College looks forward to working with President Nancy Zimpher and other university leaders in implementing the university's plan to enhance its national standing and increase its contributions to the surrounding region and to society at large.

I will keep you informed of developments over the next several months and I invite your input and participation.

A handwritten signature in black ink that reads "Donna M. Nagy".

Donna M. Nagy
Interim Dean and Charles Hartsock Professor of Law



Lois and Richard Rosenthal sign paperwork for their exceptional gift to the College as Mark Godsey, Joe Tomain, and Dan Grafner look on.

\$1 Million Gift to the Lois and Richard Rosenthal Institute for Justice Directly Benefits OIP

So often, we think of UC Law alumni or members of the legal community as the benefactors of the UC College of Law. But that's not always the case.

In the fall of 2002, Lois and Richard Rosenthal attended an event and learned of the work of the Ohio Innocence Project at the Law School. The mission of the Ohio Innocence Project—to identify Ohio prisoners who may be innocent and work to obtain their release—struck a chord with the Rosenthals' personal belief in community and social justice.

It's no secret that Lois and Richard Rosenthal have been very generous to Greater Cincinnati. The significant impact of their investment in the community can be seen in many places, including the Cincinnati Art Museum, the Contemporary Arts Center, the National Underground Railroad Freedom Center, and the FreeStore/Foodbank. A very special place created by the Rosenthals is Uptown Arts in Over-The-Rhine, where children ages 4-10 can receive free lessons in various disciplines—including art, music, and dance.

Last May, the Rosenthals stepped forward with a \$1,000,000 commitment from their foundation to create and endow the Lois & Richard Rosenthal Institute for Justice at the University of Cincinnati College of Law. Their commitment to the Law School directly benefits the Ohio Innocence Project and related research and legislative projects. Under the leadership of

Associate Professor Mark Godsey, the 19 student fellows of the Innocence Project are researching and preparing a number of cases for appeal. Current cases the UC Law students are working on include the recent parole of Gary Reece in Cleveland, and the pending appeal of Christopher Bennett in Canton, Ohio.

Former Urban Justice Institute/Center for Law & Justice

The Rosenthal Institute for Justice also encompasses all other activities of the former Urban Justice Institute/Center for Law & Justice. Other urban justice efforts have included working with State Senator Mark Mallory to erase archaic racial language from Ohio's laws; developing the proposal of "Trina's Law" to allow criminal court convictions to stand in a civil court; and undertaking an effort to research and propose the Cincinnati Clean Air Act, which was approved in the spring of 2004.

Lois and Richard's involvement with the Law School has gone beyond their initial commitment. They have also sponsored two Broadway productions at The Ensemble Theatre of Cincinnati—"A Lesson Before Dying" and "The Exonerated"—to benefit the Ohio Innocence Project. Both events have significantly increased awareness of and support for the program.

We are truly grateful to Lois and Richard Rosenthal for their most generous support of the Rosenthal Institute for Justice and the UC College of Law. Their commitment makes our community—and our world—a better place for all people.

Joseph P. Tomain Named Dean Emeritus and Wilbert and Helen Ziegler Professor of Law



Joe Tomain

At its January meeting the University of Cincinnati Board of Trustees approved the title of “Dean Emeritus” for Joseph P. Tomain, acknowledging his 15 years of distinguished service as Dean of the College of Law.

Interim Dean Donna Nagy also honored Joe for his scholarly eminence in energy law and government regulation by naming him the Wilbert and Helen Ziegler Professor of Law.

Commenting on these honors, Dean Nagy said, “Joe Tomain has contributed immeasurably to the reputation and national standing of the College through his tireless efforts on our behalf and through the quality and consistency of his scholarship. No one is more deserving of this recognition.”

Joe Tomain was recruited to the College from Drake University in 1983, joining the faculty as a Professor of Law. He was appointed Acting Dean in 1989 and permanent Dean in 1990. During his tenure as Dean, the College flourished. Faced with many aspirations and reduced state funding, Dean Tomain redoubled College development efforts; annual private giving during his deanship rose from \$215,000 in 1989–1990 to \$650,000 in 2003–04. He was also instrumental in working with College benefactors to establish seven new professorships during those same years.

His leadership efforts helped establish the Center for Corporate Law, the Glenn M. Weaver Institute for Law and Psychiatry, the Lois and Richard Rosenthal Institute for Justice/Ohio Innocence

Project and the FREEDOM CENTER JOURNAL OF LAW AND HISTORY. His support for the joint-degree program in law and women’s studies has been steadfast since its inception in 1994, enabling the program to expand to include a ten-week externship and the newly created Domestic Relations/Domestic Violence Clinic.

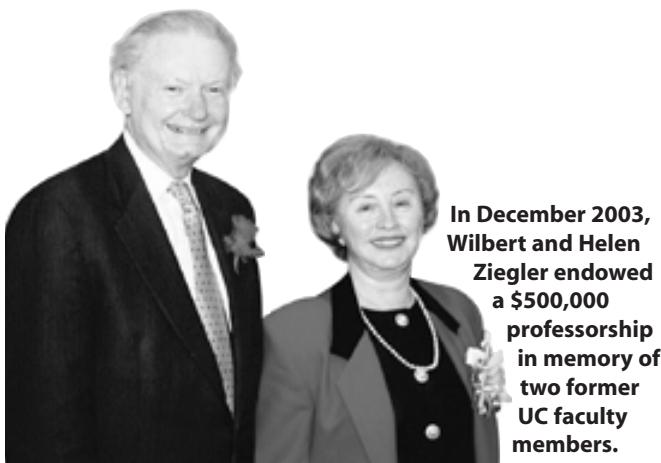
Joe is also known nationally and locally for his efforts to promote an understanding of professionalism at every level of legal education and every stage of a lawyer’s career. At the law school he was instrumental in designing and instituting the Lawyers and the Legal Profession curriculum. He also created the Justice Institute for the Legal Profession, a seminar program for experienced lawyers and judges.

A committed and inspiring teacher, Joe taught throughout his deanship, offering such courses as Government Regulation of Energy Policy and, most recently, Law, Literature, and Philosophy. When the College adopted the first-year course, Introduction to Law, Joe taught a section of the course for several years, relishing the opportunity to interact with our incoming students.

Joe’s commitment to scholarship likewise has continued unabated, with some four books, thirteen articles and numerous chapters, book reviews, and essays published during his deanship. He has returned to the full-time faculty with scholarly zeal, and his many projects include a book review forthcoming in the GEORGETOWN LAW JOURNAL, a symposium paper on nuclear power and the environment, and the organization of a conference on Law and the Humanities.

In addition to these accomplishments as administrator, teacher and scholar, Joe has served in civic and professional leadership positions, including Chair of the Professionalism Committee of the ABA Section on Legal Education and Admission to the Bar. Since 1998 he has been Chair of the Board of the Knowledge-Works Foundation, which focuses on access to higher education. In 2004 he received the Forward Together Award in Education from the Black Lawyers Association/Cincinnati Bar Association Roundtable for his contributions to the advancement of minority lawyers in the legal profession.

A further catalog of Joe’s accomplishments would be more lengthy than space permits, and even if stated would not capture fully his many contributions to our institution. No Dean since Merton Ferson (1926–1946) has held the position longer. The longevity of his service and the many achievements of the College under his guidance speak volumes for his dedication to the faculty, staff, students, and alumni. We congratulate him on these richly deserved honors and celebrate his continued presence and participation at the College of Law.



In December 2003, Wilbert and Helen Ziegler endowed a \$500,000 professorship in memory of two former UC faculty members.

War Powers Arrive at UC Law: Peter H. Irons Delivers 2004 Taft Lecture



Interim Dean Donna Nagy and Professor Peter Irons stand in front of William Howard Taft's portrait. Held each fall since 1986, the Taft Lecture honors this Cincinnati native and Cincinnati Law School graduate. Taft was President and U.S. Chief Justice and also served as Dean of the University of Cincinnati Law Department, predecessor to the current College of Law.

by Kristin Woeste, '05

Peter H. Irons, professor of Political Science at the University of California at San Diego, delivered the annual William Howard Taft Lecture on Constitutional Law on November 18 to a standing-room only crowd of students, faculty, and members of the local community. His forthcoming book, *WAR POWERS: HOW THE IMPERIAL PRESIDENCY HIJACKED THE CONSTITUTION*, formed the basis for his remarks. The book draws from the fields of law, history, and politics to examine the evolution of the American government's power to make war from its earliest exercise up to today. Professor Irons argues that the framers deliberately placed the power to make and declare war in the hands of Congress, giving the president only limited power.

"His lecture challenged both conservative and liberal expectations about the power our president has and should have

in the areas of international relations and war," said UC Law 3L Tara Van Ho. "It was very inspirational and informative."

Professor Irons spent the entire week of the lecture in Cincinnati, guest speaking in both College of Law and Political Science classes and meeting and dining with students, faculty, and members of the legal community. The trip was a kind of homecoming for Professor Irons, who spent part of his youth in the Cincinnati area attending Wyoming High School. His visit will have a lasting impact as the UNIVERSITY OF CINCINNATI LAW REVIEW plans to publish an excerpt from *WAR POWERS* in its spring issue.

Professor Irons is a prolific author and a nationally respected expert on the U.S. Supreme Court and constitutional litigation. His scholarship appears in many journals and law reviews, and he has authored a number of books, including: *JUSTICE AT WAR; THE COURAGE OF THEIR CONVICTIONS; JUSTICE DELAYED; MAY IT PLEASE THE COURT; BRENNAN VS. REHNQUIST: THE BATTLE FOR THE CONSTITUTION*; and, most recently, *A PEOPLE'S HISTORY OF THE SUPREME COURT* (1999) and *JIM CROW'S CHILDREN: THE BROKEN PROMISE OF THE BROWN DECISION* (2002). Professor Irons received his PhD in Political Science from Boston University and his JD from Harvard Law School.

The LAW REVIEW plans to co-sponsor the annual Robert S. Marx Lecture this spring, featuring former UC Law Dean Tom Gerety (1986–89), who is now executive director of the Brennan Center for Justice at the New York University School of Law. Please watch the UC Law Website for details on the date and time.



UC Third-Year Law Student Receives Prestigious 2005 Skadden Fellowship



Sean Arthurs

University of Cincinnati law student Sean Arthurs received a 2005 Skadden Fellowship this past fall. Arthurs, currently a third-year Arthur Russell Morgan Fellow in Human Rights at the College of Law, is the first Cincinnati law student to earn a Skadden Fellowship.

Each fall, the Skadden

Fellowship Foundation invites applicants from law schools across the country to design a project to help make the legal system more accessible to the poor and less fortunate. Proposals must identify a public interest organization to sponsor and train the young lawyer. Final applications are evaluated on the strength of the sponsoring organization, the worthiness of the project's goals, and the competency, character, and commitment of the applicant.

Arthurs developed his project in conjunction with Elaine Fink and Kelly Malone of the Legal Aid Society of Greater Cincinnati, an organization with a national reputation for credible, responsive, and innovative advocacy on behalf of the poor. Arthurs' project focuses on responding to the needs of the Latino population in Butler and Hamilton Counties, where a significant disparity between the legal resources available and the need for those resources exists.

"In light of the unprecedented wave of recent emigration from Latin American countries to the Cincinnati region," Arthurs stated, "the next few years will be critical in determining whether Cincinnati can successfully integrate the Latino population into the area's legal and social service networks."

Arthurs hopes to develop a program of outreach and education within the Latino community to identify priority legal needs and increase the community's awareness of the services available

through Legal Aid. Through a dual strategy of advocacy and direct representation, Arthurs hopes to prevent student expulsions; enforce legal protections for students with disabilities; and help battered immigrant women escape abuse through protective orders and other legal remedies.

Arthurs identified the support of both law school faculty and staff as critical in helping him earn the Fellowship. "From the project's initial stages through to the mock interviews, the law school community was generous in its support and encouragement."

Professor Williams, Professor Thomas, and Dean Mina Jefferson all participated in mock interviews and helped prepare Sean for his final interview in Chicago. Professor Lockwood and Sean Rhiney of the Career and Professional Development Office also played important roles in the development of a competitive project proposal. Nancy Ent, staff assistant for the Urban Morgan Institute for Human Rights, served as a sounding board and expressed confidence from the outset. And former UC law professor Wendy Parker—a Skadden fellow—offered advice and encouragement from her current post at Wake Forest. Arthurs also noted that David Singleton, a previous Skadden Fellow and Executive Director of the Cincinnati-based Prison Reform Advocacy Center, provided assistance throughout the process.

Before attending law school, Arthurs spent seven years teaching in Louisiana, Maryland, and as a Fulbright Scholar in England. The year before attending UC, he worked as a human rights volunteer in Bogota, Colombia, where the seeds of his project germinated.

"I left teaching to become a more effective advocate for people whose voices are rarely heard and my experiences working in a country with no regard for the rule of law prompted me to reflect more closely on the parallels within our own country. I am committed to the belief that our justice system should serve as a vehicle to promote inclusion, equal opportunity, and non-discrimination. Unfortunately, too often, our justice system works in precisely the opposite manner—especially for

minorities and immigrants whose first language is not English. With the excellent training and supervision available through Legal Aid, I am optimistic that we will be able to work with local social service agencies to make a tangible difference in the interactions between the Latino community and the legal system."

At the College of Law, Arthurs is an Urban Morgan Institute for Human Rights Fellow and Managing Editor of the UNIVERSITY OF CINCINNATI LAW REVIEW. He spent the summer after his first year of law school working for the U.N. Truth and Reconciliation Commission in Sierra Leone and at the Irish Centre for Human Rights in Galway, Ireland. Arthurs and his wife Michele, a Wright State University medical student, live in Butler County.

Interim Law Dean Donna Nagy said the law school is delighted and honored that Sean Arthurs has been recognized by this coveted award—the most prestigious in the public interest field.

As part of his work in Sierra Leone, Arthurs posed at the southernmost tip of Africa.



History of the Skadden Fellowship Foundation

The Skadden Fellowship Foundation—described as “a legal Peace Corps” by the Los Angeles Times—was established in 1988 by the New York-based law firm of Skadden, Arps, Slate, Meagher & Flom to commemorate the firm’s 40th anniversary. Each year, the firm awards at least 25 fellowships to graduating law students and outgoing judicial clerks who seek to work full-time with public interest organizations.

The aim of the foundation is to give Fellows the freedom to pursue public interest work; thus, the Fellows create their own projects before they apply. Through both their efforts and their example, Fellows seek to increase and improve the legal services available to the less fortunate in our society. Fellows provide legal services to the poor, elderly, homeless and disabled, as well as those deprived of their human or civil rights.

The Fellowships are awarded for one year, with the expectation of renewal for a second year. The Foundation provides Fellows with an annual salary of \$37,500, benefits, and loan repayment assistance.

An expectation exists that the members of this cadre of new public interest lawyers will—individually and collectively over the course of their careers—have a profound effect on the quality and delivery of legal services. Since the inception of the program, almost 90 percent of the Fellows have remained in public interest or public sector work.

The Skadden Fellowship Foundation is governed by a 12-member board of trustees composed of seven distinguished persons not affiliated with Skadden, Arps, four partners from the firm, and a second-year Fellow. Fellows are chosen in December of each year and begin their work in the following autumn.

Law Library Participates in University-Wide Three-Millionth Volume Celebration

Eighth Edition of Walker's Lectures Added to the Collection

by Virginia C. Thomas, Director, Law Library and Information Technology

For the University Libraries' three-millionth volume celebration, the Law Library selected a very old new book: TIMOTHY WALKER'S INTRODUCTION TO AMERICAN LAW, 8th edition, published in 1882, but just acquired by the Law Library about two months ago. We selected this book because of its prominent place in the history of the College of Law, and its importance to the study of law, generally.

I doubt the name "Timothy Walker" is a household word outside the Cincinnati Law community, but it is one that is very familiar inside the College of Law. In 1833, Walker founded the law school and served as its first Dean and first professor of law. Two additional professors constituted the faculty and the student body numbered 17 students at the time.

During the early years of the law school, Walker developed a series of lectures covering what was then substantially the entire

range of subjects required of its students. The first edition of these lectures was published as INTRODUCTION TO AMERICAN LAW in 1837. Over the next 68 years, this work ran 11 editions, gaining a reputation as "the American Blackstone," though Walker's preface humbly states that a work of such attribution "is yet to be desired."

In their centennial history of the College, law professors Irvin C. Rutter and Samuel S. Wilson recalled Chief Justice William Howard Taft's 1925 dedicatory address for Alphonso Taft Hall, in which he remarked that Walker's book "came to be known everywhere as one of the most useful, accurate and comprehensive books on the law ever published." The Chief Justice also pointed out that Mr. Justice Holmes once told him it was Walker's book that "first gave him an adequate concept of what law was and what was the profession upon which he was entering."



**Virginia Thomas holds
TIMOTHY WALKER'S INTRODUCTION
TO AMERICAN LAW.**

In my years at Cincinnati Law, I have learned much about Timothy Walker, his many contributions to legal education, and his service as a highly respected jurist on the Court of Common Pleas. However, it wasn't until I began to review his book that I realized just how visionary he was. I would, in fact, characterize him as an early *feminist*. The following is a passage from his lecture on the law of husband and wife that makes me think so. I can just imagine him speaking these words to his students:

We have a few statutory provisions on the subject, but, for the most part, the law of husband and wife is common law, and you will find that it savors of its origin in all its leading features. The whole theory is a slavish one, compared even with the civil law. I do not hesitate to say, by way of arousing your attention to the subject, that the law of husband and wife, as you gather it from the books, is a disgrace to any civilized nation. I do not mean to say that females are degraded in point of fact; I only say that the theory of the law degrades them almost to the level of slaves. With regard to political rights, females form a positive exception to the general doctrine of equality. They have no part or lot in the formation or administration of government. They cannot vote, nor hold office. We require them to contribute their share in the way of taxes, to the support of government, but allow them no voice in its direction. We hold them amenable to the laws when made, but allow them no share in making them. This language, applied to males, would be the exact definition of political slavery; applied to females, custom does not teach us so to regard it. Perhaps it would be difficult to deduce from any abstract reasoning, the justice of making this their political condition.

Walker, INTRODUCTION TO AMERICAN LAW, 8th ed. (1882) 249

INLR Begins Sixth Year



The editorial board members, associate members, and Professor Emily Houh, the faculty advisor, of the IMMIGRATION AND NATIONALITY LAW REVIEW currently focus their research efforts on immigration law and the interplay of such policies on gender, constitutional law, and national security.

by David Traskey, '05

The IMMIGRATION AND NATIONALITY LAW REVIEW (INLR) begins its sixth year at the College of Law with a stronger, evolving program devoted to the study of immigration law and related issues. The annual publication is produced by third-year editorial board members and invited, second-year associate members who are devoted to student scholarship and advocacy in the immigration law field. The journal consists of original articles, reprints of law articles, and student submissions. Currently, student research focuses on immigration law and the interplay of such policies on issues such as gender, constitutional law, criminal law, and national security.

This March, the INLR and the College of Law welcome Dr. Andre Gerolymatos as its annual spring speaker. Dr. Gerolymatos is the Director of the Hellenic Studies Program and a professor of history at Simon Fraser University in British Columbia, Canada. He is an internationally respected authority on national conflict and ethnic violence in the Balkan region. He recently published the highly acclaimed book, *THE BALKAN WARS: CONQUEST, REVOLUTION, AND RETRIBUTION FROM THE OTTOMAN ERA TO THE TWENTIETH CENTURY AND BEYOND*. *All members of the law school are invited to attend this event.*

INLR EDITORIAL BOARD AND ASSOCIATE MEMBERS

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Stay tuned for further details or visit www.law.uc.edu/inlr.

Law Students Join YLS to Make Holidays Brighter for Underprivileged Kids



Carrie Hagan-Gray, '05, and Erik Laursen, '05, filled two cars to the brim with presents for delivery to local children.

by Erik Laursen, '05

Students at the University of Cincinnati College of Law helped the Cincinnati Bar Association Young Lawyers Section (YLS) make the holidays better for children in need. Each year, YLS works to ensure that children represented by Cincinnati ProKids get presents and celebrate a holiday through its Giving Basket program.

The last holiday season's needs were unprecedented. ProKids needed help for nearly 500 children. Through YLS, ProKids calls upon Cincinnati's legal community to pitch in. YLS committee leaders Kathy Lasher '98 and Louis Schneider '02 had concerns about the massive numbers of children in need, but should not have worried. They called upon local firms, lawyers, and students—and they answered.

UC Law students, faculty, and administration

made sure at least 35 of those kids received a gift. The response of the school's community was tremendous—filling two cars to the brim for delivery. More than 50 students got together with friends, pooled their resources, and went shopping. Student Court, the students of the Ohio Innocence Project, BLSA, Christian Legal Society, and SBA all contributed. One student even provided gift bags for people to use. Professors shopped with their families. The Center for Professional Development was designated as a gift drop-off point. In the end, the law school came through with extra presents to make sure that no one went without. *Thank you to everyone who contributed.*

UC Law Reception Scheduled at OSBA Convention in May



UC law alum Jack Stith has announced his candidacy for President-Elect of the Ohio State Bar Association at the May 2005 convention in Columbus. If elected, Stith would serve as President from July 1, 2006 through June 30, 2007.

The OSBA has not had a President from Cincinnati in more than 40 years, despite its large lawyer population and active bar.

In recognition of his many professional accomplishments, Jack received the 1992 Distinguished Alumnus Award from the College of Law Alumni Association. He has served on the Board of Visitors for 16 years.

Please register for the convention and join us at the reception to support Jack's candidacy.

Please Join Us at a Reception

Sponsored by the UC College of Law

In Honor of Jack S. Stith, '64,

Candidate for President-Elect

Of the Ohio State Bar Association

Thursday, May 12, 2005

5:30 p.m. – 6:30 p.m.

Columbus, Ohio

OSBA Annual Convention

May 11 – 13, 2005



Public Interest Law Group (PILG)

Race Judicata 5K Run/Walk

"Paving the way for student service"

All proceeds from Race Judicata benefit the Summer Public Interest Fellowship Fund. The fund provides stipends to law students who serve in unpaid legal positions with organizations and non-profits representing the public, the poor, and the underserved.

Name _____ Sex: Male Female

Address _____

City _____ State _____ Zip Code _____ Day Phone _____ Evening Phone _____

Age (as of 4/2/05) _____ 5K Run 5K Walk T-shirt: M L XL XXL

This waiver must be signed. In consideration of the acceptance of my entry, I hereby waive on behalf of my heirs, executors, and assigns, all claims of any nature arising from my participation in the College of Law's "Race Judicata" run/walk and do hereby release the College of Law, the Public Interest Law Group, and Steve Prescott and all sponsors, workers, officials and volunteers from any claim whatsoever arising from my participation in this event. I agree to abide by all the rules for participation and acknowledge that the Race Committee may refuse or return my entry at its discretion. I understand the risks for such a run and have trained adequately in preparation.

I have noted any relevant medical conditions on this form.

Relevant Medical Condition(s) _____

Entry Signature _____ Date _____

Parent's Signature (for entrants under age 18) _____

In Case of Medical Emergency, Contact _____ Phone _____

Make Checks Payable to: UC Foundation/Race Judicata; c/o Steve Prescott; PO Box 454; Mason, OH 45040
(postmarked by Friday, March 25, 2005) or register online at www.sprunning.com

Saturday, April 2, 2005 – 10 a.m.

Pre-registration Deadline: Friday, March 25, 2005

Course: The course begins on Clifton Avenue at Straight Street, travels down Clifton and turns right on Ludlow Ave., winds through Burnet Woods, and emerges right onto Martin Luther King, left onto Clifton Avenue, to finish.

Race Divisions: 13 & under; 14–18; 19–24; 25–29; 30–34; 35–39; 40–44; 45–49; 50–54; 55–59; 60–69; and 70 & over

Walker Divisions: 29 & under; 30–39; 40–49; 50–59; 60–69; and 70 & over

Pre-registration: \$10 (\$15 with t-shirt)

Registration after the Deadline (including Race Day): \$15 (\$20 with t-shirt)

Awards: To first overall male and female runners and walkers, and top 15% of each age group based on pre-registration. Results will be available online following the race.

Parking: Available at Deaconess Hospital or on adjacent streets

Information: Call Steve Prescott at **513.777.1080** or visit www.sprunning.com

**Refreshments & Door Prizes
After the Race**

2005 Event Sponsors

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Individuals and law firm teams may register now.

For more information

about how you can

sponsor, volunteer, or

participate in this year's

race, please contact:

sean.rhiney@uc.edu

130 Gather to Honor the Generous Support of Donors



An expression of appreciation for Dean Emeritus Joseph P. Tomain

Hyde Park Country Club was lit up in all its holiday glamour when the College of Law gathered to honor members of this year's Dean's Council. The black-tie event attracted 130 of our dedicated donors. University of Cincinnati President Dr. Nancy Zimpher was in attendance to thank attendees for their generous support of the Law School, and concluded her remarks with an elegant toast to the future success of the Law School.

Dr. Zimpher and Interim Dean Donna Nagy presented awards to two of this year's most distinguished friends: Jim and Diane Katsanis and Lois and Richard Rosenthal.

The Katsanis' presentation was in recognition of their generous endowed professorship at the UC College of Law in memory of Jim's father, Andrew Katsanis. The Rosenthal's gift to the College of Law established the Lois and Richard Rosenthal Institute for Justice, which includes the Ohio Innocence Project. Dr. Zimpher and Dean Nagy also recognized Wilbert and Helen Ziegler for their recent endowed professorship in memory of two former faculty members, Dean Roscoe L. Barrow and Professor Charles E. Stevenson.

Dean Emeritus Joseph Tomain was acknowledged by Dr. Zimpher for 15 years of dedication as Dean of the University of Cincinnati College of Law.



Lois and Richard Rosenthal receive their award from Dr. Zimpher.



Don and Marianne Klekamp chat with Barbara Howard and Michael Belmont.



Interim Dean Donna Nagy and Dr. Nancy Zimpher present Jim and Diane Katsanis their award for establishing the Andrew Katsanis Memorial Professorship.



Hal and Jan Arenstein are joined by Beth Conkin and Eva Hager, a third-year law student and Law Ambassador.

Stay involved and make a difference.



As the University of Cincinnati College of Law charts its academic course for the 21st century, private gifts have more impact than ever. Your gift to the College of Law supports hands-on programs and opportunities for students, scholarly research, distinguished lecturers, externships and more.

When you hear from a student or receive a letter from the College, please consider a gift to UC College of Law. Or make a gift online at
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For more information, please contact Mike Volan,
Director of Development, at (513) 556-0066 or
mike.volan@uc.edu

 The University of Cincinnati
Foundation

Faculty Notes

Fall 2004



MARJORIE E. AARON,
PROFESSOR OF PRACTICE
AND DIRECTOR, CENTER
FOR PRACTICE IN
NEGOTIATION &
PROBLEM SOLVING,
taught Mediation
(Advanced Negotiations) and Lawyering

II. She moderated a panel on *Triaging Family and Family Business Disputes: Mediation Collaborative Law or Other Processes* at the Conference on Family Matters: A Symposium on Preventing and Resolving Family and Family-Business Disputes held by the ABA Section on Dispute Resolution in Boston. Her article, *Mediator Dos and Don'ts*, was accepted for publication in DISPUTE RESOLUTION MAGAZINE.

Marjorie produced a video with Professor Dwight Golann and the Harvard Law School Program on Negotiation, *Termination Tempest: Mediation of an Age Discrimination Claim*. She presented *Insulting First Offers and Other Quagmires* at the American College of Civil Trial Mediators' Conference in Bar Harbor, ME. She completed a solicited chapter, *Assisting Settlement Decisions with Numbers, Trees and Maps* for a HANDBOOK ON DISPUTE RESOLUTION (forthcoming, Harvard Law School Program on Negotiation). She taught a CLE session on *Ethics in Negotiation and Mediation* for the UC Law Alumni Association.



MARIANNA BROWN
BETTMAN, INVITED
PROFESSOR OF LAW,
taught Lawyering II
and Torts. She
published *Ohio Joins
the New Judicial
Federalism Movement:
A Little To-ing and a*

Little Fro-ing, 51 CLEVELAND ST. L. REV. 491 (2004) (Symposium on Bicentennial of the Ohio Constitution). Marianna's article, *Highlights of the Ohio Supreme Court June 2002–June 2003*, was accepted for publication in the CAPITAL UNIVERSITY LAW REVIEW.

Marianna presented *Important Cases from the Ohio Supreme Court* to the 2004 Ohio Judicial Conference. She wrote monthly columns for the AMERICAN ISRAELITE and the CINCINNATI HERALD on *Bush v. Schiavo*; *Bush v. Holmes*; *Yarborough v. Alvarado*; and *Hibel v. Sixth Judicial District Court of Nevada*.



JOSEPH BIANCALANA,
PROFESSOR OF LAW,
taught Wills, Trusts and
Future Interests.
He had two articles
accepted for publica-
tion: *The Development
of the Penal Bond with
Conditional Defeasance*,

in the JOURNAL OF LEGAL HISTORY; and
*Monetary Penalties in Thirteenth-Century
England*, in the LEGAL HISTORY REVIEW.



KRISTIN BRANDSER,
ASSOCIATE PROFESSOR OF
LAW, taught Secured
Transactions and
Feminist Jurispru-
dence. She published
*Law, Literature and
Libel: Victorian Censor-
ship of "Dirth Filthy"*

Books on Birth Control, 10 WILLIAM & MARY J. OF WOMEN & LAW 533 (2004). Kristin presented *Women and Debt* as part of the College's Summer Faculty Scholarship Series.



A. CHRISTOPHER BRYANT,
ASSOCIATE PROFESSOR OF
LAW, taught
Constitutional Law I
and Legislation and
Statutory Interpretation. He presented
*The Tenth Amendment
and Federal Morals*

Legislation as part of the College's Summer Faculty Scholarship Series. He taught a dozen high school teachers on the *Freedoms of Speech and Assembly* at the Ohio Center for Law Related Education's We the People Summer Institute (Columbus, OH).

Chris lectured and led a discussion among numerous secondary school teachers at the 14th annual Law and Citizenship Conference (ocle.org/LnC/default.htm), which was sponsored by the Ohio Center for Law-Related Education (ocle.org) and held in Columbus. He addressed the history and current contours of the freedom of speech, which will be the focus of a state-wide mock-trial program for high school students in the coming year.



PAUL L. CARON, CHARLES HARTSOCK PROFESSOR OF LAW AND DIRECTOR OF FACULTY PROJECTS, taught Federal Income Tax and Introduction to Law. Over the summer, he was a Visiting Professor of Law at the University of

San Diego School of Law, where he taught Federal Income Tax and presented *Taking Back the Law School Classroom: Using Technology to Foster Active Student Learning*, his forthcoming article in 54 J. LEGAL EDUC. (2004). Paul presented *Measuring Scholarly Impact Through SSRN* as part of the College's Summer Faculty Scholarship Series.

Paul published *Affirmative Refraction: Grutter v. Bollinger Through the Lens of The Case of the Speluncan Explorers*, 21 CONSTITUTIONAL COMMENTARY 63 (2004) (symposium) (with Rafael Gely), which was featured in Volume 6, Issue 2, of the College of Law's PUBLIC LAW & LEGAL THEORY e-journal.

Paul organized (with Rafael Gely) a symposium on *The Next Generation of Law School Rankings* to be held at Indiana-Bloomington on April 15, 2005 and published in the INDIANA LAW JOURNAL. The symposium follows up on their recent article, *What Law Schools Can Learn from Billy Beane and the Oakland Athletics*, 82 TEXAS L. REV. 1483 (2004), and will feature papers by Richard Posner, Cass Sunstein, and a dozen other leading academics.

Foundation Press published another book in Paul's LAW STORIES SERIES: CONSTITUTIONAL LAW STORIES (Michael C. Dorf (Columbia)). Foundation Press also approved four additional books in the SERIES: BANKRUPTCY STORIES (Robert Rasmussen (Vanderbilt)); EMPLOYMENT DISCRIMINATION STORIES (Joel Friedman (Tulane)); EMPLOYMENT LAW STORIES (Samuel Estreicher (NYU) & Gillian Lester (UCLA)); and EVIDENCE STORIES (Richard Lempert (Michigan)).

LexisNexis approved two additional books in Paul's GRADUATE TAX SERIES: EMPLOYEE BENEFITS LAW: QUALIFICATION RULES AND ERISA REQUIREMENTS (Kathryn Kennedy (John Marshall)) & Paul Shultz (IRS)); and TAX ETHICS (Linda Galler (Hofstra) & Michael Lang (Chapman)).

Since its launch on April 15, 2004, Paul's TAXPROF BLOG (taxprof.typepad.com), a combination website and blog with permanent resources and daily news for tax professors, has received over 400,000 visitors. It was featured in the September 24 WALL STREET JOURNAL (lawprofessorblogs.com/taxprof/linkdocs/wsjoprah/index.html) and in the December 13 TAX NOTES (lawprofessorblogs.com/taxprof/linkdocs/Tax%20Notes%20Article%20on%20Tax%20Blogs.pdf), which called TAXPROF BLOG "the undisputed champion of tax blogging."

Paul has formed the LAW PROFESSOR BLOGS NETWORK (lawprofessorblogs.com) to launch blogs in other areas of law patterned after TAXPROF BLOG: ANTITRUSTPROF BLOG (lawprofessors.typepad.com/antitrustprof_blog) (Shubha Ghosh (SUNY-Buffalo)); CONTRACTSPROF BLOG (lawprofessors.typepad.com/contractsp prof_blog) (Carol L. Chomsky (Minnesota) & Frank Snyder (Texas-Wesleyan)); CRIMPROF BLOG (lawprofessors.typepad.com/crimprof_blog) (Jack Chin (Arizona) & Mark Godsey (Cincinnati)); HEALTH LAW PROF BLOG (lawprofessors.typepad.com/healthlawprof_blog) (Betsy Malloy (Cincinnati) & Tom Mayo (SMU)); LABORPROF BLOG (lawprofessors.typepad.com/laborprof_blog) (Rafael Gely (Cincinnati)); SENTENCING LAW & POLICY (sentencing.typepad.com) (Douglas Berman (Ohio State)); and WHITE COLLAR CRIME PROF BLOG (lawprofessors.typepad.com/whitecollarcrime_blog) (Peter Henning (Wayne State) & Ellen Podgor (Georgia State)).

Paul continued his work as Editor of three electronic journals of TAX LAW ABSTRACTS published by the Legal Scholarship Network (ssrn.com): TAX LAW & POLICY, PRACTITIONER SERIES, and INTERNATIONAL & COMPARATIVE TAX (with Robert A. Green (Cornell)).



THOMAS D. EISELE, PROFESSOR OF LAW, taught Jurisprudence.



ADAM FEIBELMAN, ASSISTANT PROFESSOR OF LAW, taught Banking Law and Contracts. He presented *Predatory Lending and Assignee Liability* as part of the College's Summer Faculty Scholarship Series.



RAFAEL GELY, PROFESSOR OF LAW, taught Contracts, Employment Law, and Introduction to Law. He published several articles: *The Law and Economics of Employee Information Exchange*

in the Knowledge Economy, 12 GEORGE MASON L. REV. 651 (2004) (with Leonard Bierman); *Love, Sex and Politics? Sure. Salary? No Way: Workplace Social Norms and the Law*, 25 BERKELEY J. OF EMPLOYMENT & LABOR LAW 167 (2004) (with Leonard Bierman); *Maternity Leave Under the FMLA: An Analysis of the Litigation Experience*, 15 J. OF LAW & POLICY 143 (2004) (with Timothy Chandler); and *Affirmative Refraction: Grutter v. Bollinger Through the Lens of The Case of the Speluncan Explorers*, 21 CONSTITUTIONAL COMMENTARY 63 (2004) (symposium) (with Paul Caron), which was featured in Volume 6, Issue 2, of the College of Law's PUBLIC LAW & LEGAL THEORY e-journal. Rafael presented *The Economics of Workplace Rights* as part of the College's Summer Faculty Scholarship Series.

Rafael organized (with Paul Caron) a symposium on *The Next Generation of Law School Rankings* to be held at Indiana-Bloomington on April 15, 2005 and published in the INDIANA LAW JOURNAL. The symposium follows up on their recent article, *What Law Schools Can Learn from Billy Beane and the Oakland Athletics*, 82 TEXAS L. REV. 1483 (2004), and will feature papers by Richard Posner, Cass Sunstein and a dozen other leading academics.

Rafael launched LABORPROF BLOG (lawprofessors.typepad.com/laborprof_blog) as part of Paul Caron's LAW PROFESSOR BLOGS NETWORK (lawprofessorblogs.com).



MARK A. GODSEY,
ASSOCIATE PROFESSOR
OF LAW AND FACULTY
DIRECTOR, ROSENTHAL
INSTITUTE FOR JUSTICE/
OHIO INNOCENCE
PROJECT, taught
Criminal Procedure I.
His article, *Rethinking*

the Involuntary Confession Rule: Toward a Workable Test for Identifying Compelled Self-Incrimination, was accepted for publication in the CALIFORNIA LAW REVIEW and was featured in Volume 6, Issue 2, of the College's PUBLIC LAW & LEGAL THEORY e-journal. Mark presented the article at the Ohio Legal Scholars Conference in Akron and as part of the College's Summer Faculty Scholarship Series.

Mark published *The Innocence Revolution and Our "Evolving Standards of Decency" in Death Penalty Jurisprudence*, 29 UNIV. DAYTON L. REV. 1 (2004) (symposium) (with 3L Thomas Pulley).

Mark hosted a ceremony honoring Lois and Richard Rosenthal for their \$1-million gift to the Center for Law and Justice, which was renamed the Lois and Richard Rosenthal Institute for Justice. He hosted several events in connection with the Rosenthals' gift, including a lecture by Barry Scheck (Cardozo), *DNA Testing as a Great Learning Moment* (law.uc.edu/current/clj040908/index.html) and the regional premiere of *The Exonerated* at the Ensemble Theatre (law.uc.edu/current/clj040928).

Mark received two major awards: The "Superstar of Criminal Law '04" Award by the Ohio Association of Criminal Defense Lawyers in Columbus; and The 2004 Outstanding Recent Alumnus Award from his alma mater, The Moritz College of Law at Ohio State.

Mark litigated an Innocence Project case in Stark County Court of Common Pleas. During the two-day hearing, Mark and co-counsel John Cranley presented evidence to establish the innocence of Christopher Bennett, who had pled guilty in 2002 to vehicular homicide. The case medical records demonstrated that Bennett had amnesia about the accident when he pled guilty, due to head injuries he suffered during the crash. The case received widespread media attention across the state, and Mark was quoted about the case in the

CINCINNATI ENQUIRER and the CLEVELAND PLAIN DEALER, among other Ohio papers, and the NATIONAL LAW JOURNAL. Mark also appeared on ABC news in Cleveland, which aired an exposé on the case. On November 4, the court issued an opinion denying Bennett's motion to withdraw his guilty plea, citing the plea itself as conclusive evidence of guilt that overcomes the DNA and other evidence of innocence compiled by the Innocence Project. The Ohio Innocence Project plans to appeal.

Mark spoke on *Exonerating the Innocent* at the annual Cincinnati Leadership Day to leaders in the business and legal communities of Greater Cincinnati. He appeared on Fox News in Cleveland, which aired an extended exposé about the Ohio Innocence Project's work on the Gary Reese case. Students in the project have uncovered substantial evidence of Reese's innocence and hope that he will be released in early 2005 after spending more than 20 years in prison for rape and attempted murder.

Mark launched CRIMPROF BLOG ([law professors.typepad.com/crimprof_blog](http://professors.typepad.com/crimprof_blog)), as co-editor with Jack Chin (Arizona), as part of Paul Caron's LAW PROFESSOR BLOGS NETWORK (lawprofessorblogs.com).



EMILY HOUGH, ASSOCIATE PROFESSOR OF LAW, taught Contracts and Critical Race Theory. She had two articles accepted for publication: *The Doctrine of Good Faith in Contract Law: Loading an Empty Vessel with Public Law*

Norms in the UTAH LAW REVIEW, which was featured in Volume 6, Issue 2, of the College of Law's PUBLIC LAW & LEGAL THEORY e-journal; and *Critical Race Realism: Reclaiming the Antidiscrimination Principle Through the Doctrine of Good Faith in Contract Law* in the UNIVERSITY OF PITTSBURG LAW REVIEW. Emily presented this article as part of the College's Summer Faculty Scholarship Series. Emily spoke on culturally sensitive teaching in first-year and traditional doctrinal classes at the 11th Conference for Asian Pacific American Law Faculty (law.msu.edu/capalf) at Michigan State University College of Law as part of a panel on *Pedagogy, Theories, and Perspectives* (law.msu.edu/capalf/schedule.html).



LORI KRAFTE, VISITING ASSISTANT PROFESSOR OF LAW, taught Advertising Law.



CHRISTO LASSITER, PROFESSOR OF LAW, taught Criminal Procedure I and White Collar Crime. He taught a week-long course on terrorism in the West African country of Mali (uc.edu/profiles/profile.asp?id=2050).

It was sponsored by the Defense Institute of International Legal Studies (dsca.mil/diils) and the U.S. Departments of State and Defense.



LEE ANN WHEELIS LOCKRIDGE, VISITING ASSISTANT PROFESSOR OF LAW, taught Introduction to Intellectual Property and Computers and the Law.



BERT B. LOCKWOOD, JR., DISTINGUISHED SERVICE PROFESSOR OF LAW AND DIRECTOR, URBAN MORGAN INSTITUTE FOR HUMAN RIGHTS, taught Constitutional Law I. He arranged for several distinguished visitors and speakers at the College of Law: Six visitors from Indonesia (law.uc.edu/current/umorganvisitors0405/index.html); Howard Tolley (UC Professor of Political Science), *Our Tainted Legacy* (law.uc.edu/current/umorgan040925/index.html); and Sir Nigel Rodley (University of Essex), *Torture in the 21st Century* (law.uc.edu/current/umorgan040923/index.html).

Bert served as Rapporteur to the 27th Annual Colloquium on Human Rights and Foreign Policy in Lausanne, Switzerland. He participated in the Midwest Coalition on Human Rights, which convened at the University of Minnesota. Bert spoke at the University of Dayton to students interested in human rights careers.

Bert published the November issue of the HUMAN RIGHTS QUARTERLY (muse.jhu.edu/journals/human_rights_quarterly), which included among its 12 articles (muse.jhu.edu/journals/human_rights_quarterly/toc/hrq26.4.html) a debate in the NGO community over Kenneth Roth's (Exec. Director of Human Rights Watch) article in the May issue concerning the role of NGOs in the promotion and protection of economic and social rights. Len Rubenstein, Executive Director of Physicians for Human Rights, criticizes Roth's approach, to which Roth responds. Mary Robinson, the former UN High Commissioner for Human Rights, responds to both Roth and Rubenstein. The issue also contains a keynote address that Paul Hoffman, Head of the International Executive Committee of Amnesty International, was scheduled to deliver on *Human Rights and the War on Terror* at a UNESCO Conference in Nantes, France. When UNESCO indicated that the keynote would not be published because of U.S. objections, Hoffman cancelled his participation and asked the HRQ to publish his speech. The November issue continues the streak: all 90 issues of the HRQ published during Professor Lockwood's 23-year stint as Editor-in-Chief have been mailed to subscribers in the month of scheduled publication—a record unparalleled in academic publishing.



S. ELIZABETH MALLOY,
PROFESSOR OF LAW AND
DIRECTOR OF THE WEAVER
INSTITUTE, taught
Disability Law and Torts.
She published *Overcoming
the Obstacles of Garrett:
An "As Applied" Saving
Construction for the ADA's
Title II*, 39 WAKE FOREST L. REV. 133 (2004)
(symposium) (with Timothy J. Cahill, '03).

Betsy spoke on *Legal Issues Surrounding End of Life Decision Making* to the Cincinnati Chapter of End of Life Choices. She co-taught the Health Care Ethics Course at the UC Medical School with Dr. Stanley Troup.

Betsy launched HEALTH LAW PROF BLOG (lawprofessors.typepad.com/healthlawprof_blog), as co-editor with Tom Mayo (SMU), as part of Paul Caron's LAW PROFESSOR BLOGS NETWORK (lawprofessorblogs.com).



**BRADFORD C. MANK,
JAMES B. HELMER, JR.**
PROFESSOR OF LAW,
taught Environmental
Law I and Introduction
to Law. He published
*Can Congress Regulate
Intrastate Endangered
Species Under the*

Commerce Clause?, 69 BROOKLYN L. REV. 923 (2004). Brad's article, *Standing and Global Warming: Is Injury to All Injury to None*, was accepted for publication in ENVIRONMENTAL LAWYER. He presented *Standing and Climate Change* as part of the College's Summer Faculty Scholarship Series.



BARBARA MCFARLAND,
RESEARCH AND WRITING
PROFESSOR, taught
Lawyering I, Academic
Support, and Judicial
Extern.



**DONNA M. NAGY, INTERIM
DEAN AND CHARLES
HARTSOCK PROFESSOR OF
LAW**, taught Securities
Enforcement and Litigation. She was appointed
Interim Dean of the
College of Law, effective
October 1 (law.uc.edu/current/nagy041001/index.html).

Donna's article, *Playing Peekaboo with Constitutional Law: The PCAOB and Its Public/Private Status*, was accepted for publication in the NOTRE DAME LAW REVIEW and was featured in Volume 6, Issue 2, of the College of Law's PUBLIC LAW & LEGAL THEORY e-journal. She presented *"Private" Corporations with Public Power* as part of the College's Summer Faculty Scholarship Series.

Donna serves on the following committees: AALS Standing Committee on Sections and Annual Meeting (three-year term) (aals.org); and SEC Historical Society's Museum/Accession Committee (sechistorical.org).



NANCY OLIVER,
RESEARCH AND WRITING
PROFESSOR, taught
Lawyering I and
Academic Support.



WILLIAM J. RANDS,
PROFESSOR OF LAW,
taught Corporations
and Corporate Tax.



RONNA GREFF
SCHNEIDER, PROFESSOR
OF LAW, taught Torts
and Education Law. She
enjoyed an insider's
perspective in the 2004
Presidential campaign
with her law school
moot court debate

partner John Kerry. Ronna spoke on *Religion and Affirmative Action Cases in the U.S. Supreme Court*, 2002–04 to state judges at the Ohio Judicial College in Columbus.



RACHEL JAY SMITH,
RESEARCH AND WRITING
PROFESSOR, taught
Lawyering I.



MICHAEL E. SOLIMINE,
DONALD P. KLEKAMP
PROFESSOR OF LAW AND
DIRECTOR, EXTERN
PROGRAM, taught Civil
Procedure I and Federal
Jurisdiction. He published *Recalibrating
Justiciability in Ohio*

Courts, 51 CLEVELAND ST. L. REV. 531 (2004) (Symposium on Bicentennial of the Ohio Constitution). Michael presented his forthcoming Florida State University symposium (law.fsu.edu/journals/lawreview/judicialperformance.php) article, *Judicial Stratification and the Reputations of the U.S. Courts of Appeals*, as part of the College's Summer Faculty Scholarship Series.

Michael served on a pupilage group presentation on Appeals at the Potter Stewart American Inn of Court. He peer-reviewed a submission to the LAW AND SOCIETY REVIEW and a proposed study to the Law and Social Sciences Program of the National Science Foundation. Michael attended the Ohio Legal History Seminar at The Moritz College of Law at Ohio State (moritzlaw.osu.edu/communications/erecord/200304/102003.html).



ADAM STEINMAN,
ASSISTANT PROFESSOR OF
LAW, taught Civil
Procedure I. He joined the faculty over the
summer from Perkins
Coie in Seattle
(law.uc.edu/current/newfac04/index.html).

Adam published *A Constitution for Judicial Lawmaking*, 65 UNIV. PITTSBURGH L. REV. 545 (2004), which was featured in Volume 6, Issue 2, of the College of Law's PUBLIC LAW & LEGAL THEORY e-journal.

Adam wrote an *amicus* brief for the National Association of Criminal Defense Lawyers (NACDL), which contributed to the Court's decision in *Blakely v. Washington*, 124 S.Ct. 2531 (2004), holding that facts supporting an exceptional sentence in excess of the standard sentencing range must be found by a jury beyond a reasonable doubt. Justice Scalia's majority opinion specifically mentioned the NACDL brief.



SUJA THOMAS, ASSOCIATE
PROFESSOR OF LAW,
taught Evidence and
Judicial Decision-
Making & Role of the
Jury. Her article, *Judicial
Modesty and the Jury*,
was accepted for
publication in the

UNIVERSITY OF COLORADO LAW REVIEW. She presented the article as part of the College's Summer Faculty Scholarship Series. Suja's Letter to the Editor, *Studies of Drug Ratio Are Still Lacking*, was published in the July 4 NEW YORK TIMES, § 8, at 8.



JOSEPH P. TOMAIN, DEAN
EMERITUS AND WILBERT
AND HELEN ZIEGLER
PROFESSOR OF LAW,
taught Law, Literature,
and Philosophy
Seminar. Joe's book
review, *Junk Economics*
(reviewing Frank

Ackerman & Lynn Heinzerling, *PRICELESS:
ON KNOWING THE PRICE OF EVERYTHING AND THE
VALUE OF NOTHING*) was accepted for publication in the GEORGETOWN LAW JOURNAL and was featured in Volume 6, Issue 2, of the College of Law's PUBLIC LAW & LEGAL THEORY e-journal. Joe also was elected to serve on the Greater Cincinnati Foundation as a representative of the Cincinnati Bar Association; held luncheons with individual sections of the first-year class; attended Board meeting of Ohio State Bar Foundation in Columbus; attended Board meeting of Mercantile Library; and participated in the Alumni Association golf outing in conjunction with All-class Reunion Weekend.
An article featuring Joe's many accomplishments as Dean, teacher, and scholar appears on page 4 of this issue.



VERNA L. WILLIAMS,
ASSOCIATE PROFESSOR OF
LAW, taught Family Law
and Juvenile Law.

Verna presented *More Than a Paycheck:
Reparations, Education Reform, and Restorative Justice* at Maryland as part of the College's Scholar Exchange Program and at the College of Law as part of the Summer Faculty Scholarship Series.



INGRID BRUNK WUERTH,
ASSOCIATE PROFESSOR OF
LAW, taught Civil
Procedure I. She pub-
lished *The President's
Power to Detain Enemy
Combatants: Modern
Lessons from Mr.
Madison's Forgotten*

War, 98 NORTHWESTERN UNIV. L. REV. 1567 (2004), which was cited by Justice Scalia in his dissenting opinion in *Hamdi v. Rumsfeld*, 124 S.Ct. 2633 (2004) (law.uc.edu/current/makingnews/04sum/index.html#wuert).

Ingrid's article, *Courts and the President's War Powers: The Promise and Pitfalls of International Law as an Interpretive Tool*, was accepted for publication in the BOSTON COLLEGE LAW REVIEW. She presented the article as part of the College's Summer Faculty Scholarship Series.

Ingrid gave a faculty workshop on *Courts, Constitutional Method and the Commander in Chief Power: Using International Law to Demarcate the President's War Powers* at Salmon P. Chase College of Law, Northern Kentucky University.

FOR MORE INFORMATION VISIT THESE WEBSITES:

- College of Law's Summer Faculty Scholarship Series:
www.law.uc.edu/faculty/summerscholars04.pdf
- College of Law's PUBLIC LAW AND LEGAL THEORY e-journal:
papers.ssrn.com/sol3/JELJOUR_Results.cfm?form_name=journalbrowse&journal_id=216828

Law Review Papers Selected for Publication

Please join the UNIVERSITY OF CINCINNATI LAW REVIEW in congratulating the following 2L Associate Members whose fall semester papers were selected for publication:

VOLUME 73:4

Amy Higgins – *Pimpin' Ain't Easy Under the Eleventh Circuit's Broad RICO*

Enterprise Standard: United States v. Pipkins, 378 F.3d 1281 (11th Cir. 2004)

Brian Hirsch – *The Extreme Home Renovation Giveaway: Constructive Justification for Tax-Free Home Improvements on ABC's Extreme Makeover: Home Edition*

Matt Kitchen – *The Invalidation of the Ohio Investment Tax Credit: Impermissible Burden or Necessary Benefit?* *CUNO v. DaimlerChrysler, Inc.*, 386 F.3d 738 (6th Cir. 2004)

Michelle Pan – *Strategy or Stratagem: The Use of Improper Psychological Tactics by Trial Attorneys to Persuade Jurors*

Ali Razzaghi – *Hill v. Lockheed Martin Logistics Mgmt., Inc.*: "Substantially Influencing" the Fourth Circuit to Change Its Standard for Imputing Employer Liability for the Biases of a Non-Decisionmaker

VOLUME 74:1

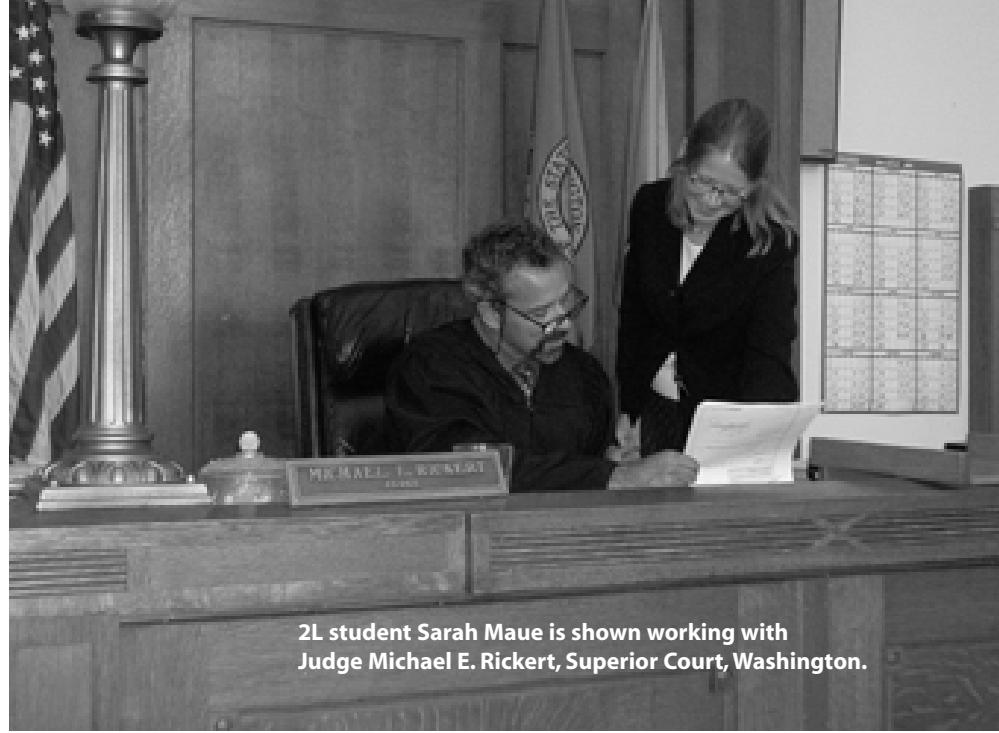
Cynthia Crain – *The Struggle for Reasonable Accommodation for "Regarded As" Disabled Individuals*

Ronda Cress – *Automatic Rights or Permissive Ones? The Status of Articles 4 and 5 of the Third Geneva Convention Relative to the Treatment of Prisoners of War*

Tricia Kelly – *Presumptions, Burdens, and Standards, Oh My! In re Marriage of LaMusga's Search for a Solution to Relocation Disputes*

Jacob Mahle – *We Don't Need No Thought Control: Case Note, Doe v. Lafayette*

Rob Razzano – *Error 404 Jurisdiction Not Found: The Ninth Circuit Frustrates the Efforts of Yahoo!, Inc. to Declare a Speech-Restrictive Foreign Judgment Unenforceable*



2L student Sarah Maue is shown working with Judge Michael E. Rickert, Superior Court, Washington.

UC Law Students "Give Back" Through SPIF Program

This past summer, 48 Cincinnati Law students took advantage of the Summer Public Interest Fellowship (SPIF) Program—working in local, regional, national and international public interest law positions. The majority of these students worked and lived in the Greater Cincinnati community and provided countless hours of volunteer time at agencies and organizations that otherwise could not afford legal interns.

Established in 1997 through the generous support of the Honorable Robert and Helen Black, the Honorable S. Arthur and Louise Spiegel, and Tom and Amanda White, the SPIF program is enhanced by the annual contributions of Cincinnati Law alumni, students, and faculty. The program receives funding through the annual Race Judicata 5K Run/Walk, as well as friends of the College who support the efforts of the Public Interest Law Group. To date, the Endowed Program has distributed close to \$100,000 in Fellowship grants. Combined with Federal Work Study money, the SPIF program is responsible for coordinating close to \$280,000 in summer fellowship funds.

To learn more about how you can enhance the Summer Public Interest Fellowship Fund, please contact:
Mike Volan (513.556.0066 / mike.volan@uc.edu) or Sean Rhiney (513.556.0900 / sean.rhiney@uc.edu)

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New Fundraising Team Joins the Law School



Michael J. Volan

The College of Law has a new team leading its fundraising efforts. Michael J. Volan and Lauren E. Scharf recently joined the law school as Director of Development and Assistant Director of Development, respectively. Mike and Lauren stepped into the positions previously held by Pat Branam and Cheryl DelVecchio. Pat, who was a key figure in the Development Department for the College of Law for almost 15 years, moved into her new position as Senior Director of Development for the McMicken College of Arts and Sciences last summer. Cheryl, former Assistant Director of Alumni and Development, is now the Assistant to Associate Dean Barbara Watts.

Mike Volan is a graduate of the University of Cincinnati's McMicken College of Arts and Sciences and a Certified Fund Raising Executive (CFRE). Prior to coming to the College of Law he was the Director of the Annual Fund with the UC Foundation. Previously, he had served as the Director of Development at the Athenaeum of Ohio and as a District Director with Dan Beard Council of the Boy Scouts of America.



Lauren E. Scharf

Lauren Scharf joins Mike as the new Assistant Director of Development for the College of Law. Lauren will assist in the fund raising efforts for the College of Law as well as administer the activities of the Law Alumni Association. She has a Bachelor of Arts degree from Emory University in Atlanta. Lauren comes to us from the Cincinnati Opera where she was Event Manager and Guild Coordinator. Previously, she was Women's Division Director and Acting Campaign Director at the Jewish Federation of Cincinnati.

Mike and Lauren look forward to working with you—our alumni and friends—to strengthen our relationships and find new ways to keep you involved with the UC College of Law.

Law Students Remember U.S. Troops at the Holidays

by Tara Van Ho, '05

Last year, law student David Swisher transferred into the College of Law's Class of 2005. A semester later, his reserve unit was deployed to the Middle East. David is expected to return next year, but it was with him in mind that UC College of Law students, faculty, and staff gathered supplies for troops spending the winter holidays in the Middle East.

Female law students answered the call of female troops requesting products such as hair spray and Glamour magazines. Men were not forgotten, though, with Men's Health and beef jerky. Most of the products requested, though, were toiletries, toothpaste, and toothbrushes, which joined the pounds of candy that filled the Law Review office and the Law Library circulation area.

In the end, approximately a dozen large boxes were sent to three troop units. Two of the units are newly arrived in Iraq, while the third is in an area of Afghanistan not serviced by a PX. Based on the letters from the troops, whole units will share the supplies of popcorn, deodorant, and shampoo generously donated by the UC community. The troops were selected from lists found on www.anysoldier.com, which allows troops serving in the Middle East to request supplies in care packages. The webpage was designed to fill the void created in mail and care packages when the military forces ended the "any soldier" mail campaign usually done by the U.S. postal services.

The College of Law library staff coordinated the "Serving Our Soldier" initiative with help from members from the UC Law Review, the Honor Council, and the Christian Legal Society. Cash donations were used to cover the cost of mailing the packages. A special thank you to everyone whose generosity and thoughtfulness made this program such a success—touching the lives of many soldiers deployed in combat areas.



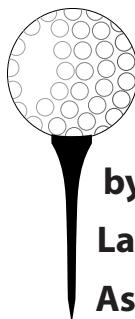
Third-year student Tara Van Ho—the principal promoter of the program—sorts through the numerous contributions collected by UC law students.

REUNION WEEKEND 2005

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13TH ANNUAL

Trial by Golf



Sponsored
by the UC
Law Alumni
Association

Friday,
September 16
"Shotgun" Start
at Noon



FOR MORE INFORMATION, CONTACT:

Lauren Scharf
513.556.0071
lauren.scharf@uc.edu

FRIDAY, SEPTEMBER 16
Golf Outing: 13th Annual "Trial by Golf"

SATURDAY, SEPTEMBER 17
All-Class Cocktail Reception
Individual Class Dinners

MARK YOUR CALENDARS!

Class Acts

1940s

NORBERT J. BISCHOFF, '49, was the recipient of the "Kentucky Bar Service Award" at the Kentucky Bar State Convention this year. Mr. Bischoff dedicated 32 years of service to the bar, 10 years on the KBA client security fund, and 22 years on the lawyers assistance committee and program. He has also lectured at numerous CLE events.

1950s

HARRY H. SANTEN, '57, founding partner of the Santen & Hughes law firm, received the "2004 Forward Together Award" by the BLAC CBA Round Table. He has been a charter member and a compelling voice of the Round Table throughout its existence. Mr. Santen has served the community and the profession in many roles including long-time service to Volunteer Lawyers for the Poor, the Ohio Legal Assistance Foundation, and the Legal Aid Society.

1960s

HON. WILLIAM O. BERTELSMAN, '61, Senior U.S. District Judge, was recently elected as the Sixth Circuit representative to the Judicial Conference of the United States, the principal governing body of the federal judiciary for administrative purposes.



JAMES H. COOGAN, '61, was honored by the Cincinnati Bar Association with their Trustees' Award for his dedication and service over the past three decades to fellow attorneys recovering

from alcoholism. The Trustees' Award is presented to an attorney for outstanding service to the bar association, the legal profession, and the general community. Mr. Coogan is a partner at the law office of Drew & Ward Co., LPA, and was on the "Super Lawyers" list published by CINCINNATI MAGAZINE in its January 2004 issue.



JOHN S. STITH, '64, was recently made partner at the law firm of Porter Wright Morris & Arthur LLP. His career of nearly 40 years in the Cincinnati legal community includes general corporate law;

business structure organization and governance; securities law; mergers, acquisitions and dispositions; and capital formations, including venture capital. Mr. Stith was former president of the Cincinnati Bar Association, and is currently a member of the board of governors of the Ohio State Bar Association.

H. LOUIS SIRKIN, '65, received the Nicholas Longworth III Achievement Award at the UC College of Law 2004 Hooding Ceremony. The award, presented by the senior class, recognizes graduates of the College of Law for outstanding contributions. Mr. Sirkin, a partner in the law firm of Sirkin Pinales & Schwartz LLP, has a broad practice ranging from criminal defense to *habeas corpus* appeals for death row inmates. He is best known, though, for his commitment to the protection of the First Amendment.

1970s

DAVID A. D'AVIGNON, '73, joined the firm of Keating, Muething & Klekamp PLL as an Of Counsel lawyer. His practice is concentrated in the area of real estate law.



FREDERIC L. GOEDDEL, '73, partner at the law office of Drew & Ward Co., LPA, was on the "Super Lawyers" list published by CINCINNATI MAGAZINE in its January 2004 issue. Mr. Goeddel specializes in family law, civil litigation, estate planning, and probate.



RICHARD J. RUEBEL, '73, partner at Drew & Ward Co., LPA, earned prestigious certification by the Ohio State Bar Association as a specialist in the field of estate planning, trust and probate law. The OSBA Certified Specialist Program ensures that an attorney possesses an enhanced level of skill and expertise, as well as substantial involvement in estate planning, trust, and probate law. Mr. Ruebel was also on the "Super Lawyers" list published by CINCINNATI MAGAZINE in its January 2004 issue.

H. LAWSON WALKER, II, '75, a member in the Cincinnati office of Frost Brown Todd LLC, has been appointed to a four-year term on the Board of Directors of the Judicial Form Retirement System by Kentucky Governor Ernie Fletcher. The appointment involves service to two separate systems.

DAN HULL, '78, attended meetings of the International Business Law Consortium (IBLC) in Salzburg, Austria in September. The IBLC provides a working assembly of first-rate law and accounting firms, which assist each other in serving corporate clients globally. Its members meet several times each year and are from 80 law and accounting firms in strategically located cities in Europe, Asia, the Middle East, Australia, and North and South America.

GERARD G. PECHT, '78, of the Houston law firm, Fulbright & Jaworski LLP, was named on the "Texas Super Lawyers" list published by TEXAS MONTHLY magazine.



ANTHONY G. COVATTA, JR., '79, partner at the law office of Drew & Ward Co., LPA, was on the "Super Lawyers" list published by CINCINNATI MAGAZINE in its January 2004 issue. Mr. Covatta specializes in the area of corporate law, general litigation, franchising, and real estate law.

1980s



J. MICHAEL DEBBELER, '80, partner at Graydon Head & Ritchey LLP, has been appointed chair of the Bankruptcy and Creditors' Rights Practice Group. His main areas of practice include bankruptcy, loan work-

outs, and creditors' rights. He serves on the firm's Executive Committee and on the Executive Committee of the Midwest Regional Bankruptcy Seminar.

PATRICIA D. LAUB, '83, an attorney in the Cincinnati office of Frost Brown Todd LLC, has been selected to be included in the 2005–06 edition of *THE BEST LAWYERS IN AMERICA*. Ms. Laub was recognized for her expertise in trusts and estates.



GERALD F. O'CONNELL, '84, has been named chair of the Business Transactions Practice Group at the law firm of Graydon Head & Ritchey LLP. Mr. O'Connell practices in the areas of general corporate law,

commercial financial transactions, real estate, corporate finance and environmental law.

TIMOTHY A. GARRY, JR., '85, joined the partnership of the law firm of Wood & Lamping LLP. Before joining Wood & Lamping in 1999, Mr. Garry served as an assistant prosecuting attorney for Hamilton County and as the elected law director of the city of Norwood. His primary areas of practice are litigation and local government law.



JUDITH S. GRACEY, '85, has been named president of the Oakland County Bar Association (OCBA). She is the first African-American president of the OCBA, Michigan's largest volunteer bar association.

Ms. Gracey is a sole practitioner based in Lathrup Village and practices in the areas of contract, criminal, family, probate and estates, sports, and personal injury law.

THOMAS M. JACKSON, '85, has been appointed as one of three budget advisors to Acting Governor Richard Codey in New Jersey. Mr. Jackson, an Executive Vice President, General Counsel and Corporate Secretary for the GAB Robins Group of Companies, joins an elite group of business professionals who plan to act as a thinktank to help New Jersey solve its nearly \$5-billion budget deficit.

Lt. COL. DAVID D. JIVIDEN, '86, is currently assigned as an Air Force Legal Advisor to the U.S. Joint Chiefs of Staff, Plans and Policy Directorate, Nuclear Arms Control Division. His latest article, *Rediscovering International Law Through Dialogue Rather Than Diatribe*, was recently published in 27 HARVARD JOURNAL OF LAW & PUBLIC POLICY 691 (2004).

THOMAS A. CANERIS, '87, commercial affairs counsel of AK Steel Corporation, has been appointed as a member of the Department of Commerce's and U.S. Trade Representative's Industry Trade Advisory Committee on steel. The advisory committee provides U.S. government policy members with advice on key objectives and bargaining positions for multi-lateral, bilateral, and regional trade negotiations and other trade-related policy matters.

MARY ANN WILLIS, '87, was recently named Director of Career Services at Capital University Law School in Columbus, OH. Ms. Willis has served as counsel to the U.S. Supreme Court, law clerk to Judge David A. Nelson of the U.S. Court of Appeals for the Sixth Circuit, program director for a non-profit organization, and a private practice attorney.

JOHN M. HANDS, '88, joined the Cincinnati office of Ulmer & Berne, LLP as a litigation partner in the firm's Business Litigation and Product Liability Groups, where his practice focuses on business, commercial, and product liability litigation.

BENJAMIN FITZGERALD, '89, accepted a position as Counsel for the Pure Title Agency in Columbus, OH.

KEVIN N. McMURRAY, '89, an attorney in the Cincinnati office of Frost Brown Todd LLC, has been selected to be included in the 2005–06 edition of *The Best Lawyers in America*. Mr. McMurray was recognized for his expertise in environmental law.

1990s

REUEL D. ASH, '91, joined the Cincinnati office of Ulmer & Berne, LLP as a senior attorney in the firm's bankruptcy and creditors' rights and business litigation groups, where he handles bankruptcy, insolvency, creditors' rights, and commercial litigation matters.

MARIA S. KAVOURAS, '91, was named the Assistant General Counsel for the Cincinnati Practice Group of the Finance and Operations Law Office, Office of General Counsel, U.S. Environmental Protection Agency (U.S. EPA). Prior to that time, she served as both the Acting Assistant General Counsel and as a Senior Attorney-Advisor for the Cincinnati Practice Group. Ms. Kavouras joined the Cincinnati Practice Group in February 1997.

GINA M. SAELINGER, '93, joined the Cincinnati office of Ulmer & Berne LLP as Of Counsel in the firm's Liability Defense Group. In the past, Ms. Saelinger's practice focused on class action and product liability defense. She managed litigation in several states and provided advice on business and risk management issues.



DOUGLAS A. YERKESON, '93, has been elected president of the UC College of Engineering Alumni Association. Mr. Yerkeson is an associate in the IP Group of the Indianapolis law firm of Bose McKinney & Evans

LLP, where he concentrates on patent, copyright and trademark matters.

STEPHEN ALBAINY-JENEI, '95, was named partner at Frost Brown Todd LLC. Mr. Albainy-Jenei practices in the Cincinnati office and is a member of the firm's IP Department and concentrates his practice in patent preparation and prosecution, patentability, validity and infringement opinions, licensing, and other IP-related agreements.

DAVID W. BURLEIGH, '95, has been appointed to the corporate leadership council of Cincinnati Children's Hospital Medical Center. The council is a group of volunteers that assists development efforts for specific projects and programs at CCHMC. Mr. Burleigh is a partner in the law firm of Deters Benzinger and LaVelle PSC.

JEANETTE HARGREAVES, '95, has been named an associate in the Cincinnati office of Ulmer & Berne LLP, where she will be a member of the Product Liability, Pharmaceutical Industry, and Liability Defense groups.

REGINA CAMPBELL, '96, has been named the new managing attorney for the Volunteer Lawyers Project. Ms. Campbell has expertise in Housing, Public Benefits, Employment, and Child Support. She has also managed strategic planning projects, most recently for Legal Aid's expansion into Clinton and Highland counties.

RHONDA S. FREY, '96, joined Greenebaum Doll & McDonald PLLC in their Covington office. She joins the firm's litigation practice group, concentrating her practice in health care, labor and employment, and public sector and constitutional law, as well as litigation.

DAVID J. WILLBRAND, '96, joined the Cincinnati office of Thompson Hine LLP as an associate in the corporate transactions and securities practice group.

JOHN S. FRONDUTI, '97, has been elected partner at the law firm of Keating, Muething & Klekamp PLL. His practice is concentrated in commercial finance and focuses on the structural and legal aspects of debt financing and equipment leasing.

KAREN KREIDER GAUNT, '97, has been elected partner at the law firm of Keating, Muething & Klekamp PLL. Her practice is concentrated in the areas of domestic and international trademark, copyright, Internet, media, licensing, advertising, and corporate law.

KATHERINE COOK MORGAN, '97, was named partner at Frost Brown Todd LLC. Ms. Morgan practices in the Cincinnati office and is a member of the firm's Labor Department. She concentrates her practice in wrongful discharge and discrimination litigation and ERISA litigation.

SHITAL A. SHAH, '97, was named to the Board of Directors for Leadership Toledo in Ohio with his term commencing in 2005. Leadership Toledo—affiliated with the national Community Leadership Association—is a non-profit organization, established in 1980 to foster leadership and involvement in the Greater Toledo area.

DEREK C. SMITH, '97, an attorney at the Chicago firm of Wildman Harrold, practices in the areas of commercial and complex litigation, drug and medical device, and environmental/toxic tort. He currently represents chemical industry clients in class actions and mass tort toxic exposure matters throughout the United States. He also represents clients in product liability matters, including major pharmaceutical and medical device manufacturers.

2000s

DONALD R. CASTER, '00, has been hired as an associate at the law firm of Laufman & Gerhardstein. Mr. Caster recently completed a one-year clerkship with the Hon. Robert C. Chambers, U.S. District Court Judge for the Southern District of West Virginia.

ANNE K. HOWARD, '01, accepted a position as attorney/advisor for the Office of Hearings and Appeals, Social Security Administration in Dayton, OH.

CHARLES A. BRUCH, '02, has been hired by Dinsmore & Shohl LLP to practice in the litigation department of its Cincinnati office.

KIMBERLY I. MILLER, '02, was called to active duty in May 2004. She was stationed in Newport, RI for training, and then assigned to the USS RAMAGE (DDG-61) as the Weapons Officer.

EMILY A. SCHOENFELD, '02, joined the law firm of Ennis, Roberts & Fischer Co., LPA.

WILLIAM D. SPOOR, '02, joined the law firm of Keating, Muething & Klekamp PLL as an associate in the Bond & Municipal Finance Department.

PAULA YASUYO BOGGS, '03, joined the law firm of Keating, Muething & Klekamp PLL as an associate in their Litigation Department.

MARK A. EHINGER, '03, is currently serving as Theatre Operations Officer for Foxtrot Company, 96th Civil Affairs Battalion (Airborne), part of Combined Joint Task Force-Horn of Africa (CJTF-HOA). CJTF-HOA is responsible for planning, resourcing, and overseeing the execution of all U.S. army civil affairs missions in Djibouti, Ethiopia, and Kenya. The mission of CJTF-HOA is to disrupt and defeat international terrorist groups posing an imminent threat to the United States, its allies, or their interests.

MARINELLY MALDONADO, '03, has been hired as a Field Attorney for the NLRB in Florida. She investigates unfair labor practice charges and also conducts elections for certification and decertification of unions.

CHRISTY M. NAGELEISEN, '03, has been hired as an associate at the law firm of Keating, Muething & Klekamp PLL. She will be in the Litigation Department.

ALISON J. BOUFFARD, '04, joined the law firm of Keating, Muething & Klekamp PLL as an associate in their Litigation Department.



ERICA D. GANN, '04, joined the law firm of Vorys, Sater, Seymour and Pease LLP in the firm's Cincinnati office as an associate attorney.



WHITNEY C. GIBSON, '04, joined the Cincinnati office of Vorys, Sater, Seymour and Pease LLP as an associate attorney.

TERRENCE P. OHNMEIS, '04, has accepted the position of Assistant Director of Development for the College of Arts & Science at Miami University in Oxford, OH.

JACK F. SIMMS III, '04, and his wife have been accepted into the Peace Corps. They leave in June to teach English in Kazakhstan.



ELIZABETH E.W. WEINWUTH, '04, joined the law firm of Vorys, Sater, Seymour and Pease LLP in the firm's Cincinnati office as an associate attorney.

Legal Eaglets

Jennifer A. Bennett, '94, and her husband Jake, welcomed their second baby girl, born on September 8, 2004.

Lajuan Fleetwood, '02, and **Jessica H. LeMasters, '04**, celebrated the birth of their son, Evan Michael Fleetwood, on August 2, 2004. Evan weighed in at 8 pounds, 5 ounces and was 21 inches long.

Anthony L. Osterlund, '99, and his wife Mary, are pleased to announce the birth of their child, Matthew Lynn Osterlund on June 28, 2004. Matthew weighed 8 pounds, 9 ounces and measured 22 1/4 inches long.

Kathleen G. Stenberg, '02, and her husband Ryan, celebrated the birth of their daughter, McKenzie Beth Stenberg, on August 27, 2004. McKenzie weighed 8 pounds, 2 1/2 ounces and was 21 inches long.

Mark G. Whittenburg, '92, and his wife Marla, celebrated the birth of their child, Griffin Carmichael Whittenburg, on August 2, 2004. Griffin weighed in at 8 pounds, 5 ounces and was 20 inches long.

Camille T. Wiggins, '91, and her husband Eric, are pleased to announce the birth of their fourth child, Andrew LaMarr. He was born October 12, 2004, weighing in at 9 pounds, 3 ounces, and was 22 1/2 inches long. He joins Eric (5 1/2 years), Alaina (2 1/2 years), and Ariana (1 1/2 years).

Professor Ingrid Wuerth and her husband Julian, are pleased to announce the birth of their daughter, Eva Elisabeth Wuerth, on September 5, 2004. Eva weighed in at 6 pounds 3 ounces.

What's New with You?

Name _____ Graduation year _____

Home address _____

Home telephone _____ E-mail address _____

Work address _____

Is this a new position or promotion? _____ At which address do you wish to receive your mail? _____

Other awards, achievements, honors, or news _____

Fax 513.556.2391 or email your news directly to Cheryl Delvecchio at cheryl.delvecchio@uc.edu.



In Memoriam

DR. H. ELSIE AUSTIN, '30
SAN ANTONIO, TX
OCTOBER 2004

LAWRENCE A. GIBBS, '50
COLUMBUS, OH
SEPTEMBER 2004

RALPH C. BARNHART, '34
FAYETTEVILLE, AR
OCTOBER 2004

STANLEY Z. GREENBERG, '65
DAYTON, OH
JUNE 2003

JOHN A. BRINK, '37
CLEVELAND, OH
SEPTEMBER 2004

HON. ROBERT S. KRAFT, '50
CINCINNATI, OH
SEPTEMBER 2004

ARTHUR C. CHURCH, '67
CINCINNATI, OH
JULY 2004

CARL S. MALLOW, JR., '41
MESA, AZ
MAY 2004

RALPH E. CLARK, JR., '40
GUNNISON, CO
JULY 2004

DAVID N. PARKER, '71
CINCINNATI, OH
DECEMBER 2004

JAMES C. CURRY, '49
CINCINNATI, OH
NOVEMBER 2004

ARTHUR F. PENNAK, '48
CINCINNATI, OH
OCTOBER 2004

AVETIS G. DARVANAN, '50
YOUNGSTOWN, OH
AUGUST 2004

ROBERT K. SACHS, '55
CINCINNATI, OH
JULY 2004

WILLIAM F. FITZGERALD, '62
CINCINNATI, OH
JULY 2004

HENRY E. SHELDON II, '63
CINCINNATI, OH
JULY 2004

JOHN R. FLETCHER, '47
CINCINNATI, OH
DECEMBER 2004

EDWARD R. TELLING III, '70
ROCKFORD, IL
AUGUST 2004

JOHN P. FRAZIER, '50
ST. CLAIRSVILLE, OH
OCTOBER 2004

HOWARD K. WATKINS, JR., '52
PORTSMOUTH, OH
AUGUST 2004

LAURA U. FREDERICK, '49
CHICAGO, IL
SEPTEMBER 2004

DAVID J. YOUNG, '56
CINCINNATI, OH
AUGUST 2004

C. D. GIANUGLOU, '60
DAYTON, OH
JUNE 2004



Scholarship Donors Meet Scholarship Recipients at Reception

On Friday, November 19th, scholarship recipients had the opportunity to meet the donors who are helping to make their education possible at the UC College of Law. A reception was held in the Law School's atrium in conjunction with the UC Law Alumni Association's fall CLE program and annual meeting.

The reception began with the Alumni Association's annual meeting and remarks by Alumni Association President Amy Wainio and Interim Dean Donna Nagy. Yvette Simpson, a member of the UC Law Class of 2004, introduced Thomas W. Langlois, '91, as recipient of the 2004 Adjunct Faculty Teaching Excellence Award. This award is in recognition of excellence in classroom teaching and the ability of the instructor to enhance the students' practical skills. The recipient is chosen based on nominations from students. Mr. Langlois has served as an adjunct faculty member since 2000 and teaches Appellate Practice & Procedure.

The formal part of the afternoon's program concluded with the introduction of our 2004–05 scholarship recipients. Donors who were able to join us truly enjoyed the opportunity to get to know their scholarship recipients, and for the students, it was a chance to say "thank you" in person to their benefactors.

Donors who were able to join us truly enjoyed the opportunity to get to know their scholarship recipients, and for the students, it was a chance to say "thank you" in person to their benefactors.



Yvette Simpson, '04, introduced Thomas W. Langlois, '91, as the recipient of the 2004 Adjunct Faculty Teaching Excellence Award. The award is presented annually by the UC Law Alumni Association.

Wilbert L. Ziegler, '56, who received a scholarship in the 1950s to attend law school at UC, enjoyed meeting this year's recipients of the Ziegler Scholarship—first-year students Ryan Martin and Cheshe Dow. He and his wife, Helen, endowed the scholarship for students from Northern Kentucky—particularly Thomas More College alumni—about five years ago.



Interim Dean Donna Nagy and LAA board member Tony Osterlund, '99, happily pose for a photo with Kristin Woeste, '05, the current University of Cincinnati Law Review editor and scholarship recipient on this happy occasion.

David Porter, '34 ■ Hon. Timothy S. Hogan, '31 ■ C. R. "Bob" Beirne, '32 (posthumously) ■ Hon. Theodore M. Berry, '31 ■ Louis Nippert, '28 ■ Hon. William S. Richardson, '43 ■ William J. Keating, '50 ■ Hon. Olive L. Holmes, '43 ■ Prof. Richard E. Speidel, '57 ■ Hon. John W. Peck, '38 ■ Hon. George H. Palmer, '49 ■ Ambassador Richard D. Kearney, '38 ■ Hon. Joseph P. Kinneary, '35 ■ John W. Hudson, '30 ■ Martha H. Perin, '48 ■ John J. Getgey, '60 (posthumously) ■ Charles A. Corry, '59 ■ Robert G. Stachler, '57 ■ Stanley M. Chesley, '60 ■ Henry W. Hobson, Jr., '48 ■ Dr. H. Elsie Austin, '30 ■ John L. Muething, '48 ■ John S. Stith, '64 ■ Hon. William O. Bertelsman, '61 ■ Donald P. Klekamp, '57 ■ Harry H. Santen, '57 ■ Prof. Samuel S. Wilson, '61 ■ Thomas C. Spraul, '50 (posthumously) ■ Bruce I. Petrie, Sr., '50 ■ Hon. Carl B. Rubin, '44 ■ Lloyd H. O'Hara, '42 ■ Hon. John W. Keefe, '39 ■ Hon. John D. Holschuh, '51 ■ Hon. Raymond E. Shannon, '48 ■ Hon. Donald C. Wintersheimer, '59 ■ Prof. Robert L. Felix, '59 ■ Prof. Kenneth L. Aplin, '59 ■ Hon. Thomas C. Nurre, '57 ■ Fay Danner Dupuis, '69 ■ Milton J. Schloss, Sr., '37 ■ Marianna Brown Bettman, '77 ■ Doloris F. Learmonth, '78 ■ William R. Martin, '76 ■ Barbara G. Watts, '78 ■ John D. Altenburg, Jr., '73 ■ Wilbert L. Ziegler, '56 ■ Leo E. Breslin, '53 (posthumously) ■ Nicholas L. White, '56

Distinguished Alumnus Award Nominations Sought for 2005

The Law Alumni Association seeks your nominations of a deserving College of Law alumnus to receive the 2005 Distinguished Alumnus Award. Criteria for nomination are excellence and achievement in the individual's chosen field of practice or profession. Since 1980, the Law Alumni Association has been honoring distinguished UC College of Law alumni/ae. Listed in the adjacent column are previous recipients in chronological order.

NOMINEE'S NAME _____

POSITION _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE () _____ FAX () _____

EMAIL ADDRESS _____

NOMINATOR _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE () _____ FAX () _____

EMAIL ADDRESS _____

Please include a short statement of the nominee's qualifications to receive the award and any additional information.

Questions: Call Lauren Scharf (513.556.0071) or email her at Lauren.Scharf@uc.edu or make your nomination online at www.law.uc.edu/alumni/distnom.html

**Return nomination by Monday, February 28, 2005 to:
College of Law ■ Office of Alumni Affairs ■ PO Box 210040
University of Cincinnati ■ Cincinnati OH 45221-0040.**

12TH ANNUAL Trial by Golf



The kick-off event to Reunion Weekend—the 12th Annual Trial by Golf—was well attended again this year. Golfers enjoyed an afternoon of golf, food, drink and prizes—despite cooler weather and a soggy start. A special “thank you” to our Grand Slam Sponsor—Arnold Printing; our Leaderboard Sponsors—Joseph Auto Group and Spherion; and our many hole sponsors. To view all of the images from the event, please visit www.law.uc.edu/alumni.



Foursome A: Doug Riddell, Kyle Witt, Colin O’Hearn and Jeff Schlessman—all members of the Class of 2005

Foursome B: Kelly Donson; Jack Donson, ’71; Melissa Kurzhals Cover, ’00; and Steve Nechemias, ’69

Foursome C: Jerry Chambers; Carolyn Taggart, ’78; Tom Dupuis, ’68; and Felix Gora, ’80

Foursome D: Tom Kirkwood, ’74; Melany Newby, ’74; Len Rowekamp, ’78; and Steve Wolnitzek, ’74



Foursome B



Foursome C



Foursome D



One lucky golfer—Judge James Flannery—won the Hummer for a week, one of two prizes donated by the Joseph Auto Group



'54

Alumni Share Memories
and Good Times at...



'59



'64



'74



'69

To view more photos
of the festivities, visit
www.law.uc.edu/alumni/reunion04/index.html

If you graduated in '55, '60, '65, '70, '75, '80, '85, '90, '95 or '00, mark your calendar now for **September 16 & 17—2005 Reunion Weekend!** If you are interested in helping with your individual class planning, please contact:

Lauren Scharf at (513) 556-0071 or
lauren.scharf@uc.edu

2004 UC College of Law Reunion Weekend



'84



'79



'89



'94

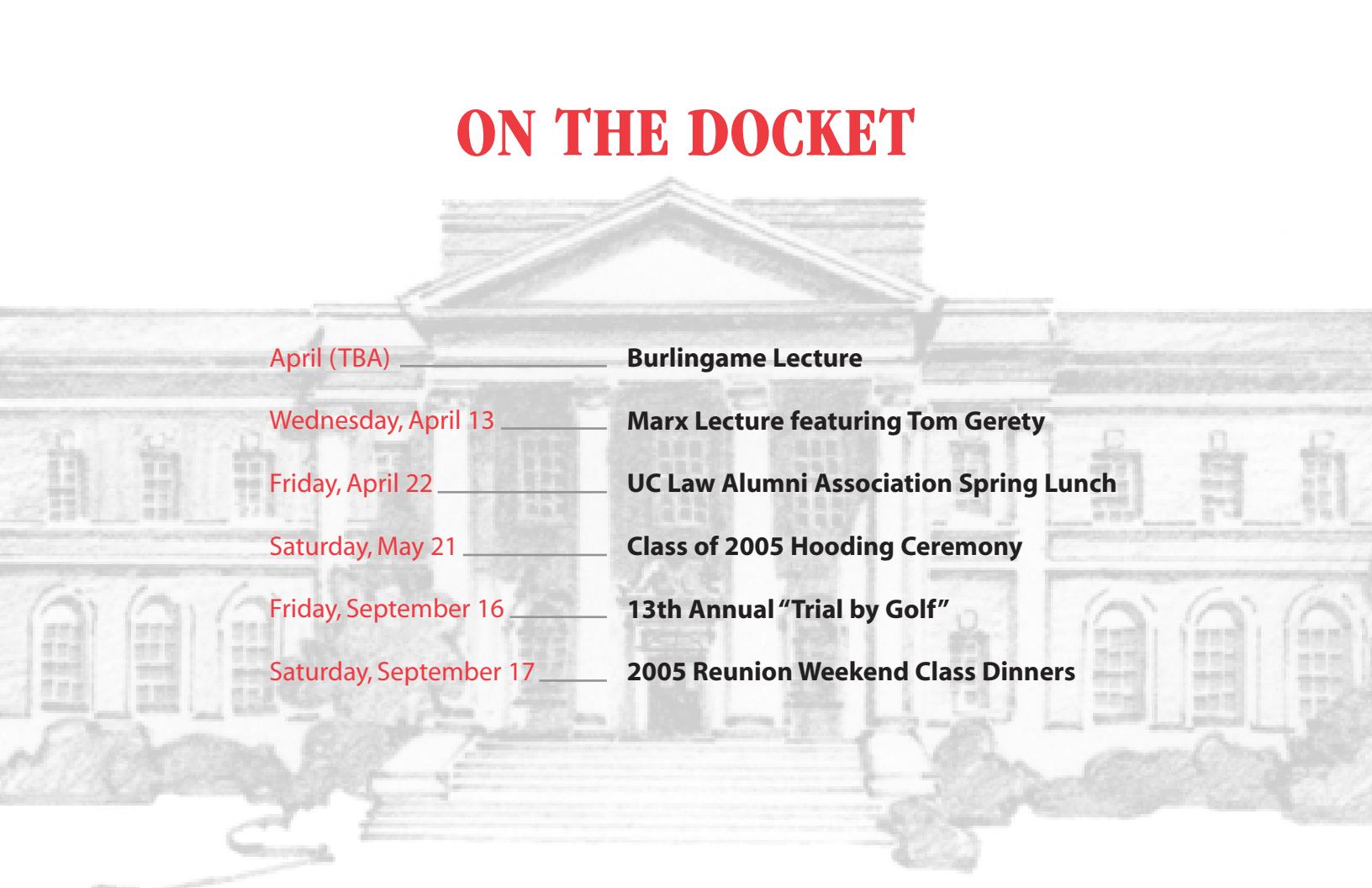


'99

On Saturday, September 18, law graduates from all the classes celebrating a 5-year anniversary, gathered at the Phoenix in downtown Cincinnati for cocktails and dinner -- except for the Class of 1979, who met the weekend before at the Bankers Club. From all accounts, everyone completely enjoyed the laughter, camaraderie and shared memories during the evening's events.

Many thanks to the reunion committee members from each class who helped with the event planning as well as locating and contacting fellow classmates. Their efforts contributed greatly to the overall success of the Reunion Weekend!

ON THE DOCKET

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- | | |
|------------------------------|---|
| April (TBA) _____ | Burlingame Lecture |
| Wednesday, April 13 _____ | Marx Lecture featuring Tom Gerety |
| Friday, April 22 _____ | UC Law Alumni Association Spring Lunch |
| Saturday, May 21 _____ | Class of 2005 Hooding Ceremony |
| Friday, September 16 _____ | 13th Annual "Trial by Golf" |
| Saturday, September 17 _____ | 2005 Reunion Weekend Class Dinners |



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